

HAWKESBURY CITY COUNCIL GENERAL PURPOSE COMMITTEE



Where People Make the Difference!

BUSINESS PAPER

DATE OF MEETING: 29 November 1994

LOCATION: Council Chambers

TIME: At the conclusion of the Special Meeting

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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."*

HAWKESBURY CITY COUNCIL GENERAL PURPOSE COMMITTEE



Where People Make the Difference!

SUPPLEMENTARY BUSINESS PAPER

DATE OF MEETING: 29 November 1994

LOCATION: Council Chambers

TIME: 9:30am

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GENERAL PURPOSE COMMITTEE

Business

Meeting Date: 29 November 1994

AGENDA

- **APOLOGIES.**
- **CONFIRMATION OF MINUTES.**
- **SECTION 1 - ENVIRONMENT.**
- **SECTION 2 - INFRASTRUCTURE.**
- **SECTION 3 - ORGANISATION AND RESOURCES.**
- **NEXT MEETING.**

GENERAL PURPOSE COMMITTEE



SECTION 1 ENVIRONMENT

GENERAL PURPOSE COMMITTEE - ENVIRONMENT

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ITEM 95: RETAIL PROPOSALS - SPECIAL MEETING**FILE NUMBER: GM001/019 PT2; GT225/016 PT02/GMA**

REPORT:

It is proposed to hold a Special Meeting on the evening of Wednesday, December 14, 1994 commencing at 7.00 pm to consider the six (6) retail proposals currently before the Council and the report addressing retail that forms part of the Economic and Employment Study.

It is a particularly busy time of the year and it is appreciated that the retail proposal is one of the largest considered by Council and has the potential of significant impact both positive and negatively.

At this stage it is proposed that the meeting would commence at 7.00 pm with both proponents and those making submissions having 15 minutes to address the Council and then the matter debated. It is expected that up to 10 groups would wish to address the meeting thus making 2^{1/2} hours of submissions prior to any discussion and debate by the Council.

It is noted that not all members of the Council would agree with the proposal and accordingly the matter is put forward for information and any debate.

RECOMMENDATION:

For the information of Council.

ATTACHMENTS:

There are no supporting documents for this report.

FN:ENB29LCX.G16

****** END OF ITEM 95 ******

**HAWKESBURY CITY COUNCIL
GENERAL PURPOSE COMMITTEE**

END OF BUSINESS PAPER

How Council Operates...

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

The twelve Councillors 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 eighteen 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...

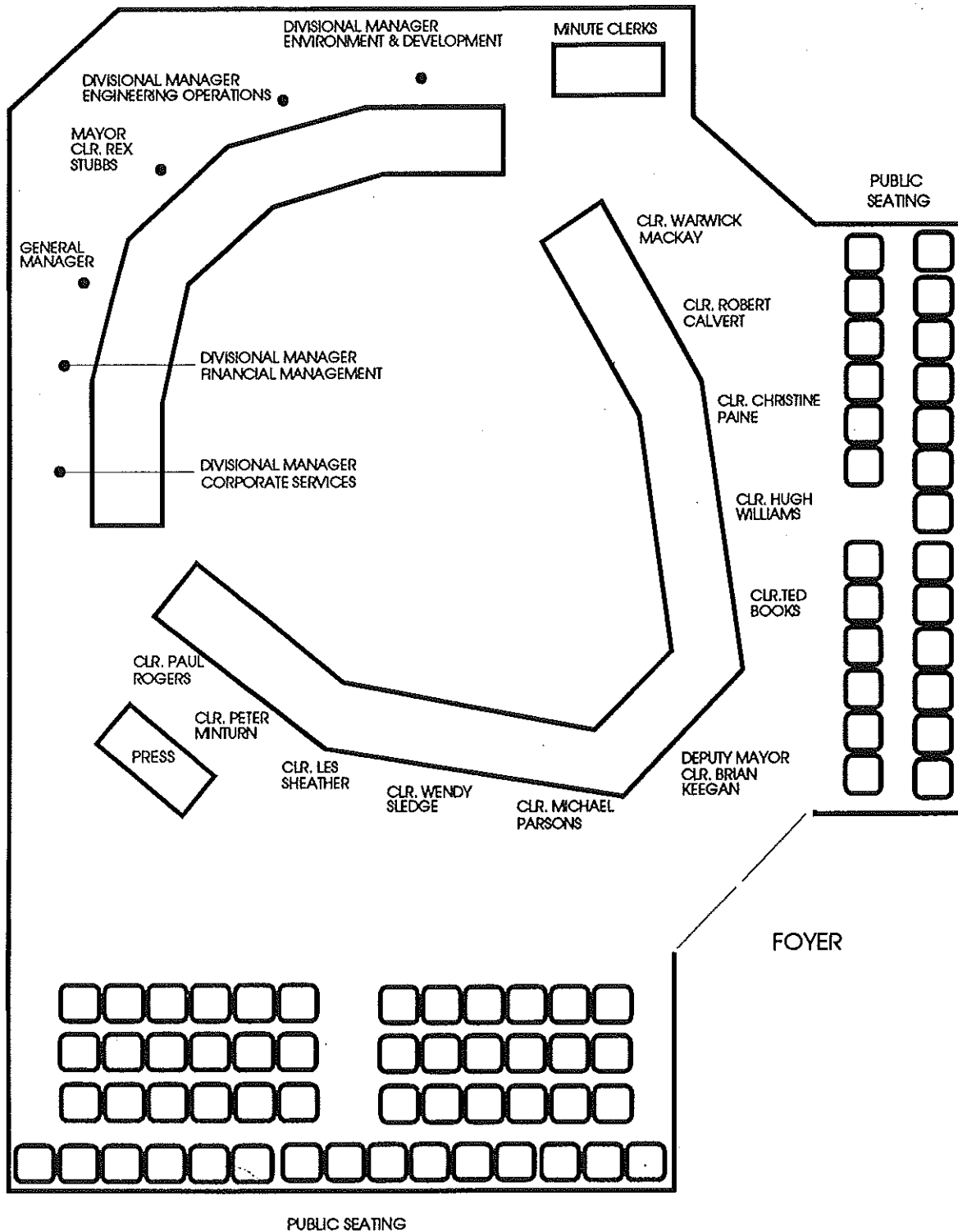
Members of the public can request to speak about a matter that is before the Council at the General Purpose Committee Meeting. The Mayor will invite interested persons to address the Committee when the matter is being considered.

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. Councillors 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



GENERAL PURPOSE COMMITTEE

Business

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AGENDA

- **APOLOGIES.**
- **CONFIRMATION OF MINUTES.**
- **SECTION 1 - ENVIRONMENT.**
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Minutes of the Meeting of the General Purpose Committee held at the Council Chambers, Windsor, on 1 November 1994, commencing at 9.40 am.

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

Apologies for absence were received from Councillors W J Mackay and W J Sledge. Calvert .

RESOLVED on the motion of Councillor Parsons and seconded by Councillor Sheather that the apologies be accepted.

Councillor Williams arrived at 9.47 am, Councillor Rogers at 9.50 am and Councillor Calvert at 10.25 am. Councillor Stubbs left the meeting at 4.00 pm.

RESOLVED on the motion of Councillor Parsons and seconded by Councillor Books that the Minutes of the General Purpose Committee Meeting held on the 1 November 1994, be confirmed.

The following recommendations were passed as resolutions of the Committee:

SECTION 1 - ENVIRONMENT

71: RESIDENTIAL FLAT BUILDING - LOT 19 DP4906 6 TOXANA STREET, RICHMOND - APPLICANT: A KRIKETOS (DA236/94/EVD)

Owner:	A Kriketos
Stat. Provisions:	Hawkesbury Local Environmental Plan 1989
Area:	1,207.20m ²
Zone:	Residential 2(c)
Advertising:	Adjoining owners, 2 submissions received
Date Received:	25 August 1994

Mr Bradshaw, an objector, addressed the Committee.

Key Issues:

- ♦ Drainage
- ♦ Existing trees
- ♦ Vehicle manoeuvring area

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Action:

Approval

A SITE INSPECTION be carried out.

72: FUNCTION AND RECEPTION CENTRE FOR WEDDINGS, PARTIES AND THE LIKE - ESTABLISHMENT - LOT 2 DP554831 1355 KURMOND ROAD KURMOND - APPLICANT: MR F HENRY (DA216/94/EVD)

Owner: Mr F Henry
Stat. Provisions: Hawkesbury Local Environmental Plan, 1989
Area: 6.666ha
Zone: Rural 1(b)
Advertising: Adjoining owners notified with 24 submissions received
Date Received: 15 August 1994

Key Issues:

- ◆ Amenity
- ◆ Traffic
- ◆ Submissions
- ◆ Objectives of the zone

Action:

Refusal

Mrs Jan Wood and Mr Rob Cumming objectors addressed the Committee.

THAT THE APPLICATION be refused for the following reasons:-

1. The development will adversely affect the amenity of the area, particularly by way of noise.

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2. The proposal is not in the public interest.
3. The proposal is contrary to the objectives of the zone.
4. The proposed development is out of character with the locality.

**73: DUAL OCCUPANCY TWO ATTACHED DWELLINGS - LOT 628 DP260381 85
ANDREW THOMPSON DRIVE, CORNER ROBERTS PLACE, MCGRATHS HILL -
APPLICANT: J A ANZINI DRAFTING AND BUILDING SERVICES (DA223/94/EVD)**

Owner: P & V Barbara
Stat. Provisions: Hawkesbury Local Environmental Plan 1989
Area: 551m²
Zone: Residential 2(a)
Advertising: To adjoining owners for 14 days, one submission received
Date Received: 17 August 1994, amended plan received 11 October 1994

Key Issues:

- ♦ Privacy and Overlooking
- ♦ Flooding
- ♦ Character and External Appearance

Action:

Approval

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

1. Ground floor covered courtyards are not to be converted to habitable floor space and rear courtyard windows to be deleted.

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General Manager

Mayor

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2. A contribution of \$1,738 being a contribution for recreational buildings, park improvements and community facilities as a consequence of medium density development (residential flats, villas, townhouses, dual occupancy etc). This contribution shall remain fixed until 30 June 1995, after which time it will be recalculated at the rate applicable at the time of payment. Payment shall be made prior to the release of the building approval.
3. Provision of satisfactory vehicular access to the land to the requirements of the Divisional Manager Engineering Operations.
4. Construction of Council's standard residential footway vehicular crossings to suit the accesses to the site with a minimum width of 3m (three) each.
5. Submission of a building application, plans and specifications complying with the Building Code of Australia.
6. 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.
7. 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.
8. A detailed plan of landscaping shall be submitted and approved by the Divisional Manager Environment and Development prior to the approval of the building application. Such landscaping is to be completed prior to the occupation of the building and shall be maintained for the life of the development.
9. 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.
10. The development shall be carried out in accordance with Plan No. 940601A1, dated 21 October 1994.
11. Submission of a soil erosion and sedimentation control plan with the Building Application.

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74: ADDITIONS TO SERVICE STATION - LOT 2 DP706131 1255 BELLS LINE OF ROAD KURRAJONG HEIGHTS - APPLICANT: L & G GRAHAM (DA125/94/EVD)

Owner: Ironpass Pty Ltd & Dunromin
Stat. Provisions: SEPP11 - Traffic Generating Development
Hawkesbury Local Environmental Plan 1989
Area: 1,408m²
Zone: Business General 3(a)
Advertising: Adjoining owners notified with no submissions received
Date Received: 26 May 1994

Key Issues:

- ◆ Visual impact
- ◆ Car repair station
- ◆ over development of the site
- ◆ impact upon heritage item
- ◆ traffic

Action:

Refusal

Mr Don Shaddick, Mrs Bev Maxwell, Tony Ryan, addressed the Committee for the applicant and Mrs Peta Trahar, Mrs Esme Bell, Mr Peter Fay, objectors, addressed the Committee.

1. REFUSAL FOR THE following reasons:-

1. The development has an unsatisfactory appearance.
2. The development incurs significant visual impact upon the heritage item on the site.
3. The orientation of a car repair station towards Douglas Street is unsatisfactory.
4. The location of car parking for the car repair station inside the building is unsatisfactory.
5. The proposal is an over development of the site.

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6. The attraction of vehicular traffic to Douglas Street will adversely affect the character of Douglas Street.
 7. The upgrading of Douglas Street to provide suitable access will adversely affect the character of Douglas Street and could result in the removal of significant vegetation.
 8. The development requires the removal of all significant vegetation on the site.
 9. The development is incompatible with the grouping of heritage buildings in close proximity to the site.
2. A Development Control Plan for Kurrajong Heights be put in place.

**75: MUSHROOM GROWING OPERATION - PROPOSED LOT 12 IN LOT 1 DP507936
NO 124 TIZZANA ROAD, EBENEZER - D TOLSON (DA132/94/EVD)**

Owner: I & L Dunn
Stat. Provisions: Hawkesbury Local Environmental Plan, 1989
Sydney Regional Environmental Plan No. 20 Hawkesbury Nepean River
Area: 13.62ha
Zone: Environmental Protection (Scenic) 7(d1)
Advertising: Advertised to adjoining owners with 8 submissions received
Date Received: 1 June 1994

Key Issues:

- ◆ Water Quality
- ◆ Visual Impact
- ◆ Traffic
- ◆ Odour
- ◆ Rural Worker's Dwelling
- ◆ Right of Way

Action:

Approval with conditions

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Mr D. Tolson, applicant, addressed the meeting

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

1. The development shall be carried out in accordance with Plan No. 87594 dated 21 May 1994.
2. All site works shall be carried out in accordance with Plan No. 341 dated 23 April 1994.
3. Submission of a building application, plans and specifications complying with the Building Code of Australia.
4. All access to, and manoeuvring around, the mushroom growing rooms and peak heat spawning rooms, to be constructed with a sealed pavement.
5. Construction of a sealed rural type access to the site.
6. Submission of a sedimentation and erosion control plan for consideration with the building application.
7. No advertising structures to be erected, displayed or affixed on any building or land without the prior approval of Council under Ordinance 55 of the Local Government Act.
8. All solid and liquid wastes arising from the growing rooms and dwelling 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. The washdown water after treatment is to be used for irrigation of landscaped areas and is not to be discharged into the Hawkesbury River.
9. The earthmound along the Tizzana Road frontage shall be provided 3 (three) metres high.
10. A detailed plan of landscaping shall be submitted and approved by the Divisional Manager Environment and Development prior to the approval of the building application. Such landscaping is to be completed prior to the occupation of the building and shall be maintained for the life of the development. Landscaping shall screen the development from Tizzana Road and adjoining properties.

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11. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.
 12. 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.
 13. The spillage of light, if any, shall be controlled to the satisfaction of Council.
 14. The noise control measures recommended in the report dated 7 October 1994 by James Madden Cooper Atkins Pty Ltd being implemented.
 15. All mushroom compost shall, upon receipt at the site, be immediately loaded into the growing rooms.
 16. The external storage of mushroom compost is prohibited.
 17. All spent mushroom compost shall be immediately removed from the site.
 18. All effluent shall be treated with an aerated treatment plant, in accordance with the report from Biocycle dated 26 August 1994. Details to be submitted with the building application.
 19. Parking shall be provided at the following rates:
 - Stage 1 - 15 spaces
 - Stage 2 - an additional 5 spaces
 - Stage 3 - an additional 10 spaces
 - Stage 4 - an additional 10 spaces.
- Parking spaces, accessways and aisles to conform to Council's Development Control Plan and are to be constructed with a sealed pavement, drained and marked. Details to be submitted with the building application.
21. 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.
 22. 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 Divisional Manager Environment and Development prior to occupation or use of the building.

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23. All trucks shall have their loads suitably covered.
24. The right of way providing access to the adjoining lot shall be extinguished, subject to approval of the benefiting party. Documentary evidence shall be submitted with the Building Application.
25. Substantial stormwater capacity is to be left in wash down catch dam at all times.
26. No composting is to be made on site.

76: OAKVILLE SCHOOL - LOTS 252 AND 253 DP752050 NO. 159 OAKVILLE ROAD, OAKVILLE - DEPARTMENT OF SCHOOL EDUCATION (DA273/93/EVD)

THAT COUNCIL ACCEPT the modified conditions as outlined above and issue a modified consent.

77: TOURIST FACILITY - LOT 18 DP753784 & PT PORTION 19 PARISH OF HAWKESBURY 79 GREENS ROAD, LOWER PORTLAND - APPLICANT: DAVID HOOKER (DA174/94/EVD)

Owner:	Padaso Pty Ltd
Stat. Provisions:	Hawkesbury LEP, 1989 SREP 20 - Hawkesbury Nepean River SEPP 11 - Traffic Generating Development
Area:	29.18ha
Zone:	Environmental Protection (Scenic) 7(d)
Advertising:	Adjoining owners notified with nine submissions received
Date Received:	8 July 1994

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Key Issues:

- ◆ Flooding
- ◆ Existing Caravan Park
- ◆ Bushfire
- ◆ Visual Amenity
- ◆ Traffic
- ◆ On-site Disposal of Effluent
- ◆ Nature of Occupancy

Action:

Approval with conditions

Mr D Hooker, applicant and Mr Powell, Mr Von Bergen, Ms Whitmont, objectors, addressed the meeting.

THAT THE application be refused because -

1. It is essentially similar to elements of proposals that have previously been rejected by Council and by the Department of Planning.
2. It is contrary to the objectives of the 7(D) Zone, especially Clauses A & E.

78: SUBDIVISION TO CREATE TWO ALLOTMENTS - LOT 3 DP803879 663 GROSE VALE ROAD, GROSE VALE. APPLICANT: MR A O'GRADY (SA108/94/EVD)

Owner:	Grose Vale Properties Pty Ltd
Stat. Provisions:	Hawkesbury LEP and State Environmental Planning Policy No. 1
Area:	6.36ha
Zone:	Rural 1(c1)
Advertising:	Not required
Date Received:	23 September 1994

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General Manager

Mayor

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Key Issues:

- Heritage
- Non Compliance with HLEP
- SEPP1 Objection

Action:

Approval with conditions

THAT THE APPLICATION not be supported with grounds for refusal to be submitted to the Ordinary Meeting.

79: ADDITIONS TO SHOPPING CENTRE - LOT 45 DP838321 AND LOT 3 DP77853 29 & 34 ELDON STREET, PITT TOWN - APPLICANT: IRONRACE PTY LTD (DA188/94/EVD)

Owner: Ironrace Pty Ltd
Stat. Provisions: Hawkesbury LEP 1989
Area: 2,192m²
Zone: Business General 3(a) and Residential 2(a)
Advertising: Adjoining owners notified with 2 submissions received
Date Received: 20 July 1994

Key Issues:

- ♦ Legality
- ♦ Car Parking
- ♦ Amenity

Action:

Approval with conditions

Mr G Edds, for the applicant, addressed the meeting

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THAT THE APPLICATION be approved subject to:-

1. The development shall be carried out in accordance with Plan No. A5/27, dated July 1994.
2. Submission of a building application, plans and specifications complying with the Building Code of Australia.
3. Payment of a sewer headworks contribution to Council of \$1,352 (one thousand three hundred and fifty two). This contribution shall remain fixed for a period of 3 (three) months after which time it will be recalculated at the rate applicable at the time of payment. Payment shall be made prior to the release of the building approval.
4. The construction of concrete kerb and gutter, brick paving to match that existing in the area including steps, retaining walls and including steps, retaining walls and safety rails and all necessary drainage, together with the full construction of the adjacent road shoulder of the frontage of the site where not already provided together with the construction of any works to make this effective.
5. Construction of Council's standard heavy duty footways and layback vehicular crossings to suit the access to the site.
6. Removal of the existing redundant layback crossings and replacement with concrete kerbs and gutters and the restoration of the footway areas.
7. 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 Divisional Manager Engineering Operations and the Roads and Traffic Authority for Chatham Street.
8. 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.
9. A design checking and inspection fee of \$250 (two hundred and fifty) to Council plus RTA fees as requested must be paid when submitting engineering plans for approval prior to construction. This amount is valid until 31 December, 1994.
10. Council shall be consulted regarding acceptable discharge limits to sewer prior to commencement of any works. Preliminary investigation may be required and results submitted to Council. A Trade Waste Agreement shall be entered into with Council

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prior to discharge of Trade Waste from the premises. Full details of the proposed waste stream, final treatment processes etc, are to accompany the Trade Waste Application. Details of all control devices are to be submitted for approval with the building application.

11. The construction of a new sewer line in Chatham Street and under shop 1 substantially as shown on the submitted plan. The line is to be concrete encased under the building. Council will pay for the line in Chatham Street from the existing manhole to and including the new manhole. Details of the quotation are to be submitted for approval of the cost prior to commencement of the works.
12. The sewer is to be a minimum of 150mm (one hundred and fifty) up to the connection to the existing house service sewer line.
13. The redundant house service line and the manhole is to be removed and the sewer line capped off.
14. The creation of an easement for sewerage over the existing house service line through the site benefiting Council free of cost to Council.
15. The dedication of a 3m (three) x 3m (three) splay corner at the intersection of Chatham and Eldon Streets free of cost to Council.
16. All sewer from the site to be connected to the proposed manhole in the open yard.
17. No advertising structures are to be erected, displayed or affixed on any building structure or land without the prior approval of Council. Any such advertising structure erected or displayed without prior approval will be removed and disposed of at the expense of the advertiser.
18. Submission of a soil erosion and sedimentation control plan with the Building Application.
19. Compliance with Council's Code for the construction and fitting out of Food Premises.
20. Parking shall be provided for 20 (twenty) vehicles in accordance with Council's Regulations and Parking Policy. Parking spaces, accessways and aisles to conform to Council's Development Control Plan and to be constructed, drained, sealed and marked. Full details of works shall be submitted for approval with the building application.
21. Access to the car park shall be restricted to the hours of 8.00am to 8.00pm daily.

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22. A pool type fence shall be provided a minimum of 1.5m (one point five) in height to deny access to the car park outside of the car park operating hours. Details of fence style and colour shall be submitted for consideration with the Building Application.
23. Signage shall be displayed within the car park advising all users of the restricted hours. Details to be submitted with the Building Application.
24. The car park shall be cleaned at least daily within the hours access is available.
25. A detailed plan of landscaping shall be submitted and approved by the Divisional Manager Environment and Development prior to the approval of the building application. Such landscaping is to be completed prior to the occupation of the building and shall be maintained for the life of the development.
26. New boundary fences shall be provided at the applicant's expense. Details to be submitted with the building application. Such fencing behind the building line shall be to a height of 1.8m reducing to 1.5m (one point five) in front of the building line and at least lapped and capped.
27. The external finishes of the development shall match the existing.
28. Development Consent shall be obtained for the use of each shop prior to occupation taking place.
29. 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.
30. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.
31. Registration of a plan of survey consolidating the site including the car parking into a single allotment. Documentary evidence to be submitted to Council prior to occupation of the building.
32. The submission of a soil erosion and sediment control plan for consideration with the building application.
33. The provision of lighting to illuminate the car parking area from sunset to sunrise. Such lighting shall be of a style so that it does not cause the spillage of light onto adjoining properties. Details to be submitted with the building application.

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80: MODIFICATION OF A SEWERAGE TREATMENT PLANT - PT POR 19 PARISH OF HAWKESBURY 79 GREENS ROAD, LOWER PORTLAND - APPLICANT: DAVID HOOKER (DA245/93/EVD)

Owner: Padaso Pty Ltd
Stat. Provisions: Hawkesbury LEP, 1989
SREP No 20 - Hawkesbury Nepean River
Area: 29.18ha
Zone: Environmental Protection (scenic) 7 (d)
Advertising: Not Advertised
Date Received:

Key Issues:

- ◆ Impact on Water Quality

Action:

Approval with conditions

Mr Powell, an objector, addressed the Committee.

1. THE APPLICATION BE refused.
2. The matter be further reported to the Ordinary Meeting in relation to the matters raised by the Divisional Manager Environment and Development as to what options are available to Council in relation to the existing site continuing and as to what options are available to Council to bring those matters in line with proper and best practice of the environmental control.

81: SIX LOT SUBDIVISION - LOT 141 DP 751658 WHEENY CREEK ROAD, EAST KURRAJONG - APPLICANT: MR A BOW (SA0012/93 PT01/EVD)

Mr Bow was available to answer questions.

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- A. THE INFORMATION concerning the withdrawal of the subdivision application be received.
- B. Mr Bow be advised that the approvals which exist for the land are for a passive recreation centre incorporating self-contained holiday cabins. As such, the buildings on the land are not to be used for long term occupation.

82: MUSHROOM COMPOSTERS PTY LIMITED - STATUS OF EXISTING OPERATIONS AT EBENEZER AND THE DEVELOPMENT APPLICATION FOR TINDA CREEK (DA171/94, P1609.110/EVD)

Mr Harper, the applicant, and Mr N. Burnes and Mr K. Hitchcock objectors, addressed the Committee.

- 1. THAT THE INFORMATION concerning the breach of development consent be received. Further that the report and information in regard to the continuing odours experienced by residents be placed before the Court.
- 2. That the information concerning the proposed amendment development application for Tinda Creek be received.

83: DRAFT LEP PROHIBITING BURIAL OF MOTOR VEHICLE TYRES (LEP6/94/EVD)

THAT THE INFORMATION be received.

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**84: PROFESSIONAL CHAMBERS - PSYCHIATRIC GROUP TREATMENT - LOT 3
DP16852 43 PITT STREET, RICHMOND (DA164/93/EVD)**

Mr Overton of St.John of God Hospital, and Messrs Otford and Robinson, objectors, addressed the Committee.

Councillor Keegan declared an interest in this matter.

1. THAT DA 164/93 be extended for a further 6(six) months and the following amendments be made to the Development Consent:

Delete condition 2 and replace it with the following:-

"2. All external doors and windows shall be closed at all times the activity is in operation."

Add the following additional condition:-

"8. Provide parking for at least 7 (seven) vehicles within the driveway. All patients are to be directed to use the driveway when parking is available."

9. Double glazing being provided to any window which faces the east."

2. That the matter be further reported to this Council for further determination in 6(six) months.
3. That a photographic traffic survey be carried out by the Council.
4. That Council initiate ongoing dialogue between the applicant and the adjoining neighbours and further reported to Council within 6(six) months.

**85: DEVELOPMENT IN THE VINEYARD AREA - PROPOSED REZONING OF LAND
BOUNDED BY PARK ROAD, RAILWAY ROAD NORTH, LEVEL CROSSING ROAD AND
WINDSOR ROAD TO ALLOW INDUSTRIAL DEVELOPMENT (LEP17/90/EVD)**

Mr Butcher and Mr Tolson addressed the Committee.

1. THAT THE INFORMATION regarding a meeting of Vineyard residents, Council and the Department of Planning about urban development in the Vineyard area and the scheduled lands be received.

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2. That Falson and Associates be advised that Council supports the provision of further industrial land in the City and that the proposed rezoning of land bounded by Park Road, Railway Road North, the railway line, Level Crossing Road and Windsor Road, has merit given the existing zoning pattern in the area. Further that Council would be pleased to consider a concept plan for the development of the area and at that stage would consider the preparation of a draft local environmental plan.

86: HOBARTVILLE - DEFENCE HOUSING AUTHORITY PROPERTIES (GT150/003 PT02/GMA)

Mr John Heath, Regional Director, Defence Housing Authority was available to answer questions.

The General Manager read a letter addressed to the Mayor from the Minister, The Hon Garry Punch, MP dated October 25, 1994 in response to Council's letter of July 1, 1994.

THAT THE DEFENCE HOUSING Authority be thanked for the time and effort that they have spent in assisting to have the Hobartville area redeveloped for medium density housing. That their proposed traffic amenities, landscaping and other improvements be approved with works to be undertaken to the satisfaction of the Divisional Manager Engineering.

Council advise the relevant State and Federal Ministers that it is extremely unfortunate that whilst both Governments are advising Local Government of the need to promote Urban Consolidation and Better Cities, that a project such as the redevelopment of Hobartville cannot take place due to lack of support.

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SECTION 2 - INFRASTRUCTURE

27: CLEAN UP ENTRANCES TO RICHMOND (0243/R PT05/ENG)

THAT THE INFORMATION be received.

28: REHABILITATION OF PASTURES AND MINOR EXTENSION OF IRRIGATION - McGRATHS HILL STP (GS041/005 PT02/ENG)

THAT THE PROPOSED pasture rehabilitation program and minor extension to the irrigation system be carried out at an estimated cost of \$44,000 (forty four thousand) and that the projects be funded from the Sewer Working Fund.

29: PIPELINES ACROSS PUBLIC RESERVES (0203/R PT02, 2312/R PT04/ENG)

1. THAT THE APPLICANTS listed be granted approval to cross the respective public reserves.
2. That a licence fee of \$250 (two hundred fifty) for the approval of irrigation lines on public land be adopted as part of Council's Fees and Charges.

30: ROAD SAFETY OFFICER (GT230/005 PT02/ENG)

THAT THE OFFER of \$70,000 (seventy thousand) to implement a Road Safety Program from the Roads & Traffic Authority be accepted and that the program be carried out initially over a 2 (two) year period with appropriate reviews after the first 12 (twelve) months.

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Mayor

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**31: HENRY ROAD AND WINDSOR ROAD INTERSECTION, VINEYARD -
OBJECTION TO CONTRIBUTION AMOUNT - MR S GOSIS (DA77/93, DA193/90,
DA72/80/ENG)**

Mr W Wilson and Mr S Gosis addressed the Committee.

THE APPLICANT BE advised that:-

1. The intersection works required by Development Consent No. 443/1981 are still outstanding and are required to be completed. Further, the building application for the current development will not be released until such time as these intersection works are completed.
2. The contribution amount to remain fixed until 31 December 1994.
3. In lieu of condition No. 1, Council will accept a contribution of \$124,000 (one hundred and twenty four thousand) covering the intersection works at Henry Road and Windsor Road and sealing of Henry Road to the new entrance as detailed in letter dated 9 June 1994.

32: STIMULUS CENTRE - MAINTENANCE (GC340/004 PT01/ENG)

THAT THE INFORMATION be received.

33: CONDITION OF CEDAR RIDGE ROAD (0307/R PT02/ENG)

THAT UPGRADING OF the two unsealed areas of Cedar Ridge Road be considered for inclusion as part of the 1995/1996 reconstruction program.

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SECTION 3 - ORGANISATION AND RESOURCES

29: LEGAL SERVICES - TENDERS (GL001/008 PT02/GMA)

- A. THAT TENDERS FOR legal services be called in accordance with the specification attached.
- B. If a person is an elected member of Hawkesbury City Council, or has indicated an intention to stand at the following election, or has been a Councillor during 1 (one) of the 3(three) previous terms of Council, then that person and any firm with which the person is professionally associated shall be ineligible to tender for the provision of Council's legal services.
- 3. That 5(five) copies of the Expressions of Interest be provided to Council.

30: MONTHLY FINANCIAL STATEMENTS (GF001/004 PT4/FNC)

THAT THE INFORMATION be received.

31: WINDSOR FUNCTION CENTRE FORMER LEASE - STUPSY PTY LIMITED (GC283/45 PT9/CSV)

Councillor Rogers declared an interest in this matter.

Item 34 of the Supplementary Report was considered in conjunction with Item 31 above.

THAT THIS INFORMATION be received and noted and that no further action take place in this matter.

32: COMPREHENSIVE MOTOR VEHICLE INSURANCE - BULK PURCHASING (GI030/081/CSV)

THAT COUNCIL RENEW its Comprehensive Motor Vehicle Insurance with G I O Australia.

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33: ROAD CLOSURE AND PURCHASE APPLICATION - CHURCH STREET, WILBERFORCE (GR080/041 PT01/CSV)

THAT COUNCIL NOT support the closure of the public road reserve adjoining 31 Church Street, Wilberforce, as per the application lodged by Mr S Brennan.

34: WINDSOR FUNCTION CENTRE - FORMER LEASE WITH STUPSY PTY LTD (GC283/45 Pt09/CSV)

See Item 31.

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QUESTIONS WITHOUT NOTICE:

1. Councillor Rogers asked if Council would forward a letter of congratulations to the Kurrajong Small Business and Community Forum in relation to the successful Festival Day in Kurrajong last Sunday .
2. Councillor Rogers referred to his previous request regarding the current state of readiness of our Bush Fire Brigades as to their training, funding and equipment levels, and to an article in the Gazette in which there was a report that the Bush Fire Brigades, in particular Glossodia, were having some financial difficulties in relation to the purchasing of some equipment. He asked if the Mayor and/or the Deputy Mayor could chair an urgent meeting with the General Manager, the Fire Control Officer and the Brigade Advisory Committee to get an update as to the current state of readiness, funding, training and equipment levels as to the Brigade's for this year's bushfire season, and the matter be further reported to the Council.

The General Manager advised that the District Bush Fire Committee meets next week and he undertook to take the matter up at that meeting.

Councillor Rogers asked that there be a briefing of the Mayor and that relevant Committee so that Council can be informed as to what the status is.

3. Councillor Minturn asked if a report had come back from the Water Board re standpipes.

The General Manager advised that a verbal response had been received that the Board is quite happy to licence further hydrants. It is prepared to provide additional standpipes at the Council's cost if the Council wishes. He investigated the waiting time for water and five days is the longest he can find waiting. Any urgent requests for water is dealt with within 24 hours.

The Deputy Mayor asked if a smaller outlet could be arranged, perhaps a 3/4" hose.

4. Councillor Sheather referred to the bush fire question and asked if there could be a breakdown as to how the money has been spent.

The General Manager advised that he could provide a copy of the budget, and that there are four areas of cash - there is 1) the Council's approved budget; 2) funds that the Brigades have raised themselves; 3) the Lord Mayor's Fund which is all going on safety equipment; and 4) as of last week Council received a letter from the Richmond Ex-Servicemen's Club that they this year will be providing 260 pairs of overalls and their intention is to provide a complete change for all the 800 volunteers over the next 3 years

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as well. It is understood that they have paid their first instalment. He undertook to provide a copy of this information.

Councillor Sheather asked for a complete breakup on everything that has been spent this year on wages, materials, trucks, the whole lot.

5. Councillor Sheather referred to a previous request regarding the possibility of installing a concrete causeway crossing under the water level on Roberts Creek Road and asked the current status.

The Divisional Manager Engineering Operations advised that designs were being investigated.

6. Councillor Sheather referred to Council's resolution to close off Woodlands Road between the Scout Hall area and the bottom of the hill. It is a bad section of road and with the dry spell it is a constant dust haze from 3pm to 9/10pm at night. He asked if the closure could be investigated and also the whole of the intersection, and also to be advised as to when this is likely to happen.

7. Councillor Parsons tabled a letter from Mr & Mrs Lee of Glossodia concerning the liquid waste carter and asked if this could be followed up.

8. Councillor Books asked, through the Mayor to Councillor Rogers, regarding the Kurrajong Festival where it was advertised in the local paper as the last official Bicentenary program for the year and asked how that came about. Councillor Books stated that there were a number of other functions organised and he understood that the Carols by Candlelight would be the last official function.

Councillor Rogers suggested that Councillor Books contact the Chairperson of the Kurrajong Small Business Forum, Mr. Brian Briggs of the Collectors' Theatre at Kurrajong.

9. Councillor Books asked if it is possible to organise a sensible lunch time for the General Purpose Committee Meetings and suggested that it be made at 12.30 pm.

The General Manager stated that there is a policy of Council that lunch is around 1.00 pm or at the end of the current matter before the Committee.

10. Councillor Paine stated that she had also received a letter from Mr & Mrs Lee of Glossodia and asked if a reply could be forwarded.

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11. Councillor Paine advised that she had received a letter regarding the Bicentenary signs and obviously there has been a mistake with the signage relating to the first settlement, and asked if this could be changed.

The General Manager advised that it was going back to the Committee, which is being asked for its opinion as to whether the lot should be changed, unless the Council wishes to resolve to change them.

12. Councillor Paine sought an update regarding the bike bridge over Redbank Creek

The Divisional Manager Engineering Operations advised that the last information he had received from the RTA was that it would be finished by this calendar year. He has since been told by Mr Ron Searle that he had been advised that it would be the financial year. He undertook to advise Councillor Paine in this regard when further information was available.

13. Councillor Paine stated that it was reported to her yesterday that there has been a liquid waste facility built in Inalls Lane and asked if Council had any information on this matter. Apparently there is some runoff running through Killarney Stud.

14. Councillor Paine referred to a phone call from Mr Bob Porter, who was concerned about a tyre dump at North Richmond.

Councillor Rogers stated that there is a report on file, which is available from the Engineering Department. The gentleman has been written to and reminded of his obligations.

15. Councillor Calvert stated that he had received representations from Mr. Bannister of Rickaby Street, South Windsor about tyres. On the adjoining property somebody has dumped large amounts of used tyres on low lying land for a horse arena. He is worried that as has happened in past floods, that they will end up in his swimming pool or on his property.

Councillor Calvert stated that there is another one along Windsor Road, that has thousands of tyres as a horse arena, there again on low lying land. He asked if Council has a policy in controlling tyres in horse arenas or does Council need a policy.

The Divisional Manager Environment & Development stated that it is quite an issue now with the provisions of Schedule 3 wherein the dumping of any waste material on flood liable land is designated development requiring an EIS, and it might be that Council would not have to worry about landfill policies any more. Tyres are obviously waste material.

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16. Councillor Books asked how does this relate to an existing landfill proposal which has 1, 2, 3 and 4 stages.

The Divisional Manager Environment & Development advised that it depends on the definition of waste, but it would seem that someone depositing building materials or excavating a dam and has surplus spoil, that is probably a waste as well, and that would be covered. He advised that there would be a report on the issue generally to the Ordinary Meeting.

The meeting terminated at 5.58 pm.

Submitted to and confirmed at the meeting of the General Purpose Committee held on November 29, 1994.

.....
Mayor

This is Page 27 of the Minutes of the GENERAL PURPOSE COMMITTEE MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 1 November 1994.

General Manager

Mayor

GENERAL PURPOSE COMMITTEE



SECTION 1 ENVIRONMENT

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GENERAL PURPOSE COMMITTEE - ENVIRONMENT

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Item: 87

ITEM 87: PLANNING WORKSHOP - LOCAL ENVIRONMENTAL PLAN -
LOT D, DP378361 17 GROVES AVENUE, MULGRAVE

FILE NUMBER: LEP13/94/EVD

Owner: Shell Company of Australia Ltd
Stat. Provisions: Hawkesbury Local Environmental Plan 1989
Area: 1.386ha
Zone: Part General Industrial 4(a) and part Special Business 3(b)
Advertising: Not required at this time
Date Received: 7 October 1994

Key Issues:

- ◆ Practicality of 2 zonings
- ◆ Flooding
- ◆ Access road between Groves Avenue and Park Road

Action:

Approval

REPORT:

Proposal

Application for Council's support to prepare a local environmental plan to zone all the site to General Industrial 4(a) to allow Pioneer Road Services Pty Ltd to extend their activities onto the site.

Site Characteristics

The subject land is a regularly shaped lot containing 13,860m² with frontage to Groves Avenue and contains the remains of a former Shell liquid fuel depot.

Statutory Situation

The site is zoned part General Industrial 4(a) (40% southern side) and part Special Business 3(b) (60% northern side) under Hawkesbury LEP 1989.

Planning Assessment**Access Road**

Council adopted a Development Control Plan in 1978 that provided for a service road parallel to Windsor Road to serve the properties fronting the Windsor Road in the 3(b) zone and this service road has been constructed in part from Groves Avenue and from Park Road.

The Plan also showed a proposed road 20m wide between Groves Avenue and Park Road, separating the 4(a) zone and the 3(b) zone, to provide subdivision opportunities for lands fronting the Windsor Road and Railway Road North. This proposed road was reserved on Hawkesbury LEP 1984 but not included in Hawkesbury LEP 1989.

The Shell Company in its approval on the site left the 20m clear of any development to allow for the road however, the Caltex depot in Park Road has not allowed for the proposed road. It is unlikely the road will be required and should be disregarded with this rezoning application and future development of the total site.

Practicality of 2 zonings

Since the proposed road between Groves Avenue and Park Road, that affects the southern part of the site, is not required, it is not practical to have 2 zonings on the site as there are land uses allowable in one zone but not in the other. Zonings in this Mulgrave area should, where practical, follow cadastral boundaries and this is proposed in this application.

Flooding

The site is above the floor height standard of 16m AHD for the area and therefore complies with Council's current policy, access however to the site is flood liable.

RECOMMENDATION:

That Council support the preparation of a draft local environmental plan to rezone that part of Lot 3 DP37836 17 Groves Avenue shown as Special Business 3(b) on Hawkesbury LEP 1989 to General Industry 4(a).

ATTACHMENTS:

AT-1 Site map

FN:ENB29NAX.V01

**** END OF ITEM 87 ****

ITEM 88: PROPOSED RETAIL PLANT NURSERY - LOT 161 DP751665 106
COBURG ROAD, WILBERFORCE - APPLICANT: MR T SCOTT

FILE NUMBER: DA287/94 PT01/EVD

Owner: Mr T Scott
Stat. Provisions: Hawkesbury LEP 1989
Area: 1.09ha
Zone: Rural 1(b)
Advertising: Adjoining owners were notified
Date Received: 24 October 1994

Key Issues:

- ◆ Appropriateness of proposed development
- ◆ Parking
- ◆ Public interest

Action:

Suggest revised application be submitted

REPORT:

Proposal

To develop the subject property as a Retail Plant Nursery, together with a landscaped area and parking provision.

Site Characteristics

The subject land is located on the corner of Coburg and Beecroft Roads, Wilberforce, and is a regular shaped block with a flat topography.

Advertising

In accordance with Council policy, adjoining owners were notified by mail of the proposal, with a two week period being provided for submissions. There were five individual letters of objection to the proposal, and the reasons for objection contained therein are summarised below:

- The original building approval for the shed specified that it was not to be used for commercial purposes.
- The proposal is not compatible with the character of the area.
- Peace and quiet may be disrupted.
- The rear of the property may become unsightly.

- The proposal may set an undesirable precedent.
- Traffic
- Traffic Noise
- Commercial uses are not permitted in this area.
- Lack of on-site parking.
- Property is for sale and future owners may wish to expand.

Statutory Situation

The proposal falls within the definition of a "Retail Plant Nursery" which is permissible with Council consent within land zoned Rural 1(b) under the provisions of Hawkesbury LEP 1989.

Planning Assessment

Parking and Access

Council's Parking Policy DCP requires 11 car spaces to be provided on site, at the rate of one space per 200² of site area. The proposed nursery will occupy an area of approximately 2.250m² at the southern end of the site. There is adequate room to provide the required 11 car spaces to the north of the shed. The most feasible access point to such parking is from the Beecroft Road frontage of the site.

However, objections against the proposal have particularly referred to the adverse visual impacts that may result from the use of the area to the north of the shed for any purpose (eg parking, storage of goods/materials/waste products, etc). In this regard, if the area to the north of the shed is used for parking, appropriate conditions should be imposed (such as landscaping and screening of the parking area) so that the visual impacts are minimised.

Traffic

It is anticipated that the development will generate slight traffic increases, however, these are not expected to be beyond the capacity of the local road network.

Character, External Appearance, Visual Impact

The proposed development is not expected to represent a significant change in the character of the area, which at present consists of low-density rural-residential properties. Similarly, the visual impact of the development will be minimised, given that a 2m high colorbond fence has been erected around the area which will be used for the nursery.

Specific objections have been raised against the proposal concerning the deterioration in appearance of the rear of the property, and a condition on the building approval for the shed not allowing any commercial or industrial usage. Regarding the former, it is considered that adequate conditions can be imposed on the development which would minimise its visual impact. With regards to the latter, the condition on the building permit which states that it cannot be used for commercial/industrial purposes does not preclude any future development proposal being considered on its merits (subject to a development application).

Amenity of the Area

It is considered that the development will have little impact on the amenity of the locality, and any potential effects can be adequately controlled by appropriate conditions.

The proposed nursery should not interfere with the amenity of the area. However the requirement for off street parking means that the application needs to be substantially altered. Consequently, it should be resubmitted and notified to adjoining owners and objectors for comment.

RECOMMENDATION:

The applicant be invited to submit an amended development application which makes provision for off street parking for 11 vehicles in accordance with Council's development control plan. It is suggested that such parking be provided at the northern side of the shed with access from Beecroft Road.

ATTACHMENTS:

AT-1 Site map

FN:ENB29NAX.V05

**** END OF ITEM 88 ****

GENERAL PURPOSE COMMITTEE - ENVIRONMENT

Meeting Date: 29 November 1994

Item: 89

ITEM 89: PROPOSED CHILD CARE CENTRE, LOT 40 DP250171 NO 1
GLENN PLACE, NORTH RICHMOND. APPLICANT: MR & MRS
D TAIT

FILE NUMBER: DA281/94/EVD

Owner: Mr & Mrs D Tait
Stat. Provisions: Hawkesbury LEP, 1989
Area: 1012sqm
Zone: Residential 2(a)
Advertising: Adjoining owners notified with 11 objections received
Date Received: 18 October, 1994

Key Issues:

- ◆ Appropriateness of proposed use
- ◆ On site parking
- ◆ Amenity
- ◆ Public Interest
- ◆ Traffic Flow

Action:

Conditional approval

REPORT:

Proposal

To extend the dwelling at the subject property to cater for its use as a child care centre as well as maintaining the residence. In particular, the garage will be converted into a children's play area, and will be extended to accommodate an office, a store room, children's toilets and a nappy change room.

The applicant has applied for a maximum 29 place centre with ages of children being 0-2 years (five children), 2-3 years (eight children), 3-6 years (sixteen children).

Statutory Provisions

The proposed use falls within the definition of a 'child care centre' which is a permissible use subject to Council consent within Residential 2(a) zones under the provisions of Hawkesbury LEP, 1989.

Advertising

In accordance with Council policy, adjoining owners were notified by mail of the proposal. Eleven individual letters of objection were received and are summarised as follows:

- loss of peace and tranquillity
- noise of traffic
- lack of on site parking
- increased use of neighbouring streets to pick up and set down children
- increased traffic flow
- over development of the site
- not in keeping with surrounding development
- loss of privacy
- property devaluation
- service vehicles using the site
- development is not of a domestic scale by character
- additional traffic presents a danger to children who live in Glenn Place
- increase traffic will cause increased anxiety

Site Characteristics

The subject land is located on the corner of Glenn Place and Mokari Street, North Richmond. Adjoining development consists of entirely low density residential development.

Planning Assessment

Social and Economic Impact

Generally speaking, child care centres are considered to have positive social and economic impacts, and they are a desirable service in the Hawkesbury Region which has a relatively high proportion of persons in the age groups of 0-4 years and 5-9 years (approximately 19% of the population at the 1991 census).

In addition, the Department of Family and Community Services was contacted regarding the demand for child care places in the City and it was advised that there is a high demand for places in the 0-3 year age group due to the low number of child care centres that accommodate this age group. The applicant advises that almost half of the spaces will be for children in this age group.

Scale, Size, Design, External Appearance etc

The development proposes extensions to the existing dwelling house. These are considered to be of a satisfactory design and external appearance. Building materials should be similar to existing, and in this regard appropriate conditions can be imposed if approval is given to the proposal.

An objection has been raised that the proposal is an "over development of the site" and is "not of a domestic scale and character". The extensions while they are at the front of the house, do not extend beyond the existing building line of the front bedroom, and do not reduce the amount of space available in the back yard. They do not significantly increase the size of the development on the site and therefore, they are not considered to be an overdevelopment of the site.

Relationship to Adjoining Land

Many of the objections to the proposal relate to its relationship to adjoining properties, and these include the noise of children playing, property devaluation and loss of privacy. Regarding the "property devaluation" claim, no evidence has been submitted to substantiate this claim.

Furthermore, given that the extensions to the existing dwelling are at the side of the house with no adjoining dwellings ie on the corner of Glenn Place and Mokari Street, there should be minimal impact to the adjoining properties in relation to privacy loss and increased noise from children playing.

Generally speaking, it is considered that the proposed development will have a satisfactory relationship to adjoining land.

Parking - Means of Entry/Exit Loading/Unloading of Vehicles

Specific objections to the proposal on parking grounds included the lack of on site parking, and the use of the site by delivery vehicles. Regarding the latter, the applicant advises that there will be no need for any delivery made to the site. A condition preventing any delivery vehicles using the site can be imposed if the proposal is approved.

Council's Parking Policy DCP does not prescribe a parking rate for child care centres, and the most similar use is a school/educational establishment with a requirement of one space per two staff, plus space for delivery vehicles. This would require two spaces, given that there will be three persons employed at the site.

However, the RTA's document entitled "Guidelines for Traffic Generating Development" recommends parking be provided at the rate of one space per four children in attendance (ie seven spaces), although this document also states that "consideration could be given to reducing the parking required if convenient and safe on street parking is available". In this regard, given that Glenn Place is a low traffic residential cul-de-sac, it is possible to use it as a pick up and set down point from a children's safety point of view.

In terms of the vehicular entry/exit to the site, there are two driveway laybacks at the frontage of the site located some 15 to 20 metres apart. It could be possible to form an "arc shape" paved driveway between these laybacks to provide an on site area where parents may pick up and set down their children.

Given the on site parking requirement discussed above, and the relatively short length of stay (which the RTA surveys have found to be an average of 6 to 8 minutes), it is considered necessary to require three space to be provided on site, and the arc shaped driveway at the front of the site. This will allow staff and parent's vehicles alike to be reasonably accommodated in terms of car parking. The applicant advises that one of the persons employed at the site will live in the dwelling. Three car spaces can be provided in a stacked formation at the western side of the house.

Traffic

A number of submissions were received which also objected to the proposal on traffic grounds, including the number of vehicle trips, being a danger to children playing in the street, and the cause of stress/anxiety.

The RTA traffic guidelines discussed above estimate that for "long day care centres", there is a potential to generate 0.8 vehicle trips per child between 7.00am and 9.00am (ie 23 trips), 0.3 trips per child between 2.30pm and 4.00pm (ie 9 trips), and 0.7 trips per child between 4.00pm and 6.00pm (ie 20 trips). These are not considered to be excessive or beyond the capacity of the local road network.

The proposal is not considered to be a danger to children playing in the street, as both Glenn Place and Mokari Streets are relatively short and do not provide the opportunity for excessive vehicle speeds.

Landscaping/Tree Preservation

The proposal should not disrupt the existing landscaping at the front of the site. There is a significant and mature tree at the front of the site, but the driveway should be able to be located so as to avoid this tree.

Existing and Likely Future Amenity

The remaining objections to the proposal relate to the amenity issues including "hours of operation, incompatibility with adjoining development". Any adverse impacts on the amenity can be satisfactorily controlled, including a limitation on hours of operation. Consideration may be given to monitoring the child care centre's consent over an initial twelve month period so as to more accurately gauge the impacts on the amenity of the adjoining property owners.

RECOMMENDATION:

- A. Approval of the application subject to the following conditions:
 - 1. Submission of a building application, plans and specifications complying with the Building Code of Australia.

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2. No advertising structures are to be erected, displayed or affixed on any building structure or land without the prior approval of Council. Any such advertising structure erected or displayed without prior approval will be removed and disposed of at the expense of the advertiser.
3. All waste materials to be stored and disposed of at regular intervals to the satisfaction of the Divisional Manager Environment and Development.
4. Provision of toilets in accordance with the requirements of the Building Code of Australia.
5. 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.
6. No excavation or site works shall be commenced prior to the issue of the building permit.
7. Parking shall be provided for three (3) vehicles in accordance with Council's Regulations and Parking Policy. Parking spaces, accessways and aisles to conform to Council's Development Control Plan and to be constructed, drained, sealed and marked. Full details of works shall be submitted for approval with the building application.
8. The driveway shall be constructed of pavers/earth toned coloured concrete or the like.
9. 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.
10. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.
11. 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.
12. Operating hours shall be limited to 7.00am to 7.00pm Mondays to Fridays. Any alteration of these hours will require the approval of the Divisional Manager Environment and Development.
13. Any routine deliveries to the site shall be undertaken by the proprietor of the child care centre in a typical family car.
14. The provision of an arc shaped paved driveway between the two driveway laybacks at the Glenn Place frontage of the site. The driveway shall be located clear of any tree on the site, and full details are to be submitted for approval with the building application.

15. Compliance with any requirement of the Department of Family and Community Services.

ATTACHMENTS:

AT-1 Site map

FN:ENB29NAX.V07

**** END OF ITEM 89 ****

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ITEM 90: SUBDIVISION TO CREATE TWO ALLOTMENTS - LOT 3
DP803879 663 GROSE VALE ROAD, GROSE VALE. APPLICANT:
MR ALEX O'GRADY

FILE NUMBER: SA108/94/EVD

Owner: Grose Vale Properties Pty Ltd
Stat. Provisions: Hawkesbury LEP and State Environmental Planning Policy No. 1
Area: 6.36ha
Zone: Rural 1(c1)
Advertising: Not required
Date Received: 23 September 1994

Key Issues:

- ◆ Heritage
- ◆ Non Compliance with HLEP
- ◆ SEPP1 Objection

Action:

Approval with conditions

REPORT:

Council at its Ordinary Meeting held on 8 November, 1994 considered this application where the following was resolved:

"that the matter be deferred to allow the consultant architect to address the next Committee Meeting."

Reproduced below is the report on the matter.

The subject property contains 'Wyanbah', a timber residence on the corner of Grose Vale and Grose Wold Roads, Grose Vale. The property is listed in Schedule 1 of Hawkesbury LEP, 1989. The building is in poor condition, needing restoration works to ensure the long term conservation of the building. These works are currently being undertaken.

This application proposes to subdivide the property into 2 allotments with areas of 5.646ha and 0.72ha. The larger lot will be vacant, with the smaller lot containing 'Wyanbah' and its curtilage.

Statutory Situation

The subject property is located within the Rural 1(c1) zone under the provisions of Hawkesbury LEP. Clause 11 2(d) of HLEP requires that allotments have a minimum area of 4ha. The proposed smaller lot is substantially below this requirement. The applicant has submitted an objection to the standard pursuant to SEPP1 claiming that compliance is unnecessary for the following reasons:-

- any approval is subject to the full restoration of the heritage building
- the subdivided land will not impact upon the heritage item
- subdivision will make the project viable

Should Council support the applicant's objection, the concurrence of the Director of Planning is required to approve the proposal due to the extent of variation required to Hawkesbury LEP.

Planning Comments

The subject property is an irregular shaped allotment with a total area of 6.36ha, located on the corner of Grose Vale and Grose Wold Roads.

The proposed subdivision considers the heritage significance of 'Wyanbah' in the following ways:

- maintenance of the building and its curtilage
- provision of a building envelope on the vacant allotment will ensure that development will not affect 'Wyanbah'
- the building envelope will ensure that development will not be viewed from Grose Wold Road, the predominant vista of 'Wyanbah'

Both of the proposed allotments have sufficient area for the disposal of effluent. Furthermore, although irregular in shape, each of the allotments will be usable.

Under the circumstances, it is considered that considerable benefit will be derived from the support of this application, particularly in relation to the restoration of 'Wyanbah'. The likely adverse impacts, in the form of increased traffic and additional demand for facilities, are negligible and do not warrant refusal of the application.

RECOMMENDATION:

That:

- A. The SEPP1 objection be supported.
- B. The Director of the Department of Planning be requested to concur with the application.

- C. Upon receiving concurrence, the application be approved, subject to the following conditions:
1. The subdivision shall be in general accordance with the submitted plan number K1/94/8 dated 23 September 1994.
 2. The submission of a Subdivider/Developer Certificate (a Certificate under Part 3, Division 2, Section 27 of the Water Board Act, 1987).
 3. Submission of a Certificate from Prospect 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 cables for telephones through the subdivision.
 5. The submission of the plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.
 6. Payment of a linen release fee of \$180 (one hundred and eighty). This amount is valid until 30 June 1995.
 7. Dedication of a splay corner at the intersection of Grose Wold and Grose Vale Roads sufficient to provide a minimum setback from the existing table drain together with any necessary road widening to maintain a similar setback along the road frontages.
 8. The creation of easements to drain water over the site of drainage discharge just below the existing gate on the vacant lot from roads 4m wide and 10m long free of cost to Council.
 9. The final linen plan of subdivision shall not be released until the works approved under DA129/94 are completed and all conditions have been complied with.
 10. A contribution of \$3,275 (three thousand two hundred and seventy five) being the contribution for recreational buildings, park improvements and community facilities as a consequence of the subdivision of land. This amount is valid to 30 June 1995.
 11. A detailed survey plan illustrating the location of any heritage item in relation to the newly created boundaries shall be submitted prior to the release of the final linen plan of subdivision.

12. A restriction as to user pursuant to Section 88B of the Conveyancing Act being entered on the title of the proposed vacant lot restricting development to the proposed building envelope and access to the proposed entry.

ATTACHMENTS:

There are no supporting documents for this report.

FN:ENB29NAX.V10

****** END OF ITEM 90 ******

ITEM 91: WEATHERBOARD COTTAGE - PROPOSED DEMOLITION - NO
339 WINDSOR STREET, RICHMOND**FILE NUMBER:** DA281/93 PT01 & DA6/94 PT01/EVD**REPORT:**

Council at its Ordinary Meeting on 13 September, 1994, resolved the following:

- "1. That demolition of this house be approved; and
2. That an appropriate Development Control Plan be placed over the land to maintain the architectural merit of the streetscape."

Clause 30 of the Hawkesbury Local Environmental Plan, 1989, states that Council is not to issue development consent to the application until twenty eight days after Council has notified the Secretary of the Heritage Council of its intention to do so. In accordance with the provisions of Clause 30 of the Plan, the Heritage Council of New South Wales was notified of Council's resolution on the 20 September, 1994.

On 26 September, 1994, Council received acknowledgment that the notification has been received and advice that the matter would be considered by the Heritage Council at its meeting on 3 November, 1994.

Correspondence has recently been received from the Department of Planning which states that at its meeting on 3 November, 1994, the Heritage Council resolved the following:

- "1. to establish a sub-committee, which includes a member from the Technical Advisory Group on Materials Conservation (TAGMAC) with timber conservation expertise. The sub-committee would meet with Council and the owners to assist in further assessment of the degree of significance of the cottage, the establishing of detailed conservation policies to guide future conservation works and possible sympathetic development of the site; and
2. to seek Hawkesbury Council's assistance to explore options which might achieve retention and conservation of the original portion of the existing cottage."

The correspondence further advises:

"The Heritage Council is seeking to resolve this matter with all possible expedition and would appreciate your response to these proposals at an early date."

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:ENB29NBX.V09

****** END OF ITEM 91 ******

ITEM 92: OUR CITY OUR FUTURE - RURAL LANDS - DRAFT REPORT**FILE NUMBER:** GT225/013/EVD**REPORT:**

A draft report dealing with strategic planning for the City's rural lands has now been completed. Given the scope of the brief for "Our City our Future" a single report considering both urban and rural issues would be excessive and discourage participation and debate. It is anticipated that a draft report considering the urban issues will be submitted to Council early in the new year.

The format of the draft report is based upon the issues discussed at the series of public meetings held in 1993. The issues and recommendations in the draft report are:-

Population/Growth

Recommendation: That a database for the rural areas be maintained on GENAMAP which would include at least population growth, vacant land, land containing a dwelling and dwelling starts.

Agricultural Land***Recommendations:-***

- 1. Class 1, 2 and 3 agricultural land should be retained for future use for agricultural production and should not be subject to further extensive fragmentation.*
- 2. Sufficient buffer zones between rural and residential development should be retained. This would help ameliorate land use conflicts that often occur in the City.*
- 3. Further investigation be undertaken into the creation of Agricultural Production zones, rather than the broad rural zone. These zones would signify to the people living in the zone, as well as the general public, that the area contained in the zone is for agricultural production.*
- 4. Council undertake an education campaign with the local community highlighting the benefits of agriculture and the issues concerning rural land use conflict. Many residents may not realise the benefits that agriculture provides to the City as well as the Sydney Region.*
- 5. Retention of sufficient land on each rural property to ensure agricultural viability.*

Environment**Recommendations:-**

1. Prepare a draft local environmental plan to preserve existing documented remnant Cumberland Plain vegetation.
2. Further investigations be undertaken to document both remnant vegetation and significant vegetation on the western side of the Hawkesbury River and a strategy be prepared for the preservation of such vegetation.
3. Consolidate Council's objectives concerning education of the public by formulating an education campaign highlighting the importance of the natural areas in the City.

Infrastructure**Recommendations:-**

1. Council's requirements for on-site effluent disposal, be reviewed following completion of the investigations by the Hawkesbury Nepean Catchment Management Trust but that in the interim an allotment area of at least one hectare be required for the disposal of effluent on site.
2. That Council adopt a policy to require the shared use of telecommunications facilities which occupy prominent ridgetop locations and if necessary Council construct its own facility and offer it at reasonable rental to other users as a means of rationalising the provision of towers.
3. The provision of smaller lot subdivision close to existing villages be acknowledged from an infrastructure and access perspective as preferable to general reductions in the minimum area for rural subdivision.

River**Recommendations:-**

1. That the work currently being undertaken by the Hawkesbury Nepean Catchment Management Trust to determine the effects of agriculture on the Hawkesbury River be supported.
2. Council in consultation with the Trust, investigate methods for disposing of on-site effluent and encourage the development and installation of environmentally superior systems.
3. Council investigate the reuse of effluent on agricultural land as set out by the Environmental Planning and Assessment Guidelines.

Subdivision

Recommendations:-

1. *Given the numerous constraints discussed in this report a preferable approach to the issue of rezonings for rural subdivision is considered to be the development of design principles which will ensure the preservation of agricultural land, the urban/rural interface, important environmental features and the provision of adequate services. Council will then assess individual rezoning applications against these principles.*

This approach does not provide the market with certainty as to the subdivision potential of land, however it is considered preferable to general rezonings which severely constrain the achievement of environmental objectives.

It is recommended that the following design principles be adopted for consideration of rural rezonings to allow smaller lot subdivision:-

- a. *there should be no subdivision of land for rural residential purposes where the land is Class 1, 2 or 3 agricultural land as defined by the Department of Agriculture;*
- b. *land titles of subdivided smaller lots are to contain "right to farm" provisions in the form of restrictive covenants preventing objection to any lawful farming activity;*
- c. *fragmentation of land is to be minimised;*
- d. *consolidation within and on land contiguous with existing towns and villages be preferred over smaller lot subdivision away from existing towns and villages;*
- e. *no subdivision along main roads and any subdivision to be effectively screened from minor roads;*
- f. *no subdivision along ridgelines or escarpments;*
- g. *where on site effluent disposal is proposed, lots are to have an area of at least 1 hectare;*
- h. *the existing proportion of tree coverage on any site is to be retained or enhanced;*
- i. *any rezoning proposals are to require the preparation of Environmental Studies and Section 94 Contributions Plans at the applicant's expense;*
- j. *community title be encouraged for rural subdivision as a means of conserving environmental features, maintaining agricultural land and arranging for the maintenance of access roads and other capital improvements.*

2. *The existing subdivision provisions be altered from minimum requirements to average requirements with an absolute minimum requirement sufficient to contain on site effluent disposal.*
3. *Vineyard - In accordance with previous resolutions and resident representations urban development with appropriate services should be supported.*
4. *Clarendon - In accordance with Council's resolution, the proposed Equestrian Village is supported with minimum lot sizes of 5,000m².*

Employment

Recommendations:-

1. *Council support the establishment of an agriculture/horticulture industry cluster.*
2. *Council acknowledge that further fragmentation of the City's rural area through general reductions in minimum area requirements for subdivision is contrary to economic development and, in particular, the establishment of an agriculture/horticulture industry cluster.*

Heritage

Recommendation: *The inclusion of archaeological sensitive areas in the Hawkesbury Local Environmental Plan 1989.*

Tourism

Recommendations:-

1. *That a professional urban designer be engaged to assess means of reinforcing the identity of the towns, particularly the villages, and that these recommendations be implemented through individual mainstreet programs and development control plans. Further that the local communities be involved in the development and implementation of strategies.*
2. *A report be prepared on the potential for a weekend opening of the grounds and gardens of selected heritage buildings in the City for public inspection.*

With respect to the controversial area of subdivision, the report nominates a number of principles to provide direction to Council in considering rezoning applications for "rural residential" subdivision. These principles are drawn from the discussion of rural issues in the various chapters.

The overriding principle which was constantly repeated at the various public meetings was that the existing "rural" character should be maintained. Whilst there is no general agreement as to how this should be achieved, nonetheless an attempt has been made to define the components of the City's rural character. If such components can be defined and agreed upon, the issue of subdivision can be assessed in its totality rather than as a seemingly endless succession of disputes with developers, both large and small.

Various reductions in the minimum area requirements for subdivision over the years, both broad scale and localised, have also generated an expectation of continuing downsizing in area requirements. This has necessarily caused some speculation, with an unwarranted increase in rural property values.

It is important that Council be both firm and consistent in its handling of rural subdivision proposals to eliminate continuing speculation which only serves to make rational decision making more difficult. This does not mean that particular rezoning proposals should not be supported but rather that they be capable of justification to the extent that property owners and developers will not perceive the decisions as providing some expectation for similar consideration.

Since the commencement of "Our City our Future" in early 1993, numerous proposals have been received for subdivision not conforming with zoning requirements. The following list of subdivision proposals, some of which have been supported by Council, provides an indication of the need to deflate expectations. These proposals have been received over approximately the past 2 years and are only a sample of the enquiries which are received on a daily basis.

Owner	Land	Subdivision sought
R J & J Atkinson	Silks Road, North Richmond	3,000 - 8,000 square metre lots on existing 3 hectare property. Existing minimum area requirement is 10 hectares.
S & C Chaseling	East Kurrajong Road (Section 2), East Kurrajong	4 hectare lots on existing 10 hectare lot. Believe the 4 hectare zoning of East Kurrajong Road, Section 1 is inconsistent.
Vineyard Action Group	Vineyard	Residential or industrial rezonings. Land is currently zoned Rural 1(c) with a minimum area requirement of 2 hectares. Council has supported the preparation of a concept plan for an industrial development on part of the land.
R Butcher	Vineyard	Some form of urban rezoning. Land is currently zoned Rural 1(c).
H Ten Dam and G Beaumont	Spinks Road, Glossodia	2 hectare subdivision should be permitted around Glossodia. Current requirement is a minimum of 10 hectares.

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R Parsonage	Krahe and Singleton Roads, Wilberforce	Cluster housing and a golf course. The minimum area requirement is 10 hectares.
J & H Hart	Freemans Reach	2,000 square metre lots on the periphery of Freemans Reach. The minimum area requirement is 10 hectares.
Mr N Shedden	Royerdale Place, East Kurrajong	Rural residential zoning. Existing minimum area requirement is 10 hectares. The proposal was supported by Council.
Mr R Cunliffe	Horans Lane, Kurrajong	10 lot subdivision with lot areas between 4 hectares and 20 hectares. The minimum area requirement is 10 hectares.
Mr A Kohacek & Mr R Colley	Salters Road, Wilberforce	16 lot community title subdivision on land with an area of 21 hectares. The minimum area requirement is 10 hectares.
C H Kemp & Sons	Tizzana Road, Ebenezer	36 lot subdivision of land with an area of 52 hectares. The minimum area requirement is 10 hectares. This proposal has been supported by Council.
Mr K & Mr B Johnston	Bells Line of Road, North Richmond	Residential or rural residential subdivision of existing dairy which has an area of 37 hectares. The minimum area requirement is 10 hectares.
Mr J H Harris	Hermitage Road, Kurrajong	25 lot subdivision of Little Island. A local environmental study is currently being prepared.
R A Peel Downes Pty Limited	Peel Parade, Kurrajong	35 lot rural residential subdivision by community title and golf course on land with an area of 77 hectares. The minimum area requirement is 4 hectares.
Corporate Equities Limited	Terrace Road, North Richmond	"The Legends" proposal comprising a resort, residential (2,000 lots) and golf course development on land with an area of 52 hectares. The minimum area requirement is 10 hectares. A rezoning application was supported by Council.
Clarendon property owners	Racecourse Road and Rickaby Street, Clarendon	Equine based subdivision with lots of approximately 5,000 square metres.

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Mr G Rogan	Bells Line of Road and Stone Terrace, Kurrajong	2 lot subdivision inconsistent with the minimum area requirement of 40 hectares.
Rose Consulting Group	"Nepean Park", Springwood Road, Yarramundi	122 rural residential lots between 2,700 square metres and 1 hectare. This rezoning is contained in LEP 1989 and there have been recent enquiries about the subdivision proceeding in a different format.
Rose Consulting Group	"Glenroy", Kurmond Road, Freemans Reach	Approximately 300 rural residential lots with a minimum lot size of 4,000 square metres. The minimum area requirement is 4,000 square metres.
Richmond Pastoral Company	Bells Line of Road, North Richmond (below Rural Press)	Rural residential subdivision. The minimum area requirement is 10 hectares. A proposal was supported by Council.
F & D Swain	Grose Wold Road, Grose Wold	2 lot subdivision of land with an area of 8 hectares. The minimum area requirement is 10 hectares.
Mr A & Mrs P Schembri	Windsor Road, Vineyard	Residential subdivision. The minimum area requirement is 2 hectares.
Bona Vista Citrus Pty Ltd	Johnston and Bathurst Streets, Pitt Town	23 residential or rural residential lots on land which has an area of 49 hectares. The minimum area requirement is 10 hectares. This proposal has been supported by Council.
Lean Lackenby & Hayward	Wheeny Creek Road, East Kurrajong	Proposed community title subdivision to create rural residential lots. The minimum area requirement is 40 hectares.
R A P Holdings Pty Limited	Krahe Road, Wilberforce	Proposal for 4,000 square metre rural residential lots on 16 hectares of land. The minimum area requirement is 16 hectares.
P De Fina & Associates Pty Limited	Pitt Town Road, McGraths Hill	Proposal to rezone mushroom composting facility from Rural 1(c) to Residential.

The number of inquiries illustrated in this table demonstrates the importance of establishing principles for the assessment of subdivision proposals outside the provisions of the existing zonings. The incremental nature of the DA and LEP process means that a strategic direction can be quickly lost through the process of responding to numerous seemingly unrelated proposals. However the proposals are all related because individually they will contribute to altering the City's land uses and economy. This contribution may either be positive or negative.

It is recommended that the draft report be placed on public exhibition for a period of three months and that an executive summary be sent to all correspondents and be made available at the counter free of charge.

RECOMMENDATION:

That Our City Our Future Rural Lands draft report be placed on public exhibition for a period of three (3) months and that an executive summary be sent to all correspondents and be made available at the counter free of charge.

ATTACHMENTS:

AT-1 Our City Our Future draft Report for Councillors' and Senior Officer's information.

FN:ENB29NBX.V11

****** END OF ITEM 92 ******

ITEM 93: TYRE LANDFILL - LEVEL CROSSING ROAD/RAILWAY ROAD SOUTH, VINEYARD. APPLICANT: NE PEARE PTY LTD

FILE NUMBER: DA19/92, DA9/94/EVD

REPORT:

Council has considered 2 (two) development applications for tyre landfill operations on the above property.

DA19/92 approved a 1ha site subject to a number of conditions, one of which included a 12 (twelve) month limit on the life of the development. This was extended at the Ordinary Meeting of Council on 11 May, 1993, in accordance with the applicant's request until 31 July, 1994.

Furthermore, Council considered DA9/94 which proposed to fill a further 1.72ha over a five (5) year period. This application was refused by Council at its Ordinary Meeting on 10 May, 1994 and was the subject of a failed rescission motion.

Council has now been requested to grant an extension of time to complete the works approved under DA19/92 until 20 July, 1995. In addition, a request has been received to reconsider DA9/94, the application Council refused.

With respect to the request to reconsider DA9/94, it is considered inappropriate. The application has already been assessed and refused. The Environmental Planning and Assessment Act, 1979, makes no provision for reconsidering refused applications. In addition, since considering this proposal, state legislation has changed so that any landfill on flood liable land is classed as designated development, thereby requiring an EIS. The legality, therefore, of reconsidering this application would be questionable.

With respect to the request to extend the time to complete the works, the property was recently inspected and was found to be operating in accordance with Council's conditions. The site is being kept reasonably tidy under the circumstances. It is difficult to ascertain precisely the extent of land which has been subject to landfill. This is because the site is traversed by a gas line which can not be filled over with tyres. The applicant has indicated that approximately 2000m² of area remains to be filled to complete the 1ha site. This area should be pegged out if an extension is granted.

Council recently considered an extension of a tyre landfill operation at Ebenezer, where the operator was required to shred the tyres before burial. For Council to remain consistent, this should be required of this operator.

RECOMMENDATION:

That Council agree to extend the development consent in accordance with the above and Condition 15 of DA19/92 be amended to read as follows:

"15. The tyre landfill development, including site rehabilitation works shall be completed to the satisfaction of the Divisional Manager of Environment and Development by 20 July, 1995 and that all tyres are shredded prior to burial and the one (1)ha site is pegged out immediately."

ATTACHMENTS:

There are no supporting documents for this report.

FN:ENB29NBX.V13

**** END OF ITEM 93 ****

ITEM 94: PROPOSED SUBDIVISION - LOT 1 DP557035 LOT 2 DP615915,
LOT 171 DP527991 HORANS LANE, GROSE VALE - APPLICANT:
G F FALSON & ASSOCIATES

FILE NUMBER: SA072/91PT01/EVD

REPORT:

Council at its meeting of 8 June 1993 resolved to request the Department of Planning to concur to the subdivision of the land under State Environmental Planning Policy No.1 into 16 allotments based on the density availability of the adjoining Rural 1(c1) zone.

Subsequently, the Department of Planning declined to concur with the variation under SEPP 1 because it was considered that the proposal was inconsistent with the objectives of the Environmental Protection 7(d) zone and contrary to the findings of the Blue Mountains Eastern Escarpment Study.

The Department suggested that Council may wish to explore the possibility of rezoning the land in order to permit rural/residential development.

The Department's suggestion was considered by Council on 9 November 1993 and it was resolved not to prepare a draft local environmental plan to enable the 16 lot subdivision.

The owner of the land has now submitted a proposal for either a 16 or 17 lot subdivision of the land, all of which include the retention of the "escarpment" as neighbourhood property in a Community Title.

The revised proposal is an improvement on that previously considered as the dwellings in the proposed subdivision could be sited towards the base of the valley. In addition, the higher land which is visible from the floodplain would be preserved in the title with potential for enhancement through revegetation.

There would seem to be some argument that subdivision in the base of the valley would not impinge upon escarpment preservation. In addition, the slope of the land is such that it is of limited agricultural value.

However, the application demonstrates issues raised in the business paper report on the draft "Our City Our Future" strategy document. Support for such rezonings without the consistent application of agreed planning principles inevitably generates a market expectation of zoning change. If Council is to overcome the seemingly endless series of proposals for zonings variations a clear signal needs to be provided to property developers.

The proposed subdivision, whilst not being devoid of merit, does not accord with the suggested principles for rezoning in the draft "Our City Our Future" strategy. Accordingly, at this stage the proposal should not be supported.

RECOMMENDATION:

The applicant be advised that the proposal for subdivision is not supported as it is inconsistent with the principles enunciated in the draft "Our City Our Future" strategy.

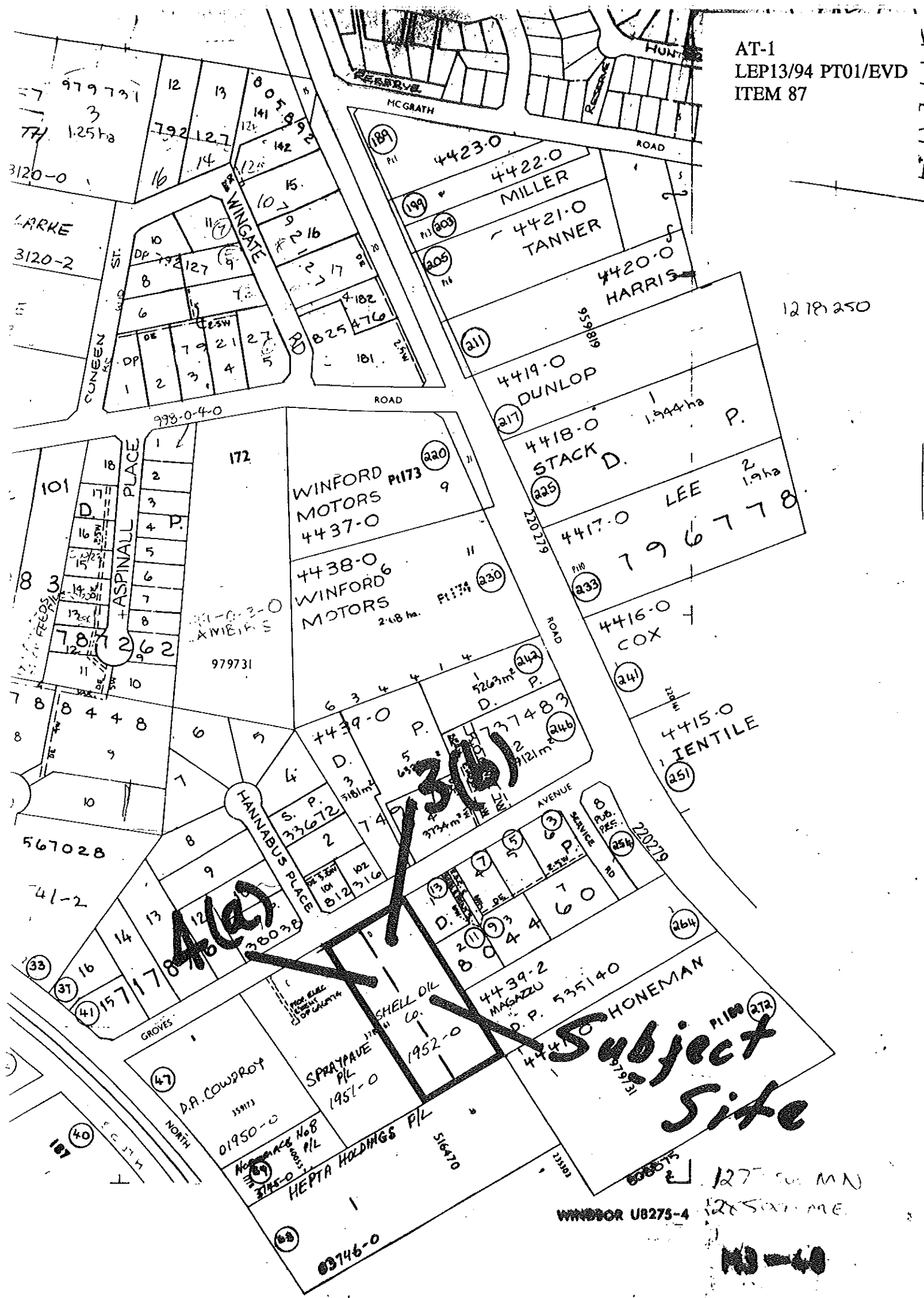
ATTACHMENTS:

AT-1 Plan of proposed subdivision

FN:ENB29NBX.V14

****** END OF ITEM 94 ******

AT-1
LEP13/94 PT01/EVD
ITEM 87



WINDSOR UB275-4

127-50 MN
128-50 MN
129-50 MN

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OBJECTORS

SUBJECT LAND

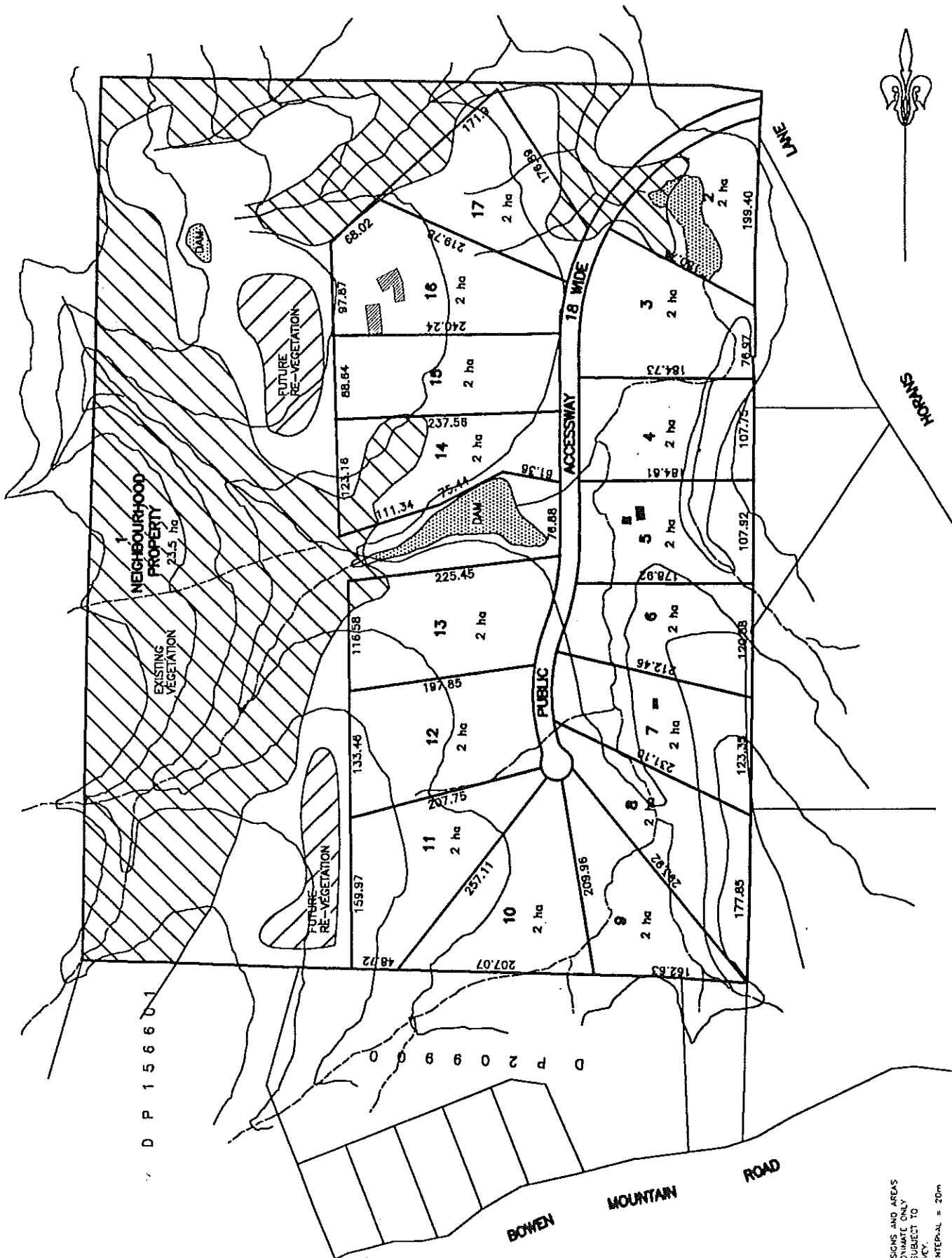
R 23179

FOR REFUGE IN TIME OF FLOOD

WILBERFORCE
PARK

AT-1
DA281/94/EVD
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PLACE
CRESENT
BRADLEY ROAD
MORTON
CAMPBELL
DRAINAGE RESERVE
PUBLIC RESERVE
568243
1944-24-3-0
DEMONSTRATES WITNESSES
NEW CONGREGATION
D.P. 29-35
JEHOVAH'S WITNESSES
977347
65
D.P. 21
241954
193 W.D.
136
9
580072
31
7
30
2
A99 1490-9
154489
E
20
VALE
STEPHEN
PECKS
ARNOLD STREET
MOKARI STREET
SUBJECT LAND
GLENN PLACE
OBJECTORS
CHARLES
ELIZABETH
VALE



ALL DIMENSIONS AND AREAS
ARE APPROXIMATE ONLY
AND ARE SUBJECT TO
FINAL SURVEY.
CONTOUR INTERVAL = 20m

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GENERAL PURPOSE COMMITTEE



SECTION 2 INFRASTRUCTURE

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ITEM 34: STREETLIGHTING**FILE NUMBER: GR120/005 PT02/ENG****REPORT:**

Requests for the installation of additional streetlighting are received on a reasonably regular basis from residents, community groups, churches and commercial/industrial interests. Recent examples are the Oakville Scouting Group, South Windsor Baptist Church, St. Matthews Church, the "Fickle Wombat" at St. Albans and an industrial site in Aspinall Place at McGraths Hill.

Assessment of these requests is generally made from a traffic safety aspect and as such, those requests which mainly target security, vandalism and access to properties which is by far the majority from community/commercial and industrial properties, does not receive a high priority.

As Council may be aware, Prospect Electricity undertakes a security lighting service called "Night Watch". The service involves the installation of floodlights mounted on existing Prospect poles, such that light is directed into the premises. The floodlights act as a deterrent to criminals, are controlled automatically with the street lights and the monthly rental covers all costs, including electricity and floodlight replacement.

Three sizes of floodlighting are available, 250, 400 and 1000 watt and the range and beam spread of the light is shown in the table below.

Type	Range (m)	Beam Spread (n)
250 watt	30 - 40	90
400 watt	40 - 60	120
400 watt (medium beam)	50 - 90	45
1000 watt	70 -100	120

The standard monthly rental fee for a 250 watt installation is \$47.42, 400 watt is \$64.83 and 1000 watt is \$96.00. There is also a standard installation fee of \$150.00. For church and community groups the installation fee is reduced to \$100.00 and there is a 20% reduction on the monthly rental fees.

In the case of industrial areas, street lighting is not normally provided throughout these areas, as in general, industries do not work throughout the night and traffic/pedestrian usage is limited.

It is considered that the policy for the installation of street lighting should be that of limiting the provision of street lights to those areas required for traffic safety and where possible, community, commercial and industrial sites should be encouraged to make use of the "Night Watch" lighting service provided by Prospect Electricity.

RECOMMENDATION:

That the provision of street lights be generally determined on the basis of traffic/pedestrian safety needs with community, commercial and industrial special needs cases being encouraged to make use of the Prospect Electricity "Night Watch" service.

ATTACHMENTS:

There are no supporting documents for this report.

FN:INB29NBX.E01

**** END OF ITEM 34 ****

ITEM 35: PIPELINES ACROSS PUBLIC RESERVES/ROAD RESERVES**FILE NUMBER:** 2312/R PT04, P2312/495 PT2/ENG**REPORT:**

An application has been received from Mr S Muscat of 736 Kurmond Road, North Richmond, for a pipeline to cross the public reserve Lot 5 DP245687 adjacent to the road reserve which is an extension of Wire Lane at Terrace Road for irrigation purposes.

A licence is currently being issued by the Water Resources Commission.

RECOMMENDATION:

1. That the application by Mr S Muscat for a pipeline for irrigation purposes across the public reserve Lot 5 DP245687 be approved with a licence fee of \$250 (two hundred and fifty).

ATTACHMENTS:

There are no supporting documents for this report.

FN:INB29NBX.E02

****** END OF ITEM 35 ******

ITEM 36: DRAINAGE - 599 SLOPES ROAD, NORTH RICHMOND**FILE NUMBER:** P1907/309 PT2/ENG**REPORT:**

A component of the six month 1994 Works Program provided for an amount of \$14,000 for the construction of a piped drainage system within property N° 599 Slopes Road, North Richmond.

The project was placed on the program to satisfy the owner's request to divert water away from a new cottage built on the property.

Despite their earlier request, the owners are now objecting to the proposal and have refused to sign a permit to enter to allow the works to be undertaken. Under the circumstances, it is not considered appropriate to pursue the matter any further.

A project at 26-28 Macquarie Road, Wilberforce where stormwater during large storm events surcharged through properties had been included in a previous program, however, during re-allocation of funding, this project was inadvertently omitted. The site has a long history of flooding and the property owners are in agreement with the proposal. The estimated cost of the work is \$11,500 and it is considered appropriate that the funds from 599 Slopes Road, be re-allocated to 26-28 Macquarie Road, Wilberforce with the remainder to be held in the drainage reserve for future drainage programs.

RECOMMENDATION:

That \$14,000 (fourteen thousand) allocated for the construction of a piped drainage system in N° 599 Slopes Road, North Richmond be re-allocated towards the cost of upgrading the piped drainage system in N° 26 Macquarie Road, Wilberforce at an estimated cost of \$11,500 (eleven thousand five hundred) and the remaining \$2,500 (two thousand five hundred) be held in the drainage reserve.

ATTACHMENTS:

There are no supporting documents for this report.

FN:INB29NBX.E04

**** END OF ITEM 36 ****

GENERAL PURPOSE COMMITTEE - ORGANISATION & RESOURCES**Table of Contents**

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ITEM 35: MONTHLY FINANCIAL STATEMENTS

FILE NUMBER: GF001/004 PT4/FNC

REPORT:

A. CASH EXPENDITURE WARRANT N° 10/1994

SUMMARY - Accounts Paid

General Fund No. s	30445 -	31103	5,248,359.50
Trust Fund No. s	4250 -	4268	1,933,781.73
			7,182,141.23

CERTIFICATE BY RESPONSIBLE ACCOUNTING OFFICER

This summary Warrant presented above is fully supported by Vouchers and Invoices which have been duly certified as to the receipt of goods and/or rendition of services and as to prices, computations and costings and the amounts shown were due for payment. The detailed Warrant is available upon request.

L M Weatherstone
Divisional Manager of Finance

GENERAL PURPOSE COMMITTEE - ORGANISATION & RESOURCES

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B. STATEMENT OF BANK BALANCES AND GENERAL MANAGER'S CERTIFICATE**STATEMENT OF BANK BALANCES AS AT 31 OCTOBER 1994**

GENERAL FUND	26,887.92CR
TRUST FUND	36,182.70CR
	63,070.62CR

FORM 2

GENERAL

Balance - Cash Account as at 1 October 1994	478,284.67DR
Receipts for period ended 31 October 1994	3,696,203.06DR
	4,174,487.73DR
Payments for period ended 31 October 1994	6,348,524.97CR
	2,174,037.24CR
Limit of overdraft arranged with bank	\$800,000.00DR

RESPONSIBLE ACCOUNTING OFFICER

I hereby certify that the Cash Book and Bank Books have been reconciled in all funds as at 31 October 1994.

L M Weatherstone
Divisional Manager of Finance

C. INVESTMENTS

Hereunder is the list of amounts invested.

Term Deposits

184 Days	03.11.94	5.30%	General Fund	600,000.00
185 Days	17.11.94	5.25%	General Fund	900,000.00
32 Days	22.11.94	6.48%	Sewerage Fund	500,000.00
66 Days	25.11.94	5.82%	General Fund	300,000.00
120 Days	01.12.94	5.75%	Sewerage Fund	900,000.00
301 Days	14.12.94	5.00%	General Fund	600,000.00
128 Days	22.12.94	6.10%	General Fund	600,000.00
128 Days	22.12.94	6.10%	General Fund	50,000.00
120 Days	22.12.94	5.96%	Sewerage Fund	440,000.00
120 Days	22.12.94	5.96%	General Fund	80,000.00
127 Days	03.01.95	6.05%	Sewerage Fund	500,000.00
91 Days	09.01.95	6.32%	Sewerage Fund	500,000.00
120 Days	13.01.95	6.58%	General Fund	400,000.00
147 Days	24.01.95	6.07%	Sewerage Fund	370,000.00
147 Days	24.01.95	6.07%	General Fund	190,000.00
88 Days	27.01.95	6.27%	Sewerage Fund	500,000.00
182 Days	06.02.95	6.27%	General Fund	653,262.53
182 Days	06.02.95	6.27%	General Fund	1,346,737.47
185 Days	27.02.95	6.27%	General Fund	300,000.00
185 Days	27.02.95	6.27%	General Fund	700,000.00
183 Days	03.03.95	6.36%	General Fund	839,582.37
183 Days	03.03.95	6.36%	General Fund	260,417.63
184 Days	08.03.95	6.33%	General Fund	380,000.00
180 Days	13.03.95	6.57%	General Fund	900,000.00
185 Days	20.03.95	6.58%	Sewerage Fund	700,000.00
397 Days	03.07.95	6.20%	General Fund	500,000.00
397 Days	03.07.95	6.20%	General Fund	500,000.00
730 Days	06.07.94	5.91%	General Fund	2,000,000.00
750 Days	26.07.94	5.86%	General Fund	2,000,000.00
730 Days	28.07.94	5.86%	General Fund	500,000.00
365 Days	15.09.95	7.80%	General Fund	1,000,000.00
396 Days	09.10.95	7.35%	General Fund	3,500,000.00

GENERAL PURPOSE COMMITTEE - ORGANISATION & RESOURCES

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Australian Treasury Corporation

03.08.95	5.31%	Workers' Comp Board	200,000.00
03.08.95	7.26%	Workers' Comp Board	750,000.00
Short Term Investments		General Fund	1,730,000.00
			\$26,190,000.00

RESPONSIBLE ACCOUNTING OFFICER

I hereby certify that the investments listed above are the total of all money that has been invested and that the investments have been made in accordance with the Act, Regulations and Council's investment policies.

L M Weatherstone
Divisional Manager of Finance

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OGB29NAX.F02

****** END OF ITEM 35 ******

**ITEM 36: POLICY REGARDING PAYMENT OF EXPENSES AND
PROVISION OF FACILITIES****FILE NUMBER:** GR120/012 PT02/GMA**REPORT:**

The Council has adopted a policy for Members regarding the above matter in accordance with the requirements of the Act. The policy does not indicate the location at which support will take place, however discussions with staff from the Department indicate that it would relate to the Council area or that immediately adjoining.

Councillor Parsons has for employment reasons currently relocated to Newcastle. In terms of his position as a Councillor it is considered the Council should support him in terms of its policy at that location. This will mean payment of travelling expenses he incurs attending Council meetings, additional postage and delivery charges for documents, payment of facsimile machine costs for Council business.

RECOMMENDATION:

That Councillor Parsons be supported at his Newcastle address for the remainder of the current term in accordance with the policy determined under Section 252 of the Local Government Act 1993.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OGB29NBX.G10

****** END OF ITEM 36 ******

ITEM 37: PROPOSED ROAD CLOSURE AND PURCHASE - LANEWAY
BETWEEN 574 & 578 GEORGE STREET, SOUTH WINDSOR**FILE NUMBER:** GR080/047 PT01/CSV**REPORT:**

An application has been received for the closure of a portion of public laneway between 574 and 578 George Street and the rear of 36 Drummond Street, South Windsor. A plan of the proposed closure will be displayed at the meeting.

The application has been lodged jointly by the owners of 574 and 578 George Street, who will, if the closure proceeds, share the closed portion as indicated on the plan.

The proposal has been publicly advertised with no submissions received. The owner of 36 Drummond Street has written advising that they have no interest in purchasing the laneway.

It is noted that should the closure proceed there will be an improvement to the adjoining lots through the addition of extra land which will enhance the development potential and saleability of the lots. Compensation payable should reflect these benefits and accordingly following consultation with Council's valuer, compensation has been agreed at \$6,000 for the larger portion and \$2,500 for the smaller portion. The area of the larger portion being approximately 119m² and the smaller portion, approximately 105m².

Subject to each applicant signing a Deed of Agreement with Council to ensure that the closed road portions are consolidated with the adjoining lots, all further costs are borne wholly by the applicants and that the agreed compensation is paid, the application lodged by the owners of 574 and 578 George Street, South Windsor is supported.

RECOMMENDATION:

1. That Council as the appropriate roads authority proceed with the closure of the public laneway between 574 and 578 George Street, and the rear of 36 Drummond Street, South Windsor.
2. That on closure, the land contained in the road reserve be classified as "operational" and sold to the adjoining owners in such proportion as indicated on Council Plan M3-47-CT.
3. That the applicants enter into the standard Road Closure Deed of Agreement with Council.
4. That all necessary document be completed under Seal of Council.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OGB29NBX.C01

**** END OF ITEM 37 ****

ITEM 38: PROPOSED HAWKESBURY HOSPITAL SITE - CLAIM FOR ADVERSE POSSESSION**FILE NUMBER:** P1341/1280/CSV**REPORT:**

In 1947 Council resumed land off Macquarie Street, Windsor for the purposes of providing a sewer pumping station.

Due to reasons unknown, the subsequent building of the pump station and pits did not occur entirely within the boundaries of the resumed portion of land.

The Health Administration Corporation (HAC) as owners of the adjoining parcel of land identified for the development of the new Hawkesbury Hospital has lodged a primary application to enable the property to come under Torrens Title. In the process of surveying the lot, it was noted that the items of Council's plant were on the property owned by HAC and a caveat was lodged to prevent the primary application proceeding. Had the caveat not been lodged the legal ownership of the pumping station would have vested to the HAC.

The situation may be rectified by Council lodging a claim for adverse possession. However, having regard to the size of the land in question (110m²) and its value, the Crown Solicitor under instruction from the Health Administration Corporation has indicated a willingness to permit Council to acquire the property in question for a nominal amount being \$400 (four hundred) plus costs in the order of \$860. The value has been determined by the Valuer General.

Having regard to the time and costs associated with preparing adverse possession applications, the offer made by the Crown Solicitor is considered to be a more cost effective alternative. In addition clear title to the land will be certain. The offer is therefore supported.

RECOMMENDATION:

1. That Council accept the offer of the Crown Solicitor to purchase land known as Lot 2 DP832585 in the amount of \$400 (four hundred) plus costs in the amount of \$860 (eight hundred and sixty).
2. Funding for the purchase be drawn from the pumping stations allocation from within the Sewer Fund.
3. All necessary documents be completed under Seal of Council.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OGB29NBX.C03

****** END OF ITEM 38 ******

FN:OGB29NBX.C03

SECTION B**Page 9**

ITEM 39: HAWKESBURY CITY LOCAL ECONOMIC DEVELOPMENT BOARD**FILE NUMBER: GM001/021 PT01/CSV****REPORT:**

At its last meeting the Council gave consideration to a report concerning the recently completed Economic and Employment Development Study and in adopting the recommendations of the Economic Development Committee as outlined in the report, Council resolved to establish a Local Economic Development Board.

The proposal is to establish the Board comprising the following representation:-

2 Councillors

1 Representative from -

U W S - Hawkesbury
Local Chambers of Commerce
R A A F Richmond
Tourism Hawkesbury
Local Business Person
Agricultural/Horticultural Industry

General Manager
Appropriate staff representation

As representatives from the majority of these sector groups participated in the Steering Committee overseeing the recently completed Study, they have again been approached with a view to registering their interest in being appointed to the Board. However, there is a new category, that of Agricultural/Horticultural Industry and in order to ascertain a suitable representative sector to approach, contact was made with the local Department of Agriculture.

Whilst there are a number of major Agricultural groups in the area, including the Mushroom Industry, Turf Growers, Dairy Industry, the Department's recommendation was to approach the Free Growers Association which, it was advised, was probably the most representative in terms of its membership and includes - Apple Growers, Stone Fruit Growers, Vegetable Growers, Strawberry Growers and Seedlings etc.

Accordingly, it is proposed to approach this Association asking them to nominate a representative to the Board.

RECOMMENDATION:

That the Free Growers Association be approached with a view to nominating a representative on the Hawkesbury City Local Economic Development Board.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OGB29NBX.C04

****** END OF ITEM 39 ******

ITEM 40: PROPOSED REGIONAL ART GALLERY - HAWKESBURY CITY AREA**FILE NUMBER:** GR030/002/CSV**REPORT:**

The Council has previously considered the concept of establishing a regional art gallery within the city boundaries.

On 14 December 1993, a report was submitted on the subject at which time there were some preliminary estimates of costs together with advice that representatives of the St Monica's Catholic Church in Richmond had confirmed their preparedness to allow a long term lease over the existing church building (20 years) such building requiring some substantial refurbishment. At that time it was resolved that the information be received and a development application for the proposal be prepared. On 22 April 1994, a consent was issued for use of the subject building for the purpose of storage, display of artworks, conducting art workshops and a coffee shop. Apart from discussions with Friends of the Collection in terms of operations of a gallery, there has been no further action taken, principally due to the fact that adequate funding has not been identified.

More recently on 11 October this year, Council resolved that an evaluation report be prepared on the establishment and ongoing operational costs of a regional art gallery in either the former St Monica's Church at Richmond or the Toxana building also at Richmond, the report to include any likely funding.

The Council's art collection consists of approximately 250 paintings with an estimated value of \$250,000. Following the renovations at the Windsor Function Centre currently underway, it will be necessary to relocate the paintings due to aesthetics as well as issues such as climatic conditions and security.

The two options previously identified have been discussed with local architect Mr R Pont, with a view to assessing estimated costs as well as architectural merit in terms of suitability of each premises for the purpose of a regional art gallery.

In order to provide a comparative analysis, Mr Pont has reported as follows:-

"Site Consideration.

Toxana is perhaps better located than St Monica's in that it is closer to the town centre and public transport, and has good access for parking and deliveries from East Market Street. Toxana provides nine spaces at present and St Monica's eight. (assuming site separation as indicated on my revised plan). I would suggest that it would be necessary to alter the parking arrangements at St Monica's to provide separate entry as indicated and this would reduce the number of spaces to six or seven.

It is also felt that it may be appropriate to establish a working party to examine the options.

RECOMMENDATION:

1. That the information be received.
2. A working party comprising Councillors, staff and representation from the Friends of the Hawkesbury Art Collection be established to report on preferred options.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OGB29NBX.C05

**** END OF ITEM 40 ****

ITEM 41: PROPOSED SALE OF 1A GREENWAY CRESCENT, WINDSOR

FILE NUMBER: P740/0015 PT02/CSV

REPORT:

Council at its meeting of 11 October 1994 considered a report on the sale of the subject land to Mr B J Ghantous and recommended that:-

- "1. *The land in question being Lot 161 DP716680 Greenway Crescent, Windsor be offered by public tender.*
2. *There be a reserve of \$250,000 (two hundred and fifty thousand dollars).*
3. *A restrictive covenant be placed on the title restricting any development on the site to a single storey and preventing any blocking of views from the St Matthews Anglican Church property.*
4. *Any subsequent building be subject to discussions regarding its design with the Council's Heritage Adviser."*

Subsequently, Solicitors Abbott Tout prepared an extensive covenant in accordance with the recommendations and the property was advertised for sale. At the close of the tender period, one tender lodged by Triston Pty Ltd was received. Mr Ghantous is the principal of Triston Pty Ltd. The amount tendered was \$250,000.

The tenderer has included three extra special conditions that he has requested for inclusion in the contract for sale.

In brief, the conditions are:-

7. *A warranty to be made by Council that legal access is available from Greenway Crescent and James Ruse Close.*
8. *That subject to Development Consent the purchaser would be entitled to build a dwelling on areas identified by the tenderer. (2 (two) building platforms have been identified.)*
9. *To the extent permitted by law, Council shall permit a re-alignment of the boundaries of the subject land and the adjoining land owned by the tenderer.*

With regard to Condition 7, the tender specification made specific mention that access is "available from either Greenway Crescent or James Ruse Close". An inspection of the Deposited Plan attached to the tender documents also makes this self evident. Thus, a warranty need not be given.

With regard to Condition 8, Council's Consultant Architect having regard to factors such as flood heights, visual amenity and the proximity of heritage items identified a specific area for the building platform. The extension of this platform as requested by the tenderer is not in accordance with the tender specification and therefore should not be supported. In addition, legal representation has been made by the adjoining property holders, Mr & Mrs Hendrikson seeking further restrictions on the development of Lot 161 to protect their amenity. These restrictions would be in the form of amendments to the 88B instrument which would in essence ensure that no building could occur (without their consent) in front of their property.

It is considered that the imposition of further restrictive covenants on Lot 161 are not considered appropriate in this instance as Council has provided adequate recognition of this issue in its tender specification.

With regard to Condition 9 the tenderer may lodge a boundary adjustment application. It is not considered reasonable that Council be required to "permit a re-alignment of the boundaries" at the tender stage. Council will note that boundary adjustments are considered on their merits in accordance with the provisions of the Hawkesbury Local Environmental Plan 1989 including clauses 11(3), 13, 15(2), 25, 28 and 34. Of particular note in Clause 15(2) which stipulates that the number of dwelling houses erected on land subdivided shall not exceed the total number permissible prior to the adjustment. It is noted that the lot owned by the tenderer does not retain a building right due to its floodability no more than one building could be erected even if a boundary alignment is lodged and successful.

The acceptance of Condition 9 is not supported.

The tender specification stipulated that "Council reserves the right to accept non-conforming tenders". Subject to the deletion of the conditions 7, 8 and 9 imposed by the tender or it is recommended that Council accept the tender lodged by Triston Pty Ltd.

RECOMMENDATION:

1. That Council accept the tender lodged by Triston Pty Ltd in the amount of \$250,000 (two hundred and fifty thousand) for the purchase of land known as 1A Greenway Crescent, Windsor (Lot 161 DP716680) subject to the removal by conditions 7, 8 and 9 as specified by the tenderer.
2. As previously identified, funding from the sale be put toward extensions of the Windsor Library or a regional art gallery.
3. All documents be completed under Seal of Council.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OGB29NBX.C06

**** END OF ITEM 41 ****

FN:OGB29NBX.C06

SECTION B

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ITEM 42: ALCOHOL FREE ZONES**FILE NUMBER: GP070/001 PT04/CSV****REPORT:**

As Council will be aware, there are a number of Alcohol Free Zones operating throughout the City. The zones remain in force for a maximum period of twelve months and are due to expire on December 31, 1994. Subject to the provisions of the Local Government Act (1993) the zones may be extended for a further twelve month period.

The Windsor Police Patrol have requested an extension of the zones and, in accordance with the Local Government Act (1993), the proposed extensions have been publicly advertised and written submissions invited. At the close of the advertising period, no submissions have been received.

Council is now required to formally resolve to extend the zones.

RECOMMENDATION:

That the Alcohol Free Zones covering the public roads and footpaths of:-

1. The block having as its boundaries Francis Street, West Market Street, Windsor and Bosworth Street, Richmond including the Coles car park.
2. East Market Street, Richmond between Francis Street and Windsor Street.
3. Toxana Street, Richmond between Francis Street and Windsor Street.
4. Windsor Street, Richmond between East Market Street and Paget Street.
5. West Market Street, Richmond between Lennox Street and March Street.
6. The block having as its boundaries East Market Street, Windsor Street, West Market Street and March Street, Richmond.
7. East Market Street, Richmond between March Street and Lennox Street.
8. Woodhills car park, Richmond.
9. Bells Line of Road at North Richmond - the area known as State Bank Plaza car park adjoining Pitt Lane.
10. Windsor Mall, Windsor.

11. Golden Valley Drive, Glossodia in front of Shopping Centre including car park and access road.
12. Eldon Street, Pitt Town between Grenville Street and Chatham Street, be extended for a further twelve month period from January 1, 1995 to December 31, 1995.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OGB29NBX.C07

**** END OF ITEM 42 ****

ITEM 43: LEASE OF 22 FITZGERALD STREET, WINDSOR.

FILE NUMBER: GC283/042 PT04/CSV

REPORT:

Council has previously considered the lease of the premises in Fitzgerald Street, formerly occupied by the Department of Agriculture.

Following the unexpected withdrawal of the previous applicant, further actions have been taken to secure a tenant. Some informal discussions and inspections have recently been conducted and a written offer to lease the premises has now been received from Pyolag Pty Ltd, who propose to use the premises as Medical consulting rooms.

The applicants have indicated that they expect to spend in the vicinity of \$115,000 (one hundred and fifteen thousand dollars) in refurbishment and fit out costs. In recognition of the improvement to Council's building, it is considered that a reduced market rent as opposed to a rent free period apply for the first year of the lease. Market rental has previously been determined at \$30,000 per annum and it is considered appropriate that rental be reduced to \$12,000 for the first year. Rental in the second year shall increase to \$30,000 and be reviewed in line with CPI for the third year. Should the option be exercised a review to market shall occur for the first year, thence review by CPI in the second and third years review to market in the fourth year and CPI in the fifth year. The basis of this proposal was previously agreed to by Council in relation to the former tenancy proposal.

With regard to outgoings, the lessees shall be responsible for all services separately metered and/or consumed on the site as well as garden maintenance and minor items (excluding structural) of building maintenance and repair.

Council as lessor, shall be responsible for the payment of local government rates and taxes, building insurances and items of structural repair (except those which may be attributed to neglect caused by the lessee).

Having regard to the above terms the lease to Pyolag Pty Ltd is supported.

RECOMMENDATION:

1. Council lease 22 Fitzgerald Street, Windsor, to Pyolag Pty Ltd on the following terms:-
 - (a) a 3 (three) x 5 (five) x 5 (five) year Lease to commence on January 1, 1995;
 - (b) in recognition of various works to be undertaken to the building, rental for the first year of the term shall be \$12,000 (twelve thousand dollars);
 - (c) rental in the second year shall be set at \$30,000 (thirty thousand dollars) with rental in the third year to be adjusted by the Sydney CPI factor;

- (d) if the option is exercised, rental for the first year of the new term shall be reviewed to market; thence by CPI for the second and third years, review to market in the fourth year and review by CPI in the fifth year;
- (e) the Lessee to pay outgoings, including oil; gas; water consumption; garbage and waste removal; electricity; telephone and any other charges separately metered or utilised on the site; grounds maintenance;
- (f) the Lessor to pay Rates and Taxes; Building Insurances and be responsible for items of structural repair;
- (g) the Lessee shall liaise closely with Council's staff to ensure all building works are to Council's satisfaction. The Lessee shall lodge a "Works as Executed" plan on completion of works;

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

ATTACHMENTS:

There are no supporting documents for this report.

FN:OGB29NBX.C08

**** END OF ITEM 43 ****

ITEM 44: ARTS AND CULTURAL DEVELOPMENT PLAN**FILE NUMBER:** GC030/007 PT04/CSV**REPORT:**

At its meeting of October 11 1994, Council resolved that a report be prepared on the development of a cultural plan and the possible role of the Macquarie Towns Festival in this plan. A Draft Hawkesbury City Arts and Cultural Development Plan has now been prepared for consideration and has been circulated separately.

The Draft Plan provides an overview of the existing and previous work in cultural and arts development in the City, working definitions of activities which are embraced under the umbrella of 'cultural development' and highlights the regional and national climate in which future cultural planning must take place.

The Draft Arts and Cultural Development Plan includes objectives, strategies and activities for Hawkesbury City which will ensure that future cultural activities assist in providing local communities with a sense of identity as well as increase tourism and economic benefit to the area.

In terms of an overall cultural strategy, it is considered appropriate that a co-ordinating committee be established to oversee the objectives and activities of the plan. It will be noted from the draft document the proposal to establish a Hawkesbury Cultural Events Committee which would be charged with this responsibility. A proposed committee structure is also included in the document.

It is felt that the functions of the existing Macquarie Towns Festival Committee could be absorbed by the new committee and accordingly the Macquarie Towns Festival Committee could be disbanded in the near future once all aspects associated with this year's festival events have been concluded. It is noted that provision exists in the current constitution for the transfer of funds that may be held by the Macquarie Towns Festival Committee to another appropriate group with similar objectives. It is felt that the transfer of any funds/assets could be readily transferred to the Hawkesbury Cultural Events Committee.

RECOMMENDATION:

1. That the Draft Arts and Cultural Development Plan prepared for the Hawkesbury City Area be adopted in principle and be placed on public exhibition for a period of 28 (twenty-eight) days allowing for comment from the community.
2. Following closure of the advertising period, a further report be submitted for Council's consideration.

3. That in conjunction with the exhibition of the draft document that Expressions of Interest be also invited for membership to the proposed Hawkesbury Cultural Events Committee, based on the structure outlined in the draft document.

ATTACHMENTS:

AT-1 Draft Arts and Cultural Development Plan for Councillors' and Senior Officer's information.

FN:OGB29NBX.C09

****** END OF ITEM 44 ******

**HAWKESBURY CITY COUNCIL
GENERAL PURPOSE COMMITTEE**

END OF BUSINESS PAPER

