

HAWKESBURY CITY COUNCIL GENERAL PURPOSE COMMITTEE



Where People Make the Difference!

BUSINESS PAPER

DATE OF MEETING: 22 August 1995

LOCATION: Council Chambers

TIME: 9:00am

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HAWKESBURY CITY COUNCIL

MISSION STATEMENT:

*"To protect and enhance the unique,
historical and environmental features of the Hawkesbury Region
whilst encouraging planned development
and providing services
appropriate to the needs of the wider community."*

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 9.30am 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...

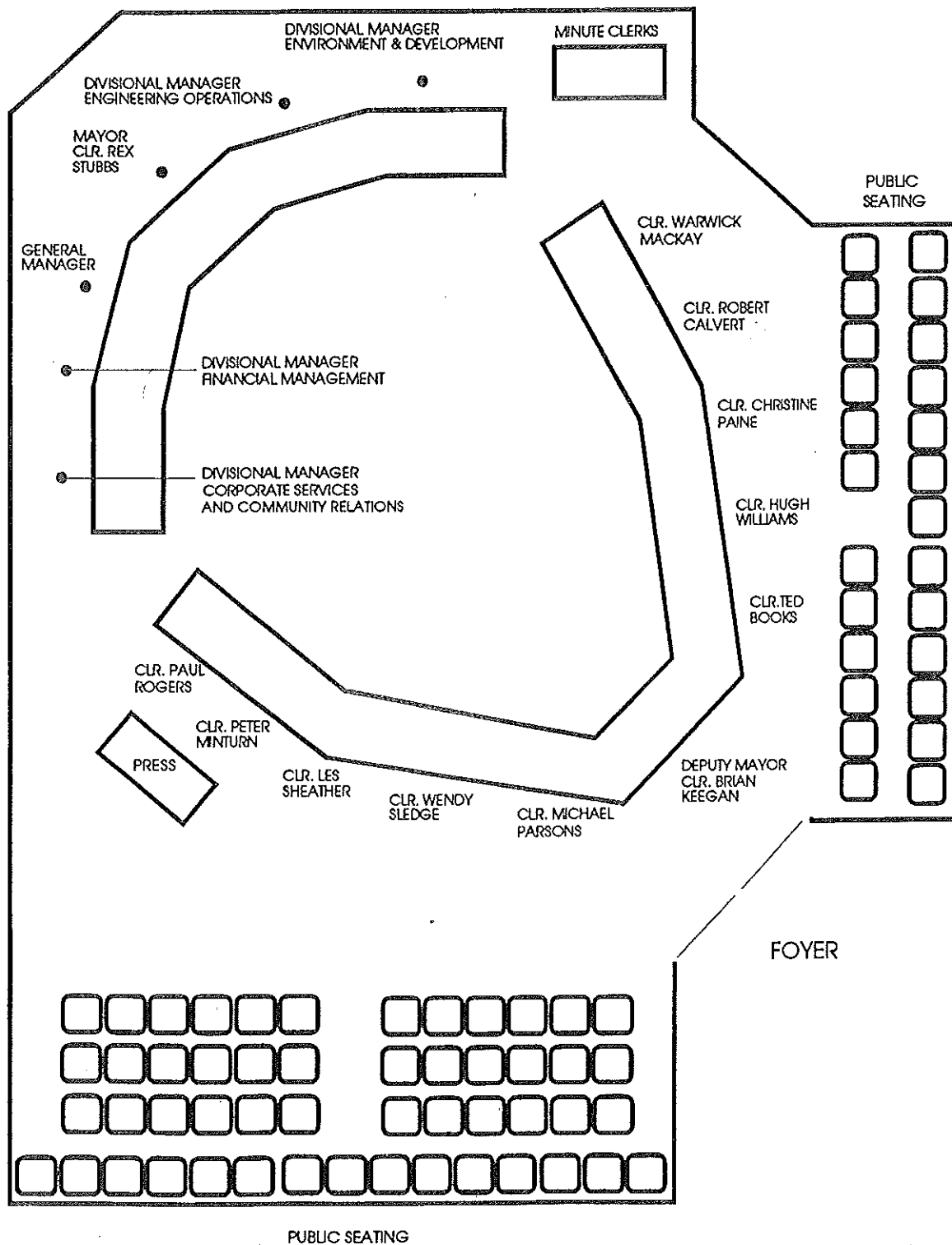
Members of the public can request to speak about a matter that is before the Council at the General Purpose Committee Meeting. The Mayor will invite interested persons to address the Committee when the matter is being considered.

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: 22 August 1995

AGENDA

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

GENERAL PURPOSE COMMITTEE

Minutes

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Minutes of the Meeting of the General Purpose Committee held at the Council Chambers, Windsor, on 25 July 1995, commencing at 9.08am.

PRESENT: Councillor R P Stubbs, Mayor and Councillor R G Calvert, H J M Books, W J Mackay, P J Minturn, M G Parsons, P E Rogers, L C Sheather and W J Sledge.

Apologies for absence were received from Councillors Keegan, Williams and Paine

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

RESOLVED on the motion of Councillor Rogers and seconded by Councillor Sheather that the Minutes of the General Purpose Committee Meeting held on the 27 June 1995, be confirmed.

Councillor Rogers arrived at the Meeting at 9.20am

The following recommendations were passed as resolutions of the Committee:

SECTION 1 - ENVIRONMENT

1: REQUEST FROM ELF MUSHROOMS FOR A TWO (2) YEAR EXTENSION TO A NOTICE TO COMPLETE COMPOST TUNNEL DEVELOPMENT - LOT 12 DP736138 AND LOT 4 DP610341, MULGRAVE ROAD, MULGRAVE (DA0218/90Pt01/EVD)

Mr Rob Tolson, applicant, and Mr Bathersby, objector, addressed the Committee.

THAT THE PERIOD provided for compliance with the notice issued on 21 July 1994 be extended for 2 (two) years requiring completion of the tunnel development by 21 August 1997 or, alternatively, the closure of the facility.

2: ERECTION OF 3 X 3 BEDROOM VILLA HOMES - LOT 1313 DP802879 NO. 3 DEANE PLACE, BLIGH PARK - J NOPPETT (DA121/95/EVD)

Mr Wayne Mitchell and Mr Stuart Fell, objectors, addressed the Committee.

This is Page 1 of the Minutes of the GENERAL PURPOSE COMMITTEE MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 25 July 1995.

General Manager

Mayor

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THAT THE APPLICATION be refused for the following reasons:-

1. The proposal does not conform to the provisions of Council's Development Control Plan - Medium Density Housing in respect of density, design, solar access, set back to front boundary and landscaping.
2. The proposal is out of character with development on adjoining lands and could adversely affect the streetscape quality of Deane Place.
3. Insufficient space is available to landscape the development to screen the buildings from Deane Place and adjoining lots.
4. The proposal, because of design and density, could adversely affect the amenity of the area.
5. Because of the conflicts with Council's Development Control Plan - Medium Density Housing, out of character nature, likely effects on the streetscape, lack of landscaping and likely adverse effect on the amenity of the area, approval of the development would not be in the public's interest.

3: ERECTION OF 3 X 3 BEDROOM VILLA HOMES - LOT 12 RESUBDIVISION OF LOT 1 DP995622 REAR OF 5 CHATHAM STREET, PITT TOWN (DA137/95/EVD)

Mr Gartrell, applicant and Mr Glenn Falson for the applicant, addressed the Committee.

Mrs Skipper, objector, addressed the Committee.

That there be a site inspection

The Committee inspected the site at 2pm. Councillors present were Cllr Stubbs, Mayor and Cllrs Minturn, Keegan, Books, Sheather, Sledge, Calvert, Parsons and Mackay.

THAT the applicant be advised that the plans should be amended to provide for 2 (two) units only and that the 3 (three) proposed was an overdevelopment of the site. With any application for 2 (two) units only, the plans should be prepared by an architect taking into consideration solar access and the surrounding heritage buildings.

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4: ERECTION OF A DUAL OCCUPANCY CONTAINING A 4 BEDROOM DWELLING AND A 1 BEDROOM DWELLING - PT LOT 123 DP411 15 GEORGE STREET, WINDSOR (DA59/95/EVD)

Mr Glenn Falson, for the applicant, addressed the Committee.

Councillor Rogers declared an interest in this matter on the grounds that Mr Falsons company is undertaking work for him on matters before Council.

A. THE COUNCIL ADHERE to its previous decision and refuse the application for the following reasons:-

1. The erection of a dwelling house and dual occupancy is prohibited in the Open Space 6(b) (Proposed Recreation) zoning.
2. The application is prohibited by Clause 25(2) and (3) of Hawkesbury LEP 1989.
3. The access to the site is extremely flood liable, and considered inadequate.
4. The proposed development is not in character with development on lands adjoining the site and could adversely affect the visual quality of the locality.
5. The site cannot be sewerred and therefore disposal of effluent from 2 dwellings could adversely affect the Hawkesbury River.
6. The proposed development, during flood times, could demand and require action from the State Emergency Services to evacuate residents and remove possessions.
7. The approval of the proposed development, being on very flood liable land, and its likely adverse impact on the amenity of the area, would not be in the public's interest.

B. Council have negotiations with the present owner with a view to purchasing the site.

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5: SUBDIVISION TO CREATE FIVE LOTS - LOT 1136 DP834695 286 SANCTUARY DRIVE, WINDSOR DOWNS (SA0059/95/EVD)

Mrs S Hayden, applicant, and Mr Peter Graham for the applicant, addressed the Committee.

There be a site inspection

The Committee inspected the site at 1.30pm. Councillors present were Clr Stubbs, Mayor and Clrs Minturn, Keegan, Books, Sheather, Sledge, Calvert, Parsons and Mackay.

THAT the application be refused for the following reasons:

1. The application does not comply with Hawkesbury LEP 1989.
2. The proposed lot boundaries will result in the location of dwellings too close to the sewage treatment plant.
3. The proposed subdivision will reduce the agricultural viability of the property.
4. The proposal is not in the public interest.

6: TWENTY-NINE PLACE CHILD CARE CENTRE AND 3 BEDROOM DUPLEX - PT LOT 3 SECTION 18 46 LENNOX STREET, RICHMOND (DA0131/95/EVD)

This item was considered in conjunction with Item 11

The applicant, Mr R Monaghan, has now written to Council advising that he is withdrawing his application to develop a pre-school at 46 Lennox Street, Richmond.

THAT the information be received.

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**7: ERECTION OF 5 X 3 BEDROOM SINGLE STOREY VILLA HOMES - LOT 48
DP801673 21 ELDON STREET, PITT TOWN (DA0073/95/EVD)**

Mr Glenn Falson, for the applicant, addressed the Committee.

THAT APPROVAL BE granted subject to the following conditions:-

1. Approval is given generally in accordance with the plans submitted by Robert Pont and dated June 1995.
2. Payment of a sewer headworks contribution to Council of \$14,200.00 (fourteen thousand two hundred). This contribution shall remain fixed for a period of 3 (three) months after which time it will be recalculated at the rate applicable at the time of payment. Payment shall be made prior to the release of the building approval.
3. A S94 contribution of \$9,708.00 (nine thousand seven hundred and eight). This contribution shall remain fixed for a period of 3 (three) months after which time it will be recalculated at the rate applicable at the time of payment. Payment shall be made prior to the release of the building approval.
4. The construction of concrete kerb and gutter, including layback vehicular crossings, the footway area being formed in earth and all necessary drainage, together with the full construction of the adjacent road shoulder over the frontage of the site together with any works necessary to make this construction effective.
5. Construction of Council's standard heavy duty footway and layback vehicular crossing to suit the access to the site with a minimum width of 6m (six).
6. Construction of road and drainage or sewer works are not to commence until three (3) copies of the plan or specifications of the proposed works are submitted to and approved by the Roads and Traffic Authority. Fees and any security or contribution amounts will be set by the Roads and Traffic Authority.
7. Design and construction of site drainage shall be carried out in accordance with Council's Guidelines for Stormwater Drainage Requirements for Commercial, Industrial and Medium Density Developments. Full details of works shall be submitted for approval with the building application.
8. Submission of a building application, plans and specifications complying with the Building Code of Australia.

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9. No excavation or site works shall be commenced prior to the issue of the building permit.
10. A physical barrier being provided between public spaces, vehicular accessways, parking areas and the surrounding landscaped area.
11. Parking spaces, accessways and aisles to conform to Council's Development Control Plan and are to be constructed with a sealed pavement, drained and marked. Details to be submitted with the building application.
12. External finishes to be selected by Robert Pont, Architect.
13. Screen walls are to be provided to screen open yard activities and are to be of an approved design, details of which are to be submitted with the building application.
14. New boundary fences shall be provided at the applicant's expense. Details to be submitted with the building application. Such fencing behind the building line shall be to a height of 1.8m and to be lapped and capped for both side boundaries. The rear fence facing onto the rear open space, can be a weld mesh type fence, full details to accompany the building application.
15. All fencing fronting the street shall be a feature fence incorporating masonry piers with decorative infill panels. Details are to be submitted for consideration with the building application.
16. A detailed plan of landscaping shall be submitted and approved by the Divisional Manager Environment and Development prior to the approval of the building application. Such landscaping is to be completed prior to the occupation of the building and shall be maintained for the life of the development.
17. 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.
18. The submission of a Certificate from Telecom Australia that satisfactory arrangements have been made for the provision of cables for telephones to the development.
19. Erosion and sedimentation control devices shall be installed and maintained during construction. Details shall be submitted and approved prior to any works commencing.
20. The submission of a Compliance Certificate under Section 73 of the Water Board (Corporatisation) Act 1994 prior to the release of the building application.

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Mayor

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8: 1995 HERITAGE ASSISTANCE PROGRAM (GG021/089/EVD)

THAT:-

1. THE INFORMATION BE received.
2. Council accept the offer of funding assistance from the 1995 Heritage Assistance Program for the Hawkesbury Local Heritage Assistance Fund and the Location and Management of Wildlife Corridor Study.
3. Council's "share" of funding required for the Hawkesbury Local Heritage Assistance Fund and the Location and Management of Wildlife Corridor Study be funded from Council's Heritage Program.
4. That the Heritage Branch of the Department of Urban Affairs and Planning be requested to approve the transfer of the offer for the Slab Barn Study to the Hawkesbury Local Heritage Assistance Fund.

9: DRAFT LOCAL ENVIRONMENTAL PLAN - LOT 4 DP610341 AND PART LOT 12 DP736138 84 - 112 MULGRAVE ROAD, MULGRAVE - L R & N TOLSON - MUSHROOM COMPOST FACILITY (LEP9/94/EVD)

THAT

1. SECTION 68 AND 69 submission be prepared for the draft plan changing the zoning of Rural 1(c) to Light Industrial 4(b) under Hawkesbury LEP, 1989, for Lot 4 DP610341 and part of Lot 12 DP736138 being 84 - 112 Mulgrave Road, Mulgrave.
2. The plan be forwarded to the Department of Urban Affairs and Planning for gazettal.

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**10: AMENDMENT OF DRAFT LOCAL ENVIRONMENTAL PLAN - PART LOT 2
DP207634 12 MACQUARIE STREET, WINDSOR - HAWKESBURY VALLEY HOLDEN
(LEP12/94 PT01/EVD)**

1. SECTION 68 AND 69 Submissions be prepared for the draft plan changing the zoning of Residential 2(c) to Special Business 3(b) under Hawkesbury LEP, 1989, for Part lot 2 DP207634 12 Macquarie Street, Windsor.
2. The plan be forwarded to the Department of Urban Affairs and Planning for gazettal.

Supplementary Reports

**11: TWENTY-NINE PLACE CHILD CARE CENTRE AND 3 BEDROOM DUPLEX - PT
LOT 3 SECTION 18 46 LENNOX STREET, RICHMOND - R MONAGHAN
(DA0131/95/EVD)**

This item considered with Item 6.

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SECTION 2 - INFRASTRUCTURE

1: PROPOSED SEWER EXTENSION - LOT 2, DP776878 11 FAIREY ROAD, WINDSOR (P0606/0235 PT01/ENG)

THAT A SEWER main be extended along Fairey Road to upgrade the sewer service to Lot 2, DP776878 Fairey Road, Windsor, at an estimated cost of \$15,000 (fifteen thousand) and that the project be financed from the Sewer Reserve.

2: CROWN ROAD OFF TIZZANA ROAD, EBENEZER (P2006/250 PT02/ENG)

THAT APPLICATION BE made for the Crown Reserved Road through Lot 9 DP227211 off Tizzana Road, Ebenezer, to be transferred to Council.

3: CAPITAL ASSISTANCE PROGRAM 1995/96 - DEPARTMENT OF SPORT, RECREATION AND RACING (GG021/172 PT03/ENG)

THAT APPLICATIONS as listed in priority order, be supported.

4: LIGHTING WALKWAY/CYCLEWAY HAM COMMON (PK/214 PT02/ENG)

THAT THE INFORMATION be received and that there be a report on provision of suitable lighting in the Ham Common general area for the enhanced use

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SECTION 3 - ORGANISATION AND RESOURCES

1: PROPOSED LEASE OF ROAD RESERVE - MITCHELL ROAD, PITT TOWN (P1355/8 PT02/CSV)

1. COUNCIL LEASE to Mr A & Mrs E A Eurrall, the portion of Mitchell Road, Pitt Town, encroached by the front fence line of Lot 1 DP808945.
2. That the lease rest on correspondence and be for a term of 5 (five) years at a rental of \$100 (one hundred) per annum, with rental reviewed to the CPI for Sydney annually.

2: 1995/96 CONTRIBUTION TO HAWKESBURY RIVER COUNTY COUNCIL (GF004/008 PT01/FNC)

Mr Peter Ellis, General Manager, Hawkesbury River County Council, and Mr G Ingles addressed the Committee.

THAT THE REPORT be received.

3: MONTHLY FINANCIAL STATEMENTS - JUNE 1995 (GF011/004 PT04/FNC)

THE INFORMATION BE received.

4: KERBING & GUTTERING - CASTLEREAGH ROAD, RICHMOND (0378/R PT02, P378/630 PT01/FNC)

Letter from Mr David Dunn read in full by the General Manager

THE INFORMATION BE received.

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Mayor

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SECTION 3 - ORGANISATION AND RESOURCES

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2. That the lease rest on correspondence and be for a term of 5 (five) years at a rental of \$100 (one hundred) per annum, with rental reviewed to the CPI for Sydney annually.

2: 1995/96 CONTRIBUTION TO HAWKESBURY RIVER COUNTY COUNCIL (GF004/008 PT01/FNC)

Mr Peter Ellis, General Manager, Hawkesbury River County Council, and Mr G Ingles addressed the Committee.

THAT THE contribution to Hawkesbury River County Council for 1995/96 be increased to \$47,550 (forty seven thousand five hundred and fifty dollars).

3: MONTHLY FINANCIAL STATEMENTS - JUNE 1995 (GF011/004 PT04/FNC)

THE INFORMATION BE received.

4: KERBING & GUTTERING - CASTLEREAGH ROAD, RICHMOND (0378/R PT02, P378/630 PT01/FNC)

Letter from Mr David Dunn read in full by the General Manager

THE INFORMATION BE received.

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The Divisional Manager Environment & Development said he will investigate the situation and advise.

8. Councillor Mackay has had representations from Mrs Seltenrych and Mrs Makin re the ongoing problem of Mr Ciccolella's nursery in Menin Road. Could these problems be investigated with a view to having the matter resolved.

The Divisional Manager Environment and Development will investigate and advise the situation.

9. Councillor Robert Calvert asked what does the RTA contribute to roadworks.

The Divisional Manager Engineering advised the following:

Roadworks 25% RTA, 75% Council;
shoulder works 100% RTA;
drainage works about 75% RTA

10. Councillor Mackay thanked the Mayor for his support of the Camp Quality Debutante Ball and advised that the night was a great success - \$2000 or more has been made for Camp Quality.

The committee adjourned for inspections at 1.15pm.

Submitted to and confirmed at the meeting of the General Purpose Committee held on 22 August 1995.

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Mayor

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General Manager

Mayor

GENERAL PURPOSE COMMITTEE



SECTION 1 ENVIRONMENT

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FILE NUMBER: DA0021/95/EVD

Applicant: Wilberforce Park Pty Ltd
Applicants Reps: Not known
Owner: Wilberforce Park Pty Ltd
Stat. Provisions: Hawkesbury Local Environmental Plan 1989
Area: Approx. 10ha
Zone: Environmental Protection 7(d1) Scenic
Advertising: 14 days to adjoining owners, 1 submission received
Date Received: 9 February 1995, amended plans and additional information 19 July 1995

Key Issues:

- ♦ Flooding
- ♦ Access
- ♦ Noise
- ♦ Car Parking

Action:

Approval

REPORT:

Application is to construct a 0.8km go-kart track on part of the Butterfly Farm at Wilberforce. The site for the track is on the opposite side of Buttsworth Creek to the existing picnic ground buildings and facilities and a bridge is under construction to link the two areas. The track site is cleared and level and contains one tree and a large aviary.

The development provides tyre barriers opposite bends, earth mounding 1.5m high for noise attenuation and photinia hedges for screening.

An existing workshop near the existing residence will be used to service the karts and an overhead 1,000 litre tank, adjacent to the workshop, will be used to fuel the karts.

Parking is provided on the Butterfly Farm side of the Creek for 80 spaces for the picnic area patrons and 42 spaces for the go-kart patrons. Car/trailer parking has not been included because only company owned go-karts will be used on the track. Most of the parking areas are informal on grassed areas.

Existing toilet facilities will be utilised by both operations.

Kart hire will be for 15 minutes and multiples of 15 minutes up to 1 hour maximum and length of stay of the patrons is expected to be 1 - 3 hours. A maximum number of go-karts on the track at any one time is ten.

Employees will increase from the present two full time and one casual to four full time and five casuals.

A Noise Assessment Report has been submitted by Atkins Acoustics and Associates Pty Ltd and the amended plans incorporate the recommendations in this report.

Statutory Situation

The site is zoned as Environmental Protection 7(d1) Scenic under Hawkesbury LEP 1989 and a tourist facility and a recreational establishment are allowable uses with Council's consent.

The proposal does not conflict with any provisions of Hawkesbury LEP 1989 and no new buildings are proposed on this flood liable land.

Council's DCP No. 2 Parking Policy does not contain any specific requirements for a go-kart track however the 42 spaces provided would seem adequate for ten go-karts on the track.

Community Response

The proposal was advertised on two occasions to adjoining owners and on the last occasion, one submission has been received. This objection states as follows:-

- "1. Noise levels will cause noise pollution to the serenity and beauty to surrounding area.*
- 2. Concept to go karting is not appropriate to Wilberforce's rural nature and Pioneer Village and Hawkesbury's historic past.*
- 3. It would be better if this was developed in a more built up area, due to the noise and commercial nature."*

Environmental Assessment

Flooding

The site for the go-kart track is approximately 8 - 9m AHD and as such is flood liable.

The proposed development being sealed track, tyre barriers, surrounding and screen planted will not be adversely affected to any extent by flooding. Repairs and clearing of debris and silt will obviously be needed after a flood. The tyre barriers would need to be secured such that they could not float away during a flood.

Access

Access to the site is from the main road and the proposal was considered by the Local Traffic Committee who raised no objection subject to:-

1. *The widening of the pavement in Wilberforce Road on its western side to provide a passing lane when vehicles are waiting to turn right into the development. All work including line marking to be to the requirements of the Roads and Traffic Authority.*
2. *Construction of a sealed access drive including necessary splays from the edge of seal in Wilberforce Road to the site entrance.*

These requirements can be included as conditions of the development consent if the proposal is approved by Council.

Noise

A Noise Assessment Report has been submitted with the amended plans that concludes that *"with the provision of the acoustic barriers on selected areas of the track, noise emissions from the proposed go-kart facility can be controlled to comply with the EPA criteria"*.

Car Parking

The majority of the car parking on the site is informal, generally on compacted grass areas and, in view of the picnic area nature of the site, this arrangement is generally adequate.

However, with the introduction of this new activity that will encourage additional traffic generation, more formal parking arrangements should be provided including sealing the access road and providing constructed and sealed parking spaces.

It is considered that at least these twenty spaces should be sealed.

RECOMMENDATION:

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

1. Submission of a structural certificate for the proposed bridge as constructed to the effect that it is capable of carrying the loads that will be imposed including flood and flood debris.
2. The existing culvert across the creek to be amplified to maintain the waterway area and flows within the Creek. Detailed hydraulic designs to be submitted for approval prior to construction.
3. The widening of the pavement in Wilberforce Road on its western side to provide a passing lane when vehicles are waiting to turn right into the development.

All work including line marking to be to the requirements of the Roads and Traffic Authority.

4. Construction of a sealed access drive including necessary splays from the edge of seal in Wilberforce Road to the site entrance.
5. Construction of the access road with a sealed pavement between the entrance to the site and in front of carparking spaces 1-20, opposite the shelter shed and amenities.
6. Car parking spaces 1-20 near the entrance to the site, referred to in Condition 5 above, to be constructed with a sealed pavement and all parking spaces and aisle widths to conform to Council's Development Control Plan No. 2 Parking Policy. Details to be submitted and approved prior to construction commencing.
7. The track drainage to comprise minimum of 225mm (two hundred and twenty five) diameter pipes.
8. All disturbed areas shall be grassed to the satisfaction of the Divisional Manager of Environment and Development immediately after construction of the track, mounds and associated facilities. No area shall be left unprotected for more than 60 (sixty) days.
9. A maximum of 10 (ten) go-karts shall be operated in any way at any given time including on the track and adjoining the track.
10. All go-karts being operated on the site shall have a maximum sound pressure level of 78 dB(A) at 7 (seven) metres. The applicant shall satisfy the Divisional Manager of Environment and Development of this sound pressure level if required to do so.
11. Provision of earth barriers as recommended in the Report by Atkins Acoustics and Associates Pty Ltd, reference 25.4298 R1:GA57 dated June 1995.
12. Petroleum products shall be stored within an impervious bunded area at all times. All refuelling of go-karts and transfer of products shall take place within this bunded area.
13. Approval being obtained from the Environment Protection Authority for the operation of the go-kart facility.
14. Tyre barriers shall be adequately retained to prevent disturbance to them during periods of flooding.
15. Lot 2 DP595299 and Part Lot C DP159204 to be consolidated into 1 title prior to the go-kart track being used by the public.
16. Submission of a building application, plans and specifications complying with the Building Code of Australia.
17. 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.

18. No excavation or site works shall be commenced prior to the issue of the building permit.
19. The submission of an erosion and sedimentation control plan for approval prior to any works commencing.
20. A detailed plan of landscaping shall be submitted and approved by the Divisional Manager Environment and Development prior to the approval of the building application. Such landscaping is to be completed prior to the use of the track and shall be maintained for the life of the development.
21. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.
22. 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.
23. Operating hours shall be limited to 9.00am to Sunset, 7 (seven) days a week. Any alteration of these hours will require the approval of the Divisional Manager Environment and Development.
24. The development shall be carried out in accordance with Plan No. 94071, dated July 1995.
25. Erosion and sedimentation control devices shall be installed and maintained during construction. Details shall be submitted and approved prior to any works commencing.
26. No excavated material, including soil, shall be removed from the site.
27. Payment to Council of a contribution under Section 94 of the Environmental Planning and Assessment Act, 1979, towards the maintenance of roads based on 3¢ per tonne per kilometre of all material transported to the site. The contribution shall be paid prior to the commencement of any works and shall remain fixed for a period of 3 (three) months from the date of this consent, after which time it will be reassessed at the rate applicable at the time of payment.
28. The earth mounds shall be grassed to the satisfaction of the Divisional Manager Environment and Development immediately after filling takes place.
29. All works shall be completed within 6 (six) months of commencement.

ATTACHMENTS:*30. 4 sketches*

AT-1 Site Map
FN:EN822NAX.V02

**** END OF ITEM 12 ****

*RC/BK
DMEB Discuss matters with applicant.
gao*

GENERAL PURPOSE COMMITTEE - ENVIRONMENT

Meeting Date: 22 August 1995

Item: 13

ITEM: 13

CONVERT AN EXISTING STORE ROOM/RUMPUS ROOM INTO
A THREE BEDROOM DWELLING (DUAL OCCUPANCY).
PROPOSED LOT 62 IN A SUBDIVISION OF LOT 6 DP245119 39
SCOTTS FARM ROAD, GROSE WOLD.

FILE NUMBER: DA0118/95PT01/EVD

Applicant: Mr J & Mrs D Grasso *addressed*
Applicants Reps: None advised
Owner: Mr J & Mrs D Grasso
Stat. Provisions: Hawkesbury Local Environmental Plan 1989
Area: 3.65 hectares
Zone: Rural 1(c1)
Advertising: Seven adjoining owners notified with no submissions being received.
Date Received: 31 May 1995

Key Issues:

- ♦ Lawfulness
- ♦ Pressure for subdivision contrary to minimum area requirements

Action:

Refusal

REPORT:

The application is to convert an existing store room/rumpus room into a three bedroom dwelling to create a dual occupancy.

However, the existing store room/rumpus room to be converted is 14.8 metres from the existing residence and is also approximately 1.5 to 1.8 metres below the existing dwelling.

It is proposed to attach the two dwellings by means of a pergola.

Statutory Situation

Under Hawkesbury Local Environmental Plan 1989 and Council's Development Control Plan for Dual Occupancy/Duplex Housing, "attached" dual occupancies are permissible in rural areas with Council's consent.

Council's Development Control Plan for Dual Occupancy/Duplex Housing defines an "attached" dual occupancy as:

"A single building containing two dwellings. These dwellings may be up to 6 metres apart and attached by way of a pergola, carport, garage or similar."

Hawkesbury Local Environmental Plan 1989 defines a residential flat building Class A as a permissible use in rural areas, meaning a residential flat building containing two, but not more than two, dwellings and includes buildings commonly known as duplex flats, maisonettes, or semi-detached cottages.

It is apparent from both of these definitions that Council can only approve a single building and not two separate buildings. However, the Development Control Plan provides a maximum six metre separation and suggests that the connection can be by way of a pergola as well as other roof structures.

The definition of "attached" dual occupancy in the DCP contains an inherent inconsistency as, whilst it refers to a single building, it permits two separate buildings to be joined by way of a pergola (not the main roof) although restricted to a maximum distance of six metres.

Planning Assessment

It is not considered that the application is lawful in that the connection of two buildings 14.8 metres apart by a pergola cannot be construed as a single building.

The reason for the attached requirement in rural areas was to prevent the over capitalisation of properties and the potential for future subdivision if the land was purchased by two separate families as tenants in common. It was considered that the requirement that the dual occupancy be in a single building would restrict its use to traditional "granny flats".

Already, Council has received enormous pressure to permit the subdivision of a dual occupancy in East Kurrajong which has a similar separation distance and level difference to the subject application. Enquiries have also been received from Solicitors acting for property owners in London Place, Grose Wold, requesting approval to sever two separate dual occupancies which are six metres apart.

At Council's meeting on 30 November 1993 a similar application was considered for land in Bells Road at Grose Vale (DA210/93). In this instance, the proposed dual occupancy was located approximately 25 metres from the existing dwelling. The circumstances were that the property contained two buildings, however, the most recent of these was approved in 1987 with a condition that the other building be rendered uninhabitable. Although this occurred at the time, the building was subsequently made habitable and the application sought to legalise the current arrangement. At the time it was reported that an undesirable precedent would not be established as:

"Support for this proposal should only be given due to the peculiar circumstances relevant to this case. Should Council support this proposal, it is considered essential that the current policy on attached dual occupancies be re-affirmed."

Nonetheless, the continuing approval of separate buildings as "attached" dual occupancies will result in further applications and further pressure for the subdivision of the separate dwellings.

It is understood that the applicants intend to convert the existing store room/rumpus room into a dwelling for use by their daughter. They advise that they have no intention to undertake further subdivision of the land and would agree to a Restriction As to User on the title preventing the excision of either of the dwellings onto a separate lot.

Unfortunately, Council's planning responsibilities do not rest with the current owners and, notwithstanding their good intentions, a real potential will exist for the purchase of the property by separate families. In the event that either of the families wishes to realise the capital in the asset, it is inevitable that pressure will be exerted upon Council to approve a subdivision contrary to the minimum area standards.

Consequently, the application should be refused. The opportunity should also be taken to amend Council's Development Control Plan for Dual Occupancy/Duplex Housing so as to require that the two dwellings either share a common wall or are under the same main roof. This is the approach taken in Baulkham Hills Shire.

RECOMMENDATION:

A. That the application be refused for the following reasons:

1. That the development is not an "attached" dual occupancy as defined by Council's Development Control Plan for Dual Occupancy/Duplex Housing.
2. Approval of the application will create a precedent for similar applications and pressure for the excision of the dwellings by subdivision contrary to minimum area standards for subdivision.

B. That Council amend the Dual Occupancy/Duplex Housing Development Control Plan to require that "attached" dual occupancies in rural areas be a single building containing two dwellings and either share a common wall or the main roof and, in the latter instance, the closest walls of the dwellings be not more than 6 (six) metres apart.

Pergolas, walkways, carports or the like are not to be used as a connection between the two dwellings.

delete.

hs/ws.

g/1/1

ATTACHMENTS:

AT-1 Locality map

FN:EN822NAX.V05

**** END OF ITEM 13 ****

ITEM: 14

ALTERATIONS TO A HERITAGE ITEM AND ITS USE AS A
RESTAURANT - LOT 3, DP 803879, NO.663 GROSE VALE ROAD,
GROSE VALE

FILE NUMBER: DA106/95/EVD

Applicant: Mr A O'Grady
Applicants Reps: Not known
Owner: Grose Vale Properties (G Kable)
Stat. Provisions: Hawkesbury LEP 1989
Area: 6.36ha
Zone: Rural 1(c1)
Advertising: Adjoining owners notified with 12 submissions and a petition containing 96 signatures.
Date Received: 18th May, 1995

Key Issues:

- ◆ Noise
- ◆ Amenity
- ◆ Parking

Action:

Conditional approval

Fallon
Caroline McJohn
Lindsay McJohn

REPORT:

Council is in receipt of an application proposing alterations to 'Wyanbah', an existing heritage item, and its use as a restaurant.

Four persons are to be employed in respect of the use which is proposed to operate between the hours of 6.00pm to 12.00pm on weekdays and 12.00 noon to 12.00pm on Saturdays and Sundays. The restaurant will be capable of seating 45 persons.

Statutory Situation

The proposal would be defined as a 'refreshment room' and is a use permissible, with Council's consent, under the provisions contained in Hawkesbury LEP, 1989.

Submissions

Of the 12 submissions received, 2 were in support of the proposal on the basis that this development will help ensure the longevity of the heritage building.

The remaining submissions object to the development on the following grounds:-

- impact on traffic in Grose Vale Road
- inadequate car parking
- financial viability of the development
- fire hazard
- on-site disposal and stormwater
- adverse impact on amenity
- noise
- supply of water

The petition containing 96 signatures is in support of the proposal.

Environmental Assessment

The subject property is a rural allotment with an area of 6.36ha containing a single dwelling - house known as 'Wyanbah' which is a heritage item listed in Schedule 1 of Hawkesbury LEP 1989.

The locality is generally rural in nature. The development proposes minor internal alterations only which will not impact on the significance of the heritage item.

Traffic and Parking

Car parking is to be provided for 9 cars within a gravel surface parking area located behind the existing dwelling house. Council's Parking DCP requires for restaurants that 1 space be provided for each 10m² of dining area, plus 1 space per 2 employees. This development proposes 86m² of such area, plus 4 employees, thus requiring 11 spaces. Ample area is available to provide these spaces on site. Furthermore, it is considered reasonable to provide additional space on the property to cater for parking in excess of that formally provided for any overflow requirements.

Access to the site is via a driveway off Grose Vale Road. The driveway is located almost immediately opposite a dwelling on the other side of Grose Vale Road and it is considered that the driveway should be relocated to avoid the shining of motor vehicle headlights into the dwelling-house. The relocation of the driveway further down hill will have the added advantage of improving sight distances for vehicles exiting the site.

Amenity

It is considered that the proposed development is a reasonable use for the site, however, it has the potential to impact upon the amenity of the area, particularly by way of noise from patrons at the restaurant and leaving the site. It is recommended, therefore, that conditions be imposed preventing outdoor eating and further limiting the hours of operation to 10.00pm Sunday to Thursdays and 11pm Fridays and Saturdays. This should adequately protect the amenity of the locality.

Services

The disposal of effluent is to be carried out by way of an aerated treatment system which will spray irrigate on-site. The property has sufficient area to accommodate this type of system. The on-site collection and storage of water will provide adequate water for the development. This can be supplemented by tanker.

Conclusion

The proposed development is considered to be a reasonable use for the site and is recommended for approval with conditions.

RECOMMENDATION:

It is recommended that approval be granted subject to the following conditions:-

1. The development shall be carried out in accordance with Plan No. K1.84, dated 15 May 1994.
2. Submission of a building application, plans and specifications complying with the Building Code of Australia.
3. All waste materials to be stored and disposed of at regular intervals to the satisfaction of the Divisional Manager Environment and Development.
4. Provision of toilets in accordance with the requirements of the Building Code of Australia.
5. Any building or part thereof to be used for the purpose of storage, preparation or sale of food for human consumption shall be constructed in accordance with the requirements of the Food Act 1989 and Regulations thereunder and Council's Food Premises Code.
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. Parking shall be provided for 11 (eleven) vehicles in accordance with Council's Regulations and Parking Policy. Parking spaces, accessways and aisles to conform to Council's Development Control Plan and to be constructed, drained, sealed and marked. Full details of works including driveway shall be submitted for consideration with the Building Application by the Divisional Manager of Environment and Development.
9. All parking required by this activity shall be provided on the property and no vehicles shall be parked on the surrounding road network.
10. Provision of adequate loading and unloading facilities to cater for the proposed use of the land.
11. The provision of a sealed driveway 4.5m. wide from the footway crossing in Grose Vale Road to the parking area.
12. The provision of a sealed rural type footway crossing.
13. The driveway being relocated to the satisfaction of the Divisional Manager of Environment and Development. Details to be submitted prior to works commencing.
14. 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.
15. The use of the verandah for dining or other entertaining or like use is prohibited.
16. Operating hours shall be limited to 6.00pm to 10.00pm on Mondays to Thursdays; 6.00pm to 11.00pm on Fridays; 12.00 noon to 11.00pm on Saturdays and 12.00 noon to 10.00pm on Sundays. Any alteration of these hours will require approval of the Divisional Manager Environment and Development.

ATTACHMENTS:

AT-1 Site map

FN:EN822NAX.V07

**** END OF ITEM 14 ****

Site Inspected
CP/BN
lost/4/4

W/S/PM
Refused
5/3

ITEM: 15 ERECTION OF GREENHOUSE FOR PROPAGATION AND
DISPLAY AREA**FILE NUMBER:** DA0148/95 PT01/EVD

Applicant: Mr & Mrs V Ciccolella
Applicants Reps: None advised
Owner: Mr & Mrs V Ciccolella
Stat. Provisions: Hawkesbury LEP 1989
Area: 2ha
Zone: Rural 1(c)
Advertising: 14 days to adjoining owners, 2 submissions received
Date Received: 27 June 1995

Key Issues:

- ◆ Submissions received

Action:

Approval subject to conditions.

REPORT:**Proposal**

Application is to erect a greenhouse for propagation and display purposes as part of the tourist facility on the above site at Oakville.

In addition, amended plans have been received for the proposed visitors car parking area. The parking area will be located parallel to the existing driveway, and should overcome some of the concerns raised by the adjoining owner.

Statutory Situation

The site is zoned as Rural 1(c) under Hawkesbury LEP 1989 and the proposal is permissible with Council consent.

Community Response

The application was advertised to adjoining owners for 14 days and 2 submissions were received.

A summary of concerns raised by residences in the submissions are:-

- no conditions have been complied with regarding the original development consent for the tourist facility.
- increase in noise, traffic and fumes
- interruption of privacy and peace
- request screening along Miss Makim's boundary.
- depreciation of real estate
- waste water draining from Mr Ciccolella's property onto the neighbouring property causing damage to concrete paths and paving.

The Council has previously approved a tourist facility on the property subject to a number of conditions. This development has not yet commenced so conditions have not, and need not, to be complied with at this stage.

The concerns below do relate to the application and are as follows:-

- the cost of the greenhouse is incorrect
- the greenhouse may not be located on the position of the land as indicated on the plan.

The application can be conditioned so that the location of the greenhouse will remain as proposed unless amended plans are received and approved by the Divisional Manager of Environment and Development.

Environmental Assessment

At the Ordinary Meeting on the 11 October 1994, Council resolved to approve the application for a tourist facility. The application involved the opening of the existing gardens on the property for public display.

The subject property has a road frontage to Menin Road and is a regular shape. Located on the property is a dwelling, shed and amenities. The surrounding area including this property have a semi rural character.

The proposed greenhouse for propagation and public display will be constructed of treated pine. The roof will be corrugated colourbond part of the way with the remaining covered with shade cloth. There will be lattice infill in the gables and along the western side of the greenhouse. The size of the greenhouse will be 28.6m long and 6m wide, with a 10m setback on the western boundary.

The proposed greenhouse will not generate an additional need for parking facilities to the property.

A modified car parking plan has been received on the 7 August 1995 and is an improvement on the previous plan as the parking area has been relocated from the middle of the property to the front western corner, parallel with the existing driveway. Minor changes will need to be made to the amended plan by Council so that cars can enter and leave in a forward direction. This plan should overcome some of the concerns raised by the adjoining owner, as the visitors will be walking through the courtyard area and into the gardens. This arrangement will also avoid visitors driving vehicles down the western side boundary.

The proposed development will not place demands on the public amenities nor would it detract from the semi rural character of the area.

RECOMMENDATION:

The application is recommended for approval subject to the following conditions.

1. The development shall be carried out in accordance with Plan No 627.1278 dated June 1995.
2. Submission of a building application, plans and specifications complying with the Building Code of Australia.
3. 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.
4. All waste materials to be stored and disposed of at regular intervals to the satisfaction of the Divisional Manager Environment and Development.
5. No excavation or site works shall be commenced prior to the issue of the building permit.

6. *Aq drain / Surface Drain.*

ATTACHMENTS:

AT-1 Locality map

Q's

LS/BK

FN:EN822NAX.V12

**** END OF ITEM 15 ****

CP Interest

✓

ITEM: 16 SUBDIVISION TO CREATE FIVE ALLOTMENTS WITH
BUILDING ENTITLEMENTS - PLUS A SIXTH COMMUNITY LOT
- LOT 18 DP30468, NO.26 CLIFF ROAD, FREEMANS REACH

FILE NUMBER: SA0106/95/EVD

Applicant: Falson & Associates
Applicants Reps: None advised
Owner: J & G Taylor
Stat. Provisions: Hawkesbury Local Environmental Plan 1989
 State Environmental Planning Policy No.1 - Development Standards
Area: 2.163 hectares
Zone: Environmental Protection Scenic 7(d1)
Advertising: Not required at this stage
Date Received: 14 August 1995

Key Issues:

- ♦ Non compliance with Hawkesbury Local Environmental Plan 1989
- ♦ Disposal of effluent
- ♦ Availability of reticulated water
- ♦ Precedent for further subdivision

Action:

Not support the application but suggest the applicant apply for a 2 lot subdivision, provided it can be demonstrated by a geotechnical report that each lot has sufficient suitable land for the erection of a dwelling and the on site disposal of effluent considering soil types, soil cover and slope.

REPORT:

Falson & Associates act for Mr J & Mrs G Taylor who own a 2.163 hectare allotment between Cliff Road and the Hawkesbury River at Freemans Reach. Mr & Mrs Taylor wish to subdivide their land and to then reside on one of the resultant lots.

The proposed subdivision is to create 5 lots which would each have a building entitlement plus a sixth community lot which would front Cliff Road and the Hawkesbury River. The community lot would provide the area for common waste water disposal and also facilitate community walking tracks, vehicular access, bushland retention, etc.

It is proposed that the building lots have varied areas depending on topographical features ranging from approximately 1500m² to 2500m². These lots would only be used for normal residential uses. It is proposed that waste water be collected from each site and gravity fed or pumped to the community land which will incorporate a managed disposal system, preferably an "Ecomax" system which provides for nutrient removal.

Water supply is proposed to be by way of utilisation of the existing town water connection supplemented by a rain water tank at each house and river water from an existing 30 year old pump site. The town water would be supplied to the community lot, stored and reticulated to each house.

Falson & Associates justify the significant variation in the minimum area standard of 10 hectares on the basis that the existing zoning provision is superfluous to this part of Freemans Reach as all lots are already significantly smaller than the 10 hectare minimum. It is argued that as there is no consistent lot size in the locality, the proposed subdivision is not out of character.

The submission under State Environmental Planning Policy No.1 also argues that the land is not suited for any form of agricultural activity and is consistent with the philosophy of subdivision development contained within Council's "Our City - Our Future" Strategy.

It is requested that Council support the subdivision and grant a "deferred commencement" consent on the basis that the current zoning provisions are inappropriate and therefore unreasonable and unnecessary to apply to this site and proposal.

Planning Assessment

The application seeks a significant variation to the minimum area standard for subdivision from 10 hectares to lots with areas as small as 1500m².

The proposed lot sizes are far smaller than the general guideline recommended by the Department of Health for the on site disposal of effluent, being approximately 1 hectare. In addition, the land adjoins and drains directly into the Hawkesbury River and any failure in the waste water treatment system will result in pollution of the river.

There is significant bushland covering the majority of the land and the proposed 5 house sites will inevitably result in a substantial loss of tree cover and understorey.

Whilst there are numerous residential size lots on the opposite side of Cliff Road for much of the land's frontage, the remainder of Cliff Road is typified by parcels of 2 hectares or larger and the number of lots in the proposed subdivision will be a significant precedent for further subdivision along Cliff Road.

In spite of a proposed community title subdivision which seeks to avoid road frontage to Cliff Road and an existing water main, it is unlikely that Sydney Water would support the proposed subdivision for reasons of limited bulk water supply.

In summary, the proposed 5 lot subdivision is an overdevelopment of the land which lacks reticulated sewage and which is in a particularly sensitive location adjacent to the Hawkesbury River and containing remnant natural vegetation.

At best, not more than a 2 lot subdivision of the land should be supported under State Environmental Planning Policy No.1.

RECOMMENDATION:

- A. That the application under State Environmental Planning Policy No.1 for a community title subdivision of the land to create 5 (five) building lots and 1 (one) community lot be refused for the following reasons:
1. The proposed subdivision is an overdevelopment of the land.
 2. The land is incapable of adequately disposing of treated effluent without either excessive runoff to the Hawkesbury River or the destruction of existing remnant vegetation.
 3. The precedent for undesirable small lot subdivision along the Hawkesbury River.
- B. That the applicant be invited to submit an application for a 2 (two) lot subdivision of the land for consideration by Council under State Environmental Planning Policy No.1

ATTACHMENTS:

AT-1 Plan of proposed subdivision

FN:EN822NAX.V16

**** END OF ITEM 16 ****

Handwritten notes and signatures:

- TB/MP*
- PM*
- Approved. + Consents to Development*
- John Taylor*
- Glen Graham*
- 6/3*
- Applicant to apply for BLATS. alternative plan.*
- LS/CP*
- Amend*

ITEM: 17

SUBDIVISION TO CREATE SIX ALLOTMENTS - LOT 14
DP202803 NO. 260 TERRACE ROAD, FREEMANS REACH.
APPLICANT: FALSON & ASSOCIATES

FILE NUMBER: SA118/94/EVD/EVD

Applicant: Falson and Associates
Applicants Reps: Not advised
Owner: Mr & Mrs C Roseleur
Stat. Provisions: Hawkesbury Local Environmental Plan 1989
SEPP 1 - Development Standards
Area: 2.424ha
Zone: Environmental Protection Scenic 7(d1)
Advertising: Not required
Date Received: 7 October 1994

Key Issues:

- ◆ Pump out disposal of effluent

Action:

Refusal as the lots are not suitable for the on-site disposal of effluent

REPORT:

Council at its meeting on 14 March 1995 considered an application by Falson and Associates for a subdivision of the land to create six lots each with an area of approximately 4,000m².

It was reported that additional information was required to enable a proper environmental assessment. This included the provision of a geotechnical report for each lot demonstrating that there is sufficient stable area for the erection of a dwelling and the disposal of effluent. There is very limited flat land between Terrace Road and the edge of the escarpment (approximately 15m) and allowing for a building line there are major environmental constraints to the subdivision.

It was recommended and resolved that support for the subdivision under SEPP No. 1 be provided and approval be given under delegated authority provided the applicant can demonstrate by a geotechnical report that each lot has sufficient suitable land for the erection of a dwelling and the on-site disposal of effluent considering the building line, soil types, soil cover and slope.

A geotechnical and water balance study has now been provided by Falson and Associates which concludes that the site is suitable structurally for the erection of dwellings, but that the proposed new allotments are not suitable for on-site effluent disposal by irrigation, based on the following considerations:

- . *The building platform size would be inadequate for the irrigation area.*
- . *The building platform is located within close proximity to the edge of the escarpment and therefore, the introduction of water into the ground would promote slope instability.*
- . *Irrigation on the very highly permeable sub-surface soil profile would result in saturation of the soil and an increased risk of slope instability.*

The geotechnical sub-consultant recommended that an alternative system, such as septic tank pump out be adopted.

Falson and Associates state that:-

"Given the long history of Council support for development of this parcel of land, and the fact that no precedent would be created, we believe that the disposal of water via pump out system is suitable in the circumstances of this case. This is particularly so, given that the majority of surrounding lots are also on pump out and further that the locality, generally, is to be provided with a reticulated sewerage system."

Planning Assessment

Council has a long standing policy of not supporting any subdivision or development which relies on septic tank pump outs for the disposal of effluent. This policy is soundly based as the pump out system has significant potential for surcharging through shock loadings or delays in servicing. In addition the problems of disposing of pump out effluent in the area are reported elsewhere in the business paper. If financial assistance is not provided by the State or Commonwealth Governments for the replacement of the Blaxlands Ridge maturation ponds, the issue of disposing of septic pump outs will be particularly acute.

A further consideration is that the proposed subdivision adjoins the Hawkesbury River and any surcharge of sewage will readily drain into the river.

Whilst there are a large number of pump out systems on Terrace Road this is not considered to provide a reason for exacerbating the existing problems.

Accordingly as the proposed subdivision cannot provide for on-site effluent disposal the application should now be refused.

RECOMMENDATION:

That the application be refused because the proposed allotments are not suitable for on-site effluent disposal by irrigation.

*removed***ATTACHMENTS:**

There are no supporting documents for this report.

CP/WS

FN:EN822NAX.V26

**** END OF ITEM 17 ****

*Lost 5/4**LS/PM**Supported / Conclits*

ITEM: 18 SUBDIVISION TO CREATE TEN (10) ALLOTMENTS - LOT 1 DP557035, LOT 2 DP615915, LOT 171 DP527991, HORANS LANE, KURRAJONG. APPLICANT: FALSON & ASSOCIATES

FILE NUMBER: SA0096/95//EVD

Applicant: Falson and Associates
Applicants Reps: Not advised
Owner: Redview Pty Ltd (Mr R Cunliffe)
Stat. Provisions: Hawkesbury Local Environmental Plan 1989
 SEPP 1 - Development Standards
Area: 64.3 hectares
Zone: Environmental Protection 7(d)
Advertising: Not required
Date Received: 7 October 1994

Key Issues:

- ◆ Definition of escarpment (appropriateness of zoning)
- ◆ Precedent

Action:

Refusal, however a reassessment of the escarpment boundary (separating the 1(c1) and Environment Protection 7(d) zones) should be undertaken

REPORT:

The subdivision of this land has been previously considered by Council.

The current application is to subdivide the land into ten (10) lots, eight of which have an area of 4ha with two residue lots on the higher part of the land with areas of 12.7ha and 19.6ha respectively.

Falson and Associates have provided the following justification:-

"We refer to previous submissions to you in the above matter and in particular to your letter of 23 September 1994 and our recent conversation on 16 June 1995 and submit our revised plan for your consideration.

The revised plan, we believe, is in line with your suggestion.

Basically, the proposal is to subdivide the land into 10 lots. This number is less than the allowable density, should the land be zoned Rural 1(c1) under Council's LEP as is land to the north, east and south.

In fact, it is our contention that the 1(c1) zone is more appropriate to the site than is the current Environmental Protection 7(d) (Scenic) zone. This is so because the majority of the land does not have the characteristics of the 7(d) zone, but does have the characteristics of the 1(c1) zone.

The 7(d) zone in the locality is broadly set up to control the Blue Mountains eastern escarpment. The land, however, is not part of the true escarpment but is more appropriately in an area referred to as the Kurrajong Hills. These hills are the foothills of the Blue Mountains escarpment and contain a mixture of rural and rural/residential holdings which form the transition between the steeper lands associated with the escarpment and the floodplains.

The land falls within a local ridge system which encloses it in a visual sense. A ridge runs parallel to the escarpment along the eastern side of the land. It is the existence of the local ridge system which encircles the property and ensures that any development has limited, if any, discernible visual impact.

The land has a defined landscape quality having been substantially altered by clearing and subsequent grazing uses. This landscape quality, however, bears little resemblance to the steeper and densely wooded escarpment.

The 10 lots proposed leave the wooded escarpment into two large lots because of the existing physical separation of one part to the other because of the steep wooded gully.

We believe that, for the above reasons, the retention of the 40ha minimum area provision within Council's LEP is unreasonable and unnecessary for the circumstances of this property. Accordingly, we make an objection to these provisions pursuant to the provision of SEPP1 and enclose our subdivision application for consideration."

Planning Assessment

The zoning of the land requires a minimum lot size of 40 hectares in any subdivision.

It is agreed that as part of the land falls behind the Kurrajong Ridge it cannot be viewed from the floodplain and arguably a Rural 1(c1) zoning is more appropriate than the Environment Protection 7(d) zoning. However it is not considered that this applies to all of the land and certainly the higher parts of the land have views to Sydney.

Since the subdivision of this land was first proposed there have been numerous enquiries from nearby property owners seeking similar subdivision potential. It is apparent that the proposed subdivision will have a significant precedent effect and in the circumstances should not be supported without an overall investigation being undertaken of the appropriateness or otherwise of the zone boundary.

RECOMMENDATION:

- * {
- A. That the application be refused for the following reasons:-
1. Contrary to the minimum area standard for subdivision in the Environment Protection 7(d) zone.
 2. Precedent for further subdivision and inevitably an ad hoc redefinition of the escarpment area.
- B. That consideration be given to the funding of consultant expenditure in the 1995/96 budget for a reassessment of the escarpment boundary.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN822NAX.V27

**** END OF ITEM 18 ****

* RC/CP 4/4 - *Carroll*

ITEM: 19

DEVELOPMENT (SUBDIVISION, DUAL OCCUPANCIES, VILLAS ETC) WITH FRONTAGE TO REAR LANES

FILE NUMBER:

GT070/011; DA0033/95PT01/EVD

REPORT:

At Council's meeting of 12 June 1994 it was resolved as follows:

"Council prepare an amendment to the Dual Occupancy/Duplex Housing DCP so that there are performance criteria in respect of proposals in rear lanes with respect to pedestrian access, amenity and services, external appearance when viewed from the lane, sealing and kerb and guttering in the land."

The resolution was prompted by a number of applications in South Windsor which relied on rear lanes for access. In accordance with Council's resolution, the current policy is to require at least a pedestrian access to the main street and impose conditions requiring the improvement of the condition of the lane where no seal and/or kerb and guttering exists.

In recent months, two applications have been received for development in Richmond, one a subdivision and one a dual occupancy, which involve development with frontage to a rear lane. However, in both instances vehicular access is provided to the street rather than the rear lane via access handles along the side boundary.

Under the existing policy, kerb and gutter and road construction would be sought for the laneway for the frontage of the lot. However, as access is being provided to the street and not the laneway, the requirements for upgrading of the laneway could be argued to be unreasonable.

In addition, developers should be encouraged to provide access to the main street rather than be penalised with a construction requirement for a laneway to which access is not required. The laneways have a narrow width (approximately 6 metres) and generally are not as desirable as a street frontage for a number of reasons including manoeuvring, parking, lack of lighting and poor amenity.

It is not desirable to have the major proportion of developments backing onto the rear lane with limited set backs and rear fencing and still allow a few developments to front the rear lane amongst a proliferation of rear fences, rear house elevations with limited road and drainage construction.

All subdivision and developments should be required to be provided with legal and physical vehicular and pedestrian access to the front street. The laneway would still be available as a secondary access to the rear residence or lot but this applies to all the other properties which are benefited by a rear laneway. Further all developments adjoining the rear laneway should be required to provide a suitable screen fence to the laneway and adequate courtyard area.

RECOMMENDATION:

1. Council require that all developments or subdivisions adjoining rear laneways be provided with legal and physical vehicular and pedestrian access to the front street.
2. Council not require the upgrading of rear laneways at the time of subdivision or development where vehicular and pedestrian access is provided to the front street.
3. All developments adjoining a rear laneway be required to provide screen fencing along the frontage to the lane and adequate courtyard area for the proposed development.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN822NBX.V01

**** END OF ITEM 19 ****

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Ac/cp.

ITEM: 20

DRAFT LOCAL ENVIRONMENTAL PLAN - EQUESTRIAN
VILLAGE, RACECOURSE ROAD, CLARENDON - AMENDMENT
NO. 40

FILE NUMBER: LEP007/94 PT01/EVD

REPORT:

Council, at its Ordinary Meeting of 11 October 1994 resolved to prepare a draft local environmental plan over land generally adjacent to the Hawkesbury Racecourse for an equestrian village and that a minimum allotment size of 5,000m² (five thousand) be included in the draft plan.

Pursuant to Section 62, of the Act, the proposed draft plan was referred to the Department of Sport, Recreation and Racing, Prospect Electricity, Water Board, Roads and Traffic Authority, Department of Conservation and Land Management and the Environment Protection Authority.

No response has been received from CALM or Department of Sport, Recreation and Racing. Prospect Electricity and the Environment Protection Authority have no objections to the proposal.

The Water Board have advised as follows:-

"The Richmond-Windsor bulk water supply is currently at capacity and only has capacity to serve existing zonings up until the year 2000.

A proposed rezoning of rural land for industrial purposes would unfortunately impose additional demands to the existing system and as the system is currently operating at capacity, the Board regrets that it cannot support the proposed rezoning."

The Roads and Traffic Authority have replied as follows:-

"The Authority while not objecting to the development would not want to see any significant development take place which would lead to an increase in traffic using the existing level crossing at Clarendon. Accordingly, Council may wish to encourage the use of Blacktown Road and Racecourse Road to access the site.

The Department of Urban Affairs and Planning have now replied as follows:-

"I refer to Council's letter of 10 November 1994 in which you request a Section 65 Certificate be issued for Draft Local Environmental Plan 7/94, which aims to allow land adjacent to the Hawkesbury Race Course to be developed as an equestrian village and allow a minimum allotment size of 5,000m².

Council is not able to exercise delegations in this circumstance as the plan applies to rural zoned land and permits rural residential development which is not in accordance with the current strategy for urban release agreed to by the Director of Planning.

GENERAL PURPOSE COMMITTEE - ENVIRONMENT

Meeting Date: 22 August 1995

Item: 20

Under section 65(3) of the Environmental Planning and Assessment Act, 1979 the Director has decided not to issue a certificate to enable public exhibition of the draft plan, for the reasons set out below.

1. *Reticulated water supply is unavailable for the new lots. The use of on-site water supply is unacceptable in areas where there is partial supply, as periods of drought can lead to an abuse of the existing supply and can create pressure on Sydney Water to extend the reticulated supply to those lots with tank water.*
2. *Additional dwellings with on-site disposal of effluent may result in the pollution of Rickaby's Creek in times of high rainfall, when the land is unable to absorb the effluent efficiently."*

In view of the Director's decision, the draft plan cannot proceed.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN822NBX.V03

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

ITEM: 21**REMOVAL OF TREE - PROPOSED DWELLING CONSTRUCTION
- LOT 7 DP 787272 NO.20 FLINDERS PLACE, NORTH
RICHMOND - APPLICANTS: MR R AND MRS S AMBROSE****FILE NUMBER:** BA748/95/EVD

The applicants have applied for removal of a large tree to allow for dwelling construction on the subject allotment. The subject property with the exception of a singular tree is devoid of any other tree or shrub cover.

REPORT:

The subject tree is a species of Fig, *Ficus Macrophylla* or commonly known as the Moreton Bay Fig. The tree is some 18m high by 15m wide and is estimated to be approximately 80+ years old. The tree is considered to be in general good health and vigour with overall good structural tone. There is a small cavity at the base of the tree which harbours a bees nest, this basal cavity is not considered to be of any danger or concern to the trees health or condition. Additionally there is no evidence of either storm or mechanical damage, nor of any instability to the tree or surrounding ground area adjacent to the tree.

The tree in time may achieve a height of 50m with a stem diameter of 240cm or more and a large crown.

The tree is indigenous to NSW especially coastal rainforests of all types and is found in areas from the Shoalhaven River NSW to Rockingham Bay, North Queensland. Recorded in NSW in Unanderra, Kiama, Smoky Cape, Boat Harbour, Murwillumbah, Mt Warning, Macleay River Flats and planted on areas of the Hawkesbury by early settlers. A similar specie tree, *Ficus Rubiginosa* (Port Jackson Fig), is also indigenous to NSW and found wide spread through out the Hawkesbury and often identified with the Moreton Bay Fig.

The tree is popular with various bird species, especially when the fig like fruit is fully ripe. Ripe fruit is available during any month of the year and is eaten by the Figbird, Green Catbird, Lewin's Honeyeater, Pied Currawong, Regent Bowerbird, Satin Bowerbird, Rose-Crowned Fruit Dove, Yellow-Eyed Cuckoo and Shrike and Grey-Headed Fruit Bat.

The species-variety of tree is not listed as vulnerable or at risk in NSW, nor is the subject tree listed as a heritage item.

Several options are available and may be considered. Retention of the tree and its canopy severely restricts the development of the land to the extent that only a small dwelling could comfortably sit on the land. This dwelling would need to be located on or within the building line and in time could be covered by the canopy. In short it is not considered that Moreton Bay fig trees are compatible with standard residential lots and dwellings but rather are suited to large open spaces and parks where they have shade and ornamental value.

A second alternative is the relocation-transplanting of the tree to a compatible location in the general area.

It is estimated that the weight of both root ball and tree is in excess of 100 tonnes with the removal cost being approximately \$55,000 (fifty five thousand) - \$60,000 (sixty thousand). This figure may be reduced subject to the provision of labour, plant and other machinery by interested parties.

A final alternative is the purchase of the property by Council for a reserve allowing for retention of the tree. This would be at a cost in excess of \$125,000 (one hundred and twenty five thousand) and is difficult to justify given the proximity of Heritage Park.

Unfortunately, whilst the tree is significant it is not compatible with the normal use of a residential lot. Even if a small dwelling was erected and the tree retained, the development of the remainder of the land would be severely restricted.

RECOMMENDATION:

That approval be given for the felling of the tree.

ATTACHMENTS:

AT-1 Site map

FN:EN822NBX.V04

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

MP/TB.
Site Inspection
WS/ep
Loes 6/3
6/3

ITEM: 22**PROPOSAL FOR THE PROVISION OF BONDS TO ENSURE COMPLIANCE WITH TREE REMOVAL APPROVALS IN RURAL AREAS.****FILE NUMBER:** G3020/031PT04;GT070/006PT02/EVD**REPORT:**

Recently in a question at a Council meeting, it was suggested that Council should impose bonds on applications for tree removal to ensure that the extent of clearing allowed in the approval is complied with. Should the tree clearing exceed the approval, then Council would have the option to retain all or part of the bond as well as prosecute the applicant.

Concern is often expressed that the limits of clearing in approvals are exceeded and that there should be prosecution.

It is proposed that a bond be determined by Council for the identified trees during the period of development and for a further period of six (6) months. Should activities during the development jeopardise the condition of retained trees, or there be removal of trees other than that authorised, then return of the bond may be withheld. It will also be necessary to draft a standard legal agreement to be signed by the applicants at the time of submitting their bond.

The following is the proposed policy for the provision of bonds and their release:

1. **Standard Residential Building Block:**
No fee - no bond.

2. **Prospect Electricity:**

. Connections by private contractor:-

Application for removal of trees for the purpose of electrical connections to dwellings/sheds or related buildings.

On average entails removal of ten or more trees.

It is recommended that this be the subject of a \$60.00 fee with the lodgement of a bond of \$2,500 against the removal of trees not subject to the approval.

. Prospect Electricity Construction Work:-

No fee - no bond.

3. Agriculture:

Average applications for agricultural purposes usually involves the removal of ten or more trees and can range from two hectares to fifty hectares. Properties are inspected several times, including prior to the work being undertaken, during the tree felling operation and upon its completion. Conditions are set but have been ignored on occasions, such as when random trees are removed at a later date without any further application being made.

It is therefore recommended that a fee and bond be imposed to restrict activity other than that authorised with the consent.

Accordingly, a fee for these applications of \$60 should be imposed together with a bond of \$1,000 per hectare.

Assuming the tree removal is undertaken in accordance with the approval, the bond should be released six months from the satisfactory completion of the work.

RECOMMENDATION:

That the policy for tree applications and bonds for tree clearing be implemented generally in accordance with the proposal outlined in the report.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN822NBX.V08

**** END OF ITEM 22 ****

*Advertise 28 days
or consent
conditions.*

LS/CP
TB/PM - New TPO.
W. Williams

ITEM: 23**WILBERFORCE ABATTOIR - PROPOSED AGREEMENT TO
RELINQUISH EXISTING CONSENTS AND ISSUE A SINGLE
CONSOLIDATED CONSENT****FILE NUMBER:** P1102/560PT06;DA0052/94PT01/EVD**REPORT:**

At Council's meeting on 14 June 1994 it was resolved to establish a community committee with representatives of both the industry, the residents, a Councillor and appropriate Council staff with the purpose of monitoring the operations of the development. Councillor Sheather was appointed as Council's representative on the community committee.

The first community consultative committee meeting was held on 6 July 1994 and there have been a total of six meetings by the committee including a site inspection.

Through the consultative committee process all participants now have a full appreciation of the respective problems in both operating an abattoir and living near an abattoir. This has not necessarily resolved issues but there is a greater level of agreement as to the issues which are important to the maintenance of residential amenity and the operational requirements of abattoirs, both of which should be respected in conditions.

The most recent consultative committee meeting held on 31 May 1995 considered a noise report prepared by consultants Richard Heggie & Associates as well as a draft of a new list of conditions for a proposed consolidated consent.

These conditions were discussed with the abattoir operators and their solicitor on 26 July 1995.

Previous Consents

The basis of this report is to rationalise the existing consents and trade-off a number of existing conditions which have not been complied with and which are of little consequence to adjoining residents with conditions which will achieve an improvement in residential amenity.

The conditions should also allow the abattoir to operate within reasonable limits without the prospect of prosecution by Council for what could be considered normal operations.

Draft Conditions

The following is the position of the residents and the abattoir on the draft conditions which were circulated and discussed.

GENERAL PURPOSE COMMITTEE - ENVIRONMENT

Meeting Date: 22 August 1995

Item: 23

Condition No.	Residents Position	Abattoir Position
1. <i>Limitation on slaughtering to cattle, sheep, pigs and goats without further approval</i>	Agree	Request a general approval without the requirement for further approval
2. <i>No rendering to be undertaken</i>	Agree	Agree
3. <i>Hours of slaughtering</i>	7.30am to 4pm Monday to Friday with no slaughtering on Saturdays, Sundays or Public Holidays. No stock to be rounded up before 7am	6.30am (particularly in summer) to 4pm Monday to Friday with no slaughtering on Saturdays, Sundays or Public Holidays
4. <i>Hours of boning</i>	7.30am to 4pm Monday to Friday, 7.30am to 12 noon on Saturday with no boning on Sundays and Public Holidays	Preference is for 24 hours per day but could operate within suggested hours of 7.00am to 10.00pm on any day
5. <i>Delivery of stock</i>	7.00am to 8.00pm Monday to Friday and 7.00am to 12 noon Saturday with no deliveries on Sunday	Do not consider that they should be prosecuted for contractors over whom they have no control. Otherwise can live with a restriction of 7.00am to 10.00pm on any day
6. <i>Removal of meat and by-products</i>	7.00am to 10.00pm Monday to Friday and 7.00am to 12 noon on Saturdays	24 hours per day on the condition that refrigeration compressors are not run on site
7. <i>Stock trucks not to wait in King Road</i>	Agreed	Agreed
8. <i>Provision of wall along western boundary to attenuate noise from pens and slaughtering</i>	Agreed subject to wall being located on the abattoir property	Agreed subject to flexibility in the type of wall and agreement by adjoining owner to allow access for its construction
9. <i>Submission of a BA</i>	Agree	Agree
10. <i>Access road to be maintained in all weather condition</i>	Agree	Agree
11. <i>Adequate on-site area for parking and loading</i>	Agree	Agree
12. <i>Applicant to submit a survey indicating improvements on the site</i>	Agreed provided survey identifies any encroachments onto adjoining land	Suggested that aerial photographs would achieve same objective and would be cheaper
13. <i>Portable buildings and containers</i>	Want the two containers which have been placed in the yard removed	Want to retain the two containers in the yard and will agree not to leave containers permanently on site

GENERAL PURPOSE COMMITTEE - ENVIRONMENT

Meeting Date: 22 August 1995

Item: 23

Condition No.	Residents Position	Abattoir Position
14. Drainage of roof water away from adjoining land	Agree	Not considered relevant and concerned about drainage problems allegedly caused by neighbour
15. Offensive odour not to be detectable at any residence	Agree	Suggest that it be replaced by condition 22 on the 1991 consent that; <i>"the operations of the abattoir shall comply with any direction from Council or its officers to abate or prevent any nuisance"</i> Also argue that this provision is covered by condition no. 19
16. Operation to cease if waste water treatment plant fails	Agree but question whether there was daily irrigation of treated effluent	Agree
17. Inspection of waste water treatment plant and sampling of water	Agree	Agree but as liable for cost of sampling believe it should be done infrequently. Also argue that it is the responsibility of the EPA and that Council is duplicating the responsibility
18. Operation of waste water treatment plant in accordance with requirements of EPA	Agree	Agree
19. No interference with the amenity of the neighbourhood	Agree	Request that this condition be replaced with a more flexible requirement that the operations of the abattoir are to comply with any reasonable direction of Council or its officers to abate or prevent nuisance
20. Establishment of Environmental Monitoring Committee	Agree	Agree but suggest it should not be a condition and that meetings be convened at the request of Council
21. Employment of an Environmental Officer (full time, part time or consultant)	Agree	Depends on cost

After considering the positions of the residents and the abattoir, a final list of conditions had been drafted.

The following table lists the final recommended conditions and summarises the reasons for their imposition.

GENERAL PURPOSE COMMITTEE - ENVIRONMENT

Meeting Date: 22 August 1995

Item: 23

Recommended Condition	Reason
1. <i>This consent is for the operation of an abattoir to slaughter, butcher and undertake any associated activities in respect of cattle, sheep, pigs and goats. The slaughtering and butchering of any other animals will require the separate consent of Council.</i>	It is reasonable to constrain the abattoir to the existing livestock. Other types of livestock may pose different issues which have not been considered.
2. <i>The rendering of meat and by-products is not be undertaken on site.</i>	Rendering (the cooking of offal, blood etc) has never been undertaken on site and has significant potential to cause odour.
3. <i>The hours of slaughtering shall be limited to 7.00am to 4.00pm Monday to Friday. Slaughtering shall not be undertaken on Saturdays, Sundays or Public Holidays.</i> <i>Any variation to these times will require the approval of the Divisional Manager Environment and Development and will be restricted to rare events and breakdowns.</i>	The previous consents referred to "hours of operation" which does not make the important distinction between the separate processes of slaughtering and boning (butchering). The majority of noise complaints have arisen from slaughtering, particularly as the livestock are herded to the slaughter area. Boning is undertaken inside the building and besides the occasional use of a bandsaw does not generate noise. The proposed 7am commencement means staff can be on site earlier and that livestock can be herded preparatory to the 7am start. With the provision of the masonry wall in condition no. 8 it is considered that this start time is reasonable. It is possible that a rare breakdown or unforeseen event will require the abattoir to slaughter outside the approved hours. In these instances they should be required to obtain the separate approval of the Divisional Manager. If this provision is not included there would be the potential for prosecution for rare and possibly unavoidable disruptions.
4. <i>The hours of boning shall be limited to 7.00am to 10.00pm on any day.</i>	The boning or butchering of the meat must be done after it has been allowed to chill. It is undertaken in a room, generally by hand but with the occasional use of a bandsaw. The operators have been undertaking boning generally between 6am and 6pm and thus outside the approved "hours of operation". It is not considered that the activity is the source of any noise nuisance. The only potential nuisance is employee vehicles arriving or leaving the site and for this reason the activity should not be allowed to occur 24 hours per day. The proposed hours of 7.00am to 10.00pm were considered reasonable by the noise consultant, Richard Heggie & Associates, which commented that the boning operations are contained within the abattoir buildings and do not constitute a noise problem at David Street. The proposed 7am start time is consistent with the commencement of slaughtering.

GENERAL PURPOSE COMMITTEE - ENVIRONMENT

Meeting Date: 22 August 1995

Item: 23

Recommended Condition	Reason
5. <i>There are to be no trucks on site delivering stock between the hours of 10.00pm and 7.00am on any day.</i>	The delivery of stock outside of approved hours and particularly between 12 midnight and 6.00am has been the cause of most complaints. It is inevitable that stock deliveries will cause significant noise and in the period between 10.00pm and 7.00am they will disrupt sleep. The abattoir operators contend that a reasonable period must be provided for stock deliveries as trucks often come from sales yards in country areas such as Forbes with long journey times. They also argue that deliveries must be allowed to occur on Sundays to provide stock to slaughter on Monday.
6. <i>There are to be no trucks on site removing meat or by-products between the hours of 10.00pm and 7.00am on any day.</i>	Again this condition is consistent with the general curfew in the other conditions of 10.00pm to 7.00am. Whilst the abattoir operators argued for 24 hour operation subject to not running compressors, trucks entering the site in the early hours of the morning and loading could be disturb sleep at nearby residences.
7. <i>Trucks delivering stock to the abattoir are not to wait outside the abattoir entrance or at any other location which will disturb the amenity of residents.</i> <i>A new large sign is to be placed at the entrance on King Road advising that stock will be received between 7.00am and 10.00pm only and that stock transports are not to wait outside the abattoir and if they arrive out of hours are to proceed to a road layby outside of Wilberforce and away from houses.</i> <i>The sign is to be suitably lit so that it can be read at night.</i> <i>If necessary the applicant is to fund the erection of "No standing" signs outside the abattoir prohibiting standing between 10.00pm and 7.00am.</i>	There was agreement to this condition by both residents and the abattoir. However the abattoir does not consider it should be responsible for contractors who transport the stock to the site. Whilst it is difficult to ensure that contractors who have possibly never visited the site before, comply with the approved delivery hours, responsibility for compliance with the condition must be accepted by the abattoir. To ensure that the problem does not arise, the erection of a large sign indicating alternative locations for waiting should be erected. In addition, if necessary, no standing signs effective for the curfew hours can be placed along the frontage.

GENERAL PURPOSE COMMITTEE - ENVIRONMENT

Meeting Date: 22 August 1995

Item: 23

Recommended Condition	Reason
8. A solid masonry wall (solid brick or concrete block) is to be constructed along the western boundary from the southern end of the property to the end of the slaughter area. This wall is to be returned to the main building at the end of the slaughter area and is also to be taken for a distance of 5 metres along the southern boundary. The wall is to meet the corrugated metal roof and be fixed to it. The wall can be constructed in two stages provided that it is completed within 6 months of the date of this consent with the first stage being the slaughter area to be completed within 3 months of the date of this consent. The requirement to construct the wall is subject to the adjoining property owner providing reasonable access to allow its construction.	The construction of the wall was recommended in the noise consultant's report on the abattoir. In respect of the type of construction it was recommended that it be of solid construction (no gaps) and may be of brick or concrete in preference to metal as animals bumping against a metal barrier may itself be a noise problem. Masonry construction has the greatest noise attenuation properties, particularly for high pitched noise.
9. The doors to the compressor on the western side of the building are to be closed when the compressor is in operation. This will probably require an alternative ventilation system which is to be acoustically treated to the satisfaction of the Divisional Manager Environment and Development. Alternatively, the masonry wall can be extended north of the compressor room to provide acoustic screening which would allow the compressor door to be left open.	The compressor is used to operate pneumatic knives. It is housed in a small fibro enclosure. The compressor generates considerable noise through the open side doors. Richard Heggie & Associates recommended that the compressor room doors be closed when it is running.
10. The submission of a building application, plans and specifications complying with the Building Code of Australia for the masonry wall.	Statutory requirement
11. The access road from King Road to the abattoir building shall be maintained in an all weather condition.	It is not considered necessary that the internal access road be sealed.
12. An adequate on-site area for parking and loading with a suitable all weather surface is to be maintained to the satisfaction of the Divisional Manager Environment and Development.	The existing yard area is sufficient for parking and loading. It is not considered necessary for this area to be sealed.
13. The applicant is to submit either a survey or aerial photographs of the site which clearly depict all improvements so that Council has a record of the extent of the development.	There has been a history of transportable buildings and containers being used on the site without consent. The purpose of this condition is to provide evidence of the improvements on the site at a particular date.

GENERAL PURPOSE COMMITTEE - ENVIRONMENT

Meeting Date: 22 August 1995

Item: 23

Recommended Condition	Reason
14. <i>No portable buildings or containers are to be brought on site additional to those existing at 14 August 1995 without the consent of Council.</i>	Over the past 12 months, two shipping containers, one with a refrigeration unit, have been placed in the yard beside an existing shed. One container is used for the storage of hides, pending their removal every second day to a tannery, and the other is used for the storage of cartons used to pack meat. The operators have advised that one of the containers was a replacement for an existing container inside the shed, however the containers were too high to be placed inside the shed. The containers are located on the eastern side of the abattoir against an existing shed. They have no effect on noise or the amenity of the area and as a consequence they have no effect on amenity.
15. <i>The operation of the abattoir shall cease in the event that any part of the waste water control plant is affected by flooding or in the event that the system fails to operate in accordance with standards as approved by Environment Protection Authority.</i>	Self evident as treatment plant could not comply with EPA licence.
16. <i>The operation of the waste water treatment plant shall be inspected from time to time as determined by the Divisional Manager Environment and Development and the cost of such inspections and of any consequent sampling and testing shall be met by the operators of the abattoir.</i>	Council should have the option of undertaking periodic inspections and sampling of the treatment plant. The costs of such inspections and sampling should be borne by the applicant.
17. <i>The waste water treatment plant and disposal area shall be operated and maintained in accordance with the requirements of the Environment Protection Authority licence.</i>	Statutory requirement.

GENERAL PURPOSE COMMITTEE - ENVIRONMENT

Meeting Date: 22 August 1995

Item: 23

Recommended Condition	Reason
18. <i>The development shall be carried out in such a manner so as not to interfere with the amenity of the neighbourhood, in respect of noise, smell, waste products or otherwise.</i>	The abattoir operators requested that this condition be replaced with a requirement that "the operations of the abattoir shall comply with any reasonable direction from Council or its officers to abate or prevent any nuisance". A similar condition was imposed on the 1991 consent for alterations and extensions however the 1994 consent contained the recommended condition. Both conditions are similar in that they seek to prevent nuisance such as would interfere with the amenity of the neighbourhood. However the condition suggested by the abattoir operators perhaps provides slightly more discretion than the recommended condition. However it is considered that the onus should be on the abattoir operator to prevent nuisance which may interfere with the amenity of the area rather than only react to directions or instructions from Council or its officers. It has this responsibility in common law and this should not be confused by an inconsistent consent condition.
19. <i>The applicant is to participate on an Environmental Monitoring Committee if requested by Council. The committee would consist of representatives of Council and two community representatives approved by Council. The Committee would consider any impacts that the development may have on the local environment. Meetings of the Committee are to be convened at the request of Council.</i>	The operation of the Community Consultative Committee has been beneficial in this process to date and occasional future meetings could assist in resolving operational problems.
20. <i>The applicant shall engage a properly qualified environmental officer (full time, part time or contractual) to be responsible for and to supervise the environmental performance of the development. The qualifications of the environmental officer are to be to the satisfaction of the Divisional Manager Environment and Development.</i> <i>The environmental officer is to prepare an annual report detailing the environmental performance of the abattoir for consideration by Council and the Environmental Monitoring Committee.</i> <i>The environmental officer is to be available for any meetings of the environmental monitoring committee.</i>	The abattoir operators had no specific objection to this condition but were concerned about its potential cost. The reason for the condition is that the development has the potential for significant environmental impact and the provision of expert environmental advice, at least on an infrequent basis, would be to the advantage of the operator, Council and residents alike.

Conclusion

It is proposed that a consolidated consent be issued for the abattoir incorporating the recommended conditions and that the operators surrender all existing consents in accordance with the provisions in the Environmental Planning and Assessment Act.

The recommended conditions provide sufficient flexibility to the abattoir operators to undertake their business without any undue restrictions. Consequently, if Council chooses to accept the conditions it should be prepared to enforce them and, if necessary, to prosecute any non-compliance.

The conditions provide for the erection of a wall along the western boundary of the slaughter area and holding yards which should eliminate or greatly reduce noise nuisance.

The recommended conditions of the consolidated consent respect the existence of the abattoir and its right to reasonable operating conditions whilst seeking to achieve a substantial improvement in the amenity of surrounding residences and particularly those to the west of the site in David Street.

RECOMMENDATION:

1. The abattoir operators be invited to surrender all existing development consents with a modified consolidated consent to be issued under delegated authority subject to conditions Nos. 1 - 20 (one to twenty) as stated in the report.
2. In the event that the abattoir operators do not surrender the existing consents to be replaced by the modified consolidated consent, Council take action to enforce compliance with the existing conditions of consent and, if necessary, take legal action to achieve this.

ATTACHMENTS:

AT-1 Copy of locality map indicating location of abattoir and complainants.

FN:EN822NBX.V10

**** END OF ITEM 23 ****

see later items
hs/BK

ITEM: 24

DRAFT LOCAL ENVIRONMENTAL PLAN - LOT 7 DP979541 NO. 2 JOHNSTON STREET, PITT TOWN - 1 JOHNSTON & G TIMMERMAN - 20 ADDITIONAL LOTS

FILE NUMBER: LEP21/93 PT01/EVD

REPORT:

Council at its Ordinary meeting of 14 December 1993, resolved to support the preparation of a draft local environmental plan to delete Clause 40 from Hawkesbury Local Environmental Plan, 1989, and to permit residential subdivision of the site into 20 (twenty) lots with a residual lot not being capable of further subdivision until services are available.

Pursuant to Section 62 of the Act, the draft plan was referred to Sydney Water.

Sydney Water has made comment and requires the following:-

"Previous request to subdivide the property to 20 lots have not been supported by Sydney Water on the basis of insufficient bulk water capacity at North Richmond Water treatment Works. Planning projections and hydraulic models support this contention. Based on the present zonings, rate of consumption and growth of the city by urban consolidation, serious systems deficiencies will occur over the next 10 years. If bulk water capacity is not increased of demand management does not reduce water demand.

Sydney Water has further investigated the water supply to the existing orchard on the property, and is now prepared to offer the applicant water services to ten extra rural lots. This on the basis that the existing usage of the orchard will be transferred to the ten new lots and the existing homestead under the following conditions:-

- *The 10 new water services and the existing homestead lot will be 3 L.min restricted services.*
- *Discharge of the service to be into an approved storage tank with air gap and pump. Inspection of the installations to be carried out by Sydney Water Inspectors.*
- *The zoning of the extra lots will not be residential. Therefore the size of the block must reflect the rural nature of the area and recent Hawkesbury Council Rural Lands Study.*
- *This offer is a once only offer and will not be transferable. This offer is valid for one year and will not be considered as a premise for other large holdings in the water benefit area.*
- *Major works charges are applicable to recover the cost of necessary future amplifications.*

- *At present, a Developer Servicing Plan (D.S.P) for the Hawkesbury Water System is being compiled. The plan will outline system capacity servicing options, major works charges etc. It is anticipated that the D.S.P will be approved by the end of 1995. The provision of water to additional lots cannot be considered until the D.S.P has been approved."*

There is a general consensus within the Department of Mineral Resources that any extraction proposal that concentrates on the southern part of the deposit and which does not involve the bulk of the remaining sand resources at Pitt Town stands little chance of success. Recently two factors have emerged which may have a significant change to the supply of sand to the market. There is a recognition of large resources of sand in areas such as the Newnes Plateau, the Southern Highlands, and Stockton Bight. The Department has acknowledged that there is relatively limited sand resources at Pitt Town and have declined in regional importance. Furthermore, the high clay content of the material and various environmental concerns of many local residents are important factors that have been noted.

"the Department will not oppose subdivision of 'Bona Vista', provided this does not entirely rule out the extractive industry option elsewhere at Pitt Town."

The Department of Mineral Resources has requested that other landowners at Pitt Town who have recently gained approval for subdivision, under Section 88b of the Conveyancing Act limit the rights of future landowners to oppose the extractive industry in nearby areas.

Council received correspondence from the Department of Urban Affairs and Planning dated 12 July 1995 relating to the State Regional Environmental Plan (SREP) No.9(2) - Extractive Industry.

"The Pitt Town sand deposit identified in SREP No.9 will be deleted from the revised plan."

The Department is awaiting the results of a review of sites that is being conducted by the Department of Mineral Resources before SREP No.9 (2) can be finalised.

The Section 65 Certificate was issued by the Department of Urban Affairs and Planning and the draft plan exhibited from 12 July 1995 to 11 August 1995. One submission was received.

Concerns raised are:-

"the amendment should only permit a development that is specific, feasible and compliments the existing rural character of the area."

"no specific information is given on location or size of individual lots or how these lots relate to the Heritage item Bona Vista"

"dramatically alter the current streetscape"

"If development is to occur we can see no reason why it cannot proceed under the existing 7(d)1 zoning classification".

The development will result in change to the streetscape of Bathurst Street but it could be argued that the removal of the citrus trees had a greater affect than the proposed subdivision and dwellings. The applicants have been given some flexibility in the lot sizes in order to satisfy the requirements of Sydney Water, however it seems likely that they will be large residential lots, perhaps up to 4,000m² in area. A 2 (two) hectare curtilage has to be left around the "Bona Vista" homestead. It is not considered that the development will be inconsistent with the existing amenity of the Vermont area.

RECOMMENDATION:

That the plan be forwarded to the Department of Urban Affairs and Planning for gazettal.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN822NBX.V13

**** END OF ITEM 24 ****

Item 42

TB/WS

ITEM: 25

LANDFILL - LOT 1 & LOT 2 DP719658 LOTS 59 AND 60
DP560460 AND LOTS 21 & 22 DP518197 GEORGE STREET,
WINDSOR - OWNER: MISS I SHEIKH

FILE NUMBER:

DA0224/94/EVD

REPORT:

Council is in receipt of a development application proposing landfill on the subject property. Detailed plans have not been submitted with the application, however, it has been indicated that the fill will be up to 4.0m in height, occupying some 5.6ha of land, consisting mainly of 'clean-fill', particularly building debris. The nature and location of the fill is such that an environmental impact statement is required. The applicant is aware of this, however, as the preparation of an EIS will incur considerable cost, his client would like to gauge "Council's feeling to his proposal". Consequently, it has been requested that in-principle consideration be given to the application.

Problems and inadequacies with the proposal are apparent, and consequently, it is recommended that the applicant not proceed with the development for the following reasons:-

- the land, even after filling, will not be capable of being developed with buildings in accordance with Hawkesbury LEP, 1989;
- the filling could have impact on the flood velocities of Rickaby's Creek;
- the previous land fill operation carried out by the applicant's client was inappropriate in terms of its overall management, material in the landfill and general compliance with Council requirements;
- impact on localised drainage; and
- appearance of the development.

RECOMMENDATION:

It is recommended that the applicant withdraw the application and not proceed with the preparation of an environment impact statement

ATTACHMENTS:

AT-1 Site map

FN:EN822NBX.V15

**** END OF ITEM 25 ****

FN:EN822NBX.V15

SECTION B

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ITEM: 26

SUBDIVISION POTENTIAL - VERMONT AREA

FILE NUMBER:

GT0220/003 PT2/EVD

REPORT:

In February 1995 Council adopted a Notice of Motion from Councillor Books that there be an investigation for the potential for further subdivision in the Vermont area.

Existing Situation

The majority of the Vermont area is zoned 7(d1) as is the surrounding area. This provides for a minimum lot size of 10ha. The land immediately to the east is zoned 1(c) which provides for a minimum lot size of 2ha. (See zoning plan attached).

The actual Vermont area centred on Wells Street is already heavily fragmented with lot sizes of approximately 2000m² along Hawkesbury Street with the balance generally 1 to 2ha. A couple of lots on the eastern extremity range from 1.5 to 6ha.

A number of larger holdings exist to the north, south and east, viz:-

North of Hall Street	-	65ha in 6 parcels in the Estate of M.V.Cleary
South of Johnston Street	-	49ha - Bona Vista
South of Bootles Lane	-	39ha - Weatherstone
East of Hall Street	-	34ha - Thornton

As a consequence of the refusal to sand mine the Bona Vista site - LEP 21 is currently proceeding with a view to the creation of 20 lots ranging in size from 450m² to 1ha with a large residue. Sydney Water has advised that they are prepared, on a one off basis, to allow water services to 10 lots on a restricted flow basis.

Constraints(1) Flooding

The area is below the PMF with part of the larger holding north of Hall Street and south of Bootles Lane below both the 1 in 100 and the floor height standard.

(ii) Water Supply

Sydney Water has indicated on a number of occasions that additional water is not available to the area.

(iii) Sewer

At least part of the area could be serviced by the existing Council system in Pitt Town with the provision of a pump station and rising main. However, unless a reticulated water is available this could not proceed. No investigation of the capacity of the Pitt Town System has been undertaken.

(iv) Drainage

Part of the area immediately to the east of Vermont has been mined in the past and is now flat and swampy and below the surrounding area. While it is above the current 1:100 year flood level it will require filling to provide adequate drainage of the land.

(v) Zoning

The current 7(d1) zoning has a number of objectives including:-

- (a) to preserve the river valley systems, scenic corridors, environmentally sensitive areas and other local features of scenic attraction;
- (c) to ensure that development does not create unreasonable or economic demands, or both, for provision or extension of public amenities or services.

(vi) SREP 9

Much of the Vermont area is covered by SREP 9. While DUAP has indicated this is to be lifted the amendment has not yet been gazetted.

Conclusion

- (i) There is no immediate potential for residential development of the area. Further, while the government does not allow rezoning of land below the PMF will have no such potential. It is believed, however, that this requirement will ultimately be relaxed. For instance DUAP is currently funding a study on appropriate subdivision and development of flood prone land.
- (ii) There is no justification for the rezoning of the large holdings mentioned previously in this report. Apart from being inconsistent with the aims of the current zoning this would lead to fragmentation of the holdings and make future residential subdivision of the land extremely difficult.
- (iii) The actual Vermont area defined as that land bounded by Johnston Street, Hawkesbury Street, Hall Street and the existing boundary of the 7(d1) and 1(c) zoning is already heavily fragmented. On this basis there is justification in considering an extension of the existing 1(c) zoning over this area. The potential additional lot yield (2ha) is only 5 or 6. There is some doubt that even all of these additional lots could be created due to drainage problems as a consequence of the previous mining of the area.

- (iv) Even if Sydney water is not prepared to provide water to the area, subdivision in 2ha could be approved on the basis of tank water supply and on site disposal of sewer.

RECOMMENDATION:

1. The contents of this report be noted.
2. No further action to rezone the large holdings north and east of Hall Street or south of Bootles Lane be taken at this time other than the proposal at Bona Vista currently being considered under LEP21/93.
3. The currently fragmented area of Vermont shown crosshatched on the plan attached to this report be zoned Rural 1(c) and a Section 64 Submission be made to the Department of Urban Affairs and Planning requesting same.

ATTACHMENTS:

AT-1 Site map

AT-2 Extract of zoning map

FN:EN822NBX.V17

**** END OF ITEM 26 ****

Wsl/WS

Minor Document

Received Wsl

22

ITEM: 27 DRAFT LOCAL ENVIRONMENTAL PLAN - ADDITIONAL HERITAGE ITEMS**FILE NUMBER:** LEP010/95/EVD**REPORT:**

The formal assessment and identification of heritage items in the Hawkesbury local government area is an ongoing process jointly undertaken by Council's Heritage Adviser, The Heritage Advisory Committee and Council's staff. Increased concern about development pressure in Lower Portland has led to a heritage assessment being undertaken of that locality by Council's Heritage Adviser. Lower Portland is significant in a heritage context due to the following:

- . the Lower Portland landscape is a contrast between natural bushland and cultivated rural lands. The imposition of the cultural rural landscape on the bushland and subsequent contrast of the two qualities is what gives the locality its character
- . land grants in Lower Portland were issued in the early 1800s and the area settled and formed
- . the locality was used as a staging post for river transport particularly for produce

Thus Lower Portland is associated with general Hawkesbury themes of early settlement, agriculture, river transport and later settlement.

The assessment process undertaken by the Heritage Adviser has included a review of history of the locality, field work and preparation of inventory sheets. Individual inventory sheets identify each property, describe the potential heritage item and incorporate a statement of significance. As a consequence of this assessment the Advisory has identified four properties which have the potential to be formally identified and included as heritage items in Schedule 1 (Heritage Items) of Hawkesbury Local Environmental Plan, 1989. The properties include:-

- "Ventiaville" 1235 West Portland Road
(Lot 101 DP739219)
- Slab Barn 1280 West Portland Road
(Lot 1 DP586231)
- Lower Portland Public School 1930 Wheelbarrow Ridge Road
(Lot 1 DP794605)
- Stone Cottage Greens Road
(Lot 18 DP753784)

Whilst each of the above items has individual heritage significance the items collectively form a distinct conservation area.

Given this it is considered appropriate that a draft local environmental plan be prepared to formally identify and include the properties as heritage items in Schedule 1 of Hawkesbury Local Environmental Plan, 1989.

In addition the retention of the old Hawkesbury hospital as a heritage item has been previously agreed to by Council. It is appropriate that this be formalised by way of a local environmental plan.

RECOMMENDATION:

1. That a submission be prepared pursuant to Section 54 of the Environmental Planning and Assessment Act be forwarded to the Department of Urban Affairs and Planning in relation to the Draft Local Environmental Plan for additional heritage items in Lower Portland.
- X. That a draft local environmental plan be prepared to make the main building complex of the old Hawkesbury hospital an item of environmental heritage.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN822NBX.V18

**** END OF ITEM 27 ****

No 1. WS/LS. ↓
No 2 WS/CP. Sub advise heritage report.

ITEM: 28

AMENDMENTS TO STAGE 1 - EXTENSIONS AND ALTERATIONS TO THE EXISTING RICHMOND EX-SERVICEMEN'S CLUB - LOT 13, DP4906, LOT B, DP368301, LOTS 1-5, DP237356, 6-8 EAST MARKET STREET AND LOT 1, DP624012 CORNER FRANCIS STREET AND BENSONS LANE, RICHMOND.

FILE NUMBER: DA24/95/EVD

REPORT:

Council at its Ordinary Meeting of 9 May 1995, resolved to approve, with conditions, Stage 1 works for the redevelopment of the existing Richmond Ex-Servicemen's Club.

The applicant has now requesting an amendment of the approved plans for the relocation of the bowling greens and to stage construction works. The applicant's submission, in part, reads:-

"Please note that although these amended plans indicate that the existing bowling greens will be replaced with car parking, the intention is to break up Stage I works into two phases"...."Phase I will be the construction of the major works to the Club with one and a half greens remaining on the site. Phase II will be to construct a new bowling club house and greens as indicated and at this time the area in front of the club will become car parking. A letter from the Club is attached which indicates the time span between these phases of construction."

Recent correspondence from the Club states that:-

"Building applications for Stage One of the alterations to Richmond Ex-Servicemen's Club will be phased in over two stages.

Stage One will incorporate the extensions to the Clubhouse.

Stage Two will be the relocation of the bowling greens and once this is completed, additional carparking will be provided where the present one and a half greens are situated.

It is anticipated that Stage Two will be completed within a period of two years or when financial funds become available".

History

As part of the approval, amended plans referenced "DA13" provided a new car parking layout for 138 cars situated on the 'Club' site and the relocation of the 2 bowling greens to replace the existing northern car park.

The proposal also provided a new club house to replace an existing storage shed located north of Francis Street.

Amended Plan

The revised amended plans referenced "DA13 B" now provide the retention of the northern car park (136 spaces); the retention of the existing storage shed; 2 new bowling greens adjacent to Bensons Lane; and the clubhouse, which is to be elevated with a floor height of 16.9m. The clubhouse, resembling an elevated dwelling, will be partly screened by the existing pumping station and trees surrounding the car park. Aesthetically this should not be a concern as the land falls below Francis Street and is considered sympathetic to existing development within the area.

The applicant's submission indicates that Stage I works are to be carried out in stages over a period of two years. Notwithstanding this, it is considered that the Club generates the majority of street parking with its associated functions and, accordingly, should provide commensurate parking on-site. To this end 274 spaces are proposed (136 spaces existing at the northern car park and 138 spaces proposed on the Club site).

RECOMMENDATION:

It is recommended that the recently submitted amendment for Stage I be approved and that Development Consent be amended with the following conditions:-

1. Amended Stage I be carried out generally in accordance with plans referenced DA2, DA3, DA4, DA5 dated 10 February, 1995 and DA13B dated 17 July 1995 and where modified by conditions.
2. Upon completion of the relocated bowling greens adjacent to Bensons Lane, carparking proposed on the Club site shall be carried out in accordance with amended Condition No. 1.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN822NBX.V19

**** END OF ITEM 28 ****

TB/RE
✓ Defmed consultation
with members

ITEM: 29 DRAFT LOCAL ENVIRONMENTAL PLAN - ADDITIONAL HERITAGE ITEMS**FILE NUMBER:** LEP1/94; P1341/495 PT1/EVD**REPORT:**

Council at its Ordinary Meeting on 8 February 1995, resolved to prepare a Draft Local Environmental Plan to protect buildings and places of heritage significance by including additional heritage items in Schedule 1 of Hawkesbury Local Environmental Plan 1989, and to correct errors in the Schedule. The Draft Plan encompassed forty three heritage items reviewed by Council's Heritage Advisory Committee during 1994. The majority of items reviewed by the Committee were previously identified in the Department of Urban Affairs and Planning's 1986 North West Sector Heritage Study. The items are located in Richmond, Windsor, Ebenezer, Kurrajong, Kurrajong Heights, Wilberforce, North Richmond, Agnes Banks, Blaxlands Ridge, Grose Vale and Kurrajong Hills.

The Draft Plan was exhibited from 24 May 1995 to 23 June 1995. During the exhibition period an Information Evening was conducted by Council's Heritage Advisory Committee for the owners of items.

As a consequence of exhibition five objections and one submission were received. Each item, the subject of objection or submission is identified below, a precise given and comment made.

37 Lennox Street, Richmond (Lot 1 DP782606)

Objectors Names: M & P Jackson

Precise of Objection:

"Invasion of civil liberties

We find it grossly offensive that a government instrumentality can simply come along and cause significant stress and anguish because some non elected committee decides that someone else's private home should be painted and restored to that committee's specifications.

Condition of the building

The building as it stands cannot be deemed to be of any significant heritage value. The original section of the building has been almost totally "bastardised" and the only original remaining parts are a few dilapidated brick walls which in turn have been patched and painted and, because of severe rising damp, are literally falling to pieces.

Loss of development and consequent invested potential

Because the building was in a poor state of repair when we purchased it, we looked at the property with a view to long term investment potential. We purchased the property because as a young family it was all we could afford. After making enquiries to determine if there were any encumbrances on the property and finding that there were none, we undertook the project with a view to repair the building to sound and acceptable standards including the bagging and painting of all external brickwork to our own colour scheme. We also established with council officers that the property was suitable for villa development. It was because of this potential that we decided to purchase. If a heritage listing is applied to this property it will greatly affect the marketability and both the current and future valuations. Communication with estate agents has confirmed this."

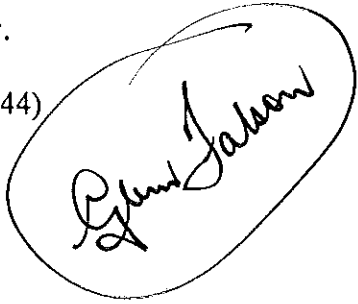
Comment:

This item is reported on separately in the business paper.

51 Bells Line of Road, North Richmond (Lot 1 DP577444)

Objector's Name: R Peel

Precise of Objection:

- 
- "* Council's letter makes no indication as to why the building is considered to be a heritage item.
 - * The land is zoned General Business 3(a) as is other land in the vicinity. The land is within an older commercial area that is currently being assessed for commercial redevelopment.
 - * The commercial zoning dictates that there must be an economic return from the property.
 - * The building is not attractive in its own right and does not form part of any identified heritage streetscape.
 - * The building is in a poor state of repair and because of its construction methods has reached the end of its economic life.
 - * In 1987 the building was previously rejected by Council to become a heritage item. Nothing has changed since that time such that Council should alter its position, except that the building is in a poorer state of repair.

One of the basic aims of the Environmental Planning and Assessment Act is to promote the orderly and economic use of land. Retention of a building as a heritage item is neither orderly, nor economic.

It would devalue the property, severely hinder any reasonable commercial use of the land, frustrate overall commercial cohesion and fly in the face of the zone and the endeavours of landowners, developers and Council's staff, over a long period, to achieve and enhanced and vibrant commercial precinct at North Richmond."

Comment:

A circa 1900 weatherboard cottage with bullnose front verandah, decorative timber brackets and posts and iron roof is situated on the land. Three palm trees (1 Canary Island Palm and 2 Cabbage Tree Palms) situated between the front elevation of the cottage and the road alignment are associated with the cottage. The cottage is identified in the North West Sector Heritage Study as having local significance. The curtilage of the cottage is further identified in this Study as the property boundary.

Formal identification of the cottage as a heritage item does not preclude its commercial usage nor new development of the rear of the site. Council has recently supported major retail development in Richmond where new development will be constructed at the rear of retained heritage items. The heritage items situated adjacent to the road alignment have in the Richmond development not only acted to "pedestrianise" the development but also enabled the existing streetscape to be retained. Any commercial redevelopment proposal for the land should thus give consideration to retention of the cottage and palms on the land.

82 Windsor Street, Richmond (Lots D & E DP164971)

Objectors Name: B & M King

Precise of Objection:

- "* The cottage has not been inspected by anyone representing the Heritage Advisory Committee.
- * The cottage has been modified and altered many times since being built and now has very few original aspects.
- * The cottage does not have any historic, scientific, cultural, social, archaeological, natural or aesthetic significance that we are aware of. It is also arguable that the cottage has no architectural significance, say for its external shape, as a result of the many piecemeal alterations.
- * The cottage is in poor repair.
- * The draft plan would seem to include the whole of the property and everything upon it."

Comment:

A circa 1850 timber and fibro cottage with partially infilled verandah and iron roof is situated on the land. The cottage is identified in the North West Sector Heritage Study as having local significance and contributing to the character of Richmond.

The further identifies the curtilage of the cottage as being the property boundary.

The cottage was reviewed by Council's Heritage Advisory Committee during 1994. The cottage is an example of modest 1850's architecture. Whilst the cottage has been altered since its construction, alterations such as the partially infilled verandah do not significantly compromise its heritage significance. The cottage has significance in archaeological, architectural, historical, cultural, social and aesthetic terms. The cottage contributes to the overall character of the town of Richmond. Notwithstanding that heritage listing would be applicable to the entire property, such listing does not preclude sympathetic redevelopment of land at the rear of the cottage.

774 Grose Vale Road, Grose Vale (DP959018)

Objectors Name: D Shaw

Precise of Objection:

- "* The original shop was demolished several years ago before the property came into my families possession, and in approximately the same place there is now a very recently constructed weatherboard studio (built with Council approval and final inspection).
- * The dwelling was renovated around the time the shop was demolished and the rear third of the building is completely "new" although reasonably sympathetic with the rest of the building. If the building can be shown to have historic or architectural significance I have no objection to its inclusion in the Schedule. My wife and I currently use the house as a weekender and have no desire to demolish or alter it other than restoring as time and money permit."

Comment:

A simple weatherboard cottage with corrugated iron roof is situated on the land. The cottage and "shop" were identified by Council's staff in 1986 as part of the major review of North West Sector Heritage Study items. Since that time the "shop" has been demolished and a studio erected in its place. The shop demolition and the erection of the studio was the subject of Council approval. Notwithstanding the demolition of the "shop" it is the cottage has local heritage significance.

80 Lennox Street, Richmond (Lot 22 DP567749)

Objectors Name: V & P Tchadovitch

Precise of Objection:

- "* In late 1986, the property was proposed for inclusion for heritage item listing and rejected by the Committee on the grounds that it was generally in poor condition, that it had no architectural or historical merit due to extensive additions, alterations, renovations and repairs made to the building over the years by previous owners using materials not sympathetic or in keeping with the original.

- * Since late 1986, it has even further deteriorated due to lack of maintenance and repairs to the point that it has become an eyesaw rather than an asset.
- * Indeed, the semi-dilapidated building with galvanised iron roof as it stands today bears little resemblance to the structure as originally constructed."

Comment:

A circa 1890's weatherboard and iron cottage with partially infilled verandah is situated on the land. The cottage is described in the North West Sector Heritage Study as symbolising domestic architecture of the period. The Study further identifies that the cottage has local heritage significance.

In May 1994 Council received an application from Mr and Mrs Tchadovitch proposing demolition of the cottage on the land on the grounds that it was in a state of disrepair. This application was subsequently reported to the General Purpose Committee Meeting of Council on 28 June 1994, and 30 August 1994. At its Ordinary Meeting on 13 September 1994, Council resolved to support provision of a \$5,000 dollar for dollar grant from the Hawkesbury Local Heritage Assistance Fund for repainting the cottage in a traditional colour scheme and the erection of a timber picket fence. The provision of such funding was conditional on retention and the adaptive reuse of the cottage.

209 Macquarie Street, Windsor (Lot 20 Section P)

Objector's Name: L Smith

Precise of Objection:

- "* We believe the old building at 209 Macquarie Street, Windsor, to be in a very unsound condition as the end where the fire place is leaning in towards our next door neighbours. The cracks are so bad in the walls you can see daylight through them from inside. The bricks are so powdery they are falling out. It is also on the street level and anyone walking past or the traffic going by, if the iron was to blow off the roof it would be a disaster. The worry it is causing us is terrible. We hope you will allow us to demolish it for the safety of our own selves and, the neighbours and the public on the street."

Comment:

A circa 1840's workman's brick cottage with corrugated iron roof and verandah is situated on the land close the alignment of Macquarie Street. The cottage is described in the North West Sector Heritage Study as a charming cottage (in poor condition) which contributes to the historic character of Windsor. The cottage is further identified in the study as having local heritage significance.

Following receipt of the property owner's submission, the building was inspected by Council's Heritage Adviser.

The Heritage Adviser advises report states:-

"The building is Georgian in style and early Victorian in date. A two room cottage originally with an attached kitchen and skillion at the rear and timber framed verandah on the street alignment.

The building has deteriorated significantly in recent years and is partially open to the weather at the rear and through open cracks and openings and due to vandalism and neglect. There are no floors in the second room and the whole of the rear of the building has been demolished. Significant areas outside the building have been cement rendered.

The building is not, in my opinion, structurally stable and poses a risk to the public and adjoining neighbours property. If it were proposed to repair the building a large section would need to be demolished and reconstructed. I recommend that Council officers inspect the structure to determine if it is capable of stabilisation.

If consent to demolish is granted a large quantity of general material could be recovered for use in repair and maintenance works on other properties. The building should be fully recorded."

The building was also inspected by Council staff. This inspection revealed that the building is structurally unsound and should be demolished. Given this, the issue of approval for demolition of the building should be conditional on its recording and donation of building materials from the demolished building to Council for reuse in the repair and maintenance of other heritage items in the local government area.

446 Windsor/Wilberforce Road, Wilberforce (Lot 2 DP595299)

Whilst no formal objection or submission has been received for the above property, Council staff have received verbal advice from the owner of Wilberforce Park Pty Ltd that there is no weatherboard cottage or slab barn as described in the 1986 Inventory Sheet located on his property. The slab barn is instead believed to be situated on Australian Pioneer Village lands.

Conclusion

None of the issues raised in the above objections sufficiently warrants the deletion of the heritage item from inclusion in the Draft Local Environmental Plan. Each of the items to which an objection or submission has been received has local heritage significance. Each item makes an individual and collective contribution to the character of the Hawkesbury.

The issues identified in the above objections are those which Council has successfully addressed over the past decade vis-a-vis:-

- * adaptive reuse of heritage items;
- * approval of sympathetic new development at the rear of heritage items;

- * Heritage Advisory Service; and
- * Hawkesbury Local Heritage Assistance Fund.

Given the above, the following items to which objection has been received should be identified and included as heritage items in the Draft Local Environmental Plan:-

1. 37 Lennox Street, Richmond.
2. 51 Bells Line of Road, North Richmond.
3. 82 Windsor Street, Richmond.
4. 774 Grose Vale Road, Grose Vale.
5. 80 Lennox Street, Richmond.

see items 33 + 39

WS/CP Inclusion

← TB/BK

*deferred
Heritage Adv.*

Heritage TB/BK

It is further considered that the building at 209 Macquarie Street, Windsor, should be deleted from inclusion in the Draft Local Environmental Plan as it is structurally unsound and poses a safety risk.

RECOMMENDATION:

That:-

1. A submission pursuant to Section 68 of the Environmental Planning and Assessment Act for the Draft Local Environmental Plan - Additional Heritage Items, be forwarded to the Department of Urban Affairs and Planning.
2. The schedule of items in the Draft Local Environmental Plan - Additional Heritage Items, include all those items to which objection has been received.
3. The schedule of items in the Draft Local Environmental Plan - Additional Heritage Items delete the item known as 209 Macquarie Street, Windsor.
4. Approval for the demolition of 209 Macquarie Street, Windsor, be issued conditional on:-
 - a. photographic recording of the building prior to demolition; and
 - b. photographs submitted for approval of the Divisional Manager prior to any work being undertaken.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN822NBX.V20

**** END OF ITEM 29 ****

*Deferred
WS/TB.*

FN:EN822NBX.V20

SECTION B

Page 63

ITEM: 30

ADDITIONS TO A SERVICE STATION. LOT 2, DP 706131 NO.
1255 BELLS LINE OF ROAD, KURRAJONG HEIGHTS

FILE NUMBER: DA125/94/EVD

REPORT:

Council at its Ordinary Meeting held on 8 November, 1994, considered an application for additions to the service station existing on the above property. The application was refused for the following reasons:-

1. *The development has an unsatisfactory appearance.*
2. *The development incurs significant visual impact upon the heritage item on the site.*
3. *The orientation of a car repair station towards Douglas Street is unsatisfactory.*
4. *The location of car parking for the car repair station inside the building is unsatisfactory.*
5. *The proposal is an over development of the site.*
6. *The attraction of vehicular traffic to Douglas Street will adversely affect the character of Douglas Street.*
7. *The upgrading of Douglas Street to provide suitable access will adversely affect the character of Douglas Street and could result in the removal of significant vegetation.*
8. *The development requires the removal of all significant vegetation on the site.*
9. *The development is incompatible with the grouping of heritage buildings in close proximity to the site.*

The applicant appealed to the Land and Environment Court, who heard the matter between 17-21 July, 1995, before Assessor Andrews. The Court found in Council's favour.

The judgement concludes as follows:-

"The Court has concluded, therefore, after carefully considering the evidence and submission of both parties, that the design of the proposal is fundamentally flawed by reference to the objectives and guidelines of the D.C.P., flowing from the L.E.P. It lacks appropriate consideration of management of heritage items, is of excessive scale, representing over-development of the site, and is less than satisfactory in providing for vehicular and pedestrian circulation adjoining the site and near the intersection of Bell's Line of Road and Douglas Street."

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

CP/WS.

FN:EN822NBX.V22

**** END OF ITEM 30 ****

ITEM: 31 BLAXLANDS RIDGE MATURATION PONDS - COMPLETION OF
A STUDY TO INVESTIGATE OPTIONS FOR THEIR
REPLACEMENT

FILE NUMBER: GE020/028PT05/EVD

REPORT:

Recently the Environment Protection Authority included in Council's licence conditions for the operation of the maturation ponds at Blaxlands Ridge, a condition requiring the development of alternatives to septic effluent disposal at the maturation ponds.

The ponds currently treat approximately 39 megalitres of septic tank effluent per year or 750,000 litres of effluent per week.

In May 1995 ERM Mitchell McCotter was commissioned to carry out an evaluation of practical and viable alternative disposal options for septic tank effluent received at the ponds.

Following an assessment of 20 viable alternative effluent treatment and disposal options ranging from an upgrading of all septic systems to provide for on site disposal to the construction of village based sewage treatment plants with effluent reuse, a ranking process resulted in 8 options with total scheme costs varying between \$28.85 million and \$37.88 million.

The favoured option is for screening, microfiltration and reverse osmosis with indirect domestic reuse. The high effluent quality produced would potentially have a minimal impact on water quality during dry weather. The total cost of this scheme is estimated at \$31.67 million. A disadvantage of the system is the disposal of the saline residue, up to 20 per cent of the volume.

At a recent meeting with the Environment Protection Authority staff were advised that the authority intends to require action to terminate or at least substantially reduce the volume of effluent being disposed of at the Blaxlands Ridge maturation ponds within 2 years.

The funding of the preferred scheme option of \$31.67 million is of serious concern if the Environment Protection Authority intends to revise Council's license for Blaxlands Ridge to reduce the volume of effluent disposed of and/or improve the quality of the effluent, for example, by nutrient removal. Council could be placed in the impossible position of having to comply with an EPA licence but not being able to finance an alternative.

Representations were made to the State Government in May following consideration of a report about the Freemans Reach, Glossodia, Wilberforce surveys, the significant funds that Council had placed into the proposals and the need for the government to assist its implementation. This was followed up early August due to the likelihood of EPA action. There is still no response.

RECOMMENDATION:

That further urgent representations again be made to the Commonwealth and State Governments for provision of funding to implement alternative disposal options to the use of the Blaxlands Ridge maturation ponds.

ATTACHMENTS:

There are no supporting documents for this report.

WS/LS

FN:EN822NBX.V24

**** END OF ITEM 31 ****

ITEM: 32 BLIGH PARK NORTH RELEASE AREA - SECTION 65
CERTIFICATE TO EXHIBIT DRAFT LOCAL ENVIRONMENTAL
PLAN

FILE NUMBER: LEP0016/13 PT02/EVD

REPORT:

Following consideration of a report submitted by Council requesting a Section 65 Certificate to enable the draft local environmental plan to proceed, the Director of Planning has issued a Section 65 Certificate which enables the draft plan to be placed on public exhibition. However, in a letter accompanying the certificate the Department states that:-

"The Section 65 Certificate is issued to allow the proposal to be canvassed and further consideration to be given to the concerns raised in previous correspondence with Council. The Department will not make a recommendation to the Minister in relation to the plan until all of these issues have been satisfactorily resolved."

The concerns which have been raised relate to the evacuation of Bligh Park and North Bligh Park in the event of a major flood event.

There is no reason why this issue should not be determined finally before the plan is placed on public exhibition.

If the issue is not unequivocally resolved property owners may yet again have their plans and expectations dashed at the last minute. In addition, to complete the preparation of necessary environmental studies, Council will need to commit itself to approximately \$50,000 in consulting expenditure which will not be recovered if the release area does not proceed.

The draft local environmental plan has now been referred to relevant government authorities for comment and a number of responses have been received. Of significance is the response from the Hawkesbury Nepean Catchment Management Trust which has advised as follows:-

"Whilst the draft LEP includes provisions which attempt to address these issues (the conditions in the original letter from the Department), the Trust considers that the draft plan should not proceed at this stage for the following reasons:-

1. *The development of a significant portion of the land for residential purposes is inconsistent with State Government Policy. The Government's policy is not to release land below the current planning level (16.0m AHD) for new urban development downstream of Warragamba Dam until a floodplain management study and a floodplain management plan have been completed. To date there has been no comprehensive floodplain management study or floodplain management plan prepared which aims to minimise the potential for damage and the risk to life and property.*

The Trust also notes that the entire site would be affected by the probable maximum flood (28.9m AHD). The Trust considers that the risks associated with such a flood should be considered by Council at this stage of the planning process.

Further, the Trust considers that before proceeding with the draft plan, a decision needs to be made regarding the upgrading of Warragamba Dam for flood mitigation purposes.

2. *As a general principle, the Trust considers that landforms and drainage systems should not undergo extensive modification accordingly, the Trust is concerned about the extent of filling proposed. The draft LEP proposes to rezone areas identified as 'Non Residential' in the background report prepared by McKenzie Land Planning Services Pty Ltd for residential purposes. The background report however, indicates that these areas are 'generally considered to be unsuitable for development due to drainage and natural ground levels in relation to the flood height' and should be subject to further review.*
3. *The documentation provided with the draft LEP does not indicate that a Local Environmental Study has been undertaken. Whilst the proposed rezoning may be considered to be 'infill' development, the Trust believes that an environmental study is required given the scale of the development which addresses, inter alia, such issues as water quality and quantity, impacts on flora and fauna, visual impacts as well as flooding.*

Therefore the Trust strongly urges Council to not proceed with the Draft LEP until a comprehensive floodplain management study and plan have been completed and the additional investigations identified above have been undertaken".

The responses of both the Department of Urban Affairs and Planning and the Hawkesbury Nepean Catchment Management Trust are of concern as they continue to raise issues fundamental to whether the release area will proceed or not.

In these circumstances, further expenditure of funds on environmental investigations should not be undertaken until there is an unequivocal resolution of the issue of flooding and evacuation. Accordingly, the Department of Urban Affairs and Planning should be requested to advise what additional information or alteration they require to be fully satisfied in respect of the issues of flooding and evacuation.

RECOMMENDATION:

1. The Department of Urban Affairs and Planning be requested to advise what additional information or alteration they require to be fully satisfied in respect of the issues of flooding and evacuation.

GENERAL PURPOSE COMMITTEE - ENVIRONMENT

Meeting Date: 22 August 1995

Item: 32

2. The draft local environmental plan not be placed on public exhibition until the issue of flooding and evacuation is resolved as to do so would require further expenditure on environmental investigations to complete the draft plan.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN822NBX.V25

**** END OF ITEM 32 ****

RC Interview

/

2/00

WS/TB.

ITEM: 33**APPLICATION FOR THE DEMOLITION OF THE DWELLING ON
37 LENNOX STREET, RICHMOND - NORTH WEST SECTOR
HERITAGE ITEM****FILE NUMBER:** P1218/100PT01/EVD**REPORT:**

Council has received an application for the demolition of the dwelling on N^o 37 Lennox Street, Richmond. The dwelling is an item listed in the North West Sector Heritage Items Draft Local Environmental Plan.

The reasons provided for the demolition are as follows:

"...The property forms part of a villa development for which development application will be submitted in the near future. The dwelling needs to be demolished to create access for site preparation as there is insufficient clearance to side boundaries to allow for passage of vehicles.

The building itself is in a poor state of repair with several structural cracks to external walls due to footing subsidence and has been partially gutted internally. The building is also non-compliant with Local Government Building Ordinance appertaining to distance of wall and overhang to side boundary.

I have attached a copy of a draft site plan drawn in 1992 after being advised by council officers that the said property was totally unencumbered and zoned for villa development. I have included this plan as an indication of my original intent to develop the property. However, negotiations are currently well established with Barry O'Mara of O'Mara Constructions P/L ... to purchase several contiguous sites in order to make a decent, friendly and tidy development. The purchase of these sites is subject to 37 Lennox St having no development restrictions imposed upon it and having clear access for site preparations and subsequent building activities. Development application for the project will proceed upon receipt of consent to demolish said building..."

Heritage and Streetscape Assessment

The dwelling was inspected by Heritage Consultant Mr Robert Staas on 15 August 1995. He advises as follows:

"The house appears to be a late Victorian reconstruction of a portion of an early Victorian terrace building which straddled the present site boundary.

The building has been considerably altered with all internal walls and lining having been removed and replaced. The floor level has been recently raised by 300mm. The front windows and door have been replaced with aluminium framed units.

The original cast iron verandah detail has been replaced c1950 with brick pier and balustrade although the original verandah is still intact and capable of restoration.

This building together with the adjoining timber cottage and Californian bungalow to the east are of similar scale and represent the architectural character of Richmond pre World War II.

Speculative demolition of this building would leave a vacant site fronting Lennox Street as the site is not wide enough in itself for villa home development.

The owner appeared to agree to a proposal that he retain the street frontage of the cottage and carry out a sympathetic addition to the rear for commercial use, construct a sympathetic villa on portion of the rear of the site and sell the remaining land (approximately half) for amalgamation with adjoining land for villa home development, all with access from Richmond Street.

My opinion is that there are not sufficiently strong heritage grounds for the retention of the house in its present form and that the major remaining attribute of the building is its streetscape value. For this reason I agree with the proposed form of development discussed with the owner and suggest the following:

- . Restoration of the Lennox Street facade, verandah and colour scheme*
- . Demolition of the rear skillions and outhouses*
- . Construction of a hipped roof pavilion separated from the front section by a gabled roof no higher than the existing roof form and located on the western side of the site*
- . Sympathetic use of materials, i.e., bagged brickwork or weatherboard, metal roofing, timber roofing, etc.*
- . A sympathetic design for the new villa at the rear of the site*
- . Provision of 2 off street parking spaces at the rear of the commercial site*
- . Suitable landscaping and front picket fence design.*

A sketch layout of the acceptable form of development is attached for further discussion with the owner."

Planning Assessment

The report by Mr Staas summarises the discussions which were held with the owner on 15 August 1995.

A 3 lot subdivision of the land was discussed with the owner which would sever the existing dwelling and its potential commercial usage from a rear lot which would include the proposed new dwelling. The option would also exist to sever the rear half of the land for villa home development.

In summary, whilst the building has no heritage significance, it has streetscape value and the demolition of the dwelling should not be approved for speculative reasons and without justification by way of an alternative development.

The site has a frontage of only approximately 12 metres and is by itself incapable of providing sufficient width for a large villa development. The obvious solution is for the rear of these lots to be developed with access to Richmond Street.

For these reasons, it is not considered that the application to demolish the building should be supported. However, the applicant should be advised that the matter would be further considered if and when an alternative development proposal for the use of the land is submitted.

RECOMMENDATION:

1. That the application for the demolition of the dwelling on N° 37 Lennox Street not be supported as it has streetscape value and its speculative demolition would leave a vacant site which, by itself, is incapable of a major villa development.
2. That the dwelling be incorporated as a heritage item in the North West Sector list to provide for potential commercial use of the existing dwelling.
3. The owner be advised that the matter would be reconsidered if and when a satisfactory development application is submitted for the development of the land.

ATTACHMENTS:

AT-1 Sketch plan by Heritage Consultant Robert Staas

FN:EN822NBX.V28

**** END OF ITEM 33 ****

39
Late Item.

Rc/WS

ITEM: 35**CHANGE IN THE REQUIREMENTS FOR TERMITE CONTROL IN
STRUCTURES AS FROM 1 JULY 1995****FILE NUMBER:** GS080/010 PT5/EVD**REPORT:**

As from the 1st July 1995, the use of organochlorines for termite control has been prohibited in all states of Australia, except for the Northern Territory which has a two (2) year moratorium.

The impact of such legislation has had a considerable effect on pest controllers, and on the building industry in general.

In place of organochlorines for soil treatment, two alternate chemicals have been approved by the National Registration Authority, one being a chloropyrifos and the other being a synthetic pyrethroid for hand spraying.

The other alternative to the use of organochlorines has been the introduction of physical barriers using such things as, fine stainless steel mesh, granite in a granular form, in some cases the slab itself in conjunction with the other physical barriers and the existing termite shields.

A new Australian Standard (No 3660.1) has also been introduced to support these changes and is being used in conjunction with the Building Code of Australia for assessment of building applications.

The two chemical treatments approved by the N.R.A. (National Registration Authority), as previously mentioned, have a limited active life of between 6 - 10 years, dependent upon soil types and climates, and for this reason, this Council along with most surrounding Councils have only accepted the use of sub slab hand spraying where physical barriers are also used. The Australian Standard highlights that chemicals should be able to be reapplied after initial application, if these were solely used below a concrete slab, then the only way of retreating this area would be to core drill the slab and flood the sub slab area with chemical. Not only is this extremely expensive, but it damages the moisture barrier below the slab.

Another form of treatment below slabs with chemicals, is by the use of a reticulated dispersion system through which the chemical is pumped at designated intervals. A number of these systems are presently going through an accreditation process and will be available in the near future.

An information sheet has been produced and is being distributed to pests controllers, builders and the public in an effort to make them aware of Council's requirements. A copy of this sheet has been provided in the attachments for the information of the Councillors.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

AT-1 Table

FN:EN822NCX.V21

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

CP/WS.

ITEM: 36**WINDSOR DOWNS LINK ROAD****FILE NUMBER:**

1967/R/EVD

REPORT:

A request has been made for a report on the construction of the Windsor Downs link road i.e. the extension of Sanctuary Drive through to Rifle Range Road. The matter was last reported to Council at the Ordinary Meeting 10 May 1994. That report stated in part that "The key reason for constructing the link road is to provide a more efficient road network, taking into account the interests not only of Windsor Down residents but also of Bligh Park residents and the wider community". The community facilities and schools for Windsor Downs are located in Bligh Park.

The Home Owners Association have made a number of representations strongly against the opening of the link road based on potential traffic and security problems. Given current delays at the George Street roundabout, the link road will now certainly carry through traffic.

Notwithstanding the Association's position, a number of phone calls have been received from residents of Windsor Downs concerned that the link road may not proceed quoting problems with access onto Richmond Road in peak hours, lack of direct access to the facilities in Bligh Park and the lack of an alternative access if the intersection of Sanctuary Drive and Richmond Road is blocked.

It has been suggested that as an alternative to the link road, a roundabout be constructed at the intersection of Sanctuary Drive and Blacktown Road.

Preliminary investigations with the RTA have indicated that a roundabout is likely to be permitted at the intersection with Blacktown Road. However it is not known at this time if land acquisition is required to enable a satisfactory design to be provided.

To obtain a view of the feeling of all owners of properties in Windsor Downs it is proposed to send a questionnaire to all owners. The questionnaire is to suggest a number of options and request preferences or comments. This will enable an informed decision to be made on the construction or otherwise of the link road.

The following alternatives may be considered:-

1. Construction of the link road as previously required.
2. Construct the link road as one way traffic from Windsor Downs towards Bligh Park and Windsor. This will reduce the need for traffic to turn right out of Sanctuary Drive into Richmond Road which is the major problem at the intersection. A bicycle path would also be provided. The link would also provide emergency access into Windsor Downs but would at least halve the amount of potential through traffic on Sanctuary Drive.

3. No link road and provide cul de sacs at each end probably extending Sanctuary Drive a short distance to provide access to Jericho Farm. If this option is chosen it is imperative that intersection improvements be carried out at the intersection of Sanctuary Drive and Richmond Road requiring a roundabout. If the link road is not provided, consideration would need to be given to the provision of a bicycle way however there are concerns about children's safety due to long distance through bush land.

Anglis has provided a bank guarantee of \$390,000 covering the construction of the link road. Any proposal to utilise this money for alternate facilities would require agreement from Anglis. In this regard Anglis advised on 30 June 1995 that "With regard to completion of the Sanctuary Drive Link Road to Bligh Park, we are contractually bound to Council to complete this work, any variation to the original agreement will require our agreement". The Home Owner Association have produced a letter from Anglis dated 22 June 1995 which states in part "Windsor Downs Developments is prepared to consider a change to the existing development approval conditions should Council wish to discuss this with the developer". It appears therefore that at least some negotiation is possible.

RECOMMENDATION:

That the information concerning the link road between Windsor Downs and Bligh Park be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN822NCX.V23

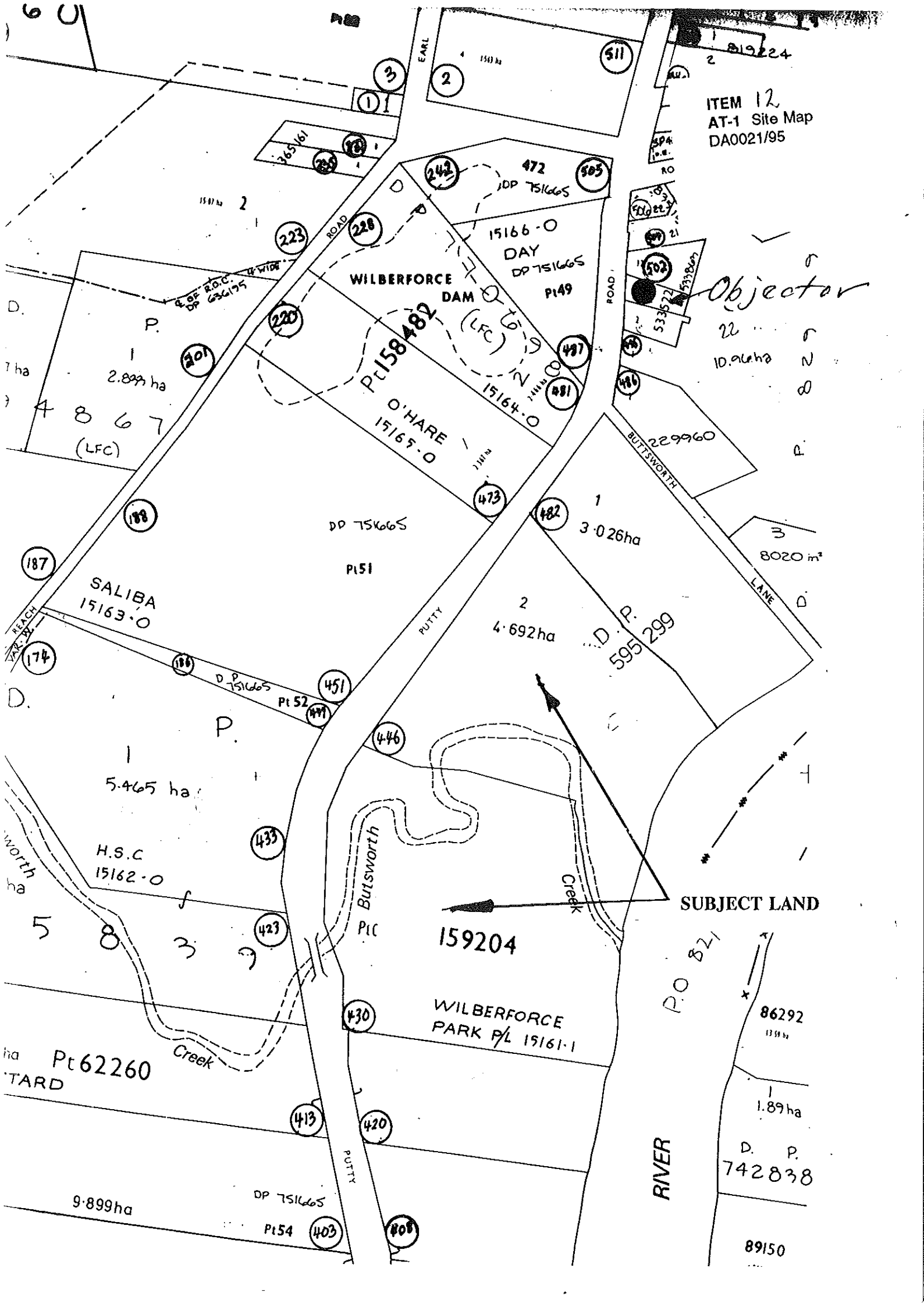
**** END OF ITEM 36 ****

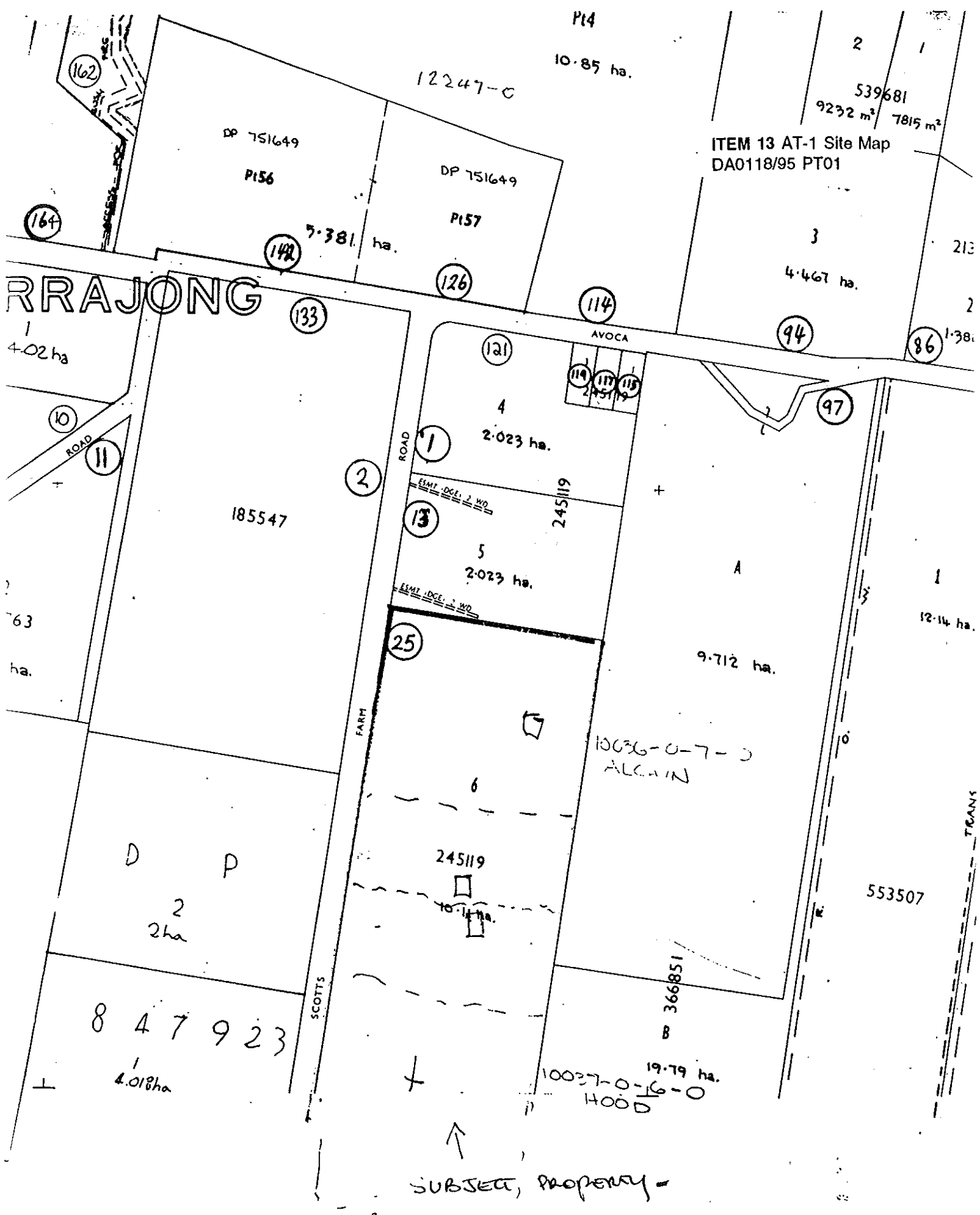
*Link road not pursued.
Motion Lancasters 20/8/95.
Discussion with Anglis Group.
Further Report to Oad on 1/9/95*

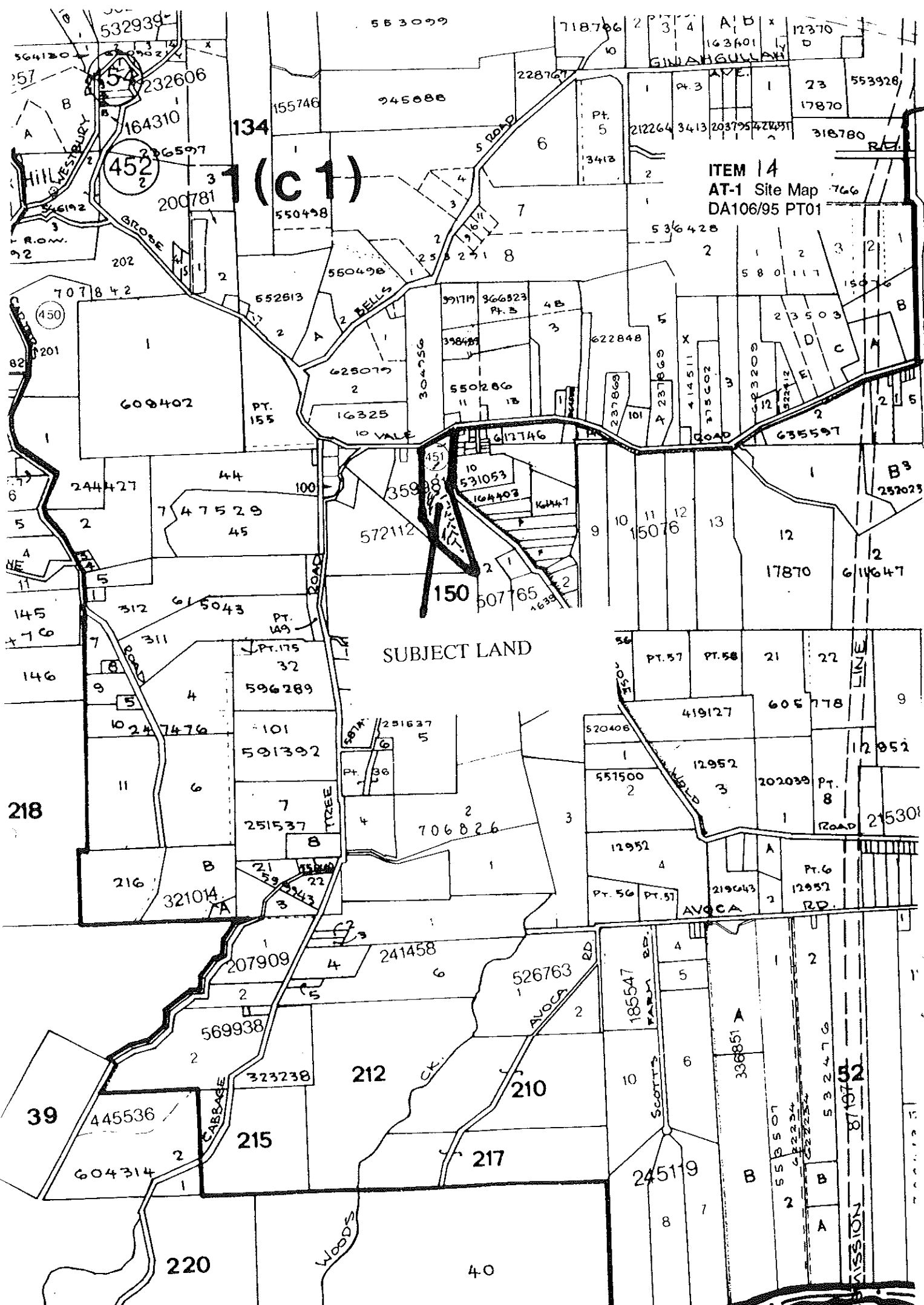
ITEM 12
AT-1 Site Map
DA0021/95

Objector

22
10.96ha
N
D

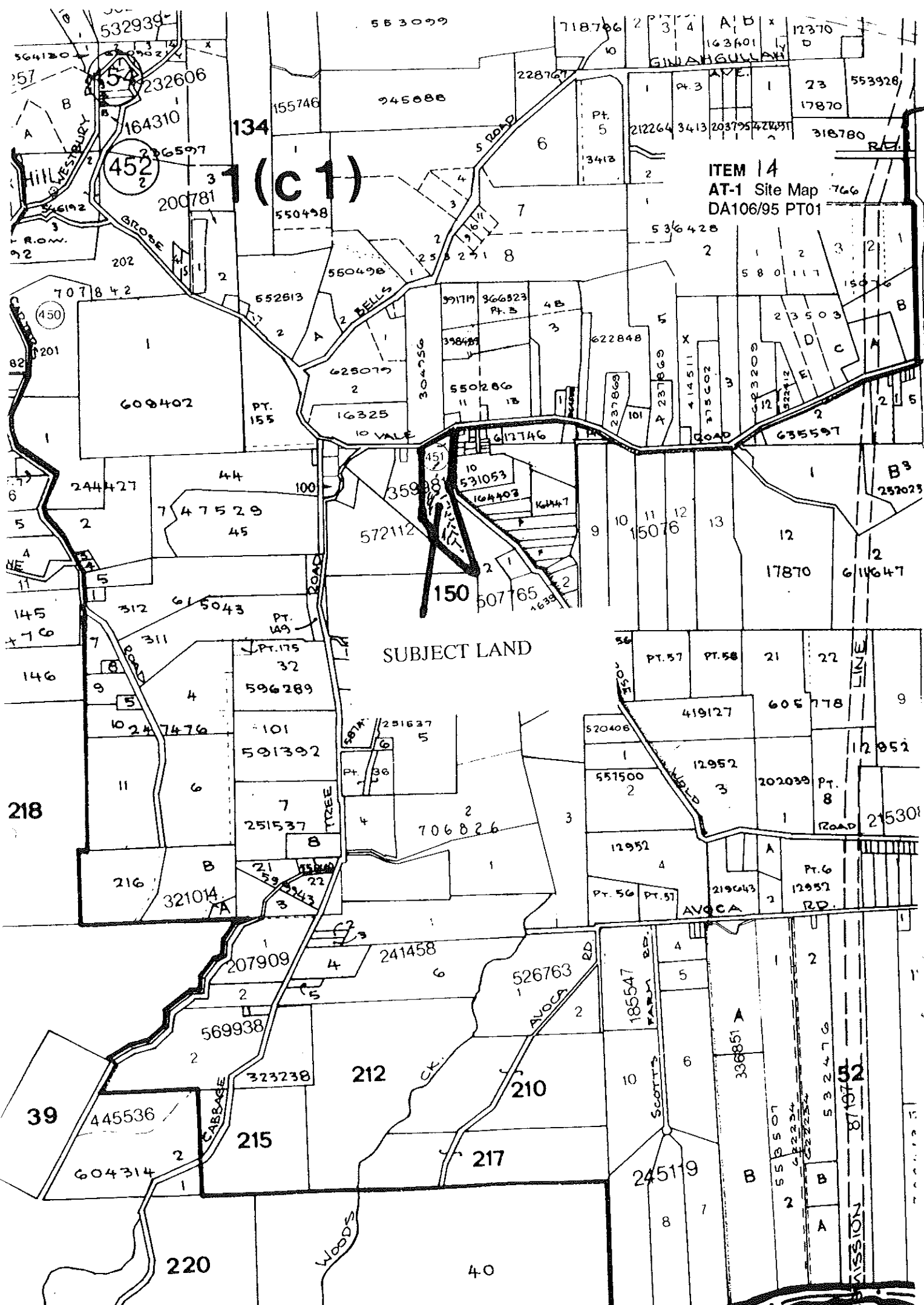






ITEM 14
AT-1 Site Map 746
DA106/95 PT01

SUBJECT LAND



VERT 59701
MAR
02836-1

02837-02
FERRIS

02837-03
FATTORETTO

02837-04
CALDE

02837-06
TALBOT

02837-07
COOK

BARNETT
02837-08

587915
CICCOLELLA
02839-2
SUBJECT LAND
02839-1
MAKIN
OBJECTOR

20 OBJECTOR

0222-10
SAMBUCO

00222-0
MAODOCK

MYERS

02841
MANN

02842-0
MILLER

02843-0
NICHOLSON
SULLIVAN

4098-01
UPSTON

244281

02844-01
NORRIS

MOTE

02849-0
00288-0
KNIGHT

02847-4
MC FAWN

E. XUEREB
02847-3

25173
02847-0
DAVOREN

D. P.
02846-0
COSENTINO

ITEM 15
AT-1 Locality Map
DA148/95 PT1

00286-2
LYNCH

00286-0
BUZAS

02025-1380
31 PLUMMER

YELAVICH
02025-01390

02025-01430
CUTAUAR
VELIA

SIMPSON
02025-01350

ANDREWS

02025-0134
MIESUD

D. P. 582170

9052 ha

764-110

ITEM 16 AT-1 Site Map
SA0106/95

CLIFF ROAD

COMMUNITY PROPERTY
FOR WASTE WATER DISPOSAL
AND LANDSCAPED RECREATION

COMMUNITY PROPERTY FOR
BUSHLAND RETENTION &
RECREATION

LOT 1

LOT 2

LOT 3

LOT 4

LOT 5

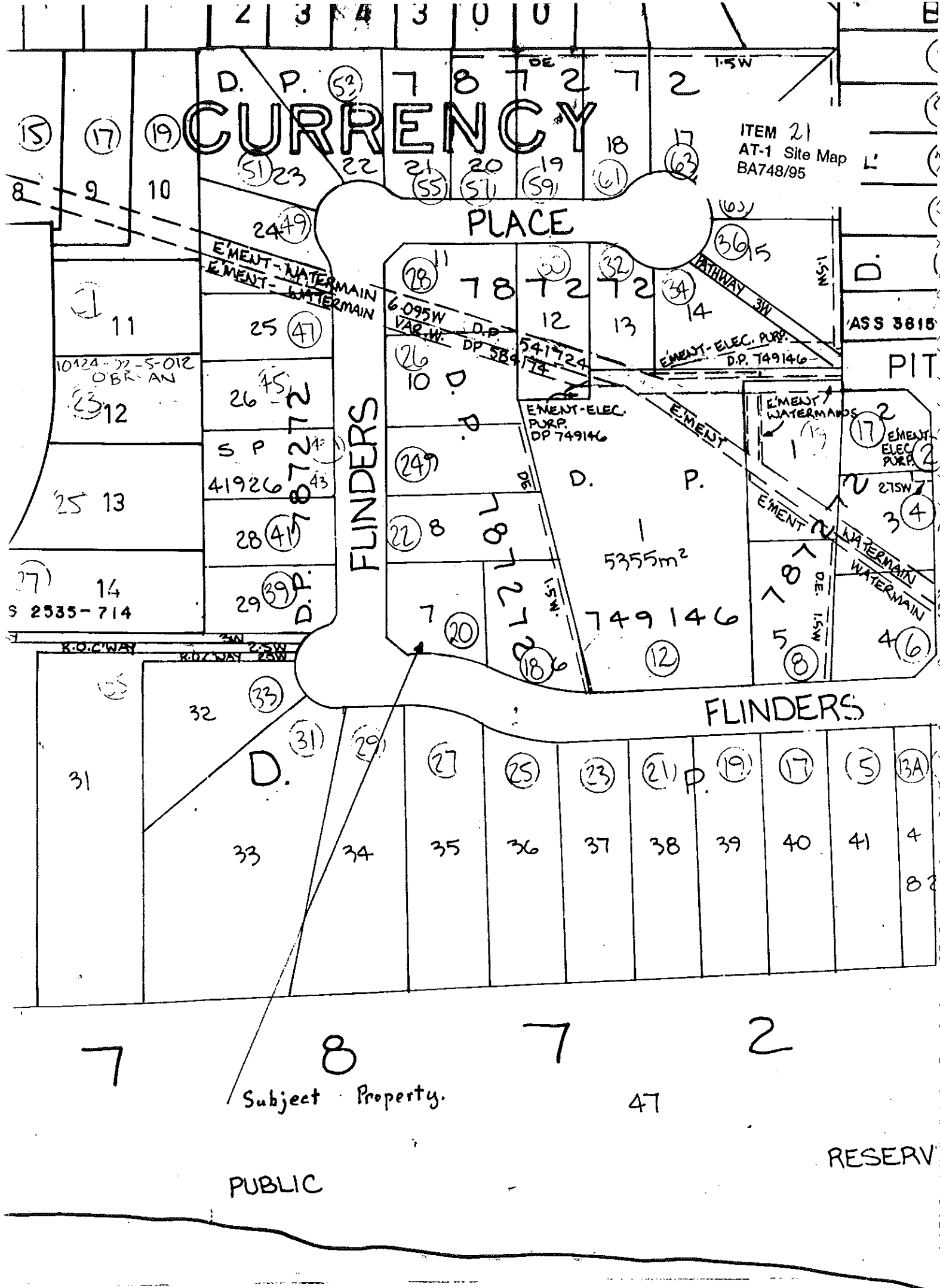
Hawkesbury

River



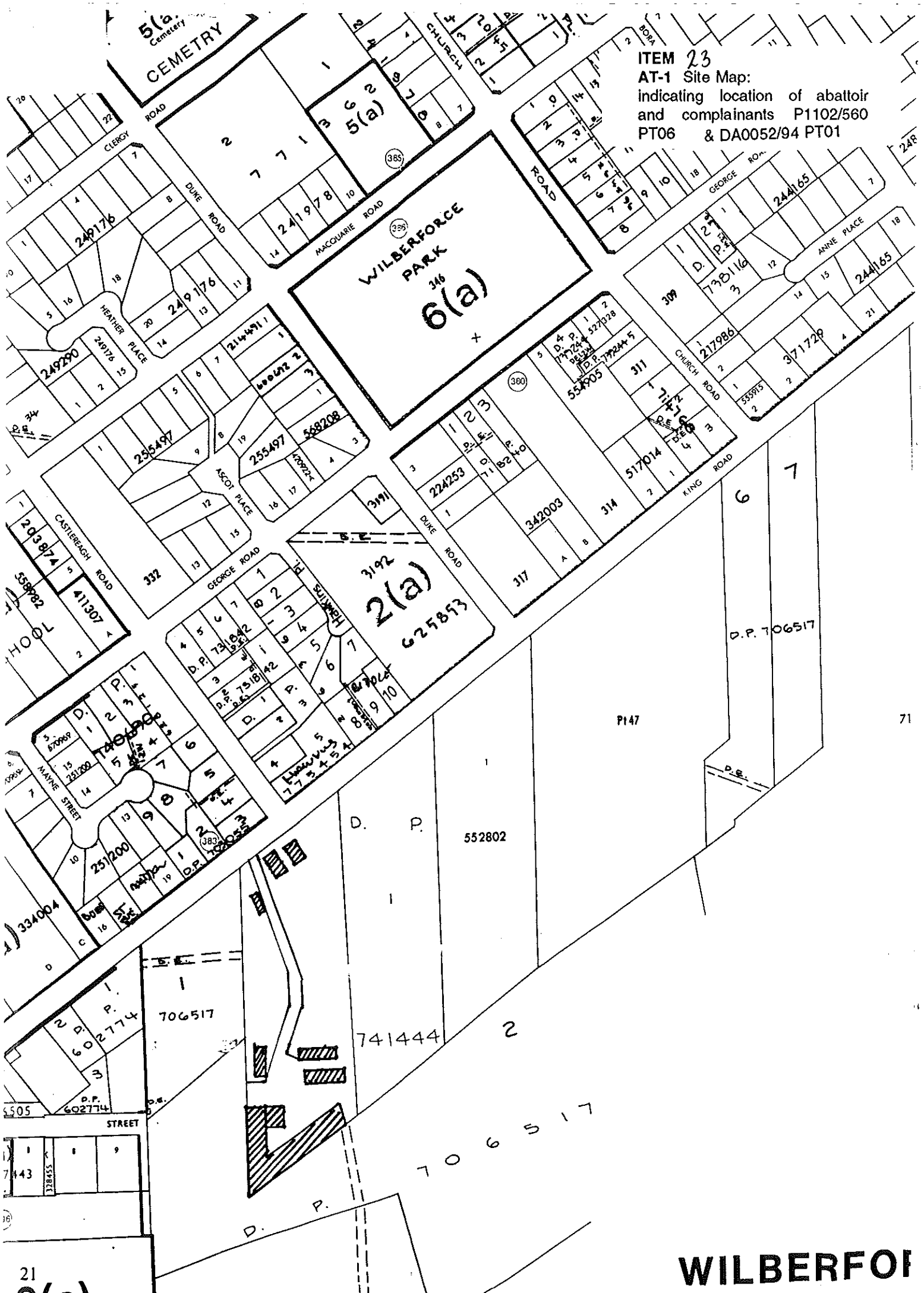
PROPOSED COMMUNITY TITLE SUBDIVISION
FOR MR J & MRS G. TAYLOR
LOT 18 DP 30468
CLIFF RD
FREEMANS REACH

FALSON and ASSOCIATES
TOWN PLANNERS
P.O. Box 127, Grose Vale 2753
Telephone: (045) 77-6927



56
Cemetery
CEMETERY

ITEM 23
AT-1 Site Map:
indicating location of abattoir
and complainants P1102/560
PT06 & DA0052/94 PT01



DP 729625

HAWKESBURY
AGRICULTURAL COLLEGE

193
620.6 ha

Creek

ITEM 25
AT-1 Site Map
DA224/94

2.677
098

DP 752061

347
15.08 ha

Reserve

DP 752061
255

DP 752061
256

DP 752061
N 1-257

DP 752061
P1258

518147 21

721

723

725

729

731

SUBJECT LAND

938279

623545

DP 719625

DP 752061
248

MAIN ROAD NO. 164

COLO

453
2.813 ha

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N. CLEARY
1954-10

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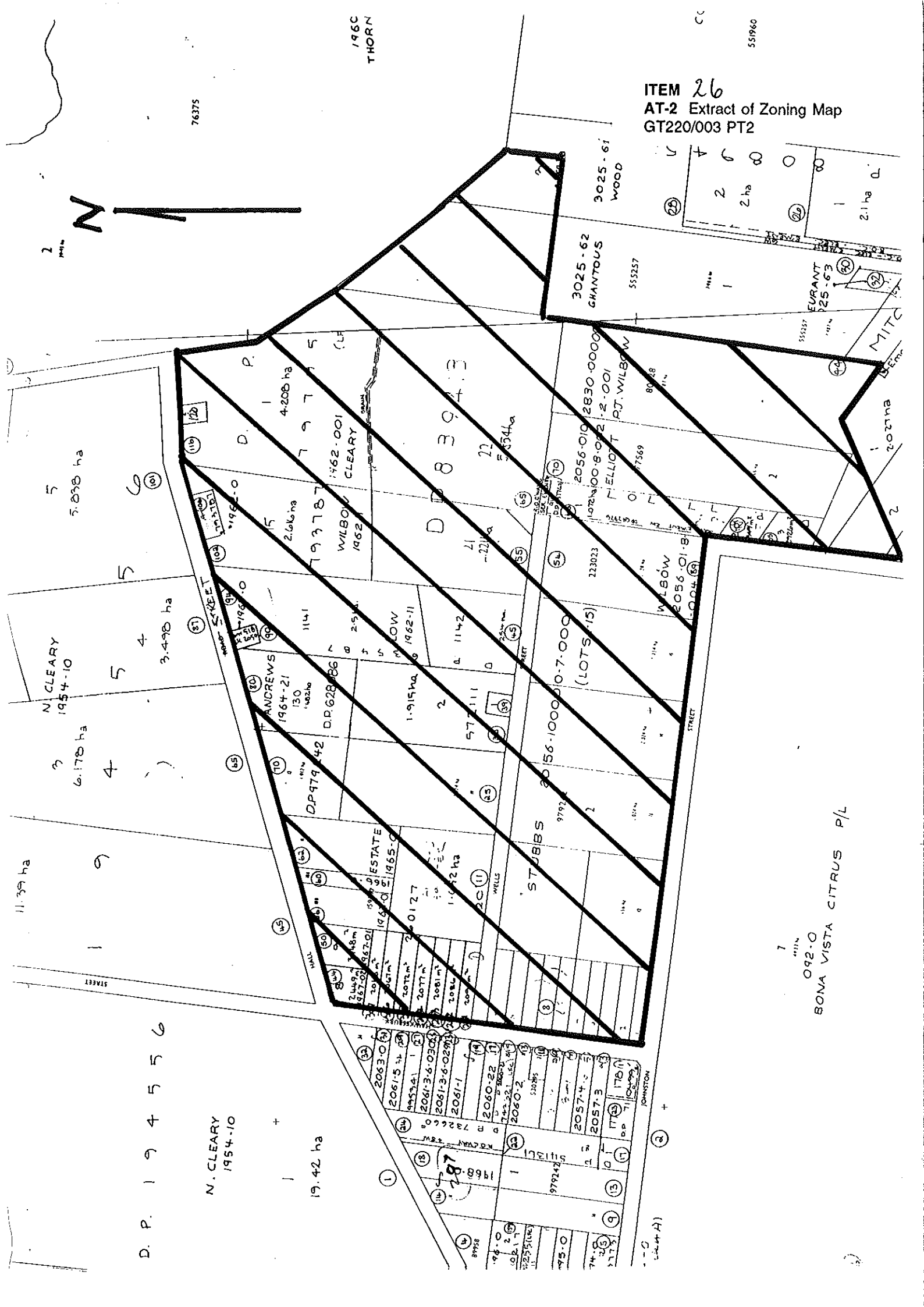
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ITEM 26
AT-2 Extract of Zoning Map
GT220/003 PT2

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SONA VISTA CITRUS P/L



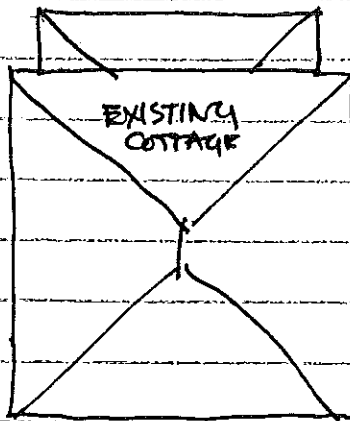
LENNOX ST.

ITEM 33
AT-1 Sketch Plan
P1218/100 PT01

No 37

CAR ACCESS

NEW PICKET FENCE &
COTTAGE LANDSCAPE WORKS



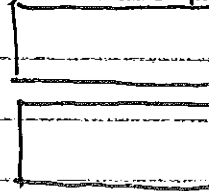
VERANDAH

EXISTING VERANDAH
TO BE RESTORED

EXISTING COTTAGE RESTORED
WALLS KEPT AS HATCHED
ROOF KEPT AS SHOWN

GABLED LINK WITH
SKILLION EXTENSION BETWEEN
EXISTING & NEW WORK

NEW HIPPED ROOF
EXTENSION



SITE FOR
DUAL OCCUPANCY
DWELLING WITH
ACCESS FROM
LENNOX ST.

LINE OF SUBDIVISION

SITE FOR
AMALGAMATION

SITE FOR
AMALGAMATION
& ULLA HOME
DEVELOPMENT WITH
ACCESS FROM
RICHARD ST.

PROPOSED FORM OF DEVELOPMENT
APPROVED 15/10/10

TERMITE PROTECTION
PROTECTION FROM BENEATH CONCRETE SLABS - AS 2870.1

ITEM 35
 AT-1 Table
 GS080/010 PT5

1. SLAB FORMING PART OF THE TERMITE BARRIER

PROTECTION SYSTEM OPTION	LIMITATIONS
1.1 Monolithic Slab • Stainless steel mesh • Graded stone • Chemical barrier	Slab constructed to AS 2870.1 Partial (i.e. to penetrations) or full installation. Restrained partial (i.e. to penetrations) or full installation. Full horizontal barrier (i.e. hand spraying with physical barriers to penetrations) or reticulation system.
1.2 Non-monolithic slab • Stainless steel mesh • Graded stone • Chemical barrier	Slab constructed to AS 2870.1 Partial (i.e. to penetrations, control joints, and footing/slab joints) or full installation. Restrained partial (i.e. to penetrations and control joints) or full installation. Full horizontal barrier (i.e. hand spraying with physical barriers to penetrations, control joints and footing/slab joints) or reticulation system.

2. SLAB NOT FORMING PART OF THE TERMITE BARRIER

PROTECTION SYSTEM OPTION	LIMITATION
• Stainless steel mesh • Graded stone • Chemical	Full installation beneath slab. Full installation beneath slab. Full horizontal barrier (i.e. reticulation system, or hand spraying with full physical barrier).

PROTECTION AROUND PERIMETER OF CONCRETE SLABS

PROTECTION SYSTEM OPTIONS	LIMITATION
• Slab edge exposure • Stainless steel mesh • Graded stone • Chemical barrier	Slab edge exposed (minimum 75 mm) for visual inspection. Wall cavity protection. Vertical perimeter barrier. Horizontal/vertical barrier.



GENERAL PURPOSE COMMITTEE



SECTION 2 INFRASTRUCTURE

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

Meeting Date: 22 August 1995

Page 2

ITEM	SUBJECT	PAGE
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6:	EXCLUSIVE USE - BRIDGE TO BRIDGE WATER SKI CLASSIC - GOVERNOR PHILLIP RESERVE, WINDSOR - NSW WATERSKI ASSOCIATION LTD PK/205 PT04/ENG	4

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

ITEM: 5 **PIPELINES ACROSS PUBLIC RESERVES/ROAD RESERVES****FILE NUMBER:** P2003/R PT02; P2003/215 PT01/ENG**REPORT:**

An application has been received from McKinlay Morgan & Associates Pty Ltd on behalf of Hambledon Park Pty Ltd of 347 Terrace Road, North Richmond, for a pipeline to cross the public reserve Lot 17 DP245824, Terrace Road for irrigation purposes.

A licence is currently being issued by the Water Resources Commission.

RECOMMENDATION:

1. That the application by McKinlay Morgan & Associates Pty Ltd on behalf of Hambledon Park Pty Ltd for a pipeline for irrigation purposes across the public reserve Lot 17 245824 be approved.

ATTACHMENTS:

There are no supporting documents for this report.

FN:IN822NBX.E01

**** END OF ITEM 5 ****

ws/cp.

/

ITEM: 6**EXCLUSIVE USE - BRIDGE TO BRIDGE WATER SKI CLASSIC -
GOVERNOR PHILLIP RESERVE, WINDSOR - NSW WATERSKI
ASSOCIATION LTD****FILE NUMBER:** PK/205 PT04/ENG**REPORT:**

Requesting exclusive use of Governor Phillip Park Reserve on Sunday, 5th November, 1995, to conduct the Association's Annual Bridge to Bridge Water Ski Classic, as well as temporary suspension of ferry services during certain times and also road closures.

The application conforms with Council policy in relation to exclusive use of Governor Phillip Reserve.

RECOMMENDATION:

That approval be granted to the application by the NSW Water Ski Association Ltd for:-

1. Exclusive use of Governor Phillip Reserve on Sunday, 5 November, 1995, subject to:
 - a) the Association paying to Council a contribution of \$520.00 or \$1.00 per person, whichever is the greater,
 - b) the Reserve being left clean and tidy upon completion of the event, and
 - c) the applicant being wholly responsible for removal of rubbish from the site during the event and including final clean up.
2. Suspension of service of those ferries listed below during the times stipulated, subject to scheduled conditions.

Ferry Closures

Wisemans Ferry	10.45am - 11am
Webbs Creek Ferry	10.45am - 11am
Lower Portland Ferry	10.50am - 11.05am
Sackville Ferry	10.55am - 11.10am

- a) Advertising of the proposed suspension of service is to be undertaken at the expense of the NSW Water Ski Association in newspapers circulating in areas of the services for 4 (four) weeks prior to the event, such notice is to be incorporated in the news sections of those newspapers and to be approximately 1/8 (eighth) page size;

GENERAL PURPOSE COMMITTEE - INFRASTRUCTURE

Meeting Date: 22 August 1995

Item: 6

- b) That signs be erected at the Associations cost, in locations as required by the Divisional Manager Engineering and at a size indicated by him, on all roads leading to the ferries, as well as on each ferry, for at least 4 (four) weeks prior to the event;
 - c) Safety precautions as previously established are to be placed at all ferry locations, such to include a boat and crew downstream from each ferry with suitable equipment to indicate to competitors that a ferry may be operating and with communication between that boat and ferry vessel; such procedures are to be implemented to the satisfaction of the Maritime Services Board and Council's Divisional Manager Engineering; and
 - d) That the ferry vessels during the suspension period, will operate at the request of any officer of the NSW Police Department, or in the event of an emergency at the request of any police, ambulance or fire vehicle officer.
3. The following road closures/restrictions to facilitate traffic movement to/from Governor Phillip Park subject to the Association making appropriate arrangements regarding access by affected residents and their visitors.
- a) George Street, Windsor between Bridge and Palmer Streets (downstream side of Windsor).
 - b) Arndell Street (full length).
 - c) Court Street between Arndell and Palmer Streets.
 - d) Palmer Street between Court and Pitt Streets.

ATTACHMENTS:

PLW \$2,000,000

There are no supporting documents for this report.

FN:IN822NBX.E02

**** END OF ITEM 6 ****

LS/CP.

FN:IN822NBX.E02

SECTION B

Page 5

GENERAL PURPOSE COMMITTEE



SECTION 3 ORGANISATION & RESOURCES

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

Meeting Date: 22 August 1995

Page 2

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6:	GENERAL PURPOSE COMMITTEE MEETINGS GC280/004 PT03; GC280/010 PT02/CSV	5
7:	MONTHLY FINANCIAL STATEMENTS - JULY 1995 GF011/004 PT04/FNC	7

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

ITEM: 5 ROAD CLOSURES WITHIN WOLLEMI NATIONAL PARK**FILE NUMBER:** GR080/050 PT01/CSV**REPORT:**

Council at its Ordinary Meeting of 9 May 1995 considered a report recommending the closure of two public roads within Wollemi National Park and resolved that the information be received. The report was prompted by a request from the National Parks and Wildlife Service.

The Loop Line Road runs off the Putty Road and traverses to the Parish of Angorawa and the Parish of Mellong which generally follows the line of the New Yard Creek and Big Angorawa Creek. The Howes Swamp Road runs off the Putty Road and generally follows the line of Howes, swamp and Waterhole Creek. A plan of the proposed closures shall be displayed at the meeting.

The original applicant, being the NSW National Parks and Wildlife Service, has again written asking that the matter be reconsidered by Council outlining the following issues:-

1. Large sections of the road reserves do not physically exist as formed roads and have never been constructed.
2. The Northern Road Reserve follows Mellong and Howes Swamp Creeks. To provide actual access along the reserve would be physically impossible.
3. Where roads do exist, they often deviate from the reserve, encroaching into the Park.
4. With the exception of a few short sections of track existing Putty Road, neither of the road reserves are in regular use by the public or provide access to features of interest.
5. Those sections of road that are in use are in extremely poor condition and require extensive works to satisfy public safety and environmental requirements.
6. The current use of the tracks is primarily for rubbish and abandoned vehicle dumping and bush rock theft.
7. An extensive network of public access routes into the Park from Putty Road already exist and are maintained by the Service. Public access roads in close proximity to the road reserves include Bob Turners Track, Culoul Range Track and Grassy Hill Track. All these tracks have recently been upgraded, provide access to features of interest and are not reserved roads.
8. Closure of the road reserves does not preclude use of the existing sections of track for fire management purposes. Closure of the reserves will allow the opportunity for rationalisation of the extensive track network and upgrading of strategically important fire control tracks.

Photographs taken by the NSW National Parks and Wildlife Service shall be displayed at the meeting.

A number of public submissions were received mostly from four wheel drive clubs and enthusiasts, who objected to the closures on the grounds that the tracks provided recreation venues. In addition, a petition of signatories was also received requesting that the roads remain as public roads.

Having regard to the general poor condition of the two public roads, and the subsequent issues of liability in regard to public safety and to the undertaking by National Parks and Wildlife Service to continue to allow access by bush fire vehicles, the application to close these roads is supported.

RECOMMENDATION:

1. Council, as roads authority, apply to the Department of Land and Water Conservation for the closure of the public roads generally known as the Loop Line Road and Howes Swamp Road which traverse the Wollemi National Park, through the Parishes of Angorawa and Mellong.
2. All necessary documents be completed under the Common Seal of Council.

ATTACHMENTS:

There are no supporting documents for this report.

RC/
Loop Line
Howes Swamp } Rds.

FN:OG822NBX.C04

**** END OF ITEM 5 ****

ITEM: 6**GENERAL PURPOSE COMMITTEE MEETINGS****FILE NUMBER:** GC280/004 PT03; GC280/010 PT02/CSV**REPORT:**

Council has requested a report concerning the possibility of no longer conducting the General Purpose Committee by day and alternatively having two Committee Meetings on Tuesday and Wednesday evenings of the same week each starting at 7.30p.m. on the basis of the first evening consisting of a Development and Planning Committee and the second to conduct the Infrastructure and Organisation and Resources Committees.

Under the present Committee structure and program the General Purpose Committee comprises the whole of the Council and meets on eleven (11) occasions during the calendar year. This has been the case since the inception of Hawkesbury Council following the amalgamation of Windsor and Colo Local Government Authorities in 1980. The various Councils have continued with this program as it has provided sufficient time to embrace the significant degree of public participation which occurs, particularly in relation to the Planning and Development Committee and has also provided the opportunity to conduct site inspections generally on the same day as the Committee Meeting.

It is common within the Local Government industry for Councils to conduct their respective Committee Meetings during the evening. By random survey of a number of Authorities the degree of public participation and incidence of site inspections varies considerably, however, where evening meetings are conducted, it would appear those Councils that do promote site inspections and on-site meetings with applicants and objectors usually do so on the weekend.

In the situation of evening meetings being conducted there are two options available to Council in terms of Committee membership. They are, various Councillors being appointed to each of the Committees or membership comprising the whole of the Council. Certainly by tradition the Council, as a whole has formed the General Purpose Committee. If Committee membership was divided there is the potential for the agenda to be reconsidered and debated at length when before Council, particularly by members that were not involved on that Committee. Certainly, the philosophy to date of Hawkesbury City Council has been one of total involvement and team work on each of the General Purpose Committees. This attitude may well have emerged and is reflective of the area being undivided in terms of representation.

As an option and given the fact that the General Purpose Committee Meetings usually are conducted over the duration of several hours, Council could consider commencing its General Purpose Committee Meeting say later in the afternoon e.g. say 4 or 5p.m. and with the application of the adopted time frame for presentations being applied the meeting could be concluded that evening by a reasonable hour. However, the Council would then need to determine when it could undertake appropriate site inspections.

In terms of available technologies to assist in the meeting process, it is considered that there are opportunities available in audio visual presentations, particularly in relation to Development Applications and other items on the planning and development agenda.

However, it may be recalled that this was introduced some time ago, however, was not pursued as the Council felt that it was still appropriate in certain instances to visit the particular site and hear first hand from applicants/objectors as to their particular points of concern. In terms of video conferencing, this is something that may be further examined as the need may arise.

Whilst there has been some concern expressed as to the time required to complete a General Purpose Committee agenda, and the fact that it may conflict in terms of other day time commitments, the general feed back from a number of elected members has endorsed the current routine in that it provides an adequate time frame to complete all normal business including the degree of public participation that regularly occurs, as well as undertaking the necessary site inspections etc. Should the Council feel that it would like to take the opportunity to trial an alternative routine, this could be done over a period of say three months so that the impact and workability can be assessed.

RECOMMENDATION:

That the information concerning General Purpose Committee Meetings be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OG822NCX.C03

**** END OF ITEM 6 ****

MP/TB.

9:30
Re/cp.

5/2

GENERAL PURPOSE COMMITTEE - ORGANISATION & RESOURCES

Meeting Date: 22 August 1995

Item: 7

ITEM: 7 MONTHLY FINANCIAL STATEMENTS - JULY 1995**FILE NUMBER:** GF011/004 PT04/FNC**REPORT:****A. CASH EXPENDITURE WARRANT N° 7/1995****SUMMARY - Accounts Paid**

General Fund Nos.	36424 -	36961	10,317,316.32
Trust Fund Nos.	4407 -	4425	2,593,262.00
			12,910,578.32

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
Divisional Manager Community Management and Finance

B. STATEMENT OF BANK BALANCES AND GENERAL MANAGER'S CERTIFICATE**STATEMENT OF BANK BALANCES AS AT 31 JULY 1995**

GENERAL FUND	CR. 541,534.29
TRUST FUND	CR. 92,155.90

CR. 633,690.19

FORM 2

GENERAL

Balance - Cash Account as at 1 July 1995	1,745,051.18 CR
Receipts for period ended 31 July 1995	12,009,156.56 DR

10,264,105.38 DR

Payments for period ended 31 July 1995	10,331,507.32 CR
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67,401.94 CR

Limit of overdraft arranged with bank	\$800,000.00
---------------------------------------	--------------

RESPONSIBLE ACCOUNTING OFFICER

I hereby certify that the Cash Book and Bank Statements have been reconciled in all funds as at 31 July 1995.

L M Weatherstone
Divisional Manager Community Management and Finance

GENERAL PURPOSE COMMITTEE - ORGANISATION & RESOURCES

Meeting Date: 22 August 1995

Item: 7

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>
---------------	-----------------	-------------	---------------------	---------------

Term Deposits

56 Days	31.08.95	7.73%	General Fund	770,000.00
56 Days	31.08.95	7.73%	Sewerage Fund	1,230,000.00
77 Days	01.09.95	7.70%	General Fund	780,000.00
77 Days	01.09.95	7.70%	General Fund	300,000.00
365 Days	15.09.95	7.80%	General Fund	1,000,000.00
92 Days	20.09.95	7.71%	General Fund	610,000.00
92 Days	20.09.95	7.71%	General Fund	1,490,000.00
56 Days	20.09.95	7.63%	General Fund	1,000,000.00
56 Days	20.09.95	7.63%	General Fund	1,000,000.00
60 Days	26.09.95	7.60%	General Fund	500,000.00
97 Days	03.10.95	7.73%	Sewerage Fund	2,000,000.00
396 Days	09.10.95	7.35%	General Fund	3,500,000.00
132 Days	09.11.95	7.35%	General Fund	800,000.00
132 Days	09.11.95	7.80%	General Fund	200,000.00
140 Days	17.11.95	7.81%	General Fund	1,800,000.00
216 Days	18.12.95	8.00%	Sewerage Fund	1,000,000.00
181 Days	11.12.95	7.80%	General Fund	660,000.00
181 Days	11.12.95	7.80%	General Fund	163,680.16
181 Days	11.12.95	7.80%	Sewerage Fund	976,319.84

Australian Treasury Corporation

03.08.95	5.31%	Workers' Comp Board	200,000.00
03.08.95	7.26%	Workers' Comp Board	750,000.00

Short Term Investments	General Fund	2,810,000.00
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\$23,540,000.00

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

Divisional Manager Community Management and Finance

RECOMMENDATION:

The information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OG822NCX.F01

**** END OF ITEM 7 ****

A handwritten signature, possibly reading 'RC', is written in the lower right area of the page.

[hnrevoke]

Water Act 1912 - Revocation

NOTICE is hereby given that the Order pursuant to section 22BA of the Water Act 1912, published in the Government Gazette No. 74 of 16 June 1995, in respect of the Hawkesbury River Catchment is revoked.

A. TENNIE
Director Sydney/South Coast Region
for Water Administration Ministerial Corporation (by delegation).

Dated: 28 July 1995.

[hnemb2:doc]

WATER ACT 1912

Order Under Section 22BA

THE Water Administration Ministerial Corporation being satisfied that the water sources in the Schedule are unlikely to have more water available than is sufficient to meet the requirements of those already entitled by law to take water from the water sources (and such other possible requirements for water from the water sources as have been determined by the Ministerial Corporation) now declares that on and from the date of publication of this Order in the *Government Gazette* no application for an entitlement may be made except as provided hereunder, until this Order is revoked by a subsequent notice published in the *Government Gazette*.

This order relates to all applications for entitlements to divert or take water from the water sources other than applications for entitlements for:

1. works for experimental, research and/or teaching purposes;
2. works for which:
 - (a) a person can demonstrate to the satisfaction of the Water Administration Ministerial Corporation (by written submission received by 18 August 1995) a history of existing use of not less than 3 years before 16 June 1995 or in the case of dams only, that they were constructed before 16 June 1995; and
 - (b) an application for an entitlement is made within 28 days of the Water Administration Ministerial Corporation notifying a person of it being satisfied with their written submission.

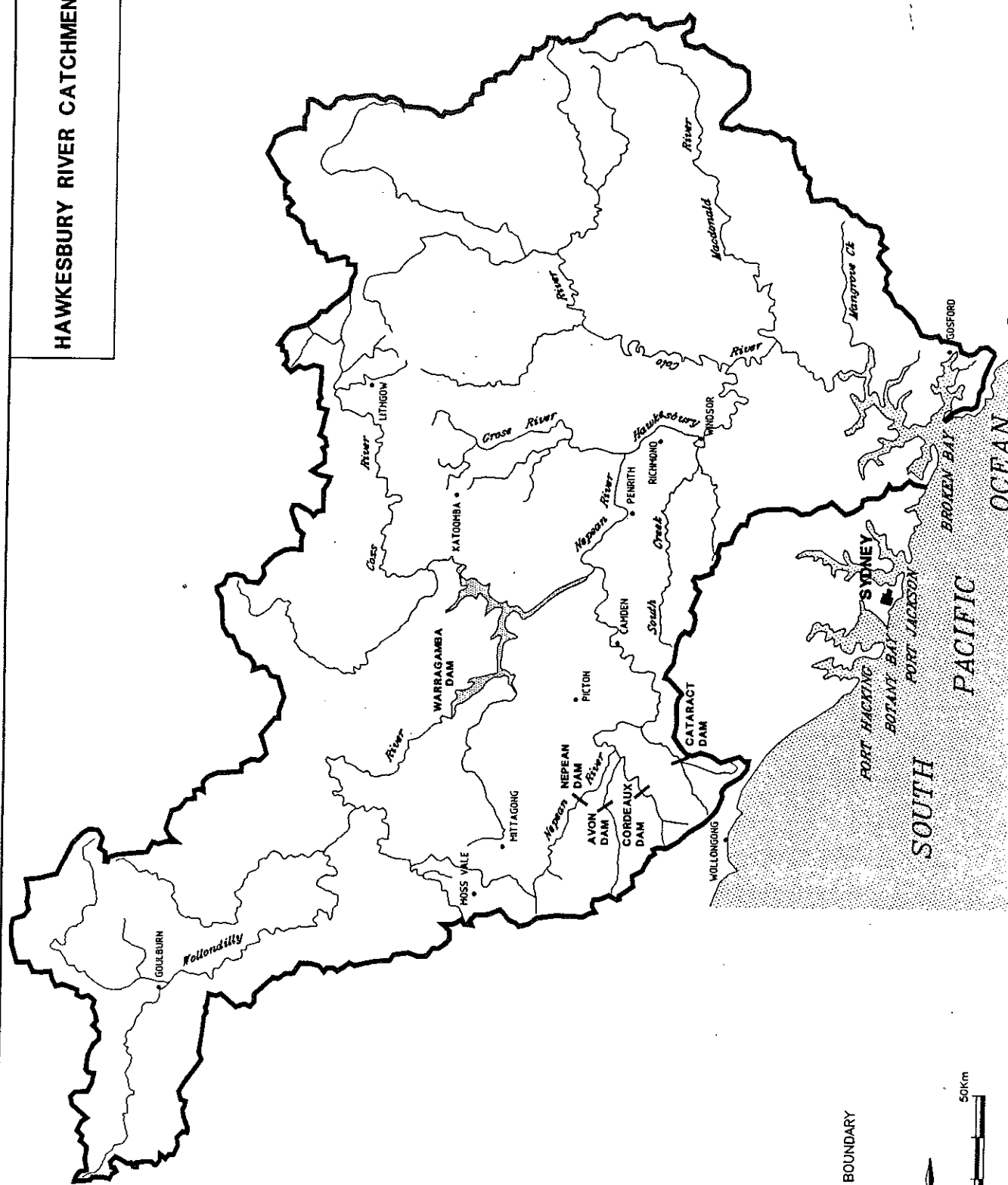
A. TENNIE
Director Sydney/South Coast Region
for Water Administration Ministerial Corporation (by delegation).

Dated: 28 July 1995.

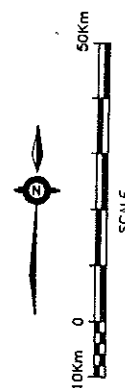
SCHEDULE

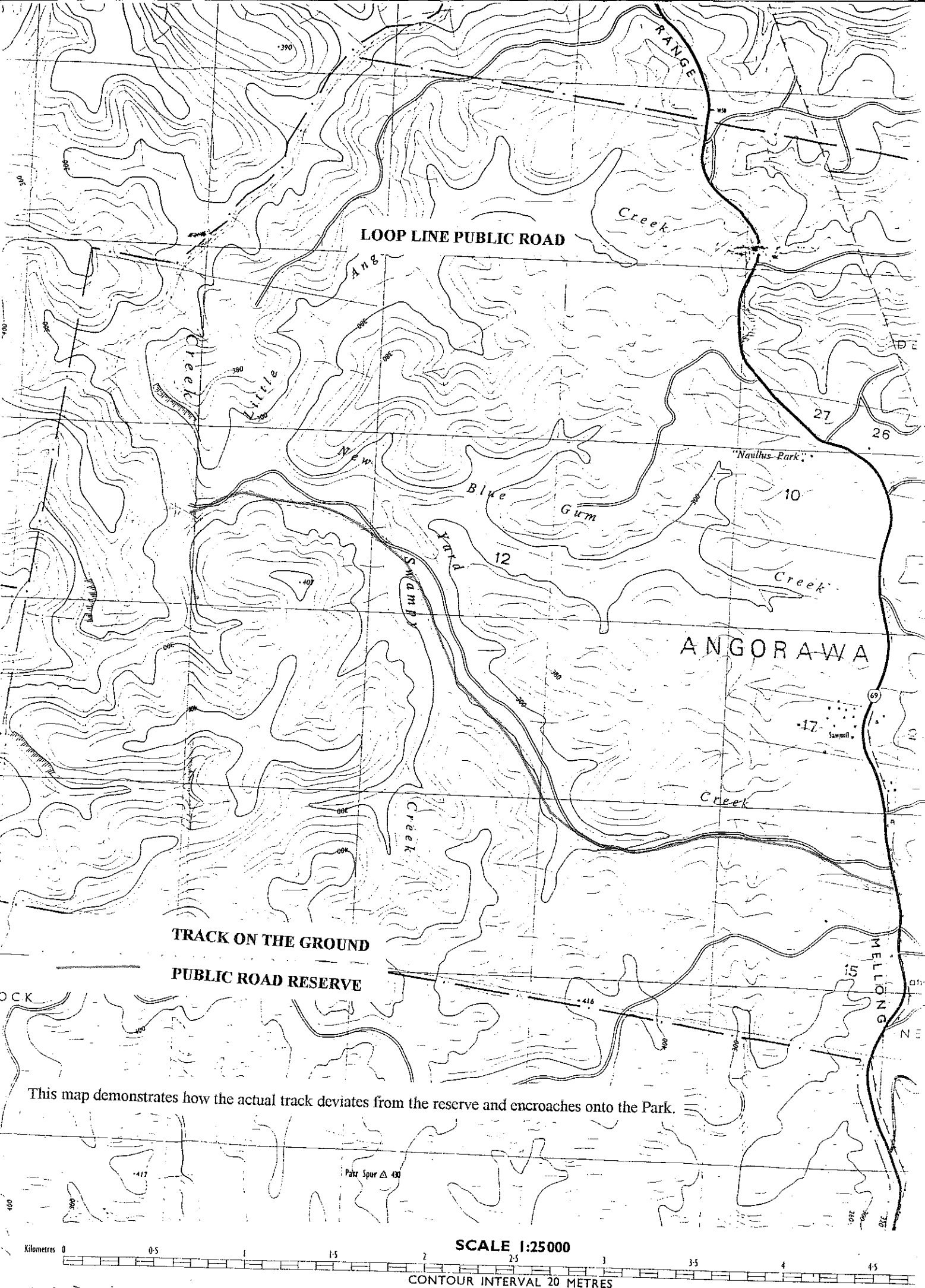
All the rivers and lakes within the Hawkesbury River Catchment as shown on the diagram hereunder.

HAWKESBURY RIVER CATCHMENT



LEGEND
CATCHMENT BOUNDARY





This map demonstrates how the actual track deviates from the reserve and encroaches onto the Park.

859089

This topographic map of Wollemi National Park displays a network of trails and roads. The Wollemi Range is the central feature, with peaks like Mount Worran and Mount Worlong. Key trails include the Cutout Range Track (2wd), Grassy Hill Track (2wd), and Loop Line Road. Roads shown are Hoves Swamp Road and the road through the park. Geographical features include Hoves Swamp, Grassy Hill, and various peaks and hills. The map also shows the surrounding areas of Gosford and Gosford Ground.