

HAWKESBURY CITY COUNCIL GENERAL PURPOSE COMMITTEE



Where People Make the Difference!

BUSINESS PAPER

DATE OF MEETING: 23 April 1996

LOCATION: Council Chambers

TIME: 9:30am

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- ✓ * Ring Green Macintosh
- ✓ * RTA
- ✓ * MARK SMITH
- ✓ * John Mores Building Prog.
- ✓ * SPINULUS

How Council Operates...

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

The twelve Councillors who represent Hawkesbury City are elected at local government elections held every four years. Voting at these elections is compulsory for residents who are aged eighteen years and over and who reside permanently in the City.

The Ordinary Meeting of Council meets on the second Tuesday of each month at 7.30pm. Two weeks before the Ordinary Meeting, the General Purpose Committee meets at 9.00am to consider activities in the areas of works, finance, and planning and development. Both of these meetings are open to the public.

Meeting Procedure...

The role of the General Purpose Committee Meeting is to make recommendations about issues put forward in the areas of works, finance, and planning and development. These recommendations are then forwarded to the Ordinary Meeting of Council, two weeks later, for adoption or final decision. The Ordinary Meeting also considers other matters of general business as appropriate.

The Mayor is Chairperson of both the Ordinary and General Purpose Committee.

Public Participation...

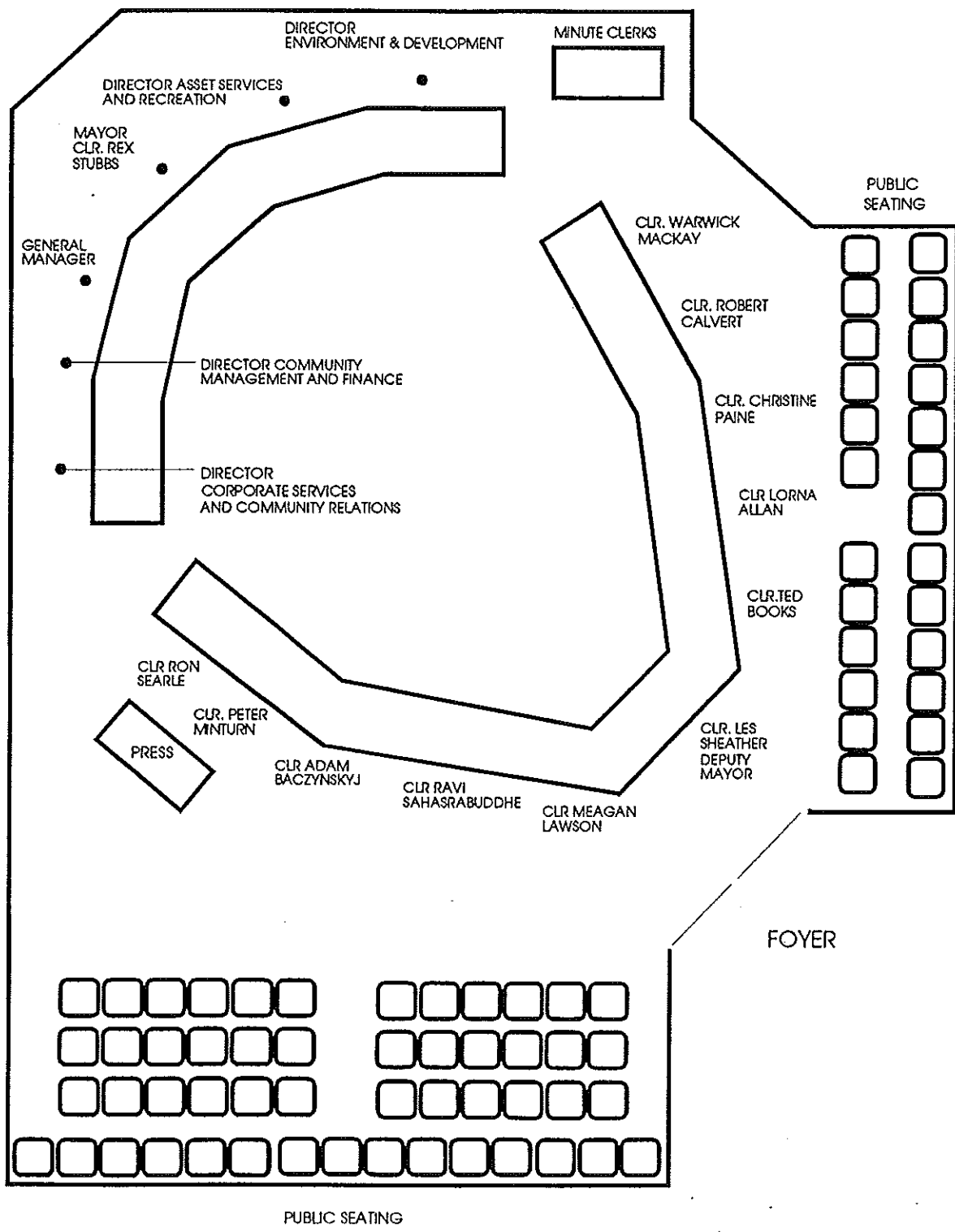
Members of the public can request to speak about a matter that is before the Council at the General Purpose Committee Meeting. The Mayor will invite interested persons to address the Committee when the matter is being considered.

Residents are encouraged to attend the Ordinary Meeting to observe the proceedings of the meeting from the public gallery. There will be provision following the break in the meeting at around 9.15/9.30pm for members of the public to ask questions of Council.

A Point of Interest...

Voting on matters for consideration is operated electronically. Councillors have in front of them both a 'Yes' and a 'No' button with which they cast their vote. The results of the vote are displayed on the electronic voting board above the Minute Clerk. This is a recent innovation in Australian local government pioneered by Hawkesbury City Council.

COUNCIL CHAMBERS



GENERAL PURPOSE COMMITTEE

Business

Meeting Date: 23 April 1996

AGENDA

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

**HAWKESBURY CITY COUNCIL
GENERAL PURPOSE COMMITTEE**



Where People Make the Difference!

**BUSINESS PAPER
MINUTES**

DATE OF MEETING: 26 March 1996

LOCATION: Council Chambers

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GENERAL PURPOSE COMMITTEE

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Minutes of the Meeting of the General Purpose Committee held at the Council Chambers, Windsor, on 26 March 1996, commencing at 9.30am.

PRESENT: Councillor R P Stubbs, Mayor and Councillors L Allan, A W Baczynskyj, H J M Books, R G Calvert, P J Minturn, C A Paine, R Sahasrabuddhe, R D Searle and L C Sheather.

Apologies for absence were received from Councillors W J Mackay, and M E Lawson, and from Councillors A W Baczynskyj, R G Calvert and C A Paine who would be arriving late.

Councillor Calvert arrived at 10.40am, Councillor Baczynskyj at 11.00am and Councillor Paine at 2.00pm.

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

RESOLVED on the motion of Councillor Allan and seconded by Councillor Sheather that the Minutes of the General Purpose Committee Meeting held on the 27 February 1996, be confirmed.

The following recommendations were passed as resolutions of the Committee:

SECTION 1 - ENVIRONMENT

117: GUIDED HORSE TRAIL RIDES ALONG EXISTING FIRE TRAILS LOT 202, 203 DP206301 - NO 380-382 LIEUTENANT BOWEN DRIVE - BOWEN MOUNTAIN (DA288/95/EVD)

Mr Scott Antcliff, applicant and Mr Tony Radanovac, for the applicant, addressed the Committee.

Mr Harry Hunter; Mr Alan Cox, Grose Vale Bushfire Brigade; and Mr Brian McKinlay on behalf of the Hawkesbury Bushfire Management Committee and representative on the Hawkesbury Executive of the Regional Fire Association, objectors, addressed the Committee.

THAT THE APPLICATION be deferred to the next General Purpose Committee Meeting to allow the applicant the opportunity to have further discussions with the Bushfire Brigade and the residents of Bowen Mountain.

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118: MODIFICATION OF DEVELOPMENT CONSENT - USE OF BRICKS AND CONCRETE IN LANDFILL MATERIAL - LOT 1 DP814363 NO 103 FRANCIS STREET, RICHMOND (DA218/93 P613.309/EVD)

THAT THE DEVELOPMENT consent 218/93 be amended to:-

1. Permit the use of concrete and bricks as fill in addition to clean fill.
2. Require the access roadway throughout the site to be regularly watered during times that material is delivered.
3. Require all filling to cease by 10 May 1997.
4. Apply all previous conditions on consent 218/93 except as amended in items 1,2 and 3 above.

119: LOCAL ENVIRONMENTAL PLAN - LOT 1 DP831345 CORNER DRUMMOND AND MILEHAM STREETS, SOUTH WINDSOR (LEP11/95/EVD)

Councillor Sheather declared an interest in this matter as his brother manages Airlite Joinery.

Mr Roland Clark, Airlite Windows; Mr Athol Day, Audio Expert; and Mr Brian McKinlay, addressed the Committee.

1. THAT COUNCIL SUPPORT the preparation of a local environmental plan to rezone Part Lot 1 DP831345 corner Drummond and Mileham Streets, South Windsor from Light Industrial 4(b) under Hawkesbury Local Environmental Plan 1989 to Residential 2(a) and the local environmental plan be forward to the Department of Urban Affairs and Planning for final gazettal.

This is Page 3 of the Minutes of the GENERAL PURPOSE COMMITTEE MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 26 March 1996.

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2. That Council not exercise its delegation for the Section 69 Report to the Minister.
3. That Airlite Windows Pty Ltd enter into a memorandum of understanding with Council within 30 (thirty) days of the date of this decision on the following:-
 - (a) Noise generating processes on the Airlite Windows Pty Ltd site be restricted to between the hours 7.00am to 6.00pm Monday to Friday.
 - (b) That necessary works be undertaken to the Airlite Windows Pty Ltd factory buildings and operations on the site to ensure that, for the rezoning site, the maximum noise levels are L90 50 dBA and L10 55 dBA to preserve the residential amenity of the rezoning site.
4. That with the future subdivision and development of the land, a development control plan be prepared by the applicant incorporating at least the following:-
 - (a) no lots to have access to or front Drummond Street
 - (b) a suitable noise barrier and landscaping be provided along the Drummond Street frontage to the requirements of the Director of Environment and Development
 - (c) a landscaped buffer, a minimum 5.0m (five point zero) wide be provided within the lots along the common boundaries with the industrially zoned lands as part of the subdivision application
 - (d) solar orientation principles apply to the lot layout and siting and design of the residential buildings
 - (e) design of the residential buildings incorporate noise attenuation measures in view of the existing acoustic climate of the subdivision
 - (f) subdivision layout to be generally in accordance with Plan No 88772 dated 13 March 1996, prepared by McKinlay Morgan and Associates Pty Ltd except where amended by items (a) to (e) above.

120: SUBDIVISION TO CREATE 3 LOTS - LOT 12 DP246945 - 81 ALA MOANA ROAD, KURRAJONG (SA173/95/EVD)

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Mr Neil Bowers, owner, addressed the Committee.

A SITE INSPECTION be carried out.

The Committee inspected the site at 3.30pm. Councillors present at the inspection were Councillor R P Stubbs, Mayor and Councillors L Allan, A W Baczynskyj, H J M Books, R G Calvert, P J Minturn, C A Paine, R Sahasrabuddhe, R D Searle and L C Sheather.

- A. THE SEPP1 objection not be supported.
- B. The application to subdivide be refused for the following reasons.
 - 1. Proposed lot 1 does not comply with the minimum area of 4ha required by clause 11(2)(d) of HLEP 1989.
 - 2. Approval of the proposed subdivision would set an undesirable precedent and is not in the public interest.

**121: MEDITATION ROOM FOR EXISTING RELIGIOUS RETREAT CENTRE - LOT 47
DP753793 NO. 374 GORRICKS RUN, UPPER MACDONALD (DA184/95/EVD)**

Mr Tony Coote, applicant, addressed the Committee.

Mr David Ferrier on behalf of himself and Ms June Waterhouse, neighbour, addressed the Committee as an objector.

A SITE INSPECTION be carried out on a date to be determined.

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122: COMMUNITY TITLE SUBDIVISION TO CREATE 7 LOTS, 6 RESIDENTIAL AND 1 COMMUNITY LOT - LOT 1 DP838855 - 484 TERRACE ROAD, FREEMANS REACH (SA10/96/EVD)

THE MATTER BE deferred pending a site inspection.

The Committee inspected the site at 3.00 pm. Councillors present at the inspection were Councillor R P Stubbs, Mayor and Councillors L Allan, A W Baczynskyj, H J M Books, R G Calvert, P J Minturn, C A Paine, R Sahasrabudhe, R D Searle and L C Sheather.

- A. THE APPLICANT'S SEPP1 objection be supported in principle and the concurrence of DUAP be requested.
- B. Subject to DUAP concurrence a "deferred commencement" consent be issued as follows:
 - (a) The applicant satisfying Council that:
 - 1. Onsite disposal of effluent on each of the lots can be effected satisfactorily. In this regard a full water balance report is to be submitted.
 - 2. That the proposed lots are suitable for the erection of dwellings thereon. In this regard a geotechnical report covering the stability of the site with particular reference to the escarpment and the existing fill on the site is to be submitted.
 - 3. Reticulated water will be made available by Sydney Water to each lot in the subdivision either by separate connections or through a community system. In this regard written confirmation will be required from Sydney Water.
- C. Upon the applicant satisfying the requirements above consent be granted subject to the following.
 - 1. The submission of a Compliance Certificate under Section 73 of the Water Board (Corporatisation) Act 1994 prior to the release of the Linen Plan.
 - 2. Submission of a Certificate from Integral Energy that satisfactory arrangements have been made for the provision of electricity to each of the resultant lots of the subdivision.

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3. Submission of a Certificate from Telecom Australia that satisfactory arrangements have been made for the provision of underground cables for telephones through the subdivision.
4. Payment of a cash contribution of \$17,913.00 (seventeen thousand nine hundred and thirteen) for recreational buildings, park improvements and community facilities as a consequence of the subdivision of land. This sum will remain fixed for a period of 3 (three) months after which it will be recalculated at the rate applicable at the time of payment.
5. 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 proposed Lots 1 to 6 inclusive together with any such works as are necessary to make this construction effective.
6. The provision of interallotment drainage covering all lots with house sites not draining directly to a public road and the creation of necessary easements free of cost to Council.
7. All existing fill must be compacted to 98% standard compaction and verified by the submission of test results for each lot accompanied by a contoured depth of fill plan. Topsoil is to be stockpiled and respread over the finished surface.
8. Erosion and sediment control devices are to be installed and maintained to ensure that there is no increase in downstream levels of nutrients, litter, vegetative debris or other water borne pollutants. Details shall be submitted and approved prior to any works commencing.
9. Construction of road and drainage works are not to commence until three (3) copies of the plans and specifications of the proposed works are submitted to and approved by the Director Engineering Operations.
10. A design checking and inspection fee of \$658.00 (six hundred and fifty eight), must be paid when submitting engineering plans for approval prior to construction. This amount is valid until 30 June 1996.
11. The submission of the plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.
12. Payment of a linen release fee of \$380.00 (three hundred and eighty). This amount is valid until 30 June 1996.

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13. The subdivision shall be in general accordance with the submitted plan except where varied by conditions of this consent.
14. The depth of lots 1 to 6 inclusive to be modified as necessary to ensure all lands below the top of the escarpment is contained within the community lot.
15. If a community water tank is to be provided on the community land the community lot is to be modified to provide a suitable site for the tank.
16. The creation of any covenants and restrictions necessary to implement any requirements of reports to be submitted as part of the three preconditions to the commencement of this consent.
17. The creation of a restriction prohibiting the use of cut and fill in the construction of any dwellings on the lot.
18. Submission of the Management Statement and any other documentation required by the Community Titles Legislation.
19. The common boundary of proposed lots 1 and 2 being located to contain the existing easement and pumping system wholly within one of the lots.

123: EMPLOYMENT LANDS DEVELOPMENT PROGRAM 1995 SURVEY (GT225/005/EVD)

THAT THIS REPORT concerning the Employment Lands Development Program be received.

124: DRAFT LANDFILL DEVELOPMENT CONTROL PLAN - LANDFILL POLICY (DCP1/92/EVD/EVD)

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General Manager

Mayor

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THAT:- Council adopt the Draft Landfill Development Control Plan DCP1/92, only for the purposes of exhibition, and

1. Advertise the Draft Plan for 28 (twenty eight) days in accordance with Clause 17 of the Environmental Planning and Assessment Regulations, 1994.
2. Following the advertising period the Draft Plan and any submissions received be reported back to Council.

125: DRAFT LOCAL ENVIRONMENT PLAN - LOT 11 DP803218 CORNER OF OAKVILLE AND SMITHS ROAD, OAKVILLE APPLICANT: MR AND MRS JAMES (LEP19/95/EVD)

THAT THE PLAN be forwarded to the Department of Urban Affairs and Planning for gazettal.

126: COMPOSTING IN THE HAWKESBURY - GUIDELINES FOR COMPOSTING OPERATIONS - STRATEGIC DIRECTION (GA025/001PT04/EVD)

1. THAT COUNCIL ENDORSE the final background report prepared by RUST PPK.
2. That Council adopt the draft development control plan (Appendix D) for the purpose of public exhibition for a period of not less than 28 (twenty eight) days in accordance with clause 17 of the Environmental Planning and Assessment Regulation, 1994.
3. That Council utilise the existing Steering Committee to review the site specific investigations and to consult with the Environment Protection Authority prior to incorporating community representatives from any area that may be deemed suitable for composting.

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127: WASTE MINIMISATION AND MANAGEMENT ACT (GW010/022 PT02/EVD)

1. COUNCIL NOMINATE FOR inclusion in the regional waste board as proposed by WSROC.
2. A Councillor be nominated as a director of the Waste Board with the Councillor being determined at the Ordinary Meeting.
3. Mrs Elspeth Murphy and Mr Hugh Williams be nominated as directors of the Waste Board.
4. The Branch Manager Environment and Waste, Mr Garry Baldry be nominated as a Director of the Waste Board.

128: GRAHAM PRICE PTY LTD - COURT ORDER NOT TO INTERFERE WITH THE AMENITY OF THE NEIGHBOURHOOD - CONTEMPT OF COURT (P1641/700PT09/EVD)

THAT THE INFORMATION concerning Graham Price Pty Ltd and the Order of Justice Bannon be received and, in the event that the Deed of Agreement is not signed, a further report be prepared for the Ordinary meeting on 9 April 1996 recommending appropriate legal action.

The Seal of Council be affixed to the Deed of Agreement.

129: CSR READYMIX QUARRY - BULL RIDGE ROAD, EAST KURRAJONG (68/297/76/EVD)

1. A SURVEY BE conducted of the site to establish the area of extraction to scale.

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2. The survey superimposed over the staged plan as supplied in the original application be used and read in conjunction with the conditions of consent relating to areas of extraction i.e. contour depths, areas from boundaries, watercourses etc.
3. The area of extraction and estimated life expectancy, calculated on material removed over the period since commencement be reported back to Council.

130: WARRAGAMBA DAM - PROPOSED AUXILIARY SPILLWAY - ISSUES TO BE TAKEN INTO ACCOUNT IN THE PREPARATION OF THE ENVIRONMENTAL IMPACT STATEMENT. (GC180/006PT02/EVD)

THAT AUSTRALIAN WATER Technologies Pty Ltd be advised to address the issues raised in this report in the preparation of the Environmental Impact Statement.

131: REZONING APPLICATION - LOT 202 DP801553 AND LOT 1 DP 574043, CORNER ARGYLE STREET AND FAIREY ROAD, SOUTH WINDSOR (OLD SPEEDWAY SITE) (DA270/95Pt01;LEP002/91/EVD)

THAT COUNCIL RESOLVE to rezone the land General Industrial 4(a) or some other zoning which would permit at least the proposed sandstone sawing and Urbanstone manufacture. The precise form of the rezoning to be determined following discussions with Sydney Water.

Supplementary Reports

132: HAWKESBURY NEPEAN CATCHMENT MANAGEMENT TRUST (GP021/001 Pt04/GMA)

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Council nominate an elected representative to the Associations to be on the Board of the Hawkesbury Nepean Catchment Management Trust with Councillor Sheather being nominated.

133: GUIDED HORSE TRAIL RIDES ALONG EXISTING FIRE TRAILS - LOT 202 & 203 DP206301 NOS. 380-382 LIEUTENANT BOWEN DRIVE, BOWEN MOUNTAIN (DA288/95/EVD)

That the information be received.

134: NATIONAL PARKS & WILDLIFE SERVICE ADVISORY COMMITTEES GP021/001 PT04.

The Service has advised that the current term for members of the Committees expires on the 30 June 1996. New Committees will be constituted from 1 July 1996. The Committees are appointed to advise on measures to improve the control and management of specified national parks, nature reserves and historic sites which are reserved under the National Parks & Wildlife Service Act. It has been the practice in the past to call for nominations from members of the public through advertisements and from other specific organisations such as Local Government. The Minister for the Environment will make the final selection of members with appointments from Local Government being based on a person's experience and knowledge of Government issues generally and their ability to provide advice and assist in the Committee's deliberations on such matters having regard to the role of the Advisory Committee.

The three Committees involving Hawkesbury are :

1. Blue Mountains District - this comprises Wollemi, Kanangra-Boyd, Abercrombie River, Blue Mountains and Garden of Stone National Parks.
2. Central Coast District - involves Brisbane Water, Yengo, Dharug National Parks and a number of nature reserves.

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3. North Metropolitan District - comprises Ku-ring-ai Chase, Scheyville National Parks and a long list of nature reserves including Pitt Town and Windsor Downs.

COUNCIL RESOLVE TO nominate Councillor Calvert for the Blue Mountains District, Councillor Books for the North Metropolitan District and Councillor Sheather for the Central Coast District.

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Mayor

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SECTION 2 - INFRASTRUCTURE

18: WEBBS CREEK FERRY (GT240/007 PT02/ENG)

THAT THE PROPOSAL developed by Mr McNamara to alter the grades on the approach ramps to Webbs Creek Ferry be supported.

19: EXTEND IRRIGATION PIPELINE (1908/R PT03, P1908/1985 PT01, P2312/478 PT02/ENG/ENG)

THE APPLICATION BY Mr and Mrs Vella to extend their existing irrigation be approved.

SECTION 3 - ORGANISATION AND RESOURCES

31: REQUIRED ACQUISITION BY COUNCIL - 16 RIFLE RANGE ROAD, SOUTH WINDSOR (P1833/1170/CSV)

1. COUNCIL COMPULSORILY ACQUIRE 16 Rifle Range Road, South Windsor, being Lot 61 in Deposited Plan 32260, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Liberty Investments Pty Limited.
2. Application be made to the Minister for Local Government for approval to proceed with compulsory acquisition of Lot 61 in Deposited Plan 32260.
3. All relevant documents be executed under the Seal of Council.

32: WILBERFORCE SHOPPING CENTRE (GC283/66 PT02, GC283/018 PT02/CSV)

Councillor Minturn declared an interest in this matter as part owner of a bottle shop.

1. THAT COUNCIL LEASE shop 3 (three) of Wilberforce Shopping Centre to Mr RJ McCarthy of No 54 Edlan Pty Ltd, as a liquor shop subject to the following terms and conditions:-
 - i. Lease period is to be 5 (five) years
 - ii. Commencing annual rental of \$13,520.00 (thirteen thousand five hundred and twenty), which is to be reviewed annually in accordance with the CPI for Sydney.
 - iii. The lessees to pay 6.7% (six point seven) of Council rates and 8.3% (eight point three) of outgoings in respect of the centre.
 - iv. Trading hours be restricted to 10.00am to 7.00pm daily.

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2. All necessary documentation be completed under Seal of Council.
3. Council establish an alcohol free zone for the grounds, walkways and roadways within the Wilberforce Shopping Centre site and the adjoining reserve bounded by King Road and Singleton Road and the Wilberforce Childcare and Preschool Centres.

33: MONTHLY FINANCIAL STATEMENTS - FEBRUARY 1996 (GF011/005 PT04/FNC)

THAT THE INFORMATION be received.

34: YOUTH WEEK 1996 (GG021/079 PT05/ENG/ENG)

1. THAT THE INFORMATION be received.
2. Approval be granted for use of Richmond Park on those dates listed below for activities scheduled:

TIME/DATE	ACTIVITY
6.00pm - 10.00pm, 26 April 1996	Jam Session and BBQ
11.00am - 5.00pm, 27 April 1996	Battle of the Bands

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QUESTIONS WITHOUT NOTICE:

1. Councillor Books tabled a letter from Mrs N Adams of Rickaby Street, South Windsor. There is a problem with traffic going down Rickaby Street as there is no sign indicating that it is a bend.
2. Councillor Sheather referred to the proposed closure of West Market Street and asked if it would be appropriate to temporarily block off that street to assess the impact it has on surrounding streets.

Councillor Searle advised that the closure has just been advertised for a 28 day period. All the submissions received could be discussed at that point.

3. Councillor Sheather asked if street sweeping in Grose Vale Road, North Richmond is in the program and if not, could it be investigated.
4. Councillor Sahasrabuddhe asked about the lights to be installed at the back of the Orange Grove Mall, Richmond.

The Director Asset Services & Recreation advised that Integral Energy had been instructed to proceed with the installation and undertook to follow the matter up.

5. Councillor Sahasrabuddhe tabled a letter from Mr Paul Gibson MP regarding the South Windsor Waste Depot and asked what is Council's position in this matter.

The Mayor advised that he had acknowledged the letter and asked that the issues raised be investigated.

The General Manager advised that it was anticipated that a response would be received to-day and the Councillors would be advised addressing all the specific issues.

6. Councillor Baczynskyj referred to Bensons Lane and asked if there was any provision for parking on the field for softball or baseball. Cars are parking on the road verge. He expressed concern in regard to the safety aspect for children.

Councillor Sheather stated that the Softball Association has been asked to address this problem along the creek verge. The Hawkesbury Sports Council has been asked to include parking inside the fence on Bensons Lane in its budget.

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7. Councillor Baczynskyj referred to a project reported in the Courier to plant Claret Ash from North Richmond Bridge to the traffic lights. He stated that these trees are deciduous and exotic and all the nutrients go into the river. He asked why native plants were not supported.

The Mayor advised that this would be investigated.

8. Councillor Baczynskyj asked if there is any progress regarding the two intersections and the roundabout at Bligh Park. He asked if all the correspondence could be made available to him between RTA and Council.

The Director Asset Services & Recreation advised that there is no further information at this stage and undertook to follow the matter up.

Councillor Books asked if the Local Member could be asked to take up the matter of the roundabout and intersections.

9. Councillor Searle raised various issues for Councillor Minturn on behalf of Bob Brierley, Chairman of the Kurrajong Small Business Forum relating to the Memorial Park at Kurrajong - the amenity block completion date, the sign on the wall redirecting people to use McMahons Park, and the progress of the stage area as well as the plan.

The Director Asset Services & Recreation undertook to ascertain the position and advise Councillor Minturn.

MEETING WITH HAWKESBURY LOCAL ECONOMIC DEVELOPMENT BOARD

The Committee met with representatives of the Hawkesbury Local Economic Development Board. The purpose of the meeting was to discuss the aims and objectives of the Board and to seek Council's views in this regard.

The Board was represented by Councillor R G Calvert, Chairperson, Councillor Lorna Allan, Messrs Brian Lindsay, Paul Rasmussen and Rob Tolson.

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The meeting adjourned at 12.20pm for inspections.

The meeting terminated at 4.15pm.

Submitted to and confirmed at the meeting of the General Purpose Committee held on 23 April 1996.

.....
Mayor

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General Manager

Mayor

GENERAL PURPOSE COMMITTEE MEETING
Mayoral Minute

Mayoral Minutes

General Purpose Committee Meeting - 23 April 1996

✓ **1. RURAL LANDS ASSESSMENT GT225/013 PT02**

Council resolved at the Ordinary Meeting of 9 April 1996 :

"That 2 (two) Councillors be nominated to the Rural Lands Study Committee to replace Councillors Baczynskyj and Paine and that that Committee report on its progress to Council on a regular basis, with Councillors Allan & Paine being nominated to the Committee."

Councillor Books withdrew his nomination from the Committee at that time. Subsequently, representations have been received from a number of farmers that Councillor Books be re-appointed to the Committee. Councillor Books has been requested to reconsider his position and has indicated that he is prepared to reconsider his withdrawal.

It is recommended that Councillor Books be nominated to the Rural Lands Study Committee.

Councillor Rex Stubbs
Mayor

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

HAWKESBURY CITY COUNCIL GENERAL PURPOSE COMMITTEE



Where People Make the Difference!

SUPPLEMENTARY BUSINESS PAPER

DATE OF MEETING: 23 April 1996

LOCATION: Council Chambers

TIME: 9:30am

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GENERAL PURPOSE COMMITTEE



SECTION 1 ENVIRONMENT

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LOCAL ENVIRONMENTAL PLAN - ERECTION OF A DWELLING
- LOT 1 DP824014 - OFF COROMANDEL ROAD, EBENEZER -
FALSON AND ASSOCIATES

FILE NUMBER: LEP1/96/EVD**REPORT:**

Council at its Ordinary Meeting of 13 February 1996, resolved to prepare a draft local environmental plan to allow the erection of a dwelling house on the above lot, containing 1.62 ha, that was created following the closure of part of two Crown roads.

Clause 15(5) of Hawkesbury LEP 1989 prohibits the erection of a dwelling house on land resulting from the closure of a road.

The Section 65 Certificate was issued on 28 April 1996 and the proposal was advertised between 13 March 1996 and 12 April 1996. No submissions have been received.

Under Section 62 the proposal was referred to Telstra and Integral Energy and no replies have been received.

The matter can now be forwarded to the Department of Urban Affairs and Planning for gazettal.

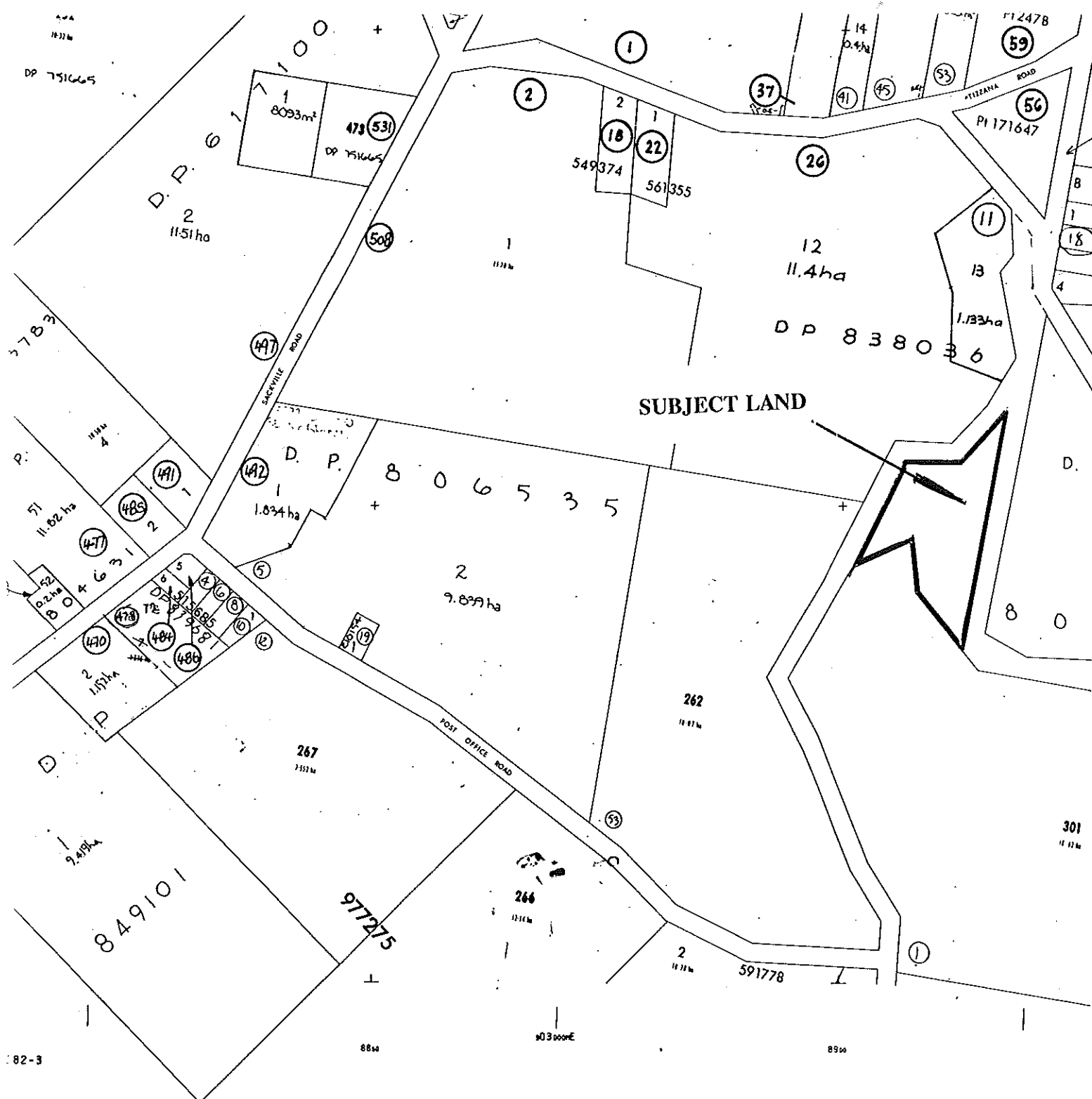
RECOMMENDATION:

1. Council exercise its delegation under Section 69 of the Environmental Planning and Assessment Act, 1979 for the report to the Minister.
2. The local environmental plan as exhibited be forwarded to the Department of Urban Affairs and Planning for gazettal.

ATTACHMENTS:**AT-1** Site Plan.

FN:EN423NBX.V03

**** END OF ITEM 134 ****



ITEM: 135**DRAFT LOCAL ENVIRONMENTAL PLAN 10/95 - ADDITIONAL
HERITAGE ITEMS, LOWER PORTLAND****FILE NUMBER:** LEP10/95/EVD**REPORT:**

Council at its Ordinary Meeting on 5 September 1995 resolved to prepare a draft local environmental plan to formally identify properties in Lower Portland as Heritage Items in Schedule 1 of Hawkesbury Local Environmental Plan 1989.

The draft plan encompasses five properties which were assessed by Council's Heritage Advisor and the Heritage Advisory Committee. The properties included in the draft plan are:-

1. "Ventiaville", 1235 West Portland Road
Lower Portland, Lot 101 DP739219
2. Slab barn, 1281 West Portland Road
Lower Portland, Lot 1 DP586231
3. Lower Portland Public School
1930 Wheelbarrow Ridge Road, Lower Portland
Lot 1 DP794605
4. Stone Cottage, Greens Road, Lower Portland
Lot 18 DP753784
5. St Johns Anglican Church
No 1932, Part Portion 19 Parish of Hawkesbury

The Lower Portland area is significant in a heritage context due to its association with the general Hawkesbury themes of early settlement, agriculture and later settlement. The locality was also used as a staging post for river transport, particularly for the transportation of agricultural produce.

The assessment process was undertaken by Council's Heritage Advisor and included a review of history of the locality, field work and preparation of inventory sheets. Individual inventory sheets identify each property and describe the heritage item, incorporating a statement of significance.

Pursuant to Section 62 of the Environmental Planning and Assessment Act, 1979 the plan was referred to the Heritage Branch of the Department of Urban Affairs and Planning for comment. The Heritage Branch responded, fully supporting the plan for listing the additional heritage items and congratulated the Council.

The draft plan was exhibited from Wednesday 24 January 1996 to Friday 23 February 1996.

Two submissions were received in relation to Stone Cottage, Greens Road, Lower Portland, generally objecting to the inclusion of the property. Both are from the owner's representative, Mr D Hooker.

Comment:

A submission enclosed a report prepared by Graham Edds and Associates assessing the architecture of the Stone Cottage. This report concludes that the description of the cottage prepared by Council is incorrect and outlines the characteristics of the four main construction phases of the building.

Although the report disagrees with councils description of an "intact Victorian House", it clearly states that *"the cottage demonstrates early settlement along the Hawkesbury River and is considered worthy of inclusion in LEP for additional heritage listing"*.

Mr Hooker has requested that the matter defer the inclusion of the property until the aspects can be clarified and properly assessed. Council's Heritage Advisor has visited the site twice and on the 10 April made further comments in relation to the historical significance of the building. Although there has been some difference in the descriptions of the building, all reports indicate that the building is significant and should be included in Hawkesbury LEP 1989. It is therefore not considered necessary to defer the item. In relation to the inventory sheets, they should be reviewed by Councils Heritage Advisor to consider the Graham Edds and Associates comments.

Pursuant to Section 68 and 69 of the Act, Council should exercise its delegate to prepare reports to include the five additional heritage items in Lower Portland in Hawkesbury LEP 1989.

RECOMMENDATION:

1. Council exercise its delegation to submit a report pursuant to Section 68 and 69 of the Environmental Planning and Assessment Act 1979 to the Department of Urban Affairs and Planning.
2. The plan be forwarded to the Minister of Urban Affairs and Planning requesting gazettal.
3. The inventory sheet for stone cottage be reviewed by Councils Heritage Advisor taking into consideration the comments made by Graham Edds and Associates.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN423NBX.V06

**** END OF ITEM 135 ****

ITEM: 136

DRAFT LOCAL ENVIRONMENTAL PLAN 4/95 - AMENDMENT 41 - REZONING OF THE RESIDUE ALLOTMENT IN THE SUBDIVISION OF LOTS 4 AND 5 DP786671, LOT 7 DP738354, LOTS 80 AND 90 IN DP834019 AND LOTS 22, 24, 26-29, 32-41 INCLUSIVE DP17870 - "KEMSLEY DOWNS", GROSE VALE ROAD, NORTH RICHMOND

FILE NUMBER: LEP 4/95, LEP4/96/EVD

REPORT:**Action**

This draft plan aims to prohibit further subdivision on the subject land as resolved by Council in February 1995. The plan has been placed on public exhibition with three submissions received. The plan is now ready to be forwarded to the Minister of Urban Affairs and Planning for gazettal.

Background

At its Ordinary Meeting of 14 February 1995 Council resolved to support a 24 lot boundary adjustment on the subject property. The "Kemsley Downs" property is located directly behind the existing township of North Richmond, stretching along Grose Vale Road up to Bells Road, Grose Vale.

The approved subdivision provided for 22 allotments ranging from 8000sqm to approximately 3 hectares. The 2 remaining residue allotments, being proposed lots 23 and 24 consist of 89 hectares and 123 hectares respectively. It is the large residue allotments that are the subject of the draft local environmental plan.

In approving the above subdivision, Council also resolved to amend the Hawkesbury LEP 1989 so as to restrict any further subdivision of the large residue allotments (lots 23 and 24).

New zone

To facilitate the prohibiting of further subdivision of the residue allotments, it was considered necessary to add a new zone to Hawkesbury LEP 1989. The zone is called Rural 1(d) (Consolidated Land Holding) which aims to "prohibit further subdivision of the land other than by minor boundary adjustment".

The new zone was publicly exhibited at the same time as the draft plan.

Pursuant to Section 62 of the Environmental Planning and Assessment Act 1979 the draft plan was referred to the following Government Authorities:

Transgrid
Sydney Water
NSW Agriculture
Prospect Electricity
NSW Department of Housing

The following responses have been received.

Transgrid

Transgrid have requested that the rezoning should not compromise the current Liddell-Sydney West 330kV transmission line which transverses the property. As the draft LEP prohibits any further subdivision of the land, it is considered that the draft plan satisfies TransGrids concerns.

Sydney Water

Sydney Water provided guidelines and conditions in relation to any further subdivision that will occur on the site. As the draft plan prohibits further subdivision on the land, it satisfies the requirements of Sydney Water.

No replies were received from NSW Agriculture, Prospect Electricity or NSW Department of Housing.

Exhibition

Council's delegate issued the Section 65 Certificate on 23 January 1996 and the draft plan was exhibited from Wednesday 24 January 1996 to Friday 23 February 1996. Three submissions were received and the relevant issues are summarised below:

- Restrictions on subdivision may limit the potential for surrounding land to be subdivided.
- Requiring development consent for agriculture in the Rural 1(d) zone may encourage weeds and feral animals.

Two of the submissions requested that Council allow subdivision of land adjoining the site for the draft plan. One of these submissions supported the draft plan provided that Council "accommodate to our reasonable expectations for land subdivision". The land involved in these submissions consists of approximately 45 hectares and has road frontage to Redbank Road. It is considered that these proposals are not entirely relevant and are actually inconsistent with the aims of the draft plan which are to prohibit subdivision. However, the concerns and proposals expressed should be considered in any future development that may occur in the locality.

It is considered that the plan does not require further amendment and can now be forwarded to the Minister requesting its finalisation.

RECOMMENDATION:

1. Council exercise its delegation in respect to Section 68 and 69 of the Environmental Planning and Assessment Act 1979 and prepare a submission to be forwarded to the Department of Urban Affairs and Planning.
2. The plan be forwarded to the Minister of Urban Affairs and Planning requesting gazettal.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN423NBX.V07

****** END OF ITEM 136 ******

GENERAL PURPOSE COMMITTEE - ENVIRONMENT

Meeting Date: 23 April 1996

Item: 137

ITEM: 137

MINUTES OF THE ISLANDS COMMUNITY CONSULTATIVE
COMMITTEE MEETING - HELD ON 28 FEBRUARY 1996,
7.30PM IN THE COUNCIL CHAMBERS GEORGE STREET,
WINDSOR.

FILE NUMBER: LEP2/96; LEP3/96; LEP4/96; SA65/94, DA65/95/EVD

REPORT:

PRESENT:

Councillor (Dr) R Sahasrabuddhe (Chairperson), D Fox, D Knowle, A Crombie, C Everingham, B Jagoe, B Coombe, L Harris, L Hulbert, D Crust, K Steadman, M Conquest, R Richmond, C Dunne, R Duncan, W Hutchings, M Dawson, I Cort, M Coulter.

APOLOGIES:

Professor R Holland

The applicant, Mr D Fox, provided a briefing on the application and indicated the grounds of objection to the proposed draft local environmental plans. He objected to the draft local environmental plan restricting land uses on Middle Island and Big Island as being contrary to Council's resolution, unworkable and an unnecessary infringement on the rights of the owner. Alternatively, he suggested that the land uses should be restricted on both parts of the property identified as scenic reserve on an overall concept plan prepared by McKinlay Morgan and Associates. The scenic reserve included the escarpment and creek lines.

There was discussion about the proposed equestrian development on Middle Island and concern was expressed about the environmental impact of the proposed 200 horses together with truck and float access. L Harris advised that the proposed equestrian facility was to be detuned and the number of horses reduced.

There was discussion about the draft local environmental plan for Little Island and earlier reported statements from Mr Harris that the clearing on Little Island was for the purpose of grazing with there being no intention of subdividing it.

There was discussion about the water balance for the proposed sub-division. Mr Fox advised that the Department of Urban Affairs and Planning was insisting on the provision of a reticulated sewerage system which provided the potential for re-use of treated effluent for garden watering. He also advised that the subdivision would not require water to be drawn from any creeks in the area.

Concern was expressed about the standard and safety of Hermitage Road for the proposed sub-division and equestrian development. M Coulter advised the committee that a priority list of roadworks would be provided to the next meeting. There was general agreement that the major priorities were the intersection of Hermitage Road and Bells Line of Road, and the sections of

Hermitage Road either side of the Diamond Hill subdivision where the pavement was narrow and there were a number of bends.

B Jagoe advised that there had been a large number of lots created by road severance on Douglas Farm Road and that Douglas Farm Road was in need of upgrading.

L Harris is to provide details of the revised quarantining arrangements for horses - numbers involved and duration etc.

Next Meeting:

The next meeting was set down for Monday 18 March 1996. M Coulter advised that a draft of the report to the General Purpose Committee Meeting on 26 March 1996 would be posted out for consideration at the meeting on 18 March.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN423NBX.V15

**** END OF ITEM 137 ****

ITEM: 138

MINUTES OF THE "THE ISLANDS" COMMUNITY
CONSULTATIVE COMMITTEE - HELD ON TUESDAY 19
MARCH 1996 IN THE COUNCIL CHAMBERS, GEORGE STREET,
WINDSOR COMMENCING AT 7.30 PM.

FILE NUMBER: LEP2/96; LEP3/96; LEP4/96; SA65/94, DA65/95/EVD

REPORT:

PRESENT: Clr R Sahasrabuddhe (Chairperson) ; B Jagoe, W Hutchings, C Hulbert, C Everingham, D Crust, L Harris, H Harris, I Cort, M Dawson, I Holland, M Seldom, K Steadman, R Duncan, C Dunne, M Coulter.

APOLOGIES: B Coome, M Conquest, J Conquest, Professor Holland

MINUTES OF PREVIOUS MEETING

The minutes of the previous meeting were adopted.

GENERAL BUSINESS

1. M Coulter outlined the provisions in the draft local environmental plans and in particular the proposed 7(e) zone to apply to Big Island and the escarpment areas.
2. There was considerable discussion about the provisions of the 7(e) zone. Objections to the restrictions imposed by the 7(e) zone were expressed by H Harris, R Duncan and others.
3. The Committee considered that an assertion made in a letter of objection that horses on "The Islands" were allowed to graze in a National Park should be corrected. D Crust from the National Parks and Wildlife Service confirmed that he was unaware of any grazing on the National Park.
4. There was discussion about the deficiencies of Hermitage Road such as the single lane bridge and tight bends. It was suggested that the next meeting of the Consultative Committee be held on site to look at the condition of Hermitage Road, its deficiencies and signage.
5. It was queried whether Hermitage Road is on Council's Works Program and particularly the corner of Douglas Farm Road and Hermitage Road.
6. A poll of those present at the meeting indicated that seven people believed the 7(e) zoning to be too restrictive. H Harris considered that such a restrictive zoning should be the subject of compensation.

7. H Harris requested that a copy of the meeting minutes be sent to him as well as Don Fox Planning.
8. No date or time was set for a future meeting being dependent upon the progress of the

DRAFT LOCAL ENVIRONMENTAL PLAN

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN423NBX.V09

**** END OF ITEM 138 ****

ITEM: 139**DEVELOPMENT CONSENT - LANDFILL - LOT 1 DP814363 NO
103 FRANCIS STREET, RICHMOND****FILE NUMBER:** DA218/93 P613.309/EVD**REPORT:**

Council at its Ordinary Meeting of 9 April 1996 resolved to permit a modification of Development Consent 218/93 to allow the use of bricks and concrete in the landfill material. A further report was required at the General Purpose meeting of 23 April 1996 on the status of batters that the applicant is trying to achieve, what quantity of fill is required and the approximate timeframe.

The applicant is attempting to achieve a 1:4 batter with the completion of the landfill.

At the present time the landfill has been terraced in order to permit loads of material to be distributed evenly over the entire landfill site and therefore be raised progressively, thus achieving greater compaction of material rather than pushed loosely over the embankment. The western end of the landfill is to be completed first and terracing assists in this regard.

The 1:4 batter is achievable at the eastern end of the fill site provided the top of the batter does not exceed 25 metres from the shed wall and fill is not placed beyond the toe of the proposed batter. The batter becomes less towards the western end of the property at approximately 1:5.5.

The quantity of fill required to complete the landfill has been calculated at approximately 9,500 cubic metres. This will include a quantity of top soil to cover the fill material.

It is extremely difficult to place a timeframe on the activity as it is dependent on the availability of suitable material. The landfill is however expected to be completed by 10 May 1997.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN423NBX.V11

**** END OF ITEM 139 ****

ITEM: 140 ✓**PORTLAND COUNTRY CLUB - CARAVAN PARK****FILE NUMBER:** P717.60;GL061/017/EVD**REPORT:****Background**

Prior to the introduction of Ordinance 71 "Caravan Parks and Camping Grounds" in 1986, each local government area controlled and regulated caravan parks by local policy.

With the introduction of Ordinance 71, each council was responsible for ensuring that each caravan park compiled a list of works to bring it into line with the requirements made under the Ordinance. The list was called a "Program of Works". Exemptions were permissible under the Ordinance for existing caravan parks and included such items as widths and treatments of internal roads, number and type of amenities provided, and fire fighting facilities for non-mains supply premises, etc.

The 'Local Government (Caravan Parks and Camping Grounds) Transitional Regulation 1993' was introduced in the lead up to the final Regulation, and the changes consisted mainly of:-

1. deletion of the licensing section (now require an Approval under Section 68 of the Local Government Act 1993);
2. substitution of:
 - "agreed" for approved
 - "permission" for approval
 - "approval" for licence; and
3. changes in some definitions.

The now finalised Regulation 1995 has been introduced and the Transitional Regulation 1993 has been repealed. Any consent, permission or exemption granted under the Transitional Regulation or Ordinance 71 has effect under the new Regulation.

History

The owner of Portland Country Club was requested to compile and submit a Program of Works in 1987, and again in 1988.

In December 1988, the then manager of the property indicated that a development application for strata units had been refused and that he was able to discuss the upgrading of the park and compile a Program of Works. It was not submitted and a 'Notice of Irregularity' under Ordinance 71 was issued on 2/11/1989. To date the Program of Works has not been received and no further action beyond the issue of the Notice was taken.

In 1994 the length of time since the introduction of Ordinance 71 in 1986 was approaching ten years and the standard of the park had not noticeably increased. The owner's agent was notified of the unsatisfactory state of the park in February 1994 and later advised in April 1994 that an Approval to Operate a caravan park would not be granted.

A Notice of Intention to serve an Order was issued in December 1994. The park has continued to operate to date without an approval, and no Program of Works was ever received.

Recent Situation

The decision of Justice J. Pearlman on 23/10/95 in relation to a tourist facility means that other avenues for the upgrading of the caravan park have been eliminated, and the application of the caravan park legislation must be enforced.

Mr Hooker requested in December 1995, an Approval to operate the caravan park under Section 68 of the LGA 1993. An application was submitted on 5/1/96.

As the park has been operating without approval but has continuously operated, Council's solicitors were approached as to whether the application should be treated as an existing caravan park or whether it should be considered as a new caravan park in which case the new Regulation 1995 would apply in full, without exemptions. The solicitor has indicated that the Transitional Regulation 1993 is no longer in existence and the new Regulation 1995 is to be applied in full.

The requirements under the new Regulation are more onerous in regards to capital investment (roads, lighting, drainage, services etc) than the previous legislation. Mr Hooker has indicated that he is willing to undertake some upgrading of the caravan park, and his position is that the new legislation does not apply and the exemptions provided to existing caravan parks at the introduction of Ordinance 71 in 1986 apply to Portland Country Club. He would be unwilling to comply with the new regulations and would contest their application.

There has been some improvement to the appearance to the grounds over the last few years including the provision of Fire Hose Reels (FHR's). Mr Hooker has proposed some minor upgrading consisting of connecting the unsewered sites to septic tanks and absorption trenches, and the construction of a communal amenities and laundry block. The general appearance of the park and structures would remain the same.

Mr Hooker was provided with a list on 23/12/95, detailing the suggested upgrading works required. A letter was received in response.

The main areas that were of concern were:-

1. Operating without an Approval

Under Section 68 of the LGA 1993, operating a caravan park requires an Approval from Council. Mr Hooker was informed in April 1994 that an Approval would not be issued due to the unsatisfactory state of the park. In December 1994 a Notice of Intention to serve an Order

requiring the closure of the park was issued. The park has continued to operate without an Approval to date.

2. Effluent Collection, Treatment and Disposal

All sites have "ensuite" facilities which have been constructed and installed without approval. The method and location of effluent treatment and disposal is unknown. The "ensuite" facilities are generally located within 50m of the river bank and are located on sandy alluvium soils. It is unknown if treatment facilities such as septic tanks exist for the majority of the sites.

The HNCMT was contacted on 16/01/96 for comment/opinion on the proposed effluent treatment and disposal system by the use of septic tanks (one septic tank per 3-4 sites) and absorption trenches. The Trust's opinion is that a package or centralised treatment system is preferred and disposal by trench would not be suitable given the location and soil type.

3. Unapproved Structures

The park is located in a 7d(1) Environmental Scenic Protection Zone and as such any building work requires the submission of a combined Development/Building Application.

In the past and at present the construction of such structures as sheds, BBQ huts, carports, "ensuites", private laundries, a spa, caravan additions and other permanent structures has taken place on the flood-liaible land without prior Council approval.

Mr Hooker has been verbally advised on several occasions that he is responsible for ensuring that all necessary approvals are obtained before any building work is undertaken by his tenants. Despite this unapproved building work was evidenced in December 1995, and again in April 1996.

Generally the structures erected are of poor standard (construction materials, methods and design) and appearance. Structures such as garden sheds are used as "ensuites" and most caravans have a carport type of cover over the vans with adjoining rooms which has rendered the caravans immovable. Mobility is a requirement for flood liable land.

4. Unsightly and/or Dilapidated Structures

As mentioned previously some of the structures located on site are in a poor state of repair, or construction and require either demolition and removal or upgrading for those structures permitted on site. The poor construction method and/or use of second hand materials causes the unsightly appearance of some structures.

Present Situation

Discussions regarding outstanding matters were held on several occasions with agreement being reached on most issues. The issues still to be determined are:-

1. Whether the application is a new application under the recently introduced Regulation governing caravan parks (as contended) or as a renewal of the Approval to operate a caravan park on the basis that park has continually operated (as contended by Mr Hooker. Mr Hooker is currently seeking legal opinion in this matter).
2. The number of moveable dwellings permissible on one site. The new Regulation clearly states that only one caravan may be installed on a single dwelling site (Clause 97) with a maximum of twelve (12) persons allowed to occupy a dwelling site at any one time (Clause 54).

The management of the park in the past has allowed for multiple occupancy of a single site. The Regulation is very clear that only one caravan/dwelling is permitted per site.

3. The upgrading of existing effluent collection, treatment and disposal. Padaso Pty Ltd have agreed to connect all the individual facilities into a disposal system and provide a common ablution and laundry block. The proposal is to connect all facilities to septic tanks (one septic tank for every 3-4 sites) with disposal by absorption trenches. The result would result in approximately seventeen (17) separate septic tanks and absorption trenches being located onsite along approximately 1km of riverfront, about 40m inland of the River bank.

Considerations

This Council agreed to a request from the HNCMT to all councils in the catchment area to not approve any more caravan parks on the river bank. For this reason and other considerations such as visual amenity, flood liability, consumer demand, bank stabilisation and effluent disposal, an application to develop a caravan park on this site would not be approved.

Any new caravan park (irrespective of its location) would require a package treatment plant for effluent disposal.

Under the Clean Waters Regulation 1972 Clause 11A, liquid wastes other than a domestic single household are of a prescribed class/description and as such, any work to upgrade the existing effluent system at the caravan park requires a Section 17K Approval under the Pollution Control Act 1970, prior to any work commencing.

The EPA is then the consent authority for effluent disposal, as the liquid wastes arising from the caravan park are of a prescribed class/description.

RECOMMENDATION:

Council institute legal action to require the existing caravan park to be upgraded in accordance with the Regulations, including the provision of a reticulated sewerage system to the "ensuites" or alternatively close the caravan park.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN423NBX.V12

****** END OF ITEM 140 ******

ITEM: 141**HAWKESBURY HOSPITAL, WINDSOR - CONSERVATION PLAN
AND ASSESSMENT - DRAFT SUBMISSION****FILE NUMBER:** P731/3005/EVD**REPORT:**

Council has received a Draft Conservation Plan and Planning Assessment for Hawkesbury Hospital, Windsor.

The report was prepared by Stafford Moor and Farrington (Architects & Planners) in association with Brian McDonald and Associates and Wendy Thorp on behalf of the Department of Health. The report is being finalised and will shortly be submitted to the Heritage Council of NSW for its endorsement. A copy of the final report will be forwarded to Council upon endorsement by the Heritage Council.

The report examines heritage conservation matters such as historical analysis, physical evidence, archaeological assessment and cultural and heritage significance. The report also proposes a number of policies and guidelines to manage the future re-development and re-use of the site and those buildings identified as having cultural significance.

The report states that the next significant items on the site are the Main Hospital Building, the Former Mortuary, the Convict Barracks Gable Store, and the fence at the south west corner. The cottages at No 308 and 310 George Street are also considered significant as contributors to the historic streetscape of George Street. Overall the site is considered significant for its historic associations and archaeological potential.

The plan proposes 35 recommendations. The major emphasis of the recommendations is to ensure that any future use recognises the cultural significance of the site and identified buildings and that subsequent development be carried out in a manner which maintains the integrity of the heritage precinct, the character of the historic township of Windsor and conforms with the recommendations of an adopted conservation plan.

Below is a summary of the main points of the conservation plan:-

Heritage Items (Constraints)

The main hospital building (1911 footprint), the old mortuary and corner fence are of high significance and they should be retained within an appropriate visual curtilage.

The cottages at 308 and 310 are of historic and aesthetic significance therefore their retention would be the most appropriate heritage conservation strategy. If this is not possible than any new development in this location must be as complimentary to the townscape as the cottages are.

The Main Building

The building is to be restored to a state which enables its Federation period (and earlier phases) to be interpreted.

Recommendations

1. Post 1911 additions and alterations should be removed to the maximum extent practicable. This includes verandah enclosures, the southern administration addition and the Johnston Wing.
2. The integrity of the main ward spaces, operating theatre suite spaces, and corner rooms should be preserved without further subdivisions.
3. The overall form of the building should be retained including the roof form.
4. Additions to the south, east and west of the main building should not be permitted. The limits of the "no building" curtilage should be:
 - i. West - to the boundary
 - ii. South - to the boundary
 - iii. East - the same dimensions as the southern boundary setback
5. Additions to the northern side near the kitchen wing are to be designed in a manner complimentary to the main building, or the kitchen wing could be retained and adapted to some other use.
6. The existing fabric of the construction phases up to the 1911 additions and alterations found to be in poor condition or requiring maintenance is to be restored eg restoring elements of the western verandah and restoration of timber windows to the wards at both levels.

Adaptive Re-use

The types of activities which may be considered must be tested against the constraints and conservation policies set down in the conservation plan to ensure their compatibility re the future use must adapt to the building more than the building adapt to the use.

The main constraints affecting the future use will be the form and appearance of the restored external envelope and the spatial characteristics of the significant rooms.

Possible uses for the main building are:-

- * Public uses - community group meeting rooms and facilities, museum, library, exhibition facilities, or convention centre

- * Commercial uses - specialty retail, offices for small business or small corporate centre, hospitality uses, commercial design or teaching institute
- * Institutional uses - school, college or aged care nursing home accommodation.

The Former Mortuary

This building dates from the 1820's and is of a high level of heritage significance and worthy of preservation. Removal of the Johnston Wing, water tower and boiler house will improve its curtilage.

Should an addition be made to the main building it should be low scale and not extend further north than the south wall of the present boiler house or further west than the alignment of the east wall of the Former Mortuary.

Recommendations

1. The early C19th form and fabric of the Former Mortuary is to be preserved.
2. Restoration should be restricted only to those processes which will aid its preservation addressing defects which threaten the long term survival of the significant fabric of the building. This includes restoration of the roof, ceiling, windows, and lost internal and external detail on the building. It is also recommended that the south eastern door opening be bricked up using compatible materials.

Adaptive Re-use

The scope for adaptive re-use of the Former Mortuary is limited by the fragility of its fabric and its small size. Examples of suitable uses are: common room, meeting room, dining area (associated with a detached food service facility), small exhibition space. Examples of inappropriate uses are: storeroom, kiosk, plant room and garden shed.

Should no compatible use be found, it should simply be preserved in its own right.

The Kitchen Wing

The kitchen wing is not considered of such significance that preservation is necessary. Retention of the building may be considered if it is of value to the adaptive re-use of the Main Building or the Former Mortuary.

Nos 308 and 310 George Street

The retention of the cottage's streetscape value within a redevelopment should be considered.

Adaptive re-use for retail or commercial purposes or residential use is possible.

Other Buildings

All other buildings and structures are considered to have such limited heritage significance that conservation is not warranted.

Archival Recording

The significant buildings and structures to be preserved should be archivally recorded in their existing state.

The kitchen wing, boiler house, water tower and Nos 308 and 310 George Street are not necessarily to be preserved, however should be archivally recorded.

All other buildings do not require archival recording.

Archaeological Resources

In the event that archaeological investigation is warranted, the below ground artifacts, structures and the like will need to be accurately plotted and recorded in accordance with an excavation permit issued under the NSW Heritage Act 1977.

Curtilages

Site development should allow an appropriate curtilage for the heritage items to be retained on the site ie the Main Building (1911 footprint), the Former Mortuary, the fence at the corner of Macquarie and Christie Streets. An appropriate curtilage should also be retained around Mrs Cope's house at 312 George Street.

Statutory Measures

The report recommends that the Main Hospital Building, the Former Mortuary and the fence at the south west corner of the site, together with the proposed curtilage should be listed as items of heritage significance under HLEP 1989.

Redevelopment of Remainder of Site

The remainder of the site lends itself to a range of use which include:-

* Residential

- detached housing
- medium density housing such as townhouses/villas or cluster housing
- retirement or aged care housing

* Commercial

- small/neighbourhood style commercial development such as banking, accounting or serviced business more than likely combined with some form of retail development.

* Retail

- small specialty retail development incorporating shops, food and beverage outlets
- larger scale department stores and discount stores, supermarket and retail outlets.

The preferred development options identified by the study are:-

* Housing

- self funding retirement housing estate utilising the Main Building as a communal facility for dining, recreation, library and administration
- medium density housing utilising the Main Building for communal facilities and the Former Mortuary as an exhibition space depicting the history of the site

* Commercial/Retail

- mixed retail/commercial development with the Main Building and Former Mortuary being used for specialty retail, offices, restaurants.

Attached to this report are the 35 (thirty-five) recommendations of the draft conservation plan.

RECOMMENDATION:

Agreed to a 3 part motion

That ~~this report~~ be received and noted.

ATTACHMENTS:

AT-1 Draft plan.

FN:EN423NBX.V13

**** END OF ITEM 141 ****

CONSERVATION POLICY

Recommendation 1

8.2.1 *Curtilage*

Further site development is to allow an appropriate curtilage for the heritage items to be retained on the site:

The Main Building [1911 footprint]
The Former Mortuary
The Fence at the corner of Macquarie and Christie Streets

An appropriate curtilage should also be retained around Mrs Cope's House at 312 George Street.

Recommendation 2

8.2.2 *Management of the Archaeological Resource*

Future works must be undertaken in accordance with the relics provisions of the NSW Heritage Act, 1977. An excavation permit is required under the Act for any disturbance or excavation of the land on the site.

Any works which disturb the ground surface must be under the oversight of an archaeologist approved by the Heritage Council.

Recommendation 3

8.3 *Tree Preservation*

A large Peppercorn Tree on the north east site boundary together with a Coral Tree on the north west site boundary have a high heritage value as they appear to be the oldest remnants of the cultural landscape of the hospital site and should be retained.

Several Silky Oaks in the middle of the site have aesthetic significance and should be retained if possible.

8.4.1 CONSERVATION POLICIES FOR THE MAIN BUILDING

Recommendation 4

Preservation

The overall form and footprint of the Main Building as it existed at 1911 is to be preserved.

All surviving fabric of construction phases up to the 1911. The existing spatial characteristics of the wards, corner rooms and operating theatre suite is to be preserved.

The double doors to the ground floor stair hall are to be preserved.

Recommendation 5

Restoration

Existing fabric of the construction phases up to the 1911 additions and alterations found to be in poor condition or requiring maintenance is to be restored. For example, this requirement would apply to elements of the western verandah e.g. posts, cast iron balustrades and flooring. It would also apply to restoration of timber windows to the wards at both levels.

Recommendation 6

Reconstruction

The extent of reconstruction will be dependent on the future use of the building. Desirably, all elements which were added after the Federation period changes of the building should be removed including the bathroom infills at the north and south ends and the lift. However, it is possible that these items may aid certain types of adaptive re-use and could be retained.

The essential reconstruction works, which in effect would mainly be "deconstruction" are:

1. Remove all north and south verandah infills at both levels and reconstruct the verandahs - on the south to the details shown in the 1920 photograph and on the north according to existing physical evidence of the late Victorian verandah details.
2. Remove the Johnston Wing and reconstruct the external appearance of the south west corner of the 1911 building.
3. Remove the administration extension and reconstruct the 1911 entry in accordance with photographic and documentary evidence.

Recommendation 7

Adaptive re-use

The continued preservation of the Main Building relies on its adaptation to a compatible new use. The types of activities which may be considered must be tested against the constraints and conservation policies set down in the conservation plan to ensure their compatibility.

Where significant internal fabric is encountered it should be preserved and restored.

New internal wall openings may be permitted to a limited extent and only of single door width.

Post 1911 openings may be blocked up wherever opportunities arise in the adaptive re-use design.

8.4.2 CONSERVATION POLICIES FOR THE FORMER MORTUARY

Recommendation 8

Preservation

The early C19th form and fabric of the Former Mortuary is to be preserved. Some stabilisation of the existing masonry structure will be required. Investigation by a suitably qualified and experienced engineer is necessary to report on the causes of and remedies for masonry cracks evident in the building.

The fabric of this building is very fragile, requiring a very cautious approach to any future works.

Part of the stabilisation process may involve measures to arrest the deterioration caused by rising damp. Impervious paving around and inside the building has aggravated this problem.

Recommendation 9

Restoration

The Former Mortuary is a relatively intact structure of the 1820s. Restoration should be restricted only to those processes which will aid its preservation addressing defects which threaten the long term survival of the significant fabric.

Items which are appropriate for restoration are:

1. Roof: ensure roof sheeting, gutters and downpipes are in good condition and can cope with rainwater.
2. Ceiling - restoration should be confined to the work necessary to stabilise the existing boarded ceiling areas leaving open the gap which provides a view into the roof structure.
3. Windows - restoration only to the extent required to put in working order - unblock the western window opening.
4. South eastern door opening - to be bricked up using compatible materials to original bricks and mortar.

5. Appearance - restoration should be confined to replacement of lost detail and repair. The Former Mortuary should still look like the Old Mortuary in completion.

Recommendation 10
Reconstruction

The building should be retained, subject to the Restoration Policy Guidelines, as it exists. Reconstruction is not warranted.

Recommendation 11
Adaptive re-use

The scope for adaptive re-use of the Former Mortuary is limited by the fragility of its fabric and its small size. This building, dating from the 1820s, is extremely rare and highly significant and its preservation and interpretation should not be prejudiced by inappropriate adaptation. In this regard any use which would impair appreciation of its small scale and spatial characteristics is unsuitable e.g. storeroom, kiosk, plant room [the present use], garden shed. Examples of Suitable uses are: common room, meeting room, dining area [associated with a detached food service facility], small exhibition space.

Should no compatible use be found, it should simply be preserved in its own right.

8.4.3 CONSERVATION POLICY FOR THE FENCE
Recommendation 12

The fence at the corner of Macquarie and Christie Streets should be preserved and unsympathetic repair works in some locations should be restored.

8.5.2 CONVICT BARRACKS GABLE STONE
Recommendation 13

The preferred policy is to display the gable stone in an appropriate and reasonably secure space in the Main Building or in close proximity, having carefully restored the original sandstone surface finish.

8.5.3 THE KITCHEN WING
Recommendation 14

The kitchen wing is not considered of such significance that preservation is necessary. Retention of the building may be considered if of some value to the adaptive re-use of the Main Building or the Former Mortuary.

If the Kitchen Wing is demolished it should be archivally recorded by measured drawings and photography.

8.5.4 NOS. 308 AND 310 GEORGE STREET
Recommendation 15

Retention of the cottages' streetscape value within a redevelopment should be considered. Adaptive re-use for retail or commercial purposes or residential use is possible.

If the cottages are not retained they should be archivally recorded by measured drawings and photography.

8.5.5 RADIOLOGY/ACCIDENT EMERGENCY

Recommendation 16

The fabric of the earlier building within the present structure has been so extensively modified that all accepted conservation approaches are not feasible. It is considered that so little is left that recording before demolition is not warranted.

8.5.6 OTHER BUILDINGS

Recommendation 17

All other buildings and structures are considered to have such limited heritage significance that conservation is not warranted. They may be demolished and do not require archival recording.

8.6.2 INTERPRETATION POLICIES

Recommendation 18

Archival recording

The significant buildings and structures to be preserved should be archivally recorded in their existing state by means of measured drawings in ink on film and black and white photographs. This policy applies to the Main Hospital Building, the Former Mortuary and the fence at the south west corner.

The buildings and structures which are of significance, but which are not necessarily to be preserved should also be archivally recorded. This interpretation policy applies to the Kitchen wing, Boiler House, Water Tower and Nos. 308 and 310 George Street. The archival records should be lodged with the NSW State Library and Council's Library, Local History Collection. Copies of this report should also be lodged in both locations. The Local Historical Society may also be able to incorporate these records in its collection.

Recommendation 19

Convict barracks gable stone

After restoration works to remove paint surfaces, the gable stone should be displayed, with an interpretative plaque, in a secure but accessible location within the Main Hospital Building where it will be as close as possible to the other 1920 physical fabric which is now embedded within the existing structure.

Recommendation 20

Displays and information

The early uses through the various periods of evolution of the site can be interpreted by a well designed interpretative display of text, photographs and plans. Depending upon the uses to which the retained buildings are to be put the display could be located in the entry of the Main Hospital Building or in the Former Mortuary. If the Former Mortuary is to be used in this manner, the interpretative material should be free standing within the space with no attachments to walls and no obscuring of windows.

Fold out A4 brochures might also be produced which interpret the Hawkesbury Hospital site and be made available to visitors at one of the retained buildings and/or Council Offices and/or Council's Library and/or through the local Historical Society.

Recommendation 21

Archaeological resources

If significant portable relics are retained from the site they must be professionally curated by cleaning, cataloguing and housing by the owner in an appropriate location on or near the site as recommended by the consultant archaeologist.

If the findings are significant, the records of investigations and [if feasible] features found on site could be interpreted in the manner already described for above ground items. Foundations of significant earlier structures may be incorporated in the site planning and design.

8.7 MANAGEMENT POLICIES

Recommendation 22

Statutory measures

This report recommends that the Main Hospital Building, the Former Mortuary and the fence at the south west corner of the site, together with the proposed curtilage should be listed as items of heritage significance in Hawkesbury Council's Planning Instrument.

The heritage provisions of the local Environmental Plan will apply in terms of management of future use and development in respect of these items; and the Convict Barracks Gable Stone and Mrs Cope's House, which are already listed heritage items.

Council's development consent will be required for any future use or physical works affecting the listed heritage items.

Compliance with the recommendations of this Conservation and Planning Study should be made a condition of any consent by the Council.

OWNER'S RESPONSIBILITIES

The recommendations for future conservation management are:

Recommendation 23

Conservation architect

A suitably qualified and experienced conservation architect should be employed by the owner to advise on future use decisions and to undertake planning, design and documentation of works for conservation and adaptive re-use.

Recommendation 24

Icomos Australia, Burra Charter

Decisions on future uses, physical intervention and new works should be made in accordance with the articles and guidelines of the ICOMOS AUSTRALIA, BURRA CHARTER.

Recommendation 25

Maintenance

A plan for cyclical maintenance of the buildings, structures and surrounding curtilage should be drawn up by the suitably qualified and experienced conservation architect and adhered to by the owner.

The maintenance plan should identify special technical requirements for the historic fabric, e.g.:

- brickwork
- stone
- timber joinery
- windows, doors
- window and door hardware
- paint and other traditional finishes
- lime plaster etc.

The maintenance plan should set down the cycles for inspection of the buildings' services and surroundings and for paint finishes internally and externally.

Recommendation 26

Conservation plan

The new owner[s] should be supplied with copies of this conservation and planning study as a guideline for future use, development and management.

10.0 STRATEGIES AND IMPLEMENTATION

10.1.1 RELATIONSHIP OF NEW DEVELOPMENT TO TOWNSCAPE CONTEXT

Recommendation 27

Any redevelopment of this site must take into account the broader heritage significance of the historic Township of Windsor. In this regard the Council will set certain parameters to ensure future buildings and structures are able to harmonise with the scale and forms of the elements of the historic townscape.

Large scale structures exceeding two storeys (or two storeys and attic space) or long horizontal buildings with unbroken wall planes will not fit into the townscape context.

10.1.2 RELATIONSHIP OF NEW DEVELOPMENT TO RETAINED BUILDINGS AND STRUCTURES

Recommendation 28

Curtilage of main building and old mortuary

A recommended zone prohibiting new development in the south west corner.

This zone includes: the open space between the Main Building and Former Mortuary to the west boundary; the space between the Main Building and the south boundary; a distance equivalent to the southern setback to the east of the Main Building and a distance to the north of the Old Mortuary equal to the present alignment of the south wall of the existing Services Building, extending east as far as the west face of the existing Radiology Building and then south face of the existing Radiology/Accident Emergency Building until the eastern boundary of the curtilage zone.

Limited redevelopment may be permitted in the location of the Kitchen Wing (if it is demolished) subject to restriction to one storey, containment to the existing footprint but only east of a line corresponding to the east face of the Former Mortuary and linked only to the Main Building at the site of the existing lift lobby.

Recommendation 29

Setbacks

Buildings to the east of the Main Building should adopt the same setback from the Macquarie Street boundary to preserve its aspect in the streetscape.

Along George Street the existing setback of Mrs Cope's House should be adopted as a building line.

Building setbacks to Christie Street, the east boundary and the property boundaries of Mrs Cope's House should be in accordance with Hawkesbury Council's Planning Controls and Policies for the zoning adopted for the land.

10.2.1 CONSERVATION STRATEGIES FOR MAIN BUILDING

Recommendation 30

Icomos Australia - Burra Charter

All work should be undertaken in accordance with the articles and guidelines of the ICOMOS Australia Burra Charter.

Recommendation 31
Information base

Before any consideration of new uses and consequent design is commenced the building should be accurately measured, drawn and photographically recorded in its present state. This measure is essential, in the light of the inadequate documentary records, to provide a proper basis for understanding the building's significant fabric in detail and documenting the adaptive re-use works to follow.

Recommendation 32
Adaptive re-use

New uses under consideration should be tested against the requirements of this planning and conservation study to assess their suitability in the building.

Uses which require further subdivision of existing ward spaces, former rooms and operating theatre suite are unacceptable. Partitioning would only be acceptable if reversible and restricted to glass walls, or solid only to door head height.

Uses which retain the verandah infills are unacceptable.

It would be preferable to remove the bathroom infills at the east and west ends of the building and the lift [including the lobby and motor room] should a use be found which does not require these elements. However, should it be difficult to find such a use, a new use which relies on retention of these elements may be considered.

Limited new construction in the kitchen wing area or adaptive re-use of the existing structure may be considered if accommodation of functions essential to the success of adaptive re-use is required outside the 1911 building footprint.

10.2.2 CONSERVATION STRATEGIES FOR FORMER MORTUARY

10.3 MONITORING AND REVIEW

Recommendation 34
10.3.1 Owner[s] Responsibilities

The owner[s] should be required as a condition of Council's development consent to ensure that:

- a) The processes of feasibility analysis, planning and detailed design are monitored by suitably qualified professionals against the requirements of this plan.

It should be the responsibility of the owner [and the owner's professional advisers] to assess proposals against the requirements of this plan at critical stages of the development processes, most importantly before finalising development and building applications.

- b) The Conservation Plan continues to be relevant to the heritage conservation needs of the site in the historic context of Windsor township.

Critical appraisal of the currency and relevance of the Conservation Plan should be undertaken as it is applied to evaluation of proposals. It should also be reviewed by the property owners at five year intervals to determine whether conditions have altered and whether the Conservation Plan requires amendment.

Recommendation 35
10.3.2 The Council

The Council should use the Conservation Plan as the yardstick against which proposals are assessed [as well as the Articles and Guidelines of the ICOMOS Australia, Burra Charter].

GENERAL PURPOSE COMMITTEE - ENVIRONMENT

Meeting Date: 23 April 1996

Item: 142

ITEM: 142**FORTNIGHTLY GARBAGE COLLECTION AND RECYCLING
SERVICE PROPOSAL FOR THE MACDONALD VALLEY AND
COLO HEIGHTS****FILE NUMBER:** GW010/017PT05/EVD**REPORT:**

At Council's meeting on 12 December 1995 it was resolved that letters be written to property owners in the Macdonald Valley and at Colo Heights advising them of a proposed change in their garbage collection and recycling service from weekly to fortnightly at 60% of the applicable garbage and vacant land charge and providing them with a suitable period for comment.

The background to this resolution concerns the costs of providing a weekly garbage and recycling service to these remote areas. It was reported to Council's meeting that the cost of providing a weekly garbage and recycling service to the Macdonald Valley was at least \$265 compared to the adopted garbage charge of \$126. The St Albans garbage and recycling service involves a round trip from Windsor of 185 kilometres in which there are 195 services. Council's garbage trucks can hold in excess of 400 services.

The following table indicates the cost of providing the service:

Cost Component	Cost per service per annum (\$)
Vehicle Running	149.97
Wages	38.13
Overheads	8.56
Sundry Collection Expenses	6.78
Disposal Costs	33.36
Purchase of Plant	14.11
Recycling Service	20.66 ¹
GROSS COST	271.57
Less Non Attributable Income	6.25
NET COST PER SERVICE	265.32
ADOPTED GARBAGE CHARGE	126.48
COST OF SUBSIDY	138.84

¹ This is the cost of the recycling service to Council but it would not be the cost borne by the contractor. The recycling service is also based on a flat charge throughout the City of

Hawkesbury irrespective of distance per service. It is certain that the urban areas would be subsidising this figure and hence the total cost of the subsidy would exceed \$138.84

Therefore, there is currently a subsidy well in excess of \$138 applying to each service in the Macdonald Valley and a total subsidy for the 195 services well in excess of \$27,000 per annum.

It is likely that a similar result would be obtained for Colo Heights where there is a round trip of approximately 80 kilometres for approximately 80 services.

Property owners in the Macdonald Valley and at Colo Heights were notified of the proposal and the following is a summary of the comments received.

Telephone Calls

- . Doesn't agree with change in service and also fact that if you were going to halve the garbage service, the fee should be halved and not be 60%.
- . No great difficulty with concept but for half a service should only pay half the charge.
- . Agrees with concept. Suggested a clean up service and expressed concern about recycling service.
- . Should only be 50% charge.
- . Should only be 50% charge and will need larger bins.
- . No problems with the fortnightly service but don't take service away.
- . If there is a fortnightly service could a larger recycling container be provided.
- . Smell will be horrific, unhygienic. Also it is a holiday area (Walmsley Road) and did not want to ask visitors to take their rubbish with them.
- . Has been paying a vacant land charge for garbage and would be happy with any reduction .
- . Would prefer no service at all.
- . Recycling service is a waste of time and requires a garbage pick up every week.
- . Can fit all waste in 2 bins, once a fortnight, but has concerns about odour and health.
- . Macdonald Valley School - fill 2 bins weekly, compost as much as possible but concerned about health implications. Cost of fortnightly service should also be 50%.
- . Will need 2 bins. Recycling service should be improved.
- . Does not use garbage service, takes garbage back to Sydney from weekender.

- . Will need 2 bins and also the charge should be 50% for half a service.
- . Only use half a 240 litre container - suggest that residents have the option of two 240 litre containers or improved recycling service.
- . Would prefer no garbage service at all.
- . Fortnightly service an outrage, unsanitary and obnoxious to store waste for 14 days. Suggests that the recycling service could be once every four weeks.
- . Glad that Council has finally put some of the responsibility on owners of properties to dispose of their waste environmentally.
- . Would like two bins for a fortnightly service and would pay the normal charge. Hawkesbury residents should be able to use the landfill at Wisemans Ferry.
- . Should be weekly service in school and Christmas holidays. Requests a recycling service for juice bottles, milk cartons etc.
- . Doesn't mind the fortnightly service as only uses half a bin a week.
- . If lose 50% of the service should only pay 50% of the fee.
- . Opposed to fortnightly service.
- . Should be half cost for half a service.

Letters

- . Garbage service should be extended down Wheelbarrow Ridge Road.
- . Objects to any reduction in the garbage service.
- . Very good idea.
- . Objects most vociferously to a fortnightly service (it wouldn't happen in Manly).
- . Objects on grounds of public health and hygiene
- . Complains about odour problems. Will Council provide a second bin?
- . Recommends fortnightly service proposal be abandoned.
- . Courthouse guesthouse - requires weekly service.
- . Objects to downgrading of the service.
- . Expresses concern about proposal on cost and health grounds.

- . Requests retention of weekly service.
- . Objects to fortnightly service on grounds that a single bin would not be sufficient. Also odour and fly problems.
- . Objects on grounds of health and the environment.
- . Settlers Arms Inn - requires weekly service.
- . Objects on grounds of increased littering.
- . Objects to fortnightly service but if service is to proceed request 2 bins instead of one.

The community consultation indicates a relatively even split between those who disagree in principle with a fortnightly service and those who raise no in principle objection but rather query certain aspects such as cost and the effectiveness of the recycling service.

The majority of households in the Macdonald Valley and Colo Heights garbage runs did not provide any comments to the notification of a change in service.

Those objecting to the change in service generally raised health and hygiene as reasons for their opposition. A fortnightly collection service will require more consideration in the disposal of waste, particularly in summer, but provided garbage is placed in sealed bags there should not be a problem with vermin or flies. A fortnightly collection service already applies in the Upper Macdonald from St Albans to Gorricks Run and to date there has been no cause for complaint from residents on health and hygiene grounds.

The total savings which will accrue from altering these runs to fortnightly pickups for both garbage and recycling will be in the order of \$30,000 to \$40,000 per annum. The precise savings will be dependent upon the outcome of the recycling tender (elsewhere reported). The current contract provides an extraordinarily low cost of \$20.66 per household per annum for recycling irrespective of location. The real cost of providing a recycling service to the Macdonald Valley and Colo Heights would greatly exceed this figure.

Whilst the actual saving is comparatively small in terms of the total operating expenses for Waste Management of \$2,602,368 in 1995/96, presuming the fortnightly service for these two areas is successful, further extension of fortnightly collection would produce more substantial savings.

It is likely that in the 1996/97 budget there will be a significant increase in the garbage charge as a direct result of an increase in operating expenses at the South Windsor Waste Depot. This can be attributed to the large capital investment in excavating deeper cells and constructing them in accordance with the EPA's new guidelines for solid waste landfills. However, there may be significant further additional expenditure required to provide an effective recycling facility and to increase the buffer area around the Waste Depot.

It is a matter of concern that the finance for such improvements can only be obtained by further significant increases in the garbage charge or alternatively some reduction in collection costs or a combination of both.

Historically, the City of Hawkesbury has been able to offer its rural residents at a very reasonable price a level of garbage and recycling service far superior to most of our adjoining Councils. For example Baulkham Hills and Hornsby Shire Councils do not provide a garbage service to their rural areas. The provision of a garbage service to residents in these LGAs as a means of funding a continuation of the weekly service in the Macdonald Valley has been discussed with officers of both Councils but cannot proceed for a number of reasons.

Baulkham Hills Shire Council is currently preparing a tender for the provision of a garbage service by locality to its rural areas. Therefore Council would need to tender for a locality. Hornsby Shire Council has sanctioned private contractors to enter into direct arrangements with residents and does not wish to infringe on these arrangements. In any case, it is likely that Hawkesbury City Council would need to charge \$300 per service per annum for residents in either Baulkham Hills or Hornsby Shire Council areas to allow the cross boundary arrangement to operate. It is unlikely that such a charge would be acceptable to their residents even if it was supported by the Councils.

In these circumstances it is recommended that Council implement a fortnightly garbage collection and recycling service for the Macdonald Valley and Colo Heights runs and that depending upon the success of the service that consideration be given to its more widespread application to other outlying rural areas.

In response to a number of comments, the fortnightly charge should be fixed at 50% of the applicable 240 litre garbage charge and provision be made for residents to have a second garbage bin at no cost for 100% of the applicable 240 litre garbage charge.

Arrangements can be made with the Parks Section to empty bins from commercial properties in St Albans on alternate weeks to the fortnightly garbage service. This arrangement would provide a continuation of the weekly garbage service to the Settlers Arms, the Court House Guesthouse, the Fickle Wombat and the Macdonald Valley School.

RECOMMENDATION:

That Council proceed to implement a fortnightly garbage collection and recycling service for the Macdonald Valley and Colo Heights in 1996/97 for 50% of the applicable 240 litre garbage charge with residents being provided with the opportunity of having a second bin at no cost for 100% of the applicable 240 litre garbage charge.

Further that a weekly garbage collection service be rendered for the Settlers Arms, the Court House guesthouse, the Fickle Wombat and the Macdonald Valley School for 100% of the applicable garbage charge. The vacant land charge would accordingly be reduced by 50%.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN423NBX.V14

****** END OF ITEM 142 ******

ITEM: 143 ✓

EXHIBITION OF DRAFT LOCAL ENVIRONMENTAL PLANS -
"THE ISLANDS", HERMITAGE ROAD, KURRAJONG -
PROPOSED 32 LOT COMMUNITY TITLE SUBDIVISION ON
LITTLE ISLAND - PROPOSED LIMITS ON DEVELOPMENT OF
MIDDLE ISLAND AND BIG ISLAND

FILE NUMBER: LEP002/96;LEP003/96;LEP004/96;SA065/94;DA65/95/EVD

REPORT: Don Fox

Background

At Council's meeting on 11 July 1995, it was resolved as follows:

- "1. That Council support the principle of a 32 lot community title subdivision (30 lots with building entitlement) generally as proposed with the final lot boundaries and conditions to be determined by the Divisional Manager Environment & Development under delegated authority in consultation with the Hawkesbury Nepean Catchment Management Trust with particular attention to effluent disposal, water supply, erosion control, runoff and proximity of development to the creek.
2. That the final application and conditional approval be referred to the Director of Urban Affairs and Planning for concurrence under State Environmental Planning Policy No.1.
3. Council resolve to prepare a draft local environmental plan to:
 - . prevent any subdivision of Middle Island and Big Island
 - . prevent vegetation clearing on Big Island
 - . prevent vegetation clearing on the escarpment being that area above the existing cleared areas of Little Island and Middle Island
 - . limit development on Big Island to a single dwelling with consent and recreational use not involving the felling of trees and/or removal of vegetation
4. That Council chair a consultative committee of the applicant and community members in relation to the progress of this matter and the committee operate for 12 months with quarterly reports to Council."

Subsequently, the Department of Urban Affairs and Planning advised that they would not consider the application for subdivision under State Environmental Planning Policy No.1 but would require the preparation of a Draft Local Environmental Plan.

A draft local environmental plan was subsequently referred to the Department and a Section 65 Certificate allowing the draft local environmental plan for the subdivision to be placed on public exhibition was received on 28 December 1995.

The Section 65 Certificate required that the draft local environmental plan be amended to require the provision of an integrated system of waste water management to be implemented and maintained on the land and that water discharge and runoff will maintain or improve existing levels of water quality.

The LEP was also certified on the understanding that Council would proceed to consolidate the subdivision potential of Middle and Big Islands and that the LEPs be processed concurrently.

In the implementation of Council's resolution it was decided to draft two new zones for Hawkesbury Local Environmental Plan 1989 and to apply one of those zones to Middle and Big Islands. The creation of two new zones would allow Council to respond to recent requests for lot averaging or concessional bonuses by creating a residue zoning appropriate for environmentally sensitive areas and other residue zoning appropriate for agricultural land.

For the residues of Little, Middle and Big Islands, a new zone No.7(e) (Environment Protection - Consolidated Land Holdings) was created. The objectives of the 7(e) zone are:

- (a) *to prohibit further subdivision of the land other than by minor boundary adjustment;*
- (b) *to preserve areas of significant vegetation stands;*
- (c) *to protect varieties of wildlife and their associated habitats and corridors;*
- (d) *to retain the visual and scenic qualities of the escarpment ridges and footslopes;*
- (e) *to ensure that development and land management practices do not have an adverse effect on water catchments, water quality, land surface conditions, important ecosystems such as streams and wetlands,*
- (f) *to ensure that existing and future land uses and land management practices do not lead to a diminution of the environmental values of the land; and*
- (g) *to permit only minimal development to ensure that the environmental value of the land is not compromised.*

The 7(e) zone proposes a significant restriction on land uses being limited to a dwelling house; agriculture not requiring the felling of trees carried out on lawfully cleared land; home activity; recreational establishment not involving the felling of trees; tourist facility not involving the felling of trees; works for the purpose of landscaping, gardening or bushfire hazard reduction; recreational uses not involving the felling of trees.

Exhibition of Draft Local Environmental Plans

Three related local environmental plans were placed on public exhibition from 24 January 1996 up to and including 23 February 1996.

LEP 2/96 aims to permit a 32 lot community title subdivision (30 lots with building entitlement) on Part of Lot 182 DP 701978 (Little Island), Hermitage Road, Kurrajong. The proposed subdivision would be generally in accordance with that considered by Council in July 1995, although the exact lot boundaries and lot areas have yet to be finalised.

LEP 3/96 proposes to rezone the residue of The Islands (part of Little Island, all of Middle Island and all of Big Island) Environmental Protection 7(e) (Consolidated Land Holdings). This would control the use of the residue of The Islands and prohibit subdivision as outlined.

LEP 4/96 proposes to add to new zones to Hawkesbury Local Environmental Plan 1989. These are the Environmental Protection 7(e) (Consolidated Land Holdings) zone and a second zone which could be applied to the residue of agricultural land which may be the subject of lot averaging (eg the Kemsley Downs property at North Richmond). This zone is titled Rural 1(d) (Consolidated Land Holdings) and similarly prohibits subdivision but permits a broader range of land uses including agriculture.

As a consequence of the public exhibition process, submissions have been received from the applicant, residents and public authorities. The following is a summary of the submissions:

Don Fox Planning Pty Ltd (the applicant)

Objects to the proposed zoning provisions restricting land uses on the residue of The Islands because of their severe financial impact on Mr Harris, the draft plans being outside the terms of Council's resolution of 11 July 1995, loss of land use entitlements under the existing zoning and also the likely administration costs for Council, should such plans be implemented on other properties throughout the local government area.

Specifically, it is proposed that a separate local environmental plan for the 32 lot community title subdivision on Little Island be prepared, with the residue of Little, Middle and Big Islands restricted from further subdivision. Don Fox Planning recommends that the existing range of permissible land uses under the current 7(d1) Environmental Protection Scenic zone be retained for the residue.

Requests that Council reconsider its position in respect of the draft local environmental plans on exhibition.

Mr F Scharfe

Proposes that there be development only to the east of the Hawkesbury River. Suggests that there is ample land east of Windsor/Richmond, such as Pitt Town, Oakville, Maraylya and Vineyard for development.

E Conquest

Expresses concern about the narrowness and widening nature of Hermitage Road, the quality of the buildings on the proposed subdivision and the community title not being financially viable.

J Shand

Expresses concern about access to Lot 3 from the existing public road as well as from a lower entrance which is being used by agreement with Mr Harris. Accepts an assurance from M Coulter that Hawkesbury Council would not allow Lot 3 to become landlocked.

Suggests the best alternative would be for Mr Harris to dedicate the access road down to the current entrance gate or, alternatively, to the first bridge.

Hawkesbury Nepean Catchment Management Trust

Recommends that the subdivision of Little Island not be gazetted before the LEP to control the use of the residue of the property. Generally supports the provisions of the draft local environmental plans. Recommends further fauna studies and queries whether the new Threatened Species Conservation Act 1995 applies to the site.

Recommends that only a single dwelling be allowed on each lot and that development consent be required for dwellings.

The Trust strongly supports the preparation of Amendment No.72 to rezone the remainder of the property 7(e) to prohibit subdivision, vegetation clearing and limit development.

Marie Bird, Hawkesbury Action Group

Requests a response to a number of questions, being whether the developer has been granted permission to draw a water supply from the existing creeks; whether arrangements have been made to collect manure and urine from two hundred horses; has developer been requested to remove the horses at present grazing on National Park land; whether Council permitted/supervised the large amount of tree clearing undertaken; future of wildlife and flora; relationship to World Heritage listing for the Blue Mountains; consider increase in traffic if site becomes an Olympic venue; whether details have been provided to minimise soil erosion.

National Parks and Wildlife Service

The Service supports the objectives of the Council resolutions and states that the draft LEP has the potential to protect most of the values of concern to the Service. A number of minor comments were made including the scale of a dwelling on Big Island; the term "felling of trees" be replaced with "felling of trees or clearing of native vegetation"; horse riding activities should require Council consent in the 7(e) zoning; Council should consider whether any threatened species list on Schedules 1 and 2 of the Threatened Species Act 1995 occur in the area.

The Islands Consultative Committee

The Islands Consultative Committee met on 28 February 1996 and again on 19 March 1996.

The major issues which have been raised by the Consultative Committee have been access and particularly the upgrading of Hermitage Road and also water cycle concerns in relation to both the subdivision on Little Island and the equestrian facility on Middle Island.

This report concerns only proposed draft local environmental plans and the draft local environmental plan for the proposed subdivision on Little Island. The proposed equestrian facility on Middle Island will be the subject of a separate report with separate conditions and road construction requirements.

Planning Assessment

In general, there has been no in principle objection to the proposed trade-off which provides an increase subdivision entitlement for the property on Little Island in exchange for the prohibition on subdivision over the remainder of the property and the limitation on land uses.

Subject to further detailed planning, including requirements for the upgrading of Hermitage Road and the actual configuration of the allotments, there has been no suggestion that the proposed lot yield on Little Island is excessive or beyond the capability of the land.

However, as a consequence of the exhibition of the draft local environmental plans and discussions with the applicant and the property owner, it is apparent that there is disagreement as to the land use restrictions which should apply over the residue of the property.

At Council's meeting on 11 July 1995 it was resolved to prepare a draft local environmental plan to:

- . *prevent any subdivision of Middle Island and Big Island*
- . *prevent vegetation clearing on Big Island*
- . *prevent vegetation clearing on the "escarpment" being that area above the existing cleared areas of Little Island and Middle Island*
- . *limit development on Big Island to a single dwelling with consent and recreational use not involving the felling of trees and/or removal of vegetation*

The applicant takes issue with the provisions of the proposed 7(e) zone which prohibits the felling of trees on Big Island and also the limitation on development of Middle Island and Big Island to a very restricted range of activities not involving the felling of trees.

The applicant correctly indicates that the proposed restriction on development of Middle Island is outside Council's resolution.

In relation to the other issues, the applicant states the following:

"Council would be aware that there have been many discussions and, indeed, site inspections regarding the rezoning request and also a development application for the establishment of an equestrian and tourist facility on Middle Island, with recreation use also proposed on Big Island. There was, on our understanding, general agreement reached in respect to the transfer of subdivision entitlements and no further subdivision of the residue of Little, Middle or Big Islands and that there would be no development permitted generally along creek lines or, indeed, the lower Blue Mountains escarpment.

Whilst amendment 71 permits the 32 lot community title subdivision as sought, we express our grave concerns regarding the impact of Amendment 72 and 73 in respect to our client's land holdings. These amendments in broad terms are:

prohibit the felling of any trees on the balance of the lands outside the 32 lot subdivision and significantly reduces land uses presently permissible under the present 7(d1)(Environmental Protection Scenic) zone.

Clearly, this will have a significant impact on the value of our client's residue land holdings and, indeed, an impact on borrowing against such land holdings to facilitate other development. Development options and any expansion of uses now proposed are severely restricted. Council should also be concerned as to the administrative costs associated with the very restricted land uses and the fact that no trees at all can be removed from the property under the draft local environmental plans.

As part of submissions to Council for rezoning and development approval, a plan was prepared by McKinlay Morgan and Associates, consulting surveyors and project managers which comprised an overall concept plan for The Islands delineating four separate parcels, parcel one being a scenic reserve or land identified along creeks of the lower Blue Mountains escarpment as land to be retained in its natural state. Our client still wishes to adhere to this principle, a copy of this plan is attached for Council's information. [Plan attached to report]

Under the present 7(d1) (Environmental Protection Scenic) zone there are five objectives regarding development of the land which, in general terms protect vegetation, scenic corridors, valley areas, hilltops and the like. These are in line with our client's proposals for development of the land. The range of land uses is extensive, with the only land uses prohibited being advertising structures, bulky goods, sales rooms or show rooms, commercial premises, extractive industries, industries, offensive or hazardous industries, light industries, motor showrooms, residential flat buildings, service stations, shops and warehouses.

Council has previously been advised of the land being logged and, indeed, areas cleared to facilitate pasture and also development proposals by the previous owner, Dr Larkin, under development consents granted by council. It would be unfair to say that the lower slopes or more level areas of the three islands themselves are in pristine condition. Council also has a tree preservation order which protects the felling of trees.

In our opinion, it would be more appropriate to have a separate local environmental plan providing for the 32 lot community title subdivision on Little Island, with the residue of Little Island, Middle Island and Big Island, restricted from further subdivision, however, retaining the existing land uses permissible under the present 7(d1)(Environmental Protection Scenic) zone. The same objectives for this zone should also apply. The local environmental plan should also show areas where development such as agriculture or other uses is prohibited in order that the areas remain in the present pristine state. We would be happy to prepare such a plan in company with Council. It is also suggested that agriculture, including the clearing of land, be a matter requiring development consent ..."

As indicated, it is accepted that the proposed additional land use controls on Middle Island are outside the terms of Council's resolution and given the extent of clearing on Middle Island are unduly restrictive. Accordingly, there is no objection to Mr Fox's suggestion that the existing permissible land uses under the 7(d1) zone continue to apply for Middle Island.

Whilst Mr Fox indicates that the prohibition on vegetation clearing on Big Island was not in accordance with agreements generally reached, it was plainly stated in the resolution of 11 July 1995. There has been logging and relatively limited clearing for pasture growth on Big Island. Mr Harris has not lodged any development applications for clearing on Big Island but seeks to retain the right for Council to consider such an application, possibly for grazing purposes.

Big Island contains a substantial area of land which has been classified by NSW Agriculture as Class 4. In an agricultural land classification rating from 1 to 5, Class 4 land is marginal land not suitable for cultivation and with low to very low productivity for grazing. Overall level of production is low and environmental constraints make arable agriculture uneconomic. Any agricultural use is generally based on native pastures or improved pastures established using minimum tillage techniques.

On the basis of contour maps and an inspection of Big Island, its definition as Class 4 agriculture land is appropriate. There is perhaps in excess of 100 hectares of reasonably level land which could be cleared to provide relatively poor to average pasture for grazing. The productivity of the land would be dependent upon the extent of clearing and pasture improvement including the use of introduced grass species and fertiliser.

The environmental cost/benefit of substantial clearing on Big Island is questioned, given the extensive area of natural vegetation and the fact that it is more marginal agricultural land. It should also be considered that the owner has been provided with a 50% increase on the properties lot entitlement through the proposed 32 lot (30 lots with building entitlements) subdivision of Little Island.

There is no objection to the use of Big Island for purposes of passive recreation, including horse riding.

Accordingly, it is not considered that the draft local environmental plan should be amended for Big Island. In response to other issues raised in the submissions, the proposed subdivision of Little Island will not permit any water to be drawn from the existing creeks. The proposed subdivision would occur on land which has been extensively cleared and there is no basis to assume that its subdivision would be affected by the Threatened Species Act 1995.

The proposed subdivision on Little Island results in a relatively minor addition to existing traffic flows on Hermitage Road and Council may require reasonable works and/or contributions under Section 94 of the Environmental Planning and Assessment Act as a condition of development consent.

In summary, the exhibited draft local environmental plan should be amended to retain the existing permissible land uses on Middle Island below the escarpment, but retain the restricted 7(e) zoning for Big Island, the escarpment and creek lines including a prohibition on the felling of trees.

RECOMMENDATION:

- A. That Draft Local Environmental Plan 2/96 to permit a 32 [thirty two] lot community title subdivision (30 [thirty] lots with building entitlement) on part of Lot 182 DP 701978 (Little Island), Hermitage Road, Kurrajong, be referred to the Department of Urban Affairs and Planning for final gazettal.
- B. That Draft Local Environmental Plan 3/96 be amended to retain the existing Environmental Protection Scenic 7(d1) zone on that part of Little Island proposed to be subdivided and that part of Middle Island below the escarpment. Otherwise, the provisions of Draft Local Environmental Plan 3/96, including the prohibition on the felling of trees be retained. Further, that Draft Local Environmental Plan 3/96 as amended be referred to the Department of Urban Affairs and Planning for final gazettal.

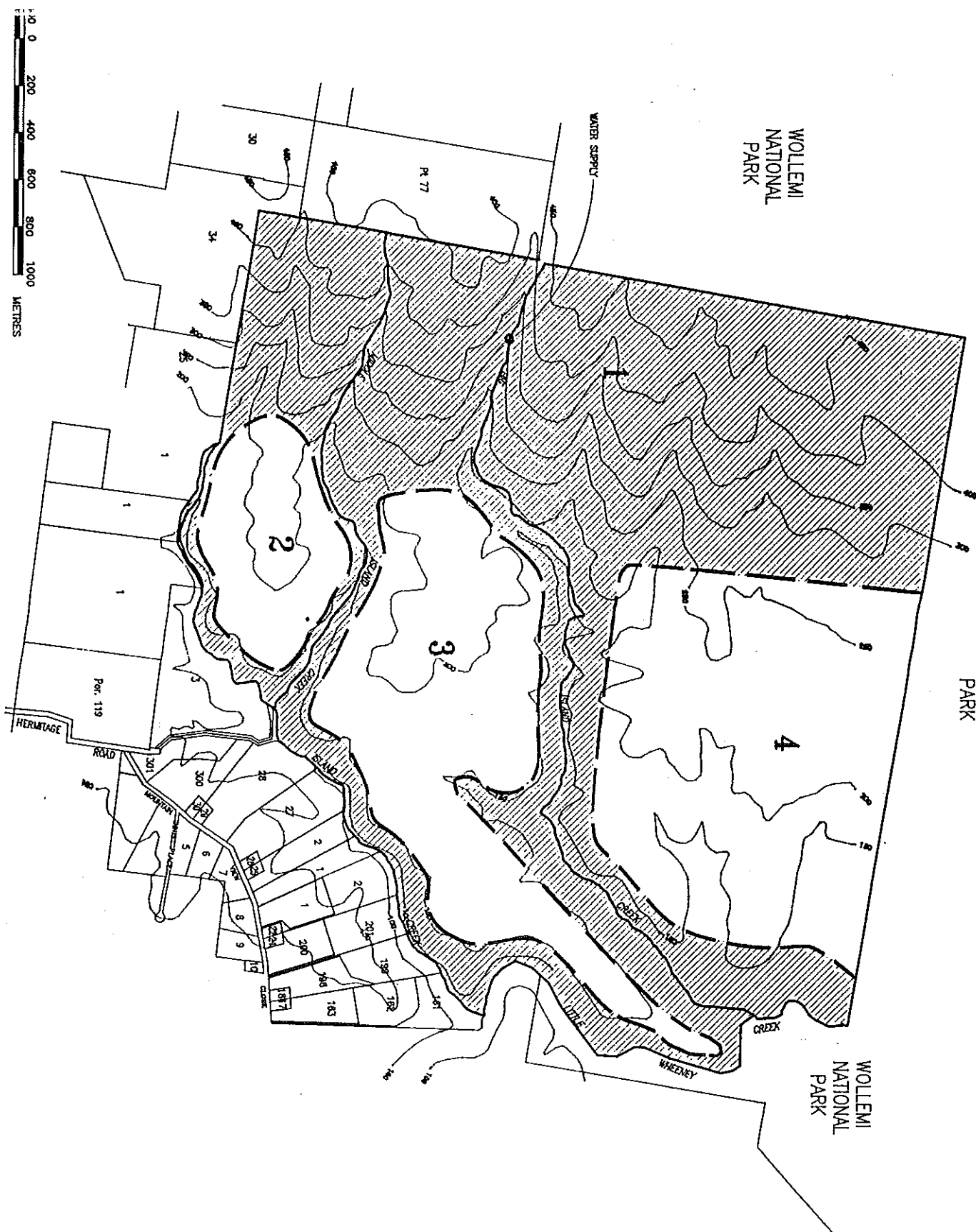
ATTACHMENTS:

AT-1 Site Plan.

AT-2 Development Plan.

FN:EN423NBX.V08

**** END OF ITEM 143 ****



1. SCENIC RESERVE
2. RURAL RESIDENTIAL DEVELOPMENT
3. EQUESTRIAN & TOURIST FACILITIES
4. PASSIVE RECREATION



ADJUSTMENTS	A	B	C	D
Date				

McKINLAY MORGAN & ASSOCIATES PTY LTD
CONSULTING SURVEYORS - PROJECT MANAGERS
A.C.N. 003 780 628

DATE 31-03-85
FILE NO. 89737

CLIENT NAME HOWARD HARRIS
LOCALITY THE ISLANDS

LGA HAWKESBURY

ITEM: 144

*WITHDRAWN*GUIDED HORSE TRAIL RIDES ALONG EXISTING FIRE TRAILS -
LOT 202, 203 DP206301 - NO 380-382 LIEUTENANT BOWEN
DRIVE - BOWEN MOUNTAIN

FILE NUMBER: DA288/95/EVD

REPORT:

This matter was deferred from Council's ordinary meeting of 9 April 1996 to allow the applicant the opportunity to have further discussions with the Bushfire Brigade and the residents of Bowen Mountain.

Discussions have now taken place between the parties involved. The Bushfire Brigade is not prepared to support the proposed activity due to the high fire risk and the deterioration of the fire trails.

The Bowen Mountain Association sought an extension of time to respond due to the short notice given, which reads:-

"I refer to your recent letter concerning a proposal for commercial horse trail rides on Bowen Mountain. The Bowen Mountain Association Inc appreciates the opportunity to comment on this development application and will provide submission following our next executive meeting.

We would also like to have a representative address the GPC on the 30th April, 1996

Although we will endeavour to have our response to Council by the 16th April, it would be appreciated if you could extend the deadline until the 22nd April to allow us to formulate our response. We are inviting all residents to the next executive meeting on the 15th April and we would like the extra time to ensure we have covered all residents opinions properly."

It would seem unreasonable to defer determination of the application for another month.

The report to Council's meeting of the 26 March 1996 is reproduced below:

Applicant:	Mr S Antcliff
Applicants Reps:	Unknown
Owner:	Department of Land and Water Conservation
Stat. Provisions:	HLEP 1989
Area:	Lot 202 - 1233m ² , Lot 203 (vacant) 1239m ²
Zone:	Environmental Protection (Scenic) 7(d)
Advertising:	Advertised with 2 submissions - 1 support and 1 objection
Date Received:	19 December 1995

Key Issues:

High Bush Fire Risk Area, Restricted Access

Action:

Approval subject to conditions.

REPORT:

The applicant has provided the following, information:

"The land is currently Crown Recreational Reserve and acts as a buffer zone between the villages of Kurrajong Heights and Bowen Mountain and the Blue Mountains National Park.

Permission is sought to run an hourly and daily horse hire business consisting of six horses and one guide (on a horse) to give a relaxing and informative tour of the Lower Blue Mountains. The topics covered will be basic horse handling, local plants and flowers, local wildlife, mammals, reptiles and bird life as well as local history on the way.

The horses will be walking on the existing fire trails only and no walking trails will be used. The customers will not be permitted to ride any faster than a walk and they must wear helmets at all times. No customers will be permitted to ride unattended.

The idea of the company is to promote the Hawkesbury's heritage as well as its unique flora and fauna at the leisurely pace of horseback.

The fire trails for intended use are:

- * *The Western Ridge Trail*
- * *Horse Paddock Trail*
- * *Bowen Trail*
- * *Clewetts Trail*
- * *Southern Trail*
- * *Eastern Trail*
- * *Duffy's Trail*
- * *Bunning Trail*
- * *Jamiesons Trail*
- * *Scrimmages*
- * *Burralow Fire Trail*
- * *Burralow Road*

The tours would start and finish at 382 Lt Bowen Drive, Bowen Mountain where car parking will be provided as this is my primary residence. I am offering a very personalised service and individual needs will be catered for, such as basic tuition before departure.

The guide would be in contact with the base or emergency services by mobile phone and access can be gained by car if necessary to pick up the customers or to pick up sick or injured horses if the need arose.

Tours would not be operated in extreme temperature conditions such as heat wave, or extreme wet weather and smoking would not be permitted once the tour has commenced. Tours will not be run in extreme wet so as to keep erosion of the fire trails to an absolute minimum. In addition because the horses will only be walking, it could possibly help keep weed growth down on the more seldom used fire trails. At the same time, to prevent the horses bringing in weeds, to the Reserve, every horse will be fed crushed or pellet feeds so that weeds could not be spread through the horses' faeces and each horse will have its feet cleaned at the start of each day to prevent weeds entering the Reserve by way of their feet.

I would also be more than willing to make a contribution to the upkeep and maintenance of the fire trails in use".

Statutory Situation

The proposal is permissible under Councils planning scheme.

The trails are throughout Crown Reserve Land owned by the Department of Land and Water Conservation under the care, control and management of this Council.

Community Response

One letter of support was submitted as a result of Councils advertising policy. Numerous letters of support were submitted with the application.

National Parks and Wildlife Service and the Department of Land and Water Conservation raise no objection to the proposal, subject to conditions.

Objection is raised from the Fire Control Officer for the following reasons:-

- * increased risk of fire ignition;
- * increased damage to fire trails;
- * perceived lack of responsibility of users;
- * gate keeping;
- * setting precedent; and
- * possible loss of life in the event of fire.

Planning Assessment

The activity will start from the applicants property which contains an existing stable complex located behind the existing residence. Natural bush exists behind the stables.

Five (5) carparking spaces are proposed on the adjacent vacant allotment owned by the applicant. Located at the end of Lieutenant Bowen Drive, a large cul-de-sac exists for a satisfactory vehicle turning area. Under normal circumstances, vehicles are required to enter and leave business premises in a forward direction. Given the location and low amenity, it is considered that this is not required. However, a revised parking layout should be provided so as to keep clear at an existing drainage pit.

The applicant has demonstrated that with satisfactory management of this business, the horse trail guided tours will not detrimentally interfere with the amenity of the local environment. The applicant has indicated that he is prepared to contribute towards maintenance of the fire trails.

Earth mound landscaping and bunding can be provided to enhance the carparking and stable area.

Fire controls concerns are noted however, the applicant has demonstrated a willingness and desire to manage the business in an environmentally sympathetic manner

The applicant has also provided insurance details indemnifying the Crown and Council against injury.

RECOMMENDATION:

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

1. The development be carried out generally in accordance with plans and documentation submitted with the application and where modified by conditions.
2. The activity shall be carried out in accordance with the 'National Parks Horse Riding Code'.
3. A satisfactory management plan shall be submitted and approved to the satisfaction of the Director Environment and Development detailing the care, control and maintenance of the fire trails prior to the commencement of the activity.
4. Parking shall be provided for 5 (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, with a dust free compacted crushed rock pavement drained, and marked. Full details of works shall be submitted for approval prior to commencement of construction.
5. The car park layout to be redesigned to provide unobstructed access to the letterbox pit located in the road shoulder. Details to be submitted and approved prior to construction.

6. No advertising structures to be erected, displayed or affixed on any building or land without prior approval. Any unauthorised advertising structure will be removed at the expense of the advertiser.
7. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.
8. 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.
9. The subject development, including landscaping, is to be maintained in a clean and tidy manner to the satisfaction of the Director Environment & Development at all times and any direction given in this regard is to be complied with forthwith.
10. Operating hours shall be limited to 8.00am to 5.00pm Thursday to Sundays. Any alteration of these hours will require the approval of the Director Environment and Development.
11. Not more than 6 (six) horses are to be accommodated on the premises at any given time.
12. Horses when not in use, shall be confined to their stables and manure to be removed from the site.
13. A 'Certificate of Currency' shall be submitted and approved indemnifying Hawkesbury City Council against action as a result of this approved use prior to the use commencing.
14. No vehicles shall be used as part of this activity except in emergencies.

ATTACHMENTS:

AT-1 Locality of trails plan.

FN:EN423NBX.V16

**** END OF ITEM 144 ****

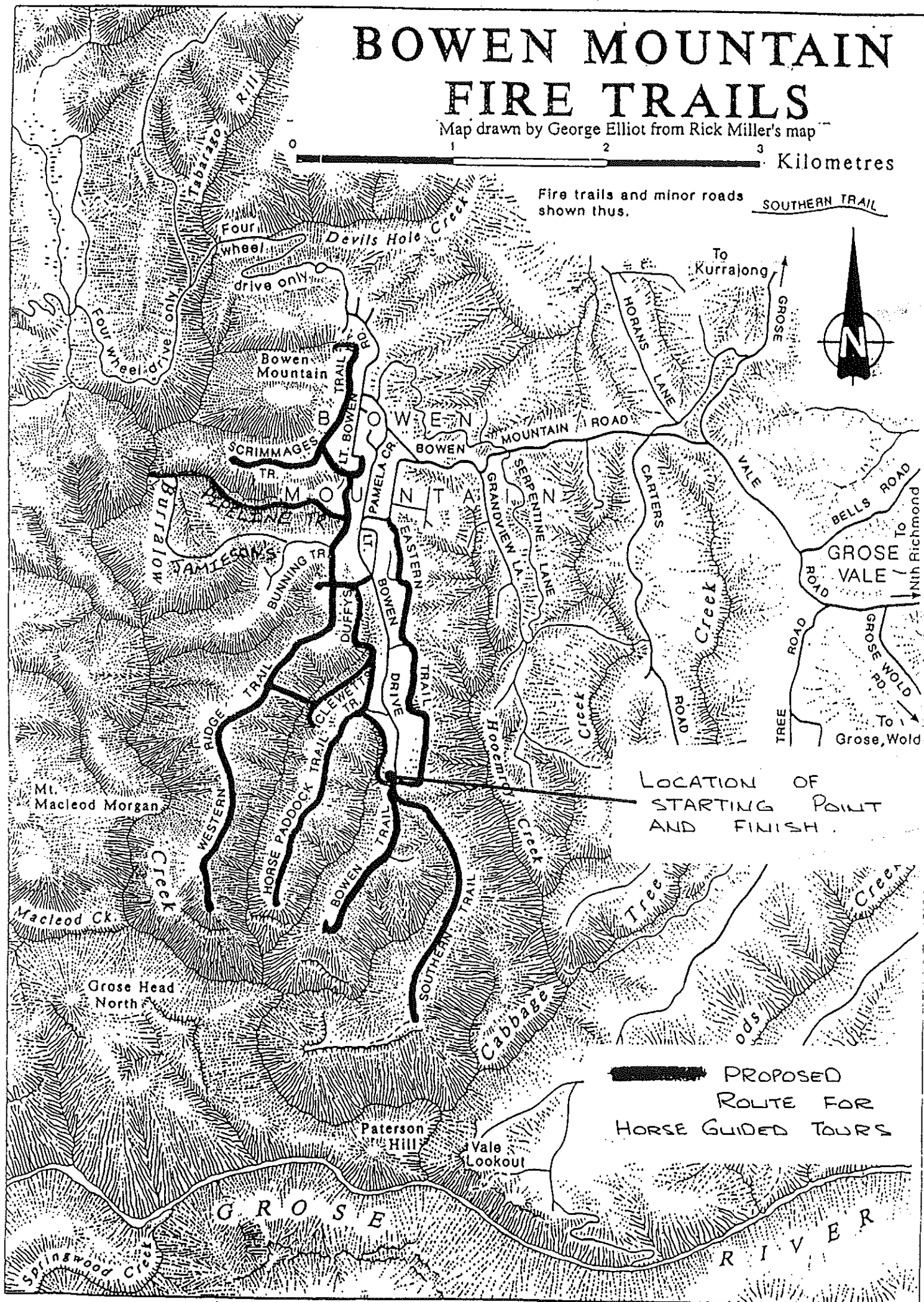
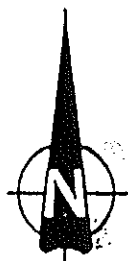
BOWEN MOUNTAIN FIRE TRAILS

Map drawn by George Elliot from Rick Miller's map

0 1 2 3 Kilometres

Fire trails and minor roads shown thus.

SOUTHERN TRAIL



LOCATION OF
STARTING POINT
AND FINISH

**PROPOSED
ROUTE FOR
HORSE GUIDED TOURS**

ITEM: 145 ✓**RECYCLING CONTRACT - IMPENDING TENDERING FOR
RECYCLING CONTRACT - SEPTEMBER 1996****FILE NUMBER:** GC270/043 PT02/EVD**REPORT:**

The current contract for the provision of our kerbside recycling service is to expire on the 5 September 1996.

In order that ample time is given for the compilation of the tender, and also the exploration of the numerous methods available to provide this service, a tender for kerbside collection of recyclable materials is currently being prepared.

It is envisaged that the tender will offer a wide range of alternatives for the provision of the recycling service, including a continuation of the current service, an upgrading of the current service by extending the range of recyclables collected, and the introduction of a co-mingled 240 litre container collected on either a weekly or fortnightly basis.

Council will then have a wide variety of options with corresponding costs to choose from.

RECOMMENDATION:

That Council supports the investigation and preparation of a tender for kerbside collection of recyclable materials to commence on the 5 of September 1996.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN423NBX.V17

**** END OF ITEM 145 ****

GENERAL PURPOSE COMMITTEE



SECTION 2 INFRASTRUCTURE

GENERAL PURPOSE COMMITTEE - INFRASTRUCTURE**Table of Contents**

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21:	FRIENDSHIP PARK - CAR PARK PK/214 PT02/ENG	4

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

ITEM: 20**EXEMPTION FROM RATING****FILE NUMBER:**

P360/290/FNC

REPORT:

An application has been received from the Catholic Education Office, Diocese of Parramatta requesting exemption from rating of the New Chisholm Catholic Primary School situated at 30 Collith Avenue, South Windsor. The property is described as Lot 310 DP752061 and has an area of 3.377 hectares.

The school commenced activities with the first term in 1996 and received its final inspection on the 1 March 1996. Accordingly the property is now in use and within the provisions of Section 555 (c) of the Local Government Act 1993, exemption is therefore applicable. Whilst the whole site is being developed in stages, including the sporting fields, approximately 70 percent is currently used for the activities that qualify for exemption from rating.

It is proposed that exemption from rating be granted from the 1 March 1996 being date of final inspection. The rates for 1995/95 totalled \$1,209.70 and the proportion to be abandoned, for the exempt period, amounts to \$407.65.

RECOMMENDATION:

It is recommended that the Chisholm Catholic Primary School situated at 30 Collith Avenue, South Windsor be granted exemption from rating from the 1 March 1996 and furthermore that an amount of \$407.65 (four hundred and seven dollars and sixty five cents) be written off in respect of the rates for 1 March 1996 to 30 June 1996.

ATTACHMENTS:

There are no supporting documents for this report.

FN:IN423NBX.F01

**** END OF ITEM 20 ****

ITEM: 21 ✓**FRIENDSHIP PARK - CAR PARK****FILE NUMBER:**

PK/214 PT02/ENG

REPORT:

A request has been received from the Sister City Association, requesting provision of a car parking area adjacent to Friendship Park which is located between Clarendon Railway Station and the Tourist Centre.

An area was identified adjacent to the Park on the original concept plan, however, it was decided by Council at that time, not to proceed with the construction of the car park in order to encourage the use of the Tourist Centre and associated facilities with access to Friendship Park via the pedestrian/cycleway provided.

The Sister City Association advised that the car park at the Tourist Centre is too far to carry picnic essentials to Friendship Park and they consider parking on the roadside and alighting from vehicles, especially with children, to be an unsafe practice.

It is considered that the area identified for car parking in the original proposal should be appropriately fenced from the remainder of the Park, with an access being provided from Richmond Road. As there is an adequate grass cover on the area at this stage, it is felt that the provision of a sealed pavement is not required.

RECOMMENDATION:

That an appropriate car parking area, adjacent to Friendship Park be fenced off from the remainder of the Bicentennial Park.

ATTACHMENTS:

There are no supporting documents for this report.

FN:IN423NBX.E02

**** END OF ITEM 21 ****

GENERAL PURPOSE COMMITTEE



SECTION 3 ORGANISATION & RESOURCES

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

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ITEM: 35 **AUSTRALIAN PIONEER VILLAGE****FILE NUMBER:** GC283/107 PT04/CSV**REPORT:**

Under the terms of the Lease Agreement between Council and the Australian Pioneer Village Management Committee, quarterly operational reports are required to be submitted to the Council.

Attached separately is a detailed overview of the general operations of the Village since commencement of management by the Committee on the 1st July, 1995, together with future financial forecasts. The report, which has been prepared on behalf of the Village Management Committee by Mr Ken McManus, Tourism Consultant, also identifies a number of marketing and business strategies for the future.

It is understood that Mr Ken McManus, Consultant, and Mr Brian McKinlay, Chairman of the Australian Pioneer Village Management Committee, will be attending the General Purpose Committee Meeting to address the Council in relation to their report.

The General Management of the Village has been subject to numerous considerations by the Council since its acquisition over a decade ago. More recently, the Council in March last year considered two unsolicited submissions received from the private sector for the leasing/operation of the Village. Those submissions were from:-

1. Australian Outback Connection.
2. Messrs Chris Wells and John Stephens.

The report which Council subsequently requested on the two submissions favoured the proposal by Messrs Wells and Stephens. It was noted in that report that advice had been received from the 'Friends of the Village Society' that, at that time, they felt they were not in a position to assume management of the Village.

In conjunction with the submission of that report to Council, further representations were made by the 'Friends Society' and, as a consequence, the Council resolved to establish a Working Party to discuss with the 'Friends', issues raised by them and possible options they may have in respect of the future management of the facility. Further, Council resolved to permit an extension of time to allow the 'Friends' to prepare and submit an application in this regard.

Subsequently, the two previous submissions from the private sector together with a further submission by the 'Friends Society' were considered by Council at a Special Meeting held on 25th May, 1995.

At that meeting Council resolved to appoint the Friends of Australian Pioneer Village as a Committee of the Council for the purpose of the management and operation of the Village. In terms of the submission by the 'Friends' to the Council it set out a financial plan for the forthcoming three years with the underlying principal of achieving a level of income to return a profit in the third year. For the financial years 1995/96 and 1996/97 the Committee sought from Council financial support by way of subsidising the initial operating loss for these two years, being amounts of \$28,900 and \$7,500 respectively. The 'Friends' projected an estimated profit of \$23,500 for the third year of operation. Critical to the 'Friends' submission were two proposals which would principally generate major income streams as referenced in their financial projections. These included (1) a joint venture with Australian Outback Connection, and (2) the provision of a multi-purpose building (being the refurbishment of the existing machinery shed adjoining the main entrance) which would be used for a number of social activities and functions.

With reference to the arrangement between Australian Outback Connection and the Village Management Committee, this agreement has now been terminated and there have been delays in finalising the refurbishment of the Machinery Shed.

Consistent with the terms of the Agreement, quarterly operational reports have been submitted to the Council and, on each occasion, an operating loss has been recorded, however, the Committee were confident of still achieving their financial targets for the first year of operation.

However, the statement of income and expenditure for the period 1st July, 1995, to 4th April, 1996, indicates that there is an operating deficit in the amount of \$52,111.39. Basically, the income achieved to date has not been at the level initially projected and this generally seems to be because of the unsuccessful arrangement between the Management Committee and Australian Outback Connection and a general downturn in attendances. These issues are dealt with in the attached report. Generally, the first nine months of operation represents 75% of the financial year and income for that period stands at 61.26% whereas expenditure is 87.13%. It is noted that the income includes the subsidy paid by Council of \$28,900. It is further noted that general expenditure is less than it otherwise would be due to the significant contribution given completely on a voluntary basis by the many people associated with the 'Friends Society' and the Management Committee.

Mr Ken McManus in his report, on behalf of the Committee has prepared a revised budget for the current financial year. He has projected a "best" result of a deficit of \$27,000 for their first year of operation. This is dependent upon a new marketing program and strategies as outlined in that report.

The request now from the Village Management Committee is for the Council to consider ongoing support for the Management Committee and the Village's operations by 'carrying' the shortfall until the next financial year by when they expect to be trading profitably and based on amended projections, they hope to achieve an operating surplus of \$27,219 at the end of the 1996/97 period. The ongoing projections for the further two years are surpluses of \$15,331 and \$43,394 respectively. It will be noted that the Committee have offered to pay interest on the deficit to be carried by Council until the deficit is nullified.

In summation, the Management Committee have for the first nine months of operation incurred a deficit of \$52,000 more than originally projected. The original projection was \$28,900 being subsidy sought from Council. However, the Management Committee is confident of achieving a reduced deficit to an amount in the order of \$27,000 by the end of this year based upon new promotional and business strategies detailed in their report.

In terms of canvassing options the alternatives may include:-

1. Supporting the current request from the Management Committee.
2. Giving notice to terminate the arrangement with the Management Committee with a view to calling for public submissions for the purchase and/or leasing of the facility. In order to make the proposal more attractive it may be necessary for the Council to consider supporting a variation as to the current single use so that other recreational or appropriate activities could be introduced while still preserving the historic nature of the facility.
3. Terminate the current arrangements with a view to temporarily closing the facility pending further investigation as to possibilities. However, it should be noted that the Council will incur a financial liability in terms of the ongoing maintenance that will be associated with the facility regardless of whether it is operational or not.
4. Advising the Committee that the Council is not in a position to financially carry the deficit on operations to the extent incurred and that they seek external financing. The likelihood of the Committee achieving same is uncertain and in any case, any lending authority would require a mortgage to secure the debt over the property.
5. For the Council to re-assume responsibility and operation of the facility. This option is not supported for reasons previously reported but simply mean that this Council is not in the business of operating such a facility and is hampered by various restrictions including award provisions etc.

Each time the future management/operation of the facility has been considered, it has become emotive with various views expressed both within the Council and by interested external parties. Of the options canvassed in this report, the two presented for Council's consideration are; Supporting the current request by the Australian Pioneer Village Management Committee for Council to assist it in trading out its current deficit and working towards achieving a financial return by the end of the financial year 1996/97.

OR

Calling expressions of interest for the purpose of selling or leasing the facility as outlined in the report.

The matter is now presented for Council's consideration following the presentation to be given by representatives of the Village Management Committee.

RECOMMENDATION:

That consideration be given to the future management of Australian Pioneer Village.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OG423NAX.C01

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

GENERAL PURPOSE COMMITTEE - ORGANISATION & RESOURCES

Meeting Date: 23 April 1996

Item: 36

ITEM: 36

MONTHLY FINANCIAL STATEMENTS - MARCH 1996

FILE NUMBER:

GF011/005 PT04/FNC

REPORT:A. CASH EXPENDITURE WARRANT No. 3/1996SUMMARY - Accounts Paid

General Fund Nos.	41905 -	42590	7,951,103.11
Trust Fund Nos.	4553 -	4566	1,165,343.26
			9,116,446.37

CERTIFICATE BY RESPONSIBLE ACCOUNTING OFFICER

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

L M Weatherstone
Responsible Accounting Officer

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

STATEMENT OF BANK BALANCES AS AT 31 MARCH 1996

GENERAL FUND	CR. 332,349.82
TRUST FUND	CR. 100,382.39

CR. 432,732.21

FORM 2

GENERAL

Balance - Cash Account as at 1 March 1996	CR. 115,214.61
Receipts for period ended 31 March 1996	DR. 8,022,474.96

DR. 7,907,260.35

Payments for period ended 31 March 1996	CR. 8,290,042.34
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CR. 382,781.99

Limit of overdraft arranged with bank	\$800,000.00
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RESPONSIBLE ACCOUNTING OFFICER

I hereby certify that the Cash Book and Bank Statements have been reconciled in all funds as at 31 March 1996.

L M Weatherstone
Responsible Accounting Officer

C. INVESTMENTS

Hereunder is the list of amounts invested:

Bank Bills

Interest

<u>Period</u>	<u>Due Date</u>	<u>Rate</u>	<u>Interest A/C</u>	<u>Amount</u>
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Term Deposits

91 Days	15.04.96	7.52%	General Fund	1,140,000.00
91 Days	15.04.96	7.52%	General Fund	660,000.00
60 Days	03.05.96	7.54%	General Fund	780,000.00
60 Days	03.05.96	7.54%	General Fund	300,000.00
	23.05.96	7.52%	Sewerage Fund	1,000,000.00
94 Days	26.06.96	7.58%	Sewerage Fund	2,000,000.00
120 Days	15.08.96	8.05%	General Fund	850,000.00
365 Days	26.08.96	7.63%	Sewerage Fund	2,000,000.00
181 Days	04.09.96	7.63%	Sewerage Fund	206,319.84
190 Days				
190 Days	04.09.96	7.63%	General Fund	2,293,680.16
190 Days	11.10.96	7.72%	General Fund	1,000,000.00
225 Days	05.03.97	8.00%	General Fund	2,000,000.00
371 Days	26.03.97	8.12%	General Fund	3,000,000.00
547 Days	09.05.97	8.00%	General Fund	800,000.00
547 Days	09.05.97	8.00%	General Fund	200,000.00
594 Days	25.06.97	8.00%	General Fund	1,000,000.00

Australian Treasury Corporation

04.08.97	8.45%	Workers Comp Board	950,000.00
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<u>Short Term Investments</u>	General Fund	3,115,000.00
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\$23,295,000.00

RESPONSIBLE ACCOUNTING OFFICER

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

L M Weatherstone
Responsible Accounting Officer

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OG423NBX.F02

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

**HAWKESBURY CITY COUNCIL
GENERAL PURPOSE COMMITTEE**

END OF BUSINESS PAPER