



general
purpose
committee

1
section

environment

GENERAL PURPOSE COMMITTEE - ENVIRONMENT

Table of Contents

Meeting Date: 24 November 1998

Page 2

ITEM	SUBJECT	PAGE
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SECTION 1 - ENVIRONMENT.

56:	Clarendon - Filling at Showground DA132/96/GMA/ENK24LAX.G18	3
57:	Right of Carriageway for Flood Free Access - Lot 1 DP197134 No. 19 North Street and Lot 2 DP246975 No. 7 Palmer Street, South Windsor BA1480/97/EVD/ENK24LBX.V17	5

oooO END OF TABLE OF CONTENTS Oooo

ITEM: 56 **Clarendon - Filling at Showground****FILE NUMBER:** DA132/96/GMA/ENK24LAX.G18

REPORT:

In June 1996 the Hawkesbury Equestrian Centre Inc. submitted a development proposal to fill land at the southern end of the Showground. With the application came the Centre's own conditions for filling that included:

1. All fill must be clean and free from chemical or asbestos contamination.
2. No building rubbish in the form of bricks or broken bricks, corrugated iron, timber, concrete or reinforcing steel to be used as fill.

The application was approved in July subject to 16 conditions and these included:

1. Proposed filling to be undertaken in stages, the first stage being restricted to the proposed show jumping areas being approximately 1/3rd of the site. Filling of this area to be completed, graded, compacted and provided with topsoil and grass seed before fill is placed in any other locations.
2. Immediately upon completion of the filling and regrading of the show jumping arena, the topsoil is to be respread and the land is to be immediately seeded with appropriate grass species and watered so as to minimise potential soil erosion.
3. No demolition material in the form of bricks or broken bricks, corrugated iron, timber, concrete or steel to be used as fill.
4. A sedimentation and erosion control plan is to be submitted identifying the stage filling required by the above conditions and nominating other sedimentation control devices such as silt fences to ensure no material leaves the site.
5. Any dirt or mud which is tracked onto Racecourse Road as a consequence of the filling is to be removed on a daily basis.
6. Stage 1 of the filling, being the show jumping areas, is to be completed within three (3) months of the date of this consent.
7. The applicant is to repair any damage to Racecourse Road which is caused by the importation of fill to the requirement of the Director of Environment & Development.

The file contains a number of records of inspection and discussion with the applicants and the contractor on the site regarding issues that have occurred.

ENVIRONMENT

Meeting Date: 24 November, 1998

Item: **56**

The most recent inspection indicated that:

- The area indicated on the plan containing the three show jumping arenas, spectator mound, dam and car park have been completed and generally in accordance with the plan submitted.
- The first stage, being the filling of the show jumping area, is complete with topsoil provided and seeding control occurring.
- There is no sign of soil erosion on the site.
- The hours of operation have not been the subject of any complaint and the gates have been kept locked as required.
- A sediment control plan has been provided and sediment control works put in place.

A representative from the Hawkesbury Equestrian Centre Inc. will be available to address the Committee and answer any questions regarding the matter.

RECOMMENDATION:

The information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 56 Oooo

ITEM: 57 **Right of Carriageway for Flood Free Access - Lot 1 DP197134 No. 19 North Street and Lot 2 DP246975 No. 7 Palmer Street, South Windsor**

FILE NUMBER: BA1480/97/EVD/ENK24LBX.V17

PREVIOUS ITEM: 88, Ordinary (10.11.1998)

REPORT:

The owners of Lot 1 North Street, have had on-going discussions with officers over many years concerning their expectations for flood free access to the rear of their property. This matter was reported to the Ordinary Meeting of 10 November, 1998 where Council resolved as follows:

"That the information be received and a report come to the next General Purpose Committee meeting detailing actions necessary to provide flood free access to the properties."

Options for Flood Free Access to Lot 1

As discussed in the previous report it is not clear whether pedestrian or vehicular access was to be provided to Lot 1. Options for the provision of both are provided below.

Pedestrian Access

The owner of Lot 2 has suggested that he would be prepared to look at allowing a pedestrian right of way across the rear of his property. This access could be extended up to the southern boundary of Lot 2 giving access to Lot 1. The approved dwelling on Lot 2 is set back 1.1 metres from the southern boundary which adjoins Lot 1.

A right of way for pedestrian access would need to be a minimum of 2 metres wide. This could be achieved by amending the approved plans so that the approved dwelling had a zero setback to the northern boundary. This would provide a 2.2 metre setback to the southern boundary which would be adequate for a pedestrian right of way (see diagram 1).

Vehicular Access

The provision of a vehicular right of way to Lot 1 is quite difficult due to the location of the approved dwelling. A minimum of 3 metres would need to be provided along the southern boundary. This could be achieved by relocating the approved dwelling so as to have a zero north boundary setback. This would provide an additional 1.1 metres along the southern boundary giving a total setback of 2.2 metres. A 3 metre right of carriageway could be located so as to extend 800mm over the rear boundary of properties 21 and 19 North Street for the length of the approved dwelling and then be located fully within Lot 2 (see diagram 2).

Mirror Reverse Ground Floor Design

If the owner of Lot 2 agreed to mirror reverse the ground floor layout then 3 metres could be achieved between the approved dwelling and boundary for part of its length (see diagram 3).

Access over Lot 23

If the owner of Lot 23 (21 North Street) were to consent to a right of way across their land at the rear then the existing right of way could be extended across the rear of Lot 2 and Lot 23 giving access to both Lot 23 and Lot 1 (see diagram 4). The owners of Lot 23 have indicated that they are not prepared to give access across the rear of Lot 23 so this appears not to be an option.

Extension of the existing Right of Way

The extension of the existing right of way giving access to No. 21 and 19 North Street would also require the consent of the owner of Lot 1 DP246975 as the existing right of way is located on this land.

Conclusion

Options are available for the provision of either a pedestrian or vehicle right of way providing flood free access to Lot 1 and Lot 23 fronting North Street. However, a great deal of good will is required by the owner of Lot 2 and other land owners to achieve a solution to the problem. It is recommended that the above options be investigated and discussed with the relevant property owners and the matter be reported back to Council. Should a solution be negotiated then it is recommended that Council pay the costs for the preparation and endorsement of the legal documentation required.

RECOMMENDATION:

That options be investigated and discussed with relevant owners and the matter be reported back to Council.

ATTACHMENTS:

- AT-1** Diagram 1
- AT-2** Diagram 2
- AT-3** Diagram 3
- AT-4** Diagram 4

ENVIRONMENT

Meeting Date: 24 November, 1998

Item: **57**

ENVIRONMENT

Meeting Date: 24 November, 1998

Item: **57**

ENVIRONMENT

Meeting Date: 24 November, 1998

Item: **57**

ENVIRONMENT

Meeting Date: 24 November, 1998

Item: **57**

oooO END OF ITEM 57 Oooo