

HAWKESBURY CITY COUNCIL ORDINARY MEETING

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BUSINESS PAPER

DATE OF MEETING: 12 July 1994

LOCATION: Council Chambers

TIME: 7.30pm

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ORDINARY MEETING

Table of Contents

Meeting Date: 12 July 1994

Page 2

ITEM	SUBJECT	PAGE
------	---------	------

AGENDA

-	Prayer.	
-	Apologies.	
-	SECTION 1 - Minutes of Meetings. Ordinary Meeting - 14 June 1994 No Mayoral Minutes Were Submitted	
-	SECTION 2 - Notices of Motion No Notices of Motion Were Submitted No Recision Notices Were Submitted	
-	SECTION 3 - Report of the General Purpose Committee	
1:	DUAL OCCUPANCY LOT 2 DP818077 m 109A BELLS LINE OF ROAD, NORTH RICHMOND - GARY WHITE DA54/94/EVD	15
2:	TOURIST FACILITY - CABIN ACCOMMODATION - LOT 5 DP39382 m 68 POWELLS ROAD, BILPIN - APPLICANT: T SULYOK DA118/94/EVD	17
3:	TOURIST FACILITY - RETAIL OF LEADLIGHT PRODUCTS, ARTS, CRAFTS & ANTIQUE FURNITURE - LOT 18 DP27789 m 438 BELLS LINE OF ROAD, KURMOND - APPLICANT: MRS C TRACY DA95/94/EVD	19
4:	LAND FILL OPERATION - LOT 1 DP734932 219 SPRINGWOOD ROAD, YARRAMUNDI - P S GRAHAM AND ASSOCIATES DA144/93/EVD	20
5:	CONSTRUCTION OF FELLOWSHIP CENTRE - LOT 1 DP196617 25 WEST MARKET STREET, RICHMOND - R J LEMSING PTY LTD DA78/94/EVD	21
6:	TEN LOT SUBDIVISION AMENDMENT - LOT 1 DP222237 m 122 CATTAI ROAD, PITT TOWN - BA HOMANN AND ASSOC. DA127/93/EVD	23

ORDINARY MEETING**Table of Contents****Meeting Date:** 12 July 1994**Page 3**

ITEM	SUBJECT	PAGE
7:	GOLF COURSE AND ASSOCIATED FACILITIES - LOT 373,374, 375 & 376 DP751665 217 SINGLETON ROAD, WILBERFORCE - MR R PARSONAGE DA33/94/EVD	24
8:	CAR REPAIR STATION - LOT 22 DP578116 138 HANKEL ROAD, OAKVILLE - MR A BURKE DA100/94/EVD	27
9:	TWO LOT SUBDIVISION - LOT 67 DP751626 m 174 MOUNTAIN LAGOON ROAD, BILPIN - C & B SPATHIS SA36/94/EVDy	29
10:	MOTEL - LOT 2 DP559566 m 711 WINDSOR ROAD, VINEYARD - REGENCY DESIGN CENTRE - APPLICANT: R BROWN DA180/91/EVD	30
11:	ATTACHED DUAL OCCUPANCY - LOT 529 DP749371 WETHERILL CRESCENT, BLIGH PARK - APPLICANT: T & K ELY DA40/94/EVD	32
12:	HOME ACTIVITY - CABINET MAKING LOT 20 DP587915 m 97 MENIN ROAD, OAKVILLE - J & R SELTENRYCH DA104/94/EVD	33
13:	CONSTRUCTION OF FOUR NEW SHOPS LOT 7 DP959819 211 WINDSOR ROAD, VINEYARD - GILES TRIBE ARCHITECTS DA106/94/EVD	34
14:	NOTICE OF INTENTION TO DEMOLISH WEATHERBOARD COTTAGE - m 80 LENNOX STREET, RICHMOND - V & P TCHADOVITCH P515/135/EVD	35
15:	TYRE LANDFILL - LOT 263 DP751665 m 3 HENDRENS ROAD, EBENEZER - EAST COAST TYRE RECYCLERS DA347/92/EVD	38
16:	DRAFT DEVELOPMENT CONTROL PLAN - MCGRATHS HILL AREA GT100/001 PT2/EVD	38
17:	ABATTOIR ALTERATIONS - LOT 1 DP741444 m 62 KING ROAD, WILBERFORCE - APPLICANT: MRS A DIASINOS DA52/94/EVD	39

ORDINARY MEETING**Table of Contents****Meeting Date:** 12 July 1994**Page 4**

ITEM	SUBJECT	PAGE
18:	DEMOLITION OF WEATHERBOARD COTTAGE - 339 WINDSOR STREET RICHMOND - MRS E COLQUHOUN DA281/93 PT1/EVD	39
19:	EQUESTRIAN VILLAGE - CLARENDON LEP7/94 PT1/EVD	39
20:	CHILD CARE CENTRE - LOT 747 DP777657 m 83 ALEXANDER STREET, BLIGH PARK DA245/92/EVD	40
21:	SUBDIVISION INTO 7 (SEVEN) LOTS - LOTS 1-6 DP831456 OLD AWKESBURY ROAD, McGRATHS HILL - RET ENTERPRISES SA154/93/EVD	40
1:	McQUADE PARK - LACHLAN MACQUARIE STATUE FLOODLIGHTING PK/203 PT9/ENG	42
2:	VEHICLE INSPECTIONS - ROADS & TRAFFIC AUTHORITY GT230/004 PT3/ENG	42
3:	GOVERNOR PHILLIP RESERVE - PONTOON WHARF GR060/017 PT2, PK/205 PT3/ENG	42
4:	WINDSOR WHARF ENHANCEMENT - COMMONWEALTH DEPARTMENT OF TOURISM GG021/187 PT1, 0265/R PT2/ENG	43
5:	CYCLEWAYS GR030/009 PT2/ENG	43
6:	SISTER CITY/SERVICE CLUB SIGNS GP092/005 PT2/ENG	43
7:	COLLITH AVENUE, SOUTH WINDSOR 360/R PT1/ENG	44
8:	NAMING OF ROADS - RENAMING EASTERN END OF BLAXLANDS RIDGE ROAD GR120/003 PT2 0209/4 PT2/ENG	44
9:	EAST KURRAJONG ROAD - PROPOSED RENAMING 0510/R PT4/ENG	45

ORDINARY MEETING**Table of Contents****Meeting Date:** 12 July 1994

Page 5

ITEM	SUBJECT	PAGE
1:	MONTHLY FINANCIAL STATEMENTS GF011/004 PT4/FNC	46
2:	STATE ROAD FUNDING ALLOCATIONS GG021/010 PT03/GMA	46
3:	CODE OF CONDUCT GC070/005 PT07/GMA	46
4:	PROPERTY DEVELOPMENT STRATEGIES GC285/002/CSV	47
5:	1994/95 LOAN BORROWING PROGRAM GF014/005 PT4/FNC	47
6:	FORGOTTEN VALLEY MOBILE RESOURCE UNIT GC200/004 PT01/GMA	47
7:	WINDSOR FUNCTION CENTRE GC283/45/CSV	47
-	SECTION 4 - Reports For Determination	
1:	ANNUAL STATEMENTS OF ACCOUNTS 1993 GF001/001 PT3, GF011/007 PT1/FNC	53
2:	ALCOHOL FREE ZONE - GLOSSODIA COMMUNITY AND NEIGHBOURHOOD CENTRE GP070/001 PT4 P1908/1780 PT1/CSV	57
3:	THOMAS AND JANE ROSE FAMILY SOCIETY - REQUEST FOR REIMBURSEMENT OF EXPENSES GF008/018/CSV	58
4:	WINDSOR FUNCTION CENTRE MANAGEMENT GC283/45 PT8/CSV	59
5:	TENDERS CONTRACT MOWING PARKS AND RESERVES GT020/225 PT1/ENG	61
6:	PROPOSED AMENDMENTS - DUAL OCCUPANCY/DUPLEX HOUSING DCP GT70/011 PT2/EVD	62

ORDINARY MEETING**Table of Contents****Meeting Date:** 12 July 1994**Page 6**

ITEM	SUBJECT	PAGE
-	SECTION 5 - Reports For Information	
7:	BOUNDARY CHANGE - WINDSOR POLICE PATROL P40/1/GMA	64
8:	REPORTS REQUESTED BY COUNCIL - STATUS AS AT 12 JULY 1994 C50/1/GMA	65
9:	LOCAL SUPPLIER PREFERENCE POLICY GT020/027 PT03/GMA	67
10:	BOUNDARY CHANGES GT190/019 PT02/GMA	69
11:	OZONE PROTECTION - REVISED STRATEGY GP110/005 PT12/GMA	70
12:	LOCAL GOVERNMENT ACT - AMENDMENTS GC070/005 PT7/GMA	71
13:	HOLLANDS PADDOCK CAR PARK GC010/001 PT2/CSV	73
14:	PENNINGTON/INVERELL MUNICIPAL COUNCIL - SUPREME COURT DECISION GL001/001 PT5/CSV	74
15:	COMMISSION OF INQUIRY - CALTEX OIL (AUSTRALIA) PTY LTD DA224/92 PT11/EVD	76
16:	COMMUNITY ACCESS FACILITY PROPOSAL - TIP SITE REZONING - SOUTH WINDSOR LEP13/93/EVD	77
17:	ENVIRONMENTAL EDUCATION PROGRAMS GC030/016/EVD	79
-	SECTION 6 - Reports of Committees.	
	WSROC Limited Board Meeting No. 3 - 3 June 1994	
	1994 Hawkesbury Bicentennial Celebration Association Inc - 8 June 1994	
	Friends of the Hawkesbury Art Collection Committee Inc - 16 June 1994	
	Local Traffic Committee - 17 June 1994	
	Special Meeting Local Traffic Committee - 22 June 1994	
	Macquarie Towns Festival Committee Inc - 22 June 1994	

ORDINARY MEETING

Table of Contents

Meeting Date: 12 July 1994

Page 7

ITEM	SUBJECT	PAGE
------	---------	------

Hawkesbury Access Forum - 4 July 1994

- Questions without notice.
- Questions From The Gallery.

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

ORDINARY

Mayoral Minutes

ORDINARY MEETING
Mayoral Minutes

Mayoral Minutes

ORDINARY MEETING - 12 July 1994

No Mayoral Minutes Were Submitted

******* END OF MAYORAL MINUTES *******

ORDINARY

Section 2 **Notices of Motion**

ORDINARY MEETING
Notices of Motion

Notices of Motion

ORDINARY MEETING - 12 July 1994

No Notices of Motion Were Submitted

******* END OF NOTICES OF MOTION *******

ORDINARY

Notices of Motion of Recision

ORDINARY MEETING
Notices of Motion of Recision

Notices of motion of Recision

ORDINARY MEETING - 12 July 1994

No Recision Notices Were Submitted

******* END OF NOTICES OF MOTION OF RECISION *******

ORDINARY

Section 3

Report of the General Purpose Committee

Report of the Meeting of the General Purpose Committee held at the Council Chambers, Windsor, on 28 June 1994, commencing at 9.30am.

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

Apologies for absence were received from Councillors C A Paine, P J Minturn and H Williams.

RESOLVED on the motion of Councillor Calvert seconded by Councillor Books that the apologies be accepted.

Councillor Rogers arrive at 9.40 a.m. and Councillor Mackay at 4.55 p.m. Councillor Mackay left the meeting at 5.40 p.m. Councillor Stubbs left the meeting at 12.45 p.m., returned at 5.07 p.m. and left again at 5.45 p.m.

RESOLVED on the motion of Councillor Calvert and seconded by Councillor Sheather that the Minutes of the General Purpose Committee Meeting held on the 28 June 1994, be confirmed.

The following recommendations were passed as resolutions of the Committee:

SECTION 1 - ENVIRONMENT

1: DUAL OCCUPANCY LOT 2 DP818077 m 109A BELLS LINE OF ROAD, NORTH RICHMOND - GARY WHITE (DA54/94/EVD)

Owner:	Pianella Holdings
Stat. Provisions:	Hawkesbury Local Environmental 1989 Sydney Regional Environmental Plan m 12 - Dual Occupancy SEPP 1 - Development Standards
Area:	3,129m ²
Zone:	Residential 2 (a)
Advertising:	Advertised with no submissions
Date Received:	11 March 1994

Key Issues:

- , Traffic and vehicular access
- , Sewerage treatment works
- , Height of dwellings

Action:

Refusal

Mr White, applicant, addressed the Committee

A SITE INSPECTION be carried out.

The Committee inspected the property at 1.40 p.m. Councillors present at the inspection were Councillor Sledge, Mayor and Councillors Parsons, Sheather, Calvert, Rogers, Keegan and Books.

COMMITTEE'S RECOMMENDATION

THE ITEM BE approved subject to appropriate conditions. The conditions to include a concave traffic mirror erected on the power pole opposite the driveway.

ADDITIONAL INFORMATION

The following conditions are offered should the proposal be supported:-

1. The development shall be carried out in accordance with Drawing m 84994 1 and 2 dated 29 March 1994.
2. Submission of a building application, plans and specifications complying with the Building Code of Australia.
3. 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.
4. The driveway shall be constructed of pavers/earth toned coloured concrete or the like.
5. 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) and at least lapped and capped.
6. Screen walls are to be provided to screen open yard activities and are to be of an approved design, details of which are to be submitted with the building application.
7. The provision of a traffic mirror on the power pole opposite the driveway for the site. Full details shall be submitted for approval with the Building Application.
8. A contribution of \$901.66 (nine hundred and one dollars and sixty six cents) 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.

2: TOURIST FACILITY - CABIN ACCOMMODATION - LOT 5 DP39382 m 68 POWELLS ROAD, BILPIN - APPLICANT: T SULYOK (DA118/94/EVD)

Owner: T & P Sulyok
Stat. Provisions: Hawkesbury Local Environmental Plan 1989
Area: 21.71ha
Zone: Environmental Protection (Scenic) 7(d)
Advertising: Advertised with two submissions received
Date Received: 16 May 1994

Key Issues:

- , Visual Impact
- , Amenity
- , On-site Disposal

Action:

Approval with conditions

COMMITTEE'S RECOMMENDATION

THE APPLICATION BE approved subject to the following conditions:-

1. The development shall be carried out in accordance with Plan No. 1379, dated 10 May 1994, except where modified by the following conditions.
2. Submission of a building application, plans and specifications complying with the Building Code of Australia.
3. 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.
4. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.
5. All waste materials to be stored and disposed of at regular intervals to the satisfaction of the Divisional Manager Environment and Development.
6. All solid and liquid wastes arising from the premises shall be collected, stored and disposed of to Council's satisfaction. Separate details of the proposed waste collection, storage and disposal method/system shall be lodged with Council concurrently with the building application.

7. The cabins shall be setback a minimum of 20m (twenty) from the Powells Road frontage.
8. Construction of a sealed rural type footway crossing, access drive and manoeuvring area to serve the car park.
9. Parking shall be provided for 5 (five) vehicles in accordance with Council's Regulations and Parking Policy. Full details of works shall be submitted for approval with the building application.
10. Exterior surfaces of the proposed structure being painted or treated with a dark toned non-reflective material in such a manner so as to cause the structure to blend with the landscape of the site and its surroundings. Such painting or treatment to be completed to the satisfaction of the Divisional Manager Environment and Development prior to occupation or use of the building.
11. 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.
12. 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 buildings and shall be maintained for the life of the development, the plan shall include details of screening the supporting piers of each cabin.
13. 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.
14. The cabins shall not be used for permanent occupation. Council may, from time to time, require the submission of guest details and receipts in order to verify this.
15. The maximum period of accommodation from any 1 (one) guest is not to exceed 21 (twenty one) days.

3: TOURIST FACILITY - RETAIL OF LEADLIGHT PRODUCTS, ARTS, CRAFTS & ANTIQUE FURNITURE - LOT 18 DP27789 m 438 BELLS LINE OF ROAD, KURMOND - APPLICANT: MRS C TRACY (DA95/94/EVD)

Owner: C Tracy
Stat. Provisions: Hawkesbury Local Environmental Plan 1989
Area: 6,000m²
Zone: Rural 1(b)
Advertising: Advertised with one submission
Date Received: 21 April 1994

Key Issues:

, Traffic

Action:

Approval with conditions

COMMITTEE'S RECOMMENDATION

THE APPLICATION BE approved subject to the following conditions:-

1. The development shall be carried out generally in accordance with the plans submitted on 21 April 1994.
2. 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.
3. Parking shall be provided for 4 (four) 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 and drained. Full details of works shall be submitted for approval.
4. Customer parking shall be clearly signposted and visible from the street. Details to be submitted for consideration.
5. Works shall be undertaken to regulate the vehicular entrance to the property. Details to be submitted with the engineering plans.
6. No advertising structures are to be erected, displayed or affixed on any building structure or land without the prior approval. Any such advertising structure erected or displayed without prior approval will be removed and disposed of at the expense of the advertiser.

ORDINARY - 12 July 1994

General Purpose Committee - 28 June 1994

Environment

7. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.
8. Operating hours shall be limited to 10.00am to 5.00pm daily. Any alteration of these hours will require the approval of the Divisional Manager Environment and Development.
9. 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.
10. Construction of a sealed shoulder over the frontage of the site to Bells Line of Road, together with any work necessary to make this effective.
11. Construction 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.
12. A design checking and inspection fee of \$250 (two hundred and fifty dollars) must be paid when submitting engineering plans for approval prior to construction. This amount is valid until 31 December, 1994.

4: LAND FILL OPERATION - LOT 1 DP734932 219 SPRINGWOOD ROAD, YARRAMUNDI - P S GRAHAM AND ASSOCIATES (DA144/93/EVD)

Owner: Tilmunda Pastoral Company
Stat. Provisions: Hawkesbury LEP 1989 & Sydney REP m 20 (Hawkesbury Nepean River)
Area: 40.8ha
Zone: Environmental Protection Scenic 7(d1)
Advertising: Not advertised
Date Received: 23 June 1993 (Additional Information received 16 February 1994)

Key Issues:

- , Environmental Impacts
- , Water Quality of Hawkesbury/Nepean River
- , Flooding
- , Sydney REP m 20

Action:

The proposal being supported and the Department of Planning's concurrence being requested.

Mr P Graham, the applicant, addressed the Committee.

A SITE INSPECTION be carried out.

The Committee inspected the property at 2.00 p.m. Councillors present at the inspection were Councillor Sledge, Mayor and Councillors Parsons, Sheather, Calvert, Rogers, Keegan and Books.

The applicant, Mr Peter Graham, addressed the Committee.

COMMITTEE'S RECOMMENDATION

COUNCIL SUPPORT THE regeneration proposal for the subject site and not support the importation of fill.

ADDITIONAL INFORMATION

Advice has been received from the applicant requesting that consideration of this application be deferred, so that the concerns raised by the Councillors can be addressed.

5: CONSTRUCTION OF FELLOWSHIP CENTRE - LOT 1 DP196617 25 WEST MARKET STREET, RICHMOND - R J LEMSING PTY LTD (DA78/94/EVD)

Owner:	St Andrews Uniting Church
Stat. Provisions:	Hawkesbury LEP 1989
Area:	1,601m ²
Zone:	Special Uses 5 (a) Church
Advertising:	Not required
Date Received:	5 April 1994

Key Issues:

, Heritage
, Parking/Access

Action:

Approval

Mr G Gardiner, the applicant, addressed the Committee.

COMMITTEE'S RECOMMENDATION

THE APPLICATION BE approved subject to the following conditions:

1. The development shall be carried out in accordance with Plan No. 93006 DA01, dated March 1994.
2. 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.
3. Submission of a building application, plans and specifications complying with the Building Code of Australia.
4. All waste materials to be stored and disposed of at regular intervals to the satisfaction of the Divisional Manager Environment and Development.
5. Any building or part thereof to be used for the purpose of storage, preparation or sale of food for human consumption shall be constructed in accordance with the requirements of the Food Act 1989 and Regulations thereunder and Council's Food Premises Code.
6. No excavation or site works shall be commenced prior to the issue of the building permit.
7. Parking shall be provided for 9 (nine) vehicles in accordance with Council's Regulations and Parking Policy. Parking spaces, accessways and aisles to conform to Council's Development Control Plan and to be constructed, drained, sealed and marked. Full details of works shall be submitted for approval with the building application.
8. 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. Such finishes shall be sympathetic with the existing heritage buildings located on the property.
9. As far as practicable all trees and shrubs on the site are to be preserved. No trees over 4m in height shall be removed without the approval of the Divisional Manager Environment and Development. Such approval to be sought subsequent to the pegging of building works.
10. 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.
11. The spillage of light, if any, shall be controlled to the satisfaction of Council.

6: TEN LOT SUBDIVISION AMENDMENT - LOT 1 DP222237 m 122 CATTAI ROAD, PITT TOWN - BA HOMANN AND ASSOC. (DA127/93/EVD)

Owner: Futuris Corporate Limited
Stat. Provisions: Hawkesbury LEP 1989
Area: 24.8ha
Zone: Rural 1(c), proposed road widening 9(b)
Advertising: Not required
Date Received: 20 December 1993 (original proposal received 1 September 1993)

Key Issues:

- , Flooding
- , Incorrect orthophoto map
- , Use of fill material

Action:

Approval of amended subdivision plan

COMMITTEE'S RECOMMENDATION

1. THE FOLLOWING SENTENCE be added at the end of Condition m 15 of SA127/93:-

"Fill material (originating from the vehicle testing track and not to be imported onto the site) is permitted to be placed on Lots 1, 2, 3, 4, 7 and 8 to achieve building platforms of at least 15.9m (fifteen point nine) AHD, in accordance with the Plan m 466-3314/6097, dated November 1993".

2. The applicant being advised that fill material in conjunction with 1. above is not to be imported onto the site.
3. The proposed amendments to Conditions 16 and 17 of SA127/93 (relating to earth mounding and landscaping) not be supported.

**7: GOLF COURSE AND ASSOCIATED FACILITIES - LOT 373,374, 375 & 376 DP751665
217 SINGLETON ROAD, WILBERFORCE - MR R PARSONAGE (DA33/94/EVD)**

Owner: R A P Holdings Pty Ltd
Stat. Provisions: Hawkesbury LEP 1989 SEPP m 11 (Traffic Generating Development)
Area: 69.89ha
Zone: Rural 1(b)
Advertising: Adjoining owners
Date Received: 8 February 1994

Key Issues:

- ! Vehicular Access
- ! Traffic
- ! Environmental Impact

Action:

Conditional approval

COMMITTEE'S RECOMMENDATION

THE APPLICATION BE approved subject to the following conditions:-

1. The development shall be carried out generally in accordance with plans and documentation submitted with the application.
2. The development shall be carried out in accordance with any licensing requirements of the Environmental Protection Authority and the Department of Water Resources.
3. Submission of a building application, plans and specifications complying with the Building Code of Australia.
4. 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.
5. All waste materials to be stored and disposed of at regular intervals to the satisfaction of the Divisional Manager Environment and Development.
6. Provision of toilets in accordance with the requirements of the Building Code of Australia.

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. Parking shall be provided for 140 (one hundred and forty) vehicles and 2 (two) buses 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.
9. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.
10. 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.
11. All trees on the property are to be preserved with the exception of those trees which are required to be removed to allow the siting of the fairways.
12. No excavated material (sub soil, top soil or soil) shall be removed from the site.
13. Compliance with Workcover Authority for the keeping and storage of herbicides and pesticides for the use on the land.
14. The spillage of light, if any shall be controlled to the satisfaction of Council.
15. The Club house facility on the site shall not operate after 10pm on any night.
16. Access to the site being to the requirements of the Roads and Traffic Authority.
17. No vehicular access is to be provided from Krahe Road.
18. The construction of a 5m (five) wide compacted crushed rock access from Singleton Road to the maintenance compound along the existing access road. Permission is to be first obtained from the Lands Department to the continued use of the access and to any work to be carried out thereon.
19. Compliance with any licensing requirements under the Liquor Act in respect of the Club house.
20. Illumination of the golf driving range is prohibited.
21. The access road from Singleton Road to the car park shall be constructed with a sealed pavement. Details to be submitted for approval with the Building Application.

A report be brought forward to the Ordinary Meeting on the treatment of effluent and access to McKinnons Road.

ADDITIONAL INFORMATION

With regards to access to McKinnon's Road, the applicant has advised that there is to be no vehicular access to either McKinnon's Road or Krahe Road (which is an extension of McKinnon's Road). This has been reinforced by one of the conditions of consent which prohibits such access. The reason for this prohibition is that Krahe Road is presently unsealed and in a poor state and to use this road as an access (in any form) would be most undesirable.

Regarding the disposal of effluent, the applicant has provided evidence that the treatment plan will produce effluent which is able to be discharged into "Class R" waters under Environment Protection Authority Guidelines. In this regard, undiluted effluent from the treatment plan will fall below 30 milligrams per litre for Biochemical Oxygen Demand, and 20 milligrams per litre for suspended solids. This accords with the requirements for discharge into "Class R" waters.

In NSW some waterways are classified under the Clean Waters Act. The waters of the Hawkesbury River System that are classified are:-

- È Colo River, Macdonald River, Webbs Creek and Tributories.
- È Grose River.
- È Lake Burrangerang and Tributories.
- È Nepean River Upstream of the Warragamba River.

Four classifications are possible, ranging from Class R - Restricted Waters (less severe) to Class S - Specially Protected Waters (most severe).

It should be noted that Currency Creek is not classified, however, generally pollution prevention legislation still applies.

An "R" classification is designed to safeguard the quality of waters for recreational purposes and ensure that conservation of aquatic life and water, associated wildlife is adequately provided for.

It is proposed to treat sewage in an aerated package plant and to drain the treated effluent to dam m 2 and then pump to dams 1, 3, 4 and 5. The estimated volume of effluent is 22,500 litres/day.

The irrigation system in non-rain periods will use 600,000 litres/day and thus treated effluent will be diluted with dam water prior to irrigation.

In periods of rainfall, the 5 dams will allow for up to 40 days storage of treated effluent.

The dilution of effluent with dam water is not expected to adversely affect existing aquatic and bird life, using the dams.

An additional conditions is recommended:-

1. Water quality in the dams shall be monitored through a planned analysis program, to the satisfaction of the Divisional Manager Environment and Development.

8: CAR REPAIR STATION - LOT 22 DP578116 138 HANKEL ROAD, OAKVILLE - MR A BURKE (DA100/94/EVD)

Owner: Mr A Burke
Stat. Provisions: Hawkesbury LEP 1989
Area: 1.6ha
Zone: Rural 1(c)
Advertising: Adjoining owners - 3 objections received
Date Received: 27 April 1994

Key Issues:

- , Objections
- , Amenity (noise, fumes, hours of operation)
- , Privacy

Action:

Approval with conditions

Mr Burke, the applicant, was available to answer questions.

Mr Rowe, objector, addressed the Committee

COMMITTEE'S RECOMMENDATION

THE APPLICATION BE approved subject to the following conditions:

1. The development shall be carried out in accordance with the plan and application as received by Council 27 April 1994.

2. No advertising structures are to be erected, displayed or affixed on any building structure or land without the prior approval of Council. Any such advertising structure erected or displayed without prior approval will be removed and disposed of at the expense of the advertiser.
3. All waste materials to be stored and disposed of at regular intervals to the satisfaction of the Divisional Manager Environment and Development.
4. All solid and liquid wastes arising from the premises shall be collected, stored and disposed of in a satisfactory manner. Separate details of the proposed waste collection, storage and disposal method/system shall be lodged for approval.
5. Parking shall be provided for 12 (twelve) 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.
6. Screen walls are to be provided to screen open yard activities and are to be of an approved design, and full details are to be submitted for approval.
7. All work performed shall be confined within the building.
8. No motor vehicles are to be displayed for sale on the subject premises.
9. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.
10. 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.
11. The subject development, including landscaping, is to be maintained in a clean and tidy manner at all times and any direction given by Council Officers in this regard is to be complied with forthwith.
12. The spillage of light, if any, shall be satisfactorily controlled.
13. Operating hours shall be limited to 8am to 4pm Monday to Friday with no work being carried out weekends or public holidays. Any alteration of these hours will require the approval of the Divisional Manager Environment and Development.
14. The submission of details of the movements of vehicles including times and frequency of movement.
15. The submission of details of stormwater drainage systems for approval to the satisfaction of the Divisional Manager of Environment and Development.

16. Compliance with the Noise Control Act in relation to all noise emissions from the site.
17. The parking of vehicles on the footpath outside the subject site is prohibited.
18. This consent is limited to a 12 (twelve) month period, after which time the applicant shall be required to re apply for continuation of the car repair station.

9: TWO LOT SUBDIVISION - LOT 67 DP751626 m 174 MOUNTAIN LAGOON ROAD, BILPIN - C & B SPATHIS (SA36/94/EVDy)

Owner: C & B Spathis
Stat. Provisions: Hawkesbury LEP 1989
Area: 8.3ha
Zone: Environmental Protection Scenic 7(d)
Advertising: Not required
Date Received: 14 April 1994

Key Issues:

, Non compliance with Hawkesbury LEP 1989

Action:

Refusal

THE APPLICATION BE refused for the following reasons:-

1. The subject is not in compliance with the 4ha minimum allotment required for land zoned Environment Protection Scenic 7(d) under the provisions of Hawkesbury LEP 1989.
2. The proposal contravenes the objectives of the Environmental Protection 7(d) zone.
3. The proposal is not in the public interest.
4. The proposal if approved would set an undesirable precedent.

COMMITTEE'S RECOMMENDATION

Consequently, it is recommended that the application be deferred until the next General Purpose Committee meeting.

ADDITIONAL INFORMATION

A facsimile was received from the applicant advising that he wished to address the Council but was unable to attend on 28 June 1994. As a result it was requested that the application be deferred to allow the applicant to address Council.

10: MOTEL - LOT 2 DP559566 m 711 WINDSOR ROAD, VINEYARD - REGENCY DESIGN CENTRE - APPLICANT: R BROWN (DA180/91/EVD)

Owner: Bittini Pty Ltd
Stat. Provisions: Hawkesbury Local Environmental Plan 1989
Area: 5.685ha
Zone: Rural 1(c)
Advertising: Adjoining owners notified with one submission received
Date Received: 22 July 1991, Amended plans received 4 May 1994

Key Issues:

, Traffic and Access
 , Design

Action:

Approval

COMMITTEE'S RECOMMENDATION

THE APPLICATION BE approved subject to the following conditions:-

1. The development shall be carried out in accordance with Plan m 4384A1, Sheets 1-3, dated 22 May 1994.
2. Submission of a building application, plans and specifications complying with the Building Code of Australia.
3. Submission of a Subdivider/Developer Certificate (a Certificate under Part 3, Division 2, Section 27 of the Water Board Act 1987) prior to the commencement of any works on the site.
4. With the Building Application the applicant is to propose a suitable site effluent treatment system such as to maximise effluent quality.

5. All access to the development shall be from Boundary Road. In this regard, a right-of-way shall be created over the existing driveways of the Tourmaline Hotel as shown on Plan m 4384A1, Sheet 3.
6. The right-of-way shall be constructed with a sealed pavement where not already provided, details to be submitted with the building application.
7. Disabled access shall be provided in accordance with the Building Code of Australia.
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. On-site detention shall be provided to maintain all stormwater discharges up to the 1 : 100 year storm at predevelopment levels.
9. 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.
10. All waste materials to be stored and disposed of at regular intervals to the satisfaction of the Divisional Manager Environment and Development.
11. No excavation or site works shall be commenced prior to the issue of the building permit.
12. Parking shall be provided for 25 (twenty five) 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.
13. 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.
14. 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.
15. There be noise attenuation in relation to the adjoining property.

11: ATTACHED DUAL OCCUPANCY - LOT 529 DP749371 WETHERILL CRESCENT, BLIGH PARK - APPLICANT: T & K ELY (DA40/94/EVD)

Owner: Mr T C & Mrs K Ely
Stat. Provisions: Hawkesbury Local Environmental Plan 1989 & Council's Dual Occupancy/Duplex Housing Development Control Plan
Area: 744m²
Zone: Residential 2(a)
Advertising: Advertised with five submissions received and one petition with twenty three signatories
Date Received: 24 February 1994

Key Issues:

- , Traffic Movements/Vehicular Access to Site
- , Setbacks for Proposed Dwelling & Car Spaces
- , Stormwater Disposal
- , Provision of Solar Access to Rear Courtyards
- , Unsightly Fencing

Action:

Refusal

COMMITTEE'S RECOMMENDATION

THE APPLICATION BE refused on the following grounds:-

1. The proposal is an overdevelopment of the site.
2. The proposal does not provide adequate setbacks to complement the existing streetscape of Rich Close.
3. The proposed courtyard fronting Wetherill Crescent will detract from the existing streetscape.
4. Inadequate private open space is provided for each dwelling.
5. Inadequate solar access is provided to the courtyards at the rear.
6. The applicant has not provided evidence that the site can be suitably drained.

12: HOME ACTIVITY - CABINET MAKING LOT 20 DP587915 m 97 MENIN ROAD, OAKVILLE - J & R SELTENRYCH (DA104/94/EVD)

Owner: J & R Seltenrych
Stat. Provisions: Hawkesbury Local Environmental Plan, 1989
Area: 2.023ha
Zone: Rural 1 (c)
Advertising: Advertised with seven submissions received
Date Received: 29 April 1994

Key Issues:

- , Noise
- , Bona fide nature of application

Action:

Approval with conditions

Mr Seltenrych, applicant, addressed the Committee.

COMMITTEE'S RECOMMENDATION

THE APPLICATION BE approved subject to the following conditions:-

1. The development shall be carried out in accordance with Plan submitted on 29 April 1994.
2. Submission of a building application, plans and specifications complying with the Building Code of Australia.
3. 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.
4. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.
5. Access being provided to the new building to enable its use for storage purposes.
6. Compliance with requirements of a home activity and in this regard the proposal shall not:

- i) interfere with the amenity of the locality be reason of the emissions of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise;
 - ii) involve exposure to view from any public place of any unsightly matter;
 - iii) require the provision of any essential service main of a greater capacity than that generally available in the locality;
 - iv) involve the employment of persons other than residents of the dwelling house or dwelling; or
 - v) involve the exhibition of any notice, advertisement or sign (other than a notice or sign not exceeding 1 (one) metre by 0.6 (zero point six) metres exhibited on that dwelling house or dwelling to indicate the name and occupation of the resident thereof);
7. The subject development, including landscaping, is to be maintained in a clean and tidy manner to Council's satisfaction at all times and any direction given by Council in this regard is to be complied with forthwith.
8. Operating hours shall be limited to 8.00am to 5.00pm Monday to Friday and 8.00am to 12 noon on Saturdays. Any alteration of these hours will require the approval of the Divisional Manager Environment and Development.
9. All work performed shall be confined within the buildings.
10. All waste materials to be stored and disposed of at regular intervals to the satisfaction of the Divisional Manager Environment and Development.
11. 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.

13: CONSTRUCTION OF FOUR NEW SHOPS LOT 7 DP959819 211 WINDSOR ROAD, VINEYARD - GILES TRIBE ARCHITECTS (DA106/94/EVD)

Owner: Mr & Mrs D Harris
Stat. Provisions: Hawkesbury LEP 1989, SEPP m 1
Area: 8,050m²
Zone: Rural 1(c) and Proposed Road Widening 9(b)
Advertising: Adjoining owners
Date Received: 2 May 1994

Key Issues:

- , Enlargements/intensification of non conforming existing use
- , Traffic impacts
- , "Ribbon" development
- , Traffic generating developments along main roads

Action:

Refusal

Mr Macleman, the applicant, addressed the Committee.

Mr P Stevens, Solicitor, addressed the Committee, on behalf of the applicant.

COMMITTEE'S RECOMMENDATION

THIS MATTER BE referred to the Legal Consultative Committee Meeting prior to the Ordinary Meeting.

**14: NOTICE OF INTENTION TO DEMOLISH WEATHERBOARD COTTAGE - m 80
LENNOX STREET, RICHMOND - V & P TCHADOVITCH (P515/135/EVD)**

Owner: V & P Tchadovitch
Stat. Provisions: Hawkesbury Local Environmental Plan 1989, Local Government Act 1993
Area: 1,322m²
Zone: Residential 2(a)
Advertising: Not required
Date Received: 17 May 1994

Key Issues:

- , Heritage significance
- , Contribution to streetscape

Action:

Refusal

A SITE INSPECTION be carried out.

The Committee inspected the property at 2.25 p.m. Councillors present at the inspection were Councillor Sledge, Mayor and Councillors Parsons, Sheather, Calvert, Rogers, Keegan and Books.

COMMITTEE'S RECOMMENDATION

1. THE APPLICATION MADE pursuant to Section 68 of the Local Government Act 1993 be refused.
2. The cottage known as m 80 Lennox Street, Richmond be identified and included as a heritage item in Schedule 1 of Hawkesbury Local Environmental Plan 1989.
3. A report be submitted to the Ordinary Meeting regarding the establishment of a heritage precinct at this locality.

ADDITIONAL INFORMATION

A report was requested for the Ordinary Meeting regarding the establishment of a heritage precinct in the locality of Lennox Street, Richmond. The following report discusses heritage precincts within the Hawkesbury local government area and in particular Lennox Street, Richmond.

Schedule 1 (Heritage Items) of Council's planning instrument currently includes a number of heritage precincts/conservation areas. Conservation areas formally identified include Thompson Square Conservation Area, North Street Conservation Area and St Albans Village Conservation Area. Each of the conservation areas formally identified in Schedule 1 of instrument incorporates a number of heritage items which are individually significant and together as a group contribute to the character and overall quality of the area. For example the North Street Conservation Area includes the Windsor Court House and the cottages known as m 's 25, 28, 31-33, 35, 37-39 North Street. The individual heritage items together form a homogenous group of Georgian and Victorian buildings of national significance.

Whilst Schedule 1 of Council's planning instrument currently includes three conservation areas a number of others exist within the local government area. The Department of Planning's North West Sector Heritage Study recognises the existence of a number of heritage precincts/conservation areas in addition to those already identified in the planning instrument. Those heritage precincts/conservation areas recognised in the Study and not identified in Schedule 1 include the following:-

- ! George Street, Windsor Commercial Precinct
- ! George Street, South Windsor Residential Precinct
- ! Fitzgerald Street, Windsor Uniting Church Precinct
- ! Little Church Street, Windsor Residential Precinct
- ! St Matthews Church Precinct
- ! Richmond Park Precinct
- ! Windsor Street, Richmond Residential Precinct

- ! Windsor Street, East Richmond Residential Precinct
- ! East March Street/Railway Precinct

Plans illustrating the location of each of the above precincts identified in the study have been placed on the display board of the Council Chambers for perusal.

The North West Sector Heritage Study describes each of the above precincts in detail and identifies individual heritage items within the precinct. The Study further identifies the precinct's significance and boundary.

A number of individual items located within the above precincts are already formally identified in Schedule 1 of Council's planning instrument. Despite this many of the items constituting the above precincts remain unidentified and are currently not afforded the protection of the heritage provisions of the planning instrument. It is desirable that the heritage precincts/conservation areas identified in the North West Sector Heritage Study be formally identified as such and included in Schedule 1 of the planning instrument by a draft local environmental plan.

The cottage known as m 80 Lennox Street, Richmond is one of a group of eight weatherboard and corrugated iron cottages situated on the south side of Lennox Street (m 's 82, 84, 86, 88, 90, 92 and 94 Lennox Street). Three of the eight cottages in the group (that is m 's 82, 88 and 90 Lennox Street) are already identified as heritage items in Schedule 1 of the planning instrument.

Consistent in form, scale and building materials the eight cottages contribute to the character and streetscape of the lower end of Lennox Street. As such the cottages form a heritage precinct of a quality similar to those identified in the Department's North West Sector Heritage Study.

RECOMMENDATION:

1. THE APPLICATION MADE pursuant to Section 68 of the Local Government Act 1993 for the demolition of the cottage known as m 80 Lennox Street, Richmond, be refused.
2. The cottage known as m 80 Lennox Street, Richmond be identified and included as a heritage item in Schedule 1 of Hawkesbury Local Environmental Plan 1989.
3. Heritage precincts in Windsor and Richmond identified in the Department of Planning's North West Sector Heritage Study be referred to Council's Heritage Advisory Committee for assessment and a recommendation regarding any future action.
4. The cottages known as m 82, 84, 86, 88, 90, 92 and 94 Lennox Street be referred to Council's Heritage Advisory Committee for assessment and a recommendation regarding their inclusion in Schedule 1 of Hawkesbury Local Environmental Plan 1989.

15: TYRE LANDFILL - LOT 263 DP751665 m 3 HENDRENS ROAD, EBENEZER - EAST COAST TYRE RECYCLERS (DA347/92/EVD)

COMMITTEE'S RECOMMENDATION

THE REASONS FOR refusal be as follows:

1. It is contrary to the draft Local Environmental Plan.
2. The subject property is located below the 1 in 100 year flood frequency level and this proposal does not safeguard against the movement or escape of tyres downstream.
3. The proposal will reduce the agricultural viability of the property.
4. The proposal is likely to cause soil erosion and land degradation.
5. The proposal is not in the public interest.

16: DRAFT DEVELOPMENT CONTROL PLAN - MCGRATHS HILL AREA (GT100/001 PT2/EVD)

Councillor Keegan declared an interest in this matter.

COMMITTEE'S RECOMMENDATION

LAND IN McGRATHS Hill not be rezoned for residential purposes at this time.

FURTHER IDENTIFICATION OF the 5 (five) hectares of land be reported to the Ordinary Meeting.

ADDITIONAL INFORMATION

At Council's General Purpose Committee Meeting, further identification of the 5ha of land above the 16.0m "floor height standard" was requested.

The land is located to the north east of the village of McGraths Hill, generally on the south eastern side of Pitt Town Road, as shown on the attached plan.

It is considered that if any residential development was to occur in this locality, it should be confined to the south eastern side of Pitt Town Road. Some minor filling of land may be appropriate to "square" up that area identified for residential purposes.

Land between the exhibition village and Winnifred Banks Estate is already zoned in part for residential purposes. However, filling would also be necessary to achieve a 16.0m level.

Whilst consolidation of the village may be desirable, it is considered that the Department of Planning is unlikely to support any rezoning of flood liable land which is substantial.

17: ABATTOIR ALTERATIONS - LOT 1 DP741444 m 62 KING ROAD, WILBERFORCE - APPLICANT: MRS A DIASINOS (DA52/94/EVD)

COMMITTEE'S RECOMMENDATION

THE INFORMATION BE received.

18: DEMOLITION OF WEATHERBOARD COTTAGE - 339 WINDSOR STREET RICHMOND - MRS E COLOUHOUN (DA281/93 PT1/EVD)

COMMITTEE'S RECOMMENDATION

COUNCIL REQUEST THE Heritage Council of New South Wales to agree to the demolition of the subject building and that should the concurrence be forthcoming then a condition of the demolition include the recording of the building prior to its demolition in accordance with the Heritage Council's guidelines "How to Prepare Archival Records of Heritage Items".

19: EQUESTRIAN VILLAGE - CLARENDON (LEP7/94 PT1/EVD)

Councillor Keegan declared an interest in this matter.

COMMITTEE'S RECOMMENDATION

THE WOLLONGONG DEVELOPMENT Control Plan 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.

20: CHILD CARE CENTRE - LOT 747 DP777657 m 83 ALEXANDER STREET, BLIGH PARK (DA245/92/EVD)

Mr D Smith, objector, addressed the Committee

COMMITTEE'S RECOMMENDATION

THE APPLICATION BE refused with appropriate conditions to be brought forward.

THE MATTER BE further reported to the Ordinary Meeting.

ADDITIONAL INFORMATION

The applicant has been contacted who advised that the site is licensed to accommodate 29 children, aged from 3 - 5 years. The applicant has received requests from 34 of the current parents to provide Saturday care. Information from Community Services indicates that no existing centre in the Hawkesbury and surrounding districts provides Saturday care.

Children are currently permitted to play outside a maximum of 2 hours a day, which is broken into 3 even periods. Impacts in relation to noise could be minimised by controlling the hours children are outside to say, for instance, after 9.30am. Further benefits could be achieved by staggering outside play to reduce the number of children out at the one time.

Should the application be refused, the following reasons are considered appropriate:-

1. The operation of the centre on Saturday will adversely affect the amenity of the neighbourhood, particularly in respect of noise.
2. The proposal is not in the public interest.

21: SUBDIVISION INTO 7 (SEVEN) LOTS - LOTS 1-6 DP831456 OLD AWKESBURY ROAD, McGRATHS HILL - RET ENTERPRISES (SA154/93/EVD)

Councillors Keegan and Books declared an interest in this matter.

Mr B McKinlay addressed the Committee on behalf of the applicant.

COMMITTEE'S RECOMMENDATION

APPROVAL BE GRANTED to the adjustment and relocation of existing lot boundaries to create 7 (seven) lots having areas of approximately 2,770m², 2,320m², 2,000m², 2,000m², 3,320m², 3.38ha. and 300m² respectively, subject to the following conditions:-

1. The creation of a restrictions-as-to-user on the titles of Lots 1-5 inclusive so that any subsequent dwelling erected thereon has a minimum habitable floor height of 16m (sixteen) AHD.
2. The submission of a Subdivider/Developer Certificate from the Water Board.
3. Submission of a Certificate from Prospect County Council that satisfactory arrangements have been made for the provision of electricity to each of the resultant lots of the subdivision.
4. Submission of a Certificate from Telecom that satisfactory arrangements have been made for the provision of cables for telephones through the subdivision.
5. The proposed Lot 7 for Sewer Pump Station purposes be formally valued by Council's Licenced Valuer and negotiations with the landowner be undertaken for acquisition or dedication of same.
6. Satisfactory arrangements being made with Council for the provision of sewerage reticulation to each lot.
7. The provisions of interallotment drainage where required and the creation of necessary easements free of cost to Council.
8. Construction of drainage or sewer works are not to commence until plans and specifications have been submitted to and approved by the Divisional Manager of Engineering Operations.
9. The removal of the previously constructed building platform adjacent to Old Hawkesbury Road and contained partly on Lot 7 and Lot 9 DP831456.
10. The submission of a plan of subdivision, together with 4 (four) exact copies suitable for lodgement with the Land Titles Office.

SECTION 2 - INFRASTRUCTURE

1: McQUADE PARK - LACHLAN MACQUARIE STATUE FLOODLIGHTING (PK/203 PT9/ENG)

COMMITTEE'S RECOMMENDATION

THE INSTALLATION OF floodlighting for the Lachlan Macquarie statue in McQuade Park be approved.

2: VEHICLE INSPECTIONS - ROADS & TRAFFIC AUTHORITY (GT230/004 PT3/ENG)

COMMITTEE'S RECOMMENDATION

THE INFORMATION REGARDING the issue of Compulsory Third Party Insurance as part of the vehicle registration service be received.

3: GOVERNOR PHILLIP RESERVE - PONTOON WHARF (GR060/017 PT2, PK/205 PT3/ENG)

COMMITTEE'S RECOMMENDATION

1. THAT \$14,500 (FOURTEEN thousand five hundred) be provided in the 1994/95 Capital Works Program as Council's 50% (fifty) contribution to the construction of a pontoon wharf at Governor Phillip Reserve, Windsor.
2. That expressions of interest be invited from the corporate and commercial sector in relation to the possibility of sponsorship of the pontoon wharf in whole or in part and that such expressions of interest address the environmental sensitivity of the site and that innovative measures and concepts be encouraged in its design.

4: WINDSOR WHARF ENHANCEMENT - COMMONWEALTH DEPARTMENT OF TOURISM (GG021/187 PT1, 0265/R PT2/ENG)

COMMITTEE'S RECOMMENDATION

\$50,000 (FIFTY THOUSAND) be included in the 1994/95 Capital Works Program as Council's contribution to the Windsor Wharf Parking and Area Enhancement Project.

5: CYCLEWAYS (GR030/009 PT2/ENG)

COMMITTEE'S RECOMMENDATION

1. THE OFFER FROM the Roads & Traffic Authority to implement a pilot sub-regional bicycle network as outlined, be accepted and Council's contribution of \$50,000 (fifty thousand) towards the project be provided in the 1994/95 Financial Year from the Capital Works Program.
2. Councillor Paine be elected as the Council delegate on the Steering Committee, with Councillor Calvert as the alternative.

6: SISTER CITY/SERVICE CLUB SIGNS (GP092/005 PT2/ENG)

COMMITTEE'S RECOMMENDATION

1. THE EXISTING STRUCTURES supporting the community service signs at Windsor Road, McGraths Hill, Bells Line of Road, Richmond and Blacktown Road, Richmond be replaced with the 1200mm (twelve hundred) diameter structure.
2. Council fund the installation of these particular signs.

7: COLLITH AVENUE, SOUTH WINDSOR (360/R PT1/ENG)**COMMITTEE'S RECOMMENDATION**

1. FOLLOWING THE COMPLETION of the construction of the Woods Road extension between Collith Avenue and Stewart Street that Collith Avenue be physically closed at the intersection of Woods Road and Stewart Streets and following the completion of these works, traffic counts be undertaken to determine the need for further traffic control facilities in both Collith Avenue and Mileham Streets and this matter be further reported to Council.
2. Urgent representations be made to the Roads & Traffic Authority and the Local Member for the installation of a roundabout or traffic lights at the intersection of George Street and Rifle Range Road, South Windsor.

8: NAMING OF ROADS - RENAMING EASTERN END OF BLAXLANDS RIDGE ROAD (GR120/003 PT2 0209/4 PT2/ENG)**COMMITTEE'S RECOMMENDATION**

A PUBLIC FORUM be convened to allow residents/owners of that section of Blaxlands Ridge Road between Putty Road and West Portland Road to determine by public referendum the name of their road. The public forum to be held at the same time as the forum to be convened in respect of East Kurrajong Road, Section 2.

ADDITIONAL INFORMATION

There are two properties with frontage to Blaxlands Ridge Road between Putty Road and West Portland Road, with another two properties accessing Blaxlands Ridge Road across Crown Land. That is, there are four privately owned properties in total with access to Blaxlands Ridge Road with the rest of the land being Crown Land. There appears to be one only, property occupied on this road and that property is located on the corner of West Portland Road and Blaxlands Ridge Road.

There was only one response to the advertisement regarding the renaming of Blaxlands Ridge Road and this respondent lives at Lower Portland not on Blaxland Ridge Road.

With regard to the suggested name, Packer Road, the Parish maps indicated that E.L. Packer was the owner of one portion having direct frontage to Blaxlands Ridge Road and Packers also owned two properties just north and south of Blaxlands Ridge Road on Putty Road. Given the long history of Packers in this district, it was felt appropriate that Blaxlands Ridge Road be named Packer Road in this instance.

9: EAST KURRAJONG ROAD - PROPOSED RENAMING (0510/R PT4/ENG)

Messrs Butler, Thornton and Roughley; and Mrs Crosby, residents, addressed the Committee.

COMMITTEE'S RECOMMENDATION

1. EAST KURRAJONG ROAD, Section 1, be renamed East Kurrajong Road, and Section 2 be dealt with as a separate matter.
2. A PUBLIC FORUM be convened to allow residents/owners of the current road known as East Kurrajong Road, Section 2, to determine by public referendum the name of their road.

SECTION 3 - ORGANISATION AND RESOURCES

1: MONTHLY FINANCIAL STATEMENTS (GF011/004 PT4/FNC)

COMMITTEE'S RECOMMENDATION

THE INFORMATION BE received.

2: STATE ROAD FUNDING ALLOCATIONS (GG021/010 PT03/GMA)

COMMITTEE'S RECOMMENDATION

REPRESENTATIONS BE MADE to the Treasurer, the Minister and State Member for Hawkesbury regarding the use of Commonwealth Road funds for other than road works.

3: CODE OF CONDUCT (GC070/005 PT07/GMA)

COMMITTEE'S RECOMMENDATION

THE CODE OF Conduct as circulated and adopted at the Ordinary Meeting be re-affirmed subject to those matters which Councillor Rogers and his colleagues by consensus agree upon :

4.3 For Hawkesbury, exemptions be adopted under Sections 46(c) and 46(d) of the 1919 Local Government Act.

5.1, 5.2, 5.3, 5.4, 5.6 - the word "must" be deleted and the word "shall" be included.

5.1 Additional item : "* Not act contrary to Council's Code of Meeting Practice".

Page 6 - Note: "Councils wishing to retain an oath of allegiance or a declaration to faithfully fulfil the duties of a councillor, or variations of them may do so by resolution" - to be further reported for adoption by resolution to the next General Purpose Committee Meeting.

8. The word "must" be deleted and the word "shall" be included.

Page 9 - Note: "So that reports may be timely the general manager should develop an internal reporting system appropriate to the Council. Councillors, members of staff and delegates may forward a complaint of suspected corrupt conduct directly to the commission where the person(s) does not wish to report the matter internally" - to be further reported as to the internal reporting system appropriate to Hawkesbury in due course.

4: PROPERTY DEVELOPMENT STRATEGIES (GC285/002/CSV)

COMMITTEE'S RECOMMENDATION

THE INFORMATION BE received and that support in principle be given by the Council to enable the strategies defined in the report to be implemented with the exclusion of :

- * Redevelopment of Lot 1, Macquarie Road, Wilberforce for medium density.
- * Acquisition of land within Precinct 29 at Bligh Park
- * Establishment of a kiosk at Kurrajong Heights
- * Sale of land at McQuade Avenue
- * Development of retail facilities at the Corner of Colonial Drive and Rifle Range Road.

5: 1994/95 LOAN BORROWING PROGRAM (GF014/005 PT4/FNC)

COMMITTEE'S RECOMMENDATION

COUNCIL NOT PROCEED with the borrowing of \$2 million (two) in the 1993/94 Loan Borrowing Program and that the Department of Local Government be advised that a special loan allocation for this Financial Year is not required.

6: FORGOTTEN VALLEY MOBILE RESOURCE UNIT (GC200/004 PT01/GMA)

COMMITTEE'S RECOMMENDATION

THE REPORT BE received.

7: WINDSOR FUNCTION CENTRE (GC283/45/CSV)

Councillor Rogers declared an interest in this matter.

WHENEVER A MATTER comes before Council which is determined by Committee of the Whole, that Councillors affected by declaration of interest, vacate the Chamber.

Councillor Rogers left the Chamber.

RESOLVED on the motion of Councillor Mackay seconded by Councillor Books that Council go into Committee of the Whole.

COMMITTEE OF THE WHOLE

Windsor Function Centre.

RESOLVED on the motion of Councillor Books seconded by Councillor Stubbs that Open Committee be resumed.

The General Manager reported that whilst in Committee of the Whole, in the matter of the Windsor Function Centre, the Committee recommended that :

COMMITTEE'S RECOMMENDATION

1. Council offer to Stupsy Pty Ltd on a walk in/walk out basis, \$30,000 (thirty thousand dollars) as full and final compensation for the relinquishing of the leasing of the Windsor Function Centre, on the basis outlined in this report.
2. A report be submitted to a later meeting of Council, in regard to the future operation and management of the Centre.
3. The compensation be funded from the Property Development Reserve.
4. Each party to be responsible for their own legal costs.
5. All necessary documents be completed under Seal of Council.
6. The matter be actioned as the result of this meeting.

SECTION 4 - QUESTIONS WITHOUT NOTICE

1. Councillor Rogers stated that he had been advised by a Trustee of the Hawkesbury/Nepean Catchment Management Trust that it has not yet received details of Council's delegates to the Central Hawkesbury Catchment Committee.

The General Manager felt that it was a public advertisement seeking nominations. He believed that there were 2 delegates from Local Government but they had to nominate themselves.

Councillor Rogers asked if this could be clarified.

2. Councillor Rogers asked for a report in general terms to consider the implementation of best practice methods of operation being applied to all matters for consideration in Council's planning and development processes and generally all its operations.

The General Manager referred to the report on Enterprise Bargaining and stated that one of the key matters in Enterprise Bargaining negotiation is the implementation of best practice quality management and that would be a very appropriate part for all staff of any such Enterprise Agreement that may be implemented.

3. Councillor Keegan stated that the weekend dog bins have been removed from the pound.

The Mayor stated that this would be followed up.

4. Councillor Keegan referred to the entrances to Richmond as far as the trees etc. are concerned are in a pathetic state, particularly from North Richmond. He stated that now is the time that a clean up should be carried out before the new regrowth starts with Spring. He asked if there are any plans to clean these areas up.

The Divisional Manager Engineering Operations advised that there is no funding available to specifically carry out this work. However there is another LEAP/LandCare project coming up with Greening Australia and that was a project identified to be undertaken by them.

Councillor Keegan asked if a report could come back as to when this work can be carried out.

5. Councillor Keegan referred to the amount of rubbish in the gutters of the building in McMahons Park. He stated that this is a fire hazard. He asked if something could also be done about trimming back the trees close to the building.
6. Councillor Parsons referred to the intersection of Argyle and Macquarie Streets and asked when would a report come back from the Local Traffic Committee on its deliberations.

The Divisional Manager Engineering Operations advised that this was considered at a Special Meeting of the Local Traffic Committee last Wednesday and would come before the Ordinary Meeting. The basic recommendation is that a solid parking lane line be implemented right along Macquarie Street.

7. Councillor Sheather stated that in relation to the Central Catchment Committee he had received a letter from the Minister advising that 7 people had been appointed, of which he was one. There is a position, which was publicly advertised, and which closes this Friday, for the Community Consultation Committee. In that advertisement it stated that Local Government representation would be dealt with separately to the applications.
8. Councillor Books referred to 2 letters he had received - one from the Women's Cottage and the other from Hawkesbury Interagency - in which they express concern about the demise of the Community Services Section of the Council. He tabled the letters and asked if a letter could be sent to them giving details of the true facts.

The Mayor advised that letters had been forwarded.

9. Councillor Books tabled a document from Prospect Electricity Sydney Region Urban Development Program lot production forecast for 1993/98. He expressed concern that out of 8 Councils there is a total of 30,670 lots, and Hawkesbury's prediction up to 1994/95 is 200 and nothing from then on. He asked if something could be done about trying to get some land released.
10. Councillor Books asked if a report could be brought forward into looking at a 2 lane "Left Hand" turn through the roundabout on the Blacktown Road turnoff in George Street.

The Divisional Manager Engineering Operations advised that he had written to the RTA last week suggesting that the Authority investigate its implementation.

11. Councillor Sheather stated that it also needs a road going from Blacktown to Richmond as well, and asked if these proposals could be brought before Council.
12. Councillor Calvert stated that he had received representations during the week from people at Vineyard, where Council had supported Mr. Tolson's land for rezoning to industrial. He asked how the priorities rate.

The General Manager advised that he had received a number of phone calls from people at Vineyard as well. He pointed out that it was a policy decision of the Council and they would need to make representations to Council on the overall position at Vineyard.

13. Councillor Keegan asked if any response had been received in relation to the Notice of Motion asking for the Water Board to come up and address the Council on issues.

The General Manager advised that two follow up letters had been forwarded to the Board and also there was a request from the Public Meeting of people at Vineyard to the Board and the Department of Planning. The Board has rung on two occasions and indicated that they are currently co-ordinating, there is a legitimate issue in the delay - the Director General of Urban Affairs has instructed her Department and the Water Board to look at servicing the Riverstone scheduled lands area and Vineyard. The General Manager had been advised that it will take 3 to 4 weeks to finalise the costs and figures and they will then arrange to meet both the Council and then the Council and the Vineyard people separately.

14. Councillor Keegan asked for a report to come back as quickly as possible on the situation with Hollands Paddock Carpark.
15. Councillor Rogers referred to the memo regarding the Remuneration Tribunal and asked if it was possible for Councillors to attend the Newcastle meetings on 16th August so that we can also not only make our representations there but if Councillor's Town Planner could accompany him he could also talk to their Town Planners on pre-lodgement programs dealing with mediation.
16. Councillor Parsons referred to the phasing of lights from McGraths Hill into Windsor on the evening during peak hours, and stated that traffic is banked up for kilometres. He asked if this could be investigated.
17. Councillor Calvert asked the present status regarding the regaining of control of the sewerage system.

The General Manager advised the Mayor had forwarded a strong letter some time ago to the Minister. He undertook to follow the matter up.

The meeting terminated at 6.00pm.

Submitted to and confirmed at the meeting of the General Purpose Committee held on 26 July 1994.

.....
Mayor

ORDINARY

Section 4

Reports for Determination

ITEM 1: ANNUAL STATEMENTS OF ACCOUNTS 1993

FILE NUMBER: GF001/001 PT3, GF011/007 PT1/FNC

REPORT:

The 1993 Annual Statements of Accounts and Audit have been completed. The Audit Certificate from Price Waterhouse will be tabled at this meeting.

New accounting standards and practices introduced during 1993 require that the financial information be prepared and audited for external reporting in commercial format under Australian Accounting Standard m 27.

A summary of results in commercial format:-

Operating Statement

Operating Expenses	\$27,382,605
Operating Revenues	32,298,849
Contributions and Donations	5,319,909
Profit on Sale of Assets	<u>268,953</u>
Operating Surplus	10,505,106

Balance Sheet

Current Assets	26,798,876
Current Liabilities	<u>7,597,995</u>
Net Current Assets	19,200,881
Non Current Assets	56,311,721
Non Current Liabilities	<u>12,996,933</u>
Net Assets	62,515,669

The results from operations in Fund Accounting format for the year 1993, along with the Accumulated Financial Position, are detailed below:-

	<u>As at 1/1/93</u>	<u>Net Movements</u>	<u>As at 31/12/93</u>
Financial Position	\$520,658	\$751,085	\$1,271,743

The actual Financial position improved significantly from the projected deficit provided in the September Financial Review.

ORDINARY MEETING
Meeting Date: 12 July 1994

Item: 1

The improvement relates largely to the transfer of \$800,000 to Working Funds from the Bligh Park Reserve. The movement of these funds was proposed and adopted in the Corporate Plan at the Special Meeting 4 May 1993, to improve the Working Fund Position to an acceptable level.

Detailed below in the other movements both to and from Reserves during 1993 and the balance of Reserves as 31 December 1993.

General and Sewer Fund Reserves as at 31 December 1993

RESERVE	BALANCE B/F 01.01.93	TRANSFER TO	TRANSFER FROM	CURRENT BALANCE 31.12.93
Cordners Corner	212,011.28	412,384.86	505,930.80	118,465.34
Carparking	628,570.11	45,252.50	96,524.43	577,298.18
Drainage	154,452.90	18,850.88	32,544.79	140,758.99
Trees	3,118.06	255.00		3,373.06
Kerb & Guttering	78,985.90	24,771.82	13,606.50	90,151.22
Roadworks	688,828.19	171,890.54	547,213.55	313,505.18
Parks & Gardens S94	1,270,399.03	225,809.89	1,020,685.49	475,523.43
Community Facilities S94	0.00	227,552.51		227,552.51
Park Improvements S94	0.00	69,324.17		69,324.17
Recreational Buildings S94	0.00	63,129.80		63,129.80
Property Development	2,253,099.05	806,355.89	681,503.29	2,377,951.65
Loan Reserve	719,434.45	1,676,700.00	1,329,785.10	1,066,349.35
Information Technology		70,000.00		70,000.00
Election Provision		20,000.00		20,000.00
Glossodia/Freemans Reach Water	51,974.94		97.36	51,877.58
North Richmond Sewer	40,042.00		105.40	39,936.60
Richmond Sewer	125,887.37			125,887.37
Wilberforce Water	23,265.73		19,777.56	3,488.17
Kurrajong Water	9,970.61			9,970.61
Vineyard Water	4,730.00		760.49	3,969.51
Heritage	45,643.47	30,314.00	26,700.00	49,257.47
Extractive Industries	15,170.44	40,746.73	913.72	55,003.45
Sullage	-57,694.75	1,068,905.99	985,231.70	25,979.54

ORDINARY MEETING
Meeting Date: 12 July 1994

Item: 1

Garbage	163,638.45	2,305,972.70	2,310,761.81	158,849.34
Bligh Park	14,486,940.49	2,249,924.87	12,287,811.30	4,449,054.06
Workers Compensation	938,750.12	195,601.00	314,938.94	819,412.18
Plant	649,846.68	1,086,040.51	1,311,212.04	424,675.15
Risk Management	261,406.54	20,000.00	36,998.01	244,408.53
S94 Bush Fire	8,400.00	6,400.00		14,800.00
Sinking Funds	1,200,000.00	200,000.00		1,400,000.00
ELE	1,201,018.39	281,888.58	284,202.13	1,198,704.84
New Treatments	3,037,880.00	909,312.00	642,139.00	3,305,053.00
Emergency Breakdown	385,000.00			385,000.00
Industrial Area	2,327.00	13,455.00	14,229.00	1,553.00
Environmental	325,564.00	90,825.00		416,389.00
TOTAL RESERVES	28,928,660.45	12,331,664.24	22,463,672.41	18,796,652.28

Council has in its accounting records several debts which have been outstanding for a period of time. Every endeavour has been made to recover these debts and it is now necessary to have the amounts written off as being irrecoverable. The total amount which is outstanding and determined as being uneconomical, irrecoverable at law, or unable to be recovered is \$15,822.48 which has been brought to account as "provisions for doubtful debts" in the 1993 Annual Statements.

Detailed below is a summary of Rates and Charges in the Rate at 31 December 1993.

	<u>Arrears 31/12/93</u>
	\$
Rates	479,660.95
Interest	257,507.58
Garbage	113,135.10
Sanitary	<u>84,021.89</u>
	<u>934,325.52</u>

The balance of the arrears above is an increase of \$160,472.77 over the previous year. The deterioration in collections was largely due to the economic conditions highlighted by an increase in the number of ratepayers paying by arrangements. Arrangements have increased from 508 in January of 1992 to 620 in December of 1993. Whilst every effort is being made to improve this position the movement to quarterly billing under the New Local Government Set may adversely affect the cost of recovery and the rate of recovery.

RECOMMENDATION:

1. That the report on the 1993 Annual Statements of Accounts and the movements in Reserves be received.
2. That the amounts of \$15,822.48 (fifteen thousand eight hundred and twenty two dollars and forty eight cents) be abandoned in accordance with the Local Government Act 1993.
3. That the Seal of Council be affixed to the Certificate of Valuations and Rate Book for the year ended 31 December 1993.
4. The statement on the Financial Reports for the year ending 31 December 1993, be endorsed in accordance with Section 413 of the Local Government Act.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR712NAX.F18

****** END OF ITEM 1 ******

ITEM 2: ALCOHOL FREE ZONE - GLOSSODIA COMMUNITY AND NEIGHBOURHOOD CENTRE

FILE NUMBER: GP070/001 PT4 P1908/1780 PT1/CSV

REPORT:

An application has been received from the Glossodia Community and Neighbourhood Centre seeking approval for the holding of a barbecue on the area adjacent to the Glossodia Shopping Centre. The event is held annually for the benefit of the local community.

The organisers have advised that alcohol will be consumed at the event and have sought that the alcohol free zone which applies at the Shopping Centre and carpark be lifted.

Under the terms of the Local Government Act (1993) Council may temporarily suspend Alcohol Free Zones.

Having regard to the success of provisions annual events held at the Centre, the application to suspend the Alcohol Free Zone is supported.

RECOMMENDATION:

1. That the Alcohol Free Zone on Golden Valley Drive, Glossodia in front of the Glossodia Shopping Centre, the access way and rear car park be suspended for a period of 24 hours from midnight on 8 October 1994 to midnight on 9 October 1994.
2. All signs in the area which restrict/ban the consumption of Alcohol be suitably covered, the covers to be installed and removed by the event organisers.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR712NBX.C06

****** END OF ITEM 2 ******

ITEM 3: THOMAS AND JANE ROSE FAMILY SOCIETY - REQUEST FOR REIMBURSEMENT OF EXPENSES

FILE NUMBER: GF008/018/CSV

REPORT:

An application has been received on behalf of the Thomas and Jane Rose Family Society, being the owners of Rose Cottage located adjacent to the Australian Pioneer Village at Wilberforce.

Council will recall that as part of the 200th Anniversary Celebrations marking the landing of the Rose Family in Australia, the cottage was sold to the Family Society for \$1. The Society, is most anxious to restore the building to its former condition, however, the cost of same will require regular funding by the Society over a lengthy time frame. Repairs to the cottage are presently being conducted with finance for these works being derived in part from a combined grant from the Department of Planning, Council and monies raised by the Society.

To assist in funding for the ongoing restoration work, the Society has requested that Council waive Rates for the 1994 year as well as the building application and development application fees previously lodged. It is noted that the Rates and Fees total an amount of \$722.31. The presence of the cottage adjacent to the Australian Pioneer Village was in essence the *raison d'être* for the creation of the Village and comprises an element of the ongoing marketing campaign conducted by the Australian Pioneer Village.

As a gesture of good will to the Society, it is considered that the reimbursement of the fees and charges on a one-off basis should be supported.

RECOMMENDATION:

That an amount of \$722.31 (seven hundred and twenty two dollars and thirty one cents) be reimbursed to the Thomas and Jane Rose Family Society with funding to be drawn from the donations vote.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR712NBX.C17

****** END OF ITEM 3 ******

ITEM 4: WINDSOR FUNCTION CENTRE MANAGEMENT

FILE NUMBER: GC283/45 PT8/CSV

REPORT:

Following the decision to settle with Stupsy Pty Ltd to surrender the Lease of the Windsor Function Centre, the Agreement was terminated on 1 July 1994.

In order to maintain the operation and to honour future bookings of the Centre there was an urgent need to appoint interim managers. Ms Karen Johnson and Mr Ben Lebsanft of Cliffords Restaurant, Kurrajong, have been appointed in this capacity. This action had regard to a number of considerations, including their well established and recognised reputation in the hospitality industry. Further, Ms Johnson had been employed as Manager of the Windsor Function Centre approximately 3½ years ago for a period of several months. Ms Johnson was employed by a previous lessee of the Centre and retains a sound working knowledge of the Centre's overall operations and is acutely aware of the requirement for community access. Ms Johnson left the Centre of her own accord to pursue her own business interests in catering/restaurant management. It is proposed that Ms Johnson and Mr Lebsanft continue as caretaker managers for a minimum period of six months or until such time as the premises undergo a much needed refurbishment and upgrade program. At the conclusion of the improvements, consideration should be given to the long term operation and management of the Centre given the fact that a more marketable facility is offered in terms of the improvements.

In regard to the proposed refurbishment, it is noted that the Centre is almost twenty years old and in the face of increasing competition for the wedding and function markets, in particular from the Hawkesbury Race Club and Richmond RSL Club and changing consumer tastes, it is considered that the facility could enhance its functionality and viability through an upgrade. A concept plan for the proposed upgrade has been prepared by Council's Consultant Architect and will be displayed at the meeting. The plan provides for the staged completion of improvement works which include:-

- i) the erection of a sound proof movable divider wall between the Macquarie and Bligh Rooms to increase the functionality and booking potential of the premises;
- ii) enhanced natural light and general lighting throughout the premises to overcome the fairly dark and oppressive feel of the complex;
- iii) replacement of all heavy curtains to external windows with micro venetians;
- iv) installation of an energy management system; and
- v) new ceiling in the Macquarie and Phillip.

Cosmetic improvements proposed include general painting of the premises; new stage curtain; sand and polish of floor in the Macquarie Room; replacement of the Bligh Room ceiling; new vanity bench; and general improvements to ladies amenities. Long term proposals include

establishing a courtyard on the Macquarie Street side of the premises. The cost of the more immediate works is estimated to be \$300,000 and could be funded from the Property Development Reserve, ie. proceeds from the recent sale of Council properties will cover the improvements. Minor works could be completed between bookings and the Centre possibly closed down during the quieter months of January and February to complete the major works.

The arrangement with Ms Johnson and Mr Lebsanft provides for them being responsible for day to day management of the Centre including promotion, function co-ordination, purchasing materials, food and beverages, staffing and maintaining the premises in a clean and tidy condition. It is noted that they have existing promotions resources and have commenced developing a promotions strategy for the premises. All revenue from hall hire and functions is to be collected by the caretaker managers, with 17.5% of gross revenue ie food, liquor/refreshments and hall hire being paid to Council on a monthly basis as rental. Council retains the responsibility for payment of other outgoings, ie. land and water rates, electricity, building and contents insurance (not including telephone expenses), ground maintenance and structural maintenance of the premises. Given the short term tenancy offered, the need to restore the public's perception of the Centre and, limited opportunity for the caretaker managers to increase the Centre's revenue potential during this period, the arrangement is considered to be fair and reasonable. Council's Consultant Valuers have indicated that the arrangement is reasonable in view of the short term tenancy offered and the need to re-establish the operation. An appropriate legal document will be prepared to cover the arrangement.

RECOMMENDATION:

1. That the Council endorse the Agreement with Ms Karen Johnson and Mr Ben Lebsanft of Firefeast Pty Ltd as detailed in this report to act as the caretaker managers of the Windsor Function Centre for a minimum period of 6 (six) months and further that all necessary documents be completed under Seal of Council.
2. That the Concept Plan for improvements to the Centre be supported and funding for the works be allocated from the Property Development Reserve.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR712NBX.C20

****** END OF ITEM 4 ******

ITEM 5: TENDERS CONTRACT MOWING PARKS AND RESERVES

FILE NUMBER: GT020/225 PT1/ENG

REPORT:

Tenders were called for the contract maintenance of various Parks and Reserves throughout the City. The current contracts expire 31 July 1994.

In total 21 tenders were received for a combination of areas and are summarised in the attached schedule.

Of the tenderers received one company 'Riverview Restoration and Land Management P/L' were consistently the lowest tenderer, with a total monthly price of \$1,963.20 for all seven areas. A thorough assessment of the tender has been carried out and all criterion have been addressed by the tenderer. The tender is supported by the company's available resources and previous experience with Baulkham Hills Council and the Water Board. Further to the tender prices, by area in the attached schedule, a lump sum of \$46,156.80, payed in equal monthly instalment over the two year Contract Period, was submitted if Riverview Restoration and Land Management area awarded all 7 areas.

RECOMMENDATION:

That the lump sum tender of \$46,156.80 (forty six thousand one hundred and fifty six dollars and eighty cents) submitted by Riverview Restoration and Land Management Pty Ltd payable in 24 (twenty four) equal monthly instalments of \$1,923.20 (one thousand nine hundred and twenty three dollars and twenty cents) be accepted, and all necessary documentation be completed under Seal of Council.

ATTACHMENTS:

AT-1 Schedule

FN:OR712NBX.E16

****** END OF ITEM 5 ******

ITEM 6: PROPOSED AMENDMENTS - DUAL OCCUPANCY/DUPLEX HOUSING DCP

FILE NUMBER: GT70/011 PT2/EVD

REPORT:

In March 1991, Council adopted a Development Control Plan for Dual Occupancy/Duplex Housing, which contains guidelines and standards relating to lot size, floor space ratios, car parking, access, setback, design considerations etc. The DCP is, in part, based on the provisions contained in Sydney REP m 12 - Dual Occupancy, however provides more detail than the REP.

There has been an amendment to REP m 12 in relation to car parking, which requires the provision of 2 spaces for dwellings in excess of 125m². Since the REP "overrides" Council's DCP it is necessary to prepare amendments to the DCP so the documents are consistent.

Given that the Dual Occupancy DCP needs to be amended, it is considered appropriate that the DCP be reviewed in it entirely, particularly as it relates to landscaping, which is now no longer required. Further, at its Ordinary Meeting of 14 June 1994, Council resolved to establish performance criteria in respect of dual occupancy proposals which use rear lanes for access purposes.

RECOMMENDATION:

Council's Dual Occupancy/Duplex Housing DCP be reviewed and appropriate amendments made to enable the draft plan to be exhibited for public comment.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR712NBX.V14

****** END OF ITEM 6 ******

ORDINARY

Section 5

Reports for Information

ITEM 7: BOUNDARY CHANGE - WINDSOR POLICE PATROL

FILE NUMBER: P40/1/GMA

REPORT:

It is advised that the Police boundary for the Windsor Police Patrol has changed. Windsor Patrol, with the exception of the Wiseman's Ferry Sector was removed from the Cumberland District to form a part of the Nepean Blue Mountains Police District.

Wisemans Ferry Sector is now part of the Castle Hill Patrol.

These changes were effective from 1 June 1994.

RECOMMENDATION:

That the correspondence be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR712NCX.G10

**** END OF ITEM 7 ****

ITEM 8: REPORTS REQUESTED BY COUNCIL - STATUS AS AT 12 JULY 1994

FILE NUMBER: C50/1/GMA

REPORT:

File Rep Date	Referred To	Subject	Comment
12 Nov 91	Wetlands Management DMED	Review and Amendment of HLEP 1989	Awaiting review of REP20 by DPO
13 Apr 93	Amendment of Industrial DCP - Urban Consolidat. and "Greenstreet" DMED	Report on detailed aspects and implications of amendments	Report July GPC
11 May 93	Supreme Court Decision - Advisory Cautionary Signs GM	Possible liability & compliance with requirements	Report when decision received
8 Feb 94	Macquarie Park DME0	Cost & feasibility of fencing and establishment of a set of gates, relevant posts & beautification of entrance	Report July GPC
8 Feb 94	Windsor Road Vineyard DMED	Report on development - large drums removal of trees, digging of holes, etc	Report July GPC
8 March 94	Rezoning Vineyard DMED	Consideration of rezoning part of Vineyard for industrial purposes	Following discussions with residents

8 March 94	Richmond Swimming complex DME0	Outline plan for improvement together with available funds & what opportunities are available for car parking and a housing development as part of existing complex	Report July GPC
12 April 94	Richmond Traffic & Parking Study DME0	Costings on very high and high priority recommendations	Report July GPC
14 June 94	Policy & Plan of action DMED	Provision of Decentralised used motor vehicle oil recycling service	Report August GPC

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR712NCX.G08

******* END OF ITEM 8 *******

ITEM 9: LOCAL SUPPLIER PREFERENCE POLICY

FILE NUMBER: GT020/027 PT03/GMA

REPORT:

Council in November, 1993 adopted a Notice of Motion to have a Local Supplier Preference Policy.

At its March meeting the matter was reported including advice from the Independent Commission Against Corruption. Part of the advice from the Commission included :

"While it is accepted that many Councils, in order to support the local economy, seek to introduce local preference policies, it is the Commission's view that such policies are generally inconsistent with the principle of equity. The policy, when adopted, has the potential to distort the tender process, because it effectively represents a subsidy to local dealers."

Council subsequently resolved to consider a *"targeted industry assistance program"*.

There has been an extensive investigation into such schemes. The investigations have revealed that organisations contacted have avoided local preference schemes and have adopted other forms of incentives to encourage business investment in their areas. Incentives have included subsidised loans to businesses acquiring industrial and commercial properties, deferred payments, offering rate free periods and varying or deferring development contributions. The regional organisations in particular also offer services such as access to extensive information which includes details of businesses operating in the area, potential competition and markets, population and employment capacity data as well as the provision of advice on planning issues, features and characteristics of the area involved.

The organisations have indicated that they are reluctant to enter into any commitment to utilise the products or services provided by companies relocating or establishing in their areas or entering into any local preference policy.

With the advice from the Independent Commission Against Corruption, that resulting of investigations of other areas and the Council's geographical location in Western Sydney, it is difficult to envisage a local preference supplier policy being adopted that would not attract the pitfalls pointed out by the Commission.

RECOMMENDATION:

The information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR712NCX.G01

****** END OF ITEM 9 ******

ITEM 10: BOUNDARY CHANGES

FILE NUMBER: GT190/019 PT02/GMA

REPORT:

Following the consideration of a report regarding the John Moroney Correctional Centre, Council recently resolved to seek a report on a possible boundary change to include the Centre within the City of Hawkesbury.

The Act makes provision for alterations to boundaries and provides that boundaries of an area can only be altered if the public has been notified of the proposal to do so and the Councils and electors concerned have been given an opportunity to make representations concerning the proposal. It also provides for the Boundaries Commission (or the Director General in the case of a minor alteration or variation) to consider proposals to constitute or alter areas. If the John Moroney Centre only was involved and Penrith City Council and the Department of Corrective Services agreed, then it is likely this would be considered a minor variation and following public notification the matter would be considered for recommendation by the Director General of the Department.

Prior to the amalgamation of Councils in the early 1980s there was a proposal by the then Municipality to alter its boundaries that in the south included the Village of Castlereagh, a large area of Londonderry and to the east land to Riverstone and in the north east land at Maraylya and Cattai. The Council would have considered that the residents of this area would have had a greater focus on the Hawkesbury area rather than the Local Government areas in which they were constituted. Later in the 1980s there was a proposal initiated by residents of the Mt.Wilson area to have that area and surrounding lands transferred to Hawkesbury. This Council subsequently resolved not to further proceed with that proposal.

If the Council wishes to proceed with the John Moroney Correctional Centre only, then it should first write to both the Department and Penrith Council seeking their views and putting forward the reasons for which it seeks to have the alteration.

RECOMMENDATION:

The information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR712NCX.G03

****** END OF ITEM 10 ******

ITEM 11: OZONE PROTECTION - REVISED STRATEGY

FILE NUMBER: GP110/005 PT12/GMA

REPORT:

The Environmental Protection Agency has advised of a revision in the Ozone Protection Strategy. The revised strategy takes into account amendments to the Montreal Protocol made in 1990 and 1992, the most important being the mandatory total phase out of production of chlorofluorocarbons (CFCs) by the end of 1995. The 1989 Strategy anticipated this phase out date and there are no major changes of direction in the Revised Strategy.

There is also a proposed ban on non-essential fixed halon fire fighting systems by the end of 1995 that has been confirmed and is being considered for inclusion in an amendment to the NSW Ozone Protection Regulation. A requirement to decommission non-essential, portable halon (BCF) fire extinguishers already exists in the Regulation.

The Revised Strategy also advocates that a high priority be given to raising awareness of the phase out of ozone depleting substances, the availability of alternative technologies and products and ways of managing the transition to ozone benign technologies with minimum cost and disturbance, especially by encouraging the retrofitting of CFC-based refrigeration and air conditioning equipment with alternative refrigerants.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR712NCX.G11

**** END OF ITEM 11 ****

ITEM 12: LOCAL GOVERNMENT ACT - AMENDMENTS

FILE NUMBER: GC070/005 PT7/GMA

REPORT:

The Local Government Legislation (Miscellaneous Amendments) Bill, 1994 was passed by the Parliament in May this year. The Bill introduces primarily minor technical revisions with some issues being of more significance.

The definition of Senior Staff has been amended. The definition has been extended to clarify the executive responsibilities of Senior Staff. The Amendment also provides that for a position to be Senior Staff the total remuneration package payable must be equal or greater than the minimum payable to Level 1 of the New South Wales Senior Executive Service.

Another significant issue relates to the process for reducing the numbers of Councillors. This will now be an option available to Councils with 15 or less Councillors. Reduction must take place by 1 January, 1995 and can be commenced whether or not the Council has a casual vacancy. If a vacancy occurs, the Council can resolve not to hold a Bi-Election in certain circumstances.

The matters of a more minor nature, in summary include :

- Council or a Committee can close a meeting on the grounds of legal professional privilege
- Council can delegate the power of expulsion at a meeting to the Mayor or Chair
- Report of an investigation into a Council by a Department representative to be publicly available once tabled
- Extraordinary Meetings of Council must be held within 7 days
- Where a Council decides to purchase operational land at auction in a closed meeting, it is not required to disclose the decision
- When a "*selective tendering*" process is used it is not necessary for Councils to advertise for a second time when selecting from the short list of expressions of interest or the approved list of contractors
- The Heritage Council can exempt Councils from notification and submission requirements concerning heritage items, where appropriate
- Notice of entry requirements have been amended so that notice is not required to read water meters, or where entry is urgently required and is authorised in writing by the General Manager.

- Joint owners, joint occupiers or joint ratepaying lessees of more than one parcel of land in an area are only allowed one vote in the area as in the case of corporations and trustees.
- The General Manager will report on the Management Plan on a quarterly basis rather than every 4 months
- The Pecuniary Interest Tribunal can take disciplinary action against members of Committees and Council advisers who fail to disclose pecuniary interests
- Where an employer of a Councillor or Committee member has a pecuniary interest in a matter before the Council, then that person will have to declare a pecuniary interest also
- Disclosure of information relating to proceedings at a closed meeting of a Council or Council Committee, unless authorised by Council resolution, is a specific offence
- The Land and Environment Court can direct a Council to carry out works (and allow costs to be recovered from the owner) where a person fails to comply with an order
- An authorised person can demand the name of a person who is suspected on reasonable grounds of committing an offence under the Act
- An authorised person can confiscate recreational equipment used contrary to a notice for up to 24 hours
- The Minister can establish Advisory Committees under the Act.

RECOMMENDATION:

The information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR712NCX.G02

****** END OF ITEM 12 ******

ITEM 13: HOLLANDS PADDOCK CAR PARK

FILE NUMBER: GC010/001 PT2/CSV

REPORT:

At the June General Purpose Committee Meeting a question was raised in regard to the status of the Hollands Paddock Car Park site.

The site is owned by the Water Board and leased to the Council for a 'peppercorn' rental. The Lease may be terminated by either party subject to twelve months notice. The Agreement has continued since 1954. Following the allocation by Council of \$35,000 towards improvements to the car park, an approach was made to the Water Board to secure a five year lease of the site in order to protect the investment on the car park upgrade. The Water Board subsequently rejected the leasing proposal and indicated that the property is surplus to their requirements and may be disposed of.

Discussions have since been initiated with the Board, with a view to the Council acquiring the site. However, both parties at this stage have conflicting information in regard to the potential of the site and market valuations will not be sought until such time as the information is consistent. Generally, the Council has advice from the Department of Planning from the mid 1980's which suggests that due to the significant flood liability of the site, the property has no commercial development potential. Both parties are currently seeking up to date information from the Department in this regard and the matter will be reported to the Council when further developments occur.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR712NCX.C15

**** END OF ITEM 13 ****

ITEM 14: PENNINGTON/INVERELL MUNICIPAL COUNCIL - SUPREME COURT DECISION

FILE NUMBER: GL001/001 PT5/CSV

REPORT:

A report was previously requested in relation to this matter nad reamifications thereof. Basically the case involves injury sustained by a paton using the public swimming pool at Inverell.

The Inverell Swimming complex consists of three pools. The larger pool being built in the time of imperial measurement with depth notice located each side of the deep end of the pool showing 11 foot 6 inches and one each side of the 6 foot mark. These signs were small and just above the water level.

The patron dived into the shallow end of the pool which did not display any depth indicators which also had a water slide installed in that vicinity.

It was reasoned that the presence of the water slide would also add to the risk of injury at this point as a parent or young adult having the responsibility of children who may use the slide and who may dive into the pool in that area. Further that metric depth markers should have been installed indicating the changing levels throughout the whole length of the pool and also depth signs on the concourse.

The matter was appealed but subsequently dismissed.

In this respect the Windsor/Richmond Pools signage is being amended as follows.

1. Clear destination between metric depth and distance markers.
2. Depth markers placed at either end of the pools and in the centre or where there is significant depth variation.
3. Depth also stencilled on the concrete pool surround with appropriate wording ie.

 "Caution Shallow Water" or *"Caution Deep Water"*
4. Prohibited diving signs displayed at the toddlers' pool.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR712NCX.C04

****** END OF ITEM 14 ******

ITEM 15: COMMISSION OF INQUIRY - CALTEX OIL (AUSTRALIA) PTY LTD

FILE NUMBER: DA224/92 PT11/EVD

REPORT:

At its meeting of 8 March 1994, Council considered a report on the findings of the Commission of Inquiry into environmental aspects of the Caltex Oil proposal at Mulgrave. One of the resolutions of Council was to make representations to the Minister for Planning regarding the road levy issue. In particular, it was considered that there should be a road maintenance levy on Caltex which is commensurate with the impact its vehicles will have on the roads the Company intends to utilise.

A response has now been received from the Minister and is as follows:

"As you are aware, I approved the proposed terminal, subject to conditions, on 3 March 1994. I understand that the Department of Planning has previously forwarded a copy of the consent and conditions to you.

The issue of a road maintenance levy was discussed in some detail at the Commission of Inquiry held late last year. In his report to me, Commissioner Cleland concluded that in the circumstances, it is not reasonable for Caltex to pay a road maintenance contribution for Windsor Road or Park Road.

During the Commission of Inquiry the Department of Planning expressed doubt as to whether a road maintenance levy could be imposed on Windsor Road under Section 94 of the Environmental Planning and Assessment Act 1979. Windsor Road is designated as a main road and maintenance responsibility rests with the Roads and Traffic Authority..."

In relation to the upgrading of Windsor Road, a response from the Minister for Roads was reported to Council's Ordinary meeting of 14 June 1994.

RECOMMENDATION:

That the information be received

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR712NCX.V07

**** END OF ITEM 15 ****

ITEM 16: COMMUNITY ACCESS FACILITY PROPOSAL - TIP SITE
REZONING - SOUTH WINDSOR

FILE NUMBER: LEP13/93/EVD

REPORT:

At its meeting of 12 April 1994 Council resolved to forward the rezoning of the Waste Depot Site at South Windsor to the Department of Planning for final determination. The Department has subsequently advised Council that the Minister has made the plan pursuant to Section 70 of the Environmental Planning and Assessment Act 1979.

As a result of a number of questions without notice raised by Councillor Rogers in relation to the possible use of the site as a Go-Kart Track/Driver Education Facility, advice from the Environmental Protection Authority, Lithgow Council and the Lithgow Golf Club has been obtained in respect of a similar operation in Lithgow.

The EPA has advised as follows:-

"Dust

Dust generation on the access road and from activities within the track area needs to be assessed and adequately managed.

Noise

A noise survey on the intended operation and its impact on the nearby residences should be conducted and evaluated. The proponent must demonstrate that the EPA's recommended noise levels can be achieved at nearby residences.

Water

The methods for disposing of sewage wastes and handling stormwater during the construction phase and operation of the facility needs to be addressed by the proponent.

Consideration should be given to the correct storage of oil and other petroleum products to ensure that they do not pollute the environment.

Depending on the disposal method and treatment of sewage wastes and stormwater a formal pollution control approval and licence under the Clean Waters Act 1970 may be required from the EPA".

Whilst sharing a common boundary with the Go-Kart Facility, Lithgow Golf Course recently advised that they had no real problem with the existing operation given that the facility only operated during daylight hours and therefore concerns about noise and lights associated with the operation are minimised.

Comments received from Lithgow City Council are reproduced below:-

"the Go-Kart track in our area has been established for over twenty years and operates under existing use rights.

Noise control of this site is the responsibility of the Environment Protection Authority. In the past, Council has received very little formal complaint regarding the noise emanating from the site. However, I believe the fact that the Go-Kart facility was in place before the majority of surrounding residential development is responsible for this apparent level of tolerance. Also, the facility only operates on weekends in daylight hours. Having said that, it should be stated that in recent times the number of complaints have been growing as the area is further developed for residential use and the public's awareness of their rights for residential amenity heightens.

As the facility operates under exiting use rights, no development consent has been issued. Also no formal noise assessment has been undertaken".

Given that the plan has been gazetted Council is now in the position to receive a formal development application for the use of the site. Any development application will be subject to further comment by the EPA and other government authorities as determined necessary. Further, given the level of objection to rezoning the site it is considered appropriate that notification be given both to Penrith City Council and Penrith residents upon receipt of any formal development application for the former tip site.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR712NCX.V12

**** END OF ITEM 16 ****

ITEM 17: ENVIRONMENTAL EDUCATION PROGRAMS

FILE NUMBER: GC030/016/EVD

REPORT:

Recently staff have been committed to programs such as South Windsor Primary School "Clubs Day" on 31 May 1994 focussing on environmental activities. Staff discussed important local environmental issues and conducted hands on paper making highlighting recycled paper. On World Environment Day Sunday 5 June a family mystery tour was organised focussing on water and land ecology. With an overwhelming response, the community enjoyed activities such as a Hawkesbury River cruise, tree planting along the riverbank and a guided tour through Mitchell Park rainforest focussing on endangered species of flora and fauna. These educational programs are becoming of greater interest within the community especially within the local schools who appreciate the resources Council is able to contribute.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR712NCX.V09

**** END OF ITEM 17 ****

**ORDINARY
MEETING**

Meeting Filename: OR120794.BIN

END OF BUSINESS PAPER