



general
purpose
committee

1
section

environment

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ITEM: 77 **Proposed Subdivision by Boundary Adjustment Lot 101 DP848611, Lot 1 DP782525 & Lot 2 DP561603 Bells Line of Road and Kurmond Road, Kurmond**

FILE NUMBER: SA124/97/EVD/ENA27NAX.V13

PREVIOUS ITEM: 60, GPC Section 1 - Environment (25.11.1997)

PREVIOUS ITEM: 136, Ordinary (09.12.1997)

Applicant: Bennett Real Estate Pty Ltd
Applicants Rep: Ken Bennett
Owner: Rencorp Pty Ltd, NSW Department of School Education and P T Wright
Stat. Provisions: HELP 1989 and Draft Amendment No. 96
Area: 12.6 hectares
Zone: 1(c1) - 4 hectare minimum
Advertising: Not required
Date Received: 13 October 1997 - Amended Plans 8 December 1997

Key Issues: History of lots
 Adjustment boundaries - Clause 13 HELP 1989
 Draft Amendment to Clause 13
 Public Benefit

Action: Deferred Commencement Approval

REPORT:

This application was reported to Council at the November 1997 General Purpose Committee and it was deferred at the December Ordinary Meeting, when the applicant submitted an amended plan. This report assesses the amended application in the context of the proposed variations to Clause 13 of HLEP 1989 regarding boundary adjustments.

The applicant seeks to create three (3) lots of 9.54ha 1.618ha, and 1.45ha by boundary adjustment. The existing lots have areas of 10.99ha, 1.214ha and 4047m².

The lot which the applicant seeks to relocate comprises part of the land occupied by Kurmond Public School and is Lot 2 DP561603 with an area of 4047m². The lot was created in 1973 without reference to Council by the Public Works Department and the DP contains the note "Lot 2 to be acquired for addition to Kurmond Public School Site". The lot would not have been created by the normal subdivision process as it has no road frontage and is simply located at the rear of the school site. The area is levelled to create a play area and has a small shed erected on it. The lot was originally part of what is now Lot 101.

The school is proposing to retain the total area of land it now owns i.e. 1.618ha. The Department of School Education essentially proposes to sell the development right by creating the boundary adjustment, but to retain the land as a single lot.

Given the history it would normally be considered that no development right should be recognised for the lot and as such it should not be allowed to be transferred to create a new lot. However the applicant has submitted a letter from the Principal of Kurmond Public School which is reproduced in full.

"I have been advised by Mr Brian Rees, School Service Officer, that approval has been given by the Department of School Education for the transfer of the above title to Rencorp Pty Ltd for the agreed sum of \$40,000.00. This transaction is dependent on approval from the Hawkesbury City Council.

The Parents and Citizens Association and parent community are very excited at the prospect of this financial input as the funds would be used to update existing toilet facilities which are totally inadequate and represent a health and safety hazard. The current toilet block was completed in 1973 when the school population was 71 students. We currently have an enrolment of 183 children and the stress this puts on the ablution block is immense.

The Department of School Education policy, "Allocation of Funds from Sale or Lease of School Facilities" clearly states:

"Where a school, or the Department, recommends that part of its land or buildings, are surplus to requirement for the long term the Minister can consider the sale of the assets with the primary aim of reinvestment in that school to provide needed facilities."

I anticipate the transaction will proceed quickly and the funds allocated to Kurmond Public School will allow us to undertake our primary needs."

Statutory Situation

Notwithstanding the above it is necessary to look carefully at the provisions of HLEP 1989 and draft Amendment 96 in detail.

Clause 13(1) provides "Nothing in this plan prohibits subdivision by adjustment or relocation of common boundaries provided that:

- (a) no additional allotments are created;
- (b) no allotment becomes, as a consequence of the adjustment or relocation, capable of subdivision under this plan; and
- (c) the number of undersized allotments resulting from the subdivision does not exceed the existing number of undersized allotments..."

Arguably no common boundary is being adjusted, rather a boundary between Lot 2 DP561603 and Lot 1 DP782525 is being eliminated. See attachments 1 and 2 to this report.

A recent Land and Environment Court decision at Bilpin has lead to a very narrow interpretation of Clause 13 of HELP 1989 which may prohibit Council refusing the application as a boundary adjustment. However, when considering an application any Draft LEP must be taken into consideration. Following the appeal decision draft Amendment No. 96 was adopted and exhibited from 8 October, 1997.

A separate report is submitted to this meeting recommending adoption of the draft amendment, subject to some changes. The draft amendment as now recommended in that report would not prohibit this proposal.

Subdivision Potential

Lot 101 has an area of 10.99ha. Given the 4ha minimum within the zone it has potential in its own right for two lots. It could be argued that this boundary adjustment will merely increase the potential lot yield of the total site.

The amended plan is better than that originally submitted as it relocates and increases the size of the smaller proposed lot from 0.4ha to 1.45ha. However the 1.45ha lot is extremely steep and traversed by a deep gully which flows into Howes Creek. Satisfactory on-site effluent disposal may be difficult. Any approval should therefore be a deferred commencement subject to a satisfactory effluent disposal report. The earlier plan proposed a small lot of 4000m² which contained an existing dwelling which is now to be located on the large lot.

Conclusion

It may be arguable, from a legal point of view, whether or not the proposal represents an "adjustment or relocation of a common boundary". However, three legally created allotments currently exist, and the Department of Education would be entitled to dispose of the existing Lot 2.

The proposal has merit in that the existing landlocked allotment will be relocated to provide direct road frontage. Although the school will not be reducing its land holding, there is clearly a community benefit in the school disposing of the land in this way.

On balance, it is considered that the application should be supported and conditional approval is recommended.

RECOMMENDATION:

Council issue of deferred commencement consent in accordance with the following:

A. Deferred Condition

The submission of a water balance report which demonstrates that a dwelling can be erected and effluent satisfactorily disposed of on proposed Lot 105. The report shall include details of the permitted locations of the dwelling and the effluent disposal areas.

- B. Upon compliance with A above the application be approved subject to:
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 Integral Energy 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 Telstra that satisfactory arrangements have been made for the provision of cables for telephones through the subdivision.
 4. 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 of Environment and Development.
 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 \$220 (two hundred and twenty). This amount is valid until 30 June 1998.
 7. The subdivision shall be in general accordance with the submitted plan.
 8. The carrying out of any works and the creation of any restrictions on use of the land necessary to ensure implementation of the effluent disposal report required by (A) above.
 9. The proposal is not a subdivision by adjustment or relocation of common boundaries as the boundary to be relocated is not common to Lot 101. As such Clause 13 does not apply.

ATTACHMENTS:

AT-1 Proposed subdivision plan.

AT-2 Existing lot layout

oooO END OF ITEM 77 Oooo

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Item: 78

ITEM: 78 **Gilling - v - Hawkesbury City Council - Proposed Manufactured Homes, 79 Greens Road, Lower Portland**

FILE NUMBER: DA26/97, P717.72/EVD/ENA27NBX.V11

REPORT:

In the matter of Gilling - v -Hawkesbury City Council, Land & Environment Court Proceedings No. 20217/97, the Appeal has now been withdrawn approximately 1 week before the scheduled commencement of the Hearing.

Council has incurred considerable cost in the preparation of consulting reports and also legal advice which is likely to be in the vicinity of \$10,000. Council's solicitors have been instructed to seek costs in the matter if they consider Council has a reasonable case.

The reason for the withdrawal of the Appeal has been discussed with Glenys Gilling who advises that she intends to proceed to place manufactured homes onsite some time in the future.

Given Council's resolution that manufactured homes not be permitted on the site, Council's Solicitors have been instructed to issue a warning letter concerning placement of manufactured homes and also to seek an injunction preventing their placement should they proceed to be located onsite.

The status of the matter will be verbally updated at the meeting.

RECOMMENDATION:

That the information concerning the withdrawal of the Appeal by Gilling in relation to manufactured homes at 79 Greens Road, Lower Portland be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 78 Oooo

ITEM: 79 Local Government Amendment (Ecologically Sustainable Development) Act 1997**FILE NUMBER:** GC070/005 PT13/EVD/ENA27NBX.V03

REPORT:

Circular No. 97/95 from the Department of Local Government, concerns the Local Government Amendment (Ecologically Sustainable Development) Act 1997, which has a number of requirements for Council to meet in relation to development approvals, State of the Environment reporting, management plans and how we will adopt a strategic “whole of council” approach, towards the recognition of ecologically sustainable development, whilst responding positively to environment problems in our local area. A number of the requirements will require increased expenditure on environmental reporting.

A definition of the principles of ecologically sustainable development has been included in the Act as follows:

Ecologically sustainable development requires the effective integration of economic and environmental considerations in decision-making processes. Ecologically sustainable development can be achieved through the implementation of the following principles and programs;

- (a) the precautionary principle - namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by:
 - (i) careful evaluation to avoid, wherever practicable, serious or irreversible damage to environment, and
 - (ii) an assessment of the risk-weighted consequences of various options,
- (b) inter-generational equity - namely, that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations,
- (c) conservation of biological diversity and ecological integrity - namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration,
- (d) improved valuation, pricing and incentive mechanisms - namely, that environmental factors should be included in the valuation of assets and services, such as:
 - (i) polluter pays - that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement,

- (ii) the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste,
- (iii) environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.

Background

The legislation was prepared having regard to the responses made to the Discussion Paper titled *Reform of the State of the Environment Reporting Provisions of the Local Government Act 1993* which was released by the Minister, for public and council comment in February 1997.

The legislation has taken account of all responses to the Discussion Paper.

Principles of Ecologically Sustainable Development embodied in the Act

The amendments have created linkages throughout the Local Government Act between a council's environmental charter, its approval function, its management planning process, its annual reporting process and its State of the Environment (SoE) report in relation to the principles of ecologically sustainable development.

Councils are now expected to adopt a strategic "whole of council" approach toward the recognition of ecologically sustainable development and to respond positively to environmental problems in their areas.

Council's Charter

The Council's charter has been amended to include a requirement to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the ESD principles. (Section 8)

Approval Function

The amendments require a council determining any application, to take into consideration the principles of ESD. (Section 89(1)(c))

In considering the public interest, the matters the Council is to consider include the principles of ESD. (Section 89(2)(a))

Council's Management Plan

The statement of principal activities for the Council's draft management plan has been extended to include:

- activities to properly manage, develop, protect, restore, enhance and conserve the environment in a manner consistent with and promotes the principles of ESD;
- activities in response to, and to address priorities identified in, the Council's current comprehensive report as to the State of the Environment and any other relevant reports.(Section 403(2))

Annual Reports

The existing ten themes in the Act for SoE reporting are being replaced with the following environmental sectors:

- land
- air
- water
- biodiversity
- waste
- noise
- Aboriginal heritage, and
- non-Aboriginal heritage

The amendments also provide that, when reporting on these environmental sectors, councils must refer to any management plans relating to the environment, special council projects relating to the environment and the environmental impact of council activities.

Commencement of Amendments to the Act

It is proposed to commence the Act on the 1 January 1998.

Proposed amendment to the Local Government (General) Regulation 1993

The Local Government (General) Regulation 1993 will also be amended from the 1st January 1998 to support the amendments to the Act. These provisions will include:

- a requirement for comprehensive State of the Environment (SoE) reports to be prepared by councils at least every four (4) years, within twelve months of the election of every new council. These will be supplemented in the other three (3) years by annual supplementary SoE reports. It is not considered that the existing staff can prepare an adequate comprehensive SoE report and manage other responsibilities.
- the four (4) yearly comprehensive SoE reports will incorporate the necessary baseline and background information.
- the annual supplementary SoE report will outline any relevant changes in the local environment that occurred over the year, detail new policy responses proposed for ensuing year and report on the achievement of environment performance targets required by Section 403 of the LG Act.

- transitional provisions will require each council to prepare:
 - (a) a comprehensive SoE report for the 1997/1998 reporting year; and
 - (b) a supplementary SoE report for the 1998/1999 reporting year.

Regional reporting will be encouraged where appropriate (for example, regional SoE reports could cover air sheds, water catchments or geographic areas). However, where regional SoE reports are prepared as an alternative to the whole or part of a local SoE report, the council must ensure that local reporting requirements are satisfied within the regional SoE report.

Regional Reporting

Over the past few years discussions were held with WSROC, with a view to them preparing a regional SoE with contributions from associated councils.

In view of this amended legislation, it would now seem an appropriate time to further these discussions, to have WSROC prepare the comprehensive report every four (4) years, (which would need to include each council's particular area information, to meet the requirements of the legislation). The advantage of the regional report would be the cost sharing of the preparation of the document, and the principle of preparing a document that would cover the catchment rather than individual areas.

Individual SoE reporting by Councils

Should discussions with WSROC and associated councils be unsuccessful in preparing the document on a regional basis, then the responsibility of preparing the document will be that of Council. This will require the Council considering funding in the order of \$30,000 every four years

RECOMMENDATION:

It is recommended that the information be received, and that representations be made to WSROC, with a view to member councils contributing to the funding for a regional comprehensive SoE report to be prepared in accordance with the amended legislation.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 79 Oooo

ITEM: 80 **Proposed Subdivision - Lot 1 DP614232 and Lot 2 DP565168 -
"Kindee Stud" Bells Line of Road, Kurrajong Heights**

FILE NUMBER: SA14/97/EVD/ENA27NBX.V12

PREVIOUS ITEM: 2, Ordinary (12.08.1997)

REPORT:

The above application seeks to create a Community Title Subdivision of the above lots creating four lots ranging between $\frac{3}{4}$ hectare and 4 hectares plus a large community lot. As the lot had no subdivision potential under the zoning (7(d) - minimum area 40 hectares) the application was lodged using SEPP1.

At the Ordinary Meeting of 9 September, 1997 Council supported the SEPP1 objection and resolved to refer the application to the Department of Urban Affairs and Planning (DUAP) for concurrence.

On 10 December, 1997 DUAP wrote that the Director-General of Urban Affairs and Planning does not concur with Council granting consent as:

"the community title subdivision of this site, which has no subdivision potential under LEP 1989, would set a precedent for the use of SEPP1 to permit other such subdivisions, leading to an erosion of the broad-acre character and regionally significant scenic landscape qualities of the Eastern Escarpment, contrary to the zone objectives."

Accordingly, a refusal notice has been issued to the applicant.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 80 Oooo

Complaints - There have been no complaints received concerning the operation of the quarry over the past six months.

Conditions of Development Consent

CSR Readymix has provided a final appraisal of their compliance with conditions of consent and a copy of this report has been forwarded to Nepean Quarries for future information.

Performance Bond

A performance bond in the form of a Bank Guarantee for the amount of \$5,000 is held by Council to be used in respect of the rectification of any matters referred to in the conditions of consent. It is not considered necessary to call upon this guarantee for any rectification work at this stage. Nepean Quarries Pty Ltd is to submit a similar guarantee and when received the bond held for CSR can be released.

2.	Schaffer Corp	Bull Ridge Road	
		East Kurrajong	DA365/90, DA 235/97

Approval has recently been issued under development consent 235/97 for the extension of the existing sandstone quarry by the installation and operation of sandstone cutting/ sawing equipment and associated facilities.

With the inclusion of this activity the crushing of sandstone has been reduced and the manufacture of feature stone for paving and building construction is now the main use of the quarry.

The overall operation of the quarry is good and the rehabilitation of the site has progressed slightly with tube stock planting and natural regeneration. An area approximately 40 metres long to the east of the lower section of the haul road is still lacking in sufficient vegetative cover.

A notice has been forwarded to Schaffer Corp to have this matter rectified.

Section 94 contributions have been calculated up until November 1997.

Complaints - There have been no complaints received over the past 6 months concerning the operation of the quarry.

3.	Birdon Contracting	6102 Singleton Road	DA134/95
		Colo Heights	

The Class 1 Appeal lodged by Tinda Creek Spiritual and Environment Centre was withdrawn in July 1997.

The operation of sand mine has continued since that time, however according to the quantity of material extracted on Section 94 Contributions, this has been minimal.

Conditions of consent

There are four issues that the operator needs to address in order to comply with conditions of consent. These matters relate to:

1. *Condition 17*, ambient water quality analysis and monitoring program to be issued on an annual basis.
2. *Condition 24*, revegetation plan and the engagement of a qualified Bush Regenerator to supervise all revegetation works.
3. *Condition 27*, the preparation of a site environmental management plan within one month of the date of approval. (consent endorsed 23 December 1996)
4. *Condition 28*, a professional archaeological survey to be carried out of the site to assess the site's Aboriginal Heritage potential.

A notice has been forwarded to Birdon Contracting directing that the above matters be rectified.

Section 94 contributions have been paid up until October 1997.

Complaints - There have been no complaints received regarding the operation of this facility.

4. Tilmindra Sands	Springwood Road Yarramundi	DA144/93
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Approval was issued on 17 October 1997 for the continuation of the extractive industry and to remove an existing spit. The extraction of material is to be completed by 30 November 1998. There are no conditions relating to road maintenance contributions.

Complaints - There have been no complaints received regarding the operation of this industry.

5. Ebenezer Quarry	263 Tizzana Road Ebenezer	DA057/97
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Development Application 57/97 remains under assessment for sand and sandstone extraction. Further particulars are required from the applicant in order to continue with this application.

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- 6. Amatek Rocla 76 Wilberforce Road PO. No 1974/3
Windsor**

The dredging of the river system near the Hawkesbury River bridge at Windsor is conducted under a permissive occupancy through the Department of Lands. Part of this activity involves the collection of sediment on the north westerly side of Wilberforce Road in sediment ponds. This material is allowed to settle and is then removed from the site.

- 7. J Larkin 94 Bull Ridge Road DA260/80
East Kurrajong**

There is no activity on this quarry and rehabilitation of the site has occurred with natural regrowth. Fodder crops have been planted on the floor of the old quarry.

- 8. Porter Bros 569 Singleton Road 68A/150/68
Wilberforce**

This quarry is very low key with little if any material being extracted. The site resembles that of a farm for stock rather than a quarry. The area has sufficient grass and tree coverage.

Complaints - There has been no complaints regarding the operation of this quarry.

- 9. Hallinans Pty Ltd 306 Racecourse Road DA115/92
South Windsor**

A management program has been compiled by Hallinans for the operation and rehabilitation of the site. While approval has been given for the importation, treatment and subsequent extraction of waste concrete products, there has been very little activity in this regards with the main efforts being placed in the removal of unwanted waste products.

Complaints - There has been no complaints regarding the operation of this site.

- 10. Pioneer Concrete Por 32 Old Kurrajong Road DA22/69
Richmond**

Various inspections have been conducted at irregular intervals and on each occasion the site has been closed with the main gate locked. There was no activity being conducted when viewed from the roadway.

Complaints - No complaints received.

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11. Hymix Industries

**Por 4 Parish of Lockyer
Main Road 181 Mogo Creek**

68A/140/79

Regular supervision fees in the amount of \$143.64 per month are paid to Council by Hymix. This does not include any road maintenance contributions. The site remains closed and there is no evidence of material having been extracted over the last six months.

Complaints - No complaints received.

Conclusion

The extractive industries mentioned above, apart from Birdon Contracting, are conducted generally in accordance with conditions of consent.

Section 94 contributions have been received with the projected income of \$43,867.00 for the six month period up until December 1997 being exceeded. Total contributions paid amounts to \$53,745.92.

RECOMMENDATION:

That this information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 81 Oooo

ITEM: 82 Draft Development Control Plan - Subdivision Development**FILE NUMBER:** DCP0001/97/EVD/ENA27NBX.V04**REPORT:**

Council receives a considerable number of applications for subdivision each year. In the past subdivisions have been considered and assessed under the provisions of Section 90 of the Environmental Planning and Assessment Act and various policies that Council has adopted over the time. The Council has not previously had a development control plan (DCP) for subdivisions.

The Draft DCP was prepared by Berzins Environmental Planning Pty Ltd in consultation with Council Officers and represents a single comprehensive and integrated set of performance criteria to cover all aspects of subdivision development within the City of Hawkesbury. In preparing the Draft DCP the consultant carried out consultation with the local development industry so as to include their input into the preparation of the document. It included a review of all Council's current policies relating to the subdivision of land and focuses on rural and rural/residential subdivision, residential subdivision, and industrial subdivision. It has provisions relating to:

- lot size and shape
- road and accessway designs
- soil and water management
- on-site effluence disposal
- flora and fauna protection
- visual amenity
- utility services
- planning for risks associated with bushfire
- flooding
- landslip and contaminated land
- agriculture
- local street design
- planning for pedestrians and cyclists
- stormwater management
- solar access and lot orientation, and
- heritage.

It is proposed that Council now place this DCP on exhibition including relevant provisions detailed in the Energy Smart Homes Policy into this DCP and place the document on exhibition with the Residential Strategy and Residential Development Draft DCP.

RECOMMENDATION:

1. That Council include the relevant provisions from Energy Smart Homes Policy relating to subdivision into the Draft Development Control Plan for Subdivision Development.

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2. That in accordance with the provisions of the Environmental Planning and Assessment Act and Regulations resolve to prepare and exhibit the Draft Development Control Plan for Subdivision Development.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 82 Oooo

ITEM: 83 **Contaminated Land Management Bill 1997 (Exposure Draft),
Managing Land Contamination (Draft) State Environmental Planning
Policy No. 55 - Remediation of Land (Draft)**

FILE NUMBER: T190/030/EVD/ENA27NBX.V06

REPORT:

The Minister for the Environment has tabled in Parliament the **Contaminated Land Management Bill 1997**. The Bill is part of a package of reforms for contaminated land management in New South Wales. These reforms were foreshadowed in the Green Paper Managing Contaminated Land in New South Wales: Proposals for a New Legislative and Administrative Framework, which was circulated for public comment in 1996.

The Bill, a State Environmental Planning Policy and a revision of the Planning Guidelines for Managing Contaminated Land constitute the basic structure of the new framework for better contaminated land management.

Contaminated Land Management Bill 1997

The Bill primarily deals with the situation where the EPA needs to intervene because there is a significant risk of harm to human health or the environment from contaminated land. When the EPA has reasonable grounds to believe that contamination of land poses a significant risk of harm to human health or the environment, the Bill provides the powers for the EPA to respond accordingly.

The EPA may declare an investigation area and order a person to investigate. It may also declare land to be a remediation site and order a person to remediate. The EPA may also undertake broader community-based strategies aimed at minimising the risk from the contamination through education and by fostering greater public awareness.

The Bill establishes who is to be held responsible for investigating and remediating contaminated land. In the first instance, it is the person principally responsible for the contamination. If that person cannot be found or is unavailable, the owner of the land may be required by the EPA to do the necessary work. If the owner cannot be found or is unavailable, the EPA may direct the person who will derive the benefit of the value of the land (the "notional owner"). The EPA will also have the power to issue orders to a public authority to undertake clean up.

An investigation order allows the EPA to ensure it has sufficient information to establish the extent and severity of the contamination. Third parties may refer information to the EPA which, after evaluation, may trigger an investigation. A remediation order issued by the EPA will ensure that the contamination is remediated so as to remove the identified source of the significant risk of harm.

The Bill incorporates the auditor accreditation provisions enacted in 1996 as an amendment to the Environmentally Hazardous Chemicals Act. It also requires the EPA to maintain a database of the declarations made and orders issued. When the EPA notifies a council of a declaration or order, the council will be obliged to record it on any Section 149 EP&A Act certificate for the relevant land.

The Bill includes provision for a full merit appeal against EPA declarations and orders, provisions dealing with evasion, and provision for cost recovery by the owner of land or a public authority from, and for apportionment between, persons responsible for the contamination. It also sets out administrative provisions, such as the powers of authorised officers.

State Environmental Planning Policy (SEPP) No. 55 - Remediation of Land

In addition to the legislative powers under the new Bill for the EPA to intervene when there is a significant problem with contaminated land, the land use planning process provides important scope for ensuring people have necessary information about land and that remediation of land is properly assessed. The SEPP will facilitate remediation subject to appropriate assessment.

Remediation of contaminated land will be primarily controlled by the development control process in Part 4 of the EP&A Act. The SEPP will specify situations where development consent is required due to the significant effect of the remediation works on sensitive environments.

All remediation works will need to comply with EPA standards and to have information lodged with the local consent authority. A developer/applicant will need to provide site history information to a consent authority in relation to any remediation work or a development involving change to a more sensitive use.

Councils will be required also to ensure that they are provided with information about site history or other information relevant to contamination when considering a rezoning of land to a more sensitive use.

Planning Guidelines for Contaminated Land

The Planning Guidelines for Contaminated Land were released in December 1995 and aim to assist planning authorities and, in particular, councils, in exercising their planning functions in relation to land which is, or may be, contaminated.

With the benefit of feedback from users, the Guidelines have been revised and updated as part of the reform package. The revised Planning Guidelines for Contaminated Land continue to deal with the need for early investigation of contamination, the rezoning of land, the assessment of development applications and the notification of information. In revising and updating the Planning Guidelines, focus is more clearly on what decision needs to be made, on the information needed to make that decision and the actual process of decision-making. They also provide further guidance on the provision of information through the use of Section 149 EP&A Act Certificates.

Part 7A of the EP&A Act provides that planning authorities who act substantially in accordance with these Guidelines when carrying out their planning functions are taken to have acted in good faith. This means that before a planning authority can be found negligent of an act or omission related to a particular planning function, it must be shown that the planning authority did not substantially comply with the Guidelines.

The planning functions covered by this statutory protection under Part 7A of the EP&A Act are:-

- a) the preparation or making of an environmental planning instrument;
- b) the preparation or making of a development control plan;
- c) the processing and determination of a development application (including subdivision and building applications which are proposed to be included in the EP&A Act);
- d) the modification of a development consent;
- e) the furnishing of advice in a certificate under Section 149; and
- f) anything incidental or ancillary to the carrying out of any function listed in paragraphs (a)-(e).

The Guidelines cover each of the planning functions listed above and provide guidance and recommended strategies. Any significant departure from elements of the Guidelines should be justified by demonstrating that the overall aims and principles of the Guidelines have been met.

Table 1 in the Guidelines list the following activities that may cause contamination:-

- acid/alkali plant and formulation;
- agricultural/horticultural activities;
- airports;
- asbestos production and disposal;
- chemicals manufacture and formulation;
- defence works;
- drum re-conditioning works;
- dry cleaning establishments;
- electrical manufacturing (transformers);
- electroplating and heat treatment premises;
- engine works;
- explosives industry;
- gas works;
- iron and steel works;
- landfill sites;
- metal treatment;
- mining and extractive industries;
- oil production and storage;
- paint formulation and manufacture;
- pesticide manufacture and formulation;
- power stations;
- railway yards;
- scrap yards;
- service stations;
- sheep and cattle dips;
- smelting and refining;
- tanning and associated trades;

- waste storage and treatment; and
- wood preservation.

The Guidelines stated that while it is up to each council to determine the content and wording of an appropriate policy for its local government area, each policy might usefully include, among other things:-

1. reference to the key principles of the Planning Guidelines;
2. a statement on the council's policy on the restriction of land use under particular circumstances; the following considerations may be relevant:-
 - if the contamination status of land is unknown, no change in use should occur which may increase the risk of harm until the land has been investigated;
 - if contamination causes an unacceptable risk of harm, the use of the land should be restricted to reduce the risk to acceptable levels; and
 - if remediation reduces the risk to acceptable levels, no restriction on land use is necessary;
3. a statement on the council's policy on the conduct of remediation work; the following considerations may be relevant (for either the whole local government area, or for certain identified areas):-
 - any restrictions on the hours of operation of remediation work;
 - any restrictions on the routes to be used by vehicles associated with the remediation work;
 - any restrictions on parking; and
 - any restrictions on the disposal of contaminated spoil removed from remediated sites;
4. a statement on the council's policy on the use of site audits in the planning decision process; the following considerations may be relevant:-
 - under what circumstances will council require a site audit or site audit statement?
 - should the auditor directly report to the proponent or council?
 - does the council have any requirements for how auditors should be appointed?
 - what does the council require from the auditor, eg. review and provide comments on every report provided by the applicant; provide a summary report; provide a site audit statement?
5. a statement on the council's policy on access to information on council records relevant to contamination; the following considerations may be relevant:-
 - if restrictions are placed on the use of the land, this information should be available to any enquirer;
 - if no restrictions are placed on the use of the land, but information on contamination exists, this should be available to any enquirer;

- councils should access their records on contamination before answering enquiries; and
 - if a site audit statement exists, this should be attached to any Section 149 Certificate;
6. the notation system for Section 149 Certificates, for example, the sort of information council may provide under Section 149(5).

The Guidelines make the following summaries:-

What Information is Needed to Make a Decision

The proponent is responsible for investigating contamination issues on the land and demonstrating to the planning authority that planning approval should be granted.

When planning approval is required, the planning authority must evaluate information they already hold and the information provided by the proponent before making a decision.

The draft SEPP enables the planning authority to seek further information for a development application (DA) from the proponent if the information supplied with the DA is insufficient.

Planning decisions and factual information must be recorded for future use.

Making a Decision

In carrying out planning functions under the EP&A Act in relation to land that is, or may be, contaminated, planning authorities should take account of the principles summarised below:-

- no planning decision should be made unless sufficient information is available to make the decision;
- development applications should include sufficient information on past uses of the subject land to allow the suitability of the land for the proposed use to be assessed; and
- changes of use on contaminated land may proceed provided:-
 - . the land is suitable for the intended use; or
 - . provisions are included in the planning instrument to require appropriate investigation or restrictions on any subsequent development applications; or
 - . conditions are attached to the development consent to ensure that the subject land can and will be remediated to a level appropriate to its intended use prior to, or during, the development stage.

Recording and Use of Information

- Councils should maintain efficient property information systems on which factual information pertinent to contamination is recorded.

- Councils must ensure their records are accurate, and up-to-date. They should ensure that stakeholders are aware of the status of the subject land and the planning policy requirements relating to contamination.
- Section 149(2) certificates issued under the EP&A Act are an appropriate system of legal notification of the application of council policies which place restrictions on land use due to risks from contamination.
- Factual information relating to past land use and other matters relevant to contamination may also be provided, even when land use is not restricted. Provision of information under Section 149(5) is a useful means of recording details of land history, assessment, testing and remediation.
- When council receives Section 149(2) requests for land which has been remediated and hence not restricted by council's policy, it is suggested that applicants be informed that further information is available under Section 149(5).
- When land has been investigated and is not considered to be contaminated, this information should be retained in council records and provided under Section 149(5).

The Guidelines also give suggested notations for Section 149 Certificates depending on the circumstances of each site.

Conclusion

Councils will have the ultimate responsibility for the implementation of the SEPP and Guidelines. The draft documents have been circulated to ensure a thorough understanding prior to their formalisation. Council also has the opportunity to undertake further investigations with a view to policy formulation.

Contaminated land is a very complex issue and it is crucial to understand the implications, in particular our obligation for providing information to the public.

RECOMMENDATION:

That:-

1. The above information be received.
2. A draft Policy on contaminated land in the City be prepared and brought forward for Council's consideration.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 83 Oooo

ITEM: 84 **Draft Local Environmental Plan to Amend Clause 13, Hawkesbury Local Environmental Plan 1989: Subdivision by Adjustment or Relocation of Boundaries**

FILE NUMBER: LEP7/97/EVD/ENA27NBX.V08

PREVIOUS ITEM: 37, GPC Section 1 - Environment (30.09.1997)

PREVIOUS ITEM: 65, GPC Section 1 - Environment (25.11.1997)

REPORT:

On 30 September, 1997, Council resolved to amend Clause 13 of the Hawkesbury Local Environmental Plan (LEP) 1989, to essentially prohibit undesirable boundary adjustments involving road closures. Council will recall that this decision followed a judgement being handed down by the Land and Environment Court in *Cambridge v Hawkesbury City Council*, where the Court gave a relatively narrow interpretation on Clause 13.

A draft LEP was exhibited and reported to the General Purpose Committee on 25 November, 1997. A copy of that report is attached. Consideration of that report was deferred by Council at the Ordinary meeting on 9 December, 1997, due to concerns that the LEP, as drafted, may not be appropriate in all circumstances.

The two areas of concern are as follows:

1. *Minimum lot size of 1000m²*: Clause 2(a) of the draft plan proposed that subdivision by adjustment or relocation of boundaries would not be permissible on allotments within zones 1(a), 1(b), 1(c), 1(c)(1), 1(d), 7(a), 7(d), and 7(d)(1) unless those allotments were 1000m² or larger. Having reviewed this aspect it is considered that this part of the clause would unnecessarily prohibit boundary adjustments on land where smaller lots currently exist legitimately.
2. *20 metre road frontage*: Draft Clause 2(a) also requires allotments to have a public road frontage of 20 metres or more. This is also considered to be unduly restrictive for existing battleaxe allotments and the like which currently have narrow frontages to a public road.

A preferable approach would be to apply the Section 90 Heads of Consideration under the Act to ensure that proposals are dealt with on merit. In particular, assessment would be made of physical and environmental constraints which may prevent the erection of a dwelling and the on-site disposal of effluent. If a dwelling can be erected on an existing allotment there should be no prohibition on the adjustment of its boundary provided other subdivision entitlements are not altered.

Accordingly, the following recommendation incorporates the original intention of the draft plan in relation to road closures, as advised by Council's solicitors. The recommendation also takes account of the submissions received during exhibition of the draft plan.

RECOMMENDATION:

That:

1. Council adopt the Draft Local Environmental Plan to amend Clause 13 of Hawkesbury Local Environmental Plan of 1989, as amended as follows:

“Subdivision by Adjustment or Relocation of Boundaries”

13. (1) Nothing in this plan prohibits the subdivision by adjustment or relocation of common boundaries provided that:
 - (a) no additional allotments are created; and
 - (b) no allotment becomes, as a consequence of the adjustment or relocation, capable of subdivision under this plan; and
 - (c) the number of undersized allotments resulting from the subdivision does not exceed the existing number of undersized allotments.
- (2) Subclause (1) does not apply to land that includes allotments smaller than 450 square metres.
- (3) Subclause (1) does not apply to land that includes allotments derived from or forming the whole or part of land resulting from the closure of part or all of a road, irrespective of when that closure occurred.
- (4) Subclause (1) does not apply to land within Zone No 7(e).
- (5) An adjustment or relocation made under subclause (1) shall not prevent the subdivision of any allotment that was, prior to the adjustment or relocation, capable of subdivision under this plan, and remains thereafter capable of subdivision under this plan.
- (6) In determining an application for subdivision in accordance with this clause the Council must consider:
 - (a) whether the size, shape, or topography of the land would restrict the erection of a dwelling on any of the lots created; and
 - (b) whether the land is capable of on-site effluent disposal where no reticulated sewerage system is available.
- (7) Nothing in this plan prohibits subdivision by the opening of a public road.

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2. Those persons who made submissions in respect of the Draft Plan be advised of Council's decision.

ATTACHMENTS:

AT-1 Report to General Purpose Committee of 25 November, 1997 (Item 65)

oooO END OF ITEM 84 Oooo

ITEM: 85 **Tree Preservation Order - Trial Removal of Tree Preservation Order from Windsor, South Windsor and Bligh Park. Including the urban areas of Richmond, Hobartville and North Richmond town area.**

FILE NUMBER: GE020/031 PT04;/EVD/ENA27NBX.V07

PREVIOUS ITEM: 65, Ordinary (08.10.1996)

REPORT:

Council at its meeting of 8 October, 1996, resolved that the Tree Preservation Order not be applied for a trial period of six (6) months in the urban areas of Windsor, South Windsor and Bligh Park. Development consent for the removal of trees was still required for any property containing a heritage item under the Heritage Provisions of Hawkesbury Local Environmental Plan 1989.

During the trial (October 1996 to March 1997) a total of 53 (fifty three) enquiries were received from the three areas relating to tree removal or lopping etc. Inspections were conducted when owners were unsure about the condition of their tree. Verbal advice was given on site. Approximately twenty five (25) of those inspections were conducted.

Three properties containing heritage items were inspected, with approval being given to remove two trees from two of the properties, the third being recommended for trimming only.

During the course of the six month trial period there appeared to be a significant reduction in Tree Preservation Order enquiries from the three areas nominated. As a result of this information Council resolved on 8 April, 1997 to extend the trial for a further six (6) months and to include the urban areas of Richmond, Hobartville and the North Richmond town area.

During the extended trial period, a total of 84 (eighty four) enquiries were received from the six trial areas and approximately twelve (12) inspections were carried out. It was noted that 132 (one hundred and thirty two) enquiries were received from other areas of the City. Enquiries related to removal for safety, storm damage, ground movement or too close to dwelling. In most instances approvals were granted for either removal or trimming works as circumstances warranted.

Conclusion

No adverse comments or feedback was received during the trials. Staff still carried out inspections where owners were unsure whether removal was necessary. Many of those inspections resulted in advice that lopping or trimming was all that was required.

The reduced number of inspections allowed resources to be better utilised in rural areas, scenic protection areas and in other development control areas such as extractive industry and unauthorised landfill. Overall, the trial was successful and it would be appropriate to introduce the arrangements on a permanent basis. It is considered that we should still offer an inspection service when requested.

RECOMMENDATION:

That:

1. The Tree Preservation Order be amended so that land zoned Residential with an area of 1000m² or less be excluded from the requirement of the Order, except for land in the areas of Kurrajong and Kurrajong Heights.
2. Development Consent for the removal of trees is still required from any property containing a Heritage item under the Heritage Provisions of Hawkesbury Local Environmental Plan 1989.
3. Council offer an inspection/advice service in the areas excluded from the Preservation Order for damaged trees on request.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 85 Oooo

ITEM: 86 **Continuation of Consent - Storage of Earth Moving Equipment - Lot 111 DP860774 No. 1182 Kurmond Road, North Richmond**

FILE NUMBER: DA0122/96/EVD/ENA27NBX.V14

PREVIOUS ITEM: 60, GPC Section 1 - Environment (25.11.1997)

REPORT:

Development Consent was issued on the 8 November, 1996 for the storage of earth moving machinery at 1182 Kurmond Road, North Richmond. The consent was limited to a twelve-month period after which the applicant was to reapply for continuation.

The respective condition states; -

“The consent is limited to a 12 (twelve) month period, after which time the applicant shall be required to reapply for continuation. The review will be based upon compliance with conditions of consent”

The applicant has now requested an extension of the consent.

The applicant operates a small contracting business which involves the hire of trench diggers, an excavator, a bobcat and trucks to carry these items. The implements are only operated by the applicants employees and are serviced on the property. For information the applicant also operates a hire shop known as MSW Plant Hire which operates out of a light industrial area in North Richmond.

Inspections of the site indicate that the majority of consent conditions have been complied with, however, the provision of landscaping along the western boundary and a small accumulation of machinery items in this area requires further attention.

Notification has been received from an adjoining owner that conditions of consent relating to noise, lighting from the site and vehicles along with the lack of landscaping is of concern. The adjoining owner advises that over the past twelve months the development occurring on the site has commenced, on one occasion, as early as 4.50am and concluding on some days at 9.40pm. On most occasions this relates to vehicles entering and leaving the property.

The development is conducted to the rear of the property and the machinery items are generally stored at the rear of a shed. The property is well kept and has an acceptable appearance when viewed from Kurmond Road. There is a dwelling under construction on an adjoining property to the east, located approximately 80 metres from the development. A dwelling is also located approximately 40 metres to the west of the development (occupied by the complainant). It is considered that the development in its present form, is capable of operating without interfering with the amenity of the neighbourhood if all of the conditions of consent are adhered to.

With this in mind, the applicant has given a written undertaking to comply with all of the conditions of consent. He has further undertaken to clear the items of machinery accumulated on the western side of the property and to retain this area clear of any machinery or other items. The conditions requiring compliance are as follows:

- Condition 8. Landscaping shall be completed within 3 (three) months to screen open yard activities to the satisfaction of the Director Environment and Development. In this respect satisfactory ground preparation shall be carried out to encourage plant growth.*
- Condition 14. Operating hours shall be limited between 7.00am to 5.00pm Monday to Saturday with no work being carried out on Sunday or Public Holidays, including start up and transportation of equipment.*
- Condition 15. The development shall be conducted in such a manner so as no to interfere with the amenity of the neighbourhood in respect of noise, vibration, smell, dust, waste water, waste products or otherwise. Consideration is given to the operation of equipment to the satisfaction of the Director Environment and Development.*

RECOMMENDATION:

- A. That Condition 2 of Development Consent 122/96 be modified to allow the development to continue for an additional 12 (twelve) months subject to the following development condition.
1. Landscaping is to be provided along the entire western and eastern boundaries of the property within 3 (three) months of this approval for continuation. Suitable screening trees such as Photinia Robusta are to be planted at 1 (one) metre intervals along this area.
- B. That the written undertaking as provided by the applicant is adhered to with any variation to the undertaking being reported back to Council with a view to action being taken for non compliance with conditions of consent.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 86 Oooo

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Item: **87****ITEM: 87****Provision of a fortnightly garbage service along the Wollombi Road between St Albans and The Common****FILE NUMBER:** P2359/236;GW020/017Pt06/EVD/ENA27NBX.V17**REPORT:**

There have been ongoing discussions with resident property owners on the Wollombi Road north of St Albans regarding the extension of the fortnightly garbage service. Currently, the garbage service extends along the Upper Macdonald Road past St Albans but there is no service being to the north along the Wollombi Road.

There are currently eleven occupied houses between St Albans and The Common, a distance of approximately four kilometres.

All property owners along the section of Wollombi Road between St Albans and The Common have been issued with survey forms to advise whether or not they wish to receive a fortnightly garbage service. The result of the survey is as follows:

Property Owner	Property Number	Survey Response
Mr R and Mrs J Lee 532 Wollombi Road ST ALBANS	2359.800	No response
Mr E and Mrs S Michaels-Hardy 533 Wollombi Road ST ALBANS	2359.346	Yes (discussed with Mrs Hardy on 16 January 1998)
Mrs K Short 493 Wollombi Road ST ALBANS	2359.326	Yes
Mr J Sternbeck 528 Wollombi Road ST ALBANS	2359.805	Yes
Father Chang The Association of Franciscan Order 337 Wollombi Road ST ALBANS	2359.305	No response
Mr A Mitchell 221 Wollombi Road ST ALBANS	2359.280	Yes

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Property Owner	Property Number	Survey Response
Marbren Pty Ltd (Mr Humphrey) 215 Wollombi Road ST ALBANS	2359.265 2359.1188 (two dwellings)	Yes
Mr D Shannon	2359.210	Yes (discussed with Mr Shannon on 16 January 1998)
Ms J Slattery 122 Wollombi Road ST ALBANS	2359.1194	Yes
Mrs J Thompson 106 Wollombi Road ST ALBANS	2359.1200	Yes

As the large majority of occupied properties support the extension of the fortnightly garbage service (nine out of eleven), it is recommended that the garbage service be extended to service these houses. The owners of vacant land (one only) will be required to pay a vacant land charge.

The current charge for the fortnightly garbage service to occupied properties is \$95.88 and for vacant properties \$30.38. The owners would be charged a pro-rata amount for the remainder of the financial year.

There have been discussions with The Common Trust regarding the provision of a turning area for the garbage truck 4.26 kilometres north of Espie Street which contains a cattle loading ramp just off the Wollombi Road. The Trust has raised no objection to Council's garbage truck turning onto Trust property, provided that the site does not become a collection point for garbage bins. There is no reason why the turning area should become a collection point for bins as any new services to the north of The Common will need to make other arrangements for the placement of their bins before Council agrees to accept to service them. It will be necessary to place, grade, and compact several loads of road base in order to provide a satisfactory turning area for the garbage truck in all weathers.

RECOMMENDATION:

1. That Council extend the fortnightly garbage service from Espie Street in St Albans north along the Wollombi Road for a distance of 4.26 (four point two six) kilometres. All occupied rateable assessments will be provided with a garbage bin and service at \$95.88 (ninety five dollars and eighty eight cents) [currently] with vacant rateable assessments being levied at a charge of \$30.38 (thirty dollars thirty eight cents) [current].

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2. Council extend its appreciation to Mrs Kate Short for her assistance in liaising with the residents and the Common Trust concerning the introduction of the fortnightly garbage service.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 87 Oooo

ITEM: 88 **Draft Local Environmental Plan to rezone privately owned land at Kurrajong Heights from Open Space 6(a) to Environmental Protection Scenic 7(d)**

FILE NUMBER: DA37/97;P243.5445;P243.5455/EVD/ENA27NBX.V19

REPORT:

Hawkesbury Local Environmental Plan 1989 has zoned two privately owned properties adjoining the Bellbird Hill Reserve at Kurrajong Heights Open Space 6(a). One of the properties, Lot 1 DP 581544 (Mr P Huveneers) contains an existing dwelling and is the subject of a development application for a restaurant (DA37/97). The other property, Lot 33 DP 203875 (Mr & Mrs Power), contains an existing dwelling.

The zoning of the Huveneers property (Lot 1 DP 581544) has prevented the development application for a restaurant from being determined. Mr Huveneers has requested that the rezoning of his land be expedited to enable his development application to be finalised.

The Huveneers property was the subject of a previous amendment in Hawkesbury Local Environmental Plan 1984 to allow a restaurant (Amendment No.31). The restaurant did not proceed at the time and Draft Hawkesbury Local Environmental Plan 1987 as exhibited zoned the land Environmental Protection 7(d). A Council objection to the exhibited draft plan to change the 7(d) zoning of Bellbird Reserve, Lot 10 DP 719776 to Open Space 6(a), apparently resulted in these two privately owned lots also being zoned 6(a). The previous amendment to Hawkesbury Local Environmental Plan 1984 to allow a restaurant on the Huveneers property was not retained and, as a consequence, its development as a restaurant is currently a prohibited use.

It is recommended that the zoning of both of the privately owned properties be changed to Environmental Protection Scenic 7(d) which is the applicable zoning on other privately owned land in the vicinity. The 7(d) zoning will allow a development application for the Huveneers property to be considered. The development application for the restaurant prepared by Architect Alex O'Grady, indicates that the proposed access to the restaurant is from the Old Bells Line of Road and not the main road. This application would be permissible with consent in a 7(d) zoning as the development will not have direct vehicular access to a main or arterial road (Clause 22 of HLEP 1989 prohibits restaurants in the 7(d) zone which have direct vehicular access to a main or arterial road).

Mr Huveneers has requested that his development application for the restaurant continue to be assessed whilst he awaits the rezoning of the property to Environmental Protection (Scenic) 7(d). Section 72J of the Environmental Planning and Assessment Act 1979 allows the lodgement and consideration of a development application for development that may only be carried out if an Environmental Planning Instrument applying to the land is to be appropriately amended. There are likely to be a number of issues to be resolved with the proposed restaurant including its referral to the Local Traffic Committee because it has a gross floor area of approximately 300 square metres and also an assessment of effluent disposal. These issues can be assessed whilst the local environmental plan is being processed.

RECOMMENDATION:

1. That Lot 1 DP 581544, corner Bells Line of Road and Old Bells Line of Road, Kurrajong Heights and Lot 33 DP 203875 Bells Line of Road, Kurrajong Heights, be rezoned from Open Space 6(a) to Environmental Protection Scenic 7(d).
2. That Council staff exercise their delegations under Sections 65 and 69 of the Act in processing the Draft Local Environmental Plan.
3. That Development Application 37/97 for a restaurant on Lot 1 DP 581544 be assessed during the processing of the Draft Local Environmental Plan and determined after gazettal.

ATTACHMENTS:

AT-1 Copy of cadastral maps showing the properties

AT-2 Extract from Hawkesbury Local Environmental Plan 1989

oooO END OF ITEM 88 Oooo