

**HAWKESBURY CITY COUNCIL
ORDINARY MEETING**

Where People Make the Difference!

SUPPLEMENTARY BUSINESS PAPER

DATE OF MEETING: 5 September 1995

LOCATION: Council Chambers

TIME: 7:30pm

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Mayoral Minutes

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Mayoral Minute

Mayoral Minutes

Ordinary Meeting - 5 September 1995

1. RECOGNITION OF CONTRIBUTION BY COUNCILLORS GA030/001 PT02

Five Councillors will not be standing for re-election at the Local Government Elections on Saturday, 9th September, 1995. This, the last meeting of Council prior to the elections, provides the opportunity to recognise their valued contribution to the Hawkesbury community. Those Councillors are Councillor Wendy Sledge (Deputy President/Deputy Mayor 1987-90, Mayor 1990-94), Councillor Brian Keegan (Deputy Mayor 1991-92 and 1994-95), Councillor Michael Parsons, Councillor Paul Rogers and Councillor Hugh Williams. Their contribution and experience will be greatly missed.

Appreciation also needs to be expressed to our families for the sacrifices they have made during the terms of all Councillors.

All members of Council dedicate a significant amount of time to serve the public. This commitment is increased by the electoral system by which the City is undivided in terms of wards or ridings. Each Councillor therefore represents all residents of the City. This, combined with the absence of party politics, has enabled Hawkesbury to avoid the parochialism which has arisen in some other Local Government areas. All Councillors therefore, have the opportunity to make an equal contribution.

It is proposed that the retiring Councillors be farewelled and the new Councillors welcomed, at an informal get together following the elections.

It is recommended that Council formally recognise the contribution of Councillors Brian Keegan, Michael Parsons, Wendy Sledge, Paul Rogers and Hugh Williams.

2. APPOINTMENT OF STATE EMERGENCY SERVICE CONTROLLER GC180/001 PT02

The Director-General of the State Emergency Service has advised that Peter Minturn has been re-appointed as Hawkesbury Local Controller for a period of 2 (two) years with effect from the 1st August, 1995.

Peter has provided long and dedicated service to the community in his role as Controller and I am sure that Councillors join with me in congratulating him on his re-appointment.

Councillor Rex Stubbs
Mayor

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

ORDINARY

Section 4

Reports for Determination

ORDINARY MEETING

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Item: 61

ITEM: 61

AMENDMENTS TO STAGE 1 - EXTENSIONS AND ALTERATIONS TO THE EXISTING RICHMOND EX-SERVICEMEN'S CLUB - LOT 13, DP4906, LOT B DP368301, LOTS 1-5, DP 237356, 6-8 EAST MARKET STREET AND BENSONS LANE, RICHMOND

FILE NUMBER: DA24/95/GMA

REPORT:

Council is referred to Item 28 in the General Purpose Committee regarding Richmond Ex-Servicemen's Club. There have been discussions with the Chairman of the Board and Secretary of the Club who have provided copies of correspondence that has been forwarded to all Club members since January this year and a specific letter to the members of the Bowling Club. Members of the Bowling Club have received all three letters.

When addressing the Council, the members of the Bowling Club indicated they had called for a meeting of the Club in the near future and the Club also indicates that its Annual General Meeting is to be held prior to any building works being commenced. In those circumstances, the members of the Club as a whole will have the option at either of those meetings to resolve the current issues.

The Club has also indicated that it has no objection to the Council requiring that the building works not commence until after the meeting has been held. The Club's intention is to commence building works in January of 1996.

In those circumstances, the Council can approve the plans as required and request the Club not undertake the commencement of the work until such time as either the meeting that was being called by the members of the Bowling Club has been held or, the Club's Annual General Meeting.

RECOMMENDATION:

It is recommended that the recently submitted amendment to Stage 1 be approved and that development consent be amended with the following conditions:

1. Amended Stage 1 be carried out generally in accordance with plans reference DA 2, DA 3, DA 4, DA 5 dated 10 February 1995 and DA 13B dated 17 July 1995 and where modified by conditions.
2. Upon completion of the relocated bowling greens adjacent to Bensons Lane, carparking proposed on the club site shall be carried out in accordance with amended Condition No 1.

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The Club be advised that building works are not to be commenced until the meeting indicated by the Bowling Club members has been undertaken or the Annual General Meeting held in accordance with their advice.

ATTACHMENTS:

AT-1 Letters from the Richmond Ex-Servicemen's Club being that of the 25 January, 1995, 16 February 1995 and 1 August 1995.

FN:OR905LAX.G24

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

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Meeting Date: 5 September 1995

Item: 62

ITEM: 62 SALE OF LOT 1 DP574043 FAIREY ROAD, SOUTH WINDSOR

FILE NUMBER: GC285/03 PT01/CSV

REPORT:

An offer has been received for the purchase of 32 Fairey Road, being Lot 1 in Deposited Plan 574043, which is located on the corner of Fairey Road and Argyle Street, South Windsor. A plan of the site shall be displayed at the meeting.

Lot 1 is a long narrow strip of vacant land with a frontage to Fairey Road of 271.56m and a frontage to Argyle Street of 11.04m. The site is of an irregular shape at the boundary to the railway line and contains a total site area of 3,267m². The property is currently zoned Rural 1(b) under the Hawkesbury Local Environmental Plan 1989 and a proportion of the land is flood liable.

It is noted that the property was originally acquired in 1992 as a site for a railway siding and is considered to be surplus to the Council's needs.

The offer in the amount of \$40,000 (forty thousand) has been received from Schaffer Properties Pty Ltd being the intending purchasers of the adjoining property known as Lot 202 in DP801553 which comprises some 10ha.

Council will recall that in February 1994 contracts were entered into with the existing adjoining owners, Whitend Pty Ltd for the sale of Lot 1 in DP574043 at a contract price of \$40,000. Consequently Whitend Pty Ltd were unable to perform to settlement, the contract of sale was terminated and the deposited monies forfeited.

The site has been identified as having no potential for development in isolation and it is considered that the adjoining landholder is the only potential purchaser of the site. The acquisition of Lot 1 by the adjoining landholder shall enable a significant road frontage to be provided to the more elevated land contained within the adjoining Lot 202.

Consultant valuers have indicated that the offer \$40,000 is representative of fair market value having regard to the current zoning and potential of the site for inclusion in an application for rezoning for industrial purposes.

RECOMMENDATION:

It is recommended that:-

1. Lot 1 in Deposited Plan 574043, 32 Fairey Road, South Windsor be sold to Schaffer Properties Pty Ltd for the contract price of \$40,000 (forty thousand).
2. The Common Seal of Council be affixed to the associated documentation.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR905LBX.C26

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

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ITEM: 63

ADDITIONAL INFORMATION RELATING TO ITEM NO 27; LEP 10/95 DRAFT LEP - ADDITIONAL HERITAGE ITEMS - LOWER PORTLAND(LEP10/95) 29; DRAFT LEP - ADDITIONAL HERITAGE ITEMS (LEP1/94), P134/495 PT1 39; HERITAGE STATUS - 37 LENNOX STREET, RICHMOND (P1218/100 PT1)

FILE NUMBER:

LEP10/95,LEP1/94;P134/495 PT1,P1218/100Pt1/EVD

REPORT:

On the 1st September, 1995, Council's Heritage Adviser - Mr Robert Staas, inspected the items deferred by the General Purpose Committee of Council at the meeting 22nd August, 1995, ie

- ! 37 Lennox Street, Richmond
- ! 51 Bells Line of Road, North Richmond
- ! 82 Windsor Street, Richmond
- ! 774 Grose Vale Road, Grose Vale

In addition to the above Mr Staas also inspected the following items;-

- ! Hawkesbury Hospital Site
- ! "Melrose Cottage" 57 East Market Street, Richmond
- ! Bakery and Drill Hall - Cattai Road, Pitt Town

Mr Staas's report in relation to each of the items appears below;

37 Lennox Street, Richmond

Refer to previous comments regarding streetscape value and acceptable form of development for this site which appeared in the report relating to Item 33 in the 22nd August, 1995, General Purpose Committee meeting business paper. Not recommended for inclusion in Local Environmental Plan 1/94.

51 Bells Line of Road, North Richmond

I agree with the assessment of this property as being important for its local contribution to streetscape especially in association with the dominant palm trees. The building is typical of a late Victorian period and appears substantially intact. The adjoining shop detracts from the heritage qualities of the building. The site is capable of development which retains the buildings and the trees and could be a model for North Richmond where much of the strip commercial development is poorly designed and unattractive. Recommended for inclusion in Local Environmental Plan 1/94.

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82 Windsor Street, Richmond

I agree with the assessment of this property as having archaeological, architectural, historical, social and aesthetic attributes which relate strongly to the heritage of Richmond. The building and its associated site represent the mid Victorian development of much of the town and is a rare surviving example in relatively intact condition. The building is capable of restoration and the site could be redeveloped without substantially reducing the heritage qualities of the property. Recommended for inclusion in Local Environmental Plan 1/94.

774 Grose Vale Road, Grose Vale

In my opinion the building does not exhibit sufficient heritage qualities to be included on in the Local Environmental Plan. As there is no immediate risk to the building I see no reason to provide additional protection to this site. If further research indicates some significance other than its aesthetic appeal then perhaps it could be reconsidered at sometime in the future. Not recommended for inclusion in Local Environmental Plan 1/94.

Hawkesbury Hospital Site

I strongly advise the Hawkesbury Hospital Site for inclusion in the Local Environmental Plan as the main building is undeniably a substantial remnant of the 1820 convict barracks built by Governor Macquarie and therefore of national heritage significance. The site is coming up for disposal of the Department of Health and a conservation plan of management has been requested covering the main building, its curtilage and adjoining archaeological zones. My recommendation for listing includes;

- ! main block*
- ! 1820's stone building*
- ! 1910 fence*
- ! 1840's well structure*
- ! 1820's foundation stone*
- ! the original site area for archaeological features*
- ! adjoining land fronting George Street for archaeological features*

Recommended for inclusion in Local Environmental Plan 1/94.

"Melrose Cottage" 57 East Market Street, Richmond

Inspection of this property suggests that it incorporates an early farm house with additions and alterations from the early 20th Century. The use of metal pan roofing is extremely rare in Richmond and represents an historically significant building technology. The site includes several early outbuildings and has a mature cottage landscape with significant trees. Further research regarding this property will only increase its historical significance to the development of Richmond. Recommended for inclusion in Local Environmental Plan 1/94.

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Bakery and Drill Hall - Cattai Road, Pitt Town

Having inspected this property it would appear to be a mid Victorian bakery with brick ovens and timber framed slab work area now clad with brick and corrugated iron. The adjoining corrugated iron hall structure dates from about the 1920's. Outbuildings are of slab construction and are in fair condition but are missing much of their cladding. There is remnant machinery and furniture within the bakery. The site was used as general store and service station for many years.

Full assessment of the buildings is not possible without further research into the history of the site and its development. Possibly significant from an industrial archaeological point of view. Recommendation is that further research and assessment be undertaken.

RECOMMENDATION:

1. That the information in the supplementary report be received.
2. That the following be included as formal heritage items in LEP 1/94 - Additional Heritage Items;
 - ! 51 Bells Line of Road, North Richmond
 - ! 82 Windsor Street, Richmond
 - ! Hawkesbury Hospital Site
 - ! "Melrose Cottage" 57 East Market Street, Richmond
3. That the following be deleted from LEP 1/94 - Additional Heritage Items;
 - ! 37 Lennox Street, Richmond
 - ! 774 Grose Vale Road, Grose Vale

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR905LBX.V31

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

ORDINARY MEETING

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Item: 64

ITEM: 64 DEVELOPMENT OF THE VINEYARD AREA

FILE NUMBER: LEP0017/90PT03/EVD

REPORT:

At Council's meeting on 28 March 1995 it was reported that ERM Mitchell McCotter Consultants had completed a draft final report on the Riverstone Schedule Lands Study. The report is of direct relevance to property owners in the Vineyard area of the City of Hawkesbury as it examines a number of development alternatives for the whole of the Vineyard area.

Despite the draft final report being completed in March 1995, it is still to be released.

Given the importance of the report to future planning for the Vineyard area, it is recommended that Council write to its local members Paul Gibson MP and Kevin Rozzoli MP, as well as the Minister responsible for Urban Affairs and Planning, the Hon. Craig Knowles MP, requesting the release of the report immediately.

RECOMMENDATION:

That Council write to its local members Paul Gibson MP and Kevin Rozzoli MP, as well as the Minister responsible for Urban Affairs and Planning, the Hon. Craig Knowles MP, requesting the immediate release of the draft final report on the Riverstone Schedule Lands Study.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR905LBX.V29

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

ORDINARY MEETING

Meeting Date: 5 September 1995

Item: 65

ITEM: 65 BLIGH PARK NORTH RELEASE AREA

FILE NUMBER: LEP016/93;LEP011/95Pt01PT02/EVD

REPORT:

The Draft Development Control Plan for the Bligh Park North release area is now substantially complete and the proposed road pattern has already been discussed with property owners.

At the meeting with property owners there seemed to be general agreement to the proposed road layout with the only criticism being that the release area should be proceeding more quickly.

To expedite the planning for the area it is recommended that the Draft Development Control Plan be placed on public exhibition at the same time as the Draft Local Environmental Plan. This will reduce the total exhibition period by one month.

Council has also recently received a rezoning application on behalf of Mr Tom Lonsdale requesting that his land be rezoned from its current rural zone to 3(a) General Business. The land, Lot 341 DP 752061, fronts Rifle Range Road and is within the Bligh Park North release area.

The purpose of the proposed rezoning is to permit the development of a neighbourhood level shopping centre. It is proposed that the precise design and layout of the centre be considered by Council after the property has been rezoned.

The land has an area of 2.02 hectares and is located almost diagonally opposite land within Bligh Park which has already been zoned 3(a) General Business for the purpose of a neighbourhood shopping centre. Despite endeavours to market the land for a neighbourhood centre, to date, the development has proceeded as far as a community centre with no retailing or commercial activities.

The rezoning sought by Mr Lonsdale will result in an over supply of land for neighbourhood shopping centres which is not, in itself, a problem provided only one centre proceeds.

In the circumstances, it is recommended that the proposal to rezone Mr Lonsdale's land to General Business 3(a) be advertised to adjoining and nearby property owners in conjunction with the Draft Local Environmental Plan and Development Control Plan for North Bligh Park. Council can then consider the proposed rezoning with other submissions on Bligh Park North prior to finalising the Draft Local Environmental Plan.

RECOMMENDATION:

1. That Council advertise the Draft Development Control Plan for Bligh Park North as required by the Environmental Planning and Assessment Act in conjunction with the Draft Local Environmental Plan.

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2. That the proposal by Mr Lonsdale to rezone his land (Lot 341 DP 752061 Rifle Range Road) to General Business 3(a) be advertised to adjoining and nearby property owners in conjunction with the advertising of the Draft Local Environmental Plan and Development Control Plan for Bligh Park North.
3. That property owners be advised of the status of the matter.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR905LBX.V28

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

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Section 5 **Reports for Information**

ORDINARY MEETING

Meeting Date: 5 September 1995

Item: 66

ITEM: 66 GRAHAM PRICE PTY LIMITED

FILE NUMBER: P1641/700/GMA

REPORT:

Further to the report to the Committee in this matter, advice has been received from Council's solicitors regarding the current evidence available for contempt proceedings and a summary of that advice is as follows:

"Proceedings for contempt of Court must be proved to the criminal standard of proof ie beyond any reasonable doubt. The reason for that is obvious because, the defendant in this case could face a substantial monetary penalty if convicted. Likewise, an individual contemor could be punished by imprisonment....."

At this stage we would recommend that contempt proceedings not be instigated given the conflict in the presently available evidence. We are not certain what length of time has been allowed for the survey forms to be returned by various residents however we would prefer to have all the results of those surveys available for assessment prior to finally advising regard the commencement of contempt proceedings.

As you are aware, Graham Price Pty Limited has lodged an appeal to the Court of Appeal against the orders of Mr Justice Bannon and if contempt proceedings are commenced prior to that appeal being heard it could well be that Graham Price Pty Limited would move the Court of Appeal to stay those proceedings until the appeal has been dealt with. We have today checked with the List Clerk in the Court of Appeal and at the present stage of the list it is likely that the appeal will be heard before the end of this year however that is subject to any other matters which may be expedited by the Judges of the Court who are presently reviewing the holding list."

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR905LCX.G33

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

ORDINARY MEETING

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Item: 67

ITEM: 67 SUSTAINABLE AGRICULTURE - SYDNEY REGION

FILE NUMBER: GR060/011 PT05/GMA

REPORT:

A letter has been received from the Hawkesbury/Nepean Irrigators Steering Committee re actions being taken to control irrigation water from the Hawkesbury Nepean River and the issue of sustainable agriculture in the Sydney region requesting consultation with the committee as issues arise.

They have been advised that the issue of agriculture and its importance to both the Sydney region and the Hawkesbury District have been raised on a number of occasions recently, including in the Council's Economic Development report. It has subsequently been adopted as one of the major "futures" for the area.

They have also been advised that Council looks forward to the group's inclusion in the debate on the issue.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR905LCX.G30

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

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Item: 68

ITEM: 68 ENVIRONMENTAL MANAGEMENT PLAN

FILE NUMBER: GP090/007PT03/EVD

REPORT:

Council has resolved that the "Our City Our Future" final report be referred to Council in October 1995 for resolution. The draft document covers environmental issues beyond traditional land use planning however could not be described as an environmental management plan. Separate policies have been or are being prepared on other environmental issues including energy use, waste management, bio-diversity, and sediment and erosion control. It is being proposed to incorporate the major strategies from these separate policies into the final report to Council in October.

Further development of this environmental management strategy would be desirable and it is suggested that it be incorporated into the new management plan which has to be adopted by the new Council within twelve months of the election. In this way environmental management will be automatically part of Council's management planning process and the opportunity will be available to further develop particular aspects or review strategies with, perhaps, consultant input.

RECOMMENDATION:

The information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR905LCX.V32

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

ORDINARY MEETING

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Item: 69

ITEM: 69 WINDSOR DOWNS LINK ROAD

FILE NUMBER: 1967/RPt02;1833/RPt03/EVD

REPORT:

This report refers to Item 36 in the Environment Section of this business paper.

At the General Purpose Committee meeting on 22 August 1995 it was recommended that there be a further report to the Ordinary meeting clarifying the suggestion made by the Windsor Downs Home Owners' Association, with the possibility of a by-pass road through the Windsor Downs Nature Reserve, and that the Angliss Group be contacted for their opinion prior to the Ordinary meeting.

From the correspondence provided by the Windsor Downs Home Owners' Association it is understood that their highest priority for expenditure is for the provision of cul-de-sac heads to Sanctuary Drive and Rifle Range Road, and the provision of a walking trail between Bligh Park and Windsor Downs suitable for use by bicycles and walkers with relevant gates, bollards and fencing. They also recommend that any remaining funds from the \$390,000 security provided for the link road be spent on the construction of a roundabout at Richmond Road/Sanctuary Drive, with the agreement of the Angliss Group.

The matter has been discussed with a representative of the Angliss Group who has requested that the proposal be put in writing. He also requested a plan for the proposed roundabout and cost estimates for the proposed works, i.e., provision of cul-de-sacs, walking/bicycle path and roundabout. These estimates are currently being determined and will be forwarded to the Angliss Group for its approval.

There would seem to be little merit in transferring part of the road reservation for the link road to the National Parks and Wildlife Service as, for reasons of security for users of the walking trail/bicycle way, the existing reservation should be maintained by slashing. Similarly, the proposal by the Home Owners' Association to seek an all-weather access track from Rifle Range Road to Thorley Street is of questionable value. Firstly, the highest land across Bligh Park is already provided with road access and, secondly, there would be obvious difficulty in obtaining a road reserve within the nature reserve. The proposed by-pass road would seem to have little merit for either flood evacuation or traffic flow.

RECOMMENDATION:

That the information be received

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR905LCX.V25

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

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