DENISE ?

Hawkesbury City Council

BUSINESS PAPER

Ordinary Meeting 12 JUN 1990

TOWN CLERK/GENERAL MANAGER'S REPORT

SPECIAL MEETING - 7TH JUNE, 1990

Mayor and Aldermen:

1. EXTRACTIVE INDUSTRIES EAST KURRAJONG ROAD, SECTION 2, 68a/268/72, 68a/297/76

A number of Aldermen have requested information on the following items.

1. Proposal by Schaffer Corporation for Further Extraction of the Calsil Property

This has been indicated in the report to the business paper to the Special Meeting. The exhibition of the proposal does not finish until 15th June, and comments from government authorities have not as yet been received. Council cannot determine the application at this time because of the matter still being on exhibition and because of the outstanding comments from these authorities.

2. Conditions of Consent

These are reported in the business paper, and are annexed to the business paper for Council's information.

3. Options Open to Council in Relation to Breaches of Conditions of Consent

Apart from coercion and/or persuasion to make applicants comply with conditions of consent, the only lawful way is by redress through the Land and Environment Court. For any action to be successful would require Council proving that the condition as imposed is a reasonable one in the first instance, and to have proof of the breach of condition.

4. Overall Plan of Management for Readymix

This matter has been reported in Item 2 of the Special Business Paper.

5. Possible Relocation of the Extractive Industries

The extractive industries have received development consent and, therefore, may continue subject to compliance with the relevant conditions. To force cessation of works, it is not enough to prove a mere breach of conditions of consent. Council would have to prove that the breaches of conditions of consent were so significant in environmental terms, as to be the cause of significant environmental degradation.

To otherwise relocate the extractive industries would require Council revoking its develop consents which, whilst there are provisions under the EPA Act, would require the payment of compensation to the companies involved. The other aspect of this is finding a suitable location for the industries. Should Council embark on an investigation process, it is likely to run into opposition no matter where sites are identified, similar to the opposition received for relocation of the mushroom composting industry at Blaxlands Ridge.

SECTION 2 - PLANNING AND DEVELOPMENT

ITEM 39: (File DA 220/89)

SUBJECT: CARAVAN PARK, CABIN ACCOMMODATION AND CONVENTION CENTRE, CHASELING ROAD, LEETSVALE.

REPORT (M.T.P.)

The Committee is referred to Item 14 in the Planning and Development Section of this business paper.

It is recommended that the wording of Condition No.11 be altered to account for further options for supply of water and disposal of sewage.

Recommendation

That Condition No.11 be altered to now read as follows:-

"11. The submission of chlorination, filtration and desalination details for drinking water, together with details on storage capacity. As ground water supplies can be suspect in regard to quality, particularly where drawn near areas used for effluent disposal by irrigation, the provision of surface supply of potable water should not be discounted and should be included in any submission. Such details are to be submitted and approved by the Manager of Environment and Building Services prior to any work being carried out on the proposed development."

In general terms, however, extractive industries, ideally, should be located adj to main road systems, in areas of sparse population and away from area significant and important wetlands systems which may be adversely affected by ru off etc. This does not necessarily mean that extractive industries cannot be sited i other locations, as there are various ways which environmental problems can be mitigated.

Generally however, if Council has difficulty with extractive industries in certain areas, it should preclude these from the table of allowable uses within the relevant zones. It is considered that the Department of Planning, however, would require an environmental study and justification for the deletion of extraction from the allowable uses. Difficulty with identifying locations for these uses is that, in regional terms, the proposals are small and therefore rely on "isolated pockets" of resource materials. In the absence of geological survey on this small scale, areas can only be identified in general terms. It is considered more appropriate, particularly for the small amount of extractive industry proposals that are received, that applicants identify suitable sites and justify proposals in environmental terms in accordance with the designated development provisions within the legislation.

IT IS RECOMMENDED THAT the information be received.

G M McCully,
Town Clerk/General Manager

MINUTES OF MEETINGS

ORDINARY MEETING HELD ON 8TH MAY, 1990

SPECIAL MEETING HELD ON 18TH MAY, 1990

SPECIAL MEETING HELD ON 29TH MAY, 1990

SPECIAL MEETING HELD ON 7TH JUNE, 1990

SPECIAL MEETING HELD ON 7TH JUNE, 1990

SECTION 1

Minutes of the Meeting of the Council of the City of Hawkesbury held at the Council Chambers, Windsor, on 8th May, 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.

An apology for lateness was received from Alderman Michael.

727 RESOLVED on the motion of Alderman Gibson seconded by Alderman Stubbs that the apology be accepted.

Alderman Michael arrived at the meeting at 7.35 p.m.

The Reverend Keith Beech of the Maroota Baptist Church, representing the Hawkesbury Ministers Fraternal, gave the opening prayer at the commencement of the meeting.

SECTION 1 - MINUTES OF MEETINGS

CONFIRMATION OF MINUTES

728 RESOLVED on the motion of Alderman Mackay seconded by Alderman Gibson that the Minutes of the Ordinary Meeting of Council held on 10th April, 1990, having been circulated amongst the members of Council, be confirmed.

729 RESOLVED on the motion of Alderman Gibson seconded by Alderman Rotherham that the Minutes of the Special Meeting of Council held on 19th April, 1990, having been circulated amongst the members of Council, be confirmed.

Alderman Michael arrived at this stage, the time being 7.35 p.m.

MAYORAL MINUTES

1. USE OF THE TITLE OF "CITY". C50 [50,777]

730 RESOLVED on the motion of Alderman Horrex seconded by Alderman Stubbs that authority be delegated to the Town Clerk/General Manager or the Mayor to give permission where appropriate for the use of the word "City".

2. CONDUCT OF ROWING RACE ON HAWKESBURY RIVER. H100 [50.778]

731 RESOLVED on the motion of Alderman Horrex seconded by Alderman Mackay that the matter be reported looking at Council's input and outside sponsorship.

SECTION 3 - REPORT OF GENERAL PURPOSE COMMITTEE

SECTION 1 - WORKS

ITEM 2 - PROVISION OF SKATEBOARD RAMP WITHIN CITY, 625-214 [50.779]

Moved by Alderman Sledge seconded by Alderman Denne that a skateboard ramp be established in the Laurence Street Reserve opposite Tamplin Field.

732 **AN AMENDMENT** was moved by Alderman Rotherham seconded by Alderman Gibson that the matter be deferred pending receipt of a report concerning the ongoing cost involved in construction and operation of a skateboard ramp.

The amendment was carried.

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

SECTION 2 - PLANNING & DEVELOPMENT

ITEM 9 - COMMERCIAL PREMISES/ESCORT AGENCY ON THE FIRST FLOOR OF 219 GEORGE STREET, WINDSOR - DENISE WOODS DA 102/89 [50.780]

Moved by Alderman Bazeley seconded by Alderman Sheather that the application for the use of the first floor of 219 George Street, Windsor as an escort agency be refused because :

1. It is contrary to objective 1(a) of the General Purpose Zone 3(a) of the Hawkesbury LEP, 1989,

2. That the application is a sham, that is it is to be used as a brothel for the purpose of prostitution not as an introductory escort agency,

3. Not in the public interest.

An amendment was moved by Alderman Sledge seconded by Alderman Books that the application be deferred in order to ascertain from the relevant Ministers, clarification of the law for a proper definition of brothels and escort agencies to assist planning applications.

The amendment was lost.

The motion was lost.

733 RESOLVED on the motion of Alderman Michael seconded by Alderman Gibson that the application for use of the first floor of 219 George Street, Windsor, as commercial premises/escort agency be approved in accordance with the plans submitted, subject to the following conditions:

1. Submission and approval of a Building Application, plans and specifications complying with Ordinance 70 for any structural alterations to the building.
2. No advertising structures to be erected, displayed or affixed on any building or land without the prior approval of Council under Ordinance 55.
3. Provision of toilets in accordance with the requirements of Ordinance 44 of the Local Government Act.
4. All waste materials to be stored and disposed of at regular intervals to the satisfaction of the Manager of Environment and Building Services.
5. No goods or signs to be displayed on the footpaths, pedestrian ways, roadways, landscaped areas, parking areas or in the vicinity.
6. Payment of a contribution of $17,800 (seventeen thousand eight hundred) towards the provision of off-street parking for customers' vehicles not provided on site as part of the proposed development calculated at the rate of $8,900 (eight thousand nine hundred) per space for the 2 (two) spaces generated by the development.
7. Replacement of handrail on verandah and removal of ladder.
8. The number of employees on the first floor of the premises at any one time is not to exceed 5 (five).

Alderman Sheather and Alderman Bazeley asked that their names be recorded as being against the motion.

ITEM 10 - DEMOLITION OF HERITAGE ITEM BEING A SLAB BARN, LOT 1, DP 785736 - CHATHAM STREET, PITT TOWN. DA 6/90 [50.781]

Moved by Alderman Bazeley seconded by Alderman Benson that the application to demolish the leaning slab barn remnants on Lot 1 DP 785736 Chatham Street, Pitt Town be approved:

1. As there are sufficient conservation slab barns in Pitt Town and throughout Hawkesbury City.

2. The characteristic lean and setting of the barn being not conducive to the visual amenity of the neighbourhood.

3. It would not be able to be stabilised and restored to its near original condition,

and further that it be subject to the satisfaction of the Manager of Environment & Building Services.

734 **AN AMENDMENT** was moved by Alderman Michael seconded by Alderman Gibson that the matter be deferred for decision pending a report on the structural state of the building and an inspection being carried out.

The amendment was carried.

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

ITEM 11 - ERECTION OF 7 VILLA UNITS - FRANK GARTRELL - LOTS 105 & 106 DP 775240 WILLIAM STREET, NORTH RICHMOND. DA 39/90 [50.782]

735 RESOLVED on the motion of Alderman Sledge seconded by Alderman Sheather that the application to erect 7 (seven) villa units be approved in accordance with the plan prepared by R.E. & P.A. Collis, Issue "C" dated 9/4/90 subject to the following conditions:

1. Submission of a building application, plans and specifications complying with Ordinance 70.
2. 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.
3. A complete working drawing of all surface and roof water drainage shall be lodged with the Building Application.

4. A surcharge path sufficient to carry the 1 (one) in 100 (one hundred) year storm flow to be provided across the site.
5. 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.
6. A contribution of $8,635 (eight thousand six hundred and thirty five) based on $1,727 (one thousand seven hundred and twenty seven dollars) per additional dwelling minus the two dwelling entitlements which already exist being a contribution for open space and community facilities as a consequence of medium density development (residential flats, villas, townhouses etc.)
7. No excavation or site works shall be commenced prior to the issue of the building permit.
8. 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.
9. 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.
10. Sound attenuation measures are to be incorporated into the development for protection from aircraft noise to the satisfaction of the Manager of Environment and Building Services.

FURTHER THAT A review of Council's Medium Density Code be undertaken as soon as possible and that, as a general policy, Council requests applicants to use professionally qualified Architects in submitting development proposals, particularly for commercial, industrial and medium density housing development and, in doing so, points out the benefits to the district in maintaining and improving standards and to developers and applicants the likelihood of quicker processing of applications.

ITEM 14 - FILLING LAND - MR J HERLINGS - LOT 326 DP 752061, MILEHAM STREET, WINDSOR. [10.629]

Alderman Books declared an interest in this matter.

ITEM 16 - EARTHWORKS TO IMPROVE THE HYDRAULIC CAPACITY OF RICKABYS CREEK - WINDSOR COUNTRY GOLF CLUB - LOT 3 DP 700263, LOT 2, DP 700263 AND LOT 2 DP 214147, ADJOINING RICKABYS CREEK NEAR RICHMOND ROAD, WINDSOR. DA 51/90 [10.631]

Alderman Books declared an interest in this matter.

ITEM 18 - THE ERECTION OF FOUR VILLA UNITS - GARY WHITE - LOT 4 DP 558547 PECKS ROAD, NORTH RICHMOND. DA 74/90 [50.783]

736 RESOLVED on the motion of Alderman Michael seconded by Alderman Sheather that the application be approved, subject to the following conditions:-

1. The four (4) villa unit development shall be carried out in accordance with the amended plan dated 7th April, 1990, except where amended by the conditions.
2. A contribution of $6,908 (six thousand nine hundred and eight 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).
3. 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 others, drainage easements to Council's requirements shall be provided for which documentary evidence will be necessary prior to the approval of the Building Application.
4. Construction of Council's standard heavy duty footway and layback vehicular crossing to suit the access to the site with a minimum width of 6m (six).
5. 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.
6. Submission of a building application, plans and specifications complying with Ordinance 70.
7. All waste materials to be stored and disposed of at regular intervals to the satisfaction of the Manager of Environment and Building Services.

8. Parking shall be provided for nine (9) 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.
9. 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 Building Application.
10. 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.
11. Landscaping shall be maintained to Council's satisfaction.
12. 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.
13. The landscaping plan should ensure that adequate manoeuvring of vehicles can occur in the driveway.
14. The development shall make provision for a suitable fence, 1.8m (one point eight) high surrounding the property boundary. In this respect, the fence shall be consistent on all boundaries and shall be constructed of brush, lap and cap, or some other material of enhanced aesthetic merit to the satisfaction of the Manager of Town Planning with the fence being provided prior to occupation of the buildings.
15. Sound attenuation measures are to be incorporated into the development for protection from aircraft noise to the satisfaction of the Manager of Environment and Building Services.

ITEM 23 - AMENDMENT TO CONSENT FOR THE PURPOSE OF A PRODUCE STORE AT PITT TOWN-DURAL ROAD - REQUEST FOR AN ADDITIONAL TWO SILOS. DA 444/89 [10.638]

The Manager of Town Planning advised that a letter had been received late this afternoon, too late to report, from a Mr. & Mrs. J. Clugston of 8A Dural Road, Maraylya, indicating their objections to the proposal on the basis of noise, traffic, out of character with the area, and in their opinion is not really a local produce store but really an area for processing grain for sale outside the City boundaries.

ITEM 30 - POULTRY PAVILION DA 129/89 [50.784]

Moved by Alderman Sledge seconded by Alderman Books that the Hawkesbury District Agricultural Association be advised that Council is not able to consent to the dismantling, removal and re-erection of the poultry pavilion, however, that it reaffirms its offer to assist in the making of appropriate applications for a grant under the New South Wales Heritage Assistance Programme for its restoration, should the Hawkesbury Race Club, as landowner, agree to such submission.

737 **AN AMENDMENT** was moved by Alderman Michael seconded by Alderman Gibson that Council seek permission from the State Government for the removal of the building as requested by both the Hawkesbury Race Club and the Hawkesbury District Agricultural Association.

The amendment was carried.

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

738 RESOLVED on the motion of Alderman Gibson seconed by Alderman Mackay that the Report of the General Purpose Committee Meeting held on 24th April, 1990 as recorded on Pages 1 to 27 of the Minutes of the General Purpose Committee Meeting, be adopted, with the exception of :

SECTION 1 - WORKS

Item 2 - Provision of Skateboard Ramp Within City. 625-214 [50.770]

SECTION 2 - PLANNING & DEVELOPMENT

Item 10 - Demolition of Heritage Item being a Slab Barn - Lot 1, DP 785736 Chatham Street, Pitt Town. DA 6/90 [50.781]

Item 11 - Erection of 7 Villa Units - Frank Gartrell - Lots 105 & 106, DP 775240 William Street, North Richmond DA 39/90 [50.782]

Item 18 - The Erection of Four Villa Units - Gary White - Lot 4 DP 558547 Pecks Road, North Richmond. DA 74/90 [50.783]

Item 30 - Poultry Pavilion, DA 129/89 [50.784]

which have already been considered by Council - Minutes Nos. 732, 734, 735, 736 and 737.

SECTION 4 - REPORTS FOR DETERMINATION

FINANCE AND ADMINISTRATION

1. CONTRACTS AND DOCUMENTS FOR EXECUTION UNDER SEAL OF COUNCIL. C51/8/g, C51/5/h, C51/26 [50.785]

Alderman Sledge declared an interest in the Home Care Service of N.S.W. building.

739 RESOLVED on the motion of Alderman Michael seconded by Alderman Rotherham that the Seal of Council be affixed to the following documents:

Lease - Mr R & Mrs P Still - Exercising 2 (two) year option of lease for Shop 8 Hobartville Shopping Centre. Rental for initial year $10,400 (ten thousand four hundred) plus 17.55% (seventeen point five five) of annual outgoings for the complex.

Lease - M/s L Train - 3 (three) plus 3 (three) year option lease agreement for Shop 7 Wilberforce Shopping Centre. Rental for initial year $9,880 (nine thousand eight hundred and eighty) subject to annual Consumer Price Index adjustment plus 11.54% (eleven point five four) of annual outgoings for the complex.

Lease - Home Care Service of N.S.W. - Exercising 3 (three) year option under the lease agreement for Reverend Turner Cottage. Rental for the whole of the term is $13,000 (thirteen thousand) per annum plus outgoings.

2. SENIOR RESIDENTS HANDBOOK. C45 [50.786]

740 RESOLVED on the motion of Alderman Gibson seconded by Alderman Stubbs that 1 (one) copy of the Senior Resident's Handbook be issued to all organisations included, that 50 (fifty) copies be retained for free distribution to government departments and other agencies and that the publication be available to the general public for a cost of $2.00 (two).

3. DELEGATION OF AUTHORITY - ASSISTANT FINANCE MANAGER. S1/8P. [50.787]

741 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Mackay that in accordance with Schedule 3 to Clause 2.9, Authorised Officer - Assistant Finance Manager, PETER MACDONALD, subject to compliance with statutes and any policy of Council, be authorised to:

1. Sign or countersign cheques on Council's behalf.

2. During the absence of the Rates Clerk and Assistant Rates Clerk, sign Section 160 Certificates on behalf of Council.

3. Sign purchase requisitions for goods, works and services on behalf of Council.

4. Check and certify accounts against Council.

4. HAWKESBURY SISTER CITY ASSOCIATION - NATIONAL CONFERENCE, DARWIN. A7-40, C50.10 [50.788]

742 RESOLVED on the motion of Alderman Gibson seconded by Alderman Rotherham that the Hawkesbury Sister City Association be advised that Council supports the attendance of a youth delegate to the National Conference and the funds be provided from the Hawkesbury Sister City Association allocation.

This is Page of the Minutes of the ORDINARY NO. 4 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor on 8TH MAY, 1990.

Town Clerk/General Manager Mayor

5. FINANCIAL ASSISTANCE GRANT - MINIMUM GRANT - BAULKHAM HILLS SHIRE COUNCIL. G95-44 [50.789]

Moved by Alderman Mackay seconded by Alderman Gibson that Baulkham Hills Shire Council be advised that Council does not support another inquiry into the principles of the allocation of the Local Government Financial Assistance Grants as the National Inquiry into Local Government Finance 1985 addressed the major principles for the allocation of those grants and that another inquiry at this stage would be unlikely to result in any major changes to the process.

743 **AN AMENDMENT** was moved by Alderman Sheather seconded by Alderman Horrex that Baulkham Hills Shire Council be advised that Council does support the principles of the allocation of the Local Government Financial Assistance Grants as the National Inquiry into Local Government Finance 1985 that addresses the major principles for the allocation of those grants, however, another inquiry at this stage would be unlikely particularly following the Inquiry into Local Government Rating and the possible benefits that may follow from that recommendation.

The amendment was carried.

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

6. PENSIONER REBATES. R186-3 [50.790]

744 RESOLVED on the motion of Alderman Mackay seconded by Alderman Gibson that application be made for subsidy in respect of rates owing by pensioners, written off or reduced in 1990 and previous years, and that an undertaking be made under the Seal of Council in respect of writing off or reducing rates owing by pensioners in pursuance of Section 160AA of the Local Government Act and that proceedings shall not be taken in their recovery.

ENGINEERING

1. BONDING OF ROAD AND SEWER WORKS - SUBDIVISION LOT 102 DP 788786 - WINDSOR DOWNS ESTATE STAGE 1 - APPLICANT ROSE CONSULTING GROUP FOR RIVERSTONE MEAT COMPANY. S89/46 [50.791]

745 RESOLVED on the motion of Alderman Gibson seconded by Alderman Bazeley that Council accept bank guarantees of $1,260,000 (one million two hundred and sixty thousand) covering completion of roads and drainage works for Stage 1 Windsor Downs Estate in accordance with the approved engineering plans and any requirements of the Manager of Engineering Services and $847,800 (eight hundred and forty seven thousand and eight hundred) covering the construction of sewer reticulation mains, rising main and pumping station to serve the lots to the requirements of the Manager of Engineering Services subject to the following conditions.

1. The work is to be completed by 30th April, 1991.
2. A covering deed of agreement prepared by Council's Solicitor be completed by the owner of the property.
3. The cost of the preparation of the Deed is to be paid direct to Council's Solicitor by the owner.
4. Council's seal be attached to the completed documents.

2. TENDERS - ATTENDANT GOVERNOR PHILLIP PARK RECREATION AREA AND BOAT RAMP. 625-205 [50.792]

746 RESOLVED on the motion of Alderman Gibson seconded by Alderman Bazeley that the tender of J. Burden for the duties of attendant and undertaking maintenance works at Governor Phillip Park Recreation Area and Boat Ramp for the sum of $32,400 (thirty two thousand four hundred dollars) for an initial period of 12 (twelve) months be accepted, and documents be executed under Seal of Council.

HEALTH AND BUILDING

1. PITT TOWN LAGOON. 625 [50.793]

747 RESOLVED on the motion of Alderman Gibson seconded by Alderman Mackay that:

(i) the report be received, and

(ii) the National Parks and Wildlife Service be requested to fund the Ecological Study of Pitt Town Lagoon as proposed by Dr Cheng.

PLANNING

1. DEVELOPMENT APPLICATION FOR 8 TOWNHOUSES ON THE CORNER OF CHARLES AND WILLIAM STREETS, NORTH RICHMOND - DA71/90 [50,794]

748 RESOLVED on the motion of Alderman Rotherham seconded by Alderman Gibson that the Application be approved subject to the following conditions:

1-6. Standard Conditions (DAs) - 6 ($8635) (eight thousand six hundred and thirty five), 31, 70, 73, 104, 50 (15) (fifteen).

7. 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.

8. 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.

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

10. The driveway shall be finished in paving blocks or other similar high quality material and not concrete.

11. Sound attenuation measures are to be incorporated into the development for protection from aircraft noise, to the satisfaction of the Manager of Environment and Building Services.

12. The development be carried out generally in accordance with plan No. V1/2R, dated April, 1990.

2. PROPOSED GENERAL BUSINESS ZONING - LOTS 308 AND 341 RIFLE RANGE ROAD, SOUTH WINDSOR (OWNERS: MESSRS JACKETT AND LONSDALE). L4/89 [50,795]

749 RESOLVED on the motion of Alderman Gibson seconded by Alderman Rotherham that Messrs Lonsdale and Jackett be advised that Council does not support the development of their sites for business/commercial/ retail development.

This is Page of the Minutes of the ORDINARY NO. 4 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor on 8TH MAY, 1990.

Town Clerk/General Manager Mayor

3. MEDIUM DENSITY DEVELOPMENT - DESIGN STANDARDS, DA 39/90

See Minute No. 735

SECTION 5 - REPORTS FOR INFORMATION [50,796]

1. COMMUNITY SERVICES REPORT - APRIL, 1990. C45
2. AREA ASSISTANCE SCHEME 1989/90 FUNDING PROGRAMME - C45-14, G95-2
3. AUSTRALIANA PIONEER VILLAGE. C51/54
4. DEVELOPMENT APPLICATIONS APPROVED UNDER DELEGATED AUTHORITY. P160/33
5. BUILDING APPLICATIONS. B25
6. SULLAGE REMOVAL. S195/6
7. BABLANA PTY LTD. 2579(C)
8. TREE PRESERVATION ORDER APPLICATIONS. P160/30
9. PUBLIC WORKS. S205/3/A
10. REPORTS REQUESTED BY COUNCIL - STATUS AS AT 8TH MAY, 1990. C50-1

750 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 [50,797]

751 RESOLVED on the motion of Alderman Mackay seconded by Alderman Stubbs that the Minutes of the Management Executive Committee Meeting held on 11th April, 1990, as recorded on Pages 1 to 3 of the Minutes, be adopted.

SECTION 7 - CORRESPONDENCE FOR INFORMATION [50.798]

1. COMLEROY ROAD PUBLIC SCHOOL - APPRECIATION. C50-17
2. BOWEN MOUNTAIN PARK MANAGEMENT COMMITTEE - COMPOSITION OF COMMITTEE. 625-22
3. DEPARTMENT OF IMMIGRATION, LOCAL GOVERNMENT AND ETHNIC AFFAIRS - COMPOSTING OF SEWAGE SLUDGE - WESTERN SYDNEY LIBRARIES TECHNICAL SERVICES PROJECT. G95-39
4. EAST KURRAJONG SCHOOL OF ARTS. D64
5. PUBLIC WORKS DEPARTMENT, METWEST REGIONAL OFFICE -HAIL, STORM AND FLOOD DAMAGE - MARCH 1990. F84/16
6. ROADS AND TRAFFIC AUTHORITY - EXTRACTION INDUSTRIES - EAST KURRAJONG E78; 665-1927; 68A/297/76
7. THE READYMIX GROUP - EXTRACTIVE INDUSTRY - EAST KURRAJONG ROAD, SECTION 2, EAST KURRAJONG. 8A/297/76; E78 [50.799]

752 RESOLVED on the motion of Alderman Sledge seconded by Alderman Books that a report on the contents of the Plan of Management come before Council.

8. LOCAL GOVERNMENT AND SHIRES ASSOCIATIONS - GENERAL CIRCULAR NO. 5/1990. C44/2
9. RICHMOND LITERARY INSTITUTE - DONATION. S197-5, 4334W

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

SECTION 8 - OTHER REPORTS [50.800]

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

This is Page of the Minutes of the ORDINARY NO. 4 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor on 8TH MAY, 1990.

Town Clerk/General Manager Mayor

SECTION 9 - SUPPLEMENTARY REPORTS

REPORTS FOR DETERMINATION

FINANCE AND ADMINISTRATION

7. COMMONWEALTH DEPARTMENT OF IMMIGRATION, LOCAL GOVERNMENT & ETHNIC AFFAIRS - LOCAL APPROVALS REVIEW PROGRAMME H107 [50.801]

755 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Rotherham that the information regarding the Local Approvals Review Programme be received and Council's Seal be placed on any necessary contractual documents.

REPORTS FOR INFORMATION

11. FREEMANS REACH - GLOSSODIA - WILBERFORCE SEWERAGE SCHEME. S200/13 [50.802]

756 RESOLVED on the motion of Alderman Gibson seconded by Alderman Mackay that the report in this section be received and due recognition of the Town Clerk/General Manager and his staff be recorded at this time for the efforts that they have made in bringing this to fruition.

CORRESPONDENCE FOR INFORMATION

10. ASSISTANT MINISTER FOR TRANSPORT - BY-PASS ROUTE OF WINDSOR AND RICHMOND. B24-8 [50.803]

757 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Gibson that the correspondence in this section be received and an appropriate reply be forwarded where necessary.

QUESTIONS WITHOUT NOTICE [50,804]

Alderman Sheather referred to Council's resolution of 12th December to carry out some work on the School of Arts building at Wilberforce and also to the sheets of iron on the roof that the high winds may take off. He asked if this has been looked at.

Alderman Sheather asked how much money had been raised for the fundraising for the Sports Council.

The Manager of Financial & Administrative Services undertook to ascertain the amount and advise Alderman Sheather.

Alderman Sheather referred to his previous request to the Mayor to invite the Police to naturalisation ceremonies as representatives of the Service Communities.

Alderman Horrex advised that the Police will be invited to the next ceremony.

Alderman Gibson sought advice as to when the next Local Government Conference will be held and when is the deadline for the closing date of motions from Councils to the Conference.

The Mayor advised that the Conference would be held in October at Coffs Harbour and that the closing date for motions would be early in July.

Alderman Benson referred to the cumbersome flower pots in George Street in front of Coles and asked if they could be removed.

The Manager of Town Planning advised that a letter was sent to Coles requesting that the flower pots be removed within fourteen days and if they were not removed within this period, the Council would remove them and that Council would not guarantee their security after removal.

Alderman Books referred to the report concerning the by-pass route of Windsor and Richmond in which it is stated that "Council will be pleased to know that the Roads and Traffic Authority proposes to shortly commission consultants to evaluate the feasibility of identifying a suitable road reservation for a bypass route taking into account future development and flooding".
He asked if the Council is involved, or can the Council get involved in any way with the commission of consultants.

This is Page of the Minutes of the ORDINARY NO. 4 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor on 8TH MAY, 1990.

Town Clerk/General Manager Mayor

The Town Clerk/General Manager advised that the letter had been forwarded by the Assistant Minister to the Local Member and Council has been unable to identify where in the RTA it is actually happening. As soon as this is known, Council will ask for details as to what the processes are and what consultation can take place for the Council.

Alderman Books referred to Council's resolution that Council approach the RTA about looking for reserving land for a bypass and asked if this has come from that request. He stated that Council should push for something to happen in this direction as all roadworks are a long term proposal and costly as well.

Alderman Mackay stated that at the previous Ordinary Meeting he sought information regarding a property in Commercial Road which may have had some waste building material on it and asked if anything had come of that.

The Manager of Town Planning stated that there is some unauthorised works there. The landowner has been written to but he was not aware of a reply having been received.

Alderman Mackay asked if Council had been able to do anything as yet at the Glossodia Bushfire Shed.

The Town Clerk/General Manager stated that the survey would be carried out before the next meeting of Council.

Alderman Mackay asked about the pan in front of the shed.

The Mayor stated that this matter would be examined with a view to having some early effective works being carried out.

Alderman Stubbs asked if Council had any idea of what the effect of the proposed Bligh Park extensions will have on the timing of the Scheyville housing development.

The Town Clerk/General Manager stated that the existing Bligh Park development will be completed by the end of next year. In the proposed extension it is indicated that there are about 700 lots. Experience in New South Wales is that only about 70 to 80% of private land gets developed within a reasonable time - say two to three years, once it is announced. It would take, based on current estimates, should all the approvals occur, about two years to start Scheyville. Therefore the existing Bligh Park and the Bligh

Park extension would only take up that short lead time and the reason for the Department of Housing pressing the matter is that if Australia's immigration rate is maintained at the current level then Scheyville will be needed for the affordable house buying market by 1993.

Alderman Stubbs asked if the plane trees could be inspected in Richmond. He stated that he has been shown that there are some major problems with them and he believes that if work is not undertaken there could be some damage and early deterioration of those trees.

Alderman Stubbs stated that there is a floodgate on a drain into Bardenarang Creek at Pitt Town coming from Little Bardenarang Creek and the end of the pipe has fallen off into the creek. He asked if this could be investigated.

Alderman Stubbs asked what progress has Council had in moves to have the cannons placed in Richmond Park.

The Mayor stated that this would have to be examined further and undertook to advise Alderman Stubbs.

Alderman Stubbs asked if enquiries could be made of the Roads & Traffic Authority as to whether or not they have plans for a high level bridge between Pitt Town and Wilberforce and a road linking Windsor Road with Singleton Road as he believed such plans do exist.

The Mayor stated that this would be investigated.

Alderman Stubbs asked if Council had any information on the possible raising of Windsor Road at McGraths Flats.

The Manager of Operations advised that the Roads & Traffic Authority had indicated that this work was programmed for 1993/4 but it may be reprogrammed for 1994/95.

Alderman Bazeley asked when would the "Yes" "No" buttons be working.

The Town Clerk/General Manager said hopefully before the next Ordinary Meeting of Council.

Alderman Rotherham asked if the Manager of Engineering Services could have the appropriate gang clear up the motor accident residue and re-stand the traffic signs on the Wheeny Creek Bridge on Upper Colo Road.

Alderman Rotherham asked if consideration could be given to the removal of the silt and the flood debris in that locality from the road verge.

QUESTIONS FROM THE GALLERY [50.805]

The Mayor then invited Questions from the Gallery.

Mr.Geoff Farrance referred to the two burnt out wrecks on Old Pitt Town Road close to the water tanks. He stated that it is a dangerous situation.

Mr.Geoff Farrance referred to Item 29 in the Planning Section of the Business Paper requiring works to be done on a private reticulated sewerage system, however in the implementation there is a requirement to identify all private sewer schemes. Mr. Farrance sought an explanation as to what is a private sewer scheme.

The Manager of Environment & Building Services stated that there are several developments within the City area that have their own sewerage plant and reticulated sewerage - such as Del Rio, St. John of God Hospital.

Mr.Farrance referred to the report on Tree Preservation and the application to clear 6ha. of trees for dwelling and outbuildings. He stated that it seems to be a very large number of trees.

The Manager of Operations advised that he presumed it would be underscrubbing works being carried out and undertook to ascertain the position.

The meeting terminated at 9.43 p.m.

Submitted to and confirmed at the meeting of Council held on 12th June, 1990.

. . . . . / Mayor

This is Page of the Minutes of the ORDINARY NO. 4 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor on 8TH MAY, 1990.

Town Clerk/General Manager Mayor

Minutes of the Special Meeting of the Council of the City of Hawkesbury held at the Council Chambers, Windsor, on Friday, 18th May, 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, W.J.Mackay, G.G.Michael, R.F.Rotherham, L.C.Sheather, W.J.Sledge and R.P.Stubbs.

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

758 RESOLVED on the motion of Alderman Mackay seconded by Alderman Stubbs that the apology be received.

TOWN CLERK/GENERAL MANAGER'S REPORT

PROPOSED LEASING OF THE WINDSOR FUNCTION CENTRE. C51/3/C [50,806]

Moved by Alderman Mackay seconded by Alderman Rotherham that the documentation in relation to the leasing of the Windsor Function Centre to Wilson Catering Service Pty. Ltd. be accepted in principle and the term of lease agreement be effective from 1 July, 1990.

Alderman Michael arrived at 7.33 p.m.

Alderman Bazeley arrived at 7.55 p.m.

759 **AN AMENDMENT** was moved by Alderman Michael seconded by Alderman Books that the decision on the matter be deferred and a comprehensive report be put before Council embracing all of the other papers which have been submitted before a decision is taken.

The amendment was carried.

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

The meeting terminated at 8.40 p.m.

Submitted to and confirmed at the meeting of Council held on 12th June, 1990.

. . . . . Mayor.

This is Page of the Minutes of the SPECIAL NO. 2 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor on 18TH MAY, 1990.

Town Clerk/General Manager Mayor

Minutes of the Special Meeting of the Council of the City of Hawkesbury held at the Council Chambers, Windsor on Tuesday, 29th May, 1990 commencing at 3.38 p.m.

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

Apologies for absence were received from Aldermen R.C.Bazeley, P.E.Gibson and W.J.Mackay.

760 RESOLVED on the motion of Alderman Michael seconded by Alderman Stubbs that the apologies be accepted.

TOWN CLERK/GENERAL MANAGER'S REPORT.

1. AUSTRALIAN FORMULA ONE POWERBOAT GRAND PRIX PTY LTD - GOVERNOR PHILLIP RESERVE - EXCLUSIVE USE 16-17TH JUNE, 1990. 625-205 [50.807]

761 RESOLVED on the motion of Alderman Michael seconded by Alderman Books that :

a) Approval be granted to the application by the Australian Formula One Powerboat Grand Prix Pty Ltd for exclusive use of Governor Phillip Reserve on 16-17th June, 1990, to conduct the final round of the Australian Formula 1 Powerboat Grand Prix Series.

b) Approval be granted for the firm to charge admission prices as indicated below, with $1.50 (one dollar fifty cents) per paid adult admission to be remitted to Council :

Adult	-	$9.50 (nine dollars fifty cents)
Children (U16)(sixteen)	-	$4.00 (four dollars)
Family	-	$24.00 (twenty four dollars)

c) The cleanup of all rubbish in the Peninsular area to be carried out after the event. The organisers to be responsible for the cost of the removal of rubbish, such work to be undertaken as soon as possible.

The meeting terminated at 3.46 p.m.

Submitted to and confirmed at the meeting of Council held on 12th June, 1990.

. . . . . Mayor

Minutes of the Special Meeting of the Council of the City of Hawkesbury convened at the request of Aldermen P.E.Gibson, H.J.M.Books, R.S.Benson and W.J.Mackay in relation to the extractive industries in East Kurrajong Road-Section 2, East Kurrajong held at the Council Chambers, Windsor on Thursday, 7th June, 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.

TOWN CLERK/GENERAL MANAGER'S REPORT,

EXTRACTIVE INDUSTRIES EAST KURRAJONG ROAD, SECTION 2, 68a/268/72, 68a/297/76 [50,808]

762 RESOLVED on the motion of Alderman Gibson seconded by Alderman Rotherham that a spokesperson in the gallery be invited to discuss the matter.

Mrs.G.Crosbie addressed the meeting.

Mr.F.Stevens of the Readymix Group addressed the meeting.

763 MOVED by Alderman Rotherham seconded by Alderman Stubbs that the information be received and a report be brought forward.

An amendment was moved by Alderman Gibson seconded by Alderman Books that no further extensions be granted to any extractive industry in the East Kurrajong Road, Section 2 area until :

1. An E.I.S. is properly done.

2. A full plan of management from all extractive industries in East Kurrajong Road, Section 2, East Kurrajong be completed and be before Council.

3. That further discussions take place between management of the extractive industries in East Kurrajong Road, Section 2, East Kurrajong with Council in regard to possible relocation at a later date.

4. To investigate economical alternate road access to the Readymix quarry.

5. To obtain legal advice to clarify the position of the quarry life for the Readymix quarry.

The amendment was lost.

The motion was then put and carried.

The meeting terminated at 8.23 p.m.

Submitted to and confirmed at the meeting of Council held on 12th June, 1990.

. . . . . Mayor.

This is Page of the Minute of the SPECIAL NO. 4 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor on 7TH JUNE, 1990.

Town Clerk/General Manager

Mayor

Minutes of the Special Meeting of the Council of the City of Hawkesbury held at the Council Chambers, Windsor on Thursday, 7th June, 1990 commencing at 8.23 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.

TOWN CLERK/GENERAL MANAGER'S REPORT - PROPOSED LEASING OF THE WINDSOR FUNCTION CENTRE, C51/3/c [50,809]

764 **MOVED** by Alderman Mackay seconded by Alderman Rotherham that the documentation in relation to the leasing of the Windsor Function Centre to Wilson Catering Service Pty.Ltd. be accepted in principle and the term of the lease agreement be effective from 1st July, 1990.

An amendment was moved by Alderman Sledge seconded by Alderman Gibson that the Windsor Function Centre be operated by contract management, the position to be re-advertised.

The amendment was lost.

The motion was then put and carried.

The meeting terminated at 8.52 p.m.

Submitted to and confirmed at the meeting of Council held on 12th June, 1990.

. . . . . Mayor

This is Page of the Minutes of the SPECIAL NO. 5 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor on 7TH JUNE, 1990.

Town Clerk/General Manager Mayor.

NOTICES OF MOTIONS

SECTION 2

NOTICES OF MOTIONS

ORDINARY MEETING - 12TH JUNE, 1990

By Alderman L.C.Sheather : P160 A10-1

That a report be presented to the August General Purpose Committee Meeting in relation to all extensions (structural) of mushroom and composting operations since 17th May, 1988 within the City.

By Alderman W.J.Sledge : E77

That as part of the Council's strategic planning process, each year, prior to the determination of the budget, a workshop be arranged for Aldermen and Senior Staff to evaluate the Council's position/objectives/priorities and goals. The first of these being held prior to the determination of the 1991 budget.

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REPORT OF GENERAL PURPOSE COMMITTEE

SECTION 3

REPORT OF GENERAL PURPOSE COMMITTEE MEETING

I N D E X

Section 1 - Works

Item No.	Subject	Page
1	Works Cost Statement	1
2	Prospect Electricity - Windsor Downs Project	1
3	Proposed Bridge over Nepean River - Hawkesbury Road, Agnes Banks	2
4	Cabbage Tree Road	2-3
5	April 1990 Flood Damage	3-4
6	Provision of Funds - Construction of Shared Cycleway/Pedestrian Way between McGraths Hill and Windsor	4

Local Traffic Committee Meeting

1	Schaffer Corporation Limited - Pt Por 106 Lot 1 DP 437699 & Lot 4 DP 556534 East Kurrajong Road Section 2 East Kurrajong Sandstone Sawing Plant	6
2	Tourmaline Motel Liquor Barn - Lot 3 DP 559566 Cnr. Windsor & Boundary Roads Vineyard - Drive-Thru Liquor Barn Extension	6
3	J L Skinner - Lot B DP 327448 & Pt Lot 2 DP 420926 - Bridge Street Windsor 3 Villa Units	6-7
4	Hawkesbury Village - Parking Restrictions March Street Richmond	7
5	R De Visser - Intersection - Wire Lane & Spinks Road	7
6	Hawkesbury City Council - Intersection of Coobah & East Kurrajong Road Section 2	8
7	Roads & Traffic Authority - Pedestrian Facilities - South Windsor Shopping Centre	8
8	Kurrajong East Public School P & C Assoc - East Kurrajong Road East Kurrajong	9
9	Hawkesbury City Council 'Give Way' Sign - Cnr. Riverview St & Pitt Lane Nth Richmond	9
10	Hawkesbury City Council - Intersection Windsor & East Market Streets Richmond	9-10
11	Hawkesbury City Council - Andrew Thompson Drive McGraths Hill	10
12	Country Wholesale Meats - Parking Restriction 405 George Street Windsor	10

13	Hawkesbury City Council - LATM Bligh Park	11
14	C & J Thompson - Through Traffic - Chapel St Richmond	11
15	Hawkesbury City Council - North Richmond Shopping Centre	11-12
16	Hawkesbury City Council - Re-Opening The Terrace Windsor	12
17	N Hall - Proposed Access to Townhouses Off Bells Line of Road North Richmond	12-13
18	Hawkesbury City Council - Heavy Vehicle Traffic - Moses St/Greenway Cres Windsor	13
19	K Rozzoli MP - Grose Vale Rd Kurrajong	13
20	NSW Police Department - Spinks Road	14
21	NSW Police Department - Fairey Rd Windsor	14
22	Roads & Traffic Authority - Cedar Ridge Road	14
23	Roads & Traffic Authority - Macquarie Street/ Argyle Street - Traffic Lights	15
24	Roads & Traffic Authority - George Road Wilberforce School	15

Section 2 - Planning and Development

1	Paul Wilson - Home Activity - Picture Framing Lot 120 DP 246698 - 6 Randall St. Agnes Banks	1-2
2	L Claydon - Subdivision to create public road & 4 allotments - Lot 4 DP 210317 No.476 Grose Vale Road Kurrajong	2-5
3	Bennett Real Estate P/L - Subdivision to create 3 allotments - Pt Por 272 Old Bells Line of Rd Kurrajong	5-7
4	D Christou - Erection 4x3 Bedroom Townhouses - Lot 1 DP 538377 No 22 Teviot St Richmond	7-10
5	Bill Noach - Establishment & Conduct Car Restoration/Agricultural Machinery Repair Workshop - Lt 50 DP787972 Stahls Rd Oakville	10-11
6	M Apap - Excavation of Irrigation Channel & Removal of Sand - Lot 2 DP 568557 Freemans Reach Rd Freemans Reach	11-13
7	J & J Sultana - Excavation of Irrigation Channel & Removal of Sand - Lot J DP86289 Freemans Reach Rd Freemans Reach	13-15
8	C Mercieca - Erection of 4 Poultry Sheds - Lot 3 DP 27736 26 Bocks Rd Oakville	16-18
9	Cesan P/L & G Richards - Lots 142 & 143 DP 752036 Nos 58-60 Windsor St Richmond	19-23

10	Mr/Mrs B Little - Filling of Land & Construction of Machinery Shed - Lot 24 DP10192 Pitt Town Bottoms Rd Pitt Town	23-25
11	Alann James - Filling of Land for Erection of Dwellings - Lot 25 DP 742749 Lots 2 & 3 DP 246975 Palmer & North Sts Windsor	25-29
12	D Sant - Erection of Poultry Farm Shed for Rearing of Broiler Meat Chickens - Lot 46 DP 7565 Longleat Rd Kurmond	29-34
13	Mr/Mrs F Mansour - erection of 5x2 Bedroom Single Storey Villa Units - Lots 20 & 21 of Sub. of Lot A DP 379253 Francis St. Richmond	34-35
14	Mendfield P/L - Caravan Park, Cabin Accom. & Convention Centre - Lot 3 DP 717341 Chaseling Road Leetsvale	35-50
15	Elaf P/L - Erection of 7x3 Bedroom Townhouse Units - Lots 10 & 13 DP801358 Ivory Place Richmond	50-52
16	A & M Shepherd - Extensions to Existing Bakery Lot D DP 334004 Shop 3 King Rd Wilberforce	52-53
17	C J Walker - Subdivision to create 3 lots - Lot 22 DP 718933 Burralow Rd Kurrajong Hts.	53-56
18	Keith Wellington P/L - Establishment of Crane & Heavy Tow Truck Depot incl.Truck Repairs - Lot 1 DP 222419 Windsor Rd Vineyard	56-59
19	Phoenix Pistol Club - Establishment & Conduct Pistol Club - Pt Lt 1 DP 530013 Scheyville Rd Oakville	59-62
20	C Aloi - Establishment & Conduct of Retail Plant Nursery & Landscape Supplies Depot, Lot 2 DP236785 Windsor Rd Vineyard	62-66
21	Ian Ross Constructions P/L - Erection of 17 Townhouse Units - Lot A MPS 5719 & Lot 1 DP 797187 Nos 178-180 March St Richmond	66-69
22	C Eaton - Keeping of up to 10 Dogs - Proposed Lot 81 in Sub. of Lots 6 & 8 DP 245097 Old East Kurrajong Rd East Kurrajong	69-73
23	C Johnson - Lot 5 DP 227054 Windsor Rd Vineyard - Rezoning to Permit Subdivision	73-75
24	Rezoning of Lot 1 DP 71148, Lot 2 DP 516593 & Lots 3,4 & 5 DP 706517 King Rd & Rose St Wilberforce	75-76
25	Status of Proposed Road between Grose Vale Rd & Bells Line of Rd North Richmond - Kemsley Pastoral Co P/L	76-78
26	Reinstatement of Richmond Railway Station as Item of Environmental Heritage	78-79
27	Environmental Study - Rural Residential Development in City of Hawkesbury	79-80

28	Proposed Tourist Facility - Lot 1 DP 540497 79 Old Bells Line of Road Kurrajong - S Charlesworth	80
29	Riverstone Meatworks' Land - Windsor Downs Subdivision	80-81
30	Proposed Relocation Windsor Post Office to Shop 1 251 George St Windsor	81-83
31	Deferred Development Application for 2 Villa Units - Drainage Problems	83-87
32	McInerney - Extractive Industry - East Kurrajong Road Section 2	88
33	Objection to Subdivision Approval - G L & K A Mitchell - Lots 2 & 3 DP 703300 Grose River Road Grose Wold	88-90
34	Use of Anschau Crescent by Hawkesbury Valley Motors	90-91
35	Development Consent for Feedstore, Shelter Structures, Exercise Yard & Bridge, Lot 1 DP 514209, Commercial Rd Vineyard	91-92
36	Medium Density Development - Bligh Park Petition of Objectors	92-94
37	1990 Heritage Assistance Programme	94-97
38	Rural Residential Rezoning Strategy & Use of State Environmental Planning Policy No.1	97-99
39	Caravan Park, Cabin Accommodation & Convention Centre Chaseling Road Leetsvale	99-100

Section 3 - Finance

1	Accounts Paid, Statement of Bank Balances, Town Clerk's Certificate, Form 2 & Schedule of Investments	1
2	Application for Restaurant Liquor Licence - W Chan	1
3	Hawkesbury Civic News	2
4	Review of Allocation of State Government Funding to Local Government Libraries	2-3
5	The (02) Telecom Zone Extension Working Party	4
6	Report of Committee of Inquiry into Local Government Rating & Other Revenue Powers & Resources	4-5
7	Farmland Rating - N M & H J Carney - Singleton Road East Kurrajong	5-7
8	Fees and Charges - McMahon Park	7-10
	Questions Without Notice	10-12

Report of the Meeting of the General Purpose Committee held at the Council Chambers, Windsor on 29th May, 1990 commencing at 9.30 a.m.

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

Apologies for absence were received from Aldermen R.C.Bazeley, P.E.Gibson and W.J.Mackay and were accepted.

SECTION 1 - WORKS

ITEM 1: WORKS COST STATEMENT [1.550]

COMMITTEE'S RECOMMENDATION

THE WORKS COST Statement to 30th April, 1990, be adopted and the revised estimates of cost be adopted.

ITEM 2: (File S89/46) [1.551]

SUBJECT: PROSPECT ELECTRICITY - WINDSOR DOWNS PROJECT

REPORT (M.E.S.)

Forwarding plans for the Windsor Downs Estate off Richmond-Blacktown Road to provide for the installation of street lights for Stage 1 Development at an annual operating cost of $1,177.28.

The proposal provides for the installation of 8/80 watt mercury fluorescent and 1/125 watt mercury fluorescent street lights at the street intersections.

Following discussion with the consultants for the project, it was indicated that this approach to the provision of street lighting for the overall project would be acceptable. Lighting to a higher standard will be requested at the entry to the Estate from Blacktown/Richmond Road.

Recommendation

That Prospect Electricity be advised that Council accepts the annual operation charges for lighting in the Windsor Downs Estate in the amount of $1,177.28 (one thousand one hundred and seventy seven dollars and twenty eight cents) as shown on Plan No. 111867/B.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 3: (File B24-8) [1.552]

SUBJECT: PROPOSED BRIDGE OVER NEPEAN RIVER - HAWKESBURY ROAD, AGNES BANKS

REPORT (M.E.S.)

Advice has been received from the Roads and Traffic Authority that the existing timber Yarramundi Bridge is to be replaced by a two lane bridge with one pedestrian footway. The proposed deck and road approach level is RL16 metres, however, it appears from the plans that the approach on the Springwood side will initially remain at approximately RL12.

It was also advised that final design plans are presently being prepared and start of construction is planned for 1990. Requesting Council's concurrence to the proposal and any comments.

Recommendation

That the Roads and Traffic Authority be advised that Council concurs with the project, however, requests that the approach to the bridge on the Springwood side be constructed to its final vertical alignment as part of the current proposal.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 4: (File F84/16, 665-301) [1.553]

SUBJECT: CABBAGE TREE ROAD

REPORT (M.E.S.)

As Council is aware, a major land slip has affected Cabbage Tree Road, Grose Vale, adjacent to the Grose Vale Bush Fire Shed. A geotechnical investigation was undertaken and the report recommends interim remedial works being undertaken with additional site investigation to enable the design of long term stabilisation measures and the selection of a most cost effective scheme to reduce the extent of future slope movements.

The interim remedial works recommended is the interception of surface water which is currently entering the land slip on the uphill side of the road so it may be discharged in such a way that it does not affect stability of the land slip area. This work involves the installation of flexible, high density polyethylene pipelines with welded joints to carry the water from the uphill side of the roadway to a discharge point adjacent to a small dam on the downhill side of the roadway. It is further suggested that the road surface be then regraded and left as an unsealed gravel road until final stabilisation works are decided upon.

The additional site investigation to enable the design of long term stabilisation measures includes the excavation of approximately 10-15 test pits, both above and below the roadway to assess the area of the ancient landslip, the depth of sliding and obtain samples of the material along the slip planes. In addition, monitoring of ground water levels and inflows would be undertaken.

The estimated cost of the interim remedial works is $24,000 and the additional site investigation $6,000. Action has been taken to proceed with the works. A request for funds to carry out permanent restoration works has been forwarded to the Roads and Traffic Authority as part of the claim for assistance for damage caused by the April storm and floods.

Recommendation

That the action taken to carry out remedial restoration works and further site investigation at the slip on Cabbage Tree Road be endorsed.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 5: (File F84/16) [1.554]

SUBJECT: APRIL 1990 FLOOD DAMAGE

REPORT (M.E.S.)

Listed hereunder are roads which were damaged by flooding:-

Bicentennial Road	$ 13,500
Cabbage Tree Road	$150,000
Cupitts Lane	$ 26,000
Greens Road	$ 10,300
Old Stock Route Road	$ 35,000
Settlers Road	$ 75,760
The Driftway	$ 20,000
West Portland Road	$ 11,360
MR 181 (St. Albans Road)	$ 73,750
	$415,670

A claim has been forwarded to the Roads and Traffic Authority, requesting funds to restore the damage caused to these roads by flooding.

Recommendation

That the report on the road damage April 1990 flood be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 6: (File P160/32) [1.555]

SUBJECT: PROVISION OF FUNDS - CONSTRUCTION OF SHARED CYCLEWAY/PEDESTRIAN WAY BETWEEN MCGRATHS HILL AND WINDSOR

REPORT (M.E.S.)

The Roads and Traffic Authority has advised that funds are available to $44,150, being 50% of the cost of the project estimate for construction of the cycleway/pedestrian way and that the work can proceed as soon as practicable, in accordance with the plans and application submitted by Council.

No funds have been allocated by Council and to allow the work to proceed, these must be voted. It is proposed that the allocation be provided in the 1990/91 loan allocation for road reconstruction on which final advice will not be available until November.

With regard to the proposal, the RTA has been requested to advise if the works are compatible with their proposals for upgrading of the carriageway.

Although no formal response has been received, officers have verbally advised that they see no major conflict and that Council may proceed with the project.

The allocation of funds from the RTA is for the 1989/90 year and works should be well advanced prior to 30th June, 1990. It is therefore proposed that Council proceed with the project and commit its share of the funding.

Recommendation

1. That Council accept the Roads & Traffic Authority's offer of $44,150 (forty four thousand one hundred and fifty dollars) being 50% (fifty percent) of the project estimate for construction of the cycleway/pedestrian way between McGraths Hill and Windsor.

2. That Council vote the balance of $44,150 (forty four thousand one hundred and fifty dollars) being its share of the cost from the 1990/91 loan works programme.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Report of the Local Traffic Committee Meeting held on Friday 18th May, 1990, in the Council Chambers at 10am.

PRESENT:

Members - Alderman H.J.M. Books, Chairman
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. C. Daley, Manager of Operations
Mr. K. Berzins, Executive Town Planner

APOLOGIES: Sgt. R. Pakes, NSW Police Department
Mr. G. Hatch, Ministry of Transport

CONFIRMATION OF MINUTES:

Moved by R. Searle, seconded by G. Smith that the Minutes of the previous meeting held on 16th March, 1990, be confirmed, subject to the following amendments:-

Item 4. Kurmond P&C Association - Proposed Pedestrian Refuge, Bells Line of Road, Kurmond. 665-243

The last paragraph to read:-

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

Item 10. Roads & Traffic Authority - Pitt Lane, North Richmond. 665-1605

The Committee's Recommendation to read:-

"That the kerb side restrictions be amended as follows:-

East side from Bells Line of Road -

No Stopping zone 16 (sixteeen) metres.

That the street centreline be line marked with a broken line."

DEVELOPMENT APPLICATIONS

ITEM 1: (File DA117/90) [1.556]

APPLICANT: SCHAFFER CORPORATION LIMITED

LAND & LOCATION: PT. POR 106 PARISH MEEHAN LOT 1 DP437699 & LOT 4 DP556534 EAST KURRAJONG ROAD, SEC. 2 EAST KURRAJONG

SUBJECT: SANDSTONE SAWING PLANT

The item was withdrawn as the matter has to be dealt with by the Regional Traffic Committee.

ITEM 2: (File DA87/90) [1.557]

APPLICANT: TOURMALINE MOTEL LIQUOR BARN

LAND & LOCATION: LOT 3 DP559566 CNR. WINDSOR AND BOUNDARY ROADS, VINEYARD

SUBJECT: DRIVE-THRU LIQUOR BARN EXTENSION

Committee's Recommendation

That the approval provide:-

a) That the customer drive-thru be relocated to the northern wall of the store room.

b) That traffic flow be one way in a southerly direction.

c) That access and egress to the development be clearly signposted.

d) Additional parking be provided for the proposed development.

ITEM 3: (File DA57/90) [1.558]

APPLICANT: J.L. SKINNER

LAND & LOCATION; LOT B, DP327448 & PT LOT 2, DP420926 BRIDGE STREET, WINDSOR

SUBJECT: THREE VILLA UNITS

Committee's Recommendation

That the development be refused on the basis of inadequate access.

CORRESPONDENCE

ITEM 4: (File 665-1343, 665-2343, R190/10) [1.559]

CORRESPONDENT: HAWKESBURY VILLAGE

SUBJECT: PARKING RESTRICTIONS - MARCH STREET, RICHMOND

Requesting consideration for the placement of a "No Standing" or "No Parking" restriction in March Street near the corner of Chapel Street as there are often trucks and cars parked in this vicinity, obstructing the vision of traffic coming from Bosworth Street intersection.

Committee's Recommendation

That this matter be considered as part of the LATM study for the Richmond area. (See Item 14).

ITEM 5: (File 665-2316, 665-2312, 665-1908) [1.560]

CORRESPONDENT: MR. R. DE VISSER

SUBJECT: INTERSECTION - WIRE LANE AND SPINKS ROAD

Requesting provision of "Stop" signs and passing lanes at the intersection of Wire Lane and Spinks Road with Kurmond Road.

Committee's Recommendation

That no further action be taken at this stage.

That Council give consideration to the provision of a passing lane at the intersections of Spinks Road and Wire Lane with Kurmond Road.

ITEM 6: (File 665-335, 665-510) [1.561]

CORRESPONDENT: HAWKESBURY CITY COUNCIL

SUBJECT: INTERSECTION OF COOBAH AND EAST KURRAJONG ROAD (SEC.2)

Representations have been received from Mr. R. Bowman, East Kurrajong Road, requesting improvements to the abovementioned intersection, possibly in the form of a "Stop" or "Give Way" sign on the eastern side of Coobah Road.

Committee's Recommendation

That Council erect a 'T' junction warning sign on Coobah Road on the approach to the intersection and a chevron sign on East Kurrajong Road.

ITEM 7: (File 665-731, 665-119) [1.562]

CORRESPONDENT: ROADS & TRAFFIC AUTHORITY

SUBJECT: PEDESTRIAN FACILITIES - SOUTH WINDSOR SHOPPING CENTRE

Representations have been received from The Roads and Traffic Authority on behalf of Mr. W. Tulloch, 36 Cox Street, Windsor, requesting that consideration be given to the provision of two pedestrian crossings at the following locations:-

a) Corner of George Street and Argyle Street, South Windsor, western side of intersection.

b) Across George Street, South Windsor at a point approximately half length of shopping centre between Argyle Street and Campbell Street, South Windsor.

Also requesting provision of a traffic facility to prevent vehicles from cutting the corner at the intersection of Cox and Bell Streets, South Windsor.

Committee's Recommendation

That a traffic count be undertaken to determine a warrant for a pedestrian facility in George Street.

That Council give consideration to the provision of rumble bars on Cox Street between Bell Street and McQuade Avenue to deter motorists.

ITEM 8: (File 665-510) [1.563]

CORRESPONDENT: KURRAJONG EAST PUBLIC SCHOOL P & C ASSOCIATION

SUBJECT: EAST KURRAJONG ROAD, EAST KURRAJONG

Requesting consideration to improvement of traffic conditions in the vicinity of the School. In particular, the reduction of the speed limit from 80kph to 60kph for a length of 1km on the north-east side and 500m on the south-west side of the road.

It was also requested that consideration be given to widening of the road in the vicinity of the School.

Committee's Recommendation

That the Roads and Traffic Authority provide a 60kph speed restriction for an appropriate length in the vicinity of the School.

Also, that Council give consideration to road widening adjacent to the School.

ITEM 9: (File 665-1810, 665-1605) [1.564]

CORRESPONDENT: HAWKESBURY CITY COUNCIL

SUBJECT: 'GIVE WAY' SIGN - CNR RIVERVIEW STREET AND PITT LANE, NORTH RICHMOND

At the Local Traffic Committee meeting held on 16th March, 1990, consideration was given to signage around the shopping centre at North Richmond.

Council, at its Ordinary Meeting of 10th April, 1990, recommended that consideration also be given to provision of an additional 'Give Way' sign at the intersection of Riverview Street and Pitt Lane, North Richmond.

Committee's Recommendation

That the matter be deferred to the next Committee meeting.

ITEM 10: (File 665-2343, 665-515) [1.565]

CORRESPONDENT: HAWKESBURY CITY COUNCIL

SUBJECT: INTERSECTION OF WINDSOR AND EAST MARKET STREETS, RICHMOND

At Council's Ordinary Meeting of 10th April, 1990, Alderman G. Michael requested that consideration be given to the provision of an arrow light at this intersection, as there is on the north/south East Market Street corner coming into Windsor Street.

Committee's Recommendation

That the provision of a right turn arrow be considered as part of the LATM study for the Richmond area. (See Item 14).

Also, that the 'No Standing' zones be relocated to conform to the statutory 30 (thirty) metres from the traffic lights.

ITEM 11: (File 665-115) [1.566]

CORRESPONDENT: HAWKESBURY CITY COUNCIL

SUBJECT: ANDREW THOMPSON DRIVE, McGRATHS HILL

Council has received representations from Alderman W. Sledge on behalf of Mr. T. Bye with regards to traffic using Andrew Thompson Drive as a bypass to Main Cattai Road rather than the traffic lights at the intersection of Windsor Road.

Committee's Recommendation

That the matter be deferred, pending a traffic count and speed evaluation survey by the Highway Patrol.

ITEM 12: (File 665-73) [1.567]

CORRESPONDENT: COUNTRY WHOLESALE MEATS

SUBJECT: PARKING RESTRICTION - 405 GEORGE STREET, WINDSOR

Requesting consideration to the provision of a one hour parking restriction adjacent to Country Wholesale Meats, 405 George Street, Windsor.

Committee's Recommendation

That no action be taken.

ITEM 13: (File P160/46) [1.568]

CORRESPONDENT: HAWKESBURY CITY COUNCIL

SUBJECT: LOCAL AREA TRAFFIC MANAGEMENT PLAN (LATM) - BLIGH PARK

Requesting that the LATM for Bligh Park, as shown, be adopted.

Committee's Recommendation

That the matter be deferred to the next Committee meeting.

ITEM 14: (File 665-347) [1.569]

CORRESPONDENT: MR. C. & MRS J. THOMPSON

SUBJECT: THROUGH TRAFFIC - CHAPEL STREET, RICHMOND

Forwarding a petition with 83 signatures and making representations concerning the through traffic along Chapel Street, Richmond, between March, Windsor and Francis Streets.

Requesting that access at these streets be restricted or stopped as the area is residential and traffic is a danger to children wishing to cross the street and indicating that the street is used as a bypass to Bosworth Street.

Forwarding a survey of the local residents indicating that 96% would like to see access to through traffic restricted in some way, and making a number of suggestions as to appropriate improvements.

(MES - Action has been initiated to have a traffic count undertaken to determine the volume of through traffic.)

Committee's Recommendation

That a LATM study be undertaken by Council covering the area bounded by Chapel Street, Lennox Street, Bourke Street and Francis Street.

ITEM 15: (File 665-243, 665-722) [1.570]

CORRESPONDENT: HAWKESBURY CITY COUNCIL

SUBJECT: NORTH RICHMOND SHOPPING CENTRE

Requesting installation of "entry only" signs into the shopping complex from Bells Line of Road.

Committee's Recommendation

The Committee considers that restricting access to "entry only" is not enforceable and therefore, no further action be taken.

ITEM 16: (File 665-2019) [1.571]

CORRESPONDENT: HAWKESBURY CITY COUNCIL

SUBJECT: RE-OPENING OF THE TERRACE, WINDSOR

At the Ordinary Meeting of Council it was resolved that the plans for the re-opening of The Terrace be forwarded to the Committee for determination.

The Committee inspected The Terrace at 1.10pm.

Committee's Recommendation

The plans for the re-opening of The Terrace are considered satisfactory subject to:-

1. Closure of The Terrace at Windsor Bridge in conjunction with the re-opening and provision of traffic control devices as indicated on the plans, between Tebbutt Street and the entrance to Hollands Paddock Car Park.

2. Provision of layback crossing entry into The Terrace at Tebbutt Street.

3. No action being taken to restrict access to Moses Street from Richmond Road at this stage.

Mrs.Barbara Ezzy addressed the Committee.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 17: (File 400-01C) [1.572]

CORRESPONDENT: MR. N. HALL

SUBJECT: PROPOSED ACCESS TO TOWNHOUSES OFF BELLS LINE OF ROAD, NORTH RICHMOND

Requesting Council's approval to the provision of a 6m wide access off Bells Line of Road, North Richmond to serve the 14 townhouses, prior to preparation of plans.

Committee's Recommendation

Access to the development off Bells Line of Road is not supported and that all possible action should be taken by the applicant to gain alternative access via William Street.

ITEM 18: (File 665-1359, 665-740) [1.573]

CORRESPONDENT: HAWKESBURY CITY COUNCIL

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

Council, as a result of representations concerning the movement of traffic along Moses Street/Greenway Crescent, to and from the Cornwallis area and in particular, the sand recovery operation at Cordners Corner, being undertaken by contract for Council, has resolved that "the Local Traffic Committee look into a 'No Right Turn' restriction into Moses Street from the main road.

Note that the proposals before the Committee for a partial road closure at the intersection of Moses Street in conjunction with the opening of The Terrace will achieve this requirement. (See Item 16).

Committee's Recommendation

That no action be taken to restrict access to Moses Street from Richmond Road at this stage.

ITEM 19: (File 665-722) [1.574]

CORRESPONDENT: MR. K. ROZZOLI MP

SUBJECT: GROSE VALE ROAD, KURRAJONG

Representations were received from Mr. K. Rozzoli on behalf of Mr. C. Reid, requesting that the speed limit in Grose Vale Road between Kurrajong Public School and the C.W.A. Hall be lowered to 50kph.

Committee's Recommendation

No action be taken as a speed survey undertaken by the RTA indicated that vehicles are not speeding along this section of Grose Vale Road.

ITEM 20: (File 665-1908) [1.575]

CORRESPONDENT: NSW POLICE DEPARTMENT

SUBJECT: SPINKS ROAD

The representative of the NSW Police requested that consideration be given to the lowering of the speed limit on Spinks Road from 100kph to 80kph.

Committee's Recommendation

That the matter be referred to the RTA for implementation of an 80 (eighty) kph restriction on Spinks Road.

ITEM 21: (File 665-606) [1.576]

CORRESPONDENT: NSW POLICE DEPARTMENT

SUBJECT: FAIREY ROAD, WINDSOR

The representative of the NSW Police Department requested that consideration be given to the lowering of the speed limit in Fairey Road between Ham Street and the railway level crossing.

Committee's Recommendation

That the matter be referred to the RTA for implementation of a 60 (sixty) kph speed zone.

ITEM 22: (File 665-307) [1.577]

CORRESPONDENT: ROADS & TRAFFIC AUTHORITY

SUBJECT: CEDAR RIDGE ROAD

The representative of the RTA requested that consideration be given to the provision of chevrons at the Comleroy Road intersection.

Committee's Recommendation

That Council provide chevrons at this intersection.

ITEM 23: (File 665-1341, 665-119) [1.578]

CORRESPONDENT: ROADS & TRAFFIC AUTHORITY

SUBJECT: MACQUARIE STREET/ARGYLE STREET TRAFFIC LIGHTS

Requesting consideration to the provision of 'No Right Turn' from Macquarie Street into Argyle Street for southbound traffic to overcome an anomaly which would occur in the phasing if this movement was permitted.

Committee's Recommendation

That there be no objection to the implementation of the 'No Right Turn' movement from Macquarie Street into Argyle Street for vehicles travelling in a southerly direction along Macquarie Street.

COMMITTEE'S RECOMMENDATION

THAT THERE BE objection to the implementation of the 'No Right Turn' movement from Macquarie Street into Argyle Street for vehicles travelling in a southerly direction along Macquarie Street.

ITEM 24: (File 665-703) [1.579]

CORRESPONDENT: ROADS & TRAFFIC AUTHORITY

SUBJECT: GEORGE ROAD - WILBERFORCE SCHOOL

Requesting the provision of a footpath from the Wilberforce School gate in George Road to the children's crossing.

Committee's Recommendation

That the matter be referred to Council for consideration.

Date of Next Meeting: Friday, 15th June, 1990

The meeting terminated at 2.40pm.

COMMITTEE'S RECOMMENDATION

THE REPORT BE received and the recommendations adopted, with the exception of the recommendation in respect of Item No. 23 - See Item 23.

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. 15-6-90

Item 1:	(File DA 119/90)) [10.653]
Development Application:	**Home Activity - Picture Framing**
Applicant:	Mr Paul Wilson
Owner:	Mr Paul Wilson
Land & Location:	Lot 120, DP 246698, 6 Randall Street, Agnes Banks
Area:	756m²
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Residential 2(a)
Advertising:	Adjoining Owners with one submission being received - Sandra Brookes
Date Received:	23rd April, 1990

REPORT (M.T.P.)

Proposal

The applicant seeks Council consent for the conduct of picture framing within the existing garage. Operating hours are to be between 12.00 noon to 8 pm. No people other than the applicant will work from the premises.

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 Residential 2(a), subject to consent and is considered unlikely to adversely affect the amenity of the area conditional upon compliance with the provisions of a "home activity".

Public Submission

Ms S Brookes raises no objection to the proposal subject to conditions.

Recommendation

That consent be granted for a "home activity" subject to the following conditions:-

1. The use shall be confined to the existing garage in accordance with plan submitted with the application dated the 23rd April, 1990.
2. All deliveries to and from the site being carried out by the occupants of the premises.
3. All goods and materials being stored wholly within the building.
4. Compliance with the following definition of home activity as 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).

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ELIZABETH 15/6/90

Item 2:	(File S90/32) [10.654]
Development Application:	**Subdivision to create a public road and four allotments with areas of approximately 7820.2m², 7620.6m², 1.7454 Ha and 3.3413 Ha.**
Applicant:	L Claydon
Owner:	L Claydon
Land & Location:	Lot 4 DP 210317, No. 476 Grose Vale Road, Kurrajong
Area:	6.732 Ha
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Rural 1(b)
Advertising:	Not required under Council's Advertising Policy
Date Received:	30th January, 1990

REPORT (M.T.P.)

Proposal

This application seeks Council's consent to subdivide land in Grose Vale Road, Kurrajong, into four allotments with areas of approximately 7820.2m, 7620.6m², 1.7454 ha and 3.3413 ha.

The two smaller allotments will have direct frontage to a new road created in the proposed subdivision, while the two larger allotments will have frontage by way of battle-axe handles. Reciprocal rights of way will be created over these handles to provide a shared accessway to these larger lots.

Generally, the subject property has a gentle slope from Grose Vale Road, in an easterly direction. A weatherboard cottage has been constructed on the land (on proposed Lot 3), together with an agricultural shed and a 1.2 million gallon dam. The dwelling is connected to town water, power and telephone.

Statutory Situation

The subject land is zoned Rural 1(b) under the provisions of 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.

Planning Assessment

The applicant's objection to the 10 hectare minimum subdivision area requirement is generally based on the following grounds:

- surrounding allotment sizes; and
- the need for services.

Surrounding Lot Sizes

The southern boundary of the Kurrajong Village residential area forms the northern boundary of the site. Sixteen residential allotments are located along this boundary and vary in area from 4060m² to 1 hectare (15 lots - 4060m² 1 lot - 1 ha). To the west of the site, there are four allotments which vary from 695m² to 771m². To the south, there are eleven properties which front Greggs Road, varying in size from 8094m² to 1.96 ha, and averaging about 1.39 ha (or 13949m²) in area. Only one property exists to the east, and this has an area of 4.54 ha.

The applicant argues that the size of the proposed allotments are in keeping with surrounding lot sizes and will not set a precedent for similar subdivisions due to the site's unique location, ie it is surrounded on three sides by smaller lots. Further, the proposed lots will be used for rural residential purposes and as such are unlikely to have an adverse effect on the character or amenity of the immediate locality.

Services

Both electricity and telephone services can be provided to each of the proposed allotments. It is proposed that sewage disposal will be by way of an on-site "envirocycle" system.

Advice was sought from the Water Board on the proposed subdivision and is reproduced in part below:

> *"Recent discussions have taken place between Council and the Board regarding water supply to Kurrajong. The Board at present is examining the matter and will shortly be contacting Council.*
>
> *The following comments are offered in regard to the proposed subdivision.*
>
> *The Board's Kurrajong system will operate at capacity with supply to old Kurrajong zonings located with frontage to Board's mains.*
>
> *A water supply to the subdivision cannot be permitted as:*
>
> - *Subdivision will result in additional demand not allowed for in the arrangement of paragraph 3.*
> - *An expectation will be created in Kurrajong that rural subdivisions will be capable of service by the Board."*

The applicant argues, however, that the size of the allotments will allow water to be stored on site in either tanks or dams, and consequently, the provision of water is not a constraint to the proposed subdivision. In fact, the new road should not be provided with a water main and as a consequence the existing connection to the land should be terminated as a condition of the subdivision approval. Therefore the subdivision will reduce the demand on the Kurrajong Water Supply by the deletion of one connection.

Use of State Environmental Planning Policy No. 1

State Environmental Planning Policy No. 1 may be used to vary a development standard (eg the 10 ha minimum area requirement) in those circumstances where strict compliance with that standard would be unreasonable or unnecessary.

The purpose of the 10 ha subdivision requirement is:

a. to ensure that adequate land is available for agricultural uses and animal establishments;
b. to assist in maintaining the rural character of the locality and minimise disturbance to the landscape through clearing, earthworks and access roads; and
c. to ensure that unreasonable demands are not placed on the provision or extension of services.

The subject property is currently used for rural residential purposes. The proposed allotments created in the subdivision will also be used for rural residential purposes and as such are unlikely to have a detrimental effect on the rural character of the area. The land has been substantially cleared, except in regard to proposed Lot 4. However, restrictions can be placed on the proposed subdivision to ensure clearing and earthworks are minimised. Further, the proposed subdivision will not place any unreasonable demands on existing services. Therefore, the proposal is not considered to be inconsistent with the objectives of the 10 ha minimum area requirement.

The land does not fall within the area identified for future urban in the Metropolitan strategy for the Sydney Region. Further the land is not identified in the draft land audit however it is included in the additions recommended by the Department of Housing. Unlike the Metropolitan Strategy the land audit does not have any planning status. Given that the surrounding lots are already fragmented it is not considered that the proposed subdivision will effect the timing or cost of any future urban development.

Based on the above reasons, as well as those provided by the applicant, it is considered reasonable that Council give its support to the proposed subdivision.

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 including the road opening, be considered under delegated authority by the Manager of Town Planning.

Mr.Bill Claydon addressed the Committee.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 3: (File S90/59) [10.655]
Development Application: **Subdivision to create three allotments each with an area in excess of 4 Ha.**

Applicant:	Bennett Real Estate Pty Ltd
Owner:	Denis Hurst
Land & Location:	Part Portion 272, Parish Kurrajong, Old Bells Line of Road, Kurrajong.
Area:	12.7 Ha
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Rural 1(b)
Advertising:	Not required by Council's Policy
Date Received:	2nd March, 1990

REPORT (M.T.P.)

Proposal

The land has frontage to both Bells Line of Road and Old Bells Line of Road. Two of the proposed lots will have frontage to Bells Line of Road with the third lot having frontage to Old Bells Line of Road. However it is proposed to provide a right of carriageway to provide all of the owners with the option of obtaining access from Old Bells Line of Road.

Statutory Situation

The zoning of the land is Rural 1(b) under Hawkesbury Local Environmental Plan 1989. Each lot created within this zone is required to have an area of not less than 10 hectares.

As both lots have an area substantially below this minimum requirement, the application can only be supported by either use of State Environmental Planning Policy No. 1 (with the concurrence of the Director of the Department of Planning) or through a local environmental plan.

It is requested that the application be considered pursuant to State Environmental Planning Policy No. 1 and is supported by an objection pursuant to clause 6 of State Environmental Planning Policy No. 1.

Planning Assessment

The applicant's objection to the 10 hectare minimum standard is based on the following grounds:

* Surrounding zonings and allotment sizes

* Servicing

The land is bounded to the south, east and west by smaller allotments (2 hectares and less) which are also zoned Rural 1(b). To the north of Bells Line of Road the land is zoned Rural 1(c1) where each new lot must have an area of not less than 4 hectares. There are three allotments on the eastern side of Old Bells Line of Road which are zoned Rural 1(b) and which have a similar area to the subject land.

It is possible to distinguish the circumstances of the subject land from the three large lots to the east of Old Bells Line of Road. Whilst the three large lots are contiguous (ie share common boundaries) the subject land is completely surrounded by smaller allotments.

The subject land does have a connection to the Kurrajong Water Supply from the frontage to Old Bells Line of Road. However the proposed lots with frontage to Bells Line of Road will not be eligible for a connection to the reticulated water under the Water Board's policy and will have to rely on on-site collection. Consequently there will be no change to the demand on the Kurrajong water supply system and no basis for objection by the Water Board.

The relevant local and regional planning objectives for the locality are contained in Hawkesbury Local Environmental Plan 1989 and the Metropolitan Strategy for the Sydney Region. The State Government is also preparing a Land Audit for the Sydney Region to identify land with future urban potential but to date this has no planning status.

The objectives of Hawkesbury Local Environmental Plan 1989 for the Rural 1(b) zone are as follows:

(a) to primarily provide for agricultural uses and animal establishments;

(b) to ensure that development does not create unreasonable demands, in the present or in the future, for provision or extension of public amenities infrastructure;

(c) to prevent the establishment of traffic generating development along main and arterial roads; and

(d) to ensure that development maintains the rural character of the locality and to minimise disturbance to the landscape through clearing, earthworks and access roads.

The proposed subdivision does not preclude objective (a). The slope of the land means that it is unlikely to be suitable for large scale intensive animal establishments such as poultry farms. As the subdivision will only require a single connection to the

Kurrajong water supply system, it is not considered that it is inconsistent with objective (b). The subdivision application makes specific provision with regard to objective (c) by providing the opportunity for all access to be off Old Bells Line of Road. The land is generally cleared and the application is consistent with objective (d).

The land does not fall within the area identified for future urban in the Metropolitan Strategy. The land is identified as having urban potential in the draft Land Audit, however as indicated this document does not have any planning status. In any case the surrounding lot pattern is already fragmented and it is not considered that the subdivision of the land will significantly effect the cost or timing of any future urban development.

In the circumstances it is not considered that maintenance of the 10 hectare standard is reasonable or necessary.

Recommendation

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. Upon receipt of the Director's concurrence, the subdivision application be considered under delegated authority by the Manager of Town Planning.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

WP 15.6.90

Item 4:	(File DA 2/90) [10.656]
Development Application:	**The erection of four x three-bedroom townhouses**
Applicant:	D Christou
Owner:	Yamaga Holdings Ptu Ltd
Land & Location:	Lot 1, DP 538377, No 22 Teviot Street, Richmond
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Residential 2(a)
Advertising:	Adjoining landowners notified in accordance with Council's Advertising Policy. Four submissions were received
Date Received:	4th January, 1990

REPORT (M.T.P.)

Introduction

Council considered this application at its Ordinary Meeting on 13th March, 1990, and resolved:

"That this matter be deferred pending a report on the drainage situation or a resolution of the drainage situation.

Further:

1. A report be brought forward to Council in respect to the drainage of the area of South Richmond which has been under discussion surrounding College Street and, in particular, the problem which exists be advised including the effect of continued development in the locality.

2. Ways and means that the drainage problem, if any, can be overcome.

3. The cost of such works to be included in the report."

Prior to discussing the drainage issue, the report of the 13th March, 1990, is reproduced below for Council's information.

This parcel of land is a regular shaped block and comprises a total allotment size of 1182 square metres.

The applicant indicates the intent of the proposal is to provide private rental housing in the short or medium term to help ease the shortages currently experienced in the private rental accommodation market within the Hawkesbury region.

Public Notification

Four submissions were received. The major points of objection as derived from the submissions include:-

1. The two-storey townhouse development may, in effect, lead to privacy/overlooking problems on adjacent single-storey dwellings.
2. The application may impose overshadowing problems and in turn may cause a loss of solar access.
3. The proposal may further increase drainage problems in College Street.
4. The development would generate high levels of vehicular movements within a low traffic residential precinct.
5. Inadequate on-site car parking concerns.

Town Planning Report

The current provisions of Hawkesbury Local Environmental Plan, 1989, permit with Council's consent, the erection of "residential flat building Class B Developments", known as group homes, villa units, townhouses and terrace buildings within all Residential 2(a) zones. Council is therefore in the position to make provision for varied housing styles/types within residential precincts in order to assist prevailing housing shortages, and as such it is considered the minor loss of amenity which may be experienced by the adjacent western property landholding does not warrant formal refusal of this application. Further, the privacy concern may be mitigated by the provision of appropriate landscaped treatment. This treatment would include the provision of planting Australian native trees and shrubs, which at maturity will "soften" the apparent bulk of the building, provide visual screens and in addition contribute to the natural foliage pattern within the area.

A shadow diagram was made in order to assess the overshadowing issues, as raised in the submissions. This diagram corresponds to the lowest extreme of sunlight being 22nd June in order to calculate the worst potential overshadowing problems which

could arise from the application. The diagram indicated that a relatively minor portion of the rear adjacent allotment is subject to potential overshadowing effects.

Relationship to Adjoining Land

The application nominates the provision of a 4 metre minimum building line setback from the western property boundary line, an 8 metre minimum building line setback from the eastern property boundary line, in addition to a 1.5 metre minimum building line setback between the rear carport and the rear boundary line. The design is considered compatible with the adjacent properties.

Car Parking and Access

Under Council's Medium Density Housing DCP, three-bedroom unit/townhouse developments require the provision of 2 covered car parking spaces per dwelling plus 1 car parking visitors space per 5 dwellings. In this regard, the application requires the provision of 8 covered car parking spaces plus 1 open visitor's car parking space and hence is in compliance with the provisions of the plan.

The provisions of the DCP require a minimum 3 metre wide driveway for developments which are at or in excess of 9 individual units. This application makes provision for six metre wide entry/exit point and 3 metre minimum variable accessway to the rear portion of the site and is further in compliance with the minimum 6.7 metre driveway width requirement for 90 degree car parking spaces.

The current application will have a negligible effect in terms of traffic generation and associated impact to the surrounding residential precinct.

Summary

The adjoining landholding on the western property boundary line may experience a minor loss of amenity in respect of this development, however, it is not considered that this loss of amenity warrants refusal of this application. The shape, size and orientation of the subject allotment makes it difficult to undertake a townhouse development proposal which allows the land to be economically developed yet does not impact on the adjoining land.

This application is in compliance with the provisions of the code in terms of minimum private open courtyard space, manoeuvring/turning areas, design considerations and road frontage setbacks.

This application is recommended for approval, subject to conditions.

Drainage

The current townhouse development proposal is feasible in terms of drainage capability, conditional upon the provision of adequate on-site stormwater run-off detention in order to guarantee the current stormwater drainage "status quo". This detention system may be above or below the surface level but must cope with run-off from the land for each return period between the 1 in 1 and 1 in 100 rainfall intensity level. This requirement can be ensured as a condition of consent.

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 4th January, 1990.

2-10. Standard Conditions (DAs) 17, 50 (9) (nine), 31, 34, 70, 73, 100, 104, 6($6908.00) (six thousand nine hundred and eight).

11. Construction of Council's standard heavy duty footway and layback vehicular crossing to suit the access to the site with a minimum width of 6m (six).

12. 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 where the disposal of drainage and the provision of drains across land zoned by other drainage easements to Council's requirements shall be provided for which documentary evidence will be necessary prior to approval of the Building Application.

13. The development shall make provision for an on-site detention system to cope with run-off from the land for each rainfall intensity return period between 1 in 1 and 1 in 100.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

W.P. 15/6/90

Item 5:	(File DA 121/90) [10.657]
Development Application:	**The establishment and conduct of a car restoration/agricultural machinery repair workshop**
Applicant:	Bill Noach
Owner:	Bill Noach
Land and Location:	Lot 50, DP 787972, Stahls Road, Oakville
Zoning:	Hawkesbury Local Environmental Plan 1989 - Rural 1(c)
Advertising:	Advertised by way of letters to adjoining landowners with no submissions being received.
Date Received:	11th April, 1990

REPORT (M.T.P.)

This application seeks Council's consent for the establishment and conduct of a car restoration (older models) and agricultural machinery repair workshop within a

previously used mushroom growing/packaging building situated towards the rear portion of the subject land.

Statutory Situation

The use is defined as a "car repair station" in accordance with the Environmental Planning & Assessment Model Provisions, 1980 and is permissible within land zoned Rural 1(c), subject to consent.

This use is unlikely to adversely affect the amenity of the area provided that the use is confined to the premises and 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 confined to premises in accordance with the plans and supporting documentation received by Council dated 11th April, 1990.

2. The display and sale of motor vehicles are prohibited within the land.

3-7. Standard Conditions 32, 33, 50 (4) (four), 81, 100.

8. The number of persons working on the premises being limited to 1(one).

9. The hours of operation shall be confined to between 8.00am and 8.00pm.

10. Separate details shall be submitted to Council indicating the proposed liquid waste collection, storage and disposal method/system in respect to this use.

11. The construction of a compacted crushed rock manoeuvring area and accessway to serve the development to the satisfaction of the Manager of Engineering Services.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 6:	(File DA 107/90) [10.658] WP 15-6-90
Development Application:	**Excavation of an irrigation channel and removal of sand**
Applicant:	Mr M Apap
Owner:	Mr M Apap
Land & Location:	Lot 2 DP 568557, Freemans Reach Road, Freemans Reach
Area:	7.684 Hectares
Zoning:	Hawkesbury Local Environmental Plan, 1989 - 7(d1) Environmental Protection (Scenic)

Advertising: Adjoining owners notified with no submissions being received.

Date Received: 30th March, 1990

REPORT (M.T.P.)

The land is located adjacent to land owned by J. Sultana which is the subject of an identical application reported elsewhere in the business paper. Mr Apap is also a turf farmer and it is understood that he currently shares an irrigation trench with Mr Sultana.

Statutory Situation

The statutory situation is the same as that reported for the application by Mr Sultana.

Planning Assessment

As reported in the application for Mr Sultana, there is doubt as to whether the relatively small amount of sand which should be won from the trench and sump will make any significant contribution towards defraying the cost of the work. In addition there is a large incentive for applicants to exceed the specifications provided by the Public Works Department.

As the trench has to be maintained on a periodic basis and sometimes on short notice, it is not practicable for applicants to lodge development applications every time they wish to re-excavate their trench. Therefore, a longer term approval would require periodic inspection and an approximation of the amount of material to be removed so as to fix a reasonable contribution for road maintenance under Section 94 of the Act. A longer term approval would also make it easier for the applicants to breach their conditions of consent and extract more sand than that permitted.

In these circumstances it is not recommended that the application be supported.

Recommendation

That the application to excavate an irrigation channel and remove the extracted sand be refused for the following reasons:

1. Not a long term cost effective means of maintaining irrigation water to the land.

2. Not in the public interest.

COMMITTEE'S RECOMMENDATION

THE SITE BE inspected.

The Committee inspected the site at 4.40 p.m. Aldermen present at the inspection were Aldermen Horrex, Benson, Books, Denne, Michael, Rotherham, Sheather and Sledge.

A. THE APPLICATION BE refused for the following reasons :

1. The proposal, in part, constitutes an extractive industry which is not permissible.

2. The proposal is not in the public interest.

B. The applicant be advised that Council will liaise on his behalf, with the Public Works Department and the Department of Planning to obtain the necessary approvals for the construction of irrigation trenches providng that no material is removed from site and that all material is graded to generally follow existing contours.

WP 15/6/90

Item 7:	(File DA 112/89) [10.659]
Development Application:	**Excavation of irrigation channel and removal of sand**
Applicant:	John and Josie Sultana
Owner:	J & J Sultana
Land & Location:	Lot J DP 86289, Freemans Reach Road, Freemans Reach
Area:	7.05 Hectares
Zoning:	Hawkesbury Local Environmental Plan, 1989 - 7(d1) Environmental Protection (Scenic)
Advertising:	Adjoining owners notified with no submissions being received
Date Received:	2nd April, 1990

REPORT (M.T.P.)

The applicants are turf farmers and obtain irrigation water from an excavated sump hole in the large sand bar which is on the northern side of Freemans Reach. Together with other farmers along this section of the river, the applicants regularly pay for a trench digger to maintain the sump hole and the connecting trench to the Hawkesbury River.

The trench digger maintains the sump and trench by excavating the sand and placing it on the downstream side of the excavation. However with "freshes" and floods, sand is continually falling into the sump and trench and they must be maintained on a regular basis.

The applicants indicate that they have considered alternatives to the maintenance of the trench, such as the use of concrete pipes. However permanent structures have not been favoured because of their initial cost and the potential for them to be broken by movement in the sand. Once such pipes are broken the cost of repair is substantial.

The application proposes that instead of the sand being deposited on the downstream side of the trench and sump it be sold to defray the cost of the trench digger. The

trench would be approximately 60 metres in length and 5 metres wide at the low water mark. The sump for pump foot valves at the end of the trench would have a maximum diameter of 25 metres and a maximum depth of 4 metres.

Statutory Situation

An "extractive industry" means the winning of extractive material such as sand and gravel. The Environmental Planning and Assessment Act requires that a development application for an extractive industry be supported by an environmental impact statement prepared in accordance with the Director's requirements. Extractive industries are a prohibited use of the land under Hawkesbury Local Environmental Plan 1989.

Agriculture is a permissible use of the land and is defined as including horticulture and the use of land for any purpose of husbandry including the keeping or breeding of livestock, poultry, or bees, and the growing of fruit, vegetables and the like.

The subject application contains elements of both of these uses ie, the winning of sand is being undertaken as part of the horticultural use of the land. Council must be satisfied that if the application is to be considered without an environmental impact statement, the primary purpose must be for the agricultural use and not the winning of sand.

The Public Works Department which has a concurrence role under the Rivers and Foreshores Improvement Act has advised that it would consider the application provided it did not exceed the above mentioned criteria ie, the trench to be not more than 5 metres wide at low water and the sump hole to be not more than 25 metres wide and 4 metres deep. The Department indicates that:

> "...These dimensions have been developed with a view to balancing reasonable demands for irrigation, ease of construction by typical machinery and limiting of maintenance requirements, with the principle of minimising extraction from this river reach. The farmers themselves may wish to examine alternative technologies such as borehole pumping, which could be implemented without the need to consider river sediment impact."

The Department also supports the principle of a shared sump in the interests of minimising extraction from the river reach.

Provided the maximum dimensions specified in the Department's conditions were adhered to, maintenance of the trench would not require the Department's further consent in the normal course of events.

Planning Assessment

Council will be aware of a development consent issued in 1989 for the construction of a similar trench and sump on a property upstream of the subject land. In that instance, the work was undertaken by a dragline with the result being that the finished work exceeded the specifications provided by the Department. The applicant and the contract operator for that work maintained that a dragline had to be used to make the extraction of the trenches economically viable. However it

became apparent that a dragline was incapable of working within the specifications provided by the Public Works Department.

The experience with this recent approval raises doubt as to whether the relatively small amount of sand which should be won from the trench and sump will make any significant contribution towards defraying the cost of the work. In addition there is a large incentive for applicants to exceed the specifications provided by the Public Works Department.

As the trench has to be maintained on a periodic basis and sometimes on short notice, it is not practicable for applicants to lodge development applications every time they wish to re-excavate their trench. Therefore, a longer term approval would require periodic inspection and an approximation of the amount of material to be removed so as to fix a reasonable contribution for road maintenance under Section 94 of the Act. A longer term approval would also make it easier for the applicants to breach their conditions of consent and extract more sand than that permitted.

In these circumstances it is not recommended that the application be supported.

Recommendation

That the application to excavate an irrigation channel and remove the extracted sand be refused for the following reasons:

1. Not a long term cost effective means of maintaining irrigation water to the land.

2. Not in the public interest.

COMMITTEE'S RECOMMENDATION

THE SITE BE inspected.

The Committee inspected the site at 4.40 p.m. Aldermen present at the inspection were Aldermen Horrex, Benson, Books, Denne, Michael, Rotherham, Sheather and Sledge.

A. THE APPLICATION BE refused for the following reasons :

   1. The proposal, in part, constitutes an extractive industry which is not permissible.

   2. The proposal is not in the public interest.

B. The applicant be advised that Council will liaise on his behalf, with the Public Works Department and the Department of Planning to obtain the necessary approvals for the construction of irrigation trenches providng that no material is removed from site and that all material is graded to generally follow existing contours.

Item 8:	(File DA 22/90) [10.660]
Development Application:	**Erection of four poultry sheds.**
Applicant:	Mr C Mercieca
Owner:	Mr C Mercieca
Land & Location:	Lot 3 DP 27736, 26 Bocks Road, Oakville.
Area:	2.37 Hectares
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Rural 1(C).
Advertising:	Adjoining owners were notified with a petition containing 24 signatures and 15 letters being received, objecting to the proposal.
Date Received:	24th January, 1990.

REPORT (M.T.P.)

Proposal

This application had been deferred pending additional information being forwarded from the applicant to support his proposal.

The applicant seeks consent for the erection of four poultry sheds for the purpose of growing broiler chickens. The size of the sheds are proposed to be 45 metres long x 12.2 metres wide x 4.2 metres high. The sheds are currently located on a rural property in Schofields and are proposed to be relocated to the subject land. The sheds are constructed of corrugated iron with wire mesh panels on the side of the building for ventilation. The sheds are to be located towards the rear of the property with the nearest shed being located some 62.5 metres from the rear boundary. Plans submitted indicate landscaped areas to act as a buffer zone from adjoining neighbours.

Although the submitted plans indicate a proposed gravel road located on the southern boundary of the property, recent discussions with the applicant have indicated that he wishes to move the road to the northern side of the property.

When the business is operating at full potential it is anticipated that there will be 7,500 chickens in each shed thereby resulting in a total of 30,000 chickens on the premises.

Statutory Situation

The proposed development is defined as a animal establishment under the provisions of Hawkesbury Local Environmental Plan, 1989, and is permissible with consent. Council's "Code For Poultry Farming" applies.

Submissions

The petition and letters received object to the development on the basis that it will be an eyesore and it may result in a devaluation of property values. Also, the proposal will create adverse effects which will probably affect their property in terms of increased dust, pollution, noise and smell.

Supporting Information

In support of Mr Mercieca's proposal, water samples taken by the New South Wales Agriculture and Fisheries Department reveal that the dam water is "too salty" and "not suitable for vegetables". Consequently, Mr Mercieca proposes to farm broiler chickens.

Also supporting Mr Mercieca's proposal is a letter from the New South Wales Chicken Growers' Association Ltd. It reads:

> *"Broiler meat chickens are placed into the sheds at 1 day of age and are removed for slaughter at 6 to 7 weeks of age. Throughout this growing period the chickens are virtually silent - they do not 'cackle' or crow as could be expected from mature poultry.*
>
> *During ten years in my present position as Executive Director of the Chicken Growers Association and over twenty five years in the broiler industry I have never received, nor even been aware of, any complaints received from adjoining landholders on the grounds of disturbance from 'chicken noise'.*
>
> *Note that broiler sheds are fairly specific in their design and the contract system of production would prevent their use for other types of poultry production."*

Planning Assessment

The question of the effect of the proposal on the amenity of the area is paramount in determining this application. The principal objective of the zone is to provide for a rural residential living lifestyle. In other words, to provide residential opportunities in a rural environment.

Notwithstanding that poultry farming is permissible with consent, the proposal does not comply with Council's Code For Poultry Farming. The code requires a minimum of 4 hectares for poultry farming. The proposed application has only 2.37 hectares. The code requires that building setbacks are to be as follows:

1. from any road alignment from the property - 150 metres;
2. from any side or rear boundary of the property - 22 metres;
3. from any dwelling on the allotment or any adjoining dwelling or likely site for any dwelling on an adjoining site - 100 metres;
4. between poultry buildings - 12 metres.

These requirements have been in place for many years and were adopted to provide an adequate buffer zone to adjoining residents so that these residents could maximise the potential of their land for rural/residential purposes. The applicant has sited his development so as to maximise distances to adjoining residents, however, there exists one dwelling on the southern boundary within 100 metres from the sheds. Also because the lot is long and narrow the applicant cannot comply with the 22m side setback.

Given the above, it is considered that there is insufficient area for the establishment of a poultry farm on site. By not complying with the setbacks the proposal would appear to be an overdevelopment of the site which in turn has the potential to

detrimentally affect the rural/residential lifestyle of residents in the locality. This is emphasised by the fact that most lot sizes in the vicinity are approx 2ha.

Recommendation

That the application be refused on the following grounds:

1. The development does not comply with Council's Code For Poultry Farming.
2. The development is an overdevelopment of the site.
3. The development is not in keeping with the objectives of the zone.
4. Not in the public interest.

Mr.C.Mercieca, the applicant/owner, addressed the Committee.

Mr.G.Schenk and Mr.I.Waddell addressed the Committee, as objectors.

The Town Clerk/General Manager advised that a typed note containing the names and addresses of ten people from Quakers Hill who lived beside or adjacent to the existing farm where the sheds are currently located, had been received by Council. He then read the note in full to the Committee, which is printed hereunder :

> "This is not a petition, just a brief note in support of our neighbour Charlie Mercieca in his attempt to relocate the family farm.
>
> All of us are adjoining or very near neighbours of the farm in its present location and we have lived here for up to twenty eight years.
>
> Not one of us has every had cause to complain about noise, smell or traffic nuisance caused by the farm, in fact the farm is a quiet place, it does not produce bad odours and it does not generate any more noticeable traffic than any one of our family homes."

COMMITTEE'S RECOMMENDATION

A. THAT THE APPLICATION be refused on the following grounds:

   1. The development does not comply with Council's Code For Poultry Farming.
   2. The development is an overdevelopment of the site.
   3. The development is not in keeping with the objectives of the zone.
   4. Not in the public interest.

B. THAT IN FUTURE times when people enquire at the counter regarding poultry sheds a copy of Council's Code for the Keeping of Poultry be supplied to that enquirer.

Item 9:	(File DA 28/90, DA 113/90) [10.661]
Development Application:	**Erection of thirteen villa houses**
Applicant:	Cesan Pty Ltd and G Richards
Owner:	Cesan Pty Ltd and G Richards
Land & Location:	Lots 142 and 143, DP 752036, Nos 58-60 Windsor Street, Richmond
Area:	3579m^2
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 P Stewart, No 62 Windsor Street
Date Received:	Amended plan - 14th May, 1990

REPORT (M.T.P.)

Background

At its Ordinary Meeting of 10th April, 1990, Council considered an application from Cesan Pty Ltd for the erection of seven villa houses on part of the subject land being No 60 Windsor Street, Richmond. The adjoining landowner, Mr G Richards, however subsequently submitted an application for the erection of six villa houses at No 58 Windsor Street, and proposed to share a common access with the adjoining development at No. 60.

At the meeting, it was resolved that both applicants be advised to submit a joint application over both properties for Council's determination. This joint application is the subject of this report.

Proposal

This application seeks Council's consent to erect thirteen two bedroom villa houses with associated car parking and landscaping on the two allotments. The proposed villas will be of brick veneer construction, with prepainted metal roofing, and will have courtyards ranging in size from 35m^2 to 120m^2.

Statutory Situation

The properties are 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 adversely affect the flow of traffic along this road.

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 original proposals in accordance with Council's advertising policy, with three objections being received. As the joint application does not differ substantially from the original proposals submitted, (rather the new proposal makes more efficient use of the site) adjoining owners were not re-notified.

The grounds for the earlier objections however, included 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, as they relate to the joint application, are discussed below.

Planning Assessment

Density

The density requirements under Council's Medium Density Development Control Plan (DCP) limit development to one two bedroom dwelling per 275m^2 of site area. With 13 villa houses, the proposal complies in this regard.

Private Open Space

Council's Medium Density DCP also requires that an enclosed courtyard, with a minimum area of 30m², be provided for each dwelling. The proposed courtyards range in size from 35m² to 120m² and, except for unit 8, will receive adequate sunlight between 10.00am and 3.00pm during mid winter.

Although over half the courtyard for unit 8 will receive sunlight at 10.00am, less than half will receive sunlight at 3.00pm. Such a situation, however, is not considered to be unreasonable, given that those areas which will receive sunlight at 3.00pm include the area where drying facilities are proposed and the area and verandah in front of the dwelling which together total about 25m² in area.

The courtyards provided for villas 8 - 13 are directly accessible to the internal living areas of each villa. However, for villas 1 - 7, the courtyards are not directly accessible to living areas, as the internal layout seeks to provide the 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 will incorporate similar design elements to buildings in the locality.

Privacy

The main external living areas (ie the living room, dining area and kitchen) in villas 1 - 7 are located on the eastern side of these villas, so that the privacy of the landowner to the west of the site is maintained. Further, there are a number of large trees located along the western boundary on the adjoining landowners' property, which will also assist in minimising any loss of privacy.

For the landowner to the east of the site, privacy will generally be maintained through the increased setbacks provided for villas 8 - 13.

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's space for each five dwellings. In other words, 22.5 (or 23) spaces are required to be provided on the site. The applicant has provided 24 spaces on the site, with two visitor spaces being within the building setback. To "soften" the visual impact of the visitor spaces, it is desirable that consideration be given to the use of brick pavers or similar material, and appropriate landscaping be carried out around these spaces.

The position of the driveway will not result in the loss of any of the trees in Windsor Street, nor any of the large trees on the site.

Drainage

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

Garbage bins can be stored in each individual courtyard and moved to the front of the site on collection days.

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 previously raised by the local residents are not considered sufficient to warrant refusal of the application, and accordingly, the proposal is supported.

Recommendation

That the application be approved generally in accordance with the plans submitted, dated 10th May, 1990, drawing No 29689/33390, subject to compliance with the following conditions:

1-10. Standard Conditions (DAs) 6 ($18,997) (eighteen thousand nine hundred and ninety seven), 11, 17, 31, 33, 61, 70, 73, 104, 120.

11. Construction of Council's standard heavy duty footway and layback vehicular crossing to suit the access to the site with a minimum width of 6(six)m.

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. 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.

15. Details of all proposed fencing are to be submitted with the building application.

16. The building design shall incorporate components that will provide aircraft noise mitigation in accordance with A.S. 2021, to the satisfaction of the Manager of Environment and Building Services. Details to be submitted for approval with the building application.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

WP. 15-6-90

Item 10:	(File DA 97/90) [10.662]
Development Application:	**Filling of land and construction of Machinery Shed**
Applicant:	Mr & Mrs B Little
Owner:	Mr & Mrs B Little
Land & Location:	Lot 24, DP 10192 Pitt Town Bottoms Road, Pitt Town
Area:	11.13 ha
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Rural 1(c)
Advertising:	Adjoining owners notified with no submissions
Date Received:	19/3/90

REPORT (M.T.P.)

Background

Substantial earth mounds were constructed on the land five months ago. This development application is to formalise the existing earthworks upon a request from Council officers.

Proposal

The owner/applicant seeks consent to:-

(1) Formalise existing earth mounds;
(2) Further raise existing mounds, at the rear of the property, by 3.0 metres;
(3) Construct machinery shed having a floor area of 126m^2; and
(4) Fill recently excavated areas.

The proposed shed (12.3m x 10.3m) is to have three sides only and will have a height of 7.0 metres to the apex. The purpose of the shed is for protection of stock. Plans indicate the filling of "swamps" with stable hard material (brick batts or rock). The swamps were created by excavating material for the creation of earthmounds.

The earthworks 3.0 metres high are located at the frontage of Pitt Town Bottoms Road to provide privacy from the road and towards the rear of the property.

Statutory Situation

Clause 25 of Hawkesbury Local Environmental Plan 1989, details controls for the development of flood liable land. The clause does not prevent the filling of flood liable land however subclause (2) provides that a building may not be erected on land lying, at the appointed day, at a level below the 1 in 10 year flood frequency level (12.2 metres). For the purpose of the clause the appointed day means 6th

April, 1984. The land proposed to be filled has a natural level of approximately 7.5 metres, which is below the 1:10 year flood frequency level.

Also, subclause (6) states that the Council shall consider the flood liability of access to land in the assessment of a development application.

Public submissions

No formal objections have been submitted, however the adjoining owner to the eastern boundary, Mr Malpas, raises concerns regarding the deviation of any flood waters that will be created across his land particularly at the road frontage.

Planning Assessment

The applicants indicated that the ultimate use of the land would be for the purpose of "turf farming" which would be permissible within the zoning of the land. However no formal application has been made nor evidence on site to substantiate this.

The ultimate use of the proposed shed is to establish a flood free area for the erection of the machinery shed and for the protection of stock in time of floods. To achieve this level, a height of 15.0 metres has been indicated on plans submitted. This level corresponds to the 1 in 50 year flood level. The natural surface level at the appointed day, in the vicinity, is 8.5 metres approximately. Therefore the height of fill is to be 6.5 metres. As the ground level is below the 1 in 10 year flood frequency level the proposal is prohibited. The applicant has constructed 3m high earth mounds near the road frontage. The purpose of the mounds is to provide privacy from the road.

Conclusion

Clause 25 of Hawkesbury Local Environmental Plan 1989, details controls for the development of flood liable land. The clause does not prevent the filling of flood liable land for purposes permissible under Clause 9 in respect of the applicable zone with the exception of residential buildings.

The "existing swamps" appear to be borrow pits for recently constructed mounds and filling with brick batts or rocks hardly appears to be suitable for an agricultural use.

The construction of a mound with a total height of 6.0 metres and then the erection of a 7.0 metre high shed (total 13.0 metres) is not aesthetically acceptable and will place it above the tree line when viewed from Pitt Town and environs.

The purpose of providing a 3.0 metre high earth mound for privacy has no planning justification, especially within a floodway. Privacy concerns can be adequately overcome by landscaping.

Whilst the intention of providing flood free area for protection in times of flood is desirable, it is considered that a development 13.0 metres above ground is out of character within the surrounding environs, and would likely encourage similar applications.

Recommendation

A. That the application to erect a machinery shed, construct earthmounds and fill swamps be refused for the following reasons:-

1. The proposal is prohibited pursuant to Clause 25 (2) of Hawkesbury Local Environmental Plan 1989;
2. The proposal is considered to be an over development of the site;
3. The application would create an undesirable precedent;
4. The development will detract from the visual amenity of the neighbourhood;
5. Not in the public interest.

B. That the applicant be requested to remove existing earth mounds and to fill existing excavated areas within a period of 60 (sixty) days from the date of notice.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 11:	(File DA 59/89) [10.663] WP. 20-6-90.
Development Application:	**Filling of land for the erection of dwellings**
Applicant:	Mr Alann James
Owner:	Mr Alann James
Land & Location:	Lot 25 DP 742749, Lots 2 & 3 DP 246975, Palmer & North Streets, Windsor
Area:	3,336.6 square metres
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Lots 2 & 3 are zoned Residential 2(a) and Lot 25 is zoned Environmental Protection (Scenic) 7(d1)
Advertising:	Adjoining owners notified with submissions being received from Alva Maguire, Mrs Bongiorno and M & H McFadden.
Date Received:	13th February, 1989. Deferred on the basis of a request by the applicant.

REPORT (M.T.P.)

The application was referred to Council's meeting of 9th May, 1989 and it was resolved that the matter be deferred to allow a further report to clarify the history of the proposal.

The application was then referred to Council's meeting on 13th June, 1989 and it was resolved as follows:

"That the applicant be advised that Council agrees to his request to defer consideration of this proposal however requires from him, prior to its consideration; an indication of the areas of land to be filled; an indication of batters to be created

and their gradients; an indication as to the effect of such fill and subsequent development will have on drainage in the locality; elevations of the buildings proposed and their location on site."

The applicant subsequently supplied plans indicating the proposed development on the three lots together with finished levels and a report was drafted to the next General Purpose Committee meeting. The application was requested to be deferred by the applicant and the report was not listed in the business paper.

Recently, the applicant has advised that he is now available to attend a Committee meeting and has requested that the application be listed for consideration.

The plans which were submitted for the future development of the land indicate six townhouses on lots 2 & 3 and a proposed 2 storey building on the corner lot 25. The applicant has in correspondence indicated that the 2 storey building will be used as a dwelling.

Statutory Situation

A search of Council's records indicates that Interim Development Order No 31 - Municipality of Windsor, made in June, 1976 permitted the filling of the rear section of lots 2 and 3 to a level not less than 12.2 metres provided the floor level of the dwelling was not less than 15.0 metres, this being the applicable criteria at the time. It would appear that lots 2 and 3 have been filled generally in accordance with this approval.

In relation to lot 25 there is evidence of building approvals on lot 25 and the other filled land which fronts North Street, namely lots 22, 23 and 24. These building approvals were issued in 1973. It would seem that lot 25 was filled at the same time as the adjoining lots 22, 23 and 24. There is evidence of strip footings on lot 25 further supporting the existence of a building approval.

As a building platform exists on lot 25 above the 1 in 10 year flood frequency level (12.2 metres) which predates the appointed day (6/4/84), clause 25 provides that the land may be filled to the 1 in 20 year flood frequency level (13.4 metres) and that a two storey dwelling may be erected with the habitable floor at the 1 in 100 year flood frequency level (16 metres). The application proposes to fill this land to the 1 in 20 year level (approximately 900 mm of fill) but to reduce the potential for drainage problems on adjoining land the applicant has advised that he would consider not filling the land and elevating the 2nd floor an additional 900 mm.

The plans indicate that additional filling will be required on lots 2 & 3 to a maximum depth of approximately 1.2 metres. In addition, approximately 3 metres of fill would be required in a small section adjacent to the boundary of lot 4. This would be required to site the proposed unit 4, 2.5 metres from the boundary. It would also require a substantial retaining wall adjacent to the boundary of lot 4. This small area of filling is contrary to the provisions of clause 25 of Hawkesbury Local Environmental Plan, 1989. Subclause 2 provides that a building shall not be erected on any land lying at a level below the 1 in 10 year flood frequency level (12.2 metres AHD) at the appointed day for the area in which the building is to be located. Therefore, the proposed unit 4 is contrary to the provisions of clause 25 and should not be supported.

Public Notification

In response to the notification of adjoining owners, submissions were received from Alva Maguire, Mrs Bongiorno and M & H McFadden.

The submission from Alva Maguire states as follows:

> "As a resident of 20 North Street, Windsor, I wish to oppose land filling on Lot 25 DP 742749 and Lots 2 and 3 DP 246975 Palmer and North Streets, Windsor.
>
> My reasons for objecting are that it does not comply with the original conditions set out on these blocks of land, ie vehicle flood free access to George Street from lots fronting North Street, and does not comply with the surrounding area."

The adjoining owner of lot 24 Mrs Bongiorno has advised that she objects to the filling of Lot 25 and a subsequent dwelling for the following reasons:-

"* Lack of drainage to the rear of her land and adjoining lots.

* Lack of flood free access to the rear of the land. In this regard, she advises that it is difficult to evacuate these dwellings in times of flood. Firstly, it is not possible to get a truck close to her rear fence and secondly all of the contents have to be lifted over a timber dividing fence.

* Loss of sunlight (lot 25 is to the north east of lot 24).

* Loss of view.

* Visual inconsistency of a future dwelling on lot 25 with surrounding development."

M & H McFadden advise that they do not object to the application subject to adequate earth retaining, and a building line to Palmer Street.

Planning Assessment

Access to the land is flood liable however it is a similar situation to the adjacent 3 houses which are also on flood liable land (ie No.'s 19, 21 and 23 North Street).

In relation to the objection by Mrs Bongiorno, it is not considered that the existing views from lot 24 are significant as the dwelling is not orientated to take advantage of them. However, the loss of sunlight and the general appearance of a future dwelling on lot 25 cannot be so readily overcome.

The drainage problem which could be caused by filling on lot 25 could be remedied by permitting the development on the existing surface with the second floor of the dwelling being an additional 900mm above the ground. This would place the habitable floor (second floor) of the dwelling approximately 3.5 metres above the existing level of the land. Hawkesbury Local Environmental Plan 1989 requires that

the habitable floor be not more than 3 metres above the existing ground level. Consequently the applicant would need to satisfy Council through an objection pursuant to State Environmental Planning Policy No. 1 that the 3 metre requirement is unreasonable and unnecessary in the circumstances of the case.

In relation to the appearance of the future dwelling on lot 25 it will be inconsistent with the 3 adjacent single storey houses (No's 19, 21 and 23 North Street). However it would be consistent with any future townhouse development on the adjoining lots 2 and 3 and also with other development which has frontage to Palmer Street.

As lot 25 achieved the 1 in 10 year flood frequency level prior to the appointed day specific provision is made for its further development in Hawkesbury LEP 1989. In these circumstances the application should be supported subject to appropriate conditions.

Recommendation

A. That the filling of lots 2 and 3 DP 246975 to permit residential development be approved subject to the following conditions:

   1. All filling and any future development to be located to the south west of Council's sewer line and generally in line with the existing dwelling on lot 4.

   2. The filling is not to exceed an ultimate land surface of 13.5 (thirteen point five) metres AHD.

   3. Adequate drainage be provided along the common boundary with lot 4.

B. That the filling of lot 25 not be permitted but that the applicant be advised that Council would consider a development application for a dwelling with the habitable floor (1st floor) at the 1 in 100 year flood frequency level (16 metres AHD). The application would need to be supported by an objection to the requirement that the habitable floor not be more than 3 (three) metres above the ground.

C. That the applicant be advised that Council would require as a condition of development consent for lot 25 half road construction and kerb and gutter for the frontage of the land to Palmer Street.

D. That the Manager of Environmental and Building Services be provided with delegated authority to determine the development application for a dwelling on lot 25.

Mr.Alann James addressed the Committee.

Mrs.P.Bongiorno addressed the Committee, as an objector.

Alderman Sledge arrived at the meeting at this stage, the time being 10.05 a.m.

COMMITTEE'S RECOMMENDATION

A SITE INSPECTION be carried out.

Item 12:	(File DA 101/90) [10.664] WP 15-6-
Development Application:	**Erection of a Poultry Farm Shed for the rearing of Broiler Meat Chickens**
Applicant:	D Sant
Owner:	D Sant
Land & Location:	Lot 46, DP 7565, Longleat Road, Kurmond
Area:	4.84 ha
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Rural 1(B)
Advertising:	Advertised with 25 separate objections being received from local land owners
Date Received:	23rd March, 1990

REPORT (M.T.P.)

Proposal

This application seeks Council's consent for the erection of a galvanised corrugated iron poultry shed to allow the establishment and conduct of a broiler meat chicken operation upon a portion of the subject land. This poultry shed will house and rear 14,000 broiler chickens per batch for an approximate period of 3 months up to a marketable table weight of approximately 1.8 kg and comprises of an approximate gross floor area of 1152m^2 (96 metres x 12 metres, in dimension). The poultry shed is of a 20 to 25 degree pitched roof design with a maximum roof line apex height of 4.5 metres and a 3.5 metre height at the eave connection between the roof and the side wall and in addition may incorporate an adjustable ridge cap, aluminium foil insulation, interior ventilation fans, fogging systems and roof sprinklers to help reduce radiation, condensation and potential heat stress effects upon the broiler chickens.

The application seeks the development of the galvanised corrugate iron poultry shed with a north-south long axis building orientation, a metre below the top of the ridge line (in terms of natural ground level), in order to take advantage of passive solar heating in winter and conversely the prevailing winds in summer periods for ventilation and cooling to minimise heat stress.

Public Notification

This application was advertised by way of letters to adjoining land owners in accordance with Council's adopted advertising policy. The major points of objections, as derived from the conditions include:

(1) The poultry farm may generate excessive traffic movements in terms of delivery of day old chicks and marketable broilers plus feed importation deliveries and as a consequence may lead potential traffic

and/or pedestrian conflicts in respect to the Bells Line of Road/Longleat Road intersection and Longleat Road in general.

(2) The poultry farming practices may pose potential environmental pollution problems in terms of dust emissions and run off from excreted liquid wastes into drainage watercourses and the dam below the subject land (currently stocked with Silver Perch) on the western adjacent landholding in separate ownership.

(3) The parcel of land is subject to high visual exposure and as such the proposed poultry shed development may impose a high visual impact and associated amenity loss upon adjacent and other land holdings.

(4) The poultry farm may produce offensive or obnoxious odours following possible biochemical breakdown processes if solid waste/litter is allowed to accumulate or stockpile upon the subject land.

(5) This application, if approved, may set a precedent to expansion of this poultry farm operation given economic viability arguments and associated economies of scale.

(6) Excessive night glare effects from illuminated lighting within the poultry shed.

(7) The increased flow of heavy vehicular traffic will cause further deterioration of Longleat Road.

(8) Increased incidents and population of flies and vermin in respect of this poultry farm proposal.

(9) This poultry farm operation may, in effect, lower property/land market values on the adjacent and other local landholdings.

(10) The poultry operation comprising of 14,000 birds per batch may lead to excessive noise problems borne upon adjacent landholdings.

(11) The establishment and conduct of a poultry farm within the subject land is incompatible with the rural residential characteristics of the local district.

Statutory Situation

The subject land is currently zoned Rural 1(b), in accordance with the provisions of Hawkesbury Local Environmental Plan, 1989. This application is defined as an "animal establishment", and is permissible on land zoned Rural 1(b), subject to Council consent.

The application is subject to Council's adopted policy guidelines for the establishment and conduct of poultry farming operations. This policy requires a minimum land size of 4 hectares for such poultry farming operations with appropriate depth to frontage ratio dimensions to allow a satisfactory landscape buffer to help protect the amenity of the current and/or proposed surrounding developments. This policy further requires a minimum of 22 metres side/rear setback from adjoining lands, a 150 metre setback from any road alignment and a 100 metre dwelling setback in addition to strict conduct and management practices in compliance with the Department of Agriculture and Fisheries guidelines for standards of Poultry Farming in NSW 1973 and Intensive Poultry Husbandry Code, 1979.

Planning Assessment

The size, shape and topographic characteristics of the land.

The parcel of land comprises a total size of 4.84 hectares and is characterised by a central dominant ridge line and sloping lands to the east and the west. The applicant owns two parcels of land including 10.54ha on the eastern side of the subject land. This land is used for grazing purposes. On the western side the land is also used for grazing purposes and contains a dam.

The application nominates the provision of a 150 metre front building line setback, a 35 metres western property boundary line setback, a 60 metre rear building line setback and a setback in excess of 150 metres from surrounding residential dwellings. Accordingly, the application is in general compliance with the adopted Poultry Farming policy guidelines in terms of minimum setback and lot size provisions.

Design, external appearance and/or visual impact of the development

The efficient conduct and management of broiler poultry farm operations requires constant comfort growing zone temperatures between 20 degrees Celsius and 30 degrees Celsius, given that any two degree Celsius drop in temperature below 20 degrees Celsius, increases feed consumption by an average of three percent or similarly, a rise of every two degrees Celsius above 30 degrees Celsius, leads to a drop in feed consumption by three percent and bird/meat tissue performance suffers. This temperature prerequisite requires that poultry sheds are constructed with reflective external cladding materials in order to minimise heat absorption and potential heat stress problems upon the broiler stock. Accordingly the external finish of the poultry building shall be of a reflective "silver grey" galvanised corrugated iron material.

Under general circumstances, this variation from the normal condition requiring a provision of painted or treated dark tone non-reflective materials for farm building/sheds, is considered supportable in respect to the establishment of poultry farm operations subject to the provision of adequate and appropriate landscape treatment to help screen the development from the adjacent land holdings. However in this case the application seeks the construction of a 4.5 high galvanised concrete iron poultry shed slightly below the ridge line upon the land. This land is subject to high visual exposure and accordingly the poultry shed development would impose a high visual impact and associated amenity loss upon adjacent and other land holdings within Kurmond and the escarpment footslope in Kurrajong particularly eastern orientated blocks on the upper and middle slopes of Drummond Road, Greggs Road, Grose Vale Road and Vincents Road, Kurrajong, in addition to Bells Lane, Kurmond. Landscaped screening is unlikely to be effective given that such landscaping could not be undertaken within 25 metres of the building as it is important to ensure that prevailing cooling winds from the west/south-west are not impeded.

Water Supply

The Department of Agriculture and Fisheries "Guidelines for Standards of Poultry Farming in NSW, 1973" advise that water supply in excess of the anticipated peak demand is a pre-requisite for the establishment and conduct of a poultry farm. In

this regard, the application advises that the poultry farm operation would rely upon reticulated town water supplies in addition to two existing farm dams within the overall land holding.

Notwithstanding this, Council is aware that the Water Board has previously expressed concern in regard to subdivisions and the creation of additional allotments requiring reticulated water supplies from the Kurrajong-Kurmond system. Accordingly, the Water Board was advised of this application. The Water Board has advised that it was not in the position to make provision for reticulated water supplies upon the land for the poultry farm operation given that the current Kurrajong water supply scheme could not cope with additional large scale water consumption pressures.

The Department of Agriculture guidelines advise that water consumption for broilers between 3 and 8 weeks ie the growing stage is on average 4 litres per day. Accordingly, the 14,000 birds would require 56,000 litres of water per day. The current water supply from the two existing dams within the overall landholding is considered unable to cope with this demand in addition to water supply requirements in summer for the operation of shed foggers and external roof sprays. Therefore, the application would require additional on-site water supply. The applicant has verbally advised that the costs of providing additional water storage on the site would be too expensive.

Traffic Generation

The application nominates that traffic generation in respect to the poultry farm operation is minimal and comprises of 3 deliveries a year of day-old chicks, a feed importation delivery per three-week period, a single large rigid heavy vehicle delivery per marketable broiler batch in addition to a solid waste disposal delivery from the subject land after each respective batch period which would involve a number of trucks. Accordingly, the potential traffic movements in respect to Longleat Road and the Bells Line of Road/Longleat Road intersection are minor and as such the potential traffic and/or pedestrian conflicts would be minimal, particularly given that delivery of the day-old chicks and subsequent marketable broilers is undertaken between sunset and sunrise to mitigate heat stress upon the livestock.

Waste Disposal

The Department of Agriculture poultry farming guidelines advise that 14,000 broilers may produce approximately 280 tonnes of poultry litter per batch period (3 months). This poultry litter consists of a mixture of solid waste (manure) liquid waste (up to 25 per cent) and an absorbent wood shaving and/or sawdust base material. The solid waste contains high concentrations of organic and ammonia nitrogen, potassium and potash which requires appropriate waste management and disposal practices. The poultry farming guidelines advise that the minimum setback for manure disposal area is between 150m - 300m depending upon topography, local microclimatic conditions and soil characteristics in order to minimise potential offensive odours.

The application is in compliance with the minimum setback requirements under Council's poultry code and the Department of Agriculture poultry farming guidelines in terms of minimum setback and accordingly, it is considered that adequate land disposal practices would not produce biochemical breakdown processes and associated anaerobic offensive odours subject to appropriate conditions.

The application further indicated that excess solid waste will be removed from the subject premises and delivered to orcharding, market gardening and other agricultural practices within the Hawkesbury district. Additionally the poultry farm proposal would undertake appropriate land burial of poultry carcasses within an enclosed portion of the overall landholding.

However, in the event of a high mortality rate from excessive heat stress, the operation seeks to undertake disposal of the poultry carcasses at Council's local land disposal/garbage depot.

Property/land market valuation

The KCR Real Estate Pty Ltd advised Council by correspondence dated the 17th April, 1990 that the application would impose a detrimental effect upon the local property/real estate market and in effect, would lead to a drastic de-valuation of adjoining and other landholdings. This view was further supported from a majority of the submissions.

However, the actual market effect of the establishment and conduct of a poultry farm upon property/land market values on adjacent and other local landholdings are difficult to identify and/or calculate given varied issues in terms of land market mechanisms, construction/subdivision industry fluctuations, high interest rates and other prevailing market forces. Nonetheless, it is generally acknowledged that property/land market values may decline in response to market apprehension about adjoining developments.

Summary

In summary, the application generally complies with Council's and the Department of Agriculture's policy guidelines for the establishment and conduct of poultry farming operations, in terms of minimum allotment size, minimum setback standards, and waste management disposal measures.

However, the parcel of land is characterised by a dominant ridge line and undulating sloping land and in addition is subject to high visual exposure, particularly from easterly orientated lands upon the footslope of the escarpment and adjoining landholdings along Bells Lane, Kurmond. Accordingly, the proposed poultry shed development may impose a high visual impact and an associated amenity loss upon such landholdings which may not be overcome from extensive tree planting/landscaping programmes, particularly given that efficient poultry farming practices require landscape screening setbacks between 5 - 10 times the building height (according to Department of Agriculture guidelines) in order to ensure effective ventilation and minimal air flow restriction.

Further, the application is unable to demonstrate that the proposed poultry farm operation could rely upon dam water supplies, particularly in prolonged heat periods. Additionally the Water Board is not in the position to make provision for additional reticulated water supplies upon the land since the current Kurrajong water supply scheme could not cope with additional large scale water consumption pressures.

Recommendation

That the application be refused for the following reasons:-

1. The development will have a detrimental impact on the landscape and the scenic quality of the locality.

2. The provision of landscaping would not effectively screen the development from landholdings on the footslope of the escarpment.

3. The applicant has not demonstrated appropriate water supply methods.

4. The proposal is not in the public interest.

Mr.R.Roberts, Mr.J.Nemetz and Mrs.R.Cullen addressed the Committee as objectors.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

WP 12.6.90

Item 13:	(File DA 114/90) [10.665]
Development Application:	**The erection of five x two bedroom single storey villa units.**
Applicant:	Mr. & Mrs. F. Mansour
Owner:	Oakway Pty. Ltd.
Land and Location:	Lots 20 & 21 of an approved subdivision of Lot A DP 379253 Francis Street, Richmond. (Plan not yet registered)
Area:	1545 square metres
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Residential 2(a)
Advertising:	Advertised with no submissions being received.
Date Received:	5th April, 1990.

REPORT (M.T.P.)

The application complies in all respects with Council's Medium Density Development Control Plan.

The proposal is essentially designed in a "U" format with the street elevations being of a pleasant design and borrowing design elements from the 1930s/1940s.

The land has not yet been registered with the Lands Title Office and any approval of Council should include a condition in this respect.

Recommendation

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

1. The registration and consolidation of proposed Lots 20 and 21 in a subdivision of Lot A DP 379253 with documentary evidence that such has taken place prior to release of the building permit, as is required.
2-13. Standard Conditions (Development) - 6 ($5,181) [five thousand one hundred and eighty one], 11, 20, 31, 33, 34, 40, 50 (9 spaces)[nine], 61, 70, 71, 73.
14. Construction of Council's standard residential footway and layback vehicular crossing to suit the access to the site with a minimum width of 6m.
15. The units shall be constructed to incorporate aircraft noise intrusion mitigation features to the satisfaction of the Manager of Environment and Building Services. These features be specified in the building application and it is suggested that the applicant liaise with Council's Environment and Building Services department prior to submission of the plans.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

WP 15-6-90

Item 14:	(File 220/89) [10.666]
Development Application:	**Caravan Park, cabin accommodation and convention centre**
Applicant:	Mendfield Pty Ltd
Owner:	E W Weeden and J Volman
Land & Location:	Lot 3 Dp 717341 Chaseling Road, Leets Vale
Area:	18.98 Hectares
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Environmental Protection Scenic 7(d)
Advertising:	Adjoining owners notified - submissions received from Mr D Hall, Mr D J Hopping, K & L Brunker, Mr J O'Shea, K Hungerford and R L Israel, Mr A Prosser, Baville Pty Ltd, Mr N Bush, Ms G Anderson, Mr R Whiddon and Mr R Kajet on behalf of Del Rio Resort.
Date Received:	13th June, 1989

REPORT (M.T.P.)

Background

Council last considered this matter at its Ordinary Meeting of the 12th September, 1989 when it resolved that;

> "the applicant undertake a hydrological study to the satisfaction of Council which verifies that the development of the site, particularly the proposed filling to a height of 6.9 (six point nine) metres over the entire area of the caravan sites, the construction of the artificial lakes and the access road to the caravan sites and drainage works will have an insignificant effect on nearby

properties and the flow of the river in times of flood. The study is to cover all flows up to and including the maximum probable flood. The study should also take account of the State Government's Flood Plain Development manual in regard to flood warnings and evacuation in times of flood.

Following the study the matter be referred back to Council for consideration."

The applicant has now carried out the hydrological study and comments have been received from the Public Works Departments in relation to that study.

The planning report of the 12th September, 1989 has been reproduced below for Council's information prior to commenting on the hydrological study.

The Site

The site can best be described as a peninsula protruding into the Hawkesbury River with its spine covered with natural bushland. An extensive area of flat gently sloping land is located adjacent to the river. The site is on the inside bend of the river. The land adjoining the river is predominantly grassed with a few copses of trees and is used for grazing purposes. The "sloping hill" part of the land consists of a series of natural rocky cliffs and benches. Two dwelling houses and numerous sheds are located on the land. Access to the site is via Chaseling Road which is unsealed.

The Proposal

The proposal consists of a number of components which can be summarised as follows:

A. Caravan Park

Construction of a caravan park containing 130 sites and two amenities buildings in the southern, central part of the alluvial flat. Forty of these sites will be permanent van sites. It is proposed to raise the level of the caravan and camping site to a level platform 6 metres AHD thereby decreasing the flooding risk. The volume of fill required for the platform and access road to the platform is approximately 50,000m^3 (based on length = 400 metres, width = 80 metres, depth = 1.5 metres and 2000m^3 for the road).

B. Golf Course

The golf course is to be located on low lying land adjoining the caravan park and the applicant indicates that it should be self draining and playable even in wet weather conditions.

C. Artificial Lakes

Two artificial lakes are to be excavated to about 5 metres below present ground level. The minimum width of these lakes will be 25 metres. The sand from these excavations will be used to build a platform for the caravan sites.

D. Cabin Development and Conference Centre

The site of the cabin development and conference centre is located on a hillside area that has extensive regrowth including patches of lantana. The applicant has indicated that the design and location of the cabins will be such that scarring of the hillside by "cut and fill" earthworks will be minimised. The cabins have been designed as pole platform structures.

The conference centre is proposed to be two storey and will involve some cut and fill. Retaining walls are envisaged however the applicant has indicated that prior to final positioning and design of building works a geotechnical investigation will need to be carried out.

E. Boat Ramp

A boat ramp and parking for 14 cars with attached trailers is proposed adjacent to the river.

F. Water Supply

The site is not serviced nor is it possible to service with reticulated water. The applicant proposes to obtain potable water from onsite ground water supplies. The submission which accompanies the development application states and provides calculations to the effect that the renewable reservoir capacity is 50,000m^3. Calculations provided indicate that the development would generate a maximum daily demand of 40m^3. Analysis of a number of ground water samples have also been submitted.

G. Sewage Treatment and Disposal

Sewage is to be treated and disposed of onsite by means of a packaged treatment plant. Disposal of the treated effluent is to be by a combination of drip and sprinkler irrigation on the proposed golf course.

Public Notification

The application was placed on public exhibition and land owners across the river in the Shire of Baulkham Hills were also notified. Ten letters of objection have been received. The following table summarises the grounds of objection;

	Ground of Objection	Number of Times Raised
1.	Filling of land on the site would detrimentally affect other properties in the vicinity during periods of flood.	7
2.	Inadequate ferry service at Webbs Creek and poor road access to the site.	5

3.	The site is located on the bend of a river and will be unsafe for increased water skiing due to poor sight distances and proximity to existing caravan park on the other side of the river.	3
4.	Pollution from sewage.	2
5.	Soil erosion and dumping of resultant waste downstream during periods of flood.	1
6.	Increase in unruly behaviour from future occupants.	1
7.	Detrimental visual impact as a result of caravan development.	1
8.	Increased noise from boats.	1
9.	Permanent residents of caravan parks are not allowed on flood prone land.	1
10.	There are too many caravan parks on the river and there is no demand for another caravan park.	1

These aspects are covered in detail later in the report.

Submissions From Public Authorities

The Public Works Department has advised as follows:

> "The proposed development should be designed in accordance with the Government's flood plain development manual. It is considered important that the proposal addresses the question of flood warning and evacuation, given that flow will occur across the site in large floods.
>
> The proposal should also address the impact of filling in flood levels upstream.
>
> The claims in regard to availability of adequate and potable bore water need to be examined closely, given that the Hawkesbury River is saline in this area.
>
> In regard to boat ramp construction, attached is a copy of guidelines for boat launching ramps prepared by the Department to assist Local Councils in preparing projects under the NSW Waste Water Programme.
>
> Excavation within 40 metres of the river bank requires the Department's comment under Section 230 A of the Rivers and Foreshores Improvement Act, 1948. Insufficient detail has been supplied with the application to consider the proposal.

When final designs have been prepared for the lake excavation and filling adjacent to the banks they should be forwarded to the Department for consideration."

The State Pollution control Commission has also responded and advised as follows:

"As waste waters will be discharged to waters the proponent will need the Commission's approval under Section 17 of the State Pollution Control Commission Act and will need a licence to irrigate waste waters under the same Act. An approval and licence would contain conditions relating to air, water and noise control.

Construction Phase

The report gives no details on pollution control during construction. Details will be required for the control of siltation and turbidity of stormwater discharge from disturbed areas and dredging operations, building waste disposal and noise control from machinery.

Operational Phase

Noise Control

The Commission does not agree with the statement that tree and scrub plantations would be effective noise controls. If amplified music is to be played in the complex centre, the building should be contained for noise containment.

Air Pollution

No significant air pollution is envisaged however it is recommended that the general use of wood fired space heaters is prohibited within the development. Regulations are in force covering the sulphur content of any fuel used for water heating or other purposes. Unless a correctly designed and approved incinerator is to be used, disposal of solid waste by the incineration method will not be permitted.

Water Pollution

The proposed waste water treatment plant should be satisfactory but performance and operating details will be needed. This plant will be expected to achieve standards in the discharge liquid of 20mg/L of non filterable residue and 30mg/L of biochemical oxygen demand. The proposed capacity of the plant of 100,000 litres per day is considered barely adequate for peak period use. The report makes no mention of any maturation ponds, retention times or wet weather holding capacity. The area for irrigation and application rates appear satisfactory. The above matters should be covered by the proponent in any application to the Commission. The matter of water supply is not within the Commission's jurisdiction."

Planning Assessment

Planning Context

The Draft Hawkesbury Regional Environmental Plan identifies the section of the Hawkesbury River between the Colo and MacDonald Rivers as having the potential for "moderate tourism development (eg cabins)". Within the context of the City of Hawkesbury this section of the River is the most suited to tourist development of the type proposed in that even though the access is poor the river environs have a high scenic quality. The water quality in the river is also the best within the City's boundaries. also numerous caravan parks and holiday homes exist in this area. The following local strategies form the guidelines within the REP for the future development of this section of the river:

1. Improved road access to selected areas.
2. Encourage appropriate tourist development.
3. Maintain high environmental quality of surrounding lands.

The proposal is compatible with the overall strategy within this section of the river.

Flooding

As the proposal involves the placement of fill on the flood plain, the expertise of the Public Works Department was sought. As can be seen from their reply they have advised that the applicant carry out further hydrological investigations so that more information is available for their perusal and comment. The applicant has indicated that he has already supplied detailed information in relation to the proposal at considerable expense. The provision of additional hydrological studies would be costly and the applicant has indicated that he is prepared to carry out the hydrological study on the proviso that Council indicates whether it will approve or refuse his application prior to carrying out such study.

This approach is considered to be reasonable in that if Council resolves that the proposal has merit it can give an indication to the applicant that it is prepared to approve the application if the hydrological study confirms the land is capable of being filled to a specified level without causing deleterious effect in times of flood on adjoining properties.

The Public Works Department has confirmed that the 1 in 100 year flood frequency level for the locality is 6.9 metres AHD and in keeping with the State Government's Flood Plain Development Manual the area where the caravans are to be located should be raised to this level. This would involve the enlargement of the proposed artificial lakes. In preparing the hydrological study the applicant should take this into account. Also the development should be designed in accordance with the State Government's Flood Plain Development Manual. Particular regard is to be given to the question of flood warning and flood evacuation in times of flood.

Access

The only means of reaching the site, when towing a caravan, is by way of the Webbs Creek Ferry and thence by the Bicentennial Road to Chaseling Road. Currently the access to the site is unsatisfactory for heavy usage by caravans. Access from the Greens Road end (Windsor) of the Bicentennial Road is prohibited due to the number of steep grades and tight curves. This access cannot be made available without major reconstruction works which are not likely to be viable now or in the foreseeable future.

Some localised sections of the Bicentennial Road at the Webbs Creek end are also steep and unsatisfactory as general access. This can be corrected by drainage and pavement improvements and sealing of a total of about 800 metres of the road.

Much of Chaseling Road between the Bicentennial Road and the sealed section fronting the site is very steep and has a poor alignment. Whilst the section of Bicentennial Road referred to above could probably be kept open to heavy caravan traffic with regular grading this is not considered appropriate. Chaseling Road should be sealed as a consequence of this development and a contribution towards the upgrading of the Bicentennial Road be paid as a condition of any development approval.

The upgrading of the Webbs Creek Ferry is not considered warranted because, for the majority of the week, it functions very satisfactorily. It is not considered reasonable that the applicant contribute to the upgrading of the Webbs Creek Ferry for the few hours/days of the year when congestion occurs due to holiday traffic.

Water Skiing Hazards

The river is approximately 200 metres wide in this location thereby providing adequate manoeuvring area for power boats towing skiers. The width of the river in this locality complies with the Maritime Services Board's guidelines for safe skiing.

Waste Disposals/Impact on Environment

The applicants have been made aware of the contents of the State Pollution control letter mentioned previously and have had discussions with the State Pollution Control Commission.

Verbal advice has been received from the State Pollution Control Commission that disposal of sewage by means of a package treatment plant can be achieved subject to certain criteria being met. As indicated in their letter the Commission will control this by ensuring environmental standards are met by the development prior to issuing any licence to irrigate with waste water. The applicant will have to provide details of outlining the control of siltation and turbidity of stormwater discharge from disturbed areas and dredging operations as well as information relating to building waste disposals during the construction phase. The issue of erosion control in the construction phase is best covered in the conditions of consent.

Water Supply

The applicant has demonstrated that under existing conditions there is an adequate ground water supply. In times of drought this may change with the advent of salty water into the water table. To predict the variation of quantity and quality of ground water is a difficult task but it would seem that the stated quantity of ground water is adequate in the long term. Details will however be required in relation to the chlorination, filtration and desalination of the ground water to be used for potable purposes. Storage capacities will also have to be defined. This can be achieved as a condition of consent.

The contamination of ground water is unlikely due to the high quality of waste water to be used for spray irrigation purposes, the slow admixing of surface and ground waters and also the purifying techniques which will need to be employed prior to use of groundwater for potable purposes.

Details will also be required in relation to means employed to protect the site in times of bushfire. To this end the applicant has indicated that a diesel pump will draw water from artificial lakes for fire fighting purposes. This can be covered as a condition of consent.

Aesthetics

The caravan sites near the river have the potential to blight the landscape when viewed from the river or the opposite bank. These concerns can be overcome by the planting of appropriate landscaping on the bank and the "filled" land surface on which the caravans will be located. The cabin development on the other hand has been designed so that it doesn't scar the landscape through excessive cut and fill. conditions will be imposed regarding building materials and retention of vegetation to ensure these cabins are not visually prominent.

Noise Control

The conference building will need to be soundly insulated in case it is used occasionally for functions which have amplified music. This can be achieved by a condition of consent.

The extra noise generated by boats originating from the proposed development would be minimal if the boats complied with State Government guidelines in regard to boat noise emissions. The control of noise emitted by boats on the river falls within the jurisdiction of the Maritime Services Board.

Ordinance 71

The applicant has indicated that there will be 40 "permanent vans" on the site. He has verbally indicated that the term "permanent vans" does not mean permanent residents. The permanent vans are to be provided on site for the convenience of holiday makes who need accommodation. Even so the raising of the platform to 6.9 AHD where the caravans are to be parked will ensure that the proposal complies with Ordinance 71 in relation to caravans on flood affected land.

Too Many Caravan Parks/No Demand

The economics of the development is initially the prerogative of the developer. There is not believed to be any quantitative figures available suggesting that no more caravans are required in the City. Indeed, the opposite appears to be the situation.

Hydrological Study

The applicant has addressed Council's concerns on the hydrological implications for fill and flood levels up to RL 6.9 metres (1:100 year flood frequency level) by providing two reports. The Public Works Department has examined both reports and has advised Council that:

> "Taking into consideration the following factors:
>
> - specific site conditions;
> - relative accuracy of current technical analytical methods;
> - information and engineering analyses provided by the consultants;
> - the consultant's conclusion that there will be no significant change to the river's erosion characteristics along the outer bend is considered reasonable.
>
> Under normal river tidal flows (no flooding), there will be no impact on river hydraulics from the proposed filling. During times of river flooding when overbank flow occurs, provision of culverts under the access road will minimise overall river hydraulic impacts."

The Public Works Department have also agreed with the consultant's contention that there will be minor increases in river levels for the 1 in 100 year flood event as a result of filling the caravan sites to 6.9 metres AHD.

The applicant has not specifically examined the impact of the proposal in the event of a probable maximum flood however it is considered that the hydraulic problems created will not be any more significant than that for the 1 in 100 year flood event as a result of the proposal.

Given the comments from the Public Works Department it would not be reasonable to refuse the application on hydraulic grounds. A condition should however be imposed that the caravan and amenity sites be filled to the 1 in 100 year flood frequency level (6.9 metres AHD) and that the access road to the caravan sites shall also be at a maximum level of RL 6.9 AHD with culverts under the road being provided to carry the flows envisaged by the consultant's report.

In terms of flood warning and evacuation the consultant has indicated that the effective flood warning time is probably in the range of 12 - 24 hours based on the rate of rise as calculated for the 1978 flood. As the caravan sites and the proposed access to these sites will be above the 1 in 100 year flood frequency level and the fact that there are numerous parking areas associated with the cabin development on the high ground on the site it is considered that the evacuation measures are adequate.

Reconsideration of Access

At the Ordinary Meeting of the 12th September, 1989 Council was advised of an offer from the applicant to seal approximately a 7 km stretch of the Bicentennial Road (6.5 metres wide) from the existing bitumen on Chaseling Road to the Webbs Creek ridge. It was reported to Council that should this proposal be accepted it would involve the applicant in an expenditure calculated at $164,000 and the Council in an expenditure calculated at $496,000 for which no funds were available at the time. The funding situation has not altered since September 1989.

Given the potential traffic generated by the proposal it is recommended that the applicant construct Chaseling Road to a suitable standard as well as contributing to the upgrading and maintenance of the Bicentennial Road between the two arms of Chaseling Road.

Conclusion

The applicant has demonstrated that the filling of the land is acceptable in terms of the 1 in 100 year flood event. Other environmental impact such as potential water and noise pollution from the site as well as access have been addressed and can be covered by conditions of consent.

Recommendation

That the application be approved subject to the following conditions:

1. Submission of all levels of any fill, excavations, access roads, tennis courts and floor levels of all structures for approval by the Manager of Engineering Services. In this regard the caravan sites and access road are to have a minimum finished level of RL 6.9 (six point nine) AHD.

2. Compliance with the requirements of the Public Works Department to any excavations within 40 (forty) metres of the river bank, filling adjacent to the bank and the construction of the boat ramp.

3. Construction of a 5.5 (five point five) metre wide sealed pavement in Chaseling Road from the end of the existing seal fronting the site to its intersection with the Bicentennial Road. details to be submitted for approval prior to construction.

4. Payment of a contribution of $70,000 (seventy thousand) towards the upgrading and maintenance of the Bicentennial Road between the two arms of Chaseling Road. The amount to be updated in accordance with variations in the CPI from September 1989 to the date of payment.

5. Access to the site being via a single drive, a minimum of 7 (seven) metres width, located at the western boundary of the site to provide maximum site distances for vehicles entering and leaving the site.

6. The access, all internal access roads, parking and manoeuvring areas being constructed with a sealed pavement and any necessary drainage. Details to be submitted with the building application.

7. Drainage of the site incorporating sediment control measures is to be carried out to the satisfaction of the Manager for Environment and Building Services. Details to be submitted for approval with the building application.

8. The control of siltation and turbidity of storm water discharge from the site, building waste disposal and the emission of noise from machinery during this construction phase to be carried out to the requirements of the State Pollution Control Commission and Council. Details to be submitted for approval with the building application.

9. The submission of a satisfactory detailed geotechnical report covering all excavation, filling and bearing of all structures to be carried out or erected on the site.

10. Compliance with the requirements of the State Pollution Control Commission in relation to the proposed sewer treatment plant. Consideration is to be given to relocating the treatment plant to above the 1 in 100 year flood frequency level.

    Details of the waste disposal system are to be submitted with the building application.

11. Submission of chlorination, filtration and desalination details for drinking water together with details on storage capacity. Such details are to be submitted and approved prior to any work being carried out on the proposed development.

12. The proposed caravan park shall comply in all respects to the requirements of Ordinance 71 of the Local Government Act.

13. The provision of a culvert under the access road sufficient to carry 149 (one hundred and forty nine) cumecs at a water RL of 6.9 (six point nine) AHD. Details to be submitted for approval with the building application.

14. Provision of an elevated water storage reservoir with a minimum capacity of 200,000 (two hundred thousand) litres for fire fighting and domestic use purposes is to be provided. Alternatively details are to be provided with the building application of an alternative fire fighting system utilising the proposed reservoirs on the flat land.

15 The conference complex, cabins and manager's residence shall comply with the requirements of Council's Bushfire Mitigation Policy.

16. Facilities and access for disabled persons shall be provided in the conference centre in accordance with the requirements of Part 53 and Specification 9 of Ordinance 70.

17. No internal wood fires or slow combustion fires are to be installed in any of the dwellings. Details of a central incineration plant are to be submitted to and approved by Council prior to the issue of the building permit.

18. Compliance with any requirements of the Maritime Services Board.

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

20. 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.

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

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

23. 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.

24. Exterior surfaces of the proposed structures being painted or treated with a dark toned non reflective material in such a manner so as to cause the structures 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 occupational use of the buildings.

25. 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 buildings. Special attention is to be given to landscaping on the river bank and on the filled area in which the caravans are located with the aim of screening the caravan development. The plan is to be prepared by a qualified landscape architect.

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

27. 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.

28. 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.

29. Compliance with the requirements of the State Pollution Control Commission in relation to providing noise insulation within the conference centre. Details to be submitted with the building application.

Item 39 of the Supplementary Report was dealt with in conjunction with Item 14 above.

Mr.E.Weeden, the applicant, and Mr. C.Miller, Engineer, addressed the Committee.

Mr.R.Kajet and Mr. D.Hall, addressed the Committee as objectors.

A letter dated 7th May, 1990, was supplied by Mr. Hall from the Minister for Local Government and Minister for Planning, signed by Patricia Forsythe, Executive Officer, and this was read by the Town Clerk/General Manager to the meeting, and which is quoted hereunder :

> *"The Minister for Local Government and Minister for Planning, The Hon. David Hay, M.P., has asked me to reply to your letter received by facsimile concerning the proposed development at Wiseman's Ferry known as the Wiseman's Ferry River Resort.*
>
> *The Department of Planning has advised that concerns have been raised by various State Government bodies regarding the proposal. It is understood that the proponent is currently amending the plans to ensure the proposed development will not be located within the floodplain.*
>
> *I trust this clarifies the present position for you."*

COMMITTEE'S RECOMMENDATION

THAT THE APPLICATION be approved subject to the following conditions:

1. Submission of all levels of any fill, excavations, access roads, tennis courts and floor levels of all structures for approval by the Manager of Engineering Services. In this regard the caravan sites and access road are to have a minimum finished level of RL 6.9 (six point nine) AHD.

2. Compliance with the requirements of the Public Works Department to any excavations within 40 (forty) metres of the river bank, filling adjacent to the bank and the construction of the boat ramp.

3. Construction of a 5.5 (five point five) metre wide sealed pavement in Chaseling Road from the end of the existing seal fronting the site to its intersection with the Bicentennial Road. details to be submitted for approval prior to construction.

4. Payment of a contribution of $70,000 (seventy thousand) towards the upgrading and maintenance of the Bicentennial Road between the two arms of Chaseling Road. The amount to be updated in accordance with variations in the CPI from September 1989 to the date of payment.

5. Access to the site being via a single drive, a minimum of 7 (seven) metres width, located at the western boundary of the site to provide maximum site distances for vehicles entering and leaving the site.

6. The access, all internal access roads, parking and manoeuvring areas being constructed with a sealed pavement and any necessary drainage. Details to be submitted with the building application.

7. Drainage of the site incorporating sediment control measures is to be carried out to the satisfaction of the Manager for Environment and Building Services. Details to be submitted for approval with the building application.

8. The control of siltation and turbidity of storm water discharge from the site, building waste disposal and the emission of noise from machinery during this construction phase to be carried out to the requirements of the State Pollution Control Commission and Council. Details to be submitted for approval with the building application.

9. The submission of a satisfactory detailed geotechnical report covering all excavation, filling and bearing of all structures to be carried out or erected on the site.

10. Compliance with the requirements of the State Pollution Control Commission in relation to the proposed sewer treatment plant. Consideration is to be given to relocating the treatment plant to above the 1 in 100 year flood frequency level.

    Details of the waste disposal system are to be submitted with the building application.

11. The submission of chlorination, filtration and desalination details for drinking water, together with details on storage capacity. As ground water supplies can be suspect in regard to quality, particularly where drawn near areas used for effluent disposal by irrigation, the provision of surface supply of potable water should not be discounted and should be included in any submission. Such details are to be submitted and approved by the Manager of Environment and Building Services prior to any work being carried out on the proposed development.

12. The proposed caravan park shall comply in all respects to the requirements of Ordinance 71 of the Local Government Act.

13. The provision of a culvert under the access road sufficient to carry 149 (one hundred and forty nine) cumecs at a water RL of 6.9 (six point nine) AHD. Details to be submitted for approval with the building application.

14. Provision of an elevated water storage reservoir with a minimum capacity of 200,000 (two hundred thousand) litres for fire fighting and domestic use purposes is to be provided. Alternatively details are to be provided with the building application of an alternative fire fighting system utilising the proposed reservoirs on the flat land.

15 The conference complex, cabins and manager's residence shall comply with the requirements of Council's Bushfire Mitigation Policy.

16. Facilities and access for disabled persons shall be provided in the conference centre in accordance with the requirements of Part 53 and Specification 9 of Ordinance 70.

17. No internal wood fires or slow combustion fires are to be installed in any of the dwellings. Details of a central incineration plant are to be submitted to and approved by Council prior to the issue of the building permit.

18. Compliance with any requirements of the Maritime Services Board.

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

20. 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.

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

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

23. 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.

24. Exterior surfaces of the proposed structures being painted or treated with a dark toned non reflective material in such a manner so as to cause the structures 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 occupational use of the buildings.

25. 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 buildings. Special attention is to be given to landscaping on the river bank and on the filled area in which the caravans are located with the aim of screening the caravan development. The plan is to be prepared by a qualified landscape architect.

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

27. 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.

28. 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.

29. Compliance with the requirements of the State Pollution Control Commission in relation to providing noise insulation within the conference centre. Details to be submitted with the building application.

WP 15/6/90.

Item 15:	(File DA 131/90) [10.667]
Development Application:	**The erection of seven x three bedroom town house units.**
Applicant:	Elaf Pty Ltd
Owner:	Property 2000 Pty Ltd
Land and Location:	Lots 10 and 13, DP 801358, Ivory Place, Richmond.
Area:	2211m
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Residential 2(a).
Advertising:	Advertised by way of letters to adjoining land owners with no submissions being received.
Date Received:	23rd April, 1990.

REPORT (M.T.P.)

This application seeks Council's consent for the erection of seven x three bedroom town houses upon the subject site within the Mountain View Estate. The subject site comprises of 2 irregular shaped allotments with a total allotment size of 1,063m and 1148m respectively.

The provisions of Hawkesbury Local Environmental Plan, 1989, permit with Council's consent, the erection of residential flat building Class B developments, known as group homes, villas, town houses and terrace buildings in lands zoned residential 2(a).

Density

This application is in compliance with provisions of Council's adopted Medium Density Housing Development Control Plan which requires the provision of 2100m of total site area whereas the subject site comprises of a joint site area of 2211m .

Relationship to Adjoining Land

The current application nominates a provision of a variable "zero building line" set back between the front boundary alignment of lot 10 DP 801358 and the proposed carport building. The "zero building line" set back is considered supportable given the anticipated low traffic volumes within Ivory Place and the irregular shape and orientation of this allotment which would otherwise limit town house development options.

The application nominates a 1 metre minimum building line setback between the double garage component of unit number 7 (lot 13) and adjacent land holding in separate ownership known as Lot 12 DP 801358.

This is accepatable as the double garage is single-storey and incorporates no external windows and as such would minimise the privacy concern on the adjacent landholding.

Private Open Space

This application complies with the development control plan in terms of adequate private open space in excess of 30 square metres of site area per townhouse. This open space provision is directly accessible from the living/dining areas of each dwelling and is designed and orientated to ensure that adequate sunlight will be received between 9.00am and 3.00pm during mid-winter, except for the landscaped private courtyard of Unit 2. This, however, may be improved by the minor variation of the fence line between Units 2 & 3, and is considered a reasonable solution.

Design of Development

The development seeks the erection of two-storey Tudor style brick/brick veneer units comprising of an approximate gross floor area of 72 square metres respectively and a maximum roof apex height of 7.3 metres. This design is considered of a high standard and satisfies the design considerations within the Medium Density Housing Code.

Car Parking

Under Council's Medium Density Housing DCP, three bedroom unit medium density developments require the provision of two covered car parking spaces per dwelling plus one visitor's car parking space per five dwellings. In this regard, the development requires the provision of 14 covered car parking spaces and two additional open visitors' parking spaces. The car parking provision on site complies with the requirements of the DCP. However, the application nominates a minimum 5 metre variable setback for the covered components from the open Lot 3 southern property boundary line with Castlereagh Road.

Under the provisions of the Medium Density Housing DCP, the minimum setback for medium density developments from collector, sub-arterial or arterial roads is 10 metres. However, it is considered reasonable to vary this setback requirement as no access will be permitted to Castlereagh Road. Further the open visitors' car parking space within Lot 13 should be slightly repositioned in front of Units 5 & 6 in order to allow adequate manoeuvring into the double garage.

Access

The townhouse development is characterised by two separate landholdings and makes provision for two separate access points. The parcel of land known as Lot 10 receives direct access from Ivory Place, whereas Lot 13 gains vehicular access via the battle-axe handle off Langley Place.

The application is in compliance with the provisions of the code in terms of design considerations, building height and manoeuvring/turning areas.

Recommendation

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

1. The 7 (seven) townhouse unit development shall be carried out in accordance with the amended plan dated the 22nd May, 1990.
2. Construction of Council's standard residential footway and layback vehicular crossing to suit the access to the site with a minimum width of 6m (six).

3-11 Standard Conditions 6($12089)(twelve thousand and eighty nine)), 10, 20, 31, 33, 50 (16)(sixteen), 70, 73, 104.

12. There shall be no direct vehicular access to Castlereagh Road from the site.
13. The open visitors' car parking space within Lot 13 shall be repositioned in front of Units 5 & 6 in order to allow adequate manoeuvring into the double garage. Details of this car parking amendment shall be submitted with the building application.
14. The fenceline between Units 2 & 3 shall be repositioned in accordance with the plan marked in red to provide reasonable solar access.
15. The lots are to be amalgamated in title and documentary evidence of such is required prior to the release of the building application.

COMMITTEES' RECOMMENDATION

THE RECOMMENDATION BE adopted.

WP - 15/6/90

Item 16:	(File DA 116/90) [10.668]
Development Application:	Extensions to existing Bakery
Applicant:	A & M Shepherd
Owner:	Hawkesbury City Council
Land and Location:	Lot D DP 334004, Shop 3 King Road, Wilberforce.
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Business General 3(a)
Advertising:	Not required.
Date Received:	9th April, 1990.

REPORT (M.T.P.)

The applicant seeks consent for the extension of the existing Bakery for extra storage and food preparation. There are to be no other changes to the existing operation.

The extension to the existing bakery is permissible with consent.

The floor area proposed is $23m^2$ which would require an additional car parking space. The existing car parking area is adequate for the existing shopping centre. In the circumstances of this case, it is considered that no contribution be required for the additional car parking space particularly as the number of employees is unchanged.

The extension will delete the existing rear toilet windows to Shop 3 (Bakery) and Shop 2 (Chemist). To this end, skylights are proposed on the roof of the toilets.

Recommendation

That consent be granted for the extensions to Shop 3 in accordance with plans dated 5th September, 1989, subject to:

1-5. Standard Conditions (DAs) 31, 32, 33, 36 and 38.
6. The use shall be confined to Shop 3 in accordance with the application dated 9th April, 1990.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

wp 15-6/90

Item 17:	(File S90/77) [10.669]
Development Application:	Subdivision to create three lots, two of which have approximate areas of 2 hectares and the residue lot has an area of approximately 6 hectares.
Applicant:	C J Walker
Owner:	C J Walker
Land & Location:	Lot 22 DP 718933 Burralow Road, Kurrajong Heights
Area:	9.239 hectares
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Environmental Protection (Scenic) 7(d)
Advertising:	Not required
Date Received:	22nd March, 1990

REPORT (M.T.P.)

Background

The subject land contains an item of environmental heritage known as "Fernmount" (The Hermitage) which is an excellent example of an early slab building.

On 10th June, 1986 Council, at its Ordinary Meeting, supported an application to subdivide the land into two lots, one of 6 hectares and one of 3 hectares, on the basis that the sale of the additional lot would provide funds for the financial upkeep of the heritage building and its surrounds. The Department of Planning also issued its concurrence in this regard and consent was issued on 22nd August, 1986, for a two lot subdivision. Subsequently, this consent was allowed to lapse.

In 1988 Council considered a rezoning application seeking to create eight lots on the subject land. Council resolved to support the application on the basis that the proposal be reduced to six lots. The draft local environmental plan was prepared, exhibited and submitted to the Department of Planning for its approval. On 10th

July, 1989, the Department of Planning advised Council that the Minister had decided not to proceed with the draft local environmental plan for the reasons set out below:

"a) The draft plan is inconsistent with the aims and objectives of the proposed 7(d) Environmental Protection (Scenic) 40 hectare minimum under draft local environmental plan 1988.

b) The draft plan is inconsistent with the recommendations of the Blue Mountains Eastern Escarpment Study and is not justified under present or proposed planning controls for the area. It is therefore inconsistent with Section 117 Direction G12 - Environmental Protection.

There is an inconsistency between the proposal and Council's rural residential development objectives for the City in general. Further, the creation of a small lot subdivision of the type proposed, has the potential, through cumulative impact, to set an adverse precedent on land in the escarpment area."

Current Proposal

The current proposal seeks to create a six hectare allotment around the item of environmental heritage and two 2 hectare lots immediately to the south of the large lot. The plan also shows a restricted building area for the two smaller lots. The applicant has provided the following advice in support of his application.

> *"The four buildings are in need of urgent repairs and renovations to maintain and conserve them for future generations. The rapid loss of the protea plantation has adversely affected the financial viability of the farm and, as a result, maintenance to the buildings has suffered.*
>
> *The Council and the Department of Planning have previously supported a two lot subdivision of the land to provide funds for heritage reasons, with the sale of one lot to maintain the four buildings. With the expected cost of restoration, professional costs and costs of compliance with the subdivision conditions, the proceeds from the sale of one lot would not be sufficient.*
>
> *I have had a Landscape Analysis undertaken by Diane G Stevens and Associates, copy enclosed, to investigate the subdivision options for the site. It is recommended in the Analysis that a three lot subdivision could be undertaken and copies of that subdivision layout area attached to the Subdivision Application.*
>
> *An estimate has been obtained from Hinchey & Cross Pty Ltd, well-known builders and restorers in the Hawkesbury district, to undertake renovations and repairs necessary to conserve the buildings. A copy of this estimate is included in the Landscape Analysis.*
>
> *As recommended in the Landscape Analysis, it is intended that regeneration will be undertaken using indigenous species, in particular Eucalypts and Angophoras, in the areas on the 2ha lots, particularly occupied by regrowth of black wattle and privet.*

It is reiterated that the three lot subdivision is required for heritage purposes, to maintain and conserve the existing four slab buildings and their curtilage and to meet the necessary outgoings generated by the subdivision.

The proposed subdivision is contrary to the provisions of clause 11(2)(a) for the 7(d) zone, being less than 40ha, and Council is therefore requested to support a variation under SEPP 1 since this planning standard is unnecessary and unreasonable in the circumstances of a heritage based subdivision.

The Walker Family have resided in the Hawkesbury district since 1835 and we intend to continue to be part of this historic and scenic area. I undertake to repair, conserve and maintain the four slab buildings and their curtilage from the proceeds of the sale of the 2 x 2ha lots."

Statutory Situation

The minimum allotment size for newly created allotments in this zone is 40 hectares. The applicant seeks to vary this standard for three lots on the basis that the planning standard is unnecessary and unreasonable in the circumstances, in that the proposal is a subdivision proposed on "heritage" grounds.

Before Council can support a SEPP No 1 Variation it must be "satisfied that the objection is well founded". (Clause 7 of SEPP 1)

The application requires the concurrence of the Director of Planning prior to approval.

Planning Assessment

The reason for the subdivision is based on the need to obtain finance to maintain the heritage buildings and their surrounds. The applicant has stated that a three lot subdivision will yield enough capital to finance the maintenance of the buildings. The only evidence the applicant has provided is a statement by Hinchey & Cross, 'building consultants', that

> "Our estimate of repairs to the three buildings inspected, being $232,000. This should be considered as the minimum cost for a tradesmanlike finish."

Given that the buildings on the site are items of environmental heritage, it is imperative that any works carried out on these buildings are undertaken in a professional manner. Accordingly, it is recommended that the applicant engage a certified heritage architect to prepare a conservation report on the buildings. This report would entail details of the works to be carried out to maintain the buildings, as well as an estimate of the costs. With this information Council would then be in a position to determine the application.

In relation to the objectives of the zone, the proposal would not detract from the visual amenity of the area, provided that no vegetation was cleared apart from the building sites on the two small lots, as specified in the application.

It should be noted that the application falls within the Kurrajong Heights precinct of the Rural Residential Study. The recommendation for that precinct was for Council, in consultation with the Department of Planning, to prepare a precinct plan which develops and maintains the heritage character of the village, incorporating additional rural residential subdivision with appropriate building, landscaping and environmental pollution controls.

It may be that such a study would recommend subdivision as proposed however in the absence of such, the proposal is not recommended for approval.

It is not considered that subdividing land to fund works is a legitimate reason for subdividing however such could only be properly ascertained after the Precinct Study as proposed and an architectural heritage assessment.

Recommendation

That the applicant engage a certified heritage architect to undertake a conservation plan for the site. This conservation plan should provide detailed recommendations on any building works that need to be carried out on the items of environmental heritage so as to maintain them in a reasonable state of repair. The report should also provide a costing of these works.

Further that the applicant be advised that Council does not support the proposal at this time but is prepared to reconsider it along with consideration of recommendation that will form part of the Kurrajong Heights Precinct Plan.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

WP 15/6/90

Item 18:	(File DA 108/90) [10.670]
Development Application:	**Establishment of a Crane and Heavy Tow Truck Depot, including Truck Repairs.**
Applicant:	Keith Wellington Pty. Ltd.
Owner:	Olathree Pty. Ltd.
Land & Location:	Lot 1 DP 222419, Windsor Road, Vineyard.
Area:	5.045 ha.
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Pt Rural 1(c) and Pt Proposed Road Reservation 9(b).
Advertising:	Adjoining owners were notified of the proposal with one submission being received from Mr. W.P. Devine.
Date Received:	3rd April, 1990.

REPORT (M.T.P.)

Background

At its Ordinary meeting of 13th June, 1989, Council resolved to prepare a draft local environmental plan to permit a crane and heavy tow truck depot, including truck repairs, on land in Windsor Road, Vineyard.

Draft Hawkesbury Local Environmental Plan, 1987 (now Hawkesbury Local Environmental Plan, 1989) however was subsequently amended to allow truck depots on rural zoned land, and consequently, a separate LEP was not required because of gazettal of HLEP 1989.

Proposal

A development application has now been submitted, seeking consent to establish a crane and heavy tow truck depot on the subject property, including the repair and servicing of trucks. Hours of operation will be from 7.00 am to 6.00 pm, Monday to Friday, and ten people will be employed on the premises.

The use will occupy the existing buildings on the site previously used by Sullair for the assembly of rotary screw air compressors. Twenty car spaces are also proposed on the site.

The use has already commenced on the property, with no complaints being received to date.

Statutory Situation

The subject land is zoned Rural 1(c) under the provisions of Hawkesbury LEP 1989. The proposal may be defined as a truck depot, which is permissible on the site, with Council's consent.

Clause 22 of the LEP 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 property is affected by road widening, which extends approximately 22m into the site. As the use will be established in the existing buildings on the land, which are setback at least 46m from the proposed road alignment, the development will not cause any distractions nor reduce sight distances for drivers using Windsor Road.

Public Submissions

Adjoining owners were advised of the development in accordance with Council's advertising policy. One submission was received from Mr. Devine of Part Lot 215, Park Road, who raised no objection to the proposal, but requested that consideration

be given to the rezoning of his land. Mr. Devine will be advised in due course, following an assessment of his proposal.

Planning Assessment

Character/Amenity

As all repairs and servicing carried out on the vehicles will be confined in the proposed workshop, noise generated by the use is unlikely to have an adverse effect on the amenity of the locality. Further, all equipment and materials associated with the use will also be confined in the building to ensure the development does not become unsightly.

Traffic and Parking

Although Council's Parking Development Control Plan does not contain a parking standard for truck depots, the following standard for industrial development is considered relevant:

> One space / 75 square metres of gross floor area or one space per employee, whichever is the greatest.

In other words, between 10 spaces (based on number of employees) and 33 spaces (based on gross floor area) would need to be provided on the site. Given that the use involves the repair and servicing of large, bulky vehicles within the workshop, 20 spaces, as proposed by the applicant, is considered reasonable in the circumstances. Any additional parking that may be required on odd occasions, can be accommodated on the south western side of the workshop.

Manoeuvring areas provided on the site for large vehicles are adequate, although the existing pavement will need to be reconstructed and extended.

Filling

Up to about 1 metre of fill has been placed on part of the property, in an area to the west of the carpark and south west of the workshop. Such work has not been approved by Council.

Although the fill has not affected the drainage pattern on the land to any significant degree, such filling should cease immediately. The area should then be graded and extensively landscaped to improve the overall appearance of the development.

Recommendation

That the application be approved generally in accordance with the plan and associated documentation submitted subject to compliance with 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. No materials, goods or vehicles to be stored between the building and the street alignment.

4. 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.

5. 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.

6. 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.

7. Reconstruction and extension of the existing pavement areas and edging where damaged or not existing. Details to be submitted for approval prior to construction.

8. Parking shall be provided for 20 (twenty) vehicles in accordance with Council's regulations and parking policy. These parking spaces shall be suitably marked.

9. A detailed plan of landscaping shall be submitted and approved by the Manager of Town Planning for those areas which have been filled. Such landscaping is to be completed within three (3) months from the date of the issue of the consent.

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

11. No further fill is to be place on the land without the consent of Council.

12. Operating hours shall be limited to 7.00 am to 6.00 pm Mondays to Fridays. Any alteration of these hours will require Council's consent.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

WP 15-6-90

Item 19:	(File DA 12/90) [10.671]
Development Application:	**The Establishment and Conduct of a pistol club**
Applicant:	Phoenix Pistol Club
Owner:	Department of Corrective Services
Land & Location:	Part Lot 1, DP 530013, Scheyville Road, Oakville
Area:	3452 Hectares

Zoning: Hawkesbury Local Environmental Plan, 1989 - Special Uses 5(a) - Public Purposes
Advertising: Advertised with no submissions being received
Date Received: 15th January, 1990

REPORT (M.T.P.)

This application seeks to resume the use of a disused Department of Defence rifle/machine gun range site, following the Club's forced relocation from the Malabar rifle range site, which is earmarked for commercial development by the NSW State Government.

It is proposed to undertake minor improvement works within the subject site, including the provision of a barbeque area, enclosed children's playground, extension to the existing disused amenities block for a club office and amenities room in addition to the provision of a 2 metre high besser block wall and covered firing line/baffle system to guarantee controlled trajectory of munitions.

The subject land is situated within the centre of the lands earmarked for the Scheyville housing project development site. This Scheyville Development Area is identified to make provision for a potential lot yield of between 4,000 and 6,000 individual allotments and currently comprises of approximately 500 hectares.

Statutory Situation

The subject land is currently zoned Special Uses 5(a) Public Purposes, in accordance with the provisions of Hawkesbury Local Environmental Plan, 1989. Under the provisions of the plan, the proposed use is defined as a "recreation area" and is permissible within land zoned Special Uses 5(a) with Council consent.

Public Notification

This application was advertised by way of correspondence to adjoining landowners in accordance with Council's adopted advertising policy. No submissions were received.

Town Planning Report

This application seeks consent for the establishment and conduct of a pistol club within the disused rifle range. The proposal requires minor improvement works within the subject site, including the provision of a 2 metre high besser block wall on the western side of the firing range wall, in addition to a 1.8m high covered baffle system in order to control munition trajectories, which may otherwise pose potential conflicts with Elcom employees servicing the electricity transmission line.

The subject parcel of land is currently in the ownership of the Department of Corrective Services. The Department supported this application and associated improvement works on the basis of a yearly lease agreement.

The subject land will be transfered from the Department of Corrective Services to the Department of Housing for appropriate residential land release and/or residential estate subdivision development, conditional upon gazettal of the current

draft plan being prepared by Council. This draft plan was initiated to permit the land to be rezoned from Part Rural 1(b) and Part Special Uses 5(a) to Residential 2(a), in accordance with the provisions of Hawkesbury Local Environmental Plan, 1989, following Council's resolution at its Special Meeting on 19th December, 1989.

The potential conflict between the current application and the draft local environmental plan for the Scheyville housing project site, may be overcome should Council support the application, via the imposition of a condition of consent limiting the approval to a period of 2 years which corresponds to the applicant's lease agreement, at which time Council would review the application in respect to the Scheyville project. Further, the transfer of the subject land to the Department of Housing would necessitate that the Club undertake a separate lease agreement with, and at the discretion of the Department of Housing.

The application makes no provision for on-site car parking spaces. It is considered appropriate to impose as a condition of consent requiring the provision of ten (10) car parking spaces within the site. The car parking spaces may be satisfactorily catered for within the front portion of the land fronting Scheyville Road. However, given the limited/temporary nature of the use, conditional upon the staging of the Scheyville Development project, it is considered reasonable to accept gravel for these car parking spaces in lieu of full construction.

The application further indicates the provision of an enclosed children's playground. This component of the application poses some safety concerns, however, this may be overcome via the erection of a suitable fence to the satisfaction of Council's Manager of Environment and Building Services, surrounding the playground in addition to a fence line restricting access to the firing range from the covered firing shelter.

Recommendation

Refused

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

1. The use shall be carried out in accordance with the application and submitted plans dated 15th January, 1990, and as amended by conditions below.

2-7. Standard conditions (development) 31, 32, 33, 50 (10) (ten), 70 and 100.

8. Construction of a vehicle crossing to the entrance to the site to the satisfaction of the Manager of Engineering Services.

9. This approval being limited for a period of 1 (one) year after which time Council will consider an extension of time, having regard to the Scheyville Development Area project.

10. The children's playground area is to be enclosed by a fence of an approved design, details of which are to be submitted with the Building Application.

11. The firing range shall be fenced off from the covered firing shelter to the satisfaction of Council's Manager of Environment and Building Services with details being submitted with the Building Application.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 20:	(File DA 76/90) [10.672] WP-K-6/90
Development Application:	**The establishment and conduct of a retail plant nursery and landscape supplies depot.**
Applicant:	C Aloi
Owner:	C Aloi
Land and Location:	Lot 2, DP 236785, Windsor Road, Vineyard
Area:	2.02 hectares
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Rural 1(c)
Advertising:	Advertised with four separate submissions being received including a joint submission from adjoining landowners.
Date Received:	7th March, 1990

REPORT (M.T.P.)

This application seeks consent for the establishment and conduct of a retail plant nursery/landscape supplies operation upon the subject parcel of land. The application further seeks consent to undertake the erection of a 54m x 18m selected face brick, colorbond wall and roof building for the purposes of an indoor plant nursery and general landscape supplies operation (eg, paving, bricks, sleepers, etc.). The building will have a maximum roof apex height of 8.7 metres.

This application nominates business hours of operation between 9am to 5pm weekly. The business requires the use of several 4 tonne tipper trucks, a table top truck, ute and a backhoe and will initially seek to employ three persons.

Statutory Situation

The subject land is zoned Rural 1(c) in accordance with the provisions of Hawkesbury Local Environmental Plan, 1989. This use is permissible on land zoned Rural 1(c), subject to Council Consent.

Public Notification

The application was placed on formal public exhibition by way of letters to adjoining owners. Four separate submissions were received including a joint submission from adjoining land owners. The major points of objection, as derived from the submissions, include:

1. The retail plant nursery/landscape supplies business may cause dust and herbicide/fertiliser emission problems.

2. The use may lead to excessive traffic generation congestion problems and may cause traffic accidents from vehicular conflicts in respect to Windsor Road, particularly on week-ends and peak commuter periods.

3. The diversion of the drainage channel truncating the site may pose additional flooding problems on adjacent landholdings. In this regard, the impact of flooding is currently exacerbated from unauthorised land fill practices undertaken within the site.

4. The development may lead to the amalgamation of unattractive advertising signs fronting Windsor Road.

5. The nursery/landscape supplies uses may in the future lead to a separate application seeking direct vehicular access from Windsor Road and as such the project should be denied access from Windsor Road by substantial fencing.

6. The joint building complex would lead to a large-scale commercial use and as such is incompatible in lands zoned Rural 1(c).

7. The development of the building upon the subject land would further require additional filling and may, in effect, pose additional flooding problems on adjacent landholdings.

Town Planning Assessment

The parcel of land comprises a total allotment size of 2.02 hectares (5 acres) and is flood liable (below the 1:100 year flood frequency level) with a major portion of the site falling below the designated 1:10 year flood frequency level (12.2 metres AHD). The retail plant nursery/landscape supplies use is permissible within lands below the 1:10 year flood frequency level in accordance with the provisions of Hawkesbury Local Environmental Plan, 1989. Further the provisions of the New South Wales Flood Plain Development Manual, 1986, allows exemptions for minor developments and/or uses within designated low - medium hazard flood liable lands.

Under the provisions of Hawkesbury Local Environmental Plan, 1989, (Clause 22), retail plant nurseries are prohibited on lands zoned Rural 1(c) with direct vehicular access to a main or arterial road. In this regard, the application seeks to undertake vehicular access to the subject site via the rear from Old Hawkesbury Road. However, this portion of Old Hawkesbury Road is currently unsealed and is subject to inundation, given that the road is below the designated 1:20 year flood frequency level (13.3 metres AHD). Notwithstanding this, it is considered reasonable to vary the normal flood free access standard conditional upon the developer undertaking full construction of the portion of Old Hawkesbury Road between the subject site and Latona Avenue including a 5.5 metre wide sealed pavement. However, Council should also impose as a condition of consent that direct vehicular access from Windsor Road is prohibited at all times, including during flood periods in respect to the retail plant nursery/landscape supplies use. Further, the development shall be required to make provision for a fence fronting Windsor Road to deny direct pedestrian access to Windsor Road except in respect to the dwelling house.

The subject site is burdened by a natural watercourse which truncates the middle portion of the land. The application seeks to modify and straighten the watercourse in order to improve the hydraulic capacity of the drainage channel in flood periods and hence minimise the portion of land sterilised from flooding. This drainage course improvement may include channel deepening and widening but however at this stage no sufficient engineering details have been supplied. Accordingly, if the application is supported, Council should impose as a condition of consent the provision of full engineering details in respect to the water course improvement works, prior to any such works being undertaken or approved. Further, this watercourse improvement works must redress the potential flooding problems in respect to adjacent landholdings.

The Floodplain Development Manual Guidelines suggest that certain flood proofing measures such as solid brick walls, and suspended reinforced concrete slab constructions are required for building developments within low hazardous flood fringe lands in order to mitigate flooding problems. The application nominates that the development will comprise of 3m high brickwork and a concrete slab construction and as such is considered acceptable given that the land is only subject to flood water backup rather than marked flood water flows. Details of the proposed buildings and associated structures shall be submitted with the building application.

The parcel of land is further subject to a current Building Permit granting permission for the erection of a two storey four bedroom brick residential dwelling with a minimum 20 metres setback from Windsor Road. The current development proposal however, would effectively sterilise the building platform of the proposed residential dwelling. The applicant previously advised that in the event of subsequent Council approval in respect to the current development application, the development of the residential dwelling would not proceed upon any portion of the land. Accordingly, it is reasonable to impose as a condition of consent that the applicant be required to relinquish the previous Building Permit No 890/89 prior to the release of the Building Application for the current development application.

The development should make provision for extensive landscape screening along the Windsor Road frontage. This landscaped treatment would include the provision of Australian native trees and shrubs which at maturity will "soften" the apparent bulk of the building and provide a visual screen from Windsor Road

Under Council's Car Parking 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 22 car parking spaces and hence is in compliance with the provisions of the code.

This application is recommended for approval subject to conditions.

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 7th March, 1990, except where amended by conditions of consent.

2-12. Standard Conditions (Development) - 31, 32, 33, 39, 50 (22) (twenty two), 54, 70, 73, 100, 101, 102.

13. The hours of operation being confined to between 9am and 5pm daily.

14. All goods and materials being stored wholly within the property.

15. The provision of a shade cloth fence surrounding the landscape supplies enclosures to mitigate dust emissions.

16. The development shall undertake direct vehicular access from the site via the rear to Old Hawkesbury Road. In this regard the developer shall undertake full construction of the portion of Old Hawkesbury Road between the subject site and Latona Avenue, including a 5.5 (five point five) metre wide sealed pavement, to the satisfaction of the Manager of Engineering Services.

17. Direct vehicular access from Windsor Road is prohibited at all times including during flood periods in respect to the retail plant nursery/landscape supplies use.

18. Full engineering specifications in respect to the watercourse improvement works are required to be submitted and approved at the Building Application stage, prior to such works being undertaken.

19. Erosion control measures shall be undertaken in accordance with recognised soil conservation practices and in compliance with the State Pollution Control Commission and Soil Conservation Service. The provision of sewer traps capable of mechanical cleaning shall be constructed with a natural watercourse at downstream end of the allotment as part of the initial works of the development, to minimise any possible sediment discharge from the development site. These practices shall operate for the full period of construction works for the proposed development. The design and construction of the building structures shall be in compliance with the requirements of the Manager of Environmental and Building Services and shall have regard to the flood proofing provisions within the Flood Plain Development Manual Guidelines. No additional filling shall be undertaken within the site prior to submission of an application and approval from Council.

20. The development shall make provision for a 2.4m (two point four) high, black or green plastic coat chain wire fence line along the entire Windsor Road frontage, without any pedestrian gateway and shall be submitted and approved by the Manager of Environment and Building Services prior to the release of the building application.

21. No goods or advertising signage shall be displayed between the front property boundary line to Windsor Road and the building line, nor upon the land between the road alignment and the front property line.

22. The building shall be constructed using materials and colours that are compatible with the amenity of the surrounding area having regard to the rural zoning of the property. Full details are to be submitted and approved by the Manager of Environment and Building Services, prior to the release of the building application.

23. Building Permit No. 890/89 shall be relinquished prior to issue of the building permit for this development.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Michael 15.6.90.

Item 21:	(File DA 235/89) [10.673]
Development Application:	Erection of 17 townhouse units
Applicant:	Ian Ross Constructions Pty Ltd
Owner:	Ian Ross Constructions Pty Ltd
Land & Location:	Lot A MPS 5719 and Lot 1 DP 797187, Nos. 178-180 March Street, Richmond
Area:	4658.7 square metres
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Residential 2(a)
Advertising:	Adjoining owners notified with one objection being received from David Wright
Date Received:	10th March, 1990

REPORT (M.T.P.)

The application is for the erection of six x 3-bedroom townhouses and eleven 2-bedroom townhouses on two parcels of land immediately to the east of Wright's Nursery and approximately opposite the Colonial Motel. No. 178 March Street contains an existing dwelling while No. 180 is vacant.

The plans indicate that the townhouses will have metal roofing, brick veneer walls, timber balconies and timber lattices.

Statutory Situation

The erection of townhouses is a permissible use of the land with Council's consent.

The standards for such development are contained in Council's development control plan for medium density housing.

The maximum permissible dwelling densities stipulated in the DCP are:

2 bedrooms1 dwelling per 275 square metres of site area
3 bedrooms1 dwelling per 300 square metres of site area

Therefore, the total site area requirement for six x 3-bedroom townhouses and eleven x 2-bedroom townhouses is 4,825 square metres. This exceeds the total site

area available (4,658.7 square metres) by 166 square metres. To achieve the maximum density requirement, one 2-bedroom townhouses needs to be deleted.

This has been discussed with the applicant who whilst preferring a total of 17 units is agreeable to reducing the number to 16 units in a composition of twelve x 3-bedroom and four x 2-bedroom. The total area requirement for this arrangement is 4,700 square metres which is still marginally in excess of the maximum density requirement by 41 square metres. As one of the units has been deleted this alternative proposal is considered to be acceptable.

The development control plan also provides for the provision of desirable private open space. The standards which achieve this objective are:-

"1. An enclosed courtyard with a minimum area of $30m^2$ is to be provided contiguous to each dwelling.

2. Where possible, the courtyard area should be directly accessible to the living areas of each dwelling.

3. Where possible, the courtyard is to be sited so as not to be overlooked from adjoining dwellings.

4. At least half of each courtyard is to receive direct sunlight between 10am and 3pm during mid winter.

5. Shadow diagrams to be submitted with development applications where deemed necessary."

The plans indicate that the private courtyards are either equal to or greatly exceed the 30 square metre standard. In addition, there are two large areas of common open space. The other standards relating to solar access and privacy are achieved by the orientation of the units on a north-south axis.

The application makes provision for off-street parking in excess of the standard provided in the development control plan. Each of the units are provided with two covered off-street parking spaces, whereas the applicant is only obliged to provide 1.5 spaces for the 2-bedroom units. Four visitor spaces are provided on-site in accordance with the DCP requirement.

The application does not comply with the standard set in the DCP for setback from a collector, regional sub-arterial and state arterial road. This is for a setback of at least 10 metres from the road alignment. The plans indicate a setback of 7.6m. However, this can be achieved by moving the whole development 2.4m to the rear.

Planning Assessment

The letter of objection is on the grounds of overshadowing, loss of privacy and possible conflict with nursery operations. A shadow diagram prepared for the proposed development indicates that the adjoining property (Wright's Nursery) will not be overshadowed at 9am mid winter.

It is conceded that there will be some loss of privacy as a consequence of the occupants of three of the units being able to overlook the site from their first floor. Part of the site which will be overlooked is the commercial nursery operation which should not be of concern. However, the more private area to the rear of the dwelling on the nursery site is likely to be overlooked by two of the units, but this can be mitigated to a large extent by screen/tree planting. It is not considered that the loss of privacy is inconsistent with the residential environment as most two storey houses would have a similar impact.

The objection indicates that the use of chemical sprays in the nursery, as well as other nursery operations, may be the source of complaint by future residents of the townhouse development. It should be noted that any future residents will be aware of the existence of the nursery and should expect and tolerate the usual nursery activities.

Many aspects of the application provide for a higher standard of development than required by Council's development control plan, ie landscaped areas, off-street parking. This is achieved through having two storey development which reduces the site coverage. It is not considered that the adverse effects of the two storey development outweigh its benefits for site utilisation.

Recommendation

A. That the Manager of Town Planning be provided with delegated authority to approve amended plans indicating a total of 16 (sixteen) townhouse units being comprised of 12 (twelve) x 3 (three) bedroom and 4 (four) x 2 (two) bedroom generally in the form submitted and without further advertising subject to the following conditions:

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

2. The building plans are to include provisions for the attenuation of aircraft and road traffic noise to the satisfaction of the Manager of Environment and Building Services.

3. Approved side and rear boundary fencing shall be provided. Details of such proposed fencing shall accompany the Building Application.

4. A contribution of $24,178 (twenty four thousand one hundred and seventy eight) based on $1,727 (one thousand seven hundred and twenty seven dollars) per additional dwelling (minus the 2 (two) existing lots) being a contribution for open space and community facilities as a consequence of medium density development (residential flats, villas, townhouses etc.

5. 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.

6. The existing palm tree approximately 7 (seven) metres from the front alignment of March Street and 4 (four) metres from the boundary of No. 182 is to be retained.

7. The front building setback is to be at least 10 (ten) metres from the alignment of March Street.

8. Satisfactory arrangements to be made with the Water Board for the provision of sewer to the land and building over any sewer mains prior to the release of building plans.

9. A single driveway access to be provided from March Street to the requirements of the Manager of Engineering Services.

10. 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 others drainage easements to Council's requirements shall be provided. Documentary evidence will be necessary prior to the approval of the Building Application.

11. Construction of Council's standard medium duty/residential footway and layback vehicular crossing to suit the access to the site with a minimum width of 6m (six).

12. Construction of parking spaces, drives and manoeuvring areas with a sealed pavement and all necessary drainage. Details to be submitted for approval with the Building Application. Drainage to be designed in accordance with Council's guidelines.

B. That the Manager of Town Planning be provided with delegated authority to impose any other conditions occasioned by the amended plans.

Mr.Toland, Architect, addressed the Committee on behalf of the owner.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 22:	(File DA 143/90) [10.674]
Development Application:	Keeping of up to 10 dogs
Applicant:	C. Eaton
Owner:	T. Golsby-Smith
Land and Location:	Proposed Lot 81 in subdivision of Lots 6 & 8, DP 245097, Old East Kurrajong Road, East Kurrajong.
Area:	1.59 ha.
Zoning:	Hawkesbury Local Environmental Plan, 1989: Rural 1(b)

ELIZABETH 14-6-

Advertising: Adjoining owners were notified with two submissions being received from:
M. & E. Hrymak, Lot 7 Old East Kurrajong Road.
K. Lawrence, Lot C Old East Kurrajong Road.

Date Received: 4th May, 1990.

REPORT (M.T.P.)

Proposal

Council is in receipt of an application seeking consent to keep ten dogs on the subject land. The applicant's submission reads, in part, as follows:

> *"... The dogs concerned are companion dogs and household pets. They also compete in both shows and obedience trials and then, once their competition days are over, live out their lives as members of the household ... Their ages at the moment range from 5 months to 11 years and they consist of 1 basset hound (11 year old male) 1 doberman (11 year old male) and 8 salukis (3 males and 5 bitches).*
>
> *It is not proposed to build a kennel structure as the dogs all sleep inside the house. This ensures that barking is minimised ... The adults are all obedience trained and most have obedience titles. Thus they are well behaved and kept under control at all times. I breed the occasional litter - about one every 2-3 years.*
>
> *I propose to enclose (part of) the property with a 1.8m high cyclone fence ... and also to enclose an exercise yard ... I would also plant quick growing hedge plants as a screen from the dwelling next door to ensure that the dogs do not have a visual impact on the neighbouring property and that noise is minimised. There is already a screen of trees and bushes between the property and the vacant land at the rear. Wastes will be collected daily and disposed of in a 'Petclean' dog waste disposer which breaks wastes down rapidly."*

The applicant has also provided a number of letters in support of the proposal, which are reproduced below:

Dr Gladys D Cowie, Glenorie:

> *"This lady has several Saluki dogs which she would like to house in the laundry area within her home.*
>
> *I see these dogs on frequent occasions at Dog Shows and we have also boarded them over an extended period at our Boarding Kennels at Rouse Hill.*
>
> *I am a registered General Medical Practitioner, a breeder of Dachshund Dogs of long standing, and a licensed Dog Judge. I offer the following in support of Miss Eaton's application:-*

1) *These dogs have always been in excellent condition - in obvious good health, and clean with no skin or parasitic infestations.*

2) *The dogs are house-trained and therefore there should be no problem with odour.*

3) *I can see no health risks to the owner or to anyone else by having these dogs live indoors on concrete, tile or other easily cleaned floor surface as would be in a laundry, and with such a caring owner as Miss Eaton.*

4) *Saluki in general, and Miss Eaton's dogs in particular, are not noisy by nature. They would cause minimal noise pollution.*

5) *Dogs are much less noisy and much easier to control when close to their owners.*

I hope her application meets with approval of Council".

M D Goadsby, Veterinary Surgeon:-

"*Caroline Eaton has been a client of mine for the past four years. In that time Caroline's animals have been extremely well cared for and exceptionally healthy.*

They do not pose any health risk in any way, shape or form".

Adjoining landowners to applicant's present address: Dianne Holdsworth, Cranebrook:-

"*I have lived next door to Carolyn Eaton for the past six years. During that time Ms Eaton has kept a number of dogs. These dogs have been well maintained, healthy and have caused no problems*".

S & H Palmer, Cranebrook:-

"*We the undersigned have lived as owner occupiers at 4 Elk Place Cranebrook since July 1981, and have known Carolyn Eaton and Ed Wrigley since they moved to the area in September 1981.*

Whilst we were aware that they owned a number of dogs, the dogs have caused us no disturbance at any time".

Colleen Roberts, North Bondi:-

"*I, Colleen Roberts, being one of the fifteen elected members of the Management Committee of the New South Wales Canine Council, comprising of over 20,000 members, hereby state I have known Miss Carolyn Eaton for over fifteen years and have always found her to be a responsible and caring person who takes extremely good care of her dogs and premises keeping both clean at all times.*

In my opinion there would be no problem either healthwise or to the neighbourhood should she purchase the intended property".

Statutory Situation

The proposal may be classified as an "animal establishment", as defined under Clause 4 of Hawkesbury Local Environmental Plan, 1989. Animal establishments are permissible on lands zoned Rural 1(b), with the consent of Council.

Public Submissions

Adjoining owners were advised of the proposal in accordance with Council's advertising policy. Two submissions were received, the grounds for objection are as follows:

- Keeping of dogs inside the dwelling is totally unsanitary;
- Noise created by barking dogs; and
- Dogs will frighten horses, create car accidents and may be dangerous to local children.

Planning Assessment

Council's recently adopted Development Control Plan for the Housing and Keeping of Dogs is based on the assumption that where more than three dogs are to be kept on a property, kennels need to be constructed. In particular, Clause 6 of the Plan provides that all dogs shall be kept in adequate dog proof enclosures with suitable shelters, in accordance with a number of requirements detailed in the Plan.

The Development Control Plan makes this assumption on the basis that the keeping of dogs inside a dwelling could place the wellbeing and health of the human occupants at risk. Although the applicant proposes to only keep the dogs in an area which has a tiled floor, which will be vacuumed and washed each day, there is some concern regarding the cleanliness of such an area, given that the rooms inside the dwelling are not properly designed for such a use and for the cleaning that would be required.

Further, there is some concern that, if the application is approved, a precedent would be set for the keeping of dogs inside dwellings. As this may place at risk the health of the human occupants, such a situation is considered to be unacceptable.

It is therefore recommended that the application not be approved.

It is conceded that many people have pet dogs within their house. However the number of dogs proposed to be kept indoors in unacceptable. Accordingly it is further recommended that the applicant be invited to submit a revised proposal in accordance with the DCP. The fact that an occasional pet or two have access to indoors is not considered to be an issue.

Recommendation

That the application be refused for the following reasons:

1. The keeping of 10 (ten) dogs inside the dwelling may place at risk the well-being and health of the human occupants.

2. The proposal will set an undesirable precedent for the keeping of dogs inside dwellings.

3. The proposal conflicts with the requirements of Council's Development Control Plan for housing and keeping of dogs.

4. The proposal is not in the public's interest.

Further that the applicant be invited to submit an amended proposal for the keeping of the dogs in accordance with the Development Control Plan - Housing and Keeping of Dogs.

Mrs.S.Hrymak addressed the Committee.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 23: (File 4454w and L10/89) [10.675] Michael 15/6. cc Records

SUBJECT: C. JOHNSON - LOT 5 DP 227054, WINDSOR ROAD, VINEYARD - REQUEST FOR REZONING TO PERMIT SUBDIVISION.

REPORT (M.T.P.)

Council at its meeting on 13th March, 1990 resolved that a report be prepared on the potential for subdivision of the subject and surrounding land and that the Department of Planning be advised that Council supports, in principle, subdivision of the land in particular and the locality in general. Further that Council recognises that there may be a difficulty with service of water by the Water Board but that it supports the provision of water storage tanks and restricted supply volume to enable further subdivision to take place.

The subject land is on the corner of Windsor Road and Level Crossing Road at Vineyard and has an area of 2.225 hectares. The prevailing zone provides for a minimum allotment size by subdivision of two hectares and, accordingly, the proposal for five x 0.4 hectare (1 acre) lots is substantially inconsistent with the current zoning.

A major criterion for assessment of the application under State Environmental Planning Policy No. 1 is the likelihood of similar applications being made to vary the standard in the locality and whether the cumulative effect of similar approvals will

undermine local and regional planning objectives for the zone. As the land is bounded on three sides by 2 hectare subdivision it is likely that similar applications would be made to vary the zoning with a significant cumulative impact. Therefore the proposed subdivision of Mr Johnson's land and the locality in general can only proceed through a local environmental plan.

There would seem to be two major regional planning issues in considering a rezoning of the subject land and the Vineyard locality in general.

Firstly, the Vineyard area (including the subject land) is identified by the Department of Planning as future urban and it lies within the Rouse Hill Development Area. Further fragmentation of either Mr Johnson's land or other land in the Vineyard area would be inconsistent with the objectives of the Metropolitan Strategy and the Rouse Hill Development Area and would not be supported by the Department of Planning.

Secondly, the land is in an area previously identified by the Water Board as being critical in terms of its ability to serve further lots.

As indicated in the Environmental Study on Rural Residential Development, the major design criterion in the Board's planning is to ensure that water is available in the likely worst case scenario. Typically this is the end of a series of hot days in a hot summer. A restricted connection provides a daily flow of 4.32 kilolitres which is still more than the average maximum daily consumption for Sydney although less than the estimated figure of 6 kilolitres per connection for Kurrajong. Therefore the restricted connections, whilst reducing peak loads (and increasing water pressures) do not significantly contribute to the overall capacity of the water supply.

An overall improvement in this situation will only be achieved through the full introduction of user pay pricing policy for water supply. This is especially important for the Vineyard supply as it originates in Marayong and serves a large number of farms which have extraordinarily large consumption.

It could be argued that further subdivision in the Vineyard area should not be constrained by a lack of reticulated water, and that further subdivision should be permitted with on-site storage. The Water Board has not supported this proposition where the land has frontage to a Board main on the basis that demands for connection will result in the system breaking down.

As indicated in the Rural Residential Study, it is not recommended that further rural residential subdivision in the Vineyard area be considered.

Recommendation

That Council not support a rezoning to permit further subdivision of Lot 5 DP 227054, Windsor Road, Vineyard or a rezoning to permit further subdivision in the Vineyard area generally.

Mr.C.Johnson addressed the Committee.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

cc Records
MICHAEL 18-6-90.

ITEM 24: (File L10/89, 12583.30000, 13848.10000, 13848.20000, 13848.30000). [10.676]

SUBJECT: REZONING OF LOT 1 DP 71148, LOT 2 DP 516593 AND LOTS 3, 4 AND 5 DP 706517, KING ROAD AND ROSE STREET, WILBERFORCE.
OWNERS: MR T & MRS K DODD, MR W L STEPHENSON, EDLAN NO 54 PTY LTD

REPORT (M.T.P.)

Council has received a submission from Mr Mark Stephenson concerning subdivision of this land. It lies immediately downstream of Australiana Pioneer Village and contains small flood free knolls. A parcel of land fronting King Road is also included in the submission.

It is proposed that the land be subdivided to create 22 rural residential lots and 108 residential lots. The following statement was lodged in support of the application:

"1. *All lots have building platforms above the 1 in 100 year flood level.*

2. *The low point in the proposed road from lots 70 to 73 will be filled to the 1 in 100 year flood level.*

3. *Fully reticulate an "enviro-cycle" type sewerage system with the effluent sprinkled onto the Public Reserve lot. The system would be constructed to council's requirement to allow incorporation into future sewer schemes.*

4. *Provide underground electricity supply.*

5. *A "flood access" only to be made available between Rose Street and the proposed road.*

6. *A Cul de sac is to be provided in Rose Street to allow for vehicular turning.*

7. *The low level road adjoining the public reserve to be raised to the 1 in 10 year flood frequency level.*

8. *Provision of all weather access to the river in the public reserve.*

9. *Full reticulated water supply. If a shortage exists it would be possible to place a "drip" system with the necessary storage.*

Part of the subject land (lot 5 DP 706517) was also the subject of a submission to draft Hawkesbury Local Environmental Plan 1987. In that instance, approval was sought for a 16 lot subdivision with a minimum lot area of 1 hectare. It was

proposed that each lot have on-site collection and storage of water, with any additional water supply for landscaping purposes to be provided from the river. It was resolved that the submission be disallowed on the basis of precedent and an absence of reticulated water.

The subject land has not been identified as having future urban potential either under the Metropolitan Strategy for the Sydney Region or the draft Land Audit presumably on the basis of its flood liability. It also lies in close proximity to the urban area of Wilberforce and in locational terms conforms to the general policy of clustering small lot rural residential subdivision close to the existing boundaries of urban areas.

As reticulated water will not be available to the lots it is not considered that Council should support residential sized lots.

With regard to rural residential lots, the flood liability of the land and, in particular, the access to the land, are of concern. The level of the Windsor-Wilberforce Road at the intersection of Rose Street is only approximately 14 metres AHD while the 1 in 100 year flood frequency level is estimated to be 15.9 metres AHD.

The Environmental Study for Rural Residential Development has identified a large area for smaller lot rural residential subdivision at North Richmond which does not have any major environmental constraints such as flooding.

At this time it is not recommended that the land be rezoned to permit smaller lot rural residential subdivision but that this be reviewed when the supply of existing rural residential lots and those proposed in the Environmental Study for Rural Residential Development has declined.

Recommendation

That the zoning of Lot 1 DP 71148, Lot 2 DP 516593 and Lots 3, 4 and 5 DP 706517, King Road and Rose Street, Wilberforce not be changed and the matter be reviewed when the supply of existing rural residential lots and those proposed in the Environmental Study for Rural Residential Development has declined.

Mr.M.Stephenson addressed the Committee and asked that the matter be deferred.

COMMITTEE'S RECOMMENDATION

CONSIDERATION OF THE application be deferred.

Michael 18-6-90 cc. Records

ITEM 25: (File L10/87 & 12083.04000) [10.677]

SUBJECT: STATUS OF PROPOSED ROAD BETWEEN GROSE VALE ROAD AND BELLS LINE OF ROAD, NORTH RICHMOND - KEMSLEY PASTORAL COMPANY PTY LTD

REPORT (M.T.P.)

The owner of Kemsley Pastoral Company recently sought advice on the status of the proposed road across his land which would link Grose Vale Road and Bells Line of Road.

In response to representations regarding a proposal to bypass North Richmond, Council previously resolved as follows:

> "1. The Department of Main Roads be advised that Council would not be in a position to proceed with the bridge (across the Grose River) in the absence of any proposal by the Department to construct the high level bridge across the Nepean as, without this structure, the proposal does not provide flood free access.
>
> 2. The road proposal be retained in the area between Bells Line of Road and Grose Vale Road.
>
> 3. No action be taken to provide for a road reservation between Ashtons Road and Grose Vale Road.
>
> 4. That a deputation be sought, consisting of Councillors and staff, to appropriate Ministers to discuss the question of flood access generally."

It would seem that the proposal for a road reservation between Grose Vale Road and Bells Line of Road was related to the proposed Castlereagh Freeway bridge over the Nepean River and the potential for linking traffic to the Bells Line of Road at North Richmond via the proposed bridge over the Grose River. In this scenario it is possible that some traffic intending to proceed west over the Blue Mountains may elect to use Bells Line of Road instead of the Great Western Highway, hence the benefit of a by-pass around North Richmond to cater for the increased through traffic. With the extensive improvements to the Great Western Highway the potential for use of Bells Line of Road as an alternative route has probably diminished.

The proposed Castlereagh Freeway bridge, if it is constructed, is unlikely to be within a reasonable local planning time frame.

In accordance with Council's resolution the proposed road reservation between Grose Vale Road and Bells Line of Road was included as a road reservation on the draft LEP which preceded HLEP 1989. However the Department of Planning indicated that the reservation was not required by the Roads & Traffic Authority and that as a consequence if it was to remain a reservation it would need to be a local road and that Council would be responsible for acquisition. The road was then deleted from the draft local environmental plan and is not indicated on Hawkesbury Local Environmental Plan 1989.

In the circumstances and given that the proposed road is not recognised by the Roads & Traffic Authority or Council's Local Environmental Plan, it is recommended that Council specifically resolve to alter its previous resolution to retain the road proposal.

Recommendation

Altered.

That Council not proceed to reserve land between Grose Vale Road and Bells Line of Road for a proposed road and that the Roads and Traffic Authority be notified of this decision.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Michael 14.6.90

ITEM 26: (File LEP 1/90) [10.678]

SUBJECT: REINSTATEMENT OF RICHMOND RAILWAY STATION AS AN ITEM OF ENVIRONMENTAL HERITAGE

REPORT (M.T.P.)

At Council's meeting on 14th November, 1989 it was resolved as follows:

"That Council advise the State Rail Authority of New South Wales that it agrees to initiate a rezoning of the land to commercial, however, requests agreement of the Authority in the production of an economic impact assessment as part of the rezoning process and, further, that the rezoning process assess adjoining lands not owned by the State Rail Authority which also may be suitable in a co-ordinated redevelopment."

A draft local environmental plan to rezone the Railway Land was placed on public exhibition on 9th May, 1990 with the exhibition period to close on 25th May, 1990.

During the exhibition period it has come to Council's attention that the Railway Station is not a Heritage Item under Hawkesbury Local Environmental Plan 1989. The Railway Station was an item of environmental heritage under Hawkesbury Local Environmental Plan 1984 and it would appear that its deletion from LEP 1989 was an oversight not picked up by Council or the Department of Planning. It will be recalled that there were extensive additions to the Schedule of heritage items in LEP 1989 as a consequence of the North West Sector Heritage Study and that 460 separate items are now listed.

The Richmond Railway Station is considered to be of State significance in the North West Sector Heritage Study. The Study contains the following synopsis of its architecture and historic significance.

"The Railway was opened to Richmond on 1.12.1864 and this building erected 1882, one year before the Windsor Station was opened in 1883.

The Station building is a single storey Flemish bond face brick building having hipped slate roof with dentillated eaves and prominent heavily moulded chimneys with a small slat roofed extension at either end. There is a pitched iron platform verandah of three bays on cast iron posts with decorative brackets and small S-shaped iron

verandah on north side - access to the platform was probably from this side (as at Windsor) before construction of the back platform for the Kurrajong extension (opened 8/12/1926, closed 26/7/1952). Doors have transome lights and windows and doors have stone lintels with keystone motif. The blue enamel station name board is a rare survival.

The station building is almost identical to that at Windsor.

Forms part of Richmond Park precinct."

The study recommends a curtilage consisting of March Street, Richmond Park, 50m north and 200m east.

The Station should be retained together with a suitable curtilage and therefore needs to be included in Hawkesbury Local Environmental Plan 1989 as a Heritage Item.

The draft local environmental plan to change the zoning from Special Uses 5(b) (Railways) to General Business 3(a) will not be affected by the reinstatement of the Station as a Heritage Item which can occur either as part of the rezoning process to General Business 3(a) or independently.

Recommendation

That a draft local environmental plan be prepared to include the Richmond Railway Station as a Heritage Item in Hawkesbury Local Environmental Plan 1989.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 27: (File L10/89) [10.679] MICHAEL 18-6-90

SUBJECT: ENVIRONMENTAL STUDY - RURAL RESIDENTIAL DEVELOPMENT IN THE CITY OF HAWKESBURY

REPORT (M.T.P.)

Reference is made to the study which has been prepared and circulated in a separate report.

Recommendation

That the recommendations listed in the report titled "Environmental Study, Rural Residential Development, City of Hawkesbury" be adopted.

Mr.B.McKinlay addressed the Committee seeking representation on behalf of Kemsley Pastoral Company for inclusion in the Environmental Study.

COMMITTEE'S RECOMMENDATION

CONSIDERATION OF THIS item be deferred until the next Committee Meeting.

ITEM 28: (File DA 35/90) [10.680] GLENN - 18-6-90

SUBJECT: PROPOSED TOURIST FACILITY - LOT 1 DP 540497 79 OLD BELLS LINE OF ROAD, KURRAJONG - S. CHARLESWORTH

REPORT (M.T.P.)

At its meeting of 10th April, 1990, Council approved of this development subject to a number of conditions including the payment of $17,800 in lieu of two car parking spaces.

The Manager of Town Planning has met with the applicant on site who has subsequently submitted a plan indicating how two car parking spaces can be satisfactorily contained on site. It is considered that the condition concerning contribution should be altered so that the parking is to be provided on site to the satisfaction of the Manager of Engineering Services.

Recommendation

That Condition 6 of the Development Consent No.35/90 be altered as follows:-

> "Construction of an all weather car park for 2 (two) vehicles to be carried out to the satisfaction of the Manager of Engineering Services, including the provision of any necessary drainage. Car parking to be carried out prior to occupation of the building."

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 29: (File S89/46) [10.681] GLENN - 18/6/

SUBJECT: RIVERSTONE MEATWORKS' LAND - WINDSOR DOWNS SUBDIVISION

REPORT (M.T.P.)

The first stage of the total 350 lot subdivision being marketed as Windsor Downs Estate has been approved subject to a number of conditions including, for the first stage of 42 lots, the payment of a contribution of $53,592.00 being a contribution for amenities and public services as a consequence of the subdivision of land within the City.

The estate is to be linked to the existing Bligh Park residential area by a link road, the majority of which traverses the Riverstone Meatworks' land. The applicant consultant on behalf of the company, the Rose Consulting Group, has requested the contribution be offset against the substantial cost of them constructing the link road. They have based their request on the information contained within the local area traffic study compiled by Chris Hallam and Associates for the Bligh Park development. This study suggested that the major beneficiaries of the link road would be the Bligh Park residents as it enables shorter and quicker access to Blacktown Road for those travelling in an easterly and southerly direction, however, the study also indicated a benefit to the Windsor Downs' residents as it provided a direct access to community facilities, etc., provided in Bligh Park which the Windsor Downs' residents would utilise.

Whilst it is arguable as to where the major benefit lies, there is no doubt that Bligh Park residents will benefit because of the link road which is estimated to cost approximately $430,000. The consultants have only requested the contribution for Stage 1 to be offset and realise that contributions levied for subsequent stages would be required to be paid. Their request is agreed to on the basis that the $53,592, compared to a total cost of $430,000, at least equates to the proportion benefit of Bligh Park residents.

Recommendation

That the Rose Consulting Group be advised that Council agrees to the payment of $53,592 (fifty three thousand five hundred and ninety two dollars) as per Condition 3 of development consent S89/46 be offset against construction of the Bligh Park/Windsor Downs Estate link road.

Mr.L.Rose and Mr.R.Millett, Property Manager for the Angliss Group, and Officer of the Riverstone Meat Co., Angliss Group and Windsor Downs Development, addressed the Committee.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

cc Records
GLENN 18-6

ITEM 30: (File 1513(w); 1816(w)) [10.682]

SUBJECT: PROPOSED RELOCATION OF WINDSOR POST OFFICE TO SHOP 1 251 GEORGE STREET, WINDSOR.

REPORT (M.T.P.)

Correspondence has been received from Australia Post as follows:-

> "Reference is made to your letter of 1 May 1990 wherein you requested elaboration on the difficulties experienced by Australia Post in its present

premises and the future of the property following relocation of postal services.

Our letter of 23 April 1990 informed Council of Australia Post's intentions for improved postal services in the area. However, we are pleased to provide the additional information that you are seeking and advise as follows:-

1. The population in the area served by Windsor Post Office has increased from 16,040 in 1981 to 27,645 in 1989, an increase of more than 70 per cent.

2. The number of points to which Australia Post delivers mail has grown by 83 per cent from 3,096 in 1980 to 5,678 in 1989 and, with planned residential growth at Bligh Park and Windsor Downs, this will increase by a further 21 per cent.

3. The number of letters posted locally has increased from a little more than 1 million a year in 1982/83 to 2.7 million in the last financial year. Letters received for delivery have jumped from 1.5 million to 2.1 million in the same period.

4. To keep pace with this growth in business, the number of staff at the post office has been increased by eight.

5. Customer demand for private letter boxes is such that the present installation of 301 services should be doubled.

6. The 1880 building, which was designed to provide a residence for the post master on the upper storey, is no longer able to cope with the increase in business and staff as it has insufficient floor space for operational requirements.

7. Australia Post engaged an architect to examine the feasibility of extending the old building without altering its appearance radically, but because of site restrictions, no suitable solution could be found.

8. The new premises will provide 611 square metres of space, compared with 300 square metres in the old building.

9. Australia Post plans to sell the old post office building eventually, but is keen to see it maintained as a fine example of the architecture of the late Victorian period."

It is considered to be a pity in heritage and locational terms that the existing post office building will not continue to be utilised for postal services although the reasons indicated by Australia Post are well understood.

Relocation of the post office to the southern end of the commercial centre will help to revitalise this section of town and make better utilisation of Hollands Paddock car park.

Concern is expressed, however, to the subsequent use of the old postal building and this concern is shared by Council's Heritage Committee, the minutes of which will be reported to the Ordinary meeting on 12th June, 1990.

It is felt that Australia Post should be advised that Council will liaise with it insofar as any proposed use of the old building.

Recommendation

That Australia Post be advised that Council acknowledges the reasons indicated in its letter of 8th May, 1990, concerning the proposed relocation to 251 George Street, Windsor, and requests that Australia Post liaise with Council in any proposed development/redevelopment of the old postal building.

COMMITTEE'S RECOMMENDATION

THAT AUSTRALIA POST be advised that Council acknowledges the reasons indicated in its letter of 8th May, 1990, concerning the proposed relocation to 251 George Street, Windsor, and requests that Australia Post liaise with Council in any proposed development/redevelopment or leasing of the old postal building.

ITEM 31: (File DA 20/90) [10.683] MP. 18-6-90

SUBJECT: DEFERRED DEVELOPMENT APPLICATION FOR TWO VILLA UNITS - DRAINAGE PROBLEMS

REPORT (M.T.P.)

The development application for two villa units at Lot 3, DP 38738, 158 Francis Street, Richmond, was considered at Council's Ordinary Meeting of 10th April, 1990. At that meeting it was resolved that the application be deferred pending further discussion with Council staff in relation to the drainage of the site. Prior to discussing this issue, the planning report of 10th April, 1990, is reproduced for Council's information.

"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 metres 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 (DCP) 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 DCP for Medium Density Housing.

Mr and 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 likely.

Plan submitted indicates 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."

Drainage

The subject land is quite well drained and falls generally to the north-east, with good grades at the front and becoming fairly level at the rear of the site in the vicinity of the proposed units. Drainage of the units, either to the existing pipeline or directly to the pipeline in Francis Street, is acceptable. It is suggested, however, that due to the limited capacity of the existing pipeline, that a separate pipeline to Francis Street be provided to ensure that no extra pressure is placed on the drainage system in the vicinity.

In relation to concerns expressed by the residents of No. 4 and No. 8 Chapel Street, the following comments are provided. The residents of No. 4 Chapel Street are concerned that the natural flow of water off their property across the subject land will be affected by the villa development. It is considered that the erection of the villas will not lead to such a drainage problem, however, a condition can be imposed at the building application stage, to cover this situation. The residents of No. 8 have raised the issue that the drainage in the area is inadequate and that the backyard of their premises floods during heavy rain. Inspection of the site reveals that the centre of Lot 8, immediately behind the subject property, does flood, as it appears to be at least 300mm below the subject land. In fact, the depression is virtually a dam which must either soak away or evaporate after heavy rain. The erection of the villas on the subject land will not exacerbate the problems experienced by the residents of No. 8 Chapel Street, and consequently the application for the villa units should not be refused on this basis.

To overcome the drainage problems, two additional conditions are recommended as follows:

- The site shall be graded to avoid obstruction of existing natural surface flows off adjoining properties. Details to be submitted with the building application for approval.

- All roof and surface water from the development being piped directly to the existing drainage line in Francis Street.

Recommendation

That consent be granted for the construction of 2 (two) x 2 (two) bedroom villa units generally in accordance with the plans submitted dated 18th January, 1990, subject to:

1. A contribution of $3,454 (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 Drainage 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.

11. The site shall be graded to avoid obstruction of existing natural surface flows off adjoining properties. Details to be submitted with the building application for approval.

12. All roof and surface water from the development being piped directly to the existing drainage line in Francis Street.

The Town Clerk/General Manager advised that a letter had been received this morning from G.R. & W.S.Knott who live at 4 Chapel Street, Richmond, which he read to the Committee, and which is quoted in full hereunder :

"I wish to reply to the report conducted by Council concerning Item 31 of the Planning and Development report dated 29-5-90.

I would like to ask Council when assessing this application to take into account the overall size (in width) of the land on which the proposed villa units are to be built for the accommodation of an extra 2x2 bedroom villa unit with 5 car parking. If one looked at other villa units built in the area you can see that both developers and Council have compromised to use larger or joint blocks of land allowing for a centre drive for vehicle movement, creating more room for residents' needs. Thus avoiding conjested living standards.

This particular development allows for a communal driveway for the proposed use of 5 vehicles.

On the original plans when viewed at the Council Chambers by my wife and myself it showed the chimney of the existing dwelling would have to be demolished to allow for these vehicles to pass unobstructed to the rear of the property thus highlighting the lack of available space for the development.

The report also stated that in relation to existing vegetation and trees that the landscape would be maintained to Council's satisfaction. I would like to say that nothing in the report deals with the present trees lining the border. These trees add to our privacy and I specifically asked in my previous letter to Council that they should remain. Assurances from the developer would not satisfy them remaining as a fig tree was severely cut back on a weekend and was only prevented from completely being cut down by the intervention of the Shire Clerk.

The development would be of no benefit to neighbouring residents as it would create greater noise pollution due to the influx of people into congested living quarters. What privacy we now share would be drastically reduced thus causing the area to lose its village type atmosphere.

If Council could arrange a site inspection to see 1st hand the narrow width of the block concerned and relate to other aspects I have pointed out it may persuade Council to oppose development application with regards to the overall area concerned.

We hope this letter is accepted in good faith."

COMMITTEE'S RECOMMENDATION

A SITE INSPECTION be carried out.

The Committee inspected the site at 4.00 p.m. Aldermen present at the inspection were Aldermen Horrex, Benson, Books, Denne, Michael, Rotherham, Sheather, and Sledge.

THE RECOMMENDATION BE adopted.

ITEM 32: (File 68A/260/80) [10.684] Glenn 18/6/90

SUBJECT: McINERNEY - EXTRACTIVE INDUSTRY - EAST KURRAJONG ROAD, SECTION 2.

REPORT (M.T.P.)

At its meeting of 8th May, 1990, Council requested a report on the operations of this quarry.

Council's records indicate that, for at least the past twelve months, no royalties have been paid and therefore it is assumed that there has been no extraction taking place for at least this period of time. A recent inspection of the land would tend to verify that there have been no recent extractions taking place.

The existing use provisions of the Environmental Planning and Assessment Act, 1979, only relate to non-conforming existing uses, that is, uses which have become a prohibited use within a particular zone because of the enactment of a planning instrument subsequent to the initial consent or commencement of the existing use in question. As extractive industries are still allowable in the relevant zone, the use is able to continue at any time, notwithstanding recent non-activity, subject to compliance with the conditions of the original consent which have previously been reported to Council.

A detailed inspection of the land will be carried out to ascertain compliance or otherwise with conditions and, if conditions have not been complied with, then the operator cannot commence without Council's further approval insofar as rectification of those conditions. This matter will be further reported to Council.

Recommendation

That the information concerning the McInerney extractive industry on East Kurrajong Road, Section 2, be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 33: (File S90/4) [10.685] MICHAEL 18/6/90

SUBJECT: OBJECTION TO SUBDIVISION APPROVAL - G.L. & K.A. MITCHELL - LOTS 2 AND 3 DP 703300, GROSE RIVER ROAD, GROSE WOLD.

REPORT (M.T.P.)

The following correspondence has been received from the owner of the land:-

"Last year in August we purchased our neighbours property (lot 2) to ensure our privacy and as we had been advised by Mr. McCully and your planning officers that subdivision would be through in September, 1989.

Now eight (8) months later we are still no closer to subdivision, and recently to alleviate the financial burden on us, with the purchase of Lot 2, we applied for a block consolidation reducing Lot 2 to a 5 acre and lot 3 (our place) being 45 acres.

When we applied your planning officer advised us that it was Council Policy that Grose Wold would be 10 acres, and that it was the only way Council would accept our block consolidation. We expressed great concern at the time, as it was only policy on the matter that had not after 8 months been resolved, other than 1 acre concessional blocks.

Because of the extremely tough Real Estate market and the fact that we have been made to accept a 10 acre lot, for the small house on Lot 2, we are unable to sell the house after 4 months on the market.

We have been seeking advice on our situation, and we understand that under our current LEP we are able to reduce Lot 2 to 5 acres, and on that basis we are requesting that your reconsider our original request for lot 2 to be on 5 acres.

Because of the fact that there is no decision in sight for the subdivision of the Grose Wold area, we would appreciate your approval of this request. To enable us to sell lot on 5 acres in a price bracket that is selling..."

The land is within that area which has been deferred from determination in Hawkesbury Local Environmental Plan 1989. It will be recalled that the draft LEP sought to rezone the area to permit subdivision with minimum lot sizes of 4 hectares. Despite a number of meetings with officers of the Department and the provision of additional maps and information, there has been no advice as to whether the proposed rezoning to allow 4 hectare subdivision (or some other configuration) will be supported or not.

An application to subdivide the land by boundary adjustment to create one lot with an area of 4 hectares and a residue lot with an area of 16 hectares has already been approved under delegated authority. As indicated by the applicant a request that the small lot be reduced to 2 hectares was not supported on the basis that it would be inconsistent with Council's draft local environmental plan to reduce the minimum area requirement for subdivision to 4 hectares.

It should be noted that under the provisions of Hawkesbury Local Environmental Plan 1989 a boundary adjustment such as that requested by the applicant and already approved could not be supported. Subdivision by boundary adjustment can only be considered where one of the lots has an area less than the minimum area requirement in the zoning ie, one of the lots has an area of less than 10 hectares. In this instance both lots have an area of 10 hectares.

Recommendation

That Mr Mitchell's request that favourable consideration be given to a boundary adjustment to create 2 (two) lots with a small lot of 2 (two) hectares and residue lot of 18 (eighteen) hectares not be supported.

Mr.G.Mitchell addressed the Committee.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 34: (File DA 221/87 & L11/89) [10.686] Michael 18.6

SUBJECT: USE OF ANSCHAU CRESCENT BY HAWKESBURY VALLEY MOTORS

REPORT (M.T.P.)

In 1987, a development consent was issued which permitted the upgrading of the site currently used by Hawkesbury Valley Motors. The conditions imposed by the development consent included the following:

"8. Access to Anschau Crescent is to be used only during emergencies".

A resident of Ross Street, Mr Frank Daines, objects to the regular use of Ross Street and Anschau Crescent by vehicles associated with Hawkesbury Valley Motors on the basis of the narrow width of the street and excessive vehicle speed. It is also requested that vehicles associated with Hawkesbury Valley Motors not park in Ross Street. He requests that action be taken to enforce Condition No. 8 of the development consent.

It is agreed that vehicles associated with Hawkesbury Valley Motors do use Ross Street and Anschau Crescent during normal business operations. The intersection of Ross Street with Macquarie Street is controlled by traffic lights and it provides a convenient and safe access point to Hawkesbury Valley Motors. As Ross Street is narrow it is unlikely that vehicle speed would be excessive. Similarly it is not considered that the actual volume of traffic which uses Ross Street to gain access to Hawkesbury Valley Motors is excessive or adversely affects the amenity of the street.

On this basis it is recommended that Condition No. 8 of the consent be deleted.

Mr Daines has also objected to the frequent use of Ross Street for the unloading of vehicle transporters. This issue was addressed in the report to Council's meeting on 10th April, 1990 concerning a proposed rezoning to extend the dealership. It is not considered that this should be allowed as it is inconsistent with the amenity of the street and is likely to obstruct traffic movement.

Recommendation

That Condition No. 8 of the development consent for DA 221/87 be deleted.

Mr.P.Mulroney, Architect for Hawkesbury Valley Motors, addressed the Committee.

Mr.F.Daines addressed the Committee as an objector.

COMMITTEE'S RECOMMENDATION

THAT A FURTHER report be submitted to the next Ordinary Meeting.

ITEM 35: (File DA 375/89) [10.687] Meeting - 18-6

SUBJECT: DEVELOPMENT CONSENT FOR FEEDSTORE, SHELTER STRUCTURES, EXERCISE YARD AND BRIDGE, LOT 1 DP 514209, COMMERCIAL ROAD, VINEYARD (APPLICANT: A. BELFIELD)

REPORT (M.T.P.)

The General Purpose Committee of Council inspected this site on 30th January, 1990. The Committee's recommendation which was adopted by Council at its meeting on 13th February, 1990 was that the application for the establishment of a feed store, 8 shelter structures, dressage/exercise yard and bridge be approved generally in accordance with plans submitted numbered 1743/3A, 1743/2A, 1743/3A and 1743/4 subject to a number of conditions. Condition 11 required the completion of the demolition of unauthorised fences and structures to be carried out within 2 months from the date of issue of the consent.

The following correspondence has now been received from the applicant:-

> *"Further to Mr Johnson's visit at the above property, and with regard to the fencing as built and town planning request to remove sections thereof.*
>
> *We present the following reasons for these fences to remain:-*
>
> 1. *For safety reason moving horses from yards to paddocks, the walkways as prepared will restrict and help control any horses that may get out of hand.*
>
> 2. *Without the fences there, horses if running free will obviously use that area so damaging any grass cover, to keep this area pleasing to the eye of the neighbours the fences are necessary.*
>
> *I am fully aware of the restrictions applying to this area and it will not be used for a permanent paddock, but used only for grooming and preparing a horse for a show.*

Your favourable consideration of the matter will be appreciated."

The plans discussed by the General Purpose Committee at the site inspection and subsequently approved by Council indicated that the fencing adjacent to the neighbour's dwelling would be removed along with a number of the unauthorised shelters.

It is considered that if the fences remain it is likely that horses will be penned and their movement confined with the result being that the amenity of the area will not improve.

Recommendation

That the applicant be advised that the fences have to be immediately removed in accordance with the approved plans and the area landscaped to the satisfaction of the Manager of Town Planning.

Mrs.A.Belfield addressed the Committee.

COMMITTEE'S RECOMMENDATION

THAT THE PLANNING DEPARTMENT contact the neighbour in regard to this proposition and submit a further report to the Ordinary Meeting.

cc. Records
GLENN 18/6/90

ITEM 36: (File P160-44) [10.688]

SUBJECT: MEDIUM DENSITY DEVELOPMENT - BLIGH PARK - PETITION OF OBJECTORS

REPORT (M.T.P.)

A petition has been received signed by 38 persons being residents in and near Albert Place within Bligh Park. The petition is as follows:-

"We, the Residents of Albert Place and neighbouring streets, as listed in Attachment A, wish to register our protest at the construction of any further Duplexes and/or Dual Housing in Albert Place or neighbouring streets.

The reasons for our complaint are as follows:

1. *When the residents actually purchased their properties in Bligh Park it was classified as a low density housing area (ie one house per block), similar to the already established areas in Bligh Park.*

2. *Another deciding factor to buy in Bligh Park was that, based on the information supplied by Landcom (Government body), certain blocks were reserved for Government housing, however, at no time were we advised, either verbally or otherwise, that there would be a substantial construction of duplexes in the area.*

3. *The duplexes constructed appear to be of a lessor quality than existing homes in the area, thus affecting the overall standard of the area and pecuniary value of the existing properties.*

It concerns us that the value of our properties will decrease because of the number of duplexes being built. So changing our area from low density to a higher density.

We have had verbal confirmation from various local real estate agents that the existence of low cost duplexes does detrimentally affect the price of properties and saleability.

In view of the fact that there is already one (1) duplex, three (3) Government housing blocks and two (2) dual occupancies in our street, we feel that the area will be detrimentally affected if further duplexes were built.

5. *We also wish to point out that only three months after moving into our new homes, our neighbourhood is referred to as 'Duplex City'*

We have no option but to protest loudly at the construction of any further duplexes in Albert Place and neighbouring streets. We would like the Council to review their attitude to the construction of these properties and now formally lodge our objection for your records.

We await receipt of your advice as to what action will be taken in regards to the above."

The matter has been discussed with the Department of Housing who has indicated that it has not, at any time, indicated that the land was solely for single housing development and that it has recommended to all prospective purchasers to make their own enquires with Council. The Department does recognise, however, that it would be preferable for it to actually indicate the likelihood of medium density housing in the locality and it has arranged for this advice to be given to future prospective purchasers.

A map indicating the degree of medium density development within Bligh Park will be available for inspection at the Committee meeting. The map indicates that, of all dwelling units in Bligh Park, medium density, i.e., duplexes and cluster housing development, account for approximately 15% of total dwellings.

Whilst this is a higher number than would be attributed in already developed residential areas, the number obviously reflects the undeveloped nature of Bligh Park and the ability to develop to market requirements, and the market demand for such development. In any case, it is not considered to be an undesirably high mix of units compared to single dwelling units.

Most of the medium density units in Bligh Park have subsequently been strata subdivided and the complaint about undesirable rental tenants, etc., which is normally attributed to such development would appear to be unwarranted as the strata units are usually owner occupied and creating, as they do, a "niche" in the market.

When designs for duplexes, etc. are submitted an assessment is made of the designs of other duplexes if they are nearby and it has often been the case where applicants have been requested to alter their design so as to alleviate street monotony. Perhaps not realised by Council is the number of applications that are received but have been rejected at office level for unsatisfactory design, with the greatest difficulty being experienced from developers who request consent to build, say, six or eight units at once thereby benefiting from economies of scale. In these cases, the applicants are often requested to mix up their designs, using different roof pitches, brick colours, etc. Usually a balance is reached between their desires for economies of scale and the design merits requested by Council.

It is intended to continue processing developments along the lines indicated above, however, should Council require some other approach it should indicate.

Recommendation

That the information contained in the report be brought to the attention of the petitioners and that the information contained within their petition be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

cc. Records · Amies 18-6 ·

ITEM 37: (File H105-12) [10.689]

SUBJECT: 1990 HERITAGE ASSISTANCE PROGRAMME

REPORT (M.T.P.)

Correspondence is anticipated from the New South Wales Government inviting applications for funding under the New South Wales Assistance Programme.

In 1990 some 1.5 million dollars is being spent on heritage conservation in New South Wales. In January 1990 the Minister for Local Government and Planning, Mr. David Hay, announced grants of $723,000 for 87 new heritage projects.

In addition to this, Mr. Hay jointly announced with Senator Graham Richardson, Minister for the Arts, Sports, the Environment, Tourism and Territories aid from the Commonwealth National Estate Grants Programme totalling $786,000 for 73 projects.

There are four types of assistance currently available under the programme. These are:

a) **New South Wales Heritage Assistance Programme** - Projects must either conserve or promote the conservation of heritage items. They include restoration of buildings, archaeological sites, gardens, cemeteries, and moveable items, as well as studies for various buildings and sites.

b) New South Wales Local Government Heritage Assistance Programme -

Funding is available for heritage studies, main streetscape studies, appointment of heritage advisers, establishment of local small grant and loan projects and promotional projects. Funding is also available to assist the restoration of Government owned or controlled heritage items. Funding is available on a dollar-for-dollar loan or grant basis.

c) New South Wales Small Grant and Emergency Programme - This programme is to assist owners of heritage properties to obtain professional advice or to carry out emergency work which cannot wait for funding under the normal programme. Assistance of up to $5,000 is available on a dollar-for-dollar basis.

d) New South Wales National Estate Grant Programme - This programme is administered by the New South Wales Department of Planning on behalf of the Australian Heritage Commission. Funding is provided by the Commonwealth Government by way of grant, usually on a dollar-for-dollar basis.

Given that the closing date for programmes a), b) and d) is 30th June 1990, it is considered that Council should seek funding under the programme for the following projects:

1. Video Tape - Development of Hawkesbury and its Architectural style - This project was unsuccessful in 1989/90 programme. Notwithstanding this, indications have been received from the Department of Planning that projects such as this will be successfully funded under the 1990 programme. The project involves preparation of a 30 minute video tape on the development of the Hawkesbury region, in particular, its architectural style.

   The video tape would be shown to students in High Schools as well as interested community groups to foster heritage awareness within the City. The video will illustrate the region's development and characteristics, building materials and construction techniques associated with various architectural styles. As well as providing material of considerable educational value, there has been the experience of such material reducing vandalism due to increased awareness of the value of local buildings. Preparation of such a video is estimated to cost approximately $15,000.

2. Archive Copying Project - This involves compilation of early archival material relating to the Hawkesbury. In particular, maps of localities such as Windsor and plans of individually significant buildings, such as, Belmont -St. John of God Hospital will be collected from a number of sources including the State Library, State Archives Office, Land Titles Office as well as private organisations and individuals.

   A good original copy will be obtained of each map and plan, and a copy of this placed in the reference section of the Windsor Library. Good original copies of maps and plans will be catalogued and stored in facilities such as a verti-plan to ensure their preservation. The project will benefit students, professionals and the general public as the need to travel to

Sydney to use such materials will be obviated. The availability of archival material such as early maps and plans will also be a particularly useful resource for Council's Planning Department. Given that the cost of the project is estimated at approximately $10,000 it is considered that funding should be sought under the programme on a dollar-for-dollar basis, i.e., $5,000.

3. **Precinct Plan - Kurrajong Heights** - Much of the character of the village of Kurrajong Heights derives from its location on a prominent part of the escarpment, the many historical buildings situated in and adjacent to the village and the predominantly exotic trees. Due to its character and attractiveness, Kurrajong Heights is currently experiencing pressure for subdivision and subsequent development.

   In order that the special character of the village is not compromised, it is considered appropriate that a precinct plan be prepared which identifies the character of the village and makes recommendations as to ways in which the character can be developed and maintained. Recommendations of such a plan could be subsequently implemented by Council, such as, a street planting programme of appropriate exotic species. Preparation of such a plan may be undertaken in-house with assistance being obtained externally from an architect as well as a landscaped architect. Preparation of a precinct plan for Kurrajong Heights is estimated to cost approximately $15,000.

4. **Conservation Works - Richmond Park Grandstand Stage 2** - Whilst funding was sought for an amount of approximately $50,000 on a dollar-for-dollar basis for conservation works to be undertaken at the Grandstand Richmond Park under the 1989/90 programme, Council received funding for Stage 1 of the works - that is, an amount of $20,000 on a dollar-for-dollar basis. Given that the total cost of the conservation work is estimated in the vicinity of $150,000 it is considered appropriate that further funding be sought, even on a dollar-for-dollar basis for the works. The cost of Stage 2 of the works is estimated at approximately $32,000 and relates to column repair, handrail and rail repair, as well as flooring. Accordingly, funding should be sought on a dollar-for-dollar basis for Stage 2 of the conservation works at the Grandstand - Richmond Park.

5. **Hawkesbury Cemetery Study** - Notwithstanding application was made under the 1989/90 programme for funding of a study of cemeteries in the City, Council was only successful in obtaining two thirds of the amount sought for the study. Accordingly, the scope of the study was reduced to reflect available financial resources. Thus, the study to be undertaken in 1990 will encompass areas currently experiencing development pressure for which little or no documentation exists such as the MacDonald Valley.

   It is considered appropriate that funding be sought to undertake a study of cemeteries in remaining areas of the City, i.e., Windsor, Richmond, Kurrajong, etc. Such a study would not only document the significance of each cemetery and its contents but also create a heritage cemetery conservation plan. Preparation of such a study is estimated to be in the vicinity of $20,000.

Recommendation

That:

A. Information contained in the report relating to the 1990 Heritage Assistance Programme be received; and

B. Council make application for funding for the following projects listed in order of priority:

1. Video - Development of Architectural Styles in the Hawkesbury.
2. Archive Copying Project.
3. Kurrajong Heights Precinct Plan
4. Conservation Works - Richmond Park Grandstand - Stage 2.
5. Hawkesbury Cemetery Study.

Aldermen Books and Stubbs declared an interest in this matter.

COMMITTEE'S RECOMMENDATION

THAT :

A. THE INFORMATION CONTAINED in the report relating to the 1990 Heritage Assistance Programme be received; and

B. Council make application for funding for the following projects listed in order of priority:

1. Video - Development of Architectural Styles in the Hawkesbury.
2. Archive Copying Project.
3. Kurrajong Heights Precinct Plan
4. Conservation Works - Richmond Park Grandstand - Stage 2.
5. Hawkesbury Cemetery Study.
6. Hawkesbury Museum.

ITEM 38: (File L10/89) [10.690] MICHAEN 18-6-90

SUBJECT: RURAL RESIDENTIAL REZONING STRATEGY AND USE OF STATE ENVIRONMENTAL PLANNING POLICY NO. 1.

REPORT (M.T.P.)

A number of rural residential subdivision applications are reported in this business paper, most being received during the course of the rural residential study. The majority of these applications have not been specifically addressed in the study and have been reported on separately with reference to the relevant findings of the study.

Some of the specific subdivision applications are deserving of consideration under State Environmental Planning Policy No. 1 whilst other applications should only be

processed in the context of a rezoning. Those applications which have merit under SEPP No. 1, stand on their own and do not need to rely on the outcome of the study. However other applications, which would require a rezoning, must be considered in the context of the study.

To avoid confusion between the use of SEPP No. 1 vis a vis a rezoning it was decided to list all of the specific applications in separate reports with cross referencing back to the outcome of the study.

The Department of Planning has issued a Circular on the use of SEPP No. 1. The overriding objective is that Council must be satisfied that its use of SEPP No. 1 is consistent with local, regional and State objectives and also consistent from case to case. To assist Council's consideration of SEPP No. 1 applications, the following is a summary of the Department's circular.

"GUIDELINES FOR THE USE OF STATE ENVIRONMENTAL PLANNING POLICY NO. 1

2. The policy sets out the general principle that a development standard may be varied where strict compliance can be shown to be unreasonable or unnecessary or would tend to hinder the attainment of the objects specified in ... the Environmental Planning and Assessment Act. In deciding whether to consent to a development application the Council should test this general principle by examining whether the proposed development is consistent with the State, regional or local planning objectives for the locality, and in particular the underlying objective of the standard.

3. As numerical standards are often a crude reflection of intent, a development which departs from the standard may in some circumstances achieve the underlying purpose of the standard as much as one which complies. In many cases the variation will be numerically small, in others it may be numerically large, but nevertheless be consistent with the purpose of the standard.

4. If the development is not only consistent with the underlying purpose of the standard, but also with the broader planning objectives for the locality, strict compliance with the standard would be unreasonable and unnecessary.

5. The planning objectives for a locality are increasingly identified in State, regional and local planning instruments...

8. If the standard is clearly inappropriate in general terms, the council should review its planning controls by means of a local environmental plan. Where a local environmental plan is being prepared councils should be cautious in using State Environmental Planning Policy No. 1 on the basis of the draft plan, since there is no guarantee that a draft instrument will proceed to finalisation. Repeated application of the policy under these circumstances can bring about a de facto amendment to the plan. The Policy is an administrative rather than a policy-making tool and the distinction needs to be kept clearly in mind.

9. It is also necessary to assess the likelihood of similar applications being made to vary the standard in the locality. Councils should consider whether the cumulative effect of similar approvals will undermine the objective of the standard or the

planning objectives for the locality. If the council considers that it will do so, the application should be refused or a decision should be made not to approve others like it..."

The SEPP No. 1 guidelines expressly provide for numerically large variations in a development standard provided that the variation is consistent with local, regional or State objectives. In addition to an assessment of the objectives of the zoning, consideration must also be given to the likelihood of similar applications being made to vary the standard in the locality and the likely cumulative effect of similar approvals ie the precedent effect.

Recommendation

That the information concerning the use of State Environmental Planning Policy No. 1 in rural residential subdivisions be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 39: (File DA 220/89) [10.691] WP. 15-6-90-

SUBJECT: CARAVAN PARK, CABIN ACCOMMODATION AND CONVENTION CENTRE, CHASELING ROAD, LEETSVALE.

REPORT (M.T.P.)

The Committee is referred to Item 14 in the Planning and Development Section of this business paper.

It is recommended that the wording of Condition No.11 be altered to account for further options for supply of water and disposal of sewage.

Recommendation

That Condition No.11 be altered to now read as follows:-

"11. The submission of chlorination, filtration and desalination details for drinking water, together with details on storage capacity. As ground water supplies can be suspect in regard to quality, particularly where drawn near areas used for effluent disposal by irrigation, the provision of surface supply of potable water should not be discounted and should be included in any submission. Such details are to be submitted and approved by the Manager of Environment and Building Services prior to any work being carried out on the proposed development."

COMMITTEE'S RECOMMENDATION

See Item 14.

REPORT OF GENERAL PURPOSE COMMITTEE MEETING

I N D E X

Planning and Development

Item No.	Subject	Page
1	Development of a Heritage Item, being a Slab Barn - A Flakus - Lot 1 DP 785736 Chatham Street, Pitt Town	1-6
2	Erection of a Dwelling - C.Seinple - Lot B DP 164013 Settlers Road Wisemans Ferry	6-7
3	Filling of Land for Erection of Dwellings - Alann James - Lot 25 DP 742749, Lots 2 & 3 DP 246975 Palmer & North Sts Windsor	7-11
4	Mendfield P/L - Caravan Park, Cabin Accommodation & Convention Centre - Lot 3 DP 717341 Chaseling Road Leets Vale	12

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Report of the Meeting of the General Purpose Committee held at the Council Chambers, Windsor on 7th June, 1990 commencing at 8.00 a.m.

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

Alderman Bazeley arrived at the meeting at 8.25 a.m.

Alderman Sledge left the meeting after the first inspection - that being Item No. 3.

Apologies for absence were received from Aldermen P.E.Gibson and R.P.Stubbs and were accepted.

PLANNING AND DEVELOPMENT

Alice - 15-6-90

Item 1:	(File DA 6/90)
Development Application:	**Development of a Heritage Item, being a slab barn**
Applicant:	Mr A Flakus
Owner:	Mr A Flakus
Land & Location:	Lot 1 DP 785736 Chatham Street, Pitt Town
Area:	683m^2
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Residential 2(a), Heritage Item No. 293, Schedule 1
Advertising:	Adjoining owners notified by advertisement in local press with four submissions objecting to proposal -Ms J Scott, Mrs R Sharpe, Mrs D Kingston, and Mr and Mrs Chadwick
Date Received:	8th January, 1990

REPORT (M.T.P.)

Council is referred to the report which previously appeared in respect of Item 10 of the General Purpose Committee, 24th April, 1990, Business Paper. At its Ordinary Meeting on 8th May, 1990, Council resolved that the application be deferred for decision pending a report on the structural state of the building, and an inspection being carried out. The report below is that provided in the previous business paper, followed by a further report.

"Proposal

The applicant seeks consent to demolish a slab barn being a Heritage Item listed within Council's LEP.

The application was lodged by the owner/applicant, presumably because of a letter received by them from an adjoining resident complaining about the condition of the barn. That letter reads:-

"Andre,

I'm writing in regards to your so-called barn in the front yard, which we have asked you to do something about on numerous occasions. Apart from it making our street untidy in amongst our new homes it is a major threat to the many children walking to and from school each day. But our main worry is the barn collapsing into our front bedroom, which on the past few weeks with the weather we have been having, has been a very distressing feeling.

If something isn't done soon I'm afraid we'll have to take the matter further.

Wendy Delarue."

Statutory Situation

The slab barn was previously identified as Part Portion 52 and 73, Parish of Pitt Town as contained in Schedule 1 (clause 5(1)) of 1989 (H.L.E.P., 1989). Subdivision consent has been granted and registered. To this end the new property description is Lot 1 - DP 785736, however, this does not affect the heritage listing.

The application is affected by clause 27(2) which requires Council to consider the effect of the proposal on the Heritage Item, and clause 30(1) which requires advertising which has been complied with.

Public Submissions

"Each year, more and more of the unique character of Pitt Town is being lost, and would be a great loss if this barn was added to the list. After all, these early buildings were evident before the new houses appeared.

Mrs D Kingston."

"The puerile reasons for the proposed demolition of this barn as stated in the neighbours letter are not sustainable.

Photographic evidence shows this barn has changed little in the past fifteen years. It is well known that the majority of barns in the Hawkesbury have maintained a characteristic lean for decades. This is an intrinsic part of their charm and appeal.

Far from being a "major threat to children walking to and from school" this barn is an example of the ingenuity of their forefathers.

Mrs R Sharpe
Macquarie Towns Preservation Society".

"It is a fact, verifiable by inspection, that although the barn has a distinct "lean", this lean is arrested for all time by a large camphor laurel tree on the boundary of number 12 Chatham Street, the adjoining property. There is no danger to any passing person of collapse of the barn.

Once it is demolished, as have so may of the barns in the immediate area of this property over the last 20 years, it is lost for ever. No replica can ever achieve the same historic feeling of an original.

The owners of the property are currently restoring the cottage and there is no reason why the barn cannot be restored in sympathy with the cottage.

Peter and Margaret Chadwick."

"What a shame it will be when pictures in books are our only way of viewing history.

Future generations would be grateful to a Council that has had the foresight to set down policies that actively encouraged the residents of Pitt Town to retain visible links with the town's historic past.

Ms Jeannie Scott."

Planning Assessment

Aims and objectives of the LEP, inter alia, are:-

"to conserve and enhance buildings, structures and sites of recognised significance which are part of the heritage of the City of Hawkesbury for future generations."

Over the years the slab barn has been neglected and consequently has developed the characteristic lean associated with other older structures.

With respect to the letter from Mrs Wendy Delarue, the major threat was created when the house was constructed approximately 3-4 metres away, whilst knowing that the barn existed. As for the threat of the barn collapsing, a large camphor laurel tree located on the boundary has 'arrested' this. Notwithstanding, however, the applicant has been requested to 'shore up' the barn in the interim whilst the application is being processed.

The threat of danger can be overcome by refusing the application for demolition and conditioning the applicant to carry out works to stabilise the barn and as such ensure retention of its heritage significance.

Recommendation

A. That the application be refused for the following reasons:

1. The applicant has not demonstrated that the building is of such a condition that its conservation or stabilisation is not possible.

2. The applicant has not demonstrated that the proposal is of greater benefit than would be retention of the heritage item.

3. The proposal is not in the public interest.

B. That the applicant be advised that stabilisation works are to be carried out to the satisfaction of the Manager of Environment and Building Services."

Further Report

A cottage and slab barn situated on the land are identified as heritage items in Schedule 1 of Council's current planning instrument. Both the cottage and slab barn were, however, previously identified as heritage items in Schedule 10 of Council's previous planning instrument, Hawkesbury Local Environmental Plan, 1984. The applicant purchased the property in 1987, and therefore knew of the existence of a heritage listing at time of consideration of purchase.

In relation to the stability etc. of the building, the Manager of Environment and Building Services advises as follows:

"The building is of typical pole construction, has an earthen floor and contains a loft. The lower walls are clad with timber slabs while the walls around the loft area are clad with weatherboard.

The building has a gable roof covered with corrugated iron.

The barn has deteriorated badly with the following defects being noted.

a) Several major poles showing signs of rot and leaning badly.

b) Some of the slab cladding is missing with others loose and showing signs of rot.

c) The weatherboard cladding is badly rotted.

d) The ridge board and some round pole rafters are broken and missing.

e) The end elevation is twisted badly out of line owing to differential lean of some major poles.

Rectification works would include:-

1. Strip the cladding including some parts of the iron roof.

2. Replace the rotted poles and all broken and rotted structural timbers e.g. ridge board and broken rafters.

3. Straighten the structure and effectively brace to maintain structural integrity.

4. Reclad. New cladding would include all weatherboards, some slabs and roofing materials particularly ridge capping.

Restoration works would be costly for the size and nature of the building and is not considered to be practicable. The barn is erected in front of the established building line and in its dilapidated condition it is considered detracts from the amenity of the adjacent dwelling in particular and the streetscape in general."
Notwithstanding that responsibility for control over heritage items is increasingly being given back to Local Government by the Department of Planning, under the provisions of Council's planning instrument, the Secretary of the Heritage Council must be notified of any approval of demolition of a heritage item in the City. Clause 30 (heritage advertisements and notifications) 1(b) specifically provides: "Where a person makes a development application to demolish a building or work

that is a heritage item, the Council shall not grant consent to that application until 28 days after the Council has notified the Secretary of the Heritage Council of its intention to do so."

Thus, should Council resolve to approve demolition of the slab barn on the subject land, the Secretary of the Heritage Council must be formally notified of Council's intention to approve demolition. Following notification, a period of not less than 28 days must elapse prior to formal issue of development consent by Council for demolition.

Should Council decide that the barn is to be retained, funding may be available for these works from a number of sources. These include:

- Hawkesbury Restoration Fund.
- Monies made available to applicants for assistance for conservation works involving heritage items. Assistance is given in the form of a low interest loan payable to Council over a period of five years.
- The NSW Heritage Assistance Programme. The Programme provides grants and loans to local community groups, church bodies and private owners for conservation, study or promotion of a wide range of projects.
- The Small Grant and Emergency Programme. This Programme assists owners of properties to obtain professional advice or undertake emergency works which cannot wait for funding under the normal Heritage Assistance Programme.

Notwithstanding that assistance may be available for conservation works, the assistance, whether given by Council or the Department of Planning, will necessitate some financial commitment by the applicant. In discussion with Council's officers, the applicant has indicated that his first financial priority is to undertake various repair works on the weatherboard cottage in which he and his family are residing. The weatherboard cottage generally requires restumping, as well as replacement of guttering and downpipe and external painting. Despite the applicant's intentions to undertake these repairs, considerable time has elapsed since he first contacted Council in respect of undertaking the work, ie a period of more than two years. For this reason, it is considered desirable that the applicant be advised that the cottage does require urgent repair works and be requested to indicate to Council the time frame for these works to occur.

Recommendation

That the applicant be advised that the dwelling adjacent to the barn is in need of repair and that he be requested to undertake these repairs and indicate a likely completion date.

Further, that the information within the report be considered by Council in determining whether or not to allow demolition of the barn.

The Committee inspected the site.

COMMITTEE'S RECOMMENDATION

THAT COUNCIL SUPPORT the demolition of the barn and request the concurrence of the Department of Planning subject to Council having first option at no cost of the demolished materials for utilisation at Australiana Pioneer Village or other building programmes as determined by Council.

That the applicant be advised that the dwelling adjacent to the barn is in need of repair and that he be requested to undertake these repairs and indicate a likely completion date.

Item 2:	(File DA 356/89) wp. 18-6-90
Development Application:	**Erection of a dwelling**
Applicant:	Colin Semple
Owner:	J.R. Walmsley
Land & Location:	Lot B DP 164013, Settlers Road, Wisemans Ferry.
Area:	1.53 ha
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Environmental Protection (Scenic) 7(d1)
Advertising:	Not required by Council's policy.
Date Received:	3rd October, 1989. The application required additional information which was supplied on 8th March, 1990.

REPORT (M.T.P.)

This matter was deferred from the meeting of 8th May, 1990, for an inspection of the site. Following is the report that went to the meeting for the Committee's information.

"The application is to erect an elevated two storey "pole house" dwelling on the subject vacant land which has frontage to the Macdonald River. It is proposed to site the dwelling 15 metres from the high water mark.

The plans indicate that the lower habitable floor would be elevated approximately 2.5 metres off the ground. There would be another floor located on top of this and the dwelling would have a maximum height of 8.5 metres.

Following an inspection of the land the applicant was requested to provide spot heights on the land to ascertain its flood liability. The applicant was also referred to previous resolutions of Council requiring a 30 metre building line to the high water mark or bank of the river.

The applicant has now provided a survey report prepared by a registered surveyor which indicates that the proposed dwelling site has a level of approximately 1.41 metres to 1.62 metres, Australian Height Datum. The estimated flood frequency levels for the land are as follows:
1 in 20 year level - 4 metres A.H.D.
1 in 50 year level - 5 metres A.H.D.
1 in 100 year level - 5.7 metres A.H.D.

Subclause 25(3) of Hawkesbury Local Environmental Plan 1989 requires that the floor level of any habitable room shall be at a level of not less than the 1 in 100 year flood level. Subclause 25(4) stipulates that in respect of an application to erect a dwelling, the height of the floor level of any habitable room in the building shall not exceed 3 metres above the existing ground level. Therefore the habitable floor of the subject application would have to be at least 4.08 metres off the ground, and would be contrary to the 3 metre requirement in subclause 25(4).

Clause 24 of the LEP requires Council to consider the overall height and siting of the dwelling as it is located in an Environmental Protection zone. In this regard it is considered that the proposed height of the dwelling is excessive and would be prominent when viewed from the Macdonald River. The proposed 15 metre setback from the river is considered to be inadequate.

The applicant has indicated that there are a number of dwellings in the area which would not comply with these provisions. It is possible that a number of dwellings in the Walmsley Road area were approved under Interim Development Order No. 3, Shire of Colo which did have a lesser flood standard. Whilst previous approvals are a relevant consideration in the application of State Environmental Planning Policy No.1, it is considered that this justification would be inadequate to support the application.

In order for Council to support the application pursuant to SEPP No. 1 it must be satisfied that the application of the standards are unreasonable and unnecessary in the circumstances of the case. It is relevant to note that the application is not only contrary to two standards in clause 25 but also arguably contrary to the height and siting considerations in clause 24.

Accordingly, the application should be refused.

Recommendation

That the application be refused for the following reasons:

1. Contrary to the provisions of Clause 25 (Development of flood liable land) of Hawkesbury Local Environmental Plan 1989.
2. Excessive building height.
3. Contrary to previous resolutions to maintain a 30 metre building line to the Macdonald River.
4. Not in the public interest."

The Committee inspected the site.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

See Item 11 (GPC)

Item 3:	(File DA 59/89)
Development Application:	**Filling of land for the erection of dwellings**
Applicant:	Mr Alann James
Owner:	Mr Alann James
Land & Location:	Lot 25 DP 742749, Lots 2 & 3 DP 246975, Palmer & North Streets, Windsor
Area:	3,336.6 square metres
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Lots 2 & 3 are zoned Residential 2(a) and Lot 25 is zoned Environmental Protection (Scenic) 7(d1)

Advertising:	Adjoining owners notified with submissions being received from Alva Maguire, Mrs Bongiorno and M & H McFadden.
Date Received:	13th February, 1989. Deferred on the basis of a request by the applicant.

REPORT (M.T.P.)

This matter was deferred from the meeting of 29th May, 1990, for an inspection of the site. Following is the report that went to the meeting for the Committee's information.

"The application was referred to Council's meeting of 9th May, 1989 and it was resolved that the matter be deferred to allow a further report to clarify the history of the proposal.

The application was then referred to Council's meeting on 13th June, 1989 and it was resolved as follows:

"That the applicant be advised that Council agrees to his request to defer consideration of this proposal however requires from him, prior to its consideration; an indication of the areas of land to be filled; an indication of batters to be created and their gradients; an indication as to the effect of such fill and subsequent development will have on drainage in the locality; elevations of the buildings proposed and their location on site."

The applicant subsequently supplied plans indicating the proposed development on the three lots together with finished levels and a report was drafted to the next General Purpose Committee meeting. The application was requested to be deferred by the applicant and the report was not listed in the business paper.

Recently, the applicant has advised that he is now available to attend a Committee meeting and has requested that the application be listed for consideration.

The plans which were submitted for the future development of the land indicate six townhouses on lots 2 & 3 and a proposed 2 storey building on the corner lot 25. The applicant has in correspondence indicated that the 2 storey building will be used as a dwelling.

Statutory Situation

A search of Council's records indicates that Interim Development Order No 31 - Municipality of Windsor, made in June, 1976 permitted the filling of the rear section of lots 2 and 3 to a level not less than 12.2 metres provided the floor level of the dwelling was not less than 15.0 metres, this being the applicable criteria at the time. It would appear that lots 2 and 3 have been filled generally in accordance with this approval.

In relation to lot 25 there is evidence of building approvals on lot 25 and the other filled land which fronts North Street, namely lots 22, 23 and 24. These building approvals were issued in 1973. It would seem that lot 25 was filled at the same time as the adjoining lots 22, 23 and 24. There is evidence of strip footings on lot 25 further supporting the existence of a building approval.

As a building platform exists on lot 25 above the 1 in 10 year flood frequency level (12.2 metres) which predates the appointed day (6/4/84), clause 25 provides that the land may be filled to the 1 in 20 year flood frequency level (13.4 metres) and that a two storey dwelling may be erected with the habitable floor at the 1 in 100 year flood frequency level (16 metres). The application proposes to fill this land to the 1 in 20 year level (approximately 900 mm of fill) but to reduce the potential for drainage problems on adjoining land the applicant has advised that he would consider not filling the land and elevating the 2nd floor an additional 900 mm.

The plans indicate that additional filling will be required on lots 2 & 3 to a maximum depth of approximately 1.2 metres. In addition, approximately 3 metres of fill would be required in a small section adjacent to the boundary of lot 4. This would be required to site the proposed unit 4, 2.5 metres from the boundary. It would also require a substantial retaining wall adjacent to the boundary of lot 4. This small area of filling is contrary to the provisions of clause 25 of Hawkesbury Local Environmental Plan, 1989. Subclause 2 provides that a building shall not be erected on any land lying at a level below the 1 in 10 year flood frequency level (12.2 metres AHD) at the appointed day for the area in which the building is to be located. Therefore, the proposed unit 4 is contrary to the provisions of clause 25 and should not be supported.

Public Notification

In response to the notification of adjoining owners, submissions were received from Alva Maguire, Mrs Bongiorno and M & H McFadden.

The submission from Alva Maguire states as follows:

> "As a resident of 20 North Street, Windsor, I wish to oppose land filling on Lot 25 DP 742749 and Lots 2 and 3 DP 246975 Palmer and North Streets, Windsor.
>
> My reasons for objecting are that it does not comply with the original conditions set out on these blocks of land, ie vehicle flood free access to George Street from lots fronting North Street, and does not comply with the surrounding area."

The adjoining owner of lot 24 Mrs Bongiorno has advised that she objects to the filling of Lot 25 and a subsequent dwelling for the following reasons:-

"* Lack of drainage to the rear of her land and adjoining lots.

* Lack of flood free access to the rear of the land. In this regard, she advises that it is difficult to evacuate these dwellings in times of flood. Firstly, it is not possible to get a truck close to her rear fence and secondly all of the contents have to be lifted over a timber dividing fence.

* Loss of sunlight (lot 25 is to the north east of lot 24).

* Loss of view.

* Visual inconsistency of a future dwelling on lot 25 with surrounding development."

M & H McFadden advise that they do not object to the application subject to adequate earth retaining, and a building line to Palmer Street.

Planning Assessment

Access to the land is flood liable however it is a similar situation to the adjacent 3 houses which are also on flood liable land (ie No.'s 19, 21 and 23 North Street).

In relation to the objection by Mrs Bongiorno, it is not considered that the existing views from lot 24 are significant as the dwelling is not orientated to take advantage of them. However, the loss of sunlight and the general appearance of a future dwelling on lot 25 cannot be so readily overcome.

The drainage problem which could be caused by filling on lot 25 could be remedied by permitting the development on the existing surface with the second floor of the dwelling being an additional 900mm above the ground. This would place the habitable floor (second floor) of the dwelling approximately 3.5 metres above the existing level of the land. Hawkesbury Local Environmental Plan 1989 requires that the habitable floor be not more than 3 metres above the existing ground level. Consequently the applicant would need to satisfy Council through an objection pursuant to State Environmental Planning Policy No. 1 that the 3 metre requirement is unreasonable and unnecessary in the circumstances of the case.

In relation to the appearance of the future dwelling on lot 25 it will be inconsistent with the 3 adjacent single storey houses (No's 19, 21 and 23 North Street). However it would be consistent with any future townhouse development on the adjoining lots 2 and 3 and also with other development which has frontage to Palmer Street.

As lot 25 achieved the 1 in 10 year flood frequency level prior to the appointed day specific provision is made for its further development in Hawkesbury LEP 1989. In these circumstances the application should be supported subject to appropriate conditions.

Recommendation

A. That the filling of lots 2 and 3 DP 246975 to permit residential development be approved subject to the following conditions:

   1. All filling and any future development to be located to the south west of Council's sewer line and generally in line with the existing dwelling on lot 4.

   2. The filling is not to exceed an ultimate land surface of 13.5 (thirteen point five) metres AHD.

   3. Adequate drainage be provided along the common boundary with lot 4.

B. That the filling of lot 25 not be permitted but that the applicant be advised that Council would consider a development application for a dwelling with the habitable floor (1st floor) at the 1 in 100 year flood frequency level (16 metres AHD). The application would need to be supported by an objection

to the requirement that the habitable floor not be more than 3 (three) metres above the ground.

C. That the applicant be advised that Council would require as a condition of development consent for lot 25 half road construction and kerb and gutter for the frontage of the land to Palmer Street.

D. That the Manager of Environmental and Building Services be provided with delegated authority to determine the development application for a dwelling on lot 25."

The Committee inspected the site at 8.15 a.m.

COMMITTEE'S RECOMMENDATION

A. THAT THE FILLING of lots 2 and 3 DP 246975 to permit residential development be approved subject to the following conditions:

1. All filling and any future development to be located to the south west of Council's sewer line and generally in line with the existing dwelling on lot 4.

2. The filling is not to exceed an ultimate land surface of 13.5 (thirteen point five) metres AHD.
3. Adequate drainage be provided along the common boundary with lot 4.

B. That the filling of lot 25 not be permitted but that the applicant be advised that Council would consider a development application for a dwelling with the habitable floor (1st floor) at the 1 in 100 year flood frequency level (16 metres AHD). The application would need to be supported by an objection to the requirement that the habitable floor not be more than 3 (three) metres above the ground.

C. That the applicant be advised that Council would require as a condition of development consent for lot 25 half road construction and kerb and gutter for the frontage of the land to Palmer Street.

D. That the Manager of Environmental and Building Services be provided with delegated authority to determine the development application for a dwelling on lot 25."

E. That clarification of aspects of subsequent development, shadow effect and drainage be reported with subsequent development applications for town houses.

F. That a right-of-way be created across the rear of Lots 3 and 4 for access in times of flood to those properties fronting North Street.

Item 4: (File 220/89)

Subject : Mendfield Pty.Ltd. - Caravan Park, Cabin Accommodation and Convention Centre - Lot 3 DP 717341, Chaseling Road, Leets Vale.

The Committee inspected the site.

COMMITTEE'S RECOMMENDATION altered

THAT THE MATTER be deferred pending clarification from the Public Works Department as to their stance on the proposal.

The meeting terminated at 1.40 p.m.

SECTION 3 - FINANCE

ITEM 1: ACCOUNTS PAID, STATEMENT OF BANK BALANCES AND TOWN CLERK'S CERTIFICATE, FORM 2, AND SCHEDULE OF INVESTMENTS [20.791]

COMMITTEE'S RECOMMENDATION

THE ACCOUNTS SUBMITTED be confirmed as shown hereunder, and that the Statement of Bank Balances as shown in Form 2 showing the position of the Bank Accounts be received.

General Fund Nos.	86847 - 87462	$9,527,661.91
Trust Fund Nos.	7720 - 7771	$2,807,511.01
		$12,335,172.92

ITEM 2: (File 625-214W) [20.792]

SUBJECT: APPLICATION FOR RESTAURANT LIQUOR LICENCE - MR W CHAN

REPORT (TC/GM)

As Council will be aware, the kiosk located within the Ham Common Bicentenary Park, Clarendon was recently leased to Mr William Chan for usage as a kiosk/restaurant.

Mr Chan has commenced trading on the premises and seeks Council's consent to his application to the Licensing Court of New South Wales for an On-Licence (Restaurant) Liquor Licence.

It is noted that the sale and serving of alcoholic beverages to restaurant patrons is consistent with the use of the premises.

Recommendation

That no objection be raised to the application from Mr William Chan for an On-Licence (Restaurant) for the "Deep Ocean Seafood" Restaurant, located within the Ham Common Bicentenary Park, Clarendon.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 3: (File C50/12) [20.793]

SUBJECT: HAWKESBURY CIVIC NEWS

REPORT (TC/GM)

During 1989, two editions of the public information document entitled "Civic News" were produced and distributed.

The publication was distributed through both the Hawkesbury Gazette and the Courier having initially been prepared by Council staff and published and distributed by Hawkesbury Newspapers, North Richmond

It is considered that "Civic News" is a valuable means of communicating a wide range of information concerning Council and Council activities, therefore assisting in a better understanding of Council's policies and operation.

It is considered that Council should proceed with further editions of "Civic News", producing it on two occasions throughout the year.

Hawkesbury Newspapers have submitted the following quotation for the preparation (re sub-editing and layout) and printing of each issue of "Civic News" for 1990:

22,500 copies inserted in Hawkesbury Gazette and Hawkesbury Courier	$5667
8,500 copies in Hawkesbury Gazette only	$3943

The costs involved with producing "Civic News" on recycled paper have been given some preliminary investigation, indicating that the use would almost double the cost.

Recommendation

That the quotation of $5,667 (five thousand six hundred and sixty seven) per issue from Hawkesbury Newspapers be accepted and that there be further investigation into the use of recycled paper for future issues of "Civic News".

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 4: (File L125-2) [20.794]

SUBJECT: REVIEW OF ALLOCATION OF STATE GOVERNMENT FUNDING TO LOCAL GOVERNMENT LIBRARIES

REPORT (C.L.)

Notifying that the State Librarian is convening a meeting of all Metropolitan Chief Librarians and elected representatives to discuss the Review of Allocation of State Government Funding to Local Government Libraries.

The venue for the meeting is the Metcalfe Auditorium on Level 8, State Library, at 3.30 pm on Friday, 1st June, 1990.

A discussion paper has been prepared by the Working Party and is available at the library.

The proposed formula includes the following elements:

1. Base Grant
Allocated to every council for at least a minimum level of funding for public library services.

2. Population Grant
Allocated on the basis of the number of residents in each local government area and on the latest published ABS figures (this is currently June 1988).

3. Disability Loading
Determined by the application of disability factors for population distribution, isolation and demographic factors (eg Non-English speaking, aged, children). The factors used are calculated by the NSW Local Government Grants Commission and apply where a council has higher than the State average percentage of these groups in their population.

4. Performance Incentive
In the first year a standard amount to all councils is suggested but in the second and subsequent years this amount will only be available to those councils which maintain their level of net expenditure on library services. It is planned that eventually these funds will be assigned according to output performance measures which demonstrate quality library services.

5. Special Grants
Available on application to the Library Council of NSW, categories:
Development Grants
Networking & Co-operative Activities
Capital Works
State-wide Activities

It is recommended that the formula to be supported by Council be one that provides for a loading to growth areas, which has not been included in the elements above. Also, that an indication of Aldermen who wish to attend the meeting on 1st June be provided at today's meeting.

Recommendation

That the formula to be supported by Hawkesbury City Council include special provision for growth areas.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 5: (File T216) [20.795]

SUBJECT: THE (02) TELECOM ZONE EXTENSION WORKING PARTY

Council at its meeting of the 14th November, 1989 considered a report in regard to an initiative of Wyong Shire Council in seeking the support of Councils servicing local government areas on the fringe of the Sydney metropolitan area and not included in the (02) Zone in preparing a joint submission to Telecom Australia for an extension of the (02) zone local call rates to include their respective areas.

Council agreed to support the proposal through providing administrative support for the preparation of the submission and to make the necessary representations. The Senior Administration Officer is a member of the Working Party established to prepare the joint submission and to consider and develop appropriate action plans.

The Working Party has met on a regular basis and at this point in time, has prepared a draft submission which is to be reviewed by professional public relations consultants and a printing firm is to be engaged to produce the final document which will ultimately be submitted to the Minister for Communications and Telecom Australia. The Working Party is in the process of developing a comprehensive Action Plan which will involve an intensive media campaign and lobbying of Members of Parliament for their support for the campaign. In conjunction with the Action Plan, the Working Party has drafted a petition which is proposed to be circulated throughout the respective local government areas and the Working Party seeks the support of this Council in distributing the petition throughout the Hawkesbury community.

Recommendation

That Council support the distribution of a petition throughout the City seeking the support of the community for the review of Telecom's existing zoning and charging policies.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 6: (File S89/46) [20.796]

SUBJECT: REPORT OF COMMITTEE OF INQUIRY INTO LOCAL GOVERNMENT RATING AND OTHER REVENUE POWERS AND RESOURCES

REPORT (TC/GM)

One copy of the above report has been received. Further copies have been ordered and four of these will be placed into the two libraries and made available for reference.

The Department of Local Government has indicated it will accept comments over the next three months. A detailed report is being prepared for the Council's consideration and subsequent determination.

The Minister for Local Government has decided to establish a task force to consult with various community interest groups and report to him by December 1990. The Local Government & Shires Association will be represented on the task force.

Recommendation

That information regarding the report of the Committee of Inquiry into Local Government Rating and other Revenue Powers and Resources be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 7: (File 4010.1c, 4013c.) [20.797]

SUBJECT: FARMLAND RATING - N.M. & H.J. CARNEY, SINGLETON ROAD, EAST KURRAJONG

Reports were submitted to Council in May 1989 concerning correspondence and applications for "Farmland Rating" made by N.M. & H.J. Carney of Singleton Road, East Kurrajong.

In 1986 Mr. Carney was requested to complete a form, which had been adopted by Council, in substantiation of his application for Farmland Rating (at that time it was known as Rural Rating). Mr. Carney did not submit the application and appealed to the Land & Environment Court against the levy of the General Rate on his property. The appeal was heard by Assessor Stewart who found in Council's favour and that Mr. Carney had not "discharged the onus of proof" that the land was Rural as required by the Local Government Act.

A further appeal was lodged by Mr. Carney to the Court, which was heard by Justice Bignold. A decision was made by the Court that Assessor Stewart had erred at Law in his judgment by failing to give adequate reasons for his decision and referred the matter back to him for further assessment and decision. This matter was then heard by Justice Cripps in June, 1989 (some 3 years after the original hearing), who found that there was no failure to give adequate reasons sufficient to constitute an error at law and dismissed the appeal with costs.

Appeals were lodged with the Land & Environment Court for 1987 and 1988 rating years against the levy of the General Rate on the property. Again Mr. Carney failed to lodge the application forms adopted by Council for assisting in the determination of the eligibility for Farmland Rating. Whilst some information was provided in the letters submitted as an application, there was insufficient information to make a proper determination and inadequate documentation for public accountability.

In September 1989 Assessor Nott dismissed the appeals for 1987 and 1988 on the basis that the land, the subject of the appeals, was not wholly or mainly used for the carrying on of the business of orcharding.

Mr. Carney also lodged an appeal against the levy of the General Rate for the 1989 rating year. Mr. Carney owns two properties which are adjoining and assessed as one property for Farmland Rating. However, only one appeal was lodged with the Land & Environment Court for 1989 in respect of one of the properties owned by

Mr. & Mrs. Carney. Some considerable confusion resulted in the Court hearing in regard to the incorrect notice served on Council and the particular appeal before the Court. The matter was subsequently dismissed by the Court, and although costs could not be awarded, the Assessor suggested that it may be appropriate to make application to the Chief Judge to award costs. This was subsequently done by Council's Solicitor and costs were awarded in Council's favour.

An appeal has again been lodged for the 1990 rating year by Mr. Carney against the levy of the General Rate on the properties owned by Mr. & Mrs. Carney. Again the request for Farmland Rating has been made by correspondence and, despite requests to complete the adopted form by Council, none has been forthcoming. The appeal was listed for mention on 1 May 1990 and again on 22 May 1990 and has been stood over until after the Ordinary Meeting in June to enable the matter to be considered by Council.

Whilst there is no statutory requirement under the Local Government Act in relation to Farmland Rating for a form to be completed by an applicant to have their land declared as "Farmland", it is felt that the form adopted by Council provides good documentation for public accountability and record purposes. It should also be noted that all other persons applying for Farmland Rating have completed the Council form.

In an endeavour to have this application determined without further resort to the legal system and to save further costs for having Council represented in Court by Counsel, an inspection of the two properties was carried out on 28 April 1990.

The new provisions of the Farmland Rating legislation were adopted by Council in 1989. Along with the new provision of Section 118 of the Act and the use of the land currently being carried on by Mr. & Mrs. Carney, it is felt that the land could be determined as "Farmland".

The inspection of the properties was carried out by two Council Officers and revealed that the activities being conducted were of sufficient size and nature to be consistent with those Farmland assessments conducted elsewhere in the City area. It was found that the activities included the following:

- approximately 35 acres of orcharding consisting of fruit trees in various stages of growth;

- the Blood Plums and Nashi Pears were advanced trees and appeared to be able to bear commercial quantities of fruit;

- exotic fruit, including persimmons, kiwi fruit, citrus, raspberries, feijoas, chinese raisins, guavas, quince, almond and bay leaf, and white sapotes were of an experimental nature and could conceivably be a commercial product if fully developed and possibly an export market potential;

- approximately 5 acres related to the houses, sheds and respective curtilages. Only one of the houses was occupied for residential purposes with the rear of one of the packing sheds having been converted to residential accommodation for students;

- approximately 5 acres were under cultivation for the establishment of flower production industry. This was being conducted on a share-farming basis;

- the remaining area, approximately 15 acres, was natural bushland or undeveloped areas along with 3 dams, one being a large dam and two smaller dams. The dams are the water supply for an extensive irrigation system. There were some natural trees, such as Stringybark and Ironbark, which are a valuable timber tree, contained within the natural bush areas. This timber is a valuable resource, particularly for fencing materials and the like.

Mr. Carney also stated during the inspection that the properties did not make gross profits in the last year due mainly to the poor weather conditions and the significant costs of developing the exotic fruits which have not yet come into production. Also, he advised that he was conducting experiments with the Agricultural Division of the University of Western Sydney, Hawkesbury into various production processes and marketing. Production sales related to mainly the sales of 300-400 trays of Blood Plums and 500 cases of Nashi Pears (complete records were stated to be with the owners' accountant).

Whilst Mr. Carney has not completed the Farmland Application form required by Council it is felt that, from the information obtained by inspection and the statements made by the owner at that time, there is sufficient justification for Council to determine that the two properties, being Lot 2 DP 579699 and Pt. Portion 104 Singleton Road, Wilberforce, be declared as Farmland.

Recommendation

That Lot 2 DP 579699 and Pt. Portion 104 Singleton Road, Wilberforce be declared as Farmland under Section 118 of the Local Government Act.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 8: (File 625-7) [20.798]

SUBJECT: FEES AND CHARGES - MCMAHON PARK

The Management Committee of McMahon Park has recently written to Council expressing concern about the level of income which it is able to raise for fees and charges for use of the Park and the relationship between that income and the outgoings for the ongoing care, control and management of this facility.

Included with the correspondence was the Secretary's Report for 1989/90 which detailed the achievements of the Committee during 1989, the matters of concern for the future ongoing care, control and management of the Park and the 1990 Draft Budget for McMahon Park. Detailed below is a copy of that budget.

INCOME

Seasonal Hire

. Colo Soccer Football Club Inc.	$215	
. Dodgers Softball Club	110	
. Kurrajong Bilpin Little Athletics Centre Inc.	110	
. Kurrajong Playgroup	150	
. North Richmond Cricket Club	110	$695
Casual Hire		350
TOTAL INCOME		$1045

EXPENDITURE

Park Improvements

. Contribution to Passive Recreation Project	1000	
. Contribution to Oval Expansion	1000	$2000

Recurrent Costs

. Prospect Electricity - floodlighting & pavilion	1850	
. Prospect Electricity - irrigation pump	900	
. Playing Surface Maintenance	1500	
. Public Liability Insurance	350	
. Water Board	100	$4700
TOTAL EXPENDITURE		$6700
DEFICIT		$5655

The Committee has also had meetings regarding the scale of charges which they have adopted for 1990. Concern has been expressed at the level of these charges over and above those charged by Council for use of sporting venues for which Council has the control and management. In the schedule below of the scale of charges for 1990 the figures in brackets are those which have already been adopted by the Committee and are in use, adjacent to which are the suggested amended fees by the Committee to bring the scale of charges more in line with those in use by Council.

SEASONAL HIRE

Colo Soccer Football Club Inc.	($250)	$215
Dodgers Softball Club	(100)	110
Kurrajong Bilpin Little Athletics Centre Inc.	(250)	110
Kurrajong Playgroup	(150)	150
North Richmond Cricket Club	(250)	110

CASUAL HIRE

Single Use

Sporting Oval	(50)	50
Synthetic Cricket Pitch	(15)	15
Pavilion	(40)	40

Recurrent Use

All Facilities - full day	(35)	35
" " - half day	(20)	20

In December 1989 Council adopted the fees and charges for the use of recreation facilities by the various sporting groups. It is suggested that it is not appropriate to revise the fees for 1990 and having to now forward amended accounts to each of the organisations. Any review of the scale of charges should be reviewed for 1991.

Staff are currently reviewing the major recreation plan for the whole of the City. As part of the preparation of that plan, a review will be undertaken of all fees and charges for sporting venues. This will not only include the venues which are controlled and managed by Council, but also those facilities which have been delegated the care, control and management to Community Management Committees.

In line with many opinions being expressed as part of the review of the Local Government Act and the review into Local Government Rating and Revenue Resources, the principle of "user pay" is frequently being discussed and recommended as a method of increasing Council's resources. In line with this principle, the preparation of the recreation plan will take into account the "user pay" principle and, possibly, the development of an overall scale of charges applicable to all facilities, including those recreation areas under the control of Community Management Committees. Along the line of the "user pay" principle, as is the case with any other sporting venue, the users of that venue are required to pay for the electricity charges in connection with floodlighting for the time used by the groups. These electricity charges are then direct billed by Prospect Electricity to one of the user groups, who pass on the charges to other users. These costs are consequently not reflected in the hire charges levied in respect of sporting venues under the Council's control. This policy should also be adopted by the McMahon Park Management Committee.

In regard to the electricity charges for the irrigation pump, it is suggested that Council provide financial assistance to the Management Committee and reimburse the direct costs levied by Prospect Electricity for this service. This could also apply to the public liability insurance and water rates charges.

As detailed in the draft budget for 1990 submitted by the Park Management Committee, there is a deficit estimated to be $5,655 for the year. It has been Council's policy to provide financial assistance to all the Management Committees who have been delegated care, control and management of Council's assets where appropriate for each individual Committee. It is to be noted from the statement that provision has been made in the budget for park improvements of $2,000. The Management Committee has also recently been advised that it was successful in its application for a grant from the Department of Sport, Recreation and Racing for an improvement programme of $7,400 for a total programme of approximately $15,000

to purchase new equipment and upgrade the passive recreation facility within the Park. On 13 March 1990 Council also adopted a programme of $30,000 from the allocation of funds received under Section 94 of the Environmental Planning and Assessment Act towards the McMahon Park improvements. Whilst McMahon Park was to contribute $1,000 towards the grant programme, the balance of the funds being provided by Council, it is now felt that the total funds for the programme of $7,600 to match the grant could be provided from the Section 94 contributions allocation. The funds of $1,000 required for the oval expansion, as detailed in the budget by the Committee, could also be funded from the $30,000 allocation under Section 94 contributions.

Recommendation

That the McMahon Park Management Committee be advised:

1. Council is currently preparing a recreation plan, part of which will address the level of fees and charges for all sporting venues within the City area, including those under the care, control and management of Community Management Committees, in an endeavour to provide some parity with the charges for each venue.

2. Council allocated in March 1990 $30,000 (thirty thousand) for improvement works to McMahon Park. The matching funds for the grant provided by the Department of Sport, Recreation and Racing can be provided from these funds.

3. To use the charges adopted by Council for the remainder of the year, and in doing so that Council will meet the shortfall, upon the submission of details.

4. The $1,000 (one thousand) provided in the draft budget for contribution to oval expansion be provided from the $30,000 (thirty thousand) allocated by Council.

5. The cost of electricity for floodlighting and the pavilion be charged by the Management Committee to the user groups on a proportion of usage basis, as is the practice with other sporting venues.

6. Council will reimburse the Management Committee the cost of electricity for the irrigation pump, public liability insurance and water rates levied on McMahon Park. Reimbursement will be made upon copy of a receipt for the payment of costs incurred, or proper invoice documentation.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

QUESTIONS WITHOUT NOTICE [20.799]

Alderman Rotherham asked for an update on the status of Council's legal action with the owners in regard to the Orange Grove Mall and the carpark.

The Town Clerk/General Manager advised that action has been taken and there has been some correspondence between the respective Solicitors for each party, but there has been no hearing. He further advised that Council decided some years ago that it should bring that particular carpark into public ownership because it was a carpark in a major town area. There were certain options concerning the purchase and the owners would not agree to the purchase at the valuation given by the Council. When the matter subsequently went to Court, the Court was asked to assess the carpark's valuation at the commercial valuation less the carparking contribution that would have been required if it had been paid by that development if it did not have to build the carpark. The Court made the decision that the Council should pay the full valuation and there was no deduction for the carpark. Based on that decision the Council was advised by its Solicitors that it should take action against the owner for not providing carparking with the development. This is the action which is currently before the Court. The Town Clerk/General Manager stated that a significant amount of some $300,000 was paid some considerable time ago.

Alderman Books referred to a request for garbage bins to be provided in Thompson Square. He stated that every weekend people in Thompson Square leave their rubbish on the chairs and tables because there is nowhere else to put them.

The Manager of Operations advised that this matter is in hand.

Alderman Books referred to a previous request for consideration to be given for the provision of steps in front of the Museum building. He stated that people are having a lot of problems trying to get up the steep grassy bank to get into the Museum. He stated that the driveway is slippery and dangerous.

The Manager of Operations advised that the provision of steps would require handrails and that is the reason that steps were not put there previously.

The Mayor asked that the Manager of Operations work with the Historical Society to see what can be done.

Alderman Books referred to a request he had received for the provision of street lighting in the laneway down towards Clergy Road.

The Town Clerk/General Manager advised that the lane is private property and the Council is currently resuming it to make it a public lane. After it has been proclaimed a public lane consideration can be given to streetlighting.

Alderman Books asked if a street light could be installed at the entrance to the lane.

The Manager of Engineering Services undertook to obtain a costing from Prospect Electricity.

Alderman Books referred to the culvert on the corner of Macquarie and Ham Streets where the guide posts have been knocked out and stated that there is nothing there to indicate that there is a drop of about 4 ft. into the culvert.

Alderman Benson asked what reply has Council received regarding the resolution concerning the financing of the management plan for the Pitt Town Bottoms.

The Town Clerk/General Manager stated that the question relating to the Lagoon had only gone to the last meeting of Council two weeks ago.

Alderman Benson referred to a resolution of Council concerning the sand mining proposition in Pitt Town and sought information in this regard.

The Manager of Town Planning undertook to ascertain the current situation and advise Alderman Benson accordingly.

The Mayor stated that Mr.Johnston had indicated to him recently that he is now in favour of residential development or some development over his property.

Alderman Denne referred to the provision of a "Right Hand" turn going up into Grose Vale Road from Bells Line of Road. She stated that traffic is right back to the school on most mornings. Also traffic is flowing very thickly in Charles Street. Alderman Denne asked if the Traffic Authority could be approached to expedite the provision of the "Right Hand" turn. Alderman Denne also referred to the counter in Pecks Road.

The Manager of Engineering Services undertook to approach the Roads & Traffic Authority with a view to expediting the "Right Hand" turn phase in the signals. He stated that the traffic count is being undertaken by Council and that there is a manual count to be done as well.

Alderman Denne referred to Bells Line of Road and stated that when the Traffic Authority decided to put a double line going past Pitt Lane, they did not paint it far enough, it was to go through to the hotel. She stated that this is becoming a very dangerous area.

The Manager of Engineering Services stated that he would investigate the matter and advise Alderman Denne.

Alderman Denne referred to the provision of seating in Tamplin Field.

The Manager of Engineering Services stated that he would look into the matter and advise Alderman Denne.

Alderman Michael referred to the lights on the corner of Grose Vale Road and Bells Line of Road and stated that he recalled that Council paid for the lights and asked if Council wanted the extension "Right Turn" light, will Council have to pay for that as well.

The Town Clerk/General Manager advised that Council would not have to pay for the extension.

The meeting terminated at 5.00 p.m.

REPORTS FOR DETERMINATION

SECTION 4

FINANCE AND ADMINISTRATION

1. DEPARTMENT OF FAMILY AND COMMUNITY SERVICES REVIEW OF COMMUNITY SERVICES GRANTS PROGRAMME. C45

Council received a report on the intention of the Department to alter the structure of the Community Services Grants Programme, under which Councils and community organisations receive funding to develop and carry out social welfare activities. Council's recommendations were forwarded to the Department and were part of over 360 written submissions which were received regarding the restructuring of the present method of funding. Council recommended further discussion take place with Councils and community organisations.

As a result of these submissions, a second Discussion Paper has been prepared, with a request from the Minister, Virginia Chadwick, for comments to enable the preparation of a final report for consideration in July, 1990. In the new proposal eight priority population groups are identified:-

- isolated and disadvantaged families and local communities
- older people
- young people
- women
- families in crisis or under stress
- young people in crisis or under stress
- Aboriginals
- people of non-English speaking background

Funding will be allocated within two programmes. The Community Resources Programme which "will provide preventative and developmental services to support families and communities and help reduce the need for crisis services". The second is to "provide specific crisis services for high risk and vulnerable children, adolescents and families" and will be known as "The Family and Child Support Programme". Funding will be allocated using a "needs based planning approach", rather than the present submission model.

The second discussion paper makes provision for funding to Local Government for community development and youth support as under the present system.

One matter which could cause concern is in the method of determining funding priorities under a "needs based planning approach". The Department has attempted this process in the House and Community Care Programme, which local community organisations feel disadvantage the Hawkesbury Local Government Area. In transferring this approach to the Community Services Grants Programme, it may be found that the population of Hawkesbury City may not support the funding of

specialised programmes and the shift will be towards either the funding of organisations with an "across the board" approach, or including Hawkesbury as a part of adjoining local government areas in addressing the needs of the identified priority population groups.

The Discussion Paper does make reference to the development of services to residents of new estates, which was one matter referred by Council, to the Department, in response to the first discussion paper.

IT IS RECOMMENDED THAT the Department of Family and Community Services be requested to give consideration to the following recommendations:

1. That if a needs based planning approach is to be implemented in the Community Services Grants Programme, a valid, reliable and workable method of needs assessment be developed in consultation with Councils and community organisations;

2. That provision also be made for the delivery of specialised services to isolated communities and in areas where such services are currently functioning to meet a demonstrable community need.

2. STAFF MATTERS. S1/8P

The following resignations have been received:

Miss Tereesa Hall, Town Planning, effective 27th April, 1990;

Gladys Reed, Family Day Care, Community Services, Administration, effective 8th June, 1990;

Miss Cathy Puzey, Stores Clerk, Finance, effective 8th June, 1990;

Mr Daryl Hagger, Finance Manager, effective 15th June, 1990.

IT IS RECOMMENDED THAT resignations be accepted and references be issued under the Common Seal of Council.

3. CONTRACTS AND DOCUMENTS FOR EXECUTION UNDER SEAL OF COUNCIL. C51, I112/21

IT IS RECOMMENDED THAT the Seal of Council be affixed to the following documents:

Leases

- Mr R & Mrs L Ross - residential lease in respect of 4 Macquarie Road, Wilberforce for 6 (six) months at a weekly rental of $170.00 (one hundred and seventy).

- Mr N & Mrs A Karaviotis - 3 (three) years plus 3 (three) year option. Renewal of lease agreement for Shop 2, McGraths Hill Shopping Centre. Initial annual rental $7,800 (seven thousand eight hundred) plus 28.38% (twenty eight point three eight) of outgoings for the complex.

- Ryloz Holdings Pty Ltd - 3 (three) years plus 3 (three) year option. Renewal of lease agreement for Shop 3, McGraths Hill Shopping Centre. Initial annual rental $7,800 (seven thousand eight hundred) plus 28.38% (twenty eight point three eight) of outgoings for the complex.

- Mr P Barlow - 3 (three) plus 3 (three) year option. Renewal of lease agreement for Shop 4 McGraths Hill Shopping Centre. Initial annual rental $6,500 (six thousand five hundred) plus 19.84% (nineteen point eight four) of outgoings for the complex.

Deed of Agreements - Between member Councils of Westpool to vary the original Deed of Agreement and the Memorandum of Cover in accordance with adopted policies. The documents have been endorsed by both the Westpool Management and Executive Committees.

4. HAWKESBURY DISTRICT EISTEDDFOD SOCIETY - DONATION. D64

Correspondence has been received from the Hawkesbury District Eisteddfod Society, requesting continued sponsorship for the 1990 Hawkesbury District Eisteddfod.

An audited statement of Income and Expenditure was provided which detailed as at 31 December, 1989, the Society had assets to the value of $2206.07 represented by bank deposits.

In the past, Council has made a donation towards the annual Eisteddfod and it is felt this support should be continued. It is also considered that Council should receive recognition of its financial support to the Society and that this could be achieved by

the nomination of an award/prize at the annual eisteddfod. Provision has been made in the 1990 estimates for a donation of $1000.00.

IT IS RECOMMENDED THAT a donation of $1000.00 (one thousand) be made to the Hawkesbury District Eisteddfod Society and that the Society be requested to nominate an award/prize at its annual eisteddfod in the name of Hawkesbury City Council.

5. COMMONWEALTH BANK OF AUSTRALIA - RENEWAL OF LOAN, D23-36

Offering Council a renewal loan of $93,000.00 repayable over four years by half yearly instalments of $15,969.06 at an interest rate of 15.3% per annum for principal outstanding on a loan which matures on 1st July, 1990.

The loan offered repays a loan of $146,000.00 borrowed in 1986 on an eight years repayment basis and was renewable after four years.

IT IS RECOMMENDED THAT the offer be accepted and the Seal of Council be affixed to the mortgage documents.

6. LOCAL GOVERNMENT ASSOCIATION OF NEW SOUTH WALES - ANNUAL CONFERENCE 1990, C48

The Association has forwarded information regarding the Conference that is to be held between the 22nd - 24th October, indicating that motions must be received by the 20th July 1990 and that any received after that date will be referred to the Executive for decision.

Following the adoption at the 1988 Conference of the discussion paper "The Way Ahead" the Executive was empowered to introduce a new format emphasising consideration of discussion papers and motions seeking to alter policy. That the President had also referred to the importance of introducing changes to make the conference more worthwhile for participants and beneficial to Local Government. This would include focussing on policy matters rather than on the large number of routine issues which could be dealt with by the Executive within the existing policy. All requests for actions within the Association's policy can be considered by the Executive with minimal delay throughout the year.

Accordingly the Conference Committee and the Executive will look at each motion forwarded for debate to address whether its effect will be to determine a new policy or to alter the existing policy. Only those motions which do so will be included in

the Business Paper for debate, all others will be dealt with by the Executive at the October meeting.

The Association therefore asks Councils to carefully consider motions before submitting them to ensure they satisfy the above criteria. The Executive has also agreed that any motions not accompanied by detailed supporting cases will not be accepted.

The Council is entitled to four delegates and accordingly these should be elected at this time.

Nominations for the Executive are also being called and will be accepted until 5pm on Friday 20th July 1990. Forms are held for that nomination.

IT IS RECOMMENDED THAT information regarding the 1990 Conference be received and Council elect its 4 (four) voting delegates.

7. SALE OF LOT 100 MARCH STREET, RICHMOND TO HAWKESBURY COMMUNITY AND RSL HOMES TRUST. S89/99, P160/78, 2643w

Council has resolved to sell Lot 100 at the rear of the Senior Citizen's Centre to the RSL Homes Trust for the erection of a new nursing hospital. The basis of this agreement was that the Trust would transfer to Council Lots 1 and 4 DP 223656 in March Street and repay the balance of $60,000 to Council by way of mortgage of Lot 100, being the land acquired by the Trust. The Trust has now written as follows:-

> *"Reference is made regarding the purchase by the Trust of land at the rear of the Senior Citizens' building at Richmond and the sale to Council of Lot 2 DP 223656, 145 March Street and Lot 4 DP 223656 at the rear of 141-145 March Street, Richmond.*
>
> *Council had resolved to accept a mortgage of $60,000.00 on the existing Nursing Home pending the sale of the building, following the completion of the new Nursing Home.*
>
> *Because of delays and difficulties the new Home has not yet started, but it is anticipated that it would start in July. In order to start we are making arrangements with Westpac bank to obtain the necessary shortfall between our own finance and the Government grant of $1.690 million, and they require a mortgage on the present building. Should this take place, then it is requested that Council accept second mortgage or delay payment until the building is sold.*
>
> *It is considered by our committee that its acquisition by Council would be in the public interest as it is owned by the community and should be retained as a*

community amenity. Our Committee would consider most favourable terms and would appreciate an urgent discussion with you to bring Council up to date with the current financial position of the Trust."

Indication has been given to the Trust that Council's financial resources at the moment are such that it is not possible to acquire the property. It has been pointed out that there would need to be substantial changes in priorities and financial policy to be able to bring this property into public ownership. Council would need to make substantial alterations to its Capital Works Programmes and it is felt that this is not appropriate or a priority of financial policy.

The building is protected by a heritage order and accordingly, the public can be assured of its preservation. Consideration has been given to the options for effective use of this building. Such options have included an art gallery and other community uses, however, there are substantial capital works and interior alterations which would need to be undertaken and therefore, significantly increase the initial cost of the building. Notwithstanding the alterations that would need to be undertaken, it is still felt that the annual operation and maintenance cost would be quite substantial.

There is no objection to a delayed payment of the $60,000 provided that Council has a security over Lot 100 March Street or the existing site in West Market Street and the two properties, Lot 1 & 4 DP 223656 March Street, are transferred to Council.

IT IS RECOMMENDED THAT:

1. The Trust be advised Council is not interested in purchasing the existing building in West Market Street, Richmond.

2. That no objections be raised to a deferred payment of the $60,000 (sixty thousand) for 12 (twelve) months, provided Council has a security by way of mortgage or second mortgage over Lot 100 or the existing site in West Market Street, Richmond and that Lots 1 & 4, DP 223656 March Street be transferred to Council with vacant possession.

8. LOCAL GOVERNMENT ASSOCIATION - CONTRIBUTION FROM COUNCILS. L128

Hornsby Shire Council V Porter - Council has lodged an appeal with the New South Wales Court of Appeal against the decision by Chief Justice Cripps in the Land and Environment Court in November, 1989, which effectively requires Councils on the receipt of a building application, to notify adjoining property owners and persons whose enjoyment may be detrimentally affected by the building or building

alterations. The amount of $150.00 is being sought from each Council based on the standard formula for contributions to the Association.

(TC/GM - This decision is of importance to all Councils in the administration of building applications which could result in a very onerous obligation to notify people when a building application is lodged. It is felt that a contribution towards the legal costs involved in this appeal should be made.)

IT IS RECOMMENDED THAT a contribution of $150.00 (one hundred and fifty) be made to the Local Government Association towards legal costs in the appeal lodged by Hornsby Shire Council V Porter.

9. ACQUISITION OF DIGITAL CADASTRAL DATA. C74, M14

The Genasys computer system, being implemented, has an extensive computer aided mapping (CAM) system called Genamap which requires that all properties within the City area to be data captured in a digitised form for each of the co-ordinates of each property.

Discussions have been taking place with the Water Board and Central Mapping Authority/Land Information Council to purchase digital cadastral data of the City area to be used on the Genamap system that is being installed.

Following an announcement at Bathurst on Friday 25th May, 1990 by Mr R E Wilson, Managing Director of the Water Board, the Land Information Council will be now taking the Water Board data and marketing it with their own data for all of NSW.

The terms for the purchase of this digital cadastral data from the LIC are as follows:-

(a) $1.50 for land parcel payable as 25% upon order, 25% upon receipt of data and the remaining 50% within 12 months of receipt of data.
(b) Payment of an annual licence fee of 5% of initial purchase fee, adjusted in line with CPI increases for the Sydney region. The annual licence fee entitles the Council to obtain one updated data set per annum.
(c) The Council may produce printouts from the cadastral data for internal use but must not sell any such printouts without the approval of the LIC. The Council would not be able to sell any digital data.

It has been estimated that the City area contains a maximum of 30,000 land parcels and, on that basis, the cost at $1.50 per parcel would be $45.000.00 with an annual licence fee of $2250.00. Some of the outlying areas of the City has not been

adequately mapped, even under the manual mapping system. Digitising of these areas should be able to be carried out by Council staff and then sold back to the Land Information Council. Discussions are being held in this regard. However, it should be noted that the resources required for Council staff to digitise the whole of the area is cost prohibitive and more efficiently done by the Land Information Council as part of the development of a State-wide mapping base.

It is considered that the purchase of this data is critical to the implementation of Council's land information system and it is noted that an initial payment will be required on the placement of the order of 25%, being $11,250. There are a large number of authorities including Local Government placing orders with the LIC for the purchase of the cadastral data. The initial payment will secure a priority for these services. Funds were provided, as part of the implementation costs, for the purchase of the digital cadastral data at the time the tender for the computer system was accepted.

Comparative charges have been obtained from an independent consultant to capture the cadastral data base at between $5.00 and $7.00 per polygon parcel, which includes land and road parcels and therefore would be in excess of 30,000 land parcels.

IT IS RECOMMENDED THAT Council purchase the digital cadastral data for the City area at $1.50 (one dollar and fifty cents) per land parcel from the Land Information Centre, that Council pay $11,250 (eleven thousand two hundred and fifty) (25% [twenty five] of $45,000 [forty five thousand]) to allow the LIC to commence the capture of the data, and the necessary agreement be executed under Seal of Council.

10. APPLICATION FOR LEASING UNFORMED PUBLIC ROAD. 665-243

Council is in receipt of an application from Mr and Mrs P Heaton, Bells Line of Road, Bilpin, for the leasing of an unformed public road which adjoins their property, Lot 4 DP 209997.

Mr Heaton operates a tree lopping business and presently shares the use of a common right of carriageway with surrounding landowners for access to his property.

Following advertising of the proposal three submissions have been received. All submissions object to the proposal. Objections raised include:

- potential increase in heavy vehicle movements with a corresponding increase in dust and noise
- continued redirection of water away from the proposer's property

- reduced access by the landholder through which the proposed road would pass
- decrease in land value to the property through which the proposed road would pass
- denial of landholders to the south to subdivide
- invasion of privacy
- dangerous access to Bells Line of Road

An inspection of the site was conducted and a discussion held with Mr Heaton. Mr Heaton stated that during wet weather his trucks cannot gain traction along the carriageway. In order to overcome this, he has dumped and spread loads of gravel along the carriageway, to which no financial contributions have been received from the other users. He further stated that the higher speeds travelled by cars (as opposed to trucks) along the carriageway, scatters the gravel, thus requiring more to be laid.

There also appears to be some dispute regarding the drainage of the carriageway. Mr Heaton proposes to upgrade the unformed road to an all weather roadway for his exclusive use. The area is indicated by the hatched section on the plan which will be displayed at the meeting.

Should the proposal receive approval, it would be necessary to erect gates at either end of the hatched section to prohibit horses from straying onto adjoining properties.

In view of the above, approval of the request is not supported. This has been discussed with Mr Heaton and it is understood he will be approaching all users of the existing right of carriageway with a view to a mutual contribution towards its future upkeep.

IT IS RECOMMENDED THAT approval not be granted for the leasing of the unformed road adjoining Lot 4 DP 209997 as:-

(1) The existing carriageway is adequate, and if granted, the proposal would essentially duplicate the existing carriageway.
(2) The applicant should not be allowed exclusive use of a public roadway.
(3) The proposed exit onto Bells Line of Road is near a crest with subsequent limited visibility for motorists using Bells Line of Road and for vehicles ingressing and egressing from the driveway.
(4) The proposal is not in the public interest.

11. ROAD WIDENING - ROBERTS CREEK ROAD. S89/177

A subdivision application has been lodged by J Bowden & Co, being for land in Portion 92, Parish Meehan, Roberts Creek Road, East Kurrajong, for four lots, totalling 17.7 hectares. A plan will be displayed at the meeting.

It is proposed to rationalise the existing road. The new design requires two portions of Crown land to be dedicated for road widening. This is a necessary condition of the subdivision application. It is noted that the subdivider will be meeting all fees.

IT IS RECOMMENDED THAT:

1. Application be made to the Metropolitan Lands Office for dedication of Crown Lands, having areas of 1347m^2 (one thousand three hundred and forty seven) and 998.5m^2 (nine hundred and ninety eight point five), as a public road to facilitate subdivision roadworks.

2. All necessary documentation be completed under Seal of Council.

12. COMMONWEALTH BANK OF AUSTRALIA - 1989/90 LOAN BORROWING PROGRAMME. B23-36

Offering Council a loan of $200,000 repayable over four years, based on a twelve year repayment period at an interest rate of 15.1% per annum, the amount to be paid by seven equal half yearly instalments of principal and interest combined of $18,287.98 with a final instalment of $184,925.03.

The Bank is prepared to consider renegotiation of the outstanding amount at the expiration of the initial four year period.

This loan completes Council's 1989/90 Loan Borrowing Programme.

IT IS RECOMMENDED THAT the offer be accepted and the Seal of Council be affixed to the mortgage documents.

ENGINEERING

1. HAWKESBURY CANOE CLASSIC ASSOCIATION INC - GOVERNOR PHILLIP RESERVE. 625/205

Requesting use of Governor Phillip Reserve on Saturday, 3rd November, 1990 to conduct the annual Hawkesbury Canoe Classic, with exclusive use requested during 4.00pm - 6.00pm, for successive launchings. Requesting permission to erect 5 marquees, use of a public address system, as well as parking facilities to the right of the access drive.

(MES - The event is an annual one and has been supported by Council in past years. In accordance with past practice, Council will supply additional rubbish receptacles. Proceeds from the event are directed to charity.)

IT IS RECOMMENDED THAT approval be granted to the application by Hawkesbury Canoe Classic Association Inc for the use of Governor Phillip Reserve on Saturday, 3rd November, 1990, with exclusive use during 4.00pm - 6.00pm on that date.

Further that approval be granted to erect 5 (five) marquees, use of a public address system, as well as use of the parking area to the right of the access drive, with Council to provide additional rubbish receptacles as required.

2. RICHMOND NORTH PUBLIC SCHOOL P & C ASSOCIATION - NORTH RICHMOND COMMUNITY CENTRE. A5, C40, D64, C45/30

Advising that the Association proposes to conduct a "Carols by Candlelight" function in the grounds of North Richmond Community Centre on Friday, 7th December, 1990, and requesting provision of portable stage and additional rubbish receptacles as in past years.

(MES - As indicated, Council has supported this function by provision of portable staging and rubbish receptacles.)

IT IS RECOMMENDED THAT Council provide portable staging and additional rubbish receptacles, at Council cost, to the Richmond North Public School P & C Association for Carols by Candlelight on 7th December, 1990.

3. RICHMOND HIGH SCHOOL P & C ASSOCIATION - RICHMOND PARK - MARKET DAY. 625/202

Requesting use of Richmond Park on Saturday, 27th October, 1990 to conduct a Market Day.

(MES - The event is an annual function and is supported. The Association traditionally uses the area from the CWA kiosk to the grandstand and car parking area, and along the Windsor Street frontage up to the oval fence.)

IT IS RECOMMENDED THAT permission be granted to Richmond High School P & C Association for use of Richmond Park on Saturday, 27th October, 1990, to conduct a market day, subject to the following conditions:

(i) A public liability policy in the amount of $2 (two) million being obtained by the Association;
(ii) the flow of pedestrian traffic along Windsor Street not being interrupted;
(iii) no alcoholic beverages are to be sold, nor a central alcohol distribution point to be established during the course of the above function;
(iv) noise levels to be kept at a reasonable level; and
(v) the area to be left clean and tidy upon completion of the Association's function.

4. NSW WATER SKI ASSOCIATION LTD - GOVERNOR PHILLIP RESERVE - CASTROL BRIDGE TO BRIDGE WATER SKI CLASSIC, 1990. 625/205, F81, A5

Requesting exclusive use of the Governor Phillip Reserve on Sunday, 18th November, 1990, to conduct the Castrol Bridge to Bridge Water Ski Classic, 1990.

(MES - The event is an annual one and has been supported in past years.)

IT IS RECOMMENDED THAT approval be granted to the application by the New South Wales Water Ski Association for exclusive use of Governor Phillip Reserve on Sunday, 18th November, 1990, to conduct the Castrol Bridge to Bridge Water Ski Classic, 1990, subject to the Association paying 40% (forty) of gross gate takings to Council.

5. SOUTH WINDSOR SEWAGE TREATMENT PLANT STAGE 2 AUGMENTATION - CONSTRUCTION OF CIVIL ENGINEERING WORKS AND SERVICES. S200/25

Tenders for South Windsor Sewage Treatment Plant Stage 2 Augmentation Construction of Civil Engineering Works and Services were advertised in the Sydney Morning Herald and Hawkesbury Gazette on 13th March, 1990, and closed at the Council Chambers at 12 noon on 27th April, 1990.

Eight tenders were received. These are listed below in ascending order of Tender Sum.

Tenderer's Name	Tender Sum	Comments
Belmadar Constructions Pty Ltd	$2,091,428.00	Tender Schedules not completed fully.
T.A. Mellen Pty Ltd	$2,439,214.90	Tender Schedules not submitted.
Press Construction	$2,554,217.00	
P. Ward Civil Engineering Pty Ltd	$2,625,821.00	Tendered by facsimile. No tender deposit received. Late tender.
McConnell Dowell Constructions (Aust) Pty Ltd	$2,694,402.00	Tender Schedules not completed fully.
Jaspen Constructions Pty Ltd	$2,820,207.50	No tender deposit.
Fernandes Constructions Pty Ltd	$2,828,000.00	No tender deposit.
Allied Constructions Pty Ltd	$2,989,561.00	Tender Schedules not completed fully.

The pre-tender estimate for the contract was $1,710,000.00.

Tenders submitted for South Windsor Sewage Treatment Plant Stage 2 Augmentation Construction of Civil Engineering Works and Services remain valid for a period of 90 days from the date tenders closed, ie, until 26th July, 1990.

The tender of Belmadar Constructions has the lowest tender sum and is generally in accordance with the requirements of the Tender Documents with minor omissions in tender schedules.

A post-tender meeting with Belmadar Constructions revealed that they had made certain assumptions in their tender which were not in accordance with the intent of the Specification. Subsequently, Belmadar Constructions submitted a revised lump sum price to meet the intent of the Specification and the revised price is $124,000 higher than the original tendered sum.

Although some increase in price may be justifiable, the amount of increase in Belmadar's revised tender sum is considered excessive for the required scope of work. The tender of Belmadar Constructions Pty Ltd is not recommended for acceptance by Council because it will set an undesirable precedent for tenderers to adjust tender sums after closing of tenders as well as providing Belmadar constructions with a commercial advantage.

Tenders submitted by P. Ward Civil Engineering Pty Ltd, Jaspen Constructions Pty Ltd and Fernandes Constructions Pty Ltd are considered informal and are therefore not recommended for acceptance by Council.

The tenders of T.A. Mellen Pty Ltd, Press Construction, McConnell Dowell Constructions (Aust) Pty Ltd and Allied Constructions Pty Ltd are considered valid and open for acceptance by Council. However, they are not recommended for acceptance by Council as the tender sums are considered excessively high when compared to the tender sum of Belmadar. It is expected that Council will make reasonable savings by recalling tenders when compared to accepting any of these tenders.

In the evaluation of the tenders for the mechanical and electrical components, savings will be available through selection of companies for the various items required, and it is proposed to also invite fresh tenders for these works.

IT IS RECOMMENDED THAT Council not accept any tenders submitted on 27th April, 1990, for the South Windsor Sewage Treatment Plant Stage 2 Augmentation Construction of Civil Engineering Works and Services.

6. ROADS & TRAFFIC AUTHORITY - THE DRIFTWAY PROGRAMME AND FUNDING. 665-2018

Following a recent meeting between officers of the RTA, Penrith City Council and this Council, concerning the reconstruction of The Driftway, the RTA requested the submission of a joint application from the two Councils for funding of the work under the Special Works Subsidy Programme.

The Authority would fund 50% of the cost of the works and by letter acknowledges that the preliminary estimate indicates the need for funds of $2 million and requests

that the application give consideration to stage construction on the basis that each stage represents a completed portion of the overall project.

The RTA suggests that the total duration of the entire project should be contained to a reasonable time span, preferably not exceeding 5 years.

At the conference, it was indicated that both Councils had voted $50,000 in their 1990 budget for the project.

On the basis of a 5 year time span, allocation of $400,000 will be required each year, requiring funding of $200,000 RTA and $100,000 each from both Councils. This requirement could be met for the RTA year 1990/91 by the allocation of a further $50,000 in the Council's 1991 budget, but would present a problem regarding further funding for future years.

The RTA in their letter, request Council's urgent attention on this matter to enable early allocation of funds to be made, possibly in the 1990/91 financial year.
Plans for the work have been prepared by Penrith City Council to support the application for the inclusion of the work in the Special Works Subsidy Programme.

IT IS RECOMMENDED THAT an application be lodged by this Council to the RTA for funding of the reconstruction of The Driftway on behalf of Penrith City Council and Hawkesbury City Council.

That the RTA be advised that an amount of $50,000 (fifty thousand dollars) has been provided in Council's 1990 Estimates towards the project and that consideration will be given towards provision of a similar sum in the 1991 Estimates.

That Penrith City Council be advised of the action taken.

HEALTH AND BUILDING

1. EIS FOR SEWERAGE STRATEGIES IN THE UPPER BLUE MOUNTAINS. S200.

Advice has been received from Mitchell McCotter and Associates Pty Ltd, (Planning Environmental and Engineering Consultants) that in association with Camp Scott Furphy Pty Ltd they have been commissioned by the Water Board to prepare an Environmental Impact Statement addressing proposed sewerage strategies in the Upper Blue Mountains.

The advice requested Council to forward views and comments on the proposal in order that all issues that may be of concern are addressed.

Briefly, the Water Board's preferred option involves constructing a tunnel in the Upper Mountains to drain sewage from as far West as Blackheath to an augmented Sewage Treatment Plant at Winmalee. This strategy would ultimately result in the decommissioning of existing Sewage Treatment Plants at Blackheath, North Katoomba, South Katoomba, Wentworth Falls and Hazelbrook. The proposal involves some increase in areas to be provided with reticulated sewerage such as Linden and Woodford and will remove treated effluent from the various mountain streams presently taking the discharge from plants proposed to be de-commissioned.

The Winmalee plant is proposed to be upgraded to cater for an ultimate E.P. of approximately 120,000. As Council would be aware this plant discharges to the Nepean River via an unnamed creek upstream of the confluence of the Grose River.

The correspondence from Mitchell McCotter & Associates requested reply prior to Friday 18th May and, accordingly, the following comments were forwarded:-

> *"Thank you for the opportunity of commenting on the proposed E.I.S. in order that Council's concerns may be properly addressed.*
>
> *You would be aware that Hawkesbury City Council is the Local Government Authority whose area of jurisdiction covers that section of the Hawkesbury/Nepean river system immediately downstream of the proposed discharge of the amplified Winmalee Sewage Treatment Plant. You may also be aware that Council has been concerned with river water quality for many years, being instrumental in the formation of the Joint Councils River Committee, the forerunner of the present Nepean/Hawkesbury Catchment Management Council, a body which is representative of eleven Local Government Authorities within the catchment and eleven State Government Departments concerned with various aspects of catchment management.*

In addition, the major part of the City's water supply is drawn from the Hawkesbury River at North Richmond which is situated downstream of the proposed discharge point.

Accordingly, it is considered that Council is well placed to offer pertinent comment on particular issues which are to be addressed in the E.I.S.

Firstly, it must be stated that improvement to the quality of mountain streams will undoubtedly accrue from the proposal and significant advantages of modern treatment and the increased areas of sewer reticulation are recognised. However, it must be appreciated that the proposal will discharge a vastly amplified plant via a short unnamed creek to a section of the Nepean River which is already under stress. We must ensure that the present threat to the various mountain streams is not merely expanded and transferred.

It has been identified that the section of the Nepean where discharge will occur is within a long assimilation zone which it is considered will be extended when the Penrith Lakes Scheme is fully operational and the large residential subdivision currently taking place to the South of Penrith and subsequent developments are constructed and completed. The cumulative impact of present and future development must be considered in determining the capability of the receiving waters to accept such large volumes of treated effluent without further deleterious effects.

It is understood that the proposed E.I.S. will not be considering the two plants at Mount Riverview and Glenbrook. It is considered that the study must consider the operation of these plants in order to determine accurately the condition of the receiving waters of the Winmalee proposal.

It is considered that when all the factors referred to above are taken into account, it will be necessary, if the proposal proceeds, to include "state of the art" treatment processes which produce an effluent of drinking water quality even under the most adverse conditions.

It is also believed that the philosophy of replacing several treatment plants with one should be very carefully considered in the light of equipment failure or industrial disputation which could result in major environmental damage. Any such major treatment plant and its infrastructure must be designed with "fail-safe" features, sufficient storage capacity and the like to obviate any such risk.

Again, thank you for the opportunity to comment and it is trusted the observations made will be given due consideration in the study."

IT IS RECOMMENDED THAT the comments forwarded be endorsed.

2. HAWKESBURY FITNESS CENTRE. P179-1-1.

It will be noted from the minutes of the Financial Advisory Committee (meeting held 3rd May) that it was proposed to discuss the Hawkesbury Fitness Centre proposal with Mr Greame Alder the General Manager of Australian Community Recreation Association during his recent visit.

Mr Alder and Mr Pat Wilson of ACRA subsequently visited on Friday the 11th May when general discussions regarding the project were held with Alderman Mackay and the Manager of Environmental and Building Services. It was indicated that on initial assessment the proposal had every opportunity of viable operation and some design modification was recommended in regard to the hydrotherapy pool layout. At the meeting Mr Alder was requested to submit a proposal to Council to prepare a feasibility study and management plan for the proposed Fitness Centre.

ACRA through its consulting company LRM Australia Pty Ltd has offered to carry out the following work in preparation of the feasibility study and management plan for the fee of $10,000. The consultant would be Mr John Thompson, Manager/Principal Consultant of the company. His work would involve:

- Market Analysis
- Meetings with Council's Architect re: conceptual design
- Determination of programmes and services
- Suggested staffing and job specifications
- Suggested pricing
- Detailed financial projections (first three years)
- Management alternatives

LRM Australia Pty Ltd have prepared similar studies for many Local Government Authorities in the planning and operation of their recreational facilities in Victoria, South Australia, Western Australia, Northern Territory, ACT and New South Wales.

It is believed the proposal would greatly assist in the eventual establishment of a viable centre which would be an asset to the community.

IT IS RECOMMENDED THAT the proposal from the Australian Community Recreation Association for its consulting company LRM Australia Pty Ltd to carry out a feasibility study and management plan for the Hawkesbury Fitness Centre as detailed for the sum of $10,000 (ten thousand) be accepted.

3. EAST KURRAJONG WASTE DEPOT - OPERATIONS CONTRACT. (G90-2).

An application has been received by the present contractor operating East Kurrajong Waste Depot, Mr E Palmer, to exercise a two year option on the three year contract as stated in Clause No.14 of the said contract.

Mr Palmer has operated the waste depot to the satisfaction of Council over the past three years and complied with all the conditions of the contract.

IT IS RECOMMENDED THAT an agreement between Mr E Palmer and Council be entered into under the same covenants and agreements as are contained in the current contract.

PLANNING

cc. Records
ALACE 18-6-90

1. DRAFT DEVELOPMENT CONTROL PLAN FOR INDUSTRIAL DEVELOPMENT, P160/80

Council at its Ordinary Meeting of 13th February, 1990, resolved:

"1. To prepare a draft development control plan for industrial development.

2. That the draft development control plan submitted be exhibited in accordance with the requirements of the Environmental Planning and Assessment Regulations, 1980."

No submissions have been received in response to the exhibition process.

Clause 24 of the Regulations provides that notice of the day of adoption of a development control plan must be placed in a newspaper and that further, a certified copy of the draft development control plan be forwarded to the Secretary of the Department of Planning.

IT IS RECOMMENDED THAT:

A. Council adopt the draft development control plan for industrial development.

B. That the adoption of the development control plan for industrial development be advertised in the Hawkesbury Gazette in accordance with the Environmental Planning and Assessment Regulations, 1980.

C. That a certified copy of the development control plan for industrial development be forwarded to the Secretary of the Department of Planning.

WP. 14-6-90

2. PHOENIX PISTOL CLUB - PART LOT 1, DP 530013, SCHEYVILLE ROAD, OAKVILLE, DA 12/90

A development application for the establishment and conduct of a pistol club was considered by the General Purpose Committee on 29th May, 1990 (item 19 on page 53 of the business paper). The General Purpose Committee recommended that the application be approved subject to conditions.

The applicant has advised that some of the conditions are impractical or unreasonable given the nature and scale of the operation.

Condition No. 5 requires that:-

"parking shall be provided for 10 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."

As the use of the land is likely to be temporary it is considered that the requirement for full construction of a car park (either concrete or asphaltic concrete) is unreasonable and should be lessened to a standard achieved by crushed rock so that the surface is trafficable in all weather conditions.

Condition No. 9 limits the approval for a period of 1 (one) year after which time Council would consider an extension of time, having regard to the Scheyville Development Area project. The applicant has indicated that he has a 2 (two) year lease from the Department of Corrective Services and that the approval should be for at least this two year period. As the applicant has a two year lease it is reasonable that Condition No. 9 be varied to limit the approval to a 2 (two) year period.

The applicant does not consider that Condition No. 11 is practical. Condition No. 11 requires the firing range to be fenced off from the covered firing shelter to the satisfaction of Council's Manager of Environment and Building Services with details being submitted with the Building Application. The intention of the condition is to restrict access to the firing range for safety reasons. The applicant has advised that there will be no access to the firing range with targets to be located and retrieved via a cable mechanism from the side of the range. The condition would require shooters to fire through a fence. It is recommended that the condition be altered to the effect that the firing range is to be made secure from unsafe entry to the satisfaction of the Manager of Environment and Building Services.

IT IS RECOMMENDED THAT the conditions of development consent be varied to provide as follows:

1. The use shall be carried out generally in accordance with the application and submitted plans dated 15th January, 1990, and as amended by conditions below.

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

3. 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.

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

5. 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.

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.

7. Construction of a vehicle crossing to the entrance to the site to the satisfaction of the Manager of Engineering Services.

8. This approval being limited for a period of 2 (two) years after which time Council will consider an extension of time, having regard to the Scheyville Development Area project.

9. The children's playground area is to be enclosed by a fence of an approved design, details of which are to be submitted with the Building Application.

10. The firing range to be made secure from unsafe entry to the satisfaction of the Manager of Town Planning.

mclark 19.6.90

3. HORSE YARDS, FEEDSTORE, SHELTER STRUCTURES, DRESSAGE/EXERCISE YARD AND BRIDGE - LOT 1 DP 514209, COMMERCIAL ROAD, VINEYARD (MR CALDERONE AND MS BELFIELD, DA 375/89

Reference is made to the report to the General Purpose Committee on 29th May, 1990 (Item 35, Page 81) and the Committee's recommendation that a further report be prepared considering, inter alia, the attitude of the neighbours (Mr and Mrs Deane) to the retention of the fenced horse yards.

Prior to the matter being reported to the General Purpose Committee, Mr Deane had contacted Town Planning staff on at least two separate occasions requesting that the conditions of consent be followed up and enforced.

Accordingly, the applicant (Ms Belfield) was advised in writing on 18th April that the 2 month period provided for compliance with the conditions of consent had expired and that the conditions of consent had to be fulfilled without delay.

On 2nd May, the land was inspected by an officer of the Town Planning Department and the applicant was again reminded of her obligations.

On 8th May, the applicant was advised in writing that unless the outstanding conditions were completed within 14 days the matter would be referred to Council's solicitors for legal action.

On 16th May, Council received correspondence from the applicant (the subject of the report to the General Purpose Committee on 29th May) requesting that Council allow retention of the horse yards.

The applicant's correspondence has been discussed with Mr Deane who objects to retention of the fences for the reasons discussed in the report to the General Purpose Committee on 29th May. Rather than improve the amenity of the area, he considers that yarded horses will cause more damage to the grass cover than would otherwise occur. He indicated that he would be submitting correspondence confirming his position in the matter, and if necessary, requested an opportunity to address the General Purpose Committee.

For the reasons provided in the report to the General Purpose Committee on 29th May, it is not recommended that any conditions be waived.

IT IS RECOMMENDED THAT the applicant be advised that the fences have to be immediately removed in accordance with the approved plans and the area landscaped to the satisfaction of the Manager of Town Planning.

4. USE OF ROSS STREET AND ANSCHAU CRESCENT BY HAWKESBURY VALLEY MOTORS. DA221/87 & L11/89

MICHAEL 18-6-90.

Reference is made to the report to the General Purpose Committee on 29th May, 1990 and to representations by Mr Daines, a resident of Ross Street. Mr Daines has submitted a petition to Council in relation to the matter which is reported elsewhere in the Business Paper.

The use of Ross Street and Anschau Crescent by Hawkesbury Valley Motors was considered by the Local Traffic Committee at its meeting on 19th January, 1990.

Firstly, in response to correspondence from Mr Daines requesting that consideration be given to restricting parking in Ross Street and Anschau Crescent and to alter the streets to light traffic only, the Committee recommended that no action be taken pending resolution of the use of the adjacent commercial zone in accordance with Council's development consent. This was adopted by Council at its meeting on 13th February.

Secondly, at the same meeting on 19th January, 1990 the Committee considered a rezoning application by Peter Mulroney & Co on behalf of Hawkesbury Valley Motors to rezone additional land to Special Business 3(b) to permit the expansion of the dealership. The Committee raised no objection to the rezoning subject to:

(a) No entry to the commercial area to be allowed from Ross Street and Anschau Crescent, and

(b) All development approvals be conditioned that all visitor and staff parking is to be on-site.

The rezoning application was reported to Council's meeting on 10th April (item 30, page 81). The report considered in detail the history of the matter including the complaints from Mr Daines and the breaches of the conditions of development consent. It was resolved 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 12 months, in which time the applicant should demonstrate that the conditions of development consent can be complied with or alternatively lodge a development application indicating a revised site plan.

Immediately following the General Purpose Committee meeting on 29th May, the applicants advised that a plan of management would be prepared for Council's consideration indicating a revised site layout and additional on-site parking. If Council accepts that this should be lodged, there should be a time limit on submission and it is suggested that two weeks from 12th June would be appropriate.

However to assist the applicants in the preparation of the plan of management it is considered necessary that they be given some direction in relation to the use of Ross Street and Anschau Crescent. As indicated in the report to the General Purpose Committee on 29th May the intersection of Ross Street with Macquarie Street is controlled by traffic lights and it provides a convenient and safe access point to Hawkesbury Valley Motors. Without this access, vehicles could only enter the dealership from the east along Macquarie Street because of the median strip. This would result in vehicles having to approach from the west using Thompson Square and the round-a-bout to enter Macquarie Street from Bridge Street.

It is not considered that car access only to Hawkesbury Valley Motors via Ross Street and Anschau Crescent would conflict with the residential amenity of the street.

IT IS RECOMMENDED THAT:

1. No objection be raised to the use of Ross Street and Anschau Crescent for car access only to Hawkesbury Valley Motors.

2. Hawkesbury Valley Motors be advised to prepare a plan of management for the dealership incorporating;

   (a) provision for car transporters to enter and leave the site via Macquarie Street only and to load and unload all vehicles on site,

   (b) additional on site parking to cater for all staff and visitor parking.

3. Hawkesbury Valley Motors be advised that the plan of management must be completed by 26th June, 1990 or alternatively Council will commence legal proceedings to enforce the conditions of Development Consent 371/87.

4. Upon receipt of the plan of management, it be referred to the Local Traffic Committee for consideration.

5. That Mr Daines be advised of the above action.

5. VARIATION TO RESTRICTION AS TO USER - LOT 812 DP 778220, NO. 35 NEPTUNE CRESCENT, BLIGH PARK, DA 44/90

KAQ - 18-6.

At its Ordinary Meeting of 10th April, 1990, Council granted consent to the erection of a 40-place kindergarten/pre-school on the above land, subject to a number of conditions. There is, however, a covenant restriction on the use of the land limiting development to either a single dwelling, duplex or dual occupancy unless relinquished by the Department of Housing or Council. Therefore, to enable the erection of the kindergarten/pre-school on the property, this restriction will need to be varied. In determining development applications Council is bound by Clause 34 (1) of HLEP 89 which precludes consideration of covenants.

IT IS RECOMMENDED THAT the restriction as to user be varied to allow the erection of a 40 (forty) place kindergarten/pre-school on Lot 812 DP 778220, No. 35 Neptune Crescent, Bligh Park, and that the Seal of Council be affixed to all necessary documents.

6. BITTINI PTY LTD - TOURMALINE HOTEL/MOTEL LIQUOR BARN - LOT 3 DP 559566 CNR WINDSOR AND BOUNDARY ROADS, VINEYARD - EXTENSION OF THE LIQUOR BARN, FILE DA 87/90

RON - 18-6.

This application was previously reported to the Local Traffic Committee on 18th May, 1990, at which time the Committee resolved to support the Tourmaline Hotel Liquor Barn and video hire extension in principle, provided:

a) That the customer drive-through be relocated to the northern wall of the storeroom.
b) That the traffic flow be one-way in a southerly direction.
c) That access and egress to the development be clearly signposted.
d) Additional parking be provided for the proposed development.

The first condition was required in response to a NSW Police Department requirement under the Motor Traffic Act concerning minimum distance requirement setbacks from major roads.

The Local Traffic Committee recommendation was subsequently reported to Council at its General Purpose Committee meeting on 29th May, 1990, whereby Council resolved to recommend adoption of the Traffic Committee's recommendation.

However, Council is now in receipt of additional information from the NSW Police Department which nominates that the Traffic Committee condition that the customer drive-through be relocated to the northern wall of the storeroom is not required, given that the liquor barn drive-through extension has already been granted approval by the Liquor Administration Board on 9th Apirl, 1990, subject to Council consent, and is not a drive-in bottle department shop as recognised by the Liquor Administration Board. Accordingly, the NSW Police Department now offers no objection in principle to the granting of the application regarding the traffic arrangements of the current application.

Further, the Roads and Traffic Authority support in principle the proposed development, conditional upon a southerly directional flow and subsequent signposting and delineation to avoid vehicles entering in the wrong direction.

IT IS RECOMMENDED THAT the Local Traffic Committee recommendation be adopted, subject to the deletion of condition "(a). That the customer drive-through be relocated to the northern wall of the storeroom."

7. DUNSFORD INVESTMENTS - PROPOSED DISCOUNT DEPARTMENT STORE, RICHMOND. L3/86

At its meeting of the 10th April, 1990 Council resolved to advise Dunsford Investments that it would withdraw its support for the draft local environmental plan if outstanding information previously requested by Council was not received within a period of 28 days. This period has now lapsed and nothing further has been heard from Dunsford Investments except a note on a "With Compliments" sticker indicating as follows:

"Please note our change of address above. It appears that correspondence to our previous address has not been onforwarded and we would appreciate any copies of correspondence from you as at 1st November 1989."

Council's records reveal no previous correspondence in relation to the change of address for Dunsford Investments, and it is curious that the change of address was not indicated previously by them given that there are letters on Council's files from them shortly before the 1st November.

It is known that there are properties forming part of the Dunsford proposal that are on the market and it is not likely that the proposal could proceed on the basis as submitted to Council. Council should withdraw its support for the previous proposal to end speculation in relation to it. Such a withdrawal of support does not preclude a later proposal should it arise.

IT IS RECOMMENDED THAT Council advise Dunsford Investments Pty Ltd that it no longer supports the draft local environmental plan submitted by the Company for the purposes of a discount department store and ancillary shopping at Richmond.

8. TREE PRESERVATION ORDER. P160/30

With the gazettal of Hawkesbury Local Environmental Plan, 1989, it is necessary for Council to resolve to further continue the Tree Preservation Order under the new LEP.

It is proposed to continue the order on the same basis as previously existing, with the exception of its rewriting in plainer English, so as to enable the Order to be clearly understood. The Order will also include a revised schedule of noxious plants as proclaimed by the government in the NSW Government Gazette.

IT IS RECOMMENDED THAT, pursuant to Clause 8 of the Environmental Planning and Assessment Model Provisions, 1980, Council make a Tree Preservation Order to apply to the whole of the City area, and that the Order be published in the Government Gazette and the Hawkesbury Gazette, as is required.

REPORTS FOR INFORMATION

SECTION 5

1. CONTRACT: ALTERATIONS TO COUNCIL CHAMBERS INCLUDING NEW ENTRY RAMP AND STAIRS. C51/1

Council approved a contract for $210,250 to V A Gobbo Pty Ltd for the works. These have now been completed with the final payment made with a saving of $9,797 (4.5%).

2. KURRAJONG COUNTRY WOMENS ASSOCIATION. 3496C

Indicating that it has been Council's practice to make a donation towards rates of this organisation and requesting Council's assistance again this year.

(TC/GM - Provision has been made in the 1990 estimates for a donation equivalent to the amount of rates to this organisation. The rates have been paid amounting to $236.00.)

3. WINDSOR FUNCTION CENTRE - APRIL/MAY BOOKINGS. C51/3

As required under Ordinance 26, Clause 9, following are details from the Hall Letting Register for April and May, 1990.

Date Of Engagement	Purpose		Person or Body Responsible for Engagement
April			
2/4	Meeting	*	Nepean/Hawkesbury Catchment Management Council
3/4	Music Practice		Macquarie Towns Junior Symphony Orchestra
7/4	Wedding	*	L Perrin
8/4	Meeting	*	Arabian Horse Society
10/4	Music Practice		Macquarie Town Junior Symphony Orchestra
10/4	Meeting/Lunch	*	Worldwide Church of God
12/4	Easter Hat Parade	*	Windsor Primary School
14/4	21st Party	*	N Tolson
16/4	Meeting	*	Worldwide Church of God
19/4	Area Inspectors Meeting		Windsor Police
19/4	WSAAS Meeting		Hawkesbury City Council
21/4	Ball	*	St Nichols Church

23/4	Demonstrations	*	Microwave Cuisine
23/4	WSROC Meeting	*	Hawkesbury City Council
24/4	Music Practice		Macquarie Towns Junior Symphony Orchestra
26/4	Immunisation Clinic		Hawkesbury City Council
26/4	"Schools in Parliament" Mock Parliament, Lunch	*	Windsor High School
27/4	Blue Light Disco	*	Windsor Police
27/4	Concert	*	Windsor Playgroup

May

1/5	Music Practice		Macquarie Towns Junior Symphony Orchestra
1/5	Debutante Practice		Masonic Club
2/5	Debutante Practice		Rotary Club
5/5	Wedding	*	Mr Kozlowski
6/5	Debutante Practice		Mayoral Ball
7/5	Debutante Practice		Rotary Club of Windsor
8/5	Music Practice		Macquarie Towns Junior Symphony Orchestra
8/5	Debutante Practice		Masonic Club
9/5	Senior Citizens Concert		Hawkesbury City Council
9/5	Debutante Practice		Rotary Club
12/5	Ball	*	Rotary Club of Windsor
13/5	Concert	*	David Attrill
13/5	Debutante Practice		Mayoral Ball
15/5	Music Practice		Masonic Club
16/5	Debutante Practice		Masonic Club
18/5	Meeting		Home Care
19/5	Wedding	*	Mr Jolliffee
20/5	Debutante Practice		Mayoral Ball
22/5	Supper Meeting	*	Water Board North West Division
22/5	Music Practice		Macquarie Towns Junior Symphony Orchestra
22/5	Sales Night	*	Peter Fisk
23/5	Debutante Practice		Masonic Club
24/5	Immunisation		Hawkesbury City Council
24/5	Disco		Bede Polding School
26/5	Ball	*	Masonic Club
27/5	Debutante Practice		Mayoral ball
29/5	Music Practice		Macquarie Towns Junior Symphony Orchestra

* Paid Functions

4. HAWKESBURY DISTRICT AGRICULTURAL ASSOCIATION - DONATION, D64

A letter dated 7th September, 1989 was received from the Hawkesbury District Agricultural Association thanking Council for past donations and requesting a donation of $300.00 towards the 104th Annual Hawkesbury Show's prize fund.

(TC/GM - Provision has been made in the 1990 Estimates for a donation of $300.00 and payment has been made.)

5. COMMUNITY SERVICES REPORT - MAY, 1990. C45

A. CO-ORDINATOR'S REPORT

Neighbourhood Centres

The Management Committee of the Bligh Park Centre has advertised to fill the position of Co-ordinator/Community Worker, following advice that the application for funding under the Area Assistance Scheme has been successful. This appointment will be of benefit to the residents of both the new estate and South Windsor.

Negotiations have taken place with Hawkesbury Skillshare, for participants in a Landscaping Course, to carry out voluntary work in the grounds of Blaxland Ridge Neighbourhood Centre. Work on the tennis court, funded under a grant from the NSW Department of Sport, Recreation and Racing, has been completed.

Vandalism, over the last weekend in May, caused considerable damage to the McGraths Hill Centre. While the mess has been cleaned up, further work is necessary before the Centre can reopen for general use.

Children's Services

New regulations which were gazetted have resulted in changes in the operation of Centre-based children's services. In some matters, where there appear to be difficulties, these have been referred to the Local Government Association Child Care Consultative Group, and will be pursued at a meeting with officers from the Department of Family and Community Services.

Use of the Richmond Occasional Care Centre continues to increase with 455 enrolments in May.

B. COMMUNITY ARTS OFFICER'S REPORT

Focus on Ageing Week 6 - 13 May

Entertainment was provided by Mr Dave De Hugard, folk singer and collector of folk music to Richmond Nursing Home and Richmond Rehabilitation Centre on 7th May. Several patients at Richmond Nursing Home joined in with instruments.

The free concert and afternoon tea was held on Wednesday, 9th May. Although this concert has always been the most popular of the week's events, the attendance was down to approximately 300. This seems to be attributable to the fact that the Premier's Concert at the Entertainment Centre (usually held on Sunday) is now during the week. This year's Premier's Concert was held on Tuesday 8th, and so affected attendances. Those attending the Windsor concert, however, expressed their appreciation of the quality of the artists and afternoon tea. Contributions towards afternoon tea were received from Windsor Rotary, Richmond Ex-Servicemen's Club, Windsor and District RSL Sub Branch and Richmond Lions Club. A grant of $850.00 was received from the Office of the Ageing, NSW Premier's Department. These were acknowledged by the Mayor, Ald. J Horrex in his welcoming speech. In addition to a change of name and date for this week, the emphasis has been placed on health, leisure and interests of the ageing.

Macquarie Towns Festival Committee - 13th - 21st October

The Committee met on 30th May. A family bike day has been added to the Festival programme. Children's rides have been ordered for the Open Air Fair. Roving entertainers are being booked for Music in the Park. A compere for the Open Air Fair and Music in the Park has been booked. 2WS has offered a compere for the Parade. Sole sponsorship is being sought for the Festival programme. The Parade Sub-Committee will be meeting soon.

Macquarie Towns Acquisitive Art Exhibition 20 - 26th July

Entry forms and fees are being returned.

Friends of the Hawkesbury Art Collection

This Committee met on 31st May. Three groups and four individuals have joined during the past month. An environmental ramble/bus or car ride has been organised for 17th June, a Christmas in July dinner for 14th July and a members only cocktail party on 21st July, before the opening of the Macquarie Towns Acquisitive Art Exhibition.

C. YOUTH/RECREATION OFFICER'S REPORT

Vacation Care Centres are planned for the School Holidays - 2nd to 13th July. These will operate at North Richmond and Richmond Neighbourhood Centres and at South Windsor (shared between the Bligh Park Neighbourhood Centre and the Netball Association building in Mileham Street).

Vacation Activity Centres, with the assistance of the NSW Department of Sport, Recreation and Racing, will be held at Richmond High School, Windsor South Primary School and Glossodia Neighbourhood Centre.

Holiday Activities. A variety of activities have been arranged for school-aged children. A Rugby Union training session is planned for Windsor. Netball training and horse riding will also be held in the district. Visits have been organised to a performance by Westside Players at Richmond, to the Power House Museum and Qantas Jet base.

6. AUSTRALIANA PIONEER VILLAGE. C51/54

Set out below are the financial details relating to the operations of the Australiana Pioneer Village for the month of May, 1990.

Income

Gate Takings	14,675.00	
Other (including rental & filming activities	1,291.69	
		15,966.69
Less Costs Providing Income		
Entertainment	6,703.43	
Total Net Income		9,263.26
Overheads		
Grounds Maintenance	5,316.00	
Attendants Wages	2,981.00	
Animal Feed/Hire	1,250.00	
Service & Admin Costs	1,541.00	

Promotions	3,592.00	
Printing & Stationery	450.00	
Train maintenance	125.00	
		15,255.00
Nett Loss		(5,991.74)

Ticket Sales included

Adults:	938
Children:	1370
Pensioners:	520

During the month of May, thirteen school groups and eight senior citizens groups visited the Village.

For the third successive month, visitation figures were again significantly above the 1989 figures. For May, the increase was 58%.

There were a number of groups of particular interest that toured the Village in May. They included a group from the Rum Corps Barracks - Village brochures and a display are at the Barracks and Barracks staff have extended a welcome to visit and to renew brochure supply as required.

Postgraduate students and staff involved with the Tourism Management course at the University of Technology (Kuring-gai campus) visited the Village on the 27th May. The groups were impressed by the operation of the Village - papers being delivered by the Curator and Promotions Officer.

Film Graphics made a new commercial for the Milk Bar Kid featuring the Oxboro Inn, the Inn having been redecorated in great style by the company. As well as many fittings, Film Graphics donated tables, chairs and a bar.

Continuing promotional strategies are being implemented with the aim of raising Sydney's awareness of the Village. It is pleasing to note increased visitation - which is particularly noticeable on Saturdays.

The Friends of the Village held a successful gardening day and plan to hold one on a monthly basis to maintain the visual attraction of the grounds. Work by the Friends on the bush theatre, being the old machinery shed is nearing completion as is the internal refurbishment of the school house, including the building of stools for the classroom.

7. STAFF MATTERS. S205

It will be recognised that Bogan Shire Council at Nyngan lacks sufficient resources to carry out the necessary inspections and to approve and administer rectification works to allow the residents of the town to re-occupy buildings as soon as possible. Assistance in this regard was co-ordinated by the Australian Institute of Building Surveyors and two of Council's Health and Building Surveyors have offered their services for two weeks each.

John Newton and Andrew Dean will be working in the Bogan Shire from 28th May to 10th June and from 11th June to 22nd June respectively.

8. PITT TOWN LAGOON. 625

It was reported to Council's May meeting that Dr. Dominic Cheng, Dean of the Faculty of Life Sciences of the University of Technology had been engaged to investigate the "Black Water" phenomenon which occurred in the lagoon and the conclusions reached in his preliminary report were reproduced.

Dr. Cheng has now submitted his completed report which gives more detail of the hypothesis developed during the study. The full report is available at the Library and the hypothesis developed is reproduced for Council's information.

"HYPOTHESIS FOR THE OBSERVED 'BLACK' LAGOON PHENOMENON

Although there are no previous studies on the water quality and biological conditions of the Lagoon, and the Lagoon water was no longer 'black' when it was first inspected by the consultant on 2.3.90, the preliminary study has produced sufficient clues for a plausible working hypothesis to be formulated. The new data collected on 23.3.90 has further confirmed the validity of this hypothesis. The main features of this hypothesis are:

(a) The 'black' water phenomenon that occurred in Pitt Town Lagoon was due to the development of anoxic conditions in the Lagoon, due to rapid microbial decomposition of organic matter depleting the dissolved oxygen in the water.

(b) The sources of organic matter could be decaying vegetation within the Lagoon and more probably decaying vegetation and other organic material washed in by the flood water. High summer water temperature coupled with abundant bio-degradable organic matter greatly stimulated microbial activities which in turn caused oxygen depletion in the water column and eventually complete oxygen depletion i.e. anoxia.

(c) As anoxia occurred, soluble metallic ions, especially iron and manganese began to accumulate in the water column, due to a large extent to the release of these soluble ions from the sediments. At the same time, obnoxious gases such as methane and hydrogen sulphide were also produced, giving off the characteristic 'bad egg' smell.

Other chemical reactions would also occur concurrently leading to formation of black iron and manganese sulphides. These together with other darkly coloured organics formed under anaerobic conditions would impart a black colour to the water.

(d) The anoxic condition would kill off most of the aquatic flora and fauna present, further fuelling the microbial decomposition process.

(e) After a period of time, assuming no further input, much of the organic material originally present would have been consumed by micro-organisms and level of microbial activities gradually declined. Re-oxygenation of the water column would now begin. The major mechanisms of re-oxygenation would be:

- *Dissolution of oxygen from the atmosphere at the air/water interphase, aided by wind action and mixing;*
- *Photosynthetic activity by planktonic algae.*

Provided the level of re-oxygenation exceeded oxygen consumption due to microbial activities, the oxygen concentration in the water column would rise.

(f) As the oxygen level in the water rose significantly above 0.5 mg/L, a thin oxidised microzone several millimetres thick would form on the surface of the sediments. This oxidised microzone, usually brown/grey colour, is a very effective chemical barrier preventing further release of soluble iron, manganese and other soluble materials from the sediments. At the same time, the soluble iron and manganese (ferrous and manganous ions) would be oxidised to form brown hydroxides which would often aggregate to form a brown surface scum. The black colour would disappear and the water would look brown.

(g) Given time and without further influx of excessive load of organic matter, the oxygen level in the water column would climb further until saturation level, which would be about 7-8 mg/L dissolved oxygen under summer conditions.

The particulate matter washed in by the flood water would begin to sediment, along with the iron and manganese hydroxides formed and the water would begin to clear.

At this point, the Lagoon would have largely recovered.

Overall, the data collected to-date has been consistent with the hypothesis. The more significant points are summarised below:-

(i) *The complete disappearance of the black colour from the main water body of the Lagoon at the time of two samplings and the presence of the now high level of dissolved oxygen in the water column was consistent with the thesis that the 'black' water phenomenon was associated with the development of anoxic conditions in the Lagoon. This would also suggest that the phenomenon was a transient one. The return of a moderately high level of dissolved oxygen on 2.3.90 (80% saturation) signified partial recovery of the Lagoon from the extreme ecological stress. This was followed by further rise to more than full saturation of dissolved oxygen on 23.3.90, signifying complete recovery from anoxia. (Section 3.2)*

It can be concluded that changes in dissolved oxygen level in the Lagoon is consistent with the hypothesis and its predictions.

(ii) *The water column of the Lagoon, especially the surface scum present was found to contain very high concentrations of iron. This was consistent with the release of soluble ferrous iron from the sediments under anoxic conditions and the subsequent re-oxidation of ferrous iron to form particulate ferric iron hydroxide.*

The analytical results for 23.3.90 (Section 3.11) show that the concentrations of dissolved ferrous iron was very high, averaging 1490 ug/L and representing 42.2% of total iron concentration. As dissolved ferrous iron concentration is usually quite low in a lake with normal dissolved oxygen level, because it is easily oxidised to form particulate ferric iron, the high dissolved ferrous iron concentrations recorded were consistent with the release of ferrous iron from the sediments.

The total iron concentrations recorded were very high with mean values of 6975 ug/L and 3297 mg/L for 2.3.90 and 23.3.90 respectively. Comparing the values it is clear that there was a very significant decrease, over 50% in total iron concentration in the water column over the 3 week period between the 2 samplings. The decline in total iron concentration would be consistent with the gradual sedimention of iron as the Lagoon recovered from anoxia and stabilising.

Thus, the high concentrations of total iron, especially the high proportion of soluble ferrous iron are consistent with the release of ferrous iron from the

sediments under anoxia and subsequent re-oxidation to particulate ferric iron, as explained by the hypothesis.

(iii) The very high chlorophyll a concentrations and the very high algal cell counts recorded are consistent with the presence of high plant nutrient concentrations. This in turn is consistent with the release of nutrients from the sediments into the water column.

The presence of large number of planktonic algae in the water would be responsible to a large degree for the return of dissolved oxygen in the water column, as a result of their photosynthetic activity.

Some of the dominant species present, such as Euglena and Phacus are often associated with water rich in organic matter.

Again, the algal data are consistent with the hypothesis.

(iv) The behaviour of phosphorus in the Lagoon paralled that of iron.

The total phosphorus concentrations recorded on 2.3.90 averaged 841 ug/L. This is considered extremely high, considering the fact that lakes with mean phosphorus level of 100 ug/L are often eutrophic. The total phosphoric values for 23.3.90 were also high averaging 176 ug/L.

Comparing the results for the two samplings, there was a marked drop in phosphoric concentration over the 3 week period. Such decline was probably related to the behaviour of iron as phosphorus and iron have the tendency to form insoluble compounds and sedimented together.

The proportion of soluble ortho-phosphate as portion of total phosphorus was quite low. This was partly due to biological utilisation by algae and other microorganisms and partly due to the tendency for ortho-phosphate to form insoluble compounds with iron, calcium and other cations.

Overall, the available data for phosphorus is consistent with the hypothesis.

(v) Inorganic nitrogen occurs in 3 forms in water, as ammonia, nitrite and nitrate.

Under normal conditions, ammonia is oxidised naturally to form nitrite and then nitrate. As a result, in most water bodies with normal dissolved oxygen levels, nitrate is by far the most dominant form of nitrogen, and ammonia the least abundant form.

Significantly, in Pitt Town Lagoon, ammonia was in fact the most dominant form, representing 91% of total inorganic nitrogen. As the formation of ammonia is favoured by anoxic conditions, the observation is consistent with the view that

the Lagoon was recovering from an episode of anoxia during which ammonia was formed in the water column and also released from the sediments.

The concentration of inorganic nitrogen as a whole was quite low but this could be attributable to biological utilisation.

Again, the data for inorganic nitrogen is consistent with the hypothesis put forward.

(vi) *During the first sampling on 2.3.90, when the bottom sediments was disturbed, large number of dead Megaloptera larvae (insects) floated to the surface. This happened in all stations sampled. Megaloptera larvae usually inhabit rapid flowing streams or lakes with good oxygen supply, the presence of large number of dead insects would be consistent with the view that they were killed when the Lagoon became anoxic.*

It is clear that unless the 'black' water phenomenon repeats again in the future, it is not possible to be 100% certain as to what actually happened in February this year when the Lagoon apparently turned black. However, the available data to date are all consistent with the proposed hypothesis.

One alternative explanation which has been put forward to date suggests that the 'black' water phenomenon in Pitt Town Lagoon was caused by the leakage of raw sewage from the nearby sewage main. As possible sewage leakage has serious public health implications it has to be seriously considered. However, judging from the available data, sewage leakage is unlikely to be a major cause of the phenomenon for the simple fact that the Lagoon did recover relatively quickly. If sewage leakage was the main cause, the Lagoon would not have recovered at all and the Lagoon water stayed black, as long as leakage continued.

Furthermore, although the sewage main runs along the north-eastern aspect of the Lagoon there was no observable gradients in the spatial distribution of any of the water quality and biological parameters measured. In fact, the Lagoon was quite homogenous in respect to all the major parameters. This would not have been the case if a major sewage leakage was occurring on one side of the Lagoon for some gradient effects would have been detected.

One major source of evidence which could be used to give support to the possibility of sewage leakage was the presence of faecal coliform bacteria in the Lagoon water. However, the bacterial level recorded was not high. Typically, the faecal coliform level for raw sewage from a sewage works discharge could be around 50,000/100ml, while the figures recorded on 23.3.90 were all below 200/100ml. Indeed, the presence of faecal coliform could be easily associated with the abundant bird life in and around the Lagoon and the presence of grazing animals in the Lagoon catchment.

Overall, the possibility of sewage leakage causing the water in Pitt Town Lagoon to turn 'black' seems remote."

9. ARTS DEVELOPMENT IN WESTERN SYDNEY. A11.

Report commissioned by Australia Council. The Consultants, Colleen Chesterman and Jane Schwager were commissioned in 1989, to carry out the first stage of the Western Sydney Regional Equity Project to evaluate arts support, needs and priorities. Hawkesbury City Council and cultural groups in the community were involved in the consultation process. The report was not to be considered as an end in itself, but as part of a strategic planning and development process which, it is hoped, will redress inequities in arts support and general cultural development in Western Sydney.

The second stage of the project is a series of further consultations with WSAAS, WSROC, community arts officers, community project officers and representatives of key arts organisations (such as Q theatre, Riverside Theatre) based in Western Sydney.

The report is most comprehensive and addresses issues such as Federal and State funding patterns, planning for growth areas, the role of national and state companies and the role of local government.

The Australia Council has published the report for wide discussions. The report finds that Western Sydney has received an aggregate funding of 40 - 60 cents per person, and non-Western Sydney has received 120 cents per person from the Australia Council, the Federal Arts funding body. The figures for the State funding body - the NSW Ministry for the Arts are 30 cents per person for Western Sydney and 40 - 60 cents for non-Western Sydney (excluding Statewide organisations, who receive an even higher proportion of funds available).

The Australia Council is, in the near future, attempting to address this inequity and develop strategies to overcome it.

One of the crucial recommendations of the report is establishment of a Regional Cultural Planning Centre. The Centre should be funded by the Australia Council/NSW Ministry for the Arts. This Centre would be responsible for developing a cultural plan, planning regional facilities, give advice on funding and disbursement of funds. The Centre could have four support units, which would charge fee-for-services. These would provide administrative support for groups, a cultural employment service, artist work training unit and marketing and publicity unit.

Briefly, the role of Local Government was summarised in the following points:-

1. Local Councils should develop Strategic Cultural Plans.
2. Community Arts Officers should be primarily cultural planners in local government.
3. Councils should provide basic arts access facilities.
4. Councils should ensure maximum use of existing facilities.
5. Developers should make contributions to cultural development.
6. Councils should have a role in improving environmental design.
7. Councils should use art to revitalize community spaces.
8. Assistance should be given to local groups and to local festivals.

Copies of the report are held by the Community Arts Officer and are available to interested people.

10. BUILDING APPLICATIONS. B25

The following is a summary of Building Applications received during the month of May, 1990. Applications received during May, 1989, shown in brackets.

No.		Type of Building	Estimated Value	
68	(57)	New Dwellings	$5,819,123	($5,960,859)
63	(75)	Additions to Dwellings	804,704	(1,040,724)
-	(1)	Residential Flat Buildings	-	(160,000)
3	(6)	New Buildings Other Than Residential	533,000	(3,420,000)
5	(2)	Additions to Buildings Other Than Residential	127,000	(227,000)
8	(7)	Swimming Pools	132,085	(79,360)
13	(11)	Additions to Dwelling - Dual Occupancy Unit	1,230,435	(957,700)
160	(159)		$8,646,347	($11,845,643)

Building Applications received up to the end of May 1990. Approvals for the corresponding period during May, 1989, shown in brackets.

No.		Type of Building	Estimated Value	
263	(286)	New Dwellings	$22,344,985	($26,075,839)
272	(346)	Additions to Dwellings	3,305,652	(4,347,142)
5	(4)	Residential Flat Buildings	1,670,000	(1,070,000)
14	(34)	New Buildings Other Than Residential	4,847,000	(14,413,748)
26	(15)	Additions to Buildings Other Than Residential	2,842,003	(2,244,758)
41	(50)	Swimming Pools	532,986	(696,636)
30	(29)	Additions to Dwellings - Dual Occupancy Unit	3,048,402	(2,450,965)
651	(764)		$38,591,028	($51,299,088)

11. LAUNCH OF THE CHILDREN'S LITERACY COLLECTION. L125

The launch of the Children's and the Adult Literacy Collections was held on Wednesday, 2nd May, at 4.00pm.

Approximately 40 people attended the launch and it was exciting to see such a positive response from the community.

12. NEPEAN PARK, YARRAMUNDI. L9/87

Michael 18-6-90

On 12th December, 1989, Council resolved that the rezoning to create 122 allotments for the purpose of rural/residential recreational development be submitted to the Department of Planning for final gazettal.

The Department has now advised that the Minister has signed the local environmental plan. The applicant, Mr Matthews, has also been advised.

13. BLIGH PARK. P160/46

Road and drainage, sewer and water reticulation works have been completed for Precinct 23 with electrical and Telecom works near completion.

Road and drainage works have been completed for Precinct 24 with sewer reticulation in progress.

Roads and drainage work are in progress for Precincts 25 and 26.

Tenders have been accepted for the rising main to the works.

Lots in Precinct 24 will be now released for sale with 40 lots available for public purchase.

14. 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	Date Received	Date Approved
E & H Straus Lots A & B DP 359981 Grose Vale Road Grose Vale	3 Lot Subdivision S89/208A	14/12/89	3/5/90
Bennetts Real Estate Pt Por 75 & 76 Psh of Kurrajong Redbank Road North Richmond	Boundary Adjustment S89/169A	27/9/89	7/5/90
Scentech Pty Ltd Lot 12 DP 717896 Groves Avenue Mulgrave	Est of fragrance manufacturing business DA124/90	17/4/90	15/5/90
Endeavour Homes P/L Lot 964 DP 788674 Thomas Place Bligh Park	2 Lot Strata Subdivision S90/103	24/4/90	15/5/90

Garry Amos Lot 855 DP 789701 Juliana Place Bligh Park	Duplex DA92/90	16/3/90	15/5/90
G Dimech Lot 1056 DP 788674 Colonial Drive Bligh Park	Duplex DA115/90	5/4/90	17/5/90
Kemite Pty Ltd Lot 932 DP 788674 Albert Place Bligh Park	Duplex DA85/90	14/3/90	17/5/90
A & L Galea Lot 4 DP 773539 Greggs Road Kurrajong	Subdivision to create 2 lots S90/42	8/2/90	22/5/90
Clever Const P/L Lot 936 DP 788674 Harradine Crescent Bligh Park	2 Lot Strata Subdivision S90/70	13/3/90	25/5/90
Trustees of De La Salle Brothers (Provincinlate) Lot 1 DP 595209 Kurmond Road Freemans Reach	Dwelling House DA145/90	11/5/90	29/5/90
Dolrange Pty Ltd Lot 1 DP 570240 Kentaleen Road Blaxlands Ridge	Subdivision to create 4 lots S90/98	12/4/90	29/5/90
Oswald Park P/L Lot 11 DP 607233 Comleroy Road Kurrajong	Workers Dwelling DA120/90	12/4/90	10/5/90

M Mahboub Lot 192 DP 206301 Lt Bowen Drive Bowen Mountain	Dual Occupancy DA106/90	28/3/90	9/5/90
Farm Services Unit 2 Lot 31 DP 263025 Blackman Crescent Sth Windsor	First Use for storage of farm goods DA438/89	20/12/89	10/5/90
G S Brackenrig Pt 88 Psh Meehan East Kurrajong	Subdivision to create 6 Lots S89/132	24/8/89	9/5/90
Jeremy Lee P/L Shop 11 Lot 357 DP 723627 Colonial Drive Bligh Park	First Use as a medical centre DA111/90	3/4/90	10/5/90
De La Salle Brothers Lot 1 DP 595209 Kurmond Road Nth Richmond	Duplex DA137/90	30/4/90	14/5/90
M Cross Lot A DP 357038 Section 2 Cnr Windsor St & Bosworth St Richmond	Sales Office with Sanitary facilities for existing car sales yard DA104/90	29/3/90	24/5/90
M Anderson Lot 2 DP 261702 Unit 4 Anderson Place Windsor	First Use for warehousing of ceramic tiles DA135/90	24/4/90	24/5/90
McKinlay Morgan & Associates Lots 1 & 2 DP 773555 Cedar Ridge Road Kurrajong	Subdivision to create 2 lots S90/108	26/4/90	24/5/90

S Muscat Lot 100 DP 633202 497 Kurmond Road Freemans Reach	Erection of a second dwelling DA132/90	24/4/90	24/5/90
R D Turner Lot 14 DP 244920 Dowling Place South Windsor	Est of domestic detergent manufacturing operation DA109/90	2/4/90	24/5/90
Primcourt Pty Ltd Lot 1054 DP 788674 Colonial Drive Bligh Park	2 Lot Strata Subdivision S90/100	19/4/90	28/5/90
C V Jarvis Lot 7 DP 7565 30 Longleat Lane Kurmond	2 Lot Subdivision S90/58	1/3/90	29/5/90
Endeavour Homes Lot 1031 DP 788674 Marsden Crescent Bligh Park	2 Lot Strata Subdivision S90/101	19/4/90	30/5/90
Primcourt Pty Ltd Lot 557 DP 749929 Alexander Street Bligh Park	2 Lot Strata Subdivision S90/104	19/4/90	1/6/90
Primcourt Pty Ltd Lot 1053 DP 788674 Colonial Drive Bligh Park	2 Lot Strata Subdivision S90/102	19/490	1/6/90
Clever Const P/L Lot 1055 DP 788674 Colonial Drive Bligh Park	Strata Subdivision S90/69	13/3/90	5/6/90
Endeavour Homes Lot 644 DP 775033 Bateman Place Bligh Park	2 Lot Strata Subdivision S90/73	19/3/90	5/6/90

Rose Consulting Group Lot 102 DP788786 Richmond Road Bligh Park	Subdivision to create 31 lots S90/82	30/3/90	5/6/90

15. CONSTITUTION OF LOCAL GOVERNMENT RATING TASK FORCE, C44-1, R 186

Following release of the "Report of Inquiry into Local Government Rating and Other Revenue Powers and Resources" the Department of Local Government has advised of the establishment of a Task Force to report to the Minister. The organisations that will constitute the Task Force are - the Local Government Association, The Shires Association, the State Chamber of Commerce and Industry, NSW Council of Social Service, Institute of Municipal Management, NSW Farmers Association, Local Government Women's Association, the Taxpayers Association of NSW, NSW Treasury and the Department of Local Government.

The Secretary of the Department of Local Government will serve as Chairman and the Task Force is to report to the Government by December this year. The Department will receive submissions by any interested person or organisation no later than the 31st August 1990.

The Department has stressed that the purpose of the public review process is to examine and obtain views upon the recommendations of the Inquiry and that this process should not be construed as the conduct of another enquiry.

It is proposed to report further on this matter to the July meeting of the Council.

16. HAWKESBURY HERITAGE ADVISORY COMMITTEE, H105

Included within this business paper are the minutes of the Heritage Advisory Committee of 9th May, 1990. Included within the minutes are the following items.

Proposed Demolition of Slab Barn, Chatham Street, Pitt Town

The Committee has recommended support for retention of the barn, and this matter is indicated to Council as the preparation of this business paper immediately precedes the General Purpose Committee inspection day of 7th June,

at which inspection the General Purpose Committee is likely to make a recommendation to this meeting. Hence, the matter is raised so as to alleviate the possibility of having conflicting resolutions should, for example, the General Purpose Committee recommend demolition of the barn, whereas the Heritage Committee recommends retention.

Review of Heritage List Within LEP 1989

The Committee has recommended that those items of "Heritage" identified in Howard Tanner's North West Sector Heritage Study, but previously rejected by Council, be reviewed for inclusion as heritage items in Hawkesbury Local Environmental Plan, 1989. While there is no objection to a review, Council will be aware that it did consider all of these matters, and rejected a number of them, presumably for good reason. It is considered to be more appropriate that the Heritage Advisory Committee should review those items of Howard Tanner's report not included in HLEP 1989 and, should it wish to make recommendation to Council, it should do so along with an indication as to the importance of the item and justifying reasons for their inclusion.

Advertising Sign Policy

The Committee recommended that Council's Advertising Sign Policy be reviewed, and that consideration be given to the preparation of a policy in similar format to that of Newcastle Council. The Committee has not indicated which components or aspects of the Newcastle Council policy have merit and which should be included in any policy review. It is considered that the matter should be referred back to the Heritage Advisory Committee for a further report in this respect.

17. TREE PRESERVATION ORDER APPLICATIONS. P160/30

The following determinations have been made under application of Tree Preservation Orders.

Applicant	Reason/Request	Determination
Mr G & Mrs S Willmott 4 Evans Crescent Richmond	Remove 3 Pine trees damaging driveway and in danger of falling 27.3.90 - 14.5.90	Approved to remove 2 Pine and 1 Camphor Laurel tree

Mr E & Mrs V Small Por 409 Kurmond Road Wilberforce	Remove 2 Mauve trees - diseased and damaged 5.4.90 - 2.5.90	Approved
Mrs M Bingley 52 Pebbly Hill Road Maraylya	Remove 10 Gum trees for rear access and overhanging house 10.4.90 - 4.5.90	Approved
Mrs K Heawood 366 Grose Vale Road Grose Vale	Remove 2 Eucalyptus trees overhanging house 10.4.90 - 4.5.90	Approved to lop trees only
Mr P & Mrs F Finch Lot 1 Manns Road Wilberforce	Remove 1 large Gum tree overhanging house 19.4.90 - 2.5.90	Approved to lop tree
Mr R Duynhoven & Miss K Hadfield Lot 91 Keda Circuit North Richmond	Remove 3 Grey Gums causing danger to adjoining properties 12.4.90 - 4.5.90	Approved
Mr N Mitchell 110 Boomerang Drive Glossodia	Remove several dying trees - danger to buildings 11.4.90 - 14.5.90	Approved
Mr W MacKenzie 1 Keda Circuit North Richmond	Remove or prune shrub for rejuvenation 17.4.90 - 2.5.90	Approved
Mr C Ford 46 McKellar Crescent South Windsor	Remove 3 trees too close to fence - will be replaced 17.4.90 - 2.5.90	Approved
CJ & John Kershaw P/L 11 Copeland Street Richmond	Remove several trees causing damage to pipes and fence of adjoining property 12.4.90 - 14.5.90	Approved

Mr J & Mrs M Beneke Lot 4 Avondale Road Pitt Town	Remove 7 Eucalyptus tree close to house and stables 26.4.90 - 4.5.90	Approved to lop 2 trees only, other 5 to be retained
Ms K Healey 490 Grose Vale Road Kurrajong	Remove 1 large dead Silky Oak tree 26.4.90 - 4.5.90	Approved
Mr N Pearce 411 Bells Line Road Kurmond	Remove 1 Eucalyptus tree termite infested 26.4.90 - 14.5.90	Not approved - to be treated
Mrs S Heil 560 George Street South Windsor	Remove 1 Liquid Amber tree damaging cement path 2.5.90 - 16.5.90	Not Approved no damage to path is evident
Mr F & Mrs L Hillman Lot 10 Blaxland Ridge Rd Kurrajong	Remove 1 large tree and trimming of others for power supply 2.5.90 - 9.5.90	Approved
Mr D Gilmour 1 Steele Place Bligh Park	Remove three trees for garage and carport construction 2.5.90 - 9.5.90	Approved
Mr & Mrs J Haddad 53 Pebbly Hill Road Maraylya	Remove 3 large trees causing damage to roof 3.5.90 - 14.5.90	Approved
Miss P Tisdale 76 Boomerang Drive Glossodia	Lop large branches overhanging house and power lines 3.5.90 - 14.5.90	Approved
Mr P Atkins 84 Londonderry Road Richmond	Remove 1 Jacaranda tree too close to house and power lines 7.5.90 - 14.5.90	Approved
Mr B Crawford 40 Pecks Road North Richmond	Remove 3 dead trees too close to house 8.5.90 - 23.5.90	Approved to remove 2 trees and lop 1 other

Mr D & Mrs M Smith Lot 732 Hercules Place Bligh Park	Remove 3 trees for dwelling const. 8.5.90 - 23.5.90	Approved
Mr C & Mrs G Bagnara 2 Bowman Street Richmond	Remove 1 tree and lop 1 other - too close to house 9.5.90 - 28.5.90	Approved
Mr C & Mrs J Bradburn Lot 4 Robertson Street Kurrajong	Remove 2 Gum trees - 1 dying, 1 too close to house 9.5.90 - 23.5.90	Approved
Mr C & Mrs G Bagnara 246 Grose Vale Road Grose Vale	Remove miscellaneous Box thorn and wattle 9.5.90 - 28.5.90	Approved
Mr D Green 50 Jordan Avenue Glossodia	Remove several trees overhanging power supply 10.5.90 - 28.5.90	Approved
Mr R Stobart 21 Grand Flaneur Dr Hobartville	Remove 1 large Gum tree danger to dwelling 14.5.90 - 23.5.90	Approved
Mr R & Mrs L Jones 76 Mitchell Drive Glossodia	Remove 2 dead Gum trees 14.5.90 - 2.3.90	Approved
Mr J Vella 43 Saunders Road Oakville	Remove approx. 20 trees for dam construction 15.5.90 - 29.5.90	Approved
Mr K & Mrs M Miller 431 Terrace Road Freemans Reach	Remove 6 Gum trees - white ant infested and too close to house 22.5.90 - 28.5.90	Approved to remove 3 trees only, lop 3 others

18. SYDNEY REGION LAND AUDIT. P160-82 Michael 18/6/90

The Land Audit Working Party met on 8th May, 1990 to consider the draft final report of the Land Audit and in particular representations from the Department of Housing for significant expansion of areas identified as being capable of urban development.

The Chief Town Planners of Urban Development Program Councils were invited to attend the meeting and comment on the additions recommended by the Department of Housing. These are indicated on a map at the rear of the Environmental Study on Rural Residential Development.

The Land Audit Working Party was advised that part of the additional area identified by the Department of Housing was part of the escarpment and that urban development would be precluded by the slope and stability of the land. The escarpment areas identified were part of Bowen Mountain, land at Yarramundi adjacent to the National Park, as well as land along the Grose Valley. A map has been sent to the Department of Planning indicating the escarpment areas.

19. PUBLIC WORKS. S205/3/A

Following a dry first two weeks for the month of May, rain was recorded over 13 days (94mm) for the latter half of the month with minor rises along the main river system. Stream discharge interrupted traffic on a number of local roads from heavy local runoff. Construction work was interrupted with the need again, for pavement patching over the whole of the City area.

ROADS RECONSTRUCTION

Joseph Street, Richmond

Work has commenced on excavation for the dish crossings to be provided in lieu of kerb and gutter.

Mileham Street, Windsor

Kerb and gutter construction has been completed.

DRAINAGE

Bathurst Street, Pitt Town

Installation of the stormwater pipeline is well advanced.

Castlereagh Road, Richmond

Installation of the stormwater pipeline has commenced.

ROADS RESEALING

Reseals have been completed as follows:-

Regional Roads -

Creek Ridge Road 2.3km
Spinks Road 1.5km

Local Roads -

Kurmond Road 0.0-1.35km, 1.55-1.72km, 3.30-4.35km.
Harold Avenue, Onus Avenue, Reynolds Avenue, Sloper Avenue, Mason Avenue, Powell Street, Catchpole Avenue, Hobartville.

Conrad Street, Moray Street, Lennox Street to Teviot Street, Richmond.

Monti Place, Trent Place, Tyne Crescent, Morton Street, Rohan Place, Mokari Street, Hayman Street, Elizabeth Street 200m west end, North Richmond.

Elizabeth Street, Kurmond.

FLOOD MITIGATION MAINTENANCE

South Creek - Painting and repair of flood gates is in progress, while work is continuing on desilting the channel at Bakers Lagoon.

MAINTENANCE

Attention to patching of sealed surfaces with replacement of damaged kerb and gutter George Road, Wilberforce; Dorothy Street, Freemans Reach; Warks Hill Road, Kurrajong Heights.

Repairs have been undertaken to bridges Creek Ridge Road, Upper Colo Road (Eathers and Bruces) with work underway on the bridge over the Colo River at Upper Colo.

PARKS AND GARDENS

Mowing and slashing has continued with attention to machine mowing at all centres despite the wet weather, including maintenance to cemeteries. Weed spraying was carried out early in the month.

Planting of flower seedlings in Windsor Mall, Memorial Park, Windsor and around the Council Complex where the area under the new ramp has been restored.

A tree planting programme has been undertaken in the Ham Common Bicentenary Park.

BUILDINGS

Reserve, Wetherill Crescent, Bligh Park

Further work on the amenities building with the project now well advanced.

The Breakaway, Freemans Reach

Replacement of the toilet block has commenced.

Ebenezer Fire Station

Construction is now virtually complete.

SEWERAGE

McGraths Hill Waste Water Plant

Average Daily Flow - 3,023kl/day

The tree plantation (Silviculture project) has achieved good growth through Autumn with the area listed for mowing ripping during Winter to assist anticipated significant Spring growth. A small quantity of additional trees are to be planted.

South Windsor Waste Water Plant

Average Daily Flow - 1,380kl/day

A cut out switch has been fitted to the rotary screen with a new cleaning blade with automatic debris removal to be installed.

PUMP STATIONS

One of the pumps at Station "B" corner Fairey Road and Ham Street has been overhauled with flow being pumped to McGraths Hill.

Seven mainline sewer blockages were attended to with construction of a manhole at the Council complex following the clearing of a blockage in the service line.

Mulgrave Industrial Area -

The contractor has commenced work with laying of the rising main from Pump Station "Q" in progress. The well has been completed ready for installation of the platform and electrical control cabinet.

REPORTS OF COMMITTEES

1994 BICENTENNIAL COMMITTEE MEETING
held on 28th April, 1990

COMMUNITY COMMITTEE MEETING
held on 1st May, 1990

NOISE & ENVIRONMENTAL POLLUTION COMMITTEE MEETING
held on 2nd May, 1990

HAWKESBURY FLOOD PLAIN MANAGEMENT COMMITTEE MEETING
held on 2nd May, 1990

HAWKESBURY FITNESS CENTRE FINANCE ADVISORY COMMITTEE MEETING
held on 3rd May, 1990

MANAGEMENT EXECUTIVE COMMITTEE MEETING
held on 9th May, 1990

HAWKESBURY HERITAGE ADVISORY COMMITTEE MEETING
held on 9th May, 1990

MUSHROOM COMPOSTING INDUSTRY SITING COMMITTEE MEETING
held on 16th May, 1990

COMMUNITY ENVIRONMENT COMMITTEE MEETING
held on 30th May, 1990

MINUTES OF THE MEETING

OF THE 1994 BICENTENNIAL COMMITTEE HELD AT MCQUADE PARK

ON 28TH APRIL, 1990 AT 2.00 PM

PRESENT: Ald. Ted Books, Mr Peter Bruce, Mr Peter Auld, Mrs Jan Barkley.

APOLOGIES: Ald. Wendy Sledge, Mr Alex Hendrikson, Mr Ross Miller, Mr Robert Pont.

Minutes of the previous meeting held on 5th March, 1990 adopted. Moved Peter Bruce, seconded Jan Barkley.

General Business

Further ideas for the Bicentennial Celebrations were put forward and discussed.

1. Optimum time of year to hold - Spring was favoured, to allow inclusion of a special Spring Garden Festival featuring the whole district from the Windsor area to Mount Tomah in the program. Reference will be made to the calendar of district activities being compiled by the Tourist Association, before an actual date is decided on in September or October, extending over two weekends - moved Peter Auld, seconded Peter Bruce.

2. Additional ideas for activities - schools massed display, vintage cars, special bowls, cricket, football etc competitions, riverboats, plaque(s) unveiling (by appropriate official eg State Governor and local craftsmen involved in manufacture).

3. Pioneer Family Groups involvement:-
   (a) liaison with groups to encourage and co-ordinate special events during 1994;
   (b) tree planting - funding for trees for McQuade Park by such groups throughout 1992, so incorporated as part of park and gardens, and established by Spring 1993.

4. Funding - Council to be asked to budget in its estimates, a special allocation per year until 1994 and that a government subsidy on a dollar for dollar basis be sought. Moved Peter Bruce, seconded Peter Auld.

5. McQuade Park - Council be requested to liaise with the Windsor 1994 Bicentennial Committee regarding the placement of the proposed playground equipment in McQuade Park, so that the Committee's plans for McQuade Park as part of the Windsor Bicentennial Celebrations can be taken into consideration.

6. Committee organisation:-
   (a) Future appointment of a secretary and publicity committee will be necessary. Peter Auld to be interim publicity officer pending formation of the publicity committee. Initial press release to local papers requesting information and photos of sporting activities in the park.
   (b) Representatives from local clubs and organisations be invited (on a rotation basis) to forthcoming committee meetings to hear plans and put forward ideas for involvement of such groups. Moved Jan Barkley, seconded Ted Books.

7. Booklet - general discussion took place on cost and numbers and whether a program would be published as part of the booklet or separately. Format to include a series of old and new photos of businesses, locations, commercial and historical events and personages. (Illustrated story of our history - if possible street by street local artist. Research by committee to continue particularly regarding families of first twenty two settlers.)

8. Commemorative items - special stamp issue by Australia Post and Special Phone Book cover by Telecom to be requested.

9. Sister City and Windsor, Hawkesbury in England involvement.

A tour of McQuade Park was conducted. General observations included:

(a) car park area near grandstand needs definition;
(b) grandstand - refurbished;
(c) playground equipment location to remain;
(d) seating and tables - upgraded;
(e) maintenance - ideally groundsman, watering system;
(f) tree planting undertaken (see 3 Pioneer Involvement);
(g) Bowling Club car park improved.

For the next meeting - Alex Hendrikson and Ross Miller to bring information regarding the composition of a Victorian Garden. Peter Auld to have prepared sketches of a statue of Governor Macquarie (bronze, larger than life size) from Frederick Chapeaux.

Meeting close at 4.30 pm.

Next meeting to be held in McQuade Park on 30th June, 1990 at 2.00 pm.

COMMUNITY COMMITTEE

M I N U T E S

MEETING HELD 1ST MAY, 1990

PRESENT: Alderman Wendy Sledge - Chairperson; Kate Moore; Alec York; Brian Hardiman; Mark Tame; John Crosby; Grace Crosby; Connie Gooley; John Tooth; Fred Gee; Trevor Hulme; Ray Clifford; Andrew Dean.

APOLOGIES: Resolved on the motion of Messrs Crosby/York that the apologies of John Gallard, Lenore Craven and Rob Sledge be accepted.

GENERAL BUSINESS:

Some general discussion regarding the name of the committee took place, however, it was decided to make a final decision at the next meeting.

Possible Aims and Objectives were then discussed and the community unanimously resolved to adopt the following:-

AIMS: To Protect and Enhance the Unique Hawkesbury Environment by Community Involvement".

OBJECTIVES:

1. Raise community awareness of Environmental issues and their effect on each other.
2. Invite the community to seek information and put forward ideas.
3. Encourage participation in working groups.
4. Encourage the community to maintain and improve the Environment.
5. Promote and Initiate Environmental Projects.

DATE OF NEXT MEETING

The next meeting will be held on Wednesday 30th May, 1990, in the Aldermen's Room at 7.30 p.m.

Note: The meeting was to be held on the 23rd May, however, had to be rescheduled.

MC/Pln19/lc

NOISE & ENVIRONMENTAL POLLUTION COMMITTEE

Minutes of the Noise & Environmental Pollution Committee Meeting held on Wednesday, 2nd May, 1990 in the Aldermen's Room, Hawkesbury City Council.

Present:

Squadron Leader P Williams, Alderman R Stubbs, Alderman W Mackay, R Clifford, M Coulter, C Tame, G Farrance, L Stewart.

1. Apologies:

B Simmons, The Hon K Rozzoli MP, B Powis.

2. Confirmation of Minutes:

The Minutes of the meeting held on 7th February, 1990 were confirmed.

3. Business Arising from Minutes:

The Committee was provided with a copy of a letter from Prospect Electricity concerning chemicals used in re-growth control beneath transmission lines. Prospect Electricity advises that "Roundup" is used for the control of sucker re-growth by either cut stump or stem injection. Prospect Electricity advises that the continued use of Roundup for the treatment of sucker re-growth will help reduce the incidence of tree trimming in the future and reduce the cost of this work.

IT IS RECOMMENDED THAT the information from Prospect Electricity concerning the use of "Roundup" for treatment of sucker re-growth be received.

Mr Christopher Tame addressed the Committee on a study he is undertaking into technology for recycling. The study compares Hawkesbury City Council with a number of other Councils and examines alternative approaches to recycling.

Mr Tame discussed the relative merits of kerbside sorting, sorting materials at other locations and the different vehicles which would be required. He suggests that two different recycling systems would be required in the City of Hawkesbury - one system for urban areas and one system for rural areas.

Mr Tame advised that the extra cost of a carefully designed recycling programme can be recouped through a reduction in the waste stream and the cost of disposal.

The Committee discussed the cost of waste disposal in a number of Local Government Authorities. Cost of disposal for Kuring-Gai Municipal Council is $34 per ton through a transfer station while the cost for Hawkesbury City Council through its site off Richmond Road is $19 per ton. The estimated life of the depot off Richmond Road is approximately 9 years.

Mr Clifford advised the Committee that the purchase of a Mulcher was being investigated for the South Windsor Depot.

IT IS RECOMMENDED THAT the information from Mr Christopher Tame be received and noted.

4. Road Noise, Windsor Road, McGraths Hill:

McGraths Hill, concerning road noise from Windsor Road.

Mr Clifford advised that a report is being prepared on the type and structure of an earth mound which would be required to mitigate noise. He advised the Committee that preliminary calculations indicated that the mound would need to be 3.3 metres high to provide reasonable noise mitigation.

IT IS RECOMMENDED THAT the information concerning the preparation of a report on an earth mound to mitigate noise at McGraths Hill be received.

5. Other Business:

The Committee considered an article from the Sunday Telegraph concerning freeway noise and the preparation of Environmental Impact Statements by the Roads & Traffic Authority.

IT IS RECOMMENDED THAT the information concerning freeway noise be received.

Mr Coulter advised the Committee on discussions between Council Officers and a representative of the Joint Task Force on Intractable Waste. The Committee was provided with a copy of the recommendations of the Joint Task Force. The major recommendation is that the Commonwealth, New South Wales and Victorian Governments fund the establishment of a high temperature incinerator to dispose of Intractable Wastes such as pesticides, herbicides, PCB's, CFC's etc. The Joint Task Force has not considered any sites within the Sydney region because of the existing pollution problems.

IT IS RECOMMENDED THAT the information from the Joint Task Force on Intractable Waste be received.

Squadron Leader Williams advised that between the 2nd July, 1990 and 27th July, 1990, a Fighter Squadron of FA18's normally based at Williamtown, will be operating out of Richmond while the Williamtown runway is being resurfaced as a result of the earthquake.

IT IS RECOMMENDED THAT the information concerning the operation of a Squadron of FA18's at Richmond between 2nd and 27th July, 1990, be received.

Alderman Stubbs suggested that Council might approach the Electoral Commission regarding the use of "How To Vote" papers in Local Government Elections with the objective of eliminating paper and cost. The Committee did not wish to specify a particular process but suggests that the matter requires consideration.

IT IS RECOMMENDED THAT Council requests the Electoral Commission to investigate the use of "How To Vote" papers for Local Government Elections (and indeed all elections) with a view to refining the process to reduce the use of paper.

Mr Lex Stewart is to address the next meeting of the Committee on Water Board Policy.

4. Date of Next Meeting:

The date of the next meeting is set for 7.30pm on Wednesday, 4th July, 1990, in the Aldermen's Room, George Street, Windsor.

cc Records

AB/Pln21/lc

ARIC 18.6

HAWKESBURY FLOOD PLAIN MANAGEMENT COMMITTEE

Minutes of the Hawkesbury Flood Plain Management Committee Meeting held on the 2nd May, 1990, at the Council Chambers, George Street, Windsor commencing at 7.40pm.

1. PRESENT:

Mayor, Alderman J J Horrex
Mr M Kokot - Department of Planning
Mr M Hughes - Water Board
Mr P Jones, Mr I Woodhill and Miss J Moses - State Emergency Services
Mr R Vaby - Department of Engineering Services
Mr B Malouf - Department of Environment & Building Services
Mr G Falson - Manager of Town Planning
Ms A Brandjes - Department of Town Planning

Alderman Horrex welcomed Committee Members to this the first meeting of the Hawkesbury Flood Plain Management Committee.

As this was the first meeting, the Manager of Town Planning, Mr G Falson, called for nominations for the position of Chairman of the Committee. A vote of Committee Members was taken and Alderman Horrex was declared Chairman of the Committee.

Alderman Horrex then took the Chair for the following business:-

2. APOLOGIES:

Mr K Jones - State Emergency Services
Mr A Lowe - Public Works Department
Mr Benning - Department of Water Resources

3. BUSINESS ARISING:

Nil.

4. CORRESPONDENCE:

Correspondence was received from the Department of Water Resources advising that, due to the project being concerned with the Hawkesbury River which was tidal throughout the City and was within the administration of the Public Works Department, the Department would not be nominating a representative.

Mr R Vaby suggested that the Department be requested to reconsider its response.

The Committee resolved that correspondence be forwarded to the Department of Water Resources requesting that it reconsider participation in the Committee.

5. REPORTS:

5.1 Hawkesbury-Nepean Total Catchment Management Council

The Mayor advised Committee Members of the existence of the Hawkesbury-Nepean Total Catchment Management Council and of the implications of the recently gazetted Total Catchment Management Act. The Mayor also elaborated on water quality issues affecting the Hawkesbury-Nepean Catchment Area.

5.2 Manager of Town Planning's Report to General Purpose Committee of Council - Flood Plain Management Study

The Manager of Town Planning, Mr G Falson, tabled the Flood Plain Management Study Report adopted by Hawkesbury City Council at its Ordinary Meeting on the 13th February, 1990. Mr Falson also advised that this report was based on the Department of Public Works Flood Plain Development Manual. Thus, in adopting the Report recommendation, Council has resolved to establish a Flood Plain Management Committee as well as undertake preparation of a Flood Study and Management Plan.

Mr M Kokot then indicated that flooding is one issue in the Total Catchment Management approach.

The Committee discussed the appropriateness of membership of the Flood Plain Management Committee on the Hawkesbury-Nepean Total Catchment Management Council.

5.3 Mr G Falson then asked Mr P Jones to advise of the State Emergency Services' current concerns. Mr Jones then advised the Committee of issues of particular concern to the Service.

5.4 Mr G Falson indicated that it would be desirable for Committee Members to list issues that they felt were of concern for discussion at the next meeting.

The Committee endorsed Mr Falson's suggestion.

5.5 Mr G Falson then elaborated on the need for a review of Council's existing Flood Policy and of the advisability to review other Councils' Flood Policies as well as procedures, in particular, Liverpool Council.

Mr G Falson advised the Committee that a discussion document would be prepared by Council's Planning Department and circulated to Committee Members, together with relevant extracts of the Public Works Department's Flood Plain Development Manual.

6. DATE OF NEXT MEETING

The Committee then resolved that the next meeting of the Flood Plain Management Committee be held at 4.30pm on the 6th June, 1990.

HAWKESBURY FITNESS CENTRE

FINANCE ADVISORY COMMITTEE

MINUTES OF MEETING HELD ON THURSDAY 3RD MAY, 1990, AT 5.30 P.M.

PRESENT: Ald. W Mackay - Chairman
Ald. T Books
Peter Hatlee
Allan Currall
Ursula Lowe
John O'Grady

MINUTES: The minutes of the previous meeting held on Thursday 15th March were adopted on a motion by Ald.Books and Ald Mackay.

BUSINESS ARISING

The Manager of Environmental and Building Services advised the Committee that he had followed up personal submissions made to Mr Alasdair Webster, Mr Paul Gibson and Mr Kevin Rozzoli by letter.

The Committee was also advised that as the Manager of Environmental and Building Services had been on leave, lack of time had prevented him from writing to the various groups and sporting bodies regarding planning and conducting fund raising events to support the project. The Committee was advised that this matter would be followed up as soon as possible.

CORRESPONDENCE

1. From Paul Gibson, M.P. acknowledging receipt of letter and advising action taken. Will further advise when more information is to hand.

2. From Alasdair Webster, M.P. acknowledging receipt of letter and advising a further reply as soon as possible.

3. From Kevin Rozzoli to Ald. Mackay, arranging to meet on Friday 4th May.

GENERAL BUSINESS

1. The Committee was advised of Council's resolution of 10th April as follows. "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."

It was resolved to invite Robert Pont, Architect to the next meeting of the Committee to discuss the feasibility of combining the project with the other facilities with the view to cost savings.

2. Ursula Lowe advised the Committee of the work of The Australian Community Recreation Association (A.C.R.A.) and that Mr Graeme Alder, the organisation's General Manager, will be in the area on Friday 11th May.

The Committee resolved that it would be advantageous to meet with Mr Alder during his visit to discuss the proposal in general terms.

3. Discussion took place identifying other interested groups. It was agreed that discussions should take place with John Atkinson with regard to some involvement by Handicapped Persons Groups. It was also suggested that the organising committee of the Macquarie Towns Festival may agree to a fun run as part of the celebrations in October. A separate working party would be needed to organise and Ursula was requested to approach local sporting groups in this regard.

4. The Committee was advised that the various fund raising activities conducted by Baulkham Hills Shire for their recently completed Performing Arts Centre were very successful. John O'Grady was asked to obtain details from Baulkham Hills Shire Council if possible.

5. The Chairman was asked to prepare and issue a Press Release to publicise what is proposed to encourage interested groups and persons to lend support.

NEXT MEETING

It was agreed that the next meeting be held on Thursday 31st May, at 5.30 p.m.

The meeting closed at 6.30 p.m.

MINUTES OF THE MEETING OF THE MANAGEMENT EXECUTIVE COMMITTEE HELD ON WEDNESDAY, 9 MAY 1990 AT 10AM

PRESENT: G. McCully, Town Clerk/General Manager; L. Weatherstone, Manager of Financial & Administrative Services, J. O'Grady, Manager of Environment & Building Services; G. Falson, Manager of Town Planning; C. Daley, Manager of Operations; J. Brown, Chief Librarian.

1. ARCHIVES STORAGE REQUIREMENTS - it was reported that there is becoming a critical storage space and that the existing storage was not satisfactory. A detailed report indicated the storage requirements, various options and the need to develop management strategies for archival work. It was noted that the NSW Government Records Repository at Kingswood offered in locality and costs a reasonable basis however this alone for say one year's supply of building applications would cost in the order of $1200. Further investigation is to take place on the matter including the volume of material likely to be required to be stored, in what format and for what period of time. Further, there is to be a review of existing stored documentation to ascertain if any of this can be cleared. It would be preferred if material could be stored locally. Following a report to the next meeting a staff committee is to be established to completely review the matter.

2. CODE OF CONDUCT - a number of staff have raised questions regarding the contents of the Code of Conduct and procedures for breaches. It was stated that the Department of Local Government was to produce a procedure for looking at breaches of the code and this would be available in the next few weeks. All Departmental Managers are to have discussions with their staff regarding the code and any enquiries directed to the General Manager.

3. HEPATITIS B INJECTIONS - a review was undertaken of the current procedures for provision of injections to Council staff. The policy is to be that Council is to pay for the provision of the injections for those staff considered to be at risk only. Managers are to advise of any inconsistency in this regard. Any other staff that request the injection are to be advised that it is available to them at their cost.

4. BUSINESS INFORMATION WORKSHOPS - SEMINAR - Detailed discussion with two officers from the NSW Office of Small Business. They explained the functions of their office including the "Mainstreet NSW" programme. It is noted that the major cause of small business failure was the complete lack of or inadequate preparation of a business plan in the first instance. That 95% of businesses in Australia employ less than 20% of people but together these businesses employ 44% of all people in the private sector and generate 43% of gross domestic product. A healthy global economy was in the community's interest and accordingly any role that the Council and the Office could take was important. This role should be seen initially as assisting in running an information forum with the forward role being taken by local businesses. It is seen that this perspective is most important. A "Mainstreet Programme" is one developed on the basis that people who believe that the

town centre is the heart of a healthy community and are committed to working together to ensure its vitality today and for the future generations. That the NSW Department of Planning had been involved in this regard and particularly in promoting the understanding of the potential in the preservation and enrichment of urban environments. The Manager of Town Planning to provide a strategy for the "Mainstreet Programme" and other members to consider for the next meeting the basis on which the forum for the small business programme can be established.

5. PAYMENT OF TELEPHONE RENTAL - It was noted Mr. Dennis Moss has taken up duties as Dog Controller and accordingly it was recommended his telephone rental be paid in accordance with the Council policy.

6. MATTERS FOR INFORMATION - a number of matters and circulars from the Department of Local Government that were presented for information including, general purpose rates and garbage charges for 1990 (questionnaire for completion), administration of farm land rating, notification of levels of allowance for war widows, types of treatment entitlement cards issued to war widows, contribution to legal costs policy and guidelines 1990.

7. REPORT ON COMPUTER IMPLEMENTATION PROGRESS - Noted that the finalisation of the implementation is working well with a number of education seminars to be run in conjunction with Genasys in the following areas - general education, estimates, works costing, annual accounts, BA approval module, licences, payroll, workers' compensation, records management, rates system.

G.M. McCully
Town Clerk/General Manager

AB/Pln26/lc

Alice 1816 cc Rowe

HAWKESBURY HERITAGE ADVISORY COMMITTEE

Minutes of the Hawkesbury Heritage Advisory Committee Meeting held on the 9th May, 1990, at the Council Chambers, George Street, Windsor commencing at 7.40pm.

PRESENT:

Alderman R Stubbs - Acting Chairman, Mr A Hendrikson, Mr R Pont, Mrs J Barkley, Mrs L Banks, Mr G & Mrs C Edds and Ms A Brandjes.

APOLOGIES:

Mr A O'Grady, Mr J O'Grady, Mr G Falson.

Mr H Williams arrived at the meeting, the time being 7.45pm.

1. SUSPENSION OF BUSINESS:

The Acting Chairman, Alderman Stubbs, introduced the Guest Speakers, Mr G & Mrs C Edds, who discussed "Conservation - A Practitioner's Viewpoint".

The following points were raised during the talk:-

* the politics of conservation and specifically identified the various types of owners of Heritage Items including:-

    1. The romantics.
    2. The family descendants.
    3. The developer.
    4. The public sector.

* type of property owner determined the attitude and philosophy utilised in conservation of the property.

* buildings Graham Edds & Associates have had involvement with, illustrating the discussion with slides including St John of God Hospital at North Richmond and Lillianfels at Echo Point, Katoomba.

* the need to research both historical data and the physical evidence contained in the building to identify what that building's significance is. Preparation of a conservation plan comprises investigation of historical data as well as physical evidence. Documentary evidence such as details of land grants and photographs may be found at the State Archives, the Mitchell Wing of the State Library of NSW and the Land Titles Office.

* characteristics of buildings found in the Hawkesbury include the half-hipped roof; ruddy coloured bricks; separate kitchen buildings; as well as brick nog construction.

* "Alroy", a building owned by Blacktown City Council, which provides evidence of early cavity brick construction.

* 49-51 Bosworth Street, Richmond was then discussed and slides shown of fretted brickwork and mud mortar damaged by a hive of native bees. The condition of the broadaxed split rafters within 49-51 Bosworth Street was also discussed.

* not only private residences which experienced problems, but also public buildings such as a number of Churches within the Hawkesbury were currently undergoing conservation and maintenance works. Replacement of the string course at St Peters Church, Richmond and the sacrificial render at St Matthews Church, Windsor.

* the need for appropriate housekeeping, particularly in the case of sacrificial render. Graham Edd's minimal conservation philosophy was one based on the Burra Charter and this one which retained as much significance of the item as possible, ie disturbance and intervention.

Following the presentation of a token of the Committee's appreciation to Mr & Mrs Edds by the Acting Chairman, the meeting resumed.

2. MINUTES OF THE HERITAGE COMMITTEE MEETING OF 7TH MARCH, 1990:

It is recommended that the Minutes be adopted.

3. BUSINESS ARISING:

3.1 Status of Restoration Fund:

Ms Brandjes advised the Committee that an advertisement had been placed in the Hawkesbury Gazette calling for invitations for assistance from the Fund. This advertisement would run for a number of weeks.

4. CORRESPONDENCE:

The Chairman advised of receipt of correspondence from Parish Secretary of St Andrews Church, Richmond in relation to restoration of the Church Clock.

5. REPORTS:

5.1 Historic and Environmental Features of the Hawkesbury Region

The Chairman asked Committee members to elaborate on prepared lists of historic and environmental features to the Committee.

Mrs Barkley advised on the difficulty of finding physical features within the Windsor and South Windsor areas due to development. Notwithstanding this, there are a number of historic and environmental features within the area. These include:-

An old creek bed belonging to Rickaby Creek or South Creek in the vicinity of Bligh Park. Exact location to be ascertained.

Volcanic ash deposit - Blackman Crescent, South Windsor.

Diatreme (volcanic pipe) - Richmond Road in the vicinity of the Rum Corps Barracks.

Young volcanic area - Mulgrave Railway Cutting.

Mr Edds provided the following items for inclusion in the list of historic and environmental features:-

The Wheeny Creek system - providing a habitat for Bass as well as Platypus.

Wheeny Gap.

Bellbird Hill.

Cut Rock.

Section of the Richmond-Kurrajong Railway and Station.

Bottle Trees - Comleroy Road, Kurrajong.

The Committee discussed whether the features should be built or natural.

Mr Hendrikson offered the road between the Brick Pit and St Matthews Church for inclusion in the Committee's list.

The Acting Chairman provided the following items for inclusion:-

Longneck Lagoon.

Pitt Town Lagoon.

McGraths Hill Flats and wetlands.

Mrs Banks provided the following items for inclusion:-

St Albans Common and Lagoon.

Violet Valley wetlands (opposite St Josephs Roman Catholic Church).

Wellums Lake.

Escarpment surrounding St Albans village.

Biggers Rocks in the vicinity of St Albans common.

Mr Williams provided the following items:-

Yeomans Keyline Dam System at Grose Vale.

Morans Rock Cemetery.

Upper Colo Church and Cemetery.

Private Cemeteries.

Retaining walls for Comleroy Road between Upper Colo and Kurrajong.

Palm Trees throughout the Hawkesbury.

The Committee then discussed the intrinsic qualities of the Macdonald and Colo Valleys and that care must be taken with any proposals for development in these areas so as to avoid destruction of the special characteristics of each valley. The Committee then recommended that application be made in the 1990/91 National Estate Grants Programme for funding for preparation of a Development Control Plan for the Macdonald Valley and Colo Valley which identified each Valley's special characteristics as well as guidelines for future development within those areas.

6. GENERAL BUSINESS:

6.1 The Plane Tree in Windsor Street, Richmond

The Committee was advised of the outcome of a recent inspection of the Plane Tree in Richmond. This inspection revealed that due to branches being cut off, at the trunk of the tree water had pooled and was causing damage to the tree. The Committee resolved that the Council's Parks Department be requested to undertake an inspection of the tree and advise of appropriate means to solve the problem.

Mr Edds advised that the Mitchell Trees surrounding Hobartville require extensive tree surgery and enquired who the consent authority was for the works. The Acting Chairman advised that the trees at Hobartville were encompassed by the City's Tree Preservation Order and could not be removed without the necessary approval being obtained from Hawkesbury Council.

The Committee recommended that property owners of Heritage Items within the City be advised that, notwithstanding removal of the Section 130 Orders, Hawkesbury Local Environmental Plan, 1989, provides that consent must be obtained for any works or alteration or demolition. The Committee further recommended that property owners also be advised of the availability of the Restoration Fund and other incentives Council offer.

6.2 Proposed Demolition of Slab Barn - 4 Chatham Street, Pitt Town

The recent application proposing demolition of a slab barn was discussed by the Committee. The Committee resolved support for the retention of the barn and recommended that assessment be undertaken by a Structural Engineer experienced in Heritage matters of the stability of the barn. Mr Edds indicated that such assessment was likely to cost in the vicinity of approximately $500. The Acting Chairman indicated that Council did have a Fund under which specialist advice could be funded. The Committee recommended that the availability of funding from the Restoration Fund

for the works be incorporated within the report to Council.

6.3 Poultry Pavilion - Hawkesbury Racecourse

The Committee recommended that the Poultry Pavilion and surrounding trees be identified as a Heritage Item within Council's Planning Instrument.

Mrs Barkley wished the minutes to indicate that she abstained from voting on this matter.

6.4 Relocation of Windsor Post Office

The Committee recommended that Council be advised of its concerns in relation to the sale of Windsor Post Office and that Council indicate this to Australia Post.

6.5 The Main Street Handbook

Mr Pont discussed the Main Street Programme and requested that an extract from the Main Street Handbook relating to Heritage conservation be distributed to Committee Members with their Minutes.

6.6 Proposed Villa Development - 357 Windsor Street, Richmond

Mr Edds indicated that a proposal had been received for Villa development at 357 Windsor Street, Richmond. Whilst this building had merit and was an example of a late Federation and early Californian bungalow residence of which there are few examples in Richmond, the residence was not identified as a Heritage Item in Council's Planning Instrument. The residence had previously been identified in Howard Tanner's North West Heritage Study but was rejected by Council for inclusion as a Heritage Item in the Planning Instrument

The Committee recommended that buildings listed in the North West Heritage Study and not previously included by Council in Hawkesbury Local Environmental Plan, 1989, be reviewed for inclusion as Heritage Items in the Planning Instrument. The Committee recommended that the Inventory Cards prepared for North West Sector Heritage Items be available for perusal by Committee Members at the next meeting.

6.7 Mr Hendrikson requested whether Council had a Sign Policy and if there were specific provisions relating to Heritage Items. Council's
Ms Brandjes, advised that whilst Council did have a Sign Policy, that there were no specific provisions relating to Heritage Items. Ms Brandjes further advised that signs were licensed by Council's Health & Building Department.

The Committee recommended that Council's policy be reviewed and that consideration be given to preparation of a policy in a similar format to that of Newcastle Council, as well as incorporation of specific provisions relating to Heritage Items.

6.8 Christmas Decorations for Windsor

Mr Hendrikson requested Committee Members to give consideration to what could be done in terms of Christmas decorations for Windsor as the Chamber of Commerce was trying to avoid bunting etc.

6.9 Invitation to attend Museum's Week Celebrations at Hawkesbury Museum - Thompson Square

Mrs Barkley extended an invitation to Committee Members to attend drinks at Hawkesbury Museum at 5.30pm on the 25th May to celebrate Museum's Week. The purpose of this function was to make the business community, as well as the general public, more aware of the role of Museums.

7. DATE OF NEXT MEETING

The next meeting of the Committee will be held in the Council Chambers on the 11th July, 1990.

The meeting closed at 10.00pm.

MUSHROOM COMPOSTING INDUSTRY SITING COMMITTEE

MEETING HELD 16TH MAY, 1990

PRESENT: Aldermen R Rotherham, R Benson, Messrs C Longworth, J Miller, J Hincks, A Kennedy, D Heley, J Bradwell, G Price, R Clifford.

Alderman Rotherham advised that Alderman Sledge had tendered an apology and had requested that he chair the meeting.

Resolved on the motion of Alderman Benson/Mr Clifford that Alderman Rotherham be Chairperson for the meeting.

APOLOGIES: Apologies were received from Aldermen Sledge and Books and Messrs Tolson, Falson and Bowen.

Resolved on the motion of Messrs Hincks/Miller that the apologies of Aldermen Sledge and Books and Messrs Tolson, Falson and Bowen be accepted.

Mr Kennedy advised that he is attending the meeting in the absence of Mr Bowen.

CONFIRMATION OF MINUTES:

Resolved on the motion of Messrs Miller/Clifford that the Minutes of the meeting of 14th March, 1990 be confirmed.

MATTERS ARISING OUT OF MINUTES:

1. Mr Hincks requested that his name be recorded as voting against the second resolution in item 1 of general business.

2. Alderman Rotherham stated that Dr Hyde had advised that April, May and June are likely to present the worst meteorological conditions and enquired about complaints being received regarding mushroom composting. Mr Clifford advised that no complaints have been received about Mushroom Composters Pty Ltd, and that complaints are being received from three persons about Graham Price Pty Ltd in relation to spray irrigation of waste water.

GENERAL BUSINESS:

1. Dr T Nair of NSW Agriculture and Fisheries reported on the World Symposium on Mushroom Composting held at the University of Western Sydney, Hawkesbury, April 1990.

   Eighteen countries were represented, therefore, a good cross section of the industry was present. Problems with compost odour exist in some countries and not others. Absence of nuisance is due to location and reaction of the public. It is expected that problems will occur in the near future as development encroaches.

Attempts to reduce odour have been very capital intensive with varying success. Three overseas experiences were cited:-

a) Switzerland and Austria - Composting carried out within buildings requiring 400m² bio-filter for 360 tonne production/week. This technique cannot meet a "no smell" requirement 300 metres from the site. Very capital and maintenance intensive.

b) Holland - Indoor tests commenced in 1989 and will not be completed for three years. A government subsidy of approximately 35% of expenditure has been obtained.

c) Ireland - Only one site has odour complaints due to encroaching residential development. The industry has not undertaken works to reduce odour.

Work being undertaken at Graham Price Pty Ltd is superior and more effective than work being done overseas. Delegates were very impressed with reduction of odour and quality of compost. It was agreed that new ground has been broken in technology.

Mr Bradwell enquired whether odour problems in Switzerland and Austria from indoor composting could be contributed too by channelling of air through bio-filter and escape through open doors. Dr Nair advised that channelling through filters could be a problem, however, air locks were provided to doorways.

Mr Price advised that he is now cropping off the second compost from the 40 tonne tunnel. Cropping is comparable with conventional crops and small tunnel is producing consistent crops. Yields in excess of conventional compost are expected. He anticipates that production on his farm can be by tunnel compost between October and December this year based on results to date. Market research is being undertaken and viability of progress will be known in about two months.

Resolved on the motion of Messrs Hincks/Longworth that the Chairperson prepare a press release on current developments.

Mr Clifford advised that a report would be submitted to Council in the near future on work being undertaken by Graham Price Pty Ltd and Mushroom Composters Pty Ltd.

2. Mr Bradwell enquired about private legal action to be taken in respect to mushroom composting.

Alderman Benson advised that a group in McGraths Hill have briefed a groups of six Queen's Counsels to take action against Council if it does not enforce the notices served. The group has paid $1000.00 deposit and will not give up and intend to force the matter through. There is a need to keep the relocation option open.

DATE OF NEXT MEETING:

Resolved on the motion of Alderman Rotherham/Mr Heley that the next meeting be held within three months at the discretion of the Chairperson.

COMMUNITY ENVIRONMENT COMMITTEE

M I N U T E S

MEETING HELD 30TH MAY, 1990.

PRESENT: Alderman Wendy Sledge - Chairperson, Kate Moore, Alex York, Mark Tame, John Crosby, Grace Crosby, Rob Sledge, John Tooth, Fred Gee, Lenore Craven, Ray Clifford, Andrew Dean.

APOLOGIES: Resolved on the motion of Messrs Tame/Crosby that the apologies of Trevor Hulme, Brian Hardiman, Connie Gooley and John Gallard be accepted.

CONFIRMATION OF MINUTES:

Resolved on the motion of Messrs Tame/Crosby that the minutes of the 1st May, 1990, be confirmed subject to the addition of the following:-

"The report on Recycling is to be forwarded to the Committee, for comment, prior to full Council consideration".

MATTERS ARISING OUT OF MINUTES:

Moved on the motion of Rob Sledge that the Aim of the Committee be altered and an additional objective be included, as follows:-

AIM: To protect and enhance the Unique Hawkesbury Environment by Community involvement and to assist citizens to take responsibility for their local area.

OBJECTIVES:

1. Assist community groups to define issues, plan and take action in their local environment.
2. Raise community awareness of Environmental issues and their effect on each other.
3. Invite the community to seek information and put forward ideas.
4. Encourage participation in working groups.
5. Encourage the community to maintain and improve the Environment.
6. Promote the Initiate Environmental Projects.

...../2.

COMMUNITY ENVIRONMENT COMMITTEE

M I N U T E S

CORRESPONDENCE:

1. Correspondence received from Clean Up Australia Ltd regarding "Clean Up Day 1991", informing Council that the date will probably be early in 1991 and that planning for the day will begin shortly.

   Resolved on the motion of Alec York and Grace Crosby that the correspondence be received.

GENERAL BUSINESS:

1. Naming the Committee -

   Resolved on the motion of Kate Moore and Alec York that the Committee's name be **HAWKESBURY CITY COMMUNITY ENVIRONMENT COMMITTEE.**

2. Motto and Logo -

   Motion moved by Ray Clifford and seconded by Lenore Craven that the Committee invite community participation in designing a logo and/or motto for the Committee.

   Further, that a selection of books to the value of $100.00 be awarded to the most appropriate logo and/or motto. Alderman Wendy Sledge and Andrew Dean to arrange press release to this effect.

   Amendment moved by Rob Sledge seconded by Andrew Dean that the Committee invite community participation in designing a logo for the Committee.

   Further, that a selection of books to the value of $100.00 be awarded to the most appropriate logo. Alderman Wendy Sledge and Andrew Dean to arrange press release to this effect.

   Upon being put the amendment was carried.

...../3.

COMMUNITY ENVIRONMENT COMMITTEE

M I N U T E S

3. Formation of Sub-Committees -

Moved on the motion of Rob Sledge and Alec York that the following Sub-Committees be formed:-

a) PROMOTIONS/PUBLICITY SUB-COMMITTEE - Alderman Wendy Sledge, Rob Sledge, Kate Moore, Grace Crosby, John Crosby and Ray Clifford. Convenor - Alderman Sledge.

b) RECYCLING SUB-COMMITTEE - Alec York, Kate Moore, Jennifer Chapple and Garry Baldry. Convenor - A York.

c) EDUCATION, RESEARCH, EARTH WEEK - Lenore Craven, Kate Moore, Henry Matulewicz and Andrew Dean. Convenor - L Craven.

d) COMMUNITY PARTICIPATION - Alderman Wendy Sledge, Grace Crosby, John Crosby, Mark Tame, Rob Sledge and Andrew Dean. Convenor - G Crosby.

Meetings of the Sub-Committees be independently organised prior to the next meeting.

DATE OF NEXT MEETING:

The next meeting will be held in the Council Chambers, Wednesday 27th June, 1990, at 7.30 pm.

CORRESPONDENCE FOR INFORMATION

SECTION 7

1. SCHOOL BOARDING SERVICES - APPRECIATION. A5

On behalf of the North Rocks Institute thanking staff at the Village for their exceptional help and kindness shown to the staff and children on Sunday, 15th April, 1990 and stating that they will recommend without hesitation the facility to other organisations.

2. LOCAL GOVERNMENT ASSOCIATION OF NSW - REFUND OF FRINGE BENEFITS TAX & PAYE INSTALMENT CREDITS. T215-4

Advising that as there is now no legal requirement for Councils to pay either fringe benefits tax or deduct tax instalments from payments to elected members (pursuant to section 28, 29 or 29A of the Local Government Act) Councils or elected members are urged to contact their appropriate Taxation Office as soon as possible, if they are entitled to refunds or credits. It was also noted that refunds of FBT cannot be made after three years from the date of the original assessment.

(TC/GM - Revised tax assessments in regard to Fringe Benefits Tax already paid to the Commissioner of Taxation are now being prepared.)

3. SAVE HOWLEY PARK CITIZENS' COMMITTEE - LEASE OF PARKS. 625

Expressing concern over the recent precedent set by the State Government of allowing adjoining property owners or businesses to lease parks.

(TC/GM - Further details of the position in this matter are being sought.)

4. HAWKESBURY ADULT LITERACY GROUP - APPRECIATION. A5

Advising that Thanking Council for both the invitations to the official opening of the Children's Literacy Collection on 2nd May, and also for the support it is giving in meeting the problems of literacy in the community, through various collections.

5. COMMONWEALTH BANK OF AUSTRALIA, RICHMOND - GUARANTEE. B21

Confirming cancellation of Guarantee dated 29th November, 1989 for $20,000 in favour of Hawkesbury District Agricultural Association.

6. DAVID PROWSE, MLA, SPEAKER ACT LEGISLATIVE ASSEMBLY - CONGRATULATIONS. A5, CS2-4, T220

Expressing congratulations on Australiana Pioneer Village facility. Also advising that Canberra Tourist Bureau, after viewing brochures, requests that more copies be forwarded to them for future distribution.

(TC/GM - Arrangements have been made for the supply of additional brochures on Australiana Pioneer Village and other areas within the city for distribution in Canberra.)

7. DAVID HAY, MINISTER FOR LOCAL GOVERNMENT, MINISTER FOR PLANNING - CODE OF CONDUCT FOR LOCAL GOVERNMENT MEMBERS AND STAFF. L128, C50

Advising that suggestions will be considered before one copy of final Manual is distributed to all Councils. Extra copies will be available at $10.00 each.

Later in the year, a review in the practical application of the Code is proposed.

8. J H MILNE - APPOINTMENT - DIRECTOR - CENTENARY CELEBRATIONS. H101

Advising that he has been appointed Director of Centenary celebrations at the University of Western Sydney, Hawkesbury that will take place during 1991. A programme is currently being developed and will be forwarded when available.

9. DEPARTMENT OF SOCIAL SECURITY - CHANGES TO ASSISTANCE. C45

Outlining changes to assistance available through the Department. Bereavement Assistance will help recipients of pensions on the death of a family member. The Child Support Scheme was introduced to ensure separated parents each meet a fair share of the costs of supporting their child or children. In regard to Unemployment Benefits, new measures have been introduced to review the position of beneficiaries before they become entrenched in unemployment. Newstart is a program to help long term unemployed 18 - 20 year olds to get back to work through short training courses and voluntary work. Retirement Incomes policy now enables pensioner couples to earn up to $70.00 per week and single pensioners up to $40.00 before their pension is affected. Some provision has also been made for work incentives for the older unemployed. Changes to payments to unemployed young people have also taken effect through the Job Search Allowance which is subject to family income means test.

10. LOCAL GOVERNMENTS AND SHIRES ASSOCIATIONS - GENERAL CIRCULAR NO. 6/1990. C44/2

1. On-the-spot Fines.
2. "False Alarm" Regulation.
3. Building Waste Containers.
4. State Land Tax.
5. IMM - Seminar on Managing Local Authority Finance.
6. Journals Index and bibliography of Recent Acquisitions.
7. Solar Design Aids.
8. PACOM Congress.
9. ALGA General Circular.
10. Half Day Seminar for Elected Members and Senior Staff.
11. Request for Legal Assistance - Policy and Guidelines.
12. Legal Opinion - Fees.
13. Consumer Claims Tribunals - Actions against Councils.
14. Info-One.
15. Award Restructuring Follow-Through.
16. Environmental Offences and Penalties Act.
17. Kingsford Smith Airport EIS.
18. Building Approvals.
19. Inquiry into Chemicals.
20. "Weed Awareness Week" - 15 - 19 October 1990.
21. Town and Country Planning Qualifications Committee.
22. Town and Country Planning Qualifications Committee.
23. Noxious Plant Grants.

24. Non-feasance - The Current Position.
25. Direct Credit - Payment of Ancillary Charges.
26. Municipal and Shire Council Wages Staff Award - Plumbers' Licence and Registration Allowances.

11. LOCAL GOVERNMENT AND SHIRES ASSOCIATIONS OF NSW - GENERAL CIRCULAR NO. 7/1990. C44/2

1. State Capital Agreements.
2. Offers of new Long Day Care Centres.
3. 1990 Multicultural Marketing Awards.
4. Introduction to Local Government Course for Community Services Staff.
5. Training and Development Unit - Social Planning Course.
6. Local Government Community Services Association Disability Services Group.
7. Inquiry into Local Government Auditing.
8. Government Financial Estimates, 1989/90.
9. Nomination of Board Members - Regional Development Boards.
10. Local Government Association Conference - Motions for Debate.
11. Advertising on Telecom Public Phone Booths.
12. "Complaints Against Licensed Premises".
13. Commonwealth Training Guarantee Legislation.
14. Land/Property Information System Seminar.
15. Rural Local Road Funding Formula - Revised Indicative Estimates.
16. Rail Services.
17. 1990 Conferences on Roads Issues.
18. Resolution No. 15 - Blue Heliotrope Control.
19. Fixed Term Contracts of Employment.

12. WSROC - NEWCASTLE EARTHQUAKE - LORD MAYOR'S APPEAL, W275

Forwarding correspondence from Penrith Council that suggested that each council in Western Sydney donate $10,000 to the Newcastle Earthquake Appeal.

(TC/GM - There are other natural disasters such as the floods at Nyngan and the recent hail damage to properties in the Hawkesbury and other areas in New South Wales, which have occurred during 1990. Council is making a contribution to the Nyngan disaster whereby a shared arrangement of two building inspectors for a period of two weeks has assisted in the restoration of the buildings and facilities in that area. It is considered that there are no further funds available to contribute to these natural disasters.)

13. DEPARTMENT OF PLANNING - PROPOSED DISPOSAL OF 3 WATER BOARD OWNED SITES. C51, M134

Letter in response to the information contained in Council Business Paper of 14/1//89 regarding possible acquisition of three water board sites in Windsor, those being Hollands Paddock Car Park, site occupied by the water tower and other plant Fitzgerald Street and the pumping station site adjacent to Howe Park and the river.

14. HAWKESBURY DISTRICT SENIOR CITIZENS CENTRE - APPRECIATION. A5

Extending thanks to all those who were involved in the Concert held at the Windsor Function Centre on 9.5.90 as part of Focus on Ageing week.

15. HAWKESBURY DISTRICT SENIOR CITIZENS CENTRE - ANNUAL FETE. A7-1

Advising that their annual Fete will take place in the grounds of the Centre on 25th August, 1990.

Telcon 18-6

16. LIVERPOOL CITY COUNCIL - MULTIFUNCTION POLIS (MFP). W275

"Reference is made to your letter of 18th April, 1990 concerning the decision on the MFP proposition.

Council at its meeting on 1st May, 1990 resolved to:

"note the information provided and of actions taken by WSROC, and further, that the matter be monitored until the Commonwealth Government determines feasibility and nominates a preferred site option."

The Council also resolved:

"Council further states its position that no support can be given to any MFP proposal that involves any of the following:-

(a) tax or rate concessions to foreign based multi-national corporations.

(b) the provision of infrastructure funded from public revenue.
(c) the reinvestment of profits from the MFP other than in Australia.

Comments from the RSL and Senior Citizens Organisations as to their opinion on the Multi-Function Polis proposal"

Council will be writing to the Organisations referred to in the last part of the resolution and should any submissions be made, these will be further considered by Council."

17. THE BILPIN DISTRICT HALL INC - MANAGEMENT COMMITTEE COMPOSITION. L125-28

Advising that the following residents were elected to the Bilpin District Hall Inc Management Committee at the Annual General Meeting held on 28th March, 1990: Chairperson - Mr M Kindler, Deputy Chairperson - Mrs G Hungerford, Secretary - Mr F Knowd, Treasurer - M/s S Richards, Committee Members - M/s N Warner, M/s Y Pearsall, Mrs N Hanlon and Mr C Timmerman. Future correspondence should be addressed to the Secretary, c/- Bilpin Post Office.

18. NSW AGRICULTURE AND FISHERIES. L125. A10

Forwarding a copy of Programmes and Achievements 1988/89 for the New England, Hunter and Metropolitan Region of New South Wales. Advising that the report addresses the involvement of all functions of Agriculture and Fisheries in this area of the State.

19. FLOOD MITIGATION AUTHORITIES OF NSW. F84/7

Forwarding the Minutes of the Flood Mitigation Executive Meeting held at Wollongong on 17th May, 1990.

Councillor J. Ensby, Clarence River County Council and Alderman K. Dwyer, Penrith City Council were re-elected Chairman and Deputy Chairman, respectively, for the ensuing twelve months.

The annual contribution was fixed at $800 per authority.

Further action was taken concerning a deputation to the Minister for Primary Industries and Energy, Mr. John Kerin.

20. LOCAL GOVERNMENT SHIRES ASSOCIATION OF NSW - 1990 ANNUAL CONFERENCE. W271, C48/1

Advising that the Annual Conference of Committee Member Councils will be held on 22nd and 23rd November, 1990.

Inviting members to submit discussion item proposals for consideration by the Committee, by no later than 10th August, 1990.

21. STIMULUS. D64

Requesting a donation towards the 10th Annual Fun Run with proceeds being used to provide services and educational programmes for the children who use the Centre.

(TC/GM - A donation of $100.00 has been made.)

22. RSL KURRAJONG-COLO - APPRECIATION. A5

Thanking Council for their co-operation with the recent Anzac Day Ceremony held in Wilberforce Park, including grass cutting and tidying up around the Memorial.

23. L G MACDONALD & CO - LIMITED OVERDRAFT. A8

Enclosing a Limit of Overdraft Certificate based on income shown in Council's account for the year ended 31st December, 1989. Certifying that Council may borrow by way of overdraft up to but not exceeding:-

General Fund - $13,732,949.00; Sewerage Local Fund - $1,163,994.00

24. PETITION FOR CLOSURE OF ENTRANCE TO HAWKESBURY VALLEY MOTORS IN ANSCHAU CRESCENT. 14-1W

Petition containing 50 signatures requesting Council to close the entrance to Hawkesbury Valley Motors in Anschau Crescent to all traffic and stop Car Transporters from loading and unloading in Ross Street and Anschau Crescent.

25. DEPARTMENT OF PRIMARY INDUSTRIES AND ENERGY - AUSTRALIAN WATER RESEARCH ADVISORY COUNCIL. W272

Advising of the formation of the Land and Water Resources Research and Development Corporation to be established on 3rd July, 1990.

Forwarding a detailed discussion paper on the operation of the LWRRDC.

26. HAWKESBURY CRICKET CLUB - BENSONS LANE CRICKET COMPLEX. 625-220, 625-220B

Forwarding information from the Sydney Cricket Association, whereby the NSW Cricket Board has resolved that the number and identity of the clubs currently participating in the Tooheys Grade Competition shall remain the same for an indefinite period.

27. ROADS & TRAFFIC AUTHORITY - DIRECTION TO RESTRICT. R190/10

Advising the fixing of speed limits in the following areas:-

MR 503 - Putty Road -
60kph - From 0.5km north of East Kurrajong Road (Sec 1)
To 0.55km south of East Kurrajong Road (Sec 1)
for construction work.

MR 503 - Putty Road -
60kph - From 60.5km to 65.4km north of Windsor for construction work

West Portland Road/Greens Road, Sackville - Lower Portland -
80kph - 1. From Sackville Road to a point approximately 0.3km north of Laws Farm Road.

2. From approximately 0.4km south of Colo River Bridge to approximately 0.4km north of Wheelbarrow Ridge Road.

Westbury Road, Kurrajong -
60kph - Full length

MR 182 - Sackville Road, Sackville -
60kph - From the Hawkesbury River to approximately 0.2km south of West Portland Road, a distance of approximately 0.7km.

MR 519 - Blaxland Ridge Road -
70kph - Between points 1.4km and 3.5km east of Comleroy Road.

Bandon Road -
60kph - From Windsor Road to a point approximately 0.5km south.

Scheyville Road, Scheyville -
80kph - From 0.25km north-east of Old Pitt Town Road to Pitt Town-Dural Road.

MR 184 - Richmond Road, Windsor-Clarendon -
60kph - From 0.2km to 1.35km west of Gosper Street.

Terrace Road, North Richmond - Freemans Reach -
70kph - 1. 0.6km to 3.4km east of Bells Line of Road
2. Kurmond Road to a point approximately 1.9km west.

Tizzana Road, Sackville -
60kph - From Sackville Road (MR 182) to a point approximately 4.1km north-east.

Tizzana Road, Ebenezer -
80kph - From Sackville Road (MR 182) to a point approximately 4.8km north.

MR 182 - Bridge Street, Windsor -
40kph - From The Terrace to Macquarie Street for construction work.

Old Sackville Road -
60kph - From Singleton Road (MR 503) to Sackville Road (MR 182).

Salters Road/Argents Road
80kph - 1. Salters Road from Old Sackville Road to Argents Road
2. Argents Road from Salters Road to Singleton Road (MR 503).

Cedar Ridge Road -
80kph - Full length, a distance of approximately 4.9km.

28. MR. STEWART PACKHAM - TRANSCEPTION - GROSE VALE. A7/1, P155

Forwarding further representations regarding the use of Council's car park on Old Bells Line of Road, Kurrajong Village to hold markets on the second and fourth Sunday of each month.

(MES - Mr. Packham was advised that the off street car park is not available for the erection of stalls and sale of goods, being reserved for off street parking for the commercial centre.

Mr. Packham has again been advised that the refusal to use the area as part of the Kurrajong markets is confirmed.)

29. NATHAN BARNES & WARREN MOSS - RICHMOND HIGH SCHOOL - DONATION. D64

Requesting a donation, indicating that they had been selected in the New South Wales Combined High Schools Rugby League Teams which play in the Australian Schoolboy Championships in Perth this season.

(TC/GM - A donation of $100.00 each has been made.)

Michael 18-6

30. TOM LONSDALE AND ASSOCIATES - PROPOSED REZONING OF LOTS 308 AND 341 RIFLE RANGE ROAD, SOUTH WINDSOR. L2/87

"This is a letter of thanks to Mr Coulter and yourself for meeting with Neville Jackett and myself on 7th May.

Both of you clearly indicated that there is a need for a Discount Department Store in the city. You confirmed that it was unlikely that the Richmond Mall proposal would come to fruition. In the event of that failure you suggested that Council might be encouraged to take a more pro-active role in securing a DDS for the city.

We understood that if our site is to be considered then the onus is on us to provide a solid development proposal. I indicated that this proposal would be based on:

1. The Kinhill Stearns Traffic and Economic Impact Study, Oct 86.
2. Bligh park Traffic Management Study 1988.

3. The product of discussions with Woolworths, K Mart and Target.

I shall keep you informed of developments.

With thanks."

File 18-6

31. MR C MERCIECA - ERECTION OF FOUR POULTRY SHEDS, BOCKS ROAD, OAKVILLE. DA 22/90

Council is referred to Development Application Item 8 in the Planning and Development Section of the General Purpose Committee within this business paper. At the Committee Meeting it was indicated that a petition had been received, but unsigned, from a number of residents adjacent to the current operation of Mr Mercieca at Quakers Hill.

The signed copy of the petition has now been received.

32. PECUNIARY INTEREST - PROCEDURE FOR DEALING WITH ALLEGED BREACHES. C50-23.

Department of Local Government Circular No. 90/17 forwarding advice that there are an increasing number of alleged breaches of the pecuniary interest provisions of the Local Government Act, and that there appears to be some considerable confusion amongst councils as to how to deal with allegations.

That the starting point is for local issues to be as far as practicable resolved administratively, politically and judicially at the local level by local citizens and ratepayers. Therefore in the first instance the responsibility to take action in relation to alleged breaches of the Act by members of staff of councils rests with the council concerned. In this regard the provisions of Section 591(d) of the Act make it clear that the enforcement of the Act is a matter for the community as a whole including the council concerned, its Clerk, or "any person whomsoever". Then providing the steps that should be followed by councils in dealing with matters. A copy of these has been produced for all members.

33. PUBLIC WORKS METWEST REGIONAL OFFICE, FLOOD DAMAGE - FEBRUARY 1990. G95/45, F84

Advising that the Public Works Department is responsible for the administration of Government grants for the restoration of storm damaged Council assets excluding Crown Land and Road Reserves and funds have been made available for this purpose.

(MO - Damage to Council assets from the February flood event which would comply with the requirements for a grant application is Navua Reserve at Grose Wold. This matter was reported to the Ordinary Meeting of 13th March, 1990, where it was proposed not to make application for a grant, that minimal grading be carried out for safety purposes and the provision of a more controlled access to the Reserve. This work has been carried out.)