

GENERAL PURPOSE COMMITTEE

SECTION 1 ENVIRONMENT

GENERAL PURPOSE COMMITTEE - ENVIRONMENT**Table of Contents****Meeting Date:** 27 June 1995

Page 2

ITEM	SUBJECT	PAGE
-	SECTION 1 - ENVIRONMENT.	
189:	GOLF PRACTICE COMPLEX - PART PORTION 51 DP752032 CORNER OLD KURRAJONG ROAD AND TRIANGLE LANE, RICHMOND - J FIELDING DA85/95/EVD	4
190:	EXTENSION OF EXISTING POULTRY FARM - LOT 10 DP227532 NO. 98 WHITMORE ROAD, MARAYLYA - M R & C M KUITERT DA309/94/EVD	12
191:	ESTABLISH AND OPERATE A CHILD CARE CENTRE - LOT 8 SECTION 4 NO. 348 MACQUARIE STREET, WINDSOR - C & K ATKINSON DA89/95/EVD	21
192:	BUSH FIRE BRIGADE STATION - LOT 453 DP749371 CNR GEORGE & THORLEY STREETS, BLIGH PARK - FALSON & ASSOCIATES DA90/95/EVD	26
193:	SUBDIVISION APPLICATION TO CREATE 31 RURAL RESIDENTIAL LOTS ON LITTLE ISLAND PLUS A NEIGHBOURHOOD (RESIDUAL LOT) COMPRISING THE ADJOINING CREEK SYSTEM - LOTS 181 AND 182 DP 701978, HERMITAGE ROAD, KURRAJONG SA0065/94/EVD	30
194:	DRAFT DEVELOPMENT CONTROL PLAN - POLICY ON SIGNS AND ADVERTISING STRUCTURES DCP2/94/EVD	39
195:	REZONE LAND FROM RESIDENTIAL 2(C) TO BUSINESS GENERAL 3(A) - NO. 34 - 36 MACQUARIE STREET, WINDSOR. APPLICANT: A J DEAN & ASSOCIATES LEP5/95/EVD	44
196:	AMENDMENTS TO INDUSTRIAL DCP BASED ON URBAN CONSOLIDATION AND "GREENSTREET" PHILOSOPHIES DCP001/93 PT01/EVD	46
197:	"OUR CITY - OUR FUTURE" - RURAL LANDS - REPORT ON PUBLIC EXHIBITION GT225/013/EVD	50

GENERAL PURPOSE COMMITTEE - ENVIRONMENT

Table of Contents

Meeting Date: 27 June 1995

Page 3

ITEM	SUBJECT	PAGE
198:	DEVELOPMENT APPLICATION FOR A TOURIST/EQUESTRIAN COMPLEX ON MIDDLE ISLAND AND PASSIVE RECREATION ON BIG ISLAND. APPLICANT: DON FOX PLANNING PTY LTD. DA065/95/EVD	70
199:	POLICY RELATING TO THE INSTALLATION OF SATELLITE DISHES, CABLE AND MICROWAVE DELIVERY SYSTEMS GT090/001/EVD	71

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

ITEM: 189 GOLF PRACTICE COMPLEX - PART PORTION 51 DP752032
CORNER OLD KURRAJONG ROAD AND TRIANGLE LANE,
RICHMOND - J FIELDING

FILE NUMBER: DA85/95/EVD

Applicant: J Fielding
Applicants Reps: Not advised
Owner: D, P, G, R & N Moxey
Stat. Provisions: Hawkesbury LEP 1989
Area: 10.13ha
Zone: Environmental Protection 7(d1) Scenic
Advertising: 14 days to adjoining owners; 9 submissions received
Date Received: 1 May 1995. Additional information received 25 May 1995 and 30 May 1995

Key Issues:

Access
Parking
Safety
Buildings
Wetland
Visual
Traffic

Action:

Approval.

REPORT:

Proposal

The application is to establish a golf practice complex on the above site at Richmond. The proposal, as originally submitted, shows 6.6m x 13.0m machinery shed, 6m x 13m 2 storey administrative building with storage under, parking for 20 vehicles off Old Kurrajong Road, driving tee off area 75m long, partly covered, chipping tee 25m long, chipping practice green and sand bunker, artificial lake, 4 target greens, putting green and landscaping around the perimeter.

When the applicant was advised that under Clause 25(2) of HLEP 1989, buildings are not permitted until this Clause is amended to refer to habitable buildings only, he amended his application to delete the buildings at this time and made a further development application for the buildings when this Clause is amended. The application therefore is now for all the site works but excluding the machinery shed, administration/storage building and covered tee area.

In reply to a request for additional information, the applicant has submitted the following in relation to effect on floodwaters, number of customers, hours of operation, number of employees, lighting, protective fencing, parking, extraction for lake and total site area:

- "1. I do not feel that the development would have any adverse effect on floodwater movement, as 95% will be mown grass similar to any other field adjoining or nearby.*
- 2. My figures indicate about 30 people per day would be able to sustain a viable operation, however, at the start there may be less.*
- 3. Hours of operation would be daylight, say winter 8.30am - 5.30pm and summer 8.30am - 8.00pm.*
- 4. Permanent employees would be 2, however some casual young people would be required from time to time.*
- 5. No lighting is proposed (refer 3).*
- 6. The boundary fences are new and are adequate. I do not see any reason to change them and as the plan shows, all of the target greens are in the middle, so we have 100 metres each side to allow for inaccurate shots. As the property is 500 metres long, I do not envisage any balls being hit out of the boundary. More importantly, the plan shows I will be planting a substantial number of trees around the boundary perimeter.*
- 7. As stated at the outset, I did ask Council for some guidelines and nothing was offered, so at cost and time to myself I had to do my own research. I have visited similar establishments in other municipalities and found car spaces ranging from 15 to 30 spaces of various surfaces, both sealed and unsealed. Looking at recent new developments in my own Council area, namely 3 shops at Mulgrave on Windsor Road that has about 15 - 20 car spaces for 3 stores, and the Windsor Polo Grounds although licensed premises, has no car parking facilities at all. At least 30 people per day, each staying about 1 hour with say 6 cars at any one time, I would think that 20 SEALED car spaces would be more than sufficient, however if Council wants more or less then that would not be a problem.*
- 8. As stated to Town Planning when I first lodged my DA, all of the earth from the dam will be used for mounds and elevated target greens, so no earth will leave the property. I have spoken to Mr Stuart Dixon as you were not available at the time and he outlined the regulations regarding the water body and .5ha of dam would be ample for irrigation of the greens and gardens which will be planted.*
- 9. No other development would be proposed at the site namely; 1 Triangle Road, Richmond."*

Statutory Situation

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

The erection of buildings however is prohibited under Clause 25(2) of HLEP 1989 due to the flood liable nature of the site. Council however has resolved to prepare a local environmental plan to restrict that Clause to habitable buildings only. This matter is with the Department of Urban Affairs and Planning for the issue of a Section 65 Certificate to allow exhibition of the plan.

The objectives of the 7(d1) zone are:-

- a. to preserve the river valley systems, scenic corridors, environmentally sensitive areas and other local features of scenic attraction;
- b. to protect hilltops, ridgelines, river valleys and other local features of scenic significance by controlling the choice and colour of building materials and the position of buildings, access roads and landscaping;
- c. to ensure that development does not create unreasonable or economic demands, or both, for provision or extension of public amenities or services;
- d. to prevent the establishment of traffic generating development along main and arterial roads; and
- e. to control outdoor advertising so that it does not disfigure the rural landscape.

An artificial waterbody having a surface water area of more than 0.5ha is designated development in this location. The proposal however is less than 0.5ha for the lake.

Site Characteristics

The site contains an area of 10.13ha and is bounded by Triangle Lane, Old Kurrajong Road and Ridges Lane. The dimensions of the land are approximately 200m x 500m and has levels between 10m and 11m AHD. There is a lagoon/wetlands across the western corner generally between Old Kurrajong Road and Ridges Lane. The land is cleared other than a few trees along Ridges Lane.

Ridges Lane and Old Kurrajong Road are constructed and sealed rural roads whilst Triangle Lane is gravel.

Community Response

The application was advised to adjoining owners and 9 submissions have been received generally from Polo Club members and "Killarney" on the opposite side of Old Kurrajong Road. A summary of the concerns are listed below:-

- Land is zoned as Environmental Protection 7(d1) Scenic which prohibits commercial premises, shops and advertising structures.
- Possible injury to buildings, property, horses, workers, guests, residents and vehicles on adjoining properties from mis-hit golf balls.
- Risk to local residents, walkers, horse riders, joggers and cyclists using Old Kurrajong Road and Triangle Lane from mis-hit balls and increased vehicles in area.
- Destroy existing rural atmosphere.
- Proposed building is a prohibited structure.
- Other future structures inevitable.
- Development would place undue strain on the environmentally sensitive wetland areas on the subject land and adjoining properties.
- Development would place unreasonable and uneconomic demands on public amenities and services.
- Development would substantially increase traffic.
- Development would disfigure rural landscape.
- Development would create excessive noise from traffic, visitors and staff.
- Create congestion on Old Kurrajong Road.
- Create excess dust from unsealed public roads and access roads.
- Unacceptable public risk from effluent from amenities at times of regular floods.
- Construction of grassland bunkers would damage sensitive wetland environment.
- Development would detract from the generally rural amenity of the area.
- Development out of character with existing rural surrounds.
- Building's height excessive above existing ground level.
- 20 car spaces insufficient leading to on street parking.

- Toilet facilities inadequate and no details of effluent disposal.
- Drain on town water supply as site has no access to the river.
- Major commercial venture grossly understated at cost of \$50,000, possibly \$400,000 to \$500,000 is real cost.
- Application does not address lighting, hours of operation, waste disposal, impact on wetlands.
- To be viable, the development would need to attract 50,000 patrons per annum.
- This level of commercial activity in a rural setting is offensive.
- Development would substantially reduce security and safety of property.
- Contrary to objectives of 7(d1) zoning.
- Precedent for other development on the floodplain.
- Night use essential for viability, disturb rural area and stock on adjoining lands.
- General drinking, partying and some misbehaviour could occur.
- No high fences proposed. Golf balls must land in adjoining properties. Damage to stock.
- Incompatible with surrounding land uses which are mainly equestrian and farming.

Planning Assessment

Access

As Triangle Lane is unsealed, all access should be denied to this road. The access from Old Kurrajong Road should be constructed between the boundary and the existing seal.

Parking

Parking is provided for 20 vehicles off Old Kurrajong Road, however, the parking space dimensions and driveway width do not exactly conform to Council's Policy. With the size of the driving tee and chipping tee, over 30 customers could be accommodated at any one time and it is considered that the parking area should be increased to 30 vehicles.

Safety

No provision other than distance has been made for mishit balls from straying onto Old Kurrajong Road or the adjacent property. It is considered that suitable fencing should be erected either end of the driving tees to ensure no balls can leave the property.

Buildings

The proposed machinery shed is shown as elevated on a 1.8m high mound and the administrative building is 2 storey. These buildings would stand out on the land as viewed from higher land but at this time are not part of the current application.

Wetland

There is an existing wetland at the Ridges Lane end of the site which should be left in its present state and no development to occur close to its banks. Site works should be controlled so that no silt laden runoff water can enter this wetland.

Visual

The change of use from grazing to golf practice complex, without buildings, would not greatly alter the appearance of the land. The erection of buildings in the future, if approved by Council, would be noticeable on this floodplain.

Traffic

As the development is only proposed in daylight hours, patronage is not likely to be as great as if operating at night. As well, hours of operation should be restricted to 8.30am to sunset so there is no confusion over winter and summer times.

Conclusion

The application before Council is to establish a golf practice complex on the 10ha site at Richmond which at this time does not propose any buildings. If approved, it can be assumed that a later development application will be lodged for the building phase of the complex when the planning instrument is amended.

Provided safety fences are erected, parking increased, wetlands left undisturbed and signage limited to one sign at the corner of Triangle Lane and Old Kurrajong Road, the application can be supported.

RECOMMENDATION:

This application be approved, subject to the following conditions:-

1. No buildings are approved as part of this development consent. A fresh development application will need to be lodged with this Council for any future proposed dwellings.
2. Erection of suitably high and long safety fences at either end of the driving tee to ensure no balls can leave the property onto Old Kurrajong Road or onto the adjacent property, Lot 510 DP718600 Triangle Lane. Artificial lake to be altered to comply with this Condition.

3. No development to take place within 20 metres of the existing wetland at the western corner of the site and the wetland is to be protected during the construction and land stabilising phases to ensure no silt laden runoff water enters the wetland.
4. All vehicular and pedestrian access is to be from Old Kurrajong Road.
5. Construction of a sealed rural type access and footpath crossing connecting to the sealed carriageway of Old Kurrajong Road to suit the access to the site with a minimum width of 6m. The driveway within the property to be widened to 6m.
6. Submission of a building application, plans and specifications complying with the Building Code of Australia.
7. 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.
8. No excavation or site works shall be commenced prior to the issue of the building permit.
9. Parking shall be provided for 30 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 shall be submitted for approval with the building application. Note that each parking space shall be 2.6m x 5.5m and the width of the aisle shall be increased to 6.7m.
10. A physical barrier being provided between public spaces, vehicular accessways, parking areas and the surrounding landscaped area.
11. 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 site and shall be maintained for the life of the development.
12. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.
13. 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.
14. Operating hours shall be limited to 8.30am to sunset 7 days per week. Any alteration of these hours will require the approval of the Divisional Manager Environment and Development.
15. Erosion and sedimentation control devices shall be installed and maintained during construction. Details shall be submitted and approved prior to any works commencing.

16. No excavated material, including soil, shall be removed from the site.
17. The topsoil shall be stripped and stockpiled and used to cover the landfill.
18. The filled areas, including batters, shall be grassed to the satisfaction of the Divisional Manager Environment and Development immediately after filling takes place.
19. Artificial lake to have a maximum surface area of water of 0.4ha.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN627NAX.V03

****** END OF ITEM 189 ******

ITEM: 190 EXTENSION OF EXISTING POULTRY FARM - LOT 10 DP227532
NO. 98 WHITMORE ROAD, MARAYLYA - M R & C M KUITERT

FILE NUMBER: DA309/94/EVD

Applicant: M R & C M Kuitert
Applicants Reps: Not advised
Owner: Mr & Mrs W Bowden
Stat. Provisions: Hawkesbury LEP 1989
Area: 2.015ha
Zone: Rural 1(c)
Advertising: 14 days to adjoining owners, up to 7 December 1994, 8 submissions received
Date Received: 18 November 1994. Additional information submitted on 16 February 1995
 and 11 May 1995

Key Issues:

Odour
Noise
Loss of trees
Water pollution
Visual
Amenity
Character

Action:

Approval

REPORT:

Proposal

The application is to erect 2 poultry sheds on Lot 10 as an extension to the existing poultry farm on the adjacent Lot 4. Each shed will accommodate an average of 30,000 birds which will be reared for meat and removed after 42 days (8 weeks old). Each shed will have a throughput 5 batches per year.

A water balance report has been included in the application that indicates the existing dam, when full, has a capacity of 6.6 megalitres and, with the existing sheds (60,000 birds) and new sheds (60,000 birds), there would be over 2 years supply without rain. This of course assumes the dam is full, which is not the case at the moment. To provide fill under the new sheds, the dam will be extended. The applicants also state that they have a water bore which can produce 31,500 litres per day and a water tanker which makes them independent of the dam in dry times.

Dead birds are to be removed to a Council approved tip or Council approved incinerator. The sheds are to be cleaned of manure annually and the birds are raised in total darkness from sunset to sunrise after 48 hours of age.

In regard to controlling noise when birds are caught, the applicants state:-

"The sheds are designed with the pick up doors in the middle of the sheds to contain noise between the sheds instead of front entry and exit. This was done specifically for that reason and is not standard shed design but we feel a major improvement. The poultry industry is continuing to look at the feasibility of day light pickups thus eliminating night disturbances, but that at this stage is only a proposal to be looked into."

The applicants' own water truck is proposed to be used for dust suppression and in regard to traffic generation, the applicants state as follows:-

"Traffic: the farm is serviced by feed trucks and we do anticipate some increase as we will be feeding double the current farm capacity. Currently, we often have 12 to 16 tonne deliveries and these will be replaced by the same truck carrying full payloads of 20 to 23 tonnes. Therefore, we do NOT anticipate double the traffic."

The LPG Gas needed for brooding will be delivered by the same truck but instead of dropping off 3 tonnes, he will drop off 6 tonnes at the one time.

Pick up trucks will be double, but all efforts have been made to contain any noise. Please see the plan and the location of the pick up doors."

In regard to manure odour, the applicants state as follows:-

"Unfortunately, on the rare occasion that there is odour, we are usually struggling with temperatures of 40 plus and we need to use the fogger systems to keep the chickens alive, these periods are extremely stressful for chook and farmer and even though the odour is temporary, we do at all times turn the fogger system on as a last resort, therefore minimising the odour."

Statutory Situation

The proposed poultry farm extension is an allowable use with Council's consent in the Rural 1(c) zone.

Under the Environmental Planning and Assessment Regulations 1994, "poultry farms" fall within the definition of "livestock intensive industries" in Schedule 3 - Designated Development.

Poultry farm is defined as follows:-

"Poultry farms' for the commercial production of birds (such as domestic fowls, turkeys, ducks, geese, game birds or emus), whether as meat birds, layers or breeders and whether as free range or shedded birds, that are located:

- (a) within 100 metres of a natural waterbody or wetlands; or*
- (b) within a drinking water catchment; or*
- (c) within 500 metres of another poultry farm; or*
- (d) within 500 metres of a residential zone or 150 metres of a dwelling not associated with the development and, in the opinion of the consent authority, having regard to topography and local meteorological conditions, are likely to significantly affect the amenity of the neighbourhood by reason of noise, odour, dust, lights, traffic or waste."*

The proposal falls within (a) and (d) and therefore is designated development for the purposes of the Act and Regulations.

Under Part 2 of Schedule 3, Clause 1 states:-

- "1. Development involving alterations or additions to development (whether existing or approved) is not designated development if, in the opinion of the consent authority, the alterations or additions do not significantly increase the environmental impacts of the total development (that is the development together with the additions or alterations) compared with the existing or approved development."*

Council is required to take into consideration the following factors when determining if the proposal can be considered under this Part rather than treating the proposal as designated development:-

- "2. In forming its opinion, a consent authority is to consider:*
- (a) the impact of the existing development having regard to factors including:*
 - (i) previous environmental management performance, including compliance with:*
 - * conditions of any consents, licences, leases or authorisations by a public authority;*
 - and*
 - * any relevant codes of practice; and*
 - (ii) rehabilitation or restoration of any disturbed land; and*
 - (iii) the number and nature of all past changes and their cumulative effects; and*
 - (b) the likely impact of the proposed alterations or additions having regard to factors including:*
 - (i) the scale, character or nature of the proposal in relation to the development; and*

- (ii) *the existing vegetation, air, noise, and water quality, scenic character and special features of the land on which the development is or is to be carried out and the surrounding locality; and*
- (iii) *the degree to which the potential environmental impacts can be predicted with adequate certainty; and*
- (iv) *the capacity of the receiving environment to accommodate changes in environmental impacts; and*
- (c) *any proposals:*
 - (i) *to mitigate the environmental impacts and manage any residual risk; and*
 - (ii) *to facilitate compliance with relevant standards, codes of practice or guidelines published by the Department of Planning or other public authorities."*

Under Council's Code for Poultry Farming, the following development criteria are required:-

- a) Minimum area - 4 ha (total Lots 4 and 10 - 4.8ha)
- b) Building line - 150m (100m)
- c) Side boundary setback - 22m (20m)
- d) From any adjoining dwelling - 100m (80m)
- e) Between poultry buildings - 12m (12m)

The application does not conform to (b), (c) or (d).

NSW Agriculture has a Draft New South Wales Poultry Farming Guidelines and recommends the following separation distances for poultry developments:-

- 1) Dwellings on another property - 150m (80m)
- 2) Dwelling on the same property - 50m (70m)
- 3) Property boundaries - 30-50m (20m)
- 4) Public road - 100m (100m)
- 5) Watercourse - 50m (less than 50m)

The application does not conform to (1), (3) or (5) above.

The document contains details on management of poultry farms and potential environmental impacts.

Community Response

The proposal was advised to adjoining and adjacent residents and 8 submissions have been received. A summary of the concerns are listed below:-

- Any increase in the existing poultry farm would be detrimental to the rural/residential area.

- Odours already come from the existing 3 sheds. Extension will compound this problem.
- Quite a lot of noise at night when chickens are caught. Quite distressing and disturbs sleep.
- Extension will cause loss of trees on the site. No trees left on existing farm lot.
- Existing drainage patterns could be changed leading to soil erosion and adverse effects on Longneck Lagoon and Hawkesbury River.
- Smell and dust now from existing poultry sheds.
- Further health problems for asthmatics.
- Heavy trucks delivering feed and removing chickens need to use rural Whitmore Road and will increase with more sheds.
- Spoil amenity and appearance of the area. Considerable visual impact.
- Increased trucks will damage road, requiring more maintenance.
- Dead chickens are disposed of on property providing regular food source for foxes. This will increase with more sheds.
- Buffer 2m high should be extended across the front of the new sheds.
- All existing trees should be retained in front of the new sheds.
- Use western driveway only, not one alongside dwelling, for all trucks.
- All trucks enter and leave the site from the western end of Whitmore Road.
- Application does not deal adequately with hygiene or onsite machinery noise.
- Increase in noise from 2 more sheds.
- Proposal is inappropriate for area.
- No details on fill area and retaining wall.
- Devalue surrounding properties.

Planning Assessment

Character

The proposed development is not out of character with the existing farm or other similar development in rural areas generally.

A poultry farm is the type of development that could be expected to be located in a rural area.

Loss of Trees

The erection of the 2 new sheds will necessitate the removal of the existing vegetation on the building sites, for the access road and landscaped mounds and the new dam or dam extension. The trees and vegetation between the front of the property and the cleared area will be retained.

In regard to SEPP 44 - Koala Habitat, an inspection revealed that there are only 3 koala feed species trees on the site and therefore cannot be subject to the provisions of SEPP 44 as 99% of trees are not feed species trees.

Visual

The sheds will be similar to the existing farm buildings in design and general appearance. The loss of the existing vegetation on the building sites will however adversely affect the present treed appearance of part of the lot. The proposed mound could be extended across the front to improve the visual appearance from the street.

Noise

Noise can be generated from delivery vehicles, bird catching and general onsite activities. Any noise emitted from the site should be controlled so that impact to adjoining and adjacent residents is kept to acceptable limits.

Water Pollution

The proposal has the potential to pollute the local waterways at the construction phase by soil erosion and silt laden runoff and, when completed, from the activities on the site. These pollution sources however can be controlled provided adequate measures are incorporated in the development and such control measures are maintained for the life of the development.

Odour

The existing poultry farm and proposed extensions have the potential to generate odours that could affect residents in the area. Almost all odours stem from the poultry manure and litter and, if kept dry, does not generally cause an odour problem. NSW Agriculture does not have any recommended time span to remove litter and manure.

Poultry farm odours can be minimised by:-

- prevention of water entering poultry sheds from rain, irrigation sprinklers and surface water
- maintaining and adjusting waterers and feeders to prevent spillage

- ventilation of sheds in keeping with bird comfort
- property storage, use or treatment of all poultry wastes

Amenity

The amenity of the area could be adversely affected by the proposed extension if adequate controls are not imposed and maintained to keep all impacts to acceptable levels. The proposal should be required to comply with the Guidelines of NSW Agriculture to ensure the amenity of the area is not adversely affected.

Conclusion

The proposal is allowable with Council's consent in the Rural 1(c) area and provided the Council considered the extension under Part 2 of Schedule 3 of the Regulations, the development is not designated development.

Since the addition on Lot 10 is reliant upon water supply from Lot 4, the two lots should be consolidated into one parcel.

The departures of the development from Council's Code are not excessive and can be supported.

With adequate controls, the development can be conducted so that minimum interference occurs to this rural area.

RECOMMENDATION:

- A. Council consider the application as an addition to the existing poultry farm pursuant to Part 2 of Schedule 3 of the Environmental Planning and Assessment Regulation 1994.
- B. The application be approved, subject to the following conditions:-
 1. The proposed earth mound 2 metres high be extended across the front of the proposed buildings, adjacent to the access driveway and this mound and the one along the eastern boundary be suitably landscaped to screen the proposed sheds from Whitmore Road and the adjacent property.
 2. All surface runoff from the existing farm and the proposed extensions to be directed to the existing or proposed dam.
 3. Lot 4 DP524290 (the existing poultry farm) and Lot 10 DP227532 (the proposed extensions) to be consolidated into one lot prior to the new sheds being occupied.
 4. Activities on Lot 4 and Lot 10 to be conducted in accordance with the NSW Agriculture publication "New South Wales Poultry Farming Guidelines".

5. The natural flow of water across the site in the vicinity of the rear of the proposed sheds to be retained within the depression relocated as necessary to avoid the shed.
6. The new access roads to be constructed with a compacted gravel pavement.
7. All existing vegetation between the proposed front mound, referred to in Condition 1 above, and Whitmore Road is to be retained and incorporated in an overall landscaping plan for the site.
8. Dead birds to be removed from the site daily.
9. Poultry manure and litter within the poultry sheds to be maintained at a moisture level to ensure no odour nuisance is produced.
10. Poultry manure and litter, when removed from the sheds, is to be immediately transported off site and no poultry manure or litter is to be stored on the existing poultry farm (Lot 4) or the farm extension (Lot 10).
11. Noise from the activities on the site to be controlled at all times to ensure no adverse impact occurs to residents on adjoining lots or in the vicinity.
12. No excavation or site works shall be commenced prior to the issue of the building permit.
13. Provision of adequate loading and unloading facilities to cater for the proposed use of the land.
14. Submission of a schedule of proposed external finishes including sample materials for consideration and approval in conjunction with the submission of a building application.
15. 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.
16. 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.
17. The spillage of light, if any, shall be controlled to the satisfaction of the Divisional Manager Environment & Development.
18. Erosion and sedimentation control devices shall be installed and maintained during construction. Details shall be submitted and approved prior to any works commencing.
19. All necessary works being carried out to ensure that flow from adjoining properties is not impeded.

20. No excavated material, including soil, shall be removed from the site.
21. The batters shall be grassed to the satisfaction of the Divisional Manager Environment and Development immediately after filling takes place.
22. All fill to be adequately compacted by track rolling or similar.
23. The submission of a Compliance Certificate under Section 73 of the Water Board (Corporatisation) Act 1994 prior to the release of the building application.

ATTACHMENTS:

AT-1 Plan

FN:EN627NAX.V04

****** END OF ITEM 190 ******

ITEM: 191 ESTABLISH AND OPERATE A CHILD CARE CENTRE - LOT 8
SECTION 4 NO. 348 MACQUARIE STREET, WINDSOR - C & K
ATKINSON

FILE NUMBER: DA89/95/EVD

Applicant: C & K Atkinson
Applicants Reps: Not advised
Owner: C & K Atkinson
Stat. Provisions: Hawkesbury Local Environmental Plan, 1989
Area: 1012m²
Zone: Residential 2(a)
Advertising: Adjoining owners notified with 3 submissions received
Date Received: 3 May 1995

Key Issues:

Traffic
Amenity
Fencing

Action:

Approval with conditions

REPORT:

Proposal

Council is in receipt of an application proposing the establishment of a child care centre on the subject property. Up to 28 children are to be accommodated at the centre which will operate between the hours of 7.30am and 5.30pm Monday to Friday. Four persons are to be employed at the centre.

Site Characteristics

The subject property contains an existing clad single storey dwelling. The site is relatively flat. Some existing vegetation exists which will be retained as a consequence of this application. Although the site has its frontage to Macquarie Street, physically, access is provided via a road similar to a service road which continues through to join Ham Street and, as such, the amount of traffic passing the site is significantly less than that along Macquarie Street. A laneway is provided along the rear property boundary. Residential development adjoins the site on both boundaries.

Statutory Situation

The site is zoned Residential 2(a) under the provisions of Hawkesbury LEP, 1989. This application is permissible with consent.

Submissions

Three submissions were received, two being from the same premises, objecting to the development on the following grounds:-

- noise
- disturbing sleep of shift worker
- increase in traffic
- impact of traffic on road surface
- reduction in property value
- a 2.4m high besablock fence to be erected along boundary to the south

Planning CommentVisual Impact

The only new structure proposed by this application is a colorbond patio roof at the rear of the dwelling. A ramp is to be provided at the front of the building, however, this will have a negligible impact. The development will have no additional impact from a visual perspective.

Traffic & Parking

Council's Parking DCP does not specify a requirement for child care centres. However, facilities should be provided for both staff and parents to pick-up and drop-off their children. This application proposes staff parking stacked within the existing paved driveway which, with a length of 24m, will accommodate 4 vehicles. Although vehicles will be required to reverse onto the street, this is considered suitable given the expected use of the spaces. This is considered satisfactory. With respect to the drop-off/pick-up area, the application proposes an indented area at the front of the site, virtually a scaled down bus bay. This will accommodate two vehicles. This is considered suitable.

The number of vehicles expected as a result of this development is not excessive and certainly within the capacity of the local road network.

Amenity

This development will have an impact on the amenity of the locality, particularly with respect to the generation of noise and traffic. Despite this, the impact is not considered excessive and should not lead to the refusal of the application.

The majority of noise emitted from the centre is envisaged to come from the outdoor play area. The impact of noise can be reduced by providing a better standard of fencing than that which presently exists. Currently, fencing is not uniform around the site in either height or materials.

Colorbond fencing to a height of 2.0m should be erected where not already provided along with landscaping to screen the development. This should assist in overcoming the concerns of the objectors.

With respect to the request for a 2.4m high besablock wall, this is regarded as excessive under the circumstances.

Conclusion

This development is considered a reasonable use for this property and is recommended for support with appropriate conditions to assist in reducing the impact of the centre.

RECOMMENDATION:

Approval, subject to the following conditions:-

1. The development shall be carried out in accordance with Plan No. PD175, dated 20 April 1995.
2. Submission of a building application, plans and specifications complying with the Building Code of Australia.
3. Compliance with any requirements of the Department of Family and Community Services.
4. Payment of a sewer headworks contribution to Council of \$7,457 (seven thousand four hundred and fifty seven). 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.
5. The construction of concrete kerb and gutter, including layback vehicular crossings, concrete path paving 1.2m (one point two) wide adjoining the kerb and gutter with the remaining 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. The construction shall provide a layby for 2 (two) cars recessed 2.5m (two point five) behind the kerb line. Road widening shall be dedicated free of cost to Council to maintain a minimum footway width of 3.5m (three point five).
6. Construction of Council's standard residential footway and layback vehicular crossing to suit the access to the site with a minimum width of 3m (three).
7. Construction of road and drainage 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 & Traffic Authority.

8. The payment of all fees, contributions or securities required by the Roads & Traffic Authority in relation to the roadworks.
9. No access to the site shall be obtained from the rear lane.
10. All staff parking shall be provided on site with a sealed surface.
11. Boundary fencing shall be provided to a height of 2.0 (two point zero) and be of colorbond construction where not already provided to this standard.
12. 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.
13. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.
14. A waste management plan shall be submitted for consideration with the building application. Such plan shall address any builder's waste and waste generated during day to day operations and shall include types and quantities, recycling, reuse, storage and disposal.
15. 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.
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. Proposed landscaping shall include dense planting around the property boundary.
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. Any clothes drying area shall be effectively screened from public roads and reserves. Details to be submitted with the building application.
19. Operating hours shall be limited to 7.30am to 5.30pm Mondays to Fridays only. Any alteration of these hours will require the approval of the Divisional Manager Environment and Development.

20. The submission of a Compliance Certificate under Section 73 of the Water Board (Corporatisation) Act 1994 prior to commencement of the activity.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN627NAX.V09

****** END OF ITEM 191 ******

ITEM: 192 BUSH FIRE BRIGADE STATION - LOT 453 DP749371 CNR GEORGE & THORLEY STREETS, BLIGH PARK - FALSON & ASSOCIATES

FILE NUMBER: DA90/95/EVD

Applicant: Falson & Associates
Applicants Reps: Not advised
Owner: Department of Housing
Stat. Provisions: Hawkesbury Local Environmental Plan, 1989
Area: 2.813ha
Zone: Residential 2(a)
Advertising: To adjoining owners with 1 submission received
Date Received: 12 May 1995

Key Issues:

Visual Impact
Amenity
Traffic
Lighting

Action:

Approval with conditions.

REPORT:

Council is in receipt of an application proposing the establishment of a Bush Fire Brigade Station on the subject property.

The building is to be L-shaped, measuring approximately 27m x 19.2m. The building will have a maximum height of 6.2m and is to be finished in face brick with colorbond roof. The building is to be setback 10m from Thorley Street, 20m from George Street and 26m from the closest private property.

The building incorporates 3 truck bays plus administrative facilities including office training room, kitchen and toilet facilities.

Statutory Situation

The site is zoned Residential 2(a) under Hawkesbury LEP, 1989. This development is permissible, with Council consent within the 2(a) zone under HLEP, 1989.

Submissions

One submission was received which supports the proposal so that bush fire fighting facilities are improved.

Planning Comment

The site to be developed has an area of approximately 2400m² being located on the corner of George and Thorley Streets, Bligh Park. The site contains scattered native vegetation, some of which will need to be removed as a consequence of this development.

Visual Impact

Whilst this development is larger than that normally associated with a residential zone, this proposal is considered reasonable given the location of the site and the distances to property boundaries which permit the provision of landscaping to reduce the impact. As such, the development is suitable in a visual context.

Amenity

The nature of the development is considered suitable and will not affect the amenity of the area.

Traffic and Parking

It is not considered that this development will generate traffic beyond the capacity of the local road network. All access will be via Thorley Street which has satisfactory sight distances at the intersection with George Street.

Council's Parking DCP does not specify a demand for this type of application. Despite this, ample area is available for the informal parking of vehicles when the demand arises.

Lighting

A variety of security and floodlighting will be used outside the building. Details submitted with the application demonstrate the spread of illumination which will not extend off-site. Extensive screening landscaping is to be provided which will further reduce any impact from lighting the site.

Conclusion

In conclusion, the development is considered reasonable for the site and is recommended for support.

RECOMMENDATION:

Approval, subject to the following conditions:-

1. The development shall be carried out in accordance with Plan No. 731-132, dated 29 March 1995.
2. Submission of a building application, plans and specifications complying with the Building Code of Australia.
3. All vehicle and equipment washing shall take place over an area draining to an approved washing area. Details to be submitted with the building application.
4. 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.
5. As far as practicable all trees and shrubs on the site are to be preserved and integrated with the plan of landscaping. No trees over 4m in height shall be removed without the approval of the Divisional Manager Environment and Development. Such approval to be sought subsequent to the pegging of building works.
6. 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.
7. Submission of a schedule of proposed external finishes including sample materials for consideration and approval in conjunction with the submission of a building application.
8. The spillage of light, if any, shall be controlled to the satisfaction of the Divisional Manager Environment & Development.
9. 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.
10. 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 pavement 6 (six) metres wide over the frontage of the site from George Street to an including the access drive together with any works necessary to make this construction effective.
11. Construction of Council's standard heavy duty footway and layback vehicular crossing to suit the access to the site with a width of 6 - 8m.

12. Construction of road and drainage 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 Divisional Manager Environment and Development.
13. 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.
14. A design checking and inspection fee of \$250 (two hundred and fifty) must be paid when submitting engineering plans for approval prior to construction. This amount is valid until 30 June 1995.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN627NAX.V11

****** END OF ITEM 192 ******

ITEM: 193 SUBDIVISION APPLICATION TO CREATE 31 RURAL RESIDENTIAL LOTS ON LITTLE ISLAND PLUS A NEIGHBOURHOOD (RESIDUAL LOT) COMPRISING THE ADJOINING CREEK SYSTEM - LOTS 181 AND 182 DP 701978, HERMITAGE ROAD, KURRAJONG

FILE NUMBER: SA0065/94/EVD

Applicant: Don Fox Planning Pty Ltd
Applicants Reps: Don Fox Planning, McKinlay Morgan Surveyors and Shaddick Baker & Paull are consultants to the property owner
Owner: Mr J H Harris
Stat. Provisions: Hawkesbury Local Environmental Plan 1989
Area: 114.06ha (Little Island)
 The total area of "The Islands" is 845ha
Zone: Environmental Protection Scenic 7(d)
Advertising: Adjoining and nearby property owners notified with 12 submissions being received.

Date Received: 4 April 1995

Key Issues:

- . Variation from minimum area standard
- . Effluent disposal and runoff from final land uses
- . Non potable water supply
- . Access

Action:

1. Recommended that Council support the principle of a 32 lot community title subdivision (30 lots with building entitlement) generally as proposed, with the final lot boundaries and conditions to be determined by the Divisional Manager Environment and Development under delegated authority in consultation with the Hawkesbury Nepean Catchment Management Trust.

2. Council resolve to prepare a draft local environmental plan to:-

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

REPORT:

Proposal

The application is for the creation of a 32 lot rural/residential subdivision on existing cleared land with lots varying in area between 1ha and 2.7ha. It is proposed that lot 1 be a residue lot containing a water supply scheme and reservoir and the native vegetation and walking and bridle trails along the creeks and a further allotment is to be used for a dressage arena and stables. Accordingly, 30 rural residential lots would have building potential.

It is proposed that the subdivision be torrens title with roads and drainage constructed to Council's requirements. Electricity and telecom services will be reticulated from existing supplies. A potable water supply is proposed to be provided by roof collection tanks and supplemented by a water supply from Middle Island Creek (although plans indicate Big Island Creek). This would be managed by the existing land owner, J H Harris. Effluent is proposed to be disposed of by means of aerated envirocycle type systems.

Background

There is a considerable history to development proposals for the Islands and the following is a brief review of the major applications which have been received over the past 10 years.

1985 (Dr Larkin)

Application to rezone for a rural/residential strata subdivision containing 194 lots with areas between 0.5ha and 2ha on Little, Middle and Big Islands. This was not supported by Council.

1987 (Dr Larkin)

With Council support the land was rezoned to permit 140 lots on Middle Island and 60 lots on Little Island with areas between 0.2ha and 0.5ha but subject to no subdivision occurring:-

- (a) on Middle Island, unless the Council is satisfied that development for the purposes of tourist facilities has substantially commenced on Big and Middle Island; or
- (b) on Little Island, unless the subdivision of land on Middle Island has been completed in accordance with any conditions imposed by Council.

The rezoning had a sunset clause for development to occur before April 1992.

1989 (Dr Larkin)

In accordance with the 1987 LEP Council gave development consent to an "integrated residential, tourist and sporting community" comprising:-

- . a 200 room hotel on 3 floors on Middle Island
- . a 9 hole golf course adjacent to the hotel
- . a country club
- . tennis courts and pool
- . parking for 300 cars
- . health management facility
- . equestrian facility
- . 200 villas on separate lots on Little Island and Middle Islands
- . an 18 hole golf course and clubhouse on Big Island
- . dedication of 300ha of land to the National Parks and Wildlife Service

February 1992 (Mr Harris)

Approval for selective clearing on Middle Island

December 1992 (Mr Harris)

Approval for selective clearing on Little Island

June 1994 (Mr Harris)

Application under SEPP No. 1 for 24 x 2ha rural residential lots and a residue lot

January 1995 (Mr Harris)

Rezoning application to create 81 rural residential lots on Little Island and Middle Island and an equestrian facility on Middle Island comprising jumping and dressage arena, stabling for 100 horses, quarantine stabling for 100 horses, paddocks, fire trail

March 1995 (Mr Harris)

Similar to the January 1995 plan but with the removal of lot boundaries around dwellings on Middle Island

April 1995 (Mr Harris)

Subject application

Statutory Situation

The land is zoned Environmental Protection (Scenic) under Hawkesbury Local Environmental Plan 1989. The objectives of this zone are:-

- (a) to preserve the existing wooded ridges and escarpments;
- (b) to protect hilltops, ridgelines, river valleys and other local features of scenic significance by controlling the choice and colour of building materials and the position of building, access roads and landscaping;
- (c) to prevent the establishment of traffic generating development along main and arterial roads;
- (d) to control outdoor advertising so that it does not disfigure the rural landscape;
- (e) to protect orcharding in the Bilpin area.

The minimum area for subdivision in the zone is 40 hectares per additional lot.

The application proposes the use of State Environmental Planning Policy No. 1 (SEPP No. 1) to vary the minimum area standards to enable the subdivision to proceed. SEPP No. 1 allows a variation of minimum standards where Council is satisfied that the application of the particular standard is unnecessary and unreasonable in the circumstances. Council does not have power to approve of the application and must obtain the concurrence of the Director of the Department of Urban Affairs and Planning.

The applicant has submitted an objection to the 40 hectare standard as required by SEPP No. 1. Reasons cited by the applicant for seeking the variation include the fact that the areas have already been cleared for grazing, the subdivision will maintain existing vegetation along creek lines, and complement subdivision adjoining to the south.

There are a number of environmental studies undertaken by the current owner and also the previous owner which are relevant to the assessment of the application. These include:-

- . Burrell Young report - August 1985 - environmental study
- . Niven Donnelly & Partners Pty Ltd, Rankin Hill Pty Ltd, and Sinclair Knight & Partners Pty Ltd - water supply & effluent disposal reports
- . McKinlay Morgan & Associates Pty Ltd - March 1995 - site surveys
- . Toby Fiander & Associates - May 1993 - land application of waste water, Little Island
- . Falson & Associates - March 1995 - summary report and assessment of rural residential subdivision, Little Island and Tourist Equestrian Facilities, Middle Island.

Submissions

The subdivision application was notified to adjoining property owners and relevant government authorities.

A total of 11 written objections have been received plus a petition with 98 signatures. One letter has been received broadly in support of the application but expressing some concerns about traffic.

The reasons provided for objection include:-

- . pollution
- . condition of Hermitage Road (narrow, winding)
- . reduction in flow of creeks
- . precedent for further subdivision
- . 1985 studies no longer relevant
- . same potential for Big Island
- . erosion, siltation
- . previous undertaking that the land would not be developed
- . environmental impact study should be required
- . privacy
- . noise
- . excessive number of lots
- . risk to flora and fauna from feral animals
- . removal of further trees
- . availability of equestrian facilities at Clarendon
- . pumping of water from creeks

Submissions have also been received from the Total Environment Centre, National Parks and Wildlife Service and the Hawkesbury Nepean Catchment Management Trust. A summary of their submissions is as follows:-

Total Environment Centre

The Total Environment Centre objects to the applications on the grounds that the proposal is inconsistent with the current subdivision of the area, is an inappropriate use of SEPP No. 1, environmental issues are poorly presented, proximity to Hawkesbury Nepean river system, pollution, no assessment of social impacts, traffic, application of SEPP 19.

National Parks and Wildlife Service

Expresses concerns about the potential for inadequate effluent disposal systems. Notes that no detail has been provided as to the proposed extraction of water from Middle Island Creek and expresses concern about impacts on downstream vegetation and fauna. Concerned about bushfire risk and increased pressure on the National Parks and Wildlife Service to undertake hazard reduction works in the National Park. Concerned about the protection of fauna and introduction of domestic pets. Recommends conditions for vegetation protection. Recommends a further survey of aboriginal sites. Tourist and equestrian complex must be self contained and not dependant on use of adjoining National Park. Any proposed recreational or competitive use of the adjoining Wollemi National Park will require approval from National Parks and Wildlife Service.

Hawkesbury Nepean Catchment Management Trust

The Trust objects to the 32 lot subdivision on the grounds of the inappropriate use of SEPP No. 1 and lack of satisfaction that the proposal can comply with their policy on water quality viz;

"if the quality of the water emanating from the site is satisfactory, then the development should not result in a decrease in this quality"

A copy of the Trust's letter is appended.

Environmental AssessmentUse of SEPP No. 1

Concern has been expressed about the applicability of State Environmental Planning Policy No. 1 to the proposed subdivision. It is conceded that SEPP No. 1 would not normally be used for such a large subdivision. However the proposed site has been subject to a large number of environmental assessments mostly relevant to the proposed development. It is doubtful whether a further environmental study would add substantially to the investigations which have already been undertaken. In addition the land has an existing subdivision potential (with consent) under the zoning of 21 lots.

There is no legal impediment to the use of SEPP No. 1 provided the Council is satisfied that the application of the 40ha standard is unreasonable and unnecessary in the circumstances of the case. Any approval requires the concurrence of the Director of the Department of Urban Affairs and Planning.

Disposal of Effluent

This is one of the most significant issues.

The standard set by the Hawkesbury Nepean Trust is a reasonable one for creeks such as Little Island and Middle Island Creeks which have undisturbed catchments.

Given concerns about the operation of aerated wastewater treatment systems (AWTS) reported elsewhere in the business paper, the standard set by the Trust would not be capable of being achieved by AWTS.

Rather than specify a particular type of system, a preferable approach is to stipulate a performance standard to be met by the applicant. A suggested standard which should overcome the concerns of the Trust would be as follows:-

"all waste water to be treated in a system that will remove total phosphorus, nitrogen (TKN), suspended solids and bacteria to a concentration of not more than 5% of that of raw sewerage. The treated waste water is then to stored and utilised on each site. Details shall be provided as part of the surface water management plan".

Such a standard of treatment can be achieved by a variety of systems including activated filter medium systems (ecomax) and a screening, microfiltration, reverse osmosis plant with domestic re-use.

This standard of treatment would far exceed that normally undertaken in rural residential subdivision in the Hawkesbury, including rural residential subdivision in the immediate vicinity of the site.

Other Runoff

Besides effluent disposal other sources of contaminated runoff would be erosion and sediment runoff, particularly during the construction phase and animal waste.

The keeping of stock has been discussed with Mr Harris and it was suggested that the larger 2 ha lots would be better located on the top of the spur which have improved grazing prospects and which would be further from the creek systems. The keeping of stock, such as horses, cattle and goats should be prohibited on the 1 ha lots and limits should be placed on the 2 ha lots.

Reticulated Water Supply

The application proposes to reticulate a non potable water supply by gravity from an existing well in Big Island Creek (not Middle Island Creek). This would involve a simple extension of the existing supply line from the reservoir on Middle Island.

This matter has been discussed with Mr Harris with a view to deleting this supply. Whilst it would be of benefit in supplementing roof water collections for non-potable purposes, the additional supply is likely to result in additional effluent disposal and runoff. Given the importance of this issue all means should be taken to minimise effluent quantities and the proposed reticulated supply should not be supported.

Traffic

There are obvious deficiencies in the width and alignment of Hermitage Road as well as the intersection with Bells Line of Road. There are currently approximately 135 lots which utilise Hermitage Road for access.

Whilst the road has the capacity for additional traffic, the extent of upgrading which can be funded by this proposed development is limited to an assessment of the additional use compared to the existing use. The major deficiencies which should be addressed are a curve beside no. 244 for which road widening has already been dedicated and intersection of Hermitage Road with Bells Line of Road.

General widening of the road would be difficult to undertake because of acquisitions and construction costs.

It is not considered that a 30 lot subdivision can be refused on traffic grounds subject to reasonable conditions requiring the upgrading of Hermitage Road as well as full construction of the access road.

Configuration of Lots

It is apparent from on site inspections and discussions that the subdivision application is conceptual with lot boundaries, areas and road alignments likely to be varied following further survey and investigation.

This process of refining boundaries and road alignments is desirable, but it is questionable whether there is currently an application to be determined. Rather it would seem that the principle of a 32 lot subdivision on Little Island should be determined before the applicant spends considerable money in undertaking detailed survey to fix the final road and lot pattern.

Torrens Title -v- Community Title

The application proposes a Torrens Title subdivision which has a number of limitations for land management. It also results in Council being responsible for all internal roads, some of which will have relatively steep gradients, and the existing creek crossing.

It is not considered that Torrens Title is appropriate for the site given the importance of environmental management and the internal road layout.

Cluster housing -v- Conventional rural residential housing

The Trust's Central Hawkesbury Catchment Management Committee considered the proposed subdivision and requested that consideration be given to a cluster of housing with a large community lot residue in preference to the conventional 1ha to 2ha lot arrangement.

This suggestion would result in a superior environmental outcome and was in fact canvassed in the "Our City our Future" draft strategy. It provides the potential for improved effluent disposal by a centralised system, improved bush fire management, a reduction in soil disturbance through building and service provision, a reduction in tree felling, and improved land management. The proposal was discussed with the owner and consultant planner who whilst recognising some of the benefits did not consider that it would receive market acceptance.

Rezoning of Middle Island, Big Island and escarpment areas

The proposed subdivision, which is seeking a 50% higher lot yield than could be obtained under the current zoning, provides Council with an opportunity to rezone the remainder of the property to protect the escarpment area and tree cover on Big Island. The opportunity should also be taken to prevent further subdivision of Middle Island and Big Island.

Summary

At this stage it is not considered that the application is sufficiently definite to provide a subdivision approval in accordance with the Environmental Planning and Assessment Act. However it is considered that there is sufficient information available to provide an in principle indication of Council support for a 32 lot subdivision of Little Island. It is suggested that the Divisional Manager Environment & Development exercise delegated authority to determine the application with conditions to include those controls discussed in the report.

RECOMMENDATION:

1. That Council support the principle of a 32 lot community title subdivision (30 lots with building entitlement) generally as proposed, with the final lot boundaries and conditions to be determined by the Divisional Manager Environment and Development under delegated authority in consultation with the Hawkesbury Nepean Catchment Management Trust.
2. That the final application and conditional approval be referred to the Director Urban Affairs and Planning for concurrence under State Environmental Planning Policy No. 1.
3. Council resolve to prepare a draft local environmental plan to:-
 - . prevent any subdivision of Middle Island and Big Island
 - . prevent vegetation clearing on Big Island
 - . prevent vegetation clearing on the "escarpment", being that area above the existing cleared areas of Little Island and Middle Island
 - . limit development on Big Island to a single dwelling with consent and recreational use not involving the felling of trees and/or removal of vegetation.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN627NAX.V15

****** END OF ITEM 193 ******

ITEM: 194 DRAFT DEVELOPMENT CONTROL PLAN - POLICY ON SIGNS AND ADVERTISING STRUCTURES**FILE NUMBER:** DCP2/94/EVD**REPORT:**

Following meetings of a Sign Policy Discussion Group, the attached Draft Development Control Plan was forwarded to the following for comment:-

Mr R Rozzoli - Richmond Chamber of Commerce
Mr D Wells - Richmond Chamber of Commerce
Mr S Berry - Richmond Chamber of Commerce
Mr B Briggs - Kurrajong Small Business and Community Forum
Mr R Wiltshire - Windsor Chamber of Commerce
Mr P Auld - Windsor Chamber of Commerce
Mr A Hendrikson - Windsor Chamber of Commerce
Mr S Anslow - Windsor Chamber of Commerce
Mr D Bradshaw - Richmond Main Street Program
Mr C Hanna - North Richmond Chamber of Commerce
Mr T Owyer - South Windsor

The following replies have been received:-

Dennis G Bradshaw

"Overall it is not a bad effort as a list of many of the things to be considered. Most of these were raised at our meetings. There are a few strange things, for example who was it mentioned signs on trees? Why a prohibition?"

Signs have blossomed around us like blue-green algae in the river. There is need for restraint of some kind. With the new methods of communication coming on stream, it will not be long before most of the signs envisaged by this draft will be old-hat anyway.

My private survey in Richmond showed that those who have signs could never do without them and those who have no signs would like most signs to go away, particularly sandwich boards. Tourists need signs badly and do not care so much about environmental damage.

This list of rules is far too long. Two pages should be enough, plus a page of pictures. They should be written for everyone, not just the private sector; but also government bodies and particularly traffic controllers who seem to be able to do what they like, albeit admonished by Council to "do the right thing". Traffic signs are the worst offenders to our sensibilities and a terrible waste of public money and resources.

Whilst restricting the Applicant, these rules give assessors more than ample elbow room. They should require a Building Inspector to go to the site with the Applicant to discuss the details of the matter very early in the proceedings.

We all did our best in committee; but this draft needs a lot more informed input from signwriters, sign designers and major sign users before going out for public review. What about the owners of the despised sandwich boards? They are sure to cry discrimination. I doubt if insistence on "Professional" signs will hold water. Please bear in mind that the more regulations we have, the more need for costly enforcement, which means more litigation and more ratepayers upset about the whole business. A sign without impact is unlikely ever to be proposed."

Kurrajong Small Business and Community Forum Inc

"Please find below our comments on your Draft Development Control Plan Policy on signs and advertising structures. These comments are not necessarily placed in order of priority:

- 1. We are concerned that the policy does not pay any attention to tourism signage.*
- a) Does not address the need to have signs on property remote from a business, say up to 10kms away.*
- b) Does not address the need for individual or multiple signs for tourists before entering a town or village etc.*
- c) Eliminates 'A' frames with no alternatives.*
- 2. Policy on sandwich boards and 'A' frames too restrictive, does not take into account locality, area or nature of use (see also our replies on public safety and Council liability).*
- 3. Public safety not addressed with engineering requirements on position, mounting, attachment and securing of signs.*
- 4. All signs will require a separate Council application therefore we request that all development applications (DA's) call up sign applications (SA's) as a sub-set. This to accommodate original architectural design or alterations of shop fronts. Advertising signs are very significant in design criteria.*
- 5. Your definition of bunting is far too restrictive. Eliminates all banners and flags, ie. National, Company, local Association etc. Needs further consideration (removes many forms of identity).*
- 6. Policy does not address public liability for Council, owner, landlord or tenant, legal responsibility for insurance should be addressed.*
- 7. We are very concerned that all commercial areas and businesses will look the same and therefore boring as policy is very restrictive, we wish to preserve area and business identity.*

8. *The specification for wording on signs is too tight and very limiting.*
9. *Temporary sign description is too limiting, should be for up to one month before the event, the duration of the event, and up to 2 weeks for removal.*
10. *Policy on signs at right angles and above buildings such as roof signs projecting signs and above awning signs too limited (see Pansy Junction sign at Kurrajong, we believe this acceptable and not boring). Well planned signs with safety engineering should be allowed.*
11. *Re 2.1.3. performance standards are inadequate and severely limiting in number, size and location. We are very concerned with these clauses (a) and (b).*
12. *Re: Performance standards 2.8.3.*
 - a) *Numerous items under (a) are of serious concern and not acceptable. Need discussion for clarification and review as per previous comments.*
 - b) *Under 2.8.3. (b) we recommend Council give a reasonable 28 days infringement notice before any action.*
13. *Sign policy must have more flexibility on size limits relative to building and to eliminate boring sameness.*
14. *Flashing signs we support, the need for no distraction to motorist etc. However Christmas signs or other illuminated signs add interest to business areas and we are concerned policy is very restrictive. Need discussion and clarification.*

We appreciate this opportunity to be involved with Council in addressing this draft policy and hope that our comments are constructive.

We look forward to meeting with Council in the near future."

Windsor and District Chamber of Commerce Inc

"We congratulate Council on the production of the Draft Signage Policy and would like to cooperate, particularly, in the removal of unsightly and moveable signs, especially on the entrance into the town.

As you were aware, our sub-committee had a meeting on Wednesday 5 March 1995 regarding the above policy and we would like to make the following suggestions/comments which came up at that meeting:

A-Frame Signs

We would like Council to reconsider their views on A-Frame signs (Sandwich Boards) with a view to allowing them, provided they are covered by insurance (proof to be shown to the relevant Council Officer). We feel that these A-Frames are essential in the main commercial area, especially for arcades, and that they add character to the town.

Projecting Signs

These signs should be allowed as long as they state what business is in the building below, not down the street, and that they are Council approved as well as a standard size.

Above Awning Signs

These should be allowed.

Movable Signs

We agree that moveable signs eg on trailers, motor vehicles, etc, should be banned with the exception to suitably finished signs that are not out on the roadside.

Bunting

We feel that bunting, in the commercial area, should still be allowed, however, if Council decides to ban bunting, then flags should be deleted from this clause as flags are an important part of our heritage and retailers should be able to fly them whenever they think fit.

Clause 2.8.3.(b)

The words "after due notice" should be inserted in this clause.

Signage Fees

The Chamber requests that signage fees be waived in the Commercial area as rates and taxes on just a small block of land can be up to \$7,500 per year. Adding a further fee could become crippling to a small business/building owner.

We would also like Council to consider the signage rules of other neighbouring Councils as we do not feel that businesses in the Hawkesbury should be disadvantaged in any way just because they are in this area.

We thank you for taking into consideration the above comments the Chamber has presented and we look forward to the finalisation of the signage Policy."

Comment

The signs the Draft Policy aims to prohibit are listed on page 20, Section 2.8.3, and shown in diagram form at the rear of the Draft Policy.

In regard to tourist signs, the Policy does not intend to prohibit these as Clause 23(3) of Hawkesbury Local Environmental Plan 1989 states:-

"(3) The Council may consent to the erection of an advertising structure on land to which this clause applies for the purpose of:

- (a) directing the travelling public to tourist areas; or*
- (b) displaying private advertisements for tourist accommodation or other tourist facilities."*

The proposed prohibition on bunting is not intended to restrict the display of the Australian flag on a flag pole or similar.

In regard to A frame sandwich boards, these are permitted in arcades on private land but not intended to be permitted on public roads or public footpaths, including Windsor Mall.

Statutory Situation

Clause 17 of the Environmental Planning and Assessment Regulations 1994 require Council, if it wishes to proceed with this Draft Development Control Plan, to publicly exhibit the draft plan for 28 days. At the expiry of that time, the matter will again be presented to Council for further consideration of the draft plan and the submissions received.

RECOMMENDATION:

Council exhibit the Draft Development Control Plan - Policy on Signs and Advertising Structures for 28 days in accordance with Clause 17 of the Environmental Planning and Assessment Regulations, 1994.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN627NBX.V01

****** END OF ITEM 194 ******

ITEM: 195 REZONE LAND FROM RESIDENTIAL 2(C) TO BUSINESS GENERAL 3(A) - NO. 34 - 36 MACQUARIE STREET, WINDSOR. APPLICANT: A J DEAN & ASSOCIATES

FILE NUMBER: LEP5/95/EVD

REPORT:

The subject property contains two lots on the corner of Macquarie and Ross Streets, Windsor. The site contains two dwellings, however, the one on the corner is currently being used for professional purposes as a real estate office. The combined site area is 1257m².

Current Planning Situation

The site is currently zoned Residential 2(c) under Hawkesbury LEP, 1989. This zone permits a variety of residential styles, however, was principally designed to accommodate Residential Flat Buildings Class C, commonly known as walk-up-flats.

This type of development is considered inappropriate in this locality given that the site is on a main road which carries significant traffic volumes. The result of development occurring in accordance with the present zone is residential units with occupants provided with poor amenity impacted upon by the noise, smell and fumes of passing traffic.

Proposed Planning Situation

The proposed zone is that of Business General 3(a) which permits a variety of commercial/retail activities, including shops and offices.

Planning Comments

It is considered that development in accordance with the current zone is inappropriate in this location. Furthermore, as the site is immediately opposite existing retail and commercial activities, the development of this site for these purposes appears to be a natural progression of the commercial centre of Windsor.

In support of the proposal, the applicant has offered the following:-

"The submission for the extension of the existing 3(a) Business General zone to include the land in the study area is primarily based on logical planning issues supported by demand, location, provision of suitable access and lack of environmental (including heritage) impact. In addition, the proposed rezoning will not require additional services which would be a direct cost to the general public.

The extension of the existing 3(a) zone to incorporate the study area will not create an isolated zoned parcel of land or be what is commonly referred to as a "spot zoning". What will occur is merely an extension of the existing zone."

A particular concern, however, is access to the block which only has frontage to Macquarie Street. Access should only be via Ross Street so that impact on vehicular movements in Macquarie Street is minimised. In this regard, the applicant has submitted a plan which demonstrates how this can be achieved. Should Council decide to proceed with the rezoning, a Clause can be inserted requiring access solely from Ross Street.

It is recommended that a draft LEP be prepared so that adjoining owners and the general public can comment on the proposal. In addition, an opportunity for the RTA to comment is provided for in the rezoning process, and this is considered desirable given the site's frontage to a main road.

RECOMMENDATION:

1. A draft LEP be prepared to rezone the subject properties to Business General 3(a).
2. A clause be inserted in the LEP prohibiting access via Macquarie Street.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN627NBX.V05

****** END OF ITEM 195 ******

ITEM: 196 AMENDMENTS TO INDUSTRIAL DCP BASED ON URBAN CONSOLIDATION AND "GREENSTREET" PHILOSOPHIES**FILE NUMBER:** DCP001/93 PT01/EVD**REPORT:**

As the Hawkesbury City area continues to grow, both commercially and residentially, added strain will be placed upon our industrial areas where vacant allotments are diminishing.

To reduce the need to rezone other areas of the City to accommodate industrial activities, an investigation has been completed which examined present usage in relation to the existing DCP for industrial development, and also to examine possible changes to the DCP to make better use of the existing development to preserve this valuable commodity.

Whilst conducting this study, the opportunity was also taken to consider ways to improve on future subdivisions for industrial activities should the need arise.

Existing Industrial Development

The existing industrial areas were examined and the following points observed:-

1. Many industrial sites where carparking had been provided forward of the building, were not utilising the carpark for its intended purpose. These areas were either not being used at all or alternatively, being used for storage of finished articles or those awaiting repairs or processing.

Where parking had been supplied alongside boundaries or to the rear of the industrial buildings, most carparking spaces were accommodating motor vehicles.
2. Whilst many vehicles were parked on the street outside industrial sites, the numbers were few compared to the number of sites. Only a few trucks were observed parking in the streets throughout the major industrial areas.
3. Almost no pedestrian traffic was observed throughout the study in all industrial areas.
4. Many of the older units appeared "run down" and lacking in adequate floor area, possibly as a result of the business owner having expanded his business over the years. Elevations to the street were unattractive and resembled agricultural sheds.
5. Sites enclosed by cyclone wire fences lost any aesthetic appeal as these enclosed areas tended to be used for storage, also the wire fence detracted from the features beyond it.
6. Sites with large areas of landscaping had not been maintained whereas sites with smaller more compact landscaping were still being cared for and were well presented.

7. Larger single occupier units seemed to have many carparking spaces not being used, whereas the industrial sites with multi occupiers had what could be considered inadequate onsite parking.
8. Vehicular traffic flows throughout the industrial areas could be considered as light.

Suggested Improvements to Existing Industrial Areas

After examining the findings of the study, the following suggestions are made to improve the visual appearance of the existing development whilst providing a much more practical use of the existing industrial sites:-

- a) Reducing the building setback in industrial areas to 4 metres from the front boundary where the owner is prepared to provide undercover parking via a projected 1st floor area, whilst maintaining the 10m setback for the ground floor portion of the factory building. This will allow not only new development to utilise this change, but will also afford owners the opportunity to extend onto their existing buildings for office space, storage etc and at the same time the facade to the building will be required to have more architecturally pleasing features whilst maintaining their parking requirements in front of the building.
- b) Reducing the building setback for new development to 4 metres from the front boundary where carparking is provided either behind or to the side of the proposed building or both. Again a higher standard of architectural features would be required.

Suitable landscaping would be required between the building and the street front boundary where this variation was used.

- c) Allow the use of infill panels such as colorbond with masonry front walls to enhance architectural designs to the industrial buildings as existing full masonry front walls restrict design.
- d) Require motor vehicles to exit a site in a forward direction, and where suitable the requirement to enter in a forward direction be waived.

Where a site is located in a low traffic area, the potential for vehicles to reverse into the site should be considered.

Observation during the study suggests that this is happening at present in all industrial areas even though carparking and access aisles have been designed and constructed to allow entry and exit in a forward direction.

- e) Cyclone wire only being permitted to be used from the building setback towards the rear boundary, unless permanently coloured "black" and supported on framework also coloured "black".

Decorative "picket type" fencing be encouraged and permitted forward of the building line where constructed of powder coated, dark toned metal components and blending with landscaping.

Existing Street Layouts

The potential to alter existing street layouts was investigated to accommodate more street parking and less onsite parking, together with reduced footpath widths, but unfortunately was abandoned as all efforts to create this left inadequate area for traffic flows and provision of required services in the footpath area.

Carparking Spaces for Industrial Development

As highlighted in the study, there seems to be some inconsistency with occupation rates of available carparking spaces between large single occupancy industrial units and those which are large buildings divided into individual units.

To overcome this situation, it is suggested that a new formula for calculating required carparking spaces be as follows:-

"All industrial units be provided with a minimum of 4 (four) carparking spaces per unit up to 300m² of floor area.

Where units are in excess of 300m² in floor area, the number will be increased by 1 (one) carparking space for every 90m² of floor area or part thereof above 300m² in area.

Example

A unit with 250m² in floor area would require 4 (four) carparking spaces.

A unit with 450m² in floor area would require 6 (six) carparking spaces."

This formula will overcome the present situation that exists with the smaller units which tend to accommodate the service type industries such as smash repairers, mechanics, furniture manufacturing etc where more spaces are required for customers and delivery of parts etc.

The larger single occupancy units are in most cases occupied by a large firm that requires the additional floor area as part of their manufacturing process and tends to have minimum numbers of staff and few customers requiring the number of spaces presently being required.

New Subdivision for Industrial Areas

It is suggested that where new industrial areas are proposed, the opportunity should be taken to provide a better yield of site coverage for the industrial buildings, whilst providing a modern pleasing streetscape by the use of flexibility in building setbacks, together with reduced footpath widths. This would allow for more onstreet parking and less onsite parking whilst still providing the same level of available spaces for each property.

Parking on the street could be accommodated in "bus layby" type areas with suitable landscaping and pavement to define such areas, and still provide adequate thoroughfares for vehicular traffic throughout the estate.

Landscaping would also be required to a high standard between the building line and the front boundary to compensate for the building being closer to the street boundary. This, in effect, would keep the streetscape free of ugly fences and stored materials and present a much cleaner, greener effect through the development.

RECOMMENDATION:

The suggestions contained in this report be incorporated into an amendment of the current Development Control Plan for Industrial Development which will be presented to Council for adoption when complete.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN627NBX.V10

****** END OF ITEM 196 ******

ITEM: 197 "OUR CITY - OUR FUTURE" - RURAL LANDS - REPORT ON PUBLIC EXHIBITION**FILE NUMBER:** GT225/013/EVD**REPORT:**

Council at its meeting on 13 December 1994 resolved that Our City - Our Future Rural Lands Draft report be placed on public exhibition for a period of three months and that an executive summary be sent to all correspondents and be made available at the counter.

It was also resolved that the following recommendations be added to the Environment Section being:

- "4. *That the principles of environmentally sustainable development shall apply to all Council policies dealing with land use.*
5. *That Council identify funding options to undertake a general review of Council policies to enable environmentally sustainable development principles to be incorporated."*

As a consequence of the resolution, the draft report was placed on public exhibition until 17 March 1995, however, submissions have been received beyond that date and are incorporated in this report.

By way of background, a summary of the issues and recommendations in the draft Our City - Our Future report are appended to the business paper. These recommendations cover population/growth, agricultural land, environment, infrastructure, river, subdivision, employment, heritage and tourism.

Submissions

In response to the public exhibition of the draft "Our City our Future" strategy, a total of 57 submissions have been received. The majority of these are from residents of Grose Wold/Grose Vale. These submissions request that the minimum area for subdivision in the area be reduced from 10 hectares to 4 hectares.

A summary of all of the submissions is provided in the following table. In addition a full copy of the submission of Pattison and the form letter signed by Grose Wold/Grose Vale residents is appended.

It should be noted that in the previous public consultation process there were many comments and submissions requesting smaller lot subdivision in other areas.

GENERAL PURPOSE COMMITTEE - ENVIRONMENT

Meeting Date: 27 June 1995

Item: 197

Name	Property	Comments
Bill Anderson	Lot 2 DP 736516, 63 Gadds Lane, Kurmond 24.23ha	Suggests bias towards agricultural enterprise against rural residential subdivision. The intensive agricultural industries within the City eg, turf, mushrooms, poultry, fruit and vegetables appear to be viable, but are in different locations. Indicates the document has a theme that goes well beyond the question of balanced rural subdivision compared to agricultural pursuits - agriculture being pursued for its own sake. Disagrees with a policy that suggests a closed shop to further smaller rural lot subdivision and the insistence on agricultural practices irrespective of viability and the existing land holders wishes. Argues that with careful scrutiny towards maintaining the natural vegetation, the dams and their associated wildlife, the area in discussion can sustain smaller sensible subdivision yet retain its charm and character.
G D Blackwood	Big Bend Station very Higher McDonald River via Wisemans Ferry	Notes adverse conditions "which make pursuit of other planning suggestions prohibitive".
A W & C J Currall	545 Grose Vale Road, Grose Vale	Recommends Grose Wold area be zoned for 4 hectare subdivision. "It is further submitted that as over 1/3 of the City is class 3 agricultural and most of the class 4 and 5 land has already been subdivided, then if only class 1 and 2 land are developed, there will not be any land available for growth. Without growth our children will be forced to live elsewhere." Notes that in the past support for Grose Wold being a 4 ha area has clearly been supported by Council and the Department of Planning.
F Scharfe	63 Level Crossing Road, Vineyard	Argues for urban development in Vineyard, Oakville and Maraylya. Recommends that Council seek to immediately release the lands east of our regional centre, Richmond-Windsor, for urban development.
RG & CO Pattison	Sunshine Farm, 28 Grose Wold Road, Grose Wold	Questions recommendation not to subdivide Class 1, 2 or 3 agricultural land. Argues that rural property be it class 3, 4 or 5 should be assessed for subdivision on the "area". Refers to previous commitments to rezone the Grose Wold area to 4 ha. Not in favour of fragmentation below 4 ha. Makes a number of detailed recommendations to the draft "Our City our Future" strategy. Asks that a copy of the letter be issued to all Councillors as it is not to be watered down in a Council report (full copy of letter attached).

GENERAL PURPOSE COMMITTEE - ENVIRONMENTMeeting Date: **27 June 1995**Item: **197**

Magdalena Till	Lot 201 DP 787650, 433 Grose Vale Road, Grose Vale	Requests that Grose Wold area be zoned for 4 hectare subdivision. Quotes observations from the Department of Planning and Council (SA 179/92) that it is unlikely, because of the State Governments containment policy, the Grose Wold area will be required for long term urban development. Argues that the maintenance of 10 ha subdivision in Grose Wold cannot be substantiated when the surrounding locality is 4 ha. This was a form letter signed by many residents of Grose Wold and Grose Vale and henceforth will be referred to as the Grose Wold/Grose Vale form letter. A copy of the letter is attached.
Brian McManus	Lot 8 DP 12952, 156 Grose Vale Road, Grose Wold	Grose Wold/Grose Vale form letter.
Charlie & Diane Camilleri	Lot 21 DP 250448, 49 Nutmans Road, Grose Wold	Grose Wold/Grose Vale form letter.
Mark Camilleri	Lot 3 DP 3405, 67 Grose Wold Road, Grose Wold	Grose Wold/Grose Vale form letter.
Michael & Esther Basic	Lot 10 DP 17870, 299 Grose Vale Road, Grose Vale	Grose Wold/Grose Vale form letter.
Stephen & Lynette Abel	Lot 22 DP 605778, 172 Grose Vale Road, Grose Wold	Grose Wold/Grose Vale form letter.
P E & T M Bracken	Lots 18 & 19 DP 250448, 226 Grose Vale Road, Grose Wold	Grose Wold/Grose Vale form letter.
Graham & Kathleen Mitchell	Lot 3 DP 834428, 54 Grose River Road, Grose Wold	Grose Wold/Grose Vale form letter.
Geoff & Margaret Kable	Lot 1 DP 20239 & Lot 3 DP 12952, Grose Wold Road, Grose Vale	Grose Wold/Grose Vale form letter.
John & Daphne Cox	Pt Lot 1 DP 703300, 259 Grose Vale Road, Grose Vale	Grose Wold/Grose Vale form letter.
Istvan & Anna Buzas	Pt Lot 4 DP 703300, 92 Grose River Road, Grose Vale	Grose Wold/Grose Vale form letter.
Joseph Capizzi	Lot 6 DP 786325, 60 London Place, Grose Wold	Grose Wold/Grose Vale form letter.
Phillip Hood	Lot B DP 366851, 95 Avoca Road, Grose Wold	Grose Wold/Grose Vale form letter.
Phillip & Irene Galea	Lot A DP 387871, 1 Grose Wold Road, Grose Wold	Grose Wold/Grose Vale form letter.

GENERAL PURPOSE COMMITTEE - ENVIRONMENTMeeting Date: **27 June 1995**Item: **197**

Charlie & Carmen Galea	Lot 21 DP 250448, 21 Ashtons Road, Grose Wold	Grose Wold/Grose Vale form letter.
Ronald Seabrook	Lot 17 DP 250448, 1 Ashtons Road, Grose Wold	Grose Wold/Grose Vale form letter.
Graham & Delys Swain	Lot 9 DP 15076, "Weemala" 310 Grose Wold Road, Grose Vale	Similar submission to the Grose Wold/Grose Vale form letter.
Bracken's Transport Pty Ltd	Lots 10, 11, 12 & 13 DP 703300, 157 Grose River Road, Grose Wold	Grose Wold/Grose Vale form letter.
Kable Bros Pty Ltd	Lot 6 DP 12952, 196 Grose Wold Road, Grose Vale	Grose Wold/Grose Vale form letter
William Ogg	Lot 5 DP 703300, 128 Grose River Road, Grose Wold	Grose Wold/Grose Vale form letter.
Harry & Claudia Khouri	Lot 10 DP 15076, 591 Grose Vale Road, Grose Vale	Grose Wold/Grose Vale form letter.
John & Anne Duffy	Lot 102 DP 834428, Grose River Road, Grose Wold	Grose Wold/Grose Vale form letter.
John & Janice Hood	Lot 312 DP 615043, 165 Carters Road, Grose Vale	Grose Wold/Grose Vale form letter.
Joseph Toms	Lots 2 & 3, 41 Avoca Road, Grose Wold	Grose Wold/Grose Vale form letter.
R & P McIver	Pt Port 56, 57 & 58, 280 Grose Wold Road, Grose Vale	Grose Wold/Grose Vale form letter.
K G Steadman	744 Slopes Road, North Richmond	Urges Council and all Councillors to acknowledge residents wishes and conserve what remains of the area's rural character.
Wesley Singleton	Lot 1 DP 553507, 85 Avoca Road, Grose Wold	Grose Wold/Grose Vale form letter.

GENERAL PURPOSE COMMITTEE - ENVIRONMENT

Meeting Date: 27 June 1995

Item: 197

Australian Mushroom Growers Assoc.	Windsor	AMGA believes that the interaction of rural and urban activities will be one of the most important planning issues facing the district in the near future. Argues that there is a real and urgent need for recognition of agricultural land use as legitimate in its own right. It should not be viewed as a transitional land use - an interim activity while awaiting subdivision for future residential development. Argues that there is little community understanding of the economic value of productive agricultural land nor its scarcity and that if a true economic value is attributed it would be seen that subdivision for short term residential gain is often not the most effective land use. Expresses concern that the ABS statistics on agriculture are understatements. Refers to conflict between agricultural land users and other land users and cites useful models introduced by Wollondilly Shire and Pakenham Shire. Notes that agricultural land classifications are irrelevant to intensive farming practices. Suggests that preservation of agricultural classes 1, 2 & 3 could be detrimental to intensive agriculture if it has to compete with other uses for available land. Recommends the creation of agricultural protection zones based upon a comprehensive agricultural land use study. Suggests rewording of "right to farm" provisions and elimination of phrase on basis that farmers are not looking for any special treatment. Urges Council to develop detailed implementation plans, in consultation with interested agencies and community sectors.
L Hoyle, Barina Corporation Pty Ltd	Lot 8 DP 786325, 85 London Place; Lot 4 DP 786325, 2 London Place; Lot 5 DP 786325, 48 London Place; Lot 12 DP 786325, 7 London Place; Lot 11 DP 786325, 43 London Place, Grose Wold.	Grose Wold/Grose Vale form letter.
Garnie Shepherd	Lot 2, 67 ? Road, Grose Wold	Grose Wold/Grose Vale form letter.

GENERAL PURPOSE COMMITTEE - ENVIRONMENTMeeting Date: **27 June 1995**Item: **197**

Shaddick Baker & Paull on behalf of Maxwell & Sylvia Paddison	385 Kurmond Road, Freemans Reach	Mr & Mrs Paddison, an elderly couple, have resided on the property for 20 years and now wish to subdivide the property into two lots, each of approximately one hectare to enable their daughter to build a house on the second lot created by such a subdivision. It is stated that the property is in the heart of Freemans Reach adjacent to the Primary School and its subdivision is consistent with the strategies objectives, including "to ensure that rural subdivision and housing reinforce the rural character of the city" and "to encourage higher population densities in existing towns and villages".
Environment Protection Authority	N/A	Whilst recognising the ongoing importance of traditional pollution control approaches, the EPA is firmly of the view that there are greater environmental gains to be achieved by preventing or limiting pollution at the planning and development stages. The EPA considers that the draft strategy represents a positive step in the promotion of environmentally sensitive development. The EPA suggests that as a minimum requirement, soil and water management plans should be developed for all new developments and the plans implemented. In relation to Council's allowance of "community title" rural residential developments, the EPA considers that combined effluent disposal systems may be more beneficial in terms of effluent management and the maintenance of water quality as opposed to individual effluent systems for each residence. A combined system may allow the effluent to be developed as a resource in conjunction with the agricultural enterprise that will operate in conjunction with the residential development. The EPA promotes the utilisation of effluent on agricultural land and in particular as part of the management of a viable agricultural enterprise. It is suggested that Council consider the development of a stormwater improvement policy across the entire council area. The EPA is concerned with the trend to permit an increase in the number of rural residences and the accompanying on site disposal of effluent. On site disposal systems have the potential to cause considerable wet weather pollution of an environmentally sensitive river system. Accordingly, critical consideration should be given to providing connections to the existing sewerage infrastructure where feasible. Supports the creation of an agricultural production zone as a means of minimising conflict.
J & G Ashcroft	443 Tennyson Road, Tennyson	Supports the essence of the document.

GENERAL PURPOSE COMMITTEE - ENVIRONMENTMeeting Date: **27 June 1995**Item: **197**

NSW Farmers' Association	N/A	Are pleased to see that agriculture is recognised within this process as a vitally important activity within the Hawkesbury Valley. Comments that agriculture is being placed under increasing pressure by continued urban expansion in rural areas on the fringe of metropolitan centres, and this pressure is clearly evident in the Hawkesbury. Comments that the interaction of rural and urban activities is probably the most important planning issue facing these districts. Argues that agriculture makes a valuable contribution to the local community, but farmers feel threatened by constantly changing rules and regulations, as well as by increasing and often ill informed demands by non-farming neighbours. Comments that the agricultural statistics understate the value of production. Suggests a comprehensive farm survey is necessary to determine the true value of production. Expresses concern about the use of the agricultural lands classification system which is of little relevance to intensive farming activities.
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GENERAL PURPOSE COMMITTEE - ENVIRONMENTMeeting Date: **27 June 1995**Item: **197**

John Murphy, Secretary, CHANGE	N/A	In general very supportive of the document. Points of disagreement are on details and not the general thrust. Matters of concern are:- . Population carrying capacity - argues the plan is too reactive and should have determined in the first instance the environmental limits of growth. . Scheyville - "we had hoped that the Scheyville urban development plan had been well and truly buried. It appears that some things take more killing than we had imagined". . Potential acid sulphate soils - the confirmed presence of these soils in the Lower Hawkesbury should be a matter of major concern to Council. . Nutrient reduction - had hoped that Council might be working on some plan of nutrient reduction in tandem with the Trust's phosphorus reduction plan. . Run off - comments that both urban and agricultural run off are the major issues in the health of the river. . Sodium - not mentioned in discussion of the disposal of sewage effluent to land. . Rural residential lot supply - believe that the demand for rural residential lots should not be a concern for Council. Council should be setting the limits based on environmental, quality of life and existing infrastructure. Urge Council to be consistent and admit that the supply of rural residential lots is very limited and discourage any further expectations of augmented supply in the future. . Community titles - concerned about problems caused by everybody owning the common space but no one being responsible for it. Suggests that it will lead to the creation of unproductive land, weed infestation etc. . Parr State Recreation Area - deserves consideration in the plan. . Professional urban designers - questions the benefits of having a well meaning planner attempt to develop the identities of villages. . Arterial roads - argues that the Council must give serious consideration to the problems of access to the City.
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GENERAL PURPOSE COMMITTEE - ENVIRONMENTMeeting Date: **27 June 1995**Item: **197**

Elspeth Murphy, Co-ordinator, M.O.S.E.S	N/A	Congratulates staff on having produced a forward thinking draft document. Hopes that this vision will be adopted by all elected members as well as Council's officers. Matters of concern are:- . right to farm, soil salinity, community title, subdivision of Kemsley Downs for large scale urban development. . caravan parks. . no urban subdivision without reticulated sewerage, provide education on flooding rather than flood free access, potential acid sulphate soils. . main threat to the environmental and social well being of Hawkesbury City is uncontrolled population growth.
JG & DG Cox Pty Ltd & Nola Oglethorpe	Lot F DP 374602 & Lot 2 DP 502850, Grose Vale Road, Kurrajong	Requests that a zone boundary be extended to incorporate the subject properties to enable similar subdivision to the adjoining Buckett Place subdivision. Comment that the properties are economically viable for agricultural purposes.
J Clewett		Grose Wold/Grose Vale form letter.
G Webb	549 Grose Vale Road, Grose Vale	Grose Wold/Grose Vale form letter.
S M Jorgensen	121 Grose River Road, Grose Wold	Grose Wold/Grose Vale form letter.

GENERAL PURPOSE COMMITTEE - ENVIRONMENTMeeting Date: **27 June 1995**Item: **197**

National Parks and Wildlife Service	N/A	Detailed comments concerning:- . documentation of remnant Cumberland Plain vegetation on the eastern side of the Hawkesbury River. . comment that vegetation is often removed from development sites. . recommends the setting of a population ceiling for the area which can be supported by the area's natural and man made systems. Suggests one option should be no further major housing development occurring in the Hawkesbury region. . recommends that the preservation of remnant Cumberland Plain vegetation should have a higher priority. Recommends that Council's data base be improved to capture the location of remnant vegetation, including clumps. . identifies need to conserve significant plant communities in the northern and western parts of the City eg, the Mellong Swamp system. . revegetation of the banks of the Hawkesbury River is identified as a significant priority. . the Service endorses the use of community title to protect significant environmental features. . recommends that all subdivision proposals should include as part of the development process, fauna and flora impact assessments and archaeological impact assessment. . notes that some of the map information is not of a high enough standard to enable thorough analysis. . comments that the current bushfire risk zones do not distinguish between varying levels of threat to assets across the City. The assumption is that there is one basic level of risk in bushland which it is argued ignores the variation in fuel type, aspect and fire potential in relation to assets at risk. . suggested that bushfire threat zones be developed from possible ignition zones, potential fire run distances, and lastly damage potential zones. The variation in these three factors produce different levels of fire threat across the city, even within one major fuel type.
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GENERAL PURPOSE COMMITTEE - ENVIRONMENTMeeting Date: **27 June 1995**Item: **197**

Sydney Water	N/A	Sydney Water is supportive of recommendations 2 and 3 regarding the need to undertake further investigations into on-site effluent disposal systems and to reuse effluent on agricultural land. Comments that there is an increased likelihood of adverse environmental impacts associated with on-site effluent disposal systems compared with a reticulated sewerage system. This being due to the higher concentration of nutrients and bacteria for effluent from on-site systems compared with effluent from Sydney Water Sewage Treatment Plants. Notes that subdivision of rural lots which front watermains will not be supported by Sydney Water unless amplifications of the water treatment works have been completed and allowances made for this type of development in its design. States that no watermain extensions are currently being permitted in the Hawkesbury water supply system.
Marie Bird Secretary Hawkesbury Rural Action Group	N/A	Supports the draft strategy and trusts that, "Council will take positive action to curtail indiscriminate development and future subdivision of good quality farm land.
Department of Water Resources	N/A	Notes that assessment of groundwater, its protection from contamination, and management of the resource were not considered in the issues and recommendations in the draft report. Argues that total catchment management principles should include groundwater as well as surface water. Recommends that riparian vegetation be included in the definition of "significant vegetation" in the strategy. Expresses concern about community title subdivision in inappropriate areas.
Alan Currall Bowdens	Hadden Farm	Property consists of 12 ten hectare titles. In 1993, Council resolved to support a staged development to create approximately 50 rural residential lots on part of the property (a sandstone ridge) with the agricultural land being maintained in a single residue. The submission provides detailed justification for the proposed subdivision including that the classification of the land to be subdivided is Class 4 or 5, that the subdivision reduces the possibility of fragmentation of the agricultural land and that there is a strong demand for rural residential lots.

GENERAL PURPOSE COMMITTEE - ENVIRONMENTMeeting Date: **27 June 1995**Item: **197**

Barry Crockford Chairman Central Hawkesbury Catchment Management Committee	N/A	States that draft strategy must be accompanied by detailed and clear implementation strategies and guidelines. Also that there must be co-ordination with other agencies and planning strategies. Supports the importance placed on maintaining the rural character whilst not further compromising the values of significant vegetation or the river. Recommends that rather relying of particular classes of land, Council should specify particular areas where agricultural activities are to occur. Commends the strategy's stand on the protection of remaining significant and remnant vegetation. Suggests it may be desirable in certain areas to introduce a residential/rural-residential zoning which are not for large scale agricultural purposes (as implemented by Wollondilly). Supports a rural lands study similar to the one undertaken by Wollondilly. Supports consolidation of village areas.
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GENERAL PURPOSE COMMITTEE - ENVIRONMENTMeeting Date: **27 June 1995**Item: **197**

Hawkesbury Nepean Catchment Management Trust	N/A	Trust generally supports the recommendations in the draft strategy. However notes that it is essential that Council develop detailed plans, guidelines and other implementation measures. Recommends that detailed planning documents be developed for the villages and be considered in the context of the outcome of the urban lands strategy. Identifies a need to define villages. Trust believes that Council should consider undertaking an assessment of the carrying capacity of the natural environment to determine what limits there are to future growth. Supports the emphasis placed on protecting agricultural land. Also comments on the location of intensive agriculture on class 4 and 5 lands and the possible conflict with rural residential subdivision. Trust suggests Council amend its LEP to require development consent for intensive horticulture and intensive livestock keeping. Suggests that Council amend its LEP to require development consent for the clearing of land. Recommends that all wetlands be identified and protected by the 7(a) wetlands zone, particularly those not identified in the study by Smith. The Trust supports the recommendations on subdivision in principle and makes the following specific comments:- . concerned about subdivision of class 4 & 5 land . concerned about wording of "right to farm" provisions which imply that agriculture can operate without the need for best management practices. . development of land contiguous with villages could result in the loss of a sharp edge between urban and rural areas. . draft strategy does not justify why the Clarendon and Vineyard rezonings should proceed. Suggests that a number of matters be considered in the infrastructure section, namely:- . encouraging residents and other water users to provide water conservation devices in their developments . establishing a regulatory programme to ensure the maintenance of aerated wastewater treatment systems; and . educating people on how to best manage aerated systems for maximum performance Reference is made to the completed study on "on site sewage treatment options prepared by Martens & Associates.
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GENERAL PURPOSE COMMITTEE - ENVIRONMENTMeeting Date: **27 June 1995**Item: **197**

Councillor P E Rogers LLB JP	N/A	Supports the principles of ecological sustainable development in accordance with the Local Agenda 21 Program for Australia. Refers to the "Managing for the Future", a guide prepared by the Commonwealth Department of the Environment, Sport and Territories.
Mrs J Stepto	N/A	Refers to incorrect mapping of a wetland on Upper Macdonald Road. Suggests there is incorrect scaling on the wetland overlays.
NSW Agriculture	N/A	The Department generally supports the recommendations on agricultural land. The recommendations on subdivision are only partly supported. "Whilst the Department believes that design principles have a role to play in subdivision assessment, it does not consider that they can replace conventional zone provisions. Rather they might be used to complement more specific zone requirements. For example, an agricultural production zone might have provisions similar to "right to farm" legislation. Advises that the agricultural production statistics are an understatement of the value of production.

GENERAL PURPOSE COMMITTEE - ENVIRONMENT

Meeting Date: 27 June 1995

Item: 197

Mr Kevin Rozzoli, MP Member for Hawkesbury	N/A	Mr Rozzoli has met with Council officers on a number of occasions to discuss Our City our Future and to make comments on the strategy. He has viewed all the maps that have been prepared to date and has made comments. Mr Rozzoli's long affiliation with the Hawkesbury, being the local member of Parliament and a resident, has lead to this submission. Mr Rozzoli has suggested that Council draft a series of guidelines for the following areas issues: The current physical capacity to subdivide. This would involve working out the potential for future subdivision in the City on the basis of lot averaging arrangements, particularly for large land holdings. Allotment averaging arrangements for the small allotments in rural zones. Subdivision based on average lot areas with an absolute minimum requirement has been explained in the Our City Our Future Strategy. An example is provided where the average lot size requirement is 4ha. and the absolute minimum requirement is 0.8 ha. a subdivision of a 10 ha. lot could produce lots with areas of 9.2 ha. and 0.8ha. This form of subdivision allows any important features, such as remnant vegetation to be incorporated in the larger lot. Preservation of scenic quality. This would involve reviewing documents such as the Blue Mountains Escarpment Study, the Hawkesbury-Nepean Scenic Quality Study and the Regional Environmental Plan No. 20- Hawkesbury Nepean River review. Identify other factors of community value. To a certain extent this has already occurred through the community consultation process for Our City Our Future in 1993. The concept of village precincts. The concept of the village precinct involves identifying certain features of a town/village and incorporating it into all aspects of the village. For example, Richmond may be identified as the town of the aeroplanes or plane trees. It also aims to keep village areas well defined with new development being part of the village and discouraging ribbon development along the surrounding roads.
Falson & Associates	"Bracken Stud", Grose River Road & Ashton Road, Grose Wold. Area 71.71ha in 6 titles.	Requests that the land be zoned to permit 4 hectare subdivision. Notes that the land was previously supported by Council for 4 hectare subdivision and that the land and the locality within the 10 hectare area has no difference in character to that of the surrounding 4 hectare area.

The following report addresses the major issues to arise out of Council's meeting on 13 December 1994 and the public exhibition process.

Local Agenda 21

At Council's meeting on 13 December 1994, it was resolved that the principles of environmentally sustainable development shall apply to all Council policies dealing with land use.

There have been a number of definitions of environmentally sustainable development, however, the preferred approach is to rely on the provisions for Local Agenda 21.

There is confusion about the meaning of sustainability, sustainable development and ecologically sustainable development, despite their widespread use. The dictionary provides two relevant definitions of "sustainable": *capable of providing the elements necessary to support life* and *capable of being continued*. Both definitions come into play when trying to characterise sustainability.

The Local Government Guide for Managing the Future which is part of the Local Agenda 21 programme for Australia (prepared by Deni Greene Consulting Services) refers to basic forms of sustainability being:

Ecological Sustainability meaning the maintenance over time of essential life support systems necessary for the survival of humans and other species and

Resource Sustainability meaning the continued availability of the natural resources needed to support a preferred standard of living.

They comment that it has become clear that the quality of people's lives and the viability of the economy are undermined if ecological and resource sustainability are not achieved.

Consequently with such definitions Local Agenda 21 is much broader than simple environmental initiatives. Actions to achieve sustainability must involve changes to the economy and society as, conversely, the economy and society affect the level of sustainability. According to Local Agenda 21, the interactions between the environment, the economy and society are so significant that policies to protect the environment must include social and economic measures, and social and economic policies must include environment and resource conservation measures.

Agenda 21 programmes need to address the following:

- . The key economic, social and environmental issues relevant to the local area, while recognising the global context of local actions;
- . Provide both a visionary and practical document - identifying both long term goals and short term actions for progressing toward those goals.
- . Involve a commitment to achieving sustainability in the 21st Century;
- . Be participatory - involving all sectors of the community.

In developing a Local Agenda 21 programme the initial steps involve Council agreement and generating a climate of support for initiatives. This can include information strategies, researching local issues, establishing a data base of information and placing local issues in the global context. Some of the local issues may include the condition of the local economy, unemployment, social conditions, commercial interests, major growth industries, potential development sites and the state of the environment report.

Agricultural Land

A number of submissions refer to the difficulty of utilising agricultural land classes when, for most intensive agricultural activities, the agricultural land classification is irrelevant. Examples include mushroom farming, hydroponic vegetables, piggeries and poultry farms. Rather than specify particular classes of land, it has been recommended that agricultural protection zones be created with such zonings being predicated on the information gathered from a comprehensive agricultural land use study.

This is a valid comment, however, the implementation of agricultural protection zones will not be easy as there is already wide spread small lot rural/residential subdivision interspersed with larger holdings. In other areas there are environmental constraints such as the Hawkesbury Nepean River, wetlands and escarpment.

The Australian Mushroom Growers' Association suggested that the subdivision provision be reworded to state that "there should be no further subdivision of land for rural/residential purposes where the land is class 1, 2 or 3 land, as defined by NSW Agriculture or where there are existing viable farming operations being carried out".

There was also comment that the "right to farm" provisions be reworded to avoid emotive overtones associated with the right to farm debate. In this regard, farmers are only seeking the same rights as other land users currently have at law.

Population/Growth

A number of submissions refer to an alternative approach of undertaking an assessment of the carrying capacity of the natural environment to determine what limits there are to future growth. This is perhaps a more ESD compatible approach as the environment is the pre-eminent objective. Such an approach would require assumptions about the nature of growth and its environmental performance, e.g. effluent re-use, stormwater control, waste management, energy efficiency, etc.

On Site Effluent Disposal

There are a number of studies which confirm existing concerns, both health and environmental, about the on site disposal of effluent by either absorption trench or aerated waste water system.

The survey undertaken by the Department of Water Resources in 1992/193 estimated that approximately 40% of all septic systems are failing.

System failure refers to the inability of systems to contain effluent within property boundaries; limit human health risks; prevent the degradation of environmental and water resources with particular attention to the export of nutrient. Frequent failure is usually attributable to inadequate permeability of soils, and hydraulic overloading.

Other experts have estimated that between 40%-60% of septic tanks do not function in the proper manner. Recent work undertaken by Martins & Associates in January 1995 raises a number of concerns about aerobic waste water treatment systems (AWTS), besides septic tanks and absorption trenches, AWTS are widely used.

AWTS's provide secondary biological effluent treatment under aerobic conditions. Pathogens are treated by chlorination. Surveys have indicated that chlorination mechanisms are not always effective for a variety of reasons including poor design and lack of maintenance. Systems are also prone to shock and toxic loadings, sludge accumulation and mechanical malfunction. Often there is undersizing and inappropriate location of irrigation areas which will result in nutrients leaving the site.

Vegetation

A number of submissions, including submissions from the Catchment Management Trust and National Parks and Wildlife Service refer to the importance of protection of remnant vegetation, significant vegetation and reinstating riparian vegetation.

The National Parks and Wildlife Service expresses concern about the use of terms "significant vegetation" and "remnant vegetation". The Service suggests that reference only be made to significant vegetation to avoid confusion.

When considering the identification and protection of Cumberland Plain vegetation, the Service recommends that Council further develop its species data base which would accurately identify remnant vegetation and that this be stored on Council's geographic information system.

It is acknowledged that the capture of vegetation information on Council's GIS system is a priority as it will enable Council to make informed decisions on land use and development taking into consideration the values of native vegetation. Indeed, the GIS data base would provide the basis to incorporate vegetation protection into Council's local environmental plan.

Council is currently undertaking an assessment of riparian vegetation with funding provided by the Hawkesbury Nepean Catchment Management Trust under the operation healing programme.

Subdivision

The majority of submissions are pro forma letters submitted by property owners in the Grose Wold area seeking the rezoning of Grose Wold from 10 hectare minimum area to 4 hectares.

The justification provided for this rezoning is the zoning of the surrounding area at 4 hectares and also previous observations by Council and the Department of Urban Affairs and Planning that the Grose Wold area is not suited to future urban development.

There are also other submissions from property owners requesting consideration to rezone areas for smaller subdivision.

The principles of Agenda 21 can be applied to the issue of rural subdivision and, in particular, the subdivision of rural land for mainly residential purposes.

In terms of Agenda 21 the City's rural areas are a finite resource which are available for a variety of conflicting land uses such as rural/residential subdivision, environmental protection, agriculture and future urban development. These land uses should be generally regarded as mutually exclusive.

Continued smaller lot subdivision of the rural area for predominantly residential purposes will deny alternate uses, either in the short or long terms, such as agriculture and future urban development.

In terms of Agenda 21 principles, rural residential subdivision is a relatively profligate use of a finite resource as it consumes relatively large areas of land and also requires additional buffers for other land uses. Where the primary purpose is residential living it is also energy inefficient.

Perhaps of overriding concern is the fact that it is not a sustainable form of resource use, i.e., there is only a finite source of land available.

Importantly, ongoing rezonings of the City's rural area to permit subdivision creates an expectation that the process will continue thus contributing to high land prices and mis-allocation of resources.

It is recommended that there be no significant variation to the principles for subdivision adopted in the draft strategy, except for incorporating the comments in relation to the use of agricultural land capability and right to farm provisions.

There have been a number of proposals for the use of averaging and also an additional concessional entitlement on large properties in order to retain a large residue lot for either environmental or agricultural reasons. Where large properties exist with existing subdivision potential, there are advantages in encouraging limited subdivision if a large residue lot is maintained.

As an example, Council has received an application to subdivide land off Crooked Lane at North Richmond which has a total area of 44 hectares and contains 6 separate titles. The application proposes to create 8 small one hectare lots with a residue lot of 36 hectares, a total of 9 lots. The land could currently be subdivided into 6 lots each with an area of approximately 7.3 hectares.

In order to encourage this averaging arrangement, the applicant has requested 3 additional one hectare lots above the current entitlement as an equalisation factor given that the one hectare lots are not as valuable as 7 hectare lots.

Whilst this principle is supported in general terms, it is not considered possible or appropriate to incorporate such provisions within a local environmental plan. To begin with, it would be necessary to define an existing holding or ownership at a particular date to prevent the arbitrary aggregation of land holdings to achieve a higher lot yield. Secondly, the circumstances of properties vary and in some instances a 50% increase in lot yield, although on a small lot basis, may not be appropriate. In addition it would be necessary to prepare draft local environmental plans over the residue lots to prevent further subdivision. This is a considerable administrative burden although it could be shifted to the applicant by requiring the provision of funding to employ a consultant to do the work.

In summary, it is considered that the possibility of providing an additional small lot yield of up to 50% beyond that provided in an averaging of either area or titles should be incorporated into the Our City Our Future document. The principle should only apply to properties or existing property ownerships (holdings) with an area in excess of 40 hectares. Applications should be considered on their merits including the likely benefits of retaining a large residue lot.

The draft Our City Our Future strategy also proposes an averaging arrangement for subdivision. This would also require draft local environmental plans to prevent subdivision of the residue lot if the averaging resulted in a residue lot with subdivision potential.

An alternative approach would be to maintain the existing minimum area standards which have the advantage of simplicity and an equitable approach to all applications.

RECOMMENDATION:

That the information be received pending a further report to finalise the Our City Our Future Strategy.

ATTACHMENTS:

AT-1 Executive Summary

FN:EN627NBX.V13

****** END OF ITEM 197 ******

ITEM: 198 DEVELOPMENT APPLICATION FOR A TOURIST/EQUESTRIAN
COMPLEX ON MIDDLE ISLAND AND PASSIVE RECREATION ON
BIG ISLAND. APPLICANT: DON FOX PLANNING PTY LTD.

FILE NUMBER: DA065/95/EVD

REPORT:

This application is separate from the subdivision application for Little Island and seeks a deferred commencement approval for a two stage development incorporating jumping arenas, dressage arenas, stabling and quarantine for 200 horses, bunkhouse accommodation, motel containing approximately 50 bedrooms and associated facilities.

Assessment of this application has not been completed and will be reported to a future general purpose committee meeting.

RECOMMENDATION:

That the information concerning DA 65/95 for a deferred commencement approval for equestrian and tourist facilities be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN627NBX.V16

**** END OF ITEM 198 ****

ITEM: 199 POLICY RELATING TO THE INSTALLATION OF SATELLITE DISHES, CABLE AND MICROWAVE DELIVERY SYSTEMS**FILE NUMBER:** GT090/001/EVD

REPORT:

Council at its Ordinary Meeting of 8 November 1994 resolved as follows:-

"That Council adopt a policy relating to the installation of satellite dishes, cable and microwave delivery systems, both for the individual and for the corporate carrier of such facilities."

Background

With the introduction of Pay TV in the Sydney area in its various forms of transmission (cable, satellite and MDS [Microwave delivery system]), Council can consider adopting a policy to control the installation on residential buildings and other buildings in the City.

GeneralThe Satellite Dish

For most homes, the satellite dish will have a diameter of only 65cm and have a surface area of 0.34m². The dishes will be of colorbond steel in a range of colours to allow them to blend into the existing exterior decor. They may be sited on a post; on the roof; or on a wall, so long as they face northeast to the Optus satellite. For apartment blocks, a single 65cm dish or an MDS antenna will service the whole building.

The MDS Antenna

The MDS antenna is smaller than the standard TV aerial (0.22m²). The antenna is normally mounted on the roof. It must have "line of sight" to the transmitter and cannot be used in locations where hills, buildings, foliage or other obstructions block the signal. It is unlikely the Hawkesbury area will be serviced by MDS.

Cable TV - Optical Fibre and Coaxial Cable Systems

This will be the least physically obtrusive subject to their installation underground. Some suggestions indicate that existing electricity poles may be used to carry this cable which could then be taken underground into individual properties. It should be noted that Telecom has announced plans to run cable past one million homes by the end of 1996.

Proposed Draft Policy for the Installation of Satellite Receiving Dishes and Microwave Delivery Systems (MDS)

Objective:

1. To provide a guide for the owners of both commercial and residential premises within the local government area of the Hawkesbury who wish to install satellite dishes and Microwave Delivery Systems (MDS).
2. To ensure that the satellite dishes and Microwave Delivery Systems do not detrimentally affect the amenity of an area or intrude upon the streetscape.

Prescriptive Standards

1. Satellite Receiving Dishes Require Building Approval if:

- a. The Satellite Receiving dish is measured greater than 1m across.

Any person wishing to install a satellite dish which is greater than 1m across shall comply with the following requirements:

- i. The satellite dish shall be constructed with materials and colours compatible with the existing roof material, surrounding buildings and landscaping.
- ii. All proposed dishes shall be located so as not to reflect sunlight, cast glare or be obtrusive to the surrounding premises or detract from the amenity of those premises.

2. Microwave Delivery Systems requirements: Nil.

3. Cable TV - Optical Fibre and Coaxial Cable Systems requirements: Nil.

RECOMMENDATION:

The information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN627NCX.V12

**** END OF ITEM 199 ****