



Hawkesbury City Council

ordinary
meeting
business
paper
supplementary

date of meeting: 11 November 1997

location: Council Chambers

time: 7.30pm

ORDINARY MEETING**Supplementary Table of Contents****Meeting Date: 11 November 1997****Page 2**

ITEM	SUBJECT	PAGE
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SUPPLEMENTARY AGENDA

-	SECTION 5 - Reports for Information	
100:	Tax on Club Gaming Machines GG010/005 PT02/GMA/ORK11LCX.G23	4
101:	Radio Transmitting Tower and Associated Facilities - Kurrajong Heights DA0135/96/GMA/ORK11LCX.G22	6
102:	Award for Excellence in Planning - Royal Australian Planning Institute - Hawkesbury Wildlife Corridor Plan GT021/197/EVD/ORK11LCX.V24	8
-	SECTION 4 - Reports for Determination	
103:	Water Standpipes - Kurrajong, North Richmond, Wilberforce and Pitt Town GW020/008 PT02/ENG/ORK11LBX.E25	11
104:	Additional Information - Item 47 of the General Purpose Committee - Proposed 36 Lot Rural/Residential Subdivision and Golf Course - Lots 20 and 21 DP748280, Peel Parade, Kurrajong SA45/97 SA46/97 DA108/97/EVD/ORK11LBX.V27	13
-	SECTION 5 - Reports for Information	
105:	Additional Information - Item 38 of the General Purpose Committee - Proposed 122 Lot Community Title Subdivision - Lot 2 DP749638 and Lot 8 DP13446 - Nepean Park, 474 Springwood Road, Yarramundi - Applicant: McKinlay Morgan and Associates SA156/96/EVD/ORK11LCX.V28	16
106:	Additional Information - Item 46 of the General Purpose Committee - Proposed 23 Lot Subdivision - Lot X DP419316 Dight Street, Richmond SA65/97/EVD/ORK11LCX.V26	17

oooO END OF TABLE OF CONTENTS Oooo



ordinary

5
section

reports
for information

ITEM: 100 Tax on Club Gaming Machines**FILE NUMBER:** GG010/005 PT02/GMA/ORK11LCX.G23**REPORT:**

The Council made representations to the State regarding proposed increases in tax on club gaming machines that could impact considerably on funds given to local organisations for their continuing operations. The following is the response that has been received from the Treasurer, The Hon Michael Egan :

“The Government framed the 1997-98 Budget in difficult financial circumstances which included significant cutbacks by the Commonwealth Government to hospitals, schools, roads and public transport. These cuts include :

- * a total reduction in General Purpose Payments to the State Government over the three years from 1996/97 to 1998/99 of \$529 million;*
- * a reduction in Medicare payments of \$40 million in 1997/98;*
- * termination of funding for dental health services of \$34 million, and*
- * a cut of \$31 million to public housing.*

If the State was to continue providing such essential services then new revenue measures had to be considered. These new measures were introduced to protect the less well off and allow business to continue to grow and create new jobs. My Government strongly supports the club movement and does not believe the increase in the gaming machine duty will adversely affect the industry.

Over the past four years club revenue from gaming machines has increased by \$800 million (38 per cent in real terms). In addition to this, tax rates on club gaming machines in NSW are considerably less than in other States. Within this context, we decided to seek a fairer share of revenue from club gaming machines for the benefit of the entire community.

Previously, revenues above \$1 million have been taxed at a marginal rate of 22.5 per cent up to \$2.5 million with a tax rate of 24.75 per cent applying above this level. From 1 February 1998, the rate of tax on revenues above \$1 million will be increased to 30 per cent raising \$25 million in 1997-98 and \$74 million in a full year.

I would like to emphasise that tax changes will only affect around a third of clubs and despite this increase, NSW clubs will still enjoy the lowest tax rates of any mainland state.

ORDINARY

Meeting Date: 11 November, 1997

Item: **100**

For example, a club with an annual profits of \$5 million will pay an average rate of tax of 41.9 per cent in Queensland, 39.1 per cent in South Australia and 33.3 per cent in Victoria, compared to only 27.6 per cent in NSW.

NSW is also the only state to provide a tax-free threshold - a system which is a great benefit to the State's smaller clubs."

RECOMMENDATION:

The information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 100 Oooo

ITEM: 101 Radio Transmitting Tower and Associated Facilities - Kurrajong Heights**FILE NUMBER:** DA0135/96/GMA/ORK11LCX.G22**REPORT:**

Following the General Purpose Committee meeting last week, correspondence was forwarded to Mr Rossi, the owner of land to the north of Bells Line of Road, and at this stage no response has been received from him.

The owner of land along Burralow Road that incorporates Cherry Park was also contacted. This land is both sides of Burralow Road and directly adjoins one of the existing towers being the one containing the Council's current equipment. The owner has indicated he is prepared to discuss the tower proposal and a suitable site in conjunction with a proposal for a subdivision of the land. The land contains an area of 15.49 ha, is zoned 7(d) and currently has no subdivision potential with the minimum lot size being 40 ha.

The following correspondence has also been received from the New South Wales Rural Fire Service Association, Hawkesbury Branch :

"Reference is made to the recent Development Application before Council for determination in regard to the erection of a radio tower for the Rural Fire Service and Council. Concern is expressed at comments made at the meeting as to the need for such a facility, and raising doubts as to the validity of reports presented to Council.

Submission is made on behalf of the volunteer Rural Firefighters within the City to the demonstrated need for such a facility and the urgent implementation of the recently approved system.

In making submission in support of the application the following points are noted -

- * The Commissioner has approved the installation of a backup UHF frequency system within Hawkesbury due to the poor coverage of the City by the GRN (about 50%).*
- * Since the introduction of the GRN within the service other operational problems (lock outs) have occurred to the extent that adjoining LGA's are re-installing as an emergency measure their previously discarded VHF equipment.*
- * The tower at Kurrajong Heights is a vital link in the proposed three tower system designed to give acceptable communication within the whole of the City area.*
- * The recently introduced Rural Fires Act 1997 determines that a Rural Fire District includes those lands within National Parks and State Forests thus there is a responsibility for Brigades to operate within the most remote area of the City.*

ORDINARY

Meeting Date: 11 November, 1997

Item: **101**

- * *Whilst Council was debating the matter on Tuesday, some 10 vehicles and 50 firefighters were involved in the Wrights Creek area some 25 kms north of the Macdonald River. In all some 34 units and 153 personnel were involved over 4 days with an input of 2000 hours. All without direct radio communication, sometimes two and three radio relays had to be established to provide limited communication.*
- * *At the recent Gaspers Ridge Hazard Reduction involving 1000ha at Upper Colo and 900 hours, 12 units were deployed, 4 had no GRN contact, 6 had poor to unreadable reception.*

Whilst it is recognised and appreciated that the erection of such a facility at Kurrajong Heights may cause individual concern for residents. We would submit that this tower is a vital link in the interests of the wider community. We would seek Council's support for the erection of a radio tower at Kurrajong Heights and the urgent implementation of the PMR system."

RECOMMENDATION:

The information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 101 Oooo

ITEM: 102 **Award for Excellence in Planning - Royal Australian Planning Institute - Hawkesbury Wildlife Corridor Plan**

FILE NUMBER: GT021/197/EVD/ORK11LCX.V24

REPORT:

Council has won an Award for Excellence in Planning in the Local Government Projects Category from the Royal Australian Planning Institute for its Hawkesbury Wildlife Corridor Plan and Draft Development Control Plan for Wildlife Corridors. The Award was presented to Council's Town Planning Supervisor, Mr Stephen Leathley, at the Awards night last Thursday evening by the Hon Justice Terry Sheahan. The Local Government Category had the largest number of nominations and the Hawkesbury beat other Councils such as Sydney City, Blacktown and Shoalhaven.

Presenting the Award, Mr Gary Fielding, Chairman of the Jury, said,

"the Threatened Species Conservation Act 1995 and State Environmental Planning Policy No. 44 - Koala Habitat, present many Local Government areas with major challenges for implementation. Locally based data must be prepared, appropriate criteria determined, strategies prepared and implementation programs commenced.

Hawkesbury Council has addressed these challenges by initiating a comprehensive and coordinated suite of activities that demonstrate how planning and ecology meet at Local Government levels. The focus of the work, the Wildlife Corridor Plan, represents part of a program to implement ecologically sustainable development in the Hawkesbury LGA.

Activities included preparation of:-

- *a data base on flora and fauna species;*
- *reviews of existing vegetation and bird information and a locally based species profile on the koala;*
- *planning and development control mechanisms, including a development control plan to guide development in environmentally sensitive areas and wildlife corridors; and*
- *an educational program, including a two-day staff training program on application of the controls (including case studies and field assessments) and a half-day workshop for developers and local conservationists. Both were well received.*

The jury was impressed by the positive nature to a major issue and the comprehensive, practical nature of the program to date. Again, a benchmark project".

These Awards are highly contested and it is the first such Award Council has won from the Royal Australian Planning Institute. Commendation is also made to Mrs Rachel Cumming who prepared the nomination.

ORDINARY

Meeting Date: 11 November, 1997

Item: **102**

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 102 Oooo



ordinary

4
section

reports
for determination

ITEM: 103 Water Standpipes - Kurrajong, North Richmond, Wilberforce and Pitt Town

FILE NUMBER: GW020/008 PT02/ENG/ORK11LBX.E25

REPORT:

There has been concern for some time regarding the operation of the water standpipes at Kurrajong, North Richmond, Wilberforce and Pitt Town, particularly in relation to the on-going maintenance required to the valves which are often left running and the hard stand area adjacent to the standpipes where trucks park while filling.

Until recently there has not been a reasonable alternative for the provision of water to unserved areas. The service provider, Sydney Water now has a system in place which allows access to mains by water carters negating the need for the provision of overhead standpipes. As such it is considered reasonable that the service should operate as a user pays system, not as part of the general rate.

Enquiries made to Sydney Water indicate that Hawkesbury is one of the few local government areas still operating under the overhead standpipe system. The system generally being adopted by councils is that the water carters are required to obtain metered standpipes from Sydney Water at a current rental of \$204.80 (two hundred and four dollars and eighty cents) per annum. These standpipes are fully serviced annually by Sydney Water and the user is required to forward a return at three monthly intervals following which an account is sent by Sydney Water for the water used for that period.

The operating cost of the standpipes, which includes maintenance and usage charges for the 1995/96 period was \$87,000 (eighty seven thousand), 1996/97 was \$118,570 (one hundred and eighteen thousand, five hundred and seventy) and for the four month period from 1 July, 1997 to 4 November, 1997 was \$60,545 (sixty thousand five hundred and forty five) which if the current dry period continues indicates that the cost will be far in excess of that of 1996/97.

The additional cost to purchase water via the use of a metered standpipe for a typical water truck having a capacity of 9,000 litres, with the current cost of water at 76 cents per kilolitre, would be \$6.84 (six dollars and eighty four cent) per load. The expected maximum flow from a 32 mm standpipe is 30 kilolitres per hour which would translate into a filling time for the truck previously mentioned of 18 minutes. The typical filling times for a water truck at the existing overhead standpipes are:

Kurrajong		55 minutes
North Richmond	1 hose	28 minutes
North Richmond	2 hoses	18 minutes
Wilberforce	1 hose	22 minutes
Wilberforce	2 hoses	12 minutes

It is considered that a more equitable position on a user pays basis is to require that all water carters be required to obtain metered standpipes for the use of potable water from the Sydney Water system which would result in this charge being passed on to the end user of the product. It is considered reasonable to give both residents and water carters three months notice of the proposal to remove the standpipes by way of advertisements in the local newspapers and signs installed at each standpipe site.

It should also be noted that Baulkham Hills Shire Council have recently resolved to remove all the overhead water standpipes in their area, with a notification period of three months similar to that outlined above. When this occurs it could be expected that the volume of water drawn from the Pitt Town standpipes would increase significantly as water cart operators providing water to customers in the Baulkham Hills area adjacent to Pitt Town seek alternate sources of supply.

RECOMMENDATION:

It is recommended that the existing overhead standpipes at Kurrajong, North Richmond, Wilberforce and Pitt Town be removed following a three month period of notification by way of advertisements in local newspapers and signs installed at each overhead standpipe.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 103 Oooo

ITEM: 104 **Additional Information - Item 47 of the General Purpose Committee - Proposed 36 Lot Rural/Residential Subdivision and Golf Course - Lots 20 and 21 DP748280, Peel Parade, Kurrajong**

FILE NUMBER: SA45/97 SA46/97 DA108/97/EVD/ORK11LBX.V27

REPORT:

At the General Purpose Committee on 4 November, 1997 it was requested that additional information be reported to the Ordinary meeting on height limitations for buildings, a dwelling entitlement on the golf course and also landscaping and fire control along the creek.

In relation to these matters, Council can fix height limitations on buildings, for example to a maximum of a single storey. However it is not considered that a restriction is required given the relatively low profile that the dwellings will assume on the ridge when viewed from a distance. Over time, this profile will also be softened by vegetation.

The proposed golf course will have a dwelling entitlement, it not being a rural/residential lot and also given that it will require on-site management.

In relation to landscaping, Condition No. C25 requires the provision of a detailed landscaping plan for the proposed subdivision. It is intended that this landscaping plan consider both the ridge top location as well as enhancing the golf course. Given the buffer provided by the golf course FROM the vegetation along the creek there will be no significant fire risk at the dwelling sites.

The applicant has been investigating the costs of the tertiary system and has requested the deletion of the requirement for the re-reticulation of the treated effluent for non-potable reuse in the dwellings (Conditions C2 and C5 (vii)).

The re-reticulation of the treated effluent has some environmental benefit in reducing water consumption however, it comes with a substantial capital cost. The re-reticulation does not improve the standard of the treatment.

Given the applicant's concern about the substantial additional capital cost in the re-reticulation of the treated effluent for non-potable purposes and the fact that it is of a standard suitable to be irrigated, it is recommended that these conditions be deleted.

The applicant is also requested that Condition No. C5 (v) being the restriction on the keeping of hoofed stock be deleted. It is not considered that this should be deleted as there is significant potential for overgrazing on the steep lots and sediment and nutrient run-off.

ORDINARY

Meeting Date: 11 November, 1997

Item: **104**

RECOMMENDATION:

That the conditions be amended so as not to require the re-reticulation of treated effluent for non-potable purposes.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 104 Oooo



ordinary

5
section

reports
for information

ORDINARY

Meeting Date: 11 November, 1997

Item: **105**

ITEM: 105 **Additional Information - Item 38 of the General Purpose Committee - Proposed 122 Lot Community Title Subdivision - Lot 2 DP749638 and Lot 8 DP13446 - Nepean Park, 474 Springwood Road, Yarramundi - Applicant: McKinlay Morgan and Associates**

FILE NUMBER: SA156/96/EVD/ORK11LCX.V28

REPORT:

At the General Purpose Committee on 4 November, 1997 it was requested that additional information be provided to the Ordinary meeting on the determination of the Section 94 contribution arrangements.

The Section 94 contribution for the proposed subdivision is currently \$450,736 (four hundred and fifty thousand, seven hundred and thirty six) comprised of a contribution for local facilities in the Yarramundi/Richmond area of \$272,212 (two hundred and seventy two thousand, two hundred and twelve) and \$178,524 (one hundred and seventy eight thousand, five hundred and twenty four) for facilities with a catchment being the City as a whole.

Given that the applicant intends to construct a 300m² community building at a cost of in excess of \$300,000 (three hundred thousand) as well as dedicating both the building and site to Council it is proposed that the local Section 94 contribution of \$272,212 (two hundred and seventy two thousand, two hundred and twelve) be deleted.

Because the subdivision is staged, the conditions provide for the payment of all contributions with a refund of the local component upon construction and dedication of the community building to Council.

Council will retain a cash contribution of \$178,524 (one hundred and seventy eight thousand, five hundred and twenty four) for district (City wide) facilities.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 105 Oooo

ORDINARY

ITEM: 106 **Additional Information - Item 46 of the General Purpose Committee - Proposed 23 Lot Subdivision - Lot X DP419316 Dight Street, Richmond**

FILE NUMBER: SA65/97/EVD/ORK11LCX.V26

REPORT:

At the General Purpose Committee meeting on 4 November, 1997 it was requested that there be a report to the Ordinary meeting of Council on restricting housing backing onto Dight Street to single storey detached housing and also the implications of REP9.

Restricting Housing to Single Storey Detached Housing on Lots Backing onto the Existing Dwellings

It is understood that this issue relates to the potential loss of views and perhaps solar access. It was suggested that in order to maintain views and ensure solar access for the existing dwellings fronting Dight Street that development on Lots 14-22 be restricted to single storey detached dwellings.

There have been a number of determinations by the Land and Environment Court in relation to the preservation of views. It is generally established that no one individual or property "owns" a view. The Court attaches far greater weight to the maintenance of views from public places (e.g. roads and parks) than it does to the maintenance of views from private properties.

The general position is that the owner of a property has a right to develop it in accordance with reasonable and normal expectations.

As the land has been zoned residential since the Windsor Planning Scheme in 1973, it is reasonable to assume that the residents fronting Dight Street would have had some expectation that at some time this land would be developed. Such expectations should have included the possibility of two storey dwellings as well as single storey dwellings.

In relation to restricting the housing to detached housing, Hawkesbury Local Environmental Plan 1989 provides that medium density housing (villas and townhouses) may be located in any residential zone (with reticulated sewer) with the consent of Council. This policy has been in place since the early 1980's and has served Council reasonably well in providing an affordable mix of housing, maintaining population densities in the centres and avoiding concentrations of medium density development in any one location. Given the restrictions on new housing as a consequence of flooding, servicing, State Government policy etc., it is recommended that Council not restrict housing to detached forms and in particular in localities such as Dight Street which are well located for all services.

Sydney Regional Environmental Plan No. 9 does not contain any development controls restricting the development of this site.

ORDINARY

It currently provides that Council shall not prepare a Draft Local Environmental Plan to permit development of an extractive industry on the Richmond Lowlands unless it has considered a range of matters.

It is possible that the proposed development may conflict with Boral's future intentions in extracting sand and gravel from their holdings, however, it is impossible to consider the likely impacts as there are no plans in place for any extractive industry on the Richmond Lowlands. Indeed, whilst the Richmond Lowlands has been identified as a major sand and gravel resource of regional significance, there is nothing in REP9 which determines that the Richmond Lowlands will be used by extractive industries.

In summary, whilst Council has the legal power to restrict the forms of housing on the land it is not recommended that this be undertaken for the policy reasons indicated. Further REP9 provides no legal impediment to the proposed subdivision.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 106 Oooo



ordinary
meeting

end of paper