

HAWKESBURY CITY COUNCIL GENERAL PURPOSE COMMITTEE



✓ INSPECTIONS
1 MADDENS ROAD NTH AUCH

Where People Make the Difference!

BUSINESS PAPER

DATE OF MEETING: 30 January 1996

LOCATION: Council Chambers

TIME: 9:30am

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TIME SUBJECTS

PLANT ON THE WIND

CHAIRMAN

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:

25th January 1996

HAWKESBURY CITY COUNCIL



George Street, Windsor NSW 2756
Phone (045) 60 4444
DX 8601 Windsor
Facsimile (045) 60 4400

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, 30 JANUARY, 1996, commencing at 9.30am and your attendance would be appreciated.

Yours faithfully

A handwritten signature in black ink, appearing to read 'G. M. McCully'. The signature is fluid and cursive, with a large initial 'G' and a long, sweeping underline.

G M McCully
General Manager

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...

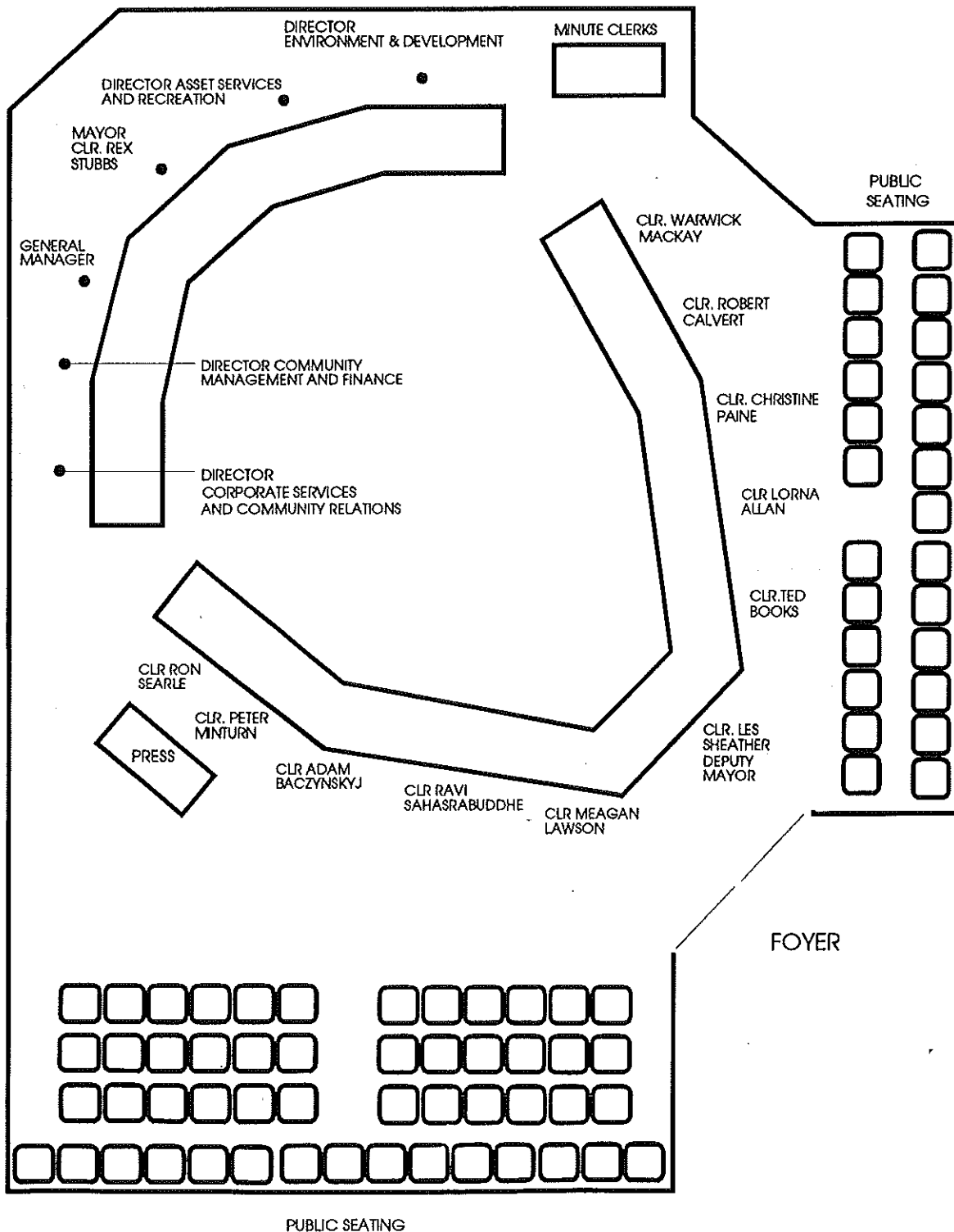
Members of the public can request to speak about a matter that is before the Council at the General Purpose Committee Meeting. The Mayor will invite interested persons to address the Committee when the matter is being considered.

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: 30 January 1996

AGENDA

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

HAWKESBURY CITY COUNCIL GENERAL PURPOSE COMMITTEE



Where People Make the Difference!

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Minutes of the Meeting of the General Purpose Committee held at the Council Chambers, Windsor, on 28 November 1995, commencing at 9.30am.

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

Councillor Paine arrived at 9.43am, Councillor Mackay arrived at 9.45am.

RESOLVED on the motion of Councillor Sheather and seconded by Councillor Allan that the Minutes of the General Purpose Committee Meeting held on the 31 October 1995, be confirmed.

The following recommendations were passed as resolutions of the Committee:

SECTION 1 - ENVIRONMENT

76: STOCKPILING OF MANURE AND SAWDUST FROM POULTRY FARMS - LOT 4 DP239897 NO. 137 COMMERCIAL ROAD, VINEYARD (DA154/89/EVD)

Mr Haines, objector, addressed the Committee

A SITE INSPECTION be carried out.

The Committee inspected the site at 5.10pm. Councillors present at the inspection were Councillors Baczynskyj, Searle, Calvert, Paine, Allan, Lawson, Sahasrabuddhe and Books. Councillor Calvert was elected as Chairperson.

Mr Sultana, the applicant, addressed the Committee.

THAT THE APPLICATION be approved with appropriate conditions to be brought to the Ordinary meeting on 12 December 1995.

This is Page 2 of the Minutes of the GENERAL PURPOSE COMMITTEE MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 28 November 1995.

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**77: HOME ACTIVITY - WHOLESALE VEHICLE DEALER'S LICENCE - LOT 11
DP248509 238 COMMERCIAL ROAD, OAKVILLE (DA237/95/EVD)**

THAT THE APPLICATION be approved subject to the following conditions:-

1. 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.
2. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.
3. Operating hours shall be limited to 8.00am to 6.00pm Mondays to Fridays. Any alteration of these hours will require the approval of the Director Environment and Development.
4. The development shall be carried out in accordance with the plan submitted with the application.
5. No motor vehicles are to be displayed for sale on the subject premises.
6. No more than 3 (three) vehicles associated with the Home Activity shall be stored on the property at any one time.
7. All vehicles purchased shall be stored within the existing shed.
8. The driveway to the shed shall be constructed of an all weather surface.
9. Compliance with the following requirements of a "Home Activity" as defined in HLEP, 1989:

the activity or pursuit does not -

- (i) interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise;
- (ii) involve exposure to view from any public place of any unsightly matter;
- (iii) require the provision of any essential service main of a greater capacity than that generally available in the locality;

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- (iv) involve the employment of persons other than residents of the dwelling house or dwelling;
 - (v) involve the exhibition of any notice, advertisement or sign (other than a notice or sign not exceeding 1 (one) metre by 0.6 (zero point six) metres exhibited on that dwelling house or dwelling to indicate the name and occupation of the resident thereof)."
10. The trucks are not to be used for any transport of goods when stored on site.

78: FUNCTION HALL - USE OF EXISTING BUILDING - LOT 12 DP834771 NO. 99 GADDS LANE, NORTH RICHMOND (DA154/95/EVD)

Ms Muriel Hillston and Mrs Movia, objectors, addressed the Committee

A. THAT THIS APPLICATION be approved subject to the following conditions:-

1. All vehicular access to and from the site to be via the end of Gadds Lane and the right of way is not to be used for bus and visitors vehicles.
2. Parking shall be provided on-site for 5 (five) vehicles and 1 (one) bus/coach in accordance with Council's Parking Policy with adequate space provided for vehicles and buses/coaches to turn around within the property to ensure all vehicles and bus/coaches enter and leave the site in a forward direction. Parking spaces, accessways and aisles to conform to Council's Development Control Plan No. 2 and to be constructed, drained, sealed and marked. Turning access to conform to the turning profiles recommended by the Roads and Traffic Authority. Full details of works and site layout to be submitted and approved before any works are commenced.
3. Submission of a building application, plans and specifications complying with the Building Code of Australia.
4. 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.
5. All waste materials to be stored and disposed of at regular intervals to the satisfaction of the Director Environment and Development.

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6. Provision of toilets in accordance with the requirements of the Building Code of Australia.
 7. 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.
 8. No excavation or site works shall be commenced prior to the issue of the building permit.
 9. The development shall be conducted in such a manner that noise levels measured at any boundary do not exceed 5dB(A) above background noise levels.
 10. The submission of an erosion and sedimentation control plan for approval prior to any works commencing.
 11. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.
 12. 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.
 13. Operating hours shall be limited to 12.00noon to 5.00pm 7 (seven) days per week. Any alteration of these hours will require the approval of the Director Environment and Development.
 14. The development shall be carried out in accordance with 2 (two) plans dated 28 June 1995 and 29 June 1995 submitted with the application except where modified by the conditions of the consent.
 15. Provision of planting along the common boundaries with Lot 11 DP834771 No. 111 Gadds Lane to screen the development, buildings and parking areas from Lot 11, full details to accompany the building application.
 16. The function hall is not to be used as a reception venue for weddings, parties and the like.
- B. The objectors be advised of Council's decision.

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79: TENNIS COMPLEX - PROPOSED CONSTRUCTION - LOT 1 DP843500 NO. 42 CANOONA AVENUE, WINDSOR DOWNS (DA238/95/EVD)

Ms Sarah LLewellyn, for the applicant addressed the Committee.

Mrs S McGrath, objector, on behalf of the Windsor Downs Homeowners Association, Mr Dean Smith, Mr Allan Currell, Mr Ray Bray, objectors, addressed the Committee

THAT THIS ITEM not be approved and appropriate reasons be reported to the Ordinary Meeting.

80: RESIDENTIAL DEVELOPMENT STRATEGIES FOR LOCAL GOVERNMENTS IN THE GREATER METROPOLITAN REGION - DEPARTMENT OF URBAN AFFAIRS AND PLANNING (GT150/003 PT3/EVD)

1. THAT THE INFORMATION be received.
2. That a residential development strategy be prepared for the City.

81: HOME ACTIVITY - TUTORING, TRANSLATING, CONSULTANCY & ORGANISING THE EXPORT OF AGRICULTURAL GOODS - LOT 8 SP21885 NO. 8/5 PAGET STREET, RICHMOND (DA208/95/EVD)

Mr Ashley Senn, applicant, addressed the Committee

THAT THIS APPLICATION be approved, to be reassessed by Council in 12 (twelve) months.

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82: TRUCK DEPOT - PARKING OF THREE FURNITURE TRUCKS ON AN OVERNIGHT BASIS - PT POR 451 PARISH WILBERFORCE BURGESS ROAD, FREEMANS REACH (DA220/95/EVD)

Mrs Lisa Tyszyk, applicant, addressed the Committee
Mr Mario Tesoriero, objector, addressed the Committee

THAT THIS APPLICATION not be approved as:

1. The proposal is not in the public interest.
2. The use is against the Rural 7D1 zoning.
3. It will create unnecessary traffic generation.
4. Any further conditions necessary will be reported to the Ordinary Meeting.

83: TREE CLEARING PROPOSAL FOR A MARKET GARDEN - LOT 12 DP588380 NO. 133 TERRACE ROAD, NORTH RICHMOND (DA0155/95PT01; P2003/95PT01/EVD)

A SITE INSPECTION be carried out.

The Committee inspected the site at 3.28pm. Councillors present at the inspection were Councillor Stubbs, Mayor and Councillors Baczynskyj, Searle, Calvert, Paine, Allan, Lawson, Sahasrabuddhe, Books and Minturn.

Messrs Wilson, Richards and Sherriff addressed the Committee on behalf of the applicant.

Mrs Paynter, Mrs Corkhill and Mr Cirignano, objectors, addressed the Committee.

THAT THE APPLICATION for tree clearing not be approved but that the applicant be advised that a further application could be considered if and when the moratorium on tree clearing for intensive agriculture is lifted.

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**84: CLEARING OF LAND FOR RABBIT AND FIRE CONTROL - LOT 12 DP846650
TIZZANA ROAD, EBENEZER (DA0115/95 PT01/GMA)**

THAT THE PROPOSAL to undertake understorey clearing works be approved subject to:

1. The submission of a management plan prepared in conjunction with the Department of Agriculture that is to include:-
 - a. erosion and sediment control;
 - b. works being undertaken so as not to interfere with the amenity of the neighbourhood in respect of noise, vibration, smell, dust, waste water, waste products or otherwise;
 - c. indication of the areas to be cleared and method of clearing;
 - d. no trees or understorey being removed within six metres of the side boundaries;
 - e. retention of all significant shade trees
 - f. payment of a bond of \$1000 with an inspection fee of \$60 (sixty dollars)

**85: TREE REMOVAL APPLICATION - LOT 1 DP743221 NO. 119 SHEPHERDS ROAD,
GLOSSODIA - APPLICANT: MR & MRS P MIFSUD (P1904/100/EVD)**

THAT THE APPLICATION for tree removal be approved subject to:-

1. The retention of all trees and vegetation along the length of the small natural water course to a width of 15 (fifteen) metres of either side of its banks as a means of providing a natural barrier for the containment of sedimentation produced when the soil is disturbed.
2. The substitute planting of 28 (twenty eight) super advanced trees along the rear boundary of the property. These trees to be native to the area.
3. Payment of a bond of \$1,000 (one thousand dollars) to be refunded on satisfactory completion of conditions.
4. That a report come back to the Ordinary Meeting with the condition of the trees.

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86: TREE REMOVAL AGRICULTURE - LOT 6 DP239897 NO. 153 COMMERCIAL ROAD, VINEYARD - APPLICANT: MR J SULTANA (P361/590/EVD)

A SITE INSPECTION be carried out.

The Committee inspected the site at 5.25pm. Councillors present at the inspection were Councillors Baczynskyj, Searle, Calvert, Paine, Allan, Lawson, Sahasrabuddhe and Books.

Mr Sultana, the applicant, addressed the Committee.

THAT THE MATTER be deferred to the Ordinary Meeting on 12 December 1995.

87: OUR CITY OUR FUTURE - RECOMMENDATION NO. 1 RURAL LANDS STUDY (GT225/013 PT02/EVD)

THAT:-

1. The information be received.
2. Council nominate 3 (three) Councillors to form part of the Steering Committee for the Rural Lands Study.
3. Council hold a workshop so that Councillors have an input into the brief for the Rural Lands Study and this to be held early in December.

88: FLOODPLAIN PLANNING (GC180/006PT02/EVD)

1. THAT THE INFORMATION concerning floodplain planning be received and that a report be brought forward reviewing Council's floor height standard, medium density housing policy and policy on urban rezonings given the information provided in this report.

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2. In the absence of comprehensive evacuation plans with dedicated access. That the NSW Government be advised that Hawkesbury City Council supports the raising of the existing Warragamba Dam wall by 23 (twenty three) metres as recommended by the Warragamba Dam Interdepartmental Committee (IDC) and the respected environmental consultants, ERM Mitchell McCotter.
3. The NSW Government be requested to place the EIS for the raising of the existing dam wall on public exhibition along with the now proposed side spillway to allow proper debate on the merits of the alternative schemes.
4. Council seek under the Freedom of Information Act, all documentation prepared by the Warragamba Dam Interdepartmental Committee, including minutes of all meetings (IDC) on the raising of the existing Warragamba Dam wall.

89: SOLAR EFFICIENCY (DCP3/95/EVD)

1. THAT THE INFORMATION be received.
2. That the Development Control Plan for Solar Efficient Housing be placed on exhibition in accordance with the Environmental Planning and Assessment Regulations 1994.

90: DRAFT LOCAL ENVIRONMENTAL PLAN 15/94 - PT LOT 6 DP39166 & LOT 1 DP563924 CNR PITT TOWN & WOLSELEY ROADS, McGRATHS HILL - APPLICANT: GRAHAM PRICE PTY LTD (LEP15/94/EVD)

Mr Glenn Falson, for the applicant, addressed the Committee

THAT:

1. A clause be inserted in the Local Environmental Plan requiring the undertaking of necessary works with respect to soil contamination.
2. A clause be inserted in the Local Environmental Plan requiring consideration of adjoining agricultural activities in the assessment of applications.

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3. The Local Environmental Plan be referred to the Department of Urban Affairs and Planning for gazettal following preparation of the Deed of Agreement and logally binding endorsement by Graham Price Pty Ltd.
4. A clause be inserted in the Local Environmental Plan prohibiting any medium density housing, including dual occupancy.

91: GRAHAM PRICE PTY LTD - MUSHROOM COMPOSTING - 100 PITT TOWN ROAD, MCGRATHS HILL (CORNER WOLSELEY ROAD) (P1641/700 PT02/EVD)

Mr Glenn Falson, for the applicant, addressed the Committee

Mr Colin Wilson, Mr Kevin Symons, Mrs L MacMillan, objectors, addressed the Committee

THAT:

1. Hawkesbury City Council asks its solicitors to request the appeal by Graham Price Pty Ltd listed for hearing on the 6th December, 1995 against Justice Bannons order re the reduction of odour from compost production be adjourned to a date to be fixed after the decision by the Council to the application to the rezoning to residential the land at 100 Pitt Town Road, McGraths Hill and presently zoned for the production of compost and mushrooms.
2. A security of \$40,000 (forty thousand dollars) to be paid within 9 (nine) months of the gazettal of the local environmental plan which would be forfeited in the event that there is not cessation of composting within 12 months of the gazettal of the local environmental plan.

92: REZONING PROPOSAL TO ALLOW 36 RURAL/RESIDENTIAL LOTS, VINCENTS ROAD, KURRAJONG - TEERMAN & NEWTON PTY LTD (P2203/380 PT02/EVD)

The General Manager read a letter from Mr Bernard King.

THE APPLICATION FOR rezoning be deferred.

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Mayor

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93: NOISE CONTROL REGULATION 1975 - COMPLAINTS CONCERNING BARKING DOGS - DON STREET, KURRAJONG. (P413/50 PT01; P413/20 PT01; GE020/004/EVD)

THAT THE COMPLAINANT be advised that at this stage it is not proposed to take any further legal action but that the dogs which are the subject of the notices will continue to be monitored.

94: TWO LOT SUBDIVISION TO SEVER EXISTING DWELLINGS UNDER STATE ENVIRONMENTAL PLANNING POLICY NO.1 - LOT 16 DP 192412 N° 1 MADDENS ROAD, NORTH RICHMOND. (SA0134/95PT01/EVD)

1. That the applicant be requested to increase the area of the proposed Lot 2 to one hectare with a suitable ratio of frontage to depth.
2. On the basis of the amendment of the application to increase the area of the proposed Lot 2 to one hectare, the objection under State Environmental Planning Policy be supported and the application be referred to the Department of Urban Affairs and Planning for concurrence.
3. Following receipt of concurrence, the subdivision application be approved subject to the following conditions:
 1. The submission of a Compliance Certificate under Section 73 of the Water Board (Corporatisation) Act 1994 prior to the release of the linen plan.
 2. Dedication of a 6m (six) by 6m (six) splay corner, free of cost to Council, at the corner of Maddens Road and Slopes Road.
 3. The submission of a plan showing all existing services on the lots including septic tank and effluent disposal area, sewer connections, water connections and stormwater disposal, where applicable, and the correction of any encroachments or defects to the requirements of the Divisional Manager Environment and Development.
 4. The submission of the plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.

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5. Payment of a linen release fee of \$180 (one hundred and eighty). This amount is valid until 30 June 1996.
6. The subdivision shall be in general accordance with the submitted plan.

95: SUBDIVISION TO CREATE FIVE ALLOTMENTS WITH BUILDING ENTITLEMENTS PLUS A SIXTH COMMUNITY LOT - LOT 18 DP 30468, N° 26 CLIFF ROAD, FREEMANS REACH. (SA0106/95/EVD)

A SITE INSPECTION be carried out.

The Committee inspected the site at 4.30pm. Councillors present at the inspection were Councillor Stubbs, Mayor and Councillors Baczynskyj, Searle, Calvert, Paine, Allan, Lawson, Sahasrabuddhe, Books and Minturn.

THAT ADJOINING AND nearby property owners be notified prior to further consideration by Council.

96: TOURIST/RECREATION RESORT AND COMMUNITY TITLE SUBDIVISION PROPOSAL - "THE RIDGE", WISEMANS FERRY ROAD, CATTAI (GT090/003PT07/EVD)

THAT THE INFORMATION be received.

97: TREE CLEARING PROPOSAL FOR A MARKET GARDEN - LOT 12 DP588380 N° 133 TERRACE ROAD, NORTH RICHMOND - MICALLEF (DA0155/95PT01;P2003/95PT01/EVD)

See Item 83.

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SECTION 2 - INFRASTRUCTURE

13: MACQUARIE STREET, WINDSOR - CLEARWAY RESTRICTION (1341/R PT03/ENG)

THAT THE ROADS and Traffic Authority be requested to install "No Standing: 3.00pm-7.00pm" parking restriction north bound on Macquarie Street, Windsor, between Suffolk and Bridge Streets.

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General Manager

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SECTION 3 - ORGANISATION AND RESOURCES

18: MONTHLY FINANCIAL STATEMENTS - OCTOBER 1995 (GF011/005 PT04/FNC)

THAT THE INFORMATION be received.

19: MASONIC LODGE PROPERTY - WEST MARKET STREET, RICHMOND (P2338/105 PT01/CSV)

THAT THE INFORMATION be received and expressions of interest be invited in terms of the possible future use of the Masonic Lodge buildings located in West Market Street, Richmond, as outlined in this report.

QUESTIONS WITHOUT NOTICE:

1. Councillor Searle -

- a. From the Rural Action Group, a question about penalties imposed on people who deliberately destroy trees - how are they policed?
- b. Could he have a clear definition between clear felling and selective culling

The Director Environment & Planning advised that Council would need to get advice and he will supply a written report to Councillor Searle.

2. Councillor Searle - Wilberforce Park area - could there be an upgrade of this area.



The Director Assets & Recreation will look into this matter.

3. Councillor Baczynskyj - could the first meeting in January be brought forward a week.

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This to be decided at the Ordinary Meeting

4. Councillor Sahasrabuddhe - could dual flushes on toilets be made compulsory.

The Director Assets & Recreation will bring a report to the Ordinary Meeting.

5.  Councillor Sahasrabuddhe - re: the roots of a tree on the Western side of Richmond Park are preventing the mowing of the grass.

The Director Assets & Recreation will make an assessment and take appropriate action.

6. Councillor Books - What is the situation if someone bulldozes down a whole lot of trees.

The General Manager advised.

7. Councillor Allan - from the Rural Action Group re the availability of Business Papers - can organisations be supplied with them.

The General Manager advised.

8. Councillor Paine - Would like a report on the feasibility of recording the votes.

The General Manager advised that this was reported to the last meeting.

9. Councillor Paine asked about Council's policy on supplying the names of objectors.

The General Manager advised that he will advise Councillor Paine on this matter.

The meeting terminated at 6.45pm.

Submitted to and confirmed at the meeting of the General Purpose Committee held on 30 January 1996.

.....
Mayor

This is Page 16 of the Minutes of the GENERAL PURPOSE COMMITTEE MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 28 November 1995.

General Manager

Mayor

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SECTION 1 ENVIRONMENT

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100:	BOUNDARY ADJUSTMENT SUBDIVISION - LOT 26 DP630497 AND LOT 2 DP716112 - FAIREY ROAD SOUTH WINDSOR SA116/95/EVD	10
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ITEM: 98

INSPECTION

TWO LOT SUBDIVISION TO SEVER EXISTING DWELLINGS
UNDER STATE ENVIRONMENTAL PLANNING POLICY NO.1 -
LOT 16 DP 192412 No.1 MADDENS ROAD, NORTH RICHMOND

FILE NUMBER: SA0134/95PT01/EVD

Applicant: Falson & Associates
Applicants Reps: None advised
Owner: D & J Bonner
Stat. Provisions: Hawkesbury Local Environmental Plan 1989: State Environmental Planning Policy No.1
Area: 3.566 hectares
Zone: Rural 1(b)
Advertising: Adjoining owners notified with no submissions being received.
Date Received: 23 October 1995

Key Issues:

- ◆ Subdivision of mistakenly approved second dwelling
- ◆ Area of proposed Lot 2 in relation to effluent disposal

Action:

Support application under SEPP No 1

REPORT:

This matter was deferred for consideration at Council's Ordinary meeting of 12 December 1995 to enable the applicant to address the Committee.

The report is reproduced in full.

It is proposed to subdivide the land to create two lots of approximately 3 hectares and 0.5 hectares each containing an existing dwelling. As the zoning requires 10 hectare lots, the application is supported by an objection under State Environmental Planning Policy No. 1.

In the objection, the applicant states as follows:

"... The land contains two dwellings. These are separated by a distance of approximately 100 metres and have a dividing fence which further separates one from the other.

Each dwelling has the appearance of being contained on separate lots. Subdivision would merely recognise this existing physical situation.

Each proposed lot has adequate area for the onsite disposal of waste water.

Each dwelling has its own Council allocated street number and separate garbage service.

The owners reside in the newer dwelling whilst the older dwelling is tenanted.

The newer dwelling was applied for and consent granted in 1988 to Allworth Homes. There is no condition on Council Consent that would affect the operation of the older dwelling. Our clients have never tried to hide the existence of the older dwelling and believed, at the time, that Council was aware of the existence of the older dwelling when the new one was approved.

In fact, our clients resided in the older dwelling during construction of the new dwelling and assumed Council were cognisant of the situation as many officers inspected the property during construction and were aware of the existence of the older dwelling.

Council only raised the continued existence of the older dwelling as an issue when a separate garbage service was applied for. Despite this concern the service was provided.

The proposed lots are not inconsistent with the surrounding eclectic lot pattern.

The land is of doubtful agricultural importance and the proposal, in any case, does not impact on the useability of the land.

We are of the firm belief that it would now be immoral and probably not lawful for Council to require the cessation of use of the older dwelling. This situation is exacerbated by the passage of time..."

Environmental Assessment

As indicated in the SEPP No 1 objection, a second dwelling was approved on the land in 1988 without any consent condition requiring the existing dwelling to be removed or rendered uninhabitable. This would appear to be an oversight with a number of contributing factors. Firstly, the inspection of the land which would have been undertaken for the development application was inadequate in not establishing the existence of the existing dwelling. However, the site plan provided with the development application for the second dwelling did not indicate the older existing dwelling and, in addition, on the development application form, the applicant being Allworth Homes, stated that the previous or existing use was vacant land.

Therefore, two dwellings now lawfully exist on the lot and are both being used. As stated in the SEPP No 1 objection, this has been acknowledged by the issue of separate street numbers and a new garbage service.

Hawkesbury Local Environmental Plan 1989 originally provided for the severance of existing lawful dwellings from rural land. Following a number of instances where "substandard" dwellings were proposed for subdivision, the clause was deleted from Hawkesbury Local Environmental Plan 1989 with further proposals being considered under SEPP No. 1. A number of such subdivisions have been approved under SEPP No. 1 where the existing dwellings are in existence lawfully and where they are reasonably substantial and would have been in continuous occupation. The subject application involves two dwellings which are reasonably substantial and which have been in continuous occupation, the only difference being that the second dwelling has come into existence mainly as a result of an error on Council's part.

Consistent with similar approvals for the subdivision of detached dwellings, it is recommended that the SEPP No. 1 objection be supported and that subject to the concurrence of the Department of Urban Affairs and Planning, the application be approved under delegated authority, subject to appropriate conditions.

It is considered that the area of the proposed Lot 2 should be increased to one hectare to provide more area for onsite effluent disposal, particularly given the potential for the redevelopment of the existing dwelling and the erection of other improvements on the land.

RECOMMENDATION:

1. That the applicant be requested to increase the area of the proposed Lot 2 to one hectare with a suitable ratio of frontage to depth.
2. On the basis of the amendment of the application to increase the area of the proposed Lot 2 to one hectare, the objection under State Environmental Planning Policy be supported and the application be referred to the Department of Urban Affairs and Planning for concurrence.
3. Following receipt of concurrence, the subdivision application be approved subject to the following conditions:
 1. The submission of a Compliance Certificate under Section 73 of the Water Board (Corporatisation) Act 1994 prior to the release of the linen plan.
 2. Dedication of a 6m (six) by 6m (six) splay corner, free of cost to Council, at the corner of Maddens Road and Slopes Road.
 3. The submission of a plan showing all existing services on the lots including septic tank and effluent disposal area, sewer connections, water connections and stormwater disposal, where applicable, and the correction of any encroachments or defects to the requirements of the Director Environment and Development.
 4. The submission of the plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.

5. Payment of a linen release fee of \$180 (one hundred and eighty). This amount is valid until 30 June 1996.
6. The subdivision shall be in general accordance with the submitted plan.

ATTACHMENTS:

AT-1 Site plan

AT-2 Plan of subdivision

FN:EN130NAX.V01

**** END OF ITEM 98 ****

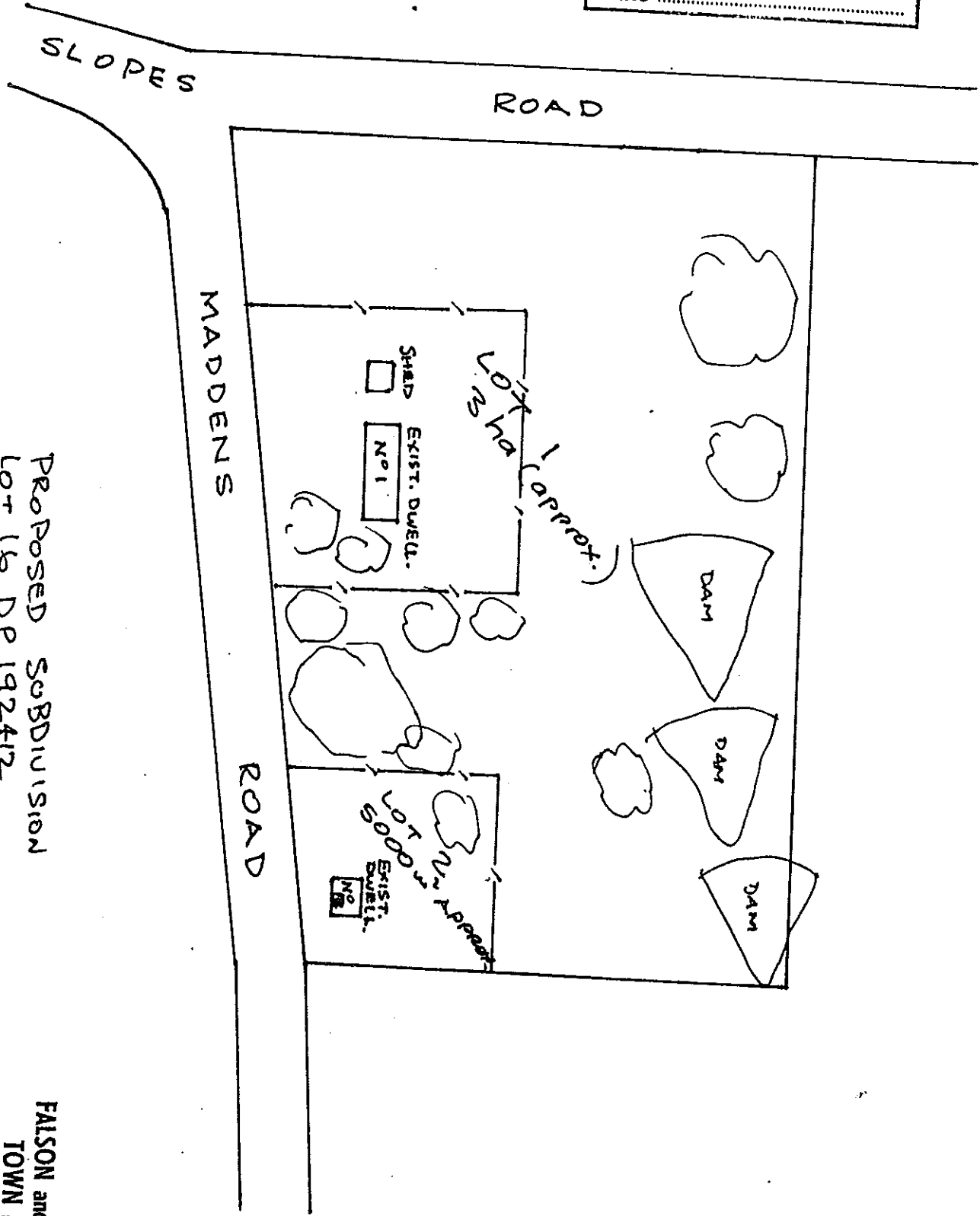
HAWKESBURY CITY COUNCIL

D.A. No. SA134/95

Approved Plan

Officer

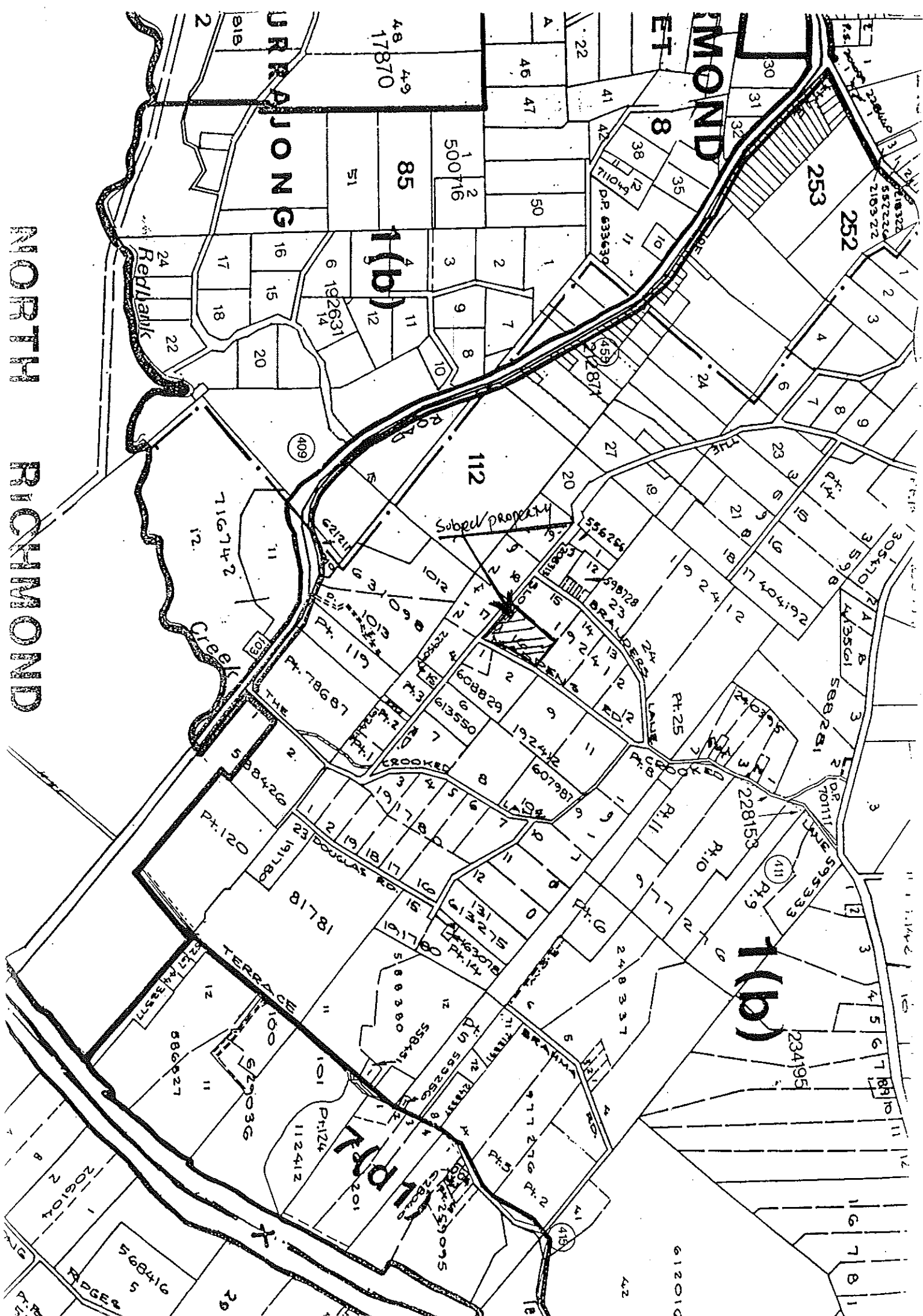
Date



PROPOSED SUBDIVISION
 LOT 16 DP 192412
 SLOPES/MADDENS RD
 NORTH RICHMOND
 MR & MRS BONNER

FALSON and ASSOCIATES
 TOWN PLANNERS
 P.O. Box 127, Grose Vale 2753
 Telephone: (045) 77-6927
 551050

NORTH RICHMOND



ITEM: 99 ✓**SUBDIVISION TO CREATE TWO LOTS - LOT 50 DP818731 NO.
143 PITT TOWN ROAD, McGRATHS HILL****FILE NUMBER:** SA120/95/EVD

Applicant: Falson & Associates
Applicants Reps: Not Known
Owner: M C & S M Pritchard
Stat. Provisions: Hawkesbury Local Environmental Plan 1989
Area: 2ha
Zone: Rural 1(c)
Advertising: Advertised, received one submission
Date Received: 14 September 1995

Key Issues:

- ◆ Land below floor height standard (flooding).
- ◆ Agricultural viability of proposed Lot 2 and pressure to erect a dwelling.

Action:

Refusal

REPORT:

The application is a subdivision to create two lots of 1.771ha and 2.0ha. The smaller lot contains an existing shed and a house under construction.

Clause 11(3) of Hawkesbury Local Environmental Plan 1989, provides that Council must refuse a subdivision of the land other than for the purpose of agriculture, unless each allotment has sufficient area for the erection of a dwelling-house which is above 16 metres Australian Height Datum. Only a very small part of the proposed lot has an area above 16 metres, whilst the highest land on the proposed Lot 2 is 14 metres.

As one of the lots is below the minimum 2ha required by the zoning, the application is supported by a SEPP1 objection based on:-

1. smaller lot only marginally below minimum area (11.45%);
2. result vacant lot has area for erection of a shed above majority of floods and suitable for agricultural use;
3. adequate and safe access to the site;
4. client has no use for the lower portion of the land; and
5. farmer able to purchase cheap land and make it productive.

The site is affected by road widening (RTA) which will further reduce the area of each of the lots if/when it is acquired.

The objection has raised two issues:-

- the creation of land below the floor height standard without a building entitlement; and
- whether the proposed agricultural use of Lot 2 is viable or alternatively will Council be placed under pressure to allow the erection of a dwelling.

The proposed Lot 2 is relatively steep with much of the land being very low lying. The land is unlikely to have potential for intensive agriculture, particularly without a dwelling entitlement, with a more likely use being grazing. In these circumstances it is considered that eventually there will be pressure to approve the erection of a dwelling on the proposed Lot 2.

In addition the proposed subdivision requires the use of State Environmental Planning Policy No. 1 where Council may consider varying a standard where strict compliance may be unreasonable in the circumstances. In this instance, it is not considered appropriate that the standard be varied.

Taking these matters into consideration the subdivision should not be supported.

RECOMMENDATION:

- A. That the SEPP1 objection not be supported.
- B. The application to subdivide be refused for the following reasons:-
 - 1. Lot 1 does not comply with the minimum area of 2ha (two) required by Clause 11(2)(c) of HLEP 1989.
 - 2. Approval of the application could set an undesirable precedent.
 - 3. The use of proposed Lot 2 would be extremely restricted and could adversely affect the amenity of the area.
- C. The objectors be informed.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN130NAX.V02

**** END OF ITEM 99 ****

ITEM: 100 ✓**BOUNDARY ADJUSTMENT SUBDIVISION - LOT 26 DP630497
AND LOT 2 DP716112 - FAIREY ROAD SOUTH WINDSOR****FILE NUMBER:** SA116/95/EVD

Applicant: ER Thompson
Applicants Reps: None Known
Owner: ER and FM Thompson
Stat. Provisions: Hawkesbury LEP 1989
Area: Lot 2 - 15.63ha, Lot 26 - 2.165ha
Zone: Rural 1(b)
Advertising: Not required
Date Received: 1.9.95

Key Issues:

- ◆ Flooding
- ◆ Building Rights
- ◆ Council Policy
- ◆ Road Construction

Action:

Approval

REPORT:**Proposal**

Proposal is to undertake an adjustment of boundary subdivision to create lots having areas of 2.02ha and 15.77ha so that each lot has areas above 16.0m AHD for the erection of a dwelling.

Lot 2 has a building right now having 2 areas above 16.0m AHD but lot 26 has no building right having a highest point only of 12.7m AHD, a considerable distance from the road.

History

Approval was given for a similar subdivision to a previous owner on 25 June 1991 but this subdivision has now lapsed. The floor height standard of 16.0m AHD and minimum site height of 13.0m AHD has been introduced since that approval and Council has adopted a policy for adjustment of boundary subdivision that building rights are not to be increased because of the adjustment. Lot 2 has a current building right but Lot 26 does not.

Statutory Situation

The site is zoned as Rural 1(b) under Hawkesbury LEP 1989 and the minimum area for subdivision under Clause 11(2)(b) is 10ha per lot. Clause 13 of the Plan allows for adjustment of boundaries and the proposal conforms to the requirements of this Clause.

The other options for the subdivision of the land are:-

1. A subdivision with lot sizes similar to that proposed but supported by a SEPP No. 1 objection, or
2. A subdivision with equal lot sizes of approximately 8.8 ha each supported by a SEPP No. 1 objection.

Both 1 and 2 above would need the concurrence of the Department of Urban Affairs and Planning since lot sizes vary by more than 10% below the minimum of 10 ha.

Both options were suggested to the applicant and option 1 gives a similar result as now proposed and in regard to option 2, the applicant wants to retain lot 1 as large as possible to allow for grazing lands.

Environmental Assessment**Flooding**

The land is mostly below the Council's floor height standard of 16.0m AHD but there are two areas above 16.0m AHD and the lot layout has been designed to have such an area on each lot. Fairey Road in front of the lots is 15-16m AHD at the highest points.

Building Rights

Under the Council's current building rights for flood liable lands, the existing lot 2 (the larger lot) has a building right but the existing lot 26 has no building rights, having no land above 13.0m AHD.

Council Policy

Council's resolution, adopted on 14 June 1994, states as follows:-

"IT IS RECOMMENDED THAT Council continue to determine on their merits applications that propose an adjustment and/or relocation of allotment boundaries, providing that there shall not, as a consequence of any approval, be an increase in dwelling entitlements to that existing."

The proposal, giving building entitlements to 2 lots is contrary to this policy.

Road Construction

The previous Council approval for the 2 lot subdivision required the construction of Fairey Road for the full frontage of the larger lot (approx. 6 metres) to the intersection with Penruddock Street to provide a sealed road to each lot. It is considered this condition should apply to this new proposal.

Conclusion

While the proposal is contrary to the Council's current adopted policy, it is similar to an approval given in 1991 and does not adversely affect the agricultural potential of the larger lot. There are building areas on each lot above the Council's floor height standard and access to each lot is only moderately flood liable. Overall it is considered the proposal can be supported.

RECOMMENDATION:

That application be approved subject to the following considerations:-

1. Submission of a Certificate from Prospect County Council that satisfactory arrangements have been made for the provision of electricity to each of the resultant lots of the subdivision.
2. Submission of a Certificate from Telecom Australia that satisfactory arrangements have been made for the provision of cables for telephones through the subdivision.
3. The submission of a Compliance Certificate under Section 73 of the Water Board (Corporatisation) Act 1994 prior to the release of the Linen plan.
4. The construction of vehicular access, free of cost to Council, to each lot in this subdivision, such construction to be to the requirements of the Director Asset Services & Recreation. The maximum grade shall not exceed 1 : 6.
5. The submission of the plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.
6. Payment of a linen release fee of \$180.00 (one hundred and eighty). This amount is valid until 30 June 1996.
7. The subdivision shall be in general accordance with the submitted plan.
8. Construction of Fairey Road for the full frontage of Lot 11 (approximately 6m) (six) to the intersection of Fairey Road with Penruddock Street complete with a sealed pavement. Plans to be submitted and approved.

ATTACHMENTS:

AT-1 Existing Lot Layout and Proposed Subdivision.

FN:EN130NAX.V05

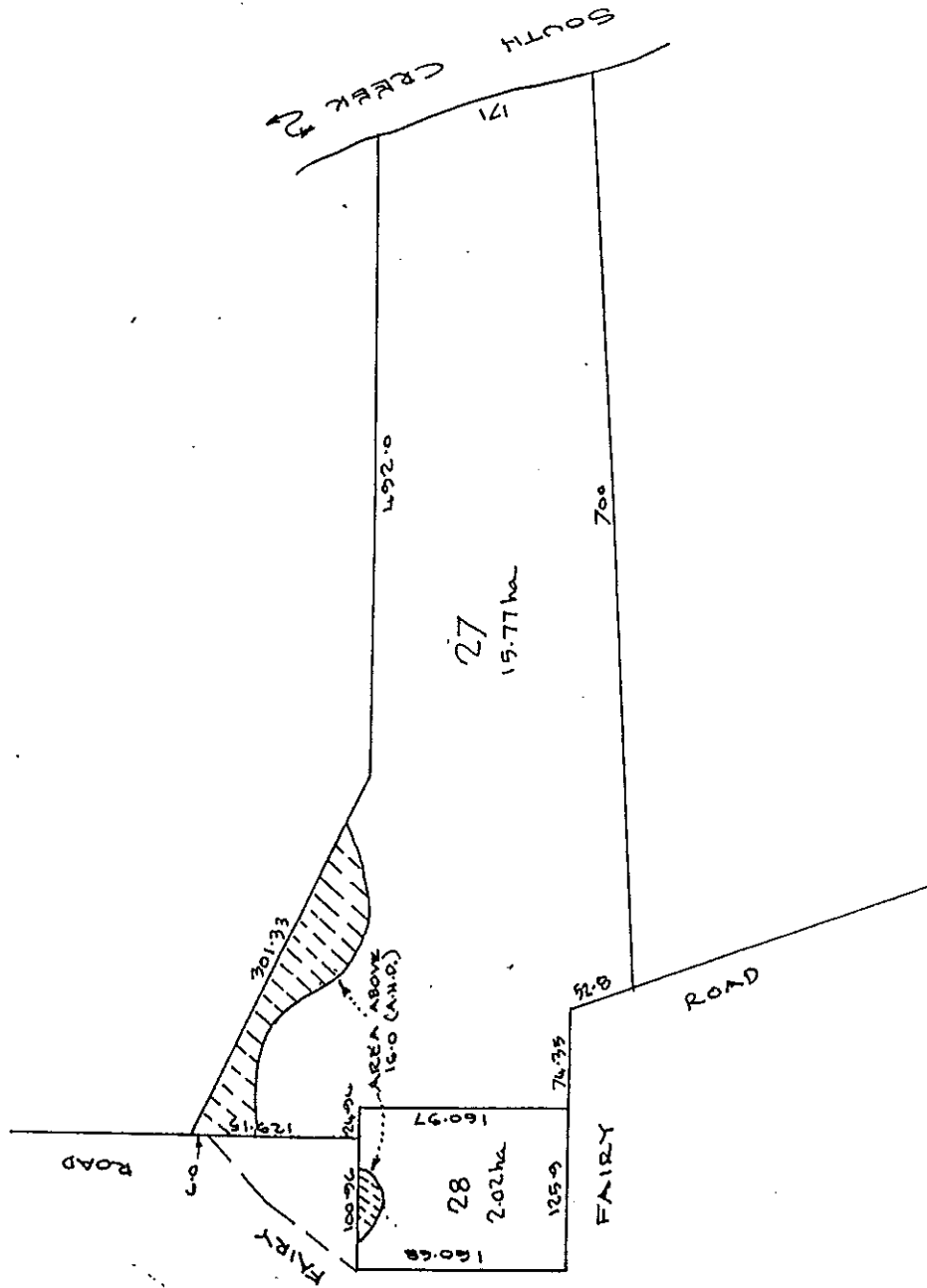
****** END OF ITEM 100 ******

PLAN

OF BOUNDARY ADJUSTMENT BETWEEN

LOT 25 & 26 IN D.P. 630421.

SCALE 1:4000

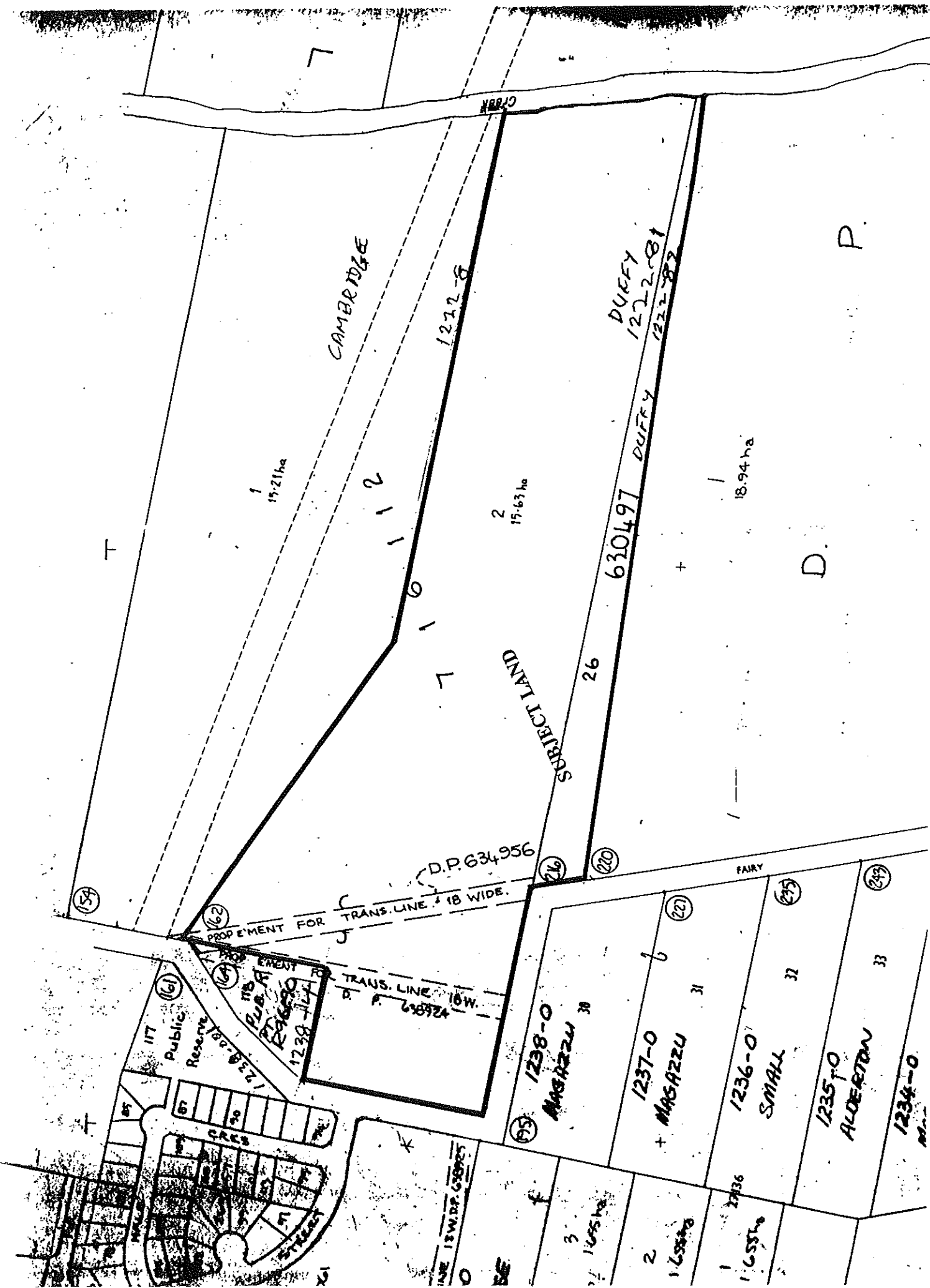


G.S. BRACKENREG

REGISTERED SURVEYOR

FITZGERALD HOUSE
83 GEORGE STREET
WINDSOR NSW 2756

Phone: (045) 77 3588



7

CAMBRIDGE

1
15.21ha

112

1222-8

2
15.63ha

SUBJECT LAND

26

630497 DUFFY
1222-81
1222-82

18.94ha

D.

P.

D.P. 634956

PROPOSED FOR TRANS. LINE 18 WIDE.

Public Reserve

1238-0
MAGAZZU

1238-0
MAGAZZU 30

1237-0
+ MAGAZZU 31

1236-0
SMALL 32

1235-0
ALDERTON 33

1234-0

FAIRY



ITEM: 101 ✓

USE OF EXISTING DWELLING - FOR A PROFESSIONAL AND
COMMERCIAL CHAMBERS - FOR A DENTIST - LOT 12
DP709025 NO. 23 - COLONIAL DRIVE, BLIGH PARK

FILE NUMBER: DA277/95/EVD

Applicant: A.J. Dean and Associates
Applicants Reps: None known
Owner: S., T., M., M., Haege and J. Bambrick
Stat. Provisions: Hawkesbury LEP 1989
Area: 618.0 sqm
Zone: Residential 2(a)
Advertising: 14 days to adjoining owners, 1 objection and petition received
Date Received: 7 December 1995

Key Issues:

- ◆ Traffic
- ◆ Parking
- ◆ Noise

Action:

Approval

REPORT:**Proposal**

Application is to use the existing dwelling for a professional and commercial chamber for a dentist. The whole dwelling will be used and no residential component is retained. The development will involve one dentist and a receptionist with parking provided as 3 stacked spaced in a garage (1) and 2 on the driveway. The driveway is tracks only and there is a full width concrete footpath crossing.

The hours of operation and 8.00am to 7.00pm Monday to Friday and 8.00am to 1.00pm Saturday.

Site Characteristics

The sites contains a 3 bedroom BV single storey dwelling with attached single garage. The land is level and contains one large tree in the front yard and several larges trees in the rear yard. The road in front of the site is constructed and sealed full width with kerb and guttering on both sides. Sight distance from the driveway in both directions along Colonial Drive is good.

Statutory Situation

The site is zoned as Residential 2(a) and a professional and commercial chamber is an allowable use with Council's consent. A dentist is a professional qualified practitioner as defined in Schedule 2 of HLEP1989.

Council D.C.P. Parking Policy requires 3 spaces per professional.

Community Response

The receipt of the application was advised to adjoining owners and one objection and a petition signed by 5 residents were received. The letter, endorsed by the petition signatures, states as follows:-

"The referred development, in a predominantly residential area, is causing concern to us, as next door occupants, and others with whom we have discussed the matter.

From our study of the proposal, it is apparent that some considerable disruption to the calm and orderly environment of the street is inevitable. Having lived here for over ten years, in what we considered to be an ideal retirement area, we are concerned at the introduction of what would appear to be a totally unnecessary commercial enterprise.

There are three dental practices already in the development area, and the necessity for a fourth must be open to question.

Specifically, our objections to the development are as follows:-

- The parking of cars on the adjoining driveway will restrict visibility when we are reversing from our property.
- The available parking will inevitably lead to on-street parking, causing further obstruction, and also noise nuisance.
- Stack parking is possibly the least effective type of parking, leading to much "shunting" of cars, bearing in mind that up to twenty patients per day may be attending.
- There will almost certainly be a trade sign erected, which will further denigrate the environmental aspect.
- When we moved into Colonial Drive we were assured that it was a residential area, and this move to commercial, particularly in such close proximity, is distinctly unwelcome.
- The proposed development will certainly lower the value of our property and render future selling more difficult".

Environmental Assessment**Parking**

The application proposes to use the existing garage for the dentist, one space in front of the garage for the receptionist and the space in the driveway, closest to the street, for a patient. There are two spaces at the kerb, in front of the site, that could also be used by patients.

The laundry at the rear of the garage and the rear wall behind the garage/laundry could be removed to provide a drivethrough garage and parking located in the rear yard. This is considered excessive, as most patients are likely to park at the kerb, and not warranted for this application.

Traffic

Traffic generated from a one dentist practice would be low and at the most 2 patient vehicles would be at the site at any one time.

Sight distance at the driveway and in front of the site is good in both directions and traffic movements to and from the site is not likely to create a traffic hazard for other road uses.

Noise

Noise generated by the development would be restricted to the movement of vehicles and, due to the low traffic generation expected any noise would "blend" with the existing traffic noise along Colonial Drive.

RECOMMENDATION:

That:

- A. The application be approved subject to the following conditions:-
1. The existing driveway between the existing garage and Colonial Drive to be constructed full width 2.6m (two point six) wide for stacked parking for 2 (two) vehicles and shall be constructed of pavers/earth toned coloured concrete or the like.
 2. Details of storage and disposal of medical waste shall be submitted and approved prior to the use commencing.
 3. Submission of a building application, plans and specifications complying with the Building Code of Australia for any internal alteration or additions to the existing building.

4. 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.
5. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.
6. The development shall be conducted in such a manner so as not to interfere with the amenity of the neighbourhood in respect of noise, vibration, smell, dust, waste water, waste products or otherwise.
7. Operating hours shall be limited to 8.00am to 7.00pm Mondays to Fridays and 8.00am to 1.00pm Saturdays. Any alteration of these hours will require the approval of the Director Environment and Development.
8. The development shall be carried out in accordance with Plan No. 15395.

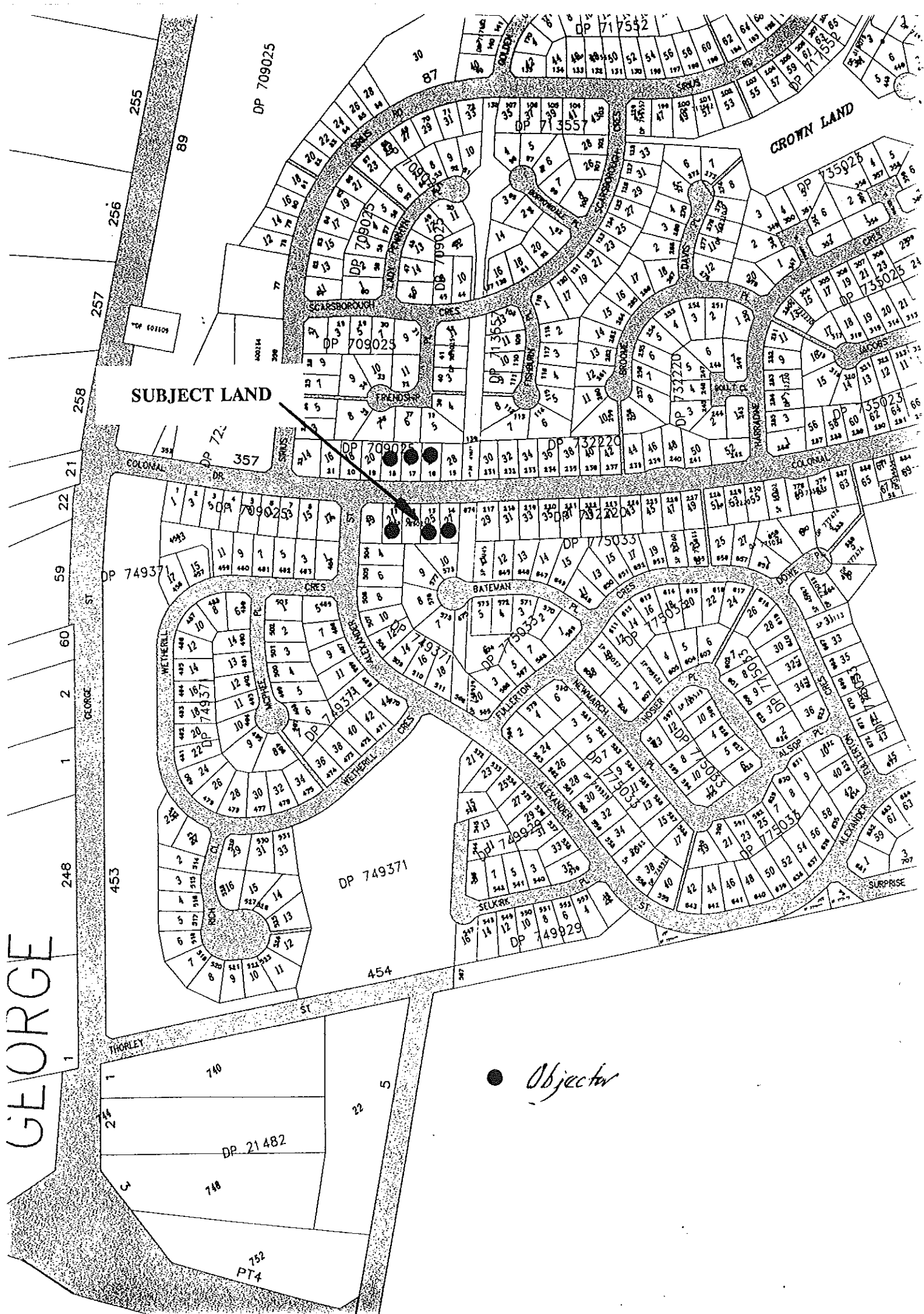
ATTACHMENTS:

AT-1 Site Plan and Locality Plan

FN:EN130NAX.V06

**** END OF ITEM 101 ****

GEORGE



ITEM: 102 ✓

SUBDIVISION TO CREATE SIX ALLOTMENTS - LOT 317
DP751665 - AND PART OF DUKE ROAD, KING ROAD,
WILBERFORCE

FILE NUMBER: SA109/95/EVD

Applicant: Gary White Property Centre
Applicants Reps: Not Known
Owner: J Boersma and Duke Road
Stat. Provisions: HLEP 1989
Area: Approximately 7300m²
Zone: Residential 2(a)
Advertising: Not required
Date Received: 18/08/95, Amended Water Balance Report 26/11/95

Key Issues:

- ◆ Closure of Duke Road
- ◆ Disposal of Effluent
- ◆ Flooding
- ◆ Drainage
- ◆ Views

Action:

Deferred Commencement Approval.

REPORT:**Proposal**

Creation of 5 (five) residential lots ranging in area from 1110m² (one thousand one hundred and ten) to 1840m² (one thousand eight hundred and forty) and includes the area of a proposed closure of part of Duke Road.

Statutory Situation

The site is zoned Residential 2(a) under Hawkesbury LEP 1989 and the proposal is permissible with consent.

Community Response

The application was not advertised however 3 objections have been received at least two of which are as a consequence of advice to residents regarding the closure of part of Duke Road.

A summary of concerns raised by residents in the submissions are:

1. The existing quiet nature of the end of Duke Road
2. Views across to Pitt Town
3. Open creek provides surcharge path for excess stormwater flows
4. Loss of privacy due to erection of two story dwellings
5. Flooding of the subject site
6. Able to use open channel for flood access
7. Concerns re environmental effect on river
8. Obstruction of water runoff from adjoining land if filled
9. Told can't place house on property adjoining until sewer available - so shouldn't erect 5 houses on subdivision

Comments on each objection follow:

1. Only two lots will front the cul de sac ie an increase of one over the existing situation. This will have virtually no impact on the quiet nature of the cul de sac. Further it was always possible that Duke Road could be constructed through to King Road making it a through road. The road closure and subdivision will eliminate this possibility.
2. There will be some reduction in views from houses fronting Duke Road however as the homes are set back from road and views at right angles to front of houses closure of road and erection of house will have little effect. The only views significantly affected are side views from the bottom house. These views could already be eliminated by erection of house on the lot without subdivision. Further the land is zoned residential and owner has a valid expectation to be able to subdivide.
3. Piping of the creek will improve the flood characteristics however a condition has been imposed requiring a surcharge path up to the 100 year storm which will mitigate any adverse impacts.
4. Again the subdivision will have little effect on privacy. A house may already be erected on the site and due to the topography would no doubt be erected toward the rear ie on Lot 1 (proposed). The houses on the other Lots will be well removed from the adjoining property and at least partially screened by the house on Lot 1.

5. All of the site is flood prone however a subdivision approval can be issued as a deferred commencement consent requiring proof that a dwelling is permissible on each of the lots ie natural level at or above RL12.9 (twelve point nine). Nothing in the LEP prohibits erection of houses or subdivision of residential land as a consequence of being below the 100 year flood level or the floor height standard.
6. There is no need to use the channel for flood access if this is indeed possible. Evacuation of the properties on foot or by vehicles up Duke Road which rises continuously away from flood waters is considered far more desirable.
7. A water balance report submitted provides for full on site disposal of sewerage without down stream effects. As this is the main potential environmental effect it is considered satisfactory. Note that additional stormwater runoff is insignificant in terms of overall volumes.
8. No runoff from adjoining properties will be obstructed as no filling is being permitted.
9. Water balance report indicates that sewer can be disposed of on site on each of the proposed lots.

Planning Assessment

Although the minimum area under the zoning is 1000m² (one thousand) due to the lack of sewer, the policy is now to require a minimum of 4000m² (four thousand) unless a satisfactory water balance report is submitted. A report has been prepared by Toby Fiander and two amendments submitted. The proposal has now been certified to be adequate for on site disposal, however this requires the whole of each site with the exception of a relatively small area for a dwelling.

The whole of the site is flood prone and below the floor height standard varying from about RL11.00 to 15.00 AHD with much of the site below RL12.90 being 3.0m below the floor height standard which is the cut off point for the erection of dwellings. Notwithstanding a line purporting to be the 13.00m contour is shown in the plan which is not borne out by site inspection and it is unknown if house sites exist on lots 4 or 5.

The subdivision incorporates part of Duke Road which the applicant has requested be closed. However at this stage the matter has not been considered by Council. The application has however been advertised and some submissions received. There is no guarantee that the closure will proceed and even if it does the ownership may not be transferred to Mr White for a number of possible reasons. Again closure and transfer of the road has to be a precondition to the subdivision approval ie a deferred commencement consent.

Due to the limited area of the site available for the erection of buildings the proposed easement for services and right of carriageway across the rear of Lots 3 and 4 and within Lot 5 is to be conditioned to be deleted as this occupies a significant area of good building land. Again to maximise the disposal area access to King Road is to be restricted to two points ie along the common boundary of Lots 2 and 3 and Lots 4 and 5 protected by reciprocal right of carriageways.

The location of the incoming drainage lines off Duke Road and the land to the west is incorrectly plotted on the plan as is the location of the existing cul de sac bubble. The actual easement locations shown on the application will require some amendment to conform to the correct location but is satisfactory in principal.

The applicant has also indicated that it is proposed to fill part of the site. Current advice is that all filling on the flood plain requires an EIS. As the whole of the site is below the 1:100 year flood level no filling may be carried out on the site without an EIS. It is intended however to permit the backfilling of the pipeline along the piped channel.

It is considered that the site can be adequately drained by a combination of piped drainage and overland flow paths. However in the light of various objections and known concerns it is proposed to also impose a precondition verifying that drainage is satisfactory as one of the preconditions to the deferred commencement consent.

RECOMMENDATION:

That a deferred commencement consent be issued subject to the following conditions:

- A. The applicant satisfying Council that:
 - 1. A suitable area exists on each of the proposed Lots for the erection of a dwelling on land at or above RL12.9 AHD as at the 6 April 1984. In this regard a detail survey plan is to be submitted which identifies current levels and areas of fill including natural surface levels under the fill.
 - 2. That section of Duke Road included in the subdivision Lots is closed and ownership transferred to the then owner of Lot 317. Note this does not constitute any approval by Council to close the road or to sell the land.
 - 3. The submission of a detailed design of the drainage works to demonstrate that the drainage of the area including surcharge from the upstream catchment, flooding of King Road and flooding or scouring of the downstream land is not adversely affected. Particular regard is to be paid to a building site on Lot 5 clear of any surcharge path.
- B. Upon satisfying the requirements above consent be granted subject to the following:
 - 1. The submission of a Compliance Certificate under Section 73 of the Water Board (Corporatisation) Act 1994 prior to the release of the Linen Plan.
 - 2. Submission of a Certificate from Prospect County Council that satisfactory arrangements have been made for the provision of electricity to each of the resultant lots of the subdivision.
 - 3. Submission of a Certificate from Telecom Australia that satisfactory arrangements have been made for the provision of cables for telephones through the subdivision.

4. Payment of a cash contribution of \$13,096.00 (thirteen thousand and ninety six dollars) for recreational buildings, park improvements and community facilities as a consequence of the subdivision of land. This sum will remain fixed for a period of 3 (three) months after which it will be recalculated at the rate applicable at the time of payment.
5. The construction of concrete kerb and gutter, including layback vehicular crossings, the footway area being formed in earth and all necessary drainage, together with the full construction of the adjacent road shoulder over the frontage of proposed Lots 2 to 5 to King Road together with any such works as are necessary to make this construction effective.
6. The construction of Council's standard layback vehicular crossing to the lots in accordance with Council's standard plan.
7. Piping of existing watercourses within the property and the creation of necessary easements free of cost to Council. The works shall include connection to the end of the pipelines in Duke Road and the culvert in King Road including all necessary pits.
8. The provision of interallotment drainage covering lots 1 to 5 and the creation of necessary easements free of cost to Council.
9. Erosion and sediment control devices are to be installed and maintained to ensure that there is no increase in downstream levels of nutrients, litter, vegetative debris or other water borne pollutants. Details shall be submitted and approved prior to any works commencing.
10. The proposed right of carriageway and easement for services on lot 3, 4 and 5 being deleted to maximise the area available for erection of a dwelling.
11. Access to the house sites on Lots 2, 3, 4 and 5 being via 1.75m (one point seven five) wide reciprocal right of carriageways (total 3.5 (three point five) wide) about the common boundaries of Lots 2 and 3 and Lots 4 and 5. The construction of a 2.5 (two point five) metre wide and 150 (one hundred and fifty) mm thick concrete pavement reinforced with F82 (eighty two) mesh over the full length of the reciprocal right of carriageways together with the construction of Council's standard residential footway and layback vehicular crossing also reinforced with F82 (eight two) mesh.
12. Construction of road and drainage works are not to commence until three (3) copies of the plans and specifications of the proposed works are submitted to and approved by the Director Engineering Operations.
13. A design checking and inspection fee of \$250.00 (two hundred and fifty), must be paid when submitting engineering plans for approval prior to construction. This amount is valid until 30 June 1996.
14. The submission of the plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.

15. Payment of a linen release fee of \$300 (three hundred dollars). This amount is valid until 30 June 1996.
16. The subdivision shall be in general accordance with the submitted plan dated 14 August 1995, except where amended by conditions of consent.
17. The minimum area of Lot 1 being 1215m² (one thousand two hundred and fifteen) as required by the letter of Toby Fiander and Associates dated 22 November 1995.
18. The creation of a restriction on the use of land requiring that any dwelling erected on the land be connected to an aerated treatment system including buffer tanks substantially in accordance with report number 1599/1 dated 19 October 1995 by Toby Fiander and Associates as amended by letter dated 22 November 1995 held on Council File SA0109/95. The restriction as to user is to also prohibit development on the disposal areas and require their maintenance in accordance with the Fiander report.
19. No filling shall be carried out on the site unless separately approved by Council. This requirement does not apply to works necessary to backfill the pipeline through the site.
20. A surcharge path sufficient to carry the 1:100 year surcharge flow to be provided over the pipeline required by condition 7 above.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN130NAX.V15

**** END OF ITEM 102 ****

ITEM: 103

✓
ADDITIONAL
PDS - further
reportDRAFT LOCAL ENVIRONMENTAL PLAN - VARIOUS LOTS AT
VERMONT - PITT TOWN - AMENDMENT NO. 52

FILE NUMBER: LEP12/95/EVD

REPORT:

Council, at its Ordinary Meeting of 22nd August 1995, resolved to prepare a draft local environmental plan to change the zoning of certain lands at Vermont from Environmental Protection 7(d1) scenic under Hawkesbury LEP1989 to Rural 1(c) to allow subdivision into 2ha lots.

The potential additional lot yield (2ha lots) is only 5 or 6 in the area covered by the draft local environmental plan.

The Director of Urban Affairs and Planning issued the Section 65 Certificate on 17 October 1995 and the draft plan was exhibited from 1 November 1995 to 1 December 1995. No submissions have been received.

In accordance with Section 62 of the Act, the draft plan was referred to the following:-

Prospect Electricity
Sydney Water
Roads and Traffic Authority
Environment Protection Authority
Department of Land and Water Conservation
Department of Mineral Resources

The following responses have been received:-

Roads and Traffic Authority

"The Authority raises no objection to the proposal however, the future upgrading of Pitt Town Road is not in any RTA program and accordingly Council may wish to have undertaken a traffic impact study of the area should any further development/rezoning application be lodged".

Department of Mineral Resources

"As you are no doubt aware, the resources of sand present at Pitt Town are considered by the Department of Mineral Resources to represent a significant potential source of construction sand. However, a number of attempts to gain development approval for extractive operations based on these resources (in particular those present within "Bona Vista", south of Johnston Street) have been unsuccessful. As a consequence, this Department is of the view that any proposal to develop the area's sand resources would encounter substantial opposition and have only a limited chance of success.

If a development proposal was advanced that failed to incorporate the major portion of the resources (i.e. those between Hall Street and the Hawkesbury River, and those generally northeast of Mitchell Street), its chance of success would be further reduced.

The proposed alteration in zoning has the potential to effectively sterilise substantial sand resources (particularly in DP797953 and DP839413). Indeed, the presence of a relatively large number of dwellings and residents within the area to be rezoned Rural 1(C) may not only sterilise the resources beneath the land but could add significantly to the number of possible objectors to any proposal to extract sand nearby.

In order to minimise the potential detrimental impact on any sand extraction proposal elsewhere at Pitt Town, this Departmental will seek to have suitable Section 88B instrument incorporated in any future subdivision proposal within the area.

Providing this procedure is adopted the Department will not object to future subdivision proposals within the amended Hawkesbury L.E.P.

In summary, whilst cognisant of the adverse impact that closer settlement in the area concerned could have on the future availability of sand from Pitt Town, the Department of Mineral Resources does not object to the rezoning proposition that is embodied in Draft Local Environmental Plan 12/95 Amendment 52".

Sydney Water

"The following comments in relation to servicing are provided for Council's information:-

- *The Bulk Water Supply from North Richmond Water Treatment Works is currently at capacity and cannot serve rezonings which place extra demand on the water supply system.*

The local supply to Pitt Town will also require amplification to serve the proposed rezoning.

As indicated in the correspondence dated 22/7/95 and 13/9/95, Sydney Water requires a comprehensive planning proposal from Council which is supported by the Department of Planning showing the location and scale of all proposed rezoning/proposals contained within a planning horizon of preferably at least 20 years. It is difficult for the Corporation to offer a reasonable servicing requirement for individual rezoning such as this.

- *For sewer, property owners will need to make on-site disposal arrangements as per Council/EPA requirements".*

Department of Land and Water Conservation"Aquatic/Riparian Environmental Matters"

The area is below the PMF level with part of the larger holding north of Hall Street and south of Bootles Land below the 1 in 100 year flood level.

In principle DLWC - Water Resources does not encourage rezoning of lands from environmental protection to zoning for development purposes. The New South Wales Government endorsed Total Catchment Management (TCM) policy has as its objective to manage water (watercourses, estuaries and groundwater) vegetation and soils on a catchment wide basis.

The report states that the current 7 (d1) zoning has as one of its objective "to preserve the river valley systems, scenic corridors, environmentally sensitive areas and other local features of scenic attraction" (p.51). This objective is in compliance with the TCM policy. However the proposed rezoning does not comply with the principles of the TCM. Council is requested to consider the cumulative impact of rezoning when added to existing development within the catchment.

Council might also bear in mind that development in a catchment impacts on the downstream watercourses into which that catchment drains. Therefore, when rezoning, planning instruments prepared for rezoning proposals should provide for the protection of water resources from pending development. In relation to this, new subdivisions and rezoning of land should wherever possible be designed to:

- * maintain natural drainage lines and stream corridors;*
- * minimise runoff generation and sediment yield;*
- * maximise infiltration and retention of stormwater runoff on development sites;*
- * conserve riverine areas of high ecological value.*

The report does not provide any information on existing vegetation or fauna species in the area. Such information is needed to assess the ecological importance of this land.

It is important that rural/residential developments are suitably located so as to minimise runoff of nutrients/sediments to a watercourse. Excessive addition of nutrients (e.g. Phosphorus, Nitrogen) to local watercourses from residential and/or industrial areas may cause algal blooms and other water quality deterioration. Therefore, new subdivisions should be located:

- * above flood inundation levels to ensure that floods will not cause effluent to spill and pollute the Hawkesbury River; and*
- * in areas with an adequate buffer width between the development and watercourses. The buffer width is site specific and dependent on surface water quality, riparian vegetation, topography etc.*

In addition an adequate distance between residences and riparian vegetation is necessary to prevent exotic plant species and domestic animals invading and degrading this habitat. The above concerns are important for forward planning and should be incorporated in the LEP.

If the proposed rezoning is to go ahead a soil and water management plan for the area should be prepared for use as a basis for future development and planning controls.

Hydrogeological Concerns

The documentation presented gives no details on drainage or water management in relation to groundwater. The impact the proposal will have on groundwater quality, flow lines or groundwater levels has not been addressed.

The site is about 500m south of the environmentally sensitive Hawkesbury River. According to the Department's groundwater archive, there are five licensed bores within a two kilometre radius. These bores extract water from aquifers within the Hawkesbury Sandstone, and overlying alluvial sediments, for domestic and irrigation purposes. On the Sydney 1:250 000 Geological Sites SI 56-5 the site is underlain by Tertiary sediments of sand, silt, clay and gravel. These sediments have a moderate permeability and so the potential for contamination of the underlying groundwater resources. The groundwater is considered an important resource for adjacent licensed bore holders and should not be put at risk from possible contamination. Interaction between any groundwater in the alluvium and the Hawkesbury River may also impact on the water quality of the River.

It is noted that Sydney Water has indicated that additional reticulated water supply is not available to the area. The proposal should consider the use of groundwater for augmenting the site's water requirements. The location has favourable characteristics for a permanent source of low yields of moderate to good quality water. It is recommended that this alternative water resource be considered as an additional option possibly suitable for specific sites.

The proposal does not sufficiently discuss the method of sewage disposal. The report states the only part of the area could be serviced for reticulated effluent disposal and that the remainder would be onsite disposal. DLWC - Water Resources recommends against onsite sewage disposal using septic tanks because leachate may enter the groundwater system, particularly in areas prone to flooding as this is. The quality of water in the Hawkesbury River has deteriorated markedly largely through the inefficiency or failure of septic tanks in the past. A more appropriate disposal method is required that does not have adverse impacts on either groundwater resources or the Hawkesbury River, e.g. pump-out.

Surface Water Quality Matters

The rezoning would permit the area to be subdivided into 2ha blocks. The main water quality issues would be the allowing or otherwise of residential development on these smaller blocks and, if so, how sewage effluent and stormwater would be managed.

Because of the waterlogged nature of the area, it is considered that onsite sewage treatment and disposal, using septic tanks/absorption trenches, or AWTUs/irrigation would not be appropriate. Connection to a reticulated public sewerage system or pump-out would be the only acceptable alternatives.

Appropriate stormwater collection, treatment and disposal systems would also be needed. No details have been given of this in the rezoning proposal. Kerbing and guttering, Gross Pollution Traps, sedimentation ponds, and other means of lessening the impact of stormwater pollution on the Hawkesbury River, may be necessary with increased subdivision/population density.

Possible landuse changes with increased subdivision under the new zoning also need consideration as these may impact on the environment including local water quality. If the land is not suited to housing, there may be an increase in other activities such as market gardening or the agistment of livestock such as horses. These activities have the potential to impact adversely on local water quality.

The proposal gives insufficient detail to permit the adequate assessment of possible impacts of the rezoning on water quality either in the area, or on the Hawkesbury River. It is recommended that water quality be given due consideration in any further development activity that may arise from the rezoning especially in terms of sewage effluent disposal and stormwater disposal.

It should be noted that three government authorities have been reconstituted as one Department (Land & Water Conservation - DLWC). The above comments are by the former Department of Water Resources. The other two Departments, Conservation and Land Management (CaLM) and Public Works (PWD) should be consulted where appropriate on matters within their areas of responsibility until further notice".

Environmental Protection Authority

The Authority have given comments on the proposed rezoning and included sections on the EPA's Role plus Local Government and Ecologically Sustainable Development. In regard to environmental factors, the following comments are given:-

Water Management

Diffuse Source Pollution

The subdivision of land into two hectare lots may encourage the intensification of the existing land uses. This may result in higher nutrient loading of runoff due to increased stocking and excessive use of fertilisers and an altered pattern of pesticide and weedicide use consistent with intense land uses such as market gardens and horse studs. Should the rezoning proceed then the EPA encourages Council to adopt strategies for preventing water quality decline.

All development applications should estimate existing pollutant loads, predict post development pollutant loads and include measures to control pollutant export in order to maintain or improve existing water quality. Such measures may include structures to contain runoff for either reuse of the captured water for a secondary use or treatment prior to controlled discharge to a receiving waterway.

Erosion and Sediment Control

The EPA expects that appropriate sediment and erosion control measures would be required as a condition of any development consent for any subdivision within the Vermont area and that any such conditions are properly enforced by Council. The EPA is willing to assist Council in this regard upon request.

Sewage Management

Based on the information supplied to the EPA, it is unclear what options are available for sewage management. In any case, the EPA generally considers that where a development adjoins an area already serviced by a reticulated sewerage system, and provided the sewage treatment system has adequate available capacity, then the new development should be connected to that system.

Air and Noise

The proposed rezoning for rural subdivision would no doubt attract some people that are not accustomed to rural issues such as rural odours and noise so as to formulate an appropriate planning strategy prior to rezoning this land for subdivision.

Environmental Quality

As Council would be aware, Development Control Plans (DCPs) provide an important means of promoting environmentally sensitive design, in relation to whole subdivision and individual dwellings. Should the rezoning proceed, the EPA believes that Council should consider incorporating the following factors into its DCP:

- * urban form that promotes efficient use of energy including dwelling orientation, provision of cycleways; walkways and promoting alternatives to private car use;*
- * minimising impervious areas to retain existing flow regimes in local waterways;*
- * measures that promote stormwater reuse; and*
- * use of recycled and sustainable building materials.*

Conclusion

The EPA appreciates the opportunity to comment on the proposed rezoning of the Vermont area at Pitt Town. The EPA has no objection in principle to the proposed rezoning of the Vermont area. However, the EPA expects that Council will consider the issues raised in this submission in light of the statutory responsibilities discussed above. The planning decisions made by Council now will determine the environmental amenity and sustainability of future generations".

No reply has been received from Prospect Electricity.

In view of the low number of new 2 ha lots that could result from this local environmental plan, the environmental impacts are considered minor and within acceptable limits for this area.

The concerns of the above government agencies will be considered in the future subdivision and development of the new lots. In regard to water supply, any new lots could have to rely on tank water or borewater as Sydney Water cannot provide services.

RECOMMENDATION:

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

ATTACHMENTS:

AT-1 Background report to resolution on 22/08/95.

AT-2 Locality Plan.

FN:EN130NBX.V04

**** END OF ITEM 103 ****

BACKGROUND REPORT

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

Existing Situation

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

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

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

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

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

Constraints

(1) Flooding

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

(ii) Water Supply

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

(iii) Sewer

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

(iv) Drainage

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

(v) Zoning

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

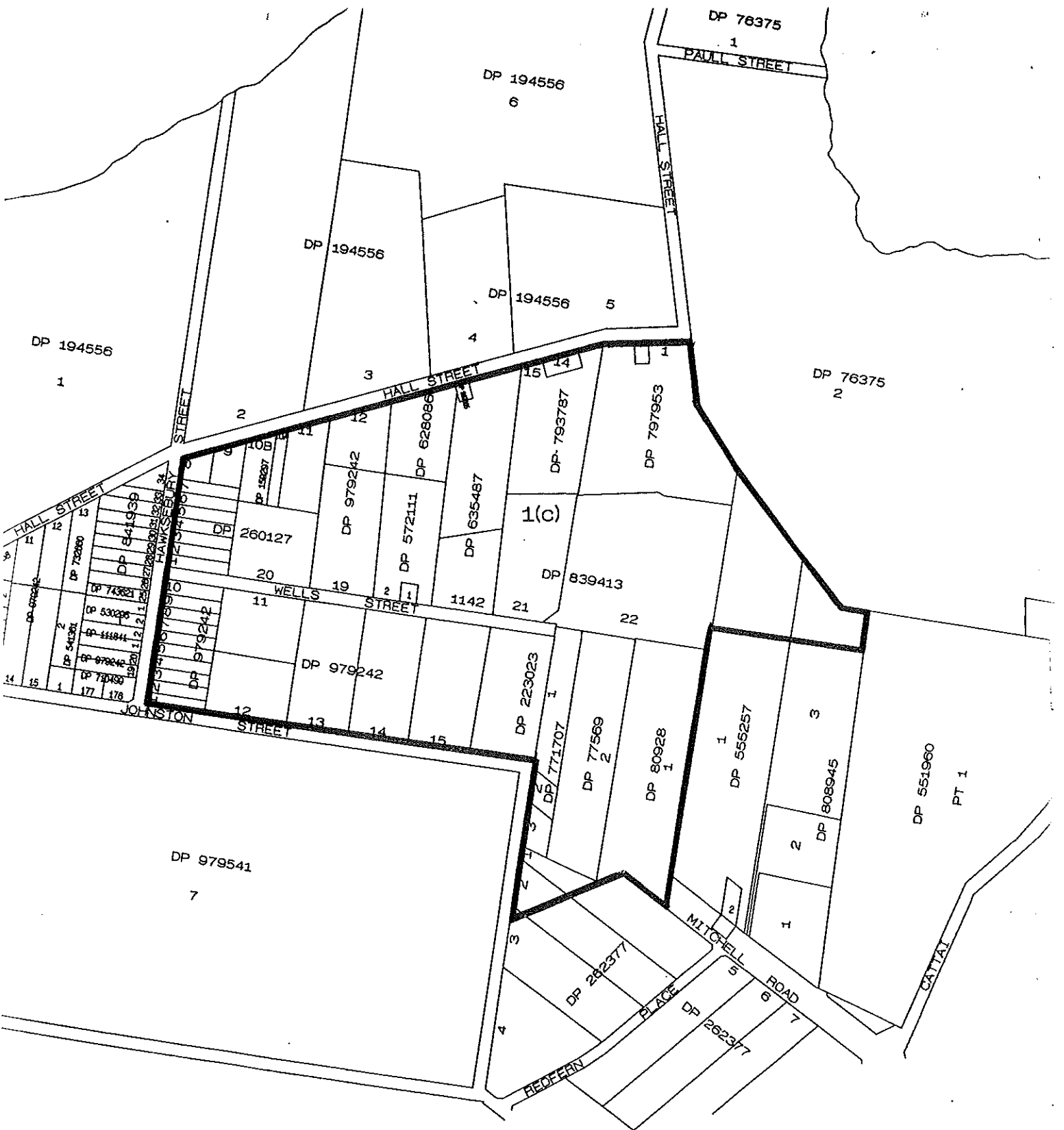
- (a) to preserve the river valley systems, scenic corridors, environmentally sensitive areas and other local features of scenic attraction;
- (c) to ensure that development does not create unreasonable or economic demands, or both, for provision or extension of public amenities or services.

(vi) SREP 9

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

Conclusion

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



GENERAL PURPOSE COMMITTEE - ENVIRONMENT

Meeting Date: 30 January 1996

Item: 104

ITEM: 104*APPROVED*

SUBDIVISION TO CREATE THREE ALLOTMENTS WITH
BUILDING ENTITLEMENTS PLUS A FOURTH COMMUNITY
LOT - LOT 18, DP30468, NO. 26 CLIFF ROAD, FREEMANS
REACH

FILE NUMBER: SA0106/95 PT01/EVD

Applicant: Falson & Associates
Applicants Reps: None Advised
Owner: J. & G. Taylor
Stat. Provisions: Hawkesbury Local Environmental Plan 1989, State Environmental Planning Policy N° 1 - Development Standards
Area: 2.63 hectares
Zone: Environmental Protection c7(d1)
Advertising: A final amended plan dated 20th December, 1995, was notified to adjoining owners with expressions of concern from two property owners
Date Received: Amended Plan received on 20th December, 1995

Key Issues:

- ◆ Non-compliance with Hawkesbury Local Environmental Plan 1989
- ◆ Disposal of Effluent
- ◆ Availability of Reticulated Water
- ◆ Precedent for Further Subdivision

Action:

Refusal

REPORT:

This application has been reported to the General Purpose Committee meetings on 22nd August, 1995 and 28th November, 1995. The land has also been subject to a site inspection and at Council's 12th December, 1995, it was resolved that the item be deferred to the January General Purpose Committee meeting so that residents involved have the opportunity to address Council.

In the interim, a further amended plan has been submitted indicating a reduction in the number of lots with building entitlement to three. This amended plan was notified to nearby property owners on 21st December, 1995.

In response to that notification, two submissions have been received, one expressing doubt about the stability of the escarpment and the other expressing concern about the impact of the development on the surrounding area, the environment and views.

Planning Assessment

The application seeks a significant variation to the minimum area standard for subdivision from 10 hectares to lots with effective average areas of 0.7 hectares.

The proposed lot sizes are smaller than the general guideline recommended by the Department of Health for the onsite disposal of effluent, being approximately 1 hectare. In addition, the land adjoins and drains directly into the Hawkesbury River.

The applicant has undertaken geotechnical and water balance investigations which determined that two alternative onsite effluent treatment and disposal systems could be considered for the subdivision.

There is significant bushland covering the majority of the land and the proposed subdivision will result in substantial loss of tree cover and understorey.

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

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

It is still considered that the subdivision is an over-development of the land, particularly, considering that a significant portion of the land forms part of the escarpment and is not suitable for building or effluent disposal.

RECOMMENDATION:

- a) That the application under State Environmental Planning Policy No. 1 for a community title subdivision of the land to create three building lots and one community lot be refused for the following reasons:-
1. The proposed subdivision is an over-development of the land.
 2. The land is incapable of adequately disposing of treated effluent without either excessive runoff to the Hawkesbury River or the destruction of existing remnant vegetation.
 3. The precedent for undesirable small lot subdivision along the Hawkesbury River.

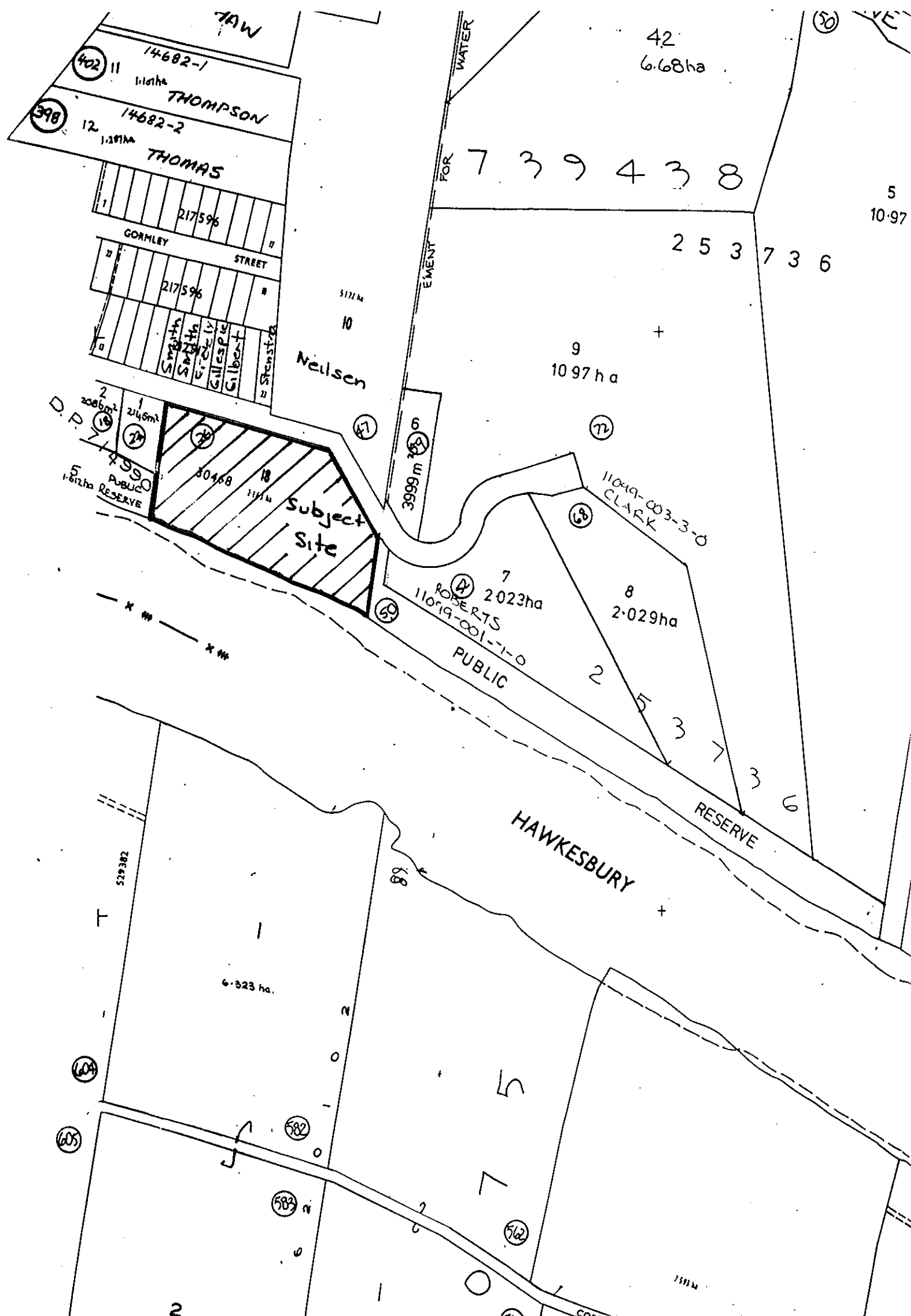
ATTACHMENTS:

AT-1 Locality map

AT-2 Plan of Subdivision

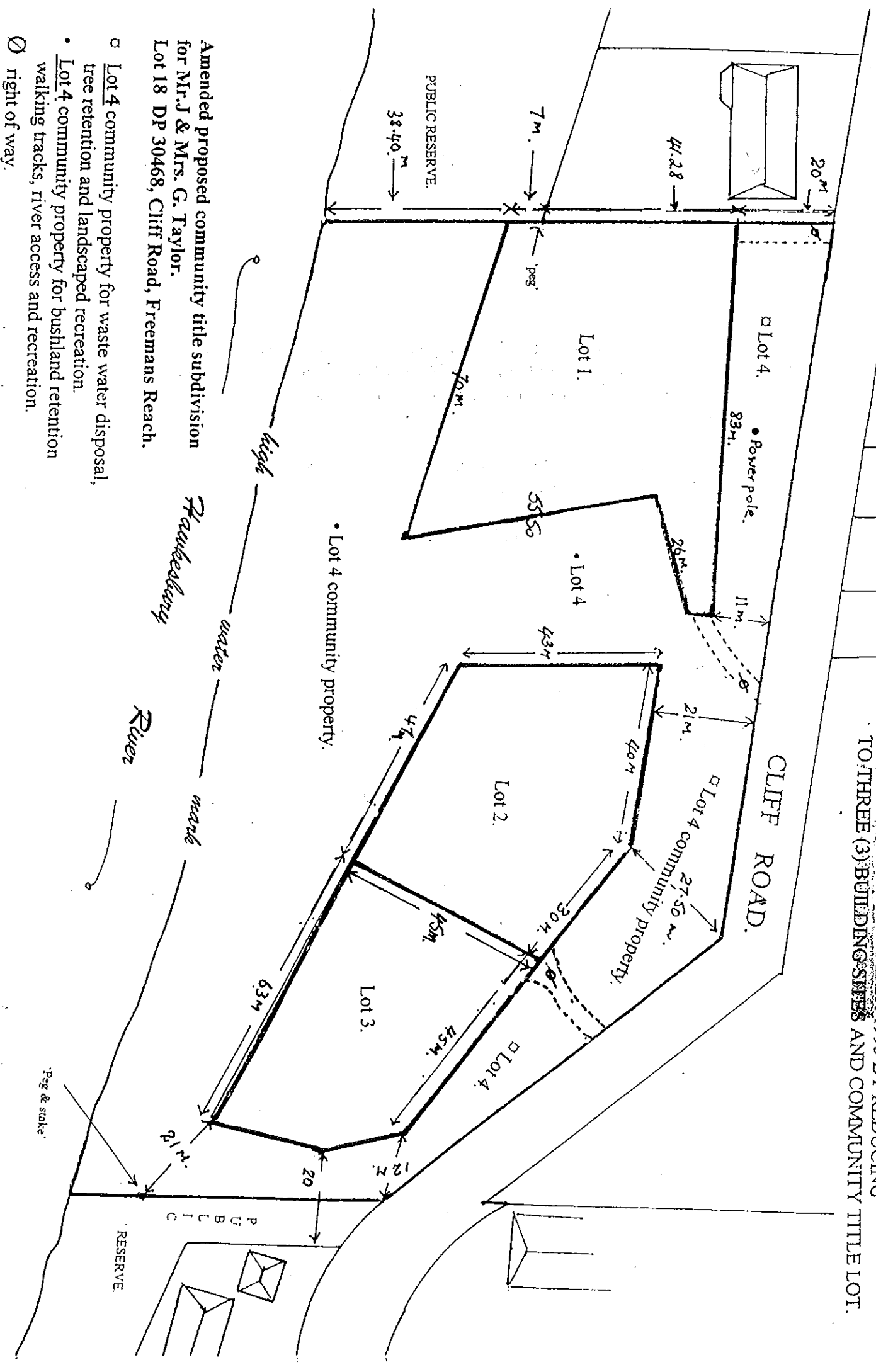
FN:EN130NBX.V09

****** END OF ITEM 104 ******



0 2 5 3 5

AMENDED: 20TH DECEMBER 1995 BY REDUCING
TO THREE (3) BUILDING SITES AND COMMUNITY TITLE LOT.



- Amended proposed community title subdivision
for Mr. J & Mrs. G. Taylor.
Lot 18 DP 30468, Cliff Road, Freemans Reach.
- Lot 4 community property for waste water disposal, tree retention and landscaped recreation.
 - Lot 4 community property for bushland retention walking tracks, river access and recreation.
 - right of way.

ITEM: 105 ✓**DRAFT DEVELOPMENT CONTROL PLAN - INDUSTRIAL DEVELOPMENT****FILE NUMBER:** DCP2/95/EVD**REPORT:**

Council, at its Ordinary Meeting of 11 July 1995, considered a report on amendments to its industrial DCP based on Urban Consolidation and "Green Street" philosophies and resolved that an amendment of the current DCP for Industrial Development be undertaken incorporating the suggestions contained in the report.

The amended DCP was placed on public exhibition between 6 December 1995 to 10 January 1996 and no submissions have been received.

Council can now make the DCP and give public notice as required by the Regulations.

RECOMMENDATION:

That Council:-

1. Make the Development Control Plan - Industrial Development DCP 2/95 as publicly exhibited in accordance with Clause 20 (1)(a) of the Environmental Planning and Assessment Regulations, 1994.
2. Give notice of its decision in a local newspaper, within 14 days of the decision, in accordance with Clause 20(2) of the Environmental Planning and Assessment Regulations, 1994 and
3. the Development Control Plan - Industrial Development DCP 2/95 be endorsed with Council's decision and the date the Plan becomes effective.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN130NBX.V10

**** END OF ITEM 105 ****

ITEM: 106

✓
DRAFT LOCAL ENVIRONMENTAL PLAN - AMENDMENT TO
HERITAGE ITEM (14) "HOBARTVILLE" - LOT 1, 2, 3, DP596558
AND LOT 209 AND LOT 210 DP260361 - WILLIAM COX DRIVE
AND INALLS LANE

FILE NUMBER: LEP5/95/EVD**REPORT:**

An anomaly exists in Schedule 1, Heritage Items, of Hawkesbury Local Environmental Plan 1989 relating to Historic Hobartville Stud. Currently the Lot numbers (Lots 205-208, 211, 213, DP260361) listed in Schedule 1 are residential properties containing brick dwellings constructed in the 1970's and 1980's. These properties share a common boundary with Historic Hobartville Stud. The picket fence that divides the properties holds no heritage significance. The Lots listed in this report are owned by the owners of the stud except for Lot 213.

It is anticipated that this amendment will ensure that the correct legal description for "Hobartville" is listed in Schedule 1 of Hawkesbury Local Environmental Plan 1989.

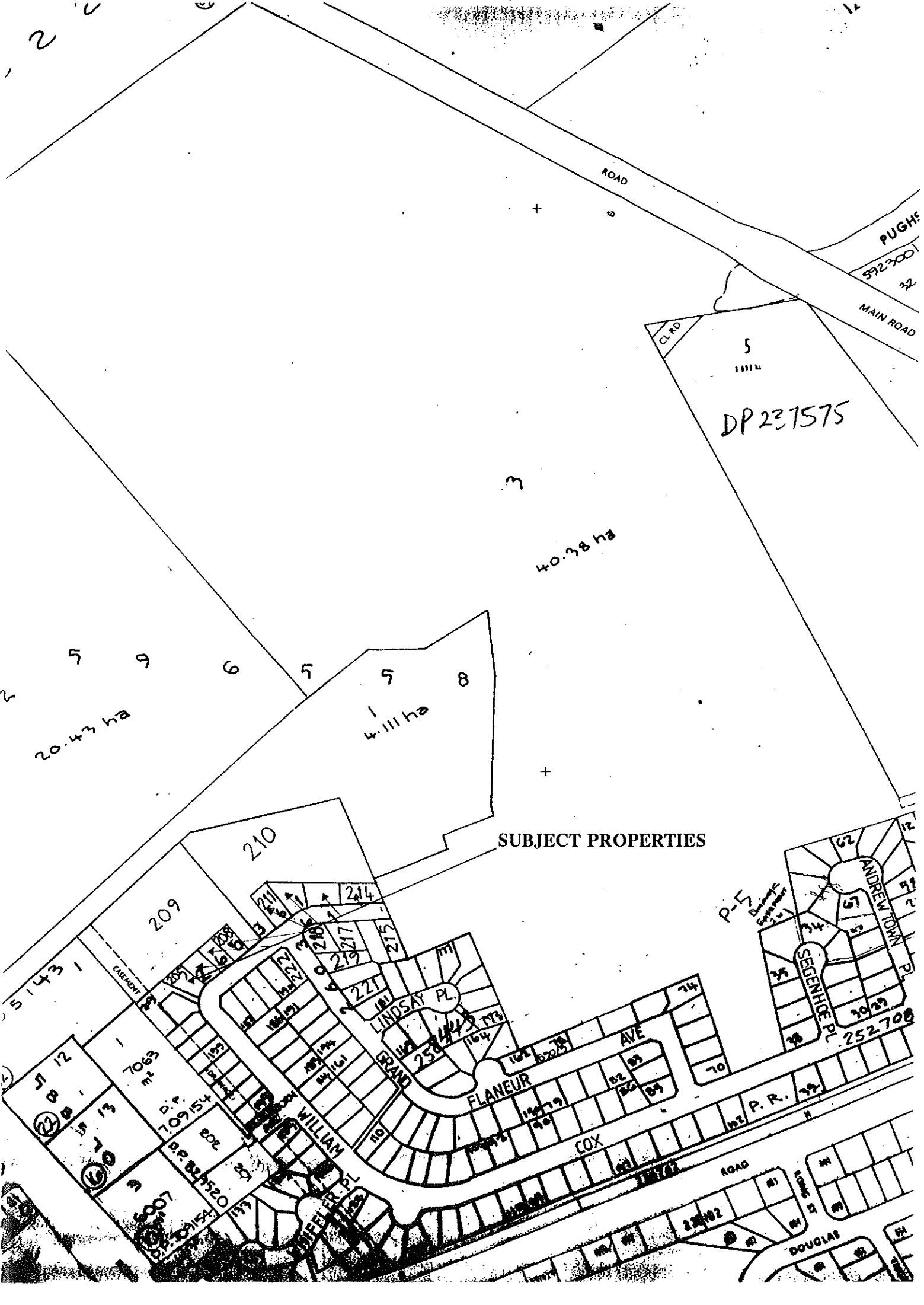
RECOMMENDATION:

1. Council prepare a Draft Local Environmental Plan to correct an anomaly in Schedule 1 by deleting Lots 205-208, 211, 213 DP260361 and insert Lot 1, 2, 3 DP596558 and Lot 209 and Lot 210 DP260361.

ATTACHMENTS:**AT-1** Locality Map.

FN:EN130NBX.V12

**** END OF ITEM 106 ****



ITEM: 107

WASTE MINIMISATION - INTRODUCTION OF AN OPTIONAL
140 LITRE WASTE CART INSTEAD OF THE CURRENT 240
LITRE WASTE CART SERVICE

FILE NUMBER: GW010/023/EVD

REPORT:

One of the immediate environmental crises facing Sydney is that of waste disposal. The issue is also acute for the City of Hawkesbury where for a variety of reasons disposal of waste by landfill must now be considered an expensive and finite option.

As an indication of its importance, the New South Wales Government has the objective of reducing the waste that goes into land fill by 60% prior to the year 2000.

If Council is to contemplate seeking exemption from joining the new Waste Boards, it will need to demonstrate a commitment to reducing waste in its area. An exemption may be granted only if the following criteria are met:-

- ▶ the Council has in place a comprehensive scheme for reducing waste within its area consistent with the 60% waste reduction target;
- ▶ the waste reduction solutions are self-supporting, and there is no assumption of Government subsidies;
- ▶ the Council has in place a scheme which provides for disposal of the waste generated in the area, and which involves a long-term disposal contract;
- ▶ waste recycling programs are underpinned by long-term supply contracts; and
- ▶ waste collection systems are operating efficiently.

It is also possible that the Government may impose penalties on Waste Boards or Councils who do not achieve the 60% waste reduction target.

As one component in a package of measures to meet the waste reduction target it is proposed to introduce in 1996/97 an optional 140 litre waste cart service at 60% of the normal garbage charge (for the 240 litre service). This option rewards low waste producers and encourages waste minimisation and recycling. The existing lifting devices on Council's one man garbage trucks have been designed to lift both 140 and 240 litre waste carts.

Other initiatives to achieve waste minimisation and increase recycling are:-

- ▶ in 1997 following expiry of the current recycling contract it is proposed to introduce a 240 litre recycling container (the existing waste cart with a different coloured lid) to replace the crates;

- ▶ a proposed recycling and transfer station at the South Windsor Waste Depot which will require sorting of recycling materials (including demolition material and green waste) from general waste;
- ▶ a fortnightly garbage and recycling service for Colo Heights and the Macdonald Valley instead of current weekly service at 60% of the normal charge (circular currently being sent to owners).

The proposed 40% reduction in the normal charge has been set as an incentive to achieve waste minimisation and recycling. Total revenue from the garbage charge would remain neutral with the charges for the 140 litre and 240 litre services being varied depending upon the uptake of the 140 litre service.

The attached table indicates that based upon the 1995/96 garbage charge of \$126.48, a possible 25% uptake of the 140 litre service would result in charges of \$84.32 and \$140.53 for the 140 litre and 240 litre services respectively.

An optional 140 litre service will help redress the effect of technological change over the past 15 years which has tended to increase waste volumes. The introduction of mobile waste carts and one man garbage trucks has increased the efficiency of waste collection resulting in increases in the volume of waste and the extension of the garbage service area.

It is proposed to issue a circular to all owners receiving a garbage service (except the proposed recipients of a fortnightly service) indicating the option of a 140 litre service at 60% of the applicable garbage charge. Unless the owner responds to accept a 140 litre service, the existing 240 litre service will continue to be rendered.

It will be necessary to vary the budget to acquire and distribute the required number of 140 litre bins. At the time of distribution, the 240 litre bin would be collected and held pending "recycling" as either a replacement bin (for those that are split) or as a recycling container to be issued in 1997.

Funding for the purchase of the 140 litre bins is available from the approved internal borrowing of \$2 (two) million to establish the upgraded South Windsor Waste Depot. The cost of the bins would then be recouped by an increase in the overall garbage charge for 1996/97.

RECOMMENDATION:

1. That Council offer an optional 140 litre waste (one hundred and forty) cart service commencing 1 July 1996 at 60% of the applicable (240 litre) (two hundred and forty) garbage charge.
2. The cost of acquiring and distributing the 140 litre (one hundred and forty) waste carts be funded from the \$2 (two) million to establish the upgraded South Windsor Waste Depot with this cost being recouped by an increase in the overall garbage charge.

3. The 140 litre (one hundred and forty) waste carts be displayed at suitable locations to enable residents to gain an appreciation of their capacity.

ATTACHMENTS:

AT-1 Table indicating effect of varying take up rates for the 140 litre service on the garbage charge.

FN:EN130NBX.V13

**** END OF ITEM 107 ****

DOMESTIC WASTE MANAGEMENT SERVICES - ANNUAL CHARGES										
Option	% Taken-up 140 Litre	% No Change (240 Litre)	No. of Services 140 litre	No. of Services 240 litre	Total Services	Annual Charge 140 Litre	Annual Charge 240 Litre	Yield from 140Litre	Yield from 240Litre	Total Yield
0	0%	100%	0	19,000	19,000		\$126.48	\$0.00	\$2,403,120.00	\$2,403,120
1	5%	95%	950	18,050	19,000	\$77.44	\$129.06	\$73,564.90	\$2,329,555.10	\$2,403,120
2	10%	90%	1,900	17,100	19,000	\$79.05	\$131.75	\$150,195.00	\$2,252,925.00	\$2,403,120
3	15%	85%	2,850	16,150	19,000	\$80.73	\$134.55	\$230,085.96	\$2,173,034.04	\$2,403,120
4	20%	80%	3,800	15,200	19,000	\$82.49	\$137.48	\$313,450.43	\$2,089,669.57	\$2,403,120
5	25%	75%	4,750	14,250	19,000	\$84.32	\$140.53	\$400,520.00	\$2,002,600.00	\$2,403,120
6	30%	70%	5,700	13,300	19,000	\$86.24	\$143.73	\$491,547.27	\$1,911,572.73	\$2,403,120
7	35%	65%	6,650	12,350	19,000	\$88.24	\$147.07	\$586,808.37	\$1,816,311.63	\$2,403,120
8	40%	60%	7,600	11,400	19,000	\$90.34	\$150.57	\$686,605.71	\$1,716,514.29	\$2,403,120
9	45%	55%	8,550	10,450	19,000	\$92.55	\$154.24	\$791,271.22	\$1,611,848.78	\$2,403,120
10	50%	50%	9,500	9,500	19,000	\$94.86	\$158.10	\$901,170.00	\$1,501,950.00	\$2,403,120
11	55%	45%	10,450	8,550	19,000	\$97.29	\$162.15	\$1,016,704.62	\$1,386,415.38	\$2,403,120
12	60%	40%	11,400	7,600	19,000	\$99.85	\$166.42	\$1,138,320.00	\$1,264,800.00	\$2,403,120
13	65%	35%	12,350	6,650	19,000	\$102.55	\$170.92	\$1,266,509.19	\$1,136,610.81	\$2,403,120
14	70%	30%	13,300	5,700	19,000	\$105.40	\$175.67	\$1,401,820.00	\$1,001,300.00	\$2,403,120
15	75%	25%	14,250	4,750	19,000	\$108.41	\$180.69	\$1,544,862.86	\$858,257.14	\$2,403,120
16	80%	20%	15,200	3,800	19,000	\$111.60	\$186.00	\$1,696,320.00	\$706,800.00	\$2,403,120
17	85%	15%	16,150	2,850	19,000	\$114.98	\$191.64	\$1,856,956.36	\$546,163.64	\$2,403,120
18	90%	10%	17,100	1,900	19,000	\$118.58	\$197.63	\$2,027,632.50	\$375,487.50	\$2,403,120
19	95%	5%	18,050	950	19,000	\$122.40	\$204.00	\$2,209,320.00	\$193,800.00	\$2,403,120
20	100%	0%	19,000	0	19,000	\$126.48		\$2,403,120.00	\$0.00	\$2,403,120

ITEM: 108

ERECTION OF 17 HOUSES - SUBDIVISION LOT 14 DP848917
(PROPOSED ERINA PLACE) - MILEHAM STREET, SOUTH
WINDSOR

FILE NUMBER: SA6/94/EVD

REPORT:

Edmonds and Associates Pty Ltd the owner of the above property have written requesting assurances that erection of houses will not be prohibited on the 17 Lots by reason of clause 25(1) and 25(2) of HLEP 1989.

Clause 25(2) states:

"Except as provided by subclause (5), a building shall not be erected on any land lying, as at the appointed day, at a level lower than 3 metres below the floor height standard for the area in which the building is to be located."

Clause 25(1) defines the appointed day as 6 April 1984.

The floor height standard for the area is RL16.00 hence under the LEP no dwelling may be erected on the land if the level at 6 April 1984 was below RL13.00.

Contours submitted with an earlier subdivision application indicate the subject land was between RL12.19 and RL13.0. At the time of subdivision approval a dwelling could have been erected on the site provided the natural surface was above the 10 yr flood level which was then approximately RL12.2 provided site was filled to RL13.00.

History

- (i) Conditional approval to subdivide the subject land and adjoining lands issued on 15 October 1991
- (ii) The site was filled to approximately RL13.4 in 1992
- (iii) Two stages of the initial subdivision released and resited dwelling erected thereon
- (iv) A new conditional subdivision approval to create the 17 Lots issued on 9 February 1994
- (v) Amendments to HLEP 1989 gazetted 20 May 1994 prohibiting erection of dwellings on land greater than 3m below the floor height standard (RL16.00) as at 6 April 1984
- (vi) Letter to Mr P Edmonds dated 10 June 1994 advising that favourable consideration will be given to building applications on the subject Lots on the basis that always the intention to permit dwellings on the proposed allotments.

- (vii) Council at its ordinary meeting 9 May 1995 resolved that favourable consideration "in principal" be granted for the relocation of 17 (seventeen) resited dwellings onto the subject Lot for storage. The resolution included a number of conditions including the obtaining of Development Consent prior to any resited dwelling being located on the subject site. The resolution also pointed out that it was not to be taken as an approval. The resolution was not pursued.

Assessment

Erection of dwellings on the site is prohibited by Clause 25(2) of HLEP 1989.

However as the requirement for the land to be no lower than 3 (three) metres below the floor height standard at 6 April 1984 could be considered a development standard objection may be lodged under SEPP1.

In brief SEPP1 provides that where development could be carried out but for any development standard a development application may be made supported by a written objection. This applies regardless of whether development consent was originally required.

While the applicant has been advised on a number of occasions of support for the erection of dwellings on the site the only way that the applicant can be guaranteed of approval is to obtain development consent for the erection of buildings on the site.

Although Council indicated support for the erection of resited dwellings on the site as recently as May 1995 it is considered that to protect the amenity of the area no further resites should be permitted ie any further dwellings should be of original construction.

In the light of the history of the site dwellings should be permitted on the land once the subdivision works have been completed and the linen plan registered.

RECOMMENDATION:

- A. The applicant be informed that approval will not be given to the erection of resited dwellings on the site.
- B. Council will consider a development application for the erection of new dwellings on the site provided the application is supported by a justifiable SEPP 1 objection. The application is to include:
 - (i) Plans of at least 10 (ten) different house designs to suit the proposed Lots
 - (ii) Houses to provide a minimum habitable floor height of RL16.00 AHD
 - (iii) Construction materials to be capable of withstanding immersion in water for lengthy periods

- (iv) Conceptual landscaping plan to reduce the bulky appearance of the buildings
- (v) A suitable SEPP1 objection

C. The application will be considered on its merits at the time of the application and any approval issued will conditional upon registration of the subdivision plan creating separate Lots prior to the commencement of any building. Further any approval will include a condition that no more than two similar designs be erected on the site.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN130NBX.V16

****** END OF ITEM 108 ******

ITEM: 109/

WARRAGAMBA DAM - PUBLIC MEETING HELD ON 20
DECEMBER 1995 - SIGNAGE TO ADVERTISE THE BENEFITS OF
A FLOOD MITIGATION DAM COMPARED TO THE PROPOSED
SPILLWAY

FILE NUMBER: GC180/006PT02/EVD

REPORT:

A public meeting was held in the Windsor Function Centre on Wednesday 20 December 1995 to discuss the Government's decision not to proceed with the proposed 23 metre extension to the height of the Warragamba Dam wall.

The public meeting resolved as follows:-

1. *That the State Government construct the 23 metre extension to the Warragamba Dam wall.*
2. *That Council mark floodheights for the spillway and the 23 metre dam wall extension at 50 to 100 locations in the City of Hawkesbury and undertake a media campaign over a 3 week period to seek letters of support and petitions.*
3. *A further public meeting should be held in the new year with invitations to be sent to adjoining Councils.*
4. *A working party be established to direct efforts in publicising the issue.*

As a consequence of these resolutions a proposal has been drafted for signage to publicise the issue. A copy of the proposed sign will be on display in the Council Chambers. The sign will be located so as to accurately depict the actual 1867 peak flood level at 19.2 metres AHD and will prompt support for a flood mitigation dam to lower that level by 4.4 metres and will provide Council's telephone number for further information.

Following the issue of an approval, it is proposed to erect 12 signs with dimensions of 1800mm x 1200mm for a limited period of not more than 12 months along highly trafficked roads at the following locations:-

North Richmond x 1
Agnes Banks x 1
Richmond x 3
Wilberforce x 1
Pitt Town x 1
McGraths Hill x 2
Windsor x 2
South Windsor x 1

The cost of erecting and dismantling the signs is approximately \$10,000.

A meeting of the Working Party has been scheduled for Tuesday 23 January 1997 where consideration is to be given to other forms of publicity.

RECOMMENDATION:

That the budget for 1995/96 be varied to permit the expenditure of \$10,000 (ten thousand dollars) on the erection of 12 (twelve) signs to publicise the impact of not proceeding with the 23 (twenty three) metre raising of the existing dam for flood mitigation purposes.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN130NBX.V17

**** END OF ITEM 109 ****

ITEM: 110**CONTROL OF BROTHELS - DISORDERLY HOUSES
AMENDMENT ACT 1995****FILE NUMBER:** GL010/002PT07 & GC070/005PT10/EVD**REPORT:**

The Disorderly Houses Amendment Act 1995 commenced on 8 December 1995 and as a result it is no longer an offence to keep a brothel. Brothels are now a legitimate land use which can be regulated through local environmental plans. Where brothels are not prohibited by an LEP, council may consider a development application for a brothel in the same way as for other permissible development.

Blanket prohibition of brothels through LEPs will have the effect of making the establishment of a brothel illegal under planning law. The Minister for Urban Affairs and Planning, the Hon. Craig Knowles, MP, does not support this approach as it contradicts the intent of the Government's amendment and may result in increased street prostitution and could encourage attempts to corrupt council staff.

In order to provide a mechanism for legitimate complaints from the community to be heard, local councils have been empowered to make applications to the Land and Environment Court for closure of premises which are having a significant adverse effect on the area. Complaints may be made, for example, if the brothel is operating near or within view from a church, hospital, school or other place regularly frequented by children for recreational or cultural activities.

RECOMMENDATION:

That the information concerning the Disorderly Houses Amendment Act 1995 be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN130NBX.V18

**** END OF ITEM 110 ****

ITEM: 111

SECTION 102 MODIFICATION - AGED PERSONS HOUSING
DEVELOPMENT FOR 71 UNITS - KING ROAD, WILBERFORCE -
APPLICANT: G FALSON & ASSOCIATES

FILE NUMBER: DA0236/93PT02/EVD

REPORT:

Council at its meeting on 13 September 1994 resolved to issue a "Deferred Commencement" consent (approval in principle) to an aged persons housing development containing:-

- . a total of 71 x one, two and three bedroom dwellings
- . caretaker's cottage
- . community centre
- . onsite recreation and leisure facilities including tennis court, pool and recreation centre
- . onsite disposal of effluent
- . car parking

The "Deferred Commencement" consent required the following:

- A. *the applicant satisfying Council that -*
- a) *the following investigations have been undertaken by consultants approved by the Water Board in accordance with briefs agreed to by the Board and other relevant authorities, and funded by the applicant:*
 - i. *an overall water cycle study showing feasibility of disposal of effluent, including the impact of the proposal on the water balance of the area and water quality of the Hawkesbury - Nepean River;*
 - ii. *when the total water cycle study is complete and shown to be satisfactory to the Water Board and other relevant authorities, an environmental impact statement for the water and sewerage components of the development; and*
 - iii. *a financial analysis of the ability of the proposed development to sustain water and sewerage services, including ongoing revenue to meet the true cost of the services provided and minimisation of financial risk to the Water Board. This analysis is to be conducted by a suitably qualified person, briefed jointly by the proponent and the Water Board.*
 - b) *the investigations set out in (a) above have been completed to the satisfaction of the Water Board and within a period of 12 (twelve) months from the date of 'in principle' consent of the Council; and*
 - c) *the Water Board and the applicant have entered into a contract or other arrangement with the applicant, which has been approved by the Minister administering the Water Board Act, 1987, to provide, construct, operate, manage and maintain the sewage treatment system servicing the development.*

- d) *as a number of garages are not square to the driveway, adequate car parking and manoeuvrability can be provided."*

The wording of the "Deferred Commencement" approval was a requirement of Sydney Water. Sydney Water have since advised that following its corporatisation on 1 January 1995 it is no longer a public authority and, hence, no longer has concurrence powers under State Environmental Planning Policy No.5. Sydney Water requested that the conditions be altered to transfer responsibility for assessing the studies to Council.

A representative of the owner has provided Council with a copy of a letter from the Environment Protection Authority which provides "in principle" support to a management plan of the water cycle prepared by Toby Fiander & Associates and dated 23 October 1995.

However, a pollution control approval (PCA) is required prior to the installation and establishment of sediment erosion control measures for the construction stage of the proposal, the package sewage treatment plant, effluent utilisation area and dual reticulation system.

Given the water cycle study which has been undertaken by a qualified and experienced engineer, and the EPA's in principle approval, it is considered that a number of requirements of the "Deferred Commencement" approval are now redundant. The status of the "Deferred Commencement" approval is indicated in the following table:

a(i) An overall water cycle study (be prepared) showing feasibility of disposal of effluent, including the impact of the proposal on the water balance of the area and water quality of the Hawkesbury Nepean River.	Completed by Toby Fiander & Associates. Indicates that the development can be supplied by a dual potable and non-potable water supply and that treatment to tertiary standard with on site disposal by irrigation is feasible.
a(ii) When the total water cycle study is complete and shown to be satisfactory to the Water Board and other relevant authorities, an environmental impact statement for the water and sewerage components of the development (be prepared);	Sydney Water no longer involved. EPA has indicated in principle support for the proposal based upon information in the Fiander report. The preparation of an environmental impact statement is now considered to be irrelevant as an approval has already been issued and investigations of the water cycle are contained in the Fiander report.

a(iii) A financial analysis of the ability of the proposed development to sustain water and sewerage services, including ongoing revenue to meet the true cost of the services provided and minimisation of financial risk to the Water Board. This analysis is to be conducted by a suitably qualified person, briefed jointly by the proponent and the Water Board.	Sydney Water no longer involved however it is considered that this requirement should be complied with to Council's satisfaction to demonstrate the viability of the water and sewerage services.
(b) The investigations set out in (a) above have been completed to the satisfaction of the Water Board and within a period of 12 months from the date of "in principle" consent of the Council.	Sydney Water no longer involved. At Council's meeting on 14 November 1995 an additional 6 month period was provided to complete the studies. Requirements now have to be completed by 14 May 1996.
(c) The Water Board and the applicant have entered into a contract or other arrangement with the applicant, which has been approved by the Minister administering the Water Board Act, 1987, to provide, construct, operate, manage and maintain the sewage treatment system servicing the development.	No longer relevant as a consequence of corporatisation of Sydney Water.
d. As a number of garages are not square to the driveway, adequate car parking and manoeuvrability can be provided.	A plan is to be submitted indicating compliance with this requirement.

In view of the corporatisation of Sydney Water and the environmental investigations which have been undertaken, it is recommended that the "Deferred Commencement" approval requirements be modified.

RECOMMENDATION:

The "Deferred Commencement" consent to the establishment of an aged persons housing development comprising 71 (seventy-one) residential units be amended to provide as follows:

A.(a) The applicant is to satisfy Council that:

- i an overall water cycle study showing feasibility of disposal of effluent, including the impact of the proposal on the water balance of the area and water quality of the Hawkesbury-Nepean River;
 - ii a financial analysis of the ability of the proposed development to sustain water and sewerage services, including ongoing revenue to meet the true cost of the services provided and minimisation of financial risk. This analysis is to be conducted by a suitably qualified person.
- (b) the investigations set out in (a) above are to be completed by 14 May 1996.
- (c) as the number of garages are not square to the driveway, adequate car parking and manoeuvrability can be provided.

All the conditions to be satisfied upon compliance with the above remain unaltered.

- B. The applicant be advised that the requirements of (a)(i) have been completed to Council's satisfaction.

ATTACHMENTS:

There are no supporting documents for this report.

FN:EN130NBX.V19

**** END OF ITEM 111 ****

GENERAL PURPOSE COMMITTEE



SECTION 2 INFRASTRUCTURE

GENERAL PURPOSE COMMITTEE - INFRASTRUCTURE

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Meeting Date: 30 January 1996

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

GENERAL PURPOSE COMMITTEE - INFRASTRUCTURE

Meeting Date: 30 January 1996

Item: 14

ITEM: 14**MAJOR RESCUE EXERCISE - 4 FEBRUARY 1996 - MR R BOTTLES - ST JOHN AMBULANCE OF AUSTRALIA - HAWKESBURY DIVISION****FILE NUMBER:** 1652/R/PT01/ENG**REPORT:**

An application has been made by Mr R Bottles St John Ambulance of Australia, Hawkesbury Division requesting permission to close Packer Road, Lower Portland, between 10.00am to 2.00pm on Sunday 4 February 1996 to hold a major rescue exercise. Approval has been granted to the above application on the following conditions.

1. Full closure of Packer Road is to be effected during 10.00am - 2.00pm on 4 February, 1996, only, with public use at other times subject to direction.
2. Advertising is to commence and signage is to be erected the week beginning 15 January, 1996.
3. Signage and advertising referred to at (2) above is to incorporate the following details:-

Packer Road closed
10.00am - 2.00pm Sunday 4 February, 1996
Short delays may be experienced
at other times
disaster training exercise.
4. Signage is to be erected on the northern and southern approaches to Packer Road on both Putty Road and West Portland Road
5. A copy of a Public Liability cover for \$10,000,000 is to be forwarded prior to the activity.
6. Concurrence with the NSW Police Service.
7. The residents of the property on the corner of Packer Road and West Portland Road, with their driveway access on Packer Road are to be advised of the activity.

RECOMMENDATION:

That the action be endorsed.

ATTACHMENTS:

There are no supporting documents for this report.

FN:IN130NAX.E07

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

FN:IN130NAX.E07

SECTION A

Page 3

ITEM: 15 ✓ **ADVERTISING ON BUS SHELTER****FILE NUMBER:** 0207/R PT02/ENG**REPORT:**

A request has been received from "The Outstretched Hand Foundation" seeking approval to advertise the services provided by the Organisation, on the bus shelter located at the intersection of Bells Line of Road and Berambing Crescent, Berambing. The Foundation is a charitable organisation, and serves as a support service to persons and families living with the dying.

The Foundation has stated they would be responsible for the beautification of the shelter area.

RECOMMENDATION:

That approval be given to "The Outstretched Hand Foundation" to utilise the bus shelter at the intersection of Bells Line of Road and Berambing Crescent, Berambing for advertising purposes, subject to the Foundation undertaking the landscaping and maintenance of the shelter and immediate surrounds.

ATTACHMENTS:

There are no supporting documents for this report.

FN:IN130NBX.E06

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

GENERAL PURPOSE COMMITTEE



SECTION 3 ORGANISATION & RESOURCES

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

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GENERAL PURPOSE COMMITTEE - ORGANISATION & RESOURCES

Meeting Date: 30 January 1996

Item: 20

ITEM: 20

MONTHLY FINANCIAL STATEMENTS - NOVEMBER 1995

FILE NUMBER:

GF011/005 PT04/FNC

REPORT:A. CASH EXPENDITURE WARRANT No 11/1995SUMMARY - Accounts Paid

General Fund Nos.	39162 -	39957	7,773,145.80
Trust Fund Nos.	4498 -	4513	1,703,449.14
			9,476,594.94

CERTIFICATE BY RESPONSIBLE ACCOUNTING OFFICER

This summary Warrant presented above is fully supported by Vouchers and Invoices which have been duly certified as to the receipt of goods and/or rendition of services and as to prices, computations and costings and the amounts shown were due for payment. The detailed Warrant is available upon request.

L M Weatherstone
Director Community Management and Finance

B. STATEMENT OF BANK BALANCES AND GENERAL MANAGER'S CERTIFICATE

STATEMENT OF BANK BALANCES AS AT 30 NOVEMBER 1995

GENERAL FUND	CR. 410,295.94
TRUST FUND	CR. 74,578.53

CR. 484,874.47

FORM 2

GENERAL

Balance - Cash Account as at 1 November 1995	CR. 876,748.46
Receipts for period ended 30 November 1995	DR. 9,162,956.56

DR. 8,286,208.10

Payments for period ended 30 November 1995	CR. 8,848,852.58
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CR. 562,644.48

Limit of overdraft arranged with bank	\$800,000.00
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RESPONSIBLE ACCOUNTING OFFICER

I hereby certify that the Cash Book and Bank Statements have been reconciled in all funds as at 30 November 1995.

L M Weatherstone
Director Community Management and Finance

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

Term Deposits

120 Days	12.12.95	7.68%	General Fund	200,000.00
181 Days	11.12.95	7.80%	General Fund	660,000.00
181 Days	11.12.95	7.80%	General Fund	163,680.16
181 Days	11.12.95	7.80%	Sewerage Fund	976,319.84
116 Days	18.12.95	7.67%	General Fund	300,000.00
216 Days	18.12.95	8.00%	Sewerage Fund	1,000,000.00
91 Days	20.12.95	7.71%	General Fund	1,610,000.00
91 Days	20.12.95	7.71%	General Fund	2,490,000.00
94 Days	05.01.96	7.52%	Sewerage Fund	2,000,000.00
101 Days	08.01.96	7.60%	General Fund	3,000,000.00
180 Days	27.02.96	7.75%	Sewerage Fund	1,230,000.00
180 Days	27.02.96	7.75%	General Fund	770,000.00
185 Days	29.02.96	7.83%	General Fund	1,000,000.00
185 Days	04.03.96	7.71%	General Fund	780,000.00
185 Days	04.03.96	7.71%	General Fund	300,000.00
365 Days	15.08.96	8.05%	General Fund	850,000.00
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	5,650,000.00
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\$25,930,000.00

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
Director Community Management and Finance

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OG130NAX.F02

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

GENERAL PURPOSE COMMITTEE - ORGANISATION & RESOURCES

Meeting Date: 30 January 1996

Item: 21

ITEM: 21**MONTHLY FINANCIAL STATEMENTS - DECEMBER 1995****FILE NUMBER:**

GF011/005 PT04/FNC

REPORT:**A. CASH EXPENDITURE WARRANT No 12/1995****SUMMARY - Accounts Paid**

General Fund Nos.	39958 -	40394	7,471,045.39
Trust Fund Nos.	4514 -	4529	2,218,329.47
			9,689,374.86

CERTIFICATE BY RESPONSIBLE ACCOUNTING OFFICER

This summary Warrant presented above is fully supported by Vouchers and Invoices which have been duly certified as to the receipt of goods and/or rendition of services and as to prices, computations and costings and the amounts shown were due for payment. The detailed Warrant is available upon request.

L M Weatherstone
Director Community Management and Finance

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

GENERAL FUND	CR. 528,173.33
TRUST FUND	CR. 58,816.22

CR. 586,989.55

FORM 2

GENERAL

Balance - Cash Account as at 1 December 1995	CR. 562,644.48
Receipts for period ended 31 December 1995	DR. 10,730,308.16

DR. 10,167,663.68

Payments for period ended 31 December 1995	CR. 10,962,482.47
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CR. 794,818.79

Limit of overdraft arranged with bank	\$800,000.00
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RESPONSIBLE ACCOUNTING OFFICER

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

L M Weatherstone
Director Community Management and Finance

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

94 Days	05.01.96	7.52%	Sewerage Fund	2,000,000.00
101 Days	08.01.96	7.60%	General Fund	3,000,000.00
35 Days	15.01.96	7.54%	General Fund	660000.00
35 Days	15.01.96	7.54%	Sewerage Fund	976,319.84
35 Days	15.01.96	7.54%	General Fund	163,680.16
30 Days	11.01.96	7.53%	General Fund	200,000.00
63 Days	19.02.96	7.57%	Sewerage Fund	1,000,000.00
180 Days	27.02.96	7.75%	Sewerage Fund	1,230,000.00
180 Days	27.02.96	7.75%	General Fund	770,000.00
185 Days	29.02.96	7.83%	General Fund	1,000,000.00
185 Days	04.03.96	7.71%	General Fund	780,000.00
185 Days	04.03.96	7.71%	General Fund	300,000.00
365 Days	15.08.96	8.05%	General Fund	850,000.00
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	9,230,000.00
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\$25,110,000.00

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
Director Community Management and Finance

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OG130NAX.F03

**** END OF ITEM 21 ****0

ITEM: 22 **ALCOHOL-FREE ZONES****FILE NUMBER:** GP 070/001 PT04/CSV**REPORT:**

Changes have recently been made to the Local Government Act 1993 relating to Alcohol-free Zones.

The Local Government Amendment (Alcohol-free Zones) Act 1995 commenced on 22 December 1995 and contains the following provisions

- * a Council may prepare a proposal for the establishment of an alcohol-free zone on its own motion.
- * an alcohol-free zone may be established in a public place that is a car park.
- * an alcohol-free zone may be established in relation to a special event.
- * an alcohol-free zone may operate up to a maximum period of 3 years.
- * notification procedures relating to the establishment of alcohol-free zones require notification of additional parties and allow concurrent notification.
- * an alcohol-free zone may be enforced only by Police Officers (excluding special constables except where the Commissioner of Police has authorised particular Council employees as enforcement officers for special events.
- * That a council may not utilise section 632 of the Act (that it is an offence to fail to comply with the terms of a notice erected by the Council) in any place where an alcohol-free zone could be established.

In addition, a transitional provision allows a Council, by resolution, to extend the operation of an Alcohol-free Zone that existed as at 22 December 1995 for a period of up to three (3) years from the actual date the zone commenced.

Accordingly, it is recommended that Council consider adopting this transitional provision extending the operation of Alcohol-free Zones throughout the City of Hawkesbury (which all commenced on 1/1/95) to remain in force until 31 December 1997.

RECOMMENDATION:

That the operation of the following Alcohol-free Zones be extended, in accordance with the Local Government Amendment (Alcohol-free Zones) Act 1995, until December 1997.

1. The block having as its boundaries Francis Street West Market Street, Windsor Street and Bosworth Street, Richmond including the Coles car park.
2. East Market Street, Richmond between Francis Street and Windsor Street.
3. Toxana Street, Richmond between Francis Street and Windsor Street.

4. Windsor Street, Richmond between East Market Street and Windsor Street.
5. West Market Street, Richmond between Lennox Street and March Street.
6. The block having its boundaries East Market Street, Windsor Street, West Market Street, and March Street Richmond.
7. East Market Street, Richmond between March Street and Lennox Street.
8. Woodhills car park, Richmond.
9. Bells Line of Road, North Richmond - area known as State Bank Plaza car park adjoining Pitt Lane.
10. Windsor Mall, Windsor.
11. Golden Valley Drive, Glossodia in front of the Shopping Centre including carpark and access road.
12. Eldon Street, Pitt Town between Grenville Street and Chatham Street.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OG130NBX.C01

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

**HAWKESBURY CITY COUNCIL
GENERAL PURPOSE COMMITTEE**

END OF BUSINESS PAPER

MINTURN

- FRANCIS / TOXANA — HOLES
- REDBANK RD - PAVEMENT - "

SANITARIAS BUDONE

DRAINAGE

WEATHER

- PRICE UPDATE - REZONING
- STANNIX PARK RD - GRADE
- ADDITIONAL INFO FOR WEEKEND.

BOOKS

- COMPOSTING CLARIFICATION
- LAKE GEORGE / CHURCH - BELL / ARYLE - MILKING WATER
- REPLACEMENT TREES MCQUADE PARK

ALLAN

- REPORT PED. XING - ST MONICOS SCHOOL (REMOVED)
- PROJECTS FOR ELECTIONS

PAINE

- TOURISM BOARD MINUTES.
- NURSES HOME UPDATE
- DOGS ATTACKING - THE TERRACE FREEMANS REACH

CALVERT

ACCESS TO RIVER TIZZANO RD - WINERY EDD.

SEARLE

- ~~ST~~ NORTH RICHMOND P.T.A. REPLY - MEDIAN
- BLOCKOUT CYCLE SIGNS
- WINDSOR ST. CAR YARD PIT - BOURKE
- MOBILE PHONE ACCESS BY VEHICLES