

Hawkesbury City Council

BUSINESS PAPER

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."*

TOWN CLERK/GENERAL MANAGER'S SUPPLEMENTARY REPORT

ORDINARY MEETING - 9TH APRIL, 1991.

REPORTS FOR DETERMINATION

FINANCE AND ADMINISTRATION

12. LOCAL GOVERNMENT REPRESENTATION ON THE PROSPECT COUNTY COUNCIL, GA30/3 PT 1

Following is the full text of a letter received from the County Council seeking a response by the 9th May and accordingly it will need to be dealt with at tonight's meeting.

"At its meeting on Thursday, 14 March 1991, this Council considered a report which explored the opportunities available to it for restructure of Local Government representation on The Prospect County Council. The Council resolved to seek the views of Constituent Councils prior to submitting a proposal for restructure to the relevant Ministers. Set out below is a summary of the Council's present and proposed representation structure.

Reason for Restructuring

In recent years, The Prospect County Council has achieved significant improvements in its cost effectiveness. Changes in work practices coupled with improvements in the use of technology have enabled service to be maintained to a growing number of customers while at the same time, staff have been reduced by around 600.

Increases in electricity prices have also been contained to around half the CPI thereby providing residents of Prospect's area with reducing prices in real terms.

Downsizing of staff has been across all levels of the organisation and the recent paper sought to extend the initiative to the size of the Council itself.

Also, it was felt that a pro-active approach in which the Council seeks to restructure itself by downsizing whilst maintaining its roots in Local Government was preferable to having a restructure occur over which we had no control.

Role of Representatives Under Restructure Plan

As may be seen, under this proposal, reduced numbers on the County Council are achieved without eliminating any existing representation arrangements and all Constituent Councils (no matter how big or small) have the safeguard that Members of the County Council, once elected, must act for the good of the whole County area and not just any sectional or local geographic interests.

Support of Constituent Councils is Sought

This Council is seeking the support of its Constituent Councils in a plan of restructure which will preserve the control of the County Council to Local Government whilst at the same time, addressing the objectives of the State Government of New South Wales and setting in place a structure which will adequately serve the community by representation.

Response Sought by 9 May 1991

The County Council, therefore, seeks the support of each Constituent Council for the above restructure proposal. Following a response being received from Constituent Councils, it is intended to approach both Ministers for authorisation of this restructuring to become effective from the commencement of the next electoral term.

Consequently, I seek the early advice of your Council to this proposition by 9 May 1991 in order that this Council may consider its position at the Council Meeting of 23 May 1991."

The letter does not consider other options for restructuring the County, including the costs and effects of a smaller Board.

If accepted, in terms of Hawkesbury consumers and electors, there would be an increased representation, as there would be a reduced number of members over all. On this basis, and in the absence of any alternative proposals for consideration, it is recommended that the Council support the restructure plan.

IT IS RECOMMENDED THAT Prospect County Council be advised that this Council supports its proposed representation/restructure plan as set out in its letter dated the 27th March 1991.

REPORTS FOR INFORMATION

16. ROAD CLOSURE & PURCHASE APPLICATION - MS E B WOOD, EAST KURRAJONG ROAD (SECTION 2), GR80/4 PT 1

Reference is made to Item 5 - Section 4 - Reports for Determination - to this meeting.

It is understood that there has also been other representations made to Aldermen and accordingly it is recommended that the matter be referred to the next Committee Meeting.

17. W L STEPHENSON, DA14/91, 3690.11

Reference is made to Item 17, Planning & Development Section of this meeting.

The following letter has been received regarding this matter. There is nothing in the letter that prohibits the Council determining the matter at tonight's Meeting.

"After a brief discussion with the Deputy Mayor Ald. MacKay on the 31st March 1991, re Council meeting on the 26th of March, on the

James in this up to his armpits!

matters before Council. As the accusation is a very serious one and not conforming entirely to the facts. I ask you if you would have this matter deferred, - if not resolved - so that I may address Council and give the true facts to hand since the "facts" presented to date do not appear to conform to the "facts" presented previously.

May I expect an early reply to the above address please ? and marked personal."

Shut collar 3 days too long!

1101
52
5502
55050
57272

CORRESPONDENCE FOR INFORMATION

8. THE HON. TED PICKERING, MLC - MINISTER FOR POLICE AND EMERGENCY SERVICES - GRANT FOR ADDITIONAL EQUIPMENT FOR BUSHFIRE SERVICE - CITY OF HAWKESBURY GF10/28 PT1

The following advice was received to-day from the Minister :

"I refer to your recent letter received on 26 February, 1991, seeking a grant to provide additional equipment for the Bush Fire Service in the City of Hawkesbury.

Whilst I fully appreciate the circumstances which prompted your approach, I am not in a position at this stage to provide a grant outside any allocations from the N.S.W. Bush Fire Fighting Fund.

I have however, drawn the matter to the attention of Mr Phil Koperberg, Director-General of the Department of Bush Fire Services and I have directed that consideration be given to the submission during the review of the 1991/92 allocations from the fund.

I am advised that estimates must be forwarded by Councils to the Department by 31 March 1991. Any request for financial support will be considered at that time having regard of course to overall budget constraints.

In the meantime, Council may be assured that I am very much aware of the increased expectations of the volunteer bush fire brigade organisation throughout the State and I will continue to seek funding at an appropriate level to ensure that the brigades can continue to maintain a high standard of efficiency."

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

MAYORAL MINUTE

ORDINARY MEETING - 9TH APRIL, 1991

Aldermen :

1. LOCAL GOVERNMENT ASSOCIATION - PROPOSED BALMAIN DEVELOPMENT. GF8/1PT1

The following is the full text I have received from the President of the Local Government Association, Alderman Peter Woods.

"Last month you received two letters relating to a legal challenge taking place within Leichhardt Municipal Council's area. One was from the Balmain Association and the other was from the Mayor of Leichhardt.

The matter related to a decision by the New South Wales Minister for Planning to take away Leichhardt Council's planning powers for the Balmain Peninsula and install a planning administrator.

As Metropolitan Vice President of our Association and more recently as President, I unreservedly opposed this State Government intrusion because of the tremendous precedent for all Local Government.

Before the 1990 Mayoral elections, Leichhardt Council, on the casting vote of the Mayor, led a resident supported campaign against the Government's actions demanding the return of the Council's powers and an opportunity for resident input and technical surveys to be completed before developers were given the go-ahead.

After the 1990 Mayoral elections, on the casting vote of the new Mayor the prior position of Council was not sustained.

The residents of Balmain under the auspices of the Balmain Association took the matter to the Land and Environment Court where they were unsuccessful. They then, at their expense, took the matter to the New South Wales Court of Appeal, which unanimously found in their favour.

The Local Government Association could not intervene in the matter without the authority of Leichhardt Municipal Council. Nor could it endorse the payment of contributions by constituent councils to the Balmain Association.

I arranged in January for a QC's opinion on the issue. That opinion clearly indicated that the Government was wrong in what it did. I passed this on to Leichhardt Council, had a long conversation with the Town Clerk, arranged for the LGA in-house lawyer to confer with the Council's Solicitors and urged the Mayor of Leichhardt to speak with me. There was no response. I also indicated that if the Mayor requested LGA assistance we could consider arranging for legal representation and the calling for financial support from councils throughout the State. No response was forthcoming.

The win by the citizens of Balmain is monumental. All of us in Local Government should be most grateful to them. They spent a large sum of money, some of which they will get back as costs went against the Government. They have received many messages of support from Councils, but only one donation from Liverpool City Council because it was not possible for the LGA to recommend support for their fund-raising efforts.

Last week-end I was delighted to be the Balmain Association's guest at the release of extensive architectural and town planning plans they have commissioned through a most reputable competition of architects and planners.

This dispute has been a most important one for Local Government, and its autonomy in fighting against State Government intrusion. We are an Association responsible to our constituent members; however member councils should remain aware of the wider needs of Local Government.

My heart was with the people and the autonomous principles of Local Government. As President I was constrained because council refused to take up our offers of support.

A copy of the Court of Appeal Order is attached.

Please bring this matter to the attention of your Council."

The whole matter has been one of some considerable controversy locally, and at the State level. Recently, the Northern Herald contained criticism from Mosman Council of the Local Government Association's President on the basis that notwithstanding the position of Leichhardt Council legal advice was sought at the Association's cost, contrary to the member council's position. I have written and requested the President to advise the basis of that so that the matter can be further considered by this Council.

The matter is submitted for the Council's information. ✓

Alderman Wendy Sledge
MAYOR

Minutes of the Meeting of the Management Executive Committee held on Wednesday 13th March 1991, in the Staff Meeting Room at 12 noon.

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Present: G. McCully, Town Clerk/General Manager; L. Weatherstone, Manager of Financial & Administrative Services; G. Falson, Manager of Town Planning; J. Brown, Chief Librarian; P. Krix, Administration Manager; C. Daley, Manager of Operations; R. Gilmore, Manager of Engineering Services; R. Clifford, Deputy Manager Environment & Building Services.

1. **PERSONAL INJURIES DAMAGES BILL AND OCCUPATIONAL LIABILITY BILL.** The Attorney General had provided details of the Bills that have a major impact on Local Government Operations, affecting both the tort liability of Council as well as their professional staff.

In introducing the Bill into the Parliament, the Attorney General indicated that authorities such as Councils, voluntary associations and all professionals have increasing difficulty in obtaining and maintaining reasonably priced insurance cover for liability for personal injury arising out of their activities. A recent survey undertaken by the Local Government Ministers of Australia and New Zealand indicated that 31.7% of local councils in New South Wales, have withdrawn, or are considering the withdrawal of many services including parks and public facilities, pools, patrolled beaches and skateboard facilities, due to the cost of insurance. With these issues in mind, there has been a review of the tort liability with the aim to promote the availability of affordable tort liability insurance, promote availability of reasonable levels of compensation for injured plaintiffs and to encourage risk minimisation and effective risk management.

It is noted that Westpool is to make a submission on behalf of all its member Councils to the Attorney General. There was no further action required by individual Councils.

2. **LIBRARY OVERDUES.** It was noted the number of borrowers that had not returned books and the present system whereby they were deleted was not entirely satisfactory. A further step is to be taken with a concerted effort on telephone calling to the individuals and that to be re-assessed in three months.
3. **ROADSIDE ADVERTISING STRUCTURES.** A continuing problem with signs on roadways outside the main towns and villages was noted. It was suggested that, to provide an alternative to these signs, improve traffic safety and, perhaps in the long-term, improve the services provided by local businesses, "an accredited tourist facility". In the first instance the matter is to be referred to Tourism Hawkesbury for its consideration and advice.

4. **WSROC PROJECTS.** Advice that their priority projects for 1990/91 are in accordance with the Council's submitted priority list and include: resource sharing, joint training and award restructuring, road funding, public transport, environmental and health issues affecting Western Sydney and an economic development strategy for Western Sydney.
5. **STAFF MATTERS.** The following are recommended to have "Approved Courses of Study" in accordance with Council's policy: Ordan Josevski, Works Superintendent Course at TAFE; Gay Oatley, Introduction to Welfare at TAFE; Vivian Archer, Public Relations Certificate at TAFE; Stuart Dixon, Bachelor of Urban & Regional Planning, University of New England; Marion O'Reilly, Advanced Certificate Computer Programming at TAFE; Kerry Monzo, Associate Diploma Business - Records and Information Systems at TAFE; Tracey Marklew, Library Associate Diploma at TAFE.
6. **SUBDIVISION - ENGINEERING REQUIREMENTS - CROWN AND CROWN RESERVE ROADS.** It was noted that subdivisions involving Crown and Crown Reserve Roads, where these are not dedicated, are becoming an issue with subdivisions. They are not directly addressed in the Council's Policy and, accordingly, the Engineering requirements for subdivisions, including Crown and Crown Reserve roads, are to be reviewed and reported to Council.
7. **PREFERENCE FOR AUSTRALIAN GOODS.** It was noted that the Act has been amended where the prescribed rate of preference to be given to Commonwealth goods over foreign goods (other than New Zealand goods) is 20%. The Act provides that a percentage may be prescribed for a rate of preference to be given to Australian goods over foreign goods by Councils when purchasing or obtaining goods.
8. **REVIEW OF ARCHIVAL RECORDS.** While discussions are being finalised regarding the Department of School Education's use of the land at Wilberforce, their possible use of the Wilberforce building and an extension to the library, the overflow from archives is to be located in a suitable area of the Wilberforce building. It was noted that it is expected that discussions in these preceding matters would be reported to Council within three months.
9. **LIBRARY MEMBERSHIP POLICY FOR TEENAGERS.** It was discussed that the current policy, where teenagers 15 years of age join the library and undertake their own responsibility by signing the registration card, in pure legal contractual terms should be raised to 18 years. It was decided that, at this stage, until there is some specific problem indicated, the age should remain at 15 years to encourage responsibility.
10. **LOCAL GOVERNMENT ACCOUNTING REVIEW.** Advice from the Department indicated that the new accounting standard will be

promulgated by 30 June 1991. Although the standard will not be implemented for some time, there is a need to prepare, for the Council, the consequences of the change. Two major changes to the present Local Government Financial Reporting System are proposed, with the adoption of a commercial format and full accrual accounting. The full accrual accounting will require the capitalisation of infrastructure assets, such as, roads and bridges, the cost of which under the present system of accounting is treated as an expense for the period only. The Manager of Engineering Services and Manager of Financial and Administrative Services to prepare a detailed report on the consequences of this matter for the next meeting and subsequent report to Council.

G.M. McCully
Town Clerk/General Manager

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...

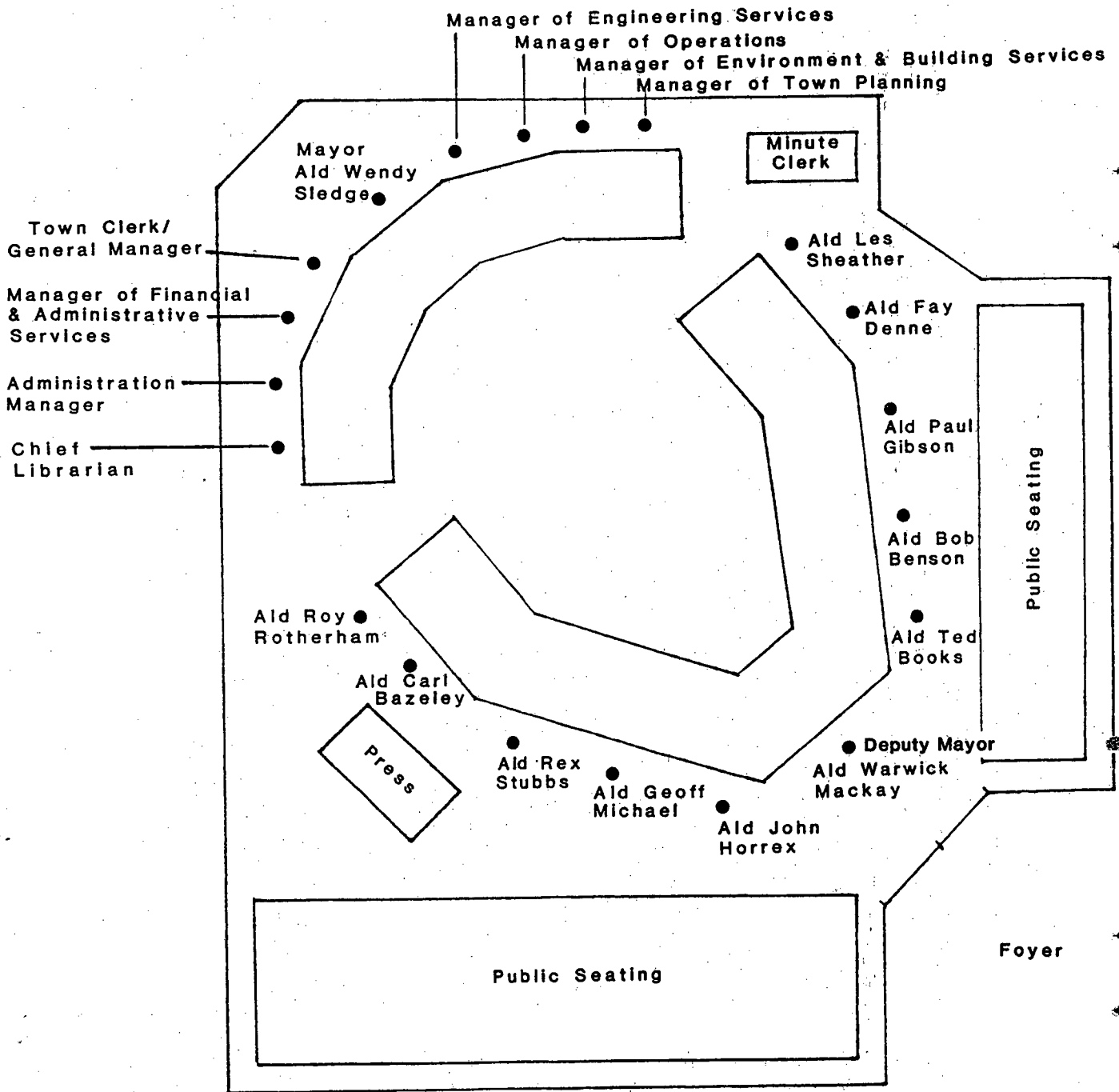
Members of the public can request to speak about a matter that is before the Council at the General Purpose Committee Meeting. The Mayor will invite interested persons to address the Committee when the matter is being considered.

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



MINUTES OF MEETINGS

ORDINARY MEETING - 12TH MARCH, 1991

SPECIAL MEETING - 22ND MARCH, 1991

SECTION 1

Minutes of the Meeting of the Council of the City of Hawkesbury held at the Council Chambers, Windsor, on 12th March, 1991, commencing at 7.30pm.

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.

The Reverend John Butler of St. Matthews Anglican Church, Windsor, on behalf of the Hawkesbury Ministers Fraternal, gave the opening prayer at the commencement of the meeting.

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

- 44 RESOLVED on the motion of Alderman Michael seconded by Alderman Sheather that the apology be accepted.

SECTION 1 - MINUTES OF MEETINGS

CONFIRMATION OF MINUTES

- 45 RESOLVED on the motion of Alderman Bazeley seconded by Alderman Sheather that the Minutes of the Ordinary Meeting of Council held on 12th February, 1991, having been circulated amongst the members of Council, be confirmed.

MAYORAL MINUTE

1. SUBMISSION TO THE ELECTORAL COMMISSION. GE1/5 PT.1

- 46 RESOLVED on the motion of Alderman Sledge seconded by Alderman Bazeley that the Mayoral Minute be received.

SECTION 2 - NOTICE OF MOTION

Nil.

SECTION 3 - REPORT OF GENERAL PURPOSE COMMITTEESECTION 2 - PLANNING AND DEVELOPMENTITEM 5 - HOME ACTIVITY - WHOLESALE PASTRY COOKING -
J & L R VONCINA - LOT 1, DP 740479, 1176 EAST KURRAJONG
ROAD, EAST KURRAJONG, DA 10/91

Item 7 - Planning Section - Reports for Determination - was considered in conjunction with Item 5 above.

Moved by Alderman Sheather seconded by Alderman Bazeley that the application be refused due to the following reasons :

1. The use is inconsistent with the rural residential lifestyle objectives of the Rural 1(c1) zone.
2. Does not comply with the Hawkesbury LEP, 1989 "home activity".
3. Is not in the public interest.

The motion was lost.

47. RESOLVED on the motion of Alderman Michael seconded by Alderman Books that the application be approved generally in accordance with the plan submitted, subject to compliance with the following conditions:

1. Compliance with the following requirements of a "home activity" as defined under HLEP, 1989.

"the activity shall not -

- (i) *interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise;*
- (ii) *involve exposure to view from any public place of any unsightly matter;*
- (iii) *require the provision of any essential service main of a greater capacity than that generally available in the locality;*

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

2. No retailing is to be carried out from the site.
3. The use shall operate from Mondays to Fridays and on Sundays, and shall not interfere with the amenity of the locality by reason of the emission of noise and/or light. This condition will be reviewed after a period of 6 (six) months.
4. All deliveries, with the exception of 1 (one) only departure on Tuesdays, are to be carried out after 7.30am.
5. The external walls of the shed are to be painted to ensure the building blends with the landscape of the site and its surroundings.
6. Access to the site shall be restricted to the existing driveway.
- 7-9 Standard Conditions (DAs): 33, 38, 102.

ITEM 7 - TYRE STORAGE - R & S CARROLL - LOT 19, DP 259650, 18 THRELKELD DRIVE, CATTAL DA 387/90

Item 6 - Planning Section - Reports for Determination - was considered in conjunction with Item 7 above.

- 48 RESOLVED on the motion of Alderman Rotherham seconded by Alderman Denne that the application be refused due to the following reasons :

1. The use is inconsistent with the rural residential lifestyle objectives of the Rural 1(c) zone.
2. The proposal is unacceptable in terms of traffic impact on Threlkeld Drive and would change the local amenity by the introduction of commercial truck traffic.
3. Not in the public interest.

ITEM 12 - ARNDELL COLLEGE - THRELKELD DRIVE, CATTAL
DA 285/90 DA 402/89

Item 3 - Planning - Reports For Determination - was considered in conjunction with Item 12 above.

49 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Rotherham that :

A. Development Consent to establish 3 (three) additional portable classrooms be approved subject to:

1. The compliance with Conditions 14 & 18 of Development Consent No. 402/89, by the 31st December, 1991.
2. The compliance with Condition No 19 of Development Consent No 402/89, by 30th April, 1991 (ie, payment of an amount of \$1094) (one thousand and ninety four).
- 3-5 Standard Conditions (DAs) 31, 100 and 102.
6. 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.
7. Standard Condition (Das) 73.
8. 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.
9. The floor levels of the portable classrooms to be at or above 15.2 (fifteen point two) metres, Australian Height Datum.
10. The school is to cease operation and all temporary buildings etc. are to be removed from the site by 1st February, 1993.

11. Payment of a contribution of \$1,165 (one thousand one hundred and sixty five) towards the maintenance of the access road from Cattai Road as from 28th February, 1991 and payable by 30th April, 1991.
- B. That the applicant be required to carry out minor gravel strengthening of the pavement of the internal access drive with an application of a one coat bitumen emulsion seal to act as a dust suppressant; such work to be completed by 30th April, 1991.

SECTION 3 - FINANCE

ITEM 8 - RECREATION AND SHOWGROUND FACILITIES - CLARENDON GT50/6PT1

Alderman Sheather declared an interest in this matter.

- 50 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Rotherham that the Report of the General Purpose Committee Meeting held on 26th February, 1991 as recorded on Pages 1 to 24 of the Minutes of the General Purpose Committee Meeting, be adopted with the exception of :

Section 2 - Planning & Development

Item 5 - Home Activity - Wholesale Pastry
Cooking - J & L R Voncina - Lot 1, DP 740479,
1176 East Kurrajong Road, East Kurrajong, DA 10/91

Item 7 - Tyre Storage - R & S Carroll - Lot 19,
DP 259650, 18 Threlkeld Drive, Cattai, DA 387/90

Item 12 - Arndell Cottage - Threlkeld Drive,

Cattai, DA 285/90 DA 402/89

which have already been considered by Council - Minutes Nos. 47, 48 and 49.

SECTION 4 - REPORTS FOR DETERMINATIONFINANCE AND ADMINISTRATION1. PENSIONER REBATES. R186-3

- 51 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Denne that application be made for subsidy in respect of rates owing by pensioners, written off or reduced in 1990/1991 and previous years, and that an undertaking be made under the Seal of Council in respect of the writing off or the reducing of rates owing by pensioners in pursuance of Section 160AA of the Local Government Act and that proceedings shall not be taken for their recovery.

2. CONTRACTS AND DOCUMENTS FOR EXECUTION UNDER SEAL OF COUNCIL. GW 1/3 PT1, 3104-1C, GC 283/48 PT1, GC 283/52 PT1

- 52 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Michael that the Seal of Council be affixed to the following documents:

- | | |
|-------|--|
| Lease | 24 Stewarts Lane, Wilberforce to Mr J T Clements and Mrs S A Clements for a period of 6 (six) months and continuing on a month to month basis thereafter. Commencing rental \$175 (one hundred and seventy five) per week. |
| Lease | 45 Berger Road, South Windsor to Mr A & Mrs L Eather for a period of 6 (six) months and continuing on a month to month basis thereafter. Commencing rental \$150 (one hundred and fifty) per week. |
| Lease | Lease of Lot 192 DP 729625 The Driftway (South Windsor Waste Depot site) from the University of Western Sydney at an annual rental of \$500.00 (five hundred) plus a tipping levy of \$1.00 (one) per tonne. Term of the lease is fifteen (15) years or until the depot is filled, if earlier. |

Caveat Removal of caveat relating to provisions of road widening and closure of road no longer required - Lot 1 Lower Colo Road, Colo - A B & L C Coates.

3. STAFF MATTERS - RESIGNATIONS. S1/8P

- 53 RESOLVED on the motion of Alderman Michael seconded by Alderman Stubbs that the resignations be received and references be issued under the Common Seal of Council.

4. LOCAL GOVERNMENT ASSOCIATION ANNUAL CONFERENCE - 1991 GP 27/3 PT1

- 54 RESOLVED on the motion of Alderman Sheather seconded by Alderman Stubbs that Council nominate its four delegates to the 1991 Local Government Association Annual Conference with Aldermen Sledge, Bazeley, Sheather and Benson being elected as Council's delegates.

5. DELEGATION OF AUTHORITY. GF 10/23 PT1, GM 1/3, GM 1/3 PT1

- 55 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Michael that:
- (A) Schedule 17 to Clause 2.9 of the Council's Delegations to the Fire Control Officer, William Rodger, have the following addition - Fire Control Officer is authorised to provide assistance by Bush Fire Brigades in accordance with the regulation to the Bush Fires Act 1949 relating to voluntary work by Bush Fire Brigades.
 - (b) Pursuant to Schedule 13 to Clause 2.9 of the Council's Delegation to Health and Building Surveyors, Michelle Monica McLennan and Wayne John O'Connor be appointed as authorised officers under the provisions of:-
 - (a) Section 79 of the Food Act, 1989.
 - (b) Section 65 of the Public Health Act, 1902.

- (c) Section 5 of the Clean Air Act, 1961, other than for scheduled premises.
- (d) Section 13 of the Swimming Pools Act, 1990.
- (c) The two staff members be congratulated by Council.

6. BUSH FIRE ESTIMATES 1991/1992. GF 10/44 PT1

- 56 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Sheather that the 1991/1992 Bush Fire Estimates be approved and submitted to the Department of Bush Fire Services.

7. NEPEAN - HAWKESBURY CATCHMENT MANAGEMENT COMMITTEE. GP 21/1 PT1, GA 30/3 PT1

- 57 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Bazeley that Council nominate the names of 3 (three) delegates to be submitted to the Minister for the Environment for selection of a representative on the Nepean-Hawkesbury Catchment Management Committee - the nominations being Aldermen Michael and Sheather and the Town Clerk/General Manager.

8. HAWKESBURY DISTRICT ADVISORY COMMITTEE - NATIONAL PARKS & WILDLIFE SERVICE. GA 30/3 PT1

- 58 RESOLVED on the motion of Alderman Sheather seconded by Alderman Mackay that :
- 1. A report be brought forward to the next Committee Meeting in relation to the Council's position in any Committees in the Hawkesbury City Council area with the National Parks & Wildlife Service.
 - 2. The Minister, The Hon. Tim Moore, be informed of Council's position.

ENGINEERING1. CONTRACT - FOOTPATH CONSTRUCTION - WINDSOR STREET, RICHMOND. CONCRETE PAVERS. T230-5, T230-6, T230-7.

59 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Benson that:-

1. Action be taken to terminate the contract between Council and C.J. Moussa & Sons Constructions for paving works.
2. Bernard Knight Concrete Services be engaged to undertake the completion of paving work in Richmond at a base rate of \$47.66 (forty seven dollars and sixty six cents) per square metres for supply and placement of pavers.

2. ATTENDANT - GOVERNOR PHILLIP PARK RECREATION AREA AND BOAT RAMP. 625-205

60 RESOLVED on the motion of Alderman Benson seconded by Alderman Stubbs that a twelve (12) month extension of contract works as Attendant at Governor Phillip Park Recreation Area and Boat Ramp be granted to J. Burden at the annual sum of \$32,400 (thirty two thousand four hundred dollars).

3. 31ST ANNUAL FLOOD MITIGATION CONFERENCE, PORT MACQUARIE - 15-17TH MAY, 1991. GR 60/3 PT1

61 RESOLVED on the motion of Alderman Sheather seconded by Alderman Stubbs that Council nominate three (3) representatives to attend the 31st Annual Flood Mitigation Conference with Aldermen Denne, Michael and Sheather being nominated the three voting representatives.

4. DRAINAGE WORKS - 1990/91 LOAN PROGRAMME. GF 14-4 PT1

- 62 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Bazeley that works funded from the 1990/91 Loan Programme be amended as follows:-

Bandon Road/Windsor Road/Old Hawkesbury Road - Drainage Channel	\$ 18,500 (eighteen thousand five hundred dollars)
Gorricks Crossing - Concrete slab	\$ 11,500 (eleven thousand five hundred dollars)

subject to payment of a contribution from the local residents of \$11,500 (eleven thousand five hundred dollars) towards the project.

5. RE-OPENING THE TERRACE, WINDSOR. P160/36

Moved by Alderman Books seconded by Alderman Benson that Council proceed with the opening of The Terrace with :

1. The closure of The Terrace at Windsor Bridge in conjunction with the re-opening and provision of traffic control devices as indicated on the plans, between Tebbutt Street and the entrance to Hollands Paddock Car Park.
2. Provision of layback crossing entry into The Terrace at Tebbutt Street.
3. No action being taken to restrict access to Moses Street from Richmond Road at this stage as shown on the plans displayed at the meeting.

The motion was lost.

- 63 RESOLVED on the motion of Alderman Rotherham seconded by Alderman Sheather that no further action be taken and the status quo remain.

HEALTH AND BUILDING1. RECYCLING. GW 10/11 PT1

- 64 RESOLVED on the motion of Alderman Sheather seconded by Alderman Stubbs that Council decline to accept any of the tenders submitted and advertise for fresh tenders based on a more flexible specification.

PLANNING1. UNAUTHORISED BOAT RAMPS ON THE HAWKESBURY RIVER WITHIN THE AREA OF EBENEZER. DA 277/90

- 65 RESOLVED on the motion of Alderman Sheather seconded by Alderman Stubbs that all land owners of properties containing unauthorised boat ramps be notified and that they be requested to submit development applications seeking consent from Council.

2. FLOODLIT GOLF DRIVING RANGE - LOTS 4 AND 5, DP 802017 COX STREET, SOUTH WINDSOR. DA 329/90

Item 14 of the Town Clerk/General Manager's Supplementary Report was considered in conjunction with Item 2 above.

- 66 RESOLVED on the motion of Alderman Michael seconded by Alderman Mackay that this item be deferred to the next General Purpose Committee Meeting to allow more detail to be obtained on the matter and a site inspection be carried out.

3. ARNDELL COLLEGE - THRELKELD DRIVE, CATTAL. DA 285/90, DA 402/89

See Minute No. 49.

4. FORMER REGISTRY SITE - CORNER WINDSOR AND BOSWORTH STREETS, RICHMOND - ROADS AND TRAFFIC AUTHORITY. LEP 4/90

- 67 RESOLVED on the motion of Alderman Michael seconded by Alderman Stubbs that the draft Local Environmental Plan as amended be supported and that the matter be referred to the Department of Planning for final gazettal.

5. ADDITIONAL AMENDMENT TO HAWKESBURY LOCAL ENVIRONMENTAL PLAN, 1989. LEP 1/91

- 68 RESOLVED on the motion of Alderman Sheather seconded by Alderman Stubbs that the definition of 'home activity' be amended to incorporate the words "or in the model provisions".

6. DEVELOPMENT APPLICATION - TYRE STORAGE - LOT 19 DP 259650, NO. 18 THRELKELD DRIVE, CATTAL. DA 387/90

See Minute No. 48.

7. HOME ACTIVITY - WHOLESALE PASTRY COOKING - LOT 1, DP 740479, 1176 EAST KURRAJONG ROAD, EAST KURRAJONG - J & L R VONCINA. DA 10/91

See Minute No. 47.

8. VARIATION TO TRADING HOURS - FITZROY HOTEL, GEORGE STREET, WINDSOR. 1492(W)

- 69 RESOLVED on the motion of Alderman Sheather seconded by Alderman Stubbs that Council advise the Liquor Licensing Court that it does not agree to the extension of trading hours for the Fitzroy Hotel.

9. DEPARTMENT OF PLANNING - DRAFT GUIDELINES FOR
USE IN ASSESSING STATE ENVIRONMENTAL PLANNING
POLICY NO.5 (AGED AND DISABLED HOUSING)
DEVELOPMENT. GT 190/3 PT1

70 RESOLVED on the motion of Alderman Sheather seconded by Alderman Stubbs that:-

1. A submission be forwarded to the Department of Planning indicating Council's concerns in relation to the Draft SEPP 5 Guidelines.
2. The Western Sydney Regional Organisation of Councils be requested to include Council's concerns in their submission to the Minister for Planning and Minister for Local Government, Mr. David Hay.

LIBRARY

1. LOCAL STUDIES - INDEXING WORKSHOP FOR
VOLUNTEERS.
GL 20/31 PT1

71 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Michael that the Indexing Workshop for Volunteers be funded by sharing the costs of \$300 (three hundred dollars) between the Hawkesbury Family History Group and Council.

SECTION 5 - REPORTS FOR INFORMATION

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

Alderman Rotherham declared an interest in respect to Subdivision No. S90/256 as shown on Page 2 of the report.

2. BUILDING APPLICATIONS. B25
3. AUSTRALIANA PIONEER VILLAGE. GP20/13
4. COMMUNITY SERVICES REPORT - FEBRUARY. GC140-1 PT1

5. ARREARS OF RATES AND CHARGES. GR10/13 PT 1
 6. WILBERFORCE SCOUT HALL. 1064C
 7. DEVELOPMENT APPLICATION NO 29/90 - VILLA UNIT DEVELOPMENT - PART LOT 4 DP 63286, SECTION 2, NO. 354 WINDSOR STREET, RICHMOND. DA 29/90
 8. PUBLIC WORKS. S205/3/A
 9. TREE PRESERVATION ORDER APPLICATIONS. P160/30
 10. REPLACEMENT OF PARK AND STREET LITTER BINS. P160/30
 11. TREE PRESERVATION ORDER APPLICATIONS. P160/30
 12. REPORTS REQUESTED BY COUNCIL - STATUS AS AT 12TH MARCH, 1991. C50-1
 13. VARIATION TO TRADING HOURS - FITZROY HOTEL, GEORGE STREET, WINDSOR. 1492(W)
 14. FLOODLIT GOLF DRIVING RANGE - LOTS 4 AND 5, DP 802017 COX STREET, SOUTH WINDSOR. DA 329/90
- 72 RESOLVED on the motion of Alderman Michael seconded by Alderman Denne that the reports in this section be received.

SECTION 6 - REPORTS OF COMMITTEES

HERITAGE ADVISORY COMMITTEE MEETING - 7TH NOVEMBER, 1990

- 73 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Benson that the Minutes of the Heritage Advisory Committee Meeting held on 7th November, 1990 as recorded on Pages 1 to 4 of the Minutes of the Meeting, be received.

COMMUNITY ENVIRONMENT COMMITTEE MEETING - 30TH JANUARY, 1991

- 74 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Benson that the Minutes of the Community Environment Committee Meeting held on 30th January, 1991, as recorded on Pages 1 and 2 of the Minutes of the Meeting, be received.

SECTION 7 - CORRESPONDENCE FOR INFORMATION

1. COLLAPSE OF THE NATIONAL EMPLOYERS MUTUAL GENERAL INSURANCE ASSOCIATION LIMITED. I112-1
2. APPOINTMENT OF NEW MEMBER - LOCAL GOVERNMENT GRANTS COMMISSION. GC71
3. LOCAL ROADS GRANT - HON. BOB BROWN MP, FEDERAL MINISTER FOR LAND TRANSPORT. GG21/26 PT1
4. MACDONALD VALLEY PUBLIC SCHOOL - PLAYGROUND EQUIPMENT, ST ALBANS. GP90/6 PT1
5. SOUTH CREEK FLOODPLAIN MANAGEMENT STUDY - WILLING & PARTNERS. GR60/6 PT1
6. CONSTRUCTION OF THE F2 CASTLEREAGH FREEWAY - WAL MURRAY, DEPUTY PREMIER, MINISTER FOR ROADS. GR110/5 PT1, GT230/13 PT1
7. INCREASED OPENING HOURS OF THE HAWKESBURY LIBRARIES - FRIENDS OF HAWKESBURY LIBRARY - GL20/8 PT1
8. FINANCIAL INSTITUTIONS DUTY - THE HON KEVIN ROZZOLI, M.P. GF16/6 PT1
9. HAWKESBURY LOCAL STUDY RECORDS, WINDSOR LIBRARY - MRS CECILY RYAN, PROGRAMME DIRECTOR, CENTRAL COAST FAMILY HISTORY GROUP INC. GL20/7 PT1
10. THE HON K ROZZOLI, MP, - MEMBER FOR HAWKESBURY - LETTER FROM ASSISTANT MINISTER FOR ROADS - MICHAEL YABSLEY. LEP4/90.
11. ASSISTANCE GIVEN DURING RECENT SEVERE STORM - STATE EMERGENCY SERVICES. GC180/1 PT1
12. LOCAL GOVERNMENT AND SHIRES ASSOCIATIONS OF NSW - GENERAL CIRCULAR NUMBER 2, 8TH FEBRUARY 1991. GC70/4 PT1
13. OPEN DAY - RICHMOND COMMUNITY SERVICES INC. GC90/3 PT1
14. RICHMOND COMMUNITY SERVICES INC - CHANGE IN SERVICE HOURS. GC90/3 PT 1
15. LOCAL GOVERNMENT AND SHIRES ASSOCIATIONS OF NSW - GENERAL CIRCULAR NUMBER 3. 1ST MARCH, 1991. GC70/4 PT1
16. DRAG BOAT RACERS OF AUSTRALIA. 625-205

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

SECTION 8 - OTHER REPORTS

- 76 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Benson that the reports in this section be received.

SECTION 9 - SUPPLEMENTARY REPORTSFINANCE AND ADMINISTRATIONREPORTS FOR DETERMINATION9. ROUSE HILL SEWERAGE TREATMENT PLANT - PROPOSED. GS41/1 PT1

- 77 RESOLVED on the motion of Alderman Michael seconded by Alderman Stubbs that this report be forwarded to the Water Board as the Council's comment on the on the Environmental Impact Statement for the Rouse Hill Sewerage Treatment Plant.

REPORTS FOR INFORMATION13. VARIATION TO TRADING HOURS - FITZROY HOTEL, GEORGE STREET, WINDSOR. 1492(W)

See Minute No. 69.

14. FLOODLIT GOLF DRIVING RANGE - LOTS 4 AND 5, DP 802017 COX STREET, SOUTH WINDSOR. DA 329/90

See Minute No. 66.

QUESTIONS WITHOUT NOTICE

Alderman Rotherham asked if Council could send some flowers and a Get Well message to Mrs. Sheila Benson, wife of Alderman Benson, as she has been in hospital now for nine weeks and has been quite ill.

Alderman Rotherham asked if he could have a report with a recommendation on revised dress rules for Council's staff. He stated that he would like to see some comment on whether open neck shirts could be allowed to be worn.

Alderman Rotherham asked if he could have a report with a recommendation concerning a possible change of General Purpose Committee procedure to allow applicants to speak after objectors.

Alderman Rotherham asked if he could have a report in order to lay to rest the persistent rumour out in the community that one of the Aldermen of Hawkesbury City Council has been charged by Police with a sexual assault upon a juvenile male.

The Mayor stated that she would confer with the Town Clerk and have a report on that.

Alderman Bazeley referred to a media release from the Minister for Local Government & Planning proposing a Building Applications Bill to go into Parliament in this Autumn Session. Part of that media release was that the Draft Exposure Bill is being sent to all local Councils for their comment and asked the Town Clerk/General Manager if comments have been made.

The Deputy Manager of Environment & Building Services advised that Council has received a copy of the Draft Bill but there were no comments made because there was no problem with it.

Alderman Bazeley asked if the matter could be reported to Council.

Alderman Stubbs stated that it has been reported to him that the 60kph sign in Gorricks Lane, Freemans Reach has disappeared.

The Manager of Operations advised that the Roads & Traffic Authority has been advised and Council is waiting for the Authority to put the sign back up again.

Alderman Stubbs stated that recently there has been kerbing and guttering carried out in Buckingham Street, Pitt Town east of the school as part of a private subdivision leaving a section of about 50 metres without kerbing and guttering between the school and the subdivision. He asked if that could be looked at for possible inclusion in a future works programme as it would improve the flow of traffic in Buckingham Street.

Alderman Stubbs stated that he has received a complaint about the garbage bins in the Mall. With regard to the Kable Street section on a Monday night, the bins are coming out at about lunch time and afterwards causing an odour and visual pollution problem. He asked if there is any way this situation could be remedied.

The Deputy Manager of Environment & Building Services advised that discussions had been had with a member of the Chamber of Commerce and it was agreed that the shopkeepers would take their waste carts to a common point at the Kable Street entrance into the Mall in order that the truck could carry out the service from Kable Street without going through the Mall. He stated that he found out to-day that there appears to be a problem and he felt that the best way to overcome the problem would be to get the Chamber to arrange for the shopkeepers on their part to take their waste carts back to their premises early in the morning after they had been serviced.

Alderman Stubbs stated that the complaint was more with the carts coming out at lunch time on a Monday and being there all afternoon. He suggested that they be brought out closer to 5.00 p.m.

The Deputy Manager of Environment & Building Services said that the shopkeepers would be advised in this regard as the service does not start until 7.00 p.m.

Alderman Mackay stated that it had been reported to him by an elderly resident that she has some concerns with the lifting of the footpath in some areas in Brabyn Street between Cox and George Streets, which could pose a danger.

Alderman Mackay stated that there is a danger in Brabyn Street near the old Telecom Depot.

Alderman Mackay asked if a light could be installed in the laneway between Jackson's and the pottery shop leading down to the Windsor Town Centre.

The Manager of Engineering Services stated that this would be investigated and reported back to Council.

Alderman Mackay stated that at McGraths Hill where the improvements have been undertaken at the traffic lights near the hotel, there is a slab barn standing at an angle of 45°. He asked if any measures had been taken by the landowner to prevent it falling onto the road.

The Deputy Manager of Environment & Building Services advised that the barn has been looked at over a number of years, and also quite recently, and advice received is that the barn is quite safe and has been standing at that angle for some years.

Alderman Books stated that he heard on Radio Station 2KA to-day that the Labor Government has stated that they are very disappointed with the lack of recycling within the Hawkesbury and that the Hawkesbury Council is the only one that has not bothered to take up any method of recycling.

Alderman Sheather stated that the same information has been supplied to WESTIR and WSROC.

The Mayor advised that Council does have some recycling facilities and discussions had taken place regarding the need to get the door to door collection started in the best possible way and the need to call for fresh tenders.

Alderman Books asked if the Radio Station could be informed that the statement made by the Labor Government is incorrect.

Alderman Books referred to the holes on the edges of Grose Vale Road at the corners - some holes are up to a foot deep and are very dangerous. He said there are several areas up to Duffy's Shop from North Richmond.

Alderman Books referred to the garbage bins located on the Baulkham Hills side of the river which are always overflowing. He also referred to the odour problem.

The Deputy Manager of Environment Services stated that these bins are serviced three times a week - once by the garbage truck going down to St. Albans and twice by the Parks & Gardens cleaners. He undertook to investigate whether there is a need for more frequent servicing.

Alderman Books referred to the dirty water being sprayed on the paddock at the abattoirs at Wilberforce and stated that he had received two complaints about the odour coming from that area.

Alderman Benson stated that he had received a complaint regarding a property on Lot 104 Lieutenant Bowen Road - it appears that there is a problem with a culvert there which has succeeded in turning the water from the upper side of the road on to a couple of properties. He stated that it would appear that the original condition was that this be piped and it is just an open drain. He stated that the driveway has

been washed away. He asked if this could be investigated during this dry period.

The Manager of Engineering Services stated that the survey work has been done, a design has been prepared and it is shown in Council's programme to be undertaken in July.

Alderman Benson stated that the Soccer Club has asked if it can get a key to the storage shed in Brinsley Park, Pitt Town.

The Manager of Engineering Services stated that arrangements have been made in this regard.

Alderman Benson asked if the Club wished to put up a couple of poles for training lights, would there be any restrictions on Council's part.

The Manager of Engineering Services stated that the Club should contact Council and discuss the arrangements to be made for the installation.

Alderman Denne referred to the condition of the area outside the tip and asked if something could be done to have it cleaned up.

Alderman Sheather referred to the Glossodia Bush Fire Brigade shed. He stated that the concrete has been poured outside the shed at this stage and he asked when the road would be tarred.

The Manager of Engineering Services undertook to investigate this matter with a view to having the work expedited now that the concrete has been poured.

QUESTIONS FROM THE GALLERY

The Mayor then invited Questions from the Gallery.

Mr. Geoff Farrance referred to Item 13 of the Planning and Development Section of the Business Paper - Review and Amendment of Hawkesbury Local Environmental Plan 1989 and asked Council to give very serious consideration to the report which has just been released in regards to Air Pollution and that some consideration should be given to this in future planning. He stated that Hawkesbury in the near future will have one of the highest rates of increase of pollution for the whole of the Sydney Basin.

Mr. Farrance asked what is the Council's view on the reasons for the vote from the local ratepayers in the last Hawkesbury Shire elections in regard to the opening of The Terrace - was it not a majority vote wishing for that to happen.

Mr. Ian Robinson stated that he believes March 24 is the cleanup date and asked if Council is participating in that at St.Albans.

The Mayor stated that if the people want to have a site there and want to clean up, this would be done.

Mr. Robinson stated that there is a broken down car on Settlers Road just opposite his property.

The Mayor stated that this would be investigated.

Mr. Robinson stated that he has been asking for years for the "Ferry Not Operating" sign on the bridge at St. Albans, on St.Albans Road on his side of the ferry to be fixed up. He said that people drive past it as they cannot see it.

Mr. Robinson stated when cars are turning on to the Webbs Creek Ferry, the cars coming from behind them are overtaking and this is very dangerous. He stated that there are no signs to tell people to "Give Way" to traffic. He asked if this could be taken up with the Roads and Traffic Authority.

The meeting terminated at 9.54 p.m.

Submitted to and confirmed at the meeting of Council held on 9th April, 1991.

..... Mayor

Minutes of the Special Meeting of the Council of the City of Hawkesbury held at the Council Chambers, Windsor on 22nd March, 1991, 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, J.J.Horrex, W.J.Mackay, R.F.Rotherham, L.C.Sheather and R.P.Stubbs.

Apologies for absence were received by Aldermen P.E.Gibson and G.G.Michael.

- 78 **RESOLVED** on the motion of Alderman Books seconded by Alderman Rotherham that the apologies be accepted.

TOWN CLERK/GENERAL MANAGER'S REPORT

1. PECUNIARY INTEREST - ALLEGATION BY ALDERMAN C. BAZELEY AGAINST ALDERMAN W.SLEDGE. GA30/2PT1

Alderman Sledge declared an interest in this matter and asked the Deputy Mayor to take the Chair.

The Deputy Mayor, Alderman W.J.Mackay, then Chaired the meeting.

- 79 **MOVED** by Alderman Rotherham seconded by Alderman Denne that the information regarding the alleged breach of Section 46C of the Local Government Act by Alderman C.Bazeley against Alderman W.Sledge be received and Council indicate in its opinion there was no breach and no question to answer and that the advice from Sly & Weignall tabled by Alderman Bazeley be received.

An amendment was moved by Alderman Bazeley seconded by Alderman Benson that Council go into Committee of the Whole.

The amendment was lost.

A further amendment was moved by Alderman Bazeley that in regard to Alderman Wendy Sledge's alleged failure to comply with Section 46C of the Local Government Act, Council request the Town Clerk/General Manager to seek supporting independent opinion evidence as to traffic movement, planning assessment and valuation on the item of re-opening The Terrace dealt with by Council on the 12th March, 1991.

The amendment lapsed for the want of a seconder.

The motion was then put and carried.

The Deputy Mayor then vacated the Chair which was taken by the Mayor.

2. RESTRUCTURING - AWARD AND ORGANISATIONAL GP 20/19 PT.1

- 80 RESOLVED on the motion of Alderman Sheather seconded by Alderman Mackay that the report regarding award and organisational restructuring be adopted.

TOWN CLERK/GENERAL MANAGER'S SUPPLEMENTARY REPORT.

3. AWARD RESTRUCTURING GP 20/19 Pt. 1

- 81 RESOLVED on the motion of Alderman Sheather seconded by Alderman Mackay that the report be received.

The meeting terminated at 8.19 p.m.

Submitted to and confirmed at the meeting of Council held on 9th April, 1991.

..... Mayor.

NOTICES OF MOTION

NOTICES OF MOTIONS

ORDINARY MEETING - 9TH APRIL, 1991

By Alderman J.J.Horrex :

That provision be made in the 1991/92 Estimates to enable preliminary plans to be prepared for the establishment of an athletics track and field facilities. Further the matter be reported as to the possible locations, support that could be forthcoming for joint development with groups or organisations within the City and these matters be submitted prior to the Estimates Meeting.

By Alderman H.J.M.Books :

That when Special Meetings of Council are called, as much notice as possible be given, and consideration be given to ensure all elected members of Council can be present.

(Note : It is accepted there will be occasions when Special Meetings will be called by the Mayor and Town Clerk/General Manager in accordance with the current policy, on short notice. However, with major issues that have been on the agenda for some time, it would be appropriate if these were called with as much notice as possible given to all parties to be present including elected members.)

REPORT OF GENERAL PURPOSE COMMITTEE

SECTION 3

REPORT OF GENERAL PURPOSE COMMITTEE MEETING

26TH MARCH, 1991

I N D E X

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2	Singleton Road Wilberforce - R Vonhoff	4
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7	Enfield Avenue & Matheson Street North Richmond Mr & Mrs M A Bebbington & Residents	11
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1	Torrens Title Subdivision to Create 5 Allotments McKinlay Morgan & Associates - Pt Lot 1 & Lot 2 DP 84599 & Pt Por 19, Parish Currency, Single Ridge & Slopes Roads, Kurrajong	1-2
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3	Car Repair Station - R Currall - Lot 2 DP 561355 "Robec" Cnr Tizzana Rd & Coromandel Rd Ebenezer	6-9
4	Home Activity - Sandwich Preparation & Delivery - Ms Maree Tadich, Lot 21 DP 261139 Pamela Crescent Bowen Mountain	9-11
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6	Two Lot Subdivision - John Bowden & Co - Lot 2 DP 561355 Cnr Tizzana Rd & Coromandel Rd Ebenezer	13-14
7	Tourist Facility Craft Studio/Tea Room - Margaret Hartley - Lots 479, 480, 481 Lieutenant Bowen Rd Bowen Mountain	14-16
8	Two Lot Subdivision - C Baird - Lot 1 DP 717855 & Lot 2 DP 708702 Hanlons Road Bilpin	17-19
9	Truck Depot/Storage of Sullage Trucks - G & J Horswell & Sons - Lot 2 DP 358421 Singleton Rd Wilberforce	19-21
10	Workshed & Relocation of Workshop - R & B Johnston Lot 1 DP 541106, 583 Bells Line of Road Kurmond	21-24
11	Subdivision - 4 lots - Town & Country Planning - Lot 1, DP 38583 & Pt Lt 1 DP 318273 Old Bells Line of Road Kurrajong	24-26
12	Ten Villa Units - P Pickworth & J Godsell - Lot 190 DP 792208 Mileham St Windsor	27-29
13	Professional & Commercial Chambers - J Robinson - Lot 2 DP 31098 No.1 Anschau Crescent Windsor	29-32
14	Real Estate Office & Caryard - Calcorp P/L - Lot A DP 90446 Cnr Macquarie & Brabyn Sts Windsor	33-34
15	Villa Houses - Cvasinni Development P/L - Lots 10 & 13 DP 801358 No 10 Ivory Place & No 3 Langley Place Richmond	34-37
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16	Change of Non-Conforming Use - Plumbing Materials - C D & B Coote - Lot 42 DP 82455 New St Windsor	38-39
17	Landfill - W L Stephenson - Lot 3 DP 546915 Pitt Town Road Pitt Town	39-41
18	Professional Chambers - Auctioneer/Valuer/Real Estate Agent - G White - Lot 2 DP 709165 Cnr Windsor Rd & Rose St Wilberforce	41-45
19	Mushroom Farm Extensions - K King - Lot 496 & Pt Lt 487 DP 751665 & Closed Road No. 2 Salters Road Wilberforce	46-49
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21	Variation of Floor Level Heights - Retail Plant Nursery Building - Lot 2 DP 236785 Windsor Road Vineyard	51
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23	Expansion of Hours of Operation - Time Out Family Entertainment Centre - Lot 10 DP 715152, No. 9 West Market Street Richmond	52-53
24	Floodlit Golf Driving Range - Lots 4 & 5 DP 802017 Cox Street South Windsor	53-54
25	Hours of Operation - Playland Family Amusement Leisure Centre (Anare P/L) Lot 1 DP 544317 No.189 Windsor Street Richmond	54-55
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28	Aurora Meander School - Lot 1 DP 204940 Mountain Avenue Yarramundi	59-60
29	Villa Houses - Lots 10 & 13 DP 801358 Ivory Place & Langley Place Richmond - Cavasinni Developments P/L	60-63
30	Mushroom Farm Extensions - Salters Rd Wilberforce Applicant : K King	63
31	Tourist Facility Craft Studio/Tea Room - Bowen Mountain - Applicant : M Hartley Floodlit Golf Driving Range - Lots 4 & 5 DP 802017 Cox Street South Windsor DA 329/90	63-64 64

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Report of the Meeting of the General Purpose Committee held at the Council Chambers, Windsor on 26th March, 1991, commencing at 9.30am.

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

Apologies for absence were received from Aldermen H.J.M. Books, P.E. Gibson and G.G. Michael and were accepted.

Alderman Bazeley arrived at the meeting at 10.09 a.m.

Alderman Rotherham arrived at the meeting at 11.39 a.m.

SECTION 1 - WORKS

ITEM 1: WORKS COST STATEMENT

COMMITTEE'S RECOMMENDATION

THE WORKS COST Statement to 28th February, 1991, be received and the revised estimates of cost be adopted.

ITEM 2: (File 665-1322)

SUBJECT: CLOSURE MT. IRVINE ROAD

REPORT (M.E.S.)

Council is referred to the report of the Local Traffic Committee, advising that it had no objection to the closure of Mt. Irvine Road.

At the meeting of Council held on 9th October, 1990, it was resolved that action be taken to close Mt. Irvine Road from a point past the access to the last property from Bells Line of Road to, and including, the Bowen Creek bridge, in accordance with the guidelines for road closures as set out by the Traffic Authority of New South Wales.

The Council was advised that following flooding in 1988, repairs were undertaken at a cost of \$26,000. Subsequently, heavy rain in 1989/90 again washed the road out, with Council being advised that the repairs to return the road to a satisfactory standard were estimated to cost \$750,000.

Access will be maintained through to the last property, with the section to be closed within the Blue Mountains National Park. Repairs are required to the bridge across Bowens Creek, with the climb from the creek towards Mt. Irvine in Blue Mountains Council area signposted for four wheel drive traffic.

The proposed closure is to vehicular traffic with access available for pedestrian use, eg; bush walking.

With regard to the representations received, both the Bush Fire Brigade and the National Parks and Wildlife Service are asking that the road be available for use in an emergency and that this could be achieved by the erection of locked gates at each end.

As it is considered that Council is not in a position to vote funds to upgrade the road to a safe and satisfactory standard for conventional vehicles, the installation of gates is supported.

Recommendation

That Mt. Irvine Road be closed with erection of locked gates to allow access for vehicles in an emergency.

Messrs. W. Scrivener, J. Boulton, F. Knowl and N. Hungerford addressed the Committee as objectors to the proposal.

Alderman Bazeley arrived at this stage, the time being 10.09 a.m.

COMMITTEE'S RECOMMENDATION

THAT A CONFERENCE be organised again with the Blue Mountains City Council, the Bushfire Officials, and National Parks & Wildlife Service with the objective of developing a plan to be submitted to the local Members of Parliament for special Government funding.

THAT A SPECIFICATION be prepared for maintenance by the Engineers and this be submitted to Council with the objective of calling for local tender for an ongoing maintenance programme under the supervision of Council.

CORRESPONDENCE

ITEM 2: (File 1927/R)

CORRESPONDENT: MR. R. VONHOFF

SUBJECT: SINGLETON ROAD, WILBERFORCE

Requesting consideration to an appropriate pedestrian facility on Singleton Road, Wilberforce between George Road and King Street.

The Committee was advised that the limited number of pedestrians that cross the road at this location would not provide a warrant for installation of a pedestrian crossing.

Committee's Recommendation

That no action be taken.

ITEM 3: (File T225, S196/32)

CORRESPONDENT: BLIGH PARK PUBLIC SCHOOL

SUBJECT: SIGNS - BUS STOP

Requesting provision of appropriate signs in the vicinity of the bus stop outside the School, preventing cars parking during set down and pick up of school children.

Committee's Recommendation

(See Item 6 Committee's Recommendation [d])

ITEM 4: (File GC30/2 PT1, GM20/2 PT1)

CORRESPONDENT: RETURNED SERVICES LEAGUE OF AUSTRALIA

SUBJECT: ANZAC DAY MARCH AND COMMEMORATIVE SERVICE

Requesting permission to conduct its annual Anzac Commemorative March and Service through the township of Richmond on Sunday, 21st April, 1991, at approximately 2.20pm to conclude at the Richmond War Memorial at 3.30pm.

The march will commence at the Richmond Ex-Servicemen's Club, proceed along East Market Street, turn right into Windsor Street, left into West Market Street, left into March Street and then left into Richmond Park.

Report of the Local Traffic Committee Meeting held on Friday 15th March, 1991, in the Council Chambers at 10am.

PRESENT:

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

Also Present - Mr. R. Gilmore, Manager of Engineering Services
Mr. K. Berzins, Executive Town Planner
Mr. R. Vaby, Project Engineer

APOLOGIES: Alderman H.J.M. Books

CONFIRMATION OF MINUTES:

Moved by R. Searle, seconded by G. Smith that the Minutes of the previous meeting held on 15th February, 1991, be confirmed.

DEVELOPMENT APPLICATIONS

ITEM 1: (File DA19/91)

APPLICANT: J. THOM

LAND & LOCATION: LOTS 1,2,3 & 4 DP 22500 BELLS LINE OF ROAD, KURMOND

SUBJECT: ENLARGEMENT OF EXISTING BP SERVICE STATION

The representative of the RTA advised that they have discussed with the applicant, the need for road works in respect to the earlier development approval.

Committee's Recommendation

That the applicant be requested to submit a plan indicating improvements to be undertaken to provide for entry and exit, kerb and gutter/barriers to control the movement of traffic to and from the development prior to determination of the application.

This ceremony is conducted each year.

Committee's Recommendation

That approval be granted.

ITEM 5: (File 665-1322)

CORRESPONDENT: HAWKESBURY CITY COUNCIL

SUBJECT: CLOSURE MT. IRVINE ROAD (BOWENS CREEK ROAD)

The proposal to close Mt. Irvine Road between a point to the west of the last property in the City area and the bridge over Bowens Creek has been advertised for public comment.

Over fifty (50) letters of objection have been received with one letter of support. The bulk of the objections are from residents/property owners in the Mount Irvine/Mount Wilson area.

The basis of objection is -

1. Additional time required to travel via Mt. Wilson Road to the Kurrajong/North Richmond area. There is one objection from a resident of the City area who travels over the road to work on a property at Mt. Irvine.
2. Requirement for alternative access in the case of snow blocking Bells Line of Road.
3. For emergency use by bush fire vehicles and alternative access from bush fires approaching from the west.
4. Retention for tourist traffic as the route has a high scenic value.
5. Loss of an asset with a number of references made to the original construction work as an unemployment relief project in the 30's.

The National Parks & Wildlife Service has advised as follows:-

"Thank you for notification of your proposal to close the above road.

As you would be aware, this public road traverses Wollemi National Park, although the road easement is not part of the park.

We appreciate that the alignment and construction of the road made its maintenance a difficult task, and also the high costs involved in maintenance.

From our point of view the road is of value for two purposes. It enhances opportunities for park visitors and local tourism, and is also useful for emergency access eg; in the event of bushfire. Its tourism value, although of some significance, must be balanced against the maintenance costs and this is a matter for your Council.

We request that emergency access be retained if the road is closed to the public. This would entail a locked gate with keys available to National Parks & Wildlife Service and Bushfire Brigades, and continuing basic maintenance to 4WD standard. Although the road is not particularly useful for direct firefighting, it does provide a valuable alternative access for moving firefighting resources around the area in an emergency.

You can expect that once traffic on the road is reduced to a minimum through closure to public use, maintaining the road to basic standard will become much easier. Certainly this has been our experience in similar situations.

We would appreciate your advice in due course as to your short and long term intentions for the road."

Representations have also been made recently to Council by the NRMA concerning the road, not in respect to the proposed closure, but in regard to the condition of the first kilometre. Representations from this Organisation are as follows:-

"We have received a report from a member of the NRMA regarding road conditions at the above location.

Our member complains that Mt. Irvine Road, has become almost inaccessible due to constant rain and traffic usage. This situation has caused many difficulties for residents wishing to access their properties.

An NRMA inspection showed that Mt. Irvine Road is unsealed and extremely narrow at certain points. The road surface itself is severely rutted. The road as Council would be aware, was recently closed at a point approximately 1km from its intersection with Bells Line of Road. Our inspection also showed that in wet weather the condition of the road deteriorates considerably. It was also noted that access difficulties were occurring.

The NRMA feels that conditions at this location could be improved by the upgrading of the remaining kilometre of Mt. Irvine Road open for public access. Residents in particular would benefit from the improved accessibility to their properties.

We would be pleased if this matter could be investigated, and the appropriate action taken. Advice of any action would be appreciated in due course."

An inspection has been made with an engineer from Blue Mountains City Council who indicated that their Council would seek to have the road remain open on the basis of bringing the track back to the minimum standard required for conventional traffic.

Blue Mountains Council is currently undertaking an assessment of the cost of repair work required to the bridge at Bowens Creek. From visual inspection it appears that replacement of some of the deck planks and repair of the handrails is required. It was also indicated that the Council may be prepared to contribute towards the repair of the road and that some funds may be available through the bush fire funds. These funds would only be small amounts.

The cost to bring the road back to a satisfactory condition, with due regard to safety, would require a significant allocation of funds by Council. No allocation of funds has been provided in this year's budget. It is therefore proposed that Council should proceed with the road closure and that this be undertaken by erection of a gate and signposting. Subject to agreement to the closure by the Committee, Blue Mountains City Council will be advised prior to consideration to the Traffic Committee's Report by Council at the General Purpose Committee meeting.

Objections -

1. Heidi Pigott, Uncle Petes Toys, land Wynnes Rock Lookout Road
2. Barbara Robson, 29/127 Georgiana Terrace, Gosford
3. Brian Williams, Kurrajong Heights Grass Ski Park
4. G. & P. Naylor, "Booralee" Mt. Irvine
5. Dr. S.J. Lawrence, 7 Merton Street, Rozelle
6. Abbie Clark-Gailey, Christine Bradburn. No address (children)
7. Christopher Brown, 206 Terrace Road, North Richmond
8. Mrs F. Boulton, "Woorailoora" Mt. Irvine Road
9. Mrs Judith K. McMahon, 19 George Street, Greenwich Property, "Irvineholme"
10. Brett Sterling-Lewis, 10 Daines Way, Mt. Irvine
11. N.R. Buchner, 15 Wolsten Avenue, Turrumurra
12. G. Stokman, Powells Road, Bilpin. Travels to work in area.
13. J.R. Prentice, "Cherry Cottage", Quinns Avenue, Mt. Wilson
14. M. Kindler, Bilpin Volunteer Bushfire Brigade
15. John Teulon, "Jalscone" Davis Lane, Mt. Wilson
16. J.A. Telfer, 59 Moraben Road, Mosman. Property "Corybus"
17. K. & E. Raines, "Merny Granth", Mt. Wilson
18. W.H. Nicholas QC, "Selborne Chambers" 174 Phillip Street, Sydney
19. Mount Irvine Progress Association
20. Blue Mountains Tourist Authority
21. Dr. Ian Reid, "Sheko", Mt. Irvine
22. Miss Winsome Anderson, "Winbourne", Mt. Irvine Road
23. Ruth Scille, Lage Pty Ltd, Mt. Irvine Road
24. M. Doujun, Mt. Irvine Road
25. Richard Knight-Brown, "Painui" Mt. Irvine
26. Franklin Fletcher, "Arkley", Church Lane, Mt. Wilson
27. Nevell Hungerford, Berambling Crescent, Bilpin
28. Brian Hungerford, " " "
29. Mrs G. Hungerford, Bilpin District Womens Assoc.
30. Richard Williams, 196 Ryde Road, Pymble
31. C. & E. Brown, 206 Terrace Road, North Richmond
32. Mrs N.J. McMahon, "Greendale", Inberra Road, Bilpin
33. Mt. Tomah Volunteer Bushfire Brigade

34. R.A. Naylor, "Booralee", Mt. Irvine
35. K. Carruthers, "Nutwood Farm", 122 Dones Way, Mt. Irvine
36. Sue & Bruce Gailey, Arcadian, Mt. Irvine
37. K. & R. Howard-Smith, Arellana, Mt. Irvine
38. Bruce Kerridge, 21 Bapaume Road, Mosman
39. Catherine Kerridge, 34 Wrightson Avenue, Newcastle
40. W.P. & R.J. Scrivner, "Kookootonga" Mt. Irvine
41. Mrs H. Naylor, "Booralee" Mt. Irvine
42. Dr. S.M. Larkin, "Bebeah" Queens Avenue, Mt. Wilson
43. Tlett Taiskou, Mt. Irvine Road
44. E.R.S. Kirk, "Milparra", Mt. Wilson
45. F. & J.D. Knowl, "Amberdale" Mt. Irvine Road, Bilpin
46. E. & M. Reynolds "Donna Buang" Church Lane
47. Mt. Wilson Progress Association
48. John Funnell, The Bilpin Association
49. Country Womens Assoc., Mt. Irvine/Mt. Wilson Branch
50. P.R. Naylor, 44 Pitt Town-Dural Road, Maraylya
51. R. & R. Byrne, Lot 3 Old Bells Line of Road, Bilpin
52. Catherine Kerridge "Irvineholme" Mt. Irvine
53. Mark Wells, "Ferngrove" Bells Line of Road, Bilpin
54. Nell *, Tallawong, Mt. Irvine
55. Mr. J. Smith, Fletcher Street, Wentworth Falls

Department of Transport - No Objection

The Committee supported the closure on safety grounds.

Committee's Recommendation

That no objection be made to the closure of Mt. Irvine Road.

ITEM 6: (File P160/46)

CORRESPONDENT: HAWKESBURY CITY COUNCIL

SUBJECT: BLIGH PARK LOCAL AREA TRAFFIC
MANAGEMENT PLAN

Council, at its meeting held on 13th November, 1990, resolved that the proposed Local Area Traffic Management Plan (LATM) for Bligh Park be advertised for public comment prior to the implementation of facilities.

Accordingly, the proposal has been advertised and placed on public exhibition for a period of 28 days which concluded on 27th February, 1991.

A total of four separate submissions have been received and accompany this report. A summary of the submissions are detailed hereunder:-

1. A petition comprising 87 signatures representing 62 households in the area, request the installation of a speed hump and/or pedestrian refuge on Colonial Drive in front of the cycleway for reasons of pedestrian and cycle safety.
2. A. & C. Hagan of 9 Colonial Drive have requested the relocation of the proposed roundabout to the intersection of Colonial Drive and Sirius Road and that a pedestrian refuge be installed in the vicinity of Colonial Drive and Alexander Street intersection.
3. N. & J. Davidson of 1 Jenkyn Place, Bligh Park have requested the urgent installation of a pedestrian crossing in front of Bligh Park Public School and one in Colonial Drive near Alexander Street. In addition, school warning signs, no parking and bus only signs have been requested.
4. Mrs C. Dransfield of No. 7 Harradine Crescent, Bligh Park has requested the installation of a pedestrian crossing in Colonial Drive in the vicinity of the proposed roundabout. In addition, school advisory signs have also been requested in Colonial Drive on the approaches to the school in Alexander Street.

To assist in the evaluation, traffic count data has been provided for Colonial Drive at the intersections of Sirius Road and Alexander Street, Rifle Range Road in front of the high school and Alexander Street. A summary of the traffic count for the two schools sites is listed hereunder:-

Location	Vehicular Traffic 1hr period am (V)	Pedestrian Flow 1hr period am (P)	PV
Rifle Range Road	433	431	186623
Intersection Colonial Drive/Alexander Street	253	201	50853
Alexander Street	103	185	19055

In accordance with Section 4.4.3 of the "Guidelines for Traffic Facilities" it is noted that the installation of a marked footcrossing is justified where the product of measured pedestrian flow per hour (P) and the measured vehicular traffic flow per hour (V) is equal to or greater than 60,000. Furthermore, where a crossing is predominantly used by school children, a (P) value of 30 or greater and a (V) value of 200 or greater may also warrant the installation of a marked footcrossing.

From the information available, it appears that marked footcrossings or other appropriate facilities are warranted in Rifle Range Road and Colonial Drive in the vicinity of the proposed roundabout.

It is also recommended that consideration be given to providing the following additional facilities:-

A. Colonial Drive at the junction with the cycleway.

- traffic device as detailed in the attached report prepared by Stapleton & Hallam;
- or - pedestrian refuge;
- or - threshold with a raised paved section.

Due to the cycle and pedestrian movements, some form of traffic control is considered warranted at this location.

B. Alexander Street in front of the School.

- provision of signs as per the attached plan, namely "No Stopping", "Bus Zone" and "School";
- installation of a marked footcrossing.

Regarding Alexander Street, the pedestrian and vehicular traffic count of 185 and 103 respectively, are expected to increase as a further 400 allotments to the east are developed. Accordingly, a facility in front of the school is considered warranted.

Recommendation to Committee:-

That the following additional traffic facilities be included in the LATM previously approved for Bligh Park:-

- | | | |
|------------------|---|---|
| Colonial Drive | - | Pedestrian crossing be provided immediately west of the proposed roundabout within the pedestrian refuge. |
| | - | A threshold such as a squeeze point with a raised paved section be provided in front of the cycleway. |
| Rifle Range Road | - | A pedestrian crossing be provided in front of the High School west of Sirius Road. Appropriate signposting be provided. |
| | | Concern was expressed that the crossing was on a slight crest and road markings would be required. Further investigations to be undertaken regarding the possibility of creating squeeze points and lighting so as to make the crossing more visible to the motorist. |
| Alexander Street | - | Provision of a pedestrian crossing in front of the School including the installation of "Bus", "No Stopping" and "School" signs at appropriate locations. |

Committee's Recommendation

a) Pedestrian Crossing - Rifle Range Road -

The matter be further reported to the Committee.

- b) That a squeeze point be provided in Colonial Drive at the cycleway.
- c) That a roundabout and pedestrian crossing be provided in Colonial Drive at the intersection of Alexander Street, with the crossing to be situated on the western side of the intersection.
- d) That a school type pedestrian crossing be provided in Alexander Street to the north of Guardian Crescent.

That "No Stopping" signs be provided at the bus bay in Alexander Street and that school signs be provided in Alexander Street on the approaches to the school.

ITEM 7: (File 1309/R, 508/R)

CORRESPONDENT: MR. & MRS M.A. BEBBINGTON & RESIDENTS

SUBJECT: ENFIELD AVENUE & MATHESON STREET, NORTH RICHMOND

Expressing concern regarding the speed of vehicles along Enfield Avenue. Requesting a deterrent such as speed humps in the street.

Also advising that children cross at the intersection of Enfield and Matheson Street, which point is not clearly visible.

The representative of the NSW Police stated that recent surveys had been undertaken in the area showing improvement in driver behaviour.

Committee's Recommendation

That no action be taken.

ITEM 8: (File GT230/8 PT1, GT230/7 PT1, 1907/R)

CORRESPONDENT: MR. W.G. SMITH

SUBJECT: INTERSECTION SLOPES & MADDENS ROADS, NORTH RICHMOND

Requesting installation of "Give Way Sign Ahead" and an additional "Give Way" sign on the right hand side of Slopes Road.

Committee's Recommendation

1. That signs stating "Give Way Signs Ahead" be installed and an additional "Give Way" sign be erected at the intersection positioned to allow traffic earlier warning of the signs.
2. That a double centre line be provided from the safety dome at the intersection to a point around west of the curve.

ITEM 9: (File GT230/1 PT1)

CORRESPONDENT: ROAD SAFETY BUREAU, RTA

SUBJECT: TRAFFIC ACCIDENT DATA

Forwarding traffic accident data for March and June quarter 1990.

Hawkesbury City - 3 killed and 139 injured for this period.

Committee's Recommendation

That the information be received.

ITEM 10: (File 665-2343, 665-258)

CORRESPONDENT: ROADS & TRAFFIC AUTHORITY

SUBJECT: INTERSECTION WINDSOR & BOURKE
STREETS, RICHMOND

The representative of the RTA advised that a further investigation had been undertaken in regard to the proposal to provide traffic signals at this intersection and advised the investigation showed that the installation should not proceed.

Work will be undertaken to upgrade the crossing at St. Monica's School.

Committee's Recommendation

That the information be received.

Date of Next Meeting: 19th April, 1991

The meeting terminated at 11.30am

COMMITTEE'S RECOMMENDATION

THE REPORT BE received and the recommendations be adopted.

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 GETY 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

STUART. 12/4/91

Item 1:	(File S91/12)
Development Application:	Torrens Title subdivision to create 5 allotments
Applicant:	McKinlay Morgan and Associates
Owner:	Estate of C Cantwell
Land and Location:	Pt Lot 1 and Lot 2, DP 84599 and Pt Portion 19, Parish Currency, Single Ridge and Slopes Roads, Kurrajong
Area:	19.05ha
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Rural 1(c1)
Advertising:	Not required
Date Received:	1/2/91

REPORT (M.T.P.)

Proposal

Council has received an application to subdivide the property into 5 allotments, 4 with areas of 4ha and the remaining lot being 3.05ha. All of the proposed allotments have access to both Single Ridge and Slopes Road.

Statutory Situation

The subject property is zoned Rural 1(c1). Clause 11(2)(d) of HLEP, 1989 requires that allotments within this zone must be a minimum of 4ha in area. The proposed Lots 1-4 comply with this requirement however Lot 5 proposes an area of 3.05ha, 23.7% below Council's standard.

The applicant has submitted an objection pursuant to SEPP 1, claiming compliance with the standard is unreasonable and unnecessary on the grounds that:

1. The subject property contains an existing allotment of 3.2ha.
2. Plans detailing the existing subdivision pattern, indicate varying allotment sizes, ranging in areas from 0.18ha to 7.75ha, surrounding the subject property. Thirteen adjacent allotments are below the standard contained in HLEP, 1989.

Lot 2 of DP 84599, contained within the subject property, has an area of 3.2ha. In essence, this application merely relocates the boundary of this allotment.

In addition, it is considered that the proposed subdivision will not create development which is out of character with that existing.

Consequently, it is considered that the applicant's objection are well founded and should receive Council support. In this instance, Council requires the concurrence of the Director of the Department of Planning.

Planning Comments

The subject property is characterised by its topography with both sides (road frontages) sloping down towards the centre of the site where a number of dams and overflow channels are present. An easement for electricity transmission lines, approximately 25m wide, runs along the eastern property boundary.

The proposed Lot 2 will contain an existing dwelling house, whilst suitable building sites are located on the other allotments.

The site contains a number of trees however for the most part, these are located towards the centre of the property, away from the most likely building sites.

Under Council's Bushfire Mitigation Policy, the subject land is identified as being within a moderate bush fire risk area. Although details of access have not been submitted, it is considered that the nature of the subdivision will ensure suitable egress in the event of fire.

As such, it is considered that this application is suitable for approval, subject to appropriate conditions.

Recommendation

- A. That the applicant's objections pursuant to SEPP 1 be supported.
- B. That the concurrence of the Director of the Department of Planning be requested.
- C. Upon the receipt of concurrence of the Director, the application be approved subject to the following conditions:
 - 1. The subdivision be carried out generally in accordance with the submitted plan dated 17/12/90.
 - 2-9. Standard Conditions (Subdivision): 1, 3, 5, 10 (\$4,842) (four thousand eight hundred and forty two), 18 (\$1,270) (one thousand two hundred and seventy), 30, 40, 41 (\$260) (two hundred and sixty).

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 2: (File DA 4/91, S91/4) *Chen 12/4/91*
Development Application: Integrated Housing Development comprising
10 dwelling houses
Applicant: Robert Whelan (Goldris Pty Ltd)
Owner: Goldris Pty Ltd
Land and Location: Lots 53 - 57, DP 802290, corner Grainger and
Fulton Place, North Richmond
Area: 4054.2 square metres
Zoning: Hawkesbury Local Environmental Plan, 1989 -
Residential 2(a)
Advertising: Not notified as applicant owns surrounding
land
Date Received: 10/1/91

REPORT (M.T.P.)

Proposal

The application is made to gain approval for a 10 lot integrated housing/land package comprising of 10 x 3 bedroom dwellings with single-lockup garages upon land in the Kemsley Downs residential estate. The integrated housing/land development is designed to allow a zero lot line setback (minimum 200mm) from side property boundary line with appropriate easements on adjacent landholdings in order to guarantee maximised land development and yet makes provision for four (4) different housing designs.

A subdivision application has also been lodged for a 10 lot Torrens Title subdivision in order to allow an individual landholding per dwelling house. The subdivision will comprise lots of 329m², 341m², 357m², 386m², 410m², 413m², 426.7m², 477m², 506.5m² and 508m².

Statutory Situation

The development of zero lot line integrated housing is permissible in land zoned Residential 2(a) with Council's consent.

Clause 12(1)(a) of HLEP, 1989 requires a minimum area of 450m² in this zone. The proposed lots 2, 3, 4, 5, 6, 8 and 9 vary from 329m² to 426.7m² and as such do not comply with this Clause.

Council however has the power under SEPP1 to vary the minimum standard for subdivision in residential zones provided that it is satisfied that the standard is unreasonable and unnecessary in the circumstances of the case.

The applicant has submitted an objection pursuant to SEPP1 which considers compliance with the standard unreasonable and unnecessary on the grounds that:

- through sensitive sitings, the proposed allotments are adequate to accommodate dwellings with associated private open space and acceptable levels of sunlight;
- the dwellings are sited to ensure adequate levels of privacy; and

- the orientation of indoor and living areas ensures that adequate levels of sunlight are achieved.

Planning Comments

The subject site is a total of 4054.2m² in area and slopes gradually upwards from Grainger Place. The adjacent properties are zoned Residential 2(a) and are presently undeveloped.

For the most part, the dwellings are setback from the side boundaries a minimum of 0.9m, however, the setback for some dwellings is reduced to 0.2m. Where a 0.2m setback is provided, a maintenance easement should be required. A suitable condition to that effect can be imposed on consent.

The proposed allotments are orientated north/south where possible, with the remaining lots constrained by the existing subdivision pattern. This feature, coupled with the location of the dwellings, ensures adequate solar access to the courtyards between the hours of 9.00am and 3.00pm.

The proposed dwellings maintain adequate levels of privacy, are satisfactory in size and allow for private open space in excess of 119m².

As such, it is considered that the applicant's objection pursuant to SEPP1 is well founded and should be supported by Council.

One single garage is provided for each dwelling whilst stacked parking is available on the driveway, thus providing 2 spaces per dwelling.

Details of landscaping have not been submitted, however, sufficient area is available to provide suitable plantings.

The application was referred to the Water Board for its comment regarding the supply of reticulated water. The Board, via letter dated 13th February, 1991 has indicated that no objection is raised to the proposal.

The 10 dwellings are to be finished in brick with concrete tile roofs. The appearance of the development is considered suitable, and compatible with the future residential development envisaged for this locality.

Recommendation

- A. That the applicant's objection pursuant to SEPP1 to Clause 12(1)(a) of HLEP, 1989 be supported.
 - B. That Development Application No 4/91 be approved subject to the following conditions:
 - 1. The development shall be carried out in general accordance with the plans dated 30 October 1990.
- 2-6 Standard conditions: 31, 33, 70, 73, 104.

7. The creation of a 950mm (nine hundred and fifty) wide easement or right of way adjacent to those portions of dwellings erected closer than 900mm (nine hundred) from any side boundary to ensure right of access for maintenance purposes.
8. Construction of Council's standard residential footway and layback vehicular crossings to suit the accesses to the site.
9. Removal of the existing redundant layback crossing and replacement with concrete kerbs and gutters and the restoration of the footway areas.
10. All fencing, other than within the front building line, having a minimum height of 1.8m (one point eight) and being at least the equivalent of lapped and capped fencing.
11. Adequate provision being made for access to rear courtyards for maintenance purposes.

C. That Subdivision Application 4/91 be approved subject to the following conditions:

1. The 10 (ten) lot Torrens Title subdivision shall be undertaken in general accordance with the plan dated 30 October 1990.
2. The submission of a Subdivider/Developer Certificate (a Certificate under Part 3, Division 2, Section 27 of the Water Board Act, 1987).
3. Submission of a Certificate from Prospect Electricity that satisfactory arrangements have been made for the provision of underground electrical reticulation to each of the resultant lots of the subdivision.
4. Submission of a Certificate from Telecom Australia that satisfactory arrangements have been made for the provision of underground cables for telephones through the subdivision.
5. A contribution of \$12,105 (twelve thousand one hundred and five) based on \$2,421 (two thousand four hundred and twenty one dollars) per additional allotment being the contribution for open space and community facilities as a consequence of the subdivision of land.
6. The submission of the plan of subdivision, together with four (4) exact copies thereof, suitable for lodgement with the Registrar General.
7. Payment of a linen release fee of \$140.00 (one hundred and forty). This amount is valid until 31st December, 1991.

8. The construction of Council's standard layback vehicular crossing to all lots in accordance with Council's standard plan and the removal of existing redundant vehicular crossing and replacement with concrete kerb and gutter and restoration of the footway area.
9. The provision of interallotment drainage covering all lots not draining directly to a public road and the creation of necessary easements free of cost to Council.
10. Construction of drainage sewer works are not to commence until three (3) copies of the plans and specifications of the proposed works are submitted to and approved by the Manager of Engineering Services.

COMMITTEE'S RECOMMENDATION

THAT THE MANAGER of Town Planning have discussions with the applicant as to varying housing designs to incorporate 1, 2 and 3-bedroom dwellings and report to the Ordinary Meeting.

*house with
Applica*

Item 3:	(File DA 15/91)	<i>Stewart's WP for consent 12/4/91</i>
Development Application:	Car repair station	
Applicant:	R Currall	
Owner:	R & R Currall	
Land and Location:	Lot 2 DP 561355, "Robec" corner Tizzana Road and Coromandel Road, Ebenezer	
Area:	12.53ha	
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Environmental Protection (Scenic) - 7(d1)	
Advertising:	Adjoining landowners were notified with two submissions received	
Date Received:	5/2/91	

REPORT (M.T.P.)

Proposal

This application seeks consent to the conduct of a car repair station. The operation, if approved, would employ one of the landowners, repairing a maximum of 2 vehicles/machines per day between the hours of 8.00am and 5.00pm, Mondays to Fridays and between 8.00am and 12.00 noon on Saturdays.

The use, the subject of this application, has been operating for at least 2 years.

Statutory Situation

The proposal is permissible with Council's consent being defined as a "car repair station" as follows:-

"car repair station" means a building or place used for the purpose of carrying out repairs to motor vehicles or agricultural machinery not being -

- (a) *body building;*
- (b) *panel beating which involves dismantling; or*
- (c) *spray painting other than of a touching-up character."*

Public Submissions

Adjoining owners were notified of the application. Two submissions were received.

The submission from 22 Tizzana Road, G and M Higgins, expresses support for the application, claiming that the business would be an advantage to the locality.

The submission from 56 Tizzana Road, W. Greenup, objects to the application on the following grounds:-

- noise
- odours from spray painting
- bright lights of the workshop
- fluctuating electricity supplies
- storage of vehicles/machinery
- sale of vehicles from the property
- decreasing property values

It is considered that the proposed use and hours of operation would have minimal impact on the surrounding locality in terms of noise levels as the shed is well removed from adjoining residents.

A condition should be imposed prohibiting panel beating, spray painting and the like even though the car repair stations definition precludes such use.

The proposed operating hours are between 8.00am and 5.00pm weekdays, and between 8.00am and 12.00 noon on Saturdays. The level of illumination would be insignificant during these hours. A condition should be imposed restricting the hours of operation to that proposed, and also requiring lights be turned off outside of the proposed operating hours.

Prospect Electricity has advised that the proposed use will not require quantities of electricity greater than that supplied. Electricity supply should not fluctuate as a result of this application.

A number of vehicles/machines etc. are presently stored in the vicinity of the workshop. The visual aspect can be controlled by a condition of consent.

The occasional sale of vehicles owned by the residents of a property cannot be restricted by Council.

No evidence has been submitted supporting the claim that surrounding property values will decline.

It is considered that the objections do not warrant refusal of the application. The objection can be addressed by suitable conditions imposed on development consent.

Planning Assessment

This application proposes to conduct a car repair facility within an existing shed measuring 24m x 12m and, as such, no building works will be carried out.

The application proposes the provision of 2 car parking spaces. Council's Parking Policy requires for car repair stations that 6 spaces be provided per work bay. The existing shed could accommodate up to 4 bays which would require 24 spaces. Under the circumstances, it is considered unreasonable to require this number. As the application does not propose the employment of persons other than residents, and a maximum of 2 vehicles/machines being repaired per day, it is considered reasonable to require 2 spaces.

The area surrounding the shed has been intensively planted with over 60 trees of varying species. When mature, these trees will provide adequate screening for the shed.

Recommendation

That the application be approved subject to the following conditions:

1. The area to be used being limited to the existing machinery shed approved by Building Application No 530/86.
2. No persons, other than permanent residents, shall be employed in respect of the use.
3. The use of the property for panel beating, spray painting and the like shall be prohibited.
4. Parking shall be provided for 2 (two) 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 within 30 (thirty) days from the date of this consent.
- 5-6. Standard Conditions (DA's): 82, 83.
7. The subject land is to be made tidy to Council's satisfaction. In this regard vehicles awaiting service shall be parked in an orderly manner and preferably not in the public view.

8. Operating hours shall be limited to 8.00am to 5.00pm Mondays to Fridays and 8.00am to 12.00 noon on Saturdays. Any alterations of these hours will require Council consent.

9. Standard Condition: 103. ✓

10. ✓

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

(Phil's
wp for council
12/4)

Item 4:	(File DA 31/91)
Development Application:	Home Activity - Sandwich preparation and delivery
Applicant:	Ms Maree Tadich
Owner:	Ms Maree Tadich
Land and Location:	Lot 21, DP 261139, Pamela Crescent, Bowen Mountain
Area:	2043 square metres
Zoning:	Hawkesbury Local Environmental Plan, 1989 - (Scenic) 7(d)
Advertising:	Advertised in accordance with Council's policy - one letter of support received
Date Received:	19th February, 1991

REPORT (M.T.P.)

The proposed home activity involves the preparation and delivery of 40 to 50 sandwiches and bread rolls daily. The preparation will be located within the dwelling. Delivery will be carried out with the use of the applicant's car to neighbouring districts.

Statutory Situation

This application is defined as a "Home Activity" in accordance with the provisions of HLEP, 1989. The use such as above is permissible in lands zoned Environmental Protection 7(d), subject to Council consent.

Planning Assessments

The proposed home activity will generate minimal interference with the amenity of the area. The premises are considered suitable for sandwich making.

Deliveries are to be carried out within the late morning/midday period by the applicant's car. There will be minimal impact from traffic.

Recommendation

That the "home activity" be approved generally in accordance with the supporting documentation, subject to the following conditions:-

1. Compliance with the following requirements of a "Home Activity" as defined in HLEP, 1989:-

"the activity or pursuit does not:

- (i) interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise;*
- (ii) involve exposure to view from any public place of any unsightly matter;*
- (iii) require the provision of any essential service main of a greater capacity than that generally available in the locality;*
- (iv) involve the employment of persons other than residents of the dwelling house or dwelling; or*
- (v) involve the exhibition of any notice, advertisement or sign (other than a notice or sign not exceeding 1 (one) metre by 0.6 (zero point six) metres exhibited on that dwelling-house or dwelling to indicate the name and occupation of the resident thereof)."*

2. Food to be prepared and labelled in accordance with the Food Act, 1989.
3. Kitchen finishes shall comply with Council's Code for Food Premises.
4. Storeroom walls shall be smooth and painted with a light coloured washable paint. The floor in this area shall be covered with vinyl or similar, and used for the business only.
5. All food shall be separately wrapped and labelled prior to being transported to its destination.
6. Transported food shall be kept at or below 5 (five) degrees during transit and whilst awaiting distribution.
7. The premises shall be registered as required by the Manager of Environment & Building Services.

✓ COMMITTEE'S RECOMMENDATION

THAT THE "HOME ACTIVITY" be approved generally in accordance with the supporting documentation, subject to the following conditions:-

1. Compliance with the following requirements of a "Home Activity" as defined in HLEP, 1989:-

"the activity or pursuit does not:

- (i) *interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise;*
 - (ii) *involve exposure to view from any public place of any unsightly matter;*
 - (iii) *require the provision of any essential service main of a greater capacity than that generally available in the locality;*
 - (iv) *involve the employment of persons other than residents of the dwelling house or dwelling; or*
 - (v) *involve the exhibition of any notice, advertisement or sign (other than a notice or sign not exceeding 1 (one) metre by 0.6 (zero point six) metres exhibited on that dwelling-house or dwelling to indicate the name and occupation of the resident thereof)."*
2. Food to be prepared and labelled in accordance with the Food Act, 1989.
 3. Kitchen finishes shall comply with Council's Code for Food Premises.
 4. Storeroom walls shall be smooth and painted with a light coloured washable paint. The floor in this area shall be covered with vinyl or similar, and used for the business only.
 5. All food shall be separately wrapped and labelled prior to being transported to its destination.
 6. Transported food shall be kept at or below 5 (five) degrees during transit and whilst awaiting distribution.
 7. The premises shall be registered as required by the Manager of Environment & Building Services.
 8. No retail of goods from the premises.

Item 5:	(File DA 18/91)	<i>Phil's</i>
Development Application:	Home Activity - Mobile Workshop	<i>wp for council</i>
Applicant:	Mr S Hawkins	
Owner:	Mr and Mrs Hawkins	
Land and Location:	Lot A, DP 394288, 2503 Bells Line of Road, Bilpin	<i>12/4/91</i>
Area:	942 square metres	
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Environmental Protection (Scenic) 7(d)	
Advertising:	Adjoining owners notified with no submissions	
Date Received:	8th February, 1991	

REPORT (M.T.P.)

Proposal

The applicant seeks Council's consent to operate a mobile workshop from home and to utilise this home as a business address. The applicant's letter of intent reads:-

"I am applying to register above business from this address (my home) (not for working purpose) only so I can register with Motor Vehicle Repair Industry Council, and for occasional parking of vehicles overnight when warranted in this area otherwise it is Sydney based.

Hours for parking when necessary would vary between 6.00pm to 8.00am.

Work vehicle has mobile phone for business.

There are no close neighbours as property is surrounded on three sides by apple and peach orchards."

Planning Assessment

The proposal may be defined as a "home activity", which is permissible on this land with the consent of Council.

Given the minor nature of the proposal it is considered that the proposed use will not adversely affect the amenity of the area, provided the use complies with the requirements of a "home activity".

Recommendation

That the application be approved generally in accordance with the supporting documentation, subject to the following conditions:-

1. Compliance with the following requirements of a "Home Activity" as defined in HLEP, 1989:-

"the activity or pursuit does not -

- (i) interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise;*
- (ii) involve exposure to view from any public place of any unsightly matter;*
- (iii) require the provision of any essential service main of a greater capacity than that generally available in the locality;*
- (iv) involve the employment of persons other than residents of the dwelling house or dwelling; or*
- (v) involve the exhibition of any notice, advertisement or sign (other than a notice or sign not exceeding 1 (one) metre by 0.6 (zero point six) metres exhibited on that dwelling-house or dwelling to indicate the name and occupation of the resident thereof)."*

2. Only 1 (one) truck shall be operated from the site at any one time.
3. No vehicles shall be displayed or sold from the property.
4. No materials, goods or vehicles to be stored between the building and the street alignment.
5. No work shall be carried out on vehicles apart from the applicant's private vehicles on the site.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 6:	(File S91/7)	Chen 12/41.
Development Application:	Two lot subdivision	
Applicant:	John Bowden and Company	refusal to be typed!
Owner:	R W and R J Currall	(Rans)
Land and Location:	Lot 2, DP 561355, Corner Tizzana Road and Coromandel Road, Ebenezer	
Area:	12.53 hectares	
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Environmental Protection 7(d1) (Scenic)	
Advertising:	Not required	
Date Received:	17th January, 1991	

REPORT (M.T.P.)

This application is for the creation of a two lot Torrens title subdivision comprising of an irregular shaped 1 hectare corner lot and a 11.53 hectare residue lot. The existing 12.53 hectare lot contains an old single-storey fibro dwelling and a partially completed rural worker's dwelling. If approved the applicant proposes to render the old fibro dwelling uninhabitable to allow transferred building rights for the erection of a new residence upon that part of the land on the corner of Tizzana and Coromandel Roads. i.e. the 1 ha lot.

Statutory Situation/Planning Assessment

The land is currently zoned Environmental Protection 7(d1)(Scenic) in accordance with the provisions of Hawkesbury Local Environmental Plan, 1989. The minimum lot size for land zoned 7(d1) is 10 hectares (25 acres). Notwithstanding this, the two lot subdivision is proposed on the basis of the provisions of Clause 11(4) of the LEP which allows the subdivision of land for the purpose of locating detached dwellings on separate lots, which existed at the appointed gazettal day, being 22nd December, 1989.

The proposed two lot subdivision fails to comply with this provision according to legal advice from Council's solicitor since the rural worker's dwelling was not in existence at the abovementioned date. In fact only site excavation works and the delivery of building frames had commenced at this stage. Accordingly, this subdivision cannot be approved.

Recommendation

That the application be refused for the following reasons:-

1. The subdivision does not comply with the 10 (ten) hectare minimum lot requirement for land zoned Environmental Protection 7(d1)(Scenic) in accordance with the provisions of HLEP, 1989.
2. The subdivision does not comply with clause 11(4) of Hawkesbury LEP, 1989, in that the rural worker's dwelling did not exist as at 22nd December, 1989.
3. The application is not in the public interest.

Mr.W.Wilson addressed the Committee on behalf of the applicant.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 7:	(File DA 33/91)
Development Application:	Tourist Facility craft studio/tea room
Applicant:	Margaret Hartley
Owner:	Mr N & Mrs M Hartley
Land and Location:	Lots 479, 480, 481 Lieutenant Bowen Road, Bowen Mountain
Area:	2,090 square metres
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Environmental Protection 7(d)
Advertising:	Adjoining owners notified with two objections being received from Ms J Brandjes and Mr T Degens
Date Received:	21st February, 1991

(S100001's)
W.P. for comment
12/4

REPORT (M.T.P.)

Proposal

The land contains a fibro cottage and a weatherboard and galvanised iron shed. A dental laboratory is currently operating from the shed. The proposal involves

significantly reducing the area of the dental laboratory by the placement of an internal partition and the introduction of a craft studio and tea room facility. The tea room facility will have 3 tables and 12 chairs with the operating hours being between 9.00am and 5.00pm. A maximum of 2 employees would be associated with the activity.

Statutory Situation

The application is defined as a tourist facility and is permissible with Council consent.

Public Notification

Two submissions have been received objecting to the development. The grounds of objection are summarised as follows:-

- * The tea room component may be partially located under a carport, thereby increasing the likelihood of noise disturbance to adjoining residences.
- * There is a possibility that buses will be coming to the locality and there is insufficient parking for such vehicles in the vicinity.
- * The hours of operation are of concern, especially if those hours are outside of 9.00am to 5.00pm.
- * The proposal will lead to increased traffic on poorly developed roads, with inadequate drainage.
- * The proposal will be out of character with the area, i.e. of a commercial nature.
- * The existing sewerage system will be inadequate.

Planning Assessment

The proposed activity does have the potential to create noise and conditions should be imposed limiting the hours of operation to between 9.00am and 5.00pm as well as prohibiting tea room tables and chairs to be located outside. This can be covered as a condition of consent.

Council's parking policy does not specify parking requirements for tourist facilities, however, it is considered that the refreshment room component would require the most parking. Five on-site carparking spaces would be required on the site. The applicant has not provided details of where these spaces can be provided in the plan submitted with the application, however, site inspections revealed that adequate space exists on the land to provide for 5 spaces. A condition will be imposed requiring the submission of a detailed carparking layout for 5 spaces to be submitted with the building application. The existing semi-circular driveway will facilitate orderly movement of vehicles within the site.

It is unlikely that this area will be a major tourist destination and the arrival of tourist buses bringing patrons to the premises would not be a frequent event and in any case would be unlikely given the limited number of tables and seats.

Recommendation

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

1. The development shall be carried out generally in accordance with the plan and supporting information submitted to Council on the 21st February, 1991.
- 2-9 Standard conditions: 31, 32, 33, 38, 53, 75, 73, 100.
10. Construction of Council's standard residential footway and layback vehicular crossing to suit the accesses to the sites with a minimum width of 4 (four)m.
11. Operating hours shall be limited to between 9.00am to 5pm. Any alteration of these hours will require Council consent.
12. Parking shall be provided for 5 (five) vehicles in accordance with Council's carparking policy. The parking area shall be constructed of an all weather surface. Construction and location details shall be submitted with the building application.

Item 31 of the Supplementary Report was dealt with in conjunction with Item 7 above.

COMMITTEE'S RECOMMENDATION

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

1. The development shall be carried out generally in accordance with the plan and supporting information submitted to Council on the 21st February, 1991.
- 2-9 Standard conditions: 31, 32, 33, 38, 53, 75, 73, 100.
10. Construction of Council's standard residential footway and layback vehicular crossing to suit the accesses to the sites with a minimum width of 4 (four)m.
11. Operating hours shall be limited to between 9.00am to 5pm. Any alteration of these hours will require Council consent.
12. Parking shall be provided for 5 (five) vehicles in accordance with Council's carparking policy. The parking area shall be constructed of an all weather surface. Construction and location details shall be submitted with the building application.
13. No tables or chairs are to be located outside.

Item 8: (File S11/91)
Development Application: Two lot subdivision
Applicant: Mr C Baird
Owner: C R & J A Baird
Land and Location: Lot 1 DP 717855 and Lot 2 DP 708702
Hanlons Road, Bilpin
Area: 3.954 hectares
Zoning: Hawkesbury Local Environmental Plan, 1989 -
Environmental Protection 7(d)
Advertising: Not required
Date Received: 1st February, 1991

*Ghem / 12/4 /
deferred to next
case (Hans)*

REPORT (M.T.P.)

Background

Council at its meeting of the 14th February, 1984 resolved to prepare a draft local environmental plan to permit a two lot subdivision of the land on the basis of it being severed by a then proposed public road over the existing Crown Reserve road. On the 11th March, 1985, Hawkesbury Local Environmental Plan, 1984 was amended to permit, with Council consent, a subdivision of Lot B SP 401716 Hanlons Road, Bilpin to create two allotments and the erection of a dwelling house on each allotment created by that subdivision. In other words, the local environmental plan amendment permitted a dwelling house to be erected on the eastern side of the proposed road as well as on the western side of the proposed road. At the same time the proposed road was re-aligned, resulting in the creation of two small allotments which resulted from the closing of a public road.

The applicant's property consists of Lot 1 DP 717855 which was registered on the 26th November, 1985 and Lot 2 DP 708702 (closed road) which was registered on the 29th November, 1984.

Building approvals were issued in 1985 and 1986 for the construction of a dwelling and an out-building. The dwelling house has been erected partially on Lot 2 (closed road) as well as on Lot 1.

The Proposal

The application was originally lodged as a re-alignment of a boundary between Lot 2 (closed road) and Lot 1. Subsequently, the applicant has submitted a State Environmental Planning Policy No. 1 Objection to support a two lot subdivision on the land. The two lots to be created have areas of approximately 1.2 hectares and 2.7 hectares.

Statutory Situation

Clause 13 of Hawkesbury Local Environmental Plan, 1989, prohibits the adjustment of boundaries on the subject land as one of the lots has been created by the closure of part of a road.

The applicant has amended his application accordingly and now seeks a subdivision of his land into two lots of areas of 1.2 hectares and 2.7 hectares by utilising State Environmental Planning Policy No.1.

The applicant objects to the 40 hectare minimum allotment standard because:-

- "1. *To re-align the boundary does not create any additional lot or alter greatly the road frontage of either lot.*
2. *Both lots have large dams and good catchment areas, existing use is residential.*
3. *The land is .5 of a kilometre from shops, post office and churches and is less than 1 kilometre from the Primary School on the same side of the highway.*
4. *The resulting lot sizes set no precedent for non conforming areas.*
5. *In the immediate area of Hanlons Road are lots of 1,666 square metres, 2,141 square metres and 1.783 hectares.*

The available land of both blocks is too small for viable farming. The boundary re-alignment would allow our house, garage, septic and dam water supply to be on 1 lot. The house on the present site is about 85% on Lot 2 and was built in accordance with Council regulations and with Council approval. Lot 2 was created when Council exchanged land with us in accordance with this agreement to re-locate part of Hanlons Road, making it necessary for us to purchase the Crown Land on which Council almost 2 years earlier had approved construction of our building."

Planning Comment

This application is very similar to a two lot subdivision application lodged in 1989 for land directly opposite the subject land. In that case, the allotments sought had areas of 1.75 hectares and 2.08 hectares. Council resolved to refuse the application and the matter was then taken by the applicant to the Land & Environment Court. The Land & Environment Court upheld Council's refusal.

The arguments for refusing the subdivision relate to the lowering of the 40 hectare minimum standard. The proposed lots to be created by the subdivision are considerably less than the 40 hectare minimum allotment size specified by the Environmental Protection 7(d) zoning. If Council were to uphold the SEPP No. 1 Objection in this case, then it would have the effect of taking the subject land out of the Environmental Protection 7(d) zoning and rezoning the land to permit allotment sizes substantially smaller than the recognised standard for the area. SEPP No. 1 objections should not be supported where they have the effect of altering zonings.

Furthermore, the adjoining lots to the proposal all exceed 2 hectares in area. The proposal seeks to reduce the minimum existing allotment size by a factor of 20. Consequently, if approved the subdivision could set an undesirable precedent, not only in the immediate locality but also in the general area of Bilpin for the release of smaller and smaller lots.

Two of the objectives of the Environmental Protection 7(d) zone are particularly pertinent to this case. These are:-

to protect the low density broadacre character of the rural areas;

to protect orcharding in the Bilpin area.

The proposed subdivision is contrary to what these objectives seek to achieve. The idea behind the objectives is to retain large holdings to encourage continuance of existing agricultural pursuits in the locality as the creation of smaller lots will erode the viability of orcharding in the area, thereby changing the visual/economic character of the area. Also, the "large holding" designation of the zone implies that by retaining at least the existing lot sizes (if they are below 40 hectares) in the outlying rural areas, Council then has the option to plan for the best possible development of the area when the need arises in the future through changed environmental and economic conditions.

Recommendation

- A. That the applicant's SEPP 1 Objection to the 40 (forty) hectare minimum requirement in Clause 11 of Hawkesbury Local Environmental Plan, 1989 not be supported.
- B. That the application be refused as it does not comply with the requirements of Clause 11 of Hawkesbury Local Environmental Plan, 1984.

Mr.C.Baird addressed the Committee.

COMMITTEE'S RECOMMENDATION

Deferred to next Committee Meeting
V. V. I. ~

THAT SUPPORT BE given for the re-alignment of boundaries as per the plan submitted.

Item 9:	(File DA 35/91)
Development Application:	Truck Depot/storage of sullage trucks
Applicant:	G & J Horswell & Sons
Owner:	G & L Wilkinson
Land and Location:	Lot 2 DP 358421 Singleton Road, Wilberforce
Area:	8.69 hectares
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Environmental Protection (Scenic) 7(d1)
Advertising:	Adjoining owners notified with eight objections
Date Received:	26th February, 1991

(Stuart's)
Refusal
AS per to
WP 12/4

REPORT (M.T.P.)

Proposal

Application has been made to establish a truck depot for 8 (eight) trucks on the site. There is an existing dwelling house as well as a shed located on the property. The proposed hours of operation for the truck depot are between 6.00am and 7.00pm. It is envisaged that 8 trucks will be stored on the site. The proposal does not include the cleaning out of sullage trucks.

Statutory Situation

The proposal is permissible with Council consent.

Public Submissions

Adjoining owners were notified with 8 objections being received from B.A and C.B Collerson, Mr and Mrs P Donnell, J and I Dowell, Mrs A Hall, A.B and N.C Robinson, C Brooks, D Gould, L.G Johnston - all nearby residents. The grounds for objection are as follows:-

- dangerous road
- traffic hazard
- pollution - noise, air, water, visual
- contrary to zoning
- out of character with farming pursuits
- should be in industrial area

Planning Assessment

The property is well removed from adjoining residential development in terms of the possible impacts of noise and odour pollution associated with the storage of sullage trucks and the operation of these trucks.

The application makes no mention of the cleaning or washing out of sullage trucks. This aspect of the operation has the potential to have significant pollution effect on the subject site as well as adjoining properties.

An objective of the 7(d1) zone is *"to prevent the establishment of traffic generating development along main or arterial roads..."*

As the property has access to a main road and is in a relatively dangerous section of the road (opposite its intersection with Macquarie Street) it is considered that the proposal is not sound and would be better off in an industrial zone.

Recommendation

That the application be refused for the following reasons:-

1. The proposal is contrary to objective "d" of the 7(d1) Environmental Protection zoning.

2. The proposal has the potential for water pollution by the washing down of the trucks and there has been no information provided as to how this will be mitigated against.
3. The proposal is not in the public interest.

Miss E.McDonald addressed the Committee as an objector.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Phil 12/4/

Item 10:	(File DA 32/91)
Development Application:	Workshed and relocation of workshop
Applicant:	R & B Johnston
Owner:	As above
Land and Location:	Lot 1 DP 541106, 583 Bells Line of Road, Kurmond
Area:	5760 square metres
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Rural 1(b)
Advertising:	Adjoining owners notified with no submissions
Date Received:	12th February, 1991

REPORT (M.T.P.)

Proposal

The applicant proposes to demolish an existing covered area located at the rear of the existing service station and replace it with a 280 square metres machinery shed, and relocate the existing workshop within the shed. The applicant indicates the following:-

"We do not feel that the proposed building will have any impact on the local environment because it will only be used to accommodate the existing business which has outgrown existing workshop space and will help to tidy up the appearance of the service station from Bells Line of Road by providing off-road parking and a secure place to lock customers' cars away at night".

Statutory Situation

As the existing service station is a non-conforming use within the zone, the applicant has requested Council to vary the provisions of Clause 52 of the Environmental Planning & Assessment Regulations 1980 under State Environmental Planning Policy No 1 - Development Standards.

This clause limits extensions of non-conforming uses to 10 percent.

Clause 22 of the LEP applies to the proposal as the site fronts a main road. However, as the existing workshop trade fronting Bells Line of Road is to be relocated towards the rear, traffic generated by the use will not be significant.

Planning Assessment

Site Location

The proposed shed is to be located behind the existing buildings and will not be obtrusive as the shed site is below the roadway. Minimal impact will be created on the landscape or scenic quality of the locality.

Traffic/Parking

As the existing work areas are to be relocated from the road frontage to the proposed machinery shed, it is considered that no additional traffic will be generated over that already in existence. Parking is to be provided for 6 (six) vehicles which will be located adjacent to the new shed and behind existing fences.

State Environmental Planning Policy No. 1 - Objection

The applicant has provided the following reasons for objections under SEPP1.

"We are aware that the proposed development will increase our "existing use right" by more than 10%, however, we feel it is justified for the following reasons:-

- 1. The proposed development is below the level of the existing workshop and shop and as a result will not be seen from the main road or significantly from adjoining properties.*
- 2. The workshop will ultimately be a relocation of the existing workshop facilities and therefore will not generate any increase in traffic associated with workshop activities. As a result, the amenity of the area will remain unchanged.*
- 3. The workshop will provide a more open, pleasant and efficient environment for our employees.*
- 4. The ultimate relocation of the workshop to the rear of the premises will improve the streetscape by containing mechanical work to an unobtrusive area.*

For these reasons we request a variation to the SEPP1 requirement associated with our proposed development and trust that your approval will be forthcoming".

Conclusion

For the reasons outlined above, it is considered that the proposal will result in an improvement to the current development and will not significantly interfere with

the amenity of the neighbourhood. Consequently, the application to construct a machinery shed to relocate the current work area should be supported.

Recommendation

A. That Council exercise its delegation pursuant to State Environmental Planning Policy No 1 Development Standards and grant consent subject to the following conditions:-

1. Construction of Council's standard heavy duty footway crossing layback vehicular crossing to suit the access to the site.
2. Construction of concrete kerb and gutter including layback vehicular crossing and sealed road shoulders where not already provided over the frontage of the development to the requirements of the Roads & Traffic Authority and the Manager of Engineering Services.
3. Parking shall be provided for six (6) vehicles in accordance with Council's regulations and parking policy. Parking spaces 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.
4. Construction of road and drainage or sewer 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.
5. A design checking and inspection fee of \$163.00 (one hundred and sixty three) must be paid when submitting engineering plans for approval prior to construction. This amount is valid until 31st December, 1991.
6. Submission of a building application, plans and specifications complying with Ordinance 70.
7. 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.
8. A submission of a septic tank application is to be lodged with Council concurrently with the building application. All details are to be to the satisfaction of the Manager of Environment & Building Services.
9. No materials, goods or vehicles are to be stored between the existing building and the street alignment once the proposed shed is operational.
10. The proposed shed is to be treated with dark toned, non-reflective materials.

- B. That the Department of Planning be advised of Council's decision as required by State Environmental Planning Policy No. 1.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 11:	(File S90/253)	<i>Clay 12/4/91</i>
Development Application:	Subdivision - 4 lots	
Applicant:	Town and Country Planning	
Owner:	J Buckett	
Land and Location:	Lot 1, DP 38583 and Part Lot 1 DP 318273, Old Bells Line of Road, Kurrajong	
Area:	4750 square metres	
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Residential 2(a)	
Advertising:	Not Required	
Date Received:	7th December, 1990	

REPORT (M.T.P.)

Proposal

The applicant seeks Council's consent to subdivide the subject land into four allotments with areas of approximately 1400 square metres, 1000 square metres, 1140 square metres and 1210 square metres. The site currently contains an existing dwelling, tennis court and pool, and a number of sheds/outbuildings. The property also contains a number of significant trees.

Statutory Situation

The site is zoned Residential 2(a) under the provisions of Hawkesbury LEP, 1989. As the land is not serviced by reticulated sewerage, each allotment is required to have an area of not less than 1000 square metres. Proposed lot 3 however, will only have an area of 940 square metres, excluding the access handle. Consequently the applicant has submitted an objection pursuant to State Environmental Planning Policy No.1, which reads, in part, as follows:-

"The parcel of land contains substantial permanent improvements consisting of a dwelling, a freestanding garage structure and a large storage shed together with significant vegetation, both natural stands of virgin bushland and long established plantings of exotic and native species.

The subdivision pattern has been designed to enable discreet components of the permanent improvements to be each contained wholly within a separate allotment whilst access corridors and constructed driveways have been located to minimise disturbance of the existing vegetation.

It is proposed that a single driveway be constructed to serve the two battle axe allotments and that reciprocal rights of way be created such as to allow all access to the four resultant allotments to be restricted to a common point on the road frontage.

Having regard to the physical and environmental considerations that place constraints on the subdivision pattern, formal objection is raised pursuant to State Environmental Planning Policy No.1 . . ."

Although a draft local environmental plan has been prepared for the Kurrajong Village area (which proposes to rezone the site Residential 2(a1) with a minimum lot size of 2000 square metres), this plan was exhibited after receipt of the application and accordingly, does not apply to the proposed subdivision.

Planning Assessment

At its meeting of 14th August, 1990, Council refused two applications for the subdivision of land in Robertson Street, Kurrajong. The applications were refused on the following grounds:-

1. Inadequate water supply;
2. Inadequate site area for disposal of effluent; and
3. Not in the public interest.

Whilst both applicants subsequently appealed to the Land and Environment Court; the judgements handed down in January of this year, upheld Council's decisions.

Although the subject land is located on Old Bells Line of Road, the circumstances relating to water services and effluent disposal are considered similar.

Provision of Water

The Water Board has made the following comment in relation to subdivision at Kurrajong.

"The existing Kurrajong Water Supply is a Government Assisted Scheme and is currently supplying water to about 530 connections. With the proposed amplifications it could provide a domestic water supply to residential and rural zoned land which front a water main, provided that existing residential lots are subdivided to a minimum lot size of 4000 square metres and rural lots are subdivided in accordance with the general provisions of 1989 LEP."

This advice followed a number of discussions with the Board over a number of years where agreement was reached that the Board would supply water to existing rural lots that fronted the main and to land in the Kurrajong Village only on a density basis calculated on minimum subdivision sizes of 4000 square metres.

Accordingly, as the applicant proposes to create four lots ranging in size from 1000 square metres to 1400 square metres, reticulated water would not be provided to all lots. Whilst alternative water storage measures may be considered, it is believed that the subdivision of residential land without

reticulated water is inappropriate planning and would create unreasonable demands on its subsequent provision particularly where other land in the immediate vicinity enjoys this service.

Disposal of Effluent

Council's study into on-site effluent disposal, which considered slope and the capacity of different soil types to contain wastes, concluded that land in the vicinity of the subject site should not be further subdivided or should only be subdivided into lots with a minimum size of 2000 square metres.

Given that the proposed lots will be substantially less than this minimum, there is considerable concern that the disposal of wastes could not be contained on each allotment. Indeed 'pump-out' systems are likely to be required should the land be subdivided and this is not favoured in urban areas.

Public Interest

It is considered that the public interest is not served by allowing subdivision whereby the owners of the resultant lots are distinguished from other landowners in the vicinity in that they would not enjoy the same provision of services. This also affects other landowners by the requirement for water tanker supply and effluent tanker removal services utilising the local road system where none was previously required. There is a consequent noise, heavy traffic and amenity problem where none previously existed.

The applicant was advised of Council's decisions on the previous applications and given the opportunity to withdraw the application. However, the applicant has requested that the matter proceed to determination. Therefore, for the reasons outlined above, the application is recommended for refusal.

Recommendation

- A. That Council not support the applicant's objection pursuant to State Environmental Planning Policy No.1.
- B. That the application be refused for the following reasons:
 - 1. Inadequate water supply;
 - 2. Inadequate site area for disposal of effluent; and
 - 3. Not in the public interest.

Mr.J.Buckett, the applicant, addressed the Committee.

COMMITTEE'S RECOMMENDATION

THAT CONSIDERATION OF the application be deferred until the results are known of the discussions with the Water Board.

Item 12: (File DA 134/90)
Development Application: Ten (10) villa units
Applicant: P Pickworth and J Godsell
Owner: Pickworth and Joinery Pty Ltd
Land and Location: Lot 190, DP 792208, Mileham Street, Windsor
Area: 2788 square metres
Zoning: Hawkesbury Local Environmental Plan, 1989 - Residential 2(a)
Advertising: Advertised to adjoining landowners with one submission being received.
Date Received: 27th April, 1990 (Original Plans)
14th March, 1991 (Amended Plans)

Don's
wp for consent
12/4

REPORT (M.T.P.)

Proposal

The current application is for the erection of ten (10) x two (2) bedroom single-storey villa units upon an irregular hatchet shaped battle-axe allotment. The land is vacant and relatively flat in topography.

The delay in processing of the application was a result of a request for an amended plan to allow staggering and 'breakup' of the unit development in order to minimise overshadowing in the near private courtyards and on surrounding adjoining properties.

Statutory Situation

The land is zoned Residential 2(a) in accordance with the provisions of Hawkesbury Local Environmental Plan, 1989. The development of villa units is permissible in land zoned Residential 2(a).

Public Notification

The initial application was advertised to adjoining landowners for a two week period. During the public exhibition period one (1) letter of objection was received from Mr P W Bridges in respect to the development proposal. The main point of objection as summarised from the submission is that the villa unit development is considered an overdevelopment and may impose amenity problems upon adjoining properties on the Mileham Street frontage.

Planning Assessment

Density

The provisions of Council's Medium Density Housing Development Control Plan requires a minimum site area of 275 square metres per two bedroom dwelling. In this regard, the 10 x 2 bedroom villa unit development requires the provision of 2750 square metres of site area. The site comprises of a total site area of 2788 square metres and is in compliance with the plan.

Relationship to Adjoining Land

The villa development makes provision for a 2-4 metre variable side setback from the eastern property boundary line, a 1-3 metre variable setback from the western property side boundary and a 2-5 metre variable rear boundary line setback. This setback provision coupled with the single-storeyed nature of the development will guarantee that the amended proposal is relatively compatible with the surrounding residential development pattern.

The application further makes provision for a repositioning and breakup of the individual units in order to allow a minimum half day solar access to respective private courtyards within the development and yet reduces the overshadowing effect of the development adjoining landholdings, particularly on the western property boundary line.

The rear property boundary line is shared with the South Windsor timber yard and is fenced off with a single strand fenceline. It is reasonable to impose a condition of consent requiring the provision of a 1.8 metre (6') high fenceline in order to guarantee privacy to the development.

Carparking

The provisions of the Medium Density Housing DCP requires the development of fifteen (15) covered carparking spaces in addition to two (2) visitors open carparking spaces. The application provides for ten (10) single-berth garages and a five (5) berth carport building in addition to two (2) open parking spaces, in accordance with the code.

Drainage

The site is relatively flat and is situated within a portion of Mileham Street where the existing kerb gutter stormwater drainage system is unable to cope with any additional water run-off. This run-off problem may be overcome by the imposition of a condition requiring that provision be made for on-site stormwater run-off detention. The provision of reticulated sewerage services may require connection to the existing sewer main in the vicinity of the Ham Street/Macquarie Street intersection, if the site slope or conditions are inadequate to allow connection to the existing sewer line in Mileham Street. It is recommended that a condition be imposed requiring the provision of detailed engineering plans in respect to the sewerage issue and in addition detailed specifications on the on-site stormwater run-off detention system.

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 amended plan dated the 14th March, 1991, except where amended by conditions of consent.

- 2-10. Standard Conditions (DAs) - 1 (\$22,500.00 (twenty two thousand five hundred), 31, 33, 50 (17)(seventeen), 70, 73, 87, 100, 104.
11. Construction of Council's standard heavy duty footway and layback vehicular crossing to suit the access to the site with a minimum width of 6 (six)m.
12. 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 modified as necessary to provide on-site detention. Details to be submitted for approval with the Building Application.
13. The provision of an on-site stormwater run-off detention system shall be required in order to restrict the flow of surface water off the site to that of the existing conditions for all recurrence intervals up to the 1 in 100 year storm level. Details to be submitted for approval with the Building Application.
14. The provision of a 1.8 (one point eight) metre high lap and cap colourbond or other approved fenceline along the rear property boundary line to the satisfaction of the Manager of Environmental and Building Services.
15. The development is conditional upon satisfactory connection to Council's reticulated sewerage system. The connection to the existing sewer shall be provided by the developer at no cost to Council. Details of any sewer extension shall be submitted and approved by Council prior to the release of the Building Permit.

Alderman Rotherham arrived at the meeting at this stage, the time being 11.39 a.m.

Mr.W.Wilson addressed the Committee on behalf of the objectors.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 13:	(File 21/91)
Development Application:	Professional and Commercial Chambers
Applicant:	J Robinson
Owner:	J and H Robinson
Land and Location:	Lot 2 DP 31098, No.1 Anschau Crescent, Windsor
Area:	1733 square metres

Encl's (WP 12/4/91)
for comment

Zoning: Hawkesbury Local Environmental Plan, 1989 - Residential 2(a)
Advertising: Adjoining owners notified with one submission being received from Mrs Armstrong, No.10 Anschau Crescent.
Date Received: 11th February, 1991

REPORT (M.T.P.)

Proposal

The application is to use part of the existing building on the subject land, known as Anschau House, for the purposes of professional chambers. It is anticipated that a total of five professionals will utilise the chambers, with separate rooms provided for a reception/waiting area and for conference/records purposes. The offices will be let to professional persons such as medical, legal or engineering groups, supported by a centralised secretary/receptionist.

Part of the building will be maintained as a private residence by the present owners, who will also provide the secretarial, receptionist, janitorial, maintenance and security services. Property management will also be arranged by the present owners.

On site parking for 8 vehicles is proposed in addition to one resident space.

Statutory Situation

The subject land is zoned Residential 2(a) in accordance with the provisions of Hawkesbury LEP, 1989. "Professional and Commercial Chambers" are permissible on the site with the consent of Council.

The property is also classified as an item of environmental heritage under Schedule 1 of the LEP and as such Clauses 27 (Heritage Items) and 29 (Conservation Incentives) are relevant to the application. These clauses are discussed below.

Public Submissions

Adjoining owners were notified of the proposal in accordance with Council's advertising policy. One submission was received from Mrs Armstrong, who generally raised no objection to the use, provided no parking occurred in the street, particularly in front of her home. The issue of parking is discussed below.

Planning Assessment

Access and Parking

Council's Carparking DCP does not contain a specific parking requirement for "professional and commercial chambers" outside commercial zones. However, assuming that there will be 5 professionals (one who will reside on the premises); 5 clients and one secretary/receptionist (who will also reside on site), a total of

9 spaces would be required plus resident parking. Whilst 8 spaces (excluding resident parking) are proposed on the site, only 7 spaces can practically be provided. This would therefore only allow a total of 4 professionals to operate from the site. In this regard, discussions were held with the applicant and agreement reached on reducing the number of professionals to four.

Whilst Clause 29 of the LEP allows some concession in terms of on site parking on land containing a heritage item, its use is considered inappropriate in this case, given that the clause relates only to the erection of new buildings on land on which there is a heritage item; and given the present parking problems in both Ross Street and Anschau Crescent.

It is proposed that the carpark will be constructed of stamped, coloured concrete. This is considered to be reasonable and in sympathy with the heritage item. Further, a carport for four vehicles is proposed adjacent to the existing brick garage, which will also be sympathetic in terms of design and materials, with the existing building.

In addition a single carport is proposed over the resident parking space, which will reflect the design of the proposed 4 car carport. Whilst being attached to the existing building, the carport is considered compatible given that it will be attached to later additions.

Heritage Significance

Anschau House is a substantial c.1920 residence, with an intact interior including pressed plaster ceilings, staircase and an attic with original wallpaper freeze. The proposed use of part of the building will not involve any internal alterations, and will enable conservation works to be carried out on the property.

Amenity

Given the nature and scale of the proposal and that adequate parking will be provided on the site, no adverse effect on the amenity of the area is likely.

Recommendation

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

1. The development shall be carried out generally in accordance with the plans dated 4th February, 1991, unless amended by conditions of consent.
2. Standard Condition (DAs) 50 (8 (eight) vehicles).
3. The carpark is to be constructed of stamped, coloured concrete or similar material.
4. Submission of a building application, plans and specifications complying with Ordinance 70 for the proposed carports.

5. Details of any internal or external works to the existing building shall be submitted concurrently with the building application for the approval of the Manager of Town Planning.
6. Only 5 (five) people shall be employed on the premises at any time, 2 (two) of which (1 (one) professional and secretary/receptionist) are to reside on the property.
7. Operating hours shall be limited to 8.30am to 5.00pm, Mondays to Fridays. Any alteration of these hours will require Council consent.
- 8-9. Standard Conditions (DAs) 32, 100.

COMMITTEE'S RECOMMENDATION

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

1. The development shall be carried out generally in accordance with the plans dated 4th February, 1991, unless amended by conditions of consent.
2. Standard Condition (DAs) 50 (7 (seven) vehicles).
3. The carpark is to be constructed of stamped, coloured concrete or similar material.
4. Submission of a building application, plans and specifications complying with Ordinance 70 for the proposed carports.
5. Details of any internal or external works to the existing building shall be submitted concurrently with the building application for the approval of the Manager of Town Planning.
6. Only 5 (five) people shall be employed on the premises at any time, 2 (two) of which (1 (one) professional and secretary/receptionist) are to reside on the property.
7. Operating hours shall be limited to 8.30am to 5.00pm, Mondays to Fridays. Any alteration of these hours will require Council consent.
- 8-9. Standard Conditions (DAs) 32, 100.

*(Karl's) 9/4/91
WPT Refund 12/14
STEVEN (colleis)*

Item 14: (File DA 26/91)
Development Application: Real estate office and caryard
Applicant: Calcorp Pty Ltd
Owner: Calcorp Pty Ltd
Land and Location: Lot A, DP 90446, Corner Macquarie and
Brabyn Streets, Windsor
Area: 2017 Square Metres
Zoning: Hawkesbury Local Environmental Plan, 1989 -
Part Special Uses 5(a) and Part Road
Reservation 9(b)
Draft Hawkesbury Local Environmental Plan,
1989 (Amendment No.20) - Business 3(b)
(special)
Advertising: Not required
Date Received: 14th February, 1991

REPORT (M.T.P.)

The application is for the establishment and conduct of a real estate office and a separate caryard and associated show room office upon the former Telecom site. The proposed real estate/motor showroom office building is irregular shaped and comprises a gross floor area of approximately 108 square metres. The proposed caryard and operation would involve the retail of vehicles boats and/or caravans. The hours of operation for both uses shall be between 8.00am to 6.00pm seven days a week.

Statutory Situation/Planning Assessment

The site is currently zoned Special Uses 5(a) in accordance with the provisions of Hawkesbury Local Environmental Plan, 1989. The conduct of commercial premises for real estate purposes and/or motor showrooms is currently prohibited in land zoned Special Uses 5(a).

The site is also subject to Draft Local Environmental Plan No.20 to rezone the land from Special Uses 5(a) to Business 3(b) to permit commercial uses, with the exclusion of motor vehicle display and sales. This exclusion of motor showroom uses was resolved by Council at its Ordinary Meeting dated the 14th August, 1990, in response to an existing Council direction whereby motor vehicle display and sale developments would be better situated on land in the Business 3(b) zone along the Windsor Road, Mulgrave.

The final draft plan was forwarded to the Department of Planning on the 7th December, 1990, and is now awaiting final ministerial approval and subsequent gazettal.

The draft plan and associated exclusion of motor vehicle display and sales was raised with the applicant firstly at the initial draft plan preparation stage to allow the applicant the option to either proceed or withdraw the application and again at the submission of the current development application. The applicant has however indicated his wish to pursue the final determination of the application.

It should be noted that the applicant spoke to the Manager of Town Planning both prior to his purchase of the site and again prior to final Council determination of the draft LEP. On each occasion he was told of Council's attitude to motor vehicle sales.

Given that the current 5(a) zoning prohibits commercial and motor showroom uses and the provisions of Section 90(a) of the Act require Council to take into consideration any conflict with a draft local environmental plan, it is recommended that Council refuse this application. In fact it cannot be approved.

Recommendation

- ✓ A. That the application be refused due to the following reasons:-
1. The conduct of a real estate office and/or caryard is prohibited in land zoned Special Uses 5(a).
 2. The application conflicts with the provisions of Draft Local Environmental Plan, 1989 (Amendment No.20) since motor showrooms shall be excluded in respect to this plan.
 3. The application is not in the public interest.
- B. That the applicant be advised that Council would support in principle an application for commercial premises such as a real estate office on the site.

Mr.Calvert, the applicant, addressed the Committee.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 15:	(File DA 43/91)
Development Application:	Villa Houses - 5 x 3 bedroom
Applicant:	Cavasinni Development Pty Ltd
Owner:	Property 2000 Pty Ltd
Land and Location:	Lots 10 and 13, DP 801358, No.10 Ivory Place and No.3 Langley Place, Richmond
Area:	2211 square metres
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Residential 2(a)
Advertising:	Adjoining owners notified with no objections received.
Date Received:	1st March, 1991

Glenn 12/4/91

REPORT (M.T.P.)

Proposal

At its Ordinary Meeting of 12th June, 1990, Council granted consent to the erection of seven three bedroom townhouses on the subject land.

Application has now been made to construct five three bedroom villa houses on the land, together with associated carparking and landscaping. The proposed villa houses will be of brick veneer construction, with concrete tiled roofs, and will have private courtyards ranging in size from about 62 square metres to 161 square metres.

Statutory Situation

The subject land is zoned Residential 2(a) under the provisions of Hawkesbury LEP, 1989. Villa houses are permissible on the site with the consent of Council.

Clause 18 of the plan applies to the development and requires that satisfactory arrangements be made for the provision of water, sewerage, drainage and electricity services to the land. The provision of these services is not considered to be a constraint to the development of the site.

Planning Assessment

Character/Design Quality

As the proposed villa houses will be constructed of face brick, with concrete tiled roofs, no detrimental effect is likely to occur on the character of the area.

Further, the privacy of both existing and future residents of adjoining lands should not be adversely affected, given the setbacks of the proposed buildings from the common boundaries and the fact that the side elevations will not contain any windows.

Overshadowing of adjoining properties will also be minimal.

Although the site will be highly visible from Castlereagh Road, appropriate fencing and landscaping should ensure the development does not detract from the area's amenity.

Access/Parking

Off street parking for residents has been provided in accordance with the requirements of Council's amended Medium Density DCP. Three visitor parking spaces, instead of the required one space, is also proposed and will be constructed of brick paving to help reduce the expanse of concrete.

It is proposed that all access to the site will be from Ivory Place, with the access handle to Langley Place being dedicated to the adjoining lot 12.

Under the provisions of the Medium Density DCP, the minimum setback from main roads is 10m. The setback to unit 2 and to unit 1, however, from the proposed road alignment is 2.5m and 8.0m, respectively.

This is not considered to be unreasonable given that:

- the site is affected by future road widening and the property boundary is located approximately 10m from the existing road;
- the site has three road frontages; and
- no access is proposed from Castlereagh Road.

Further, appropriate fencing and landscaping along this boundary will assist in reducing the noise associated with traffic using Castlereagh Road.

Private Open Space

Each villa house on the site will be provided with a private courtyard in excess of the 50 square metres required under Council's amended DCP. Each courtyard will receive adequate sunlight between 9.00am and 3.00pm during mid-winter, except for the rear courtyards of units 2 and 3. In this regard, the applicant has provided front and side courtyards which could be used, if necessary, in the afternoon on those days in mid-winter.

Conclusion

As the proposed development represents a lesser scale of development than previously approved; is consistent with the objectives of the Residential 2(a) zone and complies with the requirements of Council's amended DCP for Medium Density Housing except in regard to overshadowing of courtyards 2 and 3, the application is recommended for approval.

Recommendation

That the application be approved generally in accordance with the plan, dated 12th February, 1991, subject to the following conditions:

- 1-9. Standard Conditions (Development) 6 (\$5181) (five thousand one hundred and eighty one), 31, 33, 61, 62, 70, 73, 104, 120.
10. The boundary adjacent to Castlereagh Road is to be suitably fenced and landscaped to reduce the noise associated with traffic using this road. Details to be submitted with the building application.
11. The access handle to lot 13 is to be consolidated with adjoining land.
12. Construction of Council's standard heavy duty footway and layback vehicular crossing to suit the access to the site.
13. The driveway adjacent to Unit 5 is to be widened to allow adequate turning area for the front visitor space and for the garage of Unit 5.

14. Parking shall be provided for 8 (eight) 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. The visitor spaces shall be constructed of brick paving or similar materials. Full details of works shall be submitted for approval with the building application.
15. 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.

Item 29 of the Supplementary Report was considered in conjunction with Item 15 above.

Miss Edwards addressed the Committee as an objector.

COMMITTEE'S RECOMMENDATION

A SITE INSPECTION be carried out.

The Committee inspected the site at 4.40 p.m. Aldermen present were Aldermen W.J.Sledge, R.C.Bazeley, R.S.Benson, F.Y.Denne, J.J.Horrex and L.C.Sheather.

COMMITTEE'S RECOMMENDATION

d. w. GPC

THAT COUNCIL REQUEST the applicant to consider objections raised to the proposal including setback and landscaping from Castlereagh Road, turning areas on site, overshadowing, entry to and exit from the site and report to Council by the Ordinary Meeting.

MEETING WITH MEMBERS OF THE WENTWORTH AREA HEALTH BOARD.

The Mayor welcomed to the meeting the members of the Wentworth Area Health Board comprising Mr Tom Hamilton, Chief Executive Officer and Mr.Barry Fennell, Mrs.June McSweeney, Mrs.Marie Leving, Mr.Anthony Gilchrist and Dr.Jules Whitty, Board Members.

Mr.Hamilton showed some slides, addressed the Committee on the operations of the Wentworth Area Health Board and the issues confronting the Board and answered questions raised by the Aldermen.

Alderman Mackay left the meeting at 2.00 p.m.

Item 16: (File DA 20/91)
Development Application: Change of non-conforming use - plumbing materials
Applicant: C D & B Coote
Owner: C D & B Coote
Land and Location: Lot 42 DP 82455 New Street, Windsor
Area: 1195 square metres
Zoning: Hawkesbury Local Environmental Plan, 1989 - Residential 2(a)
Advertising: Adjoining owners notified with three submissions being received
Date Received: 8th February, 1991

REPORT (M.T.P.)

The subject property is opposite the former Winford Motors site in New Street, Windsor which was utilised by them for the repair and detailing of motor vehicles.

At its meeting of the 8th May, 1990 Council resolved as follows in relation to the previous tenants, Windsor Exhaust Centre:-

"That Windsor Exhaust Centre be advised that Council recognises the continuation of the non-conforming use on the premises at No. 9 New Street, Windsor, however, that these rights merely relate to small scale motor vehicle repairs of passenger and light commercial vehicles only and the storage of new and used cars pending their detailing and/or repair and subsequent sale".

Windsor Exhaust Centre was operating in May of 1990 and therefore the existing use rights still pertain to the property. Council has the power to change one non-conforming use to another and usually the criteria is that the use changed to is less objectionable in terms of the current zone than the use changed from. There is not considered to be any real difference between what is now proposed and the previous use.

As a result of notification of adjoining owners, two objections were received being from M G Talbot (the NRMA tenant), Mrs O Copeland, 14 Catherine Street, and a submission raising no objection subject to some matters being attended to from J & M Turnbull, 271 George Street. Letters of objection raise the following points:-

- The proposal is industrial and therefore should be in a factory unit.
- The proposal will lower the tone of the new shops opposite.
- The proposal to use welding equipment and electric drills will cause nuisance to the neighbourhood.

The land is situated opposite and adjacent to other commercial development ie the new shops on the corner of New and George Streets and the Church in New Street which is used as a dance studio and for the sale of garages and roller doors. There are also commercial uses in George Street around the corner being for a dentist surgery and for the display and sale of antiques. The use proposed

is relatively low key and proposes no alterations to the current premises. There is adequate area on-site for loading and unloading of materials and for manoeuvring and parking of vehicles associated with the use.

It is understood that the premises are to be used in conjunction with a plumbing business in South Windsor. However, it is not a requirement that the two be joined in so far as consideration of this application.

As the application is relatively low key, it is recommended for approval subject to conditions.

Recommendation

That the application for a change of non-conforming use of No. 9 New Street, Windsor to store and fabricate plumbing materials be approved, subject to the following conditions:-

- 1-9 Standard conditions (DAs):- 32, 33, 37, 80, 82, 84, 85, 100, 102.
10. Operating hours shall be limited to 7.00am to 5.00pm Monday to Friday and 8.00am to 12.30pm Saturdays, with no work being carried out on Sundays or public holidays. Any alteration to these hours will require consent of Council.
11. There being no machinery used on-site other than welding equipment and electric drills and other associated handtools normally associated with the plumbing trade.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 17:	(File DA 14/91, 3690.11)
Development Application:	Landfill
Applicant:	W L Stephenson
Owner:	W L Stephenson
Land and Location:	Lot 3 DP 546915 Pitt Town Road, Pitt Town
Area:	51.23 hectares
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Part Rural 1(c) and Part Environmental Protection Scenic 7(d1)
Advertising:	Not required
Date Received:	4th February, 1991

*Glenn's WP for cons T
12/3/91*

REPORT (M.T.P.)

This application ostensibly is to legalise unauthorised fill material and filling works that have occasioned on the land. The unauthorised fill works were raised as a Question Without Notice at a Council Meeting in 1990 and on the basis of

the unauthorised works, legal action was initiated against the landowner in the Land and Environment Court seeking an order that the unauthorised materials be removed and that Council's costs in the matter be paid by him. To date, the Hearing in the matter has not been set down and it should be noted that the action was initiated only after repeated contact with the applicant/landowner was attempted with no response having been received. Attempted contact included the leaving of business calling cards at the premises with an indication to ring Council's Officers and the writing of letters both from Council and Council's Solicitors, all which were to no avail, hence the institution of legal action.

Subsequent to action being initiated, the applicant had had discussions with Council Officers and with Aldermen and the Mayor, and in at least two instances has indicated that if Council relented on the legal action, and therefore condoned the fill, that he would pay Council's legal costs to date.

Whilst the application per se is not significant and is one which would normally be approved under delegation, the fact that the applicant is relying on the existing unauthorised fill to remain and that the existing fill is believed to be sub-standard would indicate that such fill should be either completely removed or dug up and inspected prior to replacing and compacting as would normally be required. The existing fill contains vitreous clay, broken toilet suites and hand basins, timber, plastic, garbage bags, timber pallets, drums, mattresses, plaster of paris, paper, glass, putrescible material and other building material wastes.

The land to be filled is flood liable and will remain so after the fill takes place and is purported to be for the purposes of a stock island and vehicle turning area. The area of fill is approximately 1350 square metres and is composed of a depth ranging from 0 to a maximum of approximately 2.8 metres in height above natural ground surface level.

It is also relevant to note that the area to be filled is adjacent to an item of environmental heritage which is listed in Council's LEP 1989 being item 303, a double storey historical building known as "Lynwood". Properly carried out, the fill and compaction however is not considered to adversely affect the item of heritage.

An amount of covering material placed on the site has been won from the Pitt Town Bottoms Road frontage of the subject land, and whilst in area and quantity terms it is relatively minor, no Council consent has been obtained for such works and they are considered to be an "eyesore" in that section of the road.

The application is recommended for approval however not on the basis of the existing fill material remaining.

Recommendation

- A. That the applicant/landowner be advised that Council requires the payment by him of Council's legal costs to date in the action before the Land & Environment Court in relation to his unauthorised filling of the land.

B. That the application be approved subject to the following conditions:-

1. The existing fill material is to be either removed from the site or is to be excavated and stock piled and not replaced until the Manager of Environment & Building Services is satisfied as to its content and ability to properly compact.
2. All imported fill material is to be of a type that is satisfactory to the Manager of Environment & Building Services and is to be stockpiled and inspected prior to spreading and compaction also to his satisfaction.
3. There is to be no cover/fill material won from the site without separate approval from Council and the existing excavated area adjacent to Pitt Town Bottoms Road is to be graded and top-dressed to the satisfaction of the Manager of Town Planning.
4. All works associated with the development are to be completed by the 31st July, 1991.

Mr.W.L.Stephenson, the applicant, addressed the Committee.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 18:	(File DA 38/91)
Development Application:	Professional Chambers -
	Auctioneer/Valuer/Real Estate Agent
Applicant:	G White
Owner:	V I Higgs
Land and Location:	Lot 2 DP 709165, Corner Windsor Road and Rose Street, Wilberforce
Area:	1677 square metres
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Environmental Protection 7(d1) (Scenic)
Advertising:	Adjoining owners notified of the proposal with one submission being received from G T and I W Fox, Lot 4 Rose Street.
Date Received:	27th February, 1991

*(Elvis)
not for council
12/4/91*

REPORT (M.T.P.)

Background

At its meeting of 11th December, 1990, Council granted consent to the erection of a two storey dwelling on land opposite the subject property, part of which was to be used as an office for an auctioneer/valuer/real estate agent.

Proposal

Application has now been made by the same applicant, Mr Gary White, to use the existing dwelling on the subject site as professional chambers again for an auctioneer/valuer/real estate agent.

Hours of operation will be from 8.00am to 6.00pm, Monday to Friday, and from 9.00am to 5.00pm, Saturday and Sunday. Three people will be employed on the premises, with parking for 6 vehicles proposed on the site. No auctions will be carried out on the property and the display of property advertisements on the building is not proposed.

Statutory Situation

The subject land is zoned Environmental Protection 7(d1) (Scenic) under the provisions of Hawkesbury LEP, 1989. The use may be defined as 'professional and commercial chambers' and as such, is permissible on the site with Council's consent.

Clause 22 of the LEP applies to the development, as the site fronts 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.

Whilst the site is affected by main road widening, the existing dwelling is setback approximately 15.0m from the proposed alignment. Accordingly, the proposal is unlikely to have any detrimental effect on drivers using Windsor Road or Rose Street. Further, given the nature and scale of the development and the fact that access will be from Rose Street, the proposal is not considered to be an inappropriate use of the site.

Clause 25 of the LEP also applies to the site as part of the property is affected by the 1 in 100 year flood (15.9m). The existing dwelling however is located above this level.

Public Submissions

Adjoining owners were advised of the proposal in accordance with Council's advertising policy. One submission was received which reads in part, as follows:-

"Mr G White, the owner and developer of the above properties, has already lodged, and had approved, a D.A. for Professional rooms as a Real Estate Agent, Auctioneer and Valuer on Lot 6, 508 Wilberforce Road, Wilberforce, which adjoins our property and is also on the opposite corner to the above proposed development."

We have resolved ourselves to the inevitability of a Real Estate office being established close to our residence, but feel that Mr White should not be granted D.A. permission to use both properties (comprising 3 residential blocks) as Real Estate premises. Perhaps if Council permits D.A. for lots 2 and 11, they would withdraw similar approval for Lot 5, or vice versa.

We would appreciate your consideration of our rights as residents in a zoned Residential Area, with respect to property values, increased traffic and the prospect of a Real Estate business taking 3 residential blocks."

As the existing dwelling and associated car parking will be contained within Lot 2, DP 709165, approval, if granted, will only apply to this allotment and not to the adjoining Lot 11.

Discussions were held with the applicant regarding the relinquishment of the previous consent for an auctioneer/valuer/real estate agent's office on the opposite corner. Whilst the applicant was not prepared to relinquish this consent, given that he may in future decide to sell the subject site and would like the option of moving to property on the opposite corner, he did indicate that at no time would he be operating two offices.

Planning Assessment

Access/Parking/Traffic

Whilst Council's Carparking DCP does not contain a specific requirement for professional and commercial chambers outside commercial zones, the provision of six spaces is considered adequate (one per employee and three for clients).

The applicant proposes to provide an all weather surface carpark, however, given that the use is of a 'commercial' nature, the provision of a sealed carpark is considered necessary. The applicant has agreed to this requirement. Further, to 'soften' the visual impact of the carpark, appropriate landscaping should be carried out. Access to the site will be off Rose Street, with the driveway being 17.5m from the intersection of Rose Street and Windsor Road (or 9.5m after road widening). This complies with the Roads and Traffic Authority Guidelines and will improve the existing situation whereby the driveway is currently located on the corner of the site.

It is considered that the amount of traffic generated by the proposal will be minimal given the nature and scale of the development.

Character/Amenity of the Neighbourhood

The subject property is generally surrounded by residential development and to the east the Tropicana Hotel/Motel. As the proposal will operate from an existing dwelling, no adverse effect on the character of the area is likely.

✓ Recommendation

- A. That the application be approved generally in accordance with the plan dated 26th February, 1991, reference number 44591, subject to compliance with the following conditions:
1. Construction of concrete kerb and gutter with the footway area formed in earth and the full construction including sealing of the adjacent road shoulder over the frontage of the land to Rose Street and around the kerb return to the existing pit in Wilberforce Road together with any works necessary to make this construction effective.
 2. Construction of Council's standard residential footway and layback vehicular crossing to suit the access to the site with a minimum width of 5 (five)m.
 3. Compliance with any requirements of the Roads and Traffic Authority.
 4. Standard Condition (DA) 50 (6 (six) vehicles).
 5. Construction of road works are not to commence until three (3) copies of the plans and specifications of the proposed works are submitted to and approved by the Manager of Engineering Services.
 6. A design checking and inspection fee of \$250 (two hundred and fifty) must be paid when submitting engineering plans for approval prior to construction. This amount is valid until 31st December, 1991.
 - 7-10. Standard Conditions (DAs) - 32, 70, 73, 100
 11. Operating hours shall be limited to 8.00am to 6.00pm, Mondays to Friday, and 9.00am to 5.00pm, Saturdays and Sundays. Any alteration of these hours will require Council consent.
 12. No auctions are to be carried out on the site.
 13. Only 3 (three) people are to be employed on the premises at any time.
 14. No property advertisements are to be displayed on the building or in the vicinity.
- B. That the applicant be advised that Council would prefer that only 1(one) office for an auctioneer/valuer/real estate agent operate on the corner of Rose Street and Windsor Road, Wilberforce.

COMMITTEE'S RECOMMENDATION

- A. THAT THE APPLICATION be approved generally in accordance with the plan dated 26th February, 1991, reference number 44591, subject to compliance with the following conditions:
1. Construction of concrete kerb and gutter with the footway area formed in earth and the full construction including sealing of the adjacent road shoulder over the frontage of the land to Rose Street and around the kerb return to the existing pit in Wilberforce Road together with any works necessary to make this construction effective.
 2. Construction of Council's standard residential footway and layback vehicular crossing to suit the access to the site with a minimum width of 5 (five)m.
 3. Compliance with any requirements of the Roads and Traffic Authority.
 4. Standard Condition (DA) 50 (6 (six) vehicles).
 5. Construction of road works are not to commence until three (3) copies of the plans and specifications of the proposed works are submitted to and approved by the Manager of Engineering Services.
 6. A design checking and inspection fee of \$250 (two hundred and fifty) must be paid when submitting engineering plans for approval prior to construction. This amount is valid until 31st December, 1991.
 - 7-10. Standard Conditions (DAs) - 32, 70, 73, 100
 11. Operating hours shall be limited to 8.00am to 6.00pm, Mondays to Friday, and 9.00am to 5.00pm, Saturdays and Sundays. Any alteration of these hours will require Council consent.
 12. No auctions are to be carried out on the site.
 13. Only 3 (three) people are to be employed on the premises at any time.
 14. No property advertisements are to be displayed on the building or in the vicinity.
 15. That this consent is limited for a period of 2 (two) years after which all the use of the land other than as a residence shall cease.
- B. That the applicant be advised that Council will waive Condition No. 15 should he relinquish his similar approval on land opposite.

Item 19: (File DA27/91) 12/4 (elig's)
Development Application: Mushroom Farm Extensions
Applicant: K. King
Owner: Anthony Lahood Enterprises
Land and Location: Lot 496 and Part Lot 487 DP 751665 and
Closed Road, No.2 Salters Road, Wilberforce.
Area: Approx. 7.4 ha.
Zoning: Hawkesbury Local Environmental Plan, 1989 -
Rural 1(b)
Advertising: Adjoining owners notified with no submissions
received.
Date Received: 6th March, 1991.

REPORT (M.T.P.)

Proposal

The applicant seeks Council's consent to extend the existing mushroom farm on the subject land by constructing a tunnel complex used to peak heat and spawn run mushroom compost in bulk. The applicant's submission reads, in part, as follows:

"... At no time will raw compost be manufactured on or near our premises. Our sole intention is to buy ready made compost in from a specialised compost manufacturer.

The capacity of this complex is a maximum 240 tonnes of Green Compost per seven days. It would require 10 semi trailer loads of Compost per week to satisfy this farm's needs. It is anticipated that we would load every Tuesday with the first truck arriving at our farm at approximately 7.30 a.m. with a finishing time of 1.00 p.m.

The compost is loaded into the tunnel using a removable conveyer which enables us to efficiently load approximately 50 tonnes per hour. The machinery is being housed inside the building, therefore, the noise is minimal. All other work carried out after the Compost is finished in the peak heat shed is carried out within the covered area at the northern end of this Complex, again by a conveyer system, therefore the noise outside the building is once again minimal.

Our Farm has been in operation since the 14th November, 1989, and to my knowledge there has been no complaints lodged with Council of noise, intrusion or smell by any persons in the surrounding areas.

The smells coming from the proposed complex if any would most likely occur on the Tuesday during loading of Compost and based on other complexes of this nature around this country the smell would be minimal if any at all. Those that did emit a small amount of odour were mainly due to the fact that the load period was prolonged owing to intense manual labour, which we should not suffer due to our mechanisation.

We will have an exhaust fan to remove steam that occurs on cold mornings, within the tunnel, with this exhaust air being filtered in order to reduce any possible smells ...

This building is housed on our own land within our existing orange orchard and is cut into the side of a hill. Visibility from Salters Road is minimal, therefore not destroying the scenery of the current land structure.

The main purpose of this building is to increase efficiency within our present farm and will give us an approximately 10% increase in production, requiring around 20 new members of staff, whose cars can be parked in our present car park at the northern end of the existing Mushroom Farm. At present we employ approximately 30 staff, 90% living in or around Wilberforce. Our present hours of trade which we do not anticipate to alter are between 7.30 a.m. till 4.00 p.m., Monday to Friday with a small amount of picking only carried out on a Sunday morning.

It has been a policy of our Company for a number of years that all staff and delivery movements of vehicles in, out and around our property be carried out with the utmost respect for our neighbours as possible so as we do not disrupt the comfort that these people enjoy.

All of the waste materials, e.g., compost and mushroom stalks are sold on a weekly basis to landscape gardening Companies who we have yearly arrangements.

All waste water arising from the Mushroom Farm is first trapped in catchment pits to remove as many solids as possible with the water running in to an existing catchment dam on the eastern side of the Mushroom Farm. This water is then used to further irrigate our orchard enterprise, thus reducing any chance of overflow into the creek's infrastructure of the surrounding lands."

Statutory Situation

The subject land is zoned Rural 1(b) under the provisions of Hawkesbury LEP 1989. The preparation of mushroom compost is permissible on the site with the consent of Council.

Planning Assessment

Environmental Impact

The processes of peak heat (sterilisation by the use of high temperatures and steam) and spawn run are carried out as a routine part of mushroom growing on most farms. These processes do not create an odour nuisance, and given that raw compost will not be manufactured on the site, complaints relating to odour should not occur.

To date, no complaints have been received regarding the existing operation.

The volume of water used during the processes of peak heat and spawn run is very small and is generated only from steam used for heating and during cleaning. Accordingly, the existing dam on site would be capable of holding discharged water.

Scenic Quality

The proposed tunnel complex will be constructed of light weight concrete panels, white in colour, with white "colorbond" roofing. As the development will be "set" into the side of a hill and surrounded by existing orange orchard, visibility from Salters Road will be minimal.

The development will also enable large trays presently stored outside, to be stored within the building, thus improving the overall appearance of the site.

Noise associated with the operations will be minimal, given that the machinery used will be housed inside the proposed building, with the hill partly acting as a noise barrier.

Access/Parking/Traffic

The existing farm currently employs about 30 staff, with a maximum of 20 cars presently using the site, i.e. 1 space/1.5 staff. With an additional 20 employees proposed, parking for a total of 33 vehicles would be required. Whilst adequate area is available on the site for such parking, the car park should be upgraded and formalised to the satisfaction of the Manager of Engineering Services.

In regard to traffic, it is anticipated that 10 semi-trailer loads of compost would be delivered to the site per week. This will actually mean a reduction in traffic movements, in that 18 trucks currently visit the site each week. Whilst it would be desirable to restrict all truck movements to the eastern end of Old Sackville Road, this would be difficult given the angle at which Salters Road meets Old Sackville Road. Although trucks currently use Singleton Road and the western end of Old Sackville Road, this situation should improve with less trucks delivering to the site.

Recommendation

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

1. The development shall be carried out in accordance with the plans and supporting documentation submitted with the application.
- 2-6 Standard Conditions (DAs) 31, 33, 100, 102 and 120.
7. Separate details of exhaust air filtration to be submitted with the building applications.
8. Parking shall be provided for 33 (thirty three) 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. The sealing shall include the access road, manoeuvring and unloading area for the compost delivery trucks. Full details of works shall be submitted for approval with the building application.

Charge

9. The construction of a sealed rural type vehicular crossing to the entrance to the site.

10. entire condition

Item No. 30 of the Supplementary Report was considered in conjunction with Item No. 19 above.

Mr.K.King, the applicant, addressed the Committee.

COMMITTEE'S RECOMMENDATION

THAT ITEM 30 be considered in conjunction with Item 19 to be received and further that given the objectives (c) and (d) of Rural 1(b) zoning is to minimise:

- (1) the disturbance by clearing earthworks and access roads,
- (2) traffic generation,

the applicant be asked to scale down the development proposal to agree with those objectives.

Alderman Horrex asked that his name be recorded as being against the recommendation.

ITEM 20: (File 192-85)

Karl's 12/4/90

SUBJECT: SAND EXTRACTION - TINDA PARK, PUTTY ROAD,
COLO HEIGHTS

REPORT (M.T.P.)

In April, 1989, Council granted Poyneed Pty Limited a two year extension of their consents to construct a dam for agricultural purposes and transport extractive materials from the site. Part of Council's resolution required that all the restoration works be carried out within a six month period subject to allowances being made for wet or inclement weather conditions.

A recent site inspection has shown that operations on the site have varied from the approved plan in terms of location of extraction areas.

Council has also received a letter from Birdon Contracting Pty Limited indicating their relationship with Poyneed Pty Limited as well as a statement as to their past experience in the field of extractive industry.

The letter indicates that Birdon Contracting Pty Limited are keen to obtain options to extract sand from the property and have supplied the following information to Council:-

"We have examined the current approval by Council and appreciate previous concerns about the ad hoc Approach adopted in the past, but consider that the isolation of the site and the advantage to the City of having a competitive sand resource, should encourage Council to support our efforts to construct a long term industry in the area.

We are prepared to satisfy Council's conditions with respect to installing, operating, maintaining and rehabilitating the existing and future sand operations at the site and request Council's advice as to their requirement.

We also request an extension of time of 6 months on the current approval to enable us to prepare any relevant documentation that may be necessary.

In summary we are a substantial, successful, reputable company, prepared to invest in your Shire and modernise and rehabilitate an existing sand operation, which is financially incompatible of maintaining or restoring its current workings . . ."

Site inspections confirm that Poyneed Pty Limited the Company that initially secured the development consent has not been able to effectively manage the sand extraction operations on the site.

As the land does not have a history of good extractive management and as it is new operators proposing to utilise the site it is felt prudent that they be requested to prepare a new application.

As such, Birdon Contracting Pty Limited will be required to prepare an Environmental Impact Statement as the proposal constitutes an extractive industry which is defined as a "designated development". This being the case Birdon Contracting Pty Limited will be required to liaise with the Department of Planning and Council in establishing the requirements for the contents of the Environmental Impact Statement.

Recommendation

That Consent Number 565/1986 not be extended however the correspondents be advised that extractive industries are an allowable use with Council consent and that they are able, if they wish, to make a new application in accordance with the EPA Act, 1979.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 21: (File DA 76/90)

Row's

WP. 12/4/91

for letter

SUBJECT: VARIATION OF FLOOR LEVEL HEIGHTS - RETAIL
PLANT NURSERY BUILDING. LOT 2, DP 236785,
WINDSOR ROAD, VINEYARD

REPORT (M.T.P.)

The original application was reported to Council at its Meeting on the 12th June, 1990, at which time Council resolved to grant consent for the establishment and conduct of a retail plant nursery and landscape supplies depot upon the site. The development also involves the construction of a nursery/warehouse building comprising a gross floor area of 972 square metres approximately (54m x 18m dimension). In this regard, the Building Permit No. 1155/90 was recently released and limited the filling of the land for the nursery building site to generally one (1) - 1.5 metres above the natural ground surface level in order to provide a contiguous flat platform at 14.5 metres AHD. This was consistent with the applicant's intention with the DA to fill the land by approximately 1 metre.

The applicant/owner has now tendered a request to raise the floor level to 15 metres AHD (i.e. 1 in 50 year flood frequency level) by the provision of an additional half a metre of landfill.

In general, the placement of half a metre of additional landfill would be considered minor but in this case the site is relatively exposed from the Windsor Road frontage and the placement of landfill up to 1.5 - 2 metres above the natural surface level in conjunction with the 8.7 metre high building would impose a significant amenity problem from Windsor Road. This issue was also previously raised in the report to Council which stated that it was desirable to require extensive landscape screening along the Windsor Road frontage to help 'soften' the apparent bulk of the 54 metre wide building.

Recommendation



That the applicant be advised that Council does not support the request for an additional (1/2) half a metre of landfill for the building site given the potential excessive exposure of the building and associated amenity problem.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 22: (File DA 286/90)

SUBJECT: VARIATION OF CONSENT - HORSE STUD LOT 1 DP
158486, 65 WOLKA ROAD, BILPIN

Row's
WP
12/4
for letter

REPORT (MTP)

Council at its Ordinary Meeting on the 9th October, 1990 approved the application for a horse stud comprising of a U-shaped stable complex and a sand topped dressage arena with an area of 2250 square metres (30m x 70m in dimension) in a north-south orientation upon a partition of the site.

Council is now in receipt of correspondence from the applicant, requesting that Council allow a repositioning of the dressage arena by 90 degrees from the approved plans. This variation was requested due to the prohibitive excavation costs associated with removal of a sandstone platform towards the north western portion of the site and the potential adverse visual impact of the cut and fill works along the western property boundary. The stable complex will also be repositioned with a minimum 10 metre side setback.

The relocation of the dressage arena in an east-west orientation would result in lower site costs and would be well screened by an existing pine tree windbreak. Accordingly, this amendment is recommended for support.

Recommendation

That Council approve the request for a 90 (ninety) degree repositioning of the dressage arena and the associated repositioning of the stable complex in accordance with the amended plan dated the 5th March, 1991.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 23: (File DA 206/89)

SUBJECT: EXPANSION OF HOURS OF OPERATION - TIME OUT
FAMILY ENTERTAINMENT CENTRE LOT 10, DP
715152, NO.9 WEST MARKET STREET, RICHMOND

Handwritten note:
Karl's /
we for letter
as per meeting
12/4/91

REPORT (M.T.P.)

This matter was recently reported to Council at its Ordinary Meeting dated the 12th February, 1991, following requests from the Company for expanded hours of operation. Council at this meeting resolved not to support the expansion of hours of operation and imposed the following hours of operation for a limited six (6) month period:-

Mondays to Fridays 3.30pm to 10.00pm
Saturdays 9.00am to midnight
Sundays and Public Holidays 10.00am to 10.00pm

Council is now in receipt of correspondence from the Director of Time Out Family Entertainment Centres requesting Council's reconsideration of this matter on the basis that his Company was not advised by written correspondence as to the Council report date to allow him to address the Committee. It should be noted that, Council Officers verbally advised the applicant and his staff on several occasions that the request for extended hours of operation would be reported to Council at its General Purpose Committee on the 29th January, 1991.

Notwithstanding this, it was considered reasonable, as a matter of courtesy, to allow the applicant the opportunity to address Council at this meeting for possible reconsideration of Council's previous determination.

The applicant has also tendered a document detailing the Company's profile (in terms of other family entertainment centres owned and managed in NSW), market analysis, equipment, design layout, staff training, security and the company's working association both directly and through the State Amusement Machine Operators Association with local Police, Social Workers, the NSW Children Protection Unit, local schools and Councils in order to guarantee strict and fair control of the respective centres.

Recommendation

That the applicant's request for extended hours of operation be received.

Mr.S.Cohglan addressed the Committee on behalf of the applicant.

COMMITTEE'S RECOMMENDATION

THAT THE HOURS of operation be varied to allow opening at 9.00 a.m. on Mondays to Fridays to be reviewed in 12 (twelve) months.

ITEM 24: (File DA 329/90)

SUBJECT: FLOODLIT GOLF DRIVING RANGE - LOTS 4 & 5 DP
802017 COX STREET, SOUTH WINDSOR.

REPORT (M.T.P.)

Consideration of this application was deferred from Council's Ordinary meeting of 12th March, 1991, "... to allow more detail to be obtained on the matter and a site inspection be carried out".

It is assumed that the further detail that Council required was on the basis of access via the Crown road being an extension of Ham Street. At the time of compilation of this report there has been no further response from the Crown Lands Office and this matter is being followed up with them. However, as the Council resolved to carry out a site inspection, the report is presented to this

To
Glenn
12/4/91

business paper to enable the inspection to be carried out, with a subsequent report to the Ordinary meeting in April should there be further information from the Lands Office.

Recommendation

That the information be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

*deferred for
another report
letter to Lands
Now! we wait for
letter.*

ITEM 25: (DA 297/90)

SUBJECT: HOURS OF OPERATION - PLAYLAND FAMILY
AMUSEMENT LEISURE CENTRE (ANARE PTY. LTD.)
LOT 1 DP 544317 NO.189 WINDSOR STREET,
RICHMOND.

REPORT (M.T.P.)

This matter was reported to Council at its Ordinary meeting of 12th February, 1991, in respect to a request for extended hours of operation. Council resolved not to support the request and imposed the following hours of operation:-

Mondays to Fridays	3.30 p.m. to 10.00 p.m.
Saturdays	9.00 a.m. to midnight
Sundays and Public Holidays	10.00 a.m. to 10.00 p.m.

The applicant has now tendered a request for reconsideration to allow for the extended hours of operation, particularly since the Company will be required to make three staff members redundant in the event of continued restriction on the hours of operation. The request reiterates the previous submission by the applicant that school children are not permitted in the Centre during school hours with loitering also being discouraged both inside and outside the Centre.

The applicant has also requested to address Council at its General Purpose Committee of 26th March, 1991.

Recommendation

That the applicant's request for reconsideration for extended hours of operation be received.

Mr.J.Pearson, on behalf of the applicant, addressed the Committee.

COMMITTEE'S RECOMMENDATION

✓ THAT THE HOURS of operation be varied to allow opening at 9.00 a.m. on Mondays to Fridays to be reviewed in 12 (twelve) months.

ITEM 26: (File DA 229/90)

Glenn 2/4/91

SUBJECT: DEMOLITION OF HERITAGE ITEM - PROPOSED - 49-51 BOSWORTH STREET, RICHMOND.

REPORT (M.T.P.)

Council considered this matter at its meeting of 11th December, 1990, and resolved that the matter be reconsidered after the Traffic Management Study by the Roads and Traffic Authority was completed.

The following letter has been received from Solicitors Shaddick Baker & Paull:-

"We refer to previous correspondence herein and note that at the Ordinary Meeting of Council on 11th December, 1990, Council resolved that development consent for demolition for the abovementioned property be not issued and the matter would be reconsidered after the Traffic Management Study being carried out by the Roads and Traffic Authority for Windsor and Richmond had been completed.

We understand from the Roads and Traffic Authority that it does not intend to make any changes to its proposal to widen Bosworth Street.

Owing to the passage of time the building has further deteriorated and we should be pleased if Council would now reconsider this application.

After discussion concerning the matter with the Town Planner, we request that the Aldermen inspect the dwelling on the subject property prior to making a final resolution.

We should be pleased if you would let us know when the Aldermen wish to inspect the dwelling so that we may provide them with access to the interior."

A recent inspection reveals that there has been further deterioration in the building.

It was indicated to the correspondent that Council may wish to have a more detailed inspection prior to further considering the matter.

Recommendation

That the request by Shaddick Baker & Paull for inspection of the premises be received.

Mr. Nightingale, deputising for Mr. Don Shaddick, addressed the Committee, on behalf of the applicant.

COMMITTEE'S RECOMMENDATION

THE SITE BE inspected.

The Committee inspected the site at 4.15 p.m. Aldermen present were Aldermen W.J.Sledge, R.C.Bazeley, R.S.Benson, F.Y.Denne, J.J.Horrex and L.C.Sheather.

COMMITTEE'S RECOMMENDATION

THAT THE DEPARTMENT of Planning be advised that Council considers the building inappropriate for restoration due to :

1. The high cost that would be required.
2. The deteriorating condition of the building.
3. The small amount of remaining heritage fabric of the building.

Elizabeth

ITEM 27:

12/4/

(File DA 393/89)

C. J. H. 100
DPO 4/12 P. 8
19" 10" 12" 14"

SUBJECT: AURORA MEANDER SCHOOL - LOT 1, DP 204940
MOUNTAIN AVENUE, YARRAMUNDI

REPORT (MTP)

At its meeting of 12th March, 1991, Council was advised that the 12 month approval for the use of an existing weather pavilion on the subject land as a temporary classroom was due to expire shortly. Approval for the temporary classroom was issued on the understanding that a new classroom would be constructed during this 12 month period. Accordingly, a written request was forwarded to the school seeking details on its intentions for the future development of the site.

Correspondence has now been received from the school, which is reproduced below:-

"Aurora Meander School has been negotiating with the Independent Schools Block Grant Authority for some time to obtain financial assistance to commence the building program detailed in our Development Application.

I am pleased to advise that we have recently been confirmed as recipients of a Commonwealth Government building grant for the construction of two fully

serviced classrooms and a toilet block. Our architect is drawing up working plans now and these will be submitted for Council approval as soon as they are available. The plans must also meet Block Grant Authority approval. We are delighted to have Commonwealth Government support for our position in the community.

The addition of these new classrooms will help our classroom shortage in the long term but we are left with a short term crisis that does not go away, no matter how we reorganise our facility. The predicted growth of our new High School, following recent full Accreditation from the NSW Department of Education, has occurred, thus adding to our cramped situation.

It is the Board's request that Council consider amending the Authorisation concerning the use of the weather pavilion at school as a temporary classroom. If the designation "temporary" could be amended to "permanent" our position would be greatly relieved; this delightful classroom has become a valued and revered part of our school.

The neighbours on the eastern boundary (the main objectors to the classroom) have announced to us that they are selling out and we are co-operating with them to upgrade the dividing fence between our properties prior to sale of their house. We feel that this might be of interest to Council when considering our request for permanency of the classroom.

I hope that this request meets with Council approval and I would be happy to respond to any enquiries that Council might have on this matter."

Adjoining landowners were notified of the proposed permanent classroom, with one objection being received from Mr and Mrs Matheson. Although this objection has not been received in writing, a separate report will be presented to Council commenting on this objection.

It would appear that although the development has been a continuous source of complaint from adjoining owners, these complaints have primarily related to:

- A. 1. the time taken to establish the school in accordance with the original plans submitted; and the alterations/amendments to those plans; and
- 2. non-compliance of conditions attached to previous consents for the school eg provision of an aerated septic system, landscaped earth mound, on-site parking area and bus turning circle.

The outstanding conditions attached to the temporary classroom and use of the existing dwelling have now been satisfied. However, if the proposed usage of the existing weather pavilion as a permanent classroom is approved, the immediate provision of an aerated septic system would be required.

The existing weather pavilion is situated approximately 45 metres from Mr and Mrs Matheson's residence, the closest residence. Notwithstanding this,

a 1.0 - 1.5 metre high landscaped earth mound exists along the western boundary immediately adjacent to the Matheson's residence. It is considered that the earth mound, together with distance between the residence and the weather pavilion, will to a large extent mitigate any noise resulting from classroom usage of the pavilion.

Further, use of the weather pavilion as a permanent classroom rather than a temporary one will not generate a need for the provision of additional on site parking. Three carparking spaces currently exist on the site adjacent to Mountain Avenue.

The current proposal for permanent classroom usage of the weather pavilion is not considered to have any greater impact on the surrounding environment than the existing temporary use providing an aerated septic system is installed. In terms of Section 90 heads of consideration, it is felt that there are no grounds by which to refuse the application.

- B. However, to ensure that the permanent classroom does not have an adverse affect on the amenity of the area, it is desirable that the use of the weather pavilion as a classroom be reviewed at the end of each year, with a view to the building reverting back to its original purpose.

Recommendation

That the development consent for the temporary classroom be amended to allow a permanent classroom, subject to compliance with the following conditions:-

- 1-2 Standard conditions (DA's): 100, 102.
3. Immediate provision of an aerated septic system to the satisfaction of the Manager of Environment & Building Services.
4. Appropriate ground covers are to be planted over the landscaped mounds to minimise weed growth.
5. The use of the weather pavilion as a permanent classroom is to be reviewed at the end of each calendar year, with a view to the building reverting back to its original purpose.

Item 28 of the Supplementary Report was considered in conjunction with Item 27 above.

Mrs.Y.Sievers addressed the Committee on behalf of the applicant.

Mr.Matheson addressed the Committee as an objector.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

FURTHER THAT THE objection of Mr. & Mrs. Matheson be received.

ITEM 28: (File DA 393/89)

Elin 12/4/91

SUBJECT: AURORA MEANDER SCHOOL - LOT 1 DP 204940
MOUNTAIN AVENUE, YARRAMUNDI

REPORT (M.T.P.)

Council is referred to Item 27 of the Planning and Development Section in this Business Paper.

Mr and Mrs Matheson's objection is now reproduced, in part, below:

"When Council first passed the plans for the school both they and the school acknowledged noise would be a problem to the adjoining neighbours but Aurora Meander assured everyone that no buildings adjacent to the neighbouring properties would be used as classrooms and noise would be kept to a minimum.

The subject of noise was again raised at a meeting of all Councillors on site and again they were assured that no buildings other than those proposed in Aurora Meander's original submission would be used as classrooms. In their request to use the weather shed as a classroom, Aurora Meander again clearly stated it would only be for a period of 12 months, now they want to use it as a permanent classroom.

The area adjacent to our property is now used as a playground simply because it is outside of the 'temporary classroom'. Noise levels have increased significantly. On a number of occasions Aurora Meander told both us and the Council that this area was to be used for gardening and no noise would be created from the area.

The rules seem always to be changed in Aurora Meander's favour. The layout of the school is now completely different from what was originally proposed ...

I therefore ask the Council not to delete the word 'temporary' from the school's request to use the weather shed as a temporary classroom but rather have them make some attempt to adhere to the original proposals which they have assured Council they would do and at the same time reduce noise levels for adjoining neighbours."

Aurora Meander School has advised that the two new classrooms and amenities block will be located towards the rear of the property, as originally proposed. Although it is anticipated that these new buildings will be completed by the end of September, 1991, there is a concern that the temporary classroom may continue to be used for this purpose.

Accordingly, if the weather pavilion is to be used as a permanent classroom, then the immediate provision of an aerated septic system is considered necessary.

The issue of noise, however, generated by the children particularly when playing outside, needs to be addressed. Whilst the landscaped mound would, to some extent, reduce noise levels, the question of whether this noise is unreasonable and/or unpleasant needs to be considered. This is very subjective and certainly dependent upon other background noise. Given that playground noise would, however, on most occasions, only occur at three times during the day, the provision of the landscaped mound would seem sufficient. The provision of additional noise reduction measures at this stage is not considered necessary, but can be re-assessed at the end of this year, hence the imposition of Condition No.5.

Therefore, the proposal is recommended for approval subject to the conditions, as shown.

Recommendation

That the objection of Mr & Mrs Matheson be received.

COMMITTEE'S RECOMMENDATION

See Item 27.

ITEM 29: (File DA 43/91)

SUBJECT: VILLA HOUSES - LOTS 10 & 13 DP 801358, IVORY PLACE AND LANGLEY PLACE, RICHMOND - CAVASINNI DEVELOPMENTS PTY LTD

REPORT (M.T.P.)

Council is referred to Item 15 of the Planning and Development Section in this Business Paper.

Thirteen objections have now been received to the above development, which are shown on the attached plan. The following extract from the objections encompasses most of the reasons for objection:

"We each purchased our land on advice from Property 2000 that Mountain View Estate would comprise only 27 x 1000 square metre blocks each restricted to a single, prestige family dwelling. We each purchased our land at prices commensurate with this guarantee and have planned - or proceeded with - quality housing to suit. The introduction of medium density housing will impact on the security, capital growth and attractiveness of our investments."

The cul-de-sacs, Ivory and Langley Place, were planned to service 21 family dwellings. Approval of this application will increase the potential traffic volume by 15-20 percent and, in turn, impact on our families' safety and our domestic peace and quiet.

... We each contracted with Property 2000 to adhere to a series of construction restrictions to safeguard this prestige of the estate. These restrictions detailed such requirements as minimum dwelling sizes, proximity to Castlereagh Road, single storey dwellings on Drift Road, and the like. We understand that Property 2000 may have waived some restrictions in favour of the villa developer.

We would prefer that the number of villas be reduced, that the quality of construction equate to the estate's standards and that each villa be owned by its occupants. At the very least, we would expect that the villa developer conform to the same restrictions that we ourselves face ...

We further ask that these objections be noted for future medium density building applications in the area."

The owner of adjoining Lot 12 also advised that:

"In the plan submitted to Council, the Developer has dedicated the driveway from Langley Place to Lot 13 - to Lot 12 - which is my property. We were not made aware of this and if this is to be the case, certainly we should be approached."

Clause 34 of Hawkesbury LEP 1989 provides that for the purpose of enabling development to be carried out in accordance with the LEP, the operation of any covenant which imposes restrictions on the development, shall not apply. Notwithstanding this, the following comments are made.

The setback to Unit 2 from the proposed alignment of Castlereagh Road following future widening will only be 2.5 metres. Whilst it may be possible to relocate the unit, so a 5m setback can be achieved, the new location is likely to be less desirable in that the rear courtyard and those rooms towards the rear of the unit will be subject to additional noise associated with Castlereagh Road. To some extent, the proposed location provides that the end wall, which contains no openings, will partially act as a noise barrier; and this, together with appropriate fencing and landscaping will reduce traffic noise considerably.

The area of Unit 1, because it stands alone, will only be 116m². This could be overcome by increasing the size of the rooms; however to provide some continuity to the overall development, the need to do this is questionable.

If the access handle to Lot 13 is not consolidated with adjoining land, it is possible that the access handle could create a maintenance problem. In this regard, a condition can be imposed, and whilst the owners of Lot 12 may not wish to buy this land, the owners of Lot 14 may.

Although there is no real on street parking in the vicinity of the site, given the number of driveways located around the cul-de-sac, off street parking has been provided in accordance with Council's Medium Density DCP, with two additional visitor spaces.

Whilst there will certainly be an increase in traffic in Ivory Place, the road system is considered capable of accommodating this extra traffic.

Given that the site has not been developed to its maximum density; each dwelling will be provided with a private courtyard in excess of the 50m² required under Council's amended DCP; and the development will be single storey, the proposal is not considered to be out of character with surrounding residential development.

Drainage is not considered to be a constraint to the development of the site and will need to be provided to the satisfaction of the Manager of Engineering Services.

A detailed plan of landscaping will be submitted with the building application, if the proposal is approved. The concerns of adjoining owners can be considered at this stage.

The noise generated by vehicles using Castlereagh Road will be reduced through the use of appropriate fencing and landscaping.

In regard to the statement that one of the objectors made:

"We were not informed of the resubdivision of these lots nor were we informed of previous applications for other villa home projects",

the following comments are offered.

In accordance with Council's advertising policy, adjoining owners are not notified of any proposed subdivisions.

Council has previously approved seven 3-bedroom townhouses on the subject land (June 1990), and two 2-bedroom villa homes with one 3-bedroom townhouse on Lot 26 in the estate (July 1990). On both occasions, Council sought to advise adjoining landowners in accordance with the advertising policy. However, whilst most of the relevant landowners settled in March 1990, with the transfer of land notices being received by Council at some point after this, Council's computer records had not been updated at the time the letters to the adjoining owners were forwarded. Consequently, in most cases, the lots were still in the name of Property 2000 Pty. Ltd. Further, Property 2000 Pty. Ltd. did not advise any of the new landowners of the proposed developments. Therefore, in both circumstances, no objections were received.

Whilst the concerns raised in the objections are understood they do not alter the recommendation for approval of the proposal.

It would appear that the marketing strategy of Property 2000 has been unfortunate if the impression was given that only single houses would be able to be built.

Letters are being compiled to be sent to Solicitors regularly dealing with Council to remind them that medium density housing is allowable in most residential areas so that they can advise their clients should they think it appropriate.

Recommendation

That the information within the objections be received.

COMMITTEE'S RECOMMENDATION

See Item 15.

ITEM 30: (File DA 27/91)

wp. 12/4

SUBJECT: MUSHROOM FARM EXTENSIONS - SALTERS ROAD,
WILBERFORCE - APPLICANT: K KING

REPORT (M.T.P.)

Council is referred to Item 19 of the Planning and Development Section in this Business Paper.

An additional condition is recommended to be included.

Recommendation

That the following condition be included at Condition No 10:-

"The provision of a single coat bituminous reseal to Salters Road from the entrance to the subject site to its intersection with Old Sackville Road to the satisfaction of the Manager of Engineering Services."

COMMITTEE'S RECOMMENDATION

See Item 19.

ITEM 31: (File DA 33/91)

wp. file. (to wp 12/4)

SUBJECT: TOURIST FACILITY CRAFT STUDIO/TEA ROOM -
BOWEN MOUNTAIN - APPLICANT: M HARTLEY

REPORT (M.T.P.)

Council is referred to Item 7 of the Planning and Development Section in this Business Paper.

Council is in receipt of a petition containing ten signatures objecting to this proposal. The grounds of objection are similar to those previously reported.

Recommendation

That the information be received.

COMMITTEE'S RECOMMENDATION

See Item 7.

Alderman Horrex left the meeting at 5.00 p.m.

Given 12/4/

FLOODLIT GOLF DRIVING RANGE - LOTS 4 & 5 DP 802017 COX STREET, SOUTH WINDSOR. DA 329/90

The Committee inspected the Golf Driving Range at 5.15 p.m. Aldermen present at the inspection were Aldermen W.J.Sledge, R.C.Bazeley, R.S.Benson, F.Y.Denne and L.C.Sheather.

COMMITTEE'S RECOMMENDATION

As there was not a quorum, no recommendation was made.

w N

Recommendation

That the report be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 3: (File C48)

SUBJECT: PROVISION OF ATHLETICS FACILITY

REPORT (TC/GM)

Investigations have been undertaken for some time regarding the provision of a synthetic athletics facility within the district.

One of the Council's engineers recently attended a seminar in Canberra looking at sports surfaces. From information provided the cost of establishing a synthetic surface with associated works including ground preparation, drainage, fencing, parking, lighting and an amenities building would be around \$1.2 million.

To achieve a reasonable cost benefit ratio, from information available, it would appear that the facility should be within reach of around 500,000 within a 12 kilometre radius.

This population within that distance would be capable of supporting three to five registered athletic clubs to provide regular use of the facility.

With the substantial cost involved, at this stage, investigations are taking place at the provision of a facility without the synthetic surface with its high installation and operational costs.

Recommendation

That the report be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 4: (File GS80/15)

SUBJECT: CONSTRUCTION OF HOARDINGS AND PROTECTIVE
FENCES - POLICY

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, and that the Statement of Bank Balances as shown in Form 2 showing the position of the Bank Accounts be received.

General Fund Nos.	71	-	99983	\$4245441.63
Trust Fund Nos.	8264	-	8348	\$40774.00
FID General Fund	469023	-	469030	\$967276.03
98P General Fund	640537	-	640541	\$4719128.19
98P Bank Trust Fund	425403	-	425405	\$1880160.79
FID Account Trust Fund	25404			\$3733.85
				\$11856514.49

ITEM 2: (File GG21/36PT1)

SUBJECT: COMMONWEALTH GRANTS COMMISSION

REPORT (TC/GM)

There have been a number of reports in recent days regarding the Commonwealth Grants Commission Report on Interstate Relativities in the distribution of Financial Assistance Grants to local councils. We have been unable to obtain a copy of the report to date.

From the proposals as they are known, should the 1990/91 Grant have been made on the new formula, then New South Wales, rather than receiving \$243.2 million, would have received \$81.9 million. For this Council this would have meant a reduction from \$2,285,800 million to \$769,963.

There is obviously a very significant impact for the State as well as this Council, should the new arrangements be implemented.

At this stage, a range of options that would be available to the Council for either reducing services or increasing rates to make up the difference has been prepared and will be reported to the Ordinary Meeting.

In the meantime every attempt is being made to obtain details and the matter has been listed for the next WSROC agenda.

REPORT (M E B S)

During recent years building development and redevelopment in town centres, particularly the commercial centres, has resulted in a tendency for multi-storeyed buildings to occupy whole development sites.

This development trend has resulted in building construction work proceeding in close proximity to public areas (footpaths, roadways and the like) to such an extent as to be a potential hazard to members of the public and occupants of premises adjoining the construction site.

Council's existing longstanding policy has tended to become outmoded and is considered in need of review.

Accordingly, to provide for the safety of members of the community using or frequenting public places adjoining building construction or demolition sites, it is submitted that the attached "Policy for the Construction of Hoardings and Protective Fences" be considered.

Recommendation

1. The "Policy for the Construction of Hoardings and Protective Fences" be adopted.
2. The inspection fee be set for 1991 at \$2 (two)/month/square metres of public place enclosed by the hoarding or fence, for a minimum period of 3 (three) months.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

QUESTIONS WITHOUT NOTICE

Alderman Rotherham referred to the potholes in Crooked Lane, North Richmond.

Alderman Horrex referred to previous Certificates presented for various awards and asked if the Town Clerk/General Manager could investigate the possibility of preparing a more appropriate certificate as opposed to the present format.

Alderman Horrex asked if the Town Clerk/General Manager could prepare a detailed report on the circumstances surrounding the question of The Terrace.

Alderman Benson sought advice as to when the Special Meeting would be held on mushroom composting.

The Deputy Manager of Environment & Building Services advised that the legal advice has been received, it does require clarification. In the meantime letters have been forwarded to the two mushroom composting companies and also to the

two local community groups inviting them to make written submissions so that these can be included in the business paper. As soon as these, and the clarification on the legal advice, are received then a date can be fixed for the Special Meeting.

Alderman Denne asked if discussions had been held with Prospect Electricity in reference to the slashing of grass and if not could this be brought forward.

The Manager of Town Planning stated that this had not been done as yet.

Alderman Denne referred to the Prospect lines down Pecks Road for the new subdivision as well as the old one and the growth of grass. She stated that this is not being attended to and asked if this is a matter for Prospect or is it a joint venture. She pointed out that this is quite a large space and it should be brought to the attention of Prospect Electricity as well as Council.

Alderman Sheather referred to the North Richmond and Windsor Bridges. He stated that the washout on the other side of the Windsor Bridge needs to be attended to before there is another flood. He asked if it is Council's or the Roads and Traffic Authority's responsibility.

The Town Clerk/General Manager stated that the Roads and Traffic Authority has retained the road by driving sheet piling. Where the washout is, is private freehold land and there is no intention either by the Council or the Roads and Traffic Authority to do anything about it. It did belong to the Aboriginal Land Council and approaches have been made on a number of occasions in the past about either acquiring that section of land to improve the sight distance around that corner and incorporate it in the park adjoining or just allowing Council to regrade to improve the sight distance. If the land has been sold a new approach will be made to the current owner.

Alderman Sheather stated that bunting on the handrail at North Richmond Bridge has been there since the last August flood.

The Mayor stated that work is being carried out at this location.

Alderman Sheather referred to an article in Penrith Press regarding the Richmond RAAF Base and the possibility that if it goes there, there may be an international airport at Richmond. He asked if the Town Clerk/General Manager could possibly look at anything that is happening in this regard.

The Mayor stated that nothing has been advised at all at this stage and perhaps this is conjecture.

The meeting then adjourned for inspections.

The meeting terminated at 5.30 p.m.

REPORTS FOR DETERMINATION

FINANCE AND ADMINISTRATION1. HAWKESBURY HISTORICAL SOCIETY - COMMEMORATIVE PLAQUE. GC30/3

The Hawkesbury Historical Society has recently requested that it be permitted to make nominations in July each year for the commemorative plaque to be unveiled at the Australia Day Dinner the following year. It has also requested that the public be invited to make nominations for this plaque.

In the past, the Australia Day Dinner Committee has made the determination as to who will be commemorated by a plaque being unveiled at the Australia Day Dinner. The Committee is represented by three Aldermen, two representatives of the Hawkesbury Historical Society and the Manager of Financial and Administrative Services. However, it should be noted that the Committee is currently represented by Aldermen Stubbs and Books, who are also members of the Historical Society.

It is felt that the Australia Day Dinner Committee should still make the determination as to the commemorative plaque being unveiled and the request of the Hawkesbury Historical Society be referred to that Committee.

IT IS RECOMMENDED THAT the Hawkesbury Historical Society be advised that the Australia Day Dinner Committee makes the determination of the commemorative plaque to be unveiled at the Australia Day Dinner and that their request has been forwarded to that Committee for its determination.

2. ALCOHOL FREE ZONES GP70/1, GR120/4 PT 1

The Windsor Police Patrol has written requesting "alcohol free zones" be proclaimed in the City of Hawkesbury under the Local Government (Street Drinking) Amendment Act which came into force the 1st March 1991. The Patrol has written as follows:

"From statistics maintained in relation to the consumption of alcohol and alcohol malicious injury related offences, application is made for the following locations to be made Alcohol Free Zones between the hours 6pm on one to 6am the following day:-

Smiths Park, Richmond

*Tamplin Field, Richmond/Hobartville
McQuade Park, Windsor
Macquarie Park, Windsor
North Richmond Park, Richmond North
Windsor Street, Richmond bounded by the intersections of East Market and West Market Streets
March Street, Richmond bounded by the intersections of Paget and West Market Streets
Windsor Mall, George Street, Windsor
Woodhills Carpark, Richmond
State Bank Plaza Shopping Centre, Bells Line of Road, North Richmond*

All the applied for locations are in the vicinity of licensed premises and according to Police records they have a history of either offensive/disorderly behaviour and/or malicious damage to public or private property. It is submitted that the great majority of the offences mentioned are alcohol related.

Perhaps favourable consideration could be given to this application by Council to assist Police to maintain peace and good order in the areas nominated."

The Department of Local Government has advised of the guidelines for councils to implement the Legislation.

The Department states that the creation of the zones has been entrusted to Councils because problems involving the irresponsible consumption of alcohol on public roads affects the local community and may be most effectively resolved where councils maximise local community involvement. Under the Legislation councils have been given the delicate task on behalf of the general community of carefully assessing and reviewing the need for, and effectiveness of, alcohol free zones on an ongoing basis. It follows therefore that Councils themselves will not generate applications for alcohol free zones.

If an application is made to the Council by a person living or working in an area or by the Police or any community group, then the Council may resolve to establish a zone consisting of a road or roads (or parts of roads) as an alcohol free zone.

The Council is required to advertise its intentions and to consider representations or objections made by interested parties. It must also consult the local Police, the Anti-Discrimination Board and Hoteliers and other holders of liquor licenses in the affected part of its area.

A zone may be established as an alcohol free zone for a period of twelve months. After that it lapses, but it may be re-established any number of times as long as the requisite procedure is complied with each time.

IT IS RECOMMENDED THAT Council advertise its intention to create Alcohol Free Zones as requested by the Windsor Police Patrol.

3. COMPENSATION FOR LOT 6 DP 748866 BELLS LINE OF ROAD, NORTH RICHMOND - NSW POLICE SERVICE. 4120.1C, GC284/8 PT 1

Council resumed the above property, containing an area of 609m², on 9th February, 1990, and previous owners of property the N.S.W. Police Service, has accepted Council's offer of compensation in the amount of \$20,000.00 subject to erection of a new fence along the boundary and reconstruction of a brick barbecue standing on Lot 6. The compensation figure of \$20,000.00 is the same as was offered by Council in 1984 and settlement in this amount is considered reasonable in the circumstances.

The resumed land is part of Council's proposed overall pedestrian mall and parking areas running generally between Grose Vale Road and Pitt Lane, approximately halfway between Bells Line of Road and Riverview Street.

IT IS RECOMMENDED THAT:-

1. Council pay \$20,000.00 (twenty thousand) for compensation for the resumption of Lot 6, DP 748866 Bells Line of Road, North Richmond.
2. Council erect a 1.8 m (one point eight) high timber paling fence along the common boundary between Lots 5 and 6, DP 748866.
3. Council reconstruct the brick barbecue onto Lot 5 to match the existing brick barbecue on Lot 6.
3. All necessary documents be executed under Common Seal of Council.

4. CONTRACTS AND DOCUMENTS FOR EXECUTION UNDER SEAL OF COUNCIL. GC283/21 PT 1, GC283/22 PT 1, GC283/22 PT 1

IT IS RECOMMENDED THAT the Seal of Council be affixed to the following document:

Lease Renewals

Mr F Taranto, Shop 6 Wilberforce Shopping Centre. Exercising 3 (three) year option at a commencing rental of \$14,000.00 (fourteen thousand) per annum plus 15.87% (fifteen point eight seven) of outgoings. Floor area 132m² (one hundred and thirty two).

Mr & Mrs Cortese, Shop 5 Wilberforce Shopping Centre. Exercising 3 (three) year option at a commencing rental of \$6,456.00 (six thousand four hundred and fifty six) per annum plus 7.21% (seven point two one) of outgoings. Floor area 60m² (sixty).

Residential Lease

Flat One Toxana to Ms Linda Webber for a period of 6 (six) months at a commencing weekly rental of \$115.00 (one hundred and fifteen). Lease to continue on a month to month basis thereafter.

Easement - Prospect Electricity

Extension of width of easement for substation adjacent to Senior Citizen's building - March Street, Richmond

5. ROAD CLOSURE & PURCHASE APPLICATION - MS E B WOOD, EAST KURRAJONG ROAD (SECTION 2). GR80/4 PT 1

Council is in receipt of an application from Ms E B Wood of East Kurrajong Road (Section 2) for the closure and purchase of the unformed non-public road which adjoins her property, Lot 1, DP 732556.

The proposed area to be purchased is indicated on the map displayed at the meeting and it should be noted that some private lands, being Lot 5, DP 259641 have been included. Lot 5 does not currently enjoy building rights and is in the ownership of Mr W Packer of West Portland Road.

Mayor

nature of the matter, and, having regard also to Council's revised policy on road closure and purchase applications involving Crown Land, no objection is raised to the current application by Mrs Woods.

IT IS RECOMMENDED THAT:-

1. No objection be raised to the closing of the non-public road involved, having in mind in particular, present and future requirements of the public, including general public recreation needs, the environment generally and access by fishermen to actual or potential fishing grounds.
2. The applicant be advised of Section 15(5) of the HLEP 1989 which states that a person shall not erect a dwelling house on an allotment of land created by the closing of a road.
3. Authority be given to affix Council's Seal to all necessary documents.

6. LOCAL APPROVALS REVIEW PROGRAMME. H107

Council last year accepted an invitation from the Australian Government to be involved in the programme that had the aims to develop and promote reforms that:-

- Assist Local Government to carry out its development approval role to more effectively meet changing community needs and market trends and
- Improve the efficiency and effectiveness of the approval process so as to achieve identified savings to benefit customers.

In response the objective from the Council's viewpoint was to "identify and evaluate current processing operations and to determine improvements for Hawkesbury that may assist other Local Government areas."

The project management team comprised staff in the various operating areas of the Council, assisted by Consultant Planner Mr Ray Cole.

The methodology to achieve the aims and objectives of the project was to assess all current written material including the report in 1988 of the Local Government Inspector; interview all staff involved in the development/building approval process including technical and clerical support staff; discussions with the development industry; review samples of development and building

approvals and determine where time losses occurred eg: Council/State Government instrumentalities; identify perceived shortfalls; determine adequate resource requirement to implement a process which overcomes identified shortfalls, determine adequate resource level and devise a system that best fits the needs of community safeguard and developer confidence and determine what is the real cost of Council processing of development/building approvals.

The report has now been completed and copies are available for Members from the Library. There are a series of recommendations and, due to the length of these, have been forwarded separately with the Business Paper. With the recommendations there is an implementation schedule, and at this stage it is recommended that Council concur with the report and receive a further report detailing improvements and changes in delegations recommended in accordance with the implementation schedule.

IT IS RECOMMENDED THAT Council concur in principle with the recommendations of the Local Approvals Review Programme.

7. DELEGATION OF AUTHORITY. GM1/3 PT 1, HP/GB, LP/HB, LP/RB, LP/SW, AP/JA, AP/KH

There is a need to extend and alter some existing delegations as a result of the reorganisation of the Library, the extended leave of Mr John O'Grady and the expanding role in the Community Services and Computer areas.

IT IS RECOMMENDED THAT Council's delegations be amended as follows:

- Schedule 13 to Clause 2.9 to authorise Mr Brian Malouf to exercise the powers, duties and functions delegated to the Deputy Manager of the Environment and Building Services Department.
- Schedule 13 to Clause 2.9 to authorise Mr Garry Baldry to exercise the powers, duties and functions delegated to the Deputy Manager of the Environment and Building Services Department during absences from the office by the Acting Deputy Manager, Mr Brian Malouf.
- Schedule 16 to Clause 2.9 to authorise Mrs Helen Binney to exercise the powers, duties and functions delegated to the Chief Librarian during periods of absence from the office of the Chief Librarian.

- Amend Schedule 16 to Clause 2.9 to authorise Mrs Helen Binney, Mrs Robyn Bushell and Mrs Sonia Ward authority to sign purchase requisitions, orders and vouchers for goods, works and services on behalf of the Council as authorised for the Library.
- Schedule 19 to Clause 2.9 to authorise Mr John Atkinson to sign purchase requisitions, orders and vouchers for goods, works and services on behalf of the Council as authorised for the Community Services area.
- Schedule 20 to Clause 2.9 to authorise Mrs Kathy Hassall to sign purchase requisitions, orders and vouchers for goods, works and services on behalf of the Council as authorised for the Computer Services area.

8. RESEARCH PROJECT-BIOSOIL, GS45/1 PT 1

The NSW Department of Agriculture & Fisheries has written requesting Council's concurrence to a research project that will be undertaken on farms within the City area. The project involves the application of "clean" sewerage sludge to agricultural land. The Department advises that it has developed strict guidelines for the research and these are incorporated in the requirements of the Department of Health and the State Pollution Control Commission. The project has been undertaken previously on ten farms in the Camden and Wollondilly areas.

Major features of the programme are:

- Only sludges that have low levels of heavy metals and nil organo-chlorine pesticides are accepted.
- All sludge is incorporated into the topsoil, not left on the surface.
- It is digested stabilised sludge which has minimal smell and is not putrescible.
- It is used annually at fertiliser rates, not excessive "dumping" rates.
- The soil, plants and animals are monitored for pollutants.

The programme is one of several beneficial use programmes for sludge in the Sydney region. The three farms in the Hawkesbury area are Hadden Farm at

Ebenezer, Elf Mushroom Farm at Clarendon and Mr McCredie's farm (location to be advised).

IT IS RECOMMENDED THAT Council advise the Department of Agriculture & Fisheries it concurs and is supportive of its Bio Soil Research Project.

9. ELECTIONS - EXTRAORDINARY VACANCIES. GE1/3 PT 1

The following advice has been received from the Local Government Association as a result of Council's motion to the Annual Conference last year:

"I refer to your Motion No. 96 to the annual Local Government Conference which was referred to the Executive.

The motion proposed that extraordinary vacancies be not filled unless the number of elected members fell below 75%.

The Executive, after due consideration at its meeting on 8 February 1991, sees complicating factors occurring where the ward/riding system operates and feels the present system best represents a compromise between cost and the need for elected representation.

Accordingly the Association is of the view that the proposal could not be endorsed."

The Association was requested to reconsider the matter and the following reply was received.

"I refer to your letter of 11 March 1991 regarding elections to fill extraordinary vacancies and regret that my letter of 26 February did not note the Executive's concern that arguments could be advanced that representation could be lost to some sections of the community if council's proposal was adopted.

This matter was also taken into consideration by the Executive in determining that it felt that the existing system represents an acceptable compromise."

The experience of the four year term (which has been beneficial to Local Government) has been extraordinary vacancies resulting in expensive bi-

elections. Accepting different positions will apply to different areas the approach could be altered where the Minister upon application from a Council can concur with extraordinary vacancies not being filled.

IT IS RECOMMENDED THAT Council request the Association to approach the Minister for legislation whereby he can concur with extraordinary vacancies not being filled upon the appointment of a council.

10. DRESS REGULATIONS. GP20/3 PT 1

A report has been requested as to whether staff should be able to wear open-neck shirts. Council, some years ago, resolved that all male staff working in the Administrative Building were to wear ties.

Over recent years there have been a number of changes in dress regulations in both the public and private sector, including the Defence Forces. This has involved removal of the requirement to wear ties on all occasions and it is considered without detriment to the organisations involved.

Revising the dress code has been under consideration at the staff level for a little time and it is considered that this is an appropriate level for a decision on dress rules to be made.

IT IS RECOMMENDED THAT the dress code for Council staff be left to the determination of the General Manager in conjunction with the Personnel Manager and Department Heads and to be such that the quality of Council's image is maintained within the staff, the community and various agencies with which Council is involved.

11. COMMONWEALTH GRANTS COMMISSION. GG21/17 PT 1

As reported in the Committee Section regarding the Commonwealth Grants Commission Report on interstate relativities in the distribution of financial assistance grants to Local Councils, a report from the Commonwealth Grants Commission dealing with interstate distribution of financial assistance grants to Local Government was tabled in the Federal Parliament a few weeks ago. The report followed a decision of the 1989 Premiers' Conference to ask the Commission to investigate an interstate distribution of the grants which had regard to the concept of fiscal equalisation between the Local Government

maintaining statutory responsibilities and then looking at the options of maintaining other functions and services in line with its determined rating level. Should the entire cut have been taken without a commensurate increase in rates then, in organisational terms, a restructure would have been required with reductions and closures in services with commensurate staff reductions at all levels of the organisation.

Some of the areas requiring reduction would have been almost all loan borrowing areas including new road construction, parks, land acquisition, car parking, the consideration of levels of service and time involved in various approvals (development, building, subdivision), closure of some community facilities (recreation and cultural), cessation of some community activities, reduction in the levels of dog control and stock impounding, reduction in newly-developed environmental services programmes, reduction in areas of tourism and various civic functions including Sister Cities, public relations.

The impact, potentially, has quite serious implications for Council and the area's community and, accordingly, it is seen as a major priority to be addressed at a regional level. The matter will be the subject of discussion at the WSROC meeting on Friday, 5 April and it is recommended that Council indicate to the region that, at this stage, it considers the issue is a Number 1 priority for the region to address.

IT IS RECOMMENDED THAT Council advise WSROC that it considers the possible impact of the Grants Commission Report such to warrant the matter being a high priority for the region to address.

ENGINEERING

1. RENEWAL OF LICENCE NO 01684 McGRATHS HILL
WASTEWATER TREATMENT PLANT - UNDER THE STATE
POLLUTION CONTROL COMMISSION ACT 1970. GS41/3PT 1

Details have been received from the State Pollution Control Commission relating to renewal of licence to operate the McGraths Hill Wastewater Treatment Plant.

The licence period is for a 12 month period from 1st May, 1991, and arrangements have been made to further discuss the requirements concerning the discharge and operation of the spray irrigation programme being undertaken.

The licence format has changed from the previous 12 months, with it now being required for Council to undertake an extensive testing programme and complete under the seal of Council, a certificate of compliance, certifying requirements under the licence have been complied with and outlining reasons for any areas of non compliance.

Failure to complete and return the certificate of compliance, provide false or misleading information, or not provide all required monitoring data is considered an offence by the Commission.

Hereunder is a Statement on Areas of Non Compliance in respect to the current licence.

Wet weather conditions prevailed during early 1990 up until May, with minor flooding including overtopping of the tertiary ponds on the 4th and 5th February. Final effluent testing and effluent irrigation was not carried out during this period due to the inclement conditions and effluent testing prior to July was only required to be carried out on a bi-monthly basis.

Further flooding and overtopping of the tertiary ponds occurred during August (3rd - 8th) with test results as shown on the 9th indicating virtual flood water quality with the flood only receding from the ponds the previous day.

Flow measuring equipment was removed for five days during the flood and when reinstated was found to be reading high. Electronic specialists were contacted to service the unit and it was finally adjusted on 10th September.

Flow details for August and September include the higher readings recorded for a period of 21 and 10 days respectively and were estimated at 30% higher than actual.

August flow details only cover a 26 day period with no allowance being made for the flood condition when the meter was not operational.

Test results also indicate the flood waters contained an excessive concentration of grease and oils, which having been deposited in the tertiary lagoons, took a considerable time to clear.

Results of tests carried out during the latter part of the year, reveal some higher than normal concentrations of Biochemical Oxygen Demand and Non Filterable Residue. These, it is believed, can be attributed to high algae content in the ponds, and also to desilting works undertaken on Pond 1 between 7th and 18th November.

Following are details of the discharge for the period.

**McGraths Hill Wastewater Treatment Plant
Flow Details
March 1990 - February 1991**

Month	Average daily flow mm	Rainfall mm	Rainfall days	Average daily recycled effluent kl.	Average daily creek discharge kl.
3/90	2372	81.5	7	-	2372
4/90	3650	209.5	11	-	3650
5/90	3023	83.5	7	329	2694
6/90	2867	9	5	364	2503
7/90	2687	40.5	5	854	1833
8/90	3168	175	4	-	3168
9/90	3046	72.5	5	707	2339
10/90	2435	18	4	1388	1047
11/90	2123	20	3	1010	1113
12/90	1933	27	4	1832	101
1/91	1950	70.5	11	1362	588
2/91	2232	45.5	7	695	1537
Total	31486	852.5	73	8541	22945
Average	2623			711	1912

Further tables showing the other parameters required by the State Pollution Control Commission will be displayed at the meeting.

IT IS RECOMMENDED THAT the Certificate of Compliance with Licence Conditions required by the State Pollution Control Commission for the operation of the McGraths Hill Wastewater Treatment Plant indicating the performance of the works for the period 1st May, 1990 to 1st March, 1991, be certified under Seal of Council and forwarded to the State Pollution Control Commission.

HEALTH AND BUILDING

1. WASTE MANAGEMENT STRATEGY. GW10/11 PT 1

At the last Ordinary Meeting, Aldermen referred to radio reports concerning Council's activities in recycling.

During the past ten or so years several private glass and paper door-to-door recycling operations commenced within the City. However, due to the small population compared to other areas and the associated collection costs, each operation ceased. In reporting activities, it is not possible to compare this City with many other areas in Western Sydney with much higher population densities.

Last year, Christopher Tame, a work experience student undertaking the Bachelor of Applied Science (Environmental Health) Course at University of Western Sydney, Hawkesbury completed a report on recycling which was adopted by Council, and as a consequence tenders have been called for a recycling service.

Mr Greg Porter of the University has recently commenced employment to continue the work commenced by Christopher Tame.

The implementation of a recycling service should now be the impetus for the development of a long term Waste Management Strategy.

The Waste Depot at South Windsor has an expected life of twelve years which may be significantly extended by restriction of users and residential and business recycling.

To facilitate the preparation of a strategy, matters must be addressed, including: whether the City should operate a waste depot; identification of future waste depot sites; total recycling and composting to delete existing waste collection service; rationalisation of existing contracts and employee services; reduction of industry and commercial wastes; extension of existing waste depot life and control of illegal dumping.

Many of the matters to be addressed will have an impact on residents and thus it is considered public participation should be encouraged from an early stage to enable a draft strategy to be prepared for Council's consideration.

IT IS RECOMMENDED THAT a Waste Management Strategy Discussion Paper be prepared and that it be placed on public exhibition.

PLANNING1. J ROBINSON - PROFESSIONAL AND COMMERCIAL CHAMBERS -
LOT 2 DP 31098, 1 ANSCHAU CRESCENT, WINDSOR. DA 21/91

with file 12/4

Council is referred to Item 13 of the Planning and Development Section in this Business Paper.

The purpose of this report is to clarify the situation regarding parking. Development of the site as professional chambers for four professionals would require the provision of nine spaces, ie. one space per professional, one space per client and one space for a secretary/receptionist. As the applicant and his wife will be one of the professionals and the secretary/receptionist respectively, seven non-resident spaces are required.

Therefore, a condition has been recommended requiring a total of eight parking spaces on the site (ie. one space for residents and seven for non-residents).

IT IS RECOMMENDED THAT Condition No 2 read as follows:

"2. Standard Condition (DA) 50 (fifty) (8 (eight) vehicles)."

J

2. VARIATION OF CONSENT - HOTEL/MOTEL EXTENSIONS, LOT 2,
DP 624109, NO 1349 BELLS LINE OF ROAD, KURRAJONG HEIGHTS.
DA 13/91.

At its Ordinary Meeting of 12th March, 1991, Council granted consent to the replacement of the existing covered beer garden on the subject land, with a brick/masonry building to be used as an entertainment/function room.

The applicant has now requested a number of variations to the consent, which are detailed below:-

- "A. *The approval is in conflict with the application lodged in that we sought approval to an alteration of an existing approved building that did not involve any extension of the premises nor any increase of activity within the licensed premises. Indeed, the purpose of the alteration was to enable the relocation of certain parts of the existing approved activities within the confines of the licensed premises.*

B. *We accept conditions 1 - 9 inclusive.*

C. Condition 10

We consider the imposition of a requirement that the existing approved car parking area be constructed, drained and sealed where not already sealed, and marked as being unreasonable and unnecessary given that the application does not propose any increase to the existing approved uses of the premises.

We request that Condition 10 be deleted.

D. Condition 11

We consider that the imposition of such a condition is both unreasonable and unnecessary given that approved site drainage already exists on the premises and there is no proposed change to the conditions presently prevailing on the site.

E. Condition 12

Considered acceptable.

F. Condition 13

Considered acceptable subject to Council accepting certain exemptions and conditions already applicable to the premises.

G. Condition 14

Considered acceptable subject to the wording being amended to read - "The building as altered is to be licensed ---etc."

H. Condition 15

We consider the condition to be superfluous in that existing approvals, permits and licences extend to the whole of the licensed premises including that area enclosed by the proposed alteration.

Further, the intended use of the altered building was clearly stated in the application and, if necessary, should have been addressed when considering the application.

I. Condition 16

Considered acceptable subject to satisfactory negotiations with an appropriate responsible servant of Council.

We request that the contents of this letter be dealt with as a matter of urgency, if necessary by tabling at the Ordinary Meeting of Council to be held 9th April, 1991, to enable a commercial decision to be made as to whether our client should proceed with the proposed development or to continue operating within the rather broad constraints of the existing approvals, permits and licences."

Whilst the application form stated that the proposed development would be an "alteration to the existing building", the form was accompanied by a letter which further stated that:-

"It is proposed to replace the established roofed Beer Garden area with a brick/masonry building attached to, but capable of isolation from, the existing hotel, such new building to be used as an entertainment/function room to cater to approximately the same number of patrons presently served by the Beer Garden."

It is considered that the roofed beer garden, although approved, does not constitute a building, and therefore, the erection of a brick/masonry building attached to the existing hotel for the purpose of an entertainment/function room is an extension. Further, whilst the applicant has indicated that the purpose of the new work is to minimise noise and light, it is believed that the proposed use is likely to lead to an increased number of people than that associated with the beer garden.

Notwithstanding this, adequate area is available on the site to cater for the parking needs of the hotel/motel complex, including the proposed development.

Council's previous consent for the Kurrajong Heights Hotel, issued in 1975, only required marking of the parking area. Therefore, given that the existing unsealed parking area to the south east of the complex is in good condition, Condition 10, which relates to parking, should be amended to only require marking of the existing sealed areas and construction of the parking area adjacent to the motel units, which is in poor condition.

It is considered that Condition 11, which relates to site drainage, should also be amended to require the design and construction of site drainage for any

new work on the site, including that associated with the construction of the motel carpark.

Condition 13 is concerned with the provision of fire fighting facilities. As fire extinguishers will be provided instead of fire hose reels, compliance with this condition should not be difficult.

Condition 14 relates to licensing with the Liquor Administration Board and should not be amended given that the proposal is considered to be an extension.

Condition 15 requires the lodgement of a separate application for Council's approval for the use of the extension as a place of public entertainment. This application is required under the Local Government (Theatres and Public Halls) Amendment Act, 1989, and as such, this condition should remain.

IT IS RECOMMENDED THAT only Conditions 10 and 11 of Development Consent No. 13/91 be amended to read as follows:-

- "10. *Parking shall be provided for a total of 77 (seventy seven) vehicles. Parking spaces, accessways and aisle widths to conform to Council's specifications. The existing sealed parking areas are to be marked, details of which are to be submitted for approval with the Building Application. Parking spaces 1 - 14 (one to fourteen) inclusive are to be provided for the motel. These parking spaces, accessways and aisles are to be constructed, drained, sealed and marked. Full details of works including any necessary strengthening of the existing water tank shall be submitted for approval with the Building Application. Note: Only 3 (three) spaces are available under the existing carport.*
11. *Design and construction of site drainage for any new work 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.*

Glen 12/4

3. RURAL RESIDENTIAL DEVELOPMENT - KURRAJONG HEIGHTS. LEP 10/90

At its meeting of 10th July, 1990, Council considered a report entitled, "Environmental Study - Rural Residential Development - City of Hawkesbury" and resolved, in relation to Kurrajong Heights, "that Council in consultation with the Department of Planning prepare a Precinct Plan which develops and maintains the heritage character of the village incorporating additional rural/residential subdivisions with appropriate building, landscaping and environmental pollution controls".

Council also resolved to apply for National Estates' funding in order to carry out the environmental study that would be required, particularly in relation to the heritage component of the Kurrajong Heights village. In relation to this, Council has been advised by the Department of Planning that its application has not been successful. As Council has not voted specific funds for the employment of a consultant to carry out components of the study, the draft local environmental plan that would ultimately be required would not be able to be implemented, at least in the short term.

Council's internal study into waste disposal for urban development in the Kurrajong Village has highlighted difficulties which may also be applicable to Kurrajong Heights and this matter will also require further investigation prior to proceeding with the plan.

It is considered that the Department of Planning should be advised that the Council formally resolves not to proceed with the plan at this stage so that the community can be made aware of the situation.

IT IS RECOMMENDED THAT Council not proceed further with the draft local environmental plan for rural/residential subdivision in the Kurrajong Heights locality, at this stage.

Glen 12/4

4. FLOOD PRONE LAND. GT150/2 PT 1

Council's current development standard, particularly for residential development, is the 1:100 year frequency level, which information is gained mainly from the Public Works Department flood maps and flood graphs of the river system and its environs.

Advice has been received from Council's Solicitor in respect of Council's liability, if any, where Council is generally aware of possible statutory increases in flood levels and continues to approve of development less than these levels. The advice relates to the Local Government (flood liable land) Amendment Act, 1985, which provides, in part, that

- (a) any advice furnished in good faith by the Council relating to the likelihood of any land being flooded or the nature or extent of any such flooding; or
- (b) anything done or omitted to be done in good faith by the Council insofar as it relates to the likelihood of land being flooded or the nature or extent of any such flooding.

... Without limiting any other circumstances in which a Council may have acted in good faith, Council shall, unless the contrary be proved, be deemed to have acted in good faith ... if the advice furnished or the thing was done or omitted to be done, substantially in accordance with the principles contained in the ... (Flood Plain Development Manual)".

The Solicitor indicates that absence of good faith may be demonstrated if Council chooses not to inform itself about potential flooding when evidence suggests this is to be a reasonable possibility or ignores measures which are open to be implemented in order to avoid or diminish the effect of flooding upon land under consideration. Therefore, if Council is aware that there has occurred flooding above the 1:100 year frequency and there is evidence to

suggest that this is a reasonable possibility, Council may be liable if it approves developments below that level notwithstanding that the development may be in accordance with the current adopted 1:100 year frequency.

The adopted 1:100 year frequency generally accords to or is even slightly higher than severe floods experienced in, for example, 1961, 1964 and 1978. Whilst Council is aware of the level of the 1867 flood, this has been discounted for planning purposes as being significantly above the 1:100 year frequency and by all accounts a "freak" occurrence. Additionally, since the 1867 flood there has been substantial flood mitigation works including the construction of Warragamba Dam and it is suggested that the same concentrates of precipitation, and in the same localities as occurred in 1867, should it happen today, would not result in the same flood characteristics because of mitigation and drainage works since that time.

If you took the Solicitor's advice to its nonsensical conclusion and if it is accepted that the Bible contains accurate descriptions of flooding events, then all land could be deemed to be flood liable.

It is considered that Council should, at least until there is some Government direction or documentary evidence concerning flooding which leads it to change its current attitude, would be acting in good faith by reiterating its current 1:100 year flood frequency standard for development including advice that it currently provides on zoning certificates and for general flooding enquiries. To do otherwise in the absence of proper evidence would cause hardships to existing development that is above the known 1:100 frequency level but below the mooted PMF, in that they would have difficulty of availing themselves of mortgage finance and property and household insurance.

IT IS RECOMMENDED THAT Council re-affirm the 1:100 year flood frequency level as currently provided in Hawkesbury Local Environmental Plan, 1989, as its development standard and that the matter be reconsidered if and when Government advice or other evidence is received which suggests that the flooding standard should be re-assessed.

On file

5. TWO LOT SUBDIVISION - MR C BAIRD - HANLONS ROAD, BILPIN. S91/11

Council is referred to Item 8 the General Purpose Committee of this business paper and the recommendation "that support be given for the realignment of boundaries as per the plan submitted".

An investigation has been made of Council's files and plans relating to the creation of the titles owned by Mr. Baird and it is obvious on the files and plans that it was Council's intention that the small allotment of land left over from road realignment either be contained within the road reserve or be developed in conjunction with the adjoining lot as one parcel. Indeed, the plan as signed by the Town Clerk on 13th November, 1985, showed what is now known as Lot 2 DP 708702 (the small triangular allotment left over as a result of road realignment) as being contained within the road reserve and, therefore, belonging to Council. The plan that was subsequently registered at the Land Titles Office which created the separate title was not referred to Council. Indeed, it would appear that the lot is not separately rated and no rates have been paid on it which reinforces the concept that the land was not proposed to have separate development potential and, therefore, would not have a right for realignment of boundaries.

In relation to the dwelling being across the boundary of the two lots, the following information is provided.

A building application was approved on 24th April, 1985, for the erection of a shed and store on Lot 1 DP 717855, this being the larger of the two allotments and containing an area of approximately 3.8 hectares. An amended application was subsequently approved on 13th January, 1986, to convert the shed and store to a dwelling.

The site plan submitted with each of the applications clearly indicated that the buildings were to be erected on one allotment only and boundary setbacks were indicated and were such that a survey report was not required. That is, the buildings were indicated on the building applications as being wholly contained within Lot 1.

It was not until August 1990 that it became apparent that the building was erected over the boundary of the two allotments.

There is no objection in principle to constructing a building over more than one allotment and it is not uncommon in the City, particularly where allotments have narrow lineal dimensions, or in commercial and industrial development.

When it is apparent that the use of the separate allotments is for a single purpose, consolidation to one parcel is not warranted.

In this case, had it been apparent from the time of lodgement of the initial building application that it was proposed for construction to be over two

allotments, consolidation would not have been required as a condition of approval as it would not have been necessary because it would have been the applicant's intention to use both allotments as one parcel.

The situation in summary is that,

- notwithstanding the building of the dwelling over a boundary of two allotments, both allotments are in the ownership of Mr. Baird so the dwelling can lawfully remain;
- the smaller of the two allotments was intended to be utilised in conjunction with the larger allotment for a single purpose only and notwithstanding the issue of separate titles, the smaller allotment, at law, does not have a separate development right. As it is development in conjunction with the larger allotment, the development for dwelling purposes is lawful;
- as there is no separate development potential, at law, of the smaller allotment, the allotment cannot be used to gain an adjustment of boundaries which, in turn, would create a separately developable lot.

The Council is strongly advised that it does not have the lawful power to approve of the proposal as an adjustment of boundaries and should not approve of the proposal as a SEPP 1 objection subdivision, as the lot sizes proposed are far below the minimum lot provisions within the LEP and will cause subdivision pressures for similar undersized lots.

IT IS RECOMMENDED THAT the applicant be advised that Council does not have the legal power to approve of his proposal as an adjustment of boundaries and, further, that the Council does not support an application pursuant to State Environmental Planning Policy, No.1, in relation to the minimum forty (40) hectare requirement in Clause 11 of Hawkesbury Local Environmental Plan, 1989, and accordingly, the application is refused as it does not comply with the requirements of Clause 11 of the LEP.

6. CAR REPAIR STATION - R CURRALL - "ROBEC" CORNER
TIZZANA ROAD AND COROMANDEL ROAD, EBENEZER. DA 15/91

Council is referred to Item 3 of the Planning and Development Section in this Business Paper.

An additional condition is recommended to be included.

IT IS RECOMMENDED THAT the following condition be included at Condition No 10.

"Artificial illumination of the shed be switched off outside of the approved operating hours"

1. STAFF MATTERS. S1/8P

The following staff have successfully completed the appropriate courses undertaken by them during 1990, as detailed below:

Tim Geyer -	Bachelor of Applied Science (Urban Horticulture).
Jill Milnes -	Purchasing and Supply Certificate Course.
Wayne O'Connor -	Bachelor of Applied Science in Environmental Health.
Michelle McLennan -	Bachelor of Applied Science in Environmental Health.
Kim Black -	Advanced Certificate of Commerce.

The following staff have successfully completed the appropriate stage of the course/s undertaken by them during 1990:

Wendy Lawson -	Bachelor of Social Science (Applied Social Science).
Leo Floyd -	Surveying Associate Diploma Course.
Jamie Anderson -	Parks and Gardens Trade Course.
Chris Martin -	Parks and Gardens Trade Course.
Peter MacDonald -	Bachelor of Business.
Helen Lane -	Certificate in Child Care Studies.
Ray Clifford -	Bachelor of Applied Science in Environmental Health.

2. STUDENT USAGE OF PUBLIC LIBRARIES IN NEW SOUTH WALES.

GL 20/27 PT 1

In September, 1990, a major study into "Student Usage of Public Libraries in New South Wales" was conducted by Hans Guldberg of Economic Strategies Pty Ltd for the State Library of New South Wales. This study was funded from special grants provided by the State Government.

A random sample of public libraries in New South Wales was selected with representation in each of the eight individual geographic areas based on categories used by the New South Wales Local Government Grants Commission.

The objective was to estimate the total number of students in a typical week, classified by level of education, frequency of use, use of other libraries, age and sex. Over 40,000 visitors were asked whether they were currently school, college or university students. Valid questionnaires were obtained from 12,900 students.

Of an estimated 289,000 visitors to New South Wales public libraries during the survey week in September, 1990, 101,000 or 35% were students.

While some of these did not visit for study related purposes, 24% of total visitors said that they did so. The ratio of study related to total visits by students was 68%.

The largest group was secondary school students (45%) followed by primary school (27%). The remaining 28% were post secondary students, students from universities and colleges of advanced education (17%) and technical (TAFE) colleges (10%). A small number of students belonged to other tertiary learning institutions.

A copy of the full report of the survey is available in the library.

It is felt that this study contains very useful information which supports the "cross subsidisation" taking place between Local Governments, public libraries and the State Government's school libraries in meeting the educational needs of students. The results of this survey could be used to develop strategies for lobbying the State Government for additional funding, such strategies to be developed in consultation with the Library Council of New South Wales.

It is proposed that Council indicate to the Library Council of New South Wales its interest in developing strategies for lobbying for additional funding from the State Government.

3. AUSTRALIANA PIONEER VILLAGE. GA50/4

Set out below are the financial details relating to the operation of the Australiana Pioneer Village for March, 1991.

Income

Gate Takings	7965.53
Other (including rental and filming activities)	1508.34
	<u>9473.87</u>
Less costs providing income	993.13
	<u>8480.74</u>

Overheads

Grounds maintenance	4125.00
Attendants Wages	2800.00
Animal Feed	1083.00
Service and Admin Costs	1000.00
Promotions	1667.00
Printing and Stationery	417.00
Train maintenance	250.00
	<u>11342.00</u>

Net Loss (2861.26)

Year to date loss (12871.79)

Budget provision (22100.00)

% of year to date loss to budget of annual loss is 58%

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Note: The budgeted loss is a nett figure only. An amount of \$3300.00 for the removal of asbestos in the old riverside restaurant damaged during the 1990 flood has resulted in additional expenditure. The first quarter of the year is traditionally a period of low attendance and is reflected in the above figures.

Attendances for March show a significant improvement when compared to February.

Eight groups comprising 35 families, 130 adults and 47 pensioners visited the Village as did 11 school groups comprising 706 children.

Total attendances for March were:-

Adults	1188
Children	1402
Pensioners	178
	2768

This figure includes 306 families, which is double that of 1990 and marginally behind that of the Bicentennial year. It is felt that selective advertising in the major Sydney Press, combined with the lower family ticket price for 1991 has made the Village more affordable than other recreational/amusement parks.

The free ratepayers' pass included with the 1991 rate notices has proved popular. Since distribution in late January until the offer expired on 31st March, 702 passes have been utilised, with over 3,000 residents attending the Village.

The Rose Family reunion was held on 31st March, 1991 with 300 members of the Rose family (mostly adults and pensioners) in attendance.

The Friends of the Village continue to be of great support. Valuable assistance to the maintenance of the buildings is achieved through regular working bees with the materials used being purchased from the proceeds of various raffles organised by the Friends.

The Friends have indicated that future working bees will concentrate on the exterior and interior painting and internal refurbishment of the buildings. This will include the making of new curtains and bed coverings. Mr Burt Case, whose father built Case Cottage, has indicated that he will provide funds to organise the refurbishment of this building.

Support from other volunteer groups and individuals also provides valuable assistance in the running and presentation of the Village. For example, the station building was recently lifted, free of charge, by Hawkesbury Cranes to enable repair work to be carried out on its foundations. During Easter, spinning demonstrations, blacksmithing, the Village singers and horse and buggy rides were all provided by volunteers.

The Men of the Trees continue to provide trees for planting and maintain those planted on previous occasions.

Without the assistance of these volunteers the standard of presentation of the Village would be reduced.

4. COMMUNITY SERVICES REPORT - MARCH. GC140/1 PT 1

Community Management

Annual General Meetings have been held of Committees with delegated powers to manage Council owned buildings and Council sponsored services. The presence of the Mayor, Deputy Mayor and Aldermen to chair these meetings has been appreciated by the Committees. McMahon Park Committee was unable to elect a quorum from representatives of user organisations and a further meeting has been advertised for 10th April, 1991, seeking participation from Kurrajong residents.

Children's Services

The Commonwealth Department of Community Services and Health has announced alterations to fee relief paid to Long Day Child Care Centres and Family Day Care. The minimum assessed family income for which maximum fee relief is paid has been increased from \$340 to \$369 to take into account C.P.I. increases. This means a reduction in fees to eligible parents and a corresponding increase in fee relief paid by the Commonwealth.

Staff training programmes are being approved and carried out to meet Committees' requirements under the Training Guarantee Act.

There has been an improvement in the use of Richmond Occasional Care during March, following the initial drop in use which followed the increase in fees for 1991.

Three Vacation Care Centres were held during the recent school holidays at Richmond, North Richmond and South Windsor.

Area Assistance Scheme

The Minister for Planning will be presenting certificates to a number of community organisations which have completed successful projects under Area Assistance Scheme funding. This is planned for Friday 19th April, 1991, at 9.30 am in the Windsor Function Centre. It is expected that there will be an announcement on the future of the Scheme, for the next 3 year period, some time this month. A requirement of the Scheme is that a Community Consultation be held to identify local priorities. It is planned that, following the announcement of the Scheme, the Hawkesbury Consultation be held on Thursday 2nd May, 1991, in the Windsor Function Centre at 7.30 pm.

Senior Citizens Week

An Expo, jointly organised by Council and Wentworth Area Health Centre provided information to senior residents from over 40 government and community organisations. Assistance was received by way of a \$1,500 grant from the Premier's Department and prizes were donated by State Rail, local businesses and clubs. A musical programme was presented to residents of Richmond Nursing Homes and Hawkesbury Retirement Village.

5. PUBLIC WORKS. S205/3/A

ROAD RECONSTRUCTION

Argyle Street, Windsor

Completion of kerb and gutter with earth works to subgrade level with lime and cement stabilisation of the subgrade in progress.

MR.181 St Albans Road

Cement stabilisation of the pavement and application of the bitumen seal on the section of the road past Central MacDonald School.

Castlereagh Road, Richmond

Work is under way to provide kerb and gutter along the western side between Long Street and Southee Road.

ROADS RESEALING

Application of a one coat reseal on the following roads:

Millers Road, Cattai; Old Stock Route Road, 0.6 km from Old Pitt Town Road; Old Pitt Town Road, two sections between Cattai Road and Scheyville Road.

Copeland Street, Richmond; Faithfull Street, Richmond; Hill Avenue, Potts Street, Anderson Avenue, Cornwell Avenue, Hughes Avenue, Holborrow Avenue, Tarragon Avenue, Hereford Street, located in the Hobartville part of Richmond.

KERB & GUTTER AND FOOTPATH WORK

Cycleway/footway Windsor McGraths Hill

The concrete pathway has been extended at the Windsor end around to Macquarie Street.

FLOOD DAMAGE

Repairs have been undertaken and are proceeding St Albans Road, Settlers Road, Webbs Creek/Mountain Road, Cupitts Lane, Richmond Lowlands; and river bank at Lower Portland Ferry.

OTHER WORKS

Construction of paved area around memorial Wilberforce Park.

Repair of damaged kerb and gutter Walker Street and Church Street, Windsor.

Gorricks Crossing, MacDonald River, placement of concrete slab over rock mattress.

Installation of additional letter receiver in Windsor Mall for Australia Post.

Work has commenced on the Flood Mitigation Maintenance Program with the cleaning of the Edwards Road Channel.

PARKS AND GARDENS

Conversion of playing fields for winter sport.

McQuade Park

Installation of drainage pipeline across park is about 50% complete.

Richmond Ex-Servicemen's Sporting Complex

Work has commenced on the extensions to the amenities block, with concrete footings poured and brickwork completed to underside of first floor.

Bounty Reserve, Bligh Park

Installation of the irrigating system and storage tank has been completed and work is continuing to improve the grass coverage. A soccer club has been formed in the area and will use the ground this winter.

SEWERAGE

McGraths Hill Waste Water Plant

Average Daily Flow, 2,156kl/day with 723kl/day utilised on irrigation.

New screens were installed in the grit channel.

South Windsor Waste Water Plant

Average Daily Flow 1,340kl/day.

Pump Stations

Refixing of the base plate for one of the pumps in Station "H", Fairey Road, Windsor.

Sewers

Attention to ten main line blockages and clearing of two chokes at Council properties.

South Windsor Waste Plant Stage II - Construction

Work during March involved completion of the concrete works for the Biological Reactor, and the Clarifier. Formwork is being erected for the wall of the sedimentation tank, and pipework has commenced.

Work is also proceeding on the inlet structure and pump houses required for the plant.

6. HAWKESBURY RIVER - WATER QUALITY. GR60/11 PT 1

The Water Board conducts a Beach Watch programme in Sydney and Hunter Regions to advise the public of water quality at beaches.

There are two popular swimming areas within the City, being Yarramundi and Macquarie Park and it is considered that at least initially, water quality information should be available for the public at these two locations.

The equipment to provide indicative bacterial levels within fifteen minutes is available for \$8,100 and staff costs over twelve months would be \$2,100.

The analysis equipment is very versatile and can also be used for private water supplies, general water analysis and hygiene monitoring of food premises.

The Minister for Environment has recently announced that Environmental Trust Grants will be available through the State Pollution Control Commission and an application will be submitted for the purchase of the equipment and running costs for twelve months.

7. BUILDING APPLICATIONS. GS80/3 PT 1

The following is a summary of Building Applications received during the month of March, 1991. Applications received during March 1990, shown in brackets.

<u>No</u>	<u>Type of Building</u>	<u>Estimated Value</u>	
31 (69)	New Dwellings	\$2,871,301	(\$5,317,766)
60 (66)	Additions to Dwellings	813,017	(653,892)
1 (-)	Residential Flat Buildings	350,000	(-)
3 (1)	New Buildings Other Than Residential	121,000	(700,000)
2 (8)	Additions to Buildings Other	54,900	(668,203)
9 (8)	Swimming Pools	178,635	(85,570)
2 (3)	Additions to Dwelling - Dual Occupancy Unit	179,500	(146,000)
<u>108 (155)</u>		<u>\$4,568,353</u>	<u>\$7,571,431</u>

Building Applications received up to the end of March 1991. Approvals for the corresponding period during March 1990, shown in brackets.

<u>No</u>	<u>Type of Building</u>	<u>Estimated Value</u>	
89 (160)	New Dwellings	\$7,822,175	(\$13,361,473)
147 (162)	Additions to Dwellings	1,713,883	(1,747,955)
1 (3)	Residential Flat Buildings	350,000	(1,230,000)
7 (8)	New Buildings Other Than Residential	249,000	(2,722,000)
5 (14)	Additions to Buildings Other Than Residential	103,600	(1,000,603)

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39	(29)	Swimming Pools	538,224	(361,901)
10	(17)	Additions to Dwellings - Dual Occupancy Unit	948,853	(1,817,967)
<u>298</u>	<u>(393)</u>		<u>\$11,725,735</u>	<u>(\$22,241,899)</u>

8. BUILDING CONTROL. GS80/3 PT 1

At the last Ordinary Meeting a report was requested on notification of building applications to adjoining owners.

The decision in the Land and Environment Court, and later the New South Wales Court of Appeal, placed a wider interpretation on the previously understood meaning of the law in relation to the question of the notification of adjoining owners and others of building applications. A review by the Department of Local Government and Local Government and Shires Associations identified increased costs and delays as the main issues concerning the effects of the Courts' decisions.

The New South Wales Government has approved of draft legislation to set out its policy and to rationalise the process.

The Bill provides two requirements for notifications. A council must give written notice of an application to adjoining owners if, in the council's opinion, the use and enjoyment of the adjoining land would be detrimentally affected by the building after its erection. A failure of a council to form such an opinion does not give rise to any right of challenge or appeal.

A council is also required to prepare a draft policy concerning the giving of notice of applications to persons other than adjoining owners. Such draft policy must be placed on public exhibition and then the written approval of the Secretary of the Department of Local Government obtained prior to adoption.

An application is not required to be notified if notification of a development application was given and plans showing the height and external configuration in relation to the site were available for inspection at the time of such notification.

The draft legislation will reduce delays in processing applications and Council's costs without affecting third party rights of notification, however, income will be reduced. The Department of Local Government has finalised recommendations to Parliament for increases to building application fees. It is understood that the minimum fee will be fifty dollars, which will include all costs of notification.

A further report will be submitted to Council should the draft legislation be proclaimed.

9. 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
L K & L Boyton Pty Ltd Lot 23 DP 260028 Box Avenue Wilberforce	Extensions to Existing Factory DA 383/90	17/12/90	26/2/91
John Bowden & Co Lot 2 in proposed subdivision of Lot 1 DP 733284 & Lot 6 DP 253841 Browns Road/McMahons Road Kurrajong	4 lot Torrens Title Subdivision S90/265	20/12/90	28/2/91
John Bowden & Co Lot 1 DP 733284 & Lot 6 DP 253841 Browns Road/McMahons Road Kurrajong	2 lot Boundary Adjustment S90/264	26/12/90	26/2/91

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P S Graham & Assoc Pty Ltd Lot 6 in proposed subdivision of Lot 1 DP 554654 Corner Mileham Street & Drummond Street South Windsor	10 lot Torrens Title Subdivision S91/10	29/1/91	28/2/91
M Aquilina Lot 8 DP 27627 38 Stahls Road Oakville	The placement of fill and associated minor bank reshaping works DA 11/91	24/1/91	28/2/91
John Bowden & Co Lots 1 & 2 DP 258774 Redbank Road North Richmond	3 lot Subdivision with areas of approximately 1.329ha, 4.0ha & 4.91ha S90/266	27/12/90	26/2/91
Anavak Pty Ltd Lot 1562 DP 805976 Therry Street Bligh Park	Detached Dual Occupancy DA 386/90	21/12/90	26/2/91
F Cocks & P Denton Lot 48 DP 752061 26 Fairey Road South Windsor	Land Fill DA 333/90	2/11/90	25/2/91
R F & J L Thomas Lot 7A DP 419228 Bowman Street Richmond	Dual Occupancy Development DA 325/90	25/10/90	28/2/91
Clancy's Food Stores Pty Ltd Lot 357 DP 723627 Shop 5 Bligh Park Shopping Centre Colonial Drive Bligh Park	Commence Business/ Liquor Shop DA 24/91	12/2/91	8/3/91

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J Attard Lot 2 SP 36229 Unit 2/8 Dowling Place South Windsor	Commence Industry to Manufacture Kitchens DA 28/91	15/2/91	11/3/91
Hawkesbury City Council Lots 1-3 DP 801019 Lots 20 21 & 25 DP 27136 & Public Garden & Recreation Space Berger Road South Windsor	Construction of Sediment Ponds including Field Formation DA 25/91	12/2/91	8/3/91
John Bowden & Co Lot 2 DP 228523 292/294 Stannix Park Road North Wilberforce	2 lot Torrens Title Subdivision S222/90	18/10/90	12/3/91
Parravans Lot 1 DP 573209 553 Kurmond Road North Richmond	Attached Dual Occupancy DA 17/91	6/2/91	14/3/91
Endeavour Homes Lot 970 DP 788674 12 Thomas Place Bligh Park	2 lot Strata Subdivision S91/17	20/2/91	18/3/91
A Spencer Lot 5 DP 38738 154 Francis Street Richmond	2 lot Subdivision S91/9	25/1/91	20/3/91
N Diamond Lot 1 DP 628806 Singleton Road Colo Heights	2 lot Subdivision S91/6	16/1/91	20/3/91

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Minister for Agriculture and Rural Affairs Cnr Catherine & George Streets Windsor	Office Accommodation Laboratory and Post Mortem Room and Storage of Fire Arms DA 29/91	19/2/91	14/3/91
Anavak Pty Ltd Lot 1546 DP 805976 Therry Street Bligh Park	Detached Dual Occupancy DA 9/91	21/1/91	14/3/91
Endeavour Homes Lot 979 DP 788674 Colonial Drive Bligh Park	2 lot Strata Subdivision S91/15	14/2/91	20/3/91

10. MUSHROOM FARM EXTENSIONS - K KING - LOT 496 AND PART LOT 487, DP 751665 AND CLOSED ROAD, NO 2 SALTERS ROAD, WILBERFORCE. DA 27/91

Council is referred to Item 19 of the Planning and Development Section within this Business Paper.

Discussions have now been undertaken with the applicant regarding the scaling down of the proposed development in accordance with objectives (c) and (d) of the Rural 1(b) zoning; namely

- (c) to prevent the establishment of traffic generating development; and
- (d) to minimise disturbance of the landscape through clearing, earthworks and access roads.

The following comments are now offered -

The growing sheds which have already been approved on the site cover a total floor area of approximately 4500m². The proposed tunnel complex including driveways will cover an area of about 1500m², an increase of about 33 percent.

As it is anticipated that 10 semi-trailer loads of compost would be delivered to the site per week, instead of the current 18 trucks, there would be a reduction in total traffic movements. Thus, the proposal would be consistent with objective (c).

Although alternative access could be provided off Woodlands Road to the site, this would involve the construction of approximately 600 metres of road through well established citrus orchards. Instead, it is considered to be of more benefit if money is spent on upgrading Salters Road, as previously indicated.

The proposed development will only utilise existing internal access roads, which were provided on the land many years ago when the property was used as a poultry farm and orchard. No new access roads will be constructed.

Further, excavation in the location of the proposed tunnel complex was carried out approximately 18 months ago to a maximum depth of about 2.4 metres. These works were carried out on land that did not contain any orchard or substantial trees, and involved cutting into the side of a hill. As this area is surrounded by orange orchards and the existing mushroom growing sheds, it is not visible from Salters Road or surrounding properties. Accordingly, the proposal is considered to be consistent with objective (d).

12/4/91
12/4/91
11. VILLA HOUSES - CAVASINNI DEVELOPMENTS PTY LTD - IVORY PLACE AND LANGLEY PLACE, RICHMOND. DA 43/91

Council is referred to Item 15 in the Planning and Development Section within this business paper and to the Committee's recommendation that the matters of the Committee's concern be raised with the applicant and reported to the Ordinary Meeting.

It has not been possible to arrange appropriate discussions with the applicant between the Committee and Ordinary Meetings of Council. In any case, the applicant has requested an opportunity to address a subsequent Committee meeting.

The matter will be further reported to the next General Purpose Committee for Council's consideration.

12. TREE PRESERVATION ORDER APPLICATIONS. P160/30

The following determinations have been made under application of Tree Preservation Orders.

Applicant	Reason/Request	Determination
Mr P & Mrs E Robinson Lot 12 Ashtons Road Grose Wold	Clear miscellaneous Black Wattle, Blackthorn, Lantana and small trees for orchard 29.1.91 - 1.3.91	Approved subject to conditions
Mr G & Mrs D Ohlback 16 Jordan Avenue Glossodia	Remove miscellaneous trees and scrub - regrowth and fire hazard 29.1.91 - 1.3.91	Approved
Mr M Wagner 90 Lt. Bowen Road Bowen Mountain	Remove 5 Gum trees - dead, damaged and white ant infested 31.1.91 - 1.3.91	Approved subject to conditions
Mrs D Mitchell 8 Pebbly Hill Road Cattai	Clear trees for dam construction 15.2.91 - 6.3.91	Approved
Mr A Farrell 26 Thompson Avenue Richmond	Remove 4 Pine trees - diseased and misshapen 18.2.91 - 12.3.91	Approved
Mr P & Mrs K Shearer 71 Colonial Drive Bligh Park	Remove 2 dead trees close to dwelling 18.2.91 - 25.3.91	Approved
Mr P Merriman 362 Spinks Road Glossodia	Remove 1 Gum tree - too close to power lines 25.2.91 - 6.3.91	Not approved

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Mr J Dean 364 Spinks Road Glossodia	Remove 1 Iron bark tree - too close to power lines 25.2.91 - 6.3.91	Approved
Mr N Johnson 97 Pitt Town Road Pitt Town	Remove 1 Pine tree - white ant damaged and lop 1 Poplar tree - danger of falling branches 25.2.91 - 12.3.91	Approved
Electricity Commission NSW Bells Line Road to Hawkesbury Road Yarramundi	Remove miscellaneous trees for safety to power lines 26.2.91 - 6.3.91	Approved
Mr K Spicer Lot 2 Douglas Farm Road Kurrajong	Remove 1 tree - danger to house 26.2.91 - 6.3.91	Not approved
Mr C Jarvis 30 Longleat Lane Kurmond	Remove several trees for construction access 26.2.91 - 6.3.91	Approved
Mr R Attard 534 Reserve Road Freemans Reach	Remove 3 Ironbark trees on footpath for safety 26.2.91 - 6.3.91	Approved
Mr M Semfel 17 Moore Place Bligh Park	Lop 1 tree - contains wind stress cracks 27.2.91 - 25.3.91	Approved
Ms D Riach 691 George Street South Windsor	Remove 1 dying Pine and lop 1 Gum tree 1.3.91 - 25.3.91	Approved
Richmond Caravan Repairs 1/128 Ham Street South Windsor	Remove 1 Gum tree - danger of branches falling 1.3.91 - 25.3.91	Approved to lop by 1/3 only

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Mr J Rae 212 Settlers Road Wisemans Ferry	Remove 1 Gum tree too close to house 5.3.91 - 22.3.91	Approved
Ms D LeCornu 27 Reedy Road Maraylya	Remove 2 Gum trees - 1 dead the other shading solar hot water panels 8.3.91 - 25.3.91	Approved
Prospect Electricity Governor Phillip Park Windsor	Lop several Poplar trees - safety to power lines 12.3.91 - 25.3.91	Not approved
Ms J Ahearn 192 Mileham Street South Windsor	Remove 2 dead Pine trees 12.3.91 - 25.3.91	Approved
Prospect Electricity Greens Road Lower Portland	Remove 5 Gum trees - safety to power lines 12.3.91 - 25.3.91	Not approved trees provide visual amenity
Hawkesbury City Council Berger Road South Windsor	Remove various trees for construction of sediment/recreational lake 18.3.91 - 25.3.91	Approved

13. ELECTED MEMBERS. GA30/2 PT 1

At the March Ordinary Meeting, a question was asked if a report could be prepared in order to lay to rest the persistent rumour out in the community that one of the Aldermen of Hawkesbury City Council had been charged, by Police, with a sexual assault upon a juvenile male.

For the purpose of the question, the Police have advised they are not in a position to indicate whether individual persons have been charged and/or convicted. Individual members however, are able under the Freedom of Information Act, to obtain from the Police, a copy of their record and if they wish this then it can be made public. Two Aldermen have presented letters indicating they have not been charged and authorising access to their records.

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Other Aldermen have indicated they will be submitting Statutory Declarations indicating they have not been charged, nor convicted, of any offence and wish to have these recorded publicly.

14. ADDRESSING COUNCIL COMMITTEE MEETINGS. GC28/2 PT 1

Council permits interested parties to address it at Committee and Special Meetings where determined, on matters on the agenda. A report has been requested in relation to addressing the Committee regarding planning matters and where Council's current policy is to allow the applicant to speak before the objectors.

In cases where an applicant is generally satisfied with the recommendation and this is adopted by Council, then the procedure of the applicant speaking before the objectors creates no problem. It only becomes an issue if new or additional objection material is raised that was not presented earlier for consideration in the report.

A problem does arise where an applicant is not happy with the recommendation and while the person/s can make representations regarding the report, it is not unusual for objectors that speak later to then raise issues for which the applicant considers there is no redress and this sometimes results in additional representations between the Committee and Ordinary Meetings and a changed position can occur. This then produces conflict for the objectors, who feel that Council changes its determination without re-hearing their position.

The logical sequence appears to be for the applicant to speak first on the basis that Council is then assured of what application is before it for determination. This is provided by the details of the report, any supporting verbal submission by the applicant and the response to any questions put forward by Aldermen. The objectors then respond supporting their objections and any other matter raised by the applicant. It would then appear appropriate that the applicant be given a very short period to respond if any new material has been raised by the objectors.

An issue for Council will be one of time. Initially, Council set down a maximum period of five minutes for the applicant and objectors to speak however, on all occasions in recent times, extensions of time have been

granted and it is not unusual for applications to be verbally supported by applicants and objectors for periods of over 30 minutes.

If the revised procedure is adopted, it is suggested that an information sheet be given out to all those attending the Committee Meetings advising that applicants will be given five minutes to support their position, objectors be allowed up to a maximum of three speakers with a maximum of five minutes each and the applicant will be given the right to respond to any new material raised only, for a period of two minutes.

15. REPORTS REQUESTED BY COUNCIL - STATUS - AS AT 9TH APRIL, 1991. C50-1

File Rep Date	Referred To	Subject	Comment
11 Oct 88	Boundaries TC/GM	Possible changes	Report when investigations completed
13 Jun 89	Transfer of Lands TC/GM	Financial aspects of proposed transfer of lands - Dunsford Investments Pty Ltd	Report when definite plan is prepared
12 Sep 89	Tree Planting Programme MES	Planned areas, storage and maintenance	Report May GPC
13 Mar 90	Clause AS2021 MTP	Clarification of use	Report when i n f o r m a t i o n received from Department of Planning
10 Apr 90	Regional Sporting Facilities MES	Clarendon area including project for Richmond Swimming Centre and use of adjoining university area	Report April GPC

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Town Clerk/General Manager's Report

Ord. 9/4/91

+	8 May 90	Windsor Town Centre MTP	Proposed Development Under investigation Plan - feasibility including methods of financing	
+	14 Aug 90	Amendment to Dog Code MTP	To provide for an appropriate buffer between kennels and residential or rural/residential localities	Report May GPC
	14 Aug 90	Hilltop Road MES	Upgrading Creek crossing	Report April GPC
	14 Aug 90	Bridge Priorities MES	Overall bridge priorities	Report 1991
+	11 Sept 90	The Ivy Inn, Bilpin MTP	Existing use rights	Awaiting advice on owner's legal opinions
	11 Sept 90	Library Performance Measures CLIB	Likely costs	Under Investigation
-	9 Oct 90	Temporary Location MTP	2 Historic Cannons	Awaiting advice from D.O.P.
	13 Nov 90	Greenway Crescent MES	Traffic control measures relocation of sand pit	Report April GPC
	11 Dec 90	Community Citizens Award MFAS	Award for outstanding merit	Under investigation
	11 Dec 90	Year 2000 Sydney Olympics MFAS	Facilities for Western Sydney	Under investigation

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Town Clerk/General Manager's Report

Ord. 9/4/91

12 Feb 91	Signs "You are Entering the City of Hawkesbury - A University City" MES	Costing on erection of signs	Report April GPC
12 Mar 91	Drainage Windsor Country Golf Club MES	Cost and possibility of removing any restrictions between Richmond Road Bridge and the Cornwallis Bridge along Rickaby Creek to assist the drainage from the upper reaches	Report April GPC
12 Mar 91	Library - Long Overdues CLIB	Further report on long overdues and proposed changes in procedure	Report June GPC
12 Mar 91	Business Information Service CLIB	Guidelines for operation	
12 Mar 91	Australia Post MTP	Carparking - Windsor Post	Report April GPC
12 Mar 91	National Parks and Wildlife Service TC/GM	Council's position in any Committees in th Council area with the Service	Letter forwarded to Minister
12 Mar 91	Laneway Between Jackson's and the the Pottery Shop to Windsor Town Centre MES	Installation of a light	Report May GPC



IT IS RECOMMENDED THAT the reports in this section be received.

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REPORTS OF COMMITTEES

1994 BICENTENNIAL COMMITTEE MEETING
held on 20th February, 1991

COMMUNITY ENVIRONMENT COMMITTEE MEETING
held on 27th February, 1991

1994 BICENTENNIAL COMMITTEE MEETING
held on 20th March, 1991

Minutes of the Meeting of the 1994 Bicentennial Committee held at the Hawkesbury City Council Chambers on 20th February, 1991 commencing at 7.30 p.m.

PRESENT : Alderman Ted Books, Mr. Robert Pont, Mr. Alex Hendrikson, Mr. Peter Bruce, Mrs. Jan Barkley, Miss Michelle Nichols, Mr. Peter Auld and Mr. Ross Miller.

Apologies : Alderman Wendy Sledge.

Guest : Mr. Fredrick Chepeaux - Sculptor.

CONFIRMATION OF MINUTES.

The Minutes of the previous Meeting held on 29th November, 1990 were confirmed. **MOVED** by Mr. Auld seconded by Mrs. Barkley.

Due to holidays, the meeting scheduled for 16th January, 1991, was not held.

Report by Mr. Fredrick Chepeaux and presentation of his small three dimensional model of possible bronze sculpture of Governor Macquarie.

Discussion of features, casting and other aspects involved in the future statue's production, including obtaining sandstone from the Hawkesbury area for the sculpture's plinth and base.

MOVED by Mr. Miller, seconded by Mrs. Barkley that every attempt to obtain local sandstone be made.

Mr. Fredrick Chepeaux to finalise statue model and obtain quote for full sized casting. Photographs to be taken of model for use in obtaining sponsorship for the project.

Mr. Auld formally accepted presentation of the model's design and its reproduction subject to funding.

GENERAL BUSINESS :

1. Mr. Auld initiated discussion of possible need for a consultant to assist in co-ordinating the project and to help in obtaining sponsorship, particularly in preparing the information brochure and in contacting likely sponsors.

This is Page 1 of the Minutes of the 1994 BICENTENNIAL COMMITTEE MEETING held at the Council Chambers, Windsor on 20th February, 1991.

Town Clerk/General Manager

Mayor

People with expertise in such areas within our community to be contacted for ideas. Ms. Sharon Davson to be invited to next meeting to discuss obtaining sponsorship.

2. Mrs.Barkley presented a discussion paper on the programme format of the celebrations to be held during the week set aside in 1994.

MOVED Mr. Auld seconded Mr. Miller that the proposed plan be incorporated into the minutes - see attached sheet.

3. Mr.Hendrikson detailed suggestions for decorations and arrival of dignitaries. An approach is to be made to Captain Cook Cruises by Alderman Books for their participation. Inspiration for display ideas was promoted by Mr. Hendrikson's showing of Stereoscopic Views of the Duke of York's Celebrations in Sydney earlier this century.
4. Activities detailed in the attached programme were selected for further study and future reports to the Committee :

- . Mr. Auld, Mr. Pont and Mr. Miller in conjunction
with Landscape Consultant Ms. P. Trahar ... McQuade Park
- . Mrs.Barkley, Mr.Hendrikson & Miss Nichols ... Programme
- . Ald.Books and Mr.Bruce ... Regatta
- . Mr.Auld in conjunction with Mr.Chepeaux ... Sculpture
- . Miss Nichols and Mrs. Barkley ... Book

5. Mr.Auld tabled a report on traffic movements in McQuade Park - "Observations on McQuade Park for the 1994 Bicentennial Committee". During discussion numbers of vehicles even higher than those listed in the report were reported by Mr. Miller and Mrs. Barkley. Report to be further discussed at a later date.

MOVED Mr. Pont seconded Mr. Hendrikson.

Next meeting set down for Wednesday, 20th March, 1991 at 7.30 p.m.

Meeting closed at 10.00 p.m.

SUGGESTED PROGRAMME OF EVENTS TO CELEBRATE

HAWKESBURY'S BICENTENARY IN 1994

Presented by Jan Barkley 20.2.91

OCTOBER, 1994 :

Weekend 1 (Preferably in conjunction with the Macquarie Towns Festival)

Saturday (Richmond)

- * Special participation in Macquarie Towns Festival parade, e.g. float, historical characters, to introduce and promote the following week's Bicentenary Celebrations.
- * Display and promotion in Richmond Park.
- * Selling special publication

Sunday (Various Locations)

- * Church services
- * Possible bus trip, local group involvement

Weekdays (Various Locations)

- * Local group events, functions.

Weekend 2 (Immediately following the above events)

Saturday

McQuade Park, Windsor

- * Celebrations in the Park

This is Page 3 of the Minutes of the 1994 BICENTENNIAL COMMITTEE MEETING held at the Council Chambers, Windsor on 20th February, 1991.

Town Clerk/General Manager

Mayor

Moses Street

- A. (i) Re-enactment of Town's founding
- (ii) Official unveiling of Statue of Macquarie

Oval

- B. Countdown from Governor Macquarie's time to 1794.
 - (i) Massed display by school children.
 - (ii) Re-enactments year by year - Countback to 1794
 - (iii) Bands, entertainment
 - (iv) Attractions, car rallies, displays
- * Night - official function e.g. ball.

Sunday

Governor Phillip Park, Windsor

- *
 - 1. Return to the Green Hills
 - (i) River boats, pioneer families reunion
 - (ii) City residents
 - (iii) Historical displays including 200 years of farming
 - 2. Regatta
 - 3. Plaque unveiling - 1st farms
 - 4. Fair - refreshments, pig on a spit etc.

Minutes of the Community Environment Committee Meeting held in the Council Chambers, George Street, Windsor, on Wednesday 27th February, 1991.

Present:- Ald. Wendy Sledge - Chairperson, John Crosby, Grace Crosby, John Tooth, Rob Sledge, Elspeth Murphy, Steve Shaw, Alec York, Mark Tame, Lenore Craven and Andrew Dean.

Also Present:- Hugh Williams, Bobby Free, Lorna Campbell, Madeline Overmyer, Alex Nedjelkovic and Neil Sloan.

Apologies:- RESOLVED on the motion of Grace Crosby and Alec York that the apology of Jenny Chapple be accepted.

Confirmation of Minutes:- RESOLVED on the motion of Rob Sledge and Brian Hardiman that the Minutes of the meeting held on 30th January, 1991, be accepted.

Matters Arising Out of Minutes:- Recycling - Mr Tom Lonsdale invited the Committee to attend his recycling centre at Riverstone.

RESOLVED on the motion of Alec York and seconded by Lenore Craven that the Committee attend the Recycling Centre on Wednesday 13th March, 1991. All Committee members interested are to meet at the Council Chambers at 10.00a.m. on 13th March, 1991.

General Business:-

a) Riverbank Stabilisation Project.

The Secretary advised that a number of seeds have been donated by Council and were being passed on to Rotary Australia for propagation. Rob Sledge advised that a Riverbank Study is required prior to planting to determine suitable species.

b) Clean Up 1991.

Rob Sledge advised that planning was well under way with approximately seventeen (17) sites throughout the city organised to take part in the Clean Up.

This is Page 1 of the Minutes of the COMMUNITY ENVIRONMENT COMMITTEE Meeting held in the Council Chambers, Windsor on 27th February, 1991.

- 2 -

c) Rouse Hill Sewerage Scheme (Environmental Impact Statement)

Mr Alec Nedjelkovic representing the Rouse Hill infrastructure consortium addressed the Committee regarding the proposed Sewerage Treatment Plant.

The site was purchased approximately eight years ago by the Sydney Water Board for the Sewerage Treatment Plant to accommodate an expected population of 300,000 in 40 years.

Mr Nedjelkovic stated that the E I S had effectively outlined the methods used to ensure that the Sewerage Treatment Plant had no direct impact on the Hawkesbury River. These included an extension to existing wetlands and a series of waffle beds to eliminate phosphates, nitrates and other nutrients entering the river system. Recycled effluent from the wetlands is also proposed utilising a split system water supply for domestic purposes. It is envisaged that parks and gardens, golf courses etc., would be irrigated with the "recycled effluent" as well as for domestic toilet flushing. A pilot scheme involving approximately 16 dwellings is currently operating in Shoalhaven.

The sub-committee raised several questions for Mr Nedjelkovic who suggested a further meeting with technical and professional staff of the consortium be organised with the sub-committee. Several criticisms of the E I S were discussed including:-

- possible problems associated with flooding
- the effect of urban runoff on the wetlands had not been addressed
- the effects of other and future development on the Hawkesbury floodplain had not been addressed
- water conservation practices in addition to recycling should be adopted
- the current condition of the Hawkesbury River had not properly been assessed

Mr Nedjelkovic will contact Bobby Free of the Committee to organise a further meeting to discuss these and other issues raised in the E I S.

RESOLVED on the motion of Alderman Wendy Sledge and seconded by Grace Crosby that the Committee express its appreciation of the efforts of those Committee members who undertook the task of reporting on the E I S.

Alderman Wendy Sledge then thanked Mr Nedjelkovic for his informative address and for attending the meeting at such short notice.

RESOLVED on the motion of Elspeth Murphy and seconded by Lenore Craven that the Committee's comments be included in the minutes of this meeting for Council to consider. It is further recommended that Council include the comments in any future submission to the Water Board on the proposed Rouse Hill Sewerage Treatment Plant.

Other General Business:

a) Committee Membership

The Secretary advised that there were two (2) vacancies on the Committee.

RESOLVED on the motion of Alec York and seconded by Lenore Craven that Hugh Williams and Bobby Free be included on the Committee as members.

b) Londonderry Tip - Environmental Impact Statement

Hugh Williams advised the Committee of the release of the E I S for the proposed Londonderry Tip.

RESOLVED on the motion of Hugh Williams and seconded by Bobby Free that a sub-committee prepare a report on the E I S for the proposed tip, for the next meeting. The sub-committee will consist of Bobby Free, Hugh Williams, Elspeth Murphy, Lenore Craven, Alec York and Lorna Campbell.

Date of Next Meeting:

The next meeting will be held on Wednesday 27th March, 1991, at 7.30p.m. in the Council Chambers.

Minutes of the Meeting of the 1994 Bicentennial Committee held at the Council Chambers, Windsor on 20th March, 1991 commencing at 7.40 p.m.

PRESENT : Alderman Ted Books, Mr. Robert Pont, Mrs. Jan Barkley, Ms. Michelle Nichols and Mr. Peter Auld.

ALSO PRESENT : Ms.Peta Trahar, Landscape Consultant.

Apologies for absence were received from Alderman Wendy Sledge, Mr.Alex Hendrikson, Mr. Ross Miller and Mr. Peter Bruce.

CONFIRMATION OF MINUTES.

Moved R. Pont and seconded J. Barkley that the Minutes of the previous meeting be adopted.

LANDSCAPE PLANS - McQUADE PARK, WINDSOR.

Report by Ms.Trahar and R.Pont on progress to date of landscaping plans for McQuade Park, Windsor.

1. Parking at grandstand, Bowling Club and 'Don't Worry' field to be defined. Bollards on existing road to allow cycling and pedestrians.
2. Children's play equipment in gumnut green, ghostgum grey and pepper green.
3. Focus on the lake area - path, trellis, gazebo-type structure - as well as focus on sculpture area in Moses Street.
4. Improved lighting.
5. Heritage walk yet to be detailed.

A full report will be presented to the next meeting.

GENERAL BUSINESS

1. The Scottish Australian Heritage Council is anxious to be involved in the Macquarie feature proposed for McQuade Park, for example by donation of a cairn. Council to be requested to invite representatives of the Council to the Committee's next meeting.

Moved J.Barkley seconded P.Auld.

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2. Council to be requested to send letters to the National Army Museum, London and to the Black Watch Museum, Perth, United Kingdom re uniform of Governor Macquarie.

Moved J.Barkley seconded M.Nichols.

3. Dates of Macquarie Towns Festival to be requested for 1994.

Date of next meeting - 15th May, 1994.

The meeting terminated at 9.10 p.m.

CORRESPONDENCE FOR INFORMATION

1. WSROC MEMBERSHIP CONTRIBUTIONS FOR 1991. GM1/5 PT 3

Thanking Council for outlining their views and expressing appreciation for Hawkesbury City Council's continued support. WSROC reviewed its financial position and concluded that the organisation ought to increase membership contributions over the next few years to the equivalent of \$42,000, measured in 1990 dollar terms and took the view that it would be unreasonable to raise contributions to this level in one go. The contributions should be increased over several years.

2. NSW LOCAL GOVERNMENT INDUSTRY TRAINING COMMITTEE. AP/RW

Seeking Council's support in allowing its Rates Clerk to be involved in the design of Local Government standard training for Rates Clerks which will be suitable for the introduction of the proposed local government (State) Award, 1991. The support will consist of a one day workshop in Sydney.

(TC/GM - Council's Chief Rates Clerk, Richard Whitmore, was chosen, along with a small number of other Chief Rates Clerks in Sydney Metropolitan area, to carry out this task. It is pleasing to see this training being developed and the opportunity for Richard's valuable experience to provide input to the design of the course.)

3. LOCAL GOVERNMENT AND SHIRES ASSOCIATIONS OF NSW - GENERAL CIRCULAR NUMBER 4, 22ND MARCH, 1991. GC70/4 PT 1

1. Computer-based Human Resource Information System/Personnel Management Packages
2. Portable Chemical Toilets
3. Regulations for Child Care Services
4. Staff Development in Children's Services
5. Community Services Grants Program Review
6. Conference on Rural Social Welfare Practice
7. Directory of Community Health Services in New South Wales
8. Commonwealth Grants Commission Inquiry: Review of the Interstate Distribution of General Purpose Grants for Local Government
9. Update of the Australian Bureau of Statistics "Integrated Register"

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10. Flock Destruction Scheme
11. Orders for Certificates of Service
12. Shoalhaven City Council-v-GIO - Personal Accident Insurance
13. Taxation of Elected Members - FBT and PAYE
14. Department of Lands - Road Resumption Applications
15. Telecom Loss of Immunity from State Laws
16. Land-fill Sites and Recycling
17. Local Government (Building Applications) Amendment Bill 1991
18. Very Fast Train (VFT)
19. Recreation Management Practices
20. Building Energy Management and Cost Control
21. Timber Bridge Maintenance Training Course
22. Compulsory Retirement.

4. FOOTPATH/CYCLEWAY - MCGRATHS HILL - WINDSOR HIGH SCHOOL. GP90/6 PT 1, GR30/9 PT 1

Thanking Council for constructing the footpath/cycleway between McGraths Hill and Windsor, which affords safe travel for students from the School.

5. EMERGENCY LEVEL CROSSING - COX STREET, WINDSOR - CITY RAIL. GR1/7 PT 1, GR1/8 PT 1

Advising in response to Council's enquiry that the cost to widen and upgrade the crossing would be in the order of \$34,000.

(MES - In view of the high cost, no further action is proposed.)

6. FLOOD MITIGATION AUTHORITIES OF NSW - MINUTES OF MEETING. GR60/31 PT 1

Forwarding Minutes of the meeting of the Flood Mitigation Authorities of NSW held on Thursday, 28th February, 1991.

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7. HOUSEHOLD CHEMICAL COLLECTION - WATER BOARD.
GW1/2 PT 1

Advising that during the recent household chemical collection at South Windsor and East Kurrajong Waste Depots, 800 kgs of waste was collected including 300 kgs of laboratory chemicals. The collection will again be held in 1992.

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

This is Page of the Minutes of the ORDINARY NO. 3 MEETING of the
HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 9TH APRIL,
1991.

Town Clerk/General Manager

Mayor

Minutes of the Annual General Meeting of the Macquarie Towns Festival Committee Inc held at the Council Chambers, Windsor, on 27th February, 1991 commencing at 8.00pm.

PRESENT: Ald R Stubbs, Chairman, Ald G Michael, B Hardiman, P Gardner, E Taylor, E Manning, C Daley.

APOLOGIES: J Dewhurst, T Tulloch.

RESOLVED on the motion of B Hardiman seconded by P Gardner that apologies be accepted.

RESOLVED on the motion of Ald G Michael seconded by P Gardner that Minutes of the previous Annual General Meeting be adopted.

Correspondence - In

Letter of resignation from F Childs
Verbal resignation from H Smith

RESOLVED on the motion of E Taylor seconded by Ald G Michael that correspondence be received and letters of appreciation be sent to H Smith and F Childs.

General Business

RESOLVED on the motion of P Gardner seconded by B Hardiman that the Executive Officer's report be adopted. Appreciation was extended to the Executive Officer.

RESOLVED on the motion of E Taylor seconded by Ald G Michael that the Auditor's report be adopted.

Endorsement of representatives and election of community members followed. Results were as follows:-

Alderman R Stubbs
Alderman W Mackay
Alderman G Michael, OA, OBE, AFC
Council Staff Representative - Mr C Daley, Manager of Operations
(Engineering)
Windsor Chamber of Commerce - Mrs P Gardner
Richmond Chamber of Commerce - Mrs A Kersivien
Windsor Businessmen's Association - Mr A Hendrikson
RAAF - Flt Lt Gordon Stevens
Schools - to be nominated by Cluster Directors
Hawkesbury Newspapers - to be nominated by Newspapers
Community members - Mrs J Dewhurst
Mrs T Tulloch (University Student Activities)
Mr E Taylor
Mr B Hardiman

Executive Officer

Ms E Manning

Election of Office Bearers

Chairman: Ald R Stubbs nominated by P Gardner seconded E Taylor and elected unanimously.

Deputy Chairman: Ald G Michael nominated by B Hardiman seconded P Gardner and elected unanimously.

Treasurer: P Gardner nominated by Ald G Michael seconded B Hardiman.

The meeting terminated at 8.30pm to be followed by the monthly meeting.

Minutes of the Meeting of the Macquarie Towns Festival Committee Inc held at the Council Chambers, Windsor, on 27th February, 1991 commencing at 8.30pm.

PRESENT: Ald R Stubb, Chairman, Ald G Michael, B Hardiman, P Gardner, E Taylor, E Manning, C Daley.

APOLOGIES: J Dewhurst, T Tulloch

RESOLVED on the motion of B Hardiman seconded by P Gardner that apologies be accepted.

Minutes of the previous meeting were adopted with the addition of E Taylor to the list of apologies.

RESOLVED on the motion of Ald G Michael seconded P Gardner that minutes be adopted.

Correspondence - In

From Windsor Chamber of Commerce re Food and Wine Fair

General Business

B Hardiman reported on progress in planning Food and Wine Fair. Hire Power could provide suitable stalls at a cost of \$40.00 a stall. Cost of gas bottles would be an additional \$12.00. Butlers hire will also be approached.

After discussions with Council's Insurance Risk Officer, this Committee will arrange its own workers' compensation insurance for 4 workers, to include the artist carrying out the project for the Parade.

E Taylor spoke of the possibility of a sponsor for the Australia Day "Great Australian Dunny Race".

The next meeting will be April 24th.

Ald G Michael apologised in advance for his inability to attend.

Minutes of the Annual General Meeting of Friends of the Hawkesbury Art Collection held at the Council Chambers, Windsor, on 28th February, 1991 commencing at 8.00pm.

PRESENT: Ald W Mackay, Chairman, S Packham, B Jones, E Colquhoun, M Hulbert, S Davson, M Doyle, M Wiesemes, M Burling, L Mitchell, J Brownlie, D Morrison, M Rea, P Weeden, E Manning.

APOLOGIES: D Finch, H Wells, R Shaw, P McGlynn, J Shields.

RESOLVED on the motion of B Jones seconded by J Brownlie that the apologies be accepted.

RESOLVED on the motion of M Doyle seconded by P Weeden that the Minutes of the previous Annual General Meeting be adopted.

RESOLVED on the motion of J Brownlie seconded by M Rea that the Auditor's report be adopted.

RESOLVED on the motion of S Davson seconded by J Brownlie that the Executive Officer's report be adopted.

RESOLVED on the motion of S Davson seconded by J Brownlie that appreciation be expressed to the Executive Officer and Chairman. This was unanimously endorsed.

The election of 10 members of the committee and 2 representatives of member organisations followed and the results were:

Molly Hulbert representing Kurrajong Homespun Crafts
Deidre Morrison representing Macquarie Towns Arts Society
Ald Warwick Mackay
Sharon Davson
Enid Colquhoun
Brian Jones
Michael Doyle
Rod Shaw
Lynn Mitchell
Judy Brownlie
Patricia Weeden
To be elected - one additional Alderman.

These were elected unanimously.

Election for office bearers followed.

Chairman: Ald Mackay was nominated by M Doyle, seconded J Brownlie and unanimously elected.

Deputy Chairman: Sharon Davson was nominated by B Jones, seconded J Brownlie and unanimously elected.

Treasurer: Brian Jones was nominated by M Rea seconded L Mitchell and unanimously elected.

Executive Officer: Ellen Manning, re-affirmed by meeting.

Publicity Officer: Ald W Mackay nominated by D Morrisio seconded M Doyle.

The position of Social Functions organiser was held in abeyance until next meeting.

The meeting terminated at 8.30pm.

Minutes of the Meeting of the Friends of the Hawkesbury Art Collection Committee held at the Council Chambers, Windsor, on 28th February, 1991 commencing at 8.35pm.

PRESENT: Ald W Mackay, Chairman, S Packham, B Jones, E Colquhoun, M Hulbert, S Davson, M Doyle, M Wiesemes, M Burling, L Mitchell, J Brownlie, D Morrison, M Rea, P Weeden, E Manning

APOLOGIES: D Finch, H Wells, R Shaw, P McGlynn, J Shields.

RESOLVED on the motion of B Jones seconded by J Brownlie that apologies be accepted.

Correspondence - Out

To Town Clerk re allocation of land at Clarendon for future use as a Regional Gallery.

To Town Clerk with offer of "Friends" assistance in research "Reservation of name" documents to Corporate Affairs Commission.

Correspondence - In

From Town Clerk re proposal for gallery land being incorporated into report for Council.

Policy from GIO for Public Liability Insurance. A report of the visit made to Campbelltown City Gallery by the Executive Officer and Chairman was read and a copy has been forwarded to the Town Clerk.

D Morrison gave a report of the planned Country Music night.

1. Date - 24th May; venue - East Court Restaurant function room.
2. Cost of meal \$17.00 fixed banquet (venue seats 120, minimum of 50).
3. Artists - Don Morrison, Geoff Mack, Glenn Jones and a dance band.
4. The restaurant will advertise; the function will be open to the public; sponsors will be sought for raffle; the restaurant will supply a prize of a meal for two.

Ticket prices cannot be ascertained until entertainers' fees are confirmed.

M Rea and M Doyle have donated paintings for raffles.

A weekend at Peppers at Terrigal will be raffled for \$2.00 a ticket.

The Chairman will approach the "Lady Hawkesbury" for a donation/part donation of a weekend cruise to be raffled. M Hulbert has offered to pick up lamingtons for a lamington drive.

J Brownlie will donate a basket to be filled with donated non-perishable food (Xmas varieties) to be raffled at the Christmas in July dinner.

Two venues were suggested - Maroota South Hall (rent \$50.00, catering by the Hall Committee), or Richmond Neighbourhood Centre with catering by Judy Dwight.

P Weeden reported on details of a Colo River cruise. Maximum 30 - 40 people. Cost \$10.00 for half day cruise. Full day cruise and lunch \$30.00. We would add an amount for our own profit.

Rouse Hill house and grounds is open for inspection to groups for \$10.00 each and a booking will be made for winter. This will not be a fund raising function but is of interest to members.

S Davson spoke of the Artists for Life international project and thanked those present for the good local support.

The Chairman welcomed new members to the "Friends", and offered condolences to B Jones.

The meeting terminated at 10.00pm.

The next meeting will be held on 4th April at the Council Chambers.

1. / See Ray about getting

extra copies of WARP

Report
~~by Guy In~~

~~2. / L Paul (Bucket Guy In.
file missing!!)~~

Books: 88

D/MPP.

~~3. / (26.00 (\$5))~~

17th April
[Wed. 3.00] Karl's speech