

Denine

Hawkesbury City Council

BUSINESS PAPER

Ordinary Meeting

8 OCT 1991

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 - 8TH OCTOBER, 1991.

REPORTS FOR INFORMATION

17. TOURIST FACILITY - C OVERTON - 237 RICHMOND ROAD, CLARENDON. DA189/91

Council is referred to Item 5 in the Planning and Development Section. The Committee requested a further report to this Ordinary meeting and it is assumed that, because of the debate on the Committee day, the further report is to address existing Council policy in relation to provision of kerb and gutter and sewer headworks charges for this type of development.

The proposal is for a "tourist facility" which is distinguishable in its definition from a "home activity". Tourist facilities are by their nature commercial undertakings which do not necessarily rely on goods being manufactured on site and subsequently sold from the same site and nor is there any requirement for the tourist facility operator to reside on site. In this instance, tourist facility can be seen to be akin to a normal commercial use but allowable in all zones because of the need to entice tourist infrastructure and tourism destinations.

By contrast, a "home activity" is an operation whereby goods are made or produced on the site of a residence and where those goods are subsequently displayed and sold from the residence. In this instance there is a requirement for the operator to reside on site and a home activity is to encourage smaller operators to work from home whereby they may not have sufficient business to move to a commercial or industrial area. Home activity also encourages people to work from home where, in the absence of such an allowable use, people may become unemployed.

The two uses are distinguishable in that a home activity is generally a "low key" use by occupants of a dwelling, whereas, tourist facilities whilst they can include occupiers of a dwelling, are not necessarily constrained by such and can often be significantly larger than a home activity.

Whilst the proposed tourist facility use in this instance is relatively "low key", it is seen to be more akin with commercial use than home activity and that the line between a home activity and a straight commercial venture is the reasonable line beyond where Council's policy should apply.

It is therefore considered that the conditions should remain as recommended.

18. ENLARGEMENT OF EXISTING SERVICE STATION - GEORGE STREET, SOUTH WINDSOR. DA179/91

Council is referred to Item 3 in the Planning and Development Section of this business paper.

✓ The applicant has requested that the matter be deferred pending his submission of revised plans for Council's consideration.

19. AMUSEMENT CENTRE - 487 GEORGE STREET, WINDSOR. DA223/91

Council is referred to Item 6 in the Planning and Development Section of this business paper.

A report from the Patrol Commander of Windsor Police has been received, as follows:

"The contents of the development application, applicant V. Simonette and M. Domars, to operate an amusement centre at the above address has been examined. Also, the attached copy of an article published in the Sydney Morning Herald on 29 June, 1991 perused.

Council would be aware of two similar facilities at Richmond. Sergeant Jones of the Beat Police informs me that they are well conducted. No behavioural problems have been reported and the venues are well supervised by the operators.

The conduct of premises of this nature is almost solely reliant on the manner in which they are conducted. In this connection it is suggested that any approval granted should be conditional to provide a qualifying period and I would be pleased to provide a further report at the end of that period.

The Richmond Amusement Centres have a problem on occasion with bicycles left lying on the footpath outside the premises, and the proposal to park them at the rear of the premises in this application, is an improvement. However, the bicycles should be locked in position to prevent theft, locks provided by the applicants.

The proposed hours of operation are acceptable. It is suggested that these hours be enforced, and not extended in the future to avoid potential conflict from persons leaving nearby licensed premises.

It is essential that the amusement centre be well lit to enable a clear view within by supervisors and from the footpath. The placement of the equipment should not provide areas of concealment.

In respect of the attached newspaper article. It is true to say that the South Windsor area accommodates low income families and the temptation to steal money to operate amusement machines will exist. Further, there is a licensed bottle shop in the near vicinity and juveniles have been reported by Police for being in possession of intoxicating liquor at South Windsor.

Behavioural problems in relation to amusement centres, pool halls and similar facilities, and their reputation as perceived by the local community, can depend on the age of the patrons using them. Amusement centres where patrons are of school age are usually acceptable whereas, centres frequented by adults often fall into disrepute. It would appear that this facility is catering for school children rather than the latter mentioned group.

Notwithstanding the potential problems outlined, there are no real grounds for objection offered from a Police point of view."

Council also requested information in respect of the facsimile transmission received from Glenda Taylor, on behalf of herself and A. & G. Mullinger. The matters contained in the facsimile and a comment on each matter is as follows:

1. No notification of proposal.

Council's policy does not relate to advertising of normal commercial uses within a commercial zone. As Council had previously approved similar proposals, it was not believed that they were of a class of land use which was distinguishable from other classes of land use within commercial zone such as would require advertising.

2. Noise emission particularly in respect of effect on adjoining Yamaha Music School use.

There have not been complaints concerning noise nor any other aspects of the two similar operations in Richmond and it was felt that there would likewise be no difficulty in respect of noise emission with this operation. Additionally, inspections of the Richmond premises do not indicate any noise that would be of disturbing intensity outside of the premises.

3. Private right of footway.

It was indicated in the facsimile that there was a private right of footway attaching to the adjoining land 485 George Street for the benefit of 487 George Street, the latter being the land proposed for the amusement centre. Council's records indicate the existence of a right of way but as the right of way was not imposed as a condition of Council, and it appears to be a private right of way from an agreement between the two landowners, there is no further information that can be provided.

However, pursuant to Clause 34 of Hawkesbury Local Environmental Plan, 1989, the matter is not one to be considered by Council in determining a development application.

There is nothing in the above which would alter the recommendation to the Committee.

G M McCully
Town Clerk/General Manger

Result of Ordinary Meeting 8/10/91 (As dictated by Glenn on tape)2

- Item 1 - Went through
- Item 2 - Went through
- Item 3 - Deferred as per late report
- Item 4 - Went through
- Item 5 - Went through except that Condition No.2 and No.10 were deleted, with an extra condition about the operator living on site.
- Item 6 - Went through with a couple of extra conditions:
1. a six month time limit revue period;
 2. a bike rack with locking facilities to be provided at the rear of the premises;
 3. provision of some form of security lighting at back of building.
- Item 7 - Went through
- Item 8 - Went through as per the recommendation.
- Item 9 - Notwithstanding that I pulled it out, because the applicant wanted it deferred, because that is what the Town Clerk said, was moved off the floor that it be deferred because he made representations. Deferred to put up to the next Committee meeting for further consideration. Denise put that report back up.
- Item 10 Went through
- Item 11 Went through except it was slightly altered so that the cannons are to be placed on either side of the War Memorial. (Ask Alice whether we require a DA for their placement or not, I hope not)
- Item 12 Went through
- Item 13 Went through
- Item 14 Went through

In the outstanding reports Section:

Report about rezoning opposite Hayes Bros. - Ron doing, check that out with Ron.

Heritage Advisory Committee -

Get Alice to "rough up" a report for my information about the ongoing functions of the Committee. See Glenn about setting a date for that Committee meeting.

Mushroom Composters new DA

Can I have some advice as to whether the application is sufficient to determine, whether we require any further information, what is generally happening with it, when it might be dealt with and are we going to advertise it.

Alice

What is happening with the Richmond Grandstand funding? Do we have funding for the works, etc., do we have to apply for more or whatever?

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. 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...

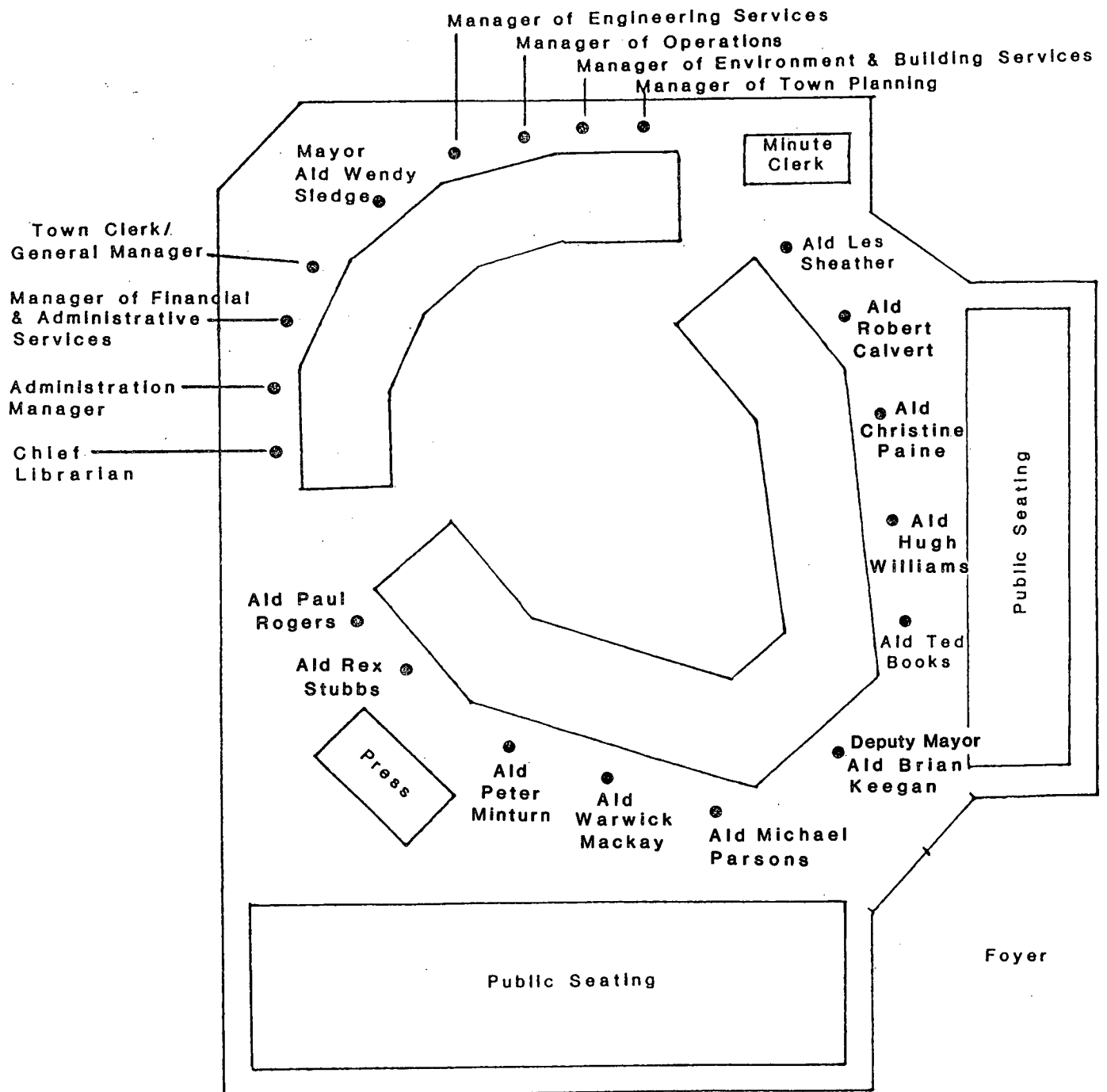
Members of the public can request to speak about a matter that is before the Council at the General Purpose Committee Meeting. The Mayor will invite interested persons to address the Committee when the matter is being considered.

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 ask questions of Council.

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 - 10TH SEPTEMBER, 1991

SPECIAL MEETING - 24TH SEPTEMBER, 1991

SECTION 1

Minutes of the Meeting of the Council of the City of Hawkesbury held at the Council Chambers, Windsor, on 10th September, 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, P.E. Gibson, J.J. Horrex, W.J. Mackay, G.G. Michael, R.F. Rotherham, L.C. Sheather, and R.P. Stubbs.

Alderman Gibson arrived at the meeting at 7.38 p.m. and Alderman Bazeley arrived at 7.53 p.m.

Father Szondi, St. Monica's Catholic Church, Richmond, read the opening prayer at the commencement of the meeting, on behalf of the Hawkesbury Ministers Fraternal.

SECTION 1 - MINUTES OF MEETINGS

CONFIRMATION OF MINUTES

- 283 RESOLVED on the motion of Alderman Books seconded by Alderman Benson that the Minutes of the Ordinary Meeting of Council held on 6th August, 1991, having been circulated amongst the members of Council, be confirmed.
- 284 RESOLVED on the motion of Alderman Michael seconded by Alderman Stubbs that the Minutes of the Special Meeting of Council held on 5th September, 1991, having been circulated amongst the members of Council, be confirmed.

MAYORAL MINUTES

1. MEDIUM DENSITY HOUSING. GT70/5 PT 1

- 285 RESOLVED on the motion of Alderman Sledge seconded by Alderman Horrex that Council take steps, as soon as possible, to :
1. Compile statistics in Bligh Park on ratio of medium density dwellings compared to single dwellings.
 2. Investigate whether there is any avenue to apply for exemption or part exemption from SREP 12 due to the number of duplexes being erected.
 3. Determine what methods are, and can be, provided to provide for a proper design mix of dwellings in residential areas.

4. To organise for joint development application/building applications for duplexes as adopted by Council within the Local Approvals Review Programme recommendations.

SECTION 2 - NOTICE OF MOTION

Alderman Gibson arrived at this stage, the time being 7.38 p.m.

Alderman L.C. Sheather GT70/5 PT 1

Moved by Alderman Sheather that the Planner bring forward a report on Medium Density Housing in relation to :

1. Medium density in a street block.
2. Maximum density on a block where open space recreation should be provided, e.g. 15 units, one tennis court/pool/barbecue area.
3. Separation of medium density on the street front, e.g. twice the frontage of an existing frontage.
4. To take into account codes which have been exempted from SEPP 28, e.g. Municipality of Ryde Villa Home Code.

The motion lapsed for the want of a seconder.

SECTION 3 - REPORT OF GENERAL PURPOSE COMMITTEE

SECTION 1 - WORKS

5. TREE REMOVAL APPLICATION - J STOKMAN, LOT 2 POWELLS ROAD, BILPIN. P1610/8 PT 1

Moved by Alderman Michael seconded by Alderman Gibson that should the trees on Lot 3 which stand directly in front of the doorway of the shed on Lot 2 die, that they be removed to allow an access way to be created from the right of carriageway to Lot 2. Further that the applicant be required to provide mature suitable pine trees to be planted on Lot 3

where the present accessway (that is nearest to Powells Road) is provided and also replace the fence at that existing accessway.

Alderman Bazeley arrived at this stage, the time being 7.53 p.m.

An amendment was moved by Alderman Horrex seconded by Alderman Sheather that removal of trees from Lot 3 (right of carriageway to Lot 2) for additional access to Lot 2 be refused, and further that the information presented to this meeting by the way of the report be furnished to the landowner and that Council seek a response as to the future state of the trees and the desire of that owner.

Alderman Mackay foreshadowed a further amendment.

The amendment was carried.

The amendment then became the motion.

- 286 **A FORESHADOWED AMENDMENT** was moved by Alderman Mackay seconded by Alderman Books that removal of trees from Lot 3 (right of carriageway to Lot 2) for additional access to Lot 2 be refused.

The foreshadowed amendment was carried.

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

Local Traffic Committee

2. R.K.BENNETT - INTERSECTION OLD PITT TOWN ROAD AND PITT TOWN ROAD, PITT TOWN. GT230/8 PT 1

Item 2 - Section 4 of the Town Clerk/General Manager's Report - Reports for Determination - Engineering Section, was dealt with in conjunction with Item 2 above.

- 287 **RESOLVED** on the motion of Alderman Stubbs seconded by Alderman Gibson that the recommendation of Item 2 of the report to the Local Traffic Committee be amended as follows :-

"That 'Stop' signs be erected to Eldon Street with priority to the main road traffic at the intersection of Eldon Street and Main Cattai Road."

13. HALPIN'S PHARMACY - PARKING RESTRICTIONS, BELLS
LINE OF ROAD, NORTH RICHMOND. GP 1/3 PT 1

- 288 RESOLVED on the motion of Alderman Michael seconded by Alderman Rotherham that this matter be referred back to the Local Traffic Committee with a recommendation that restricted parking be made on the southern side of the road and that the Local Traffic Committee determine the hours with the period suggested being 1 (one) hour.

SECTION 2 - PLANNING AND DEVELOPMENT

3. SUBDIVISION - McKINLAY MORGAN AND ASSOCIATES - LOT
2 DP 244427 CARTERS ROAD, GROSE VALE SA172/90

Item 3 - Section 4 - Town Clerk/General Manager's Report - Planning Section - Reports for Determination, was considered in conjunction with Item 3 above.

- 289 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Denne that the application be referred to the Manager of Town Planning for approval under delegated authority subject to the appropriate conditions.

4. TOURIST FACILITY - E. WHITBREAD - LOT A DP 370895,
CORNER WILBERFORCE AND FREEMANS REACH ROAD,
WINDSOR DA 185/91

- 290 RESOLVED on the motion of Alderman Michael seconded by Alderman Stubbs that consent be granted subject to:-

1. The development carried out generally in accordance with the plans submitted with the application, and dated August, 1989, except where amended by conditions of consent.
2. The property shall not be used at any time for "outdoor table stalls" and the like.
3. Arrangements satisfactory to the Manager of Engineering Services are to be made for the disposal of drainage from the site. Where the disposal of drainage involves the provision of drains across land owned by others, drainage easements to Council's requirements shall be provided for which documentary evidence will be necessary prior to the approval of the Building Application.

4. 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.
5. Submission of a building application, plans and specifications complying with Ordinance 70 for any minor internal alterations.
6. 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.
7. 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.
8. Exit/entrance points are to be clearly signposted and visible from both the street and site at all times.
9. The construction of kerb and gutter with the footway area being formed in earth and all necessary drainage, together with the full construction, including sealing of the adjacent road shoulder over the frontage of the land to Freemans Reach Road, together with any such works as are necessary to make this construction effective.
10. Construction of Council's standard heavy duty footway and layback vehicular crossing to suit the access to the site with a minimum width of 6m (six).
11. Construction of road and drainage works are not to commence until three copies of the plan or specifications of the proposed works are submitted to and approved by the Manager of Engineering Services.
12. Parking shall be provided for 13 (thirteen) vehicles in accordance with Council's regulations and parking policy. These carparking spaces shall have a clear width of 2.6m (two point six), a depth of 5.5m (five point five) and a clear head height of 2.3m (two point three). Parking spaces, accessways and aisle widths to conform to Council's specifications and to be constructed of brick pavers/earth toned coloured concrete or the like, drained and marked. Full details of works shall be submitted for approval prior to construction.
13. Proposed car space No. 1 is to be relocated adjacent to car space No. 12, towards the side rear of "Bridgeview House".

14. The provision of an adequate truck area to cater for the removal of effluent from any future septic tank. This space shall have a clear head height of 3.6m (three point six).
15. All loading and unloading in relation to the use of the premises shall take place wholly within the property.
16. 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.
17. Landscaping shall be maintained to Council's satisfaction.
18. The hours of operation being confined to between 9.00am and 9.00pm, 7 (seven) days a week
19. A full hydraulic design shall be submitted with the Building Application showing all drain and plumbing lines, flow rates and fixture units.
20. The existing on site disposal shall be converted to an effluent removal service. A septic tank application shall be lodged with full hydraulic details. The system is to be completed and ready for use prior to commencement of the proposed use.
21. A commercial grease trap shall be provided to cater for the projected loads of the kitchen.
22. Fulfilment of the requirements of the Roads and Traffic Authority in relation to road widening required by Lot 2, DP 236620.
23. "No Parking" signs be erected at both boundaries adjacent to Freemans Reach Road and Wilberforce/Putty Road directed towards each sign indicating that there is no parking on the perimeter of the boundary of the property.

9. RESTAURANT AND PRIVATE RESIDENCE - ALEX O'GRADY -
PART LOT A DP 336890, 1318 BELLS LINE OF ROAD, KURRAJONG
HEIGHTS DA 192/91

Item 2 - Section 4 - Town Clerk/General Manager's Report - Reports for Determination - was considered in conjunction with Item 9 above.

- 291 RESOLVED on the motion of Alderman Horrex seconded by Alderman Michael that the new car parking layout as per Plan No. M3/91/1 be approved.

12. TOURISM FACILITY, CLARENDON - "HAWKESBURY HORSE WORLD" - M R PRICHARD PTY LTD 1829/850

- 292 RESOLVED on the motion of Alderman Michael seconded by Alderman Stubbs that consideration be given for the Tourism Consultant to investigate this matter prior to Council considering the development.

13. VALIDITY OF HERITAGE ITEM "ROSMOYNE" - 128 FRANCIS STREET, RICHMOND. 613/1190 LEP 10/86

Alderman Horrex declared an interest in this matter.

14. BANK STABILISATION/REGRADING - LOT 8 DP 785357 HIBBERTS LANE, FREEMANS REACH. DA 353/90

Item 4 - Section 4 - Reports for Determination - Town Clerk/General Manager's Report - Planning Section was dealt with in conjunction with Item 14 above.

- 293 RESOLVED on the motion of Alderman Rotherham seconded by Alderman Gibson that Council seek an urgent response from the Public Works Department in relation to the application and invite an Officer from the Department to address a subsequent General Purpose Committee of the Department's concerns.
- 294 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Gibson that the Report of the General Purpose Committee Meeting held on 27th August, 1991 as recorded on Pages 1 to 25 of the Minutes of the General Purpose Committee Meeting, be adopted, with the exception of:

Section 1 - Works

Local Traffic Committee

2. R.K.Bennett - Intersection Old Pitt Town Road and Pitt Town Road, Pitt Town. GT230/8 PT1

13. Halpin's Pharmacy - Parking Restrictions, Bells Line of Road, North Richmond. GP1/3 PT1

Section 2 - Planning and Development

3. Subdivision - McKinlay Morgan and Associates - Lot 2 DP 244427 Carters Road, Grose Vale. SA172/90

4. Tourist Facility - E. Whitbread - Lot A DP 370895, Corner Wilberforce and Freemans Reach Road, Windsor. DA 185/91

9. Restaurant and Private Residence - Alex O'Grady - Part Lot A DP 336890, 1318 Bells Line of Road, Kurrajong Heights. DA 129/91

12. Tourism Facility, Clarendon - "Hawkesbury Horse World" - M R Prichard Pty Ltd 1829/850

14. Bank Stabilisation/Regrading - Lot 8 DP 785357 Hibberts Lane, Freemans Reach. DA 353/90

which have already been considered by Council - Minutes Nos. 287, 288, 289, 290, 291, 292, and 293.

SECTION 4 - REPORTS FOR DETERMINATION

FINANCE AND ADMINISTRATION

1. RECREATION PLAN. GC280/1 PT1

- 295 RESOLVED on the motion of Alderman Mackay seconded by Alderman Gibson that the Recreation Plan be advertised and be made available for public comment.

2. RECONCILIATION OF RATES LEVY AND SEALING OF RATES BOOKS. R186/1

- 296 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Mackay that Council affix the seal to the schedule referred to in the report incorporating the Rate Book Levies, Reconciliation of Levy and the Schedule of Non Rateable Properties for the year 1990.

3. NATIONAL LOCAL GOVERNMENT PRODUCTIVITY COUNCIL.
GF8/1 PT2

- 297 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Denne that the Council become a member of the National Local Government Productivity Council and pay the first year's contribution of \$800 (eight hundred dollars).

4. BLAXLANDS RIDGE VOLUNTEER BUSH FIRE BRIGADE.
GF10/2 PT1

- 298 RESOLVED on the motion of Alderman Mackay seconded by Alderman Stubbs that :
1. Council support the application by the Blaxland Ridge Volunteer Bush Fire Brigade for the expansion of the Reserve required for bush fire brigade purposes.
 2. Application be made to the Metropolitan Lands Office for the adjustment of boundaries to enable the proposal to proceed.
 3. Consideration be given to providing a programme in the 1992/93 Bush Fire Estimates for the ancillary and developmental fees associated with the application.

5. FINANCIAL ASSISTANCE GRANT 1991/1992. GG21/74 PT1

- 299 RESOLVED on the motion of Alderman Denne seconded by Alderman Books that the Financial Statement Form 2A for September 1991 be adjusted to account for the reduction in the Fiscal Equalisation Grant of \$80,900 (eighty thousand nine hundred) and that the following revised programme of works be adopted in relation to the \$673,826 (six hundred and seventy three thousand, eight hundred and twenty six) provided for Local Roads.

1.	Rehabilitation of previous works (seventy nine thousand, three hundred and twenty six)	\$79,326
2.	East Kurrajong Road Section 2. Reconstruction Additional funds to be provided by Council. (eighty eight thousand, one hundred)	\$ 88,100
3.	Riverview Street, North Richmond Reconstruction (one hundred and forty thousand)	\$140,000
4.	George Street, South Windsor (MR154) Kerb and Gutter. Work in conjunction with RTA (forty thousand)	\$ 40,000
5.	The Driftway. Provision for further work in conjunction with RTA and Penrith City Council (fifty thousand)	\$ 50,000
6.	Hilltop Road, Tennyson. Reconstruction and bitumen surfacing. (sixty eight thousand, seven hundred)	\$ 68,700
7.	Murrays Road. Reconstruction and bitumen surfacing. (forty two thousand, eight hundred)	\$ 42,800
8.	Martins Lane, Freemans Reach. Reconstruction and bitumen surfacing. (twenty one thousand, one hundred)	\$ 21,100
9.	Forrester Place, Maraylya. Reconstruction and bitumen surfacing. (forty three thousand, eight hundred)	\$ 43,800
10.	Hermitage Road Reconstruction & Bitumen seal (one hundred thousand)	<u>\$100,000</u>
		\$673,826
	(six hundred and seventy three thousand, eight hundred and twenty six)	

6. STAFF MATTERS - MR M PECK. HP/MP

- 300 RESOLVED on the motion of Alderman Gibson seconded by Alderman Bazeley that pursuant to the provisions of Section 99 of the Local Government Act, the employment of Mr M Peck be suspended, effective from 13 September 1991.

7. ORGANISATION OF WESTPOOL. GI10/3 PT1

- 301 RESOLVED on the motion of Alderman Denne seconded by Alderman Gibson that Westpool be advised that Council supports the proposed change to the Deed of Agreement and the document be executed under Seal of Council.

8. REQUEST FOR DONATION - McGRATHS HILL COMMUNITY CENTRE INC. GF8/1 PT2

- 302 RESOLVED on the motion of Alderman Gibson seconded by Alderman Books that a contribution of \$502.75 (five hundred and two dollars and seventy five cents) be made to the McGraths Hill Community Centre Inc and that consideration be given to including provision in the annual estimates of an amount to subsidise, as necessary, the operation of the Centre.

ENGINEERING1. UPPER COLO RESERVE. PK/16 PT1

- 303 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Sheather that the Contract between Mr. Mark Zervoudakis and Council be terminated with payment of \$444 (four hundred and forty four) damages to the Contractor.

2. INTERSECTION OLD PITT TOWN ROAD AND PITT TOWN ROAD, PITT TOWN. 1513/R, 1641/R

See Minute No. 287.

3. EXCLUSIVE USE OF GOVERNOR PHILLIP RESERVE - BRIDGE TO BRIDGE SKI CLASSIC - NSW WATER SKI ASSOCIATION LTD. PK205 PT1, GR30/38 PT1

- 304 MOVED by Alderman Gibson seconded by Alderman Sheather that approval be granted to the applications by the New South Wales Water Ski Association Ltd for:-

1. Exclusive use of Governor Phillip Reserve on Sunday, 24th November, 1991, subject to the Association paying to Council a contribution of \$500 (five hundred) or \$1.00 (one) per admission ticket, whichever is the greater.
2. Closure of those ferries listed below during the times stipulated, subject to the following conditions -
 - a) concurrence of the Roads & Traffic Authority of NSW being obtained to the proposed closures;
 - b) advertising of the proposed closures is to be undertaken at the expense of the NSW Water Ski Association in newspapers circulating in areas of the closures and 4 (four) weeks prior to the event, such notice to be incorporated in the news section of those newspapers and to be approximately 1/8 (eighth) page size;
 - c) that signs be erected at the Association's cost, in locations as required by the Manager of Operations and at a size indicated by him, on all roads leading to the ferries, as well as on each day, for at least 4 (four) weeks prior to the event;
 - d) safety precautions as previously established are to be placed at all ferry locations, such to include a boat and crew downstream from each ferry with suitable equipment to indicate to competitors that a ferry may be operating and with communication between that boat and the ferry vessel; such procedures are to be implemented to the satisfaction of the Maritime Services Board and Council's Manager of Operations;
 - e) that the ferry vessels during the closure period, will operate at the request of any officer of the NSW Police Department, or in the event of an emergency at the request of any Police, Ambulance or Fire Vehicle officer.

Ferry Closures

Wisemans Ferry	
Webbs Creek Ferry	12.15pm - 12.45pm
Lower Portland Ferry	
Sackville Ferry	12.30pm - 1.00pm

An amendment was moved by Alderman Bazeley seconded by Alderman Rotherham that approval be granted to the applications by the New South Wales Water Ski Association Ltd for:-

1. Exclusive use of Governor Phillip Reserve on Sunday, 24th November, 1991, subject to the Association paying to Council a contribution of \$500 (five hundred) or \$1.00 (one) per admission ticket, whichever is the greater.
2. Closure of those ferries listed below during the times stipulated, subject to the following conditions -
 - a) concurrence of the Roads & Traffic Authority of NSW being obtained to the proposed closures;
 - b) advertising of the proposed closures is to be undertaken at the expense of the NSW Water Ski Association in newspapers circulating in areas of the closures and 4 (four) weeks prior to the event, such notice to be incorporated in the news section of those newspapers and to be approximately 1/8 (eighth) page size;
 - c) that signs be erected at the Association's cost, in locations as required by the Manager of Operations and at a size indicated by him, on all roads leading to the ferries, as well as on each day, for at least 4 (four) weeks prior to the event;
 - d) safety precautions as previously established are to be placed at all ferry locations, such to include a boat and crew downstream from each ferry with suitable equipment to indicate to competitors that a ferry may be operating and with communication between that boat and the ferry vessel; such procedures are to be implemented to the satisfaction of the Maritime Services Board and Council's Manager of Operations;
 - e) that the ferry vessels during the closure period, will operate at the request of any officer of the NSW Police Department, or in the event of an emergency at the request of any Police, Ambulance or Fire Vehicle officer.

Ferry Closures

Lower Portland Ferry
Sackville Ferry

12.30pm - 1.00pm

Further that the proposed Wisemans Ferry and Webbs Creek Ferry closure be subject to public consultation and further report to Council.

The amendment was lost.

The motion was then put and carried.

4. WEBBS CREEK FERRY SERVICE - CONTRACT OPERATION.
F81/3

305 RESOLVED on the motion of Alderman Gibson seconded by Alderman Sheather that :

1. The tender of Alan Greentree in the amount of \$129,000 (one hundred and twenty nine thousand) annually, for the contract operation of Webb's Creek Ferry, be recommended to the Roads and Traffic Authority for acceptance.
2. Subject to the acceptance by the Roads and Traffic Authority of the tender of Alan Greentree, the necessary contract documents be completed under the Common Seal of Council.

5. SACKVILLE FERRY SERVICE - CONTRACT OPERATION.
F81/3

306 RESOLVED on the motion of Alderman Gibson seconded by Alderman Rotherham that :

1. The tender of Alan Greentree in the amount of \$129,000 (one hundred and twenty nine thousand) annually, for the contract operation of Sackville Ferry, be recommended to the Roads and Traffic Authority for acceptance.
2. Subject to the acceptance by the Roads and Traffic Authority of the tender of Alan Greentree, the necessary contract documents be completed under the Common Seal of Council.

6. RESERVE CORNER COLONIAL DRIVE AND GUARDIAN
CRESCENT, BLIGH PARK. GT130/1

307 RESOLVED on the motion of Alderman Sheather seconded by Alderman Gibson that :

- A. The proposed development of the public reserve located on the corner of Colonial Drive and Guardian Crescent, Bligh Park, comprising sporting fields, amenities building, children's play area, irrigation and car parking be approved in principle.
- B. Approval be granted to fund the project from Section 94 Contributions estimated to cost \$370,000 (three hundred and seventy thousand).

HEALTH & BUILDING

1. SULLAGE REMOVAL SERVICE. GE20/8 PT1

308 RESOLVED on the motion of Alderman Gibson seconded by Alderman Stubbs that G & J Horswell & Sons be advised of the sullage survey results and that Council appreciates the level of service being provided to residents.

PLANNING

1. TEMPORARY SKATEBOARD RAMP AND OUTSTANDING CONDITIONS - CHRISTIAN LIFE CENTRE, 42 WINDSOR ROAD, VINEYARD - DA293/90

309 RESOLVED on the motion of Alderman Gibson seconded by Alderman Stubbs that the applicant be advised that Council agrees in principle to the provision of skateboard ramp and classroom extension facilities at the existing church, however, prior to final determination of the application, requires outstanding conditions of previous consents to be complied with.

2. CAR PARK FOR RESTAURANT/TOURIST FACILITY - 1318 BELLS LINE OF ROAD, KURRAJONG HEIGHTS. DA912/91

See Minute No. 291.

3. SUBDIVISION - CARTERS ROAD, GROSE VALE. SA172/90

See Minute No. 289.

4. BANK STABILISATION/REGRADING - LOT 8 DP785357
HIBBERTS LANE, FREEMANS REACH. DA353/90

See Minute No. 293.

5. HERITAGE ADVISORY COMMITTEE. GH20/3 PT1

- 310 RESOLVED on the motion of Alderman Mackay seconded by Alderman Horrex that a report be prepared on the future operation of the Heritage Advisory Committee for the Committee's consideration and subsequent report to Council.

Alderman Bazeley left the meeting at this stage, the time being 9.03 p.m.

6. HOUSING DEVELOPMENT BLYTH PARK. GT70/5 PT1

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

1. Council make suitable approaches to the Department of Planning seeking exemption from the Minister's direction concerning the inability to levy Section 94 contributions at the time of development of dual occupancy.
2. Council investigate avenues of promotion of housing styles with less than 3 (three) bedrooms.
3. The contents of this report be brought to the attention of all Aldermen at the next General Purpose Committee meeting.
4. The contents of the report be provided to residents of Blyth Park who have made recent requests for information concerning Council's Housing Policy.

Alderman Bazeley returned to the meeting at this stage, the time being 9.14 p.m.

LIBRARY1. FORWARD PLAN FOR LIBRARY SERVICES, 1991-1995. GM1/2 PT1

- 312 RESOLVED on the motion of Alderman Horrex seconded by Alderman Bazeley that the personal computer to replace the terminal used to access ABN be purchased out of the 1991 ABN budget to the value of \$4,500 (four thousand five hundred).

That the forward plan for library services be adopted in principle. Any proposal to finance the plan to be brought to Council for confirmation and authorisation.

SECTION 5 - REPORTS FOR INFORMATION

1. REPORTS REQUESTED BY COUNCIL - STATUS - AS AT 10TH SEPTEMBER, 1991. C50-1.
2. FIRE CONTROL OFFICERS' REPORT - BUSH FIRE BRIGADE OFFICER BEARERS. GF10/24
3. HOSTEL - APPLICATION UNDER THE AGED AND COMMUNITY CARE PROGRAM. GR50/1 PT1
4. COMMUNITY SERVICES REPORT - AUGUST. GC140/1 PT1
5. AUSTRALIANA PIONEER VILLAGE. G150/4
6. DEVELOPMENT APPLICATIONS APPROVED UNDER DELEGATED AUTHORITY. P160/33

Alderman Rotherham declared an interest in Item 5 on Page 18 of this report.

7. STATE ACTS AND REGULATIONS. GL20/22 PT1
8. FUNDING CUTS FOR PUBLIC LIBRARIES. GG21/2 PT1
9. TOURIST FACILITY - LOT 3 SECTION 3 DP758924, BULGA STREET, ST ALBANS - S N FALCONER. DA159/91
10. FIRE CONTROL OFFICERS' REPORT - BUSH FIRE BRIGADE GROUP CAPTAINS. GF10/24.
11. BUILDING APPLICATIONS - JULY 1991. GS80/9 PT 1
12. BUILDING APPLICATIONS - AUGUST 1991. GS80/3 PT 1
13. PUBLIC WORKS. S205/3/A
14. RIVERBANK REVEGETATION PROGRAM. GR60/12
15. TREE PRESERVATION ORDER. GE20/31 PT1

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

SECTION 6 - REPORTS OF COMMITTEESCOMMUNITY ENVIRONMENT COMMITTEE MEETING

- 314 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Sheather that the Minutes of the Community Environment Committee Meeting held on 31st July, 1991, as recorded on Pages 1 to 3 of the Minutes of the meeting, be adopted.

HERITAGE ADVISORY COMMITTEE MEETING

- 315 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Sheather that the Minutes of the Heritage Advisory Committee Meeting held on 7th August, 1991, as recorded on Pages 1 to 4 of the Minutes of the Meeting, be adopted.

MANAGEMENT EXECUTIVE COMMITTEE MEETING

- 316 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Sheather that the Minutes of the Management Executive Committee Meeting held on 7th August, 1991, as recorded on Pages 1 & 2 of the Minutes of the Meeting, be adopted.

COMMUNITY ENVIRONMENT COMMITTEE MEETING

- 317 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Sheather that the Minutes of the Community Environment Committee Meeting held on 28th August, 1991, as recorded on Pages 1 to 3 of the Minutes of the Meeting, be adopted.

SECTION 7 - CORRESPONDENCE FOR INFORMATION

1. CAPITAL ASSISTANCE PROGRAMME - MINISTER FOR SPORT, RECREATION AND RACING, MINISTER ASSISTING THE PREMIER. GG21/47 PT6
2. NOMINATIONS FOR MEMBERSHIP OF THE HAWKESBURY-NEPEAN CATCHMENT MANAGEMENT COMMITTEE - ANDREW SPEERS, POLICY ADVISOR TO TIM MOORE, MP, MINISTER FOR THE ENVIRONMENT. GNS/2 PT8
3. HAWKESBURY SPORTS COUNCIL STEERING COMMITTEE - THE HON KEVIN ROZZOLI, MP. GR30/30 PT1

4. GENERAL CIRCULAR NO 11/1991 - LOCAL GOVERNMENT AND SHIRES ASSOCIATION OF NSW. GC70/4 PT12
 5. PROPOSED AMALGAMATION OF FIRE SERVICES - LOCAL GOVERNMENT AND SHIRES ASSOCIATIONS. GF10/43 PT1
 6. LIBRARY COUNCIL OF NSW - LIBRARY DEVELOPMENT GRANTS 1990/91. GG21/2 PT1
 7. APPOINTMENT TO WASTE MANAGEMENT AUTHORITY - LOCAL GOVERNMENT ASSOCIATION OF NSW. GA30/3 PT2
 8. AREA ASSISTANCE SCHEME - THE HON. ROBERT WEBSTER MLC, MINISTER FOR PLANNING AND MINISTER FOR ENERGY. GC130/4 PT4
 9. RESTORATION OF MT IRVINE ROAD - MR B MORRIS MP, MEMBER FOR BLUE MOUNTAINS. 1322/R PT3
 10. MINUTES OF MEETING - WATER SUPPLY & RESOURCES COMMITTEE. GW20/4 PT1
 11. COLO RIVER BRIDGE - DEPUTY PREMIER & MINISTER FOR ROADS. GR70/15 PT1
 12. PROPOSAL TO HOUSE CANNONS - RICHMOND EX-SERVICEMEN'S CLUB LIMITED - GF20/12 PT1
- 318 RESOLVED on the motion of Alderman Michael seconded by Alderman Denne that the offer be considered along with other expressions of interest regarding the housing of the cannons.
- 319 RESOLVED on the motion of Alderman Gibson seconded by Alderman Horrex that the correspondence in this section be received and replies be forwarded where necessary with the exception of Item No. 12 - See Minute No. 318.

SECTION 8 - OTHER REPORTS

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

SECTION 9 - SUPPLEMENTARY REPORTS

REPORTS FOR DETERMINATION

FINANCE AND ADMINISTRATION

9. FINANCIAL ASSISTANCE - TRAFFIC FACILITIES STUDY
DT230/10 PT5

- 321 RESOLVED on the motion of Alderman Michael seconded by Alderman Denne that WSROC be advised that this Council is prepared to contribute the amount of \$4,160 (four thousand, one hundred and sixty dollars) on an equal basis with all other Councils and the Roads and Traffic Authority for a study on the sponsorship of traffic facilities.
- 322 RESOLVED on the motion of Alderman Gibson seconded by Alderman Books that Council again express its concern in relation to State and Federal funding within the Western Sydney Region in relation to roadworks whereas Councils should be further supported by way of road reconstruction funding.

10. INDEPENDENT COMMISSION AGAINST CORRUPTION.
GA30/5 PT1

Moved by Alderman Stubbs seconded by Alderman Denne that Council make a submission on the following basis:

1. The Code of Conduct should provide guidelines to a reasonable form of clarification regarding pecuniary interests provisions and their disclosure, with the final determination according to the facts for each case being left to the appropriate judges.
2. All employees should be required to disclose their personal interest annually.
3. Council Members should be prohibited from making any formal representation to Council meetings about a matter in which they have an interest.
4. Investigations of allegations of breaches should be undertaken by appropriate bodies separate from the Council, at the same time, persons making such allegations, if shown to be frivolous or vexatious, should be the subject of some penalty.
5. Breaches of pecuniary interest provisions should be dealt with by a Tribunal chaired by a District Court Judge with two lay persons, one being a council member.
6. It is not seen as desirable that there should be dual membership of either Local, State or Federal Parliament.

7. The potential conflict is such that employees should never be allowed to undertake private work in relation to matters that require their Council's sanction.
8. Councils should be allowed to act as Planner and Developer, provided they do so in accordance with set and prescribed guidelines such as, that matters are dealt with impartially.
9. Council members should be prohibited from making representations either orally or in writing to the Council on behalf of clients.
10. Council Members and employees should be required to disclose all real property held in the Council area where they represent or are employed and immediately adjoining areas.

An amendment was moved by Alderman Michael seconded by Alderman Books that Council make a submission on the following basis:

1. The Code of Conduct should provide guidelines to a reasonable form of clarification regarding pecuniary interests provisions and their disclosure, with the final determination according to the facts for each case being left to the appropriate judges.
2. All employees should be required to disclose their personal interest annually.
3. Council Members should not be prohibited from making informal representation to Council meetings as a community member about a matter in which they have an interest.
4. Investigations of allegations of breaches should be undertaken by bodies separate from the Council, at the same time, persons making such allegations, if shown to be frivolous or vexatious, should be the subject of some penalty.
5. Breaches of pecuniary interest provisions should be dealt with by a Tribunal chaired by a District Court Judge with two lay persons, one being a council member.
6. It is not seen as desirable that there should be dual membership of either Local, State or Federal Parliament.
7. The potential conflict is such that employees should never be allowed to undertake private work in relation to matters that require their Council's sanction.

8. Councils should be allowed to act as Planner and Developer, provided they do so in accordance with set and prescribed guidelines such as, that matters are dealt with impartially.
9. Council members should be prohibited from making representations either orally or in writing to the Council on behalf of clients.
10. Council Members and employees should be required to disclose all real property held in the Council area where they represent or are employed and immediately adjoining areas.

Alderman Bazeley foreshadowed a further amendment.

The amendment was lost.

323 **A FORESHADOWED AMENDMENT** was moved by Alderman Bazeley seconded by Alderman Mackay that Council make a submission on the following basis:

1. The Code of Conduct should provide guidelines to a reasonable form of clarification regarding pecuniary interests provisions and their disclosure, with the final determination according to the facts for each case being left to the appropriate judges.
2. All employees should be required to disclose their personal interest annually.
3. Council Members should not be prohibited from making informal representation to Council meetings as a community member about a matter in which they have an interest.
4. Investigations of allegations of breaches should be undertaken by appropriate bodies separate from the Council, at the same time, persons making such allegations, if shown to be frivolous or vexatious, should be the subject of some penalty.
5. Breaches of pecuniary interest provisions should be dealt with by a Tribunal chaired by a District Court Judge with two lay persons, one being a council member.
6. The potential conflict is such that employees should never be allowed to undertake private work in relation to matters that require their Council's sanction.

7. Councils should be allowed to act as Planner and Developer, provided they do so in accordance with set and prescribed guidelines such as, that matters are dealt with impartially.
8. Council members should be prohibited from making representations either orally or in writing to the Council on behalf of clients.
9. Council Members and employees should be required to disclose all real property held in the Council area where they represent or are employed and immediately adjoining areas.

The foreshadowed amendment was carried.

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

11. BUSH FIRE ESTIMATES 1991/1992. GF10/44 PT1

- 324 RESOLVED on the motion of Alderman Gibson seconded by Alderman Rotherham that Council make urgent representations to the Minister and seek the assistance of the Members for Hawkesbury and Londonderry to have the allocation to the Council from the Bush Fire Fighting Fund for the 1991/1992 period reconsidered.

QUESTIONS WITHOUT NOTICE

Alderman Stubbs stated that he has had a request for the provision of wheelchair access to Richmond Park and asked if this could be investigated.

Alderman Books asked if a report could be brought forward on what can be done to upgrade Crowleys Lane and in that report could it be investigated what could be done about the farmers that are constantly watering the road, which is contributing to a lot of the damage. He referred also to the overloading of trucks.

Alderman Books asked if there was any information on the current situation regarding Pitt Town Sands and REP9.

The Manager of Town Planning stated it would be recalled that The Hon. Kevin Rozzoli and the Mayor had had a meeting with the residents and an undertaken was given by the residents that they would make a submission to the Council staff. As yet the submissions have not been made. The review of REP9 is not yet complete and the Department of Planning will be calling for public input into the review and this has not as yet been done.

Alderman Benson referred to the corner of Cattai, Eldon and Old Pitt Town Roads wherein Council had agreed to put "Stop" signs up. He stated that he felt this would be not be sufficient and asked that Council consider reconstruction of this particular area in next year's Works Programme.

The Mayor agreed that this request could be included for consideration in the Estimates for next year.

Alderman Benson spoke in relation to a Development Application within the Baulkham Hills Shire and asked that Council make an objection to the application before the Shire Council for an increase in truck movements from 200 to 400 per day by way of an amendment to the Development Application approved in 1989. As this proposed increase in traffic will pass through the Hawkesbury City area by way of Cattai Road and Pitt Town Road, perhaps a condition should be imposed for a levy to finance the Pitt Town by-pass. He stated that if this application is successful then the Pitt Town/Cattai Road will probably be one of the most used roads in the community and to that extent the road system through Pitt Town will be totally inadequate.

Alderman Gibson asked if the Engineering staff could look at the erosion of the kerbside to the tarsealing section of Mitchell Drive Glossodia on the northern side from Macquarie Place right through to the dead end, where it is being eroded away by water runoff. He stated that in certain sections there is up to a one metre washaway and with the larger trucks now coming in with septic pumpout they are breaking away the road shoulders.

Alderman Gibson referred to his previous request for kerb, guttering and drainage to be included in the Works Programme for Nightingale Square and Ian Street, Glossodia and asked when that programme would be forthcoming.

The Manager of Engineering Services stated that normally these programmes come down after the Loan Allocation and with the Estimates.

Alderman Denne referred to the North Richmond School - Charles Street and William Street - and stated that both of these streets have double lines and parents picking up children are parking where the double lines are.

She asked if the Police could be requested to patrol this area, particularly during the times that children are coming to school in the morning and leaving in the afternoon. There is also a problem with speeding coming down Grose Vale Road.

Alderman Denne referred to the potholes in Charles Street and Hayman Street.

Alderman Sheather referred to Shepherds Gully Road that runs up on to the Great Northern Road and asked if there is any proposal before Council to close the road to the public.

The Mayor stated that there is no proposal before Council at this stage. The matter is being looked at as to how the Old Northern Road can be protected.

QUESTIONS FROM THE GALLERY

The Mayor then invited Questions from the Gallery.

Mr. Ian Robinson referred to the closure of the Webbs Creek Ferry and stated that in late November the Settlers Arms Inn and the Village at St. Albans hold its annual fare. He stated that Slim Dusty will be appearing on that day and referred to the amount of cars that will be coming to that particular event. He stated that it takes 50 cars an hour to get across the river. He asked if Council will be advising the restaurants that they will not be having trade throughout the day.

Mr. Robinson referred to the stringent requirements that Council has put upon the development in Bulga Street, St. Albans and asked in view of Council's attitude, has Council taken any further action on the two houses in Wharf Road opposite the Settlers Arms Inn.

Mr. Robinson referred to Sunnyvale in Settlers Road and stated that that area is fast developing and is a speedway and asked if Council could investigate placing speed restrictions from the top of the Sunnyvale area.

Mr. Ian Robinson asked if there has been any allocation made in the financial assistance grant for MR181.

The Mayor asked if Mr. Robinson could get back to Council in relation to the ferries at Wisemans Ferry to let Council know the day of the St. Albans Fair and the Slim Dusty event and this would then be addressed.

The Manager of Environment and Building Services stated that these two buildings were the subject of action in the Land and Environment Court which took some considerable time and expense in respect to legal costs. The Court handed down orders which directed that both buildings be completed within a specified time. That time is now well and truly expired. There was an option to go back to the Land and Environment Court and try and have the Court enforce its orders or to continue to persevere and to encourage the two people concerned to complete the work. On recent past experience with the Court there was very little possibility of the Court enforcing its own orders. Therefore it was advisable to endeavour to have the people complete the work. With the resited Church, there has been some work done on it and there is not a great deal of work to be completed. The building on the corner, the work has been very slow and what complicates this matter is that the owner has advised Council that he is unemployed at the moment and has no source of income. If the Court enforces its own orders, it will mean imprisonment for contempt of Court and he is of the opinion that the Court will not enforce its own orders where it appears that there is genuine financial hardship.

Mr. Ian Robinson stated that the property on the corner is in the process of being sold and advised that if Council contacted him he would provide details.

The Mayor advised that in relation to MR181, these are separate allocations from the Roads & Traffic Authority.

Mr. Geoff Farrance referred to Item 15 in the Planning and Development Section of the General Purpose Committee concerning the Recycling Service and sought advice regarding the cost to Council for this service.

The Manager of Environment & Building Services advised that the commencement of the service was subject to the calling of public tenders. Tenders were called twice on two different bases, and on each occasion two tenders were received which were both the same tenderers. The tender which Council accepted was at an annual cost of \$19 per 50 per household.

Mr. Geoff Farrance referred to the Town Clerk/General Manager's Report under the Public Works Section - and referred to his previous request as to repairs to the toilets in Deerubbun Park.

The Manager of Engineering Services advised that the work has been completed.

Mr. Geoff Farrance referred to pecuniary interest and asked if a person is a member of a community organisation and then becomes a Council Alderman, is that likely to be considered a pecuniary interest in regards to that person representing the views of that organisation.

The Town Clerk/General Manager stated that it depends upon the position on the organisation and it really comes down to the bottom line that is does the position of the Executive Membership of the Committee be one such that some pecuniary monetary interest, either to the positive or the negative, be gained or lost from holding that position.

The Town Clerk/General Manager advised that the problem is that an elected member must make his or her own decision. If one is talking about something like a local Progress Association, his personal advice is "No it does not", however at the end of the day the decision as to whether an elected member has a pecuniary interest or not is solely one for the Courts. So if someone wants to take an Alderman on, the Alderman is safer on the side of declaring the interest.

Mr. Stokman asked if he needs approval to remove trees that are dead, dying or dangerous.

The Manager of Town Planning stated that, his understanding is that it does in that Mr. Stokman does not own the trees. A person has a right when they own land to either keep their trees or to remove them and in this case, it is clear understanding that the owner wants to keep them.

The meeting terminated at 11.10 p.m.

Submitted to and confirmed at the meeting of Council held on 8th October, 1991.

..... Mayor

Minutes of the Special Meeting of the Council of the City of Hawkesbury held at the Council Chambers, Windsor on 24th September, 1991 commencing at 7.30 p.m.

PRESENT : Alderman W.J.Sledge, Mayor and Aldermen H.J.M.Books, R.G.Calvert, B.N.Keegan, W.J.Mackay, P.J.Minturn, C.A.Paine, M.G.Parsons, P.E.Rogers, L.C.Sheather, R.P.Stubbs and H.Williams.

TOWN CLERK/GENERAL MANAGER'S REPORT.

ELECTION OF CHAIRMAN

The Returning Officer advised that for the election of Mayor, it would be necessary for a Chairman to be elected to undertake the first part of the meeting.

The Returning Officer invited nominations for the position of Chairman with Alderman Books being nominated.

There being no other nominations, Alderman Books then took the Chair.

1. MAYORAL ALLOWANCE GA 30/3 PT2

- 325 RESOLVED on the motion of Alderman Mackay seconded by Alderman Keegan that the Mayoral Allowance remain the same, being \$19,000 (nineteen thousand), such amount to include \$3,000 (three thousand) provided to the Deputy Mayor for civic duties.

2. ELECTION OF MAYOR. GA 30/3 PT2

Nomination papers for the office of Mayor were then distributed to the members.

- 326 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Mackay that the election be carried out by Ordinary Ballot.

The Returning Officer advised that two nominations had been received for the office of Mayor, being :

Alderman W.J.Sledge
Alderman W.J.Mackay

The Returning Officer asked the two nominees if they wished to accept nomination with Alderman Sledge replying in the affirmative and Alderman Mackay declining.

The Returning Officer then declared that, on the basis of there being only one nomination for the office of Mayor, Alderman Wendy Sledge is elected Mayor of the City of Hawkesbury for the ensuing term.

Alderman Sledge then took the Chair.

3. ELECTION OF DEPUTY MAYOR. GA 30/3 PT 2

- 327 RESOLVED on the motion of Alderman Sheather seconded by Alderman Mackay that the election be carried out by Ordinary Ballot.

Nomination papers for the office of Deputy Mayor were then distributed to the members.

The Returning Officer then advised that three nominations had been received for the office of Deputy Mayor, being :

Alderman B.N.Keegan
Alderman R.P.Stubbs
Alderman W.J.Mackay

The Returning Officer asked Aldermen Keegan, Stubbs and Mackay if they wished to accept nomination with the three nominees replying in the affirmative. The Returning Officer advised that there would be a ballot for the position with the three names being placed alphabetically on the ballot paper.

The Returning Officer asked the members to place the figure "1" in the box on the left of the name of the person for whom they wished to vote.

The result of the ballot was as follows :

Alderman Keegan	...	6
Alderman Mackay	...	3
Alderman Stubbs	...	3

The Returning Officer then advised that it would be necessary for a draw to take place with the names of Alderman Mackay and Alderman Stubbs being placed in a ballot. The name of the person drawn will be deemed to be the person to have the lowest number of votes and will be excluded from the ballot. Alderman Stubbs' name was drawn from the ballot and was therefore excluded.

The names of the two remaining candidates were then placed on the ballot paper and distributed to the members. The Returning Officer asked the members to place the figure "1" in the box at the left of the name of the person for whom they wished to vote.

The result of the second ballot was as follows :

Alderman Keegan	...	8
Alderman Mackay	...	4

The Returning Officer then declared Alderman B.N.Keegan elected as Deputy Mayor of the City of Hawkesbury for the ensuing term.

4. APPOINTMENT OF COMMITTEES, DELEGATES & REPRESENTATIVES. GA30/3 PT2

- 328 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Sheather that Council consider each Committee as it appears in the business paper.

General Purpose Committee

- 329 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Mackay that there be no change.

Town Planning Committee

- 330 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Mackay that there be no change.

Rating Review Committee

- 331 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Mackay that there be no change.

Extractive Industry Committee

- 332 RESOLVED on the motion of Alderman Mackay seconded by Alderman Books that the Extractive Industry Committee be a Committee of the full Council.

Local Traffic Committee

Alderman P. Minturn and Alderman C. Paine were nominated as representatives on the Local Traffic Committee with both members accepting nomination.

The result of the ballot, by show of hands, was as follows :

Alderman Minturn	...	4
Alderman Paine	...	8

Alderman Paine was then declared elected as Council's representative on the Local Traffic Committee.

Nominations were then invited for the position of alternative representative on the Committee, with Aldermen Minturn and Keegan being nominated. Aldermen Minturn and Keegan accepted nomination.

The result of the ballot was as follows :

Alderman Minturn	...	8
Alderman Keegan	...	4

Alderman Minturn was then declared elected to the position of alternative representative on the Local Traffic Committee.

Sister City Committee

- 333 RESOLVED on the motion of Alderman Mackay seconded by Alderman Parsons that this Committee's composition and future be further reported to Council following discussions with the Sister City Association.

Australia Day Awards Committee

- 334 RESOLVED on the motion of Alderman Books seconded by Alderman Keegan that the Committee be re-appointed and that an invitation be extended to the Windsor and Richmond Chambers of Commerce to nominate a representative on the Committee.

Australia Day Dinner Committee

Nominations were invited for representation on the Australia Day Dinner Committee with Aldermen Stubbs, Books and Mackay being nominated and accepting nomination.

The Committee was then re-appointed with Alderman Stubbs, Alderman Books and Alderman Mackay being elected as Council's representatives on the Committee together with the Town Clerk/General Manager.

Nepean/Hawkesbury Catchment Management Council

Nominations were invited for Council representation on the Nepean/Hawkesbury Catchment Management Council with Aldermen Williams and Sheather being nominated and accepting nomination.

The Council was advised that it would be necessary to take a vote on the representation, as only one representative was required. The result of the vote was as follows :

Alderman Williams ...	8
Alderman Sheather ...	4

Alderman Williams was elected as the representative on the Nepean/Hawkesbury Catchment Management Council together with the Council Technical Officers.

Nominations were then invited for the alternative representative on the Nepean/Hawkesbury Catchment Management Council, with Alderman Sheather being nominated and accepting nomination.

Alderman Sheather was then declared elected as the alternative representative on the Nepean/Hawkesbury Catchment Management Council.

Noise & Environment Pollution Committee

- 335 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Parsons that the Committee be reviewed in its function.

Mushroom Composting Industry Committee

- 336 RESOLVED on the motion of Alderman Books seconded by Alderman Keegan that this Committee comprise of the full Council and that the balance of the Committee be re-appointed.

Macquarie Towns Festival Inc.

Nominations for representation on the Macquarie Towns Festival Committee were invited with nominations being received from Aldermen Stubbs, Rogers, Mackay and Paine. Alderman Mackay declined nomination with Aldermen Stubbs, Rogers and Paine accepting nomination.

Aldermen Stubbs, Rogers and Paine were elected as Council's representatives on the Macquarie Towns Festival Committee with the balance of the Committee being re-appointed.

Hawkesbury Heritage Advisory Committee

Nominations were invited for representation on this Committee, with Aldermen Stubbs, Books and Williams being nominated. Aldermen Stubbs and Books accepted nomination with Alderman Williams declining nomination.

Aldermen Stubbs and Books were elected as representatives on the Hawkesbury Heritage Advisory Committee with the balance of the Committee being re-appointed.

W.S.R.O.C.

Nominations were invited for the position of delegates on W.S.R.O.C. with Aldermen Sheather, Minturn and Calvert being nominated. Alderman Minturn declined nomination with Aldermen Sheather and Calvert accepting nomination.

Aldermen Sheather and Calvert were elected as Council's delegates to W.S.R.O.C. for the ensuing term.

Alderman Keegan was nominated as alternative delegate and accepted the nomination.

Alderman Keegan was elected as alternative delegate to W.S.R.O.C.

TOWN CLERK/GENERAL MANAGER'S SUPPLEMENTARY REPORT.

1. INCORPORATION OF WESTERN SYDNEY REGIONAL ORGANISATION OF COUNCILS (W.S.R.O.C.) GM1/5 PT6

- 337 RESOLVED on the motion of Alderman Mackay seconded by Alderman Stubbs that in the incorporation of W.S.R.O.C. Limited Council resolve as follows :

"That pursuant to Section 249(3) of the Corporations Law; Council this day has appointed Alderman Leslie Claude SHEATHER or failing him Alderman Robert Graeme CALVERT to act as its representative at the first General Meeting of the Western Sydney Regional Organisations of Councils Limited. Without limiting the generality of this appointment the representative is authorised by Hawkesbury City Council to receive notices of the meeting on its behalf.

Further that Council resolve to affix its Seal to the incorporation documents."

W.S.R.O.C. Group Apprentices

- 338 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Mackay that the Manager of Engineering Services be appointed Director on W.S.R.O.C. Group Apprentices.

Board of Directors Tourism Hawkesbury Inc.

Nominations were invited for representation on the Board of Directors Tourism Hawkesbury Inc. with Aldermen Rogers and Parsons being nominated and accepting the nomination.

Aldermen Rogers and Parsons were elected as Council's representatives on the Board of Directors Tourism Hawkesbury Inc.

Museum & Information Committee

Alderman Stubbs was nominated as Council's representative on the Committee with Alderman Stubbs accepting nomination.

Alderman Stubbs was elected as Council's representative on the Committee.

Hawkesbury Co-ordinating Group for People with Disabilities.

The Council was advised that this Group is not now necessary as the responsibilities of the Committee have been taken over by the Bowman Cottage 530A Committee and Bowman Enterprises Management Committee and they have formed their own Committee.

Hawkesbury Fitness Centre Finance Advisory Committee

- 339 RESOLVED on the motion of Alderman Mackay seconded by Alderman Books that a further report be brought forward to examine the feasibility of incorporating this Committee into the Hawkesbury Sports Stadium Limited or some way of keeping the plans, expertise, etc. that were formulated for the future.

Friends of the Hawkesbury Art Collection

Aldermen Mackay and Paine were nominated as representatives on this Committee with Aldermen Mackay and Paine accepting nomination.

Aldermen Mackay and Paine were elected as the representatives on the Friends of the Hawkesbury Art Collection with the balance of the Committee being re-appointed.

Hawkesbury Sports Stadium Limited

Alderman Mackay was nominated as representative on the Hawkesbury Sports Stadium Limited, with Alderman Mackay accepting the nomination.

Alderman Mackay was elected as representative to the Hawkesbury Sports Stadium Limited together with the Manager of Financial & Administrative Services.

Area Assistance Scheme - Hawkesbury Priority Committee

Nominations were received for Aldermen Mackay, Books, Sheather, Williams and Parsons with Aldermen Mackay, Sheather, Williams and Parsons accepting and Alderman Books declining nomination.

Aldermen Mackay, Sheather, Williams and Parsons were elected as representatives on the Committee.

Macquarie Towns Junior Symphony Orchestra

Nominations were received for Aldermen Keegan and Rogers, with Alderman Keegan accepting nomination and Alderman Rogers declining.

Alderman Keegan was elected as Council's representative on the Macquarie Towns Junior Symphony Orchestra.

Community Environment Committee

- 340 RESOLVED on the motion of Alderman Rogers seconded by Alderman Stubbs that consideration of this be two Aldermen on this Committee.

Nominations were then called for two Aldermen with Aldermen Williams and Rogers being nominated. Aldermen Williams and Rogers accepted nomination.

Aldermen Williams and Rogers were elected as representatives on the Community Environment Committee with the balance of the Committee being re-appointed.

Sports Council

- 341 RESOLVED on the motion of Alderman Mackay seconded by Alderman Stubbs that appointment of the Alderman representative on the Sports Council be deferred pending the final resolution of the Sports Council.

1994 Bicentennial Celebrations Committee

Nominations were received for Aldermen Books and Mackay with Aldermen Books and Mackay accepting nomination.

Aldermen Books and Mackay were elected as Council's representatives on the 1994 Bicentennial Celebrations Committee with the balance of the Committee being re-appointed.

Hawkesbury Flood Plain Management Committee

- 342 RESOLVED on the motion of Alderman Parsons seconded by Alderman Stubbs that the representation on this Committee be changed to two Aldermen.

Aldermen Sheather, Williams, Calvert and Sledge were nominated with Aldermen Sheather and Williams accepting nomination and Aldermen Calvert and Sledge declining nomination.

Aldermen Sheather and Williams were elected representatives on the Hawkesbury Flood Plain Management Committee with the balance of the Committee being re-appointed.

Hostel for Aged Accommodation

Alderman Stubbs was nominated as the representative on the Hostel for Aged Accommodation Committee, with Alderman Stubbs accepting nomination.

Alderman Stubbs was elected as the Council representative on the Committee.

Sydney Regional Fire Association

Aldermen Minturn was nominated as Council's representative on the Association. Alderman Minturn accepted nomination.

Alderman Minturn was elected as Council's representative on the Association.

Nominations were invited for the alternative Alderman on the Association with Aldermen Mackay, Books and Parsons being nominated. Alderman Mackay accepted nomination with Aldermen Books and Parsons declining.

Alderman Mackay was declared elected as the alternative Alderman on the Association.

Westpool

- 343 RESOLVED on the motion of Alderman Parsons seconded by Alderman Books that the representation on Westpool be changed from the Mayor to an Alderman.

A nomination was received for Alderman Parsons, who accepted the nomination.

Alderman Parsons was elected as Council's representative on Westpool.

EIS for Alternative Transport Strategies

- 344 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Mackay that the Manager of Engineering Services be elected as the representative.

COUNTY COUNCILS

Prospect

Nominations papers were then distributed to the members. The Returning Officer requested the members to write the name on the paper of the person for whom they wished to nominate for the position of delegate on Prospect County Council.

The following nominations were received :

Alderman R.G.Calvert
Alderman H.J.M.Books

The Returning Officer asked the nominees if they accepted the nomination, with both replying in the affirmative. He advised that the provisions are that the ballot has to take place by preferential ballot and asked the members if they would place the numbers "1" and "2" in order of preference besides the names of the person on the ballot paper for whom they wished to vote.

Result of the ballot was as follows :

Alderman Books	...	7
Alderman Calvert	...	4
Informal	...	1

The Returning Officer then declared Alderman Books elected as Council's delegate on Prospect County Council for the ensuing term.

Hawkesbury River

Nomination papers were then distributed to the members. The Returning Officer stated that in this case there is a need to nominate two delegates.

The following nominations were received :

Alderman R.G. Calvert
Alderman L.C. Sheather
Alderman P. Minturn
Alderman H. Williams

The Returning Officer asked the nominees if they wished to accept nomination with Aldermen Calvert, Sheather and Minturn accepting and Alderman Williams declining nomination.

The Returning Officer advised that the ballot would take place by preferential ballot and asked the members if they would place the numbers "1", "2" and "3" in the order of their preference in the boxes at the left of the three names on the ballot paper.

The result of the ballot on the first preferences was as follows :

Alderman Calvert	...	5
Alderman Minturn	...	4
Alderman Sheather	...	3

As the result of the distribution of Alderman Sheather's distribution, the ballot was six votes all. The Returning Officer then declared Aldermen Calvert and Minturn elected as Council's delegates to the Hawkesbury River County Council for the ensuing term.

The meeting terminated at 8.45 p.m.

Submitted to and confirmed at the meeting of Council held on 8th October, 1991.

..... Mayor.

NOTICES OF MOTION

SECTION 2

NOTICE OF MOTION

ORDINARY MEETING - 8TH OCTOBER, 1991

By Alderman M.G.Parsons :

That changes be sought to the electoral provisions such that at future Local Government Elections where there are a large number of candidates in any area on election day, candidates can be given pre-determined equal space in a location immediately adjoining the voting room, for the placement of election material.

Further that consideration be given to the extension of pre-poll voting procedures to allow an extension of those qualified to vote using this method.

That the Electoral Commission, Local Government & Shires Associations and WSROC be requested to advise on possible alternatives to the handing-out of election material on polling day whereby there is a state of major confusion, and sometimes harassment, generated where a large number of candidates stand in any particular area. That the investigation take place with a view to alternatives being in place prior to the next general election and with the matter listed for discussion at the 1992 Local Government Conference.

Note by Alderman Parsons :

All candidates and most voters who were involved in the last polling day will be aware of the confusion, and sometimes harassment, which occurs in the presentation of electoral material to intending voters. I realise the possible difficulties, opposition including claims on restriction of freedom, in implementing any change. I do, however, consider the matter as one which should be discussed over the next year. Possible changes will include variations to the rules and hours for pre-poll voting, restricting the number of workers per candidate at polling places and possible limiting of material to one display board, to the possibility of two entrances to all polling places where voters may, if they so wish, choose to enter where there are no candidates and their workers.

This is Page of the Minutes of the ORDINARY NO 9 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 8TH OCTOBER, 1991.

Town Clerk/General Manager

Mayor

REPORT OF GENERAL PURPOSE COMMITTEE

SECTION 3

REPORT OF GENERAL PURPOSE COMMITTEE MEETING

1ST OCTOBER, 1991

I N D E X

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3	Bonding of Outstanding Road & Sewer Works - Windsor Downs Precincts 2B to 2D Subdivision Lot 144, DP 805558 Barkley Drive	2
4	Mulgrave Sewerage Scheme Stage 1 Rising Mains 'N' & 'Q'	3-4

Planning & Development

1	Truck Depot - Storage of Earthmoving Equipment	1-2
2	Paintball Field - Intops International P/L Lot 2 DP 629242, No. 3247 Singleton Road Upper Colo	3-4
3	Enlarge - Service Station - Tesera Asteria P/L - Cnr. Lot X, DP 415117 George Street South Windsor	5-7
4	Home Activity - Office for Mobile Automotive Workshop - G Snell - Lot 2 DP 529459, No.63 Pitt Town-Dural Road Pitt Town	7-9
5	Tourist Facility - C Overton - Lot 4 DP 18312 No. 237 Richmond Road Clarendon	9-12
6	Amusement Centre - V Simonette & Mr Domars - Shop 1, Lot 1, DP 716439, No. 487 George Street, Windsor	13-15
7	Townhouse Development - Pearview Developments P/L - Lot C2, DP 413633 & Lot B, DP 399206 No. 622 George Street, South Windsor	16-20
8	Extension to Supermarket - Minett Cullis - Hill Petersen P/L - Lot 1, DP 740132 & Lot 2, DP 572611 Kable & Baker Sts Windsor	20-23

9	Flood Bank Reparation/Agricultural Improvements - Regional Promotions P/L - Lot 1 DP 738865 & Lot 2 DP 738881 Kurrajong Road Richmond	23-25
10	Produce Store & Dam - C & D Owen - Lot 6 DP 568232, 46 Pitt Town-Dural Road, Pitt Town	25-30
11	Placement of Historic Cannon	30-33
12	Windsor & Richmond Colour Scheme Study	34-35
13	Cemeteries Study - Macdonald River Valley & Colo River Valley	35-36
14	Extension to Franklins Supermarket - Kable & Baker Streets Windsor	36-37

Section 3 - Finance

1	Accounts Paid, Statement of Bank Balances & Town Clerk's Certificate, Form 2 & Schedule of Investments	1
	Questions Without Notice	1-5

Report of the Meeting of the General Purpose Committee held at the Council Chambers, Windsor on 1st October, 1991, commencing at 9.30am.

PRESENT: Alderman B.N.Keegan, Deputy Mayor, and Aldermen H.J.M.Books, R.G.Calvert, W.J.Mackay, P.J.Minturn, C.A.Paine, M.G.Parsons, P.E.Rogers, L.C.Sheather, R.P.Stubbs and H.Williams.

An apology for absence was received from Alderman W.J.Sledge and was accepted.

SECTION 1 - WORKS

ITEM 1: WORKS COST STATEMENT

COMMITTEE'S RECOMMENDATION

THE WORKS COST Statement to 30th September, 1991, be received and the revised estimates of cost be adopted.

ITEM 2: (File 243/R PT2, 2003/R PT2, 722/R PT1)

SUBJECT: INTERSECTION OF BELLS LINE OF ROAD, GROSE VALE AND TERRACE ROADS, NORTH RICHMOND - ROADS & TRAFFIC AUTHORITY

REPORT (MES)

Advising that the proposal for a right turn phase for Grose Vale Road traffic has been removed from the Road Safety and Traffic Flow Programme, following a review of accident statistics and a change to timing of the signals. Indicating that the situation will be continued to be monitored.

The accident statistics for 1990 indicated that there had been eleven recorded accidents at this intersection and that its State black spot ranking had dropped from 926 in 1989 to 824 in 1990.

It is considered that the phase could be included in the current green time for Grose Vale Road, without any appreciable effect on traffic in Terrace Road, and that the RTA should be requested to reconsider its decision. Traffic volume is also continuing to increase.

Recommendation

That the Roads & Traffic Authority be requested to reconsider its decision not to provide a right turn phase for Grose Vale Road traffic at the traffic lights, Bells Line of Road/Grose Vale Road/Terrace Road, North Richmond in view of the continuing increase in traffic and the recent "Black spot" ranking for 1990.

COMMITTEE'S RECOMMENDATION

THAT THE ROADS & Traffic Authority be advised to reconsider its decision not to provide a right turn phase for Grose Vale Road traffic at the traffic lights, Bells Line of Road/Grose Vale Road/Terrace Road, North Richmond in view of the continuing increase in traffic and the recent "Black spot" ranking for 1990.

ITEM 3: (File SA66/91, 67/91 & 68/91)

SUBJECT: BONDING OF OUTSTANDING ROAD AND SEWER WORKS - WINDSOR DOWNS PRECINCTS 2B TO 2D SUBDIVISION LOT 144, DP805558 BARKLEY DRIVE

REPORT (MES)

Rose Consulting Group has requested that Council accept a bank guarantee covering outstanding engineering works on the above subdivision. Work has commenced with most of the drainage, earthworks and sewer completed. It is understood that work will recommence on the roadworks in the near future and the sewer works are currently progressing towards completion.

Completion of the works is estimated at \$273,000 including oncost.

Recommendation

That Council agree to accept security in the form of a bank guarantee for \$273,000 (two hundred and seventy three thousand) covering completion of road, drainage and sewer works for Stage 2B to 2D Windsor Downs Estate in accordance with plans approved by the Manager of Engineering Services, subject to:-

1. The work being completed by 31st August, 1992.
2. A covering Deed of Agreement prepared by Council's Solicitor be completed by the owner of the property.
3. The cost of the preparation of the Deed to be paid direct to Council's Solicitor by the owner.
4. Council's Seal be attached to the completed documents.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 4: (File GS42/3 PT1, GS44/1 PT1)

SUBJECT: MULGRAVE SEWERAGE SCHEME STAGE I RISING
MAINS 'N' & 'Q' -

REPORT (MES)

Contract Works CLM Excavations

Contract works carried out by CLM Excavations Pty Ltd have been completed with the six months defects liability period for each section A, B & C of the contract expiring on the 25th July, this year. All works have been completed in a satisfactory manner.

Additional works were required to be undertaken by the contractor throughout the project, and in addition to these works adverse ground conditions were met during the course of excavation, requiring payment for unforeseeable ground conditions beyond the scope of the tendered schedule at rates in the contract.

Details of expenditure are as follows:-

Approved payments to date	\$352,519.00
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Variations

extension line 5	\$ 16,688.00
raise manholes and install gatic covers	\$ 3,305.60
sideline off manhole 1f	\$ 365.60
watercharged ground and granular bedding line 1	\$ 6,604.00
additional sand backfill to driveways etc., including disposal of surplus material	\$ 6,129.00

\$ 33,092.20

Approved payments	<u>\$352,519.00</u>
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Total contract sum	\$385,611.20
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Mulgrave Sewerage Scheme Stage I

Works on the project are fully complete, with construction of P.S. 'Q', rising main and reticulation main commissioned and available for connection from 10th December, 1990.

Total construction cost for Stage I total \$567,115.19 against a project estimated cost of \$755,400 however, the full scope of Stage I has not been completed, with deletion of the third pumping station proposed for the scheme and deferral of construction of reticulation mains at the rear of Winford Motors.

Construction costs for the pumping station and rising main have fallen within budget, however, additional costs as previously outlined have been incurred in relation to the reticulation.

Recommendation

1. That the sum of \$33,092.20 (thirty three thousand and ninety two dollars and twenty cents) be paid to CLM Excavations Pty Ltd for additional works carried out in construction of Mulgrave Sewerage Scheme Stage I and Rising Mains 'N' and 'Q'.
2. That the report in relation to the construction of Stage I Mulgrave Sewerage Scheme be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

HAWKESBURY CITY COUNCIL

STANDARD CONDITIONS - DEVELOPMENT APPLICATIONS

(Effective from June, 1991)

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 the construction of the intersection of Curtis Road with Windsor Road of \$* to Council, calculated at base date of April, 1990, 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 others drainage easements to Council's requirements shall be provided for which documentary evidence will be necessary prior to the approval of the Building Application.
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. Details to be submitted for approval concurrently with the Building Application.
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. Details to be submitted for approval concurrently with the Building Application.
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 residential footway vehicular crossing to suit the access to the site .
17. Construction of Council's standard residential footway and layback vehicular crossing to suit the access to the site.
18. Construction of Council's standard heavy duty footway and layback vehicular crossing to suit the access to the site with a minimum width of *m.
19. Removal of the existing redundant layback crossing and replacement with concrete kerb and gutter and the restoration of the footway area.
20. 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.
21. 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.
22. 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. Full details of works shall be submitted for approval with the building application.

23. A design checking and inspection fee of \$*, must be paid when submitting engineering plans for approval prior to construction. This amount is valid until 31st December, 1991.

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 Food Act, 1989, and Regulations thereunder and Council's Food 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 or 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 surface 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 aisles are to be constructed with a sealed pavement, drained and marked to Council's requirements. Details to be submitted with the building application.
56. The driveway shall be constructed of pavers/earth toned coloured concrete/or the like.

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.
63. A common television antenna shall be provided for the development.
64. New boundary fences shall be provided at the applicant's expense. Details 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. No signs shall be displayed on the footpaths, pedestrian ways, roadways or in the vicinity.
86. The subject land is to be made tidy to Council's satisfaction.
87. Development Consent shall be obtained for the use of each factory unit/shop prior to occupation taking place.
88. Compliance with Australia Post requirements in relation to the location and number of letter boxes on the site.
89. All loading and unloading in relation to the use shall take place wholly within the property and these loading areas shall be kept clear for loading/unloading at all times.

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.
106. The street number of the property shall be displayed in a prominent location.

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.

General

130. The building design shall incorporate components that will provide aircraft noise mitigation in accordance with AS 2021, to the satisfaction of the Manager of Environment and Building Services. Details prepared by an accredited acoustical consultant to be submitted for approval with the building application.
131. The development shall be carried out in accordance with plan No. *, dated *.

HAWKESBURY CITY COUNCIL

STANDARD CONDITIONS - SUBDIVISION APPLICATIONS

(Effective from June, 1991)

1. The submission of a Subdivider/Developer Certificate (a Certificate under Part 3, Division 2, Section 27 of the Water Board Act, 1987).
2. Submission of a Certificate from Prospect County Council that satisfactory arrangements have been made for the provision of underground electrical reticulation to each of the resultant lots of the subdivision.
3. Submission of a Certificate from Prospect County Council that satisfactory arrangements have been made for the provision of electricity to each of the resultant lots of the subdivision.
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. Submission of a Certificate from Telecom Australia that satisfactory arrangements have been made for the provision of cables for telephones through the subdivision.
6. Compliance with the requirements of the Road and Traffic Authority.
7. The dedication, free of cost to Council, of road widening to the requirements of Council's Manager of Engineering Services.
8. Dedication of a *m by *m splay corner free of costs to Council at *.
9. Dedication to the Council as public reserve the land shown on the approved subdivision plan.
10. A contribution of \$* 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. This sum will remain fixed for a period of 3 (three) months after which it will be recalculated at the rate applicable at the time of payment.
11. Payment of cash contribution to works of \$* for tree planting in Council's footway. This sum will remain fixed for a period of 3 (three) months after which it will be recalculated at the rate applicable at the time of payment.

12. The payment of a contribution of \$* based on \$4,000 (four thousand dollars) per additional allotment towards sewer headworks. This sum will remain fixed for a period of 3 (three) months after which it will be recalculated at the rate applicable at the time of payment.
13. Satisfactory arrangements being made with the Council for the provision of sewerage reticulation to each lot in the subdivision.
14. The creation of a restriction on use of land pursuant to Section 88B of the Conveyancing Act requiring the road severed parts of each lot created to be capable of development only as part of the whole lot, and not capable of separate disposition or development.
15. The dedication and full construction of the new roads including pathways and the drainage thereof.
16.
 - (a) The construction of concrete kerb and gutter, including layback vehicular crossings, the footway area being formed in earth and all necessary drainage, together with the full construction of the adjacent road shoulder/half width road pavement over the frontage of proposed lots * together with any such works as are necessary to make this construction effective.
 - (b) The construction of concrete kerb and gutter, including layback vehicular crossings, concrete path paving 1.2m wide with the remaining footway area being formed in earth and all necessary drainage, together with the full construction of the adjacent road shoulder/half width road pavement over the frontage of proposed lots * together with any such works as are necessary to make this construction effective.
17. Construction of a half width sealed pavement (minimum 3.5m seal width) and any necessary drainage over the frontage of lots *.
18. Payment of a Section 94 contribution of \$* covering resealing of roads within the City of Hawkesbury area.
19. The construction of Council's standard layback vehicular crossing to each of lots * in accordance with Council's standard plan.
20. The construction of vehicular access, free of cost to Council, to each lot in this subdivision, such construction to be to the requirements of the Manager of Engineering Services. The maximum grade shall not exceed 1:6.
21. Construction of a pause platform extending 5.5 metres from the edge of bitumen with a maximum grade of 5% battering down to the natural surface with a maximum grade of 15% to serve lot *.
22. Construction of a 3.5m wide compacted crushed rock pavement and any necessary drainage along the access strip and across the footway to lots * together with any necessary drainage.

23. The creation of reciprocal rights of way over the access strip to lots * and construction of a 4.5m wide compacted crushed rock pavement and any necessary drainage along the access strip and across the footway to lots *. The maximum grade is to be 1 in 6.
24. Construction of a centrally located concrete driveway a minimum of 2.5 metres wide and 150mm thick reinforced with F82 mesh over the full length of the access strips to lots * together with the construction of Council's standard residential footway and layback crossing also 150mm thick reinforced with F82 mesh.
25. The creation of reciprocal rights of way over the access strip to lots * and the construction of a centrally located concrete driveway a minimum of 2.5 metres wide, 150mm thick, reinforced with F82 mesh over the full length of the reciprocal rights of way to levels approved by the Manager of Engineering Services together with the construction of Council's standard residential footway and layback crossing also 150mm thick, and reinforced with F82 mesh.
26. Piping of existing watercourses within the property and the creation of necessary easements free of cost to Council.
27. 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.
28. The provision of interallotment drainage to each industrial lot and the creation of necessary easements free of cost to Council.
29. Written permission to discharge stormwater being obtained from downstream owners and submitted to Council.
30. The creation of easements to drain water over the site of drainage discharge from roads 4 metres wide and 10 metres long free of cost to Council.
31. All lots being filled to a minimum of RL*/ where necessary. All fill including existing fill must be compacted to 98% standard compaction and verified by the submission of tests results for at least 2 locations on each lot accompanied by a contoured depth of fill plan. Topsoil is to be stockpiled and respread over the finished surface.
32. All lots to be classified in accordance with AS 2870.
33. Street name signs to be provided at the junction of the new road/s.
34. The new road/s to be named (to be advised).
35. The new road/s be classified as * road/s.

36. Construction of road and drainage or 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.
37. A design, checking and inspection fee of \$*, must be paid when submitting engineering plans for approval prior to construction. This amount is valid until 31st December, 1991.
38. Evidence of payment of the Building Construction Industry Long Service Levy together with a detailed estimate of the cost of the works being submitted to Council prior to release of the Engineering plans.
39. The submission of a plan showing all existing services on the lots including septic tank and effluent disposal area, sewer connections, water connections and stormwater disposal, where applicable, and the correction of any encroachments to the requirements of the Manager of Environment and Building Services.
40. The submission of the plan of subdivision, together with four (4) exact copies thereof, suitable for lodgement with the Registrar General.
41. Payment of a linen release fee of \$140.00. This amount is valid until 31st December, 1991.
42. A contribution of \$* based on \$400 (four hundred dollars) per additional allotment in areas defined as high bush fire risk under Council's Bush Fire Mitigation Policy adopted in October, 1986. The contribution is for the provision of Bush Fire Brigade services. This sum will remain fixed for a period of 3 (three) months after which it will be recalculated at the rate applicable at the time of payment.
43. The strata subdivision shall be in general accordance with the submitted plan dated *.
44. The common wall between the units shall be of masonry construction.
45. The survey of the linen plan shall not be undertaken until after the erection of the common wall separating the units.
46. Compliance with the conditions of Development Consent No. * and the Building Permit No. * prior to release of the plan of subdivision for lodgement with the Land Titles Office.
47. The dwellings shall be completed to "lock up" stage prior to release of final plan of subdivision.

48. Details of any fill material to be removed from or imported to the site to be submitted with the engineering plans. Details to include quantities, borrow sites or disposal sites. A contribution based on 20 cents per tonne per kilometre on local roads and 3 cents per tonne per kilometre on main roads shall be paid to Council prior to release of the engineering plans.

HAWKESBURY CITY COUNCIL

ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979.

DEVELOPMENT APPLICATIONS - HEADS OF CONSIDERATION
UNDER SECTION 90

Section 90 of the Act provides that a consent authority shall take into consideration the following matters as are of relevance to the development the subject of the development application:

- (a) the provisions of:
 - (i) any environmental planning instrument;
 - (ii) any draft environmental planning instrument that is or has been placed on exhibition pursuant to Section 47(b) or 66(1)(b);
 - (iv) any development control plan in force under Section 72 applying to the land to which the development application relates;
- (a1)
 - (i) any conservation agreement entered into under the National Parks and Wildlife Act 1974 and applying to the whole or part of the land to which the development application relates; and
 - (ii) any plan of management adopted under that Act for the conservation area to which the agreement 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;
- (c1) the effect of that development on any wilderness area (with the mean of the Wilderness Act 1987) in 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;

SECTION 2 - PLANNING AND DEVELOPMENT

W.P. 10/10/91
Phillips

Item 1: (File DA212/91)
Development Application: **Truck Depot - Storage of Earthmoving Equipment**
Applicant: G and L Jones
Owner: G and L Jones
Land and Location: Lot 4, DP 601736 Kurmond Road, Freemans Reach
Area: 9274m²
Zoning: Hawkesbury Local Environmental Plan, 1989 - Environmental Protection (Scenic) 7(d1)
Advertising: Advertised in accordance with Council policy with one submission received
Date Received: 15th August, 1991

REPORT (MTP)

Proposal

The applicant is formalising his existing operation to store two trucks, two trailers and an excavating machine on the subject land.

Statutory Situation

The proposal is defined as a 'truck depot' under Clause 5 of Council's Local Environmental Plan, 1989, and is permissible with consent.

Public Notification

One submission has been received from Mr and Mrs Garner, which reads:-

"As our property slopes away from the said lot, we are very concerned about the type of run off, such as, chemicals, excess water, oil or such, etc., used for the maintenance of said vehicles. As we have a dam at the bottom of the slope, which is used for watering household animals, vegetables and flower gardens, and we do not wish for these type of things entering into it."

Planning Assessment

The truck parking area has already been provided, and a rock retaining wall constructed. This will restrict further parking of vehicles other than those specified on the application.

Vehicles will leave and return at approximately 6.00am to 6.30pm, respectively, 7 days a week.

As the use involves the storage of heavy vehicles, it is considered that the parking area should comply with Council's specifications. This can be conditioned.

Sight distance along Kurmond Road is satisfactory for manoeuvring on and off the site. Any wastes derived from the servicing of vehicles on site and any run off from wash down procedures should be stored and disposed of. Again this can be conditioned.

Located on the subject site is a two storeyed residence with a shed.

It is considered that minimal disturbance to the amenity of the neighbourhood is to occur. Consequently the proposal for a truck depot is supported.

Recommendation

That consent be granted subject to the following:-

1. That the development be carried out generally in accordance with the submitted application dated 15th August, 1991.
2. 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.
3. 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.
4. An adequate on site area for parking and loading is to be constructed with an all-weather surface to the satisfaction of the Manager of Town Planning.
5. Parking shall be provided for 5 (five) vehicles only.
6. The development shall be conducted in such a manner so as not to interfere with the amenity of the neighbourhood, in respect of noise, vibration, smell, dust, waste water, waste products or otherwise.
7. Arrangements satisfactory to the Manager of Environment and Building Services are to be made for the provision and disposal of drainage from the site with respect to wash down procedures.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 2: (File DA194/91) ✓ WP. 10/10
Development Application: **Paintball Field** Streets
Applicant: Intops International Pty Ltd
Owner: L Cerone
Land and Location: Lot 2, DP 629242, No. 3247 Singleton Road,
Upper Colo
Area: 20.11ha
Zoning: Hawkesbury Local Environmental Plan, 1989 -
Rural 1(a)
Advertising: Advertised in accordance with Council policy
with one submission received
Date Received: 7th August, 1991

REPORT (MTP)

Proposal

This application proposes to use part of the property as a paintball field.

Three persons are to be employed in respect of the use which will operate between the hours of 8.00am and 7.00pm

Statutory Situation

The application proposes the use of the property as a "recreation establishment", a use permissible, with Council consent, under the provisions contained in Hawkesbury Local Environmental Plan, 1989.

Submissions

The application was advertised and Council received one submission from the NSW National Parks and Wildlife Service requesting the retention of vegetation, the provision of a 2m high chainwire fence, a 70m buffer zone and sign posting, aimed at preventing the encroachment on the National Park site. It is considered that buffer zones and sign posting will act as sufficient deterrent from encroachment on National Park land.

Planning Comment

The subject property is a regular shaped allotment having frontage to Singleton Road at Upper Colo. The property backs onto the Parr State Recreation Area.

The application does not detail the location of playing fields. It is considered that the fields should be located a minimum of 70m from adjoining properties to provide adequate buffers and in this regard, details should be submitted prior to the commencement of the use.

Council's Parking Policy does not specify a requirement for this particular use. The application proposes the provision of twenty car spaces. The applicant has advised that a maximum of twenty participants are to be on the site, whilst three persons are to be employed. It is considered that the number of spaces proposed is adequate.

Council should restrict the paintball tubes and paintballs to the non-toxic bio-degradable types.

Paintball is a game which requires a dense vegetation cover and consequently, no vegetation should be removed as a result of this use.

The application is considered suitable for approval and is similar to others recently approved at East Kurrajong and Yarramundi.

Recommendation

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

1. The development shall be carried out generally in accordance with the supporting information submitted to Council on the 7th August, 1991.
- 2-4 Standard Conditions (DA) - 32, 50 (20 (twenty)), 100.
5. The paintball tubes and capsules utilised shall be bio-degradable.
6. As far as practicable all trees and shrubs on the site are to be preserved. No tree shall be removed without the approval of the Manager of Town Planning.
7. Operating hours are limited to 8.00am to 7.00pm daily. Any alteration of these hours will require Council consent.
8. A buffer zone of 70m (seventy) in width shall be provided along all property boundaries and no paintball field shall be located within this area. In this regard, detail plans showing the location of the playing fields shall be submitted prior to the commencement of the use.
9. Signposting shall be provided within the buffer zone to the rear property boundary indicating the impending location of the Parr State Recreation Area.
10. The maximum number of participants on the subject property being limited to 20 (twenty). Any alteration to this number will require Council consent.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

General Purpose Committee -
Planning & Development 1/10/91

5

Ord. 8/10/91

STUART

11/10/91

Item 3:
Development Application:
Applicant:
Owner:
Land and Location:

(File DA179/91)
Enlarge - Service Station
Tesera Asteria Pty Ltd
Tesera Asteria Pty Ltd
Cnr Lot X, DP 415117 George Street, South Windsor
986m²
Hawkesbury Local Environmental Plan, 1989 - Business General 3(a)
Advertised with three submissions received
19th July, 1991

deferred for revised plans see Item 18 OAD RFI

REPORT (MTP)

Proposal

Council is in receipt of an application proposing to enlarge an existing service station.

Four persons are to be employed in respect of the use which will operate between the hours of 6.00am and 10.00pm daily.

Statutory Situation

The application is permissible, with Council consent, under the provisions contained in Hawkesbury Local Environmental Plan, 1989.

Submissions

Three submissions were received from G and M Moses, owners of an adjoining residential flat building; Consultant Planners representing N Price of 21 Argyle Street; and L Gubbay, an owner of 20 Argyle Street, objecting to the development on the grounds of:-

- extended hours of trade,
- reduction in sunlight,
- creation of a nuisance if seven day, twenty four hour fuel-food outlet,
- depriving residents of their right to the quiet enjoyment of the environment,
- creation of a wind tunnel effect,
- inadequate information,
- no regard for adjoining residential buildings,
- visual impact,
- lack of car parking,
- impact on Argyle Street, and
- noise emission to Argyle Street.

Planning Comments

The subject property is a corner allotment having frontage to both George and Argyle Streets at South Windsor.

The property presently contains a service station made up of five fuel dispensers, two work bays and a shop. The existing development is setback a minimum of 5m from adjoining properties and is presently orientated entirely towards George Street, which contains the commercial activity in this locality.

This application proposes to enlarge the service station by providing an additional two working bays, extending the shop/workshop building to the two common boundaries and enlarging the canopy over the fuel dispensing area. It is also proposed to relocate the diesel pump so it is in line with the other dispensers.

Parking

Council's Parking Policy requires for service stations that six spaces be provided per work bay, plus one space per 20m² of ancillary retail floor space. This application proposes four work bays plus 56m² of retail area, which would require twenty seven spaces. It is considered unreasonable and undesirable to require this amount and consequently, Council should assess the additional demand only, which would constitute two work bays and 17.5m² of retail area, thus requiring thirteen spaces.

The applicant has submitted a proposed car parking plan, however, it is considered inadequate as parked vehicles will disrupt the flow of traffic through the site, create a safety hazard and block the entrance of work bays. Inadequate area is available on site in which to provide sufficient parking and as such, the proposal is considered an overdevelopment of the site.

It is considered that all required car parking in relation to the service station should be provided on site, and consequently, a Section 94 cash contribution in lieu of parking is inappropriate.

As adequate parking is unavailable, the application should not be supported.

Noise

The development is presently orientated to George Street. The noise to George Street and the adjoining residential flat building will be reduced as the work bays are proposed to be fully enclosed. This application, however, proposes work bays fronting Argyle Street, which at present is entirely residential in nature. This will detrimentally affect the amenity of the residential properties in terms of noise impact.

Visual Amenity

It is considered that the proposal will adversely affect the amenity of the residential properties in Argyle Street, due to an industrial component of the site fronting a street containing residential dwellings.

In addition, the application proposes to build to the common boundaries of the adjoining residential properties with a brick wall 5m in height. Although the properties are zoned Business General 3(a), it is considered that the proposed extension is incompatible with existing residential development.

Recommendation

That the application be refused on the grounds that:-

1. The proposal does not provide adequate on site parking facilities.
2. The proposal is an over-development of the site.
3. The proposal will adversely affect the visual amenity of the residential locality.
4. The proposal will adversely affect the amenity of the residential properties in terms of noise impact.
5. The proposal is not in the public interest.

Mr.G.Moses, adjoining owner, addressed the Committee, as an objector.

Mr.G.Price, grandson of an adjoining owner, addressed the Committee, as an objector.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 4:	(File DA195/91) ✓	WP 10/10/91
Development Application:	Home Activity - Office for Mobile Automotive Workshop	EH12
Applicant:	G Snell	
Owner:	G Snell and E Chaseling	
Land and Location:	Lot 2, DP 529459, No 63 Pitt Town-Dural Road, Pitt Town	
Area:	2.024ha	
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Rural 1(c)	
Advertising:	Adjoining owners notified - no submissions received	
Date Received:	6th August, 1991	

REPORT (MTP)

Proposal

The applicant seeks Council's consent to operate a mobile workshop for mechanical repairs from the subject land, involving the use of an existing shed on the site as a registered office. All tools and machinery used in the business will be contained in a pantec truck of approximately two tonnes and all repair work will be carried out at the customers' premises. It is proposed that some spare parts will be stored in the shed.

Statutory Situation

The proposal may be defined as a "home activity", and as such, is permissible on the site with the consent of Council.

Planning Assessment

The subject land is generally surrounded by rural-residential development. Given the minor nature of the proposal, it is considered that the amenity of the area will not be adversely affected, provided the use complies with the requirements of a "home activity" and no vehicles are stored or repaired on the property. Further, any spare parts should be stored in the existing "colourbond" shed and should not include "body" or "panel" parts.

Oil and other wastes will be collected and left at the customers' premises, for disposal by the customers.

Although the land is affected by flooding, this is not considered to be a constraint to the proposal.

Recommendation

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

1. The development, being an office for a mobile automotive workshop, shall be carried out generally in accordance with the supporting documentation submitted with the application.
2. The development shall comply with the following requirements of a "Home Activity" as defined in Hawkesbury Local Environmental Plan, 1989:

"the activity or pursuit does not -

- (i) *interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise;*
- (ii) *involve exposure to view from any public place of any unsightly matter;*

- (iii) *require the provision of any essential service main of a greater capacity than that generally available in the locality;*
 - (iv) *involve the employment of persons other than residents of the dwelling-house or dwelling; or*
 - (v) *involve the exhibition of any notice, advertisement or sign (other than a notice or sign not exceeding 1 (one) metre by 0.6 (zero point six) metres exhibited on that dwelling-house or dwelling to indicate the name and occupation of the resident thereof)".*
3. Only 1 (one) truck shall operate from the site at any one time.
 4. Customers' vehicles are not to be stored, serviced or repaired on site.
 5. Any spare parts shall be stored in the existing shed and shall not include "body" or "panel" parts.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 5:	(File DA189/91)	W.P. 10/10 ELN/S
Development Application:	Tourist Facility	
Applicant:	C Overton	
Owner:	C Overton	
Land and Location:	Lot 4, DP 18312, No. 237 Richmond Road, Clarendon	
Area:	651m ²	
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Residential 2(a)	
Advertising:	Adjoining owners notified - no submissions received	
Date Received:	30th July, 1991	

REPORT (MTP)

Proposal

Council is in receipt of an application to extend the existing fibro dwelling on the subject land for the purpose of selling antiques, and arts and crafts. The extension will have a total floor area of 82m² and will be constructed of similar materials to those of the existing building. The dwelling will continue to be occupied for residential purposes, with a rear extension proposed at a later date.

The proposal will operate from 10.00am to 5.00pm, seven days a week, employing both husband and wife. Off-street parking for four vehicles is also proposed at the front of the site.

Statutory Situation

The proposed development may be defined as a "tourist facility", and as such, is permissible on the site, with Council's consent.

Clause 25 (Development of Flood Liable Land) of Hawkesbury Local Environmental Plan, 1989, applies to the proposal as the property is subject to the expected 1 in 100 year flood, inundating land at a level of 16.0m (Australian Height Datum, AHD) or less. Subclause (5), however, allows existing residential buildings to be extended, provided the floor level of any habitable room in the building is not greater than 3m above the existing ground level. The proposal complies in this regard. Clause 25 contains no specific flood requirements for commercial buildings although subclause (2) requires that no building be erected on land below the 1 in 10 year flood level. The proposed extensions will be well above this level.

Clause 37 (Protection from Aircraft Noise) of the plan also applies and requires that commercial buildings have an indoor design noise level of 25 A.N.E.F. (Australian Noise Exposure Forecast units). As the site is subject to aircraft noise at a level of approximately 35 A.N.E.F., the applicant has submitted an objection under State Environmental Planning Policy No. 1 (SEPP No. 1). The applicant believes that compliance with the 25 A.N.E.F. standard is unreasonable and unnecessary in the circumstances for the following reason:

"It would be unreasonable to require the commercial extension to incorporate noise mitigation measures when the existing dwelling, which is generally occupied for longer periods of the day, requires none."

Given the scale of the development, the applicant's SEPP No. 1 objection is supported.

Planning Assessment

Amenity of the Area

The subject site is surrounded by the R.A.A.F. Base to the north, dwellings to the west and east and vacant land to the south. Given the scale and nature of the proposal, no detrimental effect on the area's amenity is likely.

The extension will be constructed of similar materials to the existing dwelling, however, the roof design should be redesigned to ensure its compatibility with the existing building. The large window at the front of the proposed extension should also be reconsidered. These matters can be covered by the imposition of appropriate conditions.

Access and Parking

Council's Carparking Development Control Plan (DCP) requires the provision of off-street parking at a rate of one space per 40m² of floor area. Consequently, two spaces are required on site. As the proposed extension will also involve the demolition of an existing carport, an additional parking space will be necessary for the owners.

Although the submitted plans indicate the provision of four spaces, space No. 4 and, to a lesser extent, No. 3, are difficult to access. Therefore, only three spaces should be provided on the site, and relocated so they are within about 1.6m of the proposed extension. This will then allow vehicles to enter and leave the site in a forward direction. The parking area will be constructed of brick pavers, which is considered to be reasonable in the circumstances. The existing driveway, however, will have to be relocated.

Given the scale of the proposal and the fact that vehicles will be able to enter and exit the site in a forward direction, the impact on the flow of traffic using Richmond Road is minimal. Further, the proposed extension should not distract drivers using Richmond Road.

Temporary Use of Carport

Since lodging the application, the applicant has requested that the existing carport be utilised temporarily for the sale of antique furniture. The proposed extension will replace the carport, which is presently enclosed and used for storage purposes. The applicant has indicated that on site parking would be constructed as required prior to commencing the use.

No objection is seen to this temporary use provided the necessary parking is constructed. However, the use should be restricted to a period of three months.

Recommendation

- Altered see supplier report*
- A. That the applicant's objection under State Environmental Planning Policy No 1 to the 25 ANEF requirement be supported.
 - B. That the application be approved subject to compliance with the following conditions:
 1. The development, being a tourist facility involving the sale of antiques, arts and crafts, shall generally be in accordance with the plans submitted with the application.
 - 2-9 Standard Conditions (DA) - 1 (\$1,527.50 (one thousand five hundred and twenty seven dollars and fifty cents)), 31, 32, 70, 73, 85, 100, 102.
 10. The construction of kerb and gutter, with the footway area being formed in earth and all necessary drainage, together with the full construction, including sealing of the adjacent road shoulder over the frontage of the land and any such works as are necessary to make this construction effective.
 11. Standard Condition (DA) - 18 (5m (five)).
 12. Construction of road and drainage works are not to commence until 3 (three) copies of the plan or specifications of the proposed works are submitted to and approved by the Manager of Engineering Services.

13-14 Standard Conditions (DA) - 22, 23 (\$250 (two hundred and fifty)).

15. Parking shall be provided for 3 (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 of brick pavers, drained and marked. The parking spaces are to be relocated as necessary to provide optimum manoeuvring on the site and ensure all vehicles enter and leave the site in a forward direction. Full details shall be submitted for approval with the building application.
16. The external surfaces of the proposed extension shall match those of the existing building.
17. The roof line and front window of the extension are to be redesigned to be compatible with the existing dwelling.
18. No goods shall be stored between the building and the street alignment.
19. Operating hours shall be limited to 10.00am to 5.00pm, 7 (seven) days a week. Any alteration of these hours will require Council consent.

C. That the use of the existing carport for the sale of antique furniture be approved subject to compliance with the following conditions:

1. The use shall only be carried out for a period of 3 (three) months. The applicant shall notify Council of the date of commencement.

2-5 Standard Conditions (DA) - 32, 85, 100, 102.

6. Parking shall be provided for 3 (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 of brick pavers, drained and marked. The parking spaces are to be relocated as necessary to provide optimum manoeuvring on the site and ensure all vehicles enter and leave the site in a forward direction. Full details shall be submitted prior to construction.
7. No goods shall be stored between the building and the street alignment.
8. Operating hours shall be limited to 10.00am to 5.00pm, 7 (seven) days a week. Any alteration of these hours will require Council consent.

COMMITTEE'S RECOMMENDATION

THAT A FURTHER report be submitted to the Ordinary Meeting.

Item 6: (File DA223/91) WP 10/10
Development Application: Amusement Centre
Applicant: V Simonette and M Domars Phils
Owner: Mr and Mrs P Comito
Land and Location: Shop 1, Lot 1, DP 716439, No. 487 George Street, Windsor
Zoning: Hawkesbury Local Environmental Plan, 1989 - Business General 3(a)
Advertising: Not required
Date Received: 22nd August, 1991

REPORT (MTP)

Proposal

The application involves the establishment and conduct of an amusement centre within the South Windsor shopping centre.

Plans submitted provide for:-

- . an office,
- . staff room,
- . three snooker tables,
- . thirty two amusement machines, and
- . a bike rack (located at the rear of the shop).

The proposal involves four employees overseeing the centre. The proposed hours of operation are between 10.00am and 10.00pm, Sundays to Thursdays and 10.00am and midnight on Fridays and Saturdays.

The applicants have indicated:

"Vince and I wish to establish an amusement centre in South Windsor. We are motivated by the increasing number of teenagers we see walking the streets at night.

Our intention is to provide a smoke and alcohol-free zone that is safe for the youth to attend. The centre will be open until 12.00pm on Fridays and Saturdays and 10.00pm on other nights. We will endeavour to gain the trust of the youth and eventually be able to call on the services of a counsellor when required.

We look forward to your reply and are willing to answer any further questions upon request."

The application also involves the internal fit-out for the office and staff room.

Statutory Situation

The proposal is defined as a 'recreational facility' and is permissible within the zoning of the land, with consent.

Planning Assessment

Council has restricted the hours of other similar operations. This was relayed to the applicant with the view of modifying the hours of operation which are as set out below.

Mondays - Thursdays	3.30pm - 10.00pm
Fridays	3.30pm - midnight, and
Saturdays and Sundays	12.00noon - 10.00pm

During the school holiday period the opening hours will be from 10.00am Mondays to Fridays.

Plans prepared show that three machines (Nos 22, 23 and 24) will be located in front of the roller door to the outside laneway. These should be deleted to provide an additional exit.

A 'bike rack' is also proposed to cater for the cyclists and will be located towards the rear exit to the lane. Existing toilet facilities are located adjacent to the proposed office, being external to the amusement centre. A stairwell within an alley adjacent to the centre services upstairs apartments.

Adequate parking exists within the laneway behind the existing shops.

The general concern of excessive noise levels being generated within the premises is lessened given that no juke boxes or other musical equipment shall be available in the centre.

Recommendation

That the consent be granted for the use of an amusement centre, subject to:

1. The use shall be confined to Shop No 1 in general accordance with plans dated the 30th July, 1991.
2. Submission of a building application, plans and specifications incorporating emergency lighting, exit signs and exit doors complying with Ordinance 70.
3. No advertising structures to be erected, displayed or affixed on any building or land without the prior approval of Council under Ordinance 55 of the Local Government Act.
4. 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.

5. The development shall be conducted in such a manner so as not to interfere with the amenity of the neighbourhood, in respect of noise, vibration, smell, dust, waste water, waste products or otherwise.

6. Operating hours shall be limited to:

Non School Holidays

Mondays - Thursdays	3.30pm - 10.00pm
Fridays	3.30pm - midnight
Saturdays and Sundays	12.00noon - 10.00pm

School Holidays

Mondays - Thursdays	10.00am - 10.00pm
Fridays	10.00am - midnight
Saturdays and Sundays	12.00noon - 10.00pm

7. Prior to commencement of use, the premises shall be licensed by Council under the provisions of the Local Government (Theatres and Public Halls) Amendment Act, 1989.
8. The amusement centre shall be managed at all times by adult supervisors.
9. 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.
10. Access for cyclists to the amusement centre is to be via the laneway only.

Mr.M.Domars, the applicant, addressed the Committee.

The Town Clerk/General Manager advised that a facsimile letter had been received immediately prior to the meeting this morning from Mrs.Glenda Taylor on behalf of Arthur G.Mullinger and Gwenda Mullinger. In brief the letter indicates that they are the owners of the adjoining premises at 485 George Street, South Windsor. They seek the application be deferred so that they have time to consult with their neighbours who run the Yamaha Music School. They are concerned about noise and also the problem of a legal relationship between the proprietors of the two addresses, 485 and 487, that governs the use of the footway in the arcade.

COMMITTEE'S RECOMMENDATION

See ORD sect

THAT THERE BE a further report to the Ordinary Meeting concerning the matters contained within the fax and a Police report, if that is possible, be obtained before the Ordinary Meeting.

Item 7: (File DA207/91)
Development Application: **Townhouse Development**
Applicant: Pearview Developments Pty Ltd
Owner: D and B Horacek
Land and Location: Lot C2, DP 413633 and Lot B, DP 399206,
No. 622 George Street, South Windsor
Area: 3212m²
Zoning: Hawkesbury Local Environmental Plan, 1989 -
Residential 2(a)
Advertising: Advertised in accordance with Council's
policy with two submissions received
Date Received: 13th August, 1991

WP 10/10
GUMS

REPORT (MTP)

Proposal

At its meeting of 6th August, 1991, Council approved, subject to conditions, a proposal for 7 x 2 bedroom and 4 x 3 bedroom villa homes on the subject land. This application supersedes the previous one.

The current application seeks approval for the erection of a townhouse development comprising 9 x 3 bedroom townhouses on the subject property which has frontage to George Street at South Windsor. The townhouses are two storey in height and are to be constructed in a combination of brick and cladding with tiled roofs.

Statutory Situation

This application is permissible, with Council consent, under the provisions contained in Hawkesbury Local Environmental Plan, 1989.

Submissions

Two submissions were received, one from G and J Kirkness of 8 Woods Street and another from A Martin of 626 George Street, objecting to the development on the grounds that:

- the site is affected by existing drainage problems,
- two storey development is not in keeping with single storey residential feel of the area,
- loss of privacy,
- potential decrease in value of surrounding residences,
- the development is unsuitable due to the heavy traffic on George Street, and
- overshadowing.

If consent is to issue, suitable conditions will be imposed regarding the retention of stormwater runoff so any drainage problems experienced in this locality will not be exacerbated by this proposal.

Although this development is two storey in height, it is not considered out of character with the existing locality.

Although two storey in height, the first floor contains bedrooms and bathrooms. No living areas or balconies are proposed, and consequently it is considered that privacy will not be reduced. In addition, landscaping will be planted which will provide an adequate vegetative screen.

No evidence has been submitted which supports the claim that the value of surrounding properties will be reduced.

The subject property is located south of the George and Macquarie Streets intersection within a 60km zone. Details provided by the Roads and Traffic Authority of New South Wales indicate that to maintain safe vehicular access, a clear site distance of 120m would be required. The vehicular entrance to the site contains at least 120m of site distance in both directions and as such, is considered suitable.

The development will cause overshadowing of properties to the south of the subject site at 9.00am mid winter, however, analysis of shadow movement reveals that shadow is significantly reduced by 10.00am and thereafter.

It is not considered that the objections received warrant refusal of the application.

Planning Assessment

The subject property is an L-shaped allotment with an area of 3212m², containing a single storey brick cottage and detached garage.

This application proposes the construction of nine two storey, three bedroom townhouses, associated parking, a childrens' play area with associated play equipment and a common open space area, provided with a gazebo.

Medium Density Development Control Plan (DCP)

The application complies with the density requirements contained within the DCP.

The courtyard areas range in size from 73m² to 173m². In addition, the childrens play area of 77m² and the common open space of 134m² is provided. The courtyards are accessible from the living areas of the units. The courtyards do not receive direct sunlight to half the area between 9.00am and 3.00pm mid winter. Sunlight is satisfactory from 10.00am onwards and consequently, the situation proposed is considered satisfactory.

The application proposes twenty two off-street parking spaces which is in excess of that required by Council's DCP. The manoeuvrability provided is satisfactory to permit vehicles to enter and leave the site in a forward direction.

The development is setback 10m from the George Street property boundary, 3m from both side boundaries and 1.6m from the rear property boundary. These setbacks, coupled with the location of windows and the internal arrangement of the townhouses will ensure that adequate privacy is provided for adjoining residences and future occupants of the development.

Adequate area is available on site in which to provide suitable landscaping which will improve the appearance of the development and provide screening.

Surrounding land is zoned Residential 2(a) and has been developed for residential purposes and carparking for the Windsor Gospel Church. This application is not out of character with surrounding land uses.

Recommendation

That the application be approved subject to the following conditions:

1. The development shall be carried out generally in accordance with the plans dated 8th August, 1991.
- 2-9 Standard Conditions (DA) - 6 (\$13,816 (thirteen thousand eight hundred and sixteen)), 31, 34, 50 (22 (twenty two)), 54, 104, 1' (\$27,000 (twenty seven thousand)), 11.
10. Construction of road and drainage or sewer works are not to commence until 3 (three) copies of the plan or specifications of the proposed works are submitted to and approved by the Manager of Engineering Services.
11. The construction of kerb and gutter, the footway area formed in earth and unnecessary drainage, together with the full construction, including sealing of the adjacent road shoulder over the frontage of the land to the satisfaction of the Manager of Engineering Services.
12. Construction of Council's standard heavy duty footway and layback vehicular crossing to suit the access to the site with a minimum width of 6m.
13. Design and construction of site drainage is to be carried out in accordance with Council's Guidelines for Stormwater Drainage Requirements for Commercial, Industrial and Medium Density Developments. Full details of works shall be submitted for approval with the building application. Care is to be taken that development does not cause obstruction of flows onto and across the property and on site retention is to be provided to maintain flows equivalent to the undeveloped state for all storms up to the 1 in 100 year recurrence. Details to be submitted for approval with the building application.
14. Provision to be made for the sewerage of all units in the development. Note that the majority of the rear of the land does not drain to Council's sewer. Details to be submitted for approval with the building application.

15. Unit 2 (two) is to be located a minimum of 1.5m clear of Council's sewer line across the site.
16. A design checking and inspection fee of \$250 (two hundred and fifty) plus \$1 (one) per metre of sewer line, must be paid when submitting engineering plans for approval prior to construction. This amount is valid until 31st December, 1991.
17. The site being fenced to a minimum height of 1.8m (one point eight) and to at least the equivalence of lapped and capped in quality.
18. The 2 (two) lots comprising the development being consolidated into 1 (one) lot prior to the occupation of the buildings.
19. 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.
20. The driveway shall be constructed of pavers/earth toned coloured concrete or the like.
21. The visitor spaces are to be constructed of brick paving or similar material.
- 22-23 Standard Conditions (DA) - 70, 73.

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 plans dated 8th August, 1991 and as may be required to be amended as a result of comment from the Local Traffic Committee and these to be incorporated within the subsequent Building Application.
- 2-9 Standard Conditions (DA) - 6 (\$13,816 (thirteen thousand eight hundred and sixteen)), 31, 34, 50 (22 (twenty two)), 54, 104, 1 (\$27,000 (twenty seven thousand)), 11.
10. Construction of road and drainage or sewer works are not to commence until 3 (three) copies of the plan or specifications of the proposed works are submitted to and approved by the Manager of Engineering Services.
11. The construction of kerb and gutter, the footway area formed in earth and unnecessary drainage, together with the full construction, including sealing of the adjacent road shoulder over the frontage of the land to the satisfaction of the Manager of Engineering Services.
12. Construction of Council's standard heavy duty footway and layback vehicular crossing to suit the access to the site with a minimum width of 6m.

13. Design and construction of site drainage is to be carried out in accordance with Council's Guidelines for Stormwater Drainage Requirements for Commercial, Industrial and Medium Density Developments. Full details of works shall be submitted for approval with the building application. Care is to be taken that development does not cause obstruction of flows onto and across the property and on site retention is to be provided to maintain flows equivalent to the undeveloped state for all storms up to the 1 in 100 year recurrence. Details to be submitted for approval with the building application.
14. Provision to be made for the sewerage of all units in the development. Note that the majority of the rear of the land does not drain to Council's sewer. Details to be submitted for approval with the building application.
15. Unit 2 (two) is to be located a minimum of 1.5m clear of Council's sewer line across the site.
16. A design checking and inspection fee of \$250 (two hundred and fifty) plus \$1 (one) per metre of sewer line, must be paid when submitting engineering plans for approval prior to construction. This amount is valid until 31st December, 1991.
17. The site being fenced to a minimum height of 1.8m (one point eight) and to at least the equivalence of lapped and capped in quality.
18. The 2 (two) lots comprising the development being consolidated into 1 (one) lot prior to the occupation of the buildings.
19. 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.
20. The driveway shall be constructed of pavers/earth toned coloured concrete or the like.
21. The visitor spaces are to be constructed of brick paving or similar material.
- 22-23 Standard Conditions (DA) - 70, 73.

Item 8:	(File DA221/91)
Development Application:	Extension to Supermarket
Applicant:	Minnett Cullis - Hill Petersen Pty Ltd
Owner:	Denning Properties Pty Ltd
Land and Location:	Lot 1, DP 740132 and Lot 2, DP 572611 Kable and Baker Streets, Windsor
Area:	7951.4m ²

Ekn 11/10/91

Zoning: Hawkesbury Local Environmental Plan, 1989 -
General Business 3(a)
Advertising: Not required
Date Received: 19th August, 1991

REPORT (MTP)

Proposal

Council is in receipt of an application to extend the existing Franklins supermarket in the "Windsor Town Centre", principally for the purpose of storage. The extension having a total floor area of 247.5m², will comprise 208.8m² of storage space and 38.7m² of staffroom, and will "free up" additional area in the existing building for retail sales. The extension will be constructed of materials which will match the existing building.

Statutory Situation

The proposed extension is permissible on the site with the consent of Council.

Planning Assessment

As the proposed extension is only of a minor nature and will be constructed of materials similar to the existing building, no adverse effect on the character or amenity of the area is likely.

In regard to parking, however, the development causes the loss of seven spaces, six of which are for CES employees and "customers". The applicant argues that as the existing carpark already provides thirty two spaces in excess of that required under Council's Carparking Development Control Plan (DCP), then the proposed extension, which generates a demand for nine spaces, would still leave sixteen spaces over and above the required amount.

ie.	Current No. of spaces	118
	Spaces demanded by existing development - <u>86</u>	32 spaces in excess
	Spaces demanded by extension	- 9
	Spaces lost as a result of extension	- 1 on Town Centre site
		- 6 on CES site - which will need to be accommodated in the existing carpark
		16 spaces in excess of required No. of spaces

The applicant's calculations are not strictly agreed to as they include 15 existing angle parking spaces at the Kable Street frontage of the development which are partly on Council land (ie the road reserve). These spaces were permitted and are able to remain at the grace of Council.

However, parking in Windsor is at a premium and, therefore, the loss of any spaces would be undesirable. Indeed, approval for the original complex was based on the provision of parking in accordance with that which now exists. Therefore, if the development is to proceed, it is considered that a contribution based on \$9,600 per space should be paid as a consequence of lost parking.

The applicant has altered the layout of the carpark to minimise the loss of spaces, however, in doing so, has limited, in part, the flow of traffic through the carpark as well as restricted parking adjacent to the loading dock, ie. possibly to staff or all day parking depending on proposed unloading times. Further, access to two of these spaces is restricted by a raised "island" and therefore the island should be altered to allow adequate manoeuvring area. The words "loading dock" should also be painted on the sealed area in a suitable location.

Given the layout of the proposed carpark once the extension is constructed, it is likely that employees and customers of the CES will utilise those spaces immediately adjacent to the CES building. For this reason and the fact that the extension will affect two allotments, the land should be consolidated as a condition of any approval.

Whilst Council should not unduly stifle seemingly reasonable development, this development is peculiar in that it was purposefully approved in the first instance with more parking than Council's code would now normally require. The parking layout was as required by the developer and Council also recognised that the amount was required. This is confirmed by the current usage rate of the car park. Accordingly, to reduce available parking and to increase the floor space (and hence patronage) of the development without some car park replacement strategy is not sound planning.

The avenues available appear to be:

- * refuse the application as it does not provide adequately for car parking
- * approve the development on the basis that the floor space/parking criteria accords with current requirements
- * approve the development with a contribution for lost parking and for parking generated as a result of increased floor space
- * defer the application for investigation of a likely expenditure site for contributions taken as a result of this and other commercial developments.

Should the development be approved on the basis of payment in lieu of parking the amount payable would be \$153,600. It was reported to Council in 1988 that the approximate cost of provisions of decked parking in the Kable Street car park was \$800,000. Funds available are not adequate at this stage without borrowing although this may be a cost effective method in the long term.

The parking requirement within Council's DCP accords with guidelines of the Roads and Traffic Authority and State Environmental Planning Policy No 11 - Traffic Generating Development. It may be, however, that a specific assessment of Windsor results in a different criteria.

Recommendation

That the proposal be deferred at this stage pending an investigation of sites where further commercial car parking could be provided and further that an investigation be undertaken of an appropriate car park/floor space ratio within Windsor. (11)

Item 14 of the Supplementary Report was considered in conjunction with Item 8 above.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Given 11/10/91
Deferred back to
NEXT GPC

Item 9:	(File DA218/91)
Development Application:	Flood Bank Reparation/Agricultural Improvements
Applicant:	Regional Promotions Pty. Ltd.
Owner:	As above
Land and Location:	Lot 1 DP 738865 & Lot 2 DP 738881
Old	Kurrajong Road, Richmond
Area:	26.7ha
Zoning:	Hawkesbury Local Environmental Plan, 1989
	- Environmental Protection 7(d)1
Advertising:	Not advertised
Date Received:	16th August, 1991

REPORT (MTP)

Proposal

The proposal involves the deepening of existing ponds on the property. The removed silt and debris will be taken off the site to the Bridgesand Pty Ltd plant on the opposite side of Old Kurrajong Road.

The amount of flood deposited material to be removed from the lagoons/dams will not exceed 84,100m³. This equates to 10,090 x 15 tonne truck movements or 6,055 x 25 tonne semi trailer movements. The ponds will be excavated by the use of a dragline. The applicant has justified the proposal as follows:

"The increased water holding capacity of the ponds will provide adequate water at all times for the farm, polo grounds and surrounding agricultural pursuits.

The Australian Polo Team use the adjacent polo fields and international games attract up to 10,000 spectators to the area. The players and spectators use the local facilities, creating additional income for the motels, hotels, restaurants and shops etc.

As can be seen the proposed works have far more reaching effects than more water for the farm. These refurbishing improvements will allow a more viable use of these valuable agricultural lands without sterilised sand and gravel resource underlying the remainder of the farm."

The extraction of the ponds and removal of material will take approximately 12 months and the plant is proposed to operate Monday to Saturday inclusive. The capacity of the pond will be increased from 21,600m² at the moment, to 95,700m² when excavated to the depth and profile proposed.

Statutory Situation

The land is zoned Environmental Protection 7(d)1 and extractive industry is prohibited in this zone.

Recent court cases (eg dredging of part of Narrabeen Lagoon) have upheld the premise that if an activity or development falls into more than one category and one of those categories is extractive industry, which is prohibited in the zone, then the consent authority has no power to consent to the application. This is the case for this application in that even though the development could be described as agricultural improvements, it is also defined as extractive industry and therefore prohibited.

The applicant has been consistently advised of the above position on numerous occasions and the matter has been previously reported to Council.

Planning Assessment

The applicant has verbally indicated that he sees his proposed development as a flood mitigation exercise and draws parallels to Council's works at Cordners Corner.

Council does have the power to carry out works for flood mitigation purposes that may involve the removal of extractive material from land on which "extractive industries" are prohibited as a result of the zoning of the land.

Council has previously and is still, undertaking flood mitigation works at Cordners Corner, Windsor. These works, including dredging and bank stabilisation, have only occurred after extensive hydraulic investigations and close liaison with the Public Works Department. These works were deemed necessary to protect a large number of properties downstream from Cordners Corner as well as a large amount of public infrastructure including roads and pipelines.

Under the current zoning the deepening of the lagoons on the applicant's property and the removal of the resultant extractive material could only be undertaken by Council if it were deemed to be flood mitigation works. Before any work could be undertaken on the applicant's property, a hydraulic study would need to be undertaken. In the circumstances of this case, the study would need to firstly examine the characteristics and importance of the overall drainage channel from Yarramundi to Cornwallis. Once this was done, recommendations would follow as to the nature and scale of works to be undertaken from Yarramundi to Cornwallis. The study would also examine the underground flow regimes in the area and how these impact on flood mitigation work. The Public Works Department would be closely involved in the entire process.

Flood mitigation works are usually carried out where residential properties or public infrastructure is threatened by flood waters. The study would have to demonstrate that this was the case in this locality.

At the present time, Council does not have in its possession any submission justifying the need for a flood mitigation project from Yarramundi to Cornwallis.

Recommendation

That the application be refused as Council has no power to approve of the application as it is a prohibited development under the zoning of the land.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 10:	(File DA193/91)	EL12
Development Application:	Produce Store and Dam	WP. 11/10/91
Applicant:	C & D Owen	
Owner:	C & D Owen	
Land and Location:	Lot 6, DP568232, 46 Pitt Town-Dural Road, Pitt Town	
Area:	2.023 hectares	
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Rural 1(c)	
Advertising:	Adjoining owners notified - one submission received	
Date Received:	5th August 1991	

REPORT (MTP)

Proposal

Council is in receipt of an application to erect a produce store on the subject property. The applicant proposes to:

- a. excavate a dam in the natural low point of the land;
- b. use the fill won from the dam to provide a level building platform at 14.2 metres; and
- c. erect a 24.4m long x 18.3m wide x 6.5m high "colorbond" shed on the platform to establish the produce store.

The store will operate Mondays to Saturdays, from 7.30am to 5.30pm. Goods sold will include animal feeds and supplements, farm supply materials and fencing supplies. One semi-trailer will visit the site weekly, and one 1 tonne delivery truck daily. Parking for 6 vehicles is also proposed.

The site currently contains a two storey brick veneer dwelling and stables.

Statutory Situation

The subject land is zoned Rural 1(c) under the provisions of Hawkesbury Local Environmental Plan, 1989 (LEP). Produce stores are permissible on the site with the consent of Council. Clause 25 (Development of flood liable land) of the LEP applies to the proposal as the site is subject to the 1 in 20 (12.4m AHD), 1 in 50 (14.2m AHD) and 1 in 100 (15.3m AHD) year floods. The provisions of this clause are discussed below.

Public Submissions

Adjoining owners were notified of the proposal with one submission received from Mrs Johanna Taylor of 29 Whitmore Road. Mrs Taylor's concerns are as follows:

"The property and adjoining roads are prone to flooding and located in close proximity to Long Neck Creek, Long Neck Lagoon and the reserve.

The area is zoned rural residential and the commencement of commercial activities on the corner of Whitmore Road, which is unsealed, and Pitt Town Dural Road will result in a sizeable increase in traffic being generated by delivery trucks and customers."

The issues raised by Mrs Taylor are also discussed below.

The produce store will be accessed from Pitt Town-Dural Road and not from Whitmore Road.

Planning Assessment

Scenic/Design Quality

Although the proposed building will be constructed of prepainted metal sheeting and will have little design merit, the building will be compatible with existing rural/residential development in the locality. To improve its appearance, however, it is considered desirable that particular attention be given to the provision of landscaping around the whole building and the construction of appropriate fencing eg lattice, to complement the building and reduce the expanse of metal.

In regard to landscaping the plan submitted by the applicant is considered inadequate.

Flooding

The contour level of the property ranges from approximately 12 metres on the western boundary to approximately 18 metres in the north eastern corner. Consequently, the land is affected by the estimated 1 in 20 (12.4m), 1 in 50 (14.2m) and 1 in 100 (15.3m) year floods.

Clause 25(2) of the LEP requires that a building shall not be erected on any land below the 1 in 10 year flood level (11.2m, AHD) and in this regard the proposal complies.

The site of the proposed building is presently at a level of between about 13 and 14 metres, and it is proposed to fill this site to a level of 14.2 metres using the material excavated to create the dam.

No material will be brought onto or removed from the land.

Given the scale of the development, no adverse effect on Long Neck Lagoon is likely to occur.

Access/Parking and Traffic

The applicant proposes to provide six parking spaces on the site. This is based on a survey of the following premises.

- "1. Halls Produce & Hardware
George Street
Windsor

Nil offstreet parking

2. Stockmans
Fairey Road
Windsor

5 offstreet parking bays

3. Mulgrave Produce
Mulgrave Road
Mulgrave

3 offstreet parking bays

4. Bruce McDonald Produce
Riverview Street
North Richmond

5 offstreet parking bays

In relating the above information to the proposed development it was felt that the vehicle turnover rate would be equal to Bruce McDonald Produce of North Richmond and not as great as Stockmans of Windsor. We therefore have provided 5 carparking spaces."

Council's Carparking Development Control Plan (DCP) does not contain any specific requirements for produce or farm supply premises. Based on the following rates however, parking for up to 11 vehicles could be required:

Commercial premises, shops - 1 space / 40m ²	=	11 spaces
Factory, warehouse, bulk stores - 1 space / 75m ²	=	6 spaces

Given the nature of the goods to be sold from the premises, 6 spaces is considered adequate.

Although the applicant proposes to construct the carpark of crushed sandstone, it is considered necessary that the area be sealed due to the scale of the development.

Pitt Town-Dural Road is considered to be capable of accommodating the additional traffic generated by the development. Sight distances are also good and consequently, no adverse effect on traffic flow is likely.

Loading/Unloading

Generally, satisfactory unloading facilities will be provided on the site, with all delivery vehicles entering and leaving the property in a forward direction. It will be necessary however to slightly extend the unloading area to ensure a semi-trailer can manoeuvre through the driveway.

Recommendation

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

1. The development, being the erection of a produce store, shall generally be in accordance with the plans dated 24th July, 1991.
- 2-16 Standard Conditions (DA): 22, 31, 32, 35, 37, 50 (6 (six)), 54, 61, 70, 73, 85, 89, 100, 101, 102.
17. Construction of Council's standard sealed rural type footway vehicular crossing to suit the access to the site.
18. Provision of adequate loading and unloading facilities to cater for the proposed use of the land. In this regard, the western boundary of the unloading area shall be extended slightly to ensure a semi-trailer can manoeuvre through the driveway.
19. Vehicular access from Whitmore Road shall be prohibited at all times.

20. Operating hours shall be limited to 7.30am to 5.30pm Mondays to Saturdays. Any alteration of these hours will require Council consent.
21. Appropriate fencing such as lattice shall be constructed to complement the building and assist in reducing the expanse of metal.
22. No materials or goods shall be stored between the building and the street alignment.
23. Separate details of proposed drinking water shall be submitted with the building application.
24. In regard to the construction of the dam, no obstruction or variation to surface flows shall occur where the depression enters or leaves the property.
25. Full details of the proposed filling shall be submitted with the building application. In this regard, no material shall be brought onto or removed from the site.
26. Such filling shall be completed within 3 (three) months of commencement. The applicant shall notify Council of the date of such commencement.
27. The area to be filled shall be stripped of topsoil prior to the placement of fill.
28. All fill shall be compacted to 95% (ninety five) standard and test results verifying this shall be submitted to Council.

Mr. Owen, the applicant, addressed the Committee.

COMMITTEE'S RECOMMENDATION

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

1. The development, being the erection of a produce store, shall generally be in accordance with the plans dated 24th July, 1991.
- 2-16 Standard Conditions (DA): 22, 31, 32, 35, 37, 50 (6 (six)), 54, 61, 70, 73, 85, 89, 100, 101, 102.
17. Construction of Council's standard sealed rural type footway vehicular crossing to suit the access to the site.
18. Provision of adequate loading and unloading facilities to cater for the proposed use of the land. In this regard, the western boundary of the unloading area shall be extended slightly to ensure a semi-trailer can manoeuvre through the driveway.
19. Vehicular access from Whitmore Road shall be prohibited at all times.

20. Operating hours shall be limited to 7.30am to 5.30pm Mondays to Saturdays. Any alteration of these hours will require Council consent.
21. Appropriate fencing such as lattice shall be constructed to complement the building and assist in reducing the expanse of metal.
22. No materials or goods shall be stored between the building and the street alignment.
23. Separate details of proposed drinking water shall be submitted with the building application.
24. In regard to the construction of the dam, no obstruction or variation to surface flows shall occur where the depression enters or leaves the property.
25. Full details of the proposed filling shall be submitted with the building application. In this regard, no material shall be brought onto or removed from the site.
26. Such filling shall be completed within 3 (three) months of commencement. The applicant shall notify Council of the date of such commencement.
27. The area to be filled shall be stripped of topsoil prior to the placement of fill.
28. All fill shall be compacted to 95% (ninety five) standard and test results verifying this shall be submitted to Council.
29. Adequate provision to minimise vermin activities to the satisfaction of the Manager of Environment & Building Services.

ITEM 11: (File GF20/12 PT1)

Alloc 11/10/91

SUBJECT: PLACEMENT OF HISTORIC CANNON

REPORT (MTP)

Council at its Ordinary Meeting on the 6th August, 1991, considered a report in relation to Richmond Park and the placement of historic cannon. At that meeting Council resolved the following:

- "1. That the cannon be inspected by the full Council.
2. That estimates be prepared for the protection of the cannon in a housed position, eg. Richmond Park.

3. *That a programme be considered calling for public subscription from the various universities, historical societies, in order to contribute towards the housing of the cannon.*
4. *That expressions of interest be called for the housing of the cannon.*
5. *The possibility of housing the cannon under the grandstand be investigated."*

The above resolutions were, however, not actioned due to the receipt of correspondence which requested that the matter be deferred to the next General Purpose Committee Meeting so that various persons could address the Committee. Council agreed to the deferment.

At its Ordinary Meeting on the 10th September, 1991, Council received correspondence from the Richmond Ex-Servicemen's Club and the Richmond Branch of the Returned Services League of Australia. This correspondence offered permanent accommodation for the historic cannon at no cost to Council at the Richmond Ex-Servicemen's Club property.

Since the September Ordinary Meeting, further correspondence has been received from the following organisations and persons:

Hawkesbury Historical Society

"We believe that it is essential that such historic items should remain in the City of Hawkesbury, and that they should be displayed in Richmond Park on either side of the War Memorial."

Richmond and District Chamber of Commerce

"The Chamber's Executive Committee resolved to protest to Council over the reported suggestion that the historic cannon were to be given to the Power House Museum.

It has been acknowledged by many people, including Council, that these cannon have great historical significance in the Hawkesbury District, in particular Richmond. Consequently, they would represent a tremendous tourist attraction for the region. At the recent Annual General Meeting of Tourism Hawkesbury the Chairman, Mr R Perks, pointed out that the Hawkesbury Region has not developed suitable attractions for tourists.

If Council goes ahead with this reported placement, it would be against the wishes of this Chamber, as well as many bodies, including Tourism Hawkesbury.

The Chamber strongly recommends that these cannon be placed in Richmond Park on either side of the War Memorial where they can be easily seen by passing traffic and tourists."

Mr Harold Gascoigne - 262 Grose Vale Road, Grose Vale

"We, the Gascoigne families are writing this letter to express strong disapproval at the proposed removal from Richmond of the two cannon found buried in Richmond Park in February, 1985.

Our father, grandfather and great grandfather, the late Henry Gascoigne, a lifelong resident of the Hawkesbury District until his death in 1988 at the age of 82, kept us all enthralled with his stories of the cannon and the history pertaining to them and how he played on them when he was a young boy.

Various attempts by many people to locate the cannon were unsuccessful until Henry heard of these attempts and promptly showed interested persons exactly where the cannon were buried.

We cannot stress too strongly our concern that an item of such historical significance to the district is in danger of being relegated to another site where its historical value will be nil. Presented in a suitable manner in a prominent position within the Hawkesbury District, the cannon could become a well known tourist attraction."

Mr Gordon Marsh - 39 Drummond Street, South Windsor

"I would be obliged if you would register this letter a form of protest at the attitude of some Aldermen who have expressed their preference to relocate the historic cannon found in Richmond Park.

To place them at another site is not in keeping with their original intent, to help protect the town and residents of Richmond.

I must admit, because of sentimentality there is a man that must be named, a man who has told his children and his many grandchildren of the amazing stories of the changing phases of Richmond that he encountered during his lifetime residency in the district. And how, as a little boy who attended the school at the rear of the "School of Arts" at Richmond Park, played on the cannon then later on witnessed their demise. It was this same man who had shown others who have failed where the cannon were and then witnessed their resurrection. He was my wife's father, Henry Victor Gascoigne."

Miss Dorothy Phipps - 52 Moray Street, Richmond

"I am writing this letter on behalf of my Aunt, Mrs Edna Flohr, whose brother, the late Mr Henry Gascoigne, knew exactly where the two cannon were buried in Richmond Park. As a child attending the Richmond school, which was located where the Masonic Lodge is now, I with all my school friends used to play on these cannon and we were told the history of them by our own teachers.

I believe that the cannon which are now housed at the R.A.A.F. Base Richmond, should be relocated in Richmond Park, where they were for many years prior to their removal to the Base in 1985.

Richmond is growing rapidly as a town of historical worth, and this would be an added tourist attraction for visitors to see and read some of the early history connected with this area."

As a matter of procedure, Council's resolution of 6th August, 1991, will now be actioned unless a contrary position is resolved.

Recommendation

That correspondence from the Hawkesbury Historical Society, The Richmond and District Chamber of Commerce, Mr Harold Gascoigne, Mr Gordon Marsh and Miss Dorothy Phipps in relation to placement of the cannon be received.

Mr.H.Gascoigne addressed the Committee.

Mr. Harrison, representing the Richmond & District Chamber of Commerce, addressed the Committee.

Alderman Books tendered a petition from People Power and asked that it be read to the Committee.

The Deputy Mayor read the petition, which states as follows :

"In 1985 (Yes six years ago) the Western Districts Guardian showed a picture of Councillor Rex Stubbs with Mr. Eric Ridgeway and Mr. Alex Hendrickson in Richmond Park where the cannons were unearthed. Rex was ecstatic over the find and later was very enthusiastic about restoring the cannons and returning them to Richmond Park. This issue was part of his campaign for re-election to Council.

Six years of muttering by successive Councils has only yielded lots of ideas to spirit our cannons away."

COMMITTEE'S RECOMMENDATION

COUNCIL MAKE A decision to-day to place the cannons in the Park opposite the Railway Station at Richmond.

That an inspection of the cannons at the R.A.A.F. Base be carried out on the Council inspection day and that Mr.Gascoigne be invited to attend the inspection.

ITEM 12: (File GG21/31 PT1)

Alice 11/10

SUBJECT: WINDSOR AND RICHMOND COLOUR SCHEME
STUDY

REPORT (MTP)

Architects; Noel Bell, Ridley Smith and Partners, were commissioned to prepare authentic colour schemes for forty two buildings of major visual and historic significance in Windsor and Richmond using archival research and historic photographs.

Council is now in receipt of the Study which comprises a brief introduction, inventory of forty two buildings and charts of near equivalent colours to Australian and British standards. The inventory incorporates details of the construction period of each building and identifies the appropriate colour for each building element. The inclusion of colour photographs of each building and appropriate colour chips, further assists the identification process.

Whilst colour schemes were prepared for most of the buildings identified in the Study based on archival research, four buildings were carefully scraped to reveal remains of original colours. These buildings include, the A C Stern Building in Thompson Square, the former Post Office - Windsor, Windsor Public School and the timber Grandstand - Richmond Park. Following scraping, the colour of each building element was identified by reference to British standard colour cards and historic photographs.

Overall, the Windsor and Richmond Colour Scheme Study is a practical document which will assist both Council and developers in the identification of appropriate colour schemes for redevelopment and adaptive reuse proposals.

In order to encourage implementation of the Study's recommendations, a Seminar is proposed to be held in November for the owners of buildings identified in the Study, ie. the main streets of Windsor and Richmond as well as other interested persons. The Chambers of Commerce will be requested to assist in dissemination of information and promotion of the Study. Prior to this Seminar each property owner will receive a brochure which will contain an extract of the Study which relates to his or her property and an appropriate colour chart. Colour schemes recommended in the Study and basic preparation and painting techniques will be discussed at the Seminar by Robert Staas of Noel Bell, Ridley Smith and Partners, and representatives from a paint company.

Further, a paint company will be also approached with a view to obtaining discounts on paint for building owners, as well as providing general technical advice.

Reinstatement of heritage colour schemes in the main streets of Windsor and Richmond will not only reinforce the character of the two towns, but will also improve the overall appearance of individual heritage items.

Recommendation

That the information contained in the report relating to the Windsor and Richmond Colour Scheme Study be received and that Council endorse the holding of a seminar and distribution of information to relevant landowners.

Alderman Rogers declared an interest in this matter.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 13: (File G95/18)

Alice 11/10/

SUBJECT: CEMETERIES STUDY - MACDONALD RIVER VALLEY
AND COLO RIVER VALLEY

REPORT (MTP)

Heritage Consultants Godden Mackay Ltd have now completed a study of cemeteries in the Macdonald and Colo Valleys. Council and the Department of Planning commissioned the study in 1990 due to concern about increasing development pressure and the impacts of such pressure on historic cemeteries in the Macdonald and Colo Valleys and the City generally.

The Colo and Macdonald Valleys contain a remarkable collection of historic cemeteries. The Valleys were important centres of early settlement in NSW and were visited by Governor Phillip as early as 1790. Initial land grants were made in 1810. Throughout the history of each valley there has been continuity of occupation by a small group of families and the names of early grantees such as Jurd, Fernance, Bailey and Gosper are still found in the current community. Thus, in addition to being important heritage items in their own right, the cemeteries as a group are highly significant as they provide a comprehensive record of the social history of each area.

In response to concern about the care, control and management of historical cemeteries throughout the City, Council applied for financial assistance to undertake an appropriate study. The application, which was made on a dollar for dollar basis under the Heritage Assistance Programme, was successful.

The study not only documents the significance of each cemetery in the Colo and Macdonald Valleys but also provides appropriate conservation policy for all cemeteries within the City. The study makes a number of recommendations and identifies what actions should be taken, who should take these actions, their timing, priority and cost. Whilst implementation of the study recommendations

will require some expenditure commitment in the 1992 Estimates this will be the subject of further report to Council within the estimate documentation.

The consultant commissioned to prepare the study will present a short seminar on the study findings and appropriate management and conservation practice for cemeteries on the 15th October, 1991. Owners of land on which cemeteries are situated in the Macdonald and Colo Valleys, local historical and family history societies, local stonemasons and other interested persons have been invited to attend the seminar which will be held, free of charge. Further, a press release has been prepared for inclusion in local newspapers.

The study is valuable in that it documents the significance and contents of each cemetery within the Macdonald and Colo Valleys and identifies management and action policies which once implemented will foster the conservation of cemeteries not only in the Macdonald and Colo Valleys but throughout the City.

Recommendation

That information contained in the report relating to the Macdonald River and Colo Valley study be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 14:

On file

(File DA221/91)

SUBJECT:

EXTENSION TO FRANKLINS SUPERMARKET - KABLE
AND BAKER STREETS, WINDSOR

REPORT (MTP)

Council is referred to Item 8 in the Planning and Development Section of this Business Paper.

The report indicates that should the development be approved, then a parking contribution of \$153,600 would be required, ie. \$9,600 x 16 spaces, this figure is incorrect. Only 7 spaces would be lost, as the applicant intends to alter the layout of the carpark to minimise the loss of parking.

Thus,

current No. of spaces
spaces demanded by existing
development

118

- 86

32 spaces in excess

spaces lost as a result of extension

15 (9 on Town
Centre site and
6 on CES
site).

spaces gained following alteration in
carparking layout

8 (8 on Town
Centre site but none
on CES site)
7 spaces lost.

spaces demanded by extension

9 + 7 lost spaces = 16 spaces.

32 - 16 = 16 spaces in excess of those required under Carparking
DCP.

Therefore, the parking contribution would be \$67,200, ie. \$9,600 x 7.

COMMITTEE'S RECOMMENDATION

See Item 8.

SECTION 3 - FINANCE

ITEM 1: ACCOUNTS PAID, STATEMENT OF BANK BALANCES AND TOWN CLERK'S CERTIFICATE, FORM 2, AND SCHEDULE OF INVESTMENTS

Alderman Mackay declared an interest in Cheque No. 4316 on Page 3 of Schedule No. 1.

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.	4205	-	4840	\$6992317.09
Trust Fund Nos.	213	-	259	\$1703536.09
FID General Fund	469074	-	469085	\$842197.76
98P General Fund	37014	-	37019	\$2930000.00
98P Bank Trust Fund	425412	-	425413	\$1140000.00
FID Account Trust Fund	25408	-		\$50000.00
				\$13658050.94

QUESTIONS WITHOUT NOTICE

Alderman Sheather referred to the work being done on the old Post Office at Windsor. He stated that there is a Heritage Order on this property and asked if Council is fully aware of what is happening at this location.

The Manager of Town Planning advised that the works have been approved both by the Council and the Heritage Council of New South Wales.

Alderman Calvert asked that a review be carried out on the garbage bins at South Windsor. One is where the amusement parlour is planned to go ahead, there is a garbage bin receptacle at the back of that, and the bins are left out in the street. He stated that there is a steel structure to enclose them which covers up the footpath, which is hardly adequate. The garbage service is carried out on Sunday night, hence the garbage bins are left out all weekend from Saturday and asked if consideration could be given to looking at changing the collection date and getting a better system of storage for existing bins. This is in the back lane and on the main street of the commercial centre of South Windsor.

The Manager of Environment & Building Services stated that the collection time in that area had been modified once before at the request of the people who operate the various businesses there. He undertook to examine the matter further and bring back a report to Council, if necessary, to rectify the problem.

Alderman Williams referred to an issue of damage to bushland from cattle grazing in Pebbly Hill Road, Cattai. He stated that there have been some general undertakings given by the owners of the land and asked for a report on the current situation and what possibility there is for the protection of that bushland.

The Manager of Town Planning undertook to bring forward a report on this matter.

Alderman Books stated that he had received a letter from Ian Robinson regarding the outcome of Council's decision about the closure of the ferries at Webbs Creek and Wisemans Ferry for the ski race. Council was going to have a look at the matter and discuss the matter with the residents and asked the current situation.

The Manager of Engineering Services advised that letters had been received. They are being advised of Council's decision and it is being suggested that after this event is held this time they give Council further comments so that Council has those matters before it when the application comes up in future years.

The Town Clerk/General Manager referred to the position regarding Council's resolution on the closure of the ferries, and advised that the event is on the 24th November. As it will be inside the three months period, the matter cannot be reversed at the next Ordinary Meeting of the Council. If the Council wished to reverse the situation regarding the closure it can only bring the matter up as the subject of a report to the next Committee Meeting of the Council, which means that then it would be the November meeting before the matter would be reversed. The Ski Association would probably think that that is an unreasonable amount of time to consider that the matter is reversed only a few weeks before the event. At the Ordinary Meeting, if the Council does wish to reconsider the matter it would have to ask then for a report to the October Committee Meeting.

The Deputy Mayor stated that the only sensible thing would be to have a good hard look at the closures this year.

Alderman Books stated that he had received a letter of complaint from the McGraths Hill Action Group people advising that there is not enough progress or action being taken regarding the mushroom compost action. He asked if Council could inform them that it was their choice that the issue went to Court and that it is in the legal procedure and Council cannot tell the Courts how to speed things up.

The Deputy Mayor advise that this is for a three months period.

Alderman Parsons asked if one of Council's staff could report very briefly on the current status of Mushroom Composters and Graham Price Pty.Ltd. and if the report could be tabled to the next Committee Meeting for discussion.

The Manager of Environment & Building Services stated that last week there was a mediation hearing of the Land & Environment Court in regard to Mushroom Composters Pty.Ltd. and a similar event is being held to-day in regard to the operation of Mr. Price at McGraths Hill. Council's Solicitor is attempting to have Court Orders imposed by the Court by consent to try and mitigate the problem in regard to programme of works or whatever is proposed. It is understood that a Development Application has been lodged by Mushroom Composters Pty.Ltd. for the construction of a compost fermentation tunnel and the Court Order refers to that

application and how it would be progressed. After the mediation hearing to-day it is intended to submit a report to the Council, hopefully for the meeting next week on what has been achieved to date and the outcome of to-day's hearing.

Alderman Mackay stated that at the last General Purpose Committee Meeting he asked what was happening about a block of land in Spinks Road, Glossodia. He stated that there was a proposal to put a market garden there which allowed the developer to remove a lot of trees. The zoning was not correct for a market garden to go ahead, but Council fortunately was able to action against the developer because he had not carried out the Tree Preservation Order requirements correctly. He asked what is the current status of the action against the developer and has Council received any more information from the neighbour's Solicitor, Mr. Honnery.

The Manager of Town Planning stated that a letter had been written to Mr. Honnery and a response has not been received from him. It is understood he is happy with the response, recognising that there was a mistake. Market gardens are allowable but require formal development consent as well as the Tree Preservation Order. The landowner has been written to advising that he is in breach of consent and there has been no response. The time of the response sought has now expired. In conjunction with the Town Clerk/General Manager, consideration will be given to pressing further action. He stated that he has also written to the Neighbourhood Centre at Glossodia and forwarded some copies of the Tree Preservation Order. It is understood that they are going to promote the Tree Preservation Order further in Glossodia.

Alderman Rogers referred to the re-numbering of Slopes Road. He expressed concern that Council seems to have got it wrong in relation to the numbering and asked if Council could make sure that this does not occur again. A letter had been sent out advising a constituent of a change, and two or three weeks later another letter had been sent advising of a further change. He suggested a third letter be forwarded apologising for being wrong with a view to a better relationship between the people and Council.

The Manager of Operations stated that the third letter is being typed advising that Council had made an error. Slopes Road had been renumbered from the Comleroy Road end, the majority of vehicles using Slopes Road come via Maddens Lane, North Richmond and so it was incorrect. A letter is going out to all the people in Slopes Road and those who wrote in are being addressed individually explaining the situation.

Alderman Sheather referred to the report requested to the next meeting about the situation with the composting and stated that it was a resolution of Council that corporate sittings take place with not only the support but the involvement of the community groups, that has not happened and Council is now in Court. He asked why that has not happened. He suggested that this be reported to Council.

Alderman Keegan expressed concern about the South Creek situation in two areas - one the lack of supervision at the ramp where he has seen ski boats skiing actually from the ramp in the 8 knot area, which he believed should be a 4 knots no wash area, which is highly dangerous because children are swimming in the area, and secondly with the pollution in South Creek. He asked if this is monitored and does Council have an assessment on it. If it is beyond reasonable doubt that it is not safe to swim in, what appropriate action can Council take.

The Manager of Environment & Building Services stated that significant monitoring is being carried out water quality wise, particularly by The Water Board and the State Pollution Control Commission. In regard specifically to South Creek, he was not certain where the sampling points are. With respect to advising people of the dangers as far as using the area for swimming, it is something that he believes Council will have to consider very soon as to what should be done and how to go about it. It will be realised that adverse advertising can have serious effects on the area generally. If Council is aware of any problem there it does have a very real responsibility to take all necessary steps to advise people about the problem otherwise Council leaves itself open to other forms of action. It is proposed to endeavour to obtain results from the monitoring that is being carried out by The Water Board in particular and publishing this information on a regular basis so that people are aware of the fact that there are levels of contamination or otherwise. He undertook to take the matter up again with the Town Clerk/General Manager with a view to bringing forward a report to Council as soon as possible.

Alderman Keegan also asked if the system of supervision could also be taken up as the real danger is at the ramp, and he would like to see not only better supervision but for the Officers concerned to collaborate with the Maritime Services Board to reduce the situation from 8 knots down to a 4 knot no wash area as it is a dangerous situation.

The Manager of Environment & Building Services stated that he believed in regard to the policing of that type of regulation, it is the responsibility of the Maritime Services Board. Also bearing in mind that citizens have a responsibility to report this type of thing and suggested that this could be given some prominence.

Alderman Keegan also referred to reports in the paper regarding the quality of the drinking water.

The Manager of Environment & Building Services stated that Council has been concerned with the quality of the water in the Nepean/Hawkesbury System for quite a number of years and was instrumental in 1983 in establishing a body to try and co-ordinate the efforts of the various authorities concerned in an attempt to alter the deterioration and do what can be done to improve the water quality. Recognition of the problem has been achieved and also largely the co-ordination of most of the authorities that are involved in decision making as far as approvals within the river corridor. The very fact that something of the order of 90% of Sydney's water supply comes out of this valley and very little of it comes back means of course that there is a very large reduction in any dilution factor that could be involved. Coupled with the fact that in the recent several decades there has been a tremendous increase in the population living within the valley and particularly in the areas of the catchment where there is a very low flow, this compounds the problem because not only is treated sewage effluent being introduced, but also it is becoming increasingly recognised that urban runoff from development is a very serious factor. There are very large areas of land which unfortunately have just a runoff which is completely untreated. This carries all sorts of contaminants, nutrients and faecal contamination and all sorts of problems in that regard. With those two factors combined obviously there is certainly room for concern. It will have implications as far as future development in the upper catchment is concerned if there continues to be a large increase in the population without very serious steps being taken to mitigate the effects, the problem will only get worse.

Alderman Keegan asked what the status is now as far as the day by day use of reticulated water is concerned and if it is above or below standard.

The Manager of Environment & Building Services stated that it varies because of the factors that are involved at any one time. If a very long dry period is being faced where the river flow is vastly reduced coupled with hot conditions, with the nutrients that are known to be in the river and the fact that there is blue/green algae there, we will suffer from pollution from time to time. Generally speaking, as far as the water supply is concerned that is taken from North Richmond, it is a very sophisticated plant and The Water Board is very cognisant of its responsibilities to provide a safe water supply and that is being done. A lot of money has been spent there and the plant is monitored very closely and it is believed that the water supply that is reticulated is in a safe condition. The water as far as the river is concerned will vary according to conditions from time to time mainly because of the flow.

Alderman Calvert referred to South Creek and asked if a study has been done on where individual pollution is coming from and whether the areas can be identified, whether it is sewage treatment or industrial, or urban runoff or whether it is from out of the district running down and if it could be found out what can be done about eliminating or reducing each problem at a time.

The Manager of Environment and Building Services advised that South Creek is a very large catchment and encompasses all sorts of development - industrial as well as commercial and rural use areas. The State Pollution Control Commission does have powers as far as deliberate contamination of water courses all over the State, but Local Government is limited to within its own area, and that is the reason that endeavours were made to get a body operating to co-ordinate all efforts. With such a catchment that is being dealt with, the limitations of what Council, as a local authority, can do when due regard is paid to its own boundaries is fairly remote but it does give Council a very big responsibility in the whole welfare of the catchment to ensure that what does take place within Council's own area is done properly and any deliberate contamination is avoided and any necessary action taken where this is found. Council does enjoy good co-operation with the State Pollution Control Commission in this regard. The Commission's Officers come into the area quite frequently. Until such time as an overall body that is charged with sole responsibility for the welfare of the catchment is incorporated, then it is up to the current infrastructure as now exists, which has its limitations. As far as he knows no specific point source has been identified, however the contamination would be as the result of the general use of the large catchment area.

The meeting terminated at 12.43 p.m.

REPORTS FOR DETERMINATION

FINANCE AND ADMINISTRATION

1. CONTRACTS AND DOCUMENTS FOR EXECUTION UNDER SEAL OF COUNCIL. GC283/78 PT1

IT IS RECOMMENDED THAT the Seal of Council be affixed to the following documents:

Easement	Winford Holdings Pty Ltd - Easement to drain water 2.5m (two point five) wide in favour of the Council across Lot 6 DP 634414 and Portion 173/75206, corner of Curtis Road and Windsor Roads, McGraths Hill.
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Commonwealth Bank	Limit of Overdraft \$800,000 (eight hundred thousand)
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2. ALCOHOL FREE ZONES. GP70/1/PT 2

Council has, at previous meetings considered the establishment of various alcohol free zones throughout the City. A number of these zones became effective from 1st October 1991.

With respect to the applications lodged by Rozzoli Jewellers and the Richmond Literary Institute previously supported by Council, the necessary preliminary public advertising and consultative procedures are now complete.

One written submission has been received. Forwarded by the Anti Discrimination Board of New South Wales, it has advised that the Board holds no objection to the proposal.

Council is now required to formally resolve to create the zones prior to suitable signposting being erected enabling the enforcement of the zones by the police. Public notice in the local newspaper is also required for a period of 7 days prior to the commencement of the zone. It is to be noted that the Act specifies that zones can only be declared for a maximum period of one year each time.

IT IS RECOMMENDED THAT:

1. The public roads (as defined by the Local Government Act) as detailed below be declared as Alcohol Free Zones from 1st November 1991, for an initial term of 12 (twelve) months unless otherwise suspended or cancelled:
 - West Market Street, Richmond, between Francis and Lennox Streets;
and
 - Windsor Street, Richmond, between Toxana and East Market Streets.
2. Windsor Police, Rozzoli Jewellers and the Richmond Literary Institute be informed of Council's decision.

3. FORMALISATION OF A RIGHT OF CARRIAGEWAY - LOTS 66-69
DP39014, SETTLERS ROAD, LOWER MACDONALD. GR80/22 PT1.

As the result of a Council road widening program some years ago on Settlers Road (opposite Walmsley Road) the previous Right of Carriageway was extinguished when it became part of the new road reserve.

Access to the subject lots is presently provided by an access track passing in the front of Lots 66, 67 and 68. In order to rationalise the situation and secure the necessary rights of access afforded by the carriageway it is considered desirable that formalisation of the carriageway should now proceed.

In anticipation of the concurrence of the users of the carriageway, a plan identifying the carriageway has been prepared for lodgement at the Land Titles Office. The plan will be displayed at the meeting.

Having regard to the cause of extinguishment of the original carriageway, it is considered appropriate that Council meet the required legal and ancillary costs in formalising the new carriageway estimated to be in the order of \$3,000. It is however, noted that the maintenance of the carriageway is the responsibility of its users.

IT IS RECOMMENDED THAT:

1. Council proceed with the formalisation of the Right of Carriageway serving Lots 66-69 DP39014, Settlers Road, Lower Macdonald.
2. Council meet all necessary legal and ancillary costs, including the reasonable legal and ancillary costs of the affected property holders.
3. The Seal of Council be affixed to all necessary documents.

4. PENSIONER REBATES. GR10/7

In accordance with the Local Government Act, Council's Auditor has certified that the total reductions shown below were granted to eligible pensioners under Section 160AA of the Local Government Act. In all cases, the reductions claimed are supported by confirmation of signed declarations made by pensioners. Details of the reductions are listed below:

	<u>Write Off</u>	<u>Subsidy Claim</u>
Claim 2: 1991	\$77,867.22	\$38,933.61

IT IS RECOMMENDED THAT application be made in respect of rates owing by pensioners, written off or reduced in 1991 and previous years, and that an undertaking be made under the Seal of Council in respect of writing off or reducing rates owing by pensioners in pursuance of Section 160AA of the Local Government Act and that proceedings shall not be taken in their recovery.

5. STAFF MATTERS - MR P PORTELLI. EP/PP

Mr Portelli is currently employed by Council in the capacity of Overseer.

In the first instance on 30th September 1987 he strained his lower back whilst working in the field. He sustained a further recurrence on 12th October 1987 in the course of his normal duties.

These injuries have caused him to be absent for substantial periods over the last 4 years and medical evidence currently renders him unfit for any employment the Council has to offer. Mr Portelli has been continually absent since 28th June 1989.

Having regard to Mr Portelli's inability to resume employment with the organisation, it is proposed that his services be suspended. Mr Portelli will, as a consequence, receive all his employee entitlements. It should be noted that during the term of Mr Portelli's absence from work relating to the accident, Council has provided all support and suitable rehabilitation as required. Mr Portelli's claim has now been finalised by the Worker's Compensation Court.

IT IS RECOMMENDED THAT pursuant to the provisions of Section 99 of the Local Government Act, the employment of Mr Portelli be suspended effective from 11th October, 1991.

6. AREA ASSISTANCE SCHEME. GC130/4 PT4

Council was informed recently that the Government had decided to continue with the Area Assistance Scheme and to extend its provision to the North Coast of New South Wales.

The Local Government Association has advised that there are indications however, that no provisions are being made for recurrent funding for projects in the current and future funding rounds. The Scheme provides essential funding for areas with rapid population growth, high unemployment, large numbers of young people and large numbers of people with non-English speaking backgrounds. The Scheme has undertaken excellent work towards the development and maintenance of infrastructure that can address complex social questions and which provides the basis for the development of initiatives that work towards resolution of these issues in the long term. Central to the success of the Area Assistance Scheme in these matters has been the fact that expenditure is well-planned. Critical to its long term success is the fact that recurrent funding of successful initiatives of the Scheme is "picked up" by appropriate functional departments of the State Government.

IT IS RECOMMENDED THAT Council make representations to the Minister for Planning, The Hon R Webster, requesting information concerning the apparent lack of provision for "pick ups" beyond current commitments in the Area Assistance Scheme.

7. DELEGATION OF AUTHORITY. GM1/3 PT1 (HP/MR)

Michael Russo commenced duties with Council on 29th July 1991 as Senior Health and Building Surveyor.

IT IS RECOMMENDED THAT pursuant to Schedule 13 to Clause 2.9 of the Council's Delegation to Health and Building Surveyors, Michael Russo be appointed as an authorised officer under the provisions of:

1. Section 79 of the Food Act 1989;
2. Section 65 of the Public Health Act, 1902;
3. Section 5 of the Clean Air Act, 1961, other than for scheduled premises;
4. Section 13 of the Swimming Pool Act, 1990; and
5. Section 8 of the Environmental Offences and Penalties Act, 1989.

8. PROPOSED LOCAL TOURISM PLAN. GG21/81 PT1

Council, at its meeting on the 7th May 1991 gave consideration to a report submitted concerning an interim submission prepared by the firm of consultants Pannell Kerr Forster, who were engaged to consider the feasibility of the establishment of a tourism zone in the Clarendon area.

The consultants' recommendation to Council was that consideration be given to the preparation of a local tourism plan in order to develop a broader framework for long term tourism development and to examine the direction of tourism in the Hawkesbury City area. At that meeting Council resolved to invite tenders from interested persons/consultants to prepare a local tourism plan, subject to a contribution towards the funding being forthcoming from the New South Wales Tourism Commission.

A submission was subsequently submitted to the New South Wales Tourism Commission for funding and identifying that of the \$18,500 spent in consultancy fees that were related to the Clarendon Study a significant proportion, which was not Clarendon specific and of direct relevance to the preparation of a local tourism plan, totalled \$13,370. The Commission has recognised this expenditure and its relevance to the proposed local tourism plan and has agreed to a 50% contribution thereto as well as a further amount of \$10,000. The total of the grant therefore from the Commission is in the sum of \$16,700. It is further noted that Tourism Hawkesbury has committed a contribution towards the study in the amount of \$10,000. With the total funds available it is not envisaged at this stage that any extra funding will be required from the Council towards the study.

Now that confirmation of the grant is to hand, it is proposed to invite expressions of interest from interested persons/organisations to undertake the study and to this end a detailed specification and consultant's brief has been prepared in consultation with the Commission. The brief provides for the study to be completed within a period of twelve weeks from the date of engagement.

A condition of the grant from the New South Wales Tourism Commission is the formal acceptance of the grant monies by the Council, and this action is now recommended.

IT IS RECOMMENDED THAT the New South Wales Tourism Commission be advised of the Council's formal acceptance of its grant in the amount of \$16,700 (sixteen thousand and seven hundred dollars) being a contribution towards the proposed Local Tourism Plan for the for the Hawkesbury City area.

9. SISTER CITY ASSOCIATION. GP92/2 PT1

This report deals with two matters - a request from the Council for a report regarding the two Sister City Committees and a request from the Sister City Association for involvement in the staff exchange programme.

Some years ago the Council formed a Sister City Committee comprising Aldermen, primarily to assess whether the Council and the local community should be involved in the Sister City movement. Subsequently Sister City relationships were developed with Temple City in California in the United States and Tamba in Japan. There is an existing long term relationship with the Council of the Royal Borough of Windsor and Maidenhead in England. With the development of the American and Japanese sister cities a local community committee was established now known as the Hawkesbury City Sister City Association.

Following discussions with the chairman of that committee it is seen as desirable that there be one body and that interested Aldermen be involved with the Association as representatives of the Council, rather than a separate Council committee existing.

The Association has also written to the Council indicating that for the last two years employees from Tamba Council have been involved in a staff exchange at Hawkesbury. They seek advice from the Council as to whether it would be supportive of providing a similar exchange with Tamba. The exchange period has been six weeks although this could be of a lesser duration, depending on the staff involved. Tamba has assisted its staff by providing travelling expenses with

accommodation met by arrangement through the Sister City Association. This has involved billeting with members of staff and those of the local association. Travelling expenses are currently in the order of \$2,000 per person.

The objectives of the Sister City movement are to promote international understanding at all levels of the local community on a continuing long term basis as determined from time to time by the local association, further to develop sporting, youth and cultural exchange programmes to people of all ages and from all walks of life.

IT IS RECOMMENDED THAT Council nominate Aldermen as representatives on the Hawkesbury City Sister City Association and that a separate Council committee no longer exist. That Council advise the Association that it is supportive of the staff exchange programme and would look to exchange up to a maximum of 4 (four) members per year, depending on availability of suitable staff and funds. In this regard it would provide the selected staff members with travelling expenses and some paid leave.

10. TENDER FOR SUPPLY AND DELIVER OF CRUSHED SANDSTONE. GT20/49 PT1

Tenders to supply and deliver crushed sandstone to The Driftway, Londonderry were invited and closed on Friday, 20th September, 1991.

Sixteen tenders were received and are listed below in ascending order of tender sum:-

	Per Tonne
Abax Contracting Pty Ltd	\$ 7.80
Halpins Quarrys	\$ 8.00
R M Jones Bulk Haulage	\$ 8.50
Costain Australia Ltd	\$ 9.05
Halpins Quarrys	\$ 9.25
Scott Tyrrell Sand	\$ 9.45
Steedman Sandstone	\$ 9.50
Menangle Sand & Soil	\$ 9.60
Goodies Landfill Excavations	\$ 9.65
The Readymix Group	\$ 9.85
Graeme Whitworth	\$10.00
M S & L E Davies, Tipper Hire	\$11.50

Maron Investments Pty Ltd	
T/A Benedict Sand & Gravel	\$11.70
Nolan Quarrying and Mining	\$13.00
G & M Excavations Pty Ltd	\$14.00
Kables Transport	\$18.50

The tender submitted by Abax Contracting Pty Ltd in the amount of \$7.80 per tonne, is in accordance with the requirements of the Specification.

IT IS RECOMMENDED THAT the tender of Abax Contracting Pty Ltd for the supply and deliver of crushed sandstone, in the amount of \$7.80 (seven dollars eighty cents) per tonne be accepted and contracts be executed under Seal of Council.

11. STOCKPOUND. GE20/5.

The contract for the Stockpound was held by Mrs S C Davies and Mrs C A Watts operating from 170 Old Hawkesbury Road, Vineyard.

Mrs S C Davies has cancelled her contract with Council effective September 12, 1991.

Mr D L Watts (Mrs Watts' husband) has applied to become Council's Stockpound Contractor in partnership with Mrs C A Watts through their company name of Geraldera Pty Ltd.

IT IS RECOMMENDED THAT Council approve this application subject to \$5,000,000 (five million) public liability insurance and workers compensation insurance being obtained. This cost to be remunerated at monthly intervals along with their retainer and all terms and conditions of the previous contract to be maintained.

REPORTS FOR INFORMATION

1. 1990/91 FIRE SEASON - FIRE CONTROL OFFICER'S REPORT. B27/6

The 1990/91 fire season was one of the busiest on record due to hot/dry conditions extending over most of the warmer months.

Brigades were heavily involved in attending to a number of serious bush and grass fires, many of which had been deliberately lit.

Council will recall that an Emergency under Section 41F of the Bush Fires Act was declared in respect to a number of fires in the City and that several buildings were destroyed in the Blaxland Ridge area on the 23/12/90.

A total of 498 fires were recorded during the period 1/7/90 to 30/6/91 and these have been classified under the following headings:

Bush/grass	248
Hazard reduction	68
Buildings	18
Motor vehicles	74
False alarms	62
Other	28

	498

Major fire incidents (buildings)

Building Type	Location	Damage	Cause
House	Jordan Ave, Glossodia	Partial	Domestic
Service Stn	Bells Line of Road, Kurmond	Partial	Unknown
Restaurant	Cnr Chapman & Windsor Roads, Vineyard	Partial	Unknown
House	Titas Road, 41F	Destroyed	Bush Fire
House	Blaxland Ridge Road, 41F	Destroyed	Bush Fire
Shed	Old Kurrajong Road	Destroyed	Domestic
Caravan	Old Kurrajong Rad	Destroyed	Domestic
Shed	66 Wattle Crescent	Partial	Unknown
House	54 Nightingale Square	Partial	Domestic
House	Clergy Road	Destroyed	Unknown
House	Golden Valley Drive	Destroyed	Unknown
House	25 Skyline Road, Mt Tomah	Destroyed	Unknown
Chimney	Bells Line of Road	Partial	Domestic

House	Cnr Chapman & Windsor Roads	Partial	Unknown
Shed	Leila Street	Destroyed	Unknown
Kitchen	18 Warks Hill Road	Partial	Electrical
Chimney	383 Lt Bowen Drive	Partial	Domestic
Kitchen	241 St Albans Road	Partial	Electrical

Total Brigade Man Hours at Fires: 19707

Total Control Room Man Hours 865

Training courses were conducted during the year in a number of subjects including use of hydrant of hose equipment, first aid, heavy vehicle driving, map reading and an advanced course in control room operation.

At this stage 530 members have completed the Department of Bush Fire Services Basic Training Programme and a further 20 - 30 should qualify before the beginning of October.

The second crew leader course covering the subjects of safety on the fireground/structural firefighting/pumps and pumping/fire behaviour/fire weather/fire extinguishers/map reading/handling of dangerous goods/fire suppression and management of fire operations is well under way with 42 officers attending. Forty five officers successfully completed the first crew leader course earlier this year.

An advanced instructors' training course was held by the Department of Bush Fire Services over a weekend in June at Baulkham Hills Fire Control Centre and 3 instructors from Hawkesbury attended. All 3 commented on the value of the course and on this basis 3 additional officers have been nominated to participate in a similar course proposed on the 26th to 29th September, 1991.

National medals were awarded to long serving members who have given outstanding and dedicated service to the Bush Fire Organisation.

The Mayor, Alderman W Sledge presented these medals at a formal Bush Fire Brigade Captain's meeting held on the 23rd August 1991 at the Fire Control Centre.

Medals Awarded:	Wal Clewett	Grose Vale Brigade	55 years
	Ken Clewett	Grose Vale Brigade	35 years
	Max Clewett	Grose Vale Brigade	30 years
	Brian McKinlay	Grose Vale Brigade	28 years
	Bill Bean	Grose Vale Brigade	27 years

A number of other Brigade members have also been nominated and currently await advice from the Honours Secretariat in Canberra.

The current programme for heat shielding major firetankers is well under way and should be completed by the end of October. This will provide safer working areas for firecrews operating in bushland areas.

Council's Annual Brigade Field Day was held at the Australiana Pioneer Village on the 25th August. The day was most successful with over 650 members and their families attending. All Brigades have expressed their appreciation to Council and Marj Clark for providing the venue for these activities.

The present day conditions and fuel accumulation within the City offers a potentially dangerous fire situation for the coming season.

Brigades have already dealt with several large fires during August/September which placed property at risk in the Lower Macdonald and Colo Heights areas. A number of these fires escaped from "burning off" on private land.

2. BUILDING APPLICATIONS. GS80/3 PT 1

The following is a summary of Building Applications received during the month of September, 1991. Applications received during September, 1990, shown in brackets.

<u>No</u>	<u>Type of Building</u>	<u>Estimated Value</u>	
48 (53)	New Dwellings	\$4,223,319	(\$3,754,238)
52 (90)	Additions to Dwellings	573,160	(1,130,620)
1 (3)	Residential Flat Buildings	230,000	(831,700)
2 (6)	New Buildings Other Than Residential	230,000	(1,838,500)
4 (4)	Additions to Buildings Other Than Residential	211,500	(88,000)
17 (9)	Swimming Pools	183,758	(107,770)
11 (8)	Additions to Dwellings Dual Occupancy Unit	1,033,000	(1,125,024)
<u>135 (173)</u>		<u>\$6,684,737</u>	<u>(\$8,875,852)</u>

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Building Applications received up to the end of September, 1991. Approvals for the corresponding period during September, 1990, shown in brackets.

<u>No</u>	<u>Type of Building</u>		<u>Estimated Value</u>
415 (439)	New Dwellings	\$36,425,270	(\$36,011,122)
461 (528)	Additions to Dwellings	6,148,163	(6,707,266)
4 (16)	Residential Flat Buildings	1,355,000	(8,104,700)
25 (29)	New Buildings Other Than Residential	2,629,750	(8,622,000)
21 (43)	Additions to Buildings Other Than Residential	795,600	(3,789,323)
102 (75)	Swimming Pools	1,285,171	(981,310)
54 (54)	Additions to Dwellings Dual Occupancy Unit	5,360,184	(5,876,406)
<u>1082 (1184)</u>		<u>\$53,999,138</u>	<u>(\$70,092,127)</u>

3. REPORTS REQUESTED BY COUNCIL - STATUS - AS AT 8TH OCTOBER, 1991. C50-1.

File	Referred To	Subject	Comment
Rep Date			
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 October GPC
10 Apr 90	Regional Sporting Facilities MES	Clarendon area including project for Richmond Swimming Centre and use of adjoining university area	Report October GPC
8 May 90	Windsor Town Centre MTP	Proposed Development Plan - feasibility including methods of financing.	Report October GPC
14 Aug 90	Bridge Priorities MES	Overall bridge priorities	Report 1991
11 Sept 90	Library Performance Measures CLIB	Likely costs	Under Investigation
13 Nov 90	Greenway Crescent MES	Traffic control measures relocation of sand pit	Report October GPC
11 Dec 90	Year 2000 Sydney Olympics MFAS	Facilities for Western Sydney	Under investigation
12 Feb 91	Signs "You are Entering the City of Hawkesbury - A University City" MES	Costing on erection of signs	Report November GPC
12 Mar 91	Business Information Service CLIB	Guidelines for operation	Report November GPC

12 Mar 91	National Parks and Wildlife Service TC/GM	Council's position in any Committees in the Council area with the Service	Letter forwarded to Minister
12 Mar 91	Laneway Between Jackson's and the Pottery Shop to Windsor Town Centre MES	Installation of a light	Report October GPC
9 Apr 91	Athletics Track and Field Facilities MES	Possible locations, support - joint development with groups and organisations	Report October GPC
9 Apr 91	Provision of footpath MES	West of the Hawkesbury High School at Freemans Reach	Report November GPC
7 May 91	Windsor Function Centre MES	Better lighting - carpark	Report October GPC
11 Jun 91	Indoor Recreation Centre, Clarendon MFAS	Further report on revised costs	Report October GPC
11 Jun 91	Legal & Court Costs MFAS	Legal & Court costs and staff hours & costs over last 12 months	Under investigation
6 Aug 91	Rezoning MTP	East Richmond area fronting Richmond Road opposite Hayes Bros	Report October GPC
6 Aug 91	Community Relations Programme TC/GM	Funding Community Relations Grants	Report following response from Office of Local Government

6 Aug 91	Loan Funds TC/GM	Previously set aside for work on The Terrace	Report October GPC
6 Aug 91	Further Report MTP	Proposed subdivision Lot 2 DP 6655,33 Old Bells Line of Road, Kurrajong	Report October GPC
10 Sept 91	Heritage Advisory Committee MTP	Future Operation	Report November Ordinary
10 Sept 91	Crowleys Lane MES	Upgrading & damage done by farmers watering road	Report October GPC

4. 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 Approved	Type of Development	Date Received	Date
Aleva Developments P/L Lot 202 DP263472 3 Loder Crescent South Windsor	2 lot strata subdivision SA139/91	27/8/91	24/9/91
Aleva Developments P/L Lot 201 DP263472 3 Loder Crescent South Windsor	2 lot strata subdivision SA138/91	27/8/91	24/9/91
State One Constructions Lot 1315 DP802879 Deanne Place Bligh Park	2 lot strata subdivision SA149/91	4/9/91	24/9/91

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Town Clerk/General Manager's Report

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State One Constructions Lot 1324 DP802879 77 Neilson Crescent Bligh Park	2 lot strata subdivision SA142/91	30/8/91	24/9/91
State One Homes Lot 1326 DP802879 73 Neilson Crescent Bligh Park	2 lot strata subdivision SA143/91	30/8/91	24/9/91
Endeavour Homes Pty Ltd Lot 778 DP778220 25 Neptune Crescent Bligh Park	2 lot strata subdivision SA137/91	23/8/91	24/9/91
M & K Skillon Lot 2 DP596207 Laurence Street Hobartville	Video store DA200/91	8/8/91	23/9/91
S P Grant Constructions Pty Ltd Lots 16 & 17 DP792127, Wingate Road McGraths Hill	Construction of building for warehousing DA178/91	19/7/91	23/9/91
R Calvert Lot 6 DP438317 Argyle Street Windsor	Dual occupancy DA226/91	26/8/91	23/9/91
R Calvert Lot 6 DP438317 Argyle Street Windsor	2 lot subdivision SA134/91	26/8/91	24/9/91
G G & J T Kuipers Lot 14 DP806993 Speedwell Place South Windsor	Light engineering factory building DA110/90	26/8/91	12/9/91

Town Clerk/General Manager's Report

Ord. 08/10/91

C Muller & V Furse Lot 7 DP258061 538 Tennyson Road Glossodia	2 lot subdivision SA91/91	13/6/91	12/9/91
Anavak Pty Ltd Lot 1531 DP805976 Therry Street Bligh Park	2 lot strata subdivison SA121/91	7/8/91	12/9/91
Teniere Pty Ltd Lot 1531 DP805976 Therry Street Bligh Park	2 lot strata subdivision SA122/91	7/8/91	12/9/91
Anavak Pty Ltd Lot 1546 DP805976 Therry Street Bligh Park	2 lot strata subdivision SA123/91	7/8/91	12/9/91
Teniere Pty Ltd Lot 1547 DP805976 Therry Street Bligh Park	2 lot strata subdivision SA124/91	7/8/91	12/9/91
Anavak Pty Ltd Lot 1562 DP805976 Therry Street Bligh Park	2 lot strata subdivision SA125/91	7/8/91	12/9/91
Homestead Home Builders Pty Ltd Lot 665 DP775033 8 Dowe Place Bligh Park	2 lot strata subdivision SA116/91	26/7/91	6/8/91
J & H Sultana Lot 6 DP 239897 36 Commercial Road Vineyard	Dual Occupancy DA175/91	15/7/91	6/8/91

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Ord. 08/10/91

KCR Combined Real Estate Lot 1 DP58928 & Lots 3 and 4 DP535804 Nos 309-319 George St, Windsor	3 lot subdivision SA126/91	8/8/91	6/9/91
P Dean Lots 1 & 5 DP252546 49 Peat Place Lower Portland	Boundary adjustment SA120/91	5/8/91	16/9/91
G Lette Lot 2 DP247521 2 Monti Place North Richmond	Dual occupancy DA182/91	23/7/91	6/8/91
R Dent Lot 131 DP807321 18 Walker Street South Windsor	Erection of factory / warehouse for a cabinet joinery DA177/91	17/7/91	6/8/91
Hawkesbury City Council Lot 1 DP721491 Lot 2 DP579016 & Lot 239 DP771344 cnr Ham & Stewart Sts South Windsor	4 lot subdivision SA129/91	15/8/91	6/9/91

5. RECYCLING REBATE. GW10/19 PT1

The Minister for the Environment, The Hon Tim Moore, has presented Council with a cheque for \$4,319.14 which represents a rebate of \$17.50 per tonne for the 247 tonnes of recyclable materials collected by Council during the second quarterly period in 1991 of the Council Recycling Rebate Scheme. This is prior to the commencement of the house to house scheme and shows the success of the previous district-based operation. Hawkesbury is in the outer metropolitan group and came fifth in order of kilograms per person per year collected, being in front of Liverpool, Penrith and Wollondilly.

Interesting to note is that while, during that period, nineteen kilograms per person per year, were collected in Hawkesbury, the leading area of Woollahra collected 90.4 kilograms per person per year.

6. IBM JX COMPUTER. GL20/16 PT1.

The library received an IBM JX computer funded from State Government grants in 1986. This was used to provide access to the statewide electronic mail network now known as Ilanet.

The library now uses its Apple Macintosh computer to access this network because of its ease of operation, increased power and storage capacity.

Because the IBM JX has limited use it is proposed to offer this to a Council sponsored long day care centre. The Public Libraries Branch, State Library of New South Wales has given clearance for this to happen.

7. AUSTRALIAN LIBRARY WEEK, 20TH-27TH OCTOBER, 1991. GC30/24 PT1

The theme this year is "Thrills and skills at your library".

FOHL (Friends of Hawkesbury Library) will be providing the funds to sponsor this year's celebrations and promotion of the library service.

The programme features a special session for Aldermen on Monday night, 21st October to introduce the Aldermanic & Staff Library and other services.

The week's programme will be launched on Sunday, 20th October, with a visit to the central library by two clowns providing displays of juggling, magic and face painting, followed by a film showing in the Tebbutt Room.

A special highlight of the week will be a talk by the award winning Australian children's author, Simon French on Sunday, 27th October.

The week's activities include introductions to family history, the use of the library's on-line public access catalogue (OPAC), tours of the library and work area, a clown craft session and pre-school storytime for children, and library trivial pursuit for

young adults with a prize offered to the winner by Angus & Robertson, and on Friday FOHL will hold a mammoth book sale and devonshire teas in the Tebbutt Room.

This is the first major library promotion funded by FOHL.

8. AUSTRALIANA PIONEER VILLAGE. G150/4

Set out below are the financial details relating to the operation of the Australiana Pioneer Village for September, 1991

Income

Gate Takings	\$10213.50
Other (including rental and filming)	\$278.32
	\$10491.82

Less

Costs providing income	\$750.00
	\$9741.82

Overheads

Grounds maintenance	\$4375.00
Attendants wages	2800.00
Animal feed	1083.00
Service & administration costs	1000.00
Promotions	1667.00
Printing and stationery	417.00
Train Maintenance	250.00
	\$11592.00
Net Loss	(1850.18)

Total attendances for September 1991 were:

Adults	1488
Children	2171
Pensioners	313
	3972

Overall attendances for September showed an increase over previous years.. Having regard to the general economic conditions and falling attendance levels at other tourist venues in greater Sydney, it appears that the present selective promotional activities coupled with discount gate admissions (\$10 family, \$5 adult, \$2.50 children and \$3.50 pensioners) have been successful.

During September an onsite meeting was conducted with the proprietor of the "Nepean Belle", paddleboat, operating at Penrith, who has applied to operate a vessel on the Hawkesbury River. It was indicated that the Village could form an integral part of the tours proposed to be operated along the river, with the vessel docking possibly at the end of Buttsworth Lane. Whilst it is not possible to project levels of patronage on the cruises, research conducted by the operator indicates that, should the operation proceed, a significant injection of income to the Village could reasonably be expected.

The Macquarie Towns Motorcycle Preservation Club held a show day on 22nd September with over 100 motorcycles on display. Coverage of the event extended to the Channel 7 news and some coverage in the metropolitan press.

The Penrith Ballet Group provided a display of dance and have offered to return to the Village for future demonstrations.

As anticipated, bookings for Christmas functions are continuing, and it is noted that income generated from these bookings will assist in improving the operational viability of the Village.

9. GRAHAM PRICE PTY LTD - PITT TOWN ROAD - MCGRATHS HILL. P1641/700 RC/VG

Council has resolved to commence legal proceeding against Graham Price Pty Ltd to obtain abatement of the odour nuisance being experienced by some neighbours.

Proceedings have begun in the Land & Environment Court to obtain compliance with the conditions of Development Consent relating to the interference with the amenity of the neighbourhood and the emission of offensive odours. Council's Solicitor had suggested to the Court that a mediation conference should take place, however, Graham Price Pty Ltd advised they were not prepared to have such a conference until such time as a conference had been held to discuss the various issues. At the Issues Conference on 1st October 1991, Council's Solicitor advised that the only issue was the fact that the development was not being carried out in accordance with conditions of Development Consent and that Council wanted to obtain such compliance. It was again suggested to Graham Price Pty Ltd that mediation should take place, however, the Company Solicitor advised that they were not prepared to consider mediation until such time as Council's evidence was available for their perusal.

The Court ruled that Council is to file its evidence by 29th November this year and that Graham Price Pty Ltd is to file its evidence by 28th February 1992. The matter has been relisted for a mention, only, on 5th March 1992 for the Court to determine the then position of both parties.

Two members of the Concerned Citizens of McGraths Hill for Clean Air were present at the Court and requested leave of the Court to attend as their Solicitor from the Environmental Defenders Office was unable to attend. Although Council's Solicitor raised no objection to their presence, the Solicitor for Graham Price did object and they were not able to observe the conference.

10. MUSHROOM COMPOSTERS PTY LTD - POST OFFICE ROAD, EBENEZER. P1609/110 RC/VG

Council has resolved to commence legal proceedings against Mushroom Composters Pty Ltd to obtain abatement of the odour nuisance being experienced by some neighbours.

Proceedings have begun in the Land & Environment Court to obtain compliance with conditions on the Development Consent relating to the interference with the amenity of the neighbourhood and the emission of offensive odours. At the agreement of both parties the Court ruled that a mediation conference should take place.

At the conference on 24th September 1991, the Court stated that there appeared to be an opportunity for movement on each side. Mushroom Composters is not required to file its evidence with the Court for some time after Council has done so, and the Court indicated that it would be looking to a date in March next year before it would expect Mushroom Composters to file this evidence. Further, the Court advised that the matter could not be heard for some time.

Although Council's Solicitor has obtained basic information from each prospective resident witness, formal affidavits need to be prepared and consult with witnesses.

Mushroom Composters Pty Ltd has submitted Development Application to Council to implement a proven overseas composting technique which employs aerobic conditions and, according to the Company, is odour free.

Mediation centred on this Development Application and it was agreed that, in consideration of this application and the likely lengthy delay in obtaining a hearing, the Court would adjourn the matter on the undertaking of the Company that should its Development Application be approved, it will submit a Building Application within one month of notification of such approval and, complete Stage I of its redevelopment, which represents 25% of current production, within six months of approval of the Building Application. Either party may relist the matter before the Court on seven days' notice.

The other two stages of the redevelopment will be completed at the conclusion of mushroom growing trials. It is still open to Council to relist the matter should Stages II and III not be completed within a reasonable time frame or the Development Application is refused.

Considering the likely lengthy delay in obtaining a hearing, the adjournment should provide relief for neighbours sooner than if the legal proceedings went to hearing. A decision as to cost was not given.

A Solicitor from the Environmental Defenders Office which represents the Ebenezer Concerned Residents was permitted to be present at the conference after giving an undertaking of confidentiality to Mushroom Composters Pty Ltd, as discussion did take place on their proposed new composting techniques. The Solicitor is able to advise his clients only on the outcome of the conference.

11. BLIGH PARK ESTATE. GT130/1

All road and drainage works for Bligh Park have been completed.

The final seal for Precincts 23 and 24 and Rifle Range Road have been placed. Precinct 25 seal will be completed as housing development progresses.

A further tree planting programme has been awarded to Greentoes Nursery.

The trunk drainage works between Thorley Road and Richmond Road have been completed. Adjustment of sewer connections is being undertaken in Precincts 27 and 28, with work still to be completed by Prospect Electricity and Telecom.

Quotations for the construction of traffic facilities have now been invited.

12. PUBLIC WORKS. S205/3/A

ROAD RECONSTRUCTION

The Driftway

Work has continued during September, with construction of the longitudinal drain and road formation between Reynolds Road and Luxford Road, with installation of the culvert near Luxford Road under way.

Tasman Place, Windsor

Construction of kerb and gutter and associated roadworks past Bede Polding College is proceeding.

KERB & GUTTER AND FOOTPATH PAVING

Extension of kerb and gutter, construction of drainage pit and pavement sealing in laneway behind the east side of South Windsor shopping centre.

Completion of footpath reconstruction work George Street and Richmond Road, Windsor.

DRAINAGE

Installation of pipeline and construction of inlet pits at intersection George and Drummond Streets, Windsor.

FLOOD AND STORM DAMAGE

Pavement repairs Cornwallis Road, Cupitts Lane and Cordners Corner.

Replacement of the toilet block on the Reserve adjacent to Sackville Ferry is complete.

Construction of the toilet facilities under the building, Macquarie Park.

OTHER WORKS

Attention to footpath restorations, Fitzgerald Street, Windsor; Bells Line of Road, North Richmond; March, Windsor and West Market Streets, Richmond.

Kerb and gutter repairs Duke Road, Wilberforce; Drummond and Campbell Streets, Windsor.

Preparation of pavements to provide for completion of the reseal programme as the warm weather arrives is under way.

PARKS AND GARDENS

Installation of playground equipment in Mason Park, Windsor.

Fencing to assist in traffic regulation in McMahons Park, Kurrajong.

BUILDINGS

Bilpin Hall

Work continued during the month with fitting out, tiling, plumbing and electrical work to provide for completion this month.

Richmond Grandstand

Work has continued with replacement of timbers, both internally and externally.

SEWERAGE

McGraths Hill Wastewater Plant

Average Daily Flow - 1,875kl/day with 741kl/day utilised on irrigation.

Dragline cleaning of the detention ponds.

South Windsor Wastewater Plant

Average Daily Flow - 1,512kl/day

Installation of a new motor on aerator serving the biological reactor.

Pump Stations

Installation of the pump station alarm system has been taken a stage further with installation of a reader at the South Windsor works.

The chamber stirrer (agitator) at Station "M" (Colonial Drive) has been replaced.

Sewers

Attention to nine mainline sewer blockages. It was necessary to rebuild the stack over the main at 293 Macquarie Street, Windsor and to raise a manhole at 46 Andrew Thompson Drive which had been buried.

South Windsor Wastewater Plant Stage II Construction

Installation of the mechanical equipment for the various components is well advanced with the electrical contractor scheduled to commence on 2nd October.

The main contractor, Kingston Industries, is at cleaning up and reinstatement stages and installation of equipment components required under the civil contract.

Windsor Downs

A small extension of the reticulation mains has been undertaken by the developers.

13. ERECTION AND MAINTENANCE OF LINES AND SIGNS - WSROC TECHNICAL COMMITTEE. GT230/10 PT5

Advising details of a letter forwarded to the Regional Director, Roads & Traffic Authority, concerning linemarking and erection of regulatory signs that have been authorised by Council's on advice from the Local Traffic Committee.

Expressing concern that:-

- a) no signs as approved have been erected, other than those which are a safety issue for 1991.
- b) the maintenance standards have deteriorated markedly, particularly in regard to linemarking.

- c) apparent breakdown in communication which is occurring between the RTA, Councils and other authorities regarding traffic facilities.
- d) the lack of advice and action to be taken in the 1991/92 budget for the undertaking of the works, funding and responsibility.

Finally, indicating that the responsibility will be transferred to Councils with inadequate funding provided by the RTA thus requiring Council to meet the shortfall.

14. WINDSOR FUNCTION CENTRE GC283/45 PT3

The management and operation of the Windsor Function Centre has been undertaken by Wilson Catering Services Pty Ltd since 1 July 1990 pursuant to the terms of a lease agreement with Council.

On Thursday 26 October, 1991, action was taken to terminate the lease agreement and resume possession of the Centre. Such action was taken in view of rental default by the lessee and the proposed liquidation of the company.

Action has further been initiated to invite expressions of interest for the future leasing of the Centre, in accordance with the principles previously adopted by Council and, following receipt of submissions, this matter will be further reported.

In the interim, a caretaker/manager has been appointed and there will be no disruption to the general operations of the Centre.

Action has also been initiated to address a number of maintenance items requiring attention.

15. TREE PRESERVATION ORDER GE20/31 PT1

The following is a list of City areas in which inspections have been undertaken during the month of September, 1991, with regard to Tree Preservation Order applications:

Tinda Creek - Colo Heights
Upper Colo

Lower Portland
Sackville

Bilpin
Windsor Downs Estate
Bligh Park
Hobartville
Mulgrave
Grose Vale
East Kurrajong
Kurrajong
Diamond Hill

Ebenezer
Freemans Reach
North Richmond
Wilberforce
Windsor/South Windsor
Maraylya
Glossodia
Richmond

A total of 88 (eighty eight) inspections have been dealt with resulting in 50 (fifty six) approvals 27 (twenty seven) part approvals and 5 (five) refusals.

As required by Council, where matters are contentious or applicants are aggrieved by the decision, there will be a further report to Council.

16. PROPOSED TOURIST FACILITY RICHMOND ROAD, CLARENDON (DA 189/91) AND PROPOSED AMUSEMENT CENTRE, GEORGE STREET, WINDSOR. (DA223/91)

Council is referred to Items 5 & 6 in the Planning and Development Section of this Business Paper.

Council at its meeting of 1st October, 1991, resolved that further reports on the above proposals be reported to the Ordinary meeting of 8th October, 1991, and these will be available at the meeting.

IT IS RECOMMENDED THAT the reports in this section be received.

CORRESPONDENCE FOR INFORMATION

1. CAPITAL ASSISTANCE PROGRAM - PREMIER OF NEW SOUTH WALES.
GG21/47 PT6

Referring to representations expressing concern over the future of the Capital Assistance Program. Advising that the program will be retained for 1991-92.

2. PENALTY NOTICES - ENVIRONMENTAL OFFENCES AND PENALTIES
(AMENDMENT) ACT 1990 - MINISTER FOR THE ENVIRONMENT. GL10/2
PT7

Referring to Council's letter dated 17th July 1991 concerning the issuance of penalty notices for offences under the Environmental Offences and Penalties (Amendment) Act 1990.

Forwarding Council's letter to the Ministry for the Environment for further consideration.

3. AFFILIATION FEE - NEPEAN-HAWKESBURY CATCHMENT
MANAGEMENT COUNCIL. GN5/2 PT10

Advising that the NHCMC affiliation fees for 1992 will remain at \$4,200, and requesting that Council include this figure in the estimates for 1992.

4. GENERAL CIRCULAR 12/1991 - LOCAL GOVERNMENT AND SHIRES
ASSOCIATIONS OF NSW. GC70/4 PT12

1. Local Government's Role in Arts and Cultural Development
2. Commonwealth/Local Government Community Relations Program
3. Rural Access Program (RAP)
4. Accreditation for the Language Skills of Council Staff
5. 4th National Local Government Community Development Conference
6. Albert Mainerd Scholarship - 1992

7. Review of Ordinances concerning Wharves and Waterways
8. Legal Officer
9. Proposed Bachelor of Building Surveying Degree Course
10. Graduate Diploma in Building Surveying and Assessment
11. Establishment of a Centre/Institution of Education and Training in Land Information Management
12. Part 59 Ordinance 70 - Competent Persons
13. Waste Disposal Strategy for the Sydney Region
14. Inquiry into Regulation of Intrastate Aviation
15. Improved System for Vehicle Inspection Certificates (Pink Slips)
16. Higher Education Contribution Scheme
17. Industrial Arbitration (Unfair Dismissal) Amendment Act 1991

5. CONSTRUCTION OF NEW HAWKESBURY HOSPITAL - MINISTER FOR HEALTH, NSW. DA330/90

Advising that details of funds available in 1991/92 will be confirmed in the State budget.

6. ELECTION OF LORD MAYOR AND DEPUTY LORD MAYOR - PARRAMATTA CITY COUNCIL. GE1/2 PT3

Advising that the following Aldermen were elected into Office for the ensuing term:

Lord Mayor - Ald. John Edward Haines OAM
Deputy Lord Mayor - Ald. Paul John Garrard

7. ELECTION OF LORD MAYOR AND DEPUTY MAYOR - THE COUNCIL OF THE CITY OF HOLROYD. GE1/4 PT1

Advising that the following Aldermen were elected into Office for the ensuing term:

Lord Mayor - Ald. A G Ezzy
Deputy Mayor - Ald. S Graham

8. SPEED LIMIT - STANNIX PARK ROAD, WILBERFORCE - ROADS & TRAFFIC AUTHORITY. 1911/R PT1, GT230/7 PT1

Referring to Council's representations on behalf of Mr J McGready, requesting speed limit signs on Stannix Park Road, Wilberforce and advising that for approximately 1km from the Putty Road will be signposted as a 60kph speed limit with the remainder of the road to be signposted as 80kph.

9. COLO RIVER BRIDGE - MR W MURRAY MP, DEPUTY PREMIER. GR70/15 PT1

Referring to Council's letter seeking information in the programming of the construction of the Colo River Bridge and advising that the design of the bridge has been completed and the Roads & Traffic Authority is currently undertaking design work for the approaches to the bridge.

Also advising that as all available funds are being directed towards maintenance and rehabilitation works, it was not possible at this stage, to indicate when the planned works will be undertaken.

10. RICHMOND PARK - MR M APPLETON. PK/202 PT2

Expressing appreciation for the high standard of work and attention being carried out in the gardens at this Park, for the enjoyment of the public.

11. FLOOD FREE ACCESS WEST OF THE HAWKESBURY RIVER - ROADS & TRAFFIC AUTHORITY. GR120/20 PT1

Advising that the Authority will proceed with Stage 2 of the study regarding flood free access west of the Hawkesbury River in the near future. However, the construction of any work that may be recommended in the Study is beyond the current five year programme.

12. MINUTES OF EXECUTIVE MEETING - NSW FLOOD MITIGATION
AUTHORITIES. GR60/31 PT2

Forwarding a copy of Minutes of the meeting of the Executive held in Sydney on Thursday, 22nd August, 1991.

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