

HAWKESBURY CITY COUNCIL ORDINARY MEETING



Where People Make the Difference!

SUPPLEMENTARY BUSINESS PAPER

DATE OF MEETING: 13 June 1995

LOCATION: Council Chambers

TIME: 7.30

This business paper has been reproduced electronically to reduce costs, improve efficiency and reduce the use of paper. Internal control systems ensure it is an accurate reproduction of Council's official copy of the business paper.

ORDINARY MEETING**Supplementary Table of Contents****Meeting Date:** 13 June 1995**Page 2**

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

SUPPLEMENTARY AGENDA

-	SECTION 1 - Minutes of Meetings. No Meeting Minutes Were Submitted Mayoral Minutes	5
-	SECTION 4 - Reports for Determination	
250:	WINDSOR ROAD 2342/R PT03/GMA	8
251:	STATE EMERGENCY SERVICE CONTROLLER GC180/001 PTO2/GMA	9
252:	YOUTH HOMELESSNESS CONFERENCE SPONSORSHIP GF008/001 PT11/CSV	10
253:	ERECTION OF 5 X 3 BEDROOM SINGLE STOREY VILLA HOMES - LOT 48 DP 801673 21 ELDON STREET, PITT TOWN - GRANGE PATRICK PTY LTD DA0073/95/EVD	11
254:	PROPOSED WEDDING RECEPTION/FUNCTION CENTRE, TEA ROOMS AND CRAFT EXHIBITION - N° 11 PAGET STREET, RICHMOND. BRINCKLEY AND SCIBERRAS DA279/93/EVD	14
255:	"GLENROY" STUD, KURMOND ROAD, FREEMANS REACH - AMENDED PROPOSAL TO DEVELOP 250 RESIDENTIAL LOTS AND A LARGE RESIDUAL LOT TO BE KEPT FOR AGRICULTURAL USE. J LOGAN SA0145/93PT01/EVD	16
-	SECTION 5 - Reports for Information	
256:	PITT TOWN LAGOON NATURE RESERVE P1214/90 PT02/GMA	18
257:	ALCOHOL RELATED ISSUES GP070/001 PT04/GMA	19
258:	DANCE PARTY EVENT - RICHMOND LOWLANDS P1512/35 PT02/GMA	20

ORDINARY MEETING

Supplementary Table of Contents

Meeting Date: 13 June 1995

Page 3

ITEM	SUBJECT	PAGE
259:	PROFESSIONAL CHAMBERS - PSYCHIATRIC GROUP TREATMENT - N° 43	
	PITT STREET, RICHMOND	
	DA0164/93PT01;BA104/95/EVD	21
-	SECTION 6 - Reports of Committees.	
	<Reports Minutes>	

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

ORDINARY



Mayoral Minutes

ORDINARY MEETING
Mayoral Minute

Mayoral Minutes

Ordinary Meeting - June 13, 1995

2. MUSHROOM INDUSTRY P1609/110 PT11; GA025/001 PT04

The importance of agriculture to the Hawkesbury has been identified in the Hawkesbury City Economic and Employment Development Study, which recognised *the importance of Hawkesbury in terms of production of a wide range of agricultural goods. While traditionally the area has been important in terms of producing livestock, it also has a dominant position with respect to vegetables such as mushrooms, fruit such as oranges, mandarins, apricots, raspberries, and passionfruit as well as apples and pears. The area is also a significant producer of eggs and poultry.*

During the past week or so, Mushroom Composters' solicitors have advised that the company have discontinued its appeal against Council's deemed refusal to grant consent to the mushroom composting facility at Tinda Creek. The company has also indicated that it is investigating in other Local Government areas.

It is also understood that the two other major mushroom composters are examining sites for operation outside the Hawkesbury, and are, in fact, being actively encouraged to do so by a number of Local Government Authorities.

Representatives of the Mushroom Industry have indicated that, should the three major composters relocate to areas outside the Hawkesbury, a large number of growers would ultimately relocate to sites nearer the supply of compost. It has been foreshadowed that the entire industry could virtually be lost to the Hawkesbury within five to ten years. It has also been pointed out that if this City is unable to retain one of its prime agricultural industries, it will become more difficult to attract other agricultural industries into the City.

The economic benefits of agriculture and horticulture to our City are detailed in the minutes of the Agriculture/Horticulture Development Advisory Committee of 19th May, 1995, with an expected value for the whole industry of between \$500m-\$600m.

Last week I convened a meeting of representatives from the Mushroom Industry due to the possible impending relocation of a large part of the industry to other areas. It is understood that other Local Government Authorities are actively pursuing and offering incentives to encourage that relocation.

Notwithstanding the problems with the composting industry, and I am firmly of the opinion that these have to be resolved in the community's interest, it is not in the community nor district's future overall interest to lose such a major industry that conservatively is worth \$80 million per year.

Councillor Paine has a Notice of Motion to this meeting, the principle of which I fully support, in establishing a working group with the specific objectives of establishing performance criteria and possible sites for the industry's location.

ORDINARY MEETING
Mayoral Minute

There are other matters that need to be resolved and ways in which I consider that the Council can support the industry's retention and expansion. The interpretation of the composting part of the industry in terms of the Environmental Planning and Assessment Act needs to be specifically defined so that there can be no doubt about the appropriate procedures required for obtaining approval, thus avoiding costly legal appeals. There then needs to be defined, as is clearly emerging from the Economic Development Board, clear agricultural zones where agricultural operations can locate and feel comfortable with their significant investment while accepting they have to operate as "good neighbours".

I recommend that the Council seek from the Department of Planning and the Minister, the immediate clarification of mushroom composting in terms of the Environmental Planning and Assessment Act where this is seen as an agricultural pursuit that requires approval following the preparation and consideration of an appropriate environmental assessment. Further that there is the acceptance of the need for the creation of agricultural zones to foster and enable the establishment and maintenance of agricultural pursuits that is clear to all existing and future landowners.

3. RADIO STATION 2VTR-FM GT001/005 PT03

Councillor Sheather has indicated that the local community radio station 2VTR-FM, is experiencing difficulties in the provision of services due to inadequate equipment following recent events at the Station.

It is believed that a loan of \$5,000 (five thousand) would enable the purchase of such equipment.

2VTR-FM provides a key service to the community in times of emergency through the dissemination of information, thus reducing demands on emergency services.

Further information will be available to the Ordinary Meeting.

Councillor Rex Stubbs
Mayor

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

ORDINARY



Section 4

Reports for Determination

ITEM: 250 WINDSOR ROAD

FILE NUMBER: 2342/R PT03/GMA

REPORT:

In a lead up to the recent State Election, Council received advice from The Hon B Langton, the then Shadow Minister for Transport, of the following :

"I have been convinced of the necessity of widening Windsor Road between Windsor and Kellyville, particularly with the possibility of the construction and completion of the M2 within the next couple of years. I will be allocating funds within the first term of a Carr Labor Government to complete the widening of Windsor Road to four lanes and I am sure that will be beneficial to all the residents of the Windsor area."

The following response has now been received from the Office of the Minister for Public Works and Services, Minister for the Olympics and Minister for Roads :

"I refer to Council's letter (reference 2342/R Pt.03/GM18/lab) seeking the reconstruction and widening of Windsor Road between Windsor and Kellyville.

The Government is reviewing the relative priorities of all road construction proposals throughout the State.

The review is expected to be completed prior to the State Budget in August next. This will enable a comprehensive works program to be developed in line with the Government's policy of upgrading the condition of existing roads. Until that time, it is not practicable to give an indication of future plans for Windsor Road.

Council may be assured that the views expressed have been noted and will be given consideration."

RECOMMENDATION:

The Minister be advised that the Council sees the upgrading of the Windsor Road as being of the highest priority (including its forthcoming use by the large Caltex Distribution Centre) and requests the Government maintain its undertaking to provide funds for this work in its first term of office.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR613LAX.G27

**** END OF ITEM 250 ****

ITEM: 251 STATE EMERGENCY SERVICE CONTROLLER

FILE NUMBER: GC180/001 PTO2/GMA

REPORT:

The State Emergency Service has advised that in accordance with the SES Act 1989 the appointment of Councillor Peter Minturn as Controller for the Local Government Area is due for review. Council's recommendation regarding the position is sought.

The Hawkesbury State Emergency Service Group are well organised and trained and are focused on their primary tasks.

RECOMMENDATION:

That Council support the further appointment of Councillor Peter Minturn as SES Controller for the Hawkesbury Local Government area.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR613LAX.G30

**** END OF ITEM 251 ****

ITEM: 252 **YOUTH HOMELESSNESS CONFERENCE SPONSORSHIP**

FILE NUMBER: GF008/001 PT11/CSV

REPORT:

A Search Conference is to be held in September/October of this year to look at the issues and needs of homeless young people in the Hawkesbury, Penrith and Blue Mountains local government areas.

Workers in this field will be joining together at the Conference to discuss efficient resource allocation, strategic regional planning and action plans for the better use of existing resources.

Issues to be examined are health, family breakdown/reconciliation, education, recreation, isolation, employment, drug and alcohol dependency, child protection, accommodation and juvenile justice issues.

Conference co-ordinators, Tri Community Exchange, have requested assistance from the three local government areas involved to ensure that the conference can proceed.

RECOMMENDATION:

A financial contribution of \$1,000 (one thousand) be allocated to the 'Search Conference on Youth Homelessness in the Nepean Region'.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR613LAX.C26

**** END OF ITEM 252 ****

ITEM: 253 ERECTION OF 5 X 3 BEDROOM SINGLE STOREY VILLA
HOMES - LOT 48 DP 801673 21 ELDON STREET, PITT TOWN -
GRANGE PATRICK PTY LTD

FILE NUMBER: DA0073/95/EVD

REPORT:

This report refers to Item 170 in the Environment section of this business paper.

Appropriate conditions for development consent are as follows:

1. Approval is given for Units 1 - 4 inclusive and Unit 5 is to be deleted.
2. The open space between the two buildings to be increased to a minimum of 8m (eight) to improve the appearance of the buildings from adjacent and adjoining lots and to increase the private open space available for the residents of the site.
3. Provision of an additional visitors' parking space and turning area at the rear of the site to ensure on street parking does not occur.
4. Provision of a 10m building line to Eldon Street.
5. Payment of a sewer headworks contribution to Council of \$14,200.00. 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.
6. A contribution of \$7,050.00 (seven thousand and fifty) (4 (four) units) 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.
7. The construction of concrete kerb and gutter, including layback vehicular crossings, the footway area being formed in earth and all necessary drainage, together with the full construction of the adjacent road shoulder over the frontage of the site together with any works necessary to make this construction effective.
8. Construction of Council's standard heavy duty footway and layback vehicular crossing to suit the access to the site with a minimum width of 6m (six).
9. Construction of road and drainage works are not to commence until three (3) copies of the plan and specifications of the proposed works are submitted to and approved by the Roads and Traffic Authority. Fees and any security or contribution amounts will be set by the Roads and Traffic Authority.

ORDINARY MEETING

Meeting Date: 13 June 1995

Item: 253

10. 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.
11. Submission of a building application, plans and specifications complying with the Building Code of Australia.
12. No excavation or site works shall be commenced prior to the issue of the building permit.
13. A physical barrier being provided between public spaces, vehicular accessways, parking areas and the surrounding landscaped area.
14. 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.
15. Submission of a schedule of proposed external finishes including sample materials for consideration and approval in conjunction with the submission of a building application.
16. 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.
17. 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 to be lapped and capped for both side boundaries. The rear fence, facing onto the rear park, can be weldmesh type, full details to accompanying the building application.
18. All fencing fronting the street shall be a feature fence incorporating masonry piers with decorative infill panels. Details are to be submitted for consideration with the building application.
19. 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.
20. 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.
21. The submission of a Certificate from Telecom Australia that satisfactory arrangements have been made for the provision of cables for telephones to the development.
22. Erosion and sedimentation control devices shall be installed and maintained during construction. Details shall be submitted and approved prior to any works commencing.

ORDINARY MEETING

Meeting Date: 13 June 1995

Item: **253**

23. The submission of a Compliance Certificate under Section 73 of the Water Board (Corporatisation) Act 1994 prior to the release of the building application.

RECOMMENDATION:

Four (4) Units be approved subject to the above conditions with adjoining owners to be notified of the amended building application plans and being provided with the opportunity to make comment.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR613LBX.V33

**** END OF ITEM 253 ****

ORDINARY MEETING

Meeting Date: 13 June 1995

Item: 254

ITEM: 254

PROPOSED WEDDING RECEPTION/FUNCTION CENTRE, TEA
ROOMS AND CRAFT EXHIBITION - Nº 11 PAGET STREET,
RICHMOND, BRINCKLEY AND SCIBERRAS

FILE NUMBER:

DA279/93/EVD

REPORT:

This report refers to Item 171 in the Environment section of this business paper.

Appropriate conditions for development consent are as follows:-

1. Submission of a building application, plans and specifications complying with the Building Code of Australia.
2. No advertising structures to be erected, displayed or affixed on any building or land without the prior approval of Council under Ordinance 55 of the Local Government Act.
3. All waste materials to be stored and disposed of at regular intervals to the satisfaction of the Divisional Manager Environment and Development.
4. Adequate and suitable solid garbage/trade waste storage facilities shall be provided on the premises. Separate details indicating the location, type and construction of such facilities shall be lodged with Council concurrently with the building application.
5. Provision of toilets in accordance with the requirements of the Building Code of Australia.
6. 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.
7. 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.
8. Payment of a Section 94 Contribution of \$8,084 (Eight thousand and eighty four dollars) covering the construction of drainage for catchment 1 at Richmond. This sum will 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.
9. Parking shall be provided for 8 (eight) 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, where not already provided, and marked. Full details of works shall be submitted for approval with the building application.

10. Provision of adequate loading and unloading facilities to cater for the proposed use of the land.
11. This consent will lapse on 13 June 1996. The development must cease on or before this date unless an extension of the consent has been approved by Council.

RECOMMENDATION:

The above conditions of consent be approved.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR613LBX.V34

**** END OF ITEM 254 ****

ITEM: 255 "GLENROY" STUD, KURMOND ROAD, FREEMANS REACH -
AMENDED PROPOSAL TO DEVELOP 250 RESIDENTIAL LOTS
AND A LARGE RESIDUAL LOT TO BE KEPT FOR
AGRICULTURAL USE. J LOGAN

FILE NUMBER: SA0145/93PT01/EVD

REPORT:

This report refers to Item 176 in the Environment section of this business paper.

An additional condition of consent is to be included in the recommendation, as follows:

- "7. A Draft Local Environmental Plan be prepared to prevent the further subdivision of the residue lot. "

RECOMMENDATION:

Condition N° 7 be included in the conditions of development consent.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR613LBX.V35

**** END OF ITEM 255 ****

ORDINARY



Section 5 **Reports for Information**

ITEM: 256 PITT TOWN LAGOON NATURE RESERVE

FILE NUMBER: P1214/90 PT02/GMA

REPORT:

In regard to the question of management and possible use of the area for grazing, the following is a precis of a response from the Minister for the Environment to the Member for Hawkesbury:

"In terms of proposals for grazing on national park lands however, there is no legal basis on which a grazing licence can be issued by the National Parks and Wildlife Service for grazing on lands reserved under the National Parks and Wildlife Act. A number of recent Court decisions (including a Court of Appeal decision) which have addressed the question of permissible developments in, and occupation of, national parks, have clarified that there must be a clear nexus between the development or activity and the purposes identified under the National Parks and Wildlife Act for the establishment and management of national parks.

The Court of Appeal decision in Packham v Minister administering the National Parks and Wildlife Act held that the Minister can only grant a permit for uses of a national park that are specifically authorised by the National Parks and Wildlife Act or which further the purpose for which the park was reserved. Grazing by domestic animals in national parks and nature reserves is essentially opposed to the purposes for which the areas are reserved.

I am advised by the Director-General of the National Parks and Wildlife Service that the Pitt Town Lagoon Nature Reserve remains one of the very few wetlands in the extensive lower Hawkesbury River system in which both migratory and local water birds can seek refuge without competition from grazing animals. In recognition of its high conservation values, the Service has managed the area since its gazettal in 1976 in order to benefit the aquatic wildlife and associated avifauna of the district.

Over the last three years, the Service has undertaken an extensive revegetation and boundary fencing project in the Reserve. Over 700 native trees are now established and these will offer substantial food and shelter for the valley's native wildlife as well as adding significant aesthetic charm to this once denuded area. The size of these young trees makes them particularly vulnerable to damage from grazing cattle."

RECOMMENDATION:

The information be received.

ATTACHMENTS:

There are no supporting documents for this report.

ORDINARY MEETING

Meeting Date: 13 June 1995

Item: 256

FN:OR613LCX.G29

**** END OF ITEM 256 ****

ITEM: 257 ALCOHOL RELATED ISSUES

FILE NUMBER: GP070/001 PT04/GMA

REPORT:

The Police Patrol Commander, Chief Inspector Alan Becke, has initiated discussions with licensees of liquor outlets, clubs and hotels in the area regarding alcohol related problems and compliance with licensing laws.

The first meeting was held last Thursday with a good attendance and a decision to continue meeting on a regular basis until the foreseen problems are resolved. Council is supporting the move by providing meeting facilities in the Function Centre.

At the first forum the Police indicated the increase in alcohol related crime including under aged acquisition of alcohol and drinking. From the Council's perspective there are the issues of vandalism and damage to public property and substantial cleaning costs, particularly in Richmond.

There was some detailed discussion on a number of specific issues including the current trading hours which, in some circumstances, extend to 5am. The two areas where there are extended trading hours in Richmond and Wilberforce are the two where it appears the most vandalism takes place.

The Police initiative is to be commended as is the co-operation shown by the many licensees who attended the meeting and who have shown a strong commitment to assist in overcoming current problems.

RECOMMENDATION:

The information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR613LCX.G31

**** END OF ITEM 257 ****

ITEM: 258 DANCE PARTY EVENT - RICHMOND LOWLANDS

FILE NUMBER: P1512/35 PT02/GMA

REPORT:

Further to the report to this meeting there was a call-over before Justice Stein in the Land & Environment Court last Friday. At that call-over the organisers of the party, Adam Davis and Danin Kahn (trading as Mega Drive Mania Australia) agreed to Orders proposed by the Council, in summary being - they be restrained from using or causing suffering or permitting the use of land within the Hawkesbury for the purposes of a dance party/rave party without the prior development consent and approval of the Council including the construction and erection of buildings and that the Council's costs be paid.

The third respondents to the Council's original action, Yarramin Pty Ltd (of which the Directors are John Corcoran of Cremorne; Wallace Ashton of Goulburn; Mark Tolhurst of Wilberforce and Leon Riordan of North Sydney) have disagreed with the proposed Orders and sought a variation. That matter will be the subject of a further call-over on Wednesday, the 14th June.

RECOMMENDATION:

The information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR613LCX.G32

**** END OF ITEM 258 ****

ITEM: 259 PROFESSIONAL CHAMBERS - PSYCHIATRIC GROUP
TREATMENT - N° 43 PITT STREET, RICHMOND

FILE NUMBER: DA0164/93PT01;BA104/95/EVD

REPORT:

This report refers to Item 185 in the Environment section of this business paper.

The text of Mr Robinson's address to the General Purpose Committee on 30 May 1995 has been supplied and is attached.

It is considered that the issues raised by Mr Robinson have been addressed in the General Purpose Committee report on 30 May 1995.

The report to the GPC came about following a meeting on site on 27 April 1995. At that meeting Mr Robinson directed attention to a number of consent conditions which were not being complied with. From the discussion his objections seemed to be based on the technical non compliance rather than any particular deleterious effect which was being caused to his property.

The recommendation to the GPC was put to eliminate unnecessary conditions and provide reasonable operating arrangements for the applicant. Notwithstanding Mr Robinson's objection to the development, it is considered that the conditions are appropriate and adequately protect the area's residential amenity.

RECOMMENDATION:

The information be received.

ATTACHMENTS:

Copy of Mr Robinson's address to GPC 30 May 1995

FN:OR613LCX.V36

**** END OF ITEM 259 ****

**ORDINARY
MEETING**

Meeting Filename: OR130695.BIL

END OF BUSINESS PAPER

