

HAWKESBURY CITY COUNCIL GENERAL PURPOSE COMMITTEE



Where People Make the Difference!

BUSINESS PAPER

DATE OF MEETING: 27 September 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."*

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...

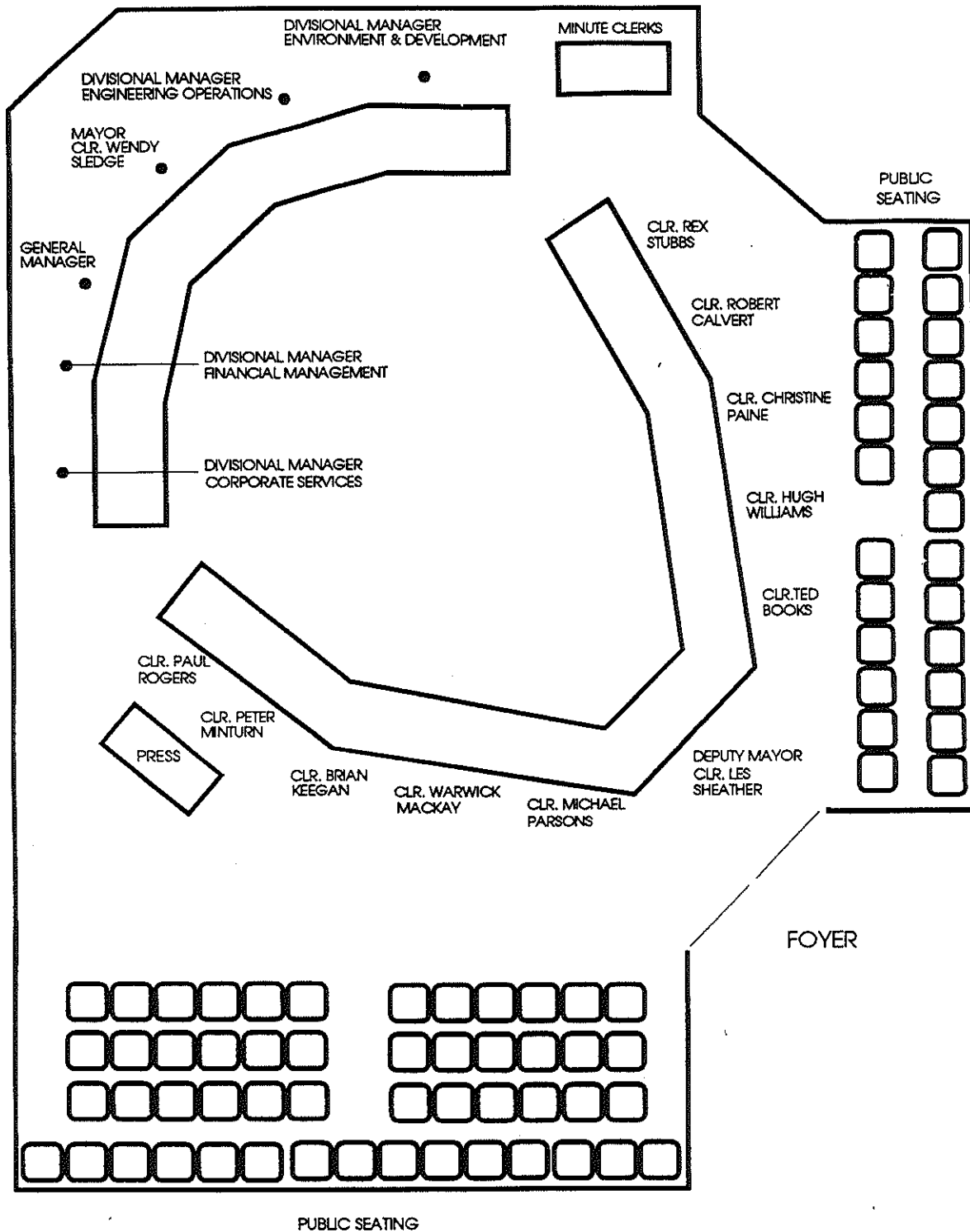
Members of the public can request to speak about a matter that is before the Council at the General Purpose Committee Meeting. The Mayor will invite interested persons to address the Committee when the matter is being considered.

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

Meeting Date: 27 September 1994

AGENDA

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

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Minutes of the Meeting of the General Purpose Committee held at the Council Chambers, Windsor, on 30 August 1994, commencing at 9.30am.

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

An apology for absence was received from Councillor Rogers.

Councillor Calvert arrived at 10.40am and left at 1.00 pm. Councillor Stubbs left at 3.00 pm. Councillors Keegan and Parsons left at 3.05 pm. Councillor Mackay left at 4.30 pm.

RESOLVED on the motion of Councillor Books and seconded by Councillor Keegan that the apology be accepted.

RESOLVED on the motion of Councillor Parsons and seconded by Councillor Books that the Minutes of the General Purpose Committee Meeting held on the 26 July, 1994, having been circulated amongst the members of Council, be confirmed.

The following recommendations were passed as resolutions of the Committee:

SECTION 1 - ENVIRONMENT

38: FLOODLIGHTS FOR EXISTING DRESSAGE AND SHOWJUMPING ARENAS - LOT 8 DP602821 37 OGDEN ROAD, OAKVILLE - APPLICANT: C MUNCASTER (DA107/94/EVD)

Mrs Nixon, an objector, addressed the meeting.

A SITE INSPECTION be carried out.

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39: AGED PERSONS' HOUSING DEVELOPMENT - LOT 1 DP811506 AND LOTS 21 & 22 DP812698 KING ROAD, WILBERFORCE - GARY WHITE PROPERTY CENTRE (DA236/92/EVD)

Mr G Falson addressed the meeting on behalf of the applicant.

THAT THE APPLICATION be supported in principle and further reported with suitable conditions of approval to the Ordinary Meeting.

40: INTRODUCTION, MASSAGE AND RELAXATION CENTRE - LOT 13 DP787262 UNIT 1, 13 ASPINALL PLACE, MULGRAVE - BODY MAINTENANCE SERVICES (DA157/94/EVD)

Messrs D W Stewart, S Williams and W Wilson, objectors, addressed the meeting.

THAT THE application not be approved.

41: AGED PERSONS' HOUSING DEVELOPMENT - PROPOSED LOT 6 IN SUBDIVISION OF LOT 1 DP554590, LOTS A & B DP331606, PART PORTION 102, PART LOT 1 DP9148 AND LOTS A, B, C & D OLD BELLS LINE OF ROAD AND VINCENTS ROAD, KURRAJONG - MR A O'GRADY (DA142/94/EVD)

Mr A O'Grady, the 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 Nos. B2-93-8-9-10, dated 21 May 1994.
2. Submission of a building application, plans and specifications complying with the Building Code of Australia.
3. No advertising structures to be erected, displayed or affixed on any building or land without the prior approval of Council under Ordinance 55 of the Local Government Act.

This is Page 2 of the Minutes of the GENERAL PURPOSE COMMITTEE MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 30 August 1994.

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4. All waste materials to be stored and disposed of at regular intervals to the satisfaction of the Divisional Manager Environment and Development.
5. Adequate and suitable solid garbage/trade waste storage facilities shall be provided on the premises. Separate details indicating the location, type and construction of such facilities shall be lodged with Council concurrently with the building application.
6. No excavation or site works shall be commenced prior to the issue of the building permit.
7. 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.
8. 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.
9. A common television antenna shall be provided for the development.
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.
11. Erosion control measures such as hay bales or geotextile silt traps are to be provided during construction to stop silt, rubbish or debris from leaving the property. Details shall be submitted for consideration prior to the works commencing.
12. Construction of Council's standard heavy duty footways and layback vehicular crossings to suit the access to the site with a minimum width of 3.5m.
13. Design and construction of site drainage shall be carried out in accordance with Council's Guidelines for Stormwater Drainage Requirements for Commercial, Industrial and Medium Density Developments. Full details of works shall be submitted for approval with the building application.
14. All driveways to be constructed with a sealed pavement and all necessary drainage. Particular attention is required to control runoff from the slope above the development. Details to be submitted for approval with the building application.

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15. Submission of a satisfactory Geotechnical Report covering the stability of the slope above the development with particular regard to the proposed works.
16. Detailed design of the access road and garage entrances to provide for adequate manoeuvring to the garages.
17. Provision of a turning area at the end of the access drive to Units 29 to 31 inclusive.
18. 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.
19. The development shall provide for wheelchair access. Full details to be submitted with the building application.
20. The proposed wastewater treatment plant to be licensed by the Environment Protection Authority.
21. The submission of a Subdivider/Development Certificate from the Water Board (a Certificate under Part 3, Division 2, Section 27 of the Water Board Act, 1987).
22. Cut and fill is to be minimised in accordance with the sections shown on plan B2/93/10.
23. Any batters are to be suitably retained and stabilised.

42: TOURIST FACILITY - GARDEN DISPLAY - LOT 2 DP600918 91 MENIN ROAD, OAKVILLE - MRS J CICCOLELLA (DA199/94/EVD)

Mr Seltenrych and Miss J Makim, objectors, addressed the meeting.

A SITE INSPECTION be carried out.

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43: SIX LOT SUBDIVISION - LOT 141 DP751658 WHEENY CREEK ROAD, EAST KURRAJONG - APPLICANT: MR A BOW (SA12/93/EVD)

Mr C Cambridge, for the applicant, addressed the meeting.

A. THAT THE APPLICATION be refused because:-

1. The proposal does not comply with the provision of Hawkesbury Local Environmental Plan 1989.
2. The proposal is located within a high bush fire risk area.
3. The soil quality is insufficient to suitably contain an on-site effluent disposal system.
4. Access is unsatisfactory.
5. The proposal is not in the public's interest

B. FURTHER THAT Council require removal of the unauthorised buildings within 12 (twelve) months.

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

Mr G Moore, for the applicant, addressed the meeting.

THAT THE APPLICATION be approved with appropriate conditions to be reported to the Ordinary Meeting.

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**45: REZONING PROPOSAL - TRUCK SALES AND SERVICE CENTRE - LOT B
DP411701 130 WINDSOR ROAD, MCGRATHS HILL - BASTIAN SALES PTY LTD
(LEP4/94/EVD)**

Mr S Bastian, the applicant, addressed the meeting.

THAT COUNCIL support the preparation of a draft local environmental plan to permit the establishment of a motor showroom on the site.

**46: DECENTRALISED SERVICE CENTRE - RECYCLING OF USED MOTOR OIL -
WORTH OIL (GW010/011 PT09/EVD)**

THAT THE INFORMATION be received.

**47: COST OF SUBDIVIDER/DEVELOPER COMPLIANCE CERTIFICATES ISSUED BY
THE WATER BOARD (SA174/93PT1/EVD)**

THAT THE WATER Board be advised that the \$300 (three hundred dollar) fee for a subdivider/developer compliance certificate application in areas of the City of Hawkesbury remote from reticulated water and sewerage would seem to be excessive and not comparable with the amount of investigation and reporting required by the Board.

Further, the Water Board be requested to investigate the need for compliance certificates in localities remote from its services or, alternatively, to reduce the application fees to a figure commensurate with the issue of a standard letter.

**48: MUSHROOM COMPOSTING OPERATION - 6127 SINGLETON ROAD, TINDA
CREEK (DA171/94/EVD)**

Mr N Diamond, Tinda Creek Progress Association, addressed the meeting.

THAT THE INFORMATION be received.

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**49: REDEVELOPMENT OF THE LAND SURROUNDING CLAREMONT COTTAGE AS
A MEANS OF FUNDING ITS RESTORATION FOLLOWING FIRE DAMAGE
(GH020/033 PT 2/EVD)**

THAT THE OWNERS be advised that in Council's opinion the proposed development options would be contrary to the required curtilage for Claremont and the conservation of the stables.

**50: 1994 HERITAGE ASSISTANCE PROGRAM (GG021/098; GG021/183 PT1;
GG021/184 PT1; GG021/191 PT1; GC040/009 PT2/EVD)**

1. THAT INFORMATION IN the report relating to the 1994 Heritage Assistance Program be received.
2. That Council accept the offer of funding assistance from the 1994 Heritage Assistance Program for the Repair of Vandalism Damage at the Windsor Catholic Cemetery, the Richmond Archaeological Zoning Plan and the Conservation Works at St Monica's Church, Richmond.
3. That Council's 'share' of the funding required for the Repair of Vandalism Damage at the Windsor Catholic Cemetery and the Richmond Archaeological Zoning Plan be funded from Council's Heritage Program.

**51: ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 1980 -
CHANGES TO SCHEDULE 3 - DESIGNATED DEVELOPMENT (GT090/001 PT2 LEP 8/91
PT1/EVD)**

THAT THE INFORMATION be received.

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52: WEATHERBOARD COTTAGE - NOTICE OF INTENTION TO DEMOLISH - 80 LENNOX STREET, RICHMOND - V & D TCHADOVITCH (P515/135 PT2, DA281/93 PT1/EVD)

1. THAT THE INFORMATION in the above report be received subject to Condition 3 - "Unrestricted commercial/retail use for the weatherboard cottage" amended to read as follows : *"Appropriate commercial/retail use for the weatherboard cottage"*.
2. That provision of a \$5,000 (five thousand) dollar for dollar grant from the Hawkesbury Local Heritage Assistance Fund for repainting the weatherboard cottage known as 80 Lennox Street, Richmond in a traditional colour scheme and erection of a picket fence on the land be referred to Council's Heritage Advisory Committee.

53: WEATHERBOARD COTTAGE - NOTICE OF INTENTION TO DEMOLISH - 339 WINDSOR STREET, RICHMOND (DA281/93 PT1/EVD)

Mrs Colquhoun, the applicant, addressed the meeting.

THAT :

- A. The demolition of this house be approved.
- B. An appropriate Development Control Plan be placed over the land to maintain the architectural merit of the streetscape.

54: MUSHROOM COMPOSTERS PTY LTD - INDEPENDENT ODOUR ASSESSMENT - BREACHES OF CONDITIONS OF DEVELOPMENT CONSENT - MOTION FOR STAY OF COURT PROCEEDINGS (P1609/110 PT8/EVD)

Mr B Daley, for the applicant, and Ms F Peters, objector, addressed the meeting.

1. THAT AN INDEPENDENT odour assessment not be commissioned for the reasons outlined in the report.
2. That the information concerning the breaches of development consent be received.

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3. That the application by Mushroom Composters Pty Ltd for a stay of the Court Orders be opposed and that Council's solicitors be instructed accordingly, including making submissions at the hearing on 31 August 1994.

Further that the reasons include the continuing odours being experienced by residents in the neighbourhood and the failure of Mushroom Composters Pty Ltd to alleviate the odours emitted from the premises.

55: DPS ABATTOIRS PTY LTD - 62 KING ROAD, WILBERFORCE (DA52/94/EVD)

Mrs Moore, adjoining owner, addressed the meeting.

THAT THE INFORMATION be received.

56: PROPOSED RETAIL DEVELOPMENT. (248/32 PT01/GMA)

THE INFORMATION BE received.

57: TYRE LANDFILL - HENDRENS ROAD, EBENEZER. (DA347/92/GMA)

Mr B Porter and Mr G Watts, applicants, addressed the meeting.

THAT COUNCIL'S RESOLUTION of the 23 August, 1994 be amended to provide for an extension for a period of 5 (five years) from May 1995.

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SECTION 2 - INFRASTRUCTURE

17: DRAINAGE EASEMENT ACQUISITION - 35 BOWEN MOUNTAIN ROAD, BOWEN MOUNTAIN (P212/0130 PT02/CSV)

1. THAT COUNCIL PROCEED to acquire a 3m (three) wide drainage easement at no cost across Lot 5 DP220135 N^o 35 Bowen Mountain Road, Bowen Mountain, from Mr P Dodds.
2. That Council meet the applicant's reasonable legal and survey costs.
3. That all necessary documents be completed under Seal of Council.

18: WATER PIPELINE OVER PUBLIC RESERVE AT KURRAJONG HEIGHTS (P203/170, P203/175, GR060/028/ENG)

THAT PERMISSION BE granted to Mrs D Varosanec of 26 Bellbird Avenue, Kurrajong Heights, for a pipeline and pump across Lot 31, DP203876 to Little Wheeny Creek and the permission rest on correspondence.

19: RENAMING ROAD - PART EAST KURRAJONG ROAD SECTION 2 NEAR WEST PORTLAND ROAD (510/R PT04/ENG)

Ms H Sobiesiak, resident of East Kurrajong Road, addressed the meeting.

1. THAT ACTION BE commenced to alter the name of the part of East Kurrajong Road, Section 2, which is a cul-de-sac gaining access off West Portland Road, under Section 162 of the Public Roads Act 1993.
2. That the proposed name be "Grey Gum Close", subject to the concurrence of the Hawkesbury Historical Society.

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20: CONTRIBUTIONS TOWARDS KERB & GUTTER AND FOOTPATH WORKS (0119/R PT02/ENG)

Mrs R Taylor, resident of Argyle Street, South Windsor, addressed the meeting.

1. IN THIS MATTER, in relation to footpaving and driveways on the southern side of Argyle Street between George and Mileham Streets, Council not recover any of the costs of construction from adjoining property owners.

Further that a report be prepared on the total revenue foregone and impact on the Works Program.

2. That the following schedule of charges representing 50% (fifty) of the cost be adopted in respect of completed kerb & gutter and concrete footpaving works at the following locations:-

•	Nightingale Square, Glossodia (kerb & guttering)	\$28.31/m (twenty eight thirty one)
•	George Street, Windsor	\$14/m ² (fourteen) footpaving \$19/m ² (nineteen) driveways
•	Drummond Street, South Windsor	\$14/m ² (fourteen) footpaving \$19/m ² (nineteen) driveways

21: 35TH ANNUAL FLOOD MITIGATION CONFERENCE (GR060/031 PT04/ENG)

The report was withdrawn.

22: EAST KURRAJONG ROAD - PROPOSED RENAMING (0510/R PT04/ENG)

THAT EAST KURRAJONG Road, Section 2, be renamed Bull Ridge Road, in accordance with the provisions of the Roads Act, 1993.

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23: PROPOSED RENAMING - BLAXLANDS RIDGE ROAD - PUTTY ROAD TO WEST PORTLAND ROAD (GR120/003 PT02, 0209/R PT02/ENG)

THAT THE SECTION of Blaxlands Ridge Road between Putty Road and West Portland Road be named Packer Road in accordance with the provisions of the Roads Act, 1993.

24: B-DOUBLE ROUTES - DRUMMOND STREET, STEWART STREET AND HAM STREET (GT230/004 PT03/ENG)

THAT THE ROADS & Traffic Authority be advised that Council does not support the use of 25 (twenty five) metre B-Double operations to D & R Henderson, Ham Street, Windsor, via Drummond Street, Stewart Street and Ham Street.

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SECTION 3 - ORGANISATION AND RESOURCES

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

THAT THE INFORMATION be received.

18: REDEVELOPMENT - RICHMOND SWIMMING CENTRE (GP080/001 PT3/GMA)

THE INFORMATION REGARDING the possible redevelopment of the Richmond Swimming Centre be received.

19: ROAD CLOSURE & PURCHASE PROPOSAL - CNR MANNS & GRONO FARM ROADS, WILBERFORCE (GR080/045 PT1/CSV)

1. THAT COUNCIL RAISE no objection to the closure and purchase of a portion of unnecessary road adjacent to Lot 12 DP39350 N° 2 Manns Road, Wilberforce.
2. That the applicant, Mr J Rouba, enter into a Deed of Agreement to ensure:-
 - a. all further costs are met by the applicant;
 - b. the portion of closed road is consolidated with the existing Lot 12 DP39350;
 - c. no trees shall be lopped or removed without prior consent of Council under the provisions of the Tree Preservation Order; and
 - d. compensation of \$200 (two hundred dollars) be paid to Council upon Gazettal of the closure.
3. All necessary documents be completed under Seal of Council.

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20: PURCHASE OF UNNECESSARY PUBLIC ROAD - WEATHERBOARD RIDGE ROAD, EAST KURRAJONG (GR080/043 PT1/CSV)

1. THAT COUNCIL RAISE no objection to the closure and purchase of a portion of unnecessary road adjacent to Lot 1 DP815499 N^o 130 Weatherboard Ridge Road, East Kurrajong.
2. That the applicants, Mr and Mrs Reberger, enter into a Deed of Agreement to ensure:-
 - a. all further costs are met by the applicants;
 - b. the portion of closed road is consolidated with the existing Lot 1 DP815499; and
 - c. compensation of \$2,000 (two thousand dollars) be paid to Council upon Gazettal of the closure.
3. All necessary documents be completed under Seal of Council.

21: WORKERS' COMPENSATION SELF-INSURER'S LICENCE - RENEWAL (G155/007/CSV)

1. THAT AN APPLICATION be made to the WorkCover Authority to renew Council's licence for Workers' Compensation.
2. The Common Seal of Council be affixed to the necessary documentation.

22: LEASE - SHOP 3 HOBARTVILLE SHOPPING CENTRE (GC283/007 PT2/CSV)

1. THAT COUNCIL LEASE shop 3 Hobartville Shopping Centre to Mr Blagoja Cvetanovski on the following terms.

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The lease shall be:-

- a. for a period of 3 (three) x 3 (three) years;
 - b. commencing annual rental to be \$6,850 (six thousand eight hundred and fifty) with the lessee to pay 8.77% (eight point seven seven) of outgoings costed to the centre. Outgoings include rates, insurances, water and electricity use in common areas, ground maintenance and building maintenance;
 - c. rental in the second and third years of the term shall be reviewed in accordance with movements in the Sydney Consumer Price Index; and
 - d. should the option be exercised, rental for first year of the new term shall be reviewed to market.
2. The Common Seal be attached to all necessary documents.

23: IMPROVEMENTS - WINDSOR FUNCTION CENTRE (GC283/45 PT8/CSV)

THAT STAGE I of the proposed improvements to the Windsor Function Centre, as detailed in this report, be commenced immediately.

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SECTION 4 - QUESTIONS WITHOUT NOTICE

1. Councillor Minturn referred to the edges of Redbank and Vincent Roads. They have about 4" to 6" guttering.
2. Councillor Minturn asked if the papers along the Rest-A-While near the RAAF Base could be removed.
3. Councillor Sheather referred to the footpath at the school at Wilberforce and asked if this could be given attention.
4. Councillor Sheather asked if consideration could be given to putting a concrete causeway across the Roberts Creek crossing low enough for the water to pass over the causeway.

ADDRESS ON MOBILE POLICE STATION.

Snr.Sgt.Phil Close and Sgt.Ernie Jones attended the meeting.

Snr.Sgt.Close addressed the meeting on the Mobile Police Station, gave details of the proposal, the progress made to date, ownership, running costs and the need for sponsorship.

ADDRESS - HAWKESBURY/NEPEAN CATCHMENT MANAGEMENT TRUST

Mr Robert Crawford, Chairman of the Hawkesbury/Nepean Catchment Management Trust addressed the meeting on the objectives and functions of the Trust.

The meeting terminated at 5.10 pm.

Submitted to and confirmed at the meeting of the General Purpose Committee held on 27 September, 1994.

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Mayor

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SECTION 1 ENVIRONMENT

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59:	FOUR VILLA UNITS - LOT 16 DP771223 626 GEORGE STREET, SOUTH WINDSOR - APPLICANT: W & K SALES DA63/94/EVD	10
60:	THREE BEDROOM DUPLEX AT REAR OF PROPOSED SUBDIVISION OF LOT 59 DP242486 26 MICHAEL STREET, NORTH RICHMOND - APPLICANT: J GODSELL DA93/94/EVD	14
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ITEM 58: ADDITIONS TO SHOPPING CENTRE - LOT 43 DP838321 AND LOT 3 DP777853 29 & 34 ELDON STREET, PITT TOWN - APPLICANT: IRONRACE PTY LTD

FILE NUMBER: DA188/94/EVD

Owner: Ironrace Pty Ltd
Stat. Provisions: Hawkesbury Local Environmental Plan 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

REPORT:

Council is in receipt of a development application proposing additions to the Pitt Town Shopping Village. The development is comprised of 2 new shops and additions to the existing supermarket. An additional 20 car spaces are to be provided within a vacant allotment on the opposite side of Eldon Street from the existing shopping village.

Statutory Situation

This application proposes development on land zoned Business General 3(a) for the shop additions, and land zoned Residential 2(a) for the associated car parking. The shops are unquestionably permissible with consent however concern was raised as to the legality of the car parking. As a consequence, legal advice was sought from Council's solicitors, which concluded that the car parking would not be ancillary to the shops and would therefore be defined as a "Commercial Premises", which are prohibited under Hawkesbury LEP. A "Commercial Premises" is defined as:-

"a building or place used as an office, but does not include a building or place elsewhere specifically defined in this clause or a building or place used for a purpose elsewhere specifically defined in this clause"

The car park is clearly not an office so it is considered that the activity would not be defined as commercial premises. Consequently, it is considered the car parking is undefined and is therefore, permissible with consent under the provisions of Hawkesbury LEP, 1989.

Submissions

Two submissions have been received from the residents adjoining the car parking allotment, objecting to the development on the following grounds:-

- adversely affects privacy
- adversely affects security
- reduce property values

Planning Report

The subject property is comprised of a vacant corner allotment and a vacant regular shaped lot.

Siting and Design

The proposed development is oriented towards the corner of Eldon & Chatham Streets. The development is single storey in height and is to be finished in coloured concrete block with colorbond roof. The architectural style and external finishes are compatible with the existing development and is therefore suitable.

The development has no setback to the street frontages however this is satisfactory in a commercial zone.

The car parking is to be landscaped and will have a suitable appearance.

Traffic & Parking

Council's Parking Development Control Plan requires parking at the rate of 4.5 spaces per 100m² of gross floor area. This development proposes 440m² of such area thus requiring 20 spaces. Twenty spaces have been proposed. The dimensions of the spaces and the manoeuvrability complies with the Council's DCP.

The proposed car park is separated from the shopping village by Eldon Street and is to be linked by a pedestrian crossing. The location of parking is considered suitable. It is considered that the proposed development does not warrant the provision of a pedestrian crossing given that Eldon Street does not carry a high volume of traffic. Should however the Council consider a pedestrian crossing warranted, the approval of the Local Traffic Committee would be required.

Amenity

The shops themselves will not adversely affect the amenity of the area. On the contrary, the provision of additional and varying retail facilities will benefit the Pitt Town Village and surrounding community.

The car park however, being surrounded by residential development has the potential to adversely affect the amenity in the vicinity. This could be in the form of additional noise and a reduction in privacy. Privacy will be improved by the provision of 1.8m high fencing around the car park allotment. Fencing at present ranges between 1.2m and 1.8m and will not adequately screen the car park from adjoining residential development. Further, it is considered that the car park should be secured to prevent access outside of normally expected business hours. This will discourage the use of the car park by hotel patrons. In addition, suitable signage will prevent car park users being locked into the parking area. It is envisaged that the fencing securing the car park will be of similar appearance to pool type fencing.

Conclusion

It is considered that the development will provide the Pitt Town community with an improved retail service and therefore will benefit the locality. Although the proposal has the potential to adversely affect the locality, suitable conditions can be imposed to overcome likely concerns. The application is therefore recommended for approval.

RECOMMENDATION:

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 3 (three) 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 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.
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 (one point eight) 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.

ATTACHMENTS:

AT-1 Site map

FN:EN927NAX.V05

****** END OF ITEM 58 ******

ITEM 59: FOUR VILLA UNITS - LOT 16 DP771223 626 GEORGE STREET,
SOUTH WINDSOR - APPLICANT: W & K SALES

FILE NUMBER: DA63/94/EVD

Owner: Mr W & Mrs K Sales
Stat. Provisions: Hawkesbury Local Environmental Plan, 1989
Medium Density Housing Development Control Plan
Area: 1,953m² (subject to subdivision approval)
Zone: Residential 2(a)
Advertising: Advertised with 3 submissions
Date Received: 28 April 1994

Key Issues:

- ◆ Submissions
- ◆ Amenity (privacy, noise, traffic)

Action:

Approval with conditions

REPORT:

Proposal

Application is made to construct 4 villa units on a rectangular shaped battle axe allotment. Amended plans have been received overcoming concerns associated with parking, an additional sewer line, density and the general standard of the plans. Located behind an existing weatherboard residence, the units will be of a Federation style constructed of brick and tile. Units 1 and 2 will be 2 bedroom whilst Units 3 and 4 will be 3 bedroom. A visitors space is located at the rear.

Advertising

Three submissions were received regarding privacy, noise, increased traffic and drainage.

With respect to traffic and amenity one submission reads in part:-

"Out of these four units there is probably going to be six cars on this property, parked. There will also be visitors with cars to these properties. What I would like to know is where are these cars going to be parked. As it is against the law to park on the footpath, that only leaves the shoulder of the road. The shoulder outside these properties is not very wide, any cars parking on the shoulder is going to make visibility from Woods Road poor."

If the project gets the go ahead, I would like to know how I stand about my concrete layback and apron. During construction there will be concrete, bricks, tiles, roof trusses and from trucks using the (my) driveway... will I be compensated for the damage done..."

Statutory Situation

A 2 lot subdivision has recently been approved over the subject property, however registration has not taken place.

The proposal is permissible within the zone and complies with Council's Medium Density Housing Development Control Plan.

Planning AssessmentSite Characteristics

The existing property is rectangular in shape, side and front boundaries measure 110m and 20m respectively. The land has a gradual slope down towards the rear. The existing dwelling is located approximately 8m from the road frontage (George Street). The existing sewer line is located 40m from and parallel to George Street. Adjoining development consists of residential development. An easement to drain water is located at the rear of the property.

Privacy

The 3 submissions received are from residents located on the southern side of the subject land.

Adjacent to them will be the driveway serving the units and a visitors space. The application provides a 1.8m high fence which when constructed will overcome visual amenity and minimise headlight glare at night. Noise will be generated from normal vehicular movement within the site and is not considered to affect the amenity of the area as the land is adjacent to George Street.

Parking/Traffic

Amended plans have overcome parking concerns with respect to allocation of spaces per units. The proposal complies with the minimum standards of the DCP in terms of number of spaces required by manoeuvrability.

Roads and Traffic Authority guidelines indicate that the development will generate an additional 23 trips per day. This is not excessive or beyond the capacity of the local network as a consequence of this development.

The driveway frontage measures 6.0m which will allow two way movement when the need arises.

Conditions of consent are imposed to restore kerb and gutter and vehicular crossings overcoming concerns from the neighbour.

Drainage

The land slopes down to the rear. Unit 1 will be located over the existing sewer which will require the line be concrete encased. An additional sewer line will be required through adjoining properties from Woods Road.

With respect to the disposal of stormwater, works will be required to upgrade the existing pipeline. Discussions have taken place with the applicant with the view that any recovery of costs from other developers who might benefit from the upgraded stormwater line could be provided under Section 94 of the Environmental Planning and Assessment Act.

Conclusion

The application complies with the DCP and it is considered that amenity concerns can be overcome with appropriate conditions.

RECOMMENDATION:

That consent be granted subject to:-

1. The development shall be carried out generally in accordance with amended plans dated September 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 \$9,832. 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. A contribution of \$6,438 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 for a period of 12 (twelve) 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.
5. Construction of Council's standard heavy duty footway and layback vehicular crossing to suit the access to the site with a minimum width of 6m.
6. Design and construction of site drainage shall be carried out in accordance with Council's Guidelines for Stormwater Drainage Requirements for Commercial, Industrial and Medium Density Developments. Full details of works shall be submitted for approval with the building application. On-site detention shall be provided to maintain all stormwater discharges up to the 1 : 100 year storm at predevelopment levels.

7. 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. 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 and at least lapped and capped.
10. Construction of piped drainage for the full length of the easement for drainage of water 3 wide extended to the pit in Bradley Road just to the south of Bradley Road excluding that along the eastern boundary. The existing pipeline within this section of easement to be connected to the new pit to be constructed in the south eastern corner of the lot. The pipeline shall be 675mm in diameter. All work to be carried out in accordance with plans approved by the Divisional Manager of Engineering Services.
11. Erosion control measures such as hay bales or geotextile silt traps are to be provided during construction to stop silt, rubbish or debris from leaving the property. Details shall be submitted for consideration prior to the works commencing.
12. All necessary works being carried out to ensure that flow from adjoining properties is not impeded.
13. All parking areas shall be designed so as to allow adequate manoeuvrability of vehicles.
14. The carport between units 3 and 4 shall be located to the front between the respective garages.
15. The existing sewer line under Unit 1 shall be concrete encased. Details to be submitted with the Building Application.
16. All kerb and gutter if damaged shall be replaced at the applicant's expense.
17. Satisfactory arrangements being made with the Council for the provision of sewerage reticulation to serve the whole of the rear lot by extending a gravity line from Woods Road.

ATTACHMENTS:

AT-1 Site map

FN:EN927NAX.V13

**** END OF ITEM 59 ****

ITEM 60: THREE BEDROOM DUPLEX AT REAR OF PROPOSED
SUBDIVISION OF LOT 59 DP242486 26 MICHAEL STREET,
NORTH RICHMOND - APPLICANT: J GODSELL

FILE NUMBER: DA93/94/EVD

Owner: J Godsell
Stat. Provisions: Hawkesbury Local Environmental Plan 1989
Area: 1,023m²
Zone: Residential 2(a)
Advertising: Adjoining owners advised with 5 submissions objecting
Date Received: 18 April 1994

Key Issues:

- ◆ Submissions
- ◆ Amenity

Action:

Approval with conditions

REPORT:

Application is made to erect a single storey duplex on land which is subject to a subdivision which has recently been approved. Amended plans have been submitted due to concerns regarding non compliance with courtyard areas and general amenity.

Site Characteristics

Proposed lot 592 is located at the rear of an existing dwelling which will be located on proposed lot 591. The subject land will be hatched shaped with a 3.0m wide driveway. The area will be 661m². A garage and two shade buildings will need to be demolished for the proposal. There are several established trees located in front of the proposed duplexes.

Statutory Situation

The application generally complies with respect to Council's DCP for Dual Occupancies/Duplex with the exception of the area of one courtyard.

Public Consultation

The adjoining owners were advised of the proposal. Five objections were received, all submitted as Statutory Declarations. The following is a summary of the residents' concerns:-

- increased traffic in quiet street

- danger to children living in street
- traffic congestion and increased car numbers
- more air pollution from extra dwellings
- increased noise pollution
- devaluation of properties
- lot too narrow
- money making deal; renters only
- adversely affect amenity of area
- increased street parking
- affect runoff rates and absorption
- change semi rural area to medium density
- change outlook for surrounding residents

Planning Assessment

Character

The proposed duplex is designed under the one roof giving the appearance of a large single dwelling with the frontage providing a 'Federation' style.

Relationship of Adjoining Lands

The subject property adjoins allotments which have been developed for residential purposes. This proposal is not out of character with adjoining properties.

Parking/Manoeuvrability

Parking spaces comply with one space per dwelling unit. These will be in the form of carports which are not contiguous with the units. A visitors space can be provided adjacent to the existing stand of trees.

With respect to traffic, it is considered that vehicle trips in peak hour will not be excessive or beyond the capacity of the local road network.

Amenity/Public Interest

Objectors concerns are appreciated, however, the design , scale and character reflects the appearance of a single dwelling.

Whilst population density will increase, there is no submitted evidence that would suggest that these developments create an unreasonable noise level.

Issues such as water and air pollution have been highlighted prior to the land being capable of subdivision and it is considered that the number of duplexes proposed does not constitute a burden to the community.

There has been nothing submitted to Council which would substantiate devaluation and, in fact, in general terms the valuation of land is increased by its ability to contain dual occupancy/duplex development.

Other than a minor non compliance of 4m² for courtyard space and living areas not contiguous with respective courtyards, there is not considered to be anything in the proposal such as would lead to its refusal and accordingly, it is recommended for approval subject to conditions.

RECOMMENDATION:

That consent be granted subject to:-

1. The duplex shall be carried out generally in accordance with amended plans referenced 85994 and where modified by conditions.
2. A contribution of \$1,591 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 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.
3. Submission of a building application, plans and specifications complying with the Building Code of Australia.
4. No excavation or site works shall be commenced prior to the issue of the building permit.
5. The Building Permit shall not be issued until such time as registration of Subdivision Application No. 39/94 has taken place. Documentary evidence shall be submitted prior to release of the Building Permit.
6. Design and construction of site drainage shall be carried out in accordance with Council's Guidelines for Stormwater Drainage Requirements for Commercial, Industrial and Medium Density Developments. Full details of works shall be submitted for approval with the building application.
7. Parking spaces, accessways and aisles to conform to Council's Development Control Plan and are to be constructed with pavers/earth toned coloured concrete or the like, drained and marked. Details to be submitted with the building application.

ATTACHMENTS:

AT-1 Site map

FN:EN927NAX.V14

**** END OF ITEM 60 ****

ITEM 61: REZONING TO GENERAL INDUSTRIAL 4(A) - LOT 4 DP610341
& PART LOT 12 DP736138 Nos 84-112 MULGRAVE ROAD,
MULGRAVE - APPLICANT: R N & N R TOLSON

FILE NUMBER: LEP9/94/EVD

Owner: R N & N R Tolson
Stat. Provisions: Hawkesbury Local Environmental Plan, 1989
Area: 24.484ha (5.47ha to be rezoned)
Zone: Rural 1(c)
Date Received: 15 August 1994

Key Issues:

- ◆ Flooding/Filling
- ◆ Appropriateness of Locality
- ◆ Visual Impact
- ◆ Environmental Impact

Action:

Support for Light Industrial 4(b) zone

REPORT:

Council is in receipt of an application seeking support to rezone approximately 5.47 hectares of land in Mulgrave Road, adjacent to the Richmond/Riverstone railway line, at Mulgrave, from Rural 1(c) to General Industrial 4(a).

Lot 4 currently contains a dwelling and has approval for a hay shed and produce store. Filling is presently being undertaken on the site to ensure floor levels comply with Council's approval. Lot 12 has been developed for the production of mushroom compost. It too contains a dwelling.

The applicant's submission states that:-

"The present use of the site for a mushroom composting establishment and the future development of a produce store and hay shed, as approved by Council, are likely to continue for some time. However, it may be necessary for the mushroom composting establishment to relocate to another site in the future and it is desirable to have an appropriate zoning in place that will enable the existing buildings and other infrastructure to be utilised."

The contour levels of the land vary between 15-16 metres AHD where the mushroom composting buildings are located, down to below 5 metres AHD at South Creek.

Adjoining land to the north is used for grazing and contains a dwelling, shed and sewerage pumping station. South Creek is to the west of the site. The Richmond/Riverstone railway line, dwelling and associated railway equipment is to the south. Beyond the railway line, land is used for grazing and contains a dwelling and sheds. In the industrial area on the eastern side of Mulgrave Road, there are a number of uses including a factory, caravan repairs and sales, motor vehicle smash repairs, three dwellings and boat sales and service. There is also a stock feed premises on the railway land, adjacent to the station.

Applicant's Submission

The applicant has submitted the following in support of the rezoning:-

"In considering a possible rezoning, it is appropriate to consider the development options or alternative uses for the site.

Option 1 - Mushroom Composting Establishment

The existing mushroom composting establishment is an extensive operation and has Council approval... Approval has also been given by Council for a produce store and hay shed on Lot 4 with the land filling of this lot being currently undertaken prior to building commencing. Approval has also been given by Council for extensions to the mushroom composting establishment that are yet to be erected.

It is likely that the mushroom composting establishment will remain on the site for some time, however, it may be necessary to relocate this activity to another site in the future, and it would be desirable to have in place a zone to allow appropriate use of the filled areas, buildings and sealed surfaces. A rezoning of part of the land does not preclude the mushroom composting establishment from continuing as it would be a conforming or non-conforming use, depending upon the zoning introduced for the site.

Therefore, retaining the existing Rural 1(c) zone and the existing development is appropriate for the short term but is not appropriate for the long term use of the site.

Option 2 - Rural Subdivision

Under the current Rural 1(c) zoning the minimum area for subdivision is 2 hectares per lot and therefore, in theory, 12 lots could be achieved on an area basis. However, due to the contour levels of the site, very few lots could be achieved...

In view of the above and the existing development on the land, this development option is not appropriate or achievable.

Option 3 - Residential Development

The higher parts of the site, if appropriately zoned, could be developed for residential subdivision and dwellings could be erected on the resultant lots, many as 2 storey dwellings.

However, such development would conflict with Clause 25(6),... as access to the site and Mulgrave Road are flood liable.

Dwellings erected on the site could become isolated in flood times and such an option is therefore not in the community's interest and therefore is rejected.

Option 4 - Industrial Development

The lands on the opposite side of Mulgrave Road to the site are zoned as General Industrial 4(a) and a small area of Light Industrial 4(b). Lot 4 and the filled area of lot 12 are isolated by flood liable lands from zoned residential areas and dwellings on surrounding rural lots.

The existing rural buildings, used for the mushroom composting establishment, are industrial in scale and constructed in masonry and colorbond sheeting, as are buildings in the other industrial areas.

There are extensive sealed areas which could be used for parking and access.

The existing access from Mulgrave Road would need to be widened to a minimum of 6m to provide for two way traffic.

The part of the site proposed to be rezoned is close to and a logical extension of the existing Mulgrave Industrial Area.

Visual impact will not differ to any degree between the use of the existing buildings for the mushroom composting establishment and the use of the existing buildings for industrial purposes.

In conclusion, the site's location, visual assessment, present and future buildings of the mushroom composting establishment, produce store and hay shed and the levels of the land make an industrial zoning appropriate and this is the preferred option."

The applicant also states that:-

"The proposed 4(a) land is sufficiently isolated from residential development that no adverse impact is likely to the amenity of the residential areas or to dwellings on surrounding rural lots.

Approval has been given by Council for a rail siding and this facility could be a positive attraction for the site for future industrial users."

Planning Assessment

The reasons stated above for rezoning the site to permit industrial uses, are considered to be reasonable justification for the proposal.

In particular, it is noted that adjoining properties generally only have small pockets of land above the 13 metre contour; ie. land that could be filled for industrial development, under the provisions of Clause 25(2) of Hawkesbury LEP 1989. Therefore, given that the site is isolated by flood liable land, rezoning the site would only result in a limited extension of the Mulgrave Industrial Area.

Further, the applicant has indicated that:-

"The industrial development of the 5.47 hectares would be required to comply with the requirements of HLEP 1989 except that, since substantial filling of the land has occurred since the 'appointed day' of HLEP 1989, 6 April, 1984, the 'appointed day' for the purpose of this local environmental plan should be the date the local environmental plan takes effect."

In terms of visual impact, it is acknowledged that a rezoning would not substantially alter the appearance of the existing development, unless the site was totally re-developed. The applicant has suggested that the visual impact would in fact be reduced over time as perimeter and batter planting currently being undertaken, matures and "softens" the development.

Whilst there is a concern regarding the rezoning of land in close proximity to South Creek for industrial purposes, it could be argued that rural uses could also adversely impact on the creek. Further, any future industrial use of the site will require the submission and approval of a development application.

The applicant has indicated that although the site could be rezoned Light Industrial 4(b), the existing development with its large sheds and extensive paved areas lends itself to general industrial uses. Whilst this may be so, the characteristics of the existing development in themselves, do not justify a General Industrial 4(a) zoning. It is considered more appropriate that the land be zoned for Light Industrial 4(b) uses given its proximity to South Creek, and to ensure the site is consistent with the industrial zoning on the opposite side of Mulgrave Road.

RECOMMENDATION:

That Council prepare a draft local environmental plan to rezone 5.47 hectares of the subject land from Rural 1(c) to Light Industrial 4(b).

ATTACHMENTS:

AT-1 Site Map

FN:EN927NAX.V11

**** END OF ITEM 61 ****

ITEM 62: TOURIST FACILITY - GARDEN DISPLAY - LOT 2 DP600918 91
MENIN ROAD, OAKVILLE - APPLICANT: MRS J CICCOLELLA

FILE NUMBER: DA199/94/EVD

Owner: V & J Ciccolella
Stat. Provisions: Hawkesbury Local Environment Plan 1989
Area: 2ha
Zone: Rural 1(c)
Advertising: Adjoining owners notified with 2 submissions received
Date Received: 29 July 1994

Key Issues:

- ◆ Amenity
- ◆ Septic Tank Effluent

Action:

Approval with conditions

REPORT:

A report was submitted to the General Purpose Committee meeting of 30th August 1994 in regard to this application when the Committee recommended that a site inspection be carried out.

The report is reproduced hereunder:

Council is in receipt of an application proposing the establishment of a tourist facility on the subject property. The proposal involves the opening up of existing gardens on the property for public display. Visits to the site are to be by way of appointment only, principally through garden clubs. Up to 12 people will visit the site at any one time, and it is envisaged that up to 4 visits will occur in any one week. Visits will generally take up to 4 hours. Toilet facilities are to be provided.

Statutory Situation

The proposal may be defined as a tourist facility which is a use permissible, with consent, under the provisions of HLEP 1989.

Submissions

Submissions have been received objecting to the proposal on the following grounds:-

- access road is located adjacent to property boundary of adjoining property
- privacy
- vegetation on boundary reduces moisture on the adjoining property
- request provision of a 2.6m high timber fence along entire southern boundary
- effluent disposal

Planning Comments

The subject property is a regular shaped allotment with an area of 2ha. The site contains a dwelling house located towards the Menin Road frontage. Behind the residence are formal display gardens and a wholesale nursery. It is the applicant's intention to open up the gardens for public display.

Carparking is to be provided for 6 vehicles within a parking area located near the middle of the site. Council's Parking Development Control Plan does not specify a requirement for this type of activity, however given the scale of the development, the proposed number is considered adequate. Access is via a 3m wide roadway, 3m off the adjoining property. Both the parking and accessway should be finished in compacted crushed rock to minimise dust, and sealed if dust becomes a nuisance.

The site falls slightly towards the adjoining property to the north. The proposed amenities are located near this boundary so care will need to be taken to ensure the adjoining property is not adversely affected by the effluent disposal system. This can be required as a condition of consent.

Additional Information

Further to this report, complaints were lodged by the owners of the adjoining property that work had commenced on the activity prior to approval. These complaints were investigated on Monday 19 September 1994.

The work being undertaken was found to be works associated with the installation of a new septic tank system to service the agricultural shed near the garden complex. The new septic tank system will be required regardless of the outcome of this application. The septic tank application was lodged on 29 July 1994 and approved on 12 September 1994.

Conclusion

It is considered that the proposal is of a satisfactory scale and will not adversely affect the amenity of the locality. Suitable conditions can be imposed to overcome any adverse impacts.

RECOMMENDATION:

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

1. The development shall be carried out in accordance with Plan dated July 1994.
2. Construction of a compacted crushed rock dust-free surface to the access drive and the carpark. The access is to be sealed if dust becomes a nuisance.
3. The development to be operated so as to avoid on-street parking and the proposed carparking is to be suitably signposted.
4. The development shall be conducted in such a manner so as not to interfere with the amenity of the neighbourhood in respect of noise, vibration, smell, dust, waste water, waste products or otherwise.
5. Parking spaces, accessways and aisles to conform to Council's Development Control Plan.
6. Operating hours shall be limited to 8.30am (eight thirty) to 4.30pm (four thirty) daily. Any alteration of these hours will require the approval of the Divisional Manager Environment and Development.
7. The gardens shall be opened for display a maximum of 4 (four) days in any 1 (one) week.
8. The number of persons visiting the site at any time being limited to 12 (twelve).
9. Submission of a building application, plans and specifications complying with the Building Code of Australia.
10. Full details of wastewater treatment shall be submitted for consideration with the building application.

ATTACHMENTS:

AT-1 Site map

FN:EN927NAX.V16

**** END OF ITEM 62 ****

ITEM 63: REZONING PROPOSAL - MARCH STREET, RICHMOND**FILE NUMBER: P1343/240 PT01/CSV**

REPORT:

Council at its August Meeting resolved to support in principle a Property Development Strategy for the future development of a number of properties owned by the Council and classified as operational.

A proposal included in the strategy is the redevelopment of Nos 141 to 145 March Street, Richmond for commercial purposes. The site and adjoining public carpark are currently zoned Residential 2(a), with three tenanted cottages being located on the properties described as Lots 1, 2 and 3 DP223656 (Nos 141, 143 and 145 March Street) at present. To enable the redevelopment to proceed, it is suggested that the lots and adjoining public carpark be rezoned to Business General 3(a) which would allow office type, retail and/or restaurant/food outlet development on the site. In particular, given the exposure of the location, the site is considered to be ideal for a number of potential uses under the proposed zoning.

RECOMMENDATION:

That a Draft LEP be prepared for the rezoning of Lots 1, 2, 3 and 4 DP223656 March Street, Richmond from Residential 2(a) to Business General 3(a).

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN927NBX.C15

**** END OF ITEM 63 ****

GENERAL PURPOSE COMMITTEE - ENVIRONMENT

Meeting Date: 27 September 1994

Item: 64

ITEM 64: LOPPING OF TREES - LOT 36 - 37 DP200129 22 RAIN RIDGE ROAD, KURRAJONG HEIGHTS - APPLICANT: T M VAN DEN BERG

FILE NUMBER: P1801.320, P1801.315/EVD

REPORT:

The applicant has applied for lopping by one third of 4 Radiata pine trees which are dropping pine cones, occasional limbs and leaf litter onto dwelling roof and guttering. The applicant also considers the trees to be a hazard when working in the garden under these trees.

The trees are of the Pinus radiata species (pine) trees, some 17m high by 5m wide. There is no evidence of ground movement in close proximity to the trees or of any undue storm or insect damage, there is dead wood visible on the trees which is consistent with this type and species of tree and is easily removed.

Apart from dead wood the trees are in a reasonable condition. The lopping of the trees by one third would be detrimental to the future health of the trees and would create problems not solve them by the following:-

1. destroying their natural shape and structure;
2. create an environment suitable for insect and fungal infestation on the trees;
3. shorten the life expectancy of the trees;
4. threaten the trees existing reasonable health and vigour;
5. cause premature loss of limbs by die back and infection; and
6. loss of visual amenity.

The trees are reasonably attractive examples of the species and do form an integral part of the local amenity.

RECOMMENDATION:

It is recommended that the application for lopping of the trees by one third be refused in that it would neither benefit the described problem of either branch, cone or leaf litter on the area and would be detrimental to the future health and shape of the trees.

ATTACHMENTS:

AT-1 Site map

FN:EN927NBX.V01

**** END OF ITEM 64 ****

ITEM 65: PARADISE POINT - LOT 18 DP753784 AND PT POR 19 PARISH OF HAWKESBURY 79 GREENS ROAD, LOWER PORTLAND - APPLICANT: DAVID HOOKER

FILE NUMBER: DA174/94/EVD

REPORT:

Council is in receipt of a development application proposing the following development on the subject property:-

- 40 manufactured homes
- motel comprising 10 units
- tavern
- general store/coffee lounge
- boat storage for 40 boats
- ancillary facilities including swimming pools, tennis court and car parking
- boat shed

The property currently contains a caravan park which, although unlicensed at the moment, would normally be licensed to accommodate 46 caravans. The caravan park is not licensed at the present because of the following unresolved problems:-

- number of caravans in excess of that permitted;
- inadequate laundry facilities;
- inadequate amenities and effluent disposal; and
- illegal buildings.

In addition, the caravan park is visually unattractive with the caravans, awnings and annexes and ancillary sheds which appear to be used for independent toilet and washing facilities.

This application proposes additional development, with the existing caravan park to be retained. As the site is currently operating in an unsatisfactory manner, it would appear as though an opportunity now exists to rectify the existing situation. The applicant has indicated that consideration would be given to removing the caravan park within a 5 year period subject to each caravan being replaced with more appropriate accommodation, probably in the form of a manufactured home. Such replacement to be on the basis of 2 caravans removed for each additional manufactured home approved.

Whilst this effort is acknowledged, it places no guarantees that the caravan park will ever be removed and in addition, the park will be permitted to operate in its current unsatisfactory state. Consequently, it is considered appropriate at this time to request the applicant to propose development which will enable the expeditious removal of the caravan park. Such proposal could include additional development on the lower portion of the site which is above flood level.

In relation to the current application, the proposal has some merit and effort has certainly been made to remedy inadequacies with the previous proposal. Examples include relocating the manufactured homes well above flood heights, minimising land fill and vegetation loss. At the time of writing this report comment from the Hawkesbury Nepean Catchment Management Trust had not been received, so a more thorough assessment could not be provided.

RECOMMENDATION:

1. That the information be received.
2. That the applicant be invited to submit an amended proposal which involves the immediate removal of the caravan park.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN927NBX.V10

**** END OF ITEM 65 ****

ITEM 66: PROFESSIONAL CHAMBERS - PSYCHIATRIC GROUP
TREATMENT - LOT 3 DP16852 43 PITT STREET, RICHMOND

FILE NUMBER: DA164/93/EVD

REPORT:

Council at its Ordinary Meeting dated 14th September, 1993, approved the above application subject to a number of conditions. Condition 2 limited the activity for a 12 month period to enable ongoing monitoring of the property. The property owners have requested the approval be extended indefinitely.

The property has been inspected on many occasions since the activity has been approved. The activity has always been found to be operating in accordance with the conditions imposed.

Adjoining owners were notified of the application to extend the activity. Two submissions were received, one being over the telephone offering support, the other objecting on the following grounds:-

- activity has only been operating for 6 months
- inadequate on-site parking
- kerbside parking restricts sight distances and blocks access to driveways

The activity, although being approved for a 12 month period, has only been in operation for 6 months. The initial 6 months was spent undertaking work to the property to enable its use.

Under the circumstances, it is considered reasonable to extend the activity for a further 6 month period to enable additional monitoring.

RECOMMENDATION:

That DA164/93 be extended for a further 6 (six) month period.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN927NBX.V03

**** END OF ITEM 66 ****

ITEM 67: EQUESTRIAN VILLAGE - CLARENDON**FILE NUMBER: LEP7/94/EVD****REPORT:**

At its meeting of 10 May 1994, Council resolved that "an investigation be undertaken into the feasibility of using land generally adjacent to the Hawkesbury Race Course for an 'equestrian village'". Further, at its meeting of 12 July 1994, Council resolved that "the Wollongong Development Control Plan (DCP) for the Kembla Grange Equestrian Estate be used as a guide for the establishment of an equestrian village at Clarendon and that the matter be reported to Council again when a response from the Water Board is to hand".

Whilst correspondence has been forwarded to the Water Board, a response has not yet been received. Despite this, it is considered desirable that Council formally resolve to prepare a draft local environmental plan, so the Department of Planning can be formally notified under Section 54 of the Environmental Planning and Assessment Act 1979, and the draft plan can be placed on exhibition for public comment.

In order to prepare the draft plan, it is necessary to determine an appropriate allotment size. In this regard, it is considered that allotments of 5,000m² would be reasonable given the need to provide sufficient area for a dwelling, a stable complex including exercise and training yards and for truck turning. Further, should Council adopt certain requirements relating to building setbacks and landscaping as in the Kembla Grange Estate, then an allotment of 5,000m² would be appropriate. Given the existing lot sizes, this would enable each landowner to create about 4 lots each.

Discussions were undertaken with the relevant planner at Wollongong City Council in regard to the Kembla Grange Estate. It was noted that the DCP was prepared after subdivision of the land had occurred. In response to those lots which have an area of less than 3,000m², the DCP limits the number of horses that can be kept on the land. It was suggested that an area greater than 3,000m² would be more appropriate. Therefore, it is considered reasonable that the draft plan contain a minimum lot size of 5,000m², particularly if "commercial" equestrian activities are to be encouraged.

RECOMMENDATION:

That Council prepare a draft local environmental plan over land generally adjacent to the Hawkesbury Race Course for an equestrian village and that a minimum allotment size of 5,000m² be included in the draft plan.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN927NBX.V08

****** END OF ITEM 67 ******

FN:EN927NBX.V08

SECTION B**Page 29**

ITEM 68: STATUS OF DRAFT LOCAL ENVIRONMENTAL PLAN -
PROHIBITING BURIAL OF WHOLE MOTOR VEHICLE TYRES

FILE NUMBER: LEP6/94/EVD

REPORT:

Council is referred to Question Without Notice No. 2 made at the Ordinary Meeting of Council held on 9 August 1994 in relation to the status of the draft local environmental plan prohibiting the burial of whole motor vehicle tyres.

Prior to Council's Ordinary Meeting on 9 August 1994 discussions had been held with Parliamentary Counsel in relation to the drafting of the amendment. In particular Parliamentary Counsel questioned whether the draft amendment would prohibit a person cutting a tyre in half and burying the two pieces or alternately taking a piece out of a tyre and burying it.

Further discussion was held with both the Department and Parliamentary Counsel and the following wording of the amendment has been agreed to:-

- "1. *A person must not use land to which this plan applies for burying used motor vehicle tyres.*
2. *This clause does not prohibit a person from burying a motor vehicle tyre which has been shredded or otherwise treated in a manner satisfactory to the Council.*"

The amendment will enable shredded tyres to be buried as a form of landfill.

A certificate pursuant to Section 65 of the Planning Act has been requested and it is anticipated that the draft plan will shortly be placed on exhibition.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN927NCX.V06

**** END OF ITEM 68 ****

ITEM 69: TYRE LANDFILL - LEVEL CROSSING/RAILWAY ROAD SOUTH,
VINEYARD - APPLICANT: N E PEARE PTY LTD

FILE NUMBER: DA19/92/EVD

REPORT:

Council at its Ordinary Meeting dated 11 May 1993 approved a 12 month extension of time to complete a tyre landfill operation on the above property. This extension expired on 31 July 1994.

The site has been inspected which revealed that the operation has not ceased. Discussions were held with the operator, Mr J Pincott, who indicated that as further area has to be filled, he will continue with the operation until this is completed.

The property owner has been requested to either cease the operation and rehabilitate the site or alternatively, seek a further amendment for an extension of time. A limit of 14 days has been provided for the applicant to advise of future intentions.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN927NCX.V07

**** END OF ITEM 69 ****

ITEM 70: MAJOR RETAIL CENTRE PROPOSAL INCORPORATING A
DISCOUNT DEPARTMENT STORE - SITE OF THE PRESENT
WASTE DEPOT - BLACKTOWN ROAD, WINDSOR

FILE NUMBER: GW001/002 PT03, GM001/019 PT01/EVD

REPORT:

A letter has been received from TZL project management indicating an intention to pursue vigorously a proposal to develop a major retail centre on the site of the present Waste Depot on Blacktown Road, Windsor.

The letter, signed by Warwick Herbert, states as follows:-

"Our proposed concept would be to provide:-

- (1) A Major Retail Centre for those people who by necessity travel outside the Hawkesbury Shire to shop at discount type store.*
- (2) An environmentally friendly facility.*
- (3) A vested interest for the ratepayers of Hawkesbury.*

We are currently preparing a submission for Council elaborating on this proposal and expect to have it to you by 26 September 1994.

We are fully aware of the implications of this proposal and earnestly seek your support in principal to such a development.

We believe this to be an exciting concept for the benefit of the Hawkesbury and ask for your consideration."

The proposal has been discussed with Mr Herbert and in particular the constraints to the development of the site.

Firstly, and perhaps most importantly, the site is still used for landfill and it is hoped, with recycling and waste minimisation that this may continue for many years. It would seem incompatible, both from marketing and environmental health perspectives to site a major retail centre next to an active land fill.

Secondly the old tip site to the north of the current access road is owned by the Crown. Therefore Council does not have the owner's authority to endorse any rezoning or development application.

Other constraints which are considered to be insurmountable are that landfills are proclaimed unhealthy land and that building would be enormously expensive requiring exceptionally deep piling. However, Mr Herbert indicated that both of these matters could be overcome.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN927NCX.V12

**** END OF ITEM 70 ****

Objectors

SUBJECT LAND

BOULOS
143-3

WN LAGOON

LAING
149-09

10154-10000
-2-010
D. P. 708230
1.627 ha

736107 NEWICK
00154-10000-233

3
7.46 ha.

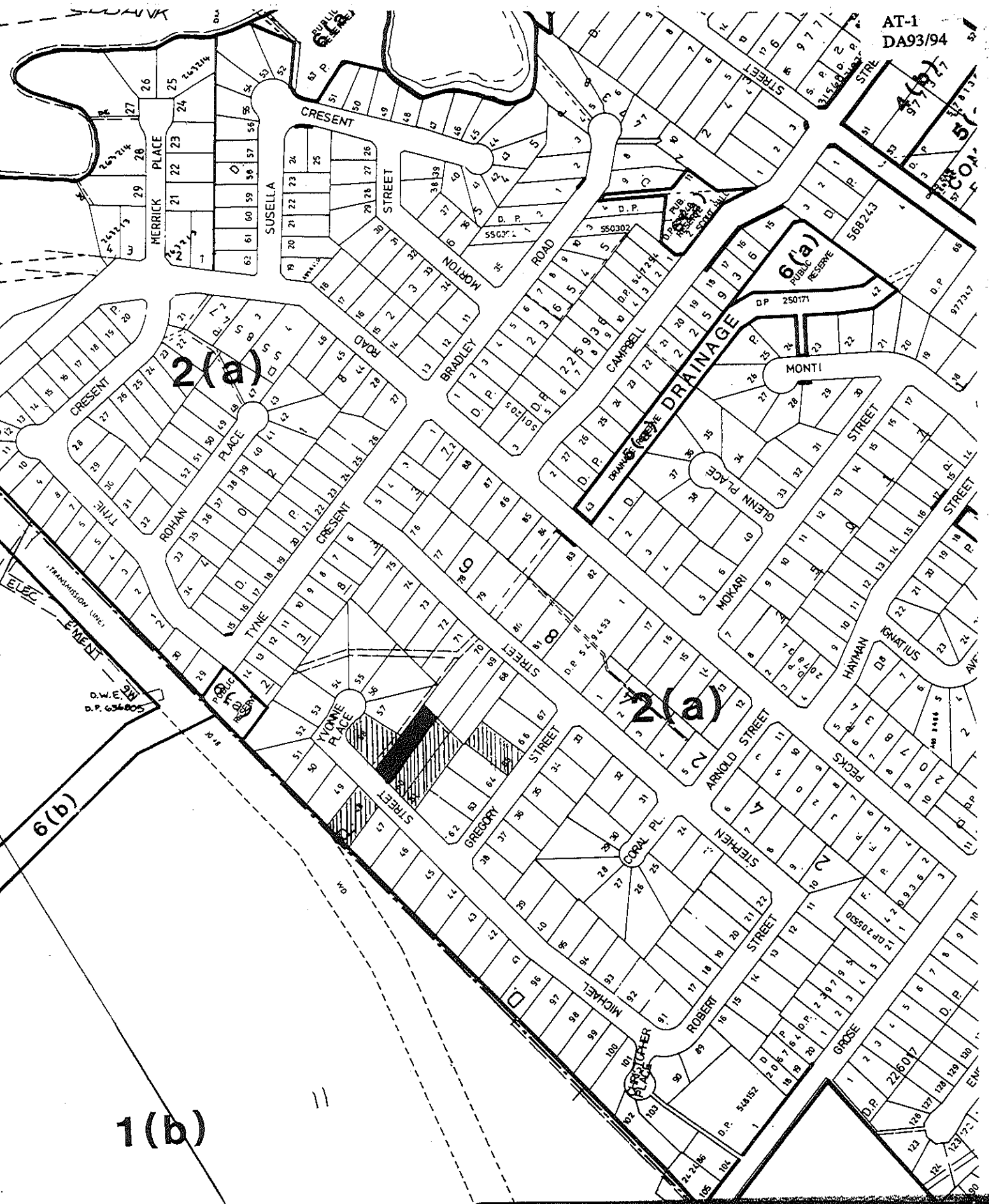
3688-3

Zappala

3688-2

C.P.

[illegible][illegible]



1(b)



SUBJECT PROPERTY



OBJECTORS

ITEM 61
AT-1
LEP9/94

8(a)

PITT TOWN
LAGOON

PITT

7(d1)

5(a)
PUMP
STN

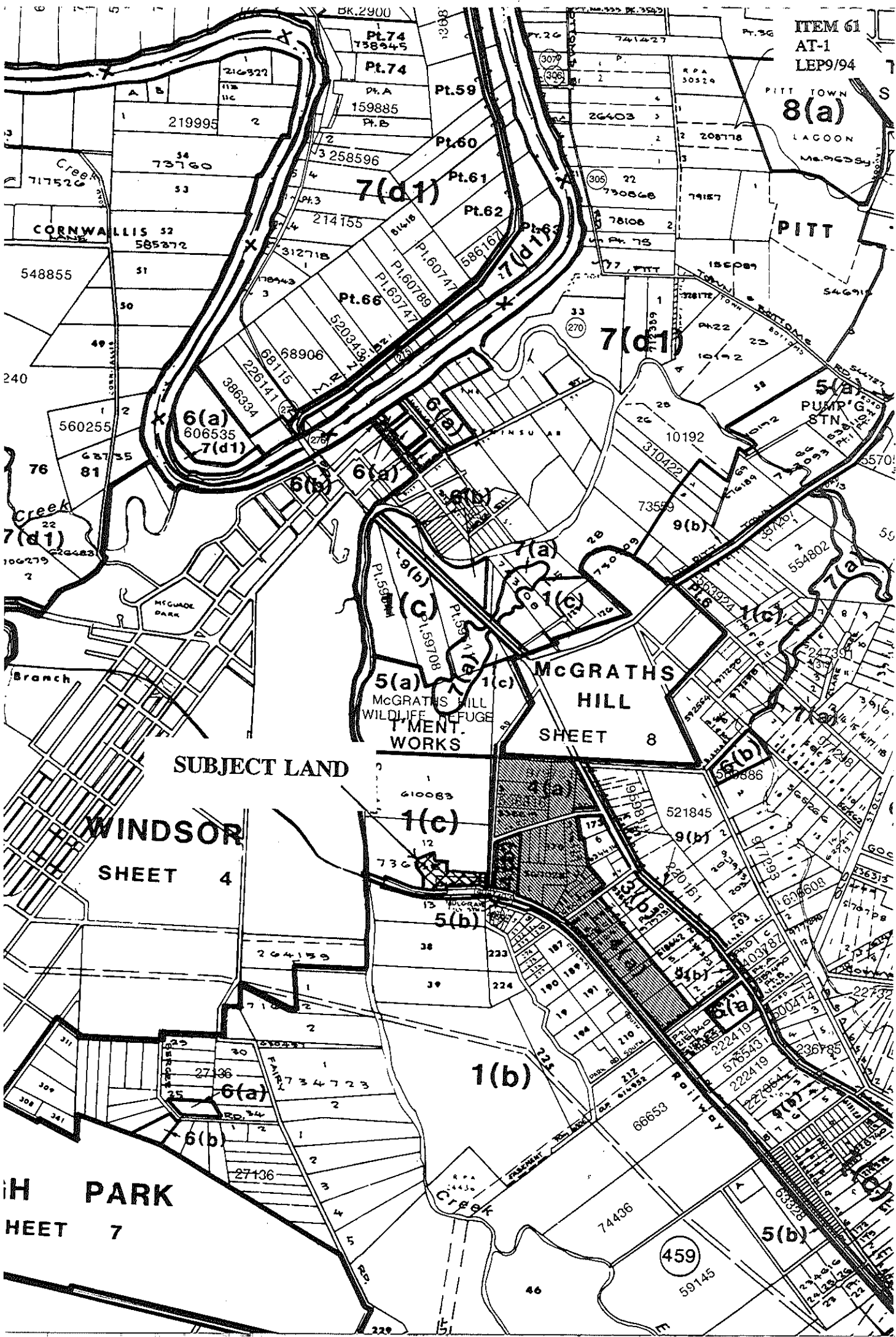
McGRATHS
HILL
SHEET 8

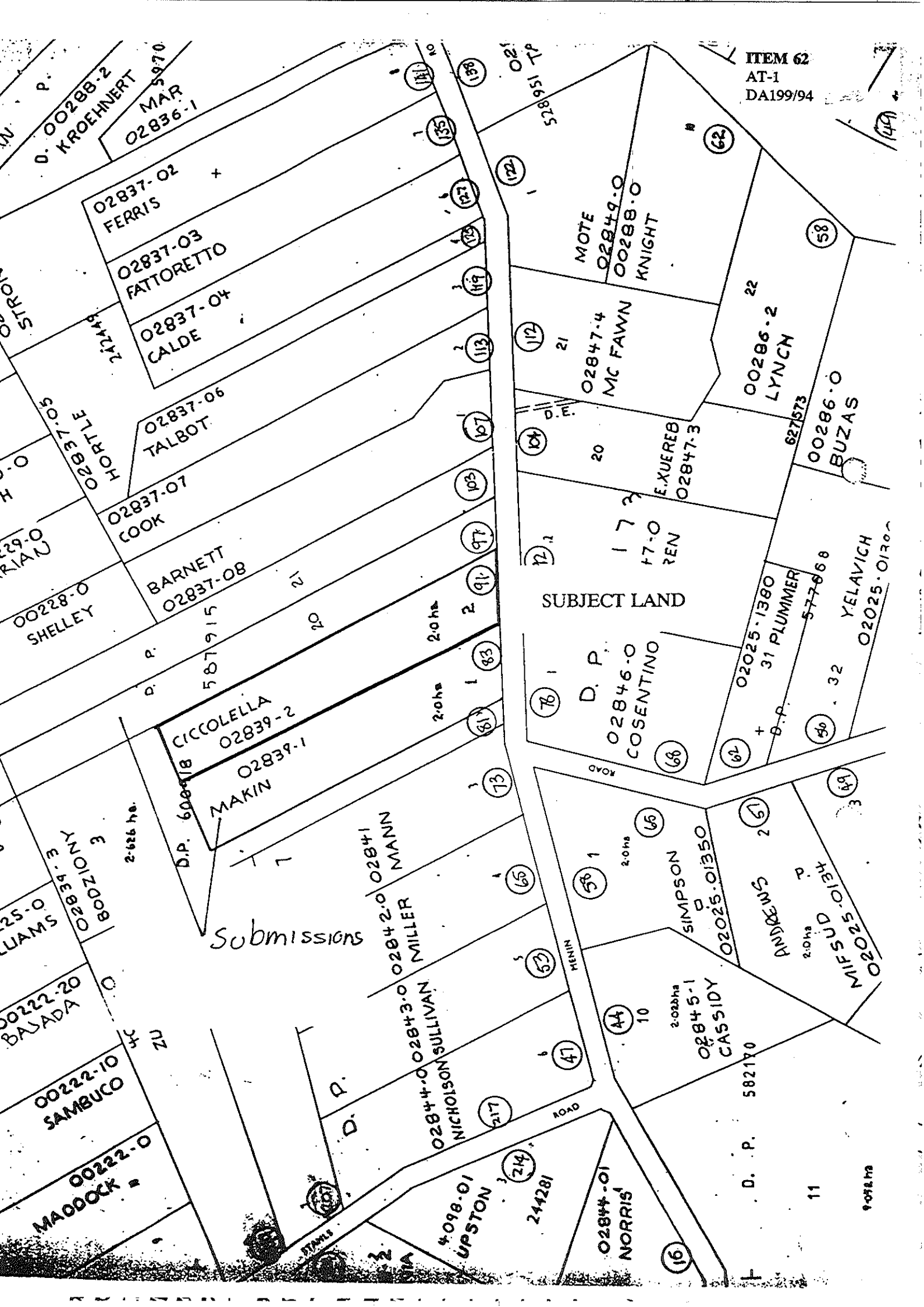
SUBJECT LAND

WINDSOR
SHEET 4

1(b)

H PARK
SHEET 7





ITEM 62
AT-1
DA199/94

02837-02
FERRIS
02837-03
FATTORETTO
02837-04
CALDE

02837-06
TALBOT

02837-07
COOK

BARNETT
02837-08

CICCOLELLA
02839-2
02839-1
MAKIN

Submissions

02841
MANN

02842-0
MILLER

02843-0
NICHOLSON SULLIVAN

02844-0
NICHOLSON SULLIVAN

02845-0
UPSTON

MOTE
02849-0
00288-0
KNIGHT

02847-4
MC FAWN

EXUEREB
02847-3

D. P.
02846-0
COSENTINO

SIMPSON

02845-1
CASSIDY

00286-2
LYNCN

00286-0
BUZAS

02025-1380
31 PLUMMER

ANDREWS

02025-01350
MAFFS D. HELIO

D. P. 582170

02844-01
NORRIS

0-00288-2
KROEHNERT
MAR 5970
02836-1

00222-20
BALADA

00222-10
SAMBUCO

00222-0
MAODOCK

GENERAL PURPOSE COMMITTEE



SECTION 2

INFRASTRUCTURE

GENERAL PURPOSE COMMITTEE - INFRASTRUCTURE

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Meeting Date: 27 September 1994

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26:	REFLECTIVE STREET NUMBERING GR120/009 PT11, GT120/012 PT02/ENG	4

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ITEM 25: CLOSURE OF EXISTING ACCESS - CAR PARK BELLS LINE OF ROAD, NORTH RICHMOND**FILE NUMBER:** GT230/025 PT1/ENG**REPORT:**

Council, at its Ordinary Meeting on 12 July 1994, in relation to a report on the Traffic Study at North Richmond, generally and the North Richmond Shopping Centre in particular, resolved that:-

- " 1. *Two way access throughout the car park with the exception of the service lane on the western end of the main Shopping Centre.*
2. *Provide ingress/egress at the existing driveway only thus deleting the proposed egress at the western end of the car park onto Bells Line of Road."*

With the completion of the missing section of car park in front of the fruit shop it is now appropriate to implement these two recommendations.

This will involve the closure of the existing driveway at the State Bank plaza onto Bells Line of Road together with adjustment of some pavement marking and direction sign posting within the car park area.

The cost of the work is estimated at \$2,500.

The cost of the work should be funded from the car park reserve.

RECOMMENDATION:

The existing driveway to Bells Line of Road at the State Bank Plaza be closed.

Sign posting and pavement marking be modified to provide two way access throughout the main North Richmond Car Park with the exception of the service lane on the western end of the main shopping centre.

The work estimated to cost \$2,500 (two thousand five hundred) be funded from the car park reserve.

ATTACHMENTS:

There are no supporting documents for this report.

FN:IN927NBX.E01

****** END OF ITEM 25 ******

FN:IN927NBX.E01

SECTION B**Page 3**

ITEM 26: REFLECTIVE STREET NUMBERING**FILE NUMBER:** GR120/009 PT11, GT120/012 PT02/ENG**REPORT:**

Correspondence has been received from two companies, Roadside Graphics (Queensland) and Mr. B.J. Ford (Bligh Park), specialising in the provision of reflective street numbers. The reflective numbering is normally placed in the centre of each property on the kerb face. The numbers are painted on, using a special reflective paint or they can be made from a glass pressed laminated material which is bonded with adhesive.

Correspondence has also been received from the Hawkesbury District Soccer Club Ltd. and 1st Grose Vale Scout Group, seeking permission to undertake the paint marking of street numbers using one of the products referred to above. The Soccer Club advise that the project would be undertaken as a fundraising venture, charging each householder \$5.00 per allotment for the service, while the Scout Group will be requesting a donation as part of Scout Job Week.

Whilst reflective house numbering may assist in easier identification in some cases, there are serviceability problems associated with its general implementation, for example:-

- a) With the numbers fixed to the kerb, parked vehicles may obscure numbers making house location difficult. The system would also rely on householders trimming the grass from the kerb or again the numbers may be obscured.
- b) Street cleaning in residential areas is carried out by means of a mechanical street sweeper. The sweeping is undertaken with a stiff wire broom and it is felt that numbers on the kerb may be damaged by this operation.
- c) Many of the new residential subdivisions within the City area are now being constructed with laid back (mountable) kerb and again, the effectiveness of the numbering system when placed on this angle is questioned as is the longevity of the numbers with cars being able to drive over the kerb, possibly causing damage to the numbers.

If reflective street numbering attached to the kerb and gutter was to be supported, consideration would need to be given to a uniform style of numbering and responsibility for maintenance/replacement in the event of the numbers being damaged or removed.

RECOMMENDATION:

That the introduction of reflective house numbering on kerb and gutter in residential areas not be supported at this time.

ATTACHMENTS:

There are no supporting documents for this report.

FN:IN927NBX.E03

****** END OF ITEM 26 ******

GENERAL PURPOSE COMMITTEE



SECTION 3 ORGANISATION & RESOURCES

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

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******* END OF TABLE OF CONTENTS *******

ITEM 24: MONTHLY FINANCIAL STATEMENTS**FILE NUMBER:** GF001/004 PT4/FNC**REPORT:****A. CASH EXPENDITURE WARRANT N° 6/1994****SUMMARY - Accounts Paid**

General Fund N° s	29005 -	29802	6,376,728.24
Trust Fund N° s	4215 -	4228	1,537,398.33
FID General Fund	69202		<u>359,465.67</u>
			<u>8,273,592.24</u>

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

Meeting Date: 27 September 1994

Item: 24

B. STATEMENT OF BANK BALANCES AND GENERAL MANAGER'S CERTIFICATE

STATEMENT OF BANK BALANCES AS AT 31 AUGUST 1994

GENERAL FUND

327,414.88CR

TRUST FUND

7,073.16CR

334,488.04CR

FORM 2

GENERAL

Balance - Cash Account as at 1 August 1994

609,456.99CR

Receipts for period ended 31 August 1994

10,356,354.29DR

Payments for period ended 31 August 1994

9,760,406.81CR

13,509.51CR

Limit of overdraft arranged with bank

\$800,000.00 DR

RESPONSIBLE ACCOUNTING OFFICER

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

L M Weatherstone
Divisional Manager of Finance

C: INVESTMENTS

Hereunder is the list of amounts invested.

Bank Bills

<u>Period</u>	<u>Due Date</u>	<u>Rate</u>	<u>Interest Account</u>	<u>Amount</u>
90 Days	20.09.94	5.48%	General Fund	300,933.69

Term Deposits

812 Days	08.09.94	7.21%	General Fund	460,000.00
812 Days	08.09.94	7.21%	General Fund	2,540,000.00
90 Days	14.09.94	5.16%	General Fund	900,000.00
90 Days	15.09.94	5.17%	General Fund	1,000,000.00
743 Days	15.09.94	7.90%	General Fund	330,000.00
30 Days	16.09.94	5.75%	Sewerage Fund	700,000.00
103 Days	10.10.94	5.95%	General Fund	500,000.00
122 Days	14.10.94	5.16%	General Fund	600,000.00
100 Days	21.10.94	5.67%	Sewerage Fund	800,000.00
100 Days	21.10.94	5.67%	General Fund	200,000.00
143 Days	31.10.94	5.14%	Sewerage Fund	1,539,582.37
143 Days	31.10.94	5.14%	General Fund	60,417.63
184 Days	03.11.94	5.30%	General Fund	600,000.00
185 Days	17.11.94	5.25%	General Fund	900,000.00
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
147 Days	24.01.95	6.07%	Sewerage Fund	326,737.47
147 Days	24.01.95	6.07%	General Fund	43,262.53
147 Days	24.01.95	6.07%	General Fund	190,000.00
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
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

GENERAL PURPOSE COMMITTEE - ORGANISATION & RESOURCES

Meeting Date: 27 September 1994

Item: 24

Australian Treasury Corporation

03.08.95	5.31%	Workers' Comp Board	200,000.00
15.09.94	7.90%	Workers' Comp Board	420,000.00
Short Term Investments		General Fund	1,500,000.00
			\$25,780,933.69

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:OG927NAX.F02

**** END OF ITEM 24 ****

ITEM 25: LEASE OF PART SOUTH WINDSOR WASTE WATER
TREATMENT PLANT**FILE NUMBER:** GC283/103/PT02/CSV**REPORT:**

Council at its meeting of 26 April, 1994, considered a report in respect of the leasing of a portion of the South Windsor Waste Water Treatment Plant to Telecom Australia for the purpose of a mobile telecommunications tower. Telecom have now finalised their future land requirements for the site and wish to proceed with the lease of the site which they have occupied since September 1989.

Rental for the first year of the proposed 5 x 5 year term has been determined at \$7,000 which will in turn be increased by 3% on each annual anniversary of the lease. Telecom will be responsible for all outgoings associated with the site.

The terms of the formalised lease are considered to be favourable to Council and the application by Telecom Australia (Telstra Corporation Ltd) is supported.

RECOMMENDATION:

It is recommended that:

1. Council lease to Telstra Corporation Ltd the area it currently occupies within the South Windsor Waste Water Treatment Plant for a period of 5x5 years;
2. Commencing annual rental shall be \$7,000 which shall be increased by 3% at each annual anniversary during the lease term or any subsequent holding over period;
3. Telstra Corporation Ltd shall be responsible for the payment of outgoings associated with and/or separately metered to the site; and
4. The Common Seal of Council be affixed to all necessary documents.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OG927NBX.C04

****** END OF ITEM 25 ******

ITEM 26: PROPOSED SALE OF 1A GREENWAY CRESCENT, WINDSOR**FILE NUMBER: P740/15 PT2/CSV****REPORT:**

An offer has been received from Mr B J Ghantous for the purchase of Lot 161 DP716680 Greenway Crescent, Windsor, which he currently leases from the Council for agistment purposes.

The offer is in the amount of \$250,000 and it is pointed out that consultant valuers had earlier reported the market value of the site to be this amount. The site has an area of 1.534ha, is zoned Environmental Protection (Scenic) 7(b) and the majority of the site lies below the 1 in 100 year flood frequency level. The existing zoning requires a minimum area for subdivision of 10ha and therefore the land has no subdivision potential. However, the land does have a dwelling entitlement which may also include an attached dual occupancy.

The site adjoins the St Matthews Anglican Church hall and rectory property in Moses Street and was in fact acquired from the church in 1985. As a matter of courtesy, the church was contacted in regards to the proposed sale and they have indicated support for same subject to any dwellings not restricting views currently enjoyed from their property, particularly the church hall and rectory and that the dwelling be a single storey development.

As the property is surplus to current operational requirements and needs, sale of the property is supported and the proceeds from same could be utilised for other proposals as outlined in the recently adopted Property Development Strategy.

RECOMMENDATION:

That:-

1. Lot 161 DP716680 Greenway Crescent, Windsor be sold to Mr B J Ghantous subject to the following terms and conditions:-
 - i. a sale price of \$250,000;
 - ii. a restrictive covenant being placed on the title restricting any development on the site to single storey and preventing any blocking of views from the St Matthews Anglican Church property;
 - iii. the proceeds from the sale be transferred to the property development reserve; and
 - iv. all necessary documentation be completed under the Seal of Council.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OG927NBX.C06

****** END OF ITEM 26 ******

FN:OG927NBX.C06

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ITEM 27: SALE OF LAND FOR UNPAID RATES**FILE NUMBER:** GR010/024 PT02/CSV**REPORT:**

Council at its meeting of 13 September 1994 considered a report regarding the proposed sale of land for unpaid rates and resolved inter-alia *"that an investigation be carried out and report come back to Council on the methodology of the Council representative assessing value and perhaps bidding on Council's behalf should the amount be under Council's assessed value"*.

The Local Government Act (1993) permits Council to sell land for unpaid rates. The sale of such land must be by auction or if not sold by public auction at the nominated time, a subsequent sale by private treaty is permitted. A council may only purchase the land at a public auction.

Whilst the Act is quite specific in regard to the processes of sale and receipt of monies realised from the sale, there is no reference to the assessment of a "reserve" price. It is considered that a range in price applies to each lot being offered for sale. Council, as a public authority and in this instance acting as a selling agent, has a duty to ensure that a fair price is obtained for each lot.

To assess a minimum value, it is considered that the following factors should be calculated:-

1. All outstanding Local Government rates and charges should be recouped.
2. Legal costs, advertising costs and auctioneer's/agent's fees should also be recouped.
3. Any other outstanding fees and charges eg. water rates should also be taken into consideration and Council should satisfy itself that all other debts on the property are known and met.

As a maximum, it is considered that bidding be limited to the market value. An assessment of market value can be made inhouse by the appropriate staff. Assistance in determining this value may be sought by consultation with local agents who will provide a market opinion and in instances where a property has inherent peculiarities known to affect its value, a formal valuation can be sought from Council's consultant valuers.

Utilisation of these guidelines will assist in the formation of a bidding range.

In order that an officer may bid on Council's behalf, delegated authority will need to be granted to that officer or officers to bid up to the assessed market value once adopted by Council resolution.

With regard to reporting of the proposal to bid at auction, the content of the reports should not be made available to the public as knowledge of Council's intention and bidding range may unduly influence other potential buyers and distort the auction process.

With regard to the classification of land, the requirement for Council to advertise its intention to classify as "Operational" is waived when land is purchased at auction. However, on or before acquisition, a resolution to classify the land must be made.

RECOMMENDATION:

1. That consideration be given to the purchase of land for unpaid rates with each block being considered on its own merits having regard to the potential benefits and requirements of Council.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OG927NBX.C07

**** END OF ITEM 27 ****

ITEM 28: HAWKESBURY SPORTS COUNCIL**FILE NUMBER:** GR030/030 PT03/FNC**REPORT:**

Council resolved at a Special Meeting in July, 1994, the following:-

"A report be brought forward for the Council's consideration as soon as possible regarding the transfer of all functions and funding to the Sports Council as contained in the original objectives of the Sports Council's establishment. In doing so, staff have discussions with the Sports Council."

Meetings have been held with representatives of the Sports Council in relation to the objectives, responsibilities and operations of that Organisation and to identify the most effective method of maintaining the active recreation areas. At the most recent meeting, the Sports Council requested that they be given the opportunity to put forward a strategic plan that would address the issues to enable them to assume the role of being responsible for the care, control and management of all active recreation areas. The Sports Council has indicated that the strategic plan will address a "milestone plan" detailing the stages at which they would take over those areas of responsibility which Council currently performs, including the maintenance of the fields and administrative functions, such as leases with the tennis associations, the football clubs, the pony clubs and other leases with organisations managing active recreation areas.

The Sports Council representatives indicated that the strategic plan would be submitted to Council in December, 1994 or January, 1995.

RECOMMENDATION:

The information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OG927NCX.F08

****** END OF ITEM 28 ******

**HAWKESBURY CITY COUNCIL
GENERAL PURPOSE COMMITTEE**

END OF BUSINESS PAPER

