



H a w k e s b u r y C i t y C o u n c i l

ordinary
meeting
business
paper
supplementary

date of meeting: 10 June 1999

location: Council Chambers

time: 7.00pm

ORDINARY MEETING

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Hollands Paddock Action Plan

Following Council's decision not to support the re-development of the Hollands Paddock site and the subsequent fencing of the property, a number of issues have been raised necessitating the preparation of an action plan.

Parking in Windsor

- Maps have been circulated to the business houses along George Street showing locations of unrestricted on-street parking.
- Informal parking is available adjacent to the Girl Guides Hall (reported separately to this meeting).
- Additional parking within Windsor is being investigated including plans and costings for an additional deck on the Kable Street/Terrace carpark, sensitive to the adjoining properties and visual amenity of that area.
- Resumption of the Hollands Paddock property for carparking purposes could be undertaken. Valuation would be at commercial rates and prohibitive in terms of the provision of carparking and future capital works.
- In conjunction with Windsor Mainstreet a letter has been forwarded to businesses seeking a co-ordinated approach to staff parking in restricted and unrestricted areas.

Access to Surrounding Properties

- Legal advice indicates that acquisition by Council of the Pirasta property to provide access to the Iacovella property would not be supported.
- The request from Mrs Iacovella to allocate parking spaces in Johnston Street for tenants of her property has been referred to the Local Traffic Committee for consideration.
- A loading zone exists in George Street adjacent to the butcher's shop and could be extended however this would reduce the amount of on-street parking available.

While it is appreciated that the closure of the Hollands Paddock area has created inconvenience within the Windsor township in terms of parking and access, any opportunity to mitigate issues will be investigated promptly.

Recommendation: That the information be received.

oooO END OF MAYORAL MINUTES Oooo



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for determination

ITEM: 96 **139 Colonial Drive, Bligh Park**

FILE NUMBER: 26216/CSV/ORF10LBX.C22

PREVIOUS ITEM: 46, GPC Section 3 - Organisation & Resources (03.06.2003)

REPORT:

ADDITIONAL INFORMATION

The expressions of interest reported to the General Purpose Committee 3 June 2003 were an outcome of the Strategic Planning Workshop held in February 2003. These expressions further outline the demand for commercial floor space required by both developers and applicants across the Hawkesbury Local Government area. Other proposals of note have recently included the land at Mulgrave and Hollands Paddock in the Windsor Central Business District.

As part of the preparation of the Hawkesbury Community Survey, Council undertook a household survey involving a random sample of 10% of occupied households in the Hawkesbury (1,862 households). Of this number, 788 surveys were returned representing a completed survey sample of 4.2% of occupied households. 72 surveys were collected from respondent households in Bligh Park and Windsor Downs. One of the survey questions asked respondent households to nominate the factors that were of most concern to them about the locality in which they lived. In Windsor Downs "limited shopping facilities" was the second most identified concern, while in Bligh Park it was ranked fourth.

The results of the survey provide an indication of the possible importance of this issue for residents. Council has identified a need for further consultation to obtain the views of residents regarding the appropriateness of including provision for a small "neighbourhood" commercial development to complement the primary development of the Colonial Drive site for residential housing. It is recommended that a strategy be developed to determine firstly, which households should be surveyed regarding this proposal, and secondly, what matters and issues should be included in any survey or consultation.

Council also discussed the possibility of rezoning the site from Business General 3a to Residential. The Minister for Planning issues directions under section 117(2) of the EP and A Act 1979 to guide the preparation of Local Environmental Plans.

Direction Number G10 - Business Zones provides as follows:

"Draft Local Environmental Plans shall not substantially alter the location of existing zonings or substantially reduce zonings of land for business development. The extent of any such alteration or reduction shall be considered from the point of view of the total area of existing land zoned for business development within the whole of the Council's area as at 1 September 1980."

Should council wish to pursue such a rezoning there would need to be substantial justification to support what would be an inconsistency with this ministerial direction. In addition, rezoning would require consultation with the State Emergency Service regarding flood evacuation concerns.

As a result it was suggested that a covenant (or 88b planning instrument) be placed on the land to provide control over the type and nature of development on the subject land. Council was advised, at the General Purpose Committee, that covenants of this nature are difficult to enforce at law.

In view of the issues raised above, consideration may be given to the Council entering into a concept similar to a build, own, operate and transfer (BOOT) scheme that could enable a mix of both residential and neighbourhood shopping alternatives that may be satisfactory (subject to community consultation) without the requirement for rezoning or covenant restriction. This scheme would enable Council to control the development application as owner of the land and subsequently transfer to a proposed purchaser upon completion. Sale proceeds would therefore be available to fund the existing cultural infrastructure projects.

A selective tender could be called if necessary, following the reporting of community consultation, from the expressions of interest presented at the General Purpose Committee.

RECOMMENDATION:

That:

1. The information be received.
2. A consultation plan be prepared to canvass the views of residents regarding the requirement for retail space at 139 Colonial Drive, Bligh Park.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 96 Oooo

ITEM: 97 **Leasing of Old Hospital Site**

FILE NUMBER: 107/CSV/ORF10LBX.C21

PREVIOUS ITEM: 47, GPC Section 3 - Organisation & Resources (03.06.2003)

REPORT:

ADDITIONAL INFORMATION

Further negotiations have taken place between Dr Ian Rafter (First Choice Health Care) and Catholic Health Care Services Limited, regarding the possibility of Dr Rafter sub-leasing a part of the Old Hospital building to Catholic Health Care Services, until the new commercial space is available in the new library/art gallery building. It is proposed that this will be available within 12 to 18 months.

Catholic Health Care Services have also been advised that the Old Hospital building will not be ready for occupation, until towards the end of 2003, due to the remaining works required to be carried out on the site. It is proposed that further negotiations continue with the Catholic Health Care Services to allow them the opportunity to have first option on the leasing of the new commercial space when it becomes available.

RECOMMENDATION:

That:

1. The old Hawkesbury Hospital building including the old kitchen building at the rear, be leased to Dr Ian Rafter (First Choice Health Care) for a lease period of 10 (ten) years with a further 5 (five) year option.
2. The rental be calculated in the following manner:

Year One:	\$250.00 per square metre
Year Two, Three, Four and Five:	CPI increase (to be capped at 4%).
Year Six:	Market review
Years Seven, Eight, Nine and Ten:	CPI Increase (to be capped at 4%).
Year Eleven:	Market Review
Years Twelve, Thirteen, Fourteen and Fifteen:	CPI Increase (to be capped at 4%).

All outgoings such as rates, electricity charges, water usage etc. will be met by Dr Ian Rafter. All figures will include GST

3. Council's estimated fit out costs of both the old hospital building and old kitchen building is \$665,000.00 (six hundred and sixty five thousand dollars). All costs incurred by Council for any re-alignment works carried out on the building, including the old hospital building and the old kitchen building at the rear, would be deducted from this \$665,000.00 (six hundred and sixty five

thousand dollars) and the balance would be allowed to Dr Rafter (First Choice Health Care) as a rent free period. All other fit out costs would be at Dr Rafter's (First Choice Health Care) expense.

4. The rent free period would commence from 1 January 2004 allowing sufficient time for Council and First Choice Health Care to complete the fit out of both buildings.
5. Fifteen reserved car parking spaces be made available to Dr Ian Rafter (First Choice Health Care).
6. A bank guarantee of \$100,000.00 (one hundred thousand dollars) would be taken out by Dr Rafter (First Choice Health Care) before any works are carried out on the building. Once construction had been completed, the bank guarantee would be reduced to \$50,000 (fifty thousand dollars) and would be held for the duration of the lease period to ensure that all lease payments would remain up to date.
7. All necessary documentation be executed under common seal of Council including the agreement to lease document.
8. Negotiations continue with Catholic Health Care Services with the possibility of sub-leasing part of the first floor for a specified period (until the new commercial space in the library/art gallery becomes available). The sub-lease would be taken out with Dr Rafter as he would hold the main lease on the Old Hospital building.
9. Catholic Health Care Services be given first option on the leasing of the new commercial space in the new library/art gallery building.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 97 Oooo



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for information

ITEM: 98 **Generic Plans of Management**

FILE NUMBER: 79354/ENG/ORF10LCX.E23

PREVIOUS ITEM: 16, GPC Section 2 - Infrastructure (03.06.2003)

REPORT:

Council at the General Purpose Committee meeting requested a report be provided to the Ordinary meeting outlining issues related to approving part of the park below the Girl Guide Hall being made available to help the parking situation currently in Windsor.

The Generic Plans of Management for Parks and also General Community Use include an objective to provide access to parks and general community use areas for the whole of the community. One of the performance targets in relation to this objective is to limit unauthorised parking in general community use areas and parklands, as such Council can approve parking within these areas.

There are some concerns from a liability perspective allowing general parking on grassed areas, particularly in times of inclement weather, however, regular inspection and maintenance of the area would minimise any risks.

In consultation with the Girl Guides' Association an area has been temporarily fenced off to ensure that any ad hoc parking in this area will not impinge upon the activities of that group.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 98 Oooo

ITEM: 99 **Proposed Aviary - 4 Kirra Place, Wilberforce**

FILE NUMBER: 79735/EVD/ORF10LCX.V18

REPORT:

ADDITIONAL INFORMATION

The application for the aviary was considered by the General Purpose Committee on 3 June 2003. Additional information was requested in respect to implementing suitable construction measures to help further reduce any noise generated by the pigeons.

There are a number of options and measures that can be implemented in the construction of the aviary that would help reduce noise. The measures can involve lining the inside of the aviary with appropriate material and use of insulation material within the wall cavity. The aviary structure is proposed to be enclosed on three (3) sides and any measures to reduce noise will never totally eliminate the noise generated by the pigeons.

It is difficult to assess how much the noise level would be reduced by implementing any noise reduction measures in the construction. If Council wish to impose a condition for additional noise reduction measures, the following condition is appropriate:-

“Suitable noise reduction measures are to be implemented in the construction of the aviary. The measures should include, as a minimum providing suitable internal lining to the walls and roof. Details to be provided to Council for approval.”

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 99 Oooo

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ITEM: 100 **Proposed Detached Dual Occupancy and Additions to Existing Heritage Listed Cottage (“Buena Vista”) - Lot 1 DP546192, 5 Bowen Mountain Road, Grose Vale**

FILE NUMBER: DA1193/EVD/ORF10LCX.V24

PREVIOUS ITEM: 32, GPC Section 1 - Environment (03.06.2003)

REPORT:

ADDITIONAL INFORMATION

A question was raised at the General Purpose Committee Meeting on 3 June 2003 as to whether Section 94 contributions have been paid for this proposal. It is confirmed that S94 contributions for dual occupancy in the amount of \$2,274.00 were paid by the applicant in 2000. Accordingly no contributions are payable in respect of the current application.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 100 Oooo

ITEM: 101 Management of RTA Vehicular Ferry Contracts**FILE NUMBER:** 74282/ENG/ORF10LBX.E25**PREVIOUS ITEM:** 61, GPC Section 2 - Infrastructure (26.11.2002)

REPORT:

Council at its meeting of December 2002, in consideration of a report regarding the caretaking and operation contracts of the RTA ferries, endorsed the RTA's proposal to manage the ferries and extended the current caretaking and operation contract for a period of 3 (three) months, such that the contracts would end on 30 June 2003.

The RTA have now requested a further 6 (six) month extension to the contract to enable sufficient time to prepare a further enhanced set of contract documents, for all its vehicular ferries statewide, and to stage the tendering process across all its various sites. As outlined previously, the proposal will incorporate extensive management and operational reforms to address the risks and inadequacies identified recently by consultants engaged by the RTA to look into the management and operation of its ferries.

The RTA has requested Council to confirm:

1. That Council is prepared to extend the existing Caretaking and Operation contract for a further 6 (six) months, i.e. so that they would now end on 31 December 2003.
2. That Council will be prepared to manage the existing contracts for the duration of this extended period; and
3. That O'Connor Ferry Services are prepared to have the existing contract extended for this same period, and to continue with their services over the extended period in accordance with the rates and conditions prescribed in the contract.

RECOMMENDATION:

That in accordance with Council's previous resolution, regarding this matter, it is confirmed that:

1. Council is prepared to extend the existing Caretaking and Operation contract for a further six months, i.e. so that they would now end on 31 December 2003.
2. Council will be prepared to manage the existing contracts for the duration of this extended period; and

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3. O'Connor Ferry Services are prepared to have the existing contract extended for this same period, and to continue with their services over the extended period in accordance with the rates and conditions prescribed in the contract.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 101 Oooo



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