

HAWKESBURY CITY COUNCIL GENERAL PURPOSE COMMITTEE



Where People Make the Difference!

BUSINESS PAPER

DATE OF MEETING: 27 August 1996

LOCATION: Council Chambers

TIME: 9:30am

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HAWKESBURY CITY COUNCIL

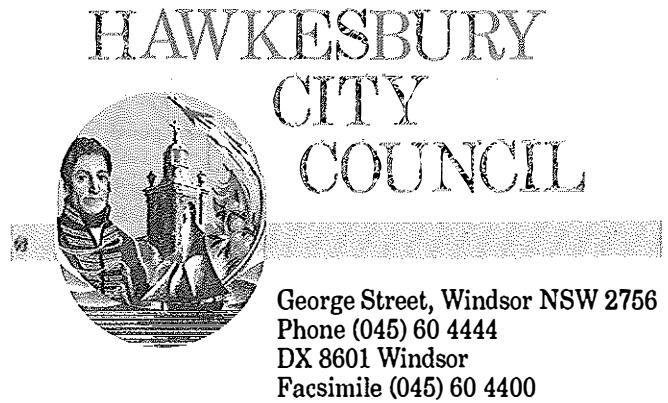
MISSION STATEMENT:

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

Your Ref:

Our Ref:

22 August 1996

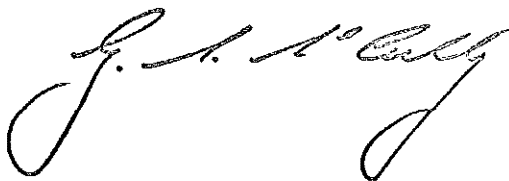


Mr C Daley
Director Asset Services & Recreation
Hawkesbury City Council
WINDSOR NSW 2756

Dear Mr Daley

A meeting of the GENERAL PURPOSE COMMITTEE will be held in the Council Chambers, Windsor, on TUESDAY, 27 AUGUST 1996, commencing at 9.30am and your attendance would be appreciated.

Yours faithfully



G M McCully
General Manager

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How Council Operates...

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

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

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

Meeting Procedure...

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

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

Public Participation...

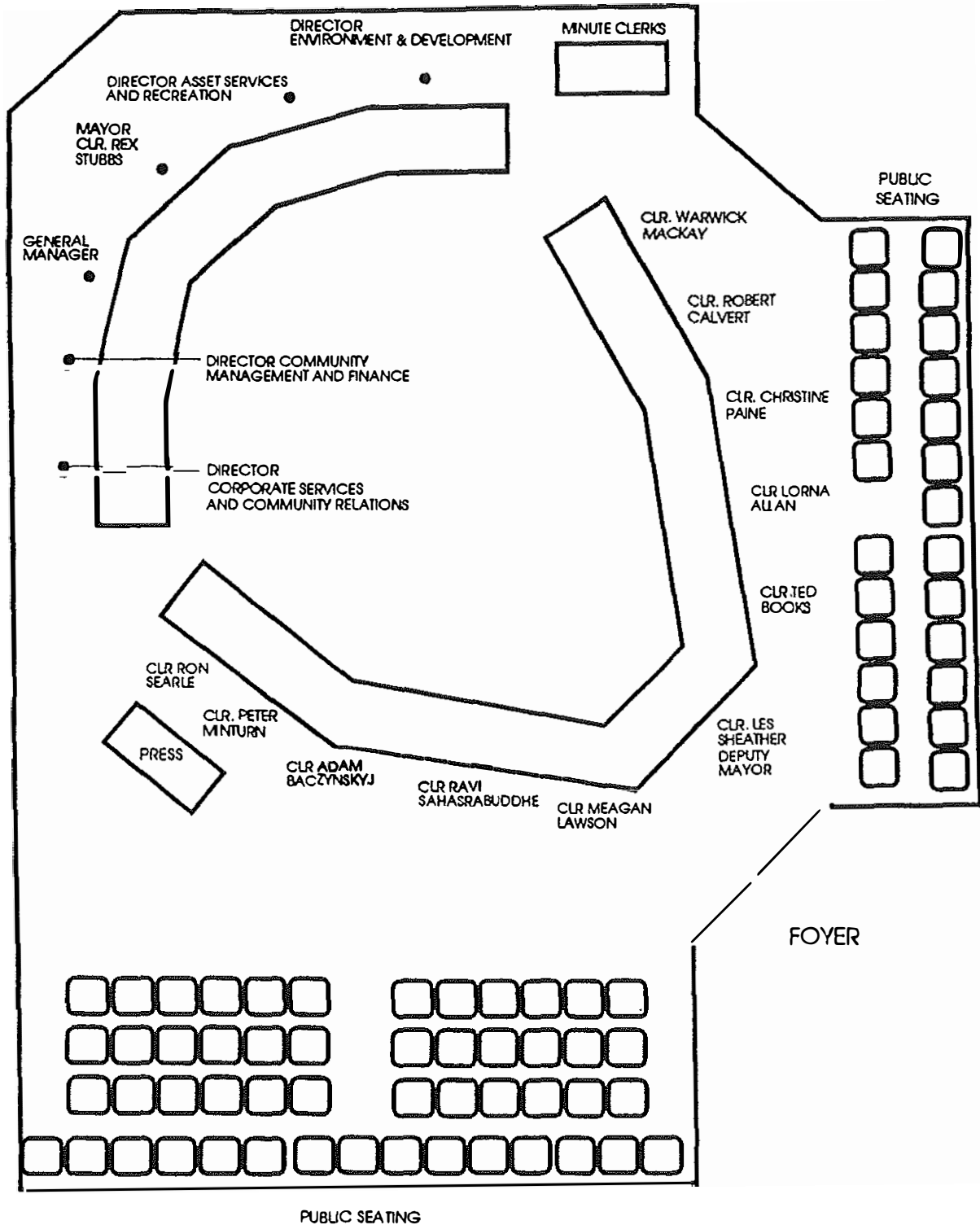
Members of the public can request to speak about a matter that is before the Council at the General Purpose Committee Meeting. The Mayor will invite interested persons to address the Committee when the matter is being considered.

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

A Point of Interest...

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

COUNCIL CHAMBERS



GENERAL PURPOSE COMMITTEE

Business

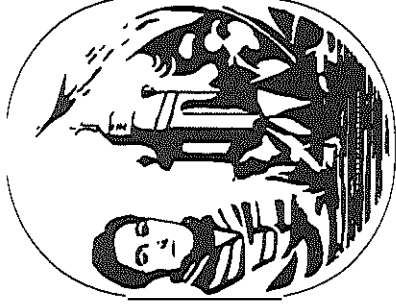
Meeting Date: 27 August 1996

AGENDA

- APOLOGIES. *HOCKOV 9.37
Dillon Lowson
Saczynsky
9.35*
- CONFIRMATION OF MINUTES.
- SECTION 1 - ENVIRONMENT.
- SECTION 2 - INFRASTRUCTURE.
- SECTION 3 - ORGANISATION AND RESOURCES.
- NEXT MEETING.

[illegible]

HAWKESBURY CITY COUNCIL GENERAL PURPOSE COMMITTEE



Where People Make the Difference!

BUSINESS PAPER MINUTES

DATE OF MEETING: 30 July 1996

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GENERAL PURPOSE COMMITTEE

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Minutes of the Meeting of the General Purpose Committee held at the Council Chambers, Windsor, on 30 July 1996, commencing at 9.38am.

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

An apology for absence was received from Councillors W J Mackay.

Councillor Baczynskyj arrived at the meeting at 10.05am.

Councillor Sahasrabuddhe left the meeting at 4.45pm.

RESOLVED on the motion of Councillor Lawson and seconded by Councillor Allan that the apology be accepted.

RESOLVED on the motion of Councillor Sheather and seconded by Councillor Sahasrabuddhe that the Minutes of the General Purpose Committee Meeting held on the 25 June 1996, be confirmed.

The following recommendations were passed as resolutions of the Committee:

SECTION 1 - ENVIRONMENT

1: ERECTION OF A DWELLING-HOUSE - LOT 2 DP214168 NO. 39 WHITMORE ROAD, MARAYLYA (DA65/96/EVD)

Mr F James the applicant, addressed the Committee.

A SITE INSPECTION be carried out.

The Committee inspected the site at 3.45pm. Councillors present at the inspection were Councillor R P Stubbs, Mayor and Councillors L Allan, A W Baczynskyj, H J M Books, R G Calvert, M E Lawson, P J Minturn, C A Paine, R Sahasrabuddhe, R D Searle and L C Sheather.

THAT THE APPLICATION be approved with appropriate conditions.

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2: WOOLWORTHS SUPERMARKET AND ASSOCIATED CAR PARKING FOR 221 CAR SPACES PROPOSAL - LOTS 1 AND 2 DP630616 GEORGE AND MACQUARIE STREETS, SOUTH WINDSOR (DA96/96/EVD)

Mr John Duffy addressed the Committee.

A. THE DEVELOPMENT application for the proposed Woolworths supermarket be refused for the following reasons:-

1. The proposed development is prohibited in the Residential 2(a) zoning of the land.
2. The proposed development is contrary to the zone objectives of the Residential 2(a) zone under HLEP 1989.
3. The proposal is a significant enlargement, expansion and intensification of an existing use activity and is considered contrary to the objectives of the EP & A Act and Regulations.
4. The proposed development represents a commercial development in a residential area which would normally require rezoning.
5. The proposed supermarket is considered to have an adverse economic impact on existing and planned retail supermarkets within the Hawkesbury City local government area.
6. Insufficient justification has been given as to why the supermarket should not be located within or next to a business zone, eg. Windsor Town Centre.
7. The proposed development makes inadequate provision for landscaping to adequately screen the development from the north and eastern elevations to the adjoining residential properties.
8. The proposed development is out of character with the residential area as the building is a large commercial building with no architectural relief to the adjoining residential properties.
9. The proposed development will have an adverse impact on the adjoining residential area by reason of noise and associated activities particularly at night interfering with the amenity of adjoining properties.

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10. Disposal of stormwater discharge through residential properties to Woods Road from the site is not available.
11. Due to the likely adverse impacts the proposed development is not in the public's interest.
12. The approval of an "out-of-town" supermarket will have an adverse economic and social impact on the existing Windsor and South Windsor Shopping Centres.

3: TENNIS COURT LIGHTING PROPOSAL - PART PORTION 123 PARISH KURRAJONG - "GOLDFINDERS", OLD BELLS LINE OF ROAD, KURRAJONG (ADJACENT TO BRIDGE OVER LITTLE WHEENY CREEK) (BA0277/96 PT01/EVD)

Mr Chris Hallam, applicant, Dr Frank Lohning, Engineer, addressed the Committee.

Mrs Mary Buckett was available to answer questions.

THAT THE APPLICATION to erect tennis court lighting on the existing tennis court be approved subject to the following conditions:

1. The tennis court lights may be used up to 7 (seven) nights per week until 9.30 pm but may only be used after 9.30 pm on not more than 3 (three) nights per week and on those 3 (three) nights they are to be extinguished no later than 10.30 pm.
2. The use of the court is to be limited to private use, i.e., no hiring of the court to the general public.
3. The lights and reflectors are not to be capable of direct viewing from the adjoining residences.
4. A planting screen of appropriate species, pot size and spacing to be determined by the Director Environment and Development, be planted between the tennis court and the creek from the shed to past the opposite end of the tennis court.

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**4: OUTDOOR ADVENTURE EDUCATION PROPOSAL - LOT 2 DP581458 NO. 333
WHEELBARROW RIDGE ROAD, COLO HEIGHTS (DA76/96/EVD)**

Mr Bob Klein, applicant, Mr Keith Maher, representing the residents of Colo Heights, in support of the application, addressed the Committee.

Mrs Barbara Stanners and Mr Don Shaddick on behalf of his clients, Mr & Mrs Jones, objectors, addressed the Committee.

A SITE INSPECTION be carried out.

The Committee inspected the site at 2.00pm. Councillors present at the inspection were Councillor R P Stubbs, Mayor and Councillors L Allan, A W Baczynskyj, H J M Books, R G Calvert, M E Lawson, P J Minturn, C A Paine, R Sahasrabuddhe, R D Searle and L C Sheather.

THAT THE 2 (two) parties get together and try to reach a compromise before the next Ordinary Meeting.

**5: SUBDIVISION TO CREATE THREE ALLOTMENTS WITH BUILDING
ENTITLEMENTS PLUS A FOURTH COMMUNITY LOT - LOT 18, DP 30468 NO.26
CLIFF ROAD, FREEMANS REACH - APPLICANT FALSON AND ASSOCIATES; OWNER
J & G TAYLOR (SA0106/95 PT01/EVD)**

THAT THE INFORMATION concerning subdivision of Lot 18 DP 309468 Cliff Road, Freemans Reach, be received.

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6: RECLASSIFICATION OF COMMUNITY LAND AND REZONING TO OPEN SPACE 6(C) (PRIVATE RECREATION) - LOT 1 DP582018 CORNER RIFLE RANGE ROAD AND GEORGE STREET, WINDSOR (10/96/EVD)

THAT COUNCIL RESOLVE to:-

1. Prepare a Local Environmental Plan to rezone Lot 1 DP582018 Rifle Range Road, Windsor, from 6(a) (Open Space) (Existing Recreation) to 6(c) (Open Space) (Private Recreation).
2. That the Local Environmental Plan referred to in 1. above incorporate the reclassification of the subject land from Community Land to Operational Land.
3. If no submissions are received objecting to the plan, the plan be referred to the Department of Urban Affairs and Planning in accordance with Section 68 of the Act.
4. The Director Environment and Development be given delegated authority to proceed in this matter should no objections be received.
5. Windsor Leagues Club be advised of Council's resolution.

7: DRAFT LOCAL ENVIRONMENTAL PLAN 24/95 - AMENDMENT NO. 68 - DEVELOPMENT CONSENT FOR DAM CONSTRUCTION (LEP24/95/EVD)

THAT THE DRAFT plan be forwarded to the Department of Urban Affairs and Planning requesting the Minister to gazette the plan.

8: TELSTRA MOBILE PHONE BASE STATION PROPOSAL AT THE EXISTING WATER TOWER OFF OLD PITT TOWN ROAD, SCHEYVILLE (P1936/142/EVD)

THAT HIRST CONSULTING Services Pty Ltd be advised that Council does not object to the proposed Telstra mobile phone base station at the existing water tank off Old Pitt Town Road, Scheyville.

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9: TELSTRA MOBILE PHONE BASE STATION PROPOSAL AT 26 FAIREY ROAD, SOUTH WINDSOR (P606/15/EVD)

THAT HIRST CONSULTING Services Pty Ltd be advised that Council does not object to the proposed Telstra mobile phone base station at 26 Fairey Road, South Windsor.

10: REZONING PROPOSAL - REDEVELOPMENT OF MILLERS NURSERY TO ESTABLISH AN AGRICULTURAL MUSEUM, SERVICE STATION, RESTAURANT, DRIVE THROUGH FOOD OUTLET AND CONSOLIDATION OF EXISTING NURSERY - LOTS 1, 2 AND 3 DP959819 WINDSOR ROAD, MCGRATHS HILL (LEP14/96/EVD)

The Mayor advised that a request had been received for this item to be deferred.

THAT THIS ITEM be deferred.

11: DRAFT LOCAL ENVIRONMENTAL PLAN 4/95 - AMENDMENT NO. 41 - REZONING OF THE RESIDUE ALLOTMENT IN THE SUBDIVISION OF LOTS 4 & 5 DP786671, LOT 7 DP738354, LOTS 80 & 90 DP834019 AND LOTS 22, 24, 26-29, 32-41 INCLUSIVE DP17870 - "KEMSLEY DOWNS", GROSE VALE ROAD, NORTH RICHMOND (LEP4/95; LEP4/96/EVD)

Mr Brian McKinlay addressed the Committee.

Mr Ray Coulton, resident of Redbank Road, an objector, addressed the Committee.

THAT THIS MATTER be deferred to the Ordinary Meeting to give Mr McKinlay and Mr Coulter an opportunity to sort out the boundary.

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General Manager

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12: VINEYARD DEVELOPMENT STRATEGY (LEP0017/96/EVD)

1. THAT COUNCIL write and make representations to the Minister and Director for Urban Affairs and Planning to have the Vineyard area and relevant areas in the Blacktown City Council Local Government Area declared as areas under investigation on the Urban Development Program.
2. That Council write to Blacktown City Council inviting them to make a joint representation to the Minister and Director in accordance with 1 above.
3. That negotiations continue with Sydney Water to find a solution to providing reticulated water to the area.

13: RURAL LANDS STUDY (GT150/015/EVD)

1. THAT COUNCIL ADOPT the Draft Issues Paper and the Draft Statement of Purpose, Aims and Objectives and forward it to the Rural Lands Sub-Committee for consideration.
2. That Council adopt the methodology for the project as detailed in this report.
3. A report be brought forward following initial comments from the Rural Lands Sub-Committee and to finalise the consultant's brief.

14: NOISE ATTENUATION OF NEW DWELLINGS WITHIN FLIGHT PATH OF RICHMOND RAAF BASE (GT125/001 PT2/EVD)

1. THAT TENDERS be called for a one-off comprehensive acoustic report, which is to be prepared by a suitably qualified acoustic consultant, covering a range of expected dwelling construction types with appropriate noise attenuation to be built within the ANEF affected area adjacent to the Richmond RAAF Base.
2. That a report be submitted back to Council following close of submissions.

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15: WATER SUPPLY TO DEVELOPMENT WITHIN HAWKESBURY LOCAL GOVERNMENT AREA - SYDNEY WATER (GW020/007/EVD)

THAT THE INFORMATION be received.

16: REQUEST FROM THE WINDSOR DOWNS HOME OWNERS' ASSOCIATION TO ADOPT THE COVENANTS APPLYING TO THE WINDSOR DOWNS ESTATE AS AN ENVIRONMENTAL PLANNING INSTRUMENT (LOCAL ENVIRONMENTAL PLAN AND/OR DEVELOPMENT CONTROL PLAN) (GT100/001 PT02; SA046/89 PT04/EVD)

Mrs Sue McGrath, Windsor Downs Home Owners' Association, addressed the Committee.

THAT COUNCIL CONFIRM previous advice given to the Windsor Downs Home Owners' Association that the enforcement of the covenants is not the responsibility of Council and, further, that it would be inappropriate for them to become environmental planning instruments as many are contrary to Hawkesbury Local Environmental Plan 1989 and require a regularity framework which would be unduly restrictive and beyond the resources of Council.

17: DRAFT DEVELOPMENT CONTROL PLAN - SIGN POLICY (DCP002/94 PT01/EVD)

COUNCIL EXHIBIT THE Draft Development Control Plan - Sign Policy for 28 (twenty eight) days in accordance with the Environmental Planning and Assessment Regulations.

Further that each of the Chambers of Commerce be provided with a copy of the draft for comment.

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18: DRAFT LOCAL ENVIRONMENTAL PLAN - NO.32 FAIREY ROAD, SOUTH WINDSOR - SCHAFFER CORPORATION (LEP009/96;DA115/96;DA116/96/EVD)

1. THAT THE DIRECTOR Environment and Development exercise delegated authority to determine the Draft Local Environmental Plan - Amendment No.77 subject to no objections being received.
2. That the Director Environment and Development exercise delegated authority to determine DA115/96 and DA116/96 subject to no objections being received.

19: DRAFT REGIONAL ENVIRONMENTAL PLAN NO. 20 - HAWKESBURY-NEPEAN RIVER 1996 (GT192/001 PT03/EVD)

THAT COUNCIL invite the appropriate people, including representatives of the Department of Agriculture, farming groups and the University of Western Sydney, Hawkesbury, to come and have a look at the establishments in the Hawkesbury to show them that Council can plan and control the problems that these issues could create.

20: LOCAL ENVIRONMENTAL PLANS PROGRESS REPORT (GT090/001 PT02/EVD)

That the information be received

SECTION 3 - ORGANISATION AND RESOURCES**1: MONTHLY FINANCIAL STATEMENTS - JUNE 1996 (GF011/005 PT04/FNC)**

THAT THE INFORMATION be received.

2: WORKERS' COMPENSATION - SELF-INSURERS LICENCE RENEWAL (GI055/007 PT1/CSV)

THAT:-

1. An application be made to the WorkCover Authority to renew Council's licence for Workers' Compensation.
2. The Common Seal of Council be affixed to the necessary documentation.

3: GLOSSODIA VILLAGE SHOPPING CENTRE (GC283/56 PT2/CSV)

THAT:-

1. Council endorse the concept plan for the construction of an additional 8 (eight) shops at Glossodia Village Shopping Centre and proceed with the project.
2. The tenant mix for the new shops as outlined in this report be supported in principle, with leases including rentals and shop allocation to be negotiated and reported back to Council.
3. The preliminary estimate of \$750,000 (seven hundred and fifty thousand dollars) for the cost of the project be endorsed and the final project budget be determined by Council once tenders and quotations for the construction works are received, with funding to be from the Property Development Reserve.
4. The Seal of Council be affixed to any necessary documentation required at this stage.

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4: KURRAJONG HEIGHTS BUSH FIRE BRIGADE (P2007/90 PT01/CSV)

1. THAT THE proposal submitted for the establishment of a Bush Fire Brigade Headquarters in Powell Park adjoining Stanley Avenue, be notified to adjoining residents and their views in relation to the proposal sought.
2. The Powell Park Management Committee be advised of the proposal.
3. The Kurrajong Heights Bush Fire Brigade be advised of Council's decision in relation to the matter.

5: LANDSCAPING WORKS PROPOSAL - MACQUARIE PARK HOUSE, WINDSOR (GC283/064 PT06/CSV)

THAT AN AMOUNT of \$20,000 (twenty-thousand dollars) be allocated from the Property Development Reserve, toward the laying of a pressed concrete hard surface and associated landscaping as outlined in this report.

That the Macquarie Park Committee be asked to meet before the next Ordinary Meeting to provide some input and make comment on the finishes that need to go into the final product.

QUESTIONS WITHOUT NOTICE:

1. Councillor Searle asked for copies of the last correspondence received back from the RTA in relation to the BP Service Station at North Richmond regarding the request for the installation of the median strip.
2. Councillor Searle asked for two copies of the Bicycle Way Legislation that recently came out.
3. Councillor Searle stated that he had received complaints about the ongoing use of premises in Windara Place, Windsor Downs and asked if "on the spot" inspections could be carried out rather than pre-determined.

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The Director Environment & Development advised that the Council Officer had carried out several inspections without notice and undertook to have more inspections carried out.

4. Councillor Searle referred to the Notice of Consent for Development Applications received by the Councillors and asked if it could be clearly stated in the left hand column where it indicates the property, where the activity is proposed to take place.
5. Councillor Baczynskyj referred to an enquiry he had received in regard to a pensioner paying more now in regard to the sewerage rate and asked if he could receive a copy of the reply sent out.
6. Councillor Baczynskyj asked if any correspondence had been forwarded for the removal of the DAMIT sign at McGraths Hill, or if there is a time schedule.

The Mayor advised that there is a time frame for the removal of the sign.

7. Councillor Baczynskyj sought clarification as to Council's involvement in the recent tree planting program at North Richmond.

The Director Asset Services & Recreation advised that Council had provided some technical assistance and mulch to put around the trees. Funds were provided out of the Tree Planting Program.

Councillor Allan stated that each Chamber was given a grant from the State Department of Planning from the Mainstreet Program and how each Chamber spent the money was determined by the Department.

8. Councillor Baczynskyj referred to Council's Community Report and sought advice on how exactly does one rehabilitate a road.

The Director Asset Services & Recreation stated that there are numerous ways of rehabilitating a road - it can be patched, refurbished, rehabilitated by using cement compounds.

9. Councillor Baczynskyj asked if it is possible for twelve parking spaces to be provided for the Councillors on the Tuesday Committee Meetings.

The Director Asset Services & Recreation advised that normally the small carparking area near the Library is closed for the Councillors to park their vehicles, and he could only assume that the staff had forgotten this morning. He undertook to take the matter up with the staff.

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10. Councillor Lawson referred to the recent Family Day Care meeting held in the Windsor Function Centre and sought advice as to the present position with the results.

The Director Community Management & Finance advised that a copy of the outcomes of that meeting went to all the participants in the meeting. An invitation is going out this week to all the parents and carers in the scheme in relation to participating in an Advisory Group. This Advisory Group, when established, will be participating in providing information into the other outcomes that were accepted.

11. Councillor Books asked when would the report on The Driftway be received.

The Director Asset Services & Recreation advised that the RTA are including all by passes and flood free routes in their study of Windsor Road. They have not put a time scale on it.

12. Councillor Books referred to the trees which had been planted at North Richmond and asked how high would the trees grow.

The Director Asset Services & Recreation stated that they would be less than 10 metres. This was one of the criteria for picking the type of tree so that trees would be under power lines.

13. Councillor Calvert referred to the parking of semi trailers on footpaths, in particular one in Stewart Street opposite the Sports Centre, one in Porpoise Crescent in Bligh Park and a large truck with a trailer that parks on the edge or the reserve. He stated that these trucks are destroying the footpaths and people have to walk on the road. He asked who is responsible for controlling this practice.

The Director Asset Services & Recreation advised that he had rung the Police on 2 occasions and they had stated that they would look at specific instances. He advised that a vehicle above 4 tonnes which is parked in a residential street for more than one hour is parked illegally. He undertook to take the matter up with the Police again.

14. Councillor Calvert referred to the road link between Bligh Park and South Windsor and stated that he was continually getting complaints from residents in Bligh Park that they are unable to get on to the main road.

The General Manager advised that he would be meeting with the Director General of the Department next week concerning North Bligh Park. The three north south links east of George Street were the basis on which the original traffic study was done. This is a matter that needs to be re-addressed based on what is to occur in North Bligh Park.

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The meeting terminated at 5.25pm.

Submitted to and confirmed at the meeting of the General Purpose Committee held on 27 August, 1996.

.....
Mayor

This is Page 15 of the Minutes of the GENERAL PURPOSE COMMITTEE MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 30 July 1996.

General Manager

Mayor

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SECTION 1 ENVIRONMENT

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27:	DRAFT LOCAL ENVIRONMENTAL PLAN TO CREATE 8 RURAL RESIDENTIAL ALLOTMENTS WITH AREAS BETWEEN APPROXIMATELY 6000m ² & 2.5ha & A SINGLE RESIDUE ALLOTMENT WITH AN AREA OF APPROXIMATELY 33ha - LOT 2 DP501880 NO. 242 BELLS LINE OF ROAD (K & B JOHNSTON) & LOT 18 DP793094 NO. 83 SLOPES ROAD (O MILLER) - APPLICANT: TEERMAN NEWTON PTY LTD LEP016/96 PT01/EVD	36
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ITEM: 21**RETAIL CENTRE WITH BASEMENT PARKING PROPOSAL - LOT 2 RESUBDIVISION OF LOT 1 DP811602 GEORGE, BAKER & MACQUARIE STREETS, WINDSOR****FILE NUMBER:** DA63/96/EVD

Applicant: Tryence Pty Ltd
Applicants Reps: Forge Commercial Pty Ltd
Owner: Tryence Pty Ltd
Stat. Provisions: Hawkesbury Local Environmental Plan 1989
Area: 3182m²
Zone: General Business 3(a) and Proposed Road 9(b)
Advertising: 14 days to adjoining owners, one submission in support received
Date Received: 28 March 1996, amended plans received 15 July 1996

Key Issues:

- ◆ Appearance.
- ◆ Economic Impact.
- ◆ Access.
- ◆ Parking.
- ◆ Loading and Unloading.

Action:

Approval

REPORT:**Proposal**

The Development Application is to erect a retail centre on the corner of George Street (Mall) and Baker Street containing 11 shops with basement parking. The configuration of the shops may change in number and sizes to suit future tenants. The overall building size will remain constant containing a gross building area of 1745m² and a leaseable area of 1497m².

The main entrance to the complex is from the Mall and a pedestrian ramp is provided from the basement parking area for customers.

The rear of the shops is used for tenant parking, tenant amenities, loading and unloading area and 7 parking spaces for Lot 1 Macquarie Street. A pedestrian ramp is provided to the shops from this area and vehicular access is from Macquarie Street. The basement area, with access off Baker Street, contains 48 parking spaces, garbage room and the bottom of the pedestrian ramp to the shopping level. There is no vehicular access between the loading and unloading area, tenant parking and the public parking area.

One only disabled parking space is provided and this should be increased to 3 spaces in accordance with Council's policy.

Statutory Situation

The site is zoned as General Business 3(a) and Proposed Road 9(b) under Hawkesbury LEP 1989. The proposed road zoning was provided on the plan to allow for a lane between Kable and Baker Streets for rear access to future redevelopment of the area. This proposal is not now to be implemented which was confirmed by Council letter dated 23 January 1996.

Under Clause 31(5) of Hawkesbury LEP 1989, Council can consent to development of the 9(b) land. Steps should be taken to remove this 9(b) zoning from the plan by way of an LEP.

The development proposes 69 spaces on-site, however, 7 of these are located in a car parking easement occupied by the car yard off Macquarie Street. These 7 spaces are formalised as part of an easement on the Title Plan and, hence, cannot be utilised for the subject development.

Under Council's Parking Policy, off-street parking is required at the rate of 4.5 spaces per 100m² of gross floor leaseable area. The proposed leaseable area is 1497m², requiring 67 spaces. Parking spaces provided for tenant and customer vehicles is 62 spaces, leaving a deficiency of 5 spaces. Council's current parking contribution is \$9,800 per space.

Consultation with Roads and Traffic Authority

The proposed development falls within Schedule 2 of State Environmental Planning Policy No. 11 - Traffic Generating Development and was forwarded to the Local Traffic Committee and the Roads and Traffic Authority (RTA) for consideration.

The Committee (and RTA) made the following comments:-

- "1. *Semi-trailer access off this section of Macquarie Street to serve the subject site is totally unacceptable. This section of Macquarie Street (State Road) carries significant volumes of traffic and unacceptable delays to traffic along Macquarie Street would be experienced when large trucks would be required to occupy several lanes when attempting to enter and leave the site.*
2. *Mixing of service vehicles (trucks) with customer vehicles in a common driveway is highly undesirable. Service vehicle access should be completely separate from customer vehicles.*
3. *The proposed driveway/access road off Macquarie Street (6.5 metres wide) is even totally inadequate to cater for 2-way flow when large trucks are involved.*
4. *The layout of the loading dock appears unsuitable as most semi-trailers unload and load goods from the 'rear' of the truck not the side.*
5. *Customer parking spaces would be blocked while the semi-trailer was parked at the loading dock."*

Representations and amendments to the proposal were made by the applicant to the Council which were forwarded to the Authority and the following comments received:-

- I) Only small trucks be permitted to use the access driveway off Macquarie Street to service the shopping centre. Articulated vehicles to be prohibited from using the Macquarie Street entrance.*
- II) The Authority did not deny access, only mentioned that the access driveway off Macquarie Street was unsuitable for semi-trailer movement. The use of small trucks to service the site is acceptable.*
- III) A sign displaying 'Truck Access Only' as indicated by the applicant would be inappropriate as any truck could enter the site for any purpose. An appropriate sign indicating 'Loading Dock / Tenant Parking Only' is to be clearly displayed at the Macquarie Street car park entrance.*
- IV) Width of access driveway subject to Council's satisfaction.*
- V) Loading dock facility subject to Council's satisfaction.*
- VI) Off-street car parking layout subject to Council's satisfaction."*

The applicant was requested to submit amended plans to overcome the turning difficulties in the loading and unloading areas and to make some amendments to the parking layout and access from Baker Street. These amended plans are now before Council.

The amended application was forwarded to the Local Traffic Committee who recommended refusal of the development proposal as:-

"The development application not be supported due to disruption of traffic flows on Macquarie Street, Windsor, and inability to effectively police any other alternate access arrangements."

In response to these comments it is suggested that:-

1. The Roads and Traffic Authority has agreed that the site can be serviced by small rigid trucks.
2. Subject to some redesign of the car park area a large rigid truck is also capable of manoeuvring onto and off the site in a forward motion.
3. Although, depending on vehicle size, some trucks may turn across more than one lane to access this site, the location of traffic lights at Kable Street and a restriction on servicing times, outside peak hour traffic, can alleviate this concern.

It is recommended that as part of any approval of this development, that Council impose conditionally that servicing of the centre be only during off-peak traffic periods.

Consultation with Heritage Adviser

The original proposal was forwarded to Council's Heritage Adviser and minor amendments suggested to the applicant which have been incorporated in the amended plans now being considered. The Heritage Adviser has requested the following conditions in any approval:-

- "1. *The developer shall undertake an archaeological assessment of the site to determine the potential for archaeological significance. The assessment to be provided prior to the issuing of building approval. Building application conditions may include the necessity for partial open archaeology or a watching brief and recording during construction based on the results of the assessment.*
2. *Approval of materials, finishes and colours prior to release of the building application.*
3. *Signage to be subject to separate approval."*

Environmental Assessment

Appearance

The proposal was forwarded to the Council's Heritage Adviser in view of the site's location, adjacent to Loder House and close to other heritage buildings and the Thompson Square Conservation Area. The visual aspects of the proposal are considered satisfactory and will not create any visual conflict with adjacent retail and commercial development.

Economic Impact

The statement of environmental effects, submitted with the application, states as follows:-

"The amount of floor space proposed (1,497 sq.m.) is not considered sufficient to have a significant impact on the retail function of the existing retail centre but rather would provide a modern facility currently not available.

The scheme will provide a number of social benefits including the generation of full-time as well as part-time employment opportunities.

The development of the site for this retail use is likely to establish a synergistic relationship with adjoining retail uses, thereby improving the operation of the George Street Mall precinct area. Currently the site's existing partial minimum use would have little interaction with the adjoining retail centre."

There is not likely to be any significant impact on the Windsor retail/commercial area with the development of the new shops. If the shops bring new retail/commercial outlets to Windsor, these could be an overall benefit to the centre and residents of the surrounding areas.

Access

The proposal provides for pedestrian access from the Mall and basement parking, customer vehicular access, left in left out, from Baker Street and tenant and deliveries from Macquarie Street, also left in left out. Suitable signage is proposed to ensure the Macquarie Street access is only used for deliveries and tenant vehicles and there is no vehicular link between the two parking areas. The access to and from the site are considered adequate for the development.

Parking

The amended plans provide for a total of 62 off-street parking spaces, being 14 spaces for tenants vehicles at the rear of the shops and 48 spaces for customers vehicles, under the building. Under Council's Parking Policy, 67 spaces are required leaving a deficiency of 5 spaces with the development. The applicants have written as follows:-

- "● *Discussions with Council Officers during the design/development stage suggested some latitude could be extended by Council regarding the final number of car parking spaces. As the number of spaces provided in the final design only marginally short of the Code requirement we felt the incorporation of the designated spaces would satisfy basic criteria as they would in effect form part of the overall development.*
- *Economically we believe the design as presented provides the greatest number of car spaces on the site. Should additional spaces be required it would entail redesign of both the car park and the retail space to accommodate same. To that end we would prefer to negotiate a fair and reasonable solution with Council as to redesign the overall scheme."*

Council usually requires payment of a contribution in accordance with Section 94 of the Environmental Planning and Assessment Act 1979, for any deficient spaces. The 5 spaces not provided requires a contribution of \$49,000 calculated at \$9,800 per space. Disabled parking spaces should be increased to 3 spaces, close to the pedestrian ramp, loading and unloading.

Servicing & Manoeuvring

Provision has been made at the rear of the shops with access to and from Macquarie Street, for loading and unloading of goods. The dock area will allow a large rigid truck to enter and leave the site in a forward direction. A truck parked at the unloading area will block several tenant parking spaces but this is considered acceptable as the tenants vehicles are likely to be there for the business hours and generally would not be moved during these times.

Suitable signage should be erected to the Macquarie Street access indicating access is only for delivery vehicles and tenants vehicles and no public parking is available. Similarly, a sign should be erected at the Baker Street access indicating no access for delivery vehicles.

RECOMMENDATION:

That Council resolve as follows:-

1. To prepare a draft local environmental plan to rezone the proposed road Reservation 9(b) between Kable Street and Baker Street, Windsor, to:-
 - a. Special Uses 5(a) Masonic Lodge in respect of part; and
 - b. General Business 3(a) for the balance of the reservation between the area of lot to Baker Street.
 2. To exercise its delegation in respect of Sections 65 and 69 of the Environmental Planning and Assessment Act 1979.
 3. In view of the minor nature of the proposal, an environmental study is not required.
 4. To undertake consultation, in respect of Section 62 of the Environmental Planning and Assessment Act 1979, with the Roads and Traffic Authority, Sydney Water, Integral Energy and Telstra.
 5. If there are no submissions made on the exhibited plan and the final local environmental plan is substantially the same as the exhibited plan, the Council give delegated authority to the Director of Environment and Development to proceed with the plan and forward the plan to the Department of Urban Affairs and Planning for gazettal.
- B. That Development Application 63/96 for a single storey retail/commercial building and associated car parking for 67 vehicles, on Lot 3, resubdivision of Lot 1 DP811602 George Street, Baker Street and Macquarie Street, Windsor, be approved subject to the following conditions:-
1. The development shall be carried out in accordance with Plan No. DA01B dated 15 July 1996 and Plan No. DA012A-DA015A dated 16 July 1996.
 2. The building design shall incorporate components that will provide aircraft noise mitigation in accordance with AS 2021, to the satisfaction of the Divisional Manager Environment and Development. Details prepared by an accredited acoustical consultant to be submitted for approval with the building application.
 3. The submission of a Certificate from Telecom Australia that satisfactory arrangements have been made for the provision of cables for telephones to the development.
 4. Submission of a building application, plans and specifications complying with the Building Code of Australia.
 5. 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.

6. All waste materials to be stored and disposed of at regular intervals to the satisfaction of the Divisional Manager Environment and Development.
7. Provision of toilets in accordance with the requirements of the Building Code of Australia.
8. 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. Use of shops for a Refreshment Room would require lodgement of a separate development application with Council.
9. No excavation or site works shall be commenced prior to the issue of the building permit.
10. Any internal or external alterations being the subject of a separate building application.
11. Application being made under the Local Government Act for the demolition of the existing building. Such application shall address noise attenuation, dust control, safety of the public, disconnection of services, reuse/recycling of materials and disposal of any residual materials.
12. Submission of a schedule of proposed external finishes including sample materials for consideration and approval in conjunction with the submission of a building application.
13. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.
14. All loading and unloading in relation to the use shall take place wholly within the property, and these loading areas shall be kept clear for loading/unloading at all times. All ingress and egress to be in a forward direction and adequately sign posted to this effect.
15. Parking shall be provided for 67 (sixty seven) 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.
16.
 - (i) Payment of an amount of \$49,000 (forty nine thousand dollars) to Council being the contribution in lieu of 5 (five) car parking spaces not provided on the site based on \$9,800 (nine thousand eight hundred dollars) per space. 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 release of building approval.
 - (ii) Alternatively, amended plans submitted which reduce the amount of floor space so that car parking complies with the rate of 4.5 (four point five) spaces per 100m² (one hundred) of gross leaseable floor area.

Exit/entrance points are to be clearly signposted and visible from both the street and site at all times.

17. Provision on-site of a minimum of 3 (three) disabled car parking spaces.
18. Servicing of the shops shall only be carried out during off-peak traffic periods along Macquarie Street.
19. The provision of a clearly displayed sign at the Macquarie Street entry, stating "Service Vehicles/Tenant Parking Access ONLY".
20. Semi-trailer access to the loading dock off Macquarie Street is prohibited.
21. Access drive off Macquarie Street being clearly displayed as "Single Lane Driveway" and "No Passing".
22. The developer shall undertake an archaeological assessment of the site to determine the potential for archaeological significance. The assessment to be provided prior to the issuing of any Building Approval. Building Application conditions may, in response to this assessment, include the necessity for partial open archaeology or a watching brief and recording, during construction based on the results of the assessment.
23. Separate approval being sought for materials, finishes and colours prior to release of Building Application.
24. As part of the Building Application details of an accessible loading dock of sufficient width shall be provided adjacent to Shops 9 and 10.
25. The submission of a Compliance Certificate under Section 73 of the Water Board (Corporatisation) Act 1994 prior to the release of the building approval.
26. Payment of a sewer headworks contribution to Council of \$5,184 (five thousand one hundred and eighty four dollars). 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.
27. Construction of Council's standard heavy duty footway and layback vehicular crossing to suit the access to the site to Baker Street.
28. The provision of conduit/ducts under new driveways to the requirements of Integral Energy, in accordance with Prospect Electricity drawing 049759H dated 14/7/1987. Conduit and ducting material is available from Integral Energy.
29. Removal of the existing redundant layback crossing and replacement with concrete kerb and gutter and the restoration of the footway area.

30. 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.
31. Council must be consulted regarding acceptable discharge limits to the sewerage system. A Trade Waste Agreement must be entered into with Council prior to discharge of trade waste from the premises. A Trade Waste Agreement Application must be submitted and assessed prior to the issue of the building approval.
32. The sewer line located under the proposed building is to be excavated, renewed as necessary and concrete encased to the requirements of the Director of Asset Services and Recreation.
33. A new sewer manhole is to be constructed on the existing sewer line immediately to the south of the proposed shops.
34. The reconstruction of the footway area fronting Baker Street with brick paving to match that existing in the George Street Mall.
35. The reconstruction of the pavement area at the rear of the site. Details to be submitted for approval with the Building Application.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN827NAX.V01

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

ITEM: 22

TOURIST FACILITY - DESIGNATED DEVELOPMENT - LOT 1
DP614232 & LOT 2 DP565168 NOS. 1165-1177 BELLS LINE OF
ROAD, KURRAJONG HEIGHTS

FILE NUMBER: DA0334/94 PT02/EVD

Applicant: Philip Corben & Associates Pty Limited
Applicants Reps: Not Known
Owner: Earl Family Estate
Stat. Provisions: Hawkesbury Local Environmental Plan 1989, Environmental Planning
& Assessment Regulations 1994 - Designated Development
Area: 27 hectares
Zone: 7(d) Environmental Protection (Scenic)
Advertising: Adjoining owners notified - no objections
Public authorities notified - three submissions
Date Received: DA received December 1994, EIS received May 1996

Key Issues:

- ◆ Effluent disposal/water quality
- ◆ Service vehicular access to site
- ◆ Erosion and sedimentation

Action:

Stage 1 approval subject to conditions and "deferred commencement" approval for Stage 2 and 3 subject to conditions

REPORT:**Site Description**

Kindee Stud is located on Bells Line of Road, Kurrajong Height opposite the Bellbird lookout. The front section of the property is predominantly wooded and is traversed by Little Wheeny Creek. The rear the property is substantially cleared of native vegetation and is currently used for low intensity cattle grazing.

A stone and timber house is built on a knoll in the centre of the cleared area with a small "settlers" cottage immediately to the south. The property has three (3) dams that provide water for the cattle stock and irrigation of the land. The property is accessed by a single lane gravel track.

Proposed Development

The development is to be staged over a 10 year time frame and will consist of three stages, these are:

- Stage 1: guesthouse, restaurant and main reception building, swimming pool, croquet lawn, tennis court, 6 hole golf course, Earl cottage museum and manager's residence.
- Stage 2: lodge buildings.
- Stage 3: cabins.

The guesthouse and associated facilities (eg lounge, bar, restaurant, kitchen, games and reading rooms) are to be the focus of the initial development and the overall proposal. It will be designed to operate as a stand alone facility with 22 rooms.

The single storey lodge buildings, comprising eight (8) interconnected buildings containing twenty eight (28) rooms, will be located to the south of the main guesthouse and are to be aligned around a stand of existing trees.

Twenty (20) self contained cabins grouped in clusters of four (4), separated by large areas of landscaping, will be located to the west of the guesthouse on the upper portions of the cleared site.

Ancillary works such as carparking, landscaping and road works are also proposed for each stage of the development.

The proposed development will ultimately have the capability of servicing up to 100 guests.

A formal staging plan has not been finalised. The applicant has stated that the implementation of Stages 2 and 3 will depend mainly on economic factors and the performance and turnover of Stage 1.

Statutory Situation

The subject site is zoned 7(d) under HLEP 1989. Tourist facilities are permitted within this zone.

The proposed facilities will each have their own sewerage treatment system and on-site irrigation. When fully developed the combined sewerage systems will be of sufficient size to be classed as "designated development" under the Environmental Planning and Assessment Regulation 1994 and as such an EIS has been prepared with the development application.

Advertising/Notification

Adjoining owners and occupiers and relevant public authorities were notified of the development application and EIS. A notice was placed on the property and notification was of the proposal was given in the Sydney Morning Herald (18 and 25 June) and the Hawkesbury Gazette (19 and 26 June).

No objections were received.

Three (3) responses were received for the public authorities; viz, Environment Protection Agency (EPA), Sydney Water, and Hawkesbury Nepean Catchment Management Trust (HNCMT).

Referrals

Environment Protection Agency

Main points to consider:

- a) *Development should incorporate objectives and mechanisms for achieving ecologically sustainable development.*
- b) *It is imperative that efficient run-off controls are installed and operated to protect the water quality of Little Wheeny Creek.*
- c) *Conditions should be attached to require the proponent to develop a rigorous site monitoring program to assess the health of the environment. Water sampling of Little Wheeny Creek should be undertaken before construction, during construction and during on going operation of the facility.*
- d) *Council should ensure that the proponent formulates a comprehensive Soil and Water Management Plan in accordance with the Department of Housing's "Soil and Water Management for Urban Development Manual".*
- e) *The water balance for the irrigation scheme has been calculated using a criterion of 180L/EP/day and incorporating a 60% occupancy rate at the facility and a 60% run-off coefficient. The EPA has concerns about these calculations and recommend that they be reviewed prior to applying to the EPA for a Pollution Control Approval.*
- f) *The EPA strongly suggests that a formal operation and maintenance plans also created for on-site employees which will ensure the effluent irrigation system operates in an ecologically sustainable manner and will provide continuity should there be a change in management or employees.*
- g) *The installation of a contaminated runoff collection system at the down slope of the effluent irrigation areas is particularly pertinent due to the slope of the terrain and the close proximity of Little Wheeny Creek.*
- h) *The proponent should be required to establish and maintain an adequate riparian buffer zone around Little Wheeny Creek to protect water quality and habitat.*
- i) *Statutory approval of the EPA will be required under the Pollution Control Act prior to the installation of sediment and erosion control measures and the effluent irrigation systems. The EPA also recommends that the operators of the sewerage treatment and effluent irrigation systems, apply for a licence under the Pollution Control Act.*

Sydney Water

Main points to consider:

- a) *Where will the drinking water be sourced and stored for each stage of development?*
- b) *Is there going to be provision of a domestic water supply (other than the dam water) during construction for the contractor?*

Hawkesbury Nepean Catchment Management Trust

1. *The Trust's general requirement is that development must not lead to a deterioration of the ecosystem or compromise its environmental values. The development should achieve the following environmental values for water: surface runoff should not compromise the ANZECC Guidelines standard for secondary contact recreation, aquatic ecosystem protection and livestock and irrigation use of water; groundwater should also be protected from the impacts of any contaminated surface waters. However, the proposals for effluent disposal are unlikely to achieve this requirement.*
 - * *The sewerage system loading appears to be too low. Calculations based on AS 1547 indicate that equivalent persons are more likely to be 152 rather than 122. The provision for the restaurant is particularly low. The discounting system used (4.3.3) is not adequately justified. Calculations are based on lower wastewater flows arising from use of tank supply. Further reduction based on hoped for behaviour may produce an underestimation of flows. The loading may well be closer to 30kL/day.*
 - * *Requirements for irrigation area should be based on maximum occupancy, when the greatest demand will have to be treated, not on a yearly average which is of little significance. The irrigation area is therefore likely to be at least twice the 1.5ha proposed. Adequate irrigation areas should be provided, dedicated to that purpose rather than included as recreation space for the cottages. There would appear to be inadequate space on site for such provision without further clearing.*
 - * *No provision is made for the treatment of effluent from the proposed horse riding facility.*
 - * *No measures are proposed to control release of fertilisers and herbicides/insecticides from the proposed golf course*
 - * *Controls are required for run-off from the hard paved areas.*
2. *The Trust questions the appropriateness of using off the shelf domestic sized packaged treatment plants. In this circumstance rather than having 12 (or more probably 17) individual systems it would be better to have:*
 - * *a single large special system for the guesthouse/restaurant;*

- * *a single domestic scale system for the dwelling;*
- * *a single large special system for the lodges*
- * *a single large special system for the cottages.*

This will simplify maintenance procedures and should produce better water quality outcomes.

3. *The trust is concerned that the water supply for the development will not be adequate. This has not been covered in the EIS.*
4. *On-site run-off controls will be necessary during construction.*

At this stage it appears that development of the size proposed may exceed the land capacity. Should the question arising from the sewerage disposal issue be satisfactorily answered, it is suggested that consent should be limited to the first stage pending evidence that effluent disposal from that stage has been satisfactorily achieved.

Local Traffic Committee

On 19 July 1996 the Local Traffic Committee considered the proposed development. The Committee resolved not to support the application and that the applicant be requested to submit a detailed design plan of access to the proposed development.

The applicant submitted an amended plan (Drawing No. NT362-01 Amendment A) showing a revised access configuration. This was considered by the Local Traffic Committee on 16 August 1996. The Committee resolved:

1. *The application be brought back to be Committee with the provision of a left slip lane to access the development to cater for service vehicles.*
2. *Seek funds to align lookout access*
3. *Await RTA comments*

The applicant has submitted an amended plan which provides for a left slip lane and has requested that this matter be considered at this General Purpose Committee to expedite the processing of the application. A copy of this plan is attached to this report.

Environment and Development

Building and Development, Environment and Waste, and Engineering conditions of consent are included in the recommendations of this report.

Planning Assessment

The proposed development is considered suitable in terms of its building layout and design, intensity, location, and economic benefits to the region. However, the EPA, HNCMT, Sydney Water and the Local Traffic Committee have raised concerns over effluent disposal/water quality, vehicular access, and potential for erosion and sedimentation. Therefore, for the purposes of this report, the following planning assessment will be confined to these matters.

Effluent Disposal/Water Quality

The main issues are:

- the type of treatment plant to be used
- the forecast sewerage loading and amount of reclaimed water produced and the requirements for irrigation areas
- stormwater run-off
- potable water supply

The HNCMT has suggested that (3) single large systems be used for the guesthouse/restaurant, lodges, cottages and a single domestic system be used for the manager's residence. The reasons being that this will simplify maintenance procedures and should produce better water quality outcomes. The applicant has stated that as the facilities are likely to be built in stages and the ultimate envisaged development might not be attained for some time, it is more feasible to have twelve (12) separate treatment facilities instead of one centralised treatment unit that will not be fully utilised in the short term and may not be fully utilised in the future.

The applicant has provided for 12 on-site aerobic treatment systems to cater for the proposed development. This is based on an estimation of equivalent persons (EP) loading and on an estimation of sewerage produced per person.

The Equivalent Persons (EP) loading was calculated based on Sydney Water and Public Works design criteria and on 100% occupancy.

The EIS has assessed the amount of sewerage produced per person per day to be 180L/EP/day. Whereas Sydney Water and Public Works estimate 270L/EP/day and 240L/EP/day. The EIS states that these figures are conservative and that 200L/EP/day is more realistic. The EIS further states that this figure can be reduced by making visitors aware of water restrictions and installing water efficient appliances such as low flush and dual flush toilets, and low flow rate shower heads and water taps.

Treated/reclaimed water is to be dispersed in ten (10) irrigation areas. A detailed geotechnical investigation of the proposed irrigation areas has not been carried out. The amount of reclaimed water produced has been based on an occupancy rate of 60%.

The EIS concludes that the proposed development should not be detrimental to existing water quality provided that the recommendations for operation of the treatment and irrigation systems are adhered to. These recommendations are:

- a) regular monitoring of various water quality parameters in Little Wheeny Creek at both the upstream and downstream site boundaries to detect any adverse impacts on local water quality;
- b) regular checking of sewerage treatment tanks, holding tanks and effluent reticulation systems by both manufactures and in-site management to ensure correct operation; and,
- c) ongoing landscape program to complement the existing site vegetation and improve visual amenity of the site.

The EPA and HNCMT has raised concern over the methodology used to calculate the amount of sewerage produced and the reclaimed water output.

The EPA has recommended that the applicant review these calculations prior to applying to the EPA for a Pollution Control Approval. The HNCMT has suggested that the sewerage loading is too low and the irrigation area required to serve the systems is likely to be at least twice the 1.5ha proposed.

Given these concerns and the likelihood that the forecast figures will be changed, it is recommended that approval be given for Stage 1 only and a "deferred commencement" approval be given to Stages 2 and 3 subject to a detailed investigation of the sewerage loading, reclaimed water supply and absorption capability of the land as well as analysis from the monitoring of Little Wheeny Creek.

Storm-water run-off is to be collected in water tanks and the existing dams. The applicant has not provided formal details of methods to control pollutants from hard paved areas (eg car park, driveway) however has indicated that water samples will be taken from the dams to monitor changes in water quality. It is proposed to condition any consent such that the sampling is carried-out on a regular basis and results submitted to Council.

The amount of potable water required by the development has not been covered by the EIS. Any consent is to be conditioned such that an adequate supply of potable water is to be provided on-site.

Vehicular Access

As detailed above the applicant has provided Council with amended plans in accordance with the recommendations of the Local Traffic Committee.

It is considered that the amended plans have adequately addressed the issue of service vehicle access to the property and the access arrangements are satisfactory for the proposed development.

Erosion and Sedimentation

The EPA and HNCMT have raised concern over the potential for erosion and sedimentation to occur as a result of the construction and operation of the development.

Maps provided from the Soil Conservation Service of NSW indicate that the most of the proposed building works will be carried out on land consisting of soil classes B-e, B-e(d), and C-se. These types of land composition have minor to moderate physical limitations to development including moderate to very high erosion hazard. Surrounding the building areas and along the internal access road the land is class D-s which has severe physical limitations to development, high to extreme soil erodability and very high erosion hazard. In these situations the Service recommends that any development be subject to prior geotechnical survey and strict engineering controls.

The applicant has stated that many of the facilities will be elevated on pier footings hence reducing the civil works and excavation normally required for standard slab/raft foundations. The development itself will not involve any further clearing or removal of trees, however, access road upgrades will involve some clearance of undergrowth and ground cover vegetation in isolated areas along the verges of the existing access track. In the short term the internal road is to be of a single width carriageway with passing bays to be provided at regular intervals. In the longer term a double width carriageway would be provided, if traffic numbers increase sufficiently to warrant it.

The applicant had proposed to implement various silt control measures during all stages of construction (but specifically during Stages 2 and 3) as outlined below:

- * A soil and water management plan for sensitive parts of the works area is to be developed by the contractor prior to commencement of construction. This plan will indicate the flow of surface water across the site and the location of erosion and sediment control works.
- * Siltation control fencing (strawbales, propex, geotextile or an approved equivalent material) will be placed downslope of all areas proposed to be disturbed.
- * Diversion channels upslope of works areas will also provide a means of intercepting and diverting clean water away from construction areas. These are likely to be simply shallow surface indentations.

It is considered that the conditions of consent will adequately mitigate against the potential for erosion and sedimentation. In addition to these measures it is considered a geotechnical survey of the access track is also required.

Conclusion

The Kindee Stud Retreat will provide increased tourist and economic activity in Kurrajong and the Hawkesbury region in general.

With the exception of sewerage disposal, the total impacts of the development on the land and the locality are relatively minor or can be controlled by conditions of consent. Concern is raised over the total end requirement for sewerage treatment works and irrigation areas and the impact on Little Wheeny Creek. Notwithstanding, it is considered that the land is capable of supporting Stage 1 of the development, however, further liaison between the EPA and the applicant and water quality analysis of Little Wheeny Creek will have to be carried out before further consideration can be given to approving Stages 2 and 3.

It is, therefore, recommended to approve Stage 1 of the development and grant "deferred commencement" consent to Stages 2 and 3.

RECOMMENDATION:

- A. Approval be given to Stage 1 of the development being the construction of the guesthouse, restaurant and main reception building, swimming pool, croquet lawn, tennis court, 6 (six) hole golf course, Earl cottage museum, manager's residence and associated car parking and landscaping, subject to the following conditions:
1. Submission of a building application, plans and specifications complying with the Building Code of Australia.
 2. 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.
 3. All waste materials to be stored and disposed of at regular intervals to the satisfaction of the Director Environment and Development.
 4. 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.
 5. Provision of toilets in accordance with the requirements of the Building Code of Australia.
 6. 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.
 7. Exterior surfaces of the proposed structure being painted or treated with a dark toned non-reflective material in such a manner so as to cause the structure to blend with the landscape of the site and its surroundings. Such painting or treatment to be completed to the satisfaction of the Director Environment and Development prior to occupation or use of the building.

8. No excavation or site works shall be commenced prior to the issue of the building permit.
9. A management plan shall be submitted to reduce the volume, velocity and rate of discharge of surface and roof waters from the site.
10. Submission of a schedule of proposed external finishes including sample materials for consideration and approval in conjunction with the submission of a building application.
11. A detailed plan of landscaping shall be submitted and approved by the Director 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.
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. The spillage of light, if any, shall be controlled to the satisfaction of the Director Environment & Development.
15. The development shall be carried out in accordance with the plans submitted with the application.
16. Erosion and sedimentation control devices shall be installed and maintained during construction. Details shall be submitted and approved prior to any works commencing.
17. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by running water to be stored clear of any drainage line, easement, natural watercourse, footpath, kerb or road surface.
18. The approval of the EPA for the installation of the sewerage treatment and irrigation system for Stage 1 and, prior to any works commencing, evidence of this approval is to be submitted to the satisfaction of the Director of Environment and Development.
19. The applicant obtaining a 3A permit from Water Resources for works within 40 (forty) metres of Little Wheeny Creek. A copy of the permit is to be submitted to Council.
20. Weekly monitoring of water quality parameters being faecal coliforms, turbidity, total dissolved solids, phosphates, nitrates, pH for the period of construction and ongoing operation of the facility being submitted to Council weekly.
21. Erosion and sedimentation control plan is to be prepared and submitted by the contractor to be approved by the Director of Environment and Development prior to earth works.

22. Access road is to be sealed prior to construction with a shake down area to be included.
23. Waste management plan to be submitted and approved to the satisfaction of the Director of Environment and Development
24. Construction is only to take place between the hours of 7.00am - 6.00pm Monday to Friday and 7.00am - 1.00pm Saturdays
25. The contractor is to take all necessary steps to ensure dust is suppressed during the construction phase.
26. The pool water shall be treated by chlorination or other approved method to the satisfaction of the Director of Environment and Development.
27. The depth of the pool shall be prominently indicated at the deep and shallow ends by permanently fixed markers above the water line.
28. A warning notice (incorporating resuscitation techniques) complying with the requirements of Section 17(1) and Regulation 8 of the Swimming Pools Act, 1992, shall be provided and maintained in a prominent position in the immediate vicinity of the pool.
29. Semi-public swimming pool is required to be registered with Council.
30. A surface water drainage plan for the tennis court is to be submitted and approved with the Building Application to the satisfaction of the Director of Environment and Development.
31. An adequate supply of potable water is to be provided on-site.
32. Construction of a sealed pavement within the Bells Line of Road road reserve substantially as shown on Drawing No. NT362-01 Revision A dated 12/8/96 and as amended by facsimile dated 20/8/96 prepared by Sinclair Knight Merz.
33. Erection of a suitable fence or guard rail across the existing access to the site to ensure all access is via the proposed entrance.
34. The existing batter at the proposed entrance to be cut back as necessary to allow drivers exiting the site clear visions prior to the nose of the vehicle entering the traffic lane in Bells Line of Road.
35. The line marking in Bells Line of Road to be modified to permit access across the centreline to the proposed drive.
36. Construction of a heavy duty layback vehicular crossing to suit the proposed entrance.
37. All work in Bells Line of Road to be carried out to the satisfaction of the RTA and the Director of Environment and Development.

38. Construction of road works is not to commence until 3 (three) copies of the plan have been submitted to and approved by the RTA and the Director of Environment and Development.
39. Payment of design checking and inspection fees as required by the RTA and the Director of Environment and Development.
40. The construction of the main internal access road with a sealed pavement a minimum of 5 (five) metres wide and all necessary longitudinal and transverse drainage. Details to be submitted for approval with the Building Application. This is to be constructed as part of the Stage 1 development.
41. The creation of a 3.5 (three point five) metre wide sealed pavement and all necessary drainage of the main internal access to serve the managers Residence. Details to be submitted for approval with the Building Application.
42. The creation of a right of carriageway over the constructed access from Bells Line of Road to the manager's residence where contained within a separate lot.
43. Parking spaces, accessways and aisles are to conform to Council's Development Control Plan and to be constructed, drained, sealed and marked. This will require the widening of the access drive to 6.7 (six point seven) metres adjacent to the car parking spaces. Full details of works shall be submitted for approval with the Building Application.
44. A design checking and inspection fee must be paid when submitting engineering plans for approval prior to construction.
45. The applicant is to liaise with the Director Asset Services and Recreation in respect of works required to the access to the lookout across the road. All costs associated with the works are to be borne by the applicant.
46. A comprehensive Soil and Water Management Plan in accordance with the Department of Housing's "Soil and Water Management for Urban Development Manual" being submitted to and approved by the Director of Environment and Development.
47. Details of proposed measures to control release of fertilisers and herbicides/insecticides from the golf course into the surrounding bushland and Little Wheeny Creek.
48. The provision of a geotechnical report which justifies the proposed internal road works will have no adverse impact on the property.
49. A riparian buffer zone around Little Wheeny Creek being established and maintained to protect water quality and habitat. Details of this buffer zone are to be submitted with the landscape plan.
50. Results from water quality testing of the two main dams are to be submitted to Council every 3 (three) months.

- B. "Deferred commencement" approval be given to Stage 2 and Stage 3, being the construction of the lodge buildings and cabins, subject to:
1. A detailed report on water quality samples taken from Little Wheeny Creek before, during and after the construction of Stage 1 and for a period of not less than 12 months of operation being submitted to and approved by the EPA and the Director of Environment and Development.
 2. The approval of the EPA for the installation of the sewerage treatment and irrigation system for Stage 2 and Stage 3 and, prior to any works commencing, evidence of this approval is to be submitted to the satisfaction of the Director of Environment and Development.
 3. The provision of a geotechnical report which justifies the proposed works to be undertaken in Stages 2 and 3 will have no adverse impact on the property.
- C. On satisfactory completion of the deferred commencement conditions 1-3 above, compliance with conditions of development consent as determined under delegated authority or by determination of Council as appropriate.

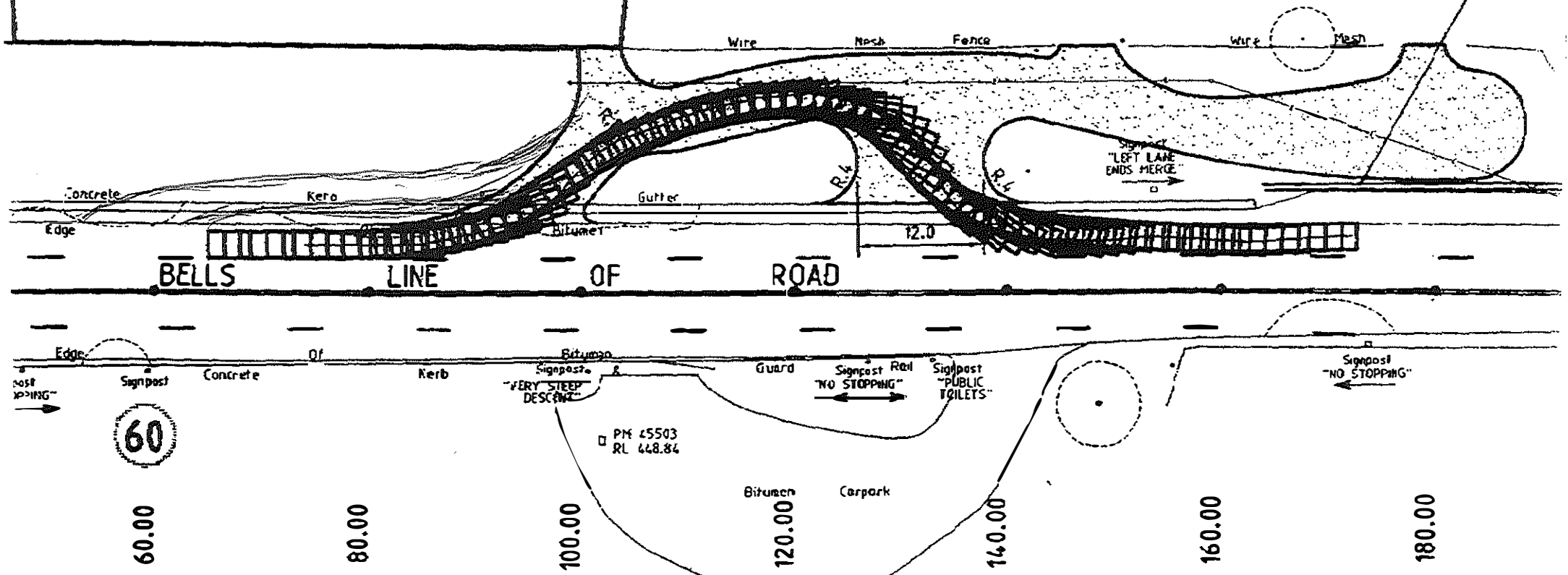
ATTACHMENTS:

AT-1 Proposed New Access Arrangements.

FN:EN827NAX.V06

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

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ACCESS DENIED TO
BELLS LINE OF ROAD

ITEM: 23 OUTDOOR ADVENTURE EDUCATION PROPOSAL - LOT 2
DP581458 NO. 333 WHEELBARROW RIDGE ROAD, COLO
HEIGHTS

FILE NUMBER: DA76/96/EVD

Applicant: Mr R Klein
Applicants Reps: None Advised
Owner: Mr R Klein
Stat. Provisions: Hawkesbury Local Environmental Plan 1989
Area: 60.31ha
Zone: Rural 1(a)
Advertising: Adjoining owners notified. Expressions of support received from 7
 individuals and groups whilst objections have been received from 5
 nearby property owners
Date Received: 16 April 1996

Key Issues:

- ◆ Effluent Disposal.
- ◆ Noise.
- ◆ Traffic Impacts and Dust.

Action:

Approval subject to conditions

REPORT:

At Council's meeting on 13 August 1996 it was resolved that:-

"the 2 (two) parties get together and try to reach a compromise and that a Fire Control Plan be prepared".

Immediately following debate about the item there was an impromptu meeting between the applicant and some of the objectors with the following proposal being put forward by Mr Shaddick (solicitor) to resolve the matter:-

"After exhaustive discussion and negotiations, the following heads of agreement were prepared, being conditions which both the applicants and the objectors (excluding Mr & Mrs Davis who were not present) agreed.

However Mr Klein declined to sign the document at the last moment, saying that whilst he did not disagree with its contents he wished to give the matter further thought and take advice.

He has a copy.

*Heads of Agreement**Between R & J Klein**R Jones, M & B Stanners**As to suggested approval conditions.*

1. *Ropes course/adventure education activities to be permitted for a maximum of 25 persons (including supervisors) on a maximum of 4 days per week (208 days per year) including one weekend each calendar month.*
2. *Overnight accommodation may be provided for a maximum of 25 persons on 4 nights per week only in bunkhouse provided that Council's requirements as to the provision of satisfactory health & sanitary facilities are satisfied and that Council is satisfied as to fire control measures.*
3. *Ropes courses/adventure activities to be conducted:-*
 - a. *Only between the hours of 9am and 5pm (6pm in daylight saving time) and thereafter:-*
 - b. *Night activities to be conducted only within the curtilages of the existing dwelling and bunkhouse until 10.30pm.*
4. *No trail bikes to be permitted to be operated on the property by any persons other than the applicants and their immediate family."*

Mr Klein has now advised that he accepts the principles of this resolution although he has requested that Council be advised that he considers the restriction on operation to 1 weekend in each calendar month to be excessive and that he would be able to operate as intended if this were increased to 2 weekends in each calendar month (but still a maximum of 4 days per week).

He is also of the understanding that occasions when family and friends may visit his property (such as his "cracker night") are not covered by the agreement.

In relation to the use of the existing bunkhouse accommodation, Mr Klein has submitted a copy of a 1973 approval from Colo Shire Council for the use of the shed for overnight accommodation of farm labourers. In any event there is no constraint to the use of the shed for bunkhouse accommodation under the Building Code of Australia, subject to compliance with amenity requirements for Class 3 buildings being:-

"For each building or group of buildings:

- (a) *a bath or shower; and*
- (b) *a closet pan and washbasin,*
for each 10 residents for whom private facilities are not provided, except that

- (c) *if one urinal is provided for each 25 males up to 50 and one additional urinal for each additional 50 males or parts thereof, one closet pan for each 12 males may be provided."*

In addition for the above facilities at least one shower and closet pan and washbasin would need to be accessible to people with disabilities in accordance with the specification.

As a means of commencing operation with minimal upgrading costs, Mr Klein is proposing a limit of 20 persons (not 25), which would require the provision of an additional shower (and disabled facilities). If he wished to increase the number to 25 he would then need to provide a further shower and toilet.

At the date of preparing the report, a fire control plan had not been received. It is proposed that the matter be reported on by the Fire Control Officer and provided he is satisfied with the application or recommends appropriate conditions, that the application be determined under delegated authority.

RECOMMENDATION:

Subject to the provision of a satisfactory report by Council's Fire Control Officer, that the application to use the property to conduct "outdoor adventure education" generally as described in the application and additional information be approved under delegated authority subject to conditions including the following:-

1. Ropes course/adventure education activities to be permitted for a maximum of 20 persons (including supervisors) on a maximum of 4 (four) days per week (208 [two hundred and eight] days per year) including one weekend each calendar month.
2. Overnight accommodation may be provided for a maximum of 25 (twenty five) persons on 4 (four) nights per week only in the bunkhouse.
3. Ropes courses/adventure activities to be conducted:-
 - a. Only between the hours of 9.00am and 5.00pm (6.00pm in daylight saving time) and thereafter:-
 - b. Night activities to be conducted only within the curtilages of the existing dwelling and bunkhouse until 10.30pm.
4. No trail bikes to be permitted to be operated on the property by any persons other than the applicants and their immediate family.
5. Submission of a building application for the provision of an additional shower and disabled amenities as required by the Building Code of Australia.
6. The development is not to involve the employment of any other person other than the residents.
7. *Review in 12 months.*

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN827NAX.V08

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

ITEM: 24 DRAFT LOCAL ENVIRONMENTAL PLAN 4/95 - AMENDMENT NO. 41 - REZONING OF THE RESIDUE ALLOTMENT IN THE SUBDIVISION OF LOTS 4 & 5 DP786671, LOT 7 DP738354, LOTS 80 & 90 DP834019 & LOTS 22, 24, 26-29, 32-41 INCLUSIVE DP17870 - "KEMSLEY DOWNS", GROSE VALE ROAD, NORTH RICHMOND

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

REPORT:

Council at its meeting of 13 August 1996, considered this draft local environmental plan and resolved the application be further reported to Council.

The applicant has proposed an amendment to the zone boundary.

Background

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

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

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

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

The applicant has proposed a change to the zone boundary. Attachment 1 shows the boundary approved by Council through SA142/93. The proposed change to the boundary is also shown on the attached plan. The proposed zone boundary is based upon a new subdivision plan providing for 34 allotments. This plan provides for an additional 10 allotments with the residue being reduced from 212 hectares to 192 hectares. The amendment layout was lodged in November 1995 in response to the "Our City Our Future" Strategy which amongst other aspects recommended that:-

"As a means of encouraging the retention of large holdings, a concessional allotment entitlement of up to 50% of the existing legal entitlement considered under State Environmental Planning Policy No. 1 where a land holding has an area in excess of 40 hectares and where subdivision will maximise the residue lot through the provision of small rural residential lots."

The applicant was advised at this stage that the amended plan could not be supported as the Department of Urban Affairs and Planning had not determined the outcomes of "Our City Our Future" with respect to concessional allotments. The matter is yet to be determined. The current zone boundary aligns with the approved subdivision and it is considered that false expectations for future subdivisions may be created if the zone boundary is amended at this stage.

It should also be noted that the property owner is actively seeking further residential lots and to approve both concessional lots and further residential lots would be a case of "double dipping".

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

- Transgrid;
- Sydney Water;
- NSW Agriculture;
- Prospect Electricity; and
- NSW Department of Housing.

The following responses have been received:-

Transgrid

Transgrid have requested that the rezoning should not compromise the current Liddell-Sydney West 330kV transmission line which transverses the property.

As the draft LEP prohibits any further subdivision of the land, it is considered that the draft plan satisfies TransGrid's concerns.

Sydney Water

Sydney Water provided guidelines and conditions in relation to any further subdivision that will occur on the site.

As the draft plan prohibits further subdivision on the land, it satisfies the requirements of Sydney Water.

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

Exhibition

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

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

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

Since the above report was considered, NSW Agriculture has responded pursuant to Section 62 of the Act. The Department considers the land as a significant agricultural resource in the Hawkesbury District and that it should not be developed for purposes other than agriculture in the absence of any strategic city-wide study.

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

RECOMMENDATION:

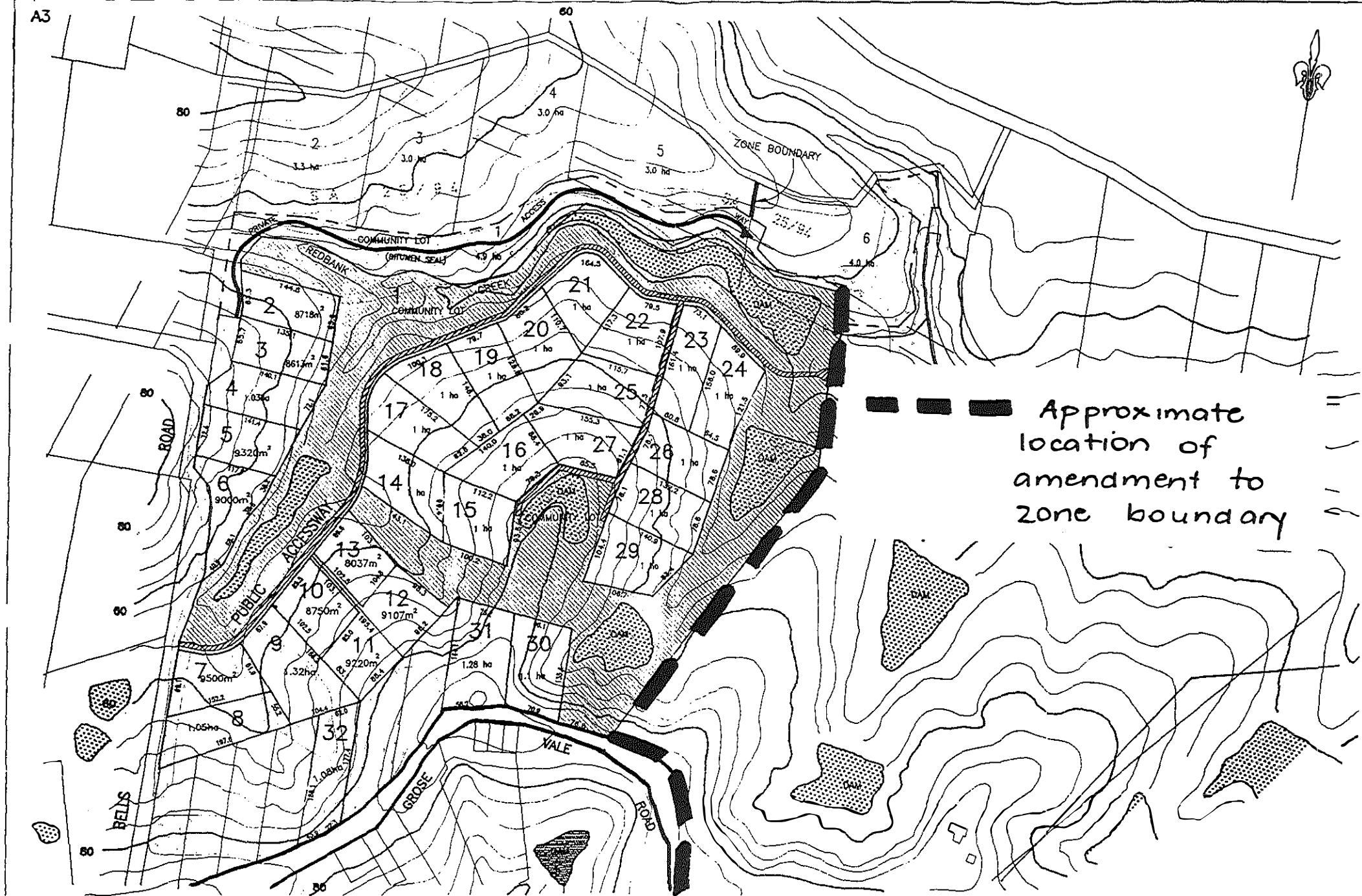
1. That the information be received.
2. That Council exercise its delegation in respect of Sections 68 & 69 of the Act.
3. That the plan be forwarded to the Minister for Urban Affairs and Planning requesting gazettal of the plan.

ATTACHMENTS:

AT-1 Location of Zone Boundary.

FN:EN827NBX.V02

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



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SURVEY BY	1:5000					
CALCS BY						
DRAWN BY M. SANTORO	DATUM	COMPUTER REF 87883D				



McKINLAY MORGAN & ASSOCIATES PTY LTD
CONSULTING SURVEYORS - PROJECT MANAGERS

122 MACQUARIE STREET, WINDSOR 2754. PHONE 045 778008, 045 778011 FAX 045 778010
P.O. BOX 217, WINDSOR, N.S.W. 2754
DIAG 32 MCM/TH

DATE 29-6-95
FILE No. 87883
COUNCIL REF

CLIENT NAME
LOCALITY GROSE VALE LGA HAWKESBURY
PLAN No. 4

PLAN OF PROPOSED LOTS

SHEET No.
OF SHEETS

ITEM: 25 DRAFT REGIONAL ENVIRONMENTAL PLAN NO. 20 -
HAWKESBURY-NEPEAN RIVER 1996**FILE NUMBER:** GT192/001 PT03/EVD**REPORT:**

Council at its meeting of 13 August 1996, considered a brief report outlining the placing on exhibition of the draft REP No. 20 - Hawkesbury-Nepean River 1996. The report also stated that submissions were required to the Department of Urban Affairs and Planning by 21 September 1996.

This report details specific objections to the Plan and comments on the Draft REP clauses are listed in Attachment 1.

Aims of Draft REP

The aim of the plan *"is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context"*.

This aim is very general and not specific in its role on preserving and enhancing the Hawkesbury/Nepean River. The aim does not mention the policies and strategies to control land uses.

The plan should establish objectives for local authorities to manage and work with to control their local areas.

Specific Recommended Strategies

The plan makes specific policies and recommends strategies for certain activities such as:-

- total catchment management;
- environmentally sensitive areas;
- water quality;
- water quantity;
- cultural heritage;
- flora and fauna;
- riverside scenic quality;
- agriculture/aquaculture and fishing;

- rural residential development;
- urban development; and
- recreation and tourism.

Specific issues with respect to these strategies are listed in Attachment 1.

However, one important strategy for the river system is not addressed, that being flooding. A flooding strategy is definitely in need for consistency between areas of Local Government and State agencies as to development in flood affected areas. This would also include adopted flood standards and flood levels which has a major impact on the Hawkesbury City area.

Development Controls

This section of the Plan has listed out specific development controls on landuses as to whether development consent is required, concurrence and consultation required and matters for consideration.

Land Use

Specific comments on the land use controls are in the attachment to this report.

Generally, the plan has been too restrictive in the controls on land uses. The control on landuse at a local level should be left to Council to implement the strategies into a Local Environmental Plan. This plan in a lot of instances has interfered with Council's control to plan and regulate development that Council determines.

It should not be the intent of a Regional Environmental Plan to regulate development through its plan. A REP should be directed to strategy implementation across the whole of the region.

For example, as mentioned in the attachment Item 14, to specifically limit agricultural productivity on flood liable land by prohibiting dairy farming is ridiculous. This has always been the most productive land for agricultural purposes and this should be protected. It is recognised as important to protect the environment on water quality issues from dairy farming but this does not mean prohibiting the activity.

Concurrence

The only concurrence role has been given to the Director of the Department of Urban Affairs and Planning. The Hawkesbury/Nepean Catchment Management Trust has not been given a concurrence role.

Consultation

Consultation is stipulated as to which public authorities a development application should be referred. The list includes DUAP, HNCMT and NP & WS.

Comments with respect to consultation are to be made within 28 days.

Consultation with the Trust is limited to obtain advice on those matters listed for consideration with respect to the landuse.

Conclusion

The statutory planning instrument exhibited with the Draft REP contains a number of inconsistencies and irregularities which are to be highlighted to the Department of Urban Affairs and Planning.

It is proposed to invite representatives of the Department to address Council on the proposed amendments.

The basis of the plan to supersede the previous REP No. 20 is seen as too restrictive, particularly in the landuse controls. The effects on restricting agriculture are not seen as a benefit to the river and its environment. It is considered far better for environment controls and safeguards to be implemented through best practices and not restrict development.

RECOMMENDATION:

That the attached detailed submission to the Department of Urban Affairs and Planning be endorsed.

ATTACHMENTS:

AT-1 Submission to Department of Urban Affairs and Planning.

FN:EN827NBX.V03

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

SYDNEY REGIONAL ENVIRONMENTAL PLAN NO. 20 - HAWKESBURY-NEPEAN RIVER 1996

No.	Proposed Amendments	Comments
1	Aim of this Plan The aim of this plan is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.	• The stated aim is weak in that no reference is made to the proposed strategies to control land uses. • The plan should establish objectives for local authorities to work with and manage as a management tool, ie. total catchment management plans.
2	Strategies • Where this plan applies; and • Total Catchment Management.	• The Penrith Lakes Scheme is excluded from the provisions of this Plan, with no reasons given. • The Penrith Lakes Scheme would contribute to the Total Catchment Management plan and yet is excluded from consideration.
3	Environmentally Sensitive Areas New Development in conservation area sub-catchments should be located in areas that are already cleared.	• This recommendation is considered excessive and restrictive to the building of a new dwelling. Consideration should be allowed where minor clearing is involved.
4	Water Quality • Development involving primary contact recreation or the withdrawal of water from the river for human contact (not involving water treatment), such as showers, should only be approved in locations where water quality is suitable for primary contact for most of the year. • Consideration should be given to the impact of the removal of water from the river or from groundwater sources associated with the development concerned.	• This statement is concurred with as some sections of the River have been declared unsuitable for primary contact recreation. • No consideration is made of the impact of the Penrith Lakes Scheme on removal of water.
5	Cultural Heritage • Consideration should be given to the extent to which heritage items (either identified in other environmental planning instruments affecting the subject land or listed in Schedule 2) derive their heritage significance from the river.	• The items in Schedule 2 include:- - cable ferry, Webb's Creek; - cable ferry, Sackville; and - cable ferry, Lower Portland. • It is absurd to require development consent for work on these items. • Also the list does not include many other items of heritage significance.

No.	Proposed Amendments	Comments
6	Rural Residential Development Policy: Rural residential development should not reduce agricultural viability, contribute to urban sprawl, or have adverse environmental impacts (particularly on the water cycle or on flora or fauna).	Rural residential development is by most standards "worse" than urban sprawl - it fragments large areas of land, often without reticulated sewerage. The policy is worse than meaningless in encouraging such development subject to the "motherhood" considerations.
7	Urban Development Policy: All potential adverse environmental impacts of urban development must be assessed and controlled. Consideration should be given to urban design options to reduce environmental impacts (such as variable lot sizes and shapes, and the clustering of development).	- It is difficult to understand how urban design options reduce environmental impacts. - It is considered better to encourage increased densities through urban design options which would utilise less land for urban purposes and reduce impacts.
8	Recreation & Tourism Policy: The value of the riverine corridor as a significant recreational and tourist asset must be protected. Conflicts between recreational uses should be minimised.	This statement is somewhat confusing as to how conflicts between recreational uses should be minimised.
9	Flooding	No mention is made on flooding and a Regional Strategy or recommendation on flooding. This seems to have been left and is such an important regional matter.
10	Development Controls Rehabilitation of <u>contaminated</u> land.	- It is difficult to understand why this is included in this REP 20 as the State Government is to have an overriding State Plan on this matter. - In addition, does anybody (including Council) know if a property is contaminated, where the properties are, unless a <u>preliminary</u> analysis has been made.
11	Flood Liable Land	There is no definition of flood liable land as an adopted 1% AEP level or floor height standard.

No.	Proposed Amendments	Comments
12	Heritage Items	● As previously mentioned under Cultural Heritage, the list included in Schedule 2 includes the cables ferries. This in effect means that no maintenance can be carried out without consent. ● The list of Heritage items in Schedule 2 seems somewhat lacking.
13	Intensive Horticultural Establishments <u>Definition</u> A place at which plants are grown, whether under cover or in the open, where the application of water and fertiliser is significantly above that naturally occurring and the activity occupies more than 1 hectare, which may consist of or include any such place at which mushrooms, turf, vegetables, flowers, and ornamental plants are grown or which is used for orcharding (but is not a place at which produce is grown for personal household consumption or enjoyment).	● Council has already prepared a draft local environmental plan as a consequence of Our City Our Future to introduce a consent requirement for such establishments.
14	Intensive Livestock Keeping <u>Definition</u> A building or place in or on which goats, poultry or other livestock are held for the purpose of nurturing by a feeding method other than natural grazing which, without limiting the generality of the above, may consist of or include:- ● a poultry farm; ● a feedlot; ● a dairy farm; ● a building or place used for fish farming (which may consist of or include farming of crustaceans); ● a horse training and boarding establishment; or ● a piggery, but is not a building or place used for the keeping of livestock or poultry intended solely for personal consumption or enjoyment by the owner or occupier of the building or place. Prohibited if carried out on flood liable land.	● This control to prohibit, particularly dairy farming on flood liable land is ridiculous as this is the prime class 1, 2 and 3 agricultural land that is sustaining current production. ● The plan is suppressing agricultural viability for the area on the prime agricultural land. ● These activities should not be prohibited and should be controlled through best practices.

No.	Proposed Amendments	Comments
15	Sewerage Systems or Works <u>Definition</u> Any sewerage system or work which stores, treats or disposes of sewage, <u>including domestic on-site disposal systems</u> which are ancillary to development which requires consent, but not including a public utility undertaking as defined in the <i>Environmental Planning and Assessment Model Provisions 1980</i>.	● This provision includes <u>domestic on-site disposal systems</u>, which are to obtain development consent and Council is required to consult with the Hawkesbury-Nepean Catchment Management Trust. Together with considering additional matters. ● This is a ridiculous prospect for dwelling houses with on-site disposal systems, when such systems are licensed this control is sufficient. The proposal will mean that there will be 3 separate regulatory processes for the approval of a septic tank or aerated system. Surely, if there are any deficiencies in existing standards, one of the other two regulatory processes can be changed.
16	Waste Management Facilities or Works <u>Definition</u> Waste management facilities or works described in Schedule 3 (Designated Development) to the <i>Environmental Planning and Assessment Regulation 1994</i> which are taken to include mushroom composting.	● It seems unnecessary to include a definition when this is defined under Schedule 3 of the EP & A Regulations. ● It is also difficult to understand why mushroom composting is included as a waste management facility, particularly as it is also included as intensive horticulture.
17	Development in Mapped Wetlands Including:- ● subdivision of land is designated development and requires concurrence of the Director of Department of Urban Affairs and Planning.	● This requirement for a subdivision of land requiring an EIS is totally inappropriate. The subdivision is not creating any work on the land that may effect the wetland. ● This definition should include any work within mapped wetlands and not merely the creation of a boundary.

ITEM: 26**CLASS 1 APPEAL AGAINST COUNCIL'S DECISION - SULTANA
- STOCKPILING OF MANURE - LOT 4 DP239897 NO. 137
COMMERCIAL ROAD, VINEYARD****FILE NUMBER:** DA154/89/EVD**REPORT:**

On 12 December 1995, Council at its Ordinary meeting refused an application made by Mr Sultana for the stockpiling of manure at his property.

Council's Solicitors A R Walmsley and Co., were instructed to commence Class 4 proceedings on 20 February 1996, regarding the continued use of the premises. Contact was later made by them with the owner's Solicitors Maxwell Berghouse and Ives and information was provided to the latter with a view to avoiding litigation. There was no response received by 20 June 1996, and A R Walmsley and Co., advised the owner's Solicitors that proceedings were to be commenced. These were filed on 2 July 1996, and subsequently served on the owners on 10 and 16 July 1996, personally.

The proceedings were first mentioned on 30 July 1996, when Mr Graham, Counsel appeared for the owner and Mr Ayling for Hawkesbury City Council. On that occasion Mr Graham stated an intention to lodge an appeal against Council's refusal of the Development Application, the matter was then stood over by the Registrar until 20 August 1996.

At the time of writing this report the appeal had still not been served, although we believe it to have been filed. It is unlikely that the matter will have been stood over for 2 to 3 weeks to enable a statement of issues to be filed by Council.

A R Walmsley and Co., has tentatively advised that it is likely the activity is prohibited and that the hearing of this matter will involve the determination of the question of law on this point. If this is the case then the Class 1 and Class 4 proceedings will be heard together by a Judge.

RECOMMENDATION:

That the information concerning the legal action in relation to the stockpiling of poultry manure at Commercial Road, Oakville, be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN827NBX.V04

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

ITEM: 27

DRAFT LOCAL ENVIRONMENTAL PLAN TO CREATE 8 RURAL RESIDENTIAL ALLOTMENTS WITH AREAS BETWEEN APPROXIMATELY 6000m² & 2.5ha & A SINGLE RESIDUE ALLOTMENT WITH AN AREA OF APPROXIMATELY 33ha - LOT 2 DP501880 NO. 242 BELLS LINE OF ROAD (K & B JOHNSTON) & LOT 18 DP793094 NO. 83 SLOPES ROAD (O MILLER) - APPLICANT: TEERMAN NEWTON PTY LTD

FILE NUMBER: LEP016/96 PT01/EVD

REPORT:

The application proposes to transfer existing subdivision entitlements from a large dairy farm immediately North of Colo High School to the rear corner of the property and provide access to these lots from Slopes Road through an adjoining property owned by Mrs Miller. The provision of access from Slopes Road would result in a severance of the land creating an additional lot.

The Johnston property (Lot 2 DP501880) is 37.66ha and is zoned Rural 1(b) under Hawkesbury Local Environmental Plan 1989. The land has been cleared for the existing farming use and would certainly be capable of a 3 lot subdivision under the existing zoning provisions.

The property fronting Slopes Road owned by Mrs Miller (Lot 18 DP793094) has an area of 4.985ha and has no subdivision entitlement.

In a re-subdivision of both parcels it would be possible to increase the area of Lot 2 DP501880 by boundary adjustment with the Miller property to achieve an area on the Johnston property of at least 39ha and thus, an additional subdivision entitlement. In summary, the application proposes to increase an existing entitlement of 5 lots to a total of 9 lots including the residue. This is at least 1 lot in excess of the general maximum set in the Our City Our Future Strategy which was a concessional entitlement of a maximum 50%.

In numerical terms, the variation is relatively minor and it is justified by the applicant as follows:-

"...in order to achieve this subdivision, a new road would need to be created through an adjoining property, ie. Lot 18 DP793094.

This will have the effect of severing Lot 18 into two separate parts of approximately 2ha and 2.5ha in area.

This is a natural consequence of providing an access to the proposed subdivision and was not initially intended as a means of creating an additional 2 lot subdivision.

However, due to the advantages of locating the proposed subdivision and the position shown on the accompanying plan in lieu of less favourable positions closer to Bells Line of Road and also due to the high cost of purchasing Lot 18 in order to facilitate the construction of the proposed road, we would also ask Council to allow separate titles to be created over the resultant severance of Lot 18 DP793094.

The resultant areas of these severed allotments are similar to adjoining properties and in no way denigrate the rural amenity of the adjoining area.

Should Council decide not to allow these two entitlements to have separate titles, then the high cost of the property purchased, road construction and service costs of the new subdivision would render the project uneconomical compared with a straight 4 lot 10ha subdivision as allowed under the current LEP.

It is our opinion that the proposal that we are presenting to you is a far better way of subdividing the subject land both in terms of environmental constraints and aesthetic value.

By subdividing into 10ha allotments, the opportunity to retain a large tract of valuable agricultural land would be lost.

Keith and Bruce Johnston have worked this property for over 40 years and have had many opportunities in the past under previous LEPs to subdivide their property into smaller allotments.

However, due to their close affinity with the land and a desire to make a living from it, they chose not to do so. Such a decision benefited the residents of the Hawkesbury as well as themselves by maintaining one of the last remaining dairy farms in the Hawkesbury region.

Keith and Bruce are advanced in age and whilst still capable of working the property, feel its time to retire and not rely on the property for their existence....

We acknowledge that we are requesting a concession in regard to the severance of Lot 18 DP793094 but we do not feel that this an unreasonable request having regard to the distinct advantages of siting the subdivision in the proposed position."

Adjoining property owners were notified about the proposed subdivision and submissions were received from two nearby property owners expressing a number of concerns. These include:-

- the lack of site distance from the proposed cul-de-sac intersection with Slopes Road;
- pollution of the adjacent creek from septic systems;
- potential for further subdivision of the residue lot;
- subdivision should be located off Bells Line of Road; and
- potential for further subdivision along Slopes Road.

It is agreed that there is inadequate sight distance at the intersection of the proposed cul-de-sac with Slopes Road, however, its relocation 30 - 40m towards the existing dam would provide sufficient sight distance from the crest at the Branders Lane intersection.

The issue of pollution from septic tanks or aerated effluent treatment systems has been documented in surveys by the Department of Health and others. In general the problem occurs with poor maintenance and operating arrangements rather than inherent design problems. The issue is also equally applicable to any urban or rural development in areas without reticulated sewerage. If the proposed subdivision were to proceed to a Draft Local Environmental Plan, a water cycle management plan should be prepared providing for a best practice solution to the disposal of effluent on the land.

The proposed subdivision has merit in retaining approximately 33ha in a single holding for some future purpose. The land has a long frontage to Bells Line of Road and reinforces the area's rural atmosphere by providing good views across the farm to the creek and Slopes Road ridge beyond.

It is considered beneficial to apply a concessional entitlement to encourage the retention of the residue lot, however, in this instance the entitlement is beyond that which was considered in the Our City Our Future Strategy, although by only one allotment.

RECOMMENDATION:

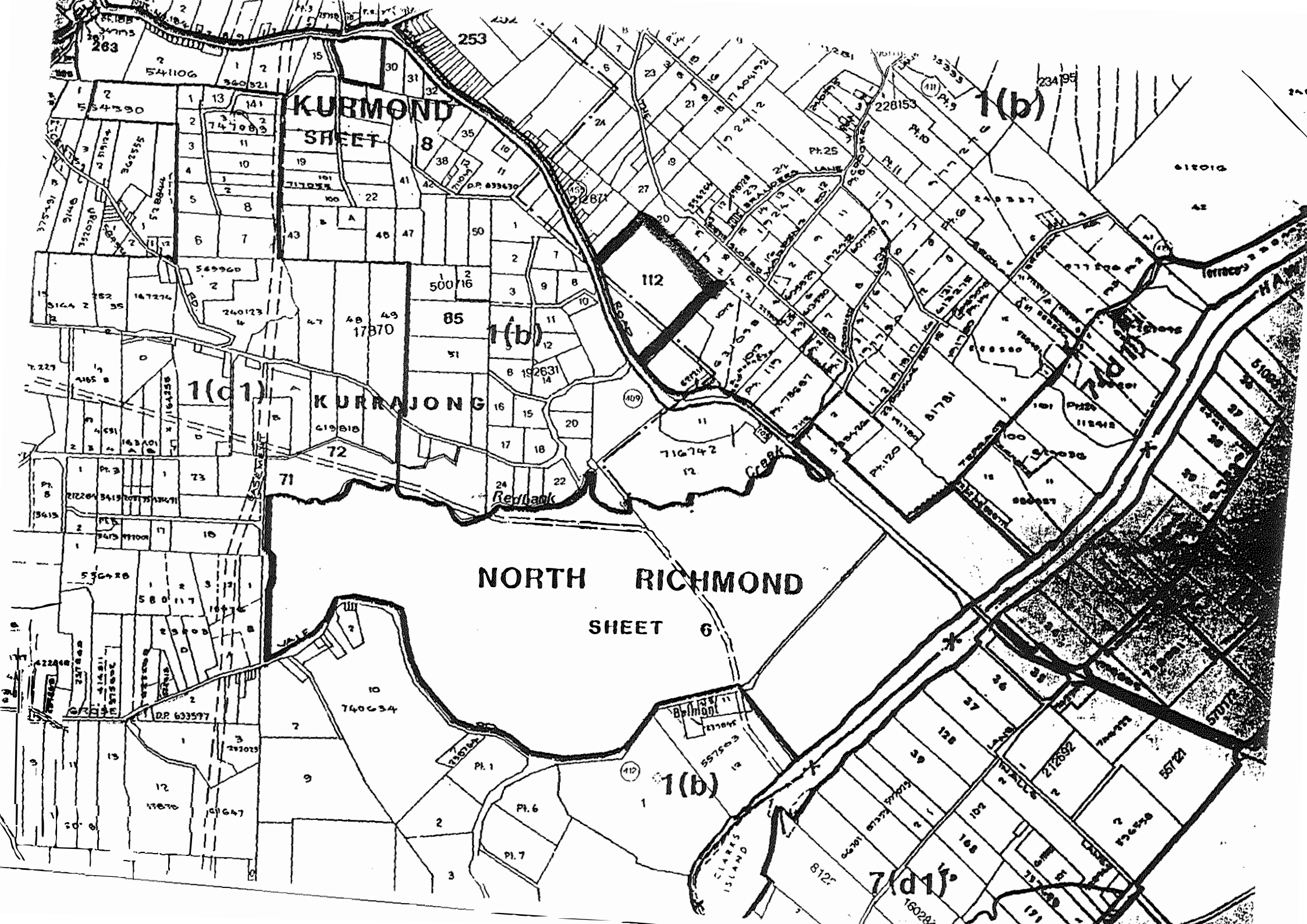
That the Draft Local Environmental Plan for the subdivision of Lot 2 DP501880 and Lot 18 DP793094 not be supported.

ATTACHMENTS:

AT-1 Site Plan & Subdivision Plan.

FN:EN827NBX.V05

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



BELLS

20

LINE

OF

ROAD

DP 2:8801

DP 3598
27

DP 715499

BRUCE
JOHNSTON'S
RESIDENCE

KEITH
JOHNSTON'S
RESIDENCE

DP 501880
PT2

RESIDUE PT LOT 2
D.P. 501880
APPROX. 32.8ha
K & B. JOHNSTON'S
PROPERTY

DAM

1ha

1ha

1ha

1ha

DP 544983

92631

ITEM: 28

RECYCLABLE MATERIALS COLLECTION SERVICE -
SELECTION OF SERVICE TYPE & SELECTION OF TENDER

FILE NUMBER: GW010/017, GT020/326 PT01/EVD

REPORT:

Council's existing contract for the collection of recyclable materials expires on 5 September 1996.

The current recycling contract provides for the collection of glass, aluminium, paper and PET (plastic soft drink bottles) from 50 litre crates as well as any other box or receptacle which is left beside the crate. The recycling service is provided to all properties on a weekly basis which receive a garbage service.

Since the commencement of the recycling service in 1991, there have been significant changes in the recycling industry, including the technology available as well as changes in Government policy and in particular the Government policy to reduce putrescible waste by 60% by the year 2000.

Given the options which are now available for the collection of recyclable materials, the Tender was left open to alternative servicing technologies and frequency of servicing.

The Tenders received by the closing date on 5 August 1996, covered three different options for the frequency of service and two different technologies. In summary, Tenders were submitted for a continuation of the current weekly crate service as existing and with the addition of other recyclables, such as steel and liquid paper board; a continuation of the existing crate service as existing and with the collection of additional recyclables, however, with the "outer City" area being serviced fortnightly rather than weekly; and finally a fortnightly collection of the full range of recyclables from a 240 litre waste cart instead of a crate.

The results of the Tender are shown in Table 1 attached. In the evaluation of a co-mingled 240 litre recycling service (Option B) compared to a continuation of the current crate service, it is necessary to consider the following relative advantages and disadvantages.

Relative Advantages & Disadvantages of a 240 Litre Recycling Cart Service

Advantages	Disadvantages
1. Significant occupational health and safety benefits in single operator trucks with hydraulic lifting.	As indicated in the Tenders, a co-mingled recycling service is more expensive as a consequence of increased capital costs and increased transport costs to a MRF (materials recycling facility). These costs could be substantially reduced if a MRF was established in the area.

Advantages	Disadvantages
2. Convenient for the householder as a 240 litre cart has a significant volume and also it is easier to move as it has wheels.	Co-mingled recycling services have had a poor reputation for product quality with some MRF's having a contaminated rejection figures of in excess of 40% of all material collected. The industry anticipates that with design changes, eg. a split bin with paper on one side and co-mingled recyclables on the other, this rejection rate can be reduced to a maximum of 15%.
3. If accompanied by a reduction in the size of the waste cart to say 140 litres, has potential to significantly reduce putrescible waste mainly through a reduction in green waste being placed in the waste cart and to a lesser extent other recyclables.	
4. A more convenient service is provided through a 240 litre waste cart and should increase the participation rate.	
5. Co-mingled recycling collection services have increased in popularity with new MRF's being established or planned at Blacktown, Fairfield, Camden and Chullora. Both Baulkham Hills Shire Council and Blacktown City Council have co-mingled recycling services and Penrith City Council has tendered for one.	

Advantages and Disadvantages of a Kerb Side Sorted Crate System

Advantages	Disadvantages
1. As a consequence of the Tender, there is a cost advantage in the continuation of a kerb side sorted service. However, the cost advantage reflected in the Tender prices is an over estimate of the real difference in that a 240 litre co-mingled (with a reduced waste cart) would reduce the amount of waste going to landfill.	Less convenient for resident who has to carry recyclables to the kerb and provide a container for storage in excess of that which can be contained in the crate.

Advantages	Disadvantages
2. As the recyclables are sorted at the kerb there is a very low rejection rate which goes to landfill.	Labour intensive and high risk activity in terms of occupational health and safety. By nature of the activity, "runners" will be riding on trucks and crossing roads frequently. Broken glass is also a potential risk.
3. Less capital intensive with the possible option of changing to a co-mingled service at a later date.	As a consequence of the lack of convenience, kerb side sort services generally have a lower participation rate than co-mingled services.
4.	A kerb side sorted services makes it more difficult to reduce the overall size of the waste cart and thus meet the Government's commitment to a 60% reduction in waste to landfill by the year 2000.

Depending upon how the various aspects of a recycling service are valued it is possible to prefer either solution. For example, if there is an emphasis on short term cost, the preference would likely be for a continuation of the current crate system. Alternatively, providing a higher weight to the Government's commitment for a 60% reduction in waste to landfill, convenience and occupational health and safety would likely favour a 240 litre co-mingled service.

Not surprisingly, there are both types of service operating in Western Sydney. A co-mingled service would be more cost advantageous if there was either a MRF in Hawkesbury or alternatively another MRF in close proximity.

Table 2 will provide some assistance in valuing the alternative services as it provides a budget projection for waste management as a whole.

Given the 30% increase in the garbage charge for 1996/97 it is difficult to substantiate further significant increases irrespective of the cost drivers, including the significant increase in contributions to the EPA.

Table 2 demonstrates that the waste management fund will not be able to restrict increases in the garbage charge to reasonable limits. Even with the most basic recycling option which is a standard of service less than that currently provided, the 240 litre garbage charge would need to increase by approximately 12% in 1997/98 on top of the 30% increase with occurred for 1996/97. The cheapest co-mingled 240 litre recycling service would result in an estimated increase in the 240 litre charge of nearly 17%.

A large cost component is the proposed offer of purchase of 9 properties along The Driftway and Reynolds Road within 250m of the final landfill. Whilst valuations for the offer of purchase of these properties have not been finalised, table 2 assumes an average figure with financing over an extended period.

It is suggested that, in order to overcome the short term financing difficulties of the waste management fund, consideration be given to the acquisition of these properties from Council's property development reserve and their purchase back at a later date by the waste management fund.

With the design of the landfill, there are significant savings in disposal costs which will accrue over time through the winning of air space within and above the cells. Within five years this should accrue to savings of at least \$300,000 per year and assuming the same cost structure as currently exists would enable the waste management fund to acquire back the properties with those savings.

Provided the rejection rate from a co-mingled 240 litre collection cart can be controlled to a reasonable amount (less than 15%) the benefits of such a service are considered to outweigh the shorter term additional cost. An area such as the Hawkesbury is well suited to this collection technology having considerable distances between services across an extensive rural area. The opportunity should also be taken to reduce the size of the standard garbage service to 140 litres instead of 240 litres.

There have been discussions with each of the Tenderers for the provision of a 240 litre co-mingled recycling service, however, further information is being sought in relation to those Tenders which should be available for the September Ordinary Meeting. Once the information is available, it is proposed to report on the Tenders and the financing of the recycling service and other costs associated with the waste depot.

RECOMMENDATION:

That the information concerning the recyclable materials collection service be received.

ATTACHMENTS:

AT-1 Table 1 - Recyclable Materials Collection Service - Tender Evaluation - 17,200 Services

AT-2 Table 2 - Waste Management - Budget Projection

FN:EN827NBX.V07

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

TABLE 1

RECYCLABLE MATERIALS COLLECTION SERVICE - TENDER EVALUATION - 17,200 SERVICES

Tenderer	OPTION A - Weekly "inner city"; fortnightly "outer city" - per service per annum			OPTION B - Fortnightly for whole City - per service per annum	OPTION C - Weekly for whole City - per service per annum		
	501 crate - glass, aluminium	501 crate status quo & steel, HDPE, liquid	Full range of recyclables & 2nd crate		501 crate - glass, aluminium, paper, PET (status quo)	501 crate - status quo + steel + HDPE plastic + liquid paper board	Full range of recyclables + 2nd crate
G & J Horswell & Sons (current contractor)	-	-	-	\$56.94 (240l service) (includes supply of 240l bin)	-	\$26.36	-
Hughes Waste Management	-	-	-	\$46.20 (240l service) (includes supply of 240l bin + \$2.75 delivery)	-	\$23.25	-
Hawkesbury City Council	\$24.84	-	-	\$36.25 (240l service) (includes supply of 240l bin)	\$28.74	-	-
Progressive Recycling Services	-	-	-	-	-	\$36.54 (includes oil & car batteries)	\$37.49 (includes supply of 2nd crate)
Blue Mountains Recycling Service	\$22.50	\$27.10	\$35.10	-	\$23.90	\$28.50	\$36.50

PET - plastic soft drink "rocket" bottles.
 HDPE - plastic 2 litre milk containers
 Liquid Paper Board - cardboard milk cartons
 Steel - "tin" cans

TABLE 2

WASTE MANAGEMENT - BUDGET PROJECTION
Potential Additional Costs/Savings in 1996 Dollars

Garbage 20,000
Recycling 17,200

Item	1996/97	1997/98	1998/99	1999/2000	2000/2001
1. Cheapest crate recycling tender (\$22.50 x 17,200 - 341,100) or cheapest 2401 service recycling tender (\$36.25 x 17,200 - 341,100).	+ \$23,000 OR + \$141,000	+ \$46,000 OR + \$282,000	+ \$46,000 OR + \$282,000	+ \$46,000 OR + \$282,000	+ \$46,000 OR + \$282,000
2. Purchase of properties within 250m of final landfill - 9 properties at say \$220,000 (average) - \$2m financed over 20 years.	+ \$226,000	+ \$226,000	+ \$226,000	+ \$226,000	+ \$226,000
3. Increase in contribution to EPA from \$133,200 in 1995/96 to \$190,000 in 1996/97 to \$285,000 in the 1997/98 financial year.	+ \$115,800	+ \$208,600	+ \$208,600	+ \$208,600	+ \$208,600
4. Saving from fortnightly garbage service in Macdonald Valley and Colo Heights.	- \$30,000	- \$30,000	- \$30,000	- \$30,000	- \$30,000
5. Potential saving in collection and landfill cost with a co-mingled recycling service and 1401 waste carts (estimate over long term).	- \$60,000	- \$60,000	- \$60,000	- \$60,000	- \$160,000
6. Total additional cost with a crate recycling service (cost above 1995/96)	+ \$334,800	+ \$450,600	+ \$450,600	+ \$450,600	+ \$450,600
7. Increase in garbage charge required to fund cost increase for 6. Total for 6./20,000.	+ \$16.70	+ \$5.80	-	-	-
8. Total additional cost with a 2401 co-mingled recycling (cost above 1995/96).	+ \$392,800	+ \$626,600	+ \$626,600	+ \$626,600	+ \$526,600
9. Increase in garbage charge required to fund cost increase for 8. Total for 8./20,000.	+ \$19.60	+ \$11.70	-	-	- \$5

GENERAL PURPOSE COMMITTEE



SECTION 2 INFRASTRUCTURE

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

Meeting Date: 27 August 1996

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ITEM: 1 **DRAINAGE EASEMENT EXTINGUISHMENT - LOTS 8 & 9,
DP12710 THE TERRACE, WINDSOR****FILE NUMBER:** P2019/140 PT1, P2019/130 PT2/ENG**REPORT:**

Application has been received for extinguishment of a drainage easement 1.065 wide which runs diagonally across Lots 8 and 9 DP12710 (Nos. 87 and 85 The Terrace, Windsor). The easement is neither currently in use nor required for the future and could be extinguished.

RECOMMENDATION:

That Council consent to the extinguishment of the easement for drainage 1.065 (one point nought six five) wide through Lots 8 and 9, DP12710 The Terrace, Windsor, subject to the applicant's paying Council's legal costs in the matter.

It is further recommended that the Common Seal of Council be affixed where necessary to the documentation.

ATTACHMENTS:

There are no supporting documents for this report.

FN:IN827NBX.E01

****** END OF ITEM 1 ******

ITEM: 2**FAIREY ROAD CLOSURE****FILE NUMBER:** 0606 PT02/ENG**REPORT:**

The southern end of Fairey Road, from the access into the South Windsor Wastewater Treatment Plant to a point just past its intersection with Rifle Range Road/Sanctuary Drive, is an unformed public road. The road reserve is adjacent to the eastern boundary of the Treatment Plant and traverses through a section of Crown Land as shown on the plan displayed at the meeting.

In keeping with Council's decision not to construct the extension of Rifle Range Road to Sanctuary Drive, it is considered that a link from Windsor Downs to South Windsor via Fairey Road would also be strongly resisted by Windsor Downs residents and as such, is felt to be undesirable. It is therefore proposed that the section of Fairey Road as shown, be formally closed.

There have been representations by the property owner of Lot 2, DP860387, Mrs S.L. Hayden, to gain access to Sanctuary Drive via the unformed section of Fairey Road. Mrs Hayden originally had access to Sanctuary Drive prior to the property being subdivided, leaving Lot 1 with access to Sanctuary Drive and Lot 2 with access to Fairey Road. Mr. & Mrs Hayden are fencing contractors and have advised that the majority of work they are undertaking is in the Windsor Downs/Berkshire Park area and have made this request to enable easier access to these areas. They have also offered to undertake any fencing and provision of a suitable track to accommodate their needs, at their cost.

As part of the road closure, it is proposed that the land adjacent to the Treatment Plant be consolidated with the Treatment Plant land and the road through the Crown Land be consolidated with the Crown Land also, subject to the provision of a three metre wide right of way from the Hayden's property (Lot 2, DP860387) to the intersection of Rifle Range Road and Sanctuary Drive. It is also proposed that while the road closure is being undertaken, that access be granted to the Haydens through this section of road, subject to all fencing works and the provision of an appropriate track being undertaken at their cost with gates being provided at each end to stop use of this section of road by the general public.

It is also proposed to make representations to have the area of Crown Land, north of Rifle Range Road and adjacent to the Treatment Works site, incorporated into that site.

RECOMMENDATION:

1. The southern end of Fairey Road from the intersection of the north eastern and south eastern boundaries of Lot 10, DP821396 to its southern most end, just south of the Rifle Range Road/Sanctuary Drive intersection, be closed, subject to the provision of a 3 (three) metre wide right of way giving access to Lot 2, DP60378 to the intersection of Rifle Range Road/Sanctuary Drive.

2. The creation of the easement is subject to Mrs S.L. Hayden's agreement that it shall be extinguished upon the sale of Lot 2, DP860387.
3. All works involved with fencing and the provision of a track suitable to their needs are to be undertaken at the cost of Mr. & Mrs Hayden. That part of the closed road adjacent to Lot 10, DP821396 be consolidated with that lot and that part of the closed road through the Crown Land be consolidated with the Crown Land.
4. Mr. & Mrs Hayden be granted access through the currently unformed section of road from Lot 2, DP860387 to the intersection of Rifle Range Road and Sanctuary Drive, subject to the provision of gates to stop use by the general public, and all works necessary for them to gain access to be undertaken at their cost.
5. All necessary documents be completed under Seal of Council.

ATTACHMENTS:

There are no supporting documents for this report.

FN:IN827NBX.E02

**** END OF ITEM 2 ****

ITEM: 3**WINDSOR GOLF CLUB - ACCESS FROM MCQUADE AVENUE****FILE NUMBER:** P1340/8 PT01/ENG**REPORT:**

Windsor Country Golf Club Limited has made representations requesting approval to gain access to the golf course through Lot 71, DP216270, McQuade Avenue, which is a public road.

The proposal is to construct a set of gates in the fence at the western end of the lot for use as an access for the Club's greenkeeping staff, rather than using the current track running parallel to the rear boundaries of the properties on the western side of McQuade Avenue. The Club advises that there is up to thirty vehicle movements per day using this track.

The request is considered reasonable, subject to the Club providing a sealed access over the full length of the lot, this access to be located as close as practically possibly to the southern boundary of the lot, so as to minimise any interference with the adjoining property.

RECOMMENDATION:

That approval be granted to the Windsor Golf Club Limited to use the public road (Lot 71, DP216270) as access to the Golf Club, subject to:-

1. The construction of an industrial footpath crossing.
2. Provision of a sealed access over the full length of the lot, 3 (three) metres wide, located as close as practical to the southern boundary of the lot.

ATTACHMENTS:

There are no supporting documents for this report.

FN:IN827NBX.E03

**** END OF ITEM 3 ****

ITEM: 4 BOWEN MOUNTAIN NATURE RESERVES MANAGEMENT STRATEGY**FILE NUMBER: P1205/5/ENG****REPORT:**

The Bowen Mountain Nature Reserves Management Strategy was adopted by Council at the Ordinary Meeting in June 1995, in accordance with the Local Government Act 1993. The Act allows for licence agreements to be developed for community land for a maximum term of 21 years. The Act specifies several requirements in relation to public consultation, for licences longer than five years.

The Bowen Mountain Nature Reserves strategy allowed for a five year licence permitting vehicular access to two residential properties through a bushland reserve located in Lieutenant Bowen Road. The properties for which access was approved are Nos. 14 and 16 Red Gum Crescent.

A request has been received by the property owners to allow a 21 year licence agreement. All requirements of the Act have been met and no public objections have been received in regard to the granting of a 21 year licence.

The property owners have submitted plans for construction of the driveway and these will be subject to the standard development application procedures.

RECOMMENDATION:

That the Bowen Mountain Nature Reserves Management Strategy be amended to allow a 21 (twenty one) year licence on the above property for the purpose of vehicular access to residential properties No. 14 and 16 Red Gum Crescent.

ATTACHMENTS:

There are no supporting documents for this report.

FN:IN827NBX.E04

**** END OF ITEM 4 ****

ITEM: 5**SERVICE ROAD LINK OVER INDUSTRIAL LAND BETWEEN GROVES AVENUE AND PARK ROAD, MULGRAVE**

FILE NUMBER: P2342/90, P2342/100, P2342/105, P2342/115, P2342/120, P2342/130, P2342/135/ENG

REPORT:

There has been a proposal for a number of years, to fully develop a service road between Park Road and Groves Avenue, Vineyard, servicing the remaining land [zoned 3(b) Business Special] between Groves Avenue and Park Road.

Engineering plans showing road and drainage works over the subject properties indicate approximately 35% of the works have been completed as respective landowners have developed, however, this has only occurred from either end, thus leaving the remaining 65% incomplete.

Approximately 500 metres of pavement with associated drainage remains to be constructed to complete the link.

This work is comprised of:-

1.0	Pavement Construction estimated cost	\$200,000
2.0	Kerbing & Guttering estimated cost	\$ 45,000
3.0	Drainage Works	
3.01	Beneath proposed road estimated cost	\$ 16,500
3.02	Channel through three properties estimated cost	<u>\$165,000</u>

Total Estimate **\$426,500**

Total Estimate excluding (3.02) **\$261,500**

In addition, a brick cottage owned by Messrs P. & F. Magazzu (Lot 2, DP535140) is located within the proposed road alignment and because of the nature of its construction, this cottage would most likely have to be demolished.

It is felt that the completion of the service road is desirable to encourage further development of the adjacent land and it is proposed to undertake consultation with the affected landowners to determine a methodology to achieve this result.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:IN827NBX.E05

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

GENERAL PURPOSE COMMITTEE



SECTION 3 ORGANISATION & RESOURCES

ITEM	SUBJECT	PAGE
-	SECTION 3 - ORGANISATION & RESOURCES.	
6:	MONTHLY FINANCIAL STATEMENTS - JULY 1996	
	GF011/005 PT04/FNC	3
7:	SPONSORSHIP OF CLUSTER MUSIC FESTIVAL	
	GF008/001 PT13/CSV	7

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

C. INVESTMENTS

Hereunder is the list of amounts invested:

Bank BillsInterest

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

60 Days	12.08.96	7.60%	General Fund	1,000,000.00
365 Days	15.08.96	8.05%	General Fund	850,000.00
181 Days	26.08.96	7.63%	Sewerage Fund	2,000,000.00
31 Days	26.08.96	7.59%	General Fund	2,000,000.00
31 Days	26.08.96	7.59%	Trust Fund	1,000,000.00
190 Days	04.09.96	7.63%	Sewerage Fund	206,319.84
190 Days	04.09.96	7.63%	General Fund	2,293,680.16
225 Days	11.10.96	7.72%	General Fund	1,000,000.00
371 Days	05.03.97	8.00%	General Fund	2,000,000.00
380 Days	26.03.97	8.12%	General Fund	3,000,000.00
547 Days	09.05.97	8.00%	General Fund	800,000.00
547 Days	09.05.97	8.00%	General Fund	200,000.00
594 Days	25.06.97	8.00%	General Fund	1,000,000.00

Australian Treasury Corporation

04.08.97	8.45%	Workers Comp Board	950,000.00
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<u>Short Term Investments</u>	General Fund	1,395,000.00
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\$19,695,000.00

RESPONSIBLE ACCOUNTING OFFICER

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

L M Weatherstone
Responsible Accounting Officer

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OG827NAX.F02

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

ITEM: 7**SPONSORSHIP OF CLUSTER MUSIC FESTIVAL****FILE NUMBER:** GF008/001 PT13/CSV**REPORT:**

A request has been received from Pitt Town Public School seeking a donation to cover the cost of hiring the Windsor Function Centre for the Combined Schools Music Festival to be held on the 21st to 23rd October 1996.

The event has been supported by Council in the past and the Committee asks that Council meet the cost of hiring the Windsor Function Centre for three days and evenings. It is estimated that the cost to Council would be approximately \$3,970.

Over 1,000 children from 32 schools will participate in the Festival.

RECOMMENDATION:

That Council meet the cost of hiring the Windsor Function Centre for the Combined Schools Music Festival, funding is available through Council's Community Relations Budget.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OG827NBX.C01

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

**HAWKESBURY CITY COUNCIL
GENERAL PURPOSE COMMITTEE**

END OF BUSINESS PAPER

