Hawkesbury City Council

BUSINESS PAPER

Ordinary Meeting 13 NOV 1990

HAWKESBURY CITY COUNCIL

MISSION STATEMENT:

"To protect and enhance the unique,
historical and environmental features
of the Hawkesbury Region
whilst encouraging planned development
and providing services
appropriate to the needs of the
wider community."

MEMORANDUM

TO: TOWN CLERK/GENERAL MANAGER
MANAGER OF TOWN PLANNING

FROM: R. ZWICKER - TOWN PLANNER

DATE: 26TH NOVEMBER, 1990

SUBJECT: DEVELOPMENT APPLICATION
DA 277/90

Reference is made to DA 277/90 seeking consent to formalise the construction of an unauthorised, partially completed boat ramp upon the subject land known as Lot 16 DP 247168 (public reserve) fronting the Hawkesbury River, off Lot 10 DP 247168 Tallow Wood Close, Wilberforce in the ownership of R. L. & S. A. Hardaker.

I received a phone call at 9.52 a.m. from Mr Ken Hardaker in relation to the application at which time I advised him that the matter was to be reported to the General Purpose Committee meeting of 27th November, 1990 (tomorrow) and that the application was recommended for refusal.

Following this, Mr Hardaker insinuated that "the only way a person can get action is by the way of a backhander to Council", i.e., corrupt money transactions.

Before I was in a position to strongly refute this unsubstantiated allegation, Mr Hardaker hung up.

This is submitted for your information in sight of potential allegations being raised at the General Purpose Committee meeting in order to allow you to pursue the appropriate action.

Ron Zwicker.

GENERAL PURPOSE COMMITTEE MEETING - 27TH NOVEMBER, 1990

SUPPLEMENTARY REPORT

SECTION 1 - WORKS

ITEM 9: (File M130/30, P160/68, B24/8)

SUBJECT: FLOOD FREE ACCESS STRATEGY - PLANNING WORKSHOP - ROADS & TRAFFIC AUTHORITY

REPORT (M.E.S.)

Correspondence has been received regarding the RTA's proposal to develop a strategy to investigate the possibility of provision of flood free access in the City of Hawkesbury, particularly to and from the areas west of the Hawkesbury River.

Three public expositions, or displays of preliminary material, have been organised, these to be held at the following locations:-

Springwood Civic Centre
Macquarie Road, Springwood
Tuesday, 27th November, (5.30-8.30pm)

North Richmond Community Centre
William Street, North Richmond
Wednesday, 28th November, (5.30-8.30pm)

Freemans Reach Primary School,
Kurmond Road, Freemans Reach
Thursday 29th November, (5.30-8.30pm)

The objectives of these expositions is to let the community know that the RTA is developing a strategy for flood free access in the area; to explain the strategy development process and matters currently under consideration; and to enable those who attend to indicate their road access needs and to identify any matters which they think the study should address.

Discussions have been held with the consultants and advice given concerning Council action.

Recommendation

That liaison be maintained with the consultants concerning the investigation.

SECTION 2 - PLANNING AND DEVELOPMENT

ITEM 25: (File DA 330/90)

SUBJECT: NEW HAWKESBURY HOSPITAL AND COMMUNITY HEALTH CENTRE

REPORT (M.T.P.)

Council is referred to Item 7 of the Planning and Development Section within this business paper (pages 15-23).

The Regional Development Committee has now met and resolved that, whilst not objecting to the proposed hospital and community health centre in principle, the matter should be deferred until such time as a full traffic study has been undertaken by a recognised traffic consultant.

As Council cannot refuse nor attach conditions to the application without the consent of the Minister or by agreement with the applicant, it is considered that the imposition of Condition No.7, i.e., compliance with the requirements of the Roads and Traffic Authority, will suffice.

To do otherwise could lead to unreasonable delays in the hospital construction planning process.

A submission from Mr. B.A. Collier of No.1 Mileham Street, Windsor has also been received on the matter indicating that the proposed development will be a great asset to the Windsor district, however, objection is raised to the location of the Ambulance Station due to the likelihood of noise. As indicated in the report, the Ambulance Station is not part of this application.

√ Recommendation

That the information be received.

TOWN CLERK/GENERAL MANAGER'S SUPPLEMENTARY REPORT

SPECIAL MEETING - 12TH NOVEMBER, 1990

Mayor and Aldermen:

1. 1991 ESTIMATES E77/9

A number of matters have arisen since the distribution of the proposed 1991 Estimates and the following information is provided:

Debt Servicing

Attached is a statement of debt servicing for Ordinary Funds over the last three years. The Debt Service as a percentage of income has reduced progressively over that time from 27.97% in 1989, an estimated 26.88% for the current year and an estimated 24.67% for 1991. As indicated in the Estimates' document there were considerable borrowings in the early 1980s during times of lower interest rates and when there was a demand for a number of community facilities. These were constructed and added significantly to the welfare of the population. Borrowings have reduced considerably over the last four years and now being reflected in the reduction with this further increasing in future years as the larger loans of the early 1980s are paid out.

Boat Ramp

There is a section missing in the Estimates' document regarding the boat ramp and it was indicated to Aldermen that the charge was to be increased from $4.00 to $5.00. The current charge is $5.00 and the proposal is to increase that from the 1st of January to $6.00.

Reserve - Employees' Leave Entitlement

The Employees' Leave Entitlement currently stands at $561,861. This is considered adequate but the minimum amount that should be provided considering those employees that are entitled to resign and/or retire in the near future.

Legal Fees

The amount provided for Town Planning legal fees is proposed to be increased from $15,000 to $40,000 with this still being a substantial reduction on the last two years. It is considered in the circumstances that include the rate of development and negotiations that take place as being reasonable.

Immunisation

The reason for the reduction in the immunisation costs for 1991 is that the programme has not cost as much as estimated during 1990. In regards to numbers of persons being immunised there has been a reduction since 1985 although this has stayed relatively consistent for the last three years. The number of persons being immunised since 1985 on a year by year basis is as follows : 1571, 1253, 1217, 1164, 1100, 1100 (the last two figures in 1989 and 1990 are estimates. 1989 there is no record for the month of October due to the change in the computer system and 1990 there is still one clinic to complete the year.)

Standpipes

It is proposed to produce educational material and have this distributed throughout the non-reticulated areas of the City during 1991 encouraging persons to improve their water supply system in terms of capacity and be better managers of the system. Further indicating the costs of operating standpipes and that this will be reviewed in 1992 on basis of user pays.

Library Hours

It is proposed within the existing budget to open both Windsor and Richmond Libraries on Thursday evenings. This will extend the hours until 8.00 p.m.
A check will be maintained on type of usage (at all hours) and security of staff. It is proposed to commence the extended hours from the first week in February, 1991.

Lower Portland Ferry

An analysis has been made on usage of the ferry over a three month period. This indicates average use of the vessel at 157 cars/day. Of this the usage between 10.00 p.m. and 6.00 a.m. is 9 vehicles average and between 11.00 p.m. and 5.00 a.m., 3 vehicles average.

G.M.McCully,
Town Clerk/General Manager.

STATEMENT OF DEBT SERVICE FOR ORDINARY FUNDS

	1989 ACTUAL	*1990 ESTIMATE*	*1991 ESTIMATE*
Principal Repaid,Interest Applicable	$4,510,521.88	$4,832,625.00	$4,819,561.00
LESS Income Generated During Year	$854,573.93	$927,212.71	$1,006,025.79
NET DEBT SERVICE FOR YEAR	$3,655,947.95	$3,905,412.29	$3,813,535.21
Net Ordinary Services Rates Levied	$9,339,164.03	$10,592,539.00	$11,235,360.00
Pensioner Rates Subsidy	$119,973.03	$130,000.00	$160,000.00
Ex-Gratia Payments in Lieu of Rates	$41,876.96	$41,000.00	$33,200.00
Garbage Charges	$1,405,946.19	$1,533,376.00	$1,713,920.00
Commonwealth Financial Assistance Grant	$2,164,200.00	$2,232,150.00	$2,314,000.00
	$13,071,160.21	$14,529,065.00	$15,456,480.00
NET DEBT SERVICE AS A % OF INCOME ITEMS	27.97%	26.88%	24.67%

times and thus, reduced maintenance costs, monitoring of electricity use, early warning of equipment breakdown allowing repairs to be carried out before building temperature reaches undesirable levels and alarm system malfunctions.

It is estimated that the next twelve months electricity costs for the buildings in the complex (Council Chambers, Offices, Function Centre and Library) would be $142,700. It is estimated that approximately 20% or $28,500 could be saved in the first year with the energy management system installed. This would increase to about 30% after the first two years.

The system would involve the installation of units in the Council Chambers, Offices, Library and Function Centre. Consideration also be included in the 1990 budget for lighting control that would further increase savings.

Quotations were obtained for a system and they vary between $30,000 to $80,000. A good system to meet current and projected needs is in the order of $45-$50,000. Should the Council decide to proceed, firm quotations will be obtained and a recommendation made to the next meeting. Total installation is estimated at $55,000.

Security

As the area develops and there are increasing changes in staff, there is an increasing problem with security of the main Council buildings. This is further increased by the value of equipment now held and the significant disruption to operations that theft or vandalism would cause.

It is recommended that the following additional security be installed: increased back to base electronic monitoring of additional office area and Council Chambers, electronic door access (this will almost remove the need for keys thus saving major costs of lock changes when keys are lost or stolen).

The total cost including computer equipment enabling monitoring and details of out of hours access is $22,000.

Funds for all three matters are available from those allowed in the 1989 budget for the leasing of computer equipment. Council chose the cheaper option of purchase from loans as opposed to leasing.

IT IS RECOMMENDED that

- improvements and modification be made as detailed to the air conditioning systems at an estimated cost of $55,500 (fifty five thousand five hundred).

- work proceed on an energy management system following quotations at estimated cost of $55,000 (fifty five thousand).

- improved security be provided as detailed at a cost of $22,000 (twenty two thousand).

The funds be provided from those allocated for computer leasing.

2. ALTERATIONS AND ADDITIONS TO COUNCIL CHAMBERS. C51/1

Tenders have been called for alterations and additions to the Council Chambers involving the provision of disabled access via a ramp from the George Street footpath at a similar location to the existing footway to the ground floor entrance, enlargement of the Council Chambers to enable increased public seating, toilet for the disabled and improvements to the Aldermen's room.

Three tenders were received as follows:

-	V. Gobbo Pty. Ltd., Kellyville	$210,250
-	Hinchey & Cross Pty. Ltd., Windsor	$298,600
-	Winterton Constructions Pty. Ltd., Surry Hills	$298,890

It is important that a decision be made as quickly as possible on the tender as works have been planned to enable minimum interruption to Council Meetings avoiding disruption and logistical costs. Discussions will take place prior to the Special Meeting with the lowest tenderer regarding items in his proposal to enable a Supplentary Report to be presented with a recommendation to proceed.

IT IS RECOMMENDED that the information regarding building works be received.

G.M.McCully,
Town Clerk/General Manager.

MOTION

That Council take no further action on this matter until the Medium Density Housing Development Control Plan review and the Flood Plain Management Strategy are reported to Council and that the applicant be advised that approval of the application for fill does not indicate support for subsequent town house development.

DEBATE

The site was severely inundated in the recent flood as is evidenced by the photographs circulated to Aldermen.

Council has adequate land available for medium density development without utilising flood prone land.

Council has requested reports on a Medium Density Review and there is a Flood Plain Management Plan being prepared by Council in conjunction with the Public Works Department. There is considerable discussion taking place about what is appropriate development in flood areas and further approval of this proposal may prejudice the outcome of the studies.

Roundabout	-	Further, that a mini roundabout be provided at the south eastern intersection of Colonial Drive and Alexander Street.
Access Bligh Park Public School	-	That an investigation be undertaken into the provision of a pedestrian refuge at the pathway leading from Colonial Drive to Bligh Park Primary School.

That the proposals be advertised for public comment prior to action proceeding to provide the facilities.

ITEM 11: (File 665-2019)

CORRESPONDENT: HAWKESBURY CITY COUNCIL

SUBJECT: RE-OPENING OF THE TERRACE, WINDSOR

Council, in consideration to the proposed works required for the re-opening of The Terrace and in consideration to the representations received, resolved that:-

"1. Council proceed with the re-opening of The Terrace at its present point of closure.

2. In relation to the proposed squeeze point at the intersection of Tebbutt Street and the proposed roundabouts at the intersection of Catherine and Elizabeth Streets they be replaced by thresholds in the area existing between Tebbutt and Elizabeth and Elizabeth and Catherine Streets and all other procedures take place for the re-opening of this street."

The matter is submitted back to the Local Traffic Committee for consideration with a view to adoption of the plan.

The representatives of the NSW Police and the RTA indicated that for any proposal to open The Terrace to proceed at the current point of closure, that a road closure must be implemented at the intersection of Bridge Street and The Terrace both sides of Bridge Street.

The Manager of Engineering Services advised the Committee that he was of the opinion that this would not be acceptable to the Council.

The representative of the RTA also advised that he did not find the plan showing the threshold treatment acceptable as a deterrent to through traffic along The Terrace. Further that the RTA had carried out improvements to facilities for traffic flow along the main road system on the basis that Council was in agreement with the closure of The Terrace on the south side of Bridge Street at the Hawkesbury River Bridge.

Committee's Recommendation

That the matter be referred to the Regional Traffic Committee for determination.

ITEM 12: (File F81, F81/5, F81/7)

CORRESPONDENT: MR. K. ROZZOLI MP

SUBJECT: CASTROL BRIDGE TO BRIDGE WATER SKI CLASSIC

The action of Council for closure of the ferries and local roads for this event on 18th November, 1990, was advised to the Committee.

Committee's Recommendation

The information be received.

Date of Next Meeting: Friday, 16th November, 1990.

The meeting terminated at 12.25pm

COMMITTEE'S RECOMMENDATION

THE REPORT BE received and the recommendations adopted with the exception of Item 9 as shown above.

DRAFT COLLECTION DEVELOPMENT POLICY

HAWKESBURY CITY COUNCIL LIBRARY SERVICE

OCTOBER, 1990

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DRAFT COLLECTION DEVELOPMENT POLICY

INTRODUCTION

The Collection Development Policy for Hawkesbury City Council Library Service has been developed to aid the provision of Hawkesbury's public library services. It reflects the library's aim:

> *"To provide a free and accessible public library service to people in the City of Hawkesbury, as well as access for the wider community, regardless of age, to a collection of informational and recreational resources which will encourage self education and awareness of the unique history of the region.*
>
> *This will be accomplished by developing and maintaining both general and specialised collections in a variety of formats and by co-operatively utilising resources and information sources of other libraries.*
>
> *Thus, the entire collection will be able to meet the differing requirements of all library users".*

It is recognised that an appropriate collection is essential if the library is to provide an effective service to its users.

The Aims of this Policy are:

* to aid staff in selection of materials
* to inform the public why materials are collected
* to indicate in what ways users needs for informational, recreational and cultural materials will be met, especially with regard to the level (See Appendix C).
* to provide Hawkesbury City Council, with one of the tools for judging the effectiveness of its public library service
* to indicate to other providers in the Hawkesbury, such as educational institutions, the policies and range of this library's collection.

Censorship

* There is no CENSORSHIP by the library. Any item not banned by State or Federal Government could be included in the collection.

* Parents wishing to censor their children's reading should undertake this responsibility themselves.

* Users are welcome to suggest titles for purchase and invited to complete a "Suggestion card".

BACKGROUND

The collection of Hawkesbury City Council Library Service forms part of the nation's network of libraries and within that network it has two areas of collecting responsibility which have regional significance:

* its own Local Studies Collection (has a separate detailed policy developed and adopted in 1983 - See Appendix A for guidelines)
* its Subject Specialisation Collection, which is part of the Sydney Subject Specialisation Scheme

However, the overall policy of Hawkesbury's Collection development will always give priority to meeting the needs of residents before the needs of the wider community.

The Local Studies Collection is a reference collection, and has an additional criteria not common to the general collection, and that is to conserve and preserve and to collect community archives. This automatically limits inter-library loans of much of this collection, apart from those titles that may be duplicated in the lending collection. Balanced against this, is the requirement for Hawkesbury to participate in inter-library loan as part of the wider network, and in order to make available for residents and the wider community, as comprehensive a range of resources as possible.

Therefore, whilst it is the policy to "act locally" there is also an attempt to "think nationally" to illustrate this the following statistics for two years of incoming inter-library loan request indicates how wide this network is:-

Type of Institution	No. of incoming requests received	
	1988	1989
Country public libraries NSW	365	191
Metropolitan public libraries NSW	343	328
Inter-state public libraries	129	126
Educational institutions (incl. Qld, NT, SA, Vic)	71	54
Special, which includes semi-Government (incl. Qld, SA, Vic)	59	73
	967	772

ACLIS (Australian Council of Libraries & Information Services) is developing a strategy for the Distributed National Collection. In the past this has existed in an ad-hoc fashion with varying levels of access and knowledge of holdings of library collections around the nation.

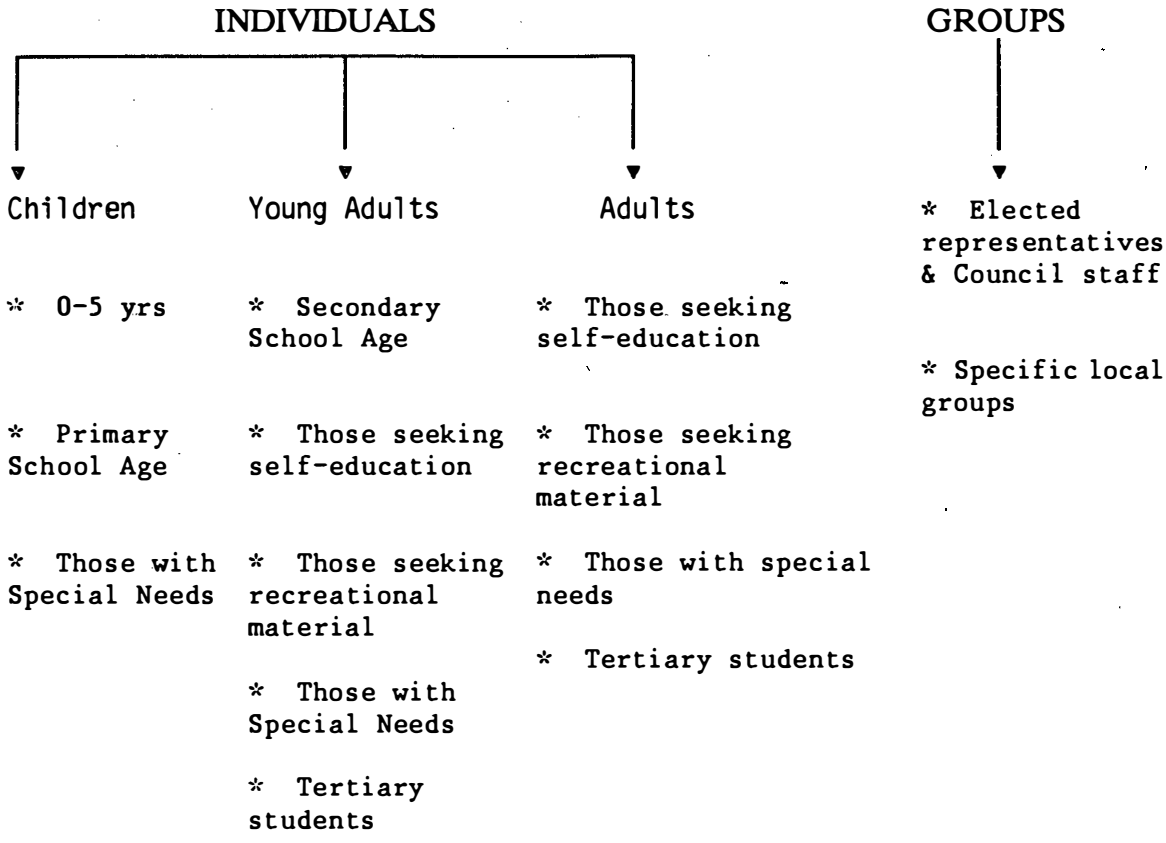
ACLIS considers that the development of an Australian Conspectus which records existing Collections' strengths and collection intentions of libraries containing collections of national or regional significance is a necessary pre-requisite to the greater formalisation of the Distributed National Collection.

Hawkesbury's Subject Specialisation Collection, covers books on the history, description and travel of:

Spain	Switzerland	Portugal	Greece
USSR	Macedonia	Scandinavia	Norway
Albania	Denmark	Serbia	Finland
Bulgaria	Iceland	Romania	Netherlands
Belgium	Crete	Luxembourg	Agean Sea Islands

Hawkesbury has been a full member of ABN (Australian Bibliographic Network) since June 1984, and all of its non-fiction collections are recorded on this national data base.

CLIENT GROUPS TO BE SERVED



The collection is developed for the following client groups and priority is given to the needs of the residents of Hawkesbury.

* pre-schoolers 0 - 5 for whom the public library is their first resource and often their only resource

* adults pursuing self-education and recreation where the public library is their only resource

* local residents of all ages who have special needs such as the:
  - housebound
  - handicapped
  - literacy students and tutors

* primary and secondary school students by acting as a wider resource to school libraries, for their educational, informational and recreational needs

* young adults not pursuing formal study, as their first resource for their self-educational, informational and recreation needs

* Hawkesbury City Council staff and elected representatives in areas relating to local government

* specific local groups such as:
  - small business and industry
  - public issue groups (eg environmental & resident action)
  - service organisations
  - community agencies

* resident tertiary students - external/part-time students, and to a lesser extent, TAFE, and university students, by acting as an adjunct to institutional libraries for their educational and informal needs

  - Tertiary students will always be referred to their own institution in the first instance and it is not policy to generally purchase text books.

  - Inter-library loan may be attempted from within the Sydney Subject Specialisation Scheme only in line with the policy adopted between the public library network and the university network within NSW. (See Appendix B)

PRIORITIES FOR ACQUISITION

Priorities for purchase and acquisition for the lending collection will be maintained within the limits of the available allocated budget.

* Australiana, fiction and non-fiction
* Best sellers
* Popular subjects
* Popular authors and titles
* Material relevant to the needs of residents in this community
* Standard works
* Classics
* Prize winners as required

FORMATS OF MATERIALS TO BE ACQUIRED

Formats of material that could be included in the collection are:-

Books	hardback, paperback, large print
Compact Discs	CD ROM, spoken word and music
Computer Discs	programmes and data
Ephemera	see Appendix A
Kits	
Laser Discs	
Magazines	including some on sound cassette and in large print formats
Manuscripts	see Appendix A
Maps and Plans	emphasis on local area
Microforms	
Newspapers	
Pamphlets	
Photographs	see Appendix A
Postcards	see Appendix A
Sound Cassettes	music, oral history, spoken word
Video Cassettes	educational, captioned videos for hearing impaired, local studies material

Archival material in all formats is included in the local studies collection.

HAWKESBURY'S COLLECTION LEVELS

The collection levels used are those developed for the "Australian Conspectus" by ACLIS. In most areas Hawkesbury's Collection will not go beyond Level 2. There may be parts of the Local Studies Collection which reflect Level 3 (See also Appendix D - Selection Policy).

Hawkesbury aims to develop a collection that will reflect a range of levels from 0 to 2. The Local Studies Collection aims to reflect a range of levels from 1 to 3.

Collections within the library include:

* a central collection which contains current information encyclopaedias, dictionaries, atlases, newspapers, pamphlets, journals etc in a wide range of formats.

* a ready reference collection at the branch which contains a limited number of basic reference tools including encyclopaedias and dictionaries atlases and a small collection of relevant pamphlets.

* a lending collection of non-fiction material for both adults and juniors in a broad range of subject areas.

  000 - Generalities
  100 - Philosophy
  200 - Religion
  300 - Social Sciences
  400 - Languages
  500 - Sciences
  600 - Technology
  700 - Arts
  800 - Literature
  900 - History & Geography

* a lending collection of fiction for adults.

* a junior fiction collection, generally grouped in these areas:
  - picture book
  - fiction for younger readers
  - junior fiction
  - young adult fiction

* a special needs collection of:
  - talking books
  - large print books
  - literacy collections
  - special aids e.g. magnifiers

* a collection of lending serials at both the central and the branch libraries which caters to adult and junior readers

THE BASIS FOR ACQUISITION, RETENTION AND DISCARD OF RESOURCES

In order to maintain a viable collection the following steps will be ongoing parts of the process:

Acquisition

i) to aim to meet user demand (See Appendix D on selection)

ii) by donation (See Appendix E)

iii) by comparison with recognised standards

iv) by evaluation using reviewing journals and other selection tools

v) retrospective in order to fill gaps in the collection

Retention

i) evaluation by turnover in relation to the lending collection

ii) maintenance of resources including mending and binding where relevant and when considered cost effective

iii) evaluation by in-house use in relation to reference and local studies resources

iv) preservation of resources in relation to relevance and/or use

v) replacement of titles in relation to relevance and use with regard to ii)

Discard

i) weeding of resources on a regular basis

ii) weeding of resources in relation to:
- * currency
- * relevance
- * use
- * condition

iii) discards are offered to libraries within the SSS

iv) if not required by other libraries discards are offered to FOHL for sale in order to raise funds for the library.

APPENDIX A

LOCAL STUDIES GUIDELINES

The following types of material are collected for the Local Studies Collection. See "Guide to the Local Studies Collection" for access details.

1. PUBLISHED MATERIAL (both adult and junior)

1.1 On the area generally, eg history of the Hawkesbury area; or on a specific subject in the area.
1.2 A publication which includes sufficient information on local interest, ie a chapter.
1.3 Family histories that have originated in the Hawkesbury.
1.4 Fiction set wholly or partly in the area.
1.5 Items published by local authors who live in the area, distinct from books written on the local area; or in special cases, have lived in the area, eg Hesba Brinsmead's ***Longtime Passing***).
1.6 Corporate authors, ie institutions/groups of all kinds which have operated or are operating in the area.
1.7 Research aids and genealogy tools (ie, published census, shipping lists, Births, Deaths & Marriage Indexes).

2. NEWSPAPERS

Local newspapers currently published in the Hawkesbury should be filed permanently and microfilmed for preservation. Hard copies of newspapers are to be bound on a yearly basis. Newspapers from adjoining local areas, plus national newspapers should be scanned for relevant articles on the local area.

3. SERIALS

3.1 Journals and newsletters of local institutions, societies, groups to be filed permanently. These organisations include schools, clubs and organisations, industrial and commercial firms.
3.2 Annual reports of organisations listed in 3.1 above, to be filed permanently.
3.3 Directories that include alphabetical lists of people in the district, building or a particular class of people, ie ***Sands Directories*** to be filed permanently.
3.4 Local Telephone directories for the Hawkesbury district (045) STD area. To be filed permanently.
3.5 Electoral Rolls for Council, State and Federal, to be housed permanently.

4. GRAPHIC MATERIAL

This part of the collection will be developed in consultation with the Hawkesbury Historical Museum and Council's Community Arts Officer.

4.1 Photographs of the past and present, relating to the local area including:

- 4.1.1 people linked with the area;
- 4.1.2 local events;
- 4.1.3 places and views of the area;
- 4.1.4 buildings, streetscapes etc.

4.2 Paintings, drawings, prints relating to the local area or by local artists, either as originals or copies.

4.3 Postcards

4.4 Maps of all types on the local area

- 4.4.1 National and State Mapping Service maps.
- 4.4.2 Local parish maps.
- 4.4.3 Aerial surveys.
- 4.4.4 Street directories.

4.5 Plans from Council which are considered as archival material (see 10) as well as plans from other sources relating to local area (eg, plans of buildings, etc.)

4.6 Microform

- 4.6.1 Research aids and genealogical tools (see 1.7).
- 4.6.2 Material published in microform about the local area (eg, Hawkesbury Gazette on microfilm).

5. AUDIO-VISUAL RECORDINGS

5.1 Sound Recordings

- 5.1.1 Oral histories of local members of the community.
- 5.1.2 Proceedings of locally conducted and/or orientated meetings, seminars, etc. (eg, Family History Group Meetings).
- 5.1.3 Music and songs written, recorded, produced by local artists or about the area.

5.2 Visual Recordings

- 5.2.1 TV news reports of the area.

5.2.2 Copies of Council's departments recordings of important events and projects.

5.2.3 Films and videos relating to the area.

6. MANUSCRIPTS

All manuscripts of any historical or literary value to the area.

7. CLIPPINGS

Items, or copies of items, taken from newspapers, books, pamphlets, periodicals, etc.

8. EPHEMERA

To include programmes, posters, catalogues, leaflets etc. from or relating to local events, places, etc.

9. COMMUNITY INFORMATION

Such as details on groups operating in the Hawkesbury area.

10. ARCHIVES

10.1 Council archives.

10.2 Community archives (stored only not indexed).

APPENDIX B

INTERLIBRARY LOAN AGREEMENT BY UNISON LIBRARIES

At the 4th meeting of librarians of New South Wales universities (UNISON) on 4th June 1990, members confirmed the following agreement, which covers libraries of all campuses of all universities in New South Wales.

Please note that the agreement has yet to be discussed by some Library Advisory Committees and is therefore an interim agreement.

Members are requested to monitor the operation of the agreement during the remainder of 1990, for review at the end of the year.

INTERLIBRARY LOANS

UNISON member libraries will not charge each other for loans of monographs and similar items.

UNISON member libraries will not charge public libraries in NSW for loans of monographs and similar items.

This is subject to the undertaking offered by the Metropolitan Chief Librarians' Committee (NSW) on 29 May 1987:

a) that the librarians would first exhaust the public library system network, including the State Library of NSW, to satisfy ILL requests, before resorting to libraries outside the network

b) public libraries will try to avoid seeking material on interlibrary loans from tertiary institutions for undergraduate students.

Note: In the case of the libraries of the Universities of Sydney and New South Wales, the agreement not to charge public libraries applies to loan requests which are forwarded through the State Library.

APPENDIX C

ACLIS OBJECTS AND AUSTRALIAN CONSPECTUS COLLECTION LEVELS

The objects of ACLIS (Australian Council of Libraries and Information Services) are:-

(a) To foster the development and effective utilisation of Australian libraries, information resources and services.

(b) To promote and encourage co-operation among Australian libraries, information resources and services, including the adoption of national and international standards and practices where appropriate.

(c) To provide policy advice to governments and public authorities concerning the development, improvement and co-ordination of Australian libraries, information resources and services.

(d) To promote the adoption of effective information policies and plans by Commonwealth, State and Territory governments.

(e) To provide effective public advocacy relating to matters of common concern to members of ACLIS.

(f) To encourage research and development relating to Australian libraries, information resources and services.

(g) to maintain effective liaison with other organisations concerned with objectives of ACLIS.

The Collection Levels of the "Australian Conspectus" are:-

Out of Scope
Level 0

The library does not collect in this area.

Minimal
Level 1

A collection for which few selections are made beyond introductory/very basic material.

Minimal with Uneven Coverage
Level 1a

Few selections are made, and there is uneven representation of a subject.

Minimal with Even Coverage
Level 1b

Few selections are made, but key authors, some core works, or a spectrum of views are represented.

Basic Information
Level 2

A collection of up-to-date materials which serves to introduce and define a subject and to indicate the varieties of information available elsewhere. It may include dictionaries, encyclopaedias, access to appropriate bibliographic databases, standard and significant works, handbooks, manuals, films, sound recordings and a few popular or major serials. A basic information collection can support general inquiries, school and some undergraduate instruction, and information at a popular level, but is not sufficiently intensive to support advanced undergraduate courses.

Basic Information: Introductory
Level 2a

The emphasis at this level is on providing resources which introduce and define a subject. A collection at this level includes basic reference sources and explanatory works, such as textbooks; historical descriptions of the subject's development; general works devoted to major topics and figures in the field; and selective major periodicals. This level is sufficient to support clients attempting to locate general information about a subject or students enrolled in introductory level courses.

Basic Information: Augmented
Level 2b

At this level, basic information about a subject is provided on a wider range of topics and with more depth. There is a broader selection of basic explanatory works, historical descriptions, reference sources and periodicals that serve to introduce and define a subject. This level is sufficient to support students in basic courses as well as supporting the basic information needs of clients in public and special libraries.

Intermediate
Level 3

A collection containing a broad range of resources adequate to support undergraduate and most graduate instruction, sustained independent study, work based interests or specialised inquiries; that is, adequate to impart and maintain a knowledge of a subject in a systematic way at less than research intensity. It includes a wide range of basic works in appropriate formats, the fundamental reference sources and bibliographical works, a significant number of classic retrospective materials, complete collections of the works of more important authors, selections from the works of secondary writers, a selection of representative journals and access to appropriate databases.

Intermediate: Introductory
Level 3a

A collection at this level provides resources adequate for imparting and maintaining knowledge about the primary topics of a subject area. It includes a broad range of basic works in appropriate formats, classic retrospective materials, all key journals on primary topics, selected journals and seminal works on secondary topics,the

fundamental reference sources and bibliographical works and access to appropriate databases. The collection is adequate to support undergraduate instruction, as well as most independent study and work-based needs of the clientele of public and special libraries; it is not adequate to support postgraduate courses.

Intermediate: Augmented
Level 3b

A collection at this level provides resources adequate for imparting and maintaining knowledge about the primary and secondary topics of a subject area. The collection includes a significant number of seminal works and journals on the primary and secondary topics in the field; a significant number of retrospective materials, a substantial collection of works by secondary figures; works that provide more in depth discussions of research, techniques and evaluation; the fundamental reference sources and bibliographical works and access to appropriate databases. The collection is adequate to support all undergraduate and most postgraduate coursework, as well as the more advanced independent study and work-based needs of the clients of public and special libraries.

Research
Level 4

A collection containing both current and retrospective resources, with historical material retained. Such a collection supports postgraduate and independent research and includes the major published source materials required. It includes all important reference works, a wide selection of specialised monographs, a very extensive collection of journals and immediate access to bibliographies, abstracting and indexing services in the field, materials containing research findings and non-bibliographic databases. The collection will provide materials in all appropriate formats and languages, including original materials and ephemera.

Comprehensive
Level 5

A collection which includes, as far as is reasonably possible, all significant works of recorded knowledge (publications, manuscripts, other forms) in all applicable languages, for a necessarily defined and limited field. This level of collecting intensity is one that maintains a special collection; the aim, if not the achievement, is exhaustiveness.

Hawkesbury's Collection reflects the following levels according to the ACLIS Collection Levels.

Dewey Nos	Subject	Collection Level
000	Generalities	1
010	Bibliography	1a
020	Library & information sciences	1b
030	General encyclopedic works	2

Dewey Nos	Subject	Collection Level
050	General serial publications	1
060	General organisations & museology	1
070	Journalism, publishing, newspapers	1a
080	General collections	1
090	Manuscripts & books rarities (except for local studies) See Appendix A	0
100	**Philosophy & related disciplines**	1
110	Metaphysics	1
120	Epistemology, causation, humankind	1
130	Paranormal phenomena & arts	1b
140	Specific philosophical viewpoints	1
150	Psychology	1b
160	Logic	1
170	Ethics (Moral philosophy)	1
180	Ancient, medieval, Oriental	1
190	Modern Western philosophy	1
200	**Religion**	1
210	Natural religion	1
220	Bible	1
230	Christian theology	1
240	Christian moral & devotional	1
250	Local church & religious orders	1
260	Social & ecclesiastical theology	1
270	History & geography of church	1
280	Christian denominations & sects	1
290	Other & comparative religions	1
300	**Social Sciences**	1b
310	Statistics	1
320	Political science	1
330	Economics	1b
340	Law (emphasis on local government)	2
350	Public administration	1
360	Social problems & services	1b
370	Education	1b
380	Commerce (Trade)	1b
390	Customs, etiquette, folklore	1b
400	**Language**	1
410	Linguistics	1
420	English & Anglo-Saxon languages	1
430	Germanic languages German	1
440	Romance languages French	1
450	Italian, Romanian, Rhaeto-Romanic	1
460	Spanish & Portuguese languages	1
470	Italic languages Latin	0
480	Hellenic Classical Greek	0
490	Other languages	1
500	**Pure Sciences**	1
510	Mathematics	1a
520	Astronomy & allied sciences	1b

Dewey Nos	Subject	Collection Level
530	Physics	1a
540	Chemistry & allied sciences	1a
550	Sciences of earth & other worlds	1b
560	Paleontology	1b
570	Life sciences	2
580	Botanical sciences	1b
590	Zoological sciences	2
600	**Technology (Applied Sciences)**	1
610	Medical sciences	1b
620	Engineering & allied operations	1
630	Agriculture & related technologies	1b
640	Home economics & family living	1b
650	Management & auxiliary services	2
660	Chemical & related technologies	1
670	Manufactures	1
680	Manufacture for specific uses	1a
690	Buildings	1b
700	**The arts**	1b
710	Civic & landscape art	1b
720	Architecture	1b
730	Plastic arts Sculpture	1
740	Drawing, decorative & minor arts	1b
750	Painting & paintings	1b
760	Graphic art Prints	1a
770	Photography & photographs	1b
780	Music	1b
790	Recreational & performing arts	2
800	**Literature (Belles-lettres)**	2
810	American literature in English	1b
820	English & Anglo-Saxon literatures	2
830	Literatures of Germanic languages) In	1
840	Literatures of Romance languages) English	1
850	Italian, Romanian,Rhaeto-Romanic) Translation	1
860	Spanish & Portuguese literatures)	1
870	Italic literatures Latin)	1
880	Hellenic literatures Greek)	1
890	Literatures of other languages)	1
900	**General geography & history**	1a
910	General geography Travel	2
920	General biography & genealogy (Level 2 in Local Studies Collection)	1b
930	General history of ancient world	1b
940	General history of Europe (Level 2 in SSS)	1b
950	General history of Asia	1b
960	General history of Africa	1
970	General history of North America	1b
980	General history of South America	1
990	General history of other areas (Level 2 for Australia)	1

APPENDIX D

SELECTION POLICY

* There is no CENSORSHIP by the library.

* Any item not banned by State or Federal government could be included in the collection. Parents wishing to censor their children's reading should undertake this responsibility themselves.

* Textbooks and prescribed texts are not purchased. Occasionally, if a work is considered the most appropriate for the collection on a particular subject, it may be acquired.

* Items/information requested by users may be acquired in the following ways:
  - purchase
  - on inter-library loan
  - by photocopy

* The library aims to acquire all material written about or by a local resident or on the Hawkesbury area. This forms part of the Local Studies Collection.

* Selection is carried out by designated library staff approved by the Chief Librarian who utilise a range of resources such as:
  - bibliographic tools
  - reviewing journals/newspapers
  - publishers catalogues
  - library suppliers

* Suggestions from library users are always considered and the public are asked to complete a "suggestion card".

* The balance within the total collection is maintained at approximately
  60% non-fiction resources
  40% fiction resources

* The Chief Librarian has delegated authority to select and purchase all library materials for the library collection within the allocations approved in the annual budget.

APPENDIX E

DONATION POLICY

The Library Service participates in the Sydney Subject Specialisation Scheme (SSS), and material not needed for this library's collection is, with the consent of the donor, offered to other libraries in the Scheme. If not required it is then offered to the Friends of Hawkesbury Library (FOHL) who raise funds for library resources.

Non-fiction monographs

Criteria for keeping:
- good condition
- recent publication
- Australiana
- SSS is considered regardless of condition or age

Unsuitable material is distributed to the appropriate SSS library or FOHL.

Fiction monographs

Criteria for keeping:
- good condition
- recent publication
- Australiana
- classic or standard work

Unsuitable material is distributed to the appropriate SSS library or donated to FOHL.

Audio visual resources

Criteria for keeping:
- good condition
- relevant to our collection
- Australiana
- SSS considered regardless of condition and age

Unsuitable material is distributed to the appropriate library or FOHL

Serials

Criteria for keeping:
- good condition
- fills gaps in back-runs
- SSS regardless of condition and age

Unsuitable material is distributed to the appropriate SSS library or FOHL.

The library reserves the right to reject any donations offered.

GLOSSARY OF TERMS

ABN (Australian Bibliographic Network)

Is a national on-line bibliographic system operated by the National Library of Australia.

It has participants in every state and territory, and provides services to libraries of all types.

ACLIS

Australian Council of Libraries and Information Services

Australian Conspectus

Conspectus is a system which enables information about the collections of libraries and their collection development practices to be recorded in a relatively standardised way and which allows some detailed comparisons to be made between the collections of libraries involved.

Australiana

Australiana is material originating in or relating to Australia and its territories, including works by Australia writers published overseas.

It can include works of fiction, non-fiction, all formats and at any level from pre-school upwards.

Distributed National Collection

The aggregation of all collections in Australia which are recorded in generally accessible data bases and are accessible, either in person or via inter-library document supply, to users with bona-fide reasons for access.

FOHL

Friends of Hawkesbury Library - established in 1990.

SSS (Sydney Subject Specialisation Scheme)

This is a co-operative scheme between public libraries in the Sydney Metropolitan area developed in the 1960's. Its aim is to collect resources relevant to public library clientele across a wide range of non-fiction and fiction material. The Scheme is currently re-vamping its policies.

How Council Operates...

Hawkesbury City Council fully supports the involvement and participation of local residents in issues which affect the City.

The twelve Aldermen who represent Hawkesbury City are elected at local government elections held every four years. The next election will occur in September, 1991. Voting at these elections is compulsory for residents who are aged 18 years and over and who reside permanently in the City.

The Ordinary Meeting of Council meets on the second Tuesday of each month at 7.30pm. Two weeks before the Ordinary Meeting, the General Purpose Committee meets at 9.30am to consider activities in the areas of works, finance, and planning and development. Both of these meetings are open to the public.

Meeting Procedure...

The role of the General Purpose Committee Meeting is to make recommendations about issues put forward in the areas of works, finance, and planning and development. These recommendations are then forwarded to the Ordinary Meeting of Council, two weeks later, for adoption or final decision. The Ordinary Meeting also considers other matters of general business as appropriate.

The Mayor is Chairperson of both the Ordinary and General Purpose Committee.

Public Participation...

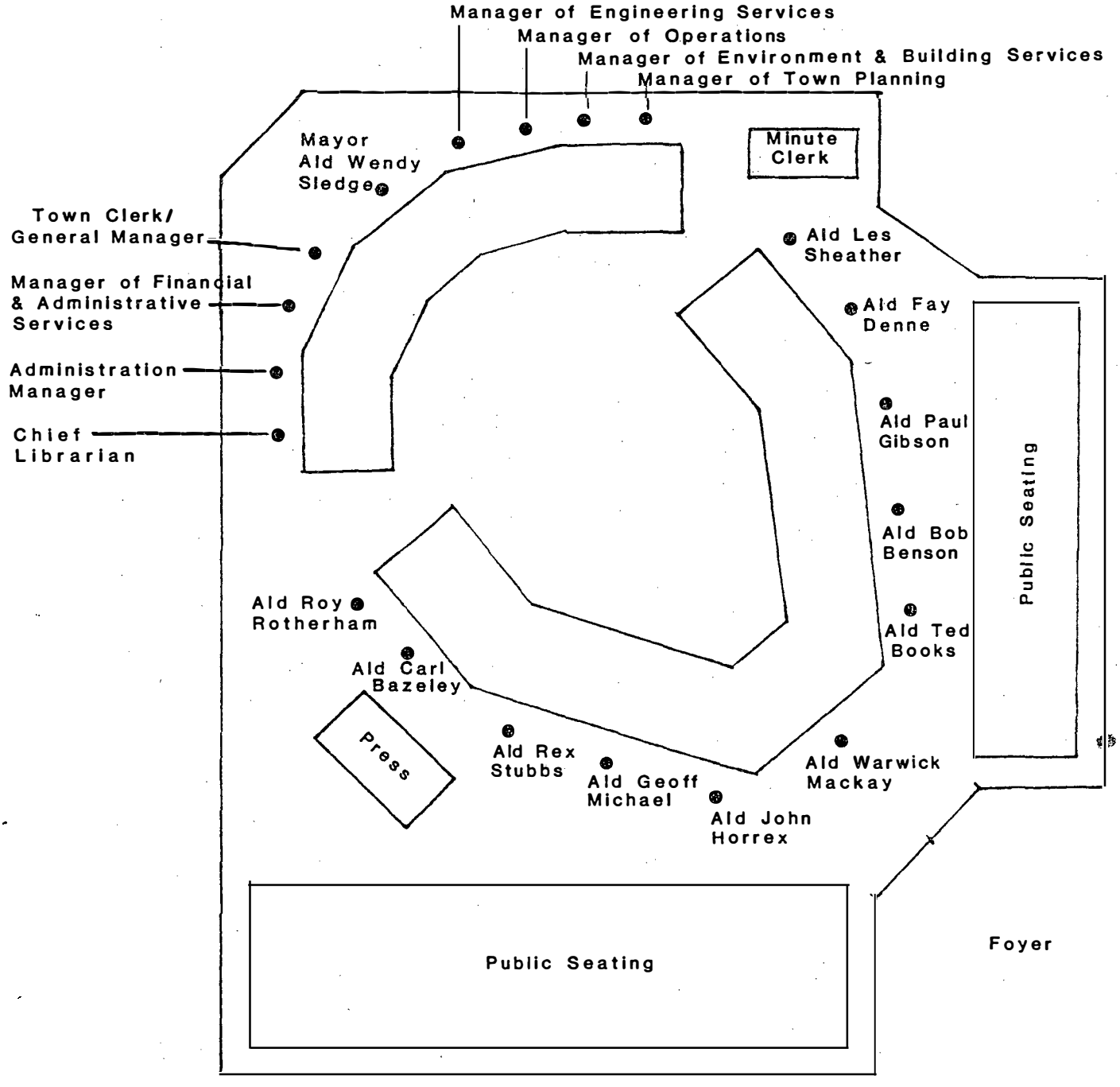
Members of the public can request to speak about a matter that is before the Council at the General Purpose Committee Meeting. The Mayor will invite interested persons to address the Committee when the matter is being considered.

Residents are encouraged to attend the Ordinary Meeting to observe the proceedings of the meeting from the public gallery. There is provision at the conclusion of the agenda for members of the public to raise questions relative to the business discussed at the meeting.

A Point of Interest...

Voting on matters for consideration is operated electronically. Aldermen have in front of them both a 'Yes' and a 'No' button with which they cast their vote. The results of the vote are displayed on the electronic voting board above the Minute Clerk. This is a recent innovation in Australian local government pioneered by Hawkesbury City Council.

Council Chambers



Your Ref:

Our Ref: 8th November, 1990

HAWKESBURY CITY COUNCIL

Council Chambers
George Street
Windsor NSW 2756
Phone (045) 87 7000
Telex 122336
DX 8601 Windsor

Mr.G.F.Falson,
Manager of Town Planning,
Hawkesbury City Council,
Council Chambers,
WINDSOR, N.S.W. 2756

Dear Sir :

You are hereby requested to attend an ORDINARY MEETING of the Council to be held in the Council Chambers, Windsor, on Tuesday, 13th November, 1990 commencing at 7.30pm for the transaction of the following business:

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

Yours faithfully,

G.M. McCully,
Town Clerk/General Manager

Minutes of the Meeting of the Council of the City of Hawkesbury held at the Council Chambers, Windsor, on 9th October, 1990 commencing at 7.30 p.m.

PRESENT: Alderman W.J. Sledge, 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, and R.P. Stubbs.

An apology for absence was received from Alderman Horrex.

972 RESOLVED on the motion of Alderman Mackay seconded by Alderman Michael that Alderman Horrex be given a three (3) months' leave of absence from Council Meetings because he is unwell at the present time.

Pastor George Stubbs of the Baptist Church, South Windsor, gave the opening prayer at the commencement of the meeting.

973 RESOLVED on the motion of Alderman Gibson seconded by Alderman Rotherham that Standing Orders be suspended to permit a presentation to be made to the Red Cross, and a trophy and certificates to be given to participants in the 1990 Bridge to Bridge Row-A-Thon.

Alderman Books then presented a trophy to Mr. Bert Romijn, who came first in the Kayak Section of the Row-A-Thon. Mr.Romijn completed the Bridge to Bridge race in 11 hours and 26 minutes and raised $120 for the Red Cross through his effort.

Alderman Books then presented cheques to Mrs. Doreen Mitchell and Mrs.Joyce Mayne of the Windsor Branch of the Red Cross Society. Alderman Books advised that $2,437.52 had been raised.

Alderman Books also presented Certificates to Mr. Paul Smith for Paul Smith, Robyn Smith, Trina Hinchey and Tony Cooper in recognition of their contribution and the assistance given as members of the Support Group in the 1990 Bridge to Bridge Row-A-Thon.

974 RESOLVED on the motion of Alderman Michael seconded by Alderman Rotherham that Standing Orders be resumed.

Town Clerk/General Manager Mayor

SECTION 1 - MINUTES OF MEETINGS

CONFIRMATION OF MINUTES

975 RESOLVED on the motion of Alderman Michael seconded by Alderman Denne that the Minutes of the Ordinary Meeting of Council held on 11th September, 1990 having been circulated amongst the members of Council, be confirmed.

976 RESOLVED on the motion of Alderman Bazeley seconded by Alderman Stubbs that the Minutes of the Special Meeting of Council held on 25th September, 1990 having been circulated amongst the members of Council, be confirmed.

977 RESOLVED on the motion of Alderman Books seconded by Alderman Stubbs that the Minutes of the Special Meeting of Council held on 4th October, 1990 having been circulated amongst the members of Council, be confirmed.

MAYORAL MINUTE

1. COMMITTEE REPRESENTATION C50/6

978 RESOLVED on the motion of Alderman Sledge seconded by Alderman Stubbs that delegates be appointed to represent Council on the Sister City Committee and the Nepean/Hawkesbury Catchment Management Council.

979 RESOLVED on the motion of Alderman Gibson seconded by Aldermen Denne that the composition of the Sister City Committee be reduced to three Aldermen - being Alderman Michael, Alderman Rotherham and Alderman Sheather and that Alderman Sheather be appointed Council's delegate on the Nepean/Hawkesbury Catchment Management Council with Alderman Michael alternative delegate.

SECTION 2 - NOTICE OF MOTION

NOTICE OF RESCISSION MOTION.

TRYMAST PTY LTD - PROPOSED UNREGISTERED MOVABLE DWELLING PARK - PORT ERRINGHI ROAD EBENEZER DA 183/90

980 RESOLVED on the motion of Alderman Bazeley seconded by Alderman Books that Item 17's Resolution to refuse the proposed unregistered movable dwelling park in Port Erringhi Road, Ebenezer, be rescinded.

981 RESOLVED on the motion of Alderman Bazeley seconded by Alderman Gibson that Council request the Minister's approval as may be required in respect of long term sites and that subject to such approval being granted, the application be approved, subject to the following conditions:

1. The approval be limited to 48 (forty eight) long term sites (unregistered moveable dwellings) and 55 (fifty five) short term sites (caravans).

2. The submission of amended plans in relation to Condition No.1 above to the satisfaction of the Manager of Town Planning.

3. There being a maximum of 47 (forty seven) short term sites below the 1:100 year flood frequency level.

4. Compliance with the requirements of Ordinance 71.

5. Submission of a building application, plans and specifications complying with Ordinance 70 for all proposed work.

6. Installation of a sewerage treatment plant to be located above the 1:100 year flood frequency level, with such plant being not closer than 150 (one hundred & fifty) metres from any Sirius Crescent residence. The plant is to be installed prior to the location of any additional UMDs or caravans.

7. Approval being obtained prior to submission of the building application from the State Pollution Control Commission in respect of condition above. In addition, detailed study required to satisfy SPCC licence also to be submitted to Council with the plans, in addition to satisfying SPCC requirements, to be to the satisfaction of Council.

8. Details of water supply methods are to be submitted to the satisfaction of the Manager of Environment & Building Services. In this respect, the applicant is to liaise with the Manager of Environment & Building Services prior to submission to ascertain the type of documentation required. In this respect it is to be demonstrated that the water quality is to the satisfaction of the Manager of Environment and Building Services and the Department of Health and that the proposed bore and sewerage treatment plant does not adversely impact on other water bores in the locality. The plant is to be installed prior to the location of any additional UMDs or caravans.

9. Construction of all access roads with a sealed pavement and any necessary drainage. Details to be submitted for approval prior to commencement of construction and to be to the satisfaction of the Manager of Engineering Services.

10. Parking shall be provided for each site and for visitors in accordance with the provisions of Ordinance 71. Parking spaces, access ways and aisle widths to conform to Council's specifications and to be constructed, drained, sealed and marked. Full details of work should be submitted for approval with the building application.

11. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, a contribution of $82,896.00 (eighty two thousand eight hundred and ninety six) to be paid towards the cost of providing open space and community facilities in the Hawkesbury City area on the basis of a component of the proposal being for permanent residents and their requirements for the same facilities as "normal" dwellings.

12. Dedication to Council as open space an area of approximately 2,500 (two thousand five hundred) square metres adjacent to the top end of Sirius Crescent and Port Erringhi Road. In this open space area, Council will allow the short term placement of caravans, etc. in flood times, however, requires the developer to maintain the area to the satisfaction of Council.

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13. The creation of a 20 (twenty) metre wide landscape buffer zone adjacent to the boundaries of Sirius Crescent residences from Sirius Crescent to and including Lot 34.

14. 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 shall be completed prior to occupation of any building and the plan shall incorporate tree plantings around each site and recreation area.

15. Access to the park is to be redesigned so that entrance and egress is from Stones Road. In this respect, the applicant is to submit revised plans for consideration of the Manager of Town Planning and shall be required to provide a full width sealed access from the corner of Port Erringhi Road along Stones Road to the park entrance, all to the satisfaction of the Manager of Engineering Services.

16. Compliance with all previous conditions of development consents relating to the park, as applicable.

17-21. Standard Conditions Nos. 32, 33, 101, 102 and 103

22. Any future increase in long term sites (UMDs) shall be the subject of further development application and consideration by Council, however the applicant is advised that Council will not consider any further development below the 1:100 year flood frequency level.

23. When fully developed in accordance with this consent, there shall be a maximum of 48 (forty eight) long term sites (UMDs) and 55 (fifty five) short term sites (caravans), a maximum of 47 of which short term sites shall be permitted to be below the 1:100 year flood frequency level.

24. That the existing road structure be used for removal of caravans in times of flood, but that they not be permitted to park on the road reserve and that there be an area set aside on the land for their inclusion in times of flood.

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Town Clerk/General Manager Mayor

25. Strengthening and sealing of the existing pavement, together with widening of Stones Road from Tizzana Road to the entrance to the site to provide a 6.1 (six point one) metre wide sealed pavement. The widening to be on the southern side of the existing pavement.

26. Extension of the existing stormwater pipeline at the intersection of Stones Road and Port Erringhi Road to intercept stormwater in Stones Road prior to the curve.

27. The internal road layout to be suitable for movement of articulated vehicles to allow for transport of the moveable dwelling to and from the site.

28. All work to be undertaken in accordance with Council's document "Specification for Subdivision and Development" and to the satisfaction of the Manager of Engineering Services.

NOTICE OF MOTION

By Alderman R.P. Stubbs H105 625-202

982 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Bazeley that a report be prepared on a temporary location on the 2 historic cannon until approval is received from the Heritage Council to place them in Richmond Park.

SECTION 3 - REPORT OF GENERAL PURPOSE COMMITTEE

SECTION 1 - WORKS

ITEM 9 - RE-OPENING OF THE TERRACE, WINDSOR. 665-2019

983 **MOVED** on the motion of Alderman Gibson seconded by Alderman Books that :

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Town Clerk/General Manager Mayor

1. Council proceed with the re-opening of The Terrace at its present point of closure.

2. In relation to the proposed squeeze point at the intersection of Tebbutt Street and the proposed roundabouts at the intersection of Catherine and Elizabeth Streets they be replaced by thresholds in the area existing between Tebbutt and Elizabeth and Elizabeth and Catherine Streets and all other procedures take place for the re-opening of this street.

An amendment was moved by Alderman Rotherham seconded by Alderman Sheather that The Terrace remain closed at New Street and Hollands Paddock and remain open at the Bridge Street intersection with the existing restrictions on right hand turns from Windsor Bridge on weekends and public holidays.

Alderman Michael foreshadowed a further amendment.

The amendment was lost.

A foreshadowed amendment was moved by Alderman Michael seconded by Alderman Denne that the present proposal to open The Terrace not proceed until an overall traffic plan of Windsor be investigated such as the proposed roundabout in Macquarie Street and Richmond Road instead of traffic lights, a traffic right turn signal in Richmond Road and George Street, the upgrading of the intersection of Moses Street and whatever traffic proposals are proposed for there and the intersection of Bridge Street and The Terrace.

The foreshadowed amendment was lost.

The motion was then put and carried.

SECTION 2 - PLANNING AND DEVELOPMENT

ITEM 6 - I & L DUNN - HORSE TRAIL RIDING ESTABLISHMENT - LOT 1 DP 507936, TIZZANA ROAD, EBENEZER. DA 260/90

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Alderman Mackay advised that he has been approached by the applicant/owner in that there is a problem in that the operating hours do not equate with the Australian summer and the applicant/owner had requested that the hours be varied from 8.00 a.m. to 6.00 p.m.

984 RESOLVED on the motion of Alderman Mackay seconded by Alderman Books that the application be approved subject to compliance with the following conditions :

1-4. Standard Conditions (DA) - 32, 33, 37, 100.

5. Operating hours shall be limited to 8.00 a.m. to 6.00 p.m., 7 (seven) days a week. Any alteration of these hours will require Council consent.

6. The establishment is to be licensed under the Animal Cruelty Act.

7. Facilities for first aid are to be provided.

8. No clearing or construction is to commence on the horse trails until the specific areas have been inspected and approval granted by the Manager of Town Planning.

ITEM 9 - V KULAKOUSKI - ERECTION OF AN ATTACHED DUAL OCCUPANCY - LOT 25 DP 200129 BURRALOW ROAD KURRAJONG HEIGHTS. DA 243/90

Item 1 of the Town Clerk/General Manager's Report - Planning Section - Reports for Determination - was dealt with in conjunction with Item 9 above.

985 RESOLVED on the motion of Alderman Michael seconded by Alderman Sheather that the matter be deferred pending receipt of these details.

ITEM 13 - CORRESPONDENCE FROM SCHAFFER CORPORATION - EXTRACTIVE INDUSTRY APPLICATION - EAST KURRAJONG ROAD, SECTION 2. DA 117/90

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The Minutes of the site inspection held on 4th October, 1990 were dealt with in conjunction with Item 13 above.

Moved by Alderman Michael that the applicant be invited to submit a further application in accordance with the items discussed at the site inspection on the 4th October, in particular the sealing of the roadway to the base of the quarry, thus eliminating most of the noise from the empty trucks; all maintenance be conducted at the pit of the quarry; and the hours of operation. Further that a report be brought forward on all the supplementary information prepared by the Schaffer Corporation and the Misses Egans. Also that the report of the site inspection carried out on 4th October, be adopted.

986 **AN AMENDMENT** was moved by Alderman Gibson seconded by Alderman Mackay that the applicant be invited to submit a new application incorporating the following changes from that previously submitted :

1. Reduced time to no longer than 10 (ten) years.

2. Reduced area of extraction commensurate with (1) as above, and, in any case, being no closer than 100 (one hundred) metres from the adjoining land owned by Egan.

3. The application indicating a proposed end land use after extraction and proposals for site restoration after each stage of extraction.

4. The application not propose any works of any kind, including maintenance, outside of the operating hours of 7.30 a.m. to 5.00 p.m., Monday to Friday.

5. The survey and pegging out of the proposed extractive site to ensure no encroachment.

6. The sealing of the road to the foot of the quarry.

Further, that the applicant be advised that there will be an inspection of the site each 6 (six) months by Council Officers and it be reported back to Council at the respective Ordinary Meetings.

Further that the Report of the site inspection held on 4th October, 1990 be adopted.

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The amendment was carried.

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

987 RESOLVED on the motion of Alderman Michael seconded by Alderman Sheather that the Report of the General Purpose Committee Meeting held on 25th September, 1990 as recorded on Pages 1 to 28 of the Minutes of the General Purpose Committee Meeting be adopted, with the exception of :

Section 1 - Works

Item 9 - Re-Opening of The Terrace, Windsor, 665-2019

Section 2 - Planning and Development

Item 6 - I & L Dunn - Horse Trail Riding Establishment - Lot 1 DP 507936, Tizzana Road, Ebenezer, DA 260/90

Item 9 - V Kulakouski - Erection of an Attached Dual Occupancy - Lot 25 DP 200129 Burralow Road Kurrajong Heights, DA 243/90

Item 13 - Correspondence from Schaffer Corporation - Extractive Industry Application - East Kurrajong Road, Section 2, DA 117/90

which have already been considered by Council - Minutes Nos. 983, 984, 985 and 986.

SECTION 4 - REPORTS FOR DETERMINATION

FINANCE AND ADMINISTRATION

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Town Clerk/General Manager Mayor

1. STAFF MATTERS. SI/8P

988 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Gibson that the resignation be accepted and a reference be issued under the Common Seal of Council.

2. CONTRACTS AND DOCUMENTS FOR EXECUTION UNDER SEAL OF COUNCIL. C51/8/G, C51/5/H, C51/26, C51/15/1.

989 RESOLVED on the motion of Alderman Gibson seconded by Alderman Stubbs that the Seal of Council be affixed to the following documents:

Lease - Renewal of Lease for Windsor Rest Centre and Coffee Shop. Exercising 3 (three) year option with commencing annual rental of $21,000 (twenty one thousand) plus all outgoings.

Lease - 145 March Street, Richmond - Lease agreement with Mr David Black at a commencing weekly rental of $130.00 (one hundred and thirty). The term is 6 (six) months and will continue on a month to month basis thereafter.

Lease - 45 Berger Road, South Windsor - Lease agreement with Mr Victor Price and Mr Graham Douglas at a commencing weekly rental of $300.00 (three hundred). Two (2) detached dwellings are located on this property. The term is 6 (six) months and will continue on a monthly basis thereafter.

Lease - Flat 1, Toxana - Lease agreement with M/s Tammy Bowers at a commencing weekly rental of $115.00 (one hundred and fifteen). The term is 6 (six) months and will continue on a monthly basis thereafter.

3. APPLICATION FOR LEASING OF UNNECESSARY ROAD. 2891C, 2892C.

990 **MOVED** by Alderman Stubbs seconded by Alderman Gibson that :

1. The lease of part of Laws Farm Road, Lower Portland which transverses "Tarcoola" Turf Farm (being Lot 1 DP 75788 and Lot 420 DP 708015) be approved subject to the following conditions -

   a. Maintenance of a pedestrian access along the roadway at all times.

   b. Maintenance of the roadway in (at least) its present state.

   c. Provision of access to the roadway by Telecom, Prospect Electricity and any other statutory authority with a legitimate need to use the road.

   d. Payment of an annual rental to Council of $400 (four hundred).

   e. The lease may be terminated by either party with 6 (six) months written notice.

2. The lease agreement to rest on correspondence.

An amendment was moved by Alderman Sheather seconded by Alderman Bazeley that a report be brought forward on the basis on which the proposed lease valuation was made and the matter be determined at the next meeting.

The amendment was lost.

The motion was then put and carried.

This is Page · of the Minutes of the ORDINARY NO. 9 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor on 9TH OCTOBER, 1990.

Town Clerk/General Manager Mayor

4. ACQUISITION OF PROPERTY - HERMITAGE ROAD KURRAJONG FOR ROAD WIDENING PURPOSES. 169-01C

991 RESOLVED on the motion of Alderman Gibson seconded by Alderman Bazeley that :

1. Council acquire the property identified as Lot 1 DP 330525 situated on the corner of Bells Line of Road and Hermitage Road at a purchase price of $70,000 (seventy thousand).

2. The Common Seal of Council be affixed to all necessary documentation.

5. STAFF MATTERS - MR I TAGGART. S1/8P

992 RESOLVED on the motion of Alderman Michael seconded by Alderman Gibson that pursuant to the provisions of Section 99 of the Local Government Act the employment of Mr I Taggart be suspended effective from 12th October, 1990.

6. REVIEW OF CORPORATE PLAN. C50/20

993 RESOLVED on the motion of Alderman Gibson seconded by Alderman Denne that Council adopt the policy determinations as indicated.

ENGINEERING

1. LOCAL GOVERNMENT & SHIRES ASSOCIATION OF NSW - WATER SUPPLY & RESOURCES COMMITTEE - 1990 ANNUAL CONFERENCE. L128/5

994 RESOLVED on the motion of Alderman Gibson seconded by Alderman Sheather that Council elect the delegates to attend the 1990 Conference with Alderman Sheather and Michael being elected as Council's delegates.

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2. WINDSOR CHAMBER OF COMMERCE - MCQUADE PARK WINDSOR - CAROLS BY CANDLELIGHT. 625/203

995 RESOLVED on the motion of Alderman Gibson seconded by Alderman Stubbs that approval be given to the application by the Windsor Chamber of Commerce for use of McQuade Park Windsor on Saturday, 15th December, 1990 to conduct Carols-by-Candlelight, with Council to provide portable staging and additional receptacles.

3. FLOOD MITIGATION EXECUTIVE - DEPUTATION TO CANBERRA. F84

996 RESOLVED on the motion of Alderman Gibson seconded by Alderman Stubbs that representations be made to the Member for Macquarie concerning the need for additional Federal Government funds for flood mitigation.

4. NSW WATER SKI ASSOCIATION LTD - CASTROL BRIDGE TO BRIDGE WATER SKI CLASSIC - FERRY AND ROAD CLOSURES. F81, F81/5, F81/7

997 MOVED by Alderman Gibson seconded by Alderman Denne that :

1. the ferries at Sackville and Lower Portland be closed from 9.15am to 12 noon on Sunday 18th November, 1990, during the running of the NSW Hawkesbury River Bridge to Bridge Water Ski Classic.

2. approval be granted for temporary closure of those roads listed below on 18th November, 1990, subject to concurrence by the NSW Police Department and appropriate arrangements being made with affected residents regarding access:-

   i) George Street, northern side of Bridge Street,
   ii) Arndell Street, between George and Court Streets,
   iii) Palmer Street, between Court and Pitt Streets.

An amendment was moved by Alderman Sheather seconded by Alderman Bazeley that :

This is Page of the Minutes of the ORDINARY NO. 9 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor on 9TH OCTOBER, 1990.

Town Clerk/General Manager Mayor

1. the ferries at Sackville and Lower Portland be closed from 9.15am to 12 noon on Sunday 18th November, 1990, during the running of the NSW Hawkesbury River Bridge to Bridge Water Ski Classic. The Wisemans Ferry and Webbs Creek ferries be included between the hours of 9.10 a.m. and 11.00 a.m. subject to the Roads & Traffic Authority approval.

2. approval be granted for temporary closure of these roads listed below on 18th November, 1990, subject to concurrence by the NSW Police Department and appropriate arrangements being made with affected residents regarding access.

   i) George Street, northern side of Bridge Street,
   ii) Arndell Street, between George and Court Streets,
   iii) Palmer Street, between Court and Pitt Streets.

The amendment was lost.

The motion was then put and carried.

5. MULGRAVE SEWERAGE SCHEME STAGE I RISING MAINS 'N' & 'Q'. S200-6-1, S200-22-1.

998 RESOLVED on the motion of Alderman Gibson seconded by Alderman Stubbs that the sum of $27,592.00 (twenty seven thousand five hundred and ninety two dollars) be paid to C.L.M. Excavations Pty Ltd for additional works carried out in construction of Mulgrave Sewerage Scheme Stage I and Rising Mains 'N' and 'Q'.

6. GLOSSODIA SHOPPING AND NEIGHBOURHOOD CENTRES, GOLDEN VALLEY DRIVE, GLOSSODIA. C51/7, C51/47, 665-708

999 RESOLVED on the motion of Alderman Mackay seconded by Alderman Gibson that the construction of a concrete footpath in Golden Valley Drive across the frontage to the Glossodia shops and Neighbourhood Centre at an estimated cost of $3,864 (three thousand eight hundred and sixty four dollars) be approved.

Town Clerk/General Manager Mayor

HEALTH AND BUILDING

1. HAWKESBURY FITNESS CENTRE (P.179-14)

1000 MOVED by Alderman Mackay seconded by Alderman Denne that :

(a) the feasibility assessment prepared by L.R.M. Australia be received and the proposal be agreed to in principle;

(b) confirmation of approval in principle be sought from the NSW Basketball Association of its willingness to be financially involved in the construction of a basketball stadium which may ultimately be integrated with a multi purpose aquatic and sports centre;

(c) Council inspect the standard facilities provided under the NSW Basketball Association proposals and the new multi purpose aquatic/sports centre at Willoughby;

(d) discussion be held with the Hawkesbury District Agricultural Association to determine concurrence with the proposal to establish a multi-purpose centre at Clarendon at least in the long term;

(e) an appropriate financial plan be determined to enable a multi-use aquatic/sport centre to be established at Clarendon.

An amendment was moved by Alderman Sheather seconded by Alderman Rotherham that the business be received and that Council take the necessary steps to consult with the general community regarding the integrated proposal to determine wider local opinion on its merits.

The amendment was lost.

The motion was then put and carried.

Aldermen Bazeley and Rotherham asked that their names be recorded as being against the motion.

PLANNING

1. DUAL OCCUPANCY - LOT 25 DP 200129 BURRALOW ROAD, KURRAJONG HEIGHTS - V. KULAKOVSKI. DA 243/90

See Minute No. 985

LIBRARY

1. RICHMOND BRANCH AND OUT OF HOURS OPENING HOURS AT WINDSOR AND RICHMOND. C51/30, L125

1001 RESOLVED on the motion of Alderman Michael seconded by Alderman Gibson that :

1. Opening hours be referred for consideration in the 1991 Estimates.

2. Re-designing shelving at Richmond Branch be investigated and if necessary referred to companies experienced in designing for small areas.

SECTION 5 - REPORTS FOR INFORMATION

1. UNIVERSITY OF WESTERN SYDNEY - HAWKESBURY CENTENARY MEDAL. A97,E70-5
2. F2 CASTLEREAGH TOLLWAY STAGE 1. M130-30,P160-68.
3. DEVELOPMENT APPLICATIONS APPROVED UNDER DELEGATED AUTHORITY. P160/33
4. BAULKHAM HILLS SHIRE COUNCIL - LOWER PORTLAND FERRY OPERATION 1989/90. F81/7
5. AUSTRALIANA PIONEER VILLAGE. C51/54
6. LIBRARY USER SURVEY. L125
7. IRRIGATION TRENCHES - FREEMANS REACH H100-3, H100
8. TREE PRESERVATION ORDER APPLICATIONS. P160/30
9. PUBLIC WORKS. S205/3/A
10. BLIGH PARK ESTATE. P160/46

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11. INQUIRY INTO LEGAL SERVICES PROVIDED TO LOCAL GOVERNMENT. A8
12. BUILDING APPLICATIONS. B25
13. REPORTS REQUESTED BY COUNCIL - STATUS AS AT 9TH OCTOBER, 1990. C50-1

1002 RESOLVED on the motion of Alderman Michael seconded by Alderman Gibson that the reports in this section be received.

SECTION 6 - REPORTS OF COMMITTEES

NOISE & ENVIRONMENTAL POLLUTION COMMITTEE MEETING - 4TH JULY, 1990

The Mayor asked the Town Clerk/General Manager to clarify a technicality in relation to the recommendation concerning the State Pollution Control Commission on Page 1 of the Minutes.

The Town Clerk/General Manager advised that the recommendation in relation to the State Pollution Control Commission should read "IT IS RECOMMENDED THAT the State Pollution Control Commission be advised that a comprehensive sewerage treatment and disposal system was mandatory for the ultimate population of 300,000 people". He stated that in fact the next sentence is incorrect as the development of the North West Sector has not started because the Environmental Impact Statement has not been approved for the Sewerage Treatment Works.

1003 RESOLVED on the motion of Alderman Mackay seconded by Alderman Stubbs that the Minutes of the Noise & Environmental Pollution Committee Meeting held on 4th July, 1990 as recorded on Pages 1 and 2 of the Minutes of the Meeting, be adopted, subject to the deletion of the wording in the recommendation in relation to the State Pollution Control Commission which reads :- "It was considered poor planning that the proposed development should be commencing while effluent quality and flow and the effects on the environment are still uncertain" and also the deletion of the recommendation at the bottom of Page I which reads "IT IS RECOMMENDED THAT clarification should be sought from the Board in this regard".

COMMUNITY ENVIRONMENT COMMITTEE MEETING - 29TH AUGUST, 1990

1004 RESOLVED on the motion of Alderman Michael seconded by Alderman Mackay that the Minutes of the Community Environment Committee Meeting held on 29th August, 1990 as recorded on Pages 1 to 3 of the Minutes of the Meeting, be adopted.

1005 RESOLVED on the motion of Alderman Mackay seconded by Alderman Stubbs that Council examine the future role of the Noise & Environmental Pollution Committee and the Community Environment Committee.

1994 BICENTENNIAL COMMITTEE MEETING - 3RD SEPTEMBER, 1990

1006 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Gibson that the Minutes of the 1994 Bicentennial Committee Meeting held on 3rd September, 1990 as recorded on Pages 1 to 3 of the Minutes of the Meeting, be adopted.

HAWKESBURY FLOODPLAIN MANAGEMENT COMMITTEE MEETING - 12TH SEPTEMBER, 1990

1007 RESOLVED on the motion of Alderman Gibson seconded by Alderman Michael that the Minutes of the Hawkesbury Floodplain Management Committee Meeting held on 12th September, 1990 as recorded on Pages 1 and 2 of the Minutes of the Meeting, be adopted.

HAWKESBURY HERITAGE ADVISORY COMMITTEE MEETING - 12TH SEPTEMBER, 1990

1008 RESOLVED on the motion of Alderman Gibson seconded by Alderman Stubbs that the Minutes of the Hawkesbury Heritage Advisory Committee Meeting held on 12th September, 1990 as recorded on Pages 1 to 5 of the Minutes of the Meeting, be adopted.

This is Page of the Minutes of the ORDINARY NO. 9 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor on 9TH OCTOBER, 1990.

Town Clerk/General Manager Mayor

NOISE & ENVIRONMENTAL POLLUTION COMMITTEE MEETING - 12TH SEPTEMBER, 1990

1009 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Sheather that the Noise & Environmental Pollution Committee Meeting held on 12th September, 1990 as recorded on Pages 1 and 2 of the Minutes of the Meeting, be adopted.

SECTION 7 - CORRESPONDENCE FOR INFORMATION

1. AUSTRALIAN CANCER FOUNDATION FOR MEDICAL RESEARCH - APPRECIATION. A5
2. NORTH WEST - CITYRAIL - ELECTRIFICATION OF RICHMOND/RIVERSTONE RAIL LINE. R185-8
3. PARRAMATTA CITY COUNCIL - ELECTION OF LORD MAYOR AND DEPUTY LORD MAYOR. E73
4. HAWKESBURY COMMUNITY TRANSPORT ASSOCIATION - BOOKINGS. P165-8
5. HAWKESBURY CHRISTIAN CENTRE - CHRISTMAS DINNER. C40
6. DEPARTMENT OF FAMILY AND COMMUNITY SERVICES - COMMUNITY SERVICES GRANTS PROGRAMME. G95-34, G95-49
7. DEPARTMENT OF SPORT, RECREATION AND RACING - FITNESS WEEK. R189
8. ST JOHNS ANGLICAN CHURCH LOWER PORTLAND - APPRECIATION. A5
9. MCGRATHS HILL COMMUNITY CENTRE - APPRECIATION. C51-49
10. BILPIN PUBLIC SCHOOL. A5
11. DEPARTMENT OF WATER RESOURCES - SOUTH CREEK FLOOD STUDY. F84/11, P160/60
12. FLOOD MITIGATION AUTHORITIES OF NSW EXECUTIVE. F84/7

1010 RESOLVED on the motion of Alderman Mackay seconded by Alderman Gibson that the correspondence in this section be received and appropriate replies forwarded where necessary.

SECTION 8 - OTHER REPORTS

Nil.

SECTION 9 - SUPPLEMENTARY REPORTS

13. THE HAWKESBURY RIVER ENVIRONMENT PROTECTION SOCIETY. R188
14. TIME OUT FAMILY ENTERTAINMENT CENTRES - PROPOSED FAMILY AMUSEMENT LEISURE CENTRE, RICHMOND. DA 297/90
15. J STONES & SONS - PROPOSED UNREGISTERED MOVEABLE DWELLING PARK, EBENEZER. DA 183/90

1011 RESOLVED on the motion of Alderman Mackay seconded by Alderman Gibson that the correspondence in this section be received and appropriate replies forwarded where necessary.

QUESTION WITH NOTICE

By Alderman R.C.Bazeley.

1012 RESOLVED on the motion of Alderman Rotherham seconded by Alderman Bazeley that the information be received.

This is Page of the Minutes of the ORDINARY NO. 9 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor on 9TH OCTOBER, 1990.

Town Clerk/General Manager Mayor

QUESTIONS WITHOUT NOTICE

Alderman Rotherham asked if the Town Clerk/General Manager could repeat his comments in relation to the resolution on Item 9 on the re-opening of The Terrace.

The Town Clerk/General Manager stated that his response was that as the resolution carried to-night was for a different proposal for the traffic management of The Terrace, different to that which had been advertised before, in accordance with the procedures laid down under the Act, the Council will now be required to amend and redraw the plans and the designs, have them forwarded to the Local Traffic Committee, have the matter advertised, the matter to go back again to the Local Traffic Committee and then back to the Council for its determination.

Alderman Rotherham gave notice that he would put in a rescission motion on this matter to-night.

Alderman Michael asked if, to the next General Purpose Committee Meeting, the terms of reference of the Committees listed in the Special Meeting of the 25th September, 1990 could be brought forward excluding the General Purpose, the Town Planning and the Rating Review Committees, but including all the other Committees as listed on Pages 7, 8, 9, 10 and 11.

Alderman Books stated that he attended the R.A.G.E. meeting at Londonderry last evening and drew attention to the amount of work the members are putting in to try and protect the area from the new tip and also the investigations that are going on with the present Liquid Waste Area at Castlereagh. He pointed out that the work they are doing is to protect the river downstream. He asked if Council could give some financial help to the Committee.

Alderman Denne referred to the reinstatement of footpaths generally where work is carried out by Telecom and the Gas Company, and in particular the footpath from the Richmond Railway Station through to the Commonwealth Bank. She stated that the area has been dug up and bitumen placed in the excavation. This causes problems during the summer months. Alderman Denne asked if some stronger filling could be considered.

This is Page of the Minutes of the ORDINARY NO. 9 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor on 9TH OCTOBER, 1990.

Town Clerk/General Manager Mayor

The Manager of Engineering Services stated that with regard to a public utility when they dig up a trench they temporarily reinstate it when it is first done because there could be latent sinking of the trench as it consolidates with the weather. The general practice is to put this down in bitumen as a temporary material and the following reinstatement is carried out by Council and the companies concerned pay Council for that work. Accordingly if it was a concrete footpath, Council will undertake the final reinstatement in cement concrete.

QUESTIONS FROM THE GALLERY

The Mayor then invited Questions from the Gallery.

Mr.Richard Mezinec asked when his footbridge proposal would be coming before Council.

The Manager of Engineering Services advised that a report would be coming before the October General Purpose Committee Meeting.

The meeting terminated at 10.50 p.m.

Submitted to and confirmed at the meeting of Council held on 13th November, 1990.

..... Mayor

This is Page of the Minutes of the ORDINARY NO. 9 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor on 9TH OCTOBER, 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, 18th October, 1990 commencing at 7.30 p.m.

PRESENT : Alderman W.J.Sledge, 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 and R.P.Stubbs.

CONSIDERATION OF LEGAL ADVICE - PECUNIARY INTEREST C50/23

1013 RESOLVED on the motion of Alderman Books seconded by Alderman Denne that Council go into Committee of the Whole.

COMMITTEE OF THE WHOLE

The Committee considered legal advice regarding pecuniary interest whilst in Committee of the Whole.

1014 RESOLVED on the motion of Alderman Michael seconded by Alderman Benson that Open Council be resumed.

The Town Clerk/General Manager advised that whilst in Committee of the Whole, the Committee considered the matter of pecuniary interest and now RECOMMENDS that in the matter of the alleged breach of the Local Government Act by Alderman John Horrex, that on the basis of legal advice that a Court would be likely to regard the alleged offences based on the facts as they are known and if they could be proved as being of a technical nature, and that there is no information to suggest the acts if done were otherwise than in good faith and without knowledge that there was any possibility of disqualification, Council resolve to take no further action in the matter and advise the Department of Local Government and the Independent Commission against Corruption.

1015 RESOLVED on the motion of Alderman Michael seconded by Alderman Mackay that the recommendation be adopted.

The meeting terminated at 8.25 p.m.

Submitted to and confirmed at the meeting of Council held on 13th November, 1990.

. . . . . Mayor

This is Page 1 of the Minutes of the SPECIAL NO. 8 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor on 18TH OCTOBER, 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, 30th October, 1990 commencing at 7.37 p.m.

PRESENT : Alderman W.J.Sledge, Mayor and Aldermen R.C.Bazeley, R.S.Benson, F.Y.Denne, W.J.Mackay, G.G.Michael, L.C.Sheather and R.P.Stubbs.

Apologies for absence were received from Aldermen P.E.Gibson, H.J.M.Books and R.F.Rotherham.

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

TOWN CLERK/GENERAL MANAGER'S REPORT.

1. COMMITTEE OF INQUIRY INTO LOCAL GOVERNMENT RATING AND OTHER REVENUE POWERS AND RESOURCES. R186 L128

972 RESOLVED on the motion of Alderman Michael seconded by Alderman Bazeley that the following be the submission to the Task Force to review the Report on the Inquiry into Local Government Rating:

- As a basic principle Councils should have the autonomy to control their finances and accordingly there ought to be the principle of fiscal autonomy and local accountability

- Any shifting of responsibilities from levels of Government should only occur with appropriate negotiation and commensurate shifts in taxing powers and/or statutory agreements relating to revenue sharing

- Local Government expenditure patterns have shifted markedly over the last 20 years from property-related to people-related services. Accordingly while property rates are an appropriate tax base there should be a broadening of the taxation powers available to Local Government

- To assist Councils in budgeting there should be a publicised Local Government Cost Index and accepting that this will vary from area to area but provided as an indication of the changes and the cost of providing and maintaining facilities and services

- There is opposition to the introduction of a Poll Tax and it is considered that property rates should remain the primary taxation base of Local Government. In this regard there should be a review of the position where Land Tax is having a "crowding-out effect" in the area of property taxation.

- Given the shift in Council expenditure patterns towards non-property eroded services and the diversity of expenditure patterns between councils it is considered that there is a need to diversify the charging powers of individual councils. It is therefore considered that Councils should be given the power to levy a charge on each property assessment, whether for the purpose of defraying Councils' general costs or for the purpose of providing particular facilities or services.

- There should be a closer investigation of the relative merits of land values and improved capital values as the basis for council rating

- Councils should have the power to apply minimum and differential rates on the basis to achieve a degree of fairness in the taxation regime and without State control

- Councils be given the power to introduce supplementary taxes to provide particular facilities and services

- That the following changes to the rating and valuation system be made - end to rate pegging, an end to State imposed and Council financed rebates, end to rate exemptions for church-run businesses, an end to rate exemptions on most Crown properties, introduction of a loading on the rating of dual occupancy properties, legislation to encourage pre-payment of rates, investigation into the removal of incentives to consolidate land for rating purposes, Local Government being given the power to issue their own valuations subject to a right of appeal to the Valuer General

- That advice on loan allocations should be indicative for a longer period eg. 3 years to enable greater financial planning

- Loans raised by the private sector as part of joint-venture developments with Councils should not be treated as loans falling within a council's borrowing limit

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This is Page of the Minutes of the SPECIAL NO. 7 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor on 30TH OCTOBER, 1990.

Town Clerk/General Manager Mayor

- As councils are already the most accountable and open sphere of Government it is not seen that there is need for major change in the area of financial accountability. Any such change should be similar to that required by the State and Commonwealth Governments.

2. REVIEW OF THE LOCAL GOVERNMENT ACT - PHASE 1. FUNCTIONS AND POWERS. L128-7

973 RESOLVED on the motion of Alderman Michael seconded by Alderman Stubbs that Council support the submission by WSROC to the Department of Local Government on the Review of the Local Government Act - Phase 1.

3. ACQUISITION OF LAND - WASTE WATER TREATMENT PLANT SITE. S200-13

TOWN CLERK/GENERAL MANAGER'S SUPPLEMENTARY REPORT

4. ACQUISITION OF LAND FOR A WASTE WATER TREATMENT PLANT SITE. S200-13.

Items 3 and 4 were dealt with together.

974 RESOLVED on the motion of Alderman Michael seconded by Alderman Denne that Council purchase from Elf Farm Supplies Pty.Ltd., Lots 1 and 2 in DP 803452 and the adjacent area of closed road for the sum of $855,000.00 (eight hundred and fifty five thousand dollars) and that the Seal of Council be placed on the necessary documents.

The meeting terminated at 7.56 p.m.

Submitted to and confirmed at the meeting of Council held on 13th November, 1990.

. . . . . Mayor

This is Page of the Minutes of the SPECIAL NO. 7 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor on 30TH OCTOBER, 1990.

Town Clerk/General Manager Mayor

REPORT OF GENERAL PURPOSE COMMITTEE

SECTION 3

REPORT OF GENERAL PURPOSE COMMITTEE MEETING

30TH OCTOBER, 1990

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Report of the Meeting of the General Purpose Committee held at the Council Chambers, Windsor on 30th October, 1990, commencing at 9.30am.

PRESENT: Alderman W.J. Sledge, 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 R.P. Stubbs.

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

SECTION 1 - WORKS

ITEM 1: WORKS COST STATEMENT

COMMITTEE'S RECOMMENDATION

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

ITEM 2: (File C57, B24, 2342/R)

SUBJECT: PROPOSED FOOTBRIDGE OVER WINDSOR ROAD, MCGRATHS HILL

REPORT (M.E.S.)

Representations have been received from Richard Mezinec, Chairman Mez-Corp Pty Ltd, seeking Council support for a footbridge over Windsor Road, McGraths Hill, between the Windsor High School and the residential area and neighbourhood shopping centre at McGraths Hill.

The submission states in part:-

> "Construction of a footbridge comes under the authority of the Roads and Traffic Authority. The stumbling block now appears to be the speed with which the Roads and Traffic Authority is willing to act. From past observation this could number in the years. However, a solution is needed within weeks. No delay is excusable when a solution exists now and at no cost to the public.
>
> My Company's proposal for this impasse is as follows:
>
> Council passes a resolution to approach the Roads and Traffic Authority for immediate permission to build the bridge to be totally funded by Council. If it is desirous of the Council, Mezcorp Pty Ltd will undertake all obligations of the Council for construction and funding of the bridge. The safety of our children could be greatly enhanced within weeks."

The proposal has been referred onto the Roads and Traffic Authority for comment and advice.

The proposal is based on the granting of the rights for placement of advertisements on the bridge to the company which would then construct the bridge free of cost. No fees would be paid to the Council or Roads and Traffic Authority for the advertisements, the form of which is not known at this time.

In verbal discussion with an officer of the Roads and Traffic Authority, they have advised that approval to any such proposal would be on the basis of public tender.

In response to a number of matters raised with the applicant, the following information has been provided:-

1. The community and Council are in agreement on the need for a footbridge. To provide such a facility would cost the community a substantial sum of money. This proposal allows for the Council to provide advertising rights instead of paying money in return for receiving a bridge. If an engineering company undertakes construction work for the Council, it naturally receives payment. It does not pay Council for the privilege of working for Council, If Council insists on receiving some form of fee, then let us call "the bridge" a fee. Mezcorp Pty Ltd is giving Council a substantial fee in anyone's eyes.

2. The form of advertising proposed is as in any outdoor advertising billboard format existent on roads and buildings. One side of the bridge may have a variable billboard which encompasses a new technology. The Roads and Traffic Authority has approved a similar technology for use beside one of its freeways. Visual demonstration is mandatory. It was our intention to display a video of this technology at the last Council meeting.

   Products to be advertised may be as for any to be found on outdoor advertising sites throughout the State today unless specific restrictions are applied.

3. Fences are to be extended along approaches to the bridge on both sides of the road. These will be a positive discouragement to non-use. The most important statistics justifying this bridge are the number of pedestrian accidents already this year. The site has been identified by the community as a high danger crossing. One accident is too many. We have had many accidents. Do we need a death to constitute sufficient justification.

   The main point is that at least we give the children the opportunity for a safe crossing.

4. The bridge will be lit at night.

Notwithstanding that it is considered that the school children in particular will take the direct route to cross the road and currently a proposal has been approved in conjunction with the provision of a right turn lane at Mulgrave for the marking of an island on the pavement, Council may wish to forward the proposal onto the Roads and Traffic Authority.

Recommendation

That the information received from Mez-Corp Pty Ltd be forwarded to the Roads and Traffic Authority and that it be requested to advise Council of its decision.

Mr.R.Mezinec addressed the Committee.

COMMITTEE'S RECOMMENDATION

THAT COUNCIL support in principle the establishment of a footbridge at the Windsor High School/McGraths Hill Shopping area, subject to the Roads & Traffic Authority approval.

ITEM 3: (File 4859C, 2101/R)

SUBJECT: APPLICATION FOR PUBLIC GATE ON UPPER COLO ROAD, UPPER COLO

REPORT (M.E.S.)

The owners of Portion 51 Parish Colo County Cook have sought approval for the erection of a gate near the southern boundary of their property, which is the penultimate property on Upper Colo Road.

Due to the rapid flooding in the Colo River, fencing along the roadsides could trap stock on low lying areas and at the same time, cut the road, thus preventing the owners from releasing the stock.

In consideration of the low traffic volume and there being no permanent residents affected, the request is considered reasonable.

Recommendation

That approval be granted for erection of a public gate on the Upper Colo Road near the southern boundary of Portion 51 Parish Colo County Cook, subject to:-

1. Consideration of any objections received by Council as a consequence of advertising in accordance with Ordinance 59 of the Local Government Act.

2. The gateway to be a minimum width of 3.66 (three point six six) metres.

3. The gate to be painted white and the owners of Portion 51 shall maintain the gate and paint in good condition at all times.

4. The owners of the gate shall keep painted on the gate in legible characters the words and figures "Public Gate No. 902" not less than 75mm (seventy five) in height.

5. The owners of the gate shall construct a small turning area adjacent to the gate without undue disturbance to the surrounding area.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 4: (File R190, G95)

SUBJECT: STATE AND REGIONAL ROADS - GRANTS 1990/91

REPORT (M.E.S.)

The Roads and Traffic Authority has advised of a total grant of $1,794,680.00 to Council for works on State/Regional Roads as follows:-

"1. Construction -

$150,000 (Authority's 50% share). Reconstruction of Boundary Road, Box Hill between Windsor and Pitt Town Roads and amplification of structure at Killarney Chain of Ponds.

$55,000 Kerb and gutter, drainage and shoulder sealing Castlereagh Road, Lennox Street to Southee Road, Richmond.

$130,000 Reconstruct and sealing of St. Albans Road 7.5km to 18.5km north of Wisemans Ferry.

2. Maintenance -

$373,680 Regional Roads Maintenance - Untied Grant.

$501,000 Contract operation of Ferries - Sackville, Wisemans and Webbs Creek.

$585,000 Routine servicing and maintenance of Ferries.

Council's formal acceptance of the Grant in accordance with "General Conditions of Assistance to Councils" and/or "Agreement for Block Grant" as applicable would be appreciated.

Advice of funds for Local Road Projects and other ongoing works not listed above will be conveyed separately at a later date."

It will be necessary for Baulkham Hills Shire Council to match the grant for Boundary Road ie; $75,000 from each Council.

Plans for the new culvert 18cells x 3.3 x 1.2m depth are being completed and will be forwarded to Baulkham Hills Shire Council and the Roads and Traffic Authority for approval.

The $55,000 provided for Castlereagh Road will not allow completion of Stage II of the works ie; Long Street to Southee Road.

It is anticipated that the funds provided for St. Albans Road ($130,000) will allow completion of the reconstruction and bitumen seal of the 1km length adjacent to the St. Albans School.

The untied grant is increased from $346,000 in 1989/90 to $373,680 for 1990/91, however, will still have a shortfall in respect to the increased length of regional roads and curtail the reseal programme.

Recommendation

That Council accept the grant in the sum of $1,794,680 (one million seven hundred and ninety four thousand six hundred and eighty dollars) in accordance with the General Assistance to Councils and/or Agreement for Block Grants for Regional Roads.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 5: (File DA 279/89, DA 266/89)

SUBJECT: TEMPORARY CAR PARKING IN CONJUNCTION WITH EXHIBITION VILLAGE - CHARLES STREET, MCGRATHS HILL

REPORT (M.E.S.)

A.V. Jennings have requested permission to construct a temporary car park on land at the rear of the cemetery in Charles Street. The land is zoned 1(c) and is listed as a Heritage Item because of the cemetery. Use of the land as a car park is permissible under the zoning. The applicant will be required to submit a formal Development Application, however, the purpose of this report is to gain approval in principle to the temporary use of Council's land as an overflow car park.

The car park will be used as an overflow car park when the main car park for the exhibition village is full. The applicant has offered to return the car park to its current condition when the display village is closed.

Any development approval will require upgrading of Charles Street to the entrance and the provision of advanced landscaping between the car park and the cemetery which will provide an ongoing amenity for the area.

Recommendation

1. That Council agree in principle to the use of Council owned land on the corner of Beddek Street and Charles Street at the rear of the cemetery as a temporary car park for use in conjunction with the A.V. Jennings exhibition village.

2. That no work be commenced on the site until a satisfactory Development Application is submitted to and approved by the Manager of Town Planning.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 6: (File F82, L128/7)

SUBJECT: PROPOSED AMENDMENT TO THE DIVIDING FENCES ACT

REPORT (M.E.S.)

A copy of the submission made by WSROC to the Department of Local Government concerning the proposed amendments to the Dividing Fences Act has been forwarded to this Council.

The amendments would see councils held responsible for half the cost of providing fences between private property and public reserves.

The submission indicates that the estimated cost of the proposal is in excess of $12 million for the constituent councils. ($1.16 million Hawkesbury City) and on the basis of replacement on a 20 year life cycle, would be equivalent to 0.4% of Council's rate revenue per year.

The submission by WSROC recommended:-

1. That the State Government not support the Law Reform Commission's recommendation that the Dividing Fences Act be amended to require councils to meet half the cost of fences between private property and public reserves.

2. That in the event that the New South Wales Government adopts the Law Reform Commission's recommendations, a suitable adjustment be made to the Rate Pegging Limit for 1992 to ensure that councils receive additional rate revenue to cover the cost of the additional responsibilities associated with the proposed amendment to the Dividing Fences Act.

Correspondence has also been received from Orange City Council expressing their concern, where in addition to parks, the Council has established a system of bridle paths as public reserves.

The Council is contacting all councils in NSW seeking support in opposition to the proposal.

Recommendation

That representations be made to Mr. K. Rozzoli MP and Mr. P. Gibson MP, expressing Council's concern as to the additional cost to councils in regard to the proposal for amendment to the Dividing Fences Act requiring Council to be responsible for half cost of providing fences between private property and public reserves.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 7: (File 1359/R, 740/R)

SUBJECT: HEAVY VEHICLES - GREENWAY CRESCENT

REPORT (M.E.S.)

Mr T Golsby-Smith has forwarded further representations concerning the use of Greenway Crescent and Moses Street by sand trucks.

Advising that the resident's views have not ameliorated over the last few months and seeking the opportunity to participate in solving the problem.

The matter was reported to the General Purpose Committee meeting of 25th September, 1990, where in consideration to the available options, it was resolved that the movement of heavy vehicles along Greenway Crescent and Moses Street continue to be monitored subject to the maintenance of a high level of repair of the road surface.

Recommendation

That Mr. Golsby-Smith be advised of the action taken by Council on this matter.

Dr.Packham addressed the Committee.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Report be prepared on traffic control measures to reduce noise in Greenway Crescent.

ITEM 8: (File DA 203/90)

SUBJECT: PROPOSED RETAIL FUEL OUTLET, CONVENIENCE STORE & CAR WASH - CNR. EAST MARKET & MARCH STREETS, RICHMOND.

REPORT (TC/GM)

Reference is made to Item 9 of the Local Traffic Committee's Report to this meeting.

A letter has been received from the applicant (Ampol Road Pantry Pty Ltd) stating that they made an unsuccessful request to be represented at the Local Traffic Committee Meeting on 19th October to explain their request for a compromise relating to Clause 14 - the closure of the entry from March Street. They state that in fairness they believe that they should have the opportunity to at least discuss this with the Traffic Committee and accordingly request that any further action be deferred until their Projects Manager, Mr. Peter Vibert, can attend a meeting of the Traffic Committee when this item can be reviewed.

Recommendation

That the item be deferred and the Local Traffic Committee be requested to meet the Projects Manager from Ampol Road Pantry Pty. Ltd., Mr. Peter Vibert, to discuss the development application.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 9: 625.202; C51/56

SUBJECT: SAVE OUR RAIL ACTION COMMITTEE (SORAC)

Requesting use of the following locations on the dates indicated to conduct public meetings reporting on the Committees current activities:

Windsor Mall - 12 Noon - 1pm, Saturday 3rd November, 1990.

Richmond Park - 12 Noon - 1pm, Saturday, 10th November, 1990.

Requesting permission for use of a small public address system at each location and a small truck as a podium in Windsor Mall. Appropriate arrangements have been made regarding joint usage of Richmond Park with the Hawkesbury District Cricket Association.

REPORT (M.E.S.)

With regard to the use of the Windsor Mall, on the 3rd November, 1990, for 1 hour from 12 noon, no objection is raised subject to the vehicle not being parked on the sandstone paving, the noise level of the PA system not exceeding 15db above the background noise level, the area being left in a clean and tidy condition, and no obstruction to the entrance to shops and pedestrian laneways.

Use of Richmond Park is supported subject to reasonable noise levels being observed and the area being left clean and tidy upon completion of the function.

Recommendation

That approval be granted to the use of Windsor Mall on the 3rd November, 1990, and Richmond Oval on 10th November, 1990, by the Save Our Rail Action Committee subject to the conditions as outlined in this report.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Report of the Local Traffic Committee Meeting held on Friday 19th October, 1990, in the Council Chambers at 10am.

PRESENT:

Members - Sgt. R. Pakes, NSW Police Department
Mr. G. Smith, Roads & Traffic Authority
Mr. R. Searle, Office of K.R. Rozzoli MP

Also Present - Sgt. G. Thompson, NSW Police Department
Mr. R. Gilmore, Manager of Engineering Services
Miss E. Hanlon, Town Planner

APOLOGIES: Alderman H.J.M. Books
Alderman R. Rotherham
Mr. G. Hatch, Department of Transport

CONFIRMATION OF MINUTES:

Moved by G. Thompson, seconded by G. Smith that the Minutes of the previous meeting held on 14th September, 1990, be confirmed.

CORRESPONDENCE

ITEM 1: (File T225)

CORRESPONDENT: WINDSOR CHAMBER OF COMMERCE

SUBJECT: PEDESTRIAN CROSSING - GEORGE STREET, WINDSOR

Requesting that the Committee give consideration to pedestrian safety at the crossing in George Street, opposite the Colonial Arcade. Vehicles are travelling at speed at this location.

The Committee noted that the crossing was in need of remarking and the matter was referred to the representative of the RTA.

Committee's Recommendation

That no action be taken.

ITEM 2: (File T225)

CORRESPONDENT: WINDSOR CHAMBER OF COMMERCE

SUBJECT: KABLE STREET AND THE MALL, WINDSOR

Requesting that the Committee give consideration to pedestrian safety at the crossing of Kable Street at the Mall as vehicles are not always stopping at the "Stop" signs.

The representative of the RTA requested that attention be given to trim the trees so that "Stop" signs are clearly visible.

That upon attention to the trees, the NSW Police are to be advised and requested to carry out enforcement patrols in this area.

Committee's Recommendation

That Council prepare plans for the provision of a raised threshold (approx. 50mm [fifty] high) and that Council give urgent consideration to funding of the proposal.

Also that the views of the bus drivers be sought through the Department of Transport representative to the Committee with the matter resubmitted to the Local Traffic Committee for final approval prior to implementation.

ITEM 3: (File T225)

CORRESPONDENT: WINDSOR CHAMBER OF COMMERCE

SUBJECT: INTERSECTION OF BRIDGE AND MACQUARIE STREETS, WINDSOR

The configuration of the Bridge and Macquarie Street intersection and specifically, for west bound traffic, there is only one lane allowing for a left turn into Macquarie Street with two lanes for traffic continuing along Bridge Street.

The Committee noted that the physical constraints of the road layout and the phasing of the traffic lights are such that the proposal would cause further traffic conflict and not necessarily improve traffic flow.

Committee's Recommendation

That no action be taken.

ITEM 4: (File 665-1358)

CORRESPONDENT: HAWKESBURY CITY COUNCIL

SUBJECT: ANGLE PARKING - MORAY STREET, RICHMOND

Representations have been received from the Principal of Richmond Primary School requesting that signs be provided in Moray Street, Richmond outside the School.

This matter was reported to the Local Traffic Committee meeting of 17th August, 1990, at which the Committee indicated that the provision of angle parking should be supported, with a plan of the layout to be submitted to the next meeting of the Committee for its consideration.

The plan was displayed at the meeting and subject to the provision of a "No Stopping" zone at the vehicular entrance to the School, the proposal is recommended to Council.

Committee's Recommendation

That angle parking be provided in Moray Street between Windsor Street and Francis Street on the western side with provision of a "No Stopping" area at the School entrance.

ITEM 5: (File 665-2003)

CORRESPONDENT: MS. I. SCHOOLER

SUBJECT: TERRACE ROAD, NORTH RICHMOND

Representations have been received regarding provision of double yellow lines on the curve in the vicinity of 101 Terrace Road, North Richmond, This request followed recent accidents at this location.

This matter was reported to the Local Traffic Committee meeting of 17th August, 1990, at which it was recommended the matter be deferred until the next meeting of the Committee.

Committee's Recommendation

That no action be taken.

ITEM 6: (File T225)

CORRESPONDENT: ROADS & TRAFFIC AUTHORITY

SUBJECT: PEDESTRIAN FACILITIES NEAR SCHOOLS

Representations have been received over recent years in respect to pedestrian crossings at the following schools:-

Richmond Primary School
North Richmond Public School
Windsor High School
Kurmond Public School
Wilberforce Public School
St. Monica's Primary, Richmond
Windsor South Public School
Bede Polding College South Windsor
Kurrajong Public School

New schools have recently been opened, Bligh Park School, Freemans Reach Public School and at Glossodia.

Committee's Recommendation

The following locations be submitted as proposed sites for implementation of a 40kph zone:-

Pitt Town Public School
Windsor South Public School
Wilberforce Public School
Bligh Park Public School

Further, that consideration be given to the possibility of improved facilities at Kurrajong Public School, Bede Polding College, Freemans Reach, Glossodia, Bligh Park and North Richmond Public Schools, and an investigation be undertaken in respect to the new schools at Glossodia, Freemans Reach and Bligh Park.

ITEM 7: (File 1742W, 731/R)

CORRESPONDENT: MR. T.M. VIZZA

SUBJECT: 498 GEORGE STREET, SOUTH WINDSOR

Advising of a problem with vehicles parking across the driveway.

Committee's Recommendation

That the bus zone be extended to a point, 4 (four) metres south to the vehicular entrance of No. 498 George Street, South Windsor.

ITEM 8: (File 665-2003)

CORRESPONDENT: MR. C. BROWN

SUBJECT: INTERSECTION SALTERS AND OLD SACKVILLE ROADS, WILBERFORCE

At the Local Traffic Committee meeting of 16th February, 1990, it was requested that plans be prepared with a view to improvement of the alignment of the intersection.

Committee's Recommendation

That the improvements as shown on Council's Plan No. 1514-6 be approved and implemented.

ITEM 9: (File DA 203/90)

APPLICANT: AMPOL ROAD PANTRY PTY LTD

LAND & LOCATION: CNR EAST MARKET AND MARCH STREETS, RICHMOND

SUBJECT: ERECTION OF CONVENIENCE STORE WITH PETROL DISPENSING AND DRIVE THROUGH CAR WASH

Requesting reconsideration of Condition 14 of Development Consent 203/90 which requires that the eastern most driveway entrance in March Street be deleted and the remaining driveway in March Street widened to accommodate two way traffic and articulated vehicle movement.

The correspondent advises that:-

> "... we cannot make the site 'work' without some sort of access in the vicinity of the 'existing use' access. We recognise that there are very good reasons for the closure of this access, but believe that the plan (attached) presents a better alternative than our submitted plan and is infinitely better than the existing situation."

The Committee, in consideration to the matter, expressed its concern as to the conflict with the traffic turning right from East Market Street into March Street and that the anticipated increase in this traffic over the coming years will increase the possibility of traffic disruption.

Committee's Recommendation

That the Committee adheres to its previous decision for only one driveway to be provided in March Street at a minimum distance of 25 (twenty five) metres from the intersection.

COMMITTEE'S RECOMMENDATION

See Recommendation Item 8 - Section 1 - Works.

THAT THE ITEM be deferred and the Local Traffic Committee be requested to meet the Projects Manager from Ampol Road Pantry Pty. Ltd., Mr.Peter Vibert, to discuss the development application.

ITEM 10: (File P160/46)

CORRESPONDENT: HAWKESBURY CITY COUNCIL

SUBJECT: BLIGH PARK TRAFFIC IMPROVEMENTS

The following is a list of traffic facilities proposed for the Bligh Park area.

Type	No.	Location
Pedestrian Crossing	2	Sirius Road in front of shops. Rifle Range Road in front of School.
Thresholds	7	Sirius Road - one in front of cycleway and one in front of pathway. Colonial Drive - one in front of cycleway, one west of Alexander Street and one opposite the reserve. Alexander Street - one opposite the cycleway and one opposite the School.
Median Island	2	Intersection of George Street and Colonial Drive. Intersection of Sirius Road and Colonial Drive.
Give Way Signs	10	Four at the intersection of Alexander St/Colonial Drive. Two at intersection of Colonial Dr/Guardian Crescent. Two at the intersection of Rifle Range Road/Mileham Street. Two at the intersection Rifle Range Road/Collith Avenue.
Stop Signs	4	Two at the intersection of Colonial Drive/Sirius Road. Two at the intersection of Rifle Range Road/Sirius Road.
Median Refuge (cycle)	1	Colonial Drive south of Turner Close

Road Narrows Signs	20	Four signs at each threshold as detailed above.
School Crossing Ahead Signs	8	Four - Bligh Park Public School, Alexander Street. Four Bede Polding, Rifle Range Road.
Traffic Island Signs	4	Two on each approach to the median refuge (cycleway) in Colonial Drive.
Pedestrian Crossing Ahead Sign	4	Sirius Road in front of shopping centre.

Committee's Recommendation

Pedestrian Crossing	-	Sirius Road - A traffic count be undertaken.
	-	Rifle Range Road - This area has been identified for study in the RTA's schools programme.
Thresholds	-	That a trial be undertaken of the two proposed in Sirius Road on the basis of squeeze points only. That edge line markings be provided to direct traffic in conjunction with the two squeeze points.
Median Island	-	That the medians at both intersections of George Street and Colonial Drive and Sirius Road and Colonial Drive be approved subject to the possible provision of a refuge at the intersection of Sirius Road and Colonial Drive in preference to pedestrian crossing. The matter be determined by a traffic count.
Give Way Signs	-	No "Give Way" signs be provided as traffic priority is determined by the physical layout of the intersection.
Stop Signs	-	No "Stop" signs be provided as traffic priority is determined by the physical layout of the intersection.
Median Refuge	-	The median refuge in Colonial Drive south of Turner Close be approved. Signs to be provided in accordance with the guidelines in Sirius Road as approved.
School Crossing Signs	-	This matter to be considered in conjunction with the investigation by the RTA.
Traffic Island	-	Standard signposting be provided.

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

Item 1:	(File DA 272/90)
Development Application:	**Professional Offices**
Applicant:	Graham Edds & Associates
Owner:	J Blaauw
Land and Location:	Lot 23, DP 4906, 135 Windsor Street, Richmond
Area:	888m²
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Residential 2(a)
Advertising:	Adjoining landowners notified with one submission being received
Date Received:	31st August, 1990

REPORT (M.T.P.)

The applicant seeks consent for the establishment and conduct of professional commercial chambers within the subject premises which are classified as an item of environmental heritage. This building comprises of a circa 1915 Edwardian brick cottage and is characterised by a face brick/corrugated iron roof, corrugated iron bull nose verandah and projecting gable bays to the front and side of the return verandah. The land falls within an identified Windsor Street residential/heritage precinct.

The application is supported by information that the owner is in the process of negotiation with prospective professional practices to lease the premises but is not in position at this stage to advise Council of the anticipated tenant in the event of consent. Notwithstanding this, the application seeks approval for the professional chambers on the basis of limited hours of operation between 8.30am to 6.00pm Monday to Wednesday and Fridays, 8.30am to 8.30pm Thursdays and Saturdays 8.30am to 1.00pm with a maximum number of 5 employees.

Statutory Situation

The establishment and conduct of professional and commercial chambers is permissible with consent. The provisions of HLEP, 1989 (Clause 29(1)) allows Council to grant consent for varied uses within heritage buildings provided that the use poses little or no adverse effect on the amenity of the area and that the conservation of the building would be assisted in granting of consent.

Public Notification

During the exhibition period, one submission was received from an adjoining landowner. This submission raised concern over other potential uses in the premises.

Planning Comments

The establishment of professional commercial chambers will help provide a financial return in order to assist in the conservation of the premises. In this regard, the conduct of a professional practice will not pose any adverse effect upon the amenity of adjacent landholdings, particularly since the hours of operation and maximum number of employees shall be limited.

Under Council's Carparking Development Control Plan, the conduct of professional chambers requires the provision of one (1) car parking space per 40 m² of gross floor

area. The existing premises comprise a total floor area of 128m² and hence the use requires the provision of four (4) car parking spaces. As the application involves up to 5 staff being employed on site, there could be a demand for 6 car spaces (one for a client). However, the application makes provision for only three (3) car parking spaces at the rear of the land off Toxana Street and varies from the parking requirement.

The provision of the LEP (Clause 29(2)) allows Council to waive the number of car parking spaces required as a concession or incentive in situations where such concession would help assist in the conservation of the heritage item. Notwithstanding this, the proposed conservation maintenance works are considered minor and do not warrant this car parking concession.

The car parking shortfall could be overcome from the provision of an additional car parking space and minor alteration to the car parking/manoeuvring area layout. However, the provision of additional car parking space would reduce the landscaped open space curtilage of the building and is therefore, considered an unfavourable option.

Accordingly, it is recommended that Council impose a parking contribution to the sum of $9,000 in lieu of this car parking space.

Recommendation

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

1. The professional/commercial chambers shall be restricted to 1 (one) professional firm in general accordance with the submitted plan dated 31st August, 1990.

2-6. Standard Conditions (DA) - 4 ($9,000) (nine thousand), 31, 32, 33, 50 (3)(three).

7. The hours of operation shall be restricted to between 8.30am to 6.00pm Mondays to Wednesdays and Fridays, 8.30am to 8.30pm Thursdays and 8.30am to 1.00pm Saturdays with no work being carried out on Sundays or public holidays.

8. The maximum number of employees shall be restricted to 5 (five).

Mr.P.Rogers, Senior Partner in Pye Rogers & Fairfax, Solicitors, addressed the Committee.

Mr.G.Edds addressed the Committee on behalf of the application.

COMMITTEE'S RECOMMENDATION

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

1-5. Standard Conditions (DA) - 4 ($9,000) (nine thousand), 31, 32, 33, 50 (3)(three).

6. The hours of operation shall be restricted to between 8.30am to 6.00pm Mondays to Wednesdays and Fridays, 8.30am to 8.30pm Thursdays and 8.30am to 1.00pm Saturdays with no work being carried out on Sundays or public holidays.

7. The maximum number of employees shall be restricted to 5 (five).

8. Provision of parking on site to the satisfaction of the Manager of Town Planning.

Item 2:	(File DA 217/90)
Development Application:	**Mountain Bike Club**
Applicant:	Western Sydney MTB Club
Owner:	Department of Planning
Land & Location:	Lots 59 & 60 DP 751660 and Portion 30, Parish of Nepean, Hawkesbury Road, Yarramundi
Area:	41 hectares approximately
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Environmental Protection 7(d1)(Scenic)
Advertising:	Adjoining landowners notified with no submissions being received.
Date Received:	3rd July, 1990

REPORT (M.T.P.)

The applicant seeks consent for the establishment and conduct of a mountain bicycle club upon the site known as "Shaws Farm" adjacent to Shaws Island. This association comprises of 47 current members and is subject to a maximum membership ceiling of 80 members. The site will be used between April and November, with events held every second Sunday between the hours of 9.00am and 3.00pm.

Statutory Situation

The proposal is defined as a "Recreation Area" and is permissible in lands zoned Environmental Protection 7(d1).

Town Planning Assessment

The subject site comprises of three individual parcels of land. The lands are characterised by undulating pasture lands and open eucalypt woodland. The site is dissected by Shaws Creek. The proposed bicycle track circuit will remain on the southern side of Shaws Creek, and is well screened from adjoining landholdings and Hawkesbury Road.

The land is serviced by a 3.5 metre gravel access road from Hawkesbury Road and a car parking area is located upon the middle portion of the site. The access road and the car parking area is considered satisfactory to cater for the twice monthly association meetings.

The conduct of open air bicycle events may require the use of loud speaking equipment. A condition of consent requiring compliance with the Noise Pollution Control Act and any other State Pollution Control Commission requirements will cover this aspect.

The parcels of land are in the ownership of the Department of Planning, for the purposes of regional open space. The Department supported the application and the associated track works on the basis of a six monthly lease review agreement currently valid until the end of November, 1990, and on a monthly basis from then at the grace of the Department of Planning.

Notwithstanding this, the Department is in the process of negotiating with the National Parks and Wildlife Service in terms of transfer of the lands for inclusion into the Blue Mountains National Park. In this regard, the applicant advises that the association has already contacted the National Parks and Wildlife Service in the event of this land transaction.

Recommendation

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

1. The use shall be carried out in accordance with the application dated 3rd July, 1990.

2-5. Standard conditions (DAs) 33, 37, 51 and 100.

6. Compliance with the Noise Pollution Control Act and other State Pollution Control Commission guidelines.

7. The access road shall be resealed and maintained to the satisfaction of the Manager of Engineering Services.

The Manager of Town Planning asked that the words "resealed and" be removed from Condition No. 7.

COMMITTEE'S RECOMMENDATION

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

1. The use shall be carried out in accordance with the application dated 3rd July, 1990.

2-5. Standard conditions (DAs) 33, 37, 51 and 100.

6. Compliance with the Noise Pollution Control Act and other State Pollution Control Commission guidelines.

7. The access road shall be maintained to the satisfaction of the Manager of Engineering Services.

Item 3:	(File DA 288/90)
Development Application:	**Dwelling for "Display Home"**
Applicant:	Endeavour Homes Pty Ltd
Owner:	Endeavour Homes Pty Ltd
Land and Location:	Lot 991 DP 788674 Colonial Drive, Bligh Park
Area:	763m²
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Residential 2(a)
Advertising:	Adjoining owners notified with no objection received
Date Received:	7th September, 1990

REPORT (M.T.P.)

The applicant proposes to use the single storey attached dual occupancy on the subject property for use as a display home. The dual occupancy has development and building approval and is substantially completed.

A development application (DA 287/90) for another display home has been received for the adjacent property, Lot 992 Colonial Drive, Bligh Park. The proposed display home is a single dwelling which is nearing completion. This is reported in the next item in this business paper (Item 4).

Additional on-site car parking for the development is considered unnecessary as there is ample on-street parking in the vicinity. Also, it is usual practice with this type of development that they are sold as normal dwellings after the completion of its use as display homes.

The proposed development is compatible with surrounding residential development and is permissible with Council consent under the provisions of HLEP, 1989.

To ensure the future amenity of the area is not adversely affected, development consent should be limited to an initial period of 2 years.

Recommendation

That the application be approved subject to the following conditions:

1-2. Standard Conditions - 32 and 100.
3. Landscaping shall be undertaken and completed to the satisfaction of the Manager of Town Planning prior to the occupation of the building.
4. Compliance with the conditions of the Development Application and Building Permit prior to the occupation of the building.
5. This approval is limited to the use of the dwelling as an exhibition home for a period of 2 (two) years from the date of completion. Should the applicant wish to extend this period a further application must be lodged for Council's determination prior to the expiration of the original development consent.

√ COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 4:	(File DA 287/90)
Development Application:	**Dwelling for "Display Home"**
Applicant:	Endeavour Homes Pty Ltd
Owner:	Endeavour Homes Pty Ltd
Land and Location:	Lot 992 DP 788674 Colonial Drive, Bligh Park
Area:	767m²
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Residential 2(a)
Advertising:	Adjoining owners notified with no objections received
Date Received:	7th September, 1990

REPORT (M.T.P.)

The applicant proposes to use the single storey dwelling on the subject property for use as a display home. The dwelling has building approval and is nearing completion.

It is considered unnecessary to require provision of on-site car parking as there is ample on-street parking in the vicinity.

The proposed development will be compatible with surrounding residential development in Bligh Park and is permissible with Council consent under the provisions of HLEP, 1989.

To ensure the future amenity of the area is not adversely affected, development consent should be limited to an initial period of 2 years.

Recommendation

That the application be approved subject to the following conditions:

1-2. Standard Conditions (DA) - 32 and 100.
3. Landscaping shall be undertaken and completed to the satisfaction of the Manager of Town Planning prior to the occupation of the building.
4. Compliance with the conditions of the Building Permit prior to the occupation of the building.
5. This approval is limited to the use of the dwelling as an exhibition home for a period of 2 (two) years from the date of completion. Should the applicant wish to extend this period a further application must be lodged for Council's determination prior to the expiration of the original development consent.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 5:	(File S90/196)
Development Application:	**Subdivision to create two allotments**
Applicant:	R Vander Heiden
Owner:	R & A M Vander Heiden

Land and Location:	Lot 53 DP 751660 Hillcrest Road, Yarramundi
Area:	17.19 hectares
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Rural 1(b)
Advertising:	Not required under Council's policy
Date Received:	10th September, 1990

REPORT (M.T.P.)

Proposal

This application seeks Council's consent to subdivide land in Hillcrest Road, Yarramundi, into two allotments with areas of approximately 9.15 hectares and 8.09 hectares. The larger of the two proposed lots contains an existing brick dwelling located in heavily timbered natural growth. The smaller of the two lots contains a cleared paddock surrounded by heavily timbered natural bush. Part of the subject property adjoins the Blue Mountains National Park and is located at the end of Hillcrest Road.

Statutory Situation

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

Since the applicant wishes to create two allotments under the 10 hectare minimum size requirement Council does not have the power to approve the proposal. For the proposal to proceed would require the concurrence of the Director of the Department of Planning.

Applicant's SEPP No 1 Objection

The applicant has submitted a State Environmental Planning Policy No 1 objection to the 10 hectare minimum standard as follows:

> *"My property has a common boundary with "Nepean Park", a subdivision which has recently been approved. With respect to the neighbouring regions, this subdivision will dramatically increase the population density of this area. On an accompanying set of maps are outlined all of the existing properties which have an area of less than 10ha (25 acres) being situated on the western side of Springwood Road.*
>
> *As you are no doubt aware, my application is not for carving my property into many small parcels but into two portions which are marginally short of the set 10ha minimum."*

The applicant has identified 17 and 42 properties on the western and eastern sides of Springwood Road respectively, which have an area less than 10 hectares.

Planning Comments

Whilst there are some lots in the vicinity smaller than the 10 hectare minimum allotment size there are also many lots that are larger. Consequently it is considered that subdivision of the subject land has the potential to set an adverse precedent through cumulative impact on the ten hectare minimum requirement.

Further, the majority of the Yarramundi area is identified as having potential for future urban development in both the Metropolitan Strategy and the draft Land Audit. The Department of Planning does not favour further fragmentation of the areas identified in the Metropolitan Strategy.

There is considered to be insufficient justification in the circumstances of this proposal to recommend approval.

Recommendation

A. That Council not support the application pursuant to State Environmental Planning Policy No 1.

B. That the application be refused as:

1. It does not comply with the provisions of Clause 11(2)(b) of HLEP, 1989;
2. it would create an undesirable precedent; and
3. it is not in the public interest.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 6:	(File DA 306/90)
Development Application:	**Religious retreat accommodation**
Applicant:	Ben Bow Pty Ltd
Owner:	The Trustees of the Roman Catholic Church
Land and Location:	Lot 5 DP 242025, East Kurrajong Road, East Kurrajong.
Area:	10.52 hectares
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Rural 1(c1)
Advertising:	Adjoining landowners notified with one submission being received
Date Received:	2nd October, 1990

REPORT (M.T.P.)

The applicant seeks consent for the construction of a short-term accommodation retreat lodge for religious purposes which is permissible with consent. The proposed development provides eight individual rooms and en suites, kitchen, common

room/dining room, chapel, caretaker's flat and various store rooms. The buildings will be clad in stained timber and have pre-painted metal roofs.

Planning Assessment

The size, shape and topographic characteristics for the land.

The parcel of land is irregular in shape and is undulating in topography, sloping downward from East Kurrajong Road. This land is relatively cleared except for a rear portion of the land adjoining Howes Creek which is characterised by open Eucalypt woodland forest, and is classified as a high bush fire hazard area in accordance with Council's Bush Fire Mitigation Policy No. 1986.

Design/external appearance of the development and relationship to adjoining land.

The application nominates a 20 metre minimum front building line setback from East Kurrajong Road, a 16 metre eastern property boundary line setback, and a 20 metre western property boundary line setback.

Given the 20 metre building line setback from East Kurrajong Road and the downward sloping characteristics of the site, in addition to appropriate provision of landscape open space treatment, it is considered the development will not adversely affect the visual amenity of the surrounding landholdings and/or the locality.

The overall landholding is characterised by a single storey fibro dwelling and a minor galvanised corrugated iron stable/shed. The proposed development will require demolition of the existing dwelling.

Water Supply

The land is not serviced by reticulated water supply and currently makes provision for only a 60,000 litre water tank supply capacity. Accordingly, the development should make provision for a water supply capacity in the order of 100,000 litres. This is considered reasonable to cater for normal water supply requirements and will provide additional water in the event of a bush fire.

Sewerage Treatment/Disposal

The provision of a septic tank is proposed to cater for sewerage treatment and disposal. Notwithstanding this, the provision of a septic tank effluent disposal system is considered unsatisfactory, given that this treatment option would require constant pump-out service to overcome effluent overflow problems. Accordingly, it is considered that Council should impose a condition of consent requiring the provision of an on-site effluent treatment and disposal from a fully reticulated package treatment system, eg "Envirocycle" or "Biocycle" system.

Parking/Acsess

Access to the retreat is by means of a gravel driveway. Eight car parking spaces are also provided, seven of which are proposed to be of gravel construction. Given the nature of the use, it is unlikely that the proposal will generate a high traffic volume,

both in terms of turnover and day trips. It is recommended that the driveway and parking spaces remain unsealed.

Recommendation

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

1. The development shall be carried out in general accordance with the submitted plan dated 2nd October, 1990, except where amended by conditions of consent.

2-7. Standard conditions 31, 50, 61, 70, 73 and 100.

8. The development shall make provision for a minimum water supply capacity of 100,000 (one hundred thousand) litres. In this regard, details shall be submitted and approved with the Building Application.

9. The development shall provide a fully reticulated effluent treatment package system. Details shall be submitted with the Building Application and be approved to the satisfaction of the Manager of Environment and Building Services.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 7:	(File DA 276/90)
Development Application:	**Attached dual occupancy**
Applicant:	B & J Hilton
Owner:	J Carter
Land and Location:	Lot 27 DP 787272, No. 43 Flinders Place, North Richmond
Area:	780m^2
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Residential 2(a)
Advertising:	Adjoining landowners were notified of the proposal with seven objections being received: B Felsch, 25 Keda Circuit G & S Potts, 24 Flinders Place J B and D H Holmes, 4 Flinders Place P J and P E Close, 45 Flinders Place L & J Chalmers, "Sunnyside", Pitt Lane S & B Berg, 61 Flinders Place P P Krix, 41 Flinders Place
Date Received:	5th September, 1990

REPORT (M.T.P.)

Proposal

This application seeks Council's consent to erect a two storey brick building, with concrete tiled roof, in order to create an attached dual occupancy. Each dwelling will contain three bedrooms and a single car garage.

The land has recently been cleared of refuse and fill material placed, presumably, in anticipation of building commencement.

Statutory Situation

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

Public Submissions

Adjoining owners were advised of the proposed dual occupancy with seven objections being received. The grounds for objection are summarised as follows:

1. Matthew Flinders Estate was a pre-planned development by the Mirvac Company and, with Council's consent, specific allotments were identified for medium density development. Landowners within the estate purchased property with the knowledge of where medium density would be contained.

2. Overshadowing of the property to the south-east will be significant, given the size and bulk of the building. Those rooms affected are all living areas, namely the lounge, dining and family rooms.

3. There would be a potential for on-street car parking, impeding the free flow of traffic.

4. The proposal would result in a devaluation of adjoining properties.

5. Approval would create a precedent for further medium density development within the estate.

6. Further medium density development will lead to problems in traffic flow, safety for pedestrians, parking in the street and possible overextension of services such as sewer, water and electricity.

7. The proposal would not enhance the historical value of the Sunnyside homestead and area in general.

8. The proposal will result in a loss of privacy.

9. There will be an increase in noise associated with the additional traffic generated by the development.

10. The proposal would adversely affect the character of the neighbourhood.

These objections are discussed below.

Planning Assessment

Provisions of any Environmental Planning Instrument/Amenity

The proposed dual occupancy complies with the density provisions of Sydney Regional Environmental Plan No. 12 (Dual Occupancy).

Clause 12 of the Regional Plan requires that privacy and access to natural light be considered in the assessment of any dual occupancy.

In regard to privacy, it is considered that, as the second storey rooms are either bedrooms or bathrooms, and not major living rooms, the loss of privacy to adjoining landowners will not be significant.

Prior to Hawkesbury LEP, 1989, the majority of the Matthew Flinders Estate was zoned Residential 2(a) under Hawkesbury LEP, 1984 (Amendment No. 71). Land in the vicinity of Pitt Lane and Shortland Close, behind the North Richmond Hotel, however, was zoned Residential 2(b2) under this amendment and allowed, with Council's consent, the erection of residential flat buildings Class B (ie villas and town houses). Duplex or dual occupancy development is defined as a residential flat building Class 'A' and was permissible within the Residential 2(a) zone in the 1984 plan.

Therefore, whilst it is appreciated that properties may have been purchased on the understanding that medium density housing would not be constructed on land zoned Residential 2(a), duplex or dual occupancy development was always permissible within this zone.

Character of the Neighbourhood

The intent of Sydney Regional Environmental Plan No. 12 in this case is to allow the erection of two attached dwellings on the site that are compatible in terms of style and materials with surrounding residential development to enable the creation of a dual occupancy.

The subject site is located within a residential area where dwellings are of brick or brick veneer construction. As the proposed building will be brick veneer with a concrete tiled roof, and will be of a similar style to surrounding development, no detrimental effect on the general character of the area is likely.

Access and Parking

Two single car garages are proposed in the development, with stacked parking provided behind in the driveway. This complies with the provisions of the Regional Plan and is considered to be satisfactory. Although it is possible that the occupants of the development will park in the street, this could be said of any residential development.

Other Concerns

There is no conclusive evidence to suggest that surrounding property values will decrease as a result of duplex/dual occupancy development.

The services provided in the area are capable of accommodating the proposed development.

The proposal will not detract from the historical significance of Sunnyside, any more than existing development in the locality.

Applicant's Submission

Following discussions with the applicant regarding the objections raised to the proposal, the following was submitted:

> "*We tender in support of the abovementioned development application the following supportive information which should answer possible objections to the proposal.*
>
> 1. *The proposed development has been prepared in accordance with the provisions of State Planning Policy No. 12 - dual occupancy, and as we understand, complies with that Policy.*
>
> 2. *Any problem with overshadowing could only occur on the property adjoining the eastern boundary. If anything this could be of benefit in reducing the impact of late afternoon summer sun. No overshadowing can occur in or during winter, or restrict the eastern and northern aspects of the adjoining allotment. The adjoining residence on the western side is of two-storey construction and would not suffer any appreciable impact from the proposal.*
>
> 3. *Any perceived problem caused by the size of the proposed development would also exist if the alternative permissible development was pursued, ie - a two-storey single residence.*
>
> 4. *Adequate arrangements have been made for on-site parking, and it is not anticipated that street parking will be any more of an issue than if the site was developed as a single two-storey residence.*
>
> 5. *The plans indicate the attention to detail and standard of design and finish to be incorporated in the proposed development. So it is anticipated that values could only be enhanced.*
>
> *In short, every effort has been made to comply, not only with the provisions which allow dual occupancy, but also with the quality and standing of existing residences in Flinders Drive.*"

Shadow diagrams prepared indicate that the adjoining residence to the east is affected, particularly in winter.

For example, overshadowing commences at approximately 11.00am and becomes more severe as the day progresses. At 3.00pm, more than half of the house, the entrance area and part of the front yard is affected to an adverse extent. This is the worst case scenario, however, the premises would be affected to lesser extent, but also unacceptable, for approximately three months of the year.

A single storey development, whilst still creating shadow effect, would not be unacceptable, nor may a redesigned two storey proposal which proposed the top storey of less floor space than the ground floor. Such would need to be proved by design and shadow diagrams.

Recommendation

That the applicant be advised that the current plan is unacceptable because of the adverse overshadowing effect on adjoining premises and that he be invited to submit a revised proposal.

Item 30 of the Town Clerk/General Manager's Supplementary Report was considered in conjunction with Item 7 above.

The Town Clerk/General Manager advised the Committee that he had received documentation from Council's Administration Manager, Mr. Paul Krix, who is an adjoining landowner indicating this position and declaring an interest in the matter. The Town Clerk/General Manager advised that Mr.Krix will leave the Council table and that he wished to take part in the representations to the Council.

Mr.N.Schofield addressed the Committee for the applicant.

Mr.G.Potts, Mr.P.Krix, Mrs.P.Close, Mr.G.Evangelidis and Mr.L.Chalmers addressed the Committee as objectors to the application.

COMMITTEE'S RECOMMENDATION

A. THAT THE APPLICATION be refused for the following reasons :

1. It creates an unacceptable overshadow in the adjoining residence to the east.
2. It is an overdevelopment of the site in terms of its bulk and density.
3. The local road system is not designed nor capable of containing traffic other than that associated with single dwellings.
4. Not in the public interest.

B. That the Estate be rezoned so that the already identified medium density area is redefined and the remainder be available only for single dwellings.

CHANGED TO Parcel NOT Rezoned

Item 8: (File DA 275/90)
Development Application: **Church Hall**
Applicant: Windsor Gospel Corporation

Owner:	J & M Joyce
Land and Location:	Lot 746 DP 777657, Alexander Street, Bligh Park
Area:	688m^2
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Residential 2(a)
Advertising:	Adjoining owners were notified of the proposal with one submission being received from the Department of Housing
Date Received:	3rd September, 1990

REPORT (M.T.P.)

Proposal

This application seeks Council's consent to erect a single storey brick building, with concrete tiled roof, on the subject land for use as a church hall. The building will include a main hall, amenities and foyer area. Access will be by way of a concrete driveway, through a carport to a parking area at the rear for seven vehicles. Landscaping is also proposed on the site.

It is anticipated that the church hall will be used twice a week by about 30 people, including children, although usage may increase slightly with Bible classes etc. Two church services will be conducted at 6.00am Sunday and 7.30pm Monday, each occasion being approximately one hour in duration. At no time will the hall be used for social functions such as weddings etc.

Council, at its Ordinary Meeting of 14th November, 1989, approved a similar application on land in Beasley Place, South Windsor.

Statutory Situation

The land is zoned Residential 2(a) under the provisions of Hawkesbury LEP, 1989. The proposal is permissible on the site with Council's consent.

Public Submissions

Adjoining owners were advised of the proposed development, with one submission being received from the Department of Housing, being owners of an adjoining lot. The Department raises no objection to the proposal.

The applicant has also provided letters signed by all other adjoining owners which raise no objection to the development.

Planning Assessment

Character/Neighbourhood Amenity

The subject site is surrounded on three sides by single storey brick and tile dwellings, and is located opposite Bligh Park Public School. As the proposed building will be brick, with a tiled roof, and will be of a similar style to buildings in the locality, no adverse effect on the character of the area is likely. In fact, the design of the building would allow for its conversion to a dwelling should the use cease.

Further, given the scale of the development and its limited use, the impact on the amenity of the neighbourhood is not likely to be significant.

Access/Traffic/Parking

Council's Carparking DCP requires the provision of off-street parking at a rate of one space per 10 seats. In other words, three spaces would be required. However, in considering a similar application in Beasley Place, South Windsor, the Local Traffic Committee recommended that seven spaces be provided on-site and that the application be conditioned so that there is no parking associated with the development in the street. The applicant proposes to provide seven car parking spaces on the site.

The subject land is located in Alexander Street, which is a collector road; unlike Beasley Place, being a cul-de-sac. As such, traffic movements associated with the use will not be significant compared with the total volume of traffic utilising the street. Consequently, traffic is unlikely to affect the area's amenity.

Recommendation

A. That the application be approved generally in accordance with the plans submitted, ref. No. 90.00L, subject to compliance with the following conditions:

1-11. Standard conditions (DAs) 31, 32, 33, 37, 40, 50 (7 [seven] vehicles), 54, 70, 73, 100 and 102.
12. Construction of Council's standard residential footway vehicular crossing to suit the access to the site.
13. 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. All stormwater is to be disposed of to the interallotment drain across the rear of the property.
14. This consent is limited to operation by the Windsor Gospel Corporation only and is not transferable to church groups of other denominations.
15. There is to be no car parking associated with the church development on Alexander Street.
16. The church hall is not to be used at any time for social functions such as weddings etc.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 9: (File DA 318/90)
Development Application: **13 x 3-bedroom town houses**
Applicant: Manpin Holdings Pty Ltd
Owner: Manpin Holdings Pty Ltd

Land and Location:	Lot 1 DP 515370 and Lot 14 DP 217619, No. 679 George Street, South Windsor.
Area:	6899m^2
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Part Residential 2(a) and Part Rural 1(c)
Advertising:	Adjoining owners were notified with no objections received
Date Received:	11th October, 1990

REPORT (M.T.P.)

Proposal

At its meeting of 13th March, 1990, Council granted consent to the erection of 25 two storey town houses on the subject land and adjoining property to the south-west.

Application is now made to construct thirteen 3-bedroom town houses on the residential zoned part of the subject property, as the adjoining landowner no longer wishes to proceed with the original development. The town houses are the same as those originally proposed on the land.

The site currently contains a weatherboard cottage which will be demolished prior to construction of the proposed townhouses.

Statutory Situation

The use of that part of the land zoned Residential 2(a) for townhouse development is permissible with Council's consent under Hawkesbury LEP, 1989.

Clause 22 of the LEP applies to the development, as this section of George Street is designated as 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 distance 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.

Council's Development Control Plan for Medium Density Housing requires a 10 metre setback from main roads. The proposal complies in this regard, and due to its location along George Street, will have adequate sight distances for vehicle entry and departure.

Clause 25 of the LEP also applies to the proposal and is concerned with the development of flood liable land. This clause provides that in existing residential zones, dwelling houses are permissible on land at a level as low as the 1 in 10 year flood frequency level (12.2m) provided the land is filled to the 1 in 20 year flood frequency level (13.4m) with all habitable floors being at the 1 in 100 year flood frequency level (16.0m).

The majority of the property is flood liable being below the 1 in 100 year flood frequency level. The lowest part of the development site is approximately 13.4

metres. By utilising different floor layouts so that all habitable floors will be at or above 16.0 metres, the proposal will comply with the provisions of clause 25. No major land filling will be required.

Public Submissions

As the proposal is very similar, but of a lesser scale, to that originally proposed, it would be reasonable to assume that the same concerns, if any, will be raised to this proposal, even though there have been no submissions to the revised proposal. Accordingly, a precis of those objections previously received is provided below:

"- *loss of privacy for adjoining landowners;*
- *overshadowing of adjoining properties;*
- *loss of rural views;*
- *local drainage problem will worsen;*
- *increased traffic in Rickaby Street;*
- *increased traffic noise;*
- *deciduous trees along the north eastern boundary of the site will fall into backyard pool;*
- *decline in property values;*
- *increase in noise as a result of the development; and*
- *loss of back entrances to adjoining properties to the north east."*

Planning Assessment

Character/Design Quality

A theme based on the Federation style building has been adopted in the proposed development. Elements such as boarded gables, timber balustrading, finials and fretwork have been incorporated into the design of the buildings, together with a heritage colour scheme.

Although the town houses will be two storeys in height, they will still be in keeping with surrounding residential development, and as such should not adversely affect the character of the area.

Relationship to Adjoining Development/Privacy

Whilst it is recognised that there will be some loss of privacy to those landowners on the north eastern side of the property, an attempt has been made to minimise this loss by providing screen planting along the boundary and providing a setback of 5 metres. Further, the north eastern elevations of townhouses 4 and 11 will not contain any windows.

Open Space

Each townhouse on the site has been provided with a minimum $30m^2$ courtyard, which will receive a reasonable amount of sunlight throughout the year, in accordance with the requirements of Council's Medium Density DCP.

A children's playground is also proposed on the site and in this regard, details of play equipment and fencing should be submitted with the building application.

Landscaping

The landscaping proposed on the site involves densely planted earth mounding along the front of the property, with feature trees to define the driveway entrance. This landscaping will act as a visual and noise barrier to the development, as well as enhance the streetscape in this area.

Deciduous trees around individual courtyard areas are proposed to provide summer shading and winter sun penetration. Smaller tree screen planting is proposed along the boundary areas as visual buffers.

Access and Parking

Off-street parking for residents has been provided in accordance with the requirements of Council's Medium Density DCP. Four visitor parking spaces, instead of the required three spaces, is also proposed.

Internal driveways are considered to be adequate and will be constructed of concrete and selected segmented paving to "break up" the expanse of the sealed area.

Adequate sight distances are available along George Street in the vicinity and minimal traffic conflicts are likely to eventuate given the scale of the proposed development. George Street can adequately accommodate the increased traffic generated by the proposal, given the existing high levels of traffic which currently utilise this road.

Noise

It is recognised that noise generated by increased traffic and residents on the site will result. However, this will be reduced to some extent by proposed landscaping and fencing, and the location of the internal driveway away from the majority of houses.

Conclusion

Whilst it is acknowledged that the proposed development will have an effect on adjoining landowners, the concerns raised previously by local residents are not considered sufficient to warrant refusal of the application. The proposed town houses represent a lesser scale of development than previously approved. The development is consistent with the objectives of the Residential 2(a) zone and complies with the requirements of Council's DCP for Medium Density Housing. Given that the proposal has considerable merit, it is recommended for approval.

Recommendation

That the application be approved generally in accordance with the plans dated August, 1990, Ref. No. DA-01/A to DA-04/A, subject to compliance with the following conditions:

1-8. Standard conditions (DAs) 1 ($39,000) (thirty nine thousand), 11, 18, 31, 33, 61, 73 and 104.

9. Town houses 5-13 inclusive are to be relocated to the rear of the site sufficient to avoid building over the existing sewer line traversing the site and to stand at least 1 (one) metre clear of the line.

10. The construction of kerb and gutter, 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 over the frontage of the land to George Street, together with any such works as are necessary to make this construction effective.

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 Drainage Requirements for Commercial, Industrial and Medium Density Developments. Details to be submitted for approval with the building application.

13. Parking spaces, accessways and aisle widths are to be constructed with a sealed pavement, drained and marked to Council's requirements. Details of works shall be submitted for approval with the building application.

14. A contribution of $18,997 (eighteen thousand nine hundred and ninety seven) based on $1,727 (one thousand seven hundred and twenty seven dollars) per additional dwelling being a contribution for open space and community facilities as a consequence of medium density development (residential flats, villas, town houses etc.)

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

16. Details of children's play equipment and fencing are to be submitted with the building application.

17. Satisfactory arrangements are to be made with Council for the provision of sewerage reticulation to the proposed development.

18. All habitable floor levels are to be at or above 16.0 (sixteen point nought) metres, Australian Height Datum.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 10:	(File DA 263/90)
Development Application:	**Garage/games room**
Applicant:	Mr G and Mrs R Paull
Owner:	Mr G and Mrs R Paull
Land and Location:	Lot 1 DP 634986 Francis Street, Richmond
Area:	1400m^2

Zoning:	Hawkesbury Local Environmental Plan, 1989 - Residential 2(a)
Advertising:	Adjoining owners notified with one objection being received
Date Received:	29th August, 1990

REPORT (M.T.P.)

Proposal

A two storey historic residence, "Josieville", identified as a Heritage Item in Schedule 1 of Council's Planning Instrument, is existing on the land.

Consent is sought for a two storey painted brick building with corrugated steel roof and single storey skillion extension with verandah. This building will be used as a garage/games room, and will replace two existing carports and a shed situated in the north-eastern corner of the land. The proposed garage/games room will be situated 0.4m from the eastern and 0.9m from the northern boundary fences.

The proposal is permissible with Council's consent.

Public Submission

In accordance with Council's policy, adjoining owners were notified of the proposal and one objection was received from Mr G and Mrs W Knott. Mr and Mrs Knott object to the proposal on the basis that:

> *"The siting of the building along our common fence line will cause a dark shadow over a large portion of our back yard, including the clothes line, and deprive our two young children of the open sunny area that they can now enjoy. There will be a real deterioration in the lifestyle of our children and ourselves if the complex is allowed to be constructed on the site shown in the plan. We would therefore ask that, prior to consideration of this application, a shade graph be prepared to show the extent of the shade on our land in summer and winter.*
>
> *Our objection is the siting of the building. If it was sited on the Francis Street fence line or near to that fence line we would not object to the development application."*

Mr and Mrs Knott's residence is situated immediately south-east of the subject land.

Planning Assessment

Given the basis of Mr and Mrs Knott's objection, a mid-winter shadow diagram was prepared for the proposal. This diagram indicated that prior to lunchtime, shadow from the proposal would largely be confined to the subject land. At 3.00pm in the afternoon, however, shadow from the proposed games room would extend approximately 15 metres across Mr and Mrs Knott's rear garden. Approximately one quarter of Mr and Mrs Knott's land would thus be in shadow at 3.00pm mid-winter.

Due to the adverse effects of overshadowing from the proposal on adjacent property, the applicant was requested to submit amended plans indicating reduction in extent

of shadow on adjacent property. To this end, the applicant submitted amended plans on 18th October, 1990.

The amended plans illustrate relocation of the two storey portion of the proposal away from the boundary fence, reducing the 3.00pm mid-winter shadow length by some 6 metres. Notwithstanding that the shadow from the proposal will extend some 9 metres from the boundary fence, the 1.5 metre high boundary fence will itself pass a 3.7 metre long shadow at 3.00pm mid-winter. It is considered that the amount of shadow reduction incorporated within the amended proposal is reasonable. Further reduction of shadow cannot be achieved without removal of the second "storey" storage area or alternatively, relocation of the garage/games room to elsewhere on the site. Relocation of the proposal is considered inappropriate due to removal of existing plantings along the side and rear boundaries as well as proximity to the heritage item. Location of the garage/games room within the northern corner of the subject land does not necessitate removal of any existing plantings nor trees. The proposal, in fact, makes provision for incorporation of a Plane tree within the surrounding verandah.

The proposal is considered to be reasonably sympathetic to the existing heritage item on the land in terms of scale and building materials. As such, the proposal is not considered to compromise the significance of the heritage item.

As the proposal will be constructed over the existing sewer line, a condition will be required to ensure compliance with Water Board requirements.

Conclusion

It is considered that the amended application should be supported as the amount of overshadowing from the proposal will be reduced, lessening consequent impact on adjacent property owners. Further, the proposal is sympathetic to an existing heritage item situated on the land.

Recommendation

The application be approved generally in accordance with the amended plan submitted by the applicant dated 18th October, 1990, subject to compliance with the following conditions:

1-3. Standard conditions (DAs) 31, 40 and 61.
4. Compliance with any requirements the Water Board may have in relation to encasement of the existing sewer main under the proposed garage/games room.

Mr.Knott addressed the Committee as an objector.

COMMITTEE'S RECOMMENDATION

THAT THE APPLICANT BE invited to hold discussions with Council's Planning Staff with a view to a further revised application due to the shadowing effect that the initial proposal has caused.

Item 11:	(File DA 289/90)
Development Application:	**Timber Display Home**
Applicant:	Micron Pty Ltd t/a Bush Haven Homes
Owner:	Mr B J and Mrs W A Preston
Land and Location:	Lot 1 DP 777650 Hawkesbury Road, Yarramundi
Area:	10.22 hectares
Zoning:	Hawkesbury Local Environmental Plan, 1989 - 7(d1) (Environmental Protection (Scenic))
Advertising:	Adjoining owners notified with no objections received
Date Received:	11th September, 1990

REPORT (M.T.P.)

The applicant proposes to erect a single storey timber display home and garage on the subject property. The display home is set back 27m from Hawkesbury Road and 60m from the southern property boundary. The garage is located adjacent to the dwelling.

Hours of operation will be Thursday to Monday with approximately 6-10 clients per day over the majority of the week, with a maximum of 20 clients on Sundays. However, due to the isolated location, this number may decrease.

Four car parking spaces will be provided on-site and access will be via a 30m access track from Hawkesbury Road.

The property has an area of 10.22 hectares and is well vegetated, however, the display home and garage will be positioned so that the removal of established trees is minimal. The low growing scrub will be removed from the building site and car spaces, but will be landscaped with bottle brushes, grevilleas and other natives.

It is proposed to operate the display home for a period of two years and then relocate the home to another site.

Surrounding residences along Hawkesbury Road are generally set back greater than 100 metres from the road.

Development approval for the erection of a dwelling and shed was given on 21st December, 1988. Although a building permit was issued, work has never commenced. The owner of the property has abandoned this proposal.

The property lies within a high bushfire risk area. Bushfire mitigation measures should be implemented to reduce the bushfire risk to the development.

The proposed development will have minimal impact on the environment and is permissible with Council consent under the provisions of Hawkesbury LEP, 1989.

Recommendation

The application be approved subject to the following conditions:

1. The proposed development shall be carried out in accordance with the plans submitted with the application.

2-5. Standard conditions (DAs) 31, 32, 50 (4) (four) and 100.

6. Construction of a sealed rural type gutter and footway crossing to the requirements of the Manager of Engineering Services.

7. Compliance with Council's Bushfire Mitigation Policy. Details of bushfire mitigation measures shall be submitted with the building application and be to the satisfaction of the Manager of Environment and Building Services.

8. This approval is limited to the use of the dwelling as an exhibition home for a period of 2 (two) years from the date of completion. Should the applicant wish to extend this period, a further application must be lodged for Council's determination prior to the expiration of the original development consent.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 12:	(File DA 295/90)
Development Application:	**Storage building**
Applicant:	Maxmin Pty Ltd
Owner:	Maxmin Pty Ltd
Land and Location:	Part Lot 2 and Corner Lot 1 DP 205338 Bells Line of Road, Kurrajong Heights
Area:	10.11 hectares
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Environmental Protection 7(d) (Scenic)
Advertising:	Adjoining landowners notified with no submissions being received
Date Received:	18th September, 1990

REPORT (M.T.P.)

Proposal

The applicant proposes to erect a 42m x 18m second hand portal steel frame building with galvanised steel cladding behind existing shed on the site. The purpose of the shed will be to store mining equipment from a quarry near Bell, as well as tin mining equipment from a mine at Tingha. The applicant has provided the following information:

> "The stored items include mobile plant, eg our forklift, crane, trailer/s, front end loader/backhoe, small-medium mining plant when not in use at our mining locations. We would normally expect to load or unload trucks within the new building once a fortnight, and therefore no provision is made for car or truck parking outside the buildings. There would be minimal environmental effect in the area as the proposed new building would only be

used as a warehouse. There are no waste products generated and no hazardous material stored.

There are no plans to clear any further land, and the site for the proposed new building has now been stable for nearly two years.

Maxmin Pty Ltd employs one person, working 2-3 days per week at the property. Normally a sub-contractor for both farm work and maintenance work would be engaged 2-3 days per week on the site as well."

Statutory Situation

The proposal is permissible with Council consent, as warehouses or the like are not prohibited in the zone.

Planning Assessment

The applicant has, over the past 12 months, demolished old sheds on the site and has generally improved the appearance of the site. At the present time there are a number of industrial items being stored in the open air on the site.

The proposed new storage building will be constructed on a platform approximately 3 metres below the existing shed and will be largely shielded by it. The access to the storage building is satisfactory in terms of sight distance along Bells Line of Road, however, it is recommended that the eastern-most gate be relocated to be wholly within Part Lot 1. This can be covered as a condition of consent. The proposal will eliminate the need to store industrial material outdoors and will improve the appearance of the site. Conditions will be imposed to ensure that no toxic or hazardous material is stored on the site.

Recommendation

That the application be approved subject to the following conditions :

1-8. Standard conditions (DAs) 31, 32, 33, 39, 80, 82, 85 and 100.

9. No hazardous or toxic materials shall be stored on the site.

10. No mineral processing shall occur on the site.

11. The eastern-most driveway shall be relocated so that it is wholly within Part Lot 1 DP 205338.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 13:	(File DA 249/90)
Development Application:	**Two storey commercial development**
Applicant:	Sendle Property Rentals
Owner:	Sendle Property Rentals
Land and Location:	DP 75108, No. 198-202 George Street, Windsor
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Business (General) 3(a)
Advertising:	Formal public exhibition with no submissions being received
Date Received:	9th September, 1990

REPORT (M.T.P.)

The applicant seeks Council's consent for the demolition of an existing light industrial warehouse and construction of a two-storey commercial office/shop complex upon a portion of the subject site. The proposed commercial development is to be situated behind an existing two-storey brick/slate tile circa 1840 early Victorian building. The design will allow pedestrian access between the existing shopping arcade, fronting George Street, and the development.

It is proposed to upgrade and refurbish the existing arcade within the heritage item and provide additional restoration works on the heritage building, particularly the construction of a balcony and associated concave corrugated iron awning in order to provide full restoration of the building to its original condition.

Statutory Situation

The redevelopment of a commercial office/shop complex is permissible in land zoned Business (General) 3(a), subject to consent. The land further contains a circa 1840 building and is classified as a heritage item (No. 196) in accordance with the provisions of Hawkesbury Local Environmental Plan, 1989.

Planning Assessment

Design, Appearance and Relationship to the site and other adjoining lands

The commercial office/shop complex redevelopment will require the demolition of a run-down or dilapidated fibro warehouse at the rear portion of the land.

The proposed development makes provision for a triangular shaped skylight at the apex of the roof line in order to allow solar access to the first floor commercial offices. The commercial first floor will be initially developed to provide two large commercial office space units with a possible splitting up of this floor space into four smaller units, whereas the bottom floor comprises primarily of two shops and associated tenant car parking area.

The proposed building will have a maximum apex height of 8.8 metres along the triangular shaped skylight and a maximum 7.5 metre side wall building height. The new building will be relatively screened behind the heritage item and will not impose any major adverse visual streetscape impact upon George Street.

Notwithstanding this, the rear portion of the land is characterised by some visual exposure on the western property boundary line from Macquarie Street and the Council car parking area behind Coles Supermarket. This visual exposure currently arises by the limited development of the adjacent landholding facing the car parking area. Accordingly, this development will impose some visual impact in the interim period, prior to such redevelopment of the adjacent landholding. Accordingly, the development should make provision of false windows along the western side wall in order to attempt to break up the scale of the development. The applicant further advises that the development may be lowered by 1 metre down to a maximum apex height of 7.8 metres and a roof line/eave connection height of 6.5 metres. This will also help to reduce visual impact of the development prior to subsequent redevelopment of the landholding adjacent to the car parking area.

The existing two-storey circa 1840 early Victorian building comprises of three individual ground floor commercial premises and a first floor residential flat. The proposed office/shop complex development at the rear will gain direct pedestrian access from the ground floor shopping arcade within the heritage item. This redevelopment will require the demolition of the rear shop in the arcade and other minor internal alterations to the heritage building. The demolition of the rear shop is considered reasonable since this part of the arcade was an addition, tacked on the back of the heritage building.

The circa 1840 heritage building is part of the George Street commercial heritage precinct and is characterised by a brick/slate roof construction and once possessed a balcony with cast iron detailing and a bullnose verandah, but in a later period was replaced by a flat shopfront awning.

It is proposed to reinstate the balcony and the associated cast iron detailing in general accordance with the Windsor Streetscape Study 1986. The proposed balcony will come forward from the existing building line by 2.5 metres and overhang the existing George Street footpath at a minimum 150mm setback distance from the George Street kerbside. Therefore, the construction of the balcony will require the provision of verandah posts with a steel shaft or other similar parts, to mitigate against potential balcony collapse from vehicular collision. The provision of appropriate balcony support posts and the appropriate balcony specifications shall be made available at the building application stage. Further, it is considered reasonable to reduce the balcony width to 2.05 metres in order to allow a minimum 600mm setback from the kerb.

Car Parking

Under Council's Carparking Development Control Plan, the development of commercial premises requires the provision of one (1) car parking space per 40 square metres of gross floor area. The proposed office/shop complex comprises a gross floor area of 398 square metres and in this regard, requires the provision of 10 (ten) formal car parking spaces. The application makes provision for 10 (ten) tenant car parking spaces within the rear portion of the development and complies with the development control plan.

The parking area is subject to parking and manoeuvring constraints, particularly given the limited available access to the site. This car parking layout problem may be

overcome from the reduction of two car parking spaces (Nos. 6 and 7) in order to allow wider remaining car spaces and the provision of turning/manoeuvring areas. This parking variation would result in a parking shortfall but is considered a reasonable concession towards the development, given the improvements undertaken at the front of the building.

The site gains vehicular access at the rear portion of the land from Macquarie Street via a 4 metre wide reciprocal right of way access handle and manoeuvring area. This manoeuvring area will provide a satisfactory on-site turning area for delivery vehicles and in addition access to the tenant parking area.

Recommendation

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

1. The development shall be carried out in general accordance with the submitted plan dated 9th September, 1990, except where amended by conditions of consent.
2. The development shall make provision for false windows upon the western wall.

3-9. Standard conditions (DAs) 1 ($1,016.00) (one thousand and sixteen), 31, 32, 35, 52, 61 and 100.

10. Parking shall be provided for 8 (eight) vehicles in accordance with Council's regulations and parking policy. In this regard, the ground floor tenant car parking area shall eliminate/delete the car parking spaces No. 6 and 7 in order to allow wider remaining spaces. Parking spaces, accessways and aisle widths are 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.
11. The discharge of stormwater shall be to the satisfaction of the Manager of Engineering Services.
12. Development consent shall be obtained for the use of each commercial premises, prior to occupation taking place.
13. The balcony/verandah support posts shall have a steel shaft centre or similar to satisfactorily support the balcony. This balcony shall be reduced in width to 2.05 (two point zero five) metres in order to allow a minimum 600 (six hundred) mm setback from the George Street kerb. Full engineering details and specifications are to be submitted and approved with the building application.
14. The development shall provide the premises with 1 (one) hour fire rated ceilings.
15. The commercial development shall provide egress from the ground floor arcade and the premises at all times.
16. The overall height of the development shall be reduced by 1 (one) metre. Details are to be submitted with the building application and approved by the Manager of Environment and Building Services.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 14:	(File DA 44/90)
Development Application:	**Building for before and after school care in conjunction with kindergarten/ pre-school**
Applicant:	T Armstrong
Owner:	T C and K Armstrong
Land and Location:	Lot 812 DP 778220, No. 35 Neptune Crescent, Bligh Park
Area:	722.3m^2
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Residential 2(a)
Advertising:	Adjoining owners were notified with two submissions and a petition containing twenty signatures being received. Mr and Mrs Weiss, No. 33 Neptune Crescent (objection) Mrs J Adams, No. 61 Colonial Drive (letter of support)
Date Received:	19th July, 1990

REPORT (M.T.P.)

Background

At its meeting of 10th April, 1990, Council approved an application to erect a brick veneer building, with tiled roof, on the subject land, for the purpose of conducting a kindergarten/pre-school. The kindergarten/pre-school will cater for up to 40 children, between the ages of 3 and 5, with hours of operation being from 9.00am to 3.00pm, Monday to Friday.

Proposal

Application has now been made to extend these hours of operation to 7.00am to 6.00pm, Monday to Friday, to incorporate before and after school care (ie primary and young high school students). A maximum of fifteen children will be cared for during these extended hours, with no "overlap" expected to occur with the hours of operation of the pre-school/kindergarten.

The applicant has since approached Council seeking to increase the number of children for before and after school care to a maximum of 30. However, as objections were received to the care of 15 children on the site, adjoining owners were not re-notified.

Statutory Situation

The subject land is zoned Residential 2(a) under the provisions of Hawkesbury LEP, 1989. The proposal may be defined as a "child care centre" and as such is permissible on the land, with Council's consent.

Public Submissions

Adjoining owners were advised of the proposal in accordance with Council's advertising policy. One objection, one letter of support and a petition containing twenty signatories were received. The objection is reproduced, in part, below:

> *" ... to now change the hours of said Pre-School/Kindergarten to any other than 9am to 3pm would be surely a move to also change its title to that of a long day care centre? Something that both ourselves and our neighbours feel is totally unsuited to our area ...*
>
> *As residents of both Bligh Park and Hawkesbury City we implore you, as elected representatives to explore the siting of premises such as these, in as much depth as is possible. We as residents have looked at the siting of both Greenhills and South Windsor Day Care Centres, both obviously planned to allow residents to enjoy these facilities and their lifestyles and privacy.*
>
> *Yet, here in Bligh Park with literally a limitless supply of land available at the moment, Council have allowed this venture to be shoe horned into a residential area where the structure has no more than seven metres of land from its furthest boundary, and in a street where, with a vehicle parked either side of the road a moving vehicle has trouble safely travelling past them ... "*

The petition states:

> *"We feel 9.00am to 3.00pm is the only time suitable to the amenity of our area."*

The letter of support indicates the following:

> *"Surely in an estate such as this, densely populated with young children it is necessary to have some care facility for mothers who need to work. As no council facilities are available in this area I would personally like to have this pre-school available for my children to attend from at least 9.00am to 5.30pm."*

Planning Assessment

Amenity of the Neighbourhood/Noise

In assessing the application for the kindergarten/pre-school, it was considered that, whilst there would be some noise generated by the children when playing outdoors, this would not be intrusive, given that the noise would occur between the hours of 9.00am and 3.00pm. Under the current proposal, there is the potential for noise between the hours of 7.00am and 6.00pm, which may have an adverse effect on adjoining landowners.

Similarly, the extended hours proposed would lead to additional traffic and associated noise within the immediate locality from 7.00am to 9.00am and 3.00pm to 6.00pm.

Traffic

During the operation of the kindergarten/pre-school, children will be set down and picked up at the front of the property. This was considered reasonable in the

circumstances, given that Neptune Crescent will not carry high volumes of traffic and such a situation is not unlike other kindergartens and child care centres in the local area.

Although the traffic associated with the before and after school care service will occur between about 7.00am and 8.30am and about 3.30pm and 6.00pm, there is some concern regarding the possible traffic conflict between the two uses, given the limited area available for collecting and delivering children.

Department of Family and Community Services

The proposal is not required to be licensed by the Department of Family and Community Services and consequently, there are no specific requirements relating to before and after school care.

However, the Children (Care and Protection) Act, 1987, contains general requirements relating to child care services, which the proposal must satisfy. As the Department will be required to license the pre-school/kindergarten, these general requirements will be taken into account at that time.

Options Available

There would appear to be three options available to Council in determining this application:

1. Refuse the application on amenity and traffic grounds.

   Given the uncertainty regarding the operation of the proposal, this option is considered inappropriate at this stage.

2. Issue a 6 month approval for the application, to be reviewed at the end of this period.

   This would allow Council to monitor the proposal and identify any problems which could either be overcome through appropriate conditions or lead to cessation of the use. Also, as little additional expense would be incurred by the applicant regarding works on the site, the 6 month trial period would not be financially disadvantageous.

3. Defer the application until such time as the approved pre-school/ kindergarten is operating. This would also enable Council to assess the impact of the kindergarten on surrounding landowners and determine whether an extension of hours would result in any problems.

The second option is considered to be the preferred option, given that it would enable a proper assessment of the proposal.

Recommendation

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

1. This consent is limited to a period of 6 (six) months from the date of commencement. In this regard, the applicant is to advise Council of the date upon which the use commenced. The application will then be reviewed at the end of this 6 (six) month period.
2. A maximum of 15 (fifteen) children only are to be enrolled in the before and after school care service.
3. Operating hours shall be limited to 7.00am to 9.00am and 3.00pm to 6.00pm, Mondays to Friday.
4. 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.
5. 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.
6. Provision of toilets in accordance with any requirements of the Department of Family and Community Services.

COMMITTEE'S RECOMMENDATION

THAT THE APPLICATION be approved subject to compliance with the following conditions:

1. This consent is limited to a period of 6 (six) months from the date of commencement. In this regard, the applicant is to advise Council of the date upon which the use commenced. The application will then be reviewed at the end of this 6 (six) month period.
2. A maximum of 15 (fifteen) children only are to be enrolled in the before and after school care service.
3. Operating hours shall be limited to 7.00am to 9.00am and 3.00pm to 6.00pm, Mondays to Friday.
4. 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. 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.
5. Provision of toilets in accordance with any requirements of the Department of Family and Community Services.

Item 15:	(File DA 299/90)
Development Application:	**Three 2-bedroom villa units**
Applicant:	Mr Frank Anderson
Owner:	Okway Pty Ltd
Land and Location:	Lot 23 DP 802983 Jersey Street, Richmond
Area:	925.6m^2
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Residential 2(a)
Advertising:	Adjoining owners notified with no submissions being received
Date Received:	20th September, 1990. Amended plans received 24th October, 1990.

REPORT (M.T.P.)

Proposal

The site is located on the corner of Jersey Street and Strong Place. The main frontage for the development is onto Strong Place, with one carport fronting Jersey Street. The proposed villas will be of brick veneer construction with a concrete tiled roof and courtyards will have areas of $35m^2$, $51m^2$ and $85m^2$. Landscaping will be provided along the Strong Place and Jersey Street frontages.

Planning Assessment

Villa houses are permissible within this zone, with the consent of Council. The development complies with the density, private open space, design considerations, parking and height requirements of Council's Medium Density DCP. Compliance with other standards of the DCP are discussed below.

Relationship to Adjoining Land

The application provides for a variable "zero building line" side setback between the western boundary of Lot 23 DP 802983 and the proposed carport. The "zero building line" setback is considered supportable given that a large parcel of rural land adjoins to the west of the subject property.

Street setbacks are 7.0 metres and 6.4 metres between the development and Jersey Street and Strong Place, respectively. A 5.0 metre building line setback is provided between the detached carport behind Unit 1 and Jersey Street.

These setbacks are considered reasonable given that they allow larger more useable rear courtyards for the units and gives the development a more acceptable streetscape appearance.

Landscaping

Although some landscaping is shown on the plans submitted with the application, more detailed plans need to be submitted prior to the approval of the building application.

Character/Amenity

The subject property is located on the outer edge of a residential area which adjoins rural pasture lands. Residential land to the south and east comprise of single storey detached dwellings. An attached dual occupancy has been approved on the opposite corner and 15 villa units have also been approved nearby on Strong Place and Francis Street. The proposal is not considered to be incompatible, as it is only single storey and incorporates similar design elements to buildings in the locality.

Recommendation

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

1. The 3 (three) villa unit development shall be carried out in accordance with the amended plan dated 24th October, 1990.

2. Construction of Council's standard residential footway vehicular crossings to suit the accesses to the site.

3-11. Standard conditions (DAs) 6 ($3,454) (three thousand four hundred and fifty four), 17, 31, 33, 61, 62, 70, 73 and 104.

12. Design and construction of site drainage shall be carried out in accordance with Council's Guidelines for Stormwater Drainage Requirements for Commercial, Industrial and Medium Density Developments. Details to be submitted for approval with the Building Application.

13. Building shall be designed to comply with the requirements of AS2021 (Aircraft Noise Intrusion). An acoustical engineer's report and recommendations relating to building design/materials shall accompany the Building Application.

14. The maximum depth of site cutting or filling shall be 900mm (nine hundred). Separate details of site levels and excavation works shall accompany the Building Application.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 16:	(File DA 236/90)
Development Application:	**Alterations and additions to existing abattoir**
Applicant:	Roger Hedstrom Pty Ltd
Owner:	Bablana Pty Ltd
Land and Location:	Lot 1 DP 741444 and Part Portion 47, King Road, Wilberforce
Area:	5.37 hectares
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Environmental Protection (Scenic) 7(d1)
Advertising:	Adjoining owners were notified with objections being received from: M & P Hawkins, B Burns, G & W Marshall, J Zimmerman and S Kruger.
Date Received:	27th July, 1990

REPORT (M.T.P.)

Background

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

Whilst Council was preparing its case for the Land and Environment Court to ensure that the abovementioned notices were complied with, the owner, Bablana Pty Ltd, lodged another development application with Council. This development application did not substantially change any of the buildings on the site, but sought retrospective approval for their establishment. The development application also provided landscape mounds between the transportable "buildings" and King Road.

On the 10th April, 1990, Council refused that application as the development application did not in any fundamental way change the operating procedures of the abattoir nor improve the appearance of the abattoir.

Council then pursued the matter of requesting the demolition of unauthorised extensions as well as the removal of unauthorised transportable buildings on the site.

The owner, Bablana Pty Ltd has now submitted a revised proposal which is the subject of a fresh development application. This development application will need to be determined prior to the proceedings for demolition proceeding.

Current Application

The application involves building and landscaping works which are required by various authorities to ensure the continued operation of the abattoir at its existing output capacity. The applicant has provided the following information:

Proposed Work -

Three new permanent brick buildings including the abattoir office, meat inspectors' amenities and employees' amenities. The new buildings are to replace the existing transportable buildings which will be removed from the site on completion of construction. The abattoir's office contain minimal general office space, manager's office, second office and a change room for rabbis. The meat inspectors' amenities includes the minimum requirements for 2 inspectors currently on the site. The employees' amenities building contains the minimum requirements for 40 employees. The new buildings will have an Australian Colonial appearance and will be constructed of brick and pre-painted metal roofing.

Landscaping -

Earth mounding 1.5m high x 6m wide with topsoil cover. This earth mound will be planted with evergreen native trees and shrubs to provide a continuous dense foliage screen to existing and proposed buildings.

Road Works -

The existing access roads proposed to be resurfaced with crushed sandstone. On site car parking will be provided for 45 spaces.

Existing additions for which approval is sought -

The applicant has applied for consent for the following:

- existing refrigerated container (to the south of the main abattoir building)

- existing additions to the killing floor area (approx. 4m x 2.5m) as well as an area of 5m x 3.5m which was the enclosure of the awning/loading platform at the eastern end of the building. These existing additions to the killing floor were required not to increase the killing capacity of the abattoir, but to comply with the updated regulations of the Department of Primary Industry and the Meat Industry Authority.

The applicant also proposes to remove the transportable buildings that are located on the site, as well as demolishing and removing from the site the corrugated steel clad shed near the King Road frontage. This shed is in a poor state of repair and is of limited value for storage because of its location and lack of security.

Public Notification

Five submissions were received with the following objections:

1. Unpleasant odour from waste water disposal on adjoining properties.
2. Unpleasant odours from sheep skins.
3. Hide shed and other buildings cause visual pollution.
4. Late night noise associated with loading and unloading of livestock trucks.
5. Proposed landscaping mound will be ineffectual.
6. Waste water causes environmental problems in the Hawkesbury River.

Planning Assessment

The proposed erection of permanent brick buildings, in an Australian Colonial style, including the abattoir office, meat inspector's amenities and employees' amenities are supported in principle. The proposed landscaping works are also essential and are supported. The proposed internal roadworks are to be of crushed sandstone. This is unsatisfactory in terms of dust and noise generation. The minimum standard for such an operation should be a sealed driveway and sealed car parking areas with an industrial standard concrete loading/manoeuvring area for trucks.

Whilst processing the application it became apparent that the applicant had not provided sufficient information as to the means of waste water disposal. Conflicting information had also been provided in relation to carcass production.

The applicant has provided information which indicates that the total production for a 12 month period prior to the unauthorised extension of the killing floor was approximately 120,000. The total production figure for a 12 month period after the unauthorised works were carried out was approximately 118,000. The unauthorised

extensions, approximately 30m^2 to the main abattoir building, have not resulted in an increase in kill. These figures are verified by the Meat Industry Authority.

In relation to the disposal of waste water, the applicant has advised that "the wash down water from our establishment is being spray irrigated over the rear of our property and with permission over our neighbour's property". No documentation has been received which legally links the abattoir land to the land which is being used for waste water disposal purposes.

The need to use additional land to dispose of waste water indicates that the abattoir use cannot be sustained on the site. The applicant has not provided any legal documentation regarding the disposal of waste water onto adjoining property. The use of adjoining land for waste water disposal needs to be a permanent arrangement. In this regard the applicant should have arranged an easement over adjoining land which would then guarantee the availability of these lands for waste water disposal. A lease is not satisfactory as it may be terminated at the end of the lease period (one, two or three years). If this occurred, the applicant may not be able to make suitable arrangements for disposal of waste water and the operations on the site could lead to environmental degradation of the locality. Also, if the application were approved without an easement over an adjoining property, the applicant, having spent a considerable amount of money in upgrading the premises, may exert political and/or legal pressure to ensure continuation of the enterprise.

In summary, the issue of a permanent solution for waste water disposal is paramount, and without the applicant arranging for an easement to dispose of such waste water on adjoining land, the application for alteration and additions to the abattoir should be refused.

Recommendation

That the application be refused on the following grounds:

1. The site is not suitable for further expansion of a use such as an abattoir.
2. The disposal of waste water cannot be carried out on the subject land without detrimental effect on the environment.
3. The size of the land is inadequate to sustain the proposed development.
4. Not in the public interest.

Alderman Denne declared an interest in this matter.

Mr.McPherson asked if this matter could be deferred for consideration to the next General Purpose Committee Meeting.

COMMITTEE'S RECOMMENDATION

CONSIDERATION OF THE application be deferred until the next General Purpose Committee Meeting.

Item 17:	(File DA 285/90)
Development Application:	**Three portable classrooms to be used in conjunction with the existing school**
Applicant:	Arndell College Ltd
Owner:	Liyabi Pty Ltd
Land and Location:	Lot 16 DP 259650, Threlkeld Drive, Cattai
Area:	8.698 hectares
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Part Rural 1(c) and Part Environmental Protection 7(d1)(Scenic)
Advertising:	Adjoining owners were notified with one objection being received from G J and S M Lees, Lot 15 Threlkeld Drive
Date Received:	7th September, 1990

REPORT (M.T.P.)

Background

At a Special Meeting of Council on 19th December, 1989, approval was granted to the establishment of a school on land in Threlkeld Drive, Cattai. This approval was subject to a number of conditions including that the school cease operation by 1st February, 1993, and all temporary buildings be removed from the site.

Proposal

This application seeks Council's consent to establish three additional portable buildings on the property, adjacent to the existing classrooms, to accommodate another fifty students expected in 1991, bringing the total number of students to approximately 100. An additional four full-time teachers will be employed at the school, making a total of eight.

The size of the classrooms are as follows:

Building A:	12.0m x 7.6m x 2.7m (divided into two classrooms).
Buildings B and C:	9.2m x 9.6m x 2.7m each.

The existing spray septic system has the capacity to cater for 100 children. Consequently, no further provision for 1991 should be necessary. An additional 40,000 litres of water, however, is proposed to be provided on the site.

Statutory Situation

The subject land is zoned part Rural 1(c) and part Environmental Protection 7(d1)(Scenic) under the provisions of Hawkesbury LEP, 1989, both of which permit educational establishments, with Council's consent. The site is also classified as an item of environmental heritage under Schedule 1 of the plan and consequently is subject to the provisions of Clause 27.

Clause 25 of the LEP, which relates to the development of flood liable land, applies to the site, as the property is affected by the 1 in 100 year flood, inundating land at a level of 15.2m or less. The portable classrooms will be located on land above the 1 in 100 year flood frequency level, and thus will comply with the provisions of Clause 25.

Public Notification

Adjoining owners were notified of the proposal with one objection being received. Mr and Mrs Lees' objection is reproduced, in part, below:

> *"At a Special Meeting of Council on 19th December, 1989, permission was given to go ahead with the school subject to nineteen conditions being met. The majority of these conditions have not been met and Council has not done anything to rectify this matter. I would like to especially bring to Council's attention Clause 14 which stated that the access road was to be sealed, so as to eliminate the dust problem we have to put up with. With another 90 pupils starting in 1991, this problem is only going to become worse. We have also been told on numerous occasions by the School Principal, that landscaping to screen the classrooms would be carried out. This was also a condition of the Council's Town Planning Department, and as yet nothing has been done in the 9 months since the school was given the go ahead.*
>
> *I have no objections to the school being next door to us, if the conditions set out and approved by Council are met."*

Planning Assessment

Traffic/Access/Parking

The school is currently serviced by two buses; a minibus which presently carries about 15 students and a larger bus. It is anticipated that no additional buses will be required in 1991, given that the existing buses are not operating to full capacity. It is expected, however, that the number of cars (parents) visiting the site will double from six to twelve. This will be in addition to the vehicles driven by the four extra teachers.

The current practice is that children are set down and picked up at the front of the property, under parental supervision (a roster system for bus duty applies). It is generally only the teachers and ancillary staff who park on the site itself and parents who arrive late, who use the driveway on the site.

The original condition regarding access to the school required the construction of a sealed driveway with a compacted crushed rock pavement, a minimum of 5m wide, which was to be maintained for the life of the development. This condition has not been satisfied, nor are the following conditions relating to Threlkeld Drive:

"18. Surfacing of the turning circle at the entrance gate with an asphaltic concrete overlay to the requirements of the Manager of Engineering Services.

19. Payment of a contribution of $1,094 per year towards maintenance of the access road from Cattai Road, indexed at 6.5% per year. Such payment to be made by 28th February each year and commencing on 28th February, 1990."

These conditions should be satisfied before any approval is granted to the additional portable classrooms. Whilst the extra classrooms will result in an increase in traffic, this is not considered to be beyond the capacity of the road.

Waste disposal and provision of water

The existing aerated septic system is capable of catering for the additional students expected in 1991. The additional 40,000 litres of water proposed should also be adequate.

Scenic Quality/Amenity

Whilst it is recognised that the portable classrooms will affect the scenic quality of the site, this effect could be minimised by providing appropriate landscaping along the southern and western sides of these buildings. The applicant has provided some landscaping on the site including a row of eucalyptus and callistemon species and about 150 pine trees. However, these plantings have not grown to any substantial height, to reduce the visual impact of the buildings. Accordingly, further landscaping is considered necessary.

Although there will be some noise generated by the proposal, particularly as a consequence of additional children playing outside, this is not likely to be noise of an unreasonable level given the distance to surrounding dwellings.

Heritage Significance of the Property

The property, known as "Macquarie Retreat", is classified as an item of environmental heritage under Schedule 1 of the LEP.

Although the portable classrooms will have an adverse effect on the curtilage of the building, this is not considered sufficient to warrant refusal due to the temporary nature of their location.

Condition 17 of the original consent, however, required that prior to the commencement of any work on the site, the Heritage Council be notified as required under Section 132 of the Heritage Act, 1977. This notification was never undertaken and accordingly, should be carried out prior to further works on the land.

Recommendation

A. That development consent to establish 3 (three) additional portable classrooms on the site be withheld until such time as all outstanding conditions on the original consent have been satisfied, namely: Conditions 14, 17, 18 and 19, of Development Consent No. 402/89.

B. That upon compliance with these conditions, development consent be granted generally in accordance with the plans and supporting documentation submitted, subject to the following conditions:

1-3. Standard conditions (DAs) 31, 100 and 102.

4. Further landscaping is to be carried out along the southern and western sides of the proposed portable classrooms. Such landscaping is to include advanced, quick growing trees and shrubs. Details to be submitted with the building application. Such landscaping is to be completed prior to the occupation of the building.

5. Standard condition (DAs) 73.

6. Provision of additional on-site water storage to the requirements of the Manager of Environment and Building Services. In this regard, an additional capacity of 40,000 (forty thousand) litres is to be provided.

7. The floor levels of the portable classrooms to be at or above 15.2 (fifteen point two) metres, Australian Height Datum.

8. The school is to cease operation and all temporary buildings etc. are to be removed from the site by 1st February, 1993.

9. Payment of a contribution of $1,165 (one thousand one hundred and sixty five) towards the maintenance of the access road from Cattai Road by 28th February, 1991.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 18:	(File DA 229/90)
Development Application:	**Demolition of heritage item**
Applicant:	E & W Dunstan; Tathra Nurseries Pty Ltd; C & J George Pty Ltd; and A Shaddick and G M Baker
Owner:	As above
Land and Location:	Lot B, Section 3, No. 49-51 Bosworth Street, Richmond
Area:	2,355m^2
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Part Residential 2(a) and Part Reservations 9(b) Roads
Advertising:	Advertised in local press for one month, with objections being received from: Macquarie Towns Preservation Society R J Phipps L F Smith
Date Received:	18th July, 1990

REPORT (M.T.P.)

Proposal

The applicants seek consent for the demolition of an early Colonial residence situated on the land. The solid "brick nog" and half hipped town residence dates from 1838.

The following information was submitted by the applicant in support of the application:

* On 12th December, 1989, development approval was granted for the erection of town houses on the land subject to certain conditions, including the requirement for submission of a Conservation Plan, since the property was affected by a Section 130 "Demolition" order made pursuant to the Heritage Act, 1977.

* On 26th March, 1990, a Section 130 "Demolition" order was revoked.

* On 19th June, 1990, a Conservation Plan was lodged with Council.

* The property is affected by a Notice of Realignment pursuant to the State Roads Act, 1986, and has been so affected since 1974.

* Quotation from J N Joyce Building Services for $126,900 for restoration of residence.

* Conservation Plan - 49-51 Bosworth Street, Graham Edds and Associates, May 1990.

Statutory Situation

The residence on the land is identified as a heritage item in Schedule 1 of Council's current planning instrument. The residence was previously identified as a heritage item within Hawkesbury Local Environmental Plan, 1984.

A Section 130 "Demolition" order made pursuant to the Heritage Act of 1977, encompassed the residence until March 1990, preventing its demolition. In March 1990, however, the order over the residence was one of approximately 150 within the City revoked by the Heritage Council on the strength of the heritage provisions of the current planning instrument.

The residence is also substantially affected by an Roads and Traffic Authority Notice of Realignment. In November 1989 the Roads and Traffic Authority advised Council that no date had been set down for the widening of this section of Bosworth Street and that it was unlikely to occur within 10 years. The Authority's proposed road widening has been reflected in the zoning of Bosworth Street since 1984.

The proposal is permissible with consent pursuant to the provisions of Clause 27 (Heritage Item). Should Council resolve to approve demolition of the residence on the land, Clause 30 (Heritage Advertisements and Notifications) of the planning instrument provides that the Secretary of the Heritage Council must be formally notified of Council's intention to approve demolition and that, following notification, a period of not less than 28 days must elapse prior to formal issue of development consent for demolition. This is virtually a "concurrence clause" and enables the Department of Planning to pursue the placement of ICOs etc., should it so desire.

Correspondence

The application was referred to the Roads and Traffic Authority and the Department of Planning's Heritage and Conservation Branch for comment.

The Roads and Traffic Authority has commented as follows:

> *"The matter at hand is not whether the Roads and Traffic Authority overrides Council's planning instrument, but whether the Authority will agree to the spending of substantial amounts of money to upgrade the heritage cottage as defined in Council's planning instrument, hence increasing the Authority's acquisition cost."*

Comment

The Authority's advice has not been followed up at this stage, as it is contingent on retention and conservation of the residence. The application currently before Council seeks approval for the demolition of the residence. Should such approval be forthcoming from Council, the issue as to whether the Authority will agree to expenditure on the cottage will be negated.

In correspondence, the Department of Planning has advised the following:

> *"You are advised that the Order made under Section 130 of the Heritage Act was revoked over a number of heritage items in the local government area, including the subject cottage, because of their inclusion in Hawkesbury Local Environmental Plan, 1989, as Items of Heritage Significance.*
>
> *Graham Edds' Conservation Plan clearly establishes the importance of the building as an example of early 19th Century town buildings, and it offers a valuable and meaningful comparison to Bowman's Cottage, and demonstrates both the evolution and continuation of building styles, techniques and materials.*
>
> *The building is an important item of heritage significance and it is considered that Council should refuse the application."*

Public Submissions

The proposal was advertised in the local press for not less than 28 days in accordance with the provisions of Clause 30 of the instrument. Objections were received from the Macquarie Towns Preservation Society, Mr R J Phipps and Mr L F Smith.

The Macquarie Towns Preservation Society submission indicates objection on the following basis:

> *"We consider the retention and preservation of the subject building and its environs as a place of historic, cultural and architectural significance to be of far greater benefit that any short term financial gain through redevelopment of the site.*
>
> *The subject heritage item is an intact example of a substantial town building, dating from circa 1830 and bears an interesting similarity with the now restored Bowman Cottage.*
>
> *Property owners need to understand that the possession of a heritage listed building is not a burden to be disposed of or turned into profit, but part of the heritage of our community that they hold in trust. We therefore urge Council to*

refuse this application to demolish a building which is an example of an early construction method and which has an interesting history of uses and occupations."

Mr R Phipps' objection includes the following:

I do not agree that it is necessary for the widening of Bosworth Street to be extended so as to interfere with this heritage item as in the past such widening has only been a line shown on a map. Too much emphasis has been placed on indiscriminate road widening proposals to the detriment of homes and the well-being of townspeople when there are alternative methods of solving traffic problems.

Richmond has far too few of this style of cottage remaining to allow the application to demolish to be granted by Hawkesbury Council."

Mr L Smith's submission indicates that:

"This Hawkesbury Heritage building circa 1840 must be preserved in order to retain the Colonial character of the streetscape of this important entrance to Richmond.

The location of the building close to the road will enable restoration of the heritage building, along with a visually non-intrusive development at its rear. This option should be the one of choice for any future development."

The comments made in the above submissions are discussed below:

Planning Assessment

Conservation Plan for 49-51 Bosworth Street, Richmond

Council at its Ordinary Meeting of 12th December, 1989, resolved to approve an application proposing retention of the historic residence and construction of eight town houses at the rear of the subject land. Consent was made conditional on preparation of a Conservation Plan for the historic residence and the incorporation of any recommendations of the Conservation Plan within any subsequent building application. The applicant engaged Mr G Edds, a Conservation Architect, to prepare a Conservation Plan for the residence. The Conservation Plan was submitted as part supporting information for the current application.

The Conservation Plan identifies that the residence is significant in that:

* The residence is an intact example of the more substantial town buildings erected in Richmond during the prosperous 1830s. It represents the style of building construction more substantial that crude dwellings initially erected in the town.

* The residence has strong association with a local entrepreneur, Isaac Cornwell, who was representative of the modestly successful second generation, native born colonist.

* The residence demonstrates the characteristic style of town buildings, construction techniques and building materials of house building in the 1830s-1840s.

* The residence is an example which utilises "brick nog" construction techniques of which only a small number of known examples remain today.

* The residence offers a valuable and meaningful comparison to Bowman's Cottage, demonstrating both the evolution and continuation of building styles, techniques and materials.

* The site of the residence may possess archaeological potential.

The Conservation Plan states that because of the deteriorated condition of the original building fabric, and subsequent cosmetic treatments to hide this deterioration, restoration work will be extensive and expensive to complete and that, for this reason, Council should consider development of the site in a number of ways. The Conservation Plan further states that uses such as professional suites which require minor building fabric disruption would be the most feasible and that services historically alien to the residence, such as a kitchen and toilet facilities, could be incorporated within a separate building close to the residence.

The Conservation Plan specifically recommends that the significance of the residence be retained and, where possible, enhanced. The plan generally recommends that the owners not only clarify with the Roads and Traffic Authority the status of proposed road widening along Bosworth Street, but also liaise with Council and agree upon a sympathetic use for the culturally significant structures.

Comment

The residence, which was used as a hotel, store and private dwelling, represents the more substantial style of building erected within Richmond as prosperity came to the settlement in the 1830s. Few examples of substantial early buildings remain within the town, and therefore it is important to retain surviving examples.

The residence stands as an instructive contrast to Bowman's Cottage, Windsor Street, Richmond. Whilst Bowman's Cottage was built approximately 15 years earlier, comparison can be made with No. 49-51 Bosworth Street in terms of similarity of form, the use of verandah enclosed at the ends, the evolving use of similar building materials, construction techniques and frontal presence to the streetscape.

The residence is not only significant, but makes an important contribution to the streetscape and overall townscape, as it comprises part of a mini precinct of historic buildings in Bosworth Street. Should the residence be demolished, potentially unsympathetic infill development may occur, adversely affecting the streetscape.

Aims and Objectives of Hawkesbury Local Environmental Plan, 1989

Hawkesbury Local Environmental Plan, 1989, incorporates five specific aims and objectives, one of which includes:

"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."

Approval of the demolition of the residence, the significance of which has been documented, runs contrary to the aims and objectives of Council's planning instrument. Approval of the application would set an undesirable precedent for non-observance of such aims and objectives, in particular, the demolition of significant heritage items within the City. This should not be construed, however, as meaning that all heritage items should be retained regardless of the circumstances prevailing at the time.

Conclusion

The applicants justify the application on primarily economic grounds, that is, that the residence cannot be conserved without expenditure of a substantial sum.

Whilst the applicants justify demolition on economic grounds, Council is bound to consider the application on grounds additional to purely economic considerations.

The significance of the residence, however, has not and does not preclude further development of the rear part of the site. To this end, Council at its Ordinary Meeting in December 1989, approved the erection of eight town houses on the rear part of the subject land. It could, therefore, be argued that the applicant has been provided with some financial means by which to conserve the residence.

It is considered that the application should be refused on the basis of the above.

Recommendation

That the application for demolition of the residence be refused for the following reasons:

1. The residence on the land is a significant item of heritage. Demolition of the residence will destroy the significance of the residence.
2. The application is contrary to aims and objectives of Council's planning instrument.
3. The proposal is not in the public interest.

Mr.D.Shaddick addressed the Committee on behalf of the applicant.

COMMITTEE'S RECOMMENDATION

THAT THE APPLICATION for demolition of the residence be recommended and the concurrence of the Heritage Branch of the Department of Planning be sought.

Plus photos to be donated.

Item 19: (File DA 279/90)
Development Application: **Managers' Hut and Bunkhouse in association with the existing Weekend Yoga School.**
Applicant: Mr S N Saraswati

Owner:	Mr S N Saraswati
Land and Location:	Lot 8, DP 755265, St Albans Road, St Albans
Area:	16.59 hectares
Zoning:	Hawkesbury Local Environmental Plan, 1989 - 7(d) Environmental Protection (Scenic)
Advertising:	Adjoining owners notified with one submission received.
Date Received:	5th September, 1990.

REPORT (M.T.P.)

Background

At its Ordinary Meeting of 10th November, 1987, Council resolved to approve a Weekend Yoga School on the subject land. The proposal involved the construction of four outbuildings including a studio/storeroom, tractor shed, garage and laundry/toilet.

Approval was given by Council on the 9th February, 1988, for both the existing cottage and proposed buildings to be utilised for accommodation for a maximum of 6 students associated with the Weekend Yoga School.

Only the timber studio/storeroom building has been constructed.

Public Submission

The application was placed on public exhibition and adjoining landowners notified. An objection from the adjoining landowners, Mr N and Mrs M Falconer, has been received and the following objection has been made:

"I object to this proposed development on two grounds.

(a) The site of the proposed bunkhouse and the resultant loss of amenity to me.

(b) Overall object to further development of the Yoga School beyond that which was originally approved on November, 1987, and amended in February, 1988.

The approval allowed the development of a number of buildings including a "studio" and toilet laundry block with accommodation for students. The amendment allowed limited accommodation subject, no doubt, to satisfactory completion of the proposed construction particularly the laundry/toilet facilities. (Only rudimentary facilities exist in the current dwelling - the original house).

What has happened since:-

. *Studio completed and used regularly at weekends as a dwelling (note no toilet facilities) and not to the same building codes applicable to my own development.*

- *Apparent usage as a school at least during May/June/July period on the following weekends 12/13 May, 2/3 June, 23/24 June, 30 June/1 July, 7/8 July in all cases it appears more than 6 people were in attendance, far in excess of the student numbers and occasions allowed in the approved D.A.*

- *No construction of proposed toilet/laundry facilities.*

In the meantime the writer has completed a modern dwelling with Council requested separate veranda construction (at extra cost) and of course all the other important rules and regulations including of course, proper drainage. Over $150,000.00 has been spent on what will be a full time residence.

My development was based on the assumption that there would not be any real expansion of the Yoga School as I understood this to be an undertaking by the Saraswatis at the time of the original application. Further it was our understanding that the blocks in this area were only allowed 1 dwelling therefore we believed that further development would not be proposed or approved.

As it stands there will be a potential for 4 dwellings;

Original House
Studio
Managers' Residence and
Bunkhouse

The proposed managers' residence and bunkhouse certainly indicate major further development of the Yoga School. (It is interesting to note that the managers' residence is a long way from the school and bunkhouse). It must also concern Council that further development without proper facilities may present a health risk . . .

In summary we believe this DA should not proceed, the history as far as DA's for this school have not been complied with and the siting of the bunkhouse has the potential to diminish greatly the value of my development and its enjoyment".

Planning Assessment

The proposed bunkhouse is located on a ridge approximately 100 metres west of the existing dwelling and 20 metres from the western property boundary. A dwelling is situated on the adjacent Lot 20, approximately 80 to 90 metres from the proposed location of the bunkhouse. The dwelling is located on the same ridge and has a higher topographic position than the bunkhouse. Scattered existing vegetation exists between the dwelling on Lot 20 and the proposed bunkhouse.

The bunkhouse has a total floor area of 54m², with a 3 metre verandah at the front and along one of the sides. The approximate height of the building is 4.5 metres. It is proposed that this building be used only for sleeping for weekend visitors to the Yoga School. The bunkhouse is only accessible by foot and all services for the bunkhouse will be provided from the nearby existing dwelling. The bunkhouse will be constructed from timber logs and have a painted tin roof.

The proposed bunkhouse will be visible from the adjoining dwelling. Due to the prominent location of the bunkhouse and the size of the development it is considered that the proposed location of the bunkhouse will have a significant visual impact on the adjoining dwelling and will result in a loss of amenity.

The proposed managers' hut is located 350 metres to the northeast, of the existing dwelling. The proposed building is setback 30 metres from St. Albans Road and is situated 15 metres east of a small creek which flows into Mogo Creek. The building is at a similar topographical elevation to the existing dwelling on the property.

The managers' hut is the same design as the bunkhouse although the managers' hut will have a toilet and water. It is proposed to install an onsite septic system and river water will be utilised for domestic use. The managers of the Yoga School will live in this building. The managers hut will have no significant impact on adjoining properties due to its isolated location.

The applicant proposes to continue conducting yoga classes for a maximum of eight persons, but usually one two or three persons.

It is considered that the application should not be approved as the applicant has not demonstrated a satisfactory compliance with previous conditions of consent and because of the adverse impact of part of the proposal on premises on adjoining land.

Recommendation

The application be refused for the following reasons:

1. The applicant has not demonstrated an ability to adequately comply with conditions of consent which would attach to the proposal should it be approved.

2. The proposed bunkhouse will have a detrimental effect on the residence on adjoining land.

3. The development does not propose adequate methods of water supply or waste water disposal.

4. The proposal is not in the public interest.

Mr.S.Saraswati addressed the Committee.

Mr.N.Falconer addressed the Committee as an objector.

COMMITTEE'S RECOMMENDATION

THAT CONSIDERATION OF the item be deferred as requested by the applicant and that the matter be brought forward to Council when all the details are complete.

Item 20:	(File DA 302/90)
Development Application:	**Alterations to Sale Yards**
Applicant:	National Livestock Brokers Pty Limited
Owner:	M and A Clarke
Land and Location:	Lot 3 DP 538816 Mulgrave Road, McGraths Hill
Area:	1.917 hectares
Zoning:	Hawkesbury Local Environmental Plan, 1989 - General Industrial 4(a)
Advertising:	Adjoining owners notified with objections being received from Windsor High School Parents' and Citizens' Association; Department of School Education; Alan Deece, Principal, Windsor High School; and R Black.
Date Received:	28th September, 1990

REPORT (M.T.P.)

Background

Council at its Ordinary Meeting of the 10th April, 1990, considered a report which dealt with an application to extend the operations of the sale yards existing on the site at the time. The applicant at the time proposed to conduct two sales per week in addition to the existing Saturday sale. These additional two sales would be as follows;

1. A pig sale each Tuesday.

2. A sheep and cattle sale either Monday or Thursday

The applicant at the time indicated that the through put of the sale yards would be a maximum of 1000 sheep, 600 cattle and 1000 pigs per week. Furthermore, the applicant indicated that the anticipated number of cars on sale day should not exceed 25 and that there would be 10 to 15 trucks at the maximum.

In the original application there was no indication by the applicant that any works were proposed in relation to the drainage of animal pens or sale areas.

Council resolved at that meeting to refuse the application on the following grounds;

1. Contrary to objective (c) of the 4(a) general industrial zone.

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

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

4. Not in the public interest.

On the 23rd May, 1990, an advertisement was lodged in the Hawkesbury Gazette by the applicant, National Livestock Brokers Pty Limited, which advertised sale of cattle, sheep and horses at the sale yards commencing Monday 4th June, 1990.

Council was advised by the applicants' Solicitors that their client (National Livestock Brokers Pty Limited) would be exercising their rights available to them under the provisions of the existing consent. The Solicitors further advised that National Livestock Brokers Pty Limited contend that the activities on the land are not matters requiring Council consent. At the same time, the applicant's Solicitors notified Council that they would be lodging an appeal against Council's refusal of the development application which related to the extension of the existing sale yards.

On the 25th May, 1990, Council wrote to the National Livestock Brokers Pty Limited and advised them that proceedings would be commenced in the Land and Environment Court of NSW for orders restraining the intensification of use, the conduct of further sales and the increase in the number of pens, if the National Livestock Brokers carried out sales as advertised in the Gazette.

On the 6th June, 1990, Council appeared before a judge in the Land and Environment Court and requested that the Court restrain the applicant from intensifying the use of the premises. The Court restrained National Livestock Brokers Pty Limited from erecting any building on the subject premises without prior approval, in writing, of the Council and advised that as there were a number of serious questions of fact and law to be resolved, and that the parties prepare their cases and return for an expedited hearing before the Court.

On the 3rd August, 1990, proceedings were reconvened before His Honour Mr Justice Bignold of the Land and Environment Court. In stating their case the applicant provided additional information in the form of a Noise Consultant's report, an Odour Consultant's report and a Town Planning report in relation to the proposed activities on the site. These reports described a proposal which was different to the proposal which was considered by Council at its meeting of the 10th April, 1990.

To enable the community to comment on the proposal and for Council to determine a development application for the proposed works the Court agreed to adjourn the further hearing of this matter until this new development application has been determined by Council.

The Proposal

The applicant has provided the following information in relation to the usage of the sale yards, operating times, live stock through put and traffic generation.

Monday:	Type of Sale:	Poultry - chickens, ducks, geese, etc.
	Average Throughput:	Up to 100 cages (800 to 1,000 birds)
	Hours of Operation:	9.00am - 4.30pm
		Auction 11.00am to 12.30pm
	Vehicles:	30 cars and 6 small trucks (2 tonne maximum)
	People:	40 people

Comment:	The sale is conducted wholly within the poultry shed (30m x 13m) by a sub lessee and has been conducted on the site every week (Tuesdays) for 17 years.	
	Type:	Cattle and sheep
	Average Throughput:	400 cattle, 200 sheep
	Hours of Operation:	Cattle and sheep delivered from 5.00pm previous day.
		Auction 10.00am to 12.00 noon.
	Vehicles:	30 cars, 7 small trucks and 4 semi trailers
	People:	50
Tuesday:	No sales at present	
Wednesday:	No sales at present	
Thursday:	Type:	Livestock
	Average Throughput:	400 cattle
	Hours of Operation:	Cattle are delivered to yards from 5.00pm evening before the sale.
		Auction 10.00am to 12 noon, majority of livestock removed by 3.00pm.
	Vehicles:	35 cars, 7 small trucks/floats, 4 semi trailers.
	People:	50
Friday:	Type:	Horse sale
	Average Throughput:	65 horses
	Hours of Operation:	Stock is delivered to the yards from 7.00am
		Auction commences 10.00am. All stock have left the site by 4.00pm.
	Vehicles:	50 cars, 10 small trucks/floats.
	People:	60
Saturday:	Type:	Farmers Market - hardware, farm equipment, fruit and vegetables, pet birds, poultry, furniture, calves, pigs, sheep goats and cattle.

Average Throughput:	Calves	90
	Pigs	10
	Sheep	60
	Goats	100
	Cattle	90
	Horses	4
	TOTAL	354
Hours of Operation:	Goods received 9.00am to 4.00pm Friday	
	Auction 9.30am to 5.00pm Sat.	
	Gates open 7.30am, close 6.00pm Sat.	
Vehicles:	350 cars, 40 trucks (up to 6 tonne).	
People:	1,000 average, 1,500 maximum.	

National Livestock Brokers Pty Limited have also indicated that they will;

1. Remove all rubbish from the site.
2. Reclad and paint poultry and sundry sheds.
3. Improve external appearance through painting, signage and security fencing.
4. Close Mulgrave Road entrances on week days.
5. Bituminise the access road on the premises.
6. Provide gravel surface on all on site car parks.
7. Engage a parking marshall to be on duty whenever sales are held to ensure orderly parking.
8. Installation of covers above the laneways in the cattle pens to provide shelter for buyers.
9. Provision of overhead selling platforms for Auctioneers in the cattle pen area.
10. Provide concrete in walkways and animal pens.

The plans submitted with the current application indicate that all stormwater from parking areas will be diverted around the stock yards and will flow into the culvert under Mulgrave Road. The waste water from the sale yards and loading dock area will be directed into a concrete lined drain and will be pumped via an underground pipe (across Mulgrave Road) to a 22,000 litre concrete tank, onto Lot 1 DP 610083. The applicant has further advised that this water will then be disposed of on lot 1 in accordance with State Pollution Control Commission guidelines (ie spray irrigation).

The applicant has also engaged Noise Consultants and an Odour Consultant to provide expert comments on the proposal.

The Noise Consultant's report indicates that the recommended daytime background noise levels for the Windsor High School, being a school on a busy road and near an industrial/commercial area, would be 50dB(a). The Noise Consultant indicates that calculations on the expected noise levels at the closest classroom building from the sales and bellowing of cattle, would be 45dB(a) which is 5dB(a) below the recommended acceptable level. The Noise Consultant concludes that:

1. The existing noise climate at the Windsor High School is complex and noisy, with major noise sources being passing traffic and the nearby industrial and commercial areas.

2. The most intrusive noise source at the school is that of the RAAF flying overhead, with measured noise levels up to 89dB(a).

3. The cattle sales can be carried out at the existing McGraths Hill Sale Yards without having an adverse impact on the noise climate at the nearby Windsor High School.

The applicant's Odour Consultant states the following:

> *"The subject site bears all the marks of a site which was developed at least 20 years ago. The resulting lack of dust and odour controls, however, could, and should, be rectified and the site upgraded to significantly reduce the potential for air emissions in terms of odours and dust. The key to the odour control is the maintenance of the holding pens in sufficiently dry conditions, and the collection, removal and disposal of solid and liquid waste at regular intervals.*
>
> *It is therefore recommended that the holding pens be surfaced in concrete and a drainage system developed which would be sufficient to remove the run-off from the site under normal operations as well as during periods of heavy rain. The appointment of a suitably qualified Civil Engineer to design the drainage system and the method of disposal of the collected run-off is strongly recommended.*
>
> *The subject site, when upgraded and managed in accordance with the measures recommended in this report, can be operated without an adverse effect on equality. In particular, the residual odour levels in the air reaching the Windsor High School can be expected to remain below detection limits."*

The disposal of waste water from the sales, livestock pen, holding yards and loading areas is proposed to occur on Lot 1 DP 610083, which is located on the opposite side of Mulgrave Road. The applicant has indicated that National Livestock Brokers Pty Ltd have reached agreement with the owners of Lot 1 for a three year lease with an option for a further three years. Council has requested a copy of the lease, but at the time of writing this, has not been provided.

Public Notification

Three submissions have been received, with the main points of objection being:

- odour
- noise
- traffic problems
- drainage
- disposal of waste water

Planning Assessment

During the last few months the sale yards have operated as per the applicant's submission in terms of throughputs and schedule. No pollution control measures have been undertaken and this is in keeping with the Court's directive, pending determination of the matter either by Council or the Court.

Noise

The noise consultant's findings are accepted and noise pollution from the site is within satisfactory limits.

Access/Parking

The applicant has closed the Mulgrave Road entrance during the weekday operations, and numerous inspections have revealed that no parking or access occurs on this frontage with access being solely via Cunneen Road during the weekdays.

Parking and manoeuvring on the site is at times chaotic, with up to 80 cars and 15 trucks of various shapes and sizes being observed attending trading on a Friday. The weekly sales generate a substantial amount of traffic and are clearly an intensification of the use of the site. Accordingly, if the application were to be approved, the applicant would be required to seal all parking areas and to construct an access road to the loading ramp which would be able to support large trucks. A concrete access road, manoeuvring and parking area for trucks would be the most satisfactory solution to the existing situation. The applicant proposes to provide gravel parking spaces. This is unsatisfactory given the volume and nature of vehicles using the site.

The road pattern can accommodate the traffic flow generated, and access solely via Cunneen Road has markedly decreased pedestrian/vehicular conflict on Mulgrave Road.

Odour

The Odour Consultant's findings are noted. Acceptable odour levels according to the expert, rely on the concreting of all pens and the regular maintenance of these hard standing areas. The drainage system should also be designed to cater for normal conditions as well as for heavy rain periods, according to the consultant.

At present, unpleasant odours were noted during site inspections, and complaints have been received from an adjoining factory owner in this regard. These odours may well be reduced if the Odour Consultant's recommendations are followed. The reduction of odour depends on the concreting of approximately 2,000m^2 of the site, as well as regular maintenance of this area.

Drainage/Waste Water

The drainage design is inadequate, especially the specification of a concrete collection vessel on the western boundary of the site, as well as the size of the pipe leading under Mulgrave Road to a concrete holding tank (22,000 litres) on Lot 1 DP 610083.

Again, the intensification of the use of the site has necessitated the concreting of approximately 2,000m^2 of site area where the animals are penned and herded, as well as requiring adjoining land to be made available for waste water disposal purposes.

The State Pollution Control Commission has verbally advised that an appropriate system for waste water disposal can be designed and located on Lot 1 DP 610083 and that the applicant would be required to obtain a licence from the State Pollution Control Commission under the auspices of the Clean Water Act.

The applicant has indicated that he has secured a three year lease and an option for a further three years on Lot 1. The disposal of drainage is critical to the satisfactory operation of the sale yards. The proposed method of disposal is unsatisfactory, in that it depends on an intrisically impermanent arrangement by way of a lease. This situation is similar to the Wilberforce Abattoir case, in that the method of linking the two parcels of land is considered to be impermanent. To ensure that the money spent on upgrading the sale yards site to meet the needs generated by the intensification of the use is not wasted, and that the development can permanently cater for its own needs, it would be prudent for Council to insist upon a permanent method of disposal, such as an easement over Lot 1 benefiting Lot 3 (the sale yards), which could not be released without Council's approval.

Flooding

During the recent August flood the site was substantially inundated. Flooding of the site has the potential to strand stock (this occurred in the last flood) as well as dispersing animal wastes on adjoining industrial properties. In this regard, a more rural location for the sale yards would be favoured, away from human habitation and occuption, and even if such an alternative rural site was prone to flooding, it would not affect adjoining owners to the same degree as in the current situation.

Recommendation

That the application be refused on the following grounds:

1. The size of the land is inadequate to enable the proposed development to be carried out.

2. The disposal of waste water cannot be carried out on the subject land without detrimental effect on the environment.

3. The land is unsuitable as it is subject to flooding.

4. Not in the public interest.

5. There is unsatisfactory and inadequate provision for the parking, manoeuvring, loading and unloading of vehicles.

Mr.Harvey addressed the Committee on behalf of the applicant.

Mrs.J.Barkley, President of the Windsor High School P. & C. Association and Mr. A.Deece, Principal of Windsor High School, addressed the Committee as objectors to the application.

COMMITTEE'S RECOMMENDATION

THAT THE APPLICATION be refused on the following grounds:

1. The size of the land is inadequate to enable the proposed development to be carried out.

2. The disposal of waste water cannot be carried out on the subject land without detrimental effect on the environment.

3. The land is unsuitable as it is subject to flooding.

4. Not in the public interest.

5. There is unsatisfactory and inadequate provision for the parking, manoeuvring, loading and unloading of vehicles.

FURTHER THAT THE Council assist the National Livestock Brokers Pty.Ltd. to find a suitable site that is not detrimental to the surrounding environment.

Item 21:	(File DA 221/90)
Development Application:	**Motor vehicle holding and detailing yard.**
Applicant:	Hawkesbury Motor World
Owner:	Estate Late J. & Mrs. L. Sondermeyer
Land and Location:	Lots 2 & 3, DP 24280, Nos. 24-26, Bowman Street, Richmond.
Area:	1403.8m^2
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Residential 2(a)
Advertising:	Adjoining owners were notified of the proposal with six objections and a petition containing 11 signatures being received: Ms. J. Pickford, No.27 Bowman Street (2 objections) Mr. & Mrs. Cameron, No.25 Bowman Street Mrs. M. Lewis, No.21 Bowman Street Mrs. K. Ogden, No.22 Bowman Street Mr. & Mrs. Butterworth , No.23 Bowman Street
Date Received:	9th July, 1990.

REPORT (M.T.P.)

Proposal

The applicant seeks consent to establish a motor vehicle holding and detailing yard on the subject land previously occupied by a stonemason. The motor vehicles held and detailed on the site will be sold directly from an existing car yard located at No.18 Bosworth Street, Richmond, and not from the property.

The detailing facility will provide for the washing and cleaning of vehicles and minor rectification or replacement of parts.

No additional buildings will be constructed on the property, although an open wash bay is proposed. A "colorbond" fence will be erected where necessary to screen open yard activities.

The existing buildings on the site are in a poor condition and include an office with amenities, two storage sheds and a large "undercover" area. These buildings will either be re-clad or painted, and the site cleaned and landscaped to improve the overall appearance of the property.

Hours of operation will be from 9.00 a.m. to 5.00 p.m., Monday to Saturday, with one person being employed on the premises. Approximately 35 vehicles can be accommodated on the site, however, it is expected that on average eight to ten cars will be kept on the site. A maximum of four vehicular movements are anticipated each day.

Statutory Situation

The site is currently zoned Residential 2(a) under the provisions of Hawkesbury LEP, 1989. However, the previous use of the land as a monumental (stonemason) business had the benefit of existing use rights. Whilst the proposed development is prohibited, Council can consider a change of one existing use to another use under Clause 54 of the Environmental Planning and Assessment Regulations, 1980. This is normally allowed in those circumstances where the new use will be "less objectionable" than the existing use.

Clause 37 of the LEP applies to the development, as the site is subject to aircraft noise at a level above 35 A.N.E.F.

Public Submissions

Adjoining owners were advised of the proposal with six objections and a petition containing 11 signatures being received. The concerns and objections raised are summarised below:

1. The land is zoned for residential purposes;
2. Residents are already disadvantaged by the kitchen factory and smash repair factory which create noise and traffic within the street;
3. The proposal will generate extra noise and traffic in the street;
4. The holding yard will be unsightly and out of character with the residential area;

5. The proposal will devalue adjoining properties;
6. Residents could be subject to fumes from the detailing operation;
7. The property has not been used as a stonemason business since prior to May, 1989;
8. The proposal may endanger the lives of local children;
9. The proposal has the potential of creating toxic run-off;
10. The proposal will not be in keeping with the item of environmental heritage at No.20 Bowman Street;
11. The proposal will have a detrimental effect on the quality of lives; and
12. Local roads are not suitable for industrial type traffic.

Planning Assessment

Existing Use Rights

Section 107 of the Environmental Planning and Assessment Act, 1979 provides that a use is presumed to be abandoned if it ceases to operate for a continuous period of 12 months. In order to establish existing use rights, the landowner has provided further details which indicate that a number of jobs have been undertaken by J.H. Sondermeyer and Co. in the twelve months prior to July 1990; the time at which the present application was lodged. Further, the landowner states that a number of items directly involved in the stonemason business are still in storage on the property. In other words, the company has never officially vacated the site.

Based on the above information and with reference to previous existing use court cases, it is considered that existing use rights still apply.

Character/Amenity/Relationship to Adjoining Development

The subject land is surrounded by dwellings to the west and north; residential flats to the east; and a restaurant located in the Lukis Avenue industrial area, to the south. Although the area is zoned for residential purposes, the area's residential amenity has been affected given that it backs onto an industrial area and industrial traffic utilise Bowman Street to gain access to a factory building at the end of the street.

In assessing any application for a change of one non-conforming use to another non-conforming use, consideration needs to be given to whether the new use will be "less objectionable" than the previous use.

As the proposal is only for the holding and detailing of motor vehicles, and does not include panel beating or spray painting, it is considered that the proposed use would not be more objectionable than the stonemason business. The development will involve the use of a high pressure water system, an air compressor and light electrical tools such as a buff and vacuum. As the majority of this work will be carried out in the "undercover" area, the use is unlikely to be intrusive, particularly if only one person is to be employed on the site.

The property will be cleaned, fenced and landscaped and the existing buildings either recladded or painted, substantially improving the overall appearance of the site.

Traffic/Access

It is anticipated that there will be approximately 4 movements per day. As these vehicular movements will not include any trucks, the impact of the proposal on the residential amenity should not be adverse. Further, as traffic volumes will be low, the risk to local children should not significantly increase.

Drainage

Appropriate conditions can be imposed on the development to ensure that drainage from the site is not significantly increased. As the use will only involve the washing and detailing of cars, and will not include spray painting or major mechanical repairs, toxic fumes or runoff are unlikely to occur.

Other Concerns

Given that the surrounding residential area is adjacent to an existing industrial estate, it is difficult to determine if the use of the site for a motor vehicle holding and detailing yard will result in a decline in residential property values.

There is an item of environmental heritage on the south eastern corner of Pitt Street and Bowman Street, constructed in circa 1890. The building is located on about 1979m^2 of land and, as such, has a reasonable curtilage. However, as this property is also adjacent to the Lukis Avenue industrial area, it would be difficult to argue that the proposed use of the subject site would have a detrimental effect on the heritage significance of the building.

Appropriate Use of the Site

Although the site is zoned Residential 2(a), the drainage problem associated with the land could prohibit any substantial residential development, other than the erection of two dwellings (as there are two lots). Further, residential development may be undesirable and significantly more expensive, given the noise affectation of the area from the nearby RAAF facility. With this in mind, the proposed development is considered to be an appropriate use of the site and will substantially improve its overall appearance.

Recommendation

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

1-8 Standard Conditions (DAs) 11, 32, 54, 100, 101, 102, 105 (9.00 a.m. to 5.00 p.m., Mondays to Saturdays), & 120.

9. The construction of kerb and gutter with the footway area being formed in earth and all necessary drainage, together with the full construction, including sealing of the adjacent road shoulder over the frontage of the land together with any such works as are necessary to make this construction effective.

10. 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) metres.

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

12. All vehicle manoeuvring and standing areas being provided with an unsealed permeable gravel pavement.

13. No discharge from the wash bay or holding tank to Council roads, drains or to adjoining properties.

14. All liquid wastes from the wash bay shall be treated for reuse on the site or otherwise drained to the sewers of the Water Board in accordance with any requirements of that Authority.

15. Separate details of the type and location of proposed fences shall be submitted to and approved by the Manager of Environment and Building Services prior to their erection.

16. Separate details regarding the upgrading of the existing buildings on the site shall be submitted to and approved by the Manager of Environment and Building Services.

17. A detailed plan of landscaping shall be submitted and approved by the Manager of Town Planning. Such landscaping is to be completed prior to the occupation of the site and maintained at all times to Council's satisfaction.

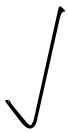
18. No motor vehicles are to be displayed for sale or sold on the subject premises.

19. All detailing of vehicles is to be confined in the "undercover area" as shown on the plan submitted with the application.

20. No panel beating, spray painting or major mechanical repairs are to be carried out on the site.

Mr.Gorham, representing the applicant, addressed the Committee.

Miss Pickford addressed the Council as an objector.



COMMITTEE'S RECOMMENDATION

THAT THE APPLICATION be not approved, because :

1. It is surrounded by a residential area and would not be in the public interest.

2. The application may create a noise problem if approved.

3. Weekend trading would interfere with the surrounding amenity.

4. It would be a more suitable site for residential development.

5. Council does not recognise existing use rights.

Item 22:	(File DA 284/90)
Development Application:	**Ancillary Convenience Goods/Spare Parts Retail Use**
Applicant:	Mr. J. Gollan
Owner:	Mr. J. Gollan
Land and Location:	Lots 1, 2, 3 & 4 DP22500, Bells Line of Road, Kurmond.
Area:	1783 square metres
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Business (General) 3(a)
Advertising:	Adjoining landowners notified with one submission being received.
Date Received:	6th September, 1990.

REPORT (M.T.P.)

Background

Council has previously approved development application No.352/89 which sought consent for the modification of the existing BP Service Station, particularly the placement of additional underground fuel storage tanks and additional petrol bowsers and canopy/awning extension upon the site over land resumed by the Roads and Traffic Authority for road widening purposes. The previous application, however, was not continued with since no approval was granted by the Roads and Traffic Authority regarding the encroachment upon its land.

Proposal

The current application proposes the partial redevelopment or upgrading of the existing service station building facade and to undertake conversion of the existing workshop area following refurbishment in the middle of the premises to allow minor expansion of an existing ancillary convenience/good/spare parts retail use (excluding take-away food) on a 24 hour basis.

Statutory Situation

The expansion of retail convenience foods/goods is permissible in lands zoned Business (General)3(a) and Service Stations in general, provided the retail component remains ancillary to the service station operation.

Public Notification

Following the exhibition period, one submission was received from Mr. & Mrs. Gail, landowners opposite the service station. The main points of objection are as follows:-

1. The site currently provides a lack of formal car parking/temporary parking spaces.
2. The site is characterised by poor entry/exit access points which pose potential increase traffic conflicts.
3. The current service station operation places unauthorised signage upon the footpath area fronting Bells Line of Road which is dangerous to pedestrians.

4. The site entry point for arriving vehicles from the Kurrajong Hills side of the road is inadequate and causes increased traffic problems, particularly collisions and localised congestion at that point.
5. The operation continues to cause excessive noise problems particularly between 1.00 a.m. and 2.30 a.m.
6. The service station operation involves transfer of fuel from bulk petrol tanks via electric pump and plastic hose which frequently cause spillages upon the land.

Planning Assessment

The redevelopment of the existing service station involves a conversion of the existing car repair workshop to a convenience goods/spare parts sales operation. This minor expansion of retail uses, is considered acceptable within the premises conditional upon the uses remaining ancillary or secondary to the service station operation.

Design/External Appearance of Development

The redevelopment of the service station facade will consist of new aluminium framed windows and the replacement of the existing painted corrugated iron walls with a colorbond aluminium external material. This upgrading will help improve the overall appearance of the site and is considered satisfactory provided the external finish is dark-toned and non-reflective.

Car Parking/Access

The current service station site only makes allowance for informal parking adjacent to the car dealership on the eastern portion of the site and in front of the service station premises under the awning. Five spaces can be provided on the site without causing traffic conflict. Given the confined nature of the site, this is considered reasonable in the circumstances.

The site has no formal entry/exit and has poor circular flow. It is considered reasonable to require the development to receive approval from the Roads and Traffic Authority regarding formalisation of the proposed entry and exit driveways, particularly in light of the proposed road widening and pedestrian road refuge works to be undertaken by the Roads and Traffic Authority on Bells Line of Road.

Noise

The redevelopment seeks to reduce the current workshop areas in the premises which will help reduce noise problems. The existing consent places no restriction on the hours of operation. To further lessen noise impacts, it is recommended that the development should make provision for a solid fence along the rear boundary line to help reduce noise levels, particularly at night and provide a level of privacy to adjoining landowners.

Petrol Spillage/Pollution

The development should make provision for the forecourt and petrol bowser access ways to be completely resealed, bunded, graded and drained to a collection point and the petrol/oil/water spillage be stored in a suitable tank for removal and disposed

of by a licensed contractor. This will ameliorate previous Water Board advice that the current wash down facilities of the service station are discharging into the existing sewer and stormwater drainage gutters.

Recommendation

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

1. The development shall be carried out in accordance with the submitted plan, except where amended by conditions of consent.

2-10. Standard Conditions (DAs) 31, 32, 35, 50 (5) (five), 61, 70, 73, 100 & 102.
11. The forecourt shall be sealed, bunded, graded and drained to a collection point and the associated petrol/oil/water spillage shall be stored in a suitable container for removal and disposal by a licensed contractor on a regular basis. Details shall be submitted with the building application.
12. Submission to and approval of the Roads and Traffic Authority of a plan of the proposed entry and exit driveways and other requirements in relation to the proposed road widening and provision of a pedestrian road refuge along Bells Line of Road in proximity to the site.
13. A solid fence shall be erected along the rear property boundary line to reduce noise and help provide additional privacy to adjoining land holdings. 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 development. Full details of works shall be submitted for approval with the building application.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 23: (File DA 59/89)

SUBJECT: REQUEST FOR ALTERATIONS OF CONDITIONS - MR A JAMES - LOTS 2 & 3 DP 246975 AND LOT 25 DP 742749 NORTH AND PALMER STREETS, WINDSOR

REPORT (M.T.P.)

At its meeting of 12th June, 1990 Council considered an application for land fill of the subject land to enable its subsequent development and resolved as follows:

"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.*

G. *Access via George Street to be only utilised in times of flood emergency."*

A request from the applicant's planning consultant Ron Smith Planning Services has now been received indicating that it is his client's intention to submit a development application in the near future however indicates the following:

"Having regard to the fact that lot 25 is an existing allotment and that Council has, at some time in the not too distant past, already approved the erection of a dwelling on the land, as evidenced by the existing footings, it is considered unreasonable of Council to require my client to now meet the full cost of construction of these works.

It seems that Palmer Street provides access to the general public and it would be unreasonable for Council to require my client to contribute to construction costs merely because he wishes to construct a private dwelling on an existing residential allotment.

In this regard my client is prepared on a "without prejudice" basis to meet the full cost of construction of the kerb and gutter in Palmer Street, adjacent to the land, provided that he is not required to meet the construction costs of the road construction".

It has been established that Councils are empowered to levy Section 94 conditions for roadworks notwithstanding that they may apply to an existing allotment however

it must be shown that such is reasonable in the circumstances of the case and is necessary to enable the proposal to be implemented. There would appear to be some doubt in the circumstances as to whether such could be adequately proved, and therefore the offer of kerb and gutter in the circumstances is considered to be reasonable particularly as the development will impact on local drainage.

The request also indicates dissatisfaction with a condition of the land fill consent whereby fill was restricted to the south west of Council's sewer line and generally in line with the existing dwelling on the adjoining lot 4. The letter indicates the following:

> *"This condition in effect sterilises in excess of 50% of the site and will allow only for a maximum of 4 townhouses.*
>
> *Such a restriction is considered to be totally unreasonable given the setback of the other dwellings in Palmer Street, to the north west of lot 4 and also having regard to the fact that a dwelling is to be erected on lot 25 Palmer Street at a setback of only 6 metres"*

It is not considered that the condition should be altered as to do so would require filling of land which is below the minimum height requirement within the LEP and in any case is considered to be overdevelopment of the site given its propensity to flooding and the character of adjoining development. Other dwellings in Palmer Street, whilst being located closer to the road, have been approved under previous planning provisions which are not consistent with current flood development provisions. The setback of the proposed dwelling on lot 25 is not considered to be relevant to the issue as Council's resolution recognises previous consents on the land and in any case the 6 metre setback is to the secondary boundary with the primary frontage of the proposed dwelling being to Court Street and which is setback some 36 metres approximately.

Recommendation

That Condition A (1) of Development Consent No 59/89 be not varied however that in any subsequent development application for the erection of a dwelling on lot 25 Council not require road construction but that kerb and gutter for the full frontage of the land to Palmer Street be required.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 24: (File DA 243/90)

SUBJECT: DUAL OCCUPANCY - LOT 25, DP 200129 BURRALOW ROAD, KURRAJONG HEIGHTS - V KULAKOVSKI

REPORT (M.T.P.)

This application was reported to Council's meeting of 9th October, 1990, where it was resolved that the matter be deferred pending receipt of further details regarding the provision of underground water storage tanks under the proposed carports.

The applicant has now provided additional information which proposes that the underground water tanks be located in the "rear" courtyards adjacent to the carports, so the area above the tanks can still be used for recreational purposes and drying lines.

Although this situation is not the most desirable, it is not considered to be sufficient to warrant refusal of the application, given that the proposed development complies in all regards with the provisions of Sydney Regional Environmental Plan No. 12 (Dual Occupancy). Accordingly, the application is now recommended for approval subject to appropriate conditions.

Recommendation

That the application be approved generally in accordance with the plans dated February 1989, subject to compliance with the following conditions:

1-4. Standard conditions (DAs) 31, 70, 73 and 104.

5. The construction of vehicular access, free of cost to Council, to each dwelling, such construction to be to the requirements of the Manager of Engineering Services. Access off Rain Ridge Road is to be formed by filling, with no cutting of the footway or batter permitted.

6. A courtyard wall or landscaped screen is to be provided in front of each dwelling, to provide additional private open space.

7. The roof pitch of each carport is to match that on each dwelling.

8. A 50 (fifty) mm draw-off line is to be provided to the water tanks for bush fire purposes. This is to be taken to 25 (twenty five) mm from the base of the tank; the domestic supply to be two-thirds (2/3rds) the depth of the tank maximum.

9. Details of a suitable water tank for underground storage are to be submitted with the Building Application.

10. Footings adjacent to the water tanks shall be piered below the zone of influence.

11. Excavations are to be suitably shored to protect adjoining properties at all times. Suitable backfill material shall be used to prevent settling and slumping after backfill.

COMMITTEE'S RECOMMENDATION

CONSIDERATION OF THE application be deferred to the next General Purpose Committee Meeting to allow objectors to address the Committee.

ITEM 25: (File DCP 2/90)

SUBJECT: DCP 2/90 - WINDSOR DOWNS ESTATE AND THE OLD RAAF SITE (DP 109602) RICHMOND ROAD

REPORT (M.T.P.)

The draft development control plan linking the old RAAF site to the Windsor Downs Estate by:

A. requiring a common road system which does not permit direct access from DP 109602 to Richmond Road;

B. requiring a comparable standard of road construction and service provision;

was exhibited between 29th August, 1990 and 19th September, 1990.

During that time a subdivision application for 9 x 2 hectare lots on the old RAAF site was approved on 11th September, 1990. Prior to approval, lengthy negotiations were undertaken with the applicant to ensure that the proposal did not detrimentally affect the adjoining nature reserve. The approval was also conditioned so as to conform with the draft development control plan.

One submission from Windsor Downs Developments Pty Ltd has been received in relation to the draft development control plan (DCP).

In summary, the reasons for the submission and objection to the DCP are as follows:

"The Draft DCP has sought to unnecessarily prevent the RAAF land from having its own separate access from Richmond Road.

It has sought to unnecessarily integrate the RAAF land with the Windsor Downs Estate.

It has not considered the implications of integration upon the Windsor Downs Estate, in terms of all the matters under Section 90 of the Act, plus the consequential losses, impacts and costs to Windsor Downs Estate.

The wording of the document is not adequate in defining its intention in terms of "comparable standards or road construction and service provision" on the RAAF land. It has not stated the standards it has accepted under the requirements of LEP 1989. It has not covered all appropriate matters.

The graphic preparation of the Draft Plan (diagram) has committed a specific road pattern, rather than providing options, with consequential costs and losses to the Windsor Downs Estate.

It has not been prepared in the amount of detail requested by Windsor Downs, to protect both Council and Windsor Downs; see Rose Consulting Group letter 30.3.90 which drew attention to the verbal discussions with your officers that the DCP show all lots in the Windsor Downs Estate to prevent any purchaser obtaining subdivision consent.

Likewise the Draft DCP has totally overlooked the matter of the Link Road, which has been mutually understood the agreed terms would be included in the DCP."

Comment

It is a recognised Town Planning principle that the number of connections to a main road should be minimised. The creation of an intersection on the Blacktown/ Richmond Road to service nine lots is unwarranted on traffic management principles as well as on safety grounds.

A purpose of the draft plan is to indicate that there will be no direct connection from the RAAF land to Blacktown/Richmond Road. The recent consent for the nine lots on the RAAF land contain conditions which prohibited direct access to Blacktown/Richmond Road.

Windsor Downs Developments Pty Ltd have since March 1990 indicated that the land adjoining the RAAF site will be one of the last precincts developed in their estate. Consequently if the developers of the RAAF site wish to develop and market their land in the near future they will have to negotiate with the Windsor Downs Developments Pty Ltd as to vehicular access to their land.

The submission is concerned about the implications of integration upon the Windsor Downs Estate. In other words the RAAF site development "could greatly damage Windsor Downs Estate's status, image, sales and on-going profitability."

The approved subdivision makes provision for a landscaped buffer (two metres high) along the Blacktown/Richmond Road frontage. A large jellybean shaped dam is located behind the landscaped buffer. The nearest building site is approximately 200 metres from the Blacktown/Richmond Road. The visual impact of the future development will be screened and setback from the main road. In concluding comment on this point the social economic status of future residents is not a matter for consideration in determining development applications.

The issue of road standards and service provision has been covered by provisions of consent in that engineering plans would be required showing the design of the road. These design plans will be required to be of the same standard and the roads will have the same appearance as those roads in Windsor Downs Estate. Another condition requires that the RAAF site be serviced by underground power. This is in keeping with the standards on the Windsor Downs Estate. The Water Board will be providing town water to the RAAF site as well as to the Windsor Downs Estate.

The DCP has depicted the proposed road pattern for both sites using solid lines. A check of drafting procedures and of Department of Planning circulars has indicated that these proposed roads should be shown as dotted lines. It is recommended that the draft DCP be amended accordingly.

A purpose of the DCP is to give guidelines in the development of land. Windsor Downs Developments Pty Ltd's request to show 350 lots on the DCP is not supported as this specific detail is covered in the approval of subdivision applications for individual precincts.

The DCP was prepared principally to co-ordinate the development of two large land holdings fronting Blacktown/Richmond Road. The issue of the link road from Windsor Downs to Bligh Park has been discussed a number of times with Windsor Downs Pty Ltd. Suggested terms of dedicating and constructing the link road were sent to the consultants representing Windsor Downs Developments Pty Ltd prior to the reporting of the draft DCP to Council. However as no response had been received this issue was not canvassed in the draft development control plan when placed on exhibition.

Recommendation

That the draft development control plan be approved subject to the depiction of the proposed roads on the map being changed from a solid line to a dotted line.

Mr.Sanger representing the applicant, addressed the Committee.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 26: (File E78)

SUBJECT: LAND AND ENVIRONMENT COURT JUDGEMENT - EXTRACTIVE INDUSTRY, MAROOTA ROAD, SACKVILLE, WEST PORTLAND ROAD RESIDENTS V. BAULKHAM HILLS SHIRE COUNCIL

REPORT (M.T.P.)

Council at its Ordinary Meeting of 10th April, 1990, resolved that authority be given to the appropriate officers to assist the West Portland Road residents in their appeal to the Land and Environment Court against a decision by Baulkham Hills Shire Council to grant approval to an extractive industry on Lots 1, 2 and 3 DP 634989 and Lot 1 DP 535947 Sackville-Maroota Road, Sackville. To assist the residents, a Town Planning report was prepared and presented to the Court.

Council has been advised that the Court has concluded that after considering the merits of the application, that the objectors' appeal must succeed and that application be refused for the proposed extraction of sand from the subject site adjoining the Hawkesbury River. In reaching his decision, the Assessor commented as follows:

> "The Court has not been persuaded that the merits of the proposed development for sand extraction, when subject to the range of conditions proposed by the respondent council, sufficiently outweigh the cumulative adverse effects of the impact of the proposal upon the locality of Sackville within the environment of the Hawkesbury River.

> The proposed development would be uncharacteristic of the Sackville locality, notwithstanding the present range of uses including agriculture. The scale of sand extraction now clarified in these proceedings exceeds by far the initial suggestions on behalf of the respondents that if the export of sand from the site had not been envisaged, the work could otherwise be regarded as normal surface regrading as part of the farming activity."

A letter had been received from Mr Kurt Lance, which contains details of costs spent on behalf of all those who supported the Court action. These details show that Mr Kurt Lance and his Company, Merit Apparel Pty Ltd, have spent in excess of $30,000 in relation to the Court action. Mr Lance has stated as follows:

> "Mr Kevin Rozzoli has once more applied for legal aid on our behalf, but the application has been rejected again. I respectfully ask the Council to consider an ex gratia donation as they must surely see that it is not my sole responsibility to finance this action which affects the environment and the quality of life of many of your constituents and the further deterioration of our road system."

It is considered that the preparation of evidence and attendance by Council staff at Court have resulted in substanital cost savings by the local residents over the costs that would be spent on engaging comparable consultants. These costs are likely to amount to many thousands of dollars.

Recommendation

That the decision of the Land and Environment Court and Mr Lance's request for an ex gratia donation to cover Court costs be received.

Mr.K.Lance and Dr.D.Hughes spoke on behalf of the application.

COMMITTEE'S RECOMMENDATION

THAT THE DECISION of the Land and Environment Court and Mr. Lance's request for an ex gratia donation to cover Court costs be received and that an ex gratia payment of $15,000 (fifteen thousand) towards legal and professional costs be paid to Mr. Lance and/or Merit Apparel Pty.Ltd. in consideration of the resultant savings to Council in road repairs and other ancillary areas.

THE MANAGER OF TOWN PLANNING bring forward to the Ordinary Meeting the estimated costs to Council of the services which have been provided from Council.

ITEM 27: (File LEP 4/90 and LEP 13/90)

SUBJECT: PROPOSAL TO REZONE LANDS TO ZONE 3(b) (BUSINESS SPECIAL) WITH THE EXCLUSION OF MOTOR VEHICLE DISPLAY AND SALES TO PERMIT

COMMERCIAL USES.
LAND AND LOCATION -

1. Motor Registry site at the corner of Windsor Street and Bosworth Street, Richmond
2. Part Lot A DP 90495 corner of Macquarie Street and Brabyn Street, Windsor

REPORT (M.T.P.)

Council at its meeting of 14th August, 1990, resolved to support draft local environmental plans to rezone both properties to 3(b) (Business Special), with the exclusion within the use on the land of motor vehicle display and sales.

Both draft plans were placed on public exhibition with no submissions being received, therefore, it is considered that the draft plans should be supported.

Recommendation

That the Draft Local Environmental Plans be supported, and that the matter be referred to the Department of Planning for final gazettal.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 28: (File LEP 17/90)

SUBJECT: REQUEST FOR REZONING TO PERMIT RESIDENTIAL SUBDIVISION AND ASSOCIATED URBAN DEVELOPMENT AT VINEYARD - VINEYARD ACTION GROUP

REPORT (M.T.P.)

At its meeting of 12th June, 1990, in consideration of a request from Mr. C. Johnson of Lot 5 DP 227054 Windsor Road, Vineyard, to permit subdivision of his land, Council resolved that it not support a rezoning nor a rezoning in the locality for residential subdivision.

It was reported to Council that the subject land and, indeed, the locality was identified by the Department of Planning as a future urban area as it lies within the Rouse Hill Development area of the North West Sector and that 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. It was additionally reported that the area was identified by the Water Board as being critical in terms of its ability to serve further lots.

The Vineyard Action Group, which includes the land owned by Mr. Johnson, has now written as follows:-

"In 1980 a full environmental study of the Vineyard area, carried out by Mr. R.A. Cole, Chief Town Planner of the then Windsor Municipal Council, identified a portion of about 164 hectares of totally flood-free land near Vineyard railway station as being eminently suited to urban development. The Council at the time proposed the area for immediate urban release.

The portion of land identified at that time comprises an area bounded by Bandon, Park and Windsor Roads and the 1 in 100 year flood line (the 16 metre height contour) west of Railway Road...

Subsequent to this study by the Windsor Municipal Council the land was then incorporated into the N-W Sector planning region and after considerable study was again designated suitable for urban development as part of the Rouse-Hill Development Area. From the N-W sector studies it is now clear that the whole area is destined for full urban subdivision be it sooner or later.

The purpose of this application, which is made on behalf of the bulk of the residents of the area, is to ask Council to commence such action as is necessary to formally release this area for immediate urban development.

It is accepted as background to this application that Council has long supported urban development of this area but has been led to believe that adequate services could not reasonably be provided by the various authorities, especially the Water Board, to allow full urban development to proceed or that rational development of services for the Vineyard area could not take place until late in the development of the North-West Sector plan.

The residents of the area though, after considerable thought, have concluded that the problem of services is more apparent than real. They have concluded that services most probably do not constitute an insurmountable barrier to immediate development.

It is the contention of the Vineyard residents that quite straightforward engineering strategies exist to provide services to the region in the short term. It is believed furthermore that these strategies would not involve any appreciable cost premium over the 'late release strategy' being proposed in the current North-West Sector Scheme for the provision of services to the area. The Vineyard residents consider that the existence of these engineering strategies makes early release of this region a technically feasible proposition.

It is the group-applicant's further belief that immediate development of this area is both technically and commercially viable and that this small region should be able to be developed prior to other areas of the Rouse Hill Development Scheme without prejudicing them appreciably.

Since our group believes that release of the area is highly desirable in addition to being technically and commercially viable we wish to request that the whole area be released for immediate urban development.

To this end and in the interests of informed debate we respectfully ask that Council:-

i. Initiate the preparation of a Local Environmental Plan for the area under the provisions of Section 54 of the Environmental Planning and Assessment Act of 1979.

ii. Ask the Water Board to provide Council with:-

a. A costed plan for bringing water to the area in the event that the Council and/or the State Government desires immediate release of the area.

b. The Board's assessment as to the extent to which the total cost of water supply to the region could be reduced should Council and/or the State Government seek to delay release of the area until other regions for the Rouse-Hill Development Area are serviced.

This communal application for redevelopment is, we believe, a responsible attempt by a significant number of people in the area to ensure the proper development of the region. It also involves the local community in fashioning its future. We therefore ask that Council give our application serious consideration. We also request that during Council's public consideration of this application that a spokesman from our group be allowed to address the Council Meeting on the merits of our case.

Our final request is that should one or more Governmental Agency refuse our application that Council asks them to detail their specific technical or commercial objections such that our membership can be assured that our wishes have not be disregarded on merely arbitrary or political grounds."

The submission prepared by the Vineyard Action Group and attached to their letter contains a summary by them as follows:-

"The Vineyard Action Group was set up by the residents of the Vineyard region to attempt to accelerate the urban release of the area. VAG represents more than 90% of the landowners in the area.

This report basically sets out to argue the very strong case the residents believe they have for preferentially releasing this area before other areas in the N-W sector and other areas of Hawkesbury City.

1. The report enumerates the considerable benefits that early urban development will give to existing residents, intending residents and to the community at large.

2. The report then outlines the very great urban planning advantages of the region through consideration of :

a. The many natural features of the area.
b. Sociological aspects related to the development of the area.
c. The existing services to the area expressed in terms of rail, bus and road transport, water, gas, electricity, shopping, work and education facilities.

3. The report next highlights some major planning difficulties and flaws in the existing Rouse Hill Development Area release strategy. The Vineyard Action Group considers this strategy flawed because:-

1. It fails to give proper thought to the future of transport isolated families.
2. It fails to give proper consideration to the problems of the supply of work and its phasing to future settlers.
3. It fails to give proper consideration to young people and students.
4. The plan seems principally to involve a linear, large tract, release concept rather than a multi-front simultaneous small tract or mixed release concept.
5. The current plan discloses little information about alternative water supply strategies and is perhaps not creative in its considerations of water supply alternatives as they relate to the Vineyard area.
6. It seems to give an undue weight to utilitarian issues and to development costs as compared to overall community costs.
7. It fails to give proper thought to the immediate future of those who currently live in the Vineyard area.
8. It considers the wishes of the utilities supply agencies in isolation rather than in aggregate.
9. It totally neglects the development future of the Vineyard area as it awaits future release.
10. It fails to develop from existing strengths and hence precludes a gradualistic approach to development.
11. It fails to include changes in Governmental thinking since the plan was first drafted. WSROC for example is reported as saying that Government should release 'small, discrete' parcels of land close to established areas rather than vast new tracts.
12. It fails to consider fully the benefits of public transport relative to private transport as the basis for urban development.

4. The report concludes with a call for a reappraisal of the sequence of release of future urban areas and calls for action towards the accelerated release of the Vineyard area."

The 1980 study by Council of the Vineyard area did indicate potential for the land for residential development, however, was not supported at that time by the then Department of Environment and Planning as the area was under investigation for long term urban development and had been so identified in studies preceding the North West Sector proposals. The land has been so identified as far back as the Sydney Region Outline Plan prepared in 1968.

There is no argument that the locality is suitable for development. The philosophy, however, of co-ordinated urban development should be supported and such philosophy should not be constrained by arbitrary local government boundaries. The philosophy of such a large release of land must be considered on a regional basis and this regional assessment has been carried out within the Rouse Hill Development component of the North West Sector, of which Vineyard forms part of in the longer term.

The Action Group's report indicates that service augmentation for water is required, however, does not indicate how such could be augmented other than being feasible and on advice from the Board. Notwithstanding the advice that the Action Group may have received from the Board, Council's advice is that the Board does not favour development of the area in the short term and certainly does not favour the release sequences being altered. In any case, the Department of Planning is the relevant co-ordinating authority for overseeing the North West Sector development.

The North West Sector documentation does account for employment and transport and whilst different aspects of the planning could be criticised, the overall aims and objectives and implementation methodology is sound, and the culmination of many years of planning by State and Local Governments in a co-ordinated regional approach.

Another reason as to the unlikeliness of success of the Action Group's proposal is the number of allotments in the City of Blacktown immediately adjoining the subject land which have existed for many years and which, to this day, remain unserviced. Owners of these lands have been lobbying government for many years to have the land released for building approvals and services provided, as yet to no avail.

As indicated in the environmental study on rural residential development, adopted by Council, the major design criteria 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, e.g., 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. The Action Group's submission, itself, indicates the likelihood of development of the area on a user pay basis, however, it is unlikely that the development of the area would produce enough lots as a development in isolation of the North West Sector to be cost effective on an isolated user pay basis.

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 onsite storage. It has been previously indicated that the Water Board does not support 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. The

possibility of onsite storage and restricted connections, however, could be examined subject to the Board implementing its draft policy on rural residential water supplies.

For these reasons, the proposal is not supported outside of the North West Sector Strategies, however, the submission by the Vineyard Action Group should be forwarded to the Department of Planning for its comment and further reported to Council.

Recommendation

A. That Council not support the Vineyard Action Group's request for the preparation of a local environmental plan to rezone the area to permit its residential development

B. The submission by the Vineyard Action Group be forwarded to the Department of Planning for its investigation and that it be requested to comment on the submission.

Mr.J.O'Brien addressed the Committee on behalf of the Vineyard Action Group.

COMMITTEE'S RECOMMENDATION

THE SUBMISSION BY the Vineyard Action Group be supported in principle and be forwarded to the Department of Planning for its investigation and that it be requested to comment on the submission.

ITEM 29: (File P160)

SUBJECT: BLUE MOUNTAINS DRAFT LOCAL ENVIRONMENTAL PLAN - ENVIRONMENTAL MANAGEMENT PLAN - STAGE I - RE-EXHIBITION

REPORT (M.T.P.)

Council is in receipt of correspondence from Blue Mountains City Council advising of the re-exhibition of the Draft Local Environmental Management Plan - Stage 1. The correspondence invites Council to make a submission on the revised plans and written statement.

Draft Plan

The stated purpose of the draft Environmental Management Plan is to realise a vision of the Mountains as a place of exceptional and aesthetic quality for both residents and visitors. The draft plan takes a merits based flexible approach in allowing a measure of further development. Further development must, however, accord with the general principles of the plan. These principles include:

* ensuring the protection of the unique, natural and cultural environment of the Blue Mountains;
* using the Blue Mountains resources - human, environmental and financial - efficiently to achieve sustained economic development and to enhance the environment; and
* promoting the social and physical well-being and harmony of the Blue Mountains community as a whole and meeting its diverse needs and aspirations.

The draft plan incorporates general aims and objectives for the City as well as locality specific objectives, i.e., relating to the Blue Mountains Ridge, Megalong Valley, Mt. Wilson - Mt. Irvine - Mt. Tomah and Berambing. These aims and objectives are considered comprehensive.

Part 2 of the draft plan incorporates objectives for each zone as well as general provisions.

The draft plan proposes an increase in density in the Yellow Rock locality. Increase in density, however, is conditional on compliance with requirements including provision of a "home maintenance area". A home maintenance area is the maximum area of an allotment of land that can be cleared and maintained in association with the dwelling house, *dual occupancy, home industry, home business, bed and breakfast* or guest house. The introduction of such a requirement will ensure that land is not unnecessarily cleared.

Requirements restricting fire access roads to proposed development on slopes less than 33% and provision of 90,000 litre water storage facilities for dwellings in unserviced areas are incorporated within the draft plan.

The draft plan includes stringent provisions in relation to sewerage disposal. These provisions are comprehensive and required in order to ensure that pollution of the environment is avoided.

Conclusion

Overall, the Draft Local Environmental Management Plan is considered commendable. Whilst providing for future growth, the draft plan safeguards against the destruction of the unique Blue Mountains environment. The draft plan enables applications to be assessed on their merits and allows scope for innovation. As such, Blue Mountains City Council is to be commended on preparation of the Plan.

Recommendation

That Blue Mountains City Council be advised that no objection is raised to the draft plan.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 30: (File DA 276/90)

SUBJECT: ATTACHED DUAL OCCUPANCY - NO.43 FLINDERS PLACE, NORTH RICHMOND - B. & J. HILTON

REPORT (M.T.P.)

Council is referred to Item 7 of the Planning and Development Section of this business paper.

A letter been received from S & G. Evangelidis objecting to the proposal on the grounds of traffic, character of locality, property values, precedent and not in keeping with the pre-planned estate.

Recommendation

That the information be received.

COMMITTEE'S RECOMMENDATION

See Item 7.

SECTION 3 - FINANCE

ITEM 1: ACCOUNTS PAID, STATEMENT OF BANK BALANCES AND TOWN CLERK'S CERTIFICATE, FORM 2, AND SCHEDULE OF INVESTMENTS

COMMITTEE'S RECOMMENDATION

THE ACCOUNTS SUBMITTED be confirmed as shown hereunder, the Statement of Bank Balances, Town Clerk's Certificate, Form 2 and the Schedule of Investments showing the position of the Bank Accounts be received:

General Fund Nos.	90619 - 91302	$6,444,648.68
Trust Fund Nos.	8024 - 8077	$1,071,880.97
		$7,516,529.65

ITEM 2: (File A1-6)

SUBJECT: FORM 2A AS AT 30TH SEPTEMBER, 1990

REPORT (TC/GM)

ESTIMATED WORKING FUNDS POSITION AS AT 30TH SEPTEMBER,1990

	General	Sewerage
Estimated total income for year on trends	46,101,520	5,159,405
Estimated total expenditure for year on present trends	46,137,558	5,459,405
Estimated working funds surplus of (deficit) for year on present trends	(36,038)	(300,000)
Accumulated working funds position as at 31st December, 1989	460,342	321,088
Estimated working funds position as at 31st December, 1990	424,304	21,088

General Fund

The Form 2A Financial Statement to 30th September, 1990, reflects an Estimated Working Funds deficit for the year, on present trends, of $36,038.00, which will result in an anticipated Accumulated Working Fund surplus of $424,304.00.

In accordance with the financial trends, there has been a number of changes to the original votes subsequent to the Financial Statement as at 30th June, 1990. These changes have reflected both the increases and decreases in income, as well as expenditure figures.

The significant changes have included increases in the cost of bridges and roads maintenance due to frequent wet weather and the continued level of cost increases for works and services. This combined with an increased deficit in the operation of Australiana Pioneer Village has been substantially offset by an increase in interest earned by investments above that provided in the original Estimates.

The level of funding for bridges maintenance has been increased by $40,000.00 to take account of works on Wheeny Creek bridge (structural failure), Eathers Bridge (failure due to overload), Upper Colo Low Level Bridge (unsafe structure) and maintenance work being carried out on Creek Ridge Road Bridge.

There has been an increase of $40,000.00 in relation to road works to allow for the heavy patching of bitumen sealed roads. The additional provision in the June Statement was inadequate to meet the demands of road maintenance, considering the continued inclement weather and cost increases which include a $40.00 per tonne increase in the cost of road repair materials.

The expected deficit on operations of the Australiana Pioneer Village has increased to $146,050.00 based on current trends. This is largely due lower than expected gate takings and further funds required to maintain grounds and facilities which have been damaged due to weather conditions.

The high interest rates which prevailed for much for 1990 along with improved cash flow management has resulted in an increase in interest earned on investments. It is estimated on current trends that an additional $120,000.00 will be generated, and this has been reflected in the financial statement.

Sewerage Fund

Provision was made in the original Estimate for a deficit of $300,000.00 which would enable the construction of reticulation for the Mulgrave Industrial Sewer Mains. The actual deficit at year end may not be fully realised as specific construction may not be complete.

Other sewerage operations continue to perform within estimated constraints.

Recommendation

That the Financial Statement to 30th September, 1990, be received and the amounts shown as expenditure be now voted.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 3: (File L125/3)

SUBJECT: DRAFT COLLECTION DEVELOPMENT POLICY

REPORT (C.L.)

The Draft Collection Development Policy (distributed with this business paper) has been developed in consultation with senior library staff and by reference to the State Library's Draft Collection Development Policy.

The aims of the policy are:

* to aid staff in selection of materials
* to inform the public why materials are collected
* to indicate in what ways users' needs for informational, recreational and cultural materials will be met, especially with regard to the level
* to provide Hawkesbury City Council with one of the tools for judging the effectiveness of its public library service
* to indicate to other providers in the Hawkesbury, such as educational institutions, the policies and range of this library's collection.

It is proposed that this draft document be made available to the public for comment until the end of 1990, and that the final document with any necessary amendments be brought to Council for adoption in 1991.

Recommendation

That the Library's Draft Collection Development Policy be made available for public comment until the end of 1990 and that, following amendment, it be brought to Council for adoption in 1991.

COMMITTEE'S RECOMMENDATION

CONSIDERATION OF THIS report be deferred to allow the document to be circulated and read.

ITEM 4: (File A1/15)

SUBJECT: CERTIFICATE AS TO STATE OF ACCOUNTS WORK

REPORT (TC/GM)

In accordance with the provisions of Clause 45A, Ordinance 26, I hereby certify that the state of accounts work as at 30th September, 1990, is as follows.

1. Rates and Charges

	1989	1990
Total Collectables as at 30th September	13,520,353	15,748,105
Actual Collection as at 30th September	12,578,392	14,415,052
Balance Outstanding	941,961	1,333,053
Percentage Collected	93.03%	91.54%

An amount of $197,871.35 is included in the 1990 total collectables which relates to supplementary levies which have been issued, but are not yet due. These levies distort the percentage collected compared to previous years, with the actual result being 92.7%

The arrears of rates and charges as at 31st December, 1989, were $958,216 excluding postponed rates levied in 1990 for 1989. This balance has been reduced to $260,869 as at 30th September, 1990, A total of 196 summonses have been issued with a further 1702 notices of legal action also issued. There are currently 641 arrangements which have been entered into for payment of overdue rates and charges. Further summonses are to be issued in the months of October and November, 1990.

2. General Ledger

The trial balance of the General Ledger has been completed to 30th September, 1990.

3. Cash Book Reconciliation

The bank reconciliation of all funds has been completed to 30th September, 1990, and has been reconciled to the General Ledger.

4. Creditors Accounts

The majority of creditors accounts have been paid to 31st August, 1990, with extensions and computations of invoices to 30th September, 1990, being currently prepared for payment.

5. General

The general state of accounts work is in a good position with the external auditor recently having completed his interim audit to the 30th June, 1990. The report will be tabled at this meeting.

Recommendation

That the Certificate as to the State of Accounts Work be received.

The Auditor's Report was tabled.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 5: (File G90, S195)

SUBJECT: PROPOSED REGIONAL SEWERAGE SCHEME FOR THE UPPER BLUE MOUNTAINS

REPORT (M.E.B.S.)

The following is a reproduction of the summary and conclusions of the relevant Environmental Impact Statement for the above proposal. Council is invited to make a submission regarding the proposal prior to the 14th November, 1990.

"1.0 SUMMARY

This Environmental Impact Statement (EIS) addresses the Water Board's proposal for improving water quality in the Upper Blue Mountains. A number of streams flowing into the Blue Mountains National Park are currently suffering from the impacts of inadequately treated sewage effluents. Those same streams are also affected by stormwater run-off from urban development but this is beyond the scope of the present document.

The proposal addressed in this EIS is the Board's preferred strategy for managing the environmental impact caused by the disposal of treated effluent, which itself is an inevitable consequence of urban development. The proposal has been developed to eliminate the impacts of treated effluents discharging to Blue Mountains streams and, by using the best available processes and technology, minimise the consequential impact of treated effluent on the Nepean-Hawkesbury river system.

This EIS deals with the transport of sewage and management of the treated effluent from conservatively projected populations within the serviced areas. It does not deal with the question of the appropriate populations to be accommodated within these areas or within the wider Nepean-Hawkesbury basin.

Previous decisions made by the Board will mean that, by 1993:

- *a wide bore tunnel, presently being constructed in the lower mountains, will drain sewage to the treatment plant at Winmalee from towns below Hazelbrook;*
- *sewering of Woodford and Linden will be commenced; and*
- *the sewage treatment plant at Winmalee will have been augmented from its present capacity (equivalent to a population of 10,000 persons) to 25,000 persons in order to cope with the additional load. Augmentation will include the provision of facilities to improve the effluent quality, including the removal of the nutrients phosphorus and nitrogen.*

This will leave five sewage treatment plants in the Upper Blue Mountains - at Wentworth Falls, North Katoomba, South Katoomba, Blackheath and Mount Victoria. Apart from the plant at Mount Victoria (which is relatively modern) these treatment plants are old, use outdated technology and processes and are overloaded. However, the Blackheath plant has recently been upgraded on an experimental basis, by the addition of a facility using membrane filtration

technology. In addition, macrophyte ponds (for tertiary treatment) have been provided at North Katoomba and tertiary filters will be commissioned at Wentworth Falls in early 1991.

1.1 THE BOARD'S PROPOSAL

It is proposed to implement a scheme that would extend the tunnel facility to the treatment plants still operating in 1993 and transport sewage from these areas to an amplified and upgraded facility at Winmalee.

The proposal involves the following works:

- *extending the tunnel from Hazelbrook, through Wentworth Falls and up to South and North Katoomba, by 1995 or 1996;*
- *constructing a spur tunnel and a short section of buried pipeline to link the Wentworth Falls treatment plant to the main tunnel, also by 1995 or 1996;*
- *constructing a pumping station at the Blackheath treatment plant and a rising main to join the tunnel system at North Katoomba. (Sewage from the Medlow Bath area would be included);*
- *providing some minor, but necessary, interim upgrading of the four sewage treatment plants at Blackheath, North and South Katoomba and Wentworth Falls;*
- *providing improved effluent treatment and augmenting the Winmalee treatment plant from its 1993 capacity of 25,000 equivalent persons to 60,000 (by 1995 or 1996), 90,000 (end of 2009) and, if found necessary, 120,000 around the year 2039; and*
- *eventual decommissioning of four treatment plants located at Blackheath, North and South Katoomba and Wentworth Falls.*

The tunnelling work would be undertaken by contract with supervision by the Board's engineers and environmental scientists. For reasons described in this EIS, it would not be possible to construct a single continuous tunnel from Hazelbrook to North Katoomba. The tunnel would therefore be constructed in a series of shorter sections namely:

- *from Alexander Avenue, Hazelbrook, to a site in Wilson Park, Lawson (2.75 kilometres);*
- *from Wilson Park to a site in the Rhondda Valley near Boddington Hill (3.4 kilometres);*
- *from the Rhondda Valley site to a recovery site near North and Albion Streets, North Katoomba (around 10 kilometres); and*

- *a short spur tunnel (830 metres long) from the main tunnel in South Wentworth Falls driven northwards to a point in Taylor Avenue, with a pipeline link from Taylor Avenue to the Wentworth Falls treatment plant.*

The main, three metre diameter tunnel would take a route that would permit an access shaft to be constructed at Leura Cascades to intercept sewers in that area that presently drains the South Katoomba plant.

The route chosen would permit the decommissioning of some existing pumping stations; there would be a consequent reduction in sewage overflows.

1.2 CONTENT OF THE EIS

The EIS examines the environmental and economic consequences of the proposal, in particular:

- *impacts - including beneficial results - on water quality in the mountain streams and the Nepean-Hawkesbury River;*
- *beneficial impacts on the Blue Mountains National Park;*
- *impacts of expanding Winmalee Sewage Treatment Plant including odour, plant reliability and sludge management; and*
- *impacts at each of the construction sites where tunnels are commenced and/or boring machines would be recovered.*

Although the Blackheath-to-North Katoomba link would form part of the overall scheme, details of the route this buried pipeline would take and the location of pumping stations have yet to be decided. It would be about 10 kilometres long. If the Board proceeds with this part of the proposed scheme, it would examine the environmental factors involved in the Blackheath transfer separately at a later date. That report would be a public document.

The total cost of the project (in 1990 dollars) including the Blackheath transfer arrangements, the tunnels, short lengths of buried pipeline and augmentation of the Winmalee plant to 120,000 equivalent persons capacity, has been estimated to be around $155 million.

1.3 OPTIONAL STRATEGIES

Also addressed were optional strategies which included the upgrading of treatment in the Upper Blue Mountains through augmentation of existing treatment plants or by providing a second regional plant with loads divided equally between Winmalee and an Upper Blue Mountains facility. Variations to the tunnel route were examined. Opportunities for reuse and waste minimisation were considered.

1.4 CONCLUSIONS

1.4.1 The Board's Proposal

The following conclusions were drawn:

The proposal provides a number of environmental benefits:

(i) minimal surface impact through use of a tunnel as the trunk sewer;

(ii) improved water quality in those streams in the Blue Mountains that currently receive treated effluent; and

(iii) improved air and visual quality in the vicinity of those treatment plants to be decommissioned.

- *The treatment plant at Winmalee is capable of being enlarged to cater for the ultimate population load without detrimental impact on local air quality or visual amenity provided there is no closer residential development.*

- *The population projections used to determine the ultimate capacity of the Winmalee treatment plant have been optimistic. They may not be achieved within the identified time frames. The proposal is not impaired by this prediction, however, the impacts on water quality in the Nepean-Hawkesbury River which are predicted in this EIS may be overstated in relation to the time when those impacts might occur.*

- *Erosion controls would be needed along Winmalee Creek to protect it from increased flows from the augmented plant.*

- *Studies by acoustical consultants indicate that there would be unavoidable impacts from noise at residences near the proposed tunnelling construction sites in Hazelbrook, Lawson, the Rhondda Valley and North Katoomba. In conjunction with its consultants and the State Pollution Control Commission, the Board would investigate techniques for site preparation and tunnelling that could result in decreases in noise levels predicted so far. Potential noise impacts that could be caused by the operation of surface aerators at the proposed augmented sewage treatment plant at Winmalee could be mitigated by the use of sound barriers placed close to each aerator.*

- *The Board's archaeological consultants concluded that construction activities associated with site preparation and tunnelling should have no impact on archaeological or Aboriginal relics.*

- *Modelling studies indicate that, if the Winmalee plant is viewed in isolation from further amplification of all other treatment plants discharging to the Nepean-Hawkesbury system, then Winmalee could be augmented to handle an equivalent population of 120,000 without causing excessive growth of algae or higher aquatic plants in the river.*

The reality is, however, that amplification of these other plants is projected. The studies also showed that, even if the degree of treatment at those plants matched the high treatment level proposed at Winmalee, population increases in the river basin would result in cumulative impacts sufficient to cause a deterioration in water quality.

- *In fact, unless the current performance of the Board's best plant can be translated to all plants, existing water quality could deteriorate at the stage when Winmalee would be treating 60,000 equivalent persons.*

- *If taken to full development for a population equivalent to 120,000 persons, Winmalee would contribute about eight per cent of the total volume of treated effluent discharged to the river. Because of this, Winmalee would not be a major factor in influencing water quality in the river. It is evident, however, that a comprehensive strategy will be required for the river basin, to address all aspects of the water cycle. The Water Board has commenced preparing such a strategy.*

- *It is evident that the proposal cannot be viewed in isolation from the urban development of the Sydney basin. Consequently a comprehensive strategy is required for the river basin to address all aspects of the water cycle. The Water Board has commenced preparing such a strategy, supported by the development of a comprehensive model of the river.*

- *There is sufficient flexibility and redundancy in the proposal to permit advantage to be taken of advances in treatment technologies and alternative effluent disposal arrangements that may develop from wider regional disposal reuse strategies.*

1.4.2 Optional Strategies

With respect to the optional strategies, the following conclusions are drawn:-

- *upgrading treatment in the Upper Blue Mountains through a second regional plant or augmenting existing systems, while expected to be beneficial in terms of reduced direct effluent pollutant loading to the Nepean-Hawkesbury River, would cause adverse local impacts in the immediate receiving creeks. However, because in-stream assimilation processes would be well advanced by the Grose River confluence, no detrimental nutrient impact is indicated for the Grose River.*

- *the most viable method of reuse is in irrigation of recreation areas and urban landscapes. Agricultural irrigation or forestry reuse is feasible but at a high cost. Irrigation of lands near the Nepean River is not considered to be practical because of the availability of water either direct from the river or from closer treatment plant sources."*

The initial proposal will improve the current situation by providing a high quality sewerage system to the developed areas of the lower mountains. The report also clearly indicates the need for upgrading the existing plants discharging into the Hawkesbury/Nepean system. In this regard, proposals are being finalised for upgrading of the Council plants.

The report also shows clearly that the proposed ultimate development of the Nepean Hawkesbury Basin, particularly in the catchment, would result in cumulative impacts sufficient to cause a deterioration in water quality even if all the sewage treatment works affected were upgraded to provide the same high level of effluent quality as proposed at Winmalee.

Recommendation

The Water Board be advised the Council concurs with the proposal for a high quality treatment plant at Winmalee to service the existing development. It does, however, have serious concerns regarding its extension to service a far greater population. In this regard, there should be a reassessment of the population/ development projection for the area and these should be evaluated in conjunction with the comprehensive strategy. That Blue Mountains City Council be advised accordingly and requested to advise the projected development strategy for its area.

Item No. 7 of the Town Clerk/General Manager's Supplementary Report was considered in conjunction with Item 5 above.

COMMITTEE'S RECOMMENDATION

THE WATER BOARD be advised that Council concurs with the proposal in so far as the upgrading of the various sewage treatment plants, including the Winmalee plant is concerned and also the proposal to provide reticulated sewerage to largely developed areas such as Linden and Woodford.

Council is concerned, however, that any decision to proceed with the major transfer of sewage to Winmalee as described in the Water Board's preferred option, should not be made until the strategy to address all aspects of the water cycle within the basin and to which reference has been made, has been completed. This procedure is believed necessary to avoid further irreversible deterioration of main stream water quality in view of the identified cumulative effect of further development of the upper catchment.

FURTHER THAT AUTHORITY be given to lodge Council's submission before the next Ordinary Meeting.

ITEM 6: (File F84/17)

SUBJECT: FLOOD PLAIN/ACCESS/CONTROL

REPORT (TC/GM)

Council has considered and been presented with various options for flood-free access and improved control of flooding through flood retention measures possible with a further dam being constructed at Warragamba.

The flood access proposals have included a bridge across the Grose and Nepean Rivers and further bridges across the Hawkesbury River at North Richmond and Sackville.

At its recent Corporate Review the Council indicated its priorities for flood-free access being an additional bridge over the Hawkesbury and the upgrading of the McGraths Hills flats.

The Member for Hawkesbury and Speaker of the House, The Hon. Kevin Rozzoli has had discussions with the Council regarding the issue on a number of occasions and now seeks the opportunity to formally discuss the matter with the Council and resolve a position. It is intended to have this matter discussed soon after 12 noon.

Recommendation

That The Hon. Kevin Rozzoli be advised Council has adopted a policy of support for an additional dam at Warragamba with a flood mitigation function subject to detail of timing and economic/environmental assessment with the priorities for improved flood access being across the Hawkesbury River and McGraths Hill flats.

Mr.Rozzoli addressed the Committee.

COMMITTEE'S RECOMMENDATION

1. THAT THE HON.Kevin Rozzoli be advised Council has adopted a policy of support for an additional dam at Warragamba with a flood mitigation function subject to detail of timing and economic/environmental assessment with the priorities for improved flood access being across the Hawkesbury River and McGraths Hill flats.

2. That Council support as a matter of policy the exploration of the whole question of flood free access by a study to be conducted by Rankine & Hill Pty.Ltd.

3. Council request The Hon. Kevin Rozzoli to lead a deputation to the Water Board or whomever he sees fit with a view to justification of the holding of the water capacity in the Warragama Dam.

ITEM 7: (File G90, S195)

SUBJECT: PROPOSED REGIONAL SEWAGE SCHEME FOR THE UPPER BLUE MOUNTAINS

REPORT (M.E.B.S.)

Reference is made to Item 5, and after further consideration of the recommendation, it is felt that it should be amended as follows:

Recommendation

The Water Board be advised that Council concurs with the proposal in so far as the upgrading of the various sewage treatment plants, including the Winmalee plant is concerned and also the proposal to provide reticulated sewerage to largely developed areas such as Linden and Woodford.

Council is concerned, however, that any decision to proceed with the major transfer of sewage to Winmalee as described in the Water Board's preferred option, should not be made until the strategy to address all aspects of the water cycle within the basin and to which reference has been made, has been completed. This procedure is believed necessary to avoid further irreversible deterioration of main stream water quality in view of the identified cumulative effect of further development of the upper catchment.

COMMITTEE'S RECOMMENDATION

See Item 5.

QUESTIONS WITHOUT NOTICE

Alderman Mackay advised that it had been reported to him that the new seal on Freemans Reach Road from Gorricks Lane 800 metres east is starting to break up with the heat.

Alderman Mackay stated that the section of Mileham Street between Forbes and Argyle Street is breaking up.

The Manager of Engineering Services advised that this would be bleeding of the bitumen and this matter will be investigated.

Aldermen Benson referred to the tail end of Bathurst Street at Johnston Street corner and stated that whoever carried out the work tore up the main earthing system to the transformer at that pole and it is coiled up. He stated that on the opposite side of the road trees have been cut down and are still lying there. He asked if this area could be tidied up.

Alderman Benson stated that there is a property at this location which has been saturated to the extent that cracks have appeared in the foundation of the house and this is totally caused by the flow of water on to the property. A considerable amount of money has been spent by the person concerned cleaning up and draining the system and even at the present time there is a flow of water coming out of the pipe across the road on the opposite side.

Alderman Denne asked if a letter could be forwarded in reference to the delegates' disappointment in relation to the recent Local Government Annual Conference. She stated that there was very little done with the motions and there were a number of other things which did not belong in Local Government.

Alderman Sheather referred to Powells Lane at Richmond and asked if tests are being carried out on the pavement breakup.

The Manager of Engineering Services stated that the matter has been investigated and advised that it is damage following the floods.

Alderman Sheather referred to an application which came before Council some time back in relation to existing use of property owned by Mr. Collier. He stated that there were restrictive hours placed on the development and work is being carried out outside the hours of the consent. He stated that a barrier was to have been put around the fence for the protection of the neighbour and this has not been done. The machines are running fairly constantly in the yard.

The Manager of Town Planning advised that he was not aware of the problem and would address the matter.

Alderman Sheather referred to the Flora and Fauna Wildlife Sanctuary along the McGraths Hill flats and stated that usually at this time of the year the weeds and reeds are usually plentiful. He asked if water samples could be taken and the problem investigated.

Alderman Sheather stated that there is broken concrete in about half a dozen different places in Smith Park and asked if this could be cleaned up.

Alderman Michael stated that there is considerable concern with the business people in both Kurmond and Kurrajong particularly as a result of a decision by the Newspaper Agency Board whereby they have deemed it unnecessary to send the afternoon newspapers to both Kurrajong and Kurmond, and this is affecting all the businesses at these locations. He asked if Council could see fit to raise the matter by letter expressing concern for the businesses on that side of the river beyond North Richmond and Wilberforce.

The Mayor stated that a letter of support would be forwarded in an endeavour to having the papers delivered to these places.

Alderman Michael asked if a report could be brought forward in regard to the functioning of the Windsor Function Centre at this stage. He stated that the air conditioning was not turned on at the Blue Light Disco last Friday night, and sought the reason why as it was a very warm night.

Alderman Denne left the meeting at 2.00 p.m. and returned at 3.42 p.m.

Alderman Mackay left the meeting at 4.10 p.m. and returned at 6.43 p.m.

Alderman Stubbs left the meeting at 4.10 p.m. and returned at 7.10 p.m.

Alderman Books left the meeting at 5.52 p.m.

Alderman Rotherham left the meeting at 6.18 p.m.

The meeting terminated at 7.37 p.m.

REPORTS FOR DETERMINATION

SECTION 4

FINANCE AND ADMINISTRATION

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

IT IS RECOMMENDED THAT the Seal of Council be affixed to the following documents:

Deed of Assignment	Transfer of Lease for Shop 3 - Hobartville Shopping Centre from Dr Drury to Dr Lee. Current annual rental $6208.00 (six thousand two hundred and eight) plus 8.77% (eight point seven seven) of outgoings.
Lease	Lease agreement with Mr L J Geale and Mr R J Shaw in respect of 45 Berger Road, South Windsor, at a commencing weekly rental of $300 (three hundred). The term is 6 (six) months and will continue on a monthly basis thereafter.
Lease	Lease agreement with Aymquart Pty Ltd in respect of Shop 1 - Hobartville Shopping Centre at a commencing annual rental of $15,120.00 (fifteen thousand one hundred and twenty) plus 21.05% (twenty one point zero five) of outgoings. The term is 3 (three) years with an option to renew for a further 3 (three) years.
Lease	Lease agreement with Mr Emanuel Patrias in respect of Shop 8 Hobartville Shopping Centre at a commencing annual rental of $11,700 (eleven thousand seven hundred) plus 17.55% (seventeen point five five) of outgoings. The term is 3 (three) years with an option to renew for a further 3 (three) years.

2. STAFF MATTERS - RESIGNATIONS. S1/8P

The following resignation has been received:

- Vicki Munro, Deputy Librarian. Effective 12th October, 1990.

IT IS RECOMMENDED THAT the resignation be received and a reference be issued under the Common Seal of Council.

3. THE ROYAL NEW SOUTH WALES INSTITUTE FOR DEAF AND BLIND CHILDREN - OFFICIAL VISIT

Requesting permission for their official representative Mr Graham Johnson to visit regular donors to the Institute in 1991.

This is not a Doorknock Appeal and approval has been granted in the past.

IT IS RECOMMENDED THAT approval be granted for the Institute's representative to visit regular donors throughout the city area during 1991.

4. ADELAIDE CITY COUNCIL - 150TH ANNIVERSARY. L128

The Local Government Association of South Australia has advised that Adelaide City Council is celebrating its 150th meeting in November. They have sought congratulatory messages from other Local Government bodies.

IT IS RECOMMENDED THAT Council congratulate Adelaide City Council on its 150th Anniversary and place its seal on a suitable congratulatory document.

5. WORKERS COMPENSATION PROVISION OF BANK GUARANTEE OR DEPOSIT. I112-1

The Work Cover Authority has been reviewing the policy on the issue and renewal of licences in respect of self-insurers.

All self-insurers (other than State Government employers who are exempted by S213 of the Act) must lodge either a deposit with the Treasury or provide a bank guarantee to secure total outstanding claims liabilities. Council is given the option of either lodging a deposit or a bank guarantee. The basis of this requirement is that the Authority does not have any power over the assets, or the ability to gain access to assets of Council to enforce claims payments should the need arise.

Consequently the Authority/Minister for Industrial Relations and Employment is of the view that Councils should not be treated differently from other organisations in respect of security for their outstanding claim liabilities.

Whilst there is argument which could refute this claim in that Local Governments powers are State legislation, Council has established a Cash Reserve equivalent to

its total liabilities against employee claims as assessed by the actuary at the end of each year. This has been done as a good financial planning principle and avoids a large impact on any financial year as well as a resource to earn interest on investments to offset claims cost increases.

In order to accurately assess the outstanding claims liability, Council is required to provide a report by an actuary on an annual basis certifying the amount of total claims liability incurred.

The Work Cover Authority then calculates the amount to be secured as follows:

(1) the latest actuarial estimate of outstanding claims provision required plus;

(2) a contingency margin of 10% of the above outstanding claims provision plus;

(3) an amount equivalent to an actuarial assessment of the expected liability for outstanding claims for the forthcoming year.

Council currently has a deposit of $200,000 in the form of Australian Saving Bonds with the Treasury which can be matured if a Bank Guarantee is substituted. The assessed amount to be covered is $800,000. It is proposed, to provide this security by way of Bank Guarantee.

IT IS RECOMMENDED THAT a Bank Guarantee in the sum of $800,000 (eight hundred thousand) be provided as security in respect of the total assessed liability in outstanding Workers Compensation claims in accordance with the policy determination by the Work Cover Authority and that the Common Seal of Council be affixed to the necessary documentation.

6. CODE OF CONDUCT - MANUAL L128, C50

Earlier this year the Council considered the Code of Conduct as prepared by representatives from the Department of Local Government, the Independent Commission Against Corruption and the Ombudsman. The Council adopted the Code of Conduct and subsequently this has been supplemented with a Manual.

The Minister has written seeking any comments or modifications requested by the Council and whether it will adopt the Manual.

The Manual provides detail of objective, legal requirement and guidelines in the areas of conflict of interest; pecuniary interest; disclosure of interest; confidential information; improper or undue influence; gifts and bribery; personal behaviour of members and staff; management responsibilities; dealings with council property and corporate obligations.

The Manual is detailed comprising 69 printed pages. Some persons could find the content overly restrictive and even an invasion of their privacy. What it does recognise however, is that Council is an elected body responsible for administration of its area in accordance with the applicable legislation. Accordingly, it must do that in the best interests of the local community as well as the public in general. In those circumstances the public is entitled to expect that:

- the business of the Council is conducted with efficiency, impartiality and integrity

- members and staff obey the spirit and letter of the law and, in particular, the provisions of all relevant Statutes, Ordinances, Regulations and Instruments

- duty to the public is always to be given absolute priority over the private interests of members and staff

All members are encouraged to read the Manual in detail.

IT IS RECOMMENDED THAT the Minister for Local Government and the Minister for Planning, The Hon. David Hay be advised that subsequent to Council's adoption of the Code of Conduct it has now adopted the Manual in its entirety without change or modification.

7. COLLAPSE OF THE NATIONAL EMPLOYERS MUTUAL GENERAL INSURANCE ASSOCIATION LIMITED. I112-1

The Minister for Industrial Relations and Employment has made a Declaration of Insolvency under Section 226 of the Workers' Compensation Act 1987 in respect to the National Employers Mutual General Insurance Association Limited (NEM). The subject company was placed into liquidation on 1 May this year.

Under the terms of the Workers' Compensation Act provision is made for the claims of the failed insurer to be paid under the Insurers Guaranteed Fund (IGF). Under Section 228 of that Act all current insurers, being licensed insurers, self-insurers and specialised insurers are required to contribute to the IGF. The

Government Insurance Company of Australia have been appointed managers of that fund and the Government Insurance Office has now advised that, pursuant to the legislative provisions, this Council's contribution for the 1989/90 and 1990/91 period has been calculated at a total of $34,500 and is payable by instalments. The first instalment of $12,000 has been paid, with the last date for receipt of payment being 29 October.

It should be noted that Council's responsibility as a self-insurer for workers' compensation, to meet this contribution, has been further confirmed by the NSW Workers' Compensation Self-Insurers Association and their Counsel's legal advice in this regard.

Notwithstanding the foregoing, many of the members of the Self-Insurers Association are greatly concerned at this responsibility being placed on Association members and, indeed, many are making current representations to this effect. In broad terms, the larger the organisation the greater its commitment and, by way of example, it is understood that the State Rail Authority's contribution has been calculated at in excess of $4 million.

Accordingly, it is considered appropriate that Council make representations expressing its strong objection to any ongoing commitment and that it is considered that the State Government should have a greater responsibility in terms of the ongoing commitment of the failed insurance company.

IT IS RECOMMENDED THAT Council make representations to the Minister for Industrial Relations and Employment expressing this Council's deep concern regarding the financial obligations imposed on it following the collapse of the National Employees Mutual General Insurance Association Ltd and that the support of the local State Government members be sought in this regard.

8. PROPOSED CHRISTMAS BUNTING FOR THE TOWNSHIPS OF WINDSOR AND SOUTH WINDSOR. A7-20

Correspondence has been received from the Secretary of the Windsor and District Chamber of Commerce requesting that consideration be given to the contribution by Council towards the cost of providing bunting and decorations in the townships of Windsor and South Windsor during the forthcoming festive season.

In this regard, quotations have been sought by the Chamber from a local supplier of this type of product in the sum of $2,075 and the request by the Chamber of Commerce is for Council to contribute an amount of $1,000.

It is noted that in previous years it has been Council's policy to contribute to the Richmond Chamber of Commerce an amount to a maximum of $1000 equivalent to approximately 50% of the cost of supplying festive bunting in the Richmond area. Last year the amount was $1,000.

It is considered appropriate that the Council contribute to the current proposal as requested on a similar basis to the Richmond Chamber of Commerce. There is a considerable cost involved with these initiatives of the Chambers of Commerce and it is felt that discussions should take place with the Chambers with a view to identifying areas to decorate in relation to the forthcoming festive season and in future years.

IT IS RECOMMENDED THAT pursuant to the provisions of Section 504 of the Local Government Act, a donation of $1,000 (one thousand) be made as Council's contribution towards the cost of Christmas festooning in the Windsor and South Windsor areas.

ENGINEERING

1. AUSTRALIAN FORMULA ONE POWERBOAT GRAND PRIX PTY LTD, UPPER HAWKESBURY POWER BOAT CLUB, DRAG BOAT RACERS OF AUSTRALIA LTD - GOVERNOR PHILLIP RESERVE, 625/205

Several items of correspondence were received from the above, resulting in the following calendar:

24 February, 1991	Drag Boat Racers of Australia - exclusive use
23/24 March, 1991	Australian Formula One Grand Prix Pty Ltd - exclusive use
7 April, 1991	Upper Hawkesbury Power Boat Club
21 April, 1991	Drag Boat Racers of Australia Ltd - exclusive use

The Drag Boat Racers of Australia Ltd request permission to charge admission on the basis of Adults - $6.00, Pensioners/Children - $3.00.

The foregoing calendar complies with Council policy with the exception of the application by the Australian Formula One Grand Prix Pty Ltd for 23/24 March, 1991. Current policy excludes exclusive use on both days of a weekend, however, having regard to the nature of the event Council might wish to make an exception in this instance.

Council at its meeting held on 14 July, 1990 resolved to approve use by the Upper Hawkesbury Power Boat Club on 14 April, 1991. The Club now requests 7 April, 1991 to enable all clubs to hold meetings in accord with Council policy.

IT IS RECOMMENDED THAT:

1. Exclusive use of Governor Phillip Reserve be granted to the groups listed below on the dates indicated, subject to the nominated group paying 40% of gross gate takings to Council:

24 February, 1991	Drag Boat Racers of Australia Ltd
23/24 March, 1991	Australian Formula One Grand Prix Pty Ltd
21 April, 1991	Drag Boat Racers of Australia Ltd

2. Approval be granted for the Drag Boat Racers of Australia Ltd to charge admission prices of Adults - $6.00 (six), Pensioners/Children - $3.00 (three).

3. Approval be granted to the Upper Hawkesbury Power Boat Club for use of the reserve on 7th April, 1991, in lieu of 14th April, 1991 with the boat ramp being open to the public.

2. THE HON. K.R. ROZZOLI MP - DUNSTANS LAGOON FLOOD MITIGATION WORKS. G95/45, F84/12

Forwarding a letter from The Hon. Wal Murray, Deputy Premier and Minister for Public Works, advising of a grant for 1990/91 of $50,000 for Dunstans Lagoon Flood Mitigation Works on the basis of 2:1.

IT IS RECOMMENDED THAT the grant in the amount of $50,000 (fifty thousand dollars) for Dunstans Lagoon Flood Mitigation Works be accepted.

3. THE HON. K.R. ROZZOLI MP - FLOODPLAIN MANAGEMENT PROGRAMME. G95/45

Forwarding a letter from The Hon. Wal Murray, Deputy Premier and Minister for Public Works, which advises of a grant for 1990/91 of $11,200 for maintenance to flood mitigation works on the basis of 1:1. The grant will allow for a programme of works to the value of $22,400.

It is therefore proposed that Council's submission seeking a grant of $15,000 be varied as follows:-

1.	Repair erosion damage to levee bank, Bardenarang Creek.	$ 5,000
2.	Repair erosion damage above floodgates, Bushells Lagoon.	$ 500
3.	Replace steel floodgate, Bardenarang Creek.	$ 1,000
4.	Remove fallen timber from Bardenarang Creek.	$ 4,000
5.	Clean out Edwards Road channel (2km).	$ 5,000
6.	Repair wooden bridge over Normans Channel (off Cupitts Lane).	$ 4,500

7.	Construct concrete cut-off walls at inlet to armco culverts - Bakers Lagoon	$ 3,500
		$23,500

This will require a contribution of $12,300 by Council towards the works.

IT IS RECOMMENDED THAT the grant of $11,200 (eleven thousand two hundred dollars) be accepted and the revised programme of works be submitted for approval.

4. RICHMOND EX-SERVICEMEN'S SPORTING COMPLEX - BENSONS LANE, 625-220B

Council, in consideration to the future development of the sporting complex, at the meeting of 3rd October, 1989, adopted a programme of works to provide for the development of the grounds.

Priority No.1 was to extend the existing amenities building to provide four additional change rooms with showers and toilets and storage at a cost of $140,000.

Further representations have been received from the Hawkesbury Cricket Club, again indicating the urgent need for the facilities.

Detailed plans have been prepared for the proposed works which are acceptable to the users of the building, including extensions to both the bottom and top storey of the building and improved security arrangements.

The cost based on the detailed plans and schedule of quantities is estimated at $215,000, including supervision and all fees.

Funds are now available from the sale of the land in Castlereagh Road and it is proposed that tenders be invited for the works.

IT IS RECOMMENDED THAT tenders be called for the extensions to the amenities building at Richmond Ex-Servicemen's Sporting Complex, Bensons Lane.

PLANNING

1. CNR LOT 23 DP 4906, 135 WINDSOR STREET, RICHMOND. DA 272/90

This refers to item 1 in the Planning and Development Section.

Council is now in receipt of additional information from the applicant regarding proposed restoration works to the heritage item. The short-term restoration works (prior to occupation of the premises) consist of the following:

(a) Replacement of rotted floor boards
(b) Replacement of leaking gutter/downpipes
(c) Restoration of rotten verandah floor boards and/or supports
(d) Replacement of picket fences at building sides and associated painting
(e) Painting external timber parts
(f) Other minor restoration works.

The applicant has also provided costs on landscaping works (including an advanced Canary Island Palm) which total $11000. The applicant has further agreed to help reduce the carparking shortfall with the provision of one additional carparking space on site in conjunction with intensive landscaped planting boxes to help screen the parking area from the premises.

In light of the additional information regarding proposed restoration works, landscaping and the provision of an extra car parking space on the site it is recommended the requirement for a contribution in lieu of on site parking be deleted.

IT IS RECOMMENDED THAT Condition 1 in item 1 of the Planning and Development Section, General Purpose Committee of 30th October, 1990 be deleted.

2. ANTIQUE RETAIL BUSINESS - APPLICANT/OWNER E TAYLOR - LOT 410 DP 715738, CORNER TERRACE ROAD AND BRAHMA ROAD, NORTH RICHMOND. DA 283/90

The applicant seeks approval for the establishment and conduct of an antique retail business within a portion of the premises which are classified as an item of environmental heritage. This antique retail business will involve linen and lace and ancillary antique furniture retail sales with limited hours of operation between 10.00am to 6.00pm seven days a week.

The premises are known as "The Terraces", a circa 1840 two storey building which was originally used as a travellers' inn. The colonial section was added in 1866 and a section known as the "ballroom" was further added to the building in 1960.

The application is reported to Council at this Ordinary meeting since the proposed use is considered relatively minor and consideration of the matter would allow proceedings to progress. No objections were received in relation to the development.

The land is zoned Rural 1(b) and in general circumstances, the establishment of retail uses is prohibited, under the provisions of HLEP, 1989. Notwithstanding this, the provisions of HLEP, 1989 (Clause 29(1)) allow Council to grant consent for varied uses within heritage buildings provided that the use proves little or no adverse effect on the amenity of the locality and that the conservation of the building would be assisted in granting of consent.

The establishment and conduct of an antique retail business will allow the current landowner/applicant to obtain a financial return in order to help assist in the conservation of the premises. The conduct of the antique retail business within the ballroom portion of the building will not impose any adverse impact upon the surrounding landholdings given the hours of operation and the use being carried out by the single landowner.

Adequate on-site parking/loading area is available to cater for carparking demand.

IT IS RECOMMENDED THAT the application be approved, subject to the following conditions:-

1. The use shall be confined to the portion of the premises in general accordance with the submitted plan and accompanying information dated 6th September, 1990.

2-6 Standard Conditions: 31, 32, 33, 51, 100.

7. All raw materials and/or goods shall be stored within the building with no goods being advertised between the building and the road alignments.

8. The hours of operation shall be limited to between 10.00am to 6.00pm weekly.

deferred to next GPC.

Intersection

3. REZONING OF FORMER MOTOR REGISTRY SITE - RICHMOND, LEP4/90

Council is referred to Item 27 of the Planning and Development Section in the General Purpose Committee within this business paper.

The following letter from the Roads and Traffic Authority has been received:-

> *"The Authority wishes to formally withdraw the rezoning application for the subject land from 5(a) Special Uses to 3(b) Special Business.*
>
> *The 3(b) zoning will tend to restrict the property's possible uses, effectively diminishing the potential value the property could realise at public auction.*
>
> *A new rezoning application will be forwarded requesting a 3(a) General Business zoning."*

It was previously indicated that the site was not suitable for motor vehicle sales uses. As the land is deemed surplus government land, the State Government can utilise it for any purpose although endeavour to rezone it for their intended purposes.

The change of proposal will require a revised submission from the Roads and Traffic Authority, however, it is believed that a 3(a) zone excluding motor vehicle sales would be appropriate in principle. The change of zoning from General Business 3(b) to General Business 3(a) will require that the draft plan be re-exhibited.

IT IS RECOMMENDED THAT the Roads and Traffic Authority be advised that its request for rezoning of the site to Commercial 3(a) will be considered, however, that Council requests its agreement to the exclusion of motor vehicle sales uses from the allowable uses pertaining to the site.

Womens Cottage – various reactions
Referred to next GPC discussions with RTA

4. SYDNEY REGIONAL ENVIRONMENTAL PLAN NO.9 - EXTRACTIVE INDUSTRY, E78;P160-8

Correspondence from the Department of Planning has been received as follows:-

> *"Sydney Regional Environmental Plan No.9 was gazetted in October 1986. At that time it was envisaged that the plan would be amended over time with the deletion of regionally significant resources as they become depleted and the*

addition of new resource areas following further geological and environmental investigation.

The Department of Planning is currently undertaking a comprehensive review of Sydney Regional Environmental Plan No.9. An integral part of this review is extensive consultations with State Government, Local Government and industry organisations with respect to:

a) the effectiveness of the plan to date; and

b) amendments considered necessary, including amendments to the schedules.

Any comments you may have on these matters should be submitted in writing to the Regional Manager by 30th November, 1990..."

It is considered that Council should re-affirm its opposition to the continued inclusion of Pitt Town but should request inclusion of the flood deposited material on Macquarie Park; the river sand deposits of Argyle Reach; and that area in the vicinity of the confluence of the Hawkesbury River and Cattai Creek. These areas have previously been reported to Council.

It is additionally believed that the plan has not properly accounted for environmental matters in some areas deemed suitable for extraction. This is particularly evident where the REP has overridden Council's LEP to enable extraction where it is prohibited. In such situations Councils are faced with the invidious situation of considering applications which they clearly do not believe to be appropriate. If Councils believe in the provision of the LEPs then the only decision that can be reached is one of refusal. This results in increased processing and litigation costs where none was previously possible.

It is therefore considered that the REP should only be an advisory planning document for consideration in the preparation by Council of LEPs but should not override existing LEPs.

IT IS RECOMMENDED THAT the Department of Planning be advised in terms of the report.

5. SUBDIVISION INVOLVING ADJUSTMENT OF BOUNDARIES. P160

Advice has been received from Council's Solicitors indicating that Council's long time use (approximately 15 years) of the adjustment of boundaries clause in

Hawkesbury Local Environmental Plan 1989 and, previously Hawkesbury Local Environmental Plan 1984 and Interim Development Order No.3, Colo, has been utilised in some instances in excess of that envisaged or to be interpreted by the relevant clauses.

The provision has always been utilised to improve an existing planning situation. For example, small "ribbon development" lots fronting busy roads have been "adjusted" to form an equivalent number of lots on a more regulated basis with an internal access road such as alleviates traffic danger from multiplicity of accesses onto busy roads.

Other examples include the enlargement of small residential lots in rural areas to make them more consistent with surrounding lot sizes and, perhaps, to give them sufficient area for on site disposal of waste where none previously existed.

The advice received is that the adjustment of boundary provisions, as written, are only meant for very minor alleviation of boundaries where the basic configuration of existing lots remains ostensibly unaltered which has been the major use of the provision.

However, it is believed that the continued use of adjustment of boundaries with the broader interpretation, as previously utilised, is warranted as a planning tool and should continue. To avoid any possible criticism, the provision will need to be altered such that it relates to adjustment and relocation of common boundaries within any particular landholding.

IT IS RECOMMENDED THAT Council prepare an amendment to Hawkesbury Local Environmental Plan 1989 to alter the provision of adjustment and relocation of common property boundaries.

LIBRARY

1. DRAFT COLLECTION DEVELOPMENT POLICY. L125/3

This report was deferred at the General Purpose Committee Meeting on 30th October.

The Draft Collection Development Policy (distributed with this business paper) has been developed in consultation with senior library staff and by reference to the State Library's Draft Collection Development Policy.

The aims of the policy are:

* to aid staff in selection of materials
* to inform the public why materials are collected
* to indicate in what ways users' needs for informational, recreational and cultural materials will be met, especially with regard to the level
* to provide Hawkesbury City Council with one of the tools for judging the effectiveness of its public library service
* to indicate to other providers in the Hawkesbury, such as educational institutions, the policies and range of this library's collection.

It is proposed that this draft document be made available to the public for comment until the end of 1990, and that the final document with any necessary amendments be brought to Council for adoption in 1991.

IT IS RECOMMENDED THAT the Library's Draft Collection Development Policy be made available for public comment until the end of 1990 and that, following amendment, it be brought to Council for adoption in 1991.

REPORTS FOR INFORMATION

SECTION 5

1. W MCMILLAN - WHARF ROAD, ST.ALBANS. 5792-01C

Action was commenced in the Land and Environment Court to secure the removal of a partially completed dwelling from Lot 1, Section 5 Wharf Road, St.Albans. The building and premises have been the subject of complaints from residents in the town and have been under construction for sometime.

Following new discussions with the Respondent, the Court has ordered:-

1) The exterior of the building be completed to Council's satisfaction within three months.

2) The building be completed entirely within six months.

3) The moveable dwelling, annex and shed are to be removed from the premises within six months.

4) Costs be awarded to Council.

It is considered that the Court Orders satisfactorily resolve the situation and Council may re-list the matter before the Court should the respondent fail to comply with the Orders.

2. WSROC - LAUNCH OF NEIGHBOURHOOD ROAD SAFETY AND AMENITY. W275, T225

The launch of Neighbourhood Road Safety and Amenity - a look at barriers to the implementation of Local Area Traffic Management Schemes and strategies to overcome these, by the Hon. Wal Murray MP, Deputy Premier of NSW and Minister for Roads and Public Works, was held on Thursday, 25th October, 1990.

The report provides an information base for LATM schemes in Western Sydney and indicates a line of action for the implementation of Local Area Traffic Management Schemes.

3. COMMUNITY SERVICES REPORT - OCTOBER. C45

A. CO-ORDINATOR'S REPORT

Children's Services

The Occasional Child Care Centre at Richmond has increased the number of enrolments during 1990 to the end of September to 3100. This represents an increase of 21% over 1989 for the same period. Income from fees has risen by 12%, indicating that while the service is being used more by local residents, the average period of time children are left at the centre has been reduced.

Family Day Care continues to be fully utilised. With 200 Effective Full Time places, the Hawkesbury scheme is one of the largest in NSW. It is understood that the Commonwealth will increase the level of operating subsidy and that increased charges to parent users will be approved. Staff organised "Hawkesbury Children's Day" for children, parents and carers. This was held at the grounds of Windsor Rugby League Club, in Rifle Range Road on 24th October. Over 1,000 children and adults had booked in and enjoyed a variety of activities. Assistance from early childhood trainees from the University of Western Sydney was appreciated.

Child Care Centres. Five of the six Long Day Care Centres fit their financial year to the calendar year. Budgets have been prepared for submission to the Commonwealth Department of Community Services and Health for approval. Operational subsidies from the Commonwealth are likely to increase, and the NSW Government contribution is to increase by 4.5%. Additional mandatory payments for superannuation and changes to industrial awards have substantially increased operating costs during the past year. The ceiling in weekly break-even fee per child has risen from $92.50 in 1990 to $100 in 1991. Attempts are being made by all committees to restrict charges to this figure. The Commonwealth subsidises individual families on the basis of a means test. By keeping the weekly fee to this level, parents should not be required to pay a "gap fee", which is the difference between the $100 maximum weekly subsidised fee and the actual break-even figure. In some cases it will be necessary to seek approval for a "Loaded Daily Fee", to achieve this. This will mean that some parents using centres on less than a full-time basis, will be required to pay over the proportional weekly fee. This will only apply to families not eligible for fee relief from the Commonwealth. Council will be advised of fees approved in respect of each centre.

Area Assistance Scheme. The Minister for Planning will announce through Local Members those projects which are to be funded under the 1990 programme. The first list will only include once-off grants and second year grants for recurrent projects. Any new project for which recurrent funding is sought, will be notified in

a second announcement, once Government departments have indicated they are prepared to pick them up on an ongoing basis.

B. COMMUNITY ARTS OFFICER'S REPORT

Macquarie Towns Festival - 13-21st October

The move of date from September to October has proved a success. More participants are available, as there are fewer conflicting Festivals, and the weather is warmer.

Sponsorship was received from Tower Australia Pty Ltd (Toshiba distributors) who printed 20,000 copies of the programme. Radio Station 2UW supplied an entry for the Parade, compere for Parade and Open Air Fair and also supplied $2,000 of radio advertising free.

The Parade attracted a record number of entries and a larger crowd than in previous years. This crowd then attended the Open Air Fair.

Results of the Parade competition were: Best Band - Hawkesbury District Band; Best Marching Group - The Westerners; Best Group - Australiana Pioneer Village; Best Community Float - No Tip for Londonderry Committee; Best Commercial Float - Commonwealth Bank, Richmond; Best Institutional Float - Hawkesbury City Council.

The Ars Nova orchestral concert in St Matthews drew only a small audience (110), mainly pensioners. However, this concert was of such calibre that it will be repeated next Festival. After expenses were paid, the balance of $200 was donated to St Matthews Anglican Church

Music in the Park was a great success. Cold, windy weather kept the numbers down to approximately 2,500. The finale of the 1812 Overture played by the RAAF Band, with the fireworks display was spectacular. The audience involvement, particularly of the children, is increasing each year, making this a musical event eagerly anticipated in this area.

20,000 copies of the Festival programme were distributed and posters displayed. Community announcements appeared on six radio stations and paid announcements on 2UW. Features were included in Hawkesbury Newspapers and the Northern Suburbs edition of the Sydney Morning Herald.

Dates for next year will be 12-20th October.

Australia Day - 26th January, 1991

The Australia Day Celebrations will be held at Australiana Village from 10am to 5pm. A feature will be a National Historic Farm Machinery Expo, which is expected to attract many spectators.

Senior Citizens' Week - 3-10th March, 1991

On Friday 8th March, a Senior Residents Expo has been planned. This Expo will be held in Windsor Function Centre in conjunction with the Department of Health. The theme will be "Towards a Healthy Lifestyle".

4. FIRE CONTROL OFFICER'S REPORT - BUSH FIRE BRIGADE GROUP CAPTAINS. B27/6

Section 20(b) of the Bush Fires Act provides for the appointment of Group Captains for the purpose of co-ordinating fire fighting activities.

The following officers have been appointed under delegated authority.

Group Captain 1	B McKinlay	Grose Vale Brigade
Group Captain 2	W Bean	Blaxlands Ridge
Group Captain 3	P Speet	Oakville
Group Captain 4	R Gavin	Headquarters
Group Captain 5	R Lenton	Headquarters

5. AUSTRALIANA PIONEER VILLAGE. C51/54

Set out below are the financial details relating to the operation of the Australiana Pioneer Village for the month of October, 1990.

Income

Gate Takings	12,395.30
Other (including rental and filming activities)	948.64
	13,343.94
Less costs providing income	5,892.50
Total Net Income	7,451.44

Overheads

Grounds Maintenance	5,316.00
Attendants Wages	2,981.00
Animal Feed/Hire	1,250.00
Service and Admin Costs	1,541.00
Promotions	3,592.00
Printing and Stationery	450.00
Train Maintenance	125.00
	15,255.00
Net Loss	(7803.56)

During October many groups also visited the Village. The recent promotional mailout to playgroups has been beneficial. Ten playgroups comprising 431 children, 107 adults and 20 pensioners utilised the Village.

Seven schools comprising 351 children; five pensioner groups comprising 223 pensioners and 3 adults; 87 adults from the Lady Hawkesbury and 51 pensioners from a special group also visited the Village.

Total attendance for October was:	Adults	1091
	School Children	1267
	Pensioners	108

These figures also include the sale of 201 family tickets.

It is again pleasing that attendance figures for 1990 represent an improvement over the 1989 and 1988 figures.

The Village has received excellent publicity recently in the local press. Several photographs taken at the first Annual Friends Fair appeared in the Hawkesbury Gazette on 31st October - over 300 people were attracted to the Fair which was held during the Macquarie Towns Festival.

Photographs of the winning float entered by the Village in the Macquarie Towns Festival Parade appeared in the Hawkesbury Gazette and Courier earlier in the month.

On the 14th October, the Men of the Trees held a maintenance day with the Friends Provident to return to the Village on 11th November to inspect the one thousand trees planted last year.

The Prowse wedding was considered successful - three enquiries were received for weddings in 1991 to be held in the Village grounds. Also, repairs to the train have been completed and the train is now fully operational following completion of work to the tracks. Finally, Bike Day held on 21st October attracted 41 entrants who cycled up to 60 kilometres after assembling inside the Village.

6. 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
McKinlay Morgan & Ass Lot 1 DP 773461 East Kurrajong Road, East Kurrajong	3 lot subdivision S90/190	30/8/90	23/10/90
J & H Robinson Anschau House, cnr lot 2 DP 31098 Anschau Crescent, Windsor	Construction of perimeter fence DA 224/90	31/7/90	23/10/90
Don Fox Planning P/L Lot 8 DP 3598 Slopes Road, North Richmond	2 lot subdivision S90/205	20/9/90	23/10/90
E B & B Johnson Lot 5 DP 236228 Hanckel Road, Oakville	Dual occupancy DA 291/90	13/9/90	23/10/90
Orlovic Bros Pty Ltd Lot 1230 DP 800323 Porpoise Crescent Bligh Park	Attached dual occupancy DA 281/90	5/9/90	23/10/90

Orlovic Bros Pty Ltd Lot 1231 DP 800323 Porpoise Crescent Bligh Park	Attached dual occupancy DA 280/90	5/9/90	23/10/90
A V Jennings Lot 1310 DP 802879 Deane Place Bligh Park	Dual occupancy DA 292/90	13/9/90	23/10/90
Hardaker Pty Ltd Lot 18 DP 9478 Windsor Rd, Vineyard	Conduct of a retail Waterski/snow ski accessories business DA 278/90	5/9/90	18/10/90
Nth Western Surveys Lot 1 DP 236535 Hermitage Road Kurrajong	2 lot subdivision S90/195	5/9/90	18/10/90
A V Jennings Lots 78,79,80 & 81 DP 802290 Grainger Pl North Richmond	Integrated housing development comprising of 7 zero lot line houses DA 273/90	3/9/90	18/10/90
A V Jennings Lots 78,79,80 & 81 DP 802290 Grainger Pl North Richmond	7 lot subdivision S90/191	3/9/90	10/10/90
John Bowden & Co Lot 1 DP 775394 Drift Road, Richmond	Sewer pumping station DA 218/90	6/6/90	18/10/90
McKinlay Morgan & Assoc Lots 37 & 38 DP 244090 & Lot A DP 376344 Warks Hill Rd, Kurrajong Hts	5 lot subdivision S90/170	25/7/90	15/10/90
Endeavour Homes P/L Lot 1378 DP 802879 Neilson Crescent Bligh Park	Attached dual occupancy DA 261/90	27/8/90	16/10/90

Primcourt Pty Ltd Lot 1372 & Lot 1373 DP 802879 Neilson Crescent, Bligh Park	Attached dual occupancy DA 265/90 & DA 266/90	30/8/90	25/10/90
C Lacovski Lot 107 DP 258841 William Cox Drive Richmond	Dual occupancy DA 271/90	31/8/90	9/10/90
Orlovic Bros P/L Lot 1226 DP 800323 Settlers Crescent Bligh Park	Dual occupancy DA 282/90	5/9/90	9/10/90
Primcourt P/L Lot 1279 DP 802879 Neilson Crescent Bligh Park	Dual occupancy DA 264/90	30/8/90	9/10/90
Primcourt P/L Lot 1280 DP 802879 Neilson Crescent Bligh Park	Dual occupancy DA 269/90	30/8/90	9/10/90
Primcourt P/L Lot 1281 DP 802879 Neilson Crescent Bligh Park	Dual occupancy Da 270/90	30/8/90	9/10/90
Primcourt P/L Lot 1283 DP 802879 Neilson Crescent Bligh Park	Dual occupancy DA 267/90	30/8/90	9/10/90
Primcourt P/L Lot 1284 DP 802879 Neilson Crescent Bligh Park	Dual occupancy DA 268/90	30/8/90	9/10/90
John N Brown Lot 30 DP 245489 16-18 Walker Street South Windsor	2 lot subdivision by adjustment of boundary S90/200	17/9/90	8/10/90

Nth Western Surveys Lots 6,7,8, DP 241246 Lukis Avenue Richmond	Strata subdivision for 3 factory units S90/194	5/9/90	8/10/90
E Ineson Lot A DP 419787 Bells Line of Road, Bilpin	Installation of 35000 litre capacity underground fuel storage tank DA 100/90	26/3/90	8/10/90
Anavak Pty Ltd Lot 1272 DP 802879 Neilson Crescent Bligh Park	Dual occupancy DA 259/90	22/8/90	8/10/90
M McFadden Lot 9 DP 786325 London Place Grose Vale	Dual occupancy DA 274/90	3/9/90	5/10/90
Dolphin Homes Pty Ltd Lot 971 DP 788674 Thomas Place, Bligh Park & Lot 973 DP 788674 Thomas Pl, Bligh Park	2 strata lot subdivision S90/192 & S90/193	4/9/90	8/10/90
Primcourt P/L Lot 1372 & 1373 DP 802879, Neilson Cres, Bligh Park	Dual occupancy DA 265/90 & DA 266/90	30/8/90	5/10/90
New England Cottages Lot 291 DP 794325 Arcadian Road, Kurrajong	Dual Occupancy DA 238/90	26/7/90	5/10/90
Apex Building Systems P/L Proposed lot 9 in subd. of Lot 5 DP 264159 Fairey Rd, South Windsor	Erection of factory dwelling DA 262/90	24/8/90	3/10/90
V & J Vlasic Lot 15 DP 787262 Aspinall Place, Mulgrave	2 lot strata subdivison S90/23	23/1/90	3/10/90

V & J Vlasic Lot 14 DP 787262 Aspinall Place, Mulgrave	Strata Subdivison S90/20	23/1/90	4/10/90
V & J Vlasic Lot 13 DP 787262 Aspinall Place, Mulgrave	2 lot strata subdivision S90/19	23/1/90	3/10/90
W T Kavanagh Lot 103 DP 715083 Curtis Road, Mulgrave	Est & conduct of a steel fabrication manufacturing operation DA 231/90	2/7/90	9/10/90

7. OPERATIONS OF THE WINDSOR FUNCTION CENTRE. C51/3

At the General Purpose Committee Meeting conducted on 30 October 1990 a report was requested in relation to the operations at the present time of the Windsor Function Centre. Reference was also made to a recent Blue Light Disco held at the Centre when the air conditioning was, apparently, not operating at a satisfactory level.

As the Council will know, the Windsor Function Centre is currently operated by Wilson Catering Service Pty Ltd pursuant to a lease agreement which commenced as from 28 June 1990.

Since the commencement of operations by the lessee, it is considered that the Centre has been managed at a satisfactory level and bookings of the facility have been strong in terms of usage by community groups, as well as private and commercial functions.

With reference to the most recent Blue Light Disco function, the matter concerning the air conditioning has traditionally been discussed with Centre staff. It is understood that at these functions, whilst a staff member from the leasing company is present, the operation of the lights, sound and air conditioning has traditionally been the responsibility of the supervisors of the Disco. Nevertheless, notification to the lessee will be issued to ensure that the air conditioning is activated and operating at future Blue Light Discos.

In regard to these functions, there is a history of regular damage being caused to the Centre, particularly to the carpet in the foyer (mainly cigarette burns and chewing gum) and a significant clean up is required, at the conclusion, to the parquetry floor of the main auditorium and toilet areas. This matter has been

recently discussed with Det. Allan Duncan, Co-ordinator of the Blue Light Discos, and to this end it is proposed to increase the level of supervision by the introduction of police cadets in uniform. Additional funds will be paid from proceeds of the Disco to Wilson Catering Service Pty Ltd to offset some of the cleaning costs and steps will also be taken to cover the foyer carpet and to monitor closely the situation of alcohol being brought into the premises and consumed by the patrons.

8. 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 Z Martin 65 Blaxlands Ridge Road Kurrajong	Remove miscellaneous trees and scrub to eliminate erosion and re-grass 30.8.90 - 4.10.90	Approved
Mr B Gregg 1747 East Kurrajong Road East Kurrajong	Remove 1 large Gum danger of falling on house 4.9.90 - 24.10.90	Approved
Mr & Mrs A. Bremner 138 Warks Hill Road Kurrajong Heights	Remove 5 Eucalyptus trees - danger to house 12.9.90 - 24.10.90	Approved for certain works as specified only
Mr K Steinbach Lot 4 Godalla Road Glossodia	Remove various shading trees to establish wholesale nursery 12.9.90 - 4.10.90	Approved
Hawkesbury City Council 155 Golden Valley Drive Glossodia	Remove 4 trees for construction of footpath 24.10.90 - 29.10.90	Approved

Mr G Kret 27 Grose Wold Road Grose Wold	Remove miscellaneous trees for access 13.9.90 - 24.10.90	Approved
Mr P & Mrs B Harding 7 Drummond Road Kurrajong	Remove 2 Pine trees - damaging pool filter will replace with natives 17.9.90 - 25.10.90	Not approved trees are in good condition
Mrs T Cook 3 Panorama Crescent Freemans Reach	Lop 4 Eucalypts - dead branches 14.9.90 - 29.10.90	Approved
Mr A Newman 6 Water Ski Parade Sackville North	Remove various Black Wattle trees - to be replaced 14.9.90 - 10.10.90	Approved
Ms T Hujber 2/4 Hercules Place Bligh Park	Remove 1 tree to construct gate 14.9.90 - 29.10.90	Approved
Mr J Doyle 25 Water Ski Parade Lower Portland	Remove 1 tree causing damage to carport 17.9.90 - 10.10.90	Approved
Mr B & Mrs L Harvey Lot 1 Laws Farm Road Ebenezer	Remove miscellaneous trees for grazing and improve property 19.9.90 - 4.10.90	Approved
Mr H & Mrs B Thompson 233 Lt. Bowen Drive Bowen Mountain	Remove 1 Black Wattle tree too close to house 21.9.90 - 10.10.90	Approved
Mr F Richards 64 Pecks Road North Richmond	Remove miscellaneous shrubs and 1 Gum tree - unhealthy 20.9.90 - 10.10.90	Approved

Mr R Ness Lot 4 Bells Line Road Kurrajong Hills	Remove miscellaneous Wattle and lantana 24.9.90 - 16.10.90	Approved
Mr P Lee 45 Panorama Crescent Freemans Reach	Remove 2 Ti-trees and 2 Paper Barks - safety to power lines 21.9.90 - 27.9.90	Approved
Mr R & Mrs V Cant 32 Old Pitt Town Road Pitt Town	Remove 1 Grey Box tree - damaging concrete slab 25.9.90 - 10.10.90	Approved
Mr C & Mrs A Ottaway 17 Books Crescent McGraths Hill	Remove 1 dead Pine tree 26.9.90 - 10.10.90	Approved
Mrs A Pritchard 27 Francis Street Richmond	Remove 1 large Gum tree - borer infested 27.9.90 - 24.10.90	Approved to lop by 1/3 only
Mr. J. Sexton 17 Old Stock Route Road Oakville	Remove 7 large Pine trees - damaged in flood 26.9.90 - 29.10.90	Approved
Mr M Thomas 110 Colonial Drive Bligh Park	Remove 1 Gum tree - unstable in windy conditions 28.9.90 - 29.10.90	Approved
Mr A Jongkryz Lot 673 Lt Bowen Road Bowen Mountain	Remove 1 large tree - white ant infested 2.10.90 - 23.10.90	Approved
Mc C Robinson Lot 36 Lt. Bowen Drive Bowen Mountain	Remove 1 Pine tree - unsafe condition 4.10.90 - 23.10.90	Not Approved - no damage to tree
Mr. M De Carlo 164 Mitchell Drive Glossodia	Remove 1 large tree - safety to power lines 4.10.90 - 10.10.90	Approved

Mr B Ellis 1/6 Thomas Place Bligh Park	Remove 1 Gum tree - danger of falling on house 5.10.90 - 29.10.90	Approved
Mr A & Mrs W McLeod 19 Glenara Road Kurrajong Heights	Remove 1 Gum tree - shallow roots, may fall on house 5.10.90 - 29.10.90	Approved
Mr H & Mrs N Netting 1 Yarrawonga Street South Windsor	Remove 1 dead tree 10.10.90 - 24.10.90	Approved

9. DEMOLITION OF HERITAGE ITEM, 49 - 51 BOSWORTH STREET, RICHMOND. DA 229/90

Since the matter was reported to the General Purpose Committee of 30th October, 1990, the following advice has been received from the Department of Planning:-

> *"The decision of the Council's Planning Committee to endorse the application to demolish the building is a matter of concern. The Council is requested to reconsider the matter in the light of the extra issues raised at the meeting with the RTA, set out below.*
>
> *The RTA was advised that even though the subject cottage was no longer protected under the Heritage Act (as stated in their letter to Shaddock, Baker & Paul dated 29 June 1990), it was still protected under the Environmental Planning and Assessment Act 1979 and is included on the Heritage Schedule of Hawkesbury Local Environmental Plan, 1989.*
>
> *As previously stated the order made under Section 130 of the Heritage Act was revoked over a number of heritage items in the Hawkesbury area, including the subject cottage, because of their inclusion in the Hawkesbury Local Environmental Plan, 1989, as items of heritage significance.*
>
> *The applicant argues that it is unreasonable to be expected to spend money on the cottage if the costs cannot be recouped from the RTA. The RTA advises us that if the owner demolishes the cottage they would only be compensated for the land value if part of the property is later acquired by the Authority.*

Therefore if the cottage is demolished the owner would lose potential income over the interim period.

It is understood that one of the development restraints on the proposed new townhouse development was that some works be carried out to preserve the old heritage building on the site. The Heritage Branch understands that full restoration works are unlikely because of the costs involved but are willing to discuss what would be an acceptable amount of stabilisation to protect the existing cottage.

Officers of the RTA advise that no resumption is likely for the next 5 years and it is unlikely to happen in the following 5 years. The owner could rent out the cottage (as is presently the case) for a period of at least 5 to 10 years to recoup some of the monies spent on stabilising the building. Also, the RTA compensates owners for regular maintenance carried out on a building.

If in the future the RTA does purchase the property, the Authority would still have to justify the proposed demolition. This is not a foregone conclusion as Graham Edds' Conservation Plan clearly establishes the importance of the building as an example of an early 19th century town building. The building offers a valuable and meaningful comparison to Bowman's Cottage (built 15 years earlier), and demonstrates the evolution of building styles, techniques and materials.

The building is an important item of heritage significance and it is considered that Council should refuse the application."

Correspondence has also been received from the Association for Preservation Technology which in part states:-

"It is understood that Council has approved a development on the site of 49-51 Bosworth Street which will compliment the historic building and provide an economic base for the conservation work on the cottage. This approach is to be commended.

However, if the developer is proposing the demolition of the cottage to avoid the responsibility of conserving the cottage it would be appropriate for Council to either revoke the development approval or, preferably, to work with the developer to ensure that the interests of all Australians and the developer are served by a solution which ensures that the cottage is conserved as the centrepiece of the new development. The characterful historic building will greatly enhance the proposed development.

Your Council has a distinguished record in promoting the history of the district and it is therefore relevant to consider the role of historic buildings such as the Bosworth Street cottage to the future of tourism and the economy of the district. This building has a very important role to play in preserving the overall historic character of the town of Richmond. Any suggestion of economic hardship on the part of the developer should be assessed in this knowledge.

More importantly the building has national importance. I trust that Council will ensure that the Bosworth Street cottage is conserved in accordance with the intent of the local environment plan and in accordance with the wishes of APT members and most Australians."

10. PUBLIC WORKS. S205/3/A

ROAD RECONSTRUCTION

Freemans Reach Road

Reconstruction of 0.8km of pavement from Gorricks Lane has been completed by cement stabilisation of the subgrade and pavement material. Work was undertaken over a three week period with the road opened to traffic on Thursday, 25th October, 1990.

Joseph Street, Richmond

Placement of the asphaltic concrete surface completes this project.

Kentucky Drive, Glossodia

Reconstruction of two lengths of damaged pavement (0.6kms) has been completed with the pavement sealed.

Chestnut Drive, Glossodia

Work has commenced on installation of pipelines to provide improved drainage and installation of kerb and gutter.

KERB & GUTTER AND FOOTPATH WORKS

Windsor Street, Richmond

Footpath reconstruction, south side, East to West Market Streets continued.

Golden Valley Drive, Glossodia

Construction of concrete path in front of the shopping and community centres and on the eastern side is well advanced.

ROADS RESEALING

Application of a one coat flush seal.

Sackville 5.6 - 6.4km, 6.6 - 7.1km
Terrace Road from Wire Lane 0 - 0.4km, 0.7 - 1.7km
Scheyville 1.1 - 2.1km from Pitt Town-Dural Road

OTHER WORKS

Fire Trail Maintenance

Work has continued, with work on Corlis trail that runs from McMahons Road through to Kurrajong Heights.

Attention to flood damage on St. Albans Road.

MAINTENANCE

Work during the period included grading and gravel maintenance on Springrove Lane, Kurrajong; Old East Kurrajong Road, Stannix Park Road, Ebenezer; Hall Street, Punt Road and road shoulders Bathurst Street, Pitt Town; Hebron Road, Lower Portland; St. Albans Road and Settlers Road.

PARKS AND GARDENS

Replacement of synthetic turf on cricket pitch at Brinsley Park and North Richmond Park.

SEWERAGE

McGraths Hill Waste Water Plant

Average Daily Flow, October - 2,435kl/day

The irrigation rate averaged 1388kl/day for the month. Soil testing has been carried out, showing a slight sodium build up in the soil. This can be corrected by the addition of gypsum.

South Windsor Waste Water Plant

Average Daily Flow, October - 1,106kl/day

The Contractors, Kingston Industries Pty Ltd have commenced work on Stage II.

The base has been poured for the storage shed with steelwork on site.

Pump Stations

Installation of guide bars in Pump Station 'E' Fairey Road.

Electrical repairs to Station 'O' Greenway Crescent.

Mulgrave Industrial Area - Reticulation

Installation of the reticulation has been completed with testing and fixing of failures now being attended to.

Erection of the electrical cabinet, platform and installation of pumps has been attended to with testing being undertaken.

Sewers

Attention to four mainline chokes, together with action to replace and repair damaged connections to Nos. 4 and 12 Ivy Place, McGraths Hill.

11. STAFF RESOURCES - INVESTIGATION AND ACTION - UNAUTHORISED LAND USE P160-24-D

There have been an increasing number of complaints in recent months regarding unauthorised land use and specifically the filling of land and/or removal of material.

The removal of material mainly relates to topsoil with this being currently the peak of the season. The filling of land is happening mostly on the flood plain and involves used materials from various products or excavated material from various building sites. Topsoil is removed again mainly from properties on the flood plain

and in a number of instances adjacent to creeks and rivers where the reason given is usually the regrading and stabilisation of banks.

The filling of land is taking place increasingly, apparently as a result of the substantial increase in costs of disposing of material at metropolitan tips. The current charge is $30.00 a tonne. This would mean that the tipping charge alone for a normal builders truck that usually holds between 7 and 10 tonnes would be between $210.00 to $300.00. That charge is adopted because of the very high cost of operating tips and the limited areas available for their establishment.

The increasing number of complaints including those from Aldermen is involving a considerable amount of staff time with this being at the expense of normal work, particularly in the processing of Development Applications.

A standard letter is being forwarded to all landowners in the areas where the problem is occurring the most and this will be followed up with periodic and concentrated investigation.

There is a lot of work involved in investigation of complaints that commences with the identification of the property, the specific operations being carried out, who the operator is and what relationship there is with the landowner, advice to both the landowner and operator and should the matter proceed or be determined that legal action should take place, preparation of the necessary detailed reports, instructions to solicitors, and subsequent attendance from both the legal advisors and courts.

Staff time is being managed to concentrate on the processing of the necessary statutory applications (development, building, subdivision) with the objective of no unnecessary and no undue delay and then on the investigation and action on complaints regarding unauthorised land uses. Should any further intensity of action be required this would involve the appointment of additional staff that has not been allowed for within the proposed 1991 budget.

12. CALSIL PTY. LTD. - EXTRACTIVE INDUSTRY, EAST KURRAJONG ROAD, SECTION 2 - USE OF CRUSHING PLANT. 68A/268/72

The matter of the use of a crushing plant by the operators of the existing quarry was raised at Council's last Ordinary meeting.

Whilst in 1972 the application indicated that the crushing of the sandstone would be carried out external to the extractive site, in approximately 1980 the crushing

plant was moved on to the site and the sandstone processed on site prior to its removal. This situation has continued until this time.

Council's Solicitor has verbally advised that the recent trends as embodied in Court decisions would apply whereby, unless applications are specifically conditioned to prohibit something, it is not enough to rely on the wording of an application as to the applicant's intent. In this instance, and as approval has been given for an extractive industry, Council has to be guided by the definition of "extractive industry" which means:-

a) the winning of extractive material; or
b) an industry or undertaking not being a mine, which depends on the winning of extractive material from the land upon which it is carried on.

As Council has consented to an extractive industry it has, albeit unwittingly at the time, approved of part (b) of the definition which includes the mechanical apparatus involved in the extractive industry.

The Solicitor's advice, because of the above, is that there is nothing that can be done by Council in relation to this component of the operation.

13. BUILDING APPLICATIONS. B25

The following is a summary of Building Applications received during the month of October, 1990. Applications received during October, 1989, shown in brackets.

No.		Type of Building	Estimated Value	
66	(41)	New Dwellings	$4,979,468	($3,399,808)
77	(65)	Additions to Dwellings	950,046	(596,689)
2	(1)	Residential Flat Buildings	350,000	(385,000)
4	(7)	New Buildings Other Than Residential	2,425,000	(1,014,000)
2	(6)	Additions to Buildings Other Than Residential	402,900	(139,100)
21	(25)	Swimming Pools	157,569	(304,248)

11	(11)	Additions to Dwelling - Dual Occupancy Unit	984,000	(1,468,516)
183	(156)		$10,248,983	($7,307,361)

Building Applications received up to the end of October 1990. Approvals for the corresponding period during October, 1989, shown in brackets.

No.		Type of Building	Estimated Value	
505	(530)	New Dwellings	$40,990,590	($48,222,225)
605	(696)	Additions to Dwellings	7,657,312	(8,673,217)
18	(8)	Residential Flat Buildings	8,454,700	(2,012,005)
33	(68)	New Buildings Other Than Residential	11,047,000	(24,041,748)
45	(38)	Additions to Buildings Other Than Residential	4,192,223	(2,925,562)
96	(130)	Swimming Pools	1,138,879	(1,683,881)
65	(70)	Additions to Dwellings - Dual Occupancy Unit	6,860,406	(7,300,039)
1367	(1540)		$80,341,110	($94,858,677)

14. SEMI PUBLIC SWIMMING POOLS. P179

The Manager of Environmental and Building Services advised Council within the Environment Program that Semi Public Swimming Pools are required to be controlled and regulated.

A course for supervisors of such pools was conducted by Senior Health & Building Surveyor Paul Robinson at Windsor Swimming Centre, on Wednesday September 19, 1990.

Course Content

- Swimming Pool Act, 1990.

- Public Health Act & Regulations
- Specific Diseases and Health Risks
- Chlorination
- Bromination
- Break point chlorination
- pH
- Alkalinity
- Record Keeping and Report sheets
- Testing

Participants

Thirty-one people representing nineteen organisations.

Cheryl Cooley - Physiotherapy Clinic
Aurora Meander Steiner School
South Sydney Tourist Hotel
Hawkesbury Waters Resort
Berringa Conference Centre
Meroo Christian Conference Centre
Grose Vale Conference Centre
Grace Lodge Christian Conference Centre
Rum Corps Resort
Yarrawood Conference Centre
St. John of God Hospital
Y M C A Camp, Yarramundi
Australian Construction Services - R A A F
Riverside Tourist Park, Colo
Kurrajong Health Farm
Butterfly Farm Wilberforce
University of Western Sydney Hawkesbury
Richmond Squash and Fitness Centre
Camp Mackay

Future Follow-up

It is intended to create an information data base which will be continually updated with the latest technical and chemical information available. This information will be available for continuing and further education of Council employees and semi public pool attendants.

Inspections of every semi public pool throughout the City area will be carried out during the period that these pools are in use to ensure pools are being kept in conformity with the Public Health Regulations.

The course was well received and attended by pool attendants who expressed their appreciation to Council for conducting the course and to Sandi Armstrong from Richmond Pool Centre who sponsored the day.

15. SPRING GARDEN COMPETITION. C46-1

The judges this year were again Mr Darren Mason and Mrs Dianne Wilson of Andreasen's Wholesale Nursery.

Community interest in the competition continues to be strong with 252 gardens being judged and $960:00 sponsorship being received from thirteen (13) local businesses.

The new categories of Australian Native Garden and Most Colourful Garden proved very popular.

Following the judging, prizes were awarded to the following at the Prize Presentation Evening at the Windsor Function Centre on October 16, 1990:-

CHAMPION GARDENS

1ST	K & G Baxter 137 Evans Road Wilberforce
2ND	S Klien 6 Mileham Street Windsor
3RD	J Catania 45 Stahls Road Oakville

Best Garden in Various Localities

WINDSOR

1st Prize:	Mrs B Collier, 1 Mileham Street.
2nd Prize:	Mr R Singleton, 95 The Terrace.
3rd Prize:	Mr J Nagle, 111 The Terrace

SOUTH WINDSOR

1st Prize:	Mr C Marsh, 22 Church Street.
2nd Prize:	R & M Johnston, 75 Church Street
Equal	K & I Wade, 37 Campbell Street
3rd Prize:	N & H Netting, 1 Yarrawonga Street

PITT TOWN

1st Prize:	I & T Sanday, 4 Buckingham Street
2nd Prize:	J Keegan, 26 Eldon Street
3rd Prize:	R Tunbridge, 42 Bathurst Street

MCGRATHS HILL & MULGRAVE

1st Prize:	P & C Watson, 4 Crossley Avenue.
2nd Prize:	G Chivers, 65 Balmain Road
3rd Prize:	J Taunton, 14 Meares Road

MARAYLYA & CATTAI

1st Prize:	P Brown, 12 Pebbly Hill Road

RICHMOND

1st Prize:	W & V Eather, 177 March Street
2nd Prize:	M Reynolds, 179 March Street
3rd Prize:	E Smith, 44 March Street.

AGNES BANKS & YARRAMUNDI

1st Prize:	E Jones, 33 Castlereagh Road.

FREEMANS REACH

1st Prize:	J Poole, 130 Terrace Road.
2nd Prize:	J & J Eldridge, 487 Kurmond Road
3rd Prize:	G Dell, 218 Terrace Road

WILBERFORCE

1st Prize:	B & M Mitchell, 2 McKenzie Place

GLOSSODIA

1st Prize: R Faulkner, 42 Wattle Crescent
2nd Prize: M & J Decarlo, 164 Mitchell Drive

3rd Prize: S Howard, 258 Spinks Road

KURRAJONG

1st Prize: B & V Farlow, 3 Greggs Road
2nd Prize: W & D Markow, Lot 2 Browns Road

BOWEN MOUNTAIN

1st Prize: R Crabb, 142 Lt. Bowen Road

GROSE VALE

1st Prize: P & C Coffey, Lot 21 Cabbage Tree Road
2nd Prize: S Balchin, 213 Grose Vale Road

BILPIN

1st Prize: W Bean, Lots 1 & 2 Mountain Lagoon Road
2nd Prize: J Visic, Lot 2 Powells Road

KURMOND

1st Prize: J Edwards, 470 Bells Line of Road
2nd Prize: J Legge, Bells Line of Road
3rd Prize: G & R Ross, 904 Kurmond Road

NORTH RICHMOND

1st Prize: C & L Brazzale, 27 Stephen Street
2nd Prize: S Anderson, 40 William Street
3rd Prize: D & H Reid, 73 Pecks Road

KURRAJONG HEIGHTS

1st Prize: B & W Williams, 13 Stanley Avenue
2nd Prize: V Graham, 28 Bellbird Avenue

HOBARTVILLE/HOOKER REX

1st Prize:	W Eather, 31 Holborrow Avenue.
2nd Prize:	R Mackenzie, 9 Annette Place.
3rd Prize:	G & V Wilbow, 27 Douglas Street.

BLIGH PARK

1st Prize:	G Kendall, 2 Borrowdale Place.
Equal	W & J Light, 62 Sirius Road
2nd Prize:	P Cooper, 39 Sirius Road

BEST NEW GARDEN

1st Prize:	G & K Spice, 12 Albert Place, Bligh Park.
2nd Prize:	M Bellamy, 10 Buckingham Street, Pitt Town.

SCHOOL GARDENS

1st Prize:	Pitt Town Public School, Buckingham Street, Pitt Town.
2nd Prize:	Richmond North Public School, Grose Vale Road, North Richmond.
3rd Prize:	Kurmond Public School, Bells Line of Road, Kurmond.

GOOD NEIGHBOUR

1st Prize:	I & T Sanday, 4 Buckingham Street, Pitt Town M Brown, 2 Buckingham Street, Pitt Town
2nd Prize:	B & W Williams, 13 Stanley Avenue, Kurrajong Heights B & M Schuhmacker, 15 Stanley Avenue, Kurrajong Heights
3rd Prize:	W & V Eather, 177 March Street, Richmond M Reynolds, 179 March Street, Richmond.

HOSPITALS, NURSING HOMES AND CHURCHES

1st Prize:	Hawkesbury Hospital, Macquarie Street, Windsor.

PUBLIC BODIES, COMMERCIAL AND INDUSTRIAL

1st Prize:	Richmond R A A F Base, Percival Street, Richmond.
2nd Prize:	Hoare's Nursery, Springwood Road, Yarramundi
Equal	Windsor Bowling Club, Tebbutt Street, Windsor
3rd Prize:	Hawkesbury City Council - Memorial Park & Civic Complex.

AGED UNITS AND RETIREMENT VILLAGES

1st Prize: Hawkesbury Village, Chapel Street, Richmond.
2nd Prize: Parkland Village, Old Bells Line of Road, Kurrajong.

PRIVATE GARDEN (NOT BEING VISIBLE FROM ROAD)

Equal E & L Brazzale, 27 Stephen Street, North Richmond.
1st Prize: B & M Schuhmacker, 15 Stanley Avenue, Kurrajong Heights.
2nd Prize: A & M Gardiner, 23 Greenway Crescent, Windsor.

MOST COLOURFUL GARDEN

1st Prize: I & T Sanday, 4 Buckingham Street, Pitt Town.
2nd Prize: K & G Baxter, 137 Evens Road, Wilberforce.
Equal H & R King, Sackville Road, Ebenezer
3rd Prize: M Brown, 2 Buckingham Street, Pitt Town.

HERITAGE GARDEN

1st Prize: W & G Timmerman, Johnston Street, Pitt Town.
2nd Prize: H Hauser & R Argent-Hauser, 94 The Terrace, Windsor
3rd Prize: L & W Hatherly, Stannix Park Road, Ebenezer

AUSTRALIAN NATIVE GARDEN

1st Prize: A & E Eurell, 17 Hawkesbury Street, Pitt Town.
2nd Prize: R Gosling, 651 George Street, South Windsor.
3rd Prize: Ebenezer Bush Fire Brigade, Kolora Road, Ebenezer.

16. L. CLAYDON - PROPOSED SUBDIVISION OF 476 GROSE VALE ROAD, KURRAJONG INTO FOUR LOTS. S90/32

At its meeting of 12th June, 1990, Council supported an objection pursuant to State Environmental Planning Policy No.1 and requested the concurrence of the Director of the Department of Planning to the subject proposal.

The Director has declined to concur as indicated in the following correspondence:-

> *"I refer to Council's letter of 25 June, 1990 proposing the subdivision of the subject land into four allotments.*

Pursuant to Clause 7 of SEPP No.1, the Director has declined to vary the 10 ha minimum lot standard for subdivision applying to the Rural 1(b) zoning of the land, to enable the subdivision to proceed.

In coming to this conclusion, the Director considered the following matters:

i) the proposal is contrary to the objectives of the 1(b) Rural zone, would undermine the legitimacy of the newly established planning controls under Hawkesbury LEP 1989 and would create an undesirable precedent for the subdivision of other large lots within the 1(b) zone;

ii) Council's recently completed Rural Residential Development Study, which noted among other matters that land around Kurrajong Village has been identified in the Sydney Land Audit as being capable of future urban development and recommended against further rural residential subdivision in the area; and

iii) the concerns expressed by the Water Board in relation to this proposal."

The matter will be taken up again with the Department of Planning but there appears to be little that can be achieved, particularly given the Water Board's attitude to subdivisions in or near localities with water supply. There may be a case for further consideration should the Water Board adopt its Draft Rural/Residential Water Supply Policy which was recently reported to Council.

17. LAND AND ENVIRONMENT COURT JUDGEMENT - EXTRACTIVE INDUSTRY, MAROOTA ROAD, SACKVILLE, WEST PORTLAND ROAD RESIDENTS VS BAULKHAM HILLS SHIRE COUNCIL, E78

At the General Purpose Committee of the 30th October, 1990 Council requested some additional information regarding this matter. Firstly, as the case was determined on the merits of the application the assessor was not required to make any conclusions on the definition of "bank". He noted that the term "bank" was not defined in any relevant planning instrument.

It is estimated approximately $5000.00 was expended in staff time assisting the case. This involved consultation, ready transcripts and reports, research into planning instruments, discussion with legal representatives, report writing and attendance in Court.

REPORTS OF COMMITTEES

COMMUNITY ENVIRONMENT COMMITTEE MEETING
held on 26th September, 1990

MANAGEMENT EXECUTIVE COMMITTEE MEETING
held on 10th October, 1990

1994 BICENTENNIAL COMMITTEE MEETING
held on 13th October, 1990

COMMUNITY ENVIRONMENT COMMITTEE

MEETING HELD WEDNESDAY SEPTEMBER 26, 1990.

Present:- Alderman Wendy Sledge - Chairperson, Kate Moore, Brian Hardiman, Grace Crosby, Elspeth Murphy, John Crosby, Rob Sledge, Jennifer Chapple, Lenore Craven and Andrew Dean

Also Present:-

Miss Lorna Campbell, Mrs Bobby Free, Hawkesbury Horticultural Society, Mr Brian May, Mr David May, Mr Dominic Muscat, Mr Kevin Borgman - Farmers, Pitt Town Bottoms, Mr Peter Gow, Mr Neil Sloan, Ms Julie McDonald - Hawkesbury River Bush Regeneration Society, Mr John Cauchi - H.N.C.M.C.

Apologies: Resolved on the motion of Lenore Craven and John Crosby that the apologies of Mr Fred Gee and John Tooth be accepted.

Confirmation of Minutes

Resolved on the motion of Rob Sledge and John Crosby that the minutes of the meeting held August 29, 1990, be accepted.

Correspondence

The secretary reported that two pieces of correspondence had been received:-

a) A letter from Clean Up Australia regarding the national Clean Up Day which is to be held on Sunday March 24, 1991.

Resolved on the motion of Lenore Craven and Elspeth Murphy that the correspondence be received and open for discussion.

Rob Sledge advised that he was willing to assist in the organisation of the 1991 Clean Up, however, he was not prepared to do it on his own. Also planning for the event would need to begin shortly.

b) A letter from Mrs Karin Kruger of Wilberforce, requesting the Committee to set up a family based interest group aimed at trying to stop the abuse of the environment.

Resolved on the motion of Lenore Craven and Grace Crosby that Mrs Kruger be asked to attend the next meeting to discuss the proposal.

The secretary advised that a letter had been forwarded to the Chairman of C.R.A.D.L.E. outlining the committee's support for the Open Day/Envirofest to be held on October 21, 1990.

COMMUNITY ENVIRONMENT COMMITTEE

General Business

a) Riverbank Stabilisation

Report by Rob Sledge on Pitt Town farmers involvement in discussion on the Riverbank project.

The farmers described the severity of bank loss on their properties - sometimes to the extent of threatening their homes.

They expressed several differing views as to the causative agents and an equal variety in postulated solutions. But overall their approach was positive and co-operative.

The farmers agreed:-

(i) There were probably as many differential specific problems along the bank as there are properties because of such things as:-

(a) soil types and drainage problems;

(b) location along a curve in the river;

(c) existence of tree cover;

(d) position in regard to back water inland.

(ii) They had a need for an expert and trusted appraisal of each site. They were not in favour of a research project over the whole reach extending for months or years before any action takes place.

(iii) It was useful to look at the whole reach as an entity particularly as the small number of farmers involved could get together quite easily. Brian May had undertaken to work with Andrew Dean to convene a meeting of farmers. They accepted that an agreed group approach or request from all of them would be more effective in obtaining help than individual approaches.

(iv) That the prime responsibility for remedying a bank problem lay on each individual but they needed help. The costs of individual extraction and associated earthworks were prohibitive (approximately $100,000). In the extreme cases the prime motivation for the Farmers was to re-claim land lost due to the flood. There were crop production, economic and safety imperatives.

(v) In a number of cases earth works were required before effective tree plantings could take place.

(vi) The Farmers reported that other farmers differed in their opinion as to the causes and remedies. Not all farmers would agree at this stage to tree plantings because some saw trees as the cause of their problems rather than a solution.

(vii) The Farmers had a different perspective to that of the local cruise operator.

Finally, the Farmers appreciated the work carried out to date by the C.E.C., Council officers and Comcatch.

(b) Keep Australia Beautiful - Submission

The secretary advised that the K.A.B. judge, Mr Terry Wilson, had visited the city and that the reports would be forthcoming.

(c) Longneck Lagoon Open Day/Envirofest.

Resolved on the motion of Elspeth Murphy and Kate Moore that the committee support C.R.A.D.L.E. with funding for trees of ($120.00) and for portable toilets ($432.00) for the Open Day/Envirofest to be held on October 21, 1990.

(d) Logo Competition

Resolved on the Motion of Ald Wendy Sledge and John Crosby that all entries into the Logo competition be commended for their efforts, with all entries being displayed in the library. Further, that the committee accept the entry by Mr Michael Eggleton as the winning logo and that the secretary is to organise the book voucher to the sum of $100:00.

(e) Reports by sub-committees

Recycling sub-committee - John Crosby reported that the Council had unanimously accepted the report prepared by John O'Grady (Manager - Environmental & Building Services) on the Recycling report which addressed all public submissions and comments.

Date of next meeting.

The next meeting will be held in the Council Chambers on Wednesday, October 31, 1990, commencing at 7.30 p.m.

Minutes of the Meeting of the Management Executive Committee held on Wednesday 10th October 1990, in the Staff Meeting Room at 12noon.

Present: G. McCully, Town Clerk/General Manager; J. O'Grady, Manager of Environment & Building Services; R. Gilmore, Manager of Engineering Services; C. Daley, Manager of Operations; L. Weatherstone, Manager of Financial & Administrative Services; G. Falson, Manager of Town Planning; J. Brown, Chief Librarian; P. Krix, Administration Manager

1. STAFF TRAINING - noted that the basic criteria for training under the recent legislation is that courses must be i) structured and ii) must have as the principal objective the development, maintenance or improvement of employment-related skills and competencies. The Personnel Manager to provide a reassessment of training undertaken over the last year and to co-ordinate the development of the 1991 and onwards training programme. Further all internal programmes developed by the various managers are to complete the internal training record.

2. McMAHONS PARK - POSSIBLE EXTENSION - The Report of investigations following past discussions with the Park Committee on extensions to the area and these possibly being financed by the sale of an adjacent lot did not appear to offer an opportunity for the park. A plan has been developed indicating environmental annexures and those being areas either side of the creek commencing at the playing fields could be extended by redesign of the enclosed area with this possibly incorporating a small area of adjacent privately owned land. Design to be undertaken of the freehold land adjoining the area owned by the Council off McMahons Park Road and to look at the overall financing of this project.

3. PECUNIARY INTEREST - CODE OF CONDUCT - MANUAL - The Code of Conduct Manual was discussed and it was considered that while it could be restrictive in the overall interests of Local Government and particularly the impartiality required of elected members and staff it should be recommended for adoption. It was noted however, that a similar code should apply to other levels of Government at both elected member and staff level.

4. LOCAL GOVERNMENT RATING TASK FORCE - A number of recommendations were discussed, considered and resolved that these in detail be reported to the Council.

5. REVIEW OF LOCAL GOVERNMENT ACT 1990 - PHASE 1. The report of WSROC in this matter was considered in detail and it was resolved to recommend its adoption to the Council together with the rating taskforce.

6. INQUIRY INTO COMMUNITY NEEDS AND HIGH VOLTAGE TRANSMISSION LINE DEVELOPMENT - The Manager of Town Planning to prepare a submission on this matter.

7. COMMUNITY USE OF SCHOOL FACILITIES - Department of Education has produced Draft Guidelines for joint use of community facilities that could significantly add to the facilities available in the area and possibly reduce the Council's costs in provision and particularly ongoing maintenance. Documents to be assessed and a working group established with Department staff to assess what uses could be utilised in Hawkesbury.

8. GUIDELINES FOR REPORTING BY PUBLIC AUTHORITIES OF POSSIBLE CORRUPT CONDUCT - I.C.A.C. The Commission provided guidelines indicating the requirement under their Act for the Ombudsman, The Commissioner for Police, Heads of Government Departments and other agencies to report suspected corrupt conduct to the Commission. It is noted that the section in the Act requires "any matter that the officer suspects on reasonable grounds concerns, or may concern corrupt conduct", further that these matters must be reported in spite of any duty of secrecy or any other restriction on disclosure.

G.M. McCully
Town Clerk/General Manager

Minutes of the Meteing of the 1994 Bicentennial Committee held at Hawkesbury City Council Chambers on 13th October, 1990, at 3.00pm.

Present: Ald Ted Books, Mr Peter Bruce, Mr Robert Pont, Mrs Jan Barkley.

Apologies: Ald Wendy Sledge, Mr Peter Auld, Mr Ross Miller, Mr Alex Hendrikson.

Minutes of the previous meeting held on 3rd September, 1990.

Minutes were confirmed, moved by Mr R Pont, seconded by Mr P Bruce.

Business Arising from Minutes.

Ms Peta Trahar, landscape consultant, unable to attend - apologies tendered.

General Business

1. Mr Robert Pont and Mr Ross Miller to liaise with Ms Peta Trahar and Council's Engineer to plan the Victorian Garden as part of Stage 1 of the Bicentennial project. Estimates of the cost of all items to be included in Stage 1 to be obtained and forwarded to Ald Ted Books for inclusion in the 1990-1991 Estimates of Council's budget. Moved Mrs J Barkley, seconded Mr P Bruce.

2. Further information added to the Committee's file included 18th August, 1890 - letter to the editor of the Gazette re. McQuade Park, by Mr P Bruce and an offer to help with matters of military uniform details from Captain Ray Cooper of the New South Wales Military Historical Society by Mrs J Barkley.

3. An inspection of McQuade Park was carried out.

4. Date of next meeting will be 8th November, 1990, at 7.30pm at Hawkesbury City Council Chambers. Mr Fredrick Chapeau, sculptor, and Ms Peta Trahar, landscape consultant, to attend.

Meeting closed at 5.00pm.

CORRESPONDENCE FOR INFORMATION

SECTION 7

1. THE HON. K. ROZZOLI MP - F2 FREEWAY. M130, R190

Acknowledging Council's letter of 26th September, 1990, regarding the F2 Ryde/Castlereagh Freeway and advising that representations have been made to the Government as requested.

Also advising of his support in reaching a proper resolution to the problem.

2. WOLLONGONG CITY COUNCIL - 30TH ANNUAL FLOOD MITIGATION CONFERENCE. F84

Forwarding a report on the proceedings of the 30th Annual Conference of Flood Mitigation Authorities of NSW held in Wollongong on 15th-18th May, 1990.

3. NSW BUSINESS DEREGULATION UNIT - NSW BOATING INQUIRY. H100

Forwarding a "Summary of Submissions" to the review of regulations and policies affecting recreational and commercial boating in NSW.

4. CORRESPONDENCE - ELECTION OF MAYORS/PRESIDENTS, CHAIRMEN AND DEPUTIES. L128-5, E73

Baulkham Hills Shire Council:
President - Councillor Bernard Anthony Mullane
Deputy President - Councillor Frederick Douglas Claude Caterson

Penrith City Council:
Mayor - Ald Faye Lo Po'
Deputy Mayor - Ald William Gayed

Blue Mountains City Council:
Mayor - Ald Ralph Williams
Deputy Mayor - Ald Michael Neall

Holroyd Municipal Council:
Mayor - Ald R N Downing
Deputy Mayor - Ald A G Ezzy

Council of the City of Greater Lithgow:
Mayor - Ald Gerard F Martin
Deputy Mayor - Ald Suzanne M Graves

Blacktown City Council:
Mayor - Ald Leo Henry John Kelly
Deputy Mayor - Ald Allan Victor Green

Hawkesbury River County Council:
Chairman - Ald Fay Denne (Hawkesbury City Council)
Deputy Chairman - Councillor Peggy Womersley (Baulkham Hills Shire Council)

Prospect Electricity:
Chairman - Councillor Francis W McKay
Deputy Chairman - Ald Kevin Dwyer

5. MINISTER FOR TRANSPORT - THE HON B BAIRD. R185-8

"I refer to your representations on behalf of the Save Our Rail Action Committee (Mr M Barnes Secretary, C/- Hawkesbury City Council, Council Chambers, George Street, Windsor 2756) concerning the Riverstone-Richmond rail line.

The comments of the Committee on this subject are much appreciated and I would like to address each of the topics in turn.

TRACK

I am assured that the track design will accommodate electric rolling stock. The laying of concrete sleepers is not planned during this stage of electrification.

The existing sidings used for crossing trains at Clarendon and Windsor are programmed for removal during the upgrading as they will not be required. Trains will be timetabled to cross at Mulgrave and Quakers Hill. This will eliminate the current inefficient practice of reversing in and out of sidings.

LEVEL CROSSINGS

The level crossings mentioned in the Committee's report will be retained and there are no plans for additional level crossings. As with all level crossings, it is desirable that bells and flashing be provided as an added safety precaution.

CityRail will pass on the Committee's safety concerns to the Roads and Traffic Authority, which is the organisation primarily responsible for level crossing safety.

SAFE WORKING PRACTICE UPGRADING

As stated previously, the number of sidings will be rationalised and the new crossing stations will be Mulgrave and Quakers Hill.

The installation of new signalling and equipment will not occur as part of the electrification programme. This will be progressed as part of the CityRail resignalling programme and other sectors within the Metropolitan area currently have higher priority. However, during the electrification programme new signal cabling will be laid to facilitate later upgrading of the system.

TRAINS

I am informed that there is no intention to utilise "red rattlers" on the services to Richmond. However, CityRail has asked me to mention to the Committee that it is in the process of replacing the old "rattlers" with modern Tangaras and is also about to embark on the refurbishing of the older carriages of the double deck fleet. This modern rolling stock will be available to users of the Richmond Line. It is agreed that peak hour services should provide limited stop 'express' journeys to the CBD.

TIMETABLING

Stage one of the electrification will see a shuttle service provided between Riverstone and Richmond during peak hours. In the off-peak and at weekends a shuttle service will operate between Richmond and Blacktown. The operation of through services will be implemented in later stages of the project. Services will equal passenger demand.

BRIDGES

The bridges crossing George and Macquarie Streets will be replaced and the new bridges designed for a minimum road to bridge height of 3.5 metres.

STATIONS

All stations on the Richmond to Riverstone section will be upgraded as part of the electrification project. Upgrading will be to high standards. The individual issues the Committee has raised are being addressed as different stages are planned. All stations on the Richmond line will remain open.

COMPLETION DATE

During the last 12 months improvements totalling more than $1 million have been carried out along the Richmond line and electrification between Riverstone and Richmond will be completed by August next year.

Approximately $8 million will be expended in 1990/91 on the project and a further $4 million will be allocated in 1991/92.

Despite the constraints to CityRail's Capital Works Program, caused by cutbacks in Federal funding to the States, which have slowed the project, electric trains will run to Richmond in the latter half of next year.

I would like to personally thank the Committee for the interest it has shown in the future of the Richmond line. CityRail officers will continue the co-operation the Committee has experienced in the past.

I trust the information given is helpful. Would you also ask the Committee to accept this response as a reply to its direct approach to me."

6. MT ELIZA AUSTRALIAN MANAGEMENT COLLEGE - ST MATTHEWS TERRACE. DA 24/90, 1829.70

"Thank you for your advice that the Council has granted development approval for St Matthews Terrace.

As a result, we have been able to confirm our commitment to St Matthews Terrace as the site for Mt Eliza Programs in New South Wales. We will commence our first program on 1 July 1991.

The College Council has committed itself to the establishment of a campus in Sydney. Windsor is an ideal location for use, and approval at this time has avoided the necessity to establish the campus in a different location.

I am looking forward to making a significant contribution to the City of Windsor through our presence. I can assure you that we will work closely with the Hawkesbury City Council, and with our neighbours as our development proceeds."

7. PAUL GIBSON, MP, MEMBER FOR LONDONDERRY - DIVIDING FENCES ACT. F82, L128-7

Referring to Council's letter regarding proposed amendments to the Dividing Fences Act. Advising that he has made personal representations on Council's behalf, to the Hon D A Hay, Minister for Local Government and Minister for Planning.

8. LOCAL GOVERNMENT AND SHIRES ASSOCIATIONS OF NSW - DIVIDING FENCES ACT. L128-7, F82

"I refer to your letter of 14th September 1990 regarding the Dividing Fences Act.

The matter was discussed in a deputation to the Hon David Hay MBE, Minister for Local Government, on 12th October.

It was made clear that the proposal to require councils to contribute to fencing does not extend to fencing adjoining a road reserve. However, even excluding that possibility, substantial cost could be involved for Local Government.

It was generally decided that a Working Party needs to be created to look more closely at the costs involved to councils - and the Crown. This is being organised by the Department of Local Government and I will contact you when I have further information."

9. MR G RHODES - PROPOSED TOURIST VILLAGE - CLARENDON. T220-6

Commenting in relation to the proposed Tourist Village at Clarendon and suggesting that consideration be given to the further development at Windsor.

10. HAWKESBURY DISTRICT EISTEDDFOD SOCIETY - APPRECIATION. D64

Expressing appreciation for Council's donation of $1,000, and for its decision to subsidise the rental of the Windsor Function Centre.

11. LOCAL GOVERNMENT ASSOCIATION - WATER SUPPLY & RESOURCES COMMITTEE. W271

Forwarding Minutes of the meeting of the Water Supply and Resources Committee held on Thursday, 23rd August, 1990.

12. JOHN J. PAINE ROSS & CO - LOT 1 DP 786316 PT RESERVE 76765 FOR PUBLIC RECREATION. R185/8

Advising that on behalf of the Hawkesbury District Agricultural Association, they have written to the State Rail Authority of NSW objecting strongly to the substation being built on the southern side of the railway line and suggesting that it be placed on the other side, on public land.

13. THE HON. BOB BROWN MP, MINISTER FOR LAND TRANSPORT. G95/50

Advising of the Federal Road Funding allocations for 1990/91 under the Australian Centennial Roads Development Programme.

> "This year the Federal Government is providing $1.6 billion for roads on a nationwide basis, an increase of $269 million or 20 percent over 1989-90.
>
> Federal grants to New South Wales for local roads will total $90.1 million, an increase of $5.8 million or 6.9 percent over last year."

The allocation to Council is $593,100.

Council's proposed programme is as follows and will be adjusted to match the grant.

1.	Maintenance Reseals - selected lengths Tennyson Road and East Kurrajong Road Section 1	$ 55,000
2.	Boundary Road, Vineyard - reconstruction at Killarney Chain of Ponds (Council share)	$ 87,500
3.	George Road, Wilberforce - reconstruction and improvements	$145,000

4.	Mileham Street and Fairey Road, Windsor - reconstruction and improvement	$242,500
5.	The Driftway	$ 50,000
	Total	$580,000

14. ROADS & TRAFFIC AUTHORITY - TOWN-BY PASS - FLOOD FREE ACCESS. F84/17

Advising that an investigation has commenced into the flood free access needs of the areas west of the Hawkesbury River. The investigation aims to identify and address related issues, such as town by-passes, using a consultative approach.

Consultants Rankine & Hill Pty Ltd have been engaged to provide assistance with Stage 1 of the process due for completion by the end of November, 1990. This investigation will involve public meetings and consultation.

Stage 2 will involve detailed evaluation of the alternatives, particularly in respect to the issues determined from the first stage.

It is estimated that this will be completed by March, 1991.

15. BOARD OF STUDIES, NEW SOUTH WALES - AUSTRALIA DAY AWARDS. A9-3

Referring to Council's proposal to present an award on Australia Day to the HSC student from a school within the City gaining the highest aggregate mark.

Arrangements are being made for this information to be provided and it is expected that it will be forwarded to Council on or about 20 January, 1991.

Expressing appreciation to Council for its recognition of outstanding students.

16. LOT 1 DP 515370 AND LOT 14 DP 217619 GEORGE STREET, SOUTH WINDSOR - MANPIN HOLDINGS PTY LTD. DA 318/90

The current application was advertised to adjoining landowners. Following the recent public exhibition period two submissions were received from Mrs N Bingham and Mr and Mrs Adams regarding the townhouse proposal. The reasons for objection are on similar grounds as to the objections made on the previous application contained in the report.

(M.T.P. - This refers to Item 9 of the Planning and Development Section of the General Purpose Committee Report.)

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

OTHER REPORTS

SECTION 8

MINUTES OF MEETING OF MACQUARIE TOWNS FESTIVAL COMMITTEE INC HELD IN THE ALDERMEN'S ROOM, COUNCIL CHAMBERS, ON 26TH SEPTEMBER, 1990.

PRESENT:

Alderman R Stubbs, Alderman W Mackay, Mrs P Gardner, Flight Lieutenant G Stevens, Miss J Stevens, Mr B Hardiman, Mrs H Smith, Ms E Manning, A Hendrikson.

Apologies were received from Ms F Childs, Mr E Taylor, Mr C Daley.

Minutes of the previous meeting were adopted on a motion of P Gardner seconded G Stevens.

CORRESPONDENCE - IN

From Cool Kidz Company re performance Butlers Hire - confirmation of stages.
T.A. Markey - certificates of currency for insurances.
Inspector Peacock re Police deployment for parade.
Syd Howard re fireworks display.

OUT

To 2UW re their involvement in Festival.
Larrikin Booking Agency confirming time and fee of performers.
Group Captain Cottrell re permission to erect banners over road.
2WS re compering parade (later cancelled).
M.D. Cooper re use of P.O. verandah for parade.
The correspondence was received on a motion of A Hendrikson seconded P Gardner.

TREASURER'S REPORT

$30,000 + interest was transferred from fixed deposit to the cheque account.
$330.00 for stall hire has been banked.
The Treasurer's report was received on a motion of Alderman W Mackay seconded G Stevens.

EXECUTIVE OFFICER'S REPORT

Ars Nova Orchestra expenses total $700 with $200 extra being allowed in budget for advertising. In addition, the orchestra members would like refreshments afterwards and it has been agreed to pay the auxiliary $100 to provide afternoon tea after the concert for performers, any Festival Committee members attending the concert and their workers. This concert is never financially successful for us, but it is a prestige event.

The Cricket Club, despite assurances in 1989, scheduled a cricket match in Richmond Park on 13th, but have now transferred this.

Letters were sent to Hawkesbury District Band and Pipe Band enquiring about their fee and these were enclosed with their confirmation forms to be returned. They have not replied or made contact at all.

A sponsorship deal was struck with 2UW. In return for two logos on the Festival Programme, the station will provide two units for the Parade. One convertible car will contain the Mayor and Festival Chairman and will convey them to the awards. This car will tow a 12 foot high juke box. A compere for the Parade and open Air Fair will be provided. Compering for the Open Air Fair will be carried out from this and announcements, competitions and give-aways will fill in the gaps between performers. For a cost of $2000, we will be given $4000 in radio time. They were willing to attend Music in the Park, but there were difficulties in placing the Rock Box on the stage, and as the event is of a different nature, it could have been very intrusive.

The sponsorship meant that 2WS could not compere the Parade, and they have been contacted in this regard. The arrangements with 2VTR-FM still stand.

Panthers magazine have given us editorial and photo space in their October issue.

Northern Suburbs Herald has a Hawkesbury feature on 11th October. An ad (front page) has been placed. We have also been promised editorial and photograph space.

Public Liability Insurance was increased to $10,000,000 after obtaining a quotation and discussing the matter with the Chairman.

The Pitt Town Fun Run, in September was advertised as Macquarie Towns Fun Run. On occasion requests have been received as to whether events outside the Festival period can be included in the Festival as people have seen these advertisements.

Parade banners and ribbons have been ordered, but the ribbon order will need to be increased. Only 4 final confirmations of entries have been received, but there are approximately 60 expressions of interest.

Rotaract will be doing a letter box drop of Richmond and Windsor over the weekend, and have been supplied with programmes. As they are doing this voluntarily (with their own notices) we will offer to pay for Council erection of their two banners in Richmond with ours and 2UW's (which they will supply).

The legal officer of the RAAF base is drawing up a contract for our banners across the main road, but this has not yet been received. Hawkesbury Newspapers are not printing their Festival feature until 10th October. This is too late to be of benefit to the Festival but the business people of Richmond need the supplement the week of the Parade. Therefore, our advertising has to appear next week as well (3rd & 4th October).

A helicopter joy ride firm has made contact, and was directed to the Rotaract Raft Race.

A stage manager for Music in the Park, and a parking attendant for Richmond Park are still needed.

GENERAL BUSINESS

A meeting will all concerned with music/fireworks/cannons for Music in the Park will be held on Monday 15th October at 2.30pm in the Executive Officer's office.

Prospect County Council are laying underground electricity cables around McQuade Park. Access to the electricity supply for our temporary boxes will be no problem and the work should be complete by 20th October.

The next meeting will be 31st October, 1990. Please note that this is the 5th Wednesday and not the 4th.

WSROC REGION MEETING NO.5, 1990

HELD AT 7.00 P.M. ON FRIDAY, 5TH OCTOBER, 1990
IN THE FUNCTION ROOM, BAULKHAM HILLS SHIRE COUNCIL, 129
SHOWGROUND ROAD, CASTLE HILL

MINUTES

PRESENT: Cllr J Worthington (Baulkham Hills) (Chairman)
Cllr A Bolitho (Baulkham Hills)
Ald R Dickens (Blacktown)
Ald J Bryant (Blacktown)
Ald R Williams (Blue Mountains)
Ald M Neall (Blue Mountains)
Ald S Barone (Fairfield)
Ald R Downing (Holroyd)
Ald J Brodie (Holroyd)
Ald D Brock (Liverpool)
Ald M Latham (Liverpool)
Ald A Hyam (Parramatta)
Ald J Books, MP (Parramatta)
Ald A Aquilina, MP (Penrith)
Ald D Syme (Prospect)
Cllr B Mullane (Shire President, Baulkham Hills)
Mr W Merton, MP (Member for Carlingford)
Mr R Fabris (Baulkham Hills)
Mr P Burne (Blacktown)
Mr R Fennell (Blue Mountains)
Mr W Crighton (Fairfield)
Mr G Towle (Holroyd)
Mr R Newsome (Liverpool)
Mr R Muddle (Parramatta)
Mr A Travers (Penrith)
Mr R Thom (Prospect)
Mr S Alchin (WSROC)
Ms A Spizzo (WSROC)
Mr R Dwyer

1. APOLOGIES

MOVED that apologies be received from Ald R Kluin (Penrith), Ald W Sledge (Hawkesbury), Ald L Sheather (Hawkesbury), Ald W Mackay (Hawkesbury), Ald R Ingram (Fairfield), Mr T Barnes (Fairfield), Mr G McCully (Hawkesbury), Mr T Packard, MP, Mr K Rozzoli, MP, Mr A Cadman, MP and Mr B Baird, MP.

The Chairman then welcomed new delegates to WSROC. At this point, the Chairman invited Cllr B Mullane to address the meeting. Cllr Mullane welcomed delegates to the Baulkham Hills Shire, and congratulated WSROC on the work that it had done over the last twelve months. Cllr Mullane said that Western Sydney needs a forum like WSROC, where councils can come together in a united approach to address the region's needs.

Cllr Mullane said that all parties were pleased with the review of the organisation. He congratulated delegates on taking what he described as "an enlightened step". Cllr Mullane

said that WSROC should focus on the strategic issues facing the region. He said that WSROC was a great forum for combining the talents of elected members and staff of councils in WSROC.

Cllr Mullane then made a comment on "the state of the industry", describing it as under siege. It is being examined closely, and, despite its successes, the credibility, motivation and reputation of those involved in local government is under threat. Cllr Mullane cited the recent speech by Mr Bob Carr, the NSW Opposition Leader, as an example of these attacks. Cllr Mullane said that very little is said of errors made by the State or Commonwealth Governments. Local government must be prepared to fight these attacks. Cllr Mullane said that Baulkham Hills Shire Council has acted honourably and honestly and that it will continue to do so. Cllr Mullane concluded by saying that WSROC is unheralded and unsung.

The Chairman then invited Mr Wayne Merton, MP, Member for Carlingford, to address the meeting. Mr Merton referred briefly to the redistribution of State electoral boundaries. He commended Cllr Worthington as hard working and sincere.

Referring to comments made by Cllr Mullane, Mr Merton indicated that WSROC could take a role of advancing the position of councils and people in local government. Local government office is a thankless job, where it is easy to be criticised by others, who do not bother to become involved.

WSROC has an enviable record in bringing Western Sydney councils together. Mr Merton concluded by urging WSROC to pursue the issue of traffic in Western Sydney. In particular, he urged WSROC to push for the development of the F2 Expressway, which is badly needed if the North-west Sector is not to become clogged with traffic.

2. CONFIRMATION OF MINUTES OF MEETING HELD ON AUGUST 17, 1990

MOVED that the minutes of the meeting held on August 17, 1990 be received and adopted.

Ald J Books/Ald R Downing
CARRIED

3. BUSINESS ARISING FROM THE MINUTES

3.1 GUEST SPEAKER - ROADS AND TRAFFIC AUTHORITY (023/14)

MOVED that the information be received and noted.

Ald J Books/Ald A Hyam
CARRIED

3.2 SUBMISSION TO THE SPECIAL PREMIERS' CONFERENCE (020/2)

MOVED that the information be received and noted.

Ald J Books/Ald A Hyam
CARRIED

4. TRANSPORT

4.1 F.2 EXPRESSWAY (023/14)

MOVED that WSROC:

(1) write to the Hon N Greiner, M.P., Premier, and the Hon Wal Murray, M.P., Minister for Roads, expressing its support for the implementation of the F.2. expressway; and

(2) write to Hornsby Shire Council informing it of WSROC's decision.

Ald J Books/Cllr A Bolitho
CARRIED

4.2 F.4 TOLLWAY (023/14)

MOVED that the information be received and noted.

Ald J Books/Ald A Hyam
CARRIED

4.3 LOCAL AREA TRAFFIC MANAGEMENT (LATM) STUDY (023/23)

MOVED that:

(1) WSROC endorse the study and pursue its recommendations; and

(2) WSROC member councils encourage their elected members to attend the launch of the study.

Ald A Hyam/Ald R Downing
CARRIED

5. LOCAL GOVERNMENT MATTERS

5.1 LOCAL GOVERNMENT ACT REVIEW (023/18)

MOVED that WSROC endorse the submission prepared by the WSROC working parties on the draft Bill to amend the Local Government Act and forward the submission to the Department of Local Government.

Ald A Hyam/Ald R Downing
CARRIED

5.2 WSROC SUBMISSION TO THE NSW GOVERNMENT'S TASK FORCE ON LOCAL GOVERNMENT RATING (07/8)

MOVED that WSROC endorse the draft submission to the NSW Government's Task Force on Local Government Rating.

Ald R Downing/Ald J Books
CARRIED

6. CULTURAL DEVELOPMENT MATTERS

6.1 FUNDING OF LOCAL GOVERNMENT LIBRARIES IN NSW (010/2)

MOVED that WSROC write to the Minister for the Arts, the Hon P Collins, MP; Allison Crook, Secretary, Library Council of NSW; and Janette Wright, Librarian, State Library of NSW, informing them that:

(1) WSROC will be monitoring the situation over the next two years and any possible disadvantage to Western Sydney;

(2) WSROC member councils "are frequently" not "in receipt of rate revenue for newly developed centres prior to the need for human services."

(3) WSROC is disappointed not to have received a direct reply regarding the outcome of the working party's recommendations to the Library council of NSW.

Ald J Books/Ald A Hyam
CARRIED

7.1 HUMAN SERVICES

7.1 SOCIAL IMPLICATIONS OF DEVELOPMENT OF HOUSING FOR THE AGED (03/26)

Ald Books sought clarification concerning the impact of ethnic specific services and their implications for delivery of services to the total population of an area.

Ms Spizzo explained that some hostel or nursing home beds are provided in ethnic specific accommodation. The fact that these beds are earmarked for persons from a particular ethnic community (therefore not available to other people from the area) is not considered by government agencies when comparing actual rates of bed provision against government standards of provision.

MOVED that WSROC:

(1) write to the Hon Brian Howe, MP, Minister for Community Services and Health, highlighting the problems with the funding formula practised by the Department of Community Services and Health and requesting its revisions, especially in relation to the inflexibility of the 60/40 break up of hostel and nursing home beds respectively.

(2) write to the Hon David Hay, MP, Minister for Planning, requesting that action be taken in relation to the Commission of Inquiry's Report on State Environmental Planning Policy No. 5 and highlighting particular areas which need to be revised as listed in the report and that the State Government require developers to make a contribution to nursing homes and hostel accommodation or that the State Government itself, in liaison with the Federal Government, undertake to provide hostel and nursing home accommodation to supplement the Federal Government allowance; and

(3) inform the Chief Town Planners' and Community Services Officers' Committees and Aged Services Workers of WSROC's decision.

Ald A Hyam/Ald R Downing
CARRIED

8. LOCAL GOVERNMENT DEVELOPMENT PROGRAM MATTERS

8.1 IMPACT OF URBAN CONSOLIDATION FOR THE PLANNING AND PROVISION OF HUMAN SERVICES (017/44)

MOVED that:

(1) WSROC endorse the study and its recommendations;

(2) WSROC pursue the study's recommendations; and

(3) WSROC member councils encourage their elected members to attend the launch of the study.

Ald R Downing/Ald J Books
CARRIED

8.2 ESTIMATING THE COSTS OF URBAN DEVELOPMENT FOR LOCAL GOVERNMENT (017/29)

MOVED that the information be received and noted.

Ald R Downing/Ald J Brodie
CARRIED

9. ADMINISTRATIVE MATTERS

9.1 WSROC ORGANISATION REVIEW: FOLLOW UP AND IMPLEMENTATION OF RECOMMENDATIONS (N31)

MOVED that WSROC endorse the draft timetable for implementation of decisions arising from the WSROC organisation review

Ald R Downing/Ald L Bolitho
CARRIED

9.2 INCORPORATION OF WSROC (N27)

MOVED that the information be received and noted.

Ald J Books/Ald A Hyam
CARRIED

9.3 SECRETARIAT WORK COMMITMENTS

MOVED that the information be received and noted.

Ald J Books/Ald A Hyam
CARRIED

9.4 ACCOUNTS PAID SUBJECT TO CONFIRMATION: 1/7/90 TO 30/9/90

MOVED that the expenditure warrants for WSROC's General and LGDP Finds be received and noted.

Ald A Hyam/Ald J Books
CARRIED

9.5 OPERATING STATEMENTS

MOVED that the operating statements for WSROC's General and LGDP Funds be received and noted.

Ald A Hyam/Ald R Downing
CARRIED

10. PRESS COVERAGE

MOVED that the information be received and noted.

Ald A Hyam/Ald R Downing
CARRIED

11. OTHER BUSINESS

11.1 METROPOLITAN RAIL STRATEGY 023/15)

Ald Downing noted that the Australian Railways Union had recently released a Rail Strategy for the Sydney Region. Ald Downing suggested that WSROC should arrange a seminar on this matter to provide councils with information on the strategy.

MOVED that WSROC arrange a seminar on the Rail Strategy for the Sydney Region

Ald B Downing/Ald J Brodie

Cllr Bolitho noted that the strategy proposed a link between Parramatta and Epping. He queried where the alignment of the railway might be, and the number of properties that might be affected. Ald Downing said that the strategy proposes much of this link to be by way of a tunnel.

The Chairman noted that some link may be in the form of monorail transport.

Ald Books argues that, given the fact the strategy was prepared by the Australian Railways Union, it was unlikely that the proponents of the strategy would be in favour of monorail development. Ald Books argued that the strategy would "never get off the ground".

Ald Hyam indicated that the Parramatta City Council was examining the strategy on Monday night. The strategy is relevant to the whole region, and to Parramatta in particular, given that the council isparticipating in a study examining access options to the Parramatta CBD.

Ald Hyam said that whilst a number of links are in tunnels the question of property rights - which extend above and below the surface of the earth - would need to be examined. In addition, issues relating to blasting, noise and vibration would be crucial.

Ald Barone questioned the implications of arranging a seminar for WSROC staff resources. Ald Barone indicated that he favoured a delegation of WSROC's representatives meeting with representatives from the Australian Railways Union. Ald Barone said that whilst he is in favour of rail transport, he has some difficulties with the proposals if they involve the acquisition of houses.

Ald Downing reminded delegates that transport was one of the key issues identified by member councils as requiring WSROC's attention.

Ald Syme indicated that he was surprised to hear Ald Barone's comments. Motor vehicles are creating major problems for our cities and for the environment, and it is therefore important that rail transport is supported. The problems created by motor vehicles will be even greater in the future. It may well be that, in the future, Sydney like Singapore, will ban cars in certain areas.

Ald Bryant commented that proposals for development of the railway system, if based on the strategy, would have little to do with Western Sydney. Many of the links are east of Parramatta. If rail proposals were developed which serviced, amongst other areas the north west sector, then this will make sense for the residents of councils of Western Sydney.

Cllr Bolitho commented on the affectation of a rail link on properties required for the rail alignment. We need to look at rail transport as an option for the future; however it must be economically feasible. WSROC should lobby to put alternatives to the railway strategy to government and to the opposition.

The movers of the motion than agreed to withdraw their motion and to re-submit the following in its place.

MOVED that WSROC meet the Australian Railway Union to discuss the union's rail strategy for the Sydney region.

Ald B. Downing/Ald J Brodie
CARRIED

The Chairman asked delegates to contact the Director if they wish to participate in this meeting.

11.2 RESOURCE SHARING BETWEEN COUNCILS

Ald Williams argued that WSROC should establish a working party to examine options for sharing resources between councils. He noted that Westpool had been successful in reducing costs for councils. The time has come, given rate pegging and increases in costs, for WSROC to start providing a forum for councils to share resources.

The Chairman noted that council engineers have strong views on this matters, and therefore queried whether it might work in practice. Cllr Bolitho also raised some doubt as to whether resource sharing was feasible.

Ald Williams said that neither he nor other elected members always agree with Chief Engineers. If WSROC and its member councils see a virtue in sharing resources, than it should be pursued.

The Director and others noted that the resource sharing issue has been proposed by Blue Mountains City Council as an issue to be pursued by WSROC in 1991. These matters will be finally determined at the Region Meeting in December, 1990.

Ald Bryant said that councils have access to bulk purchasing arrangements through the Local Government Association. Councils could hire heavy equipment off private

companies cheaper than any rates that might be obtained through co-operation with member councils.

Delegates noted that this matter would be discussed, along with other project submissions, at the December Region Meeting.

12. DATE OF NEXT MEETING

MOVED that the next meeting - the final Annual General Meeting to be held in December - be held at 7.00 p.m. on Friday, 7th December, 1990 at Holroyd Municipal Council

Ald J.Books/A.Hyam
CARRIED

Stephen Alchin
Director

Cllr John Worthington
Chairman

Medium density policy should prohibit in flood areas
- Whether to not GPC

- Medium Density Policy should retain Cultural & Historical landmarks

Case law for crushing plant

Questions

Nil