



Hawkesbury City Council

special meeting business paper

date of meeting: 13 September 2004

location: council chambers

time: 7.00 p.m.



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.”

How Council Operates ...

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

The twelve Councillors who represent Hawkesbury City Council 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 is held on the second Tuesday of each month at 7.30pm. Two weeks before the Ordinary Meeting, the General Purpose Committee meets to consider issues in the areas of Environment, Infrastructure, and Organisation & Resources. The time of the General Purpose Committee will be advised by public notice. 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 Environment, Infrastructure and Organisation & Resources. 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 for consideration at the General Purpose Committee Meeting. The Mayor will invite interested persons to address the Committee when the matter is being considered and speakers have a maximum five (5) minutes to present their views.

Residents are encouraged to attend the Ordinary Meeting to observe the proceedings of the meeting from the public gallery. There will be a provision prior to 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 a recent innovation in Australian local government pioneered by Hawkesbury City Council.

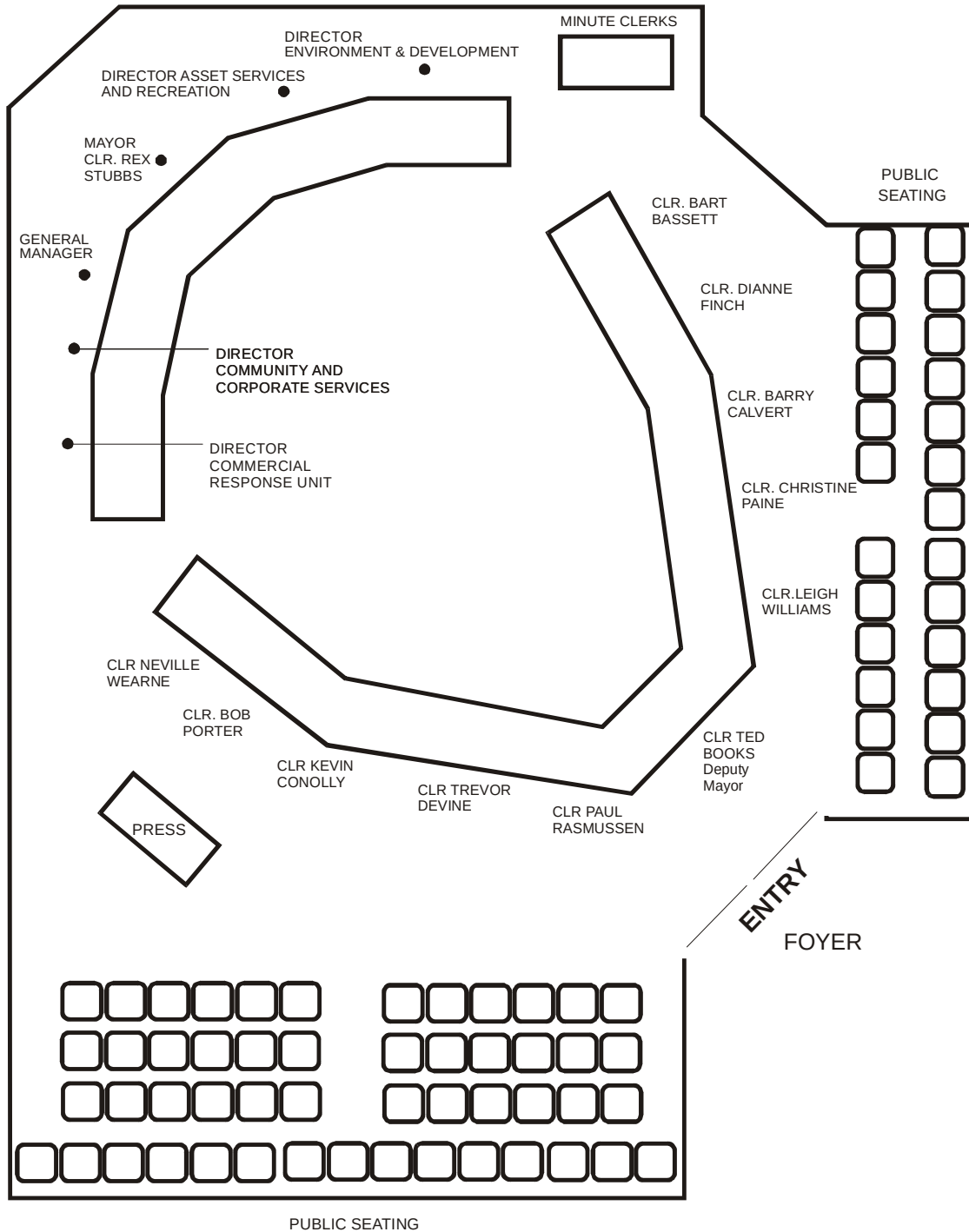
Website ...

Business Papers can be viewed on Council's website from noon Friday before each meeting. The website address is www.hawkesbury.nsw.gov.au.

Further Information ...

A guide to Council Meetings brochure is available. If you require further information about meetings of Council, please contact the Administration Manager on telephone 02 4560 4426.

c o u n c i l c h a m b e r s



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 - Organisation and Resources*
 - Commercial Strategy*
- **SECTION 4 - Reports for Determination**
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SECTION 4 - Reports for Determination

Item: 102 **ENV A - Pitt Town Draft Local Environmental Plan - (79347, 74141)**

Previous Item: 76, Ordinary (13 July 2004)

REPORT:

This matter was last reported to Council on 13 July 2004, where it was noted that consultation with the Heritage Office would need to take place before the draft Local Environmental Plan (LEP) Amendment 145 for Pitt Town can go on exhibition. Consultation took place with the Heritage Office and Council received a letter dated 11 August 2004 from the Assistant Director outlining the requirements of the Heritage Office before the draft plan can proceed to exhibition.

Although many of the changes are matters that can be dealt with by the Development Control Plan, there were a number of items that required amendment to the draft LEP that had been prepared before the Heritage Office would be satisfied that it can proceed to exhibition.

These changes affect the adopted map for the draft amendment, therefore, a new resolution of Council is required by Council before proceeding to exhibition. The new map is attached.

The changes to the draft plan are as follows:

- 1) Listing of Heritage Items
Two (2) proposed heritage items being a house, at 142 Bathurst Street, and a slab barn, at 140 Bathurst Street, will need to be added to the Heritage Schedule. These items were considered to be part of the new list of heritage items that Council has previously considered and are currently deferred, however, the Heritage Office require these to be listed with this amendment.
- 2) Buffer Zones Around the Bona Vista Property
The area between the Bona Vista homestead and Johnston Street is required to retain its existing zoning, therefore, the LEP map has been amended to delete the rezoning of this land. To the east of the Bona Vista homestead, the buffer is to be increased from its current 40m (forty metres) to 50m (fifty metres) and the land within the buffer to retain its current zone. The same is to apply to the area to the south of the Bona Vista homestead. Again, the LEP map has been amended to show these changes. The proposed heritage conservation area has been extended to cover this extended buffer zone plus the first line of houses to the east and to the south of the Bona Vista homestead.
- 3) The area to the north of Hall Street, thought to be Governor Bligh's Farm, has been deferred from the LEP, however, the proposed conservation area has been retained. The Heritage Office requires a detailed archaeological survey to be carried out before they can reconsider this area. This will mean that once the Heritage Office is convinced rezoning can proceed, a new draft LEP will be required for this area.

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- 4) The historic fence lines on the Bona Vista property need to also have heritage conservation provisions placed over them, which is shown as hatching on the map. The heritage conservation area provisions will also apply to the tree lines along Johnston Street and Bootles Lane, which has also been placed on the map.
- 5) Additional provisions were required to be inserted into the amended LEP to create protection for archaeological areas, as well as European and non-European archaeological relics.

The other requirements of the Heritage Office will be incorporated into the draft Development Control Plan, which is currently being prepared and will be reported to Council at a later date.

Council will require, however, a letter from the Heritage Office saying that their objection under section 62 of the Act has now been withdrawn, subject to the acceptance of this new draft LEP. Once this has been received it appears that all the conditions on the delegation have been fulfilled and Council could proceed to exhibition.

If Council does not wish to accept the changes proposed by the Heritage Office, but wishes to continue with its previous adopted LEP, then Council will need to make a further submission to the Department of Infrastructure, Planning and Natural Resources saying that it is not prepared to accept the delegation and request a section 65 certificate for the draft plan as currently adopted. It would appear that this is a futile exercise as it is quite clear that the Department will not certify this plan.

Following discussions concerning the preparation of the Development Control Plan and the location of the community facility, it is necessary to extend the zone boundary of the Housing zone to the south. The reason for this amendment is to ensure that the community facility is permissible with development consent on the location indicated on the adopted Masterplan. The Local Environmental Plan Map has been amended to reflect this change.

As Council has been previously informed, consultants have been engaged to prepare the draft Development Control Plan and the draft section 94 contributions plan and this is currently underway. It would seem appropriate, therefore, to begin to arrange the exhibition period in accordance with the adopted consultation strategy. This being the case, the Pitt Town Advisory Committee will need to be consulted as to the arrangements in accordance with their adopted charter. This will take place as soon as possible.

RECOMMENDATION:

That:

1. The attached map of amendment 145 to the Hawkesbury LEP 1989 be adopted for the purposes of exhibition of this draft LEP.
2. Council proceed with its consultation in accordance with the previously adopted consultation strategy for the exhibition of this draft plan and its associated documents.

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3. The exhibition period commence as soon as a suitable arrangement are made and the advise of the Pitt Town Advisory Committee has been obtained as to those arrangements.

ATTACHMENTS:

AT - 1 Draft Local Environmental Plan Map



special
meeting

end of
business
paper

This business paper has
been produced
electronically to reduce
costs, improve efficiency
and reduce the use of
paper. Internal control
systems ensure it is an
accurate reproduction of
Council's official copy of
the business paper.