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**Geotechnical Testing Services** 

GTE1504 – Contamination Report 12 April 2018

Client: Pavlakos Capital Pty Ltd Contact person: Evan Pavlakos E-mail: <u>evan@insightprojectgroup.com.au</u>

# RE: STAGE 1 CONTAMINATION ASSESSMENT at 71, 75-77, 79 and 83 Graham Road and 35-37 Karne Street South, Narwee

This letter presents a Stage 1 Contamination report on the inspection and testing services associated with the contamination assessment undertaken at the above project.

Should you have any questions related to this report please do not hesitate to contact the undersigned.

For and on behalf of Ground Technologies Pty Ltd

asmirelyeas

J.George Environmental Engineer

**Reviewed By** 

A.Bennett Principal Geotechnical Engineer

#### **TABLE OF CONTENTS**

#### Description

Table of Contents								
Executive Summary								
1.0 Introduction	4							
2.0 Scope of Work	4							
3.0 Site Description	5							
4.0 Site History	8							
4.1 Aerial Photographs	8							
	11							
4.3 Search of the Protection of the Environment Operations (POEO)	11							
4.4 Search of the Council Records	12							
5.0 Site Condition and Surrounding Environment	13							
6.0 Site Geology and Hydrogeology	13							
7.0 Acid Sulphate Soils	13							
8.0 Conclusions and Recommendations	13							
References	14							

#### Appendices

Appendix A – Search results of EPA Contaminated Land Register
Appendix B – Search of POEO register of licensed and delicensed premises
Appondix C Council Decords

Appendix C – Council Records

#### Page

#### **EXECUTIVE SUMMARY**

Ground Technologies Pty Ltd have undertaken a Stage 1 Contamination Report as requested **71**, **75-77**, **79**, **83 Graham Road and 35-37 Karne Street South**, **Narwee**. It is understood that the proposed works will comprise the demolition of three houses and two commercial units allowing the construction of a four storey apartment building with a basement level car park. It is further understood that excavations of up to approximately 3.5m will be required across the entire building envelope for the basement level excavations

The subject site is rectangular in shape and measures approximately 46m wide along the Graham Road frontage and up to 65m along the Karne Street South frontage. The site covers an area of approximately 2990m<sup>2</sup> and is relatively flat.

The objective of the Stage 1 Contamination Report was to ascertain whether the site presents a risk to human health and/or the environment arising from any past/present activities at the site or neighbouring properties.

The conclusions of this Contamination Report are as follows:

- The three properties, 71 Graham Road and 35-37 Karne Street South are currently residential properties. The desktop study indicates that these properties have always been used for residential purposes.
- The property at 75-79 Graham road was used as a butchers shop since 1967 and it ceased operations in 1984. However it resumed as a meat processing facility from 1986 till the early 90's. From the early 90's the premises continued to be used for commercial purposes including retail and offices.
- The property at 83 Graham Road comprised lockup shops and was used as a wholesale hardware store from 1975. From 1978 onwards the property was used as a Dog Clipping Salon and is used for the same till date.
- A search of the NSW EPA Contaminated Land Management record of notices revealed that there were no notices issued to the subject site.
- No history of dangerous manufacturing utilizing heavy chemicals or metals was documented.
- Council records did not show a history of industrial usage.
- The site is in a region of no known acid sulphate soils

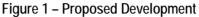
Based upon the desktop study and site visit, there is a low risk of residual contamination due to historical site usage. The site is suitable for the proposed development for "residential" use. A detailed stage 2 contamination assessment is not required. A remediation action plan is not required.

As a basement level will cover the development footprint any potentially contaminated material not identified in the desktop study will be excavated and removed as a part of the construction process. This material should be assessed in accordance with the relevant NSW EPA requirements post demolition of the existing structures but prior to the commencement of basement excavations.

#### 1.0 INTRODUCTION

Ground Technologies Pty Ltd have undertaken a Stage 1 Contamination Report as requested 71,75-77, 79, 83 Graham Road and 35-37 Karne Street South, Narwee. It is understood that the proposed works will comprise the demolition of three houses and two commercial units allowing the construction of a four storey apartment building with a basement level car park. It is further understood that excavations of up to approximately 3.5m will be required for the basement level excavations.





#### 2.0 SCOPE OF WORK

The following scope of work was conducted:

- Desktop Study of the following to assist in identification of potential contamination issues:
  - Data from Environment Protection Authority
    - Scheduled premises
      - o Section 35 notices
      - o Unhealthy building land sites
    - Sites which are likely contaminated and not contaminated
    - Data from the Protection of the Environment Operations Public Register (POEO)
- Review of soils and geological maps.
- Review of aerial photography
- Site Inspection by a Geotechnical Engineer to ascertain current activities, and any visible signs of contamination.
- Preparation of the Stage1 Contamination Report.

#### 3.0 SITE DESCRIPTION

Table 1 - Summary of Site Details							
Site Address	71,75-77, 79 and 83 Graham Road						
Sile Audress	Narwee 35-37 Karne Street South, Narwee.						
Council Area	Canterbury Bankstown Council						
Lot / DP	Lot 8 DP23841, Lot 7 DP23841, Lot A DP387057,						
	Lot B DP387057, Lot 2 DP23841, Lot 3 DP23841						

#### Figure 2 – Site Location



Figure 3 - Enlarged view of the Subject Site



The subject site is rectangular in shape and measures approximately 46m wide along the Graham Road frontage and up to 65m along the Karne Street South frontage. The site covers an area of approximately 2990m<sup>2</sup> and is relatively flat.

The three properties, 71 Graham Road and 35-37 Karne Street South are residential properties and the corner property at 75-77, 79 and 83 Graham Road is currently used for commercial purposes. The property identified as 83 Graham Road is currently used as a dog salon and the property identified as 75-77 and 79 Graham Road is used as a commercial property (real estate) with office space and parking space at the rear of the premises.

The residential property at 71 Graham Road comprises a brick house with a carport, shed and a concrete paved backyard. The were some cracks within the concrete at some areas and also some staining was observed on the concrete, in addition there was a rusted metal sheet plant holder and some overgrown dried plants present within the backyard. The properties at 35-37 Karne street were fibro houses and had a grassed back yards.

The neighbouring properties are mainly residential properties. A reserve/park area is located to the west and north of the subject site and the south-western motorway runs parallel to Graham Road which is located immediately north of the reserve area.





Photograph 2 - Showing the commercial property at 75-77 and 83 Graham Road



Photograph 3- Showing the rear section of the residential property at 71 Graham Road



Photograph 4- Showing the commercial property at 83 Graham Road



Photograph 5 – Showing the Residential property at 37 Karne Street South



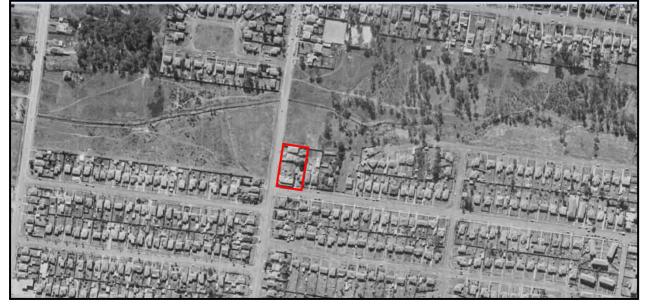
#### 4.0 SITE HISTORY

In order to ascertain the site history, a documentary review of past and present land use at the subject site and the surrounding area has been undertaken as follows:

#### 4.1 Aerial Photographs:

A review of Historical Aerial Photographs was undertaken in order to provide a greater insight into the site history.

<u>1965</u> – In 1965 all the properties within the subject site are already constructed on site. However the shed behind the commercial property has not been built. The surrounding properties appears to be in use for residential purposes. The area to the north and west of the subject site are vacant. The motorway north of the subject site was not constructed. No industrial properties could be observed within the region. The subject site is highlighted in figure 3.



#### Figure 3 – Aerial Photograph from 1965

<u>1982</u> – In 1982 the subject site does not appear to have many changes except for the shed behind the commercial property which has been contructed. A carpark has been constructed behind the commercial property. No industrial properties could be observed within the region. The subject site is highlighted in figure 4.



Figure 4 – Aerial Photograph from 1982

<u>1994</u> – In 1994 the subject site does not appear to have many changes. However, the carpark behind the commercial property has been cleared. No industrial properties could be observed within the region. The motorway to the north of the subject site has been constructed. The subject site is highlighted in figure 5.



Figure 5 – Aerial Photograph from 1994

<u>1998</u> – In 1998, no significant changes to the site or surrounds have been made since 1994. The subject site is highlighted in figure 6.



Figure 6 – Aerial Photograph from 1998

<u>2007</u> – In 2007, no significant changes to the site or surrounds have been made, however some works is being carried out behind the commercial property where the carpark was located. The subject site is highlighted in figure 7.



Figure 7 – Aerial Photograph from 2007

2016 – In 2016, no significant changes to the site or surrounds have been made, however the area behind the commecrcial property is laid by asphalt concrete and appears to be used as a carpark again. The subject site is highlighted in figure 8.



Figure 8 – Aerial Photograph from 2016

#### 4.2 Search of Contaminated Land Management Register (NSW EPA):

A summary of the search of the NSW EPA Contaminated Land Management record no notices for the Narwee area can be found in Appendix A. No notices were issued within the region.

# 4.3 Search of Protection of the Environment Operations Public Register (POEO) of Licensed and Delicensed Premises:

A search of the POEO public register of licensed and delicensed premises (DECC) provided no premises within the Narwee area (see Appendix B).

#### 4.4 Search of Council Records:

A search of Development Applications and other records provided by the Administration Support Officer, Fletcher Lewis at Bankstown Canterbury Council provided a few documents. The list of the relevant documents are given below (copy of some council documents are given in Appendix C):

Document	Subject	Date Issued	Outcome			
Reference 67/4387 proposal for change in use	Proposed use for Butchering, cutting and	11 March 1965	Application approved			
	boning of meat, current					
	use as lockup shops at					
	77- 79 Graham Road Narwee					
Reference 75/1919	Permission to use	26 May 1975	Application Granted			
	4 lock-up shops for the	20 May 1770	Application Oranica			
	purpose of a wholesale					
	hardware at 83 Graham					
Deference 70/2027 change in	Road, Narwee	10 June 1070	Application			
Reference 78/2937 change in proposed development	Approval requested for use of an existing shop	19 June 1978	Application Approved			
	to a dog clipping salon		Approved			
	83 Graham Road,					
	Narwee					
DCU358/87	Part of the building and	28 September 1987	Application was			
(376/75D)Proposal for change in use	commercial refrigeration located at the rear of		rejected in December 1987			
	building proposed to be		December 1707			
	used for the storage					
	and distribution of small					
	goods 75-79 Graham					
Contravention Notice 376/75G	Road, Narwee Cease unauthorised use	23 October 1986	Removal of refuse			
	of premises 75-79	23 000001 1700	vegetation matter on			
	Graham Road, Narwee		premises			
Reference 376/75G Complaint	Nuisance arising from	22 December 1987				
	operation of premises at					
	Graham Road, Narwee (75-79 Graham Road,					
	Narwee)					
Bulding Application No 320/91	Permission to erect shop	17 June 1991	Bulding Permit			
	and office alterations (75		granted			
	Graham Road Narwee)					

From the site history research, it is understood that properties 35-37 Karne Street South and 71 Graham Road has always been used for residential purposes. The premises at 75-77, 79 and 83 Graham Road, Narwee have been used for commercial purposes.

The property at 75-79 Graham road was used as a butchers shop since 1967 and it ceased operations in 1984. However it resumed as a meat processing facility from 1986 till the early 90's. From the early 90's the premises continued to be used for commercial purposes including retail and offices.

The property at 83 Graham Road comprised lockup shops and was used as a wholesale hardware store from 1975. From 1978 onwards the property was used as a Dog Clipping Salon and is used for the same till date.

The potential risk associated with the above land uses are low.

#### 5.0 SITE CONDITION AND SURROUNDING ENVIRONMENT

A site visit was conducted on 21st February 2018, however only the premises at 71 Graham Road was inspected since there was no access available to the other properties. The field observations are summarised in the table below:

Parameter	Observation
Visible observations on soil contamination	No visible evidence of contamination was observed. No staining of the soils or odours were documented.
Signs of plant stress	None observed.
Signs of Agriculture	None observed. No visible indicators of tilled land
Presence of drums, fill or waste materials	None observed. No visible indicators of underground fuel tanks (bowsers or venting pipes)
Presence of fill	No filling was observed.

#### Table 2 – Summary of Field Observations

#### 6.0 SITE GEOLOGY

The 1:100,000 scale Geological Series Map of the Sydney region indicates that the subject site is underlain by Ashfield Shale of the Wianamatta Group dating back to the Middle Triassic period and generally comprises *black to dark-grey shale and laminate.* 

#### 7.0 ACID SULPHATE SOILS

The Department of Land and Water Conservation Acid Sulphate Soils Map (Botany Bay) indicates that the site is in an area of no known acid sulphate soils.

#### 8.0 CONCLUSIONS AND RECOMMENDATIONS

The conclusions of this Contamination Report are as follows:

- The three properties, 71 Graham Road and 35-37 Karne Street South are currently residential properties. The desktop study indicates that these properties have always been used for residential purposes.
- The property at 75-79 Graham road was used as a butchers shop since 1967 and it ceased operations in 1984. However it resumed as a meat processing facility from 1986 till the early 90's. From the early 90's the premises continued to be used for commercial purposes including retail and offices.
- The property at 83 Graham Road comprised lockup shops and was used as a wholesale hardware store from 1975. From 1978 onwards the property was used as a Dog Clipping Salon and is used for the same till date.
- A search of the NSW EPA Contaminated Land Management record of notices revealed that there were no notices issued to the subject site.
- No history of dangerous manufacturing utilizing heavy chemicals or metals was documented.
- Council records did not show a history of industrial usage.
- The site is in a region of no known acid sulphate soils

Based upon the desktop study and site visit, there is a low risk of residual contamination due to historical site usage. The site is suitable for the proposed development for "residential" use. A detailed stage 2 contamination assessment is not required. A remediation action plan is not required.

As a basement level will cover the development footprint any potentially contaminated material not identified in the desktop study will be excavated and removed as a part of the construction process. This material should be assessed in accordance with the relevant NSW EPA requirements post demolition of the existing structures but prior to the commencement of basement excavations.

#### **REFERENCES**:

Geological Series Sheet 9130 (EDITION 1) 1983, Map of the Sydney region, scale 1:100,000

- Contaminated Sites Guidelines for Consultants Reporting on Contaminated Sites. NSW Environment Protection Authority (EPA) 2000.
- Managing Land Contamination: Planning Guidelines SEPP55 Remediation of Land Department of Urban Affairs and Planning and Environment Protection Authority (DUAP and EPA) 1998.
- National Environment Protection (Assessment of Site Contamination) Measure National Environmental Protection Council 1999.

APPENDIX A

SEARCH RESULTS OF EPA CONTAMINATED LAND REGISTER



Your environment Reporting and incidents Licensing and regulation Working together About us

#### Search results

Your search for: Suburb: NARWEE

did not find any records in our database.

If a site does not appear on the record it may still be affected by contamination. For example:

- Contamination may be present but the site has not been regulated by the EPA under the Contaminated Land Management Act 1997 or the Environmentally Hazardous Chemicals Act 1985.
- The EPA may be regulating contamination at the site through a licence or notice under the Protection of the Environment Operations Act 1997 (POEO Act).
- · Contamination at the site may be being managed under the planning process.

More information about particular sites may be available from:

- The POEO public register
- The appropriate planning authority: for example, on a planning certificate issued by the local council under section 149 of the Environmental Planning and Assessment Act.

## **APPENDIX B**

# SEARCH OF POEO REGISTER OF LICENSED AND DELICENSED PREMISES



Your environment Reporting and incidents Licensing and regulation Working together About us

Home Environment protection licences POEO Public Register Search for licences, applications and notices

### Search results

Your search for: General Search with the following criteria

Suburb - NARWEE

returned 0 result

APPENDIX C

**COUNCIL RECORDS** 

ELEPHONE:

78 3401 **\*** 39 2333 **\*** 

ADDRESSED TO TOWN CLERK 7, POST OFFICE. E, N.S.W. 2194





15th November, 1978.

To: Mrs J. Brown, 277 King Georges Road, <u>LAKEMBA</u>. N.S.W. 2195.

Dear Sir, Madam,

Re: 83 Graham Road, Narwee, being Lot 8, D.P. 23841

Enclosed please find Certificate of Classification No. 416 issued in relation to the subject premises, in accordance with the relevant provisions of Ordinance 70.

Yours faithfully,

6 Whitmash

J.E. HITMARSH, TOWN CLERK. P. WZ

Encls.

DEPARTMENTAL ACTION CONTENTS

NASTECTOR

TELEPHONE:

78 3401 \* 769 2333 \* COMMUNICATIONS DE ADDRESSED TO DE TOWN CLERK 77, POST OFFICE, PSIE, N.S.W. 2194



IN REPLY PLEASE QUOTE

COUNCIL CHAMBERS. 137 BEAMISH STREET, CAMPSIE, N.S.W. 2194

15th November, 1978.

To: Messrs C. Cnric & K. Brown, 30 Passey Avenue, BELMORE. N.S.W. 2192.

Dear Sirg

#### Re: 83 Graham Road, Narwee, being Lot 8, D.P. 23841

Reference is made to a recent Development Application determined by Council in respect of the subject premises and in this regard it is advised for your information that in accordance with the relevant provisions of Ordinance 70, the following Classifications have been designated in relation to the building/s on the subject premises.

1		
Whole of portion of building	Description if Portion Only	Class or Classes of Building.
Whole	Lock-up-shop	VI

Yours faithfully, White mand

J. E. WHITMARSH, TOWN CLERK. HEALTH DEPARTMENT - HISTORY SHEET

78/2937

LOT: 8 NO: 83 STREET: GRAMAM. 20 SUBURB: NARWEE SUBJECT: DIA. APPROUAL - Dob CLIPPING SALON. BRING FORWARD E REMARKS OF OFFICER UI Mes. SABEH. 11-9-78 14-10-28 TO NOTE L.Sahel for further marking 21 MR MEEK. TO NOTE & FOLLOW UP noted th 193/78 Inspectie on 12.9. 78 - use commenced An. and the 4 not complied with) Inspected on 16-10-78 - Conditions complete with Mmech 16/10/78 31 Me. BEASLET. / CERT. OF CLASSIFICATION

78/293

31st July, 1978.

WHH: JL

Mrs. J. Brown, 277 King Georges Road, LAKEMBA, N.S.W. 2195

Dear Madam,

#### Re: 83 Graham Road, Narwee being Lot 8, D.P. 23841

Reference is made to your application for permission to use existing shop premises at the abovementioned location as <u>a dog</u> <u>clipping salon</u> and in this regard, I have been directed to advise that the <u>application has been approved</u>, subject to the following:-

- 1. The building being now classified under Ordinance 70 as Class VI - Lock-up shop.
- A separate application being made for the erection of any proposed advertising sign.
- Arrangements being made to the satisfaction of the Municipal Health Surveyor for the storage and removal of all trade waste arising on the premises.
- 4. The doorway opening between shops Nos. 83 and 81 being "bricked up" and cement rendered on both sides.
- The proposed business being confined entirely within the building and no animals being kept on the premises outside of normal trading hours.

It should be noted that the development consent hereby granted will automatically lapse and become void within twelve months from the date hereof unless the premises are substantially used for the requested purpose within that time.

Yours faithfully,

J.E. WHITMARSH, TOWN CLARK

#### WEST WARD

MRS. J. BROWN	(C. CNRIC & K. BROWN	) (FILE /0/253/)
Location: 83	Graham Road, Narwee,	being Lot No. 8, D.P. 23841
	× 1	

Lock-up shop Existing: Use:

Dog-clipping salon Proposed:

Zoning: C.P.S. Residential 2(c)

19.6.78 Application Lodged:

Description of Proposed Development: Approval is requested for the use of an existing shop at the above address as a dog clipping salon.

(Ctd.)

7. (Ctd.)

CHIEF ENGINEER/TOWN PLANNER REPORTS: -

Erected on the land situated on the north east corner of Graham Road and Karne Street is a small lock-up shop, now vacant, and used until recently, with Council's consent, as a hardware store.

The applicant now proposes to use the premises as a dog clipping salon and in her application states that no dogs will be kept in the premises overnight.

On the basis of floor area one (1) carparking space is required in accordance with Council's Off-Street Parking Code and this carspace is available in the rear yard area.

The subject premises are within the category of a 'non-conforming' use in a Residential 2(c) zone, and is one of a group of three (3) small lock-up shops at this location.

It is Council's policy to phase out any non-conforming use that has ceased to operate as such, however, as the adjoining shops have been used, with Council's consent, as a butchery for cutting and boning of meat since 1967 and are still being used for this purpose, it is considered that the existing use rights under the provisions of the C.P.S.O. would still be applicable to the subject premises.

There has been no demand for retail shops at this location, due to its proximity to Roselands and the Narwee Shopping Centre and although the surrounding area is fully developed residentially it is considered that the proposed use would have no adverse effect on the amenity of this area.

The proposed use is permissible, with Council's consent as a 'Change of Use' under the provisions of the C.P.S.O.

It is RECOMMENDED that the application be APPROVED, subject to:-

- 1. The building being now classifed under Ord. 70 as Class VI -Lock-up shop.
- A separate application being made for the erection of any 2. proposed advertising sign.

3. Arrangements being made to the satisfaction of the M.H.S. for the storage and removal of all trade waste arising on the premises.

- 4. The doorway opening between shops Nos. 83 and 81 being 'Bricked up' and cement rendered on both sides.
- 5. The proposed business being confined entirely within the building and no animals being kept on the premises outside of normal trading hours.

Submitted for Council's consideration.

That the appen be approved in the TReccor

## P. & S. COMMITTEE

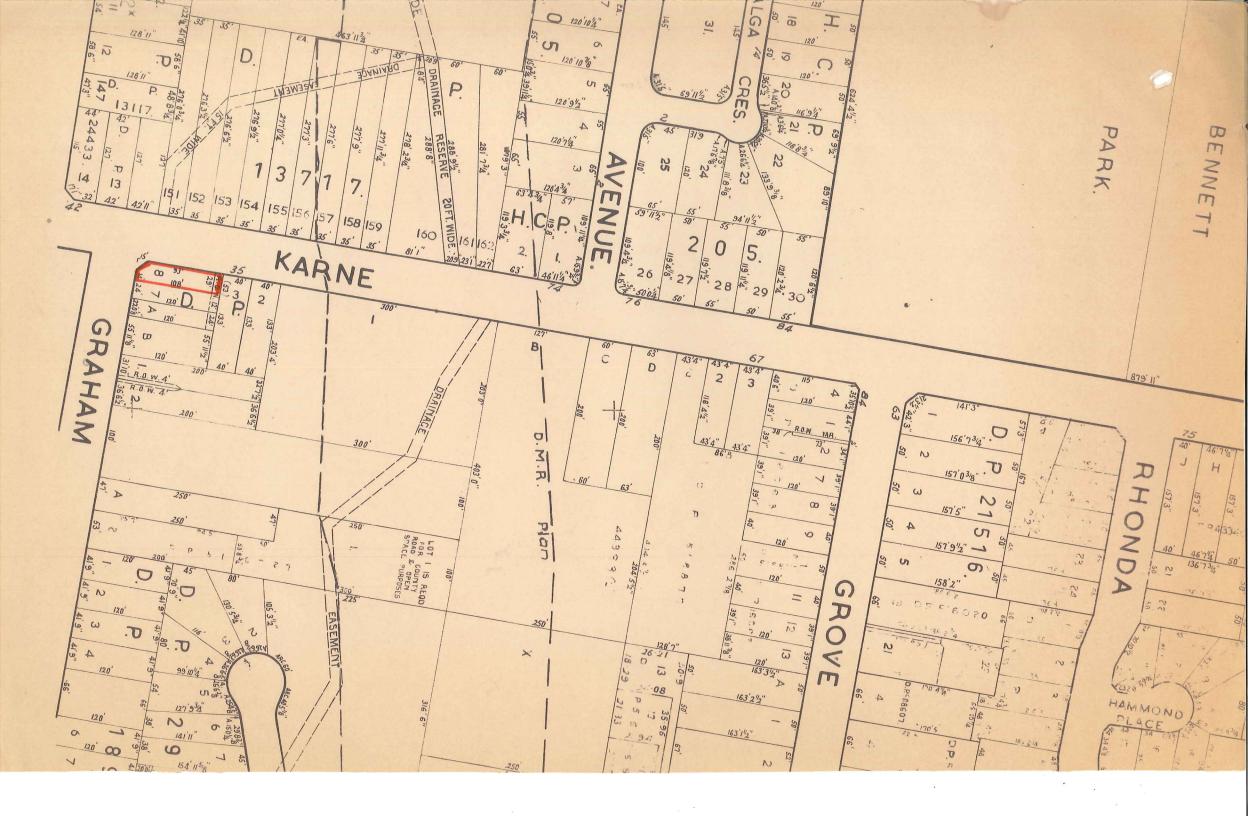
# 27 JUL 1978

7.

MRS. J. BROWN (C. CNRIC & K. BROWN) (File 78/2937) That the application be approved in the terms of the recommendation

in the premises cuerings.	appendiced states that no degri mult be kept	onten and i	The applicant new proposed do use the premises	a manue store.	until recently, with bounders consent as	Anul lock up shop, now uncard, and used	comes of Graham Ra and Kame & is a	Eucen as the low situated as the north east	REPORTS :-	and sales.	DESCRIPTION OF PROPOSED DEVELOPMENT: Aprical is requested the use	APPLICATION LODGED: 19.6.78	OTHER RESTRICTIONS:	ZONING: CANTERBURY PLANNING SCHEME: Resultie 2 (2)	PROPOSED: Deg clipping Salow	USE: EXISTING: Keek. 4 shep.	BEING LOT NO. 8 SEC.NO. D.P. 23841	LOCATION: BS Ginham Ra hurner.	APPLICANT: URS J BROWN (C. CNRIC & K. BROWN)	WARD: West.	FILE NO. 78/2937	
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Assessment No:9.13970

C. & E. L. Pavlakos 5 View Street PEAKHURST 2210 376/75B LG/JAA Health & Building Tel 789 9375 Contact: Mrs Graves Date: 177 J[:]] 1091

Dear Sir/Madam,

Re: Premises - 75 Graham Road, Narwee Building Application No.- 320/91

Reference is made to your application for permission to erect shop and office alterations at the subject premises, and in this regard you are advised that approval has been granted subject to the following:-

- 1. The plans and specifications as submitted complying with the requirements of the Local Government Act, 1919 (as amended) and Ordinance 70.
- 2. Compliance with the conditions on the Building Permit and approved plans.

PRIOR TO ANY WORKS COMMENCING it will be necessary for the Building Permit and Approved Plans to be collected from Council. The Building Permit and Approved Plans will not be issued until the following matters have been attended to:

> A. The pre-payment of the following fees:-Kerb & Gutter Damage Deposit: \$300.00 Notification Fee: \*\$50.00

You are further advised that this approval will be void in twelve (12) months from the date hereof unless building works are substantially commenced within this time.

Council's decision was made after consideration of the matters listed under Section 313 of the Local Government Act, 1919 (as amended), Ordinances administered by Council and the relevant codes adopted by Council.

Your attention is directed to Section 314 of the Local Government Act which confers on an applicant who is dissatisfied with the determination of a building application a right of appeal to the Land and Environment Court. The necessary appeal forms may be obtained from any Clerk of Petty Sessions or direct from the Court.

Yours sincerely,

J MONTAGUE

TOWN CLERK/GENERAL MANAGER

20213/18-19

#### MUNICIPALITY OF CANTERBURY

BUILDING PERMIT

Building Officers Available: 9 a.m. to 11 a.m, Monday to Friday Administration Centre, 137 Beamish Street, CAMPSIE. N.S.W. 2194

C. & E. L. Pavlakos 5 View Street PEAKHURST 2210

Application No: 320/91

Dear Sir/Madam

Date: 17 JUN 1091

Your application submitted for the construction of a building on 75 Graham Raod, Narwee being lot A for <u>shop and office alterations</u> has been considered, and in accordance with the provisions of the Local Government Act and Ordinances thereunder, you are hereby notified that approval is given to your plans and specifications, subject to:

- 1. 48 hours' notice in writing to be given to the effect that:
  - (a) Trenches for footings are ready for inspection
  - (b) Foundations and dampcourses are ready for inspection
  - (c) Drains are laid and are ready for inspection
  - (d) The framework of the building is completed and ready for inspection
  - (e) The building is completed and ready for inspection
- 2. The work generally being completed in accordance with Ordinance 70 of the Local Government Act, 1919 and other Ordinances thereunder.
- 3. All building materials shall be stored wholly within the property boundaries and shall not be placed on the footway or roadway.
- 4. Structural Engineer's details being approved by Council for all concrete footings, slabs, retaining walls and structural steel prior to building work reaching each respective stage.
- 5. A certificate being furnished from a practising Structural Engineer prior to any building work being commenced confirming that the existing footings and walls are structurally adequate to support all proposed additional loadings.
- 6. All roofwater being connected to the existing stormwater drainage system to Council's satisfaction.
- 7. Doorways and doors serving as required exits complying with the relevant provisions of Ordinance 70, Clause 24.20.
- 8. The implementation of adequate care during building construction to ensure that no damage is caused to any adjoining properties.
- 9. On completion of the erection of the building, the owner of the building shall furnish Council with a FORM 6 CERTIFICATE OF COMPLIANCE (copy attached) in accordance with the provisions of Clause 59 of Ordinance 70 in respect of each essential service installed within the building.

The owner of the building shall furnish Council annually with a FORM 7 CERTIFICATE OF COMPLIANCE (copy attached) in accordance with the provisions of Clause 59.5 of Ordinance 70 in respect to each <u>essential service</u> installed with the building.

Clause 59.4 of Ordinance 70 provides that any person who fails to comply with the provisions of this Clause or who furnishes a certificate containing false of misleading information is guilty of an offence and liable to a penalty not exceeding \$1,000.

DIRECTOR of HEALTH and BUILDING SERVICES

TOWN CLERK/ GENERAL MANAGER

-in-

Re

#### MUNICIPALITY OF CANTERBURY

#### BUILDING PERMIT

Page 2.

#### **BUILDING APPLICATION NO. 320/91**

#### DATE:

10. NOTE:

You are advised that the consent given to build in close proximity to the allotment boundary is in no way to be construed as permission to build on or encroach over the allotment boundary. Your attention is directed to the provisions of the Dividing Fences Act which gives certain rights to adjoining owners, including use of the common boundary. In the absence of the structure standing well clear of the common boundary, it is recommended that you make yourself aware of your legal position which may involve a survey to identify the allotment boundary.

11. Satisfactory compliance with all relevant Development Approval No: 5444 conditions detailed in Council's correspondence dated 24th May, 1991.

#### 12. SCHEDULE B - ESSENTIAL SERVICES

DESCRIPTION MINIMUM STANDARD OF DESIGN NSTALLATION OR MAINTENANCE Ord 70 Pt21,22.4,23.1,24.11 Fire Nindows Ministerial Spec No 1

13. The windows to the eastern walling are to be protected in accordance with Part 21 and 22 or Ordinance 70.

DIRECTOR of HEAL/TH and BUILDING SERVICES

CLERK/ GENERAL MANAGER

CANTERBURY MUNICIPAL COUNCIL

#### Memorandum

FILE REF 376/75B 29-4-91 DATE

DEPT TO "B" File: RE BA 320/91 FROM. R. Cuyk; the BS SUBJECT 75 Gradam Rd, Narwer.

We Telephone discussions were held with the Partakos regarding the plans submitted to Couried for GA approval. He was advised that inadequate detail had been pounded to Council and that a development application will be required with the submission. I said I will place if a required. A 29/4 At Town Planers, affronched 29/4/91 for advise of BA requirement . 1 30.4.91 Roman, New D.A Required

for this proposal, due to increase in

floor space.

At 1/5/91 Marg dame - 20 ansure it 2/5/91 Mrs Pavlakos advised that DA required. She said her husband with in today to submit application ele, figh 2/5 SIGNATURE OF SENDER

Nicole

6

Assessment No. 9.13970

376/75B RC:CVG Health & Building Contact: Mr Cwyk 789 9488 11th April, 1991

Mr and Mrs C L Pavlakos 5 View Street PEAKHURST 2210

Dear Sir and Madam

Re: Premises – 75 Graham Road, Narwee Building Application No. 320/91

Reference is made to the subject building application and in this regard, it is requested that you contact Mr Cwyk, of Council's Health and Building Services as soon as possible, Monday to Friday, between 9.00 am and 11.00 am, in order that certain aspects of the application may be discussed with you.

Yours sincerely

19526/2

J MONTAGUE TOWN CLERK/GENERAL MANAGER

Re

Mrs Pavlakos rang Council 15/4/91, to desius above. She was advised that Oro specification was provided to proposed works @ archetectural details are inodequate ; no sizes, distances, maturials & 3 story, details for state will be required etc. She said de will contact archetect and forward A.S.A.P. full 15/4/91

376/75B DM:MCM Health & Building Contact: Mr Mulcahy 789 9392 4th April 1991

J T Kelly 35 Karne Street BEVERLY HILLS 2209

Dear Sir/Madam,

Re: Premises 75 Graham Road Narwee Building Application No. 320/91

I have to advise that Council is in receipt of an application for permission to erect additions at the subject premises, which is nearby to land in your ownership.

The plans relating to the proposal are available for your inspection at Council's Health & Building Services counter, Ground Floor, 137 Beamish Street, Campsie, between the hours of 9.00 a.m. and 4.00 p.m. Monday to Friday.

You are invited to inspect the plans and if so desire make a written submission to Council prior to 23rd April 1991

It should be noted that the invitation to inspect the plans does not confer any right to veto the proposal and the Council retains the responsibility to deal with the application in accordance with the provisions of the Local Government Act, 1919, (as amended).

Yours sincerely,

J. MONTAGUE TOWN CI ERK/GENERAL MANAGER

876/75B DM:MCM Health & Building Contact: Mr Mulcahy 789 9392 4th April 1991

C & L Pavlakos 5 View Street PEAKHURST 2210

Dear Sir/Madam,

Re: Premises 75 Graham Road Narwee Building Application No. 320/91

I have to advise that Council is in receipt of an application for permission to erect additions at the subject premises, which is nearby to land in your ownership.

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Yours sincerely,

J. MONTAGUE TOWN CLERK/GENERAL MANAGER

376/75B DM:MCM Health & Building Contact: Mr Mulcahy 789 9392 4th April 1991

G M Silver 71 Graham Road NARWEE 2209

Dear Sir/Madam,

Re: Premises 75 Graham Road Narwee Building Application No. 320/91

I have to advise that Council is in receipt of an application for permission to erect additions at the subject premises, which is nearby to land in your ownership.

The plans relating to the proposal are available for your inspection at Council's Health & Building Services counter, Ground Floor, 137 Beamish Street, Campsie, between the hours of 9.00 a.m. and 4.00 p.m. Monday to Friday.

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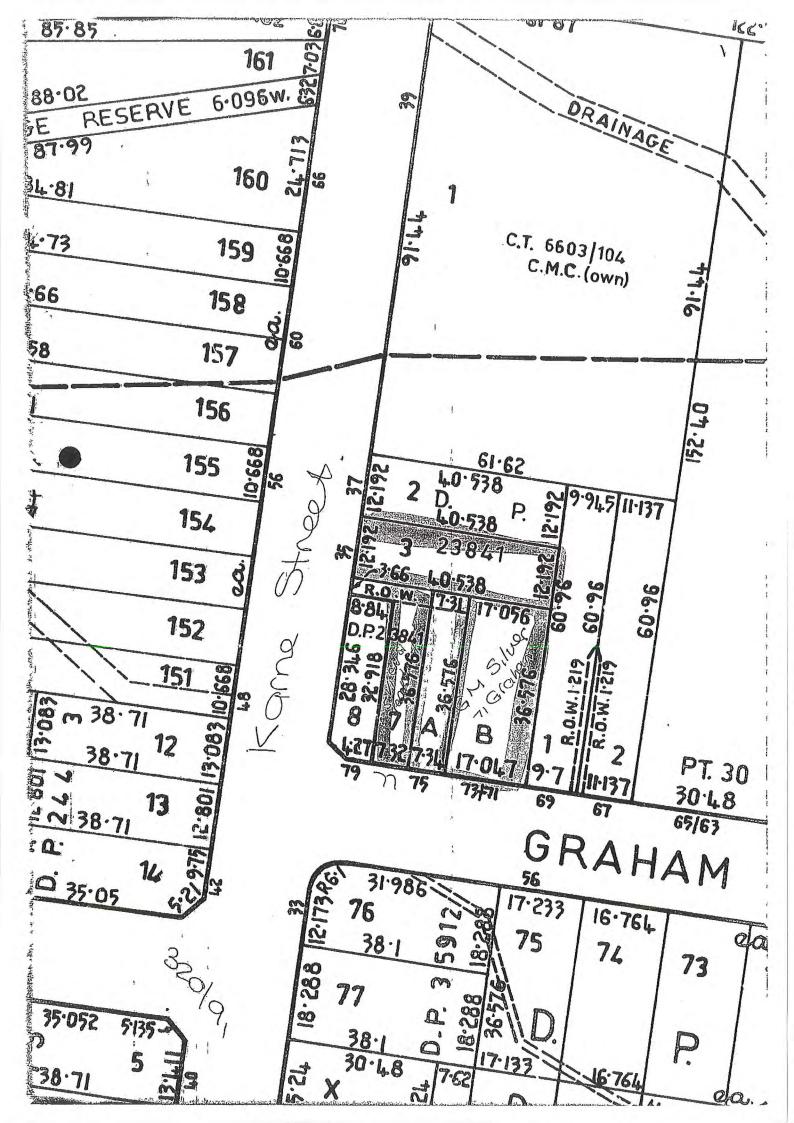
It should be noted that the invitation to inspect the plans does not confer any right to veto the proposal and the Council retains the responsibility to deal with the application in accordance with the provisions of the Local Government Act, 1919, (as amended).

Yours sincerely,

1

M J. MONTAGUE TOWN CLERK/GENERAL MANAGER

NO objections 3 mins. 10-4-91 A





	New South Wales Minister for Housing	34th Aevel Aegal & General House 8 Bent Street, Sydney 2000
	CANTERBURY MUNICIPAL COUNCIL R.P. N? FILE Nº 3.7.6/25 DATE RECEIVED: 24 MAR 1988 REFERRED TO: H&B ACTION:	
Mr J Montagu Town Clerk Canterbury M P O Box 77 CAMPSIE NS	uncircipa Council	 - K.

Dear Mr Montague,

A ....

I wish to acknowledge receipt of your recent letter concerning premises 75-79 Graham Road, Narwee.

You may be assured that your representations are under consideration and that I will respond to the matters you have raised as soon as possible.

ours faithfully,

FRANK WALKER Minister for the Arts and Minister for Housing

CONTACTED FRANK WALKERS SECRETARY 25.388 RE LETTER - SHE ADVISED THAT THE LETTER SHOWLD HAVE DE SENT TO THE COMPLAINANT (MARMAS KELLY) AND IN LIGHT OF COUNCILS LETTER OF 8.3.88 NO REPLY IS REQUIRED, 87

25.3.88

DCHabs 10

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processie ungesters are mar a accordance periodie ungesters are mar a accordance park your comments (24.3.88) ar Jule 376/150 April Oppier Byrest

376/75G GL:RE Health & Building. 8th March, 1988.

The Hon. Wes Davoren M.P., Member for Lakemba, Electorate Office, 45 Haldon Street, LAKEMBA 2195

Dear Sir.

Re: Premises 75-79 Graham Road, Narwee.

Reference is made to your recent letter on behalf of Mr. & Mrs. Kelly of 35 Karne Street, Narwee, relating to an alleged nuisance arising from the operation of a factory premises in Graham Road, Narwee.

In this regard it is advised that Council approved the use of the subject factory on the 5th October, 1967 for the butchering, cutting and boning of meat, however this use ceased in 1984 and the premises remained vacant for approximately eighteen months. On this basis Council considers the subject use was abandoned and consequently "existing use" rights have lapsed.

A recent application to Council for approval to re-establish the use was rejected on the 23rd February, 1987. December

Consequently Council considers the present use is unauthorised and appropriate notices have been served requiring the cessation of the subject use.

Regular inspections will be carried out to ensure compliance with Council's notices.

Yours faithfully,

J. MONTAGUE, TOWN CLERK.

15-3-88. This matter now pursued on D' file. Recommend this file P/A. Chargemend

376/75G GL:RE Health & Building. 8th March, 1988.

The Hon. Frank Walker, M.P., Minister for the Arts & Housing, Member for Georges River, 34th Level, Legal & General Building, 8 Bent Street, SYDNEY 2000

Dear Sir,

Re: Premises 75-79 Graham Road, Narwee.

Reference is made to your recent letter on behalf of Mr. & Mrs. Kelly of 35 Karne Street, Narwee, relating to an alleged nuisance arising from the operation of a factory premises in Graham Road, Narwee.

In this regard it is advised that Council approved the use of the subject factory on the 5th October, 1967 for the butchering, cutting and boning of meat, however this use ceased in 1984 and the premises remained vacant for approximately eighteen months. On this basis Council considers the subject use was abandoned and consequently "existing use" rights have lapsed.

A recent application to Council for approval to re-establish the use was rejected on the 23rd February, 1987.

Consequently Council considers the present use is unauthorised and appropriate notices have been served requiring the cessation of the subject use.

Regular inspections will be carried out to ensure compliance with Council's notices.

Yours faithfully,

J. MONTAGUE, TOWN CLERK.

### Memorandum

FILE REF. 376/75 G DATE. 22-1-88

DEPT. Health and Building To I. Bradshaw ( / FROM G. Longmund SUBJECT 75 Statam Pd Narwee The premises were inspected on 21-1-88 and the small goods distribution lausiness has recommenced offer the christman break dispile the DH rejection on 23-12 87. Notices are now to be served on the Difile to resolve the unauthorised use matter. This will also resolve the complaints received from Miskelly ( folione 30, 31) Ghongmund

376/75G IB:KR Health & Building 20th January, 1988.

Hon. Wes Davoren, MP, Member for Lakemba, Electorate Office, 45 Haldon Street, <u>LAKEMBA</u>, NSW, 2195.

Dear Sir,

### Re: Premises - No. 75-79 Graham Road, Narwee.

Reference is made to your recent letter on behalf of Mr & Mrs Kelly of 35 Karne Street, Narwee, relating to an alleged nuisance arising from the operation of a factory premises in Graham Road Narwee.

You are advised that the matter is being investigated and a further reply will be forwarded in the near future.

Yours faithfully,

M

J. MONTAGUE, TOWN CLERK.

Margmuit, Use rejected 23/12/87 Mars epso notice been resourd? Passume use has re commenced for 1988. Please return wgath for further refly. JR.

376/75G IB:KR Health & Building 20th January, 1988.

Hon. Frank Walker, MP, Minister for the Arts & Housing, Member for Georges River, 34th Level, Legal & General House, 8 Bent Street, SYDNEY, NSW, 2000.

Dear Sir,

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### Re: Premises - No. 75-79 Graham Road, Narwee.

Reference is made to your recent letter on behalf of Mr & Mrs Kelly of 35 Karne Street, Narwee, relating to an alleged nuisance arising from the operation of a factory premises in Graham Road Narwee.

You are advised that the matter is being investigated and a further reply will be forwarded in the near future.

Yours faithfully,

J. MONTAGUE, TOWN CLERK.

## DCU 358/87

### DCU 358/87 WHOLESALE AND DISTRIBUTION OF SMALL GOODS (File 376/75 D)

Property:75-79 Graham Road, Narwee.Applicant:A.W. Barber.Zoning:Residential 2(C4).Date of Application:28th September, 1987.

### Site Details:

The subject premises are located on the north-eastern corner of Graham Road and Karne Street. Erected on the land is a single storey building.

#### Proposal:

It is proposed to use part of the building and commercial refrigeration located at the rear of the building for the storage and distribution of smallgoods. The use has commenced without Council consent.

- (i) Proposed Hours of Operation: Monday to Friday 6.30 a.m to 4.30 p.m.
- (ii) No. of persons working on site: Three (3).
- (iii) Parking: Based on the proposed number of employees and Council's Parking Guidelines the provision of two (2) carspaces is required. There is space at the rear of the building for the parking of these vehicles.
- (iv) Loading facilities: The proposal will involve a delivery van and semi-trailer frequenting the premises daily and 3 times a week respectively. The semi trailer will have to reverse into the site from Karne Street.

### Report:

The proposal is permissible under the C.P.S.O.

On the 5th October, 1987 Council approved the use of the subject premises for the butchering, cutting and boning of meat. From the advice of an adjoining neighbour this use ceased in 1984 and the premises were vacant for approximately eighteen (18) months. The proposed use then commenced without Council consent. Under the provisions of the E.P. & A Act an "existing use" is presumed, unless the contrary is established, to be abandoned if it ceases to be actually so used for a continuous period of 12 months. On this basis it is considered that the use of the premises for the butchering, cutting and boning of meat was abandoned and consequently, "existing use" rights have lapsed.

Notwithstanding whether existing use rights pertain to the subject premises there is concern relating to noise disturbance being caused by the proposed use. Despite the applicant undertaking measures to reduce noise from refrigeration compressors complaints are still being received from an adjoining resident. Representations have also been made to Council on behalf of the adjoining resident (by the Minister for Arts and Housing Mr. F. Walker and the Member for Lakemba, Mr. W. Davoren).

## DCU 358/87

A further concern relates to semi-trailer vehicles frequenting the premises twice a week. These vehicles need to reverse onto the property from Karne Street.

LEP No. 71 which amended the C.P.S.O. now allows the use of the subject premises for shop or commercial office purposes which will serve residents in the vicinity. Therefore notwithstanding that "existing use" rights have lapsed there is now opportunity for an appropriate use of the premises.

### RECOMMENDATION:

- A. That the application be REJECTED for the following reasons:-
- 1. The proposal is prohibited under the residential 2 (c4) zone and any existing use rights pertaining to the subject premises have lapsed.
- 2. The use is detrimental to neighbourhood amenity.
- 3. There is inadequate area for delivery vehicles to satisfactorily maneouvre on site.

### Decision:

That the application be rejected in the terms of the recommendation.

	CONTRACTOR OF	1 1.
APPROVED N		
REJECTED M		
MINUTE NUM	IBER 358	1.8.7
SIGNATURE	DAtro	where
1	CHAIRM	AN

DCU0205474



34TH LEVEL

**LEGAL & GENERAL HOUSE** 

	Minister for Housing	8 BENT STREET SYDNEY 2000
	CANTERBURY MUNICIPAL COUNCIL R.P. N9	I.S.
Mr J. Montagu Town Clerk Canterbury Mu 137 Beamish S CAMPSIE, 21	nicipal Council	16 DEC 1987:
	The second secon	

Dear Mr Montague,

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I wish to make personal representations on behalf of my constituents Mr & Mrs Kelly of 35 Karne Street, Narwee, 2209, concerning a neighbourhood problem.

When Mr & Mrs Kelly originally purchased their home there were five shops on the corner of Graham Road, one of these being a Butcher Shop. The current situation is that one shop is occupied by a dog clipping salon the other four have been consolidated in a factory processing meats.

The operation of the factory created nuisance to the Kelly's in the form of parking problems, noise from compressors for refigeration as well as additional traffic created by employees and deliveries to and from.

I would ask that the matters raised by Mr & Mrs Kelly be investigated and await your advice in due course.

/ FRANK WALKER Minister for the Arts and Housing, Member for Georges River.

12.1.88 Mr.L. ANSacons

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	PARLIAMENT OF NEW SOUTH WALES LEGISLATIVE ASSEMBLY MEMBER FOR LAKEMBA	Electorate Office 45 Haldon Street, Lakemba 2195 Tel 759 5545
	CANTERBURY MUNICIPAL R.P. N?	COUNCIL 76/15 09 16 December, 1987
Beamish St	Municipal Council	Town Sterk.

Dear Mr Montague

I write on behalf of Mr J. Kelly of 35 Karne Street, Narwee. Mr Kelly has complained about Rathbourne Meat located adjacent to his residence at the corner of Karne Street and Graham Road.

He has informed me that large semi-trailers making deliveries park with no regard to residents and the noise levels of the company's machinery, in his opinion, is far in excess of the acceptable level.

I would be pleased if you could arrange foran inspection of the premises and, if Mr Kelly's complaints are justified, some remedial action be instituted.

Yours sincerely co WES DAVOREN M.P.

30

MEMBER FOR LAKEMBA

Memorandum

FILE REF. 376/75 G. DATE 13-5-87

DEPT. Health and Building FROM G. Longmuir SUBJECT 75 Graham Rd, Narwee An inspection of the subject premises on 13-5-87 with Mrs Kelly (neighbour) revealed the noise from the compression was now improved. The units have been serviced and the largest has been fitted with a timer and turns off at 11pm. Noise level readings could not be taken at the time due to high wind and background noise however Mrs Kelly indicated the situation was now improved This situation should now be reviewed when either @ - summertime requirements may increase compressor noise of B - the DA for the use has been resolved. Note O Yard area is now in reasonable condition re rulbush and vegetation (Folion 16-21) DA on file 376/75 D is under consideration (as required on folio 22) 3) Property now owned by Constantinous and Litsa, Paulakos 28 Argyle St, Penshurst 570 8212 (Nov 86) Ghongmuir .....

376/75G GL:KR Health & Building 23rd December, 1986.

### NOISE CONTROL ACT, 1975 (PART V DIVISION 4)

## Noise Control Notice Relating to Premises other than Scheduled Premises.

Mr D. Barber, Barber Smallgoods Pty Ltd., 250 Railway Parade, <u>CABRAMATTA</u>, NSW, 2166.

Canterbury Municipal Council an "appropriate authority" for the purposes of Division 4 of Part V of the Noise Control Act, 1975, by this Notice issued pursuant to Section 40 of that Act, gives warning to Mr Des Barber, of 250 Railway Parade, Cabramatta, being the occupier of the premises situated at: Nos. 75-79 Graham Road, Narwee, being Lots 7 and A:

- (a) that if you cause, permit or allow in contravention of the conditions or specified hereunder; and
- (b) that if, as a result thereof, offensive noise is emitted from those premises, you may be proceeded against for an offence arising under that Division.

### CONDITIONS

That suitable noise control equipment is fitted to or around the compressors installed on the external cool rooms at 75-79 Graham Road, Narwee, so that the noise emitted from the compressors, when measured at the nearest residential boundary of 35 Karne Street, Narwee, will not exceed 50dBa.

1 23/12/86 TOWN CLERK CHIEF HEALTH AND BUILDING SURV

NOTE: Any person on whom a Noise Control Notice under Division 4 has been served may appeal within 21 days to the court of Petty Sessions nearest to the place where he ordinarily resides or carries on business.

GL 23-12-86 Posted. 24-12-86. Ghongmund Mr C. Longmund, not get keen of General is and DIA MINING

NB: Refer Folio 13 For SITE PLAN

CANTERBURY MUNICIPAL COUNCIL

Memorandum

FILE REF. 376/75 G DATE 37-11-86.

26

Health & Building . . . . . ..... FROM G. Freeman

SUBJECT NOISE ASSEGMENT ANALYSUS.

GRAMAM NARWES PREMIJES 75-79 RO A nate analysis of the above premises was carried out between 7.40 pm and 8-10 pm November 1986. on Wednesday 26th All of the measurements including the background noise levels, were taken around the subject premites and at an adjoining affected residence - m kelly on the Karne Are side. Mr Kelly was interviewed regarding the rare provlem emotted from the above premises and claimed that the whithe has been taken aut of the naive since yesterday (25th), when an electrician was working on the compressors. results of the none analysis = 49 dB (A) (without compressions (1) Ballyground (7.45pm) audible and no traffic influence).

(2) Measurement adjacent to window at nearest offected readence (with 2-3 compressors on = 56-7 dB (A) (on bandary) (with only one (1) compressa on = 54.0 dB (A)These measurements were talcen without the

# Memorandum

FILE REF. 376 /75 G DATE 27-11-86

ro from subjectcont'd	······································	
influence of motor NB. Deading M premiseo = 6	traffic. 11 troffic from mo 3 de 19)	rst affected
(3) Measurement 7 of the pubject	premizes was a	5-145 00
there was considered and	the reading m	' My Q
been higher wir DIAC	3.n.4m 1	· · · · · · · · · · · · · · · · · · ·
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2) = 20m-		e e I
	(3) KARNE	
(1) = BACILGROUND (2) = NEANEIT AFFECTED RESIDENCE (3)= ADD. READING.	BACKGROUND TAKEN	SIGNATURE OF SENDER

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CANTERBURY	MUNICIPAL	COUNCIL
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Memorandum

FILE REF 376/75 G DATE 27-11-86

DEPT ..... FROM cont'd SUBJECT ... General Notes There was an audible distinction Networn are compressor and two or three compressors operating and a difference of around 2-3 de however, the tonal characteristicus and nature of the noise are such that they are more offensive late at night probably even when the background level drops to arcund 45 de, It was difficult to distinguish between the individual compressory. CONCLUSION From the readings talem it does appear that at around 8-00pm at night there is a difference of greater 5dB(A) between the backgrand than nore levels measured and those emitted from the compressors. therefore indicate that the This would source constitutes a nuisance and a noise levels amitted would reduction in be required. Attached notice to be served, Noise Control Act, ) Ghongmund

Concernation of the second sec	canterbury municipal council	FILE REF. 376/75 C
то from.	Health and Building File G. Longmui T. S. Graham Road, Beverly 1	Hills
24-10-86	Notices served on ou Resubmit 7 days, an	oner and occupier.
······································		Clorgmuis
3-11-86.	Notices for vegetation and complied with NFA.	
	No Development Applica Phoned Mr Barber, he wit	tion recieved as yet. Il submit ASAP.
	······································	Ghoagmuid
11-11-86	Development Application Maccordance with notice. processed All notices now complied with.	10 w lodged en Afflication to be dated 23/10/86
R/S. 19,	/11/86	Ghongmuid
	······	······································
		SIGNATURE OF SENDER

Administration Centre, 137 Beamish Street, Campsie N.S.W. 2194 DX: 8569 Burwood Telephone (02) 789 2333

Please address all Correspondence to THE TOWN CLERK

P.O. BOX 77, CAMPSIE 2194



In Reply Please Quote

376/75 G GL:MRE

Health & Building Department.

### CONTRAVENTION NOTICE

UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

CANTERBURY PLANNING SCHEME ORDINANCE, CLAUSE

23rd October, 1986.

To Mr. D. Barber, Barber Smallgoods Pty. Ltd., 250 Railway Parade, CABRAMATTA N.S.W. 2166

Re Premises: Lots A. B. & 7, No. 71-75 Graham Road, Beverly Hills. situated in the Municipality of Canterbury.

In pursuance of its powers under the provisions of the abovementioned Act & Ordinance, the Council of the Municipality of Canterbury hereby orders you to comply within the following directions as specified hereunder, in connection with the subject premises owned/occupied by you.

PENALTY: Section 126 (1) & (2) of the Environmental Planning & Assessment Act 1979,

- Provides:- (1) A person guilty of an offence against this Act shall, for every such offence, be liable to the penalty expressly imposed and if no penalty is so imposed to a penalty not exceeding \$20,000 and to a further daily penalty not exceeding \$1,000.
  - (2) A person guilty of an offence against the regulations is liable to a penalty not exceeding \$2,000.

### TERMS OF NOTICE

You are hereby directed to cease the unauthorised use at the premises, and you are invited to show cause in writing why legal action should not be instituted against you for this offence. You are also invited to offer an explanation as to why the unauthorised use was commenced without Council's consent.

Notwithstanding the fact that you have commenced the use illegally, Council is, without prejudice to its rights, prepared to consider a Development Application in respect of the premises. Prior enquiries in this regard should be directed to Council's Town Planning Department.

CHIEF HEALTH AND BUILDING SURVEYOR

PER TOWN CLERK GL

DA submitted - file 37675 D.

File No. 376/75 G

## Th C uncil of th Municipality f Canterbury GL:MRE

LOCAL GOVERNMENT ACT 1919, AS AMENDED

ORDINANCE No. 39 Clause 6.

Health and Building Department, Council Chambers, 137 Beamish Street, CAMPSIE N.S.W. 2194 Telephones: 78-3404 789-2333 } Ext.

23rd October, 19.86

To Mr. D. Barber, Barber Smallgoods Pty. Ltd., 250 Railway Parade, <u>CABRAMATTA</u> NSW 2166

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1

I hereby give you notice and require you within fourteen (14) days, after service hereof upon you to cause the work hereunder specified to be done in connection with the premises owned/occupied by you and situated at Lots A, B & 7, No. 71-75

Graham Road, Beverly Hills, in the Municipality of Canterbury.

Your attention is directed to the relevant provisions of Sections 632 and 633 of the Local Government Act 1919, as amended, which read as follows:

"Section 632 (1) Where any matter or thing is by or under this Act directed or forbidden to be done, or where the Council or any person is authorised by this Act to direct any matter or thing to be done, or to forbid any matter or thing to be done, and such matter or thing if so directed to be done remains undone, or if so forbidden to be done is done, then in every such case every person offending against such direction or prohibition shall be guilty of an offence under this Act."

"(2) The Council may at its discretion prior or subsequently to or in lieu of prosecuting for such offence do any such matter or thing and recover the costs and expenses thereof from such person in any court of competent jurisdiction."

"Section 633. Every person guilty of an offence under this Act shall for every such offence be liable to the penalty expressly imposed, and if no penalty is so imposed to a penalty not exceeding two hundred dollars, and to a further daily penalty not exceeding ten dollars."

### WORK TO BE CARRIED OUT

Remove from the subject premises any refuse, waste matter or material of any kind which is or is likely to become a harbourage for rubbish or vermin.

CHIEF MEALTH & BUILDING SURVEYOR

	AC	1.	
~	7	landa q	
-	Town Clea	k.	PER GL

## Th Council of th Municipality of Cant rbury GL:MRE

### LOCAL GOVERNMENT ACT 1919, AS AMENDED

SECTIONS ...... 495A. , 632 AND 633

Health and Building Department, Council Chambers, 137 Beamish Street, CAMPSIE N.S.W. 2194 Telephones: 78:3200x 789-2333 } Ext.

23rd October, 19.86.

To Mr. D. Barber, Barber Smallgoods Pty. Ltd., 250 Railway Parade, <u>CABRAMATTA</u>. N.S.W. 2166

I hereby give you notice and require you within fourteen (14) days after service hereof upon you to cause the work hereunder specified to be done in connection with the premises owned/occupied by you and situated at Lots A. B. & 7, No. 71-75

Graham Road, Beverly Hills, in the Municipality of Canterbury.

Your attention is directed to the relevant provisions of Sections 632 and 633 of the Local Government Act 1919, as amended, which read as follows:

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"(2) The Council may at its discretion prior or subsequently to or in lieu of prosecuting for such offence do any such matter or thing and recover the costs and expenses thereof from such person in any court of competent jurisdiction."

"Section 633. Every person guilty of an offence under this Act shall for every such offence be liable to the penalty expressly imposed, and if no penalty is so imposed to a penalty not exceeding two hundred dollars, and to a further daily penalty not exceeding ten dollars."

#### WORK TO BE CARRIED OUT

Remove from the subject premises any vegetation or vegetative matter whether alive or dead which is likely to become a harbourage for rubbish or vermin. <u>NOTE</u>: This Notice will be deemed to be complied with when all grass and miscellaneous vegetation (excluding trees, shrubs and plants under cultivation) has been cleared to within approximately 75mm of the ground surface and disposed of by burial or removal to an approved tip.

SECTION 495A (2)

Any owner of land who is given notice of a requirement of the council under subsection (1) may, subject to subsection (3) appeal to the Land and Environment Court against that requirement.

SECTION 495A (3)

Except with the leave of the Land and Environment Court, an appeal against a requirement of the council under subsection (1) may not be lodged after the expiration of the period specified for compliance with the requirement.

Municipal Health Surveyor

PER Town Clerk. GL

### The Council of the Municipality of Cant rbury GL:MRE

LOCAL GOVERNMENT ACT 1919, AS AMENDED

SECTIONS ......495A..

, 632 AND 633

Health and Building Department, Council Chambers, 137 Beamish Street, CAMPSIE N.S.W. 2194 Telephones: 788:28202 789-2333 } Ext.

To Mr. K. G. Brown, C/- 75 Graham Road, BEVERLY HILLS. N.S.W. 2209

I hereby give you notice and require you within fourteen (14) days after service hereof upon you to cause the work hereunder specified to be done in connection with the premises owned/occupied by you and situated at Lots 7 & A, No. 71-75

Graham Road, Beverly Hills, in the Municipality of Canterbury.

Your attention is directed to the relevant provisions of Sections 632 and 633 of the Local Government Act 1919, as amended, which read as follows:

"Section 632 (1) Where any matter or thing is by or under this Act directed or forbidden to be done, or where the Council or any person is authorised by this Act to direct any matter or thing to be done, or to forbid any matter or thing to be done, and such matter or thing if so directed to be done remains undone, or if so forbidden to be done is done, then in every such case every person offending against such direction or prohibition shall be guilty of an offence under this Act."

"(2) The Council may at its discretion prior or subsequently to or in lieu of prosecuting for such offence do any such matter or thing and recover the costs and expenses thereof from such person in any court of competent jurisdiction."

"Section 633. Every person guilty of an offence under this Act shall for every such offence be liable to the penalty expressly imposed, and if no penalty is so imposed to a penalty not exceeding two hundred dollars, and to a further daily penalty not exceeding ten dollars."

### WORK TO BE CARRIED OUT

Remove from the subject premises any vegetation or vegetative matter whether alive or dead which is likely to become a harbourage for rubbish or vermin. NOTE: This Notice will be deemed to be complied with when all grass and miscellaneous

vegetation (excluding trees, shrubs and plants under cultivation) has been cleared to within approximately 75mm of the ground surface and disposed of by burial or removal to an approved tip.

SECTION 495A (2)

Any owner of land who is given notice of a requirement of the council under subsection (1) may, subject to subsection (3) appeal to the Land and Environment Court against that requirement.

SECTION 495A (3)

Except with the leave of the Land and Environment Court, an appeal against a requirement of the council under subsection (1) may not be lodged after the expiration of the period specified for compliance with the requirement.

..... r ......

Municipal Health Surveyor

PER Town Clerk. GL

The C uncil f th Municipality of Canterbury

GL:MRE

LOCAL GOVERNMENT ACT 1919, AS AMENDED

ORDINANCE No. 39 Clause 6.

Health and Building Department, Council Chambers, 137 Beamish Street, CAMPSIE N.S.W. 2194 Telephones: 78-3461 789-2333 } Ext.

23rd October, 19.86.

Mr. C. D. Crnic, C/- 75 Graham Road, BEVERLY HILLS. N.S.W. 2209

To

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CHIEF HEALTH & BUILDING SURVEYOR

OR OR

Action	
onlargen	8
Town Clerk. PER CL	
V Iown Clerk.	

### The C uncil of th Municipality of Canterbury

LOCAL GOVERNMENT ACT 1919, AS AMENDED

ORDINANCE No. 39 Clause 6.

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10 Oras .....

CHIEF HEALTH & BUILDING SURVEYOR OR

1	
 Monta	and ,
	PER
Town Clerk.	GC

### Th Council of th Municipality f Cant rbury GL:MRE

### LOCAL GOVERNMENT ACT 1919, AS AMENDED

SECTIONS ...... 495A... , 63

, 632 AND 633

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Municipal Health Surveyor

PER Town Clerk: GL

Memorandum

DATE 20-10-86 DEPT. Health and Building то. <u>5. Н</u>. S. FROM G. Long muis SUBJECT 75-79 Graham Road Narwee

An inspection of the subject property on 20-10-86 revealed no work has been carried out in relation to the overgrown land and accumulation of rubbish The premises were unoccupied at the time, however the coolroom compressors were operating. At present a development application has not been recreved by Council to cover the present use Recommend that the attached notices be served in order to have the property cleared and a Development Afflication submitted E. Longmuir Note Proprietor - Mr D. Barber Barber Small Goods P/L 250 Railway Pde, Cabramatta 2166 Lots A. 7. 8. Owners Mr C. D. Crnic Mr K. G. Brown. cl. 75 Craham Road, Beverly Hills

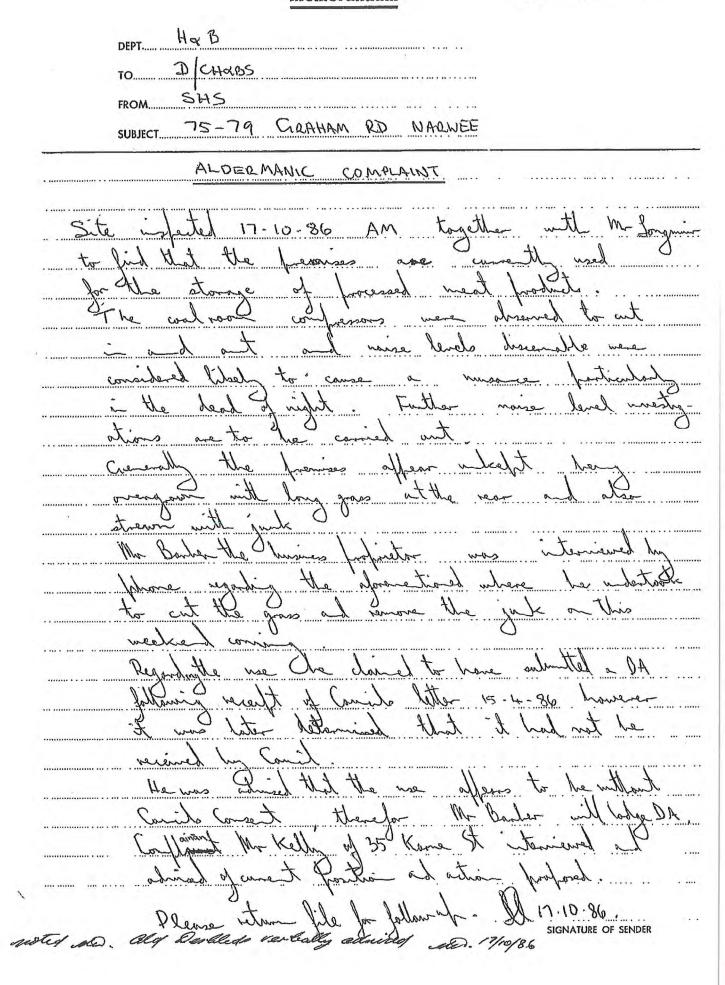
FILE REF. 376/75 G

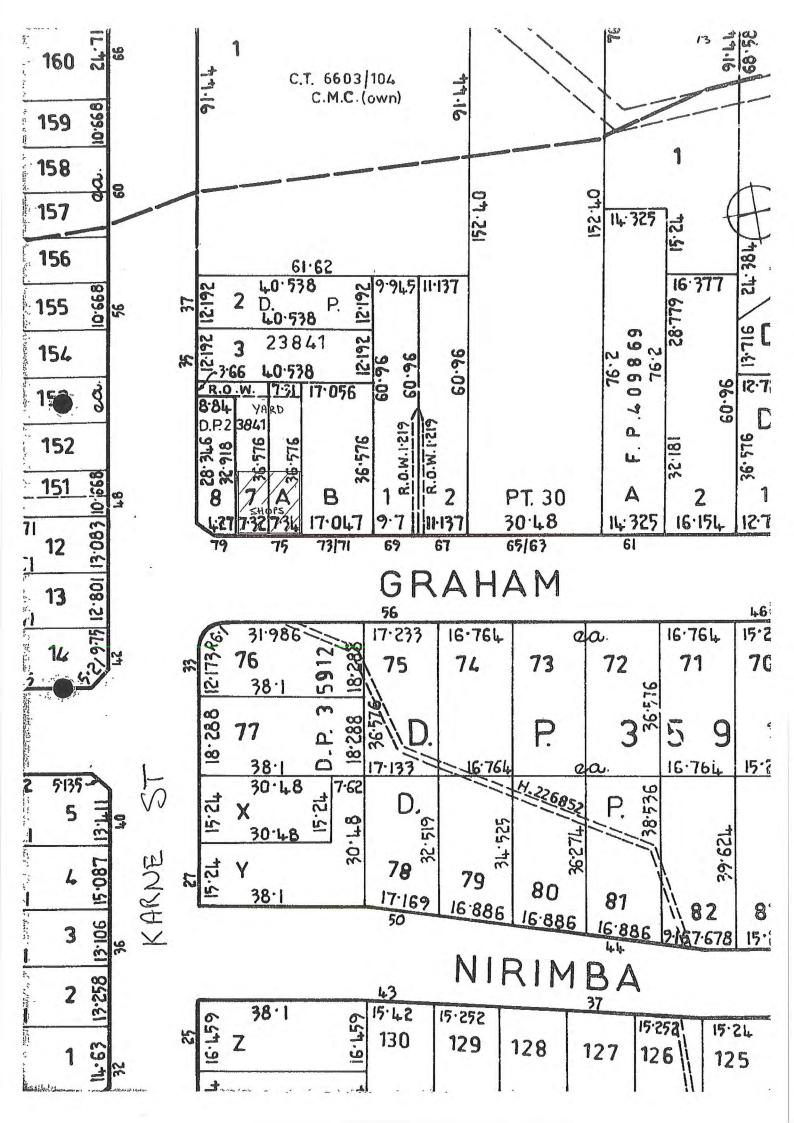
W and min Crea Elesse. e articod Ľ k neg ITEMS OTHER noise assessment READING REQ'D. And the UNANTHORISED USE - CPSO NOTICE REQ'D Dopo.

Memorandum

. ..... DATE ... ......

FILE REF. .....





12 FILE REF. ... CANTERBURY MUNICIPAL COUNCIL Memorandum DATE . DEPT. ΤΟ..... FROM .... SUBJECT ..... Bu 128 7911 Des (1)Barber Smallgoods C/-250 Rashway Pde abramatta PABLAKOS 570-8212 t 3PM Owner ON . 2 Ing Site 533 1161 on Jour N 2 m B.G. ()M ces ar J 1646 temp to 78 469

SIGN	ATURE	OF	SENDER

× .	YUAUB	CANTERBURY MUNICIPAL COUNCIL HEALTH AND BUILDING DEPARTMENT
		COMPLAINT FORM
		DATE RECEIVED
		COMPLAINT RECEIVED FROM alla. Des Black.
		COMPLAINT RECEIVED FROM
		RE PREMISES Butekes Premises Exerce of Gratan De
		p Warne St. ( Effears To the classed last is theirig
		NATURE OF COMPLAINT
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use of a cylindrical grinder, and tool cutter grinder. The proposed use is permissible, with Council's consent under

the provisions of the C.P.S.O. It is RECOMMENDED that the application be APPROVED, subject to:-

to instant of

Adequate staff amenities being available.

No noise nuisance being created.

22 Submitted for Council's consideration.

(File 72/46.2.)

P. J. LEE & ASSOCIATES on behalf of MESSRS. CRNIC & BROWN. (Fi Location: Nos. 75/79 Graham Road, Puncabowl, being Lots 6 & 7.

NEST WIND

Zoning: Residential 2(c) Permissible with Council's consent.

÷.,

M.H.S. REPORTS: Application is made to carry out extensions and alterations to an existing butcher's shop. It is proposed to extend an length and approximately 25' in width at the rear of the shop. The existing cool room, adjust doorways and carry out extensions 35"4" in eastern wall is to be erected on the side boundary alignment and the compressor room. Walls to the proposed extensions are to be in concrete extension is to provide for a loading dock, amenities area, office and block masonry from 8'2" to 8'10" in height. An area measuring 13'0" in length, 9'0" in width and 7'0" in height, sheeted with ribbed aluminium is to be provided over a loading area and surmounted on top of the

masomry wall. The P. & S. as submitted complying with the requirements of the 1.3. It is RECOMMENDED that APPROVAL be granted subject to the following:

Act, Ord. 71 and the Pure Food Act.

matching as closely as possible the existing brickwork of the shop. The eastern wall of the extension being erected in brickwork

A suitable heavy duty vehicular crossing being provided from Karne Street to the satisfaction of the Chief Engineer. Suitable soundproofing being provided to the compressor room.

Submitted for Council's consideration.

of the Canterbury Municipal Council, held on the 7th September, 1972. 04 of the Minutes of the Ordinary Meeting

1 1 1

TOWN CLERK. -----

Hich

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Location: Use: 75 Graham Road, Narwee being Lot "A", D.P. 23841 Existing - Vacant lock-up shop 1

Zoning:

Proposed - Butchering, cutting and boning of meat Cumberland County Council - Living Area

Local Plan ~ Residential Class 2 (b)

Description of Proposed Development: Application is made for permission to use an existing shop at the above address for the butchering, cutting and boning of meat.

MUNICIPAL HEALTH SURVEYOR REPORTS: The subject premises now vacant, form one of a group of 4 lock-up shops situated on the north eastern corner of Graham Road and Karne Street.

Council, at the Meeting held on 11/3/1965 granted approval to an application for permission to erect a 2 storey block of residential flats, extending over the existing shops on the land. However, the applicant Company did not proceed with the development and the Planning Consent so granted, lapsed on 11/3/1967.

The subject premises were previously used for the purposes of a Butcher's shop and the applicants now propose to use the shop for the butchering, cutting and boning of meat.

The subject premises are within an area predominantly developed for residential purposes, but due to the close proximity of the Roselands Regional Shopping Centre, there appears to be little or no demand for retail shops at this location.

The use of the shop for the butchering, cutting and boning of meat would be similar to the previous use as a butcher's shop. Such being the case, it is considered that in the event of the work being conducted wholly within the premises and all offal being removed daily, no nuisance would be caused to nearby residents.

The proposed use is permissible, with Council's consent, as a "Change of Use" under the provisions of both Planning Scheme Ordinances.

- It is RECOMMENDED that the application be APPROVED, subject to:-1. The floor being regraded to a suitable floor waste connected to the sewer.
- 2. The small timber frame partition between shop and workroom being removed.

3. An approved lock capable of being opened from inside the . cool room, being fitted to the cool room door.

4. Suitable receptacles with close fitting lids being provided for the reception of meat scraps and bones.

5. All screps and bones being removed from premises daily.

WEST WARD.

WEST WARD.				Contraction of the second s		
.50.	M.G. AND T.G.		D. AND E. OLIVER. (File			
	Location:	58/60 August	ta Street, Punchbowl being	g Lots 25/26, DP.8063		
	Use:	Existing - 1	Dwellings, (No. 58 older ty	ype weatherboard)		
			(No. 60 older ty			
		Proposed - H	그는 그 같다. 그는 그는 것이 없는 것은 것을 가지 않는 것이 같은 것이 같은 것이 없는 것이 없다. 것이 없는 것이 없는 것이 없는 것이 없는 것이 없다. 것이 없는 것이 없는 것이 없는 것이 없다. 것이 없는 것이 없다. 것이 없는 것이 없 않는 것이 없는 것이 않은 것이 없는 것이 않은 것이 않은 것이 않은 것이 않은 것이 않은 것이 않는 것이 않이 않은 것이 없는 것이 없 않이			
	Zoning:		County Council - Living A:	rea		
			- Residential Class 2(b)			
	Description o		evelopment: Approval is	requested for the		
	erection of a block of home units on the overall area of the					
	abovementione					
	Proposed Site:					
		of site:	North eastern corner of	f Augusta and		
	2000.01.011	01 01 000	Major Streets	A Augusta ana		
	Measurem	ents:	<u>94' × 150'</u>			
			113' 151'2'"	5 miles - 11		
	Area:		15,250 sq. feet	(Ctd.)		
		00	10,200 040 1000			
ES.	This is Page 1	<i>Sumber</i> 80	of the Minutes of the C	rdinary Meeting		
			I Council, held on the 5t	h October, 1967		
			1 country near on the st	in outober, aport		
	INNU	hects.	llan	a chulch		
	TOWN CL	ERK.	СНА	IRMAN.		
			SIIA	ATTIMET .		

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77 .

FILE REF. 376/756 DATE 22 /9/86 ....

Memorandum

DEPT..... το..... FROM.... SUBJECT 75-79 Gustom Rol Normee ?? 22/2/86 Enspection revealed premises still vacant al. .....

Memorandum

FILE REF. DATE. .....

DEPT. TO ..... FROM. SUBJECT .... 75-79 Graham La Narme to: the of premis . varant at present time. Stop applans Leungest to enne D/19 is unhonited p B/F: 26.5.86 26516 - Stopstill appears vaca it however the Kingfrom adjours propo m larne et has had problems nearth unt. repridaceria Motors numing. Mr. Bester averar contected ale admied me that he has refrideration metanics washing on colroom noton's reminence ate 21.7.86 Appears vacant no funto enquines from the King. F 21.9.86. Geoff: D/A required for use if premises accupied check with T/Pis. SIGNATURE OF SENDER

373/75 G Town Planning Department.

15th April,1986.

Mr. D. Barber, 13 Bungałow Road, LAKEMBA N.S.W. 2195.

Dear Sir,

### Re: 75 - 79 Graham Road, Narwee.

I refer to your letter dated 14th February 1986 concerning the use of the above premises for the distribution and storage of smallgoods and meat products.

You are advised that a search of Council's records indicate that the property has been used as a butcher shop. Your use of the property is considered to be different to a butcher's shop and accordingly a development application is required to be submitted for Council's approval. An application form is enclosed for your use.

Yours faithfully,

an.

J. MONTAGUE, TOWN CLERK. Bow

Enclo:

GM: TF



FILE REF 376/75 G. 5 DATE 118 ADNJ 1986.

	Memorandum	
DEPT.	<u>}</u>	
TO MY. DO	widson.	
FROM T. MO SUBJECT 75-	ssemenear. 79 Graham Rozd,	Narwee.

appears to have a whole-ale 78/469 is missing The above Premiseo as a Use 8P 10 that distribution and maint products is and Consi 400 mall goods draft appropriate letter. Niu glossemeneer. ed that there is a difference here t che rbab as was approved the in 1972 and storage and bless dooft a letter of distribution of Amall goods. popored to dange of would be required . no u \* externario scheneito SIGNATURE OF SENDER

CANTERBURY		
R.P. Nº 0552	L FILE Nº	376/75
DATE RECEIVED :	17 FEB 1986	1 12 4 1444 147 147 147 147 147 147 147 147
REFERRED TO:		
ACTION:	/ •••••••	
	·····	
ACK.	Lj.	

## DESTROY/6 YEARS

13 Bungalow Road, LAKEMBA, 2195.

14th February, 1986.

Town Planner, Canterbury Council, 155 Beamish Street, CAMPSIE, 2195.

> Re: 75-79 Graham Road, NARWEE, 2209.

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Dear Sir,

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all in the

"1." Laster and Stranger and

.

We wish to apply for permission to use the above premises for the distribution and storage of smallgoods and meat produsts, and request that the council allow us to maintain the existing use rights.

Thank you,

Yours faithfully,

D. BARBER.

78/469. 727 9778

67/43 87 72/4680.

CANTERBURY MUN DEPAL COUNCIL HEALTH & BUILDING DEPARTMENT 376/756 75 Graham Rd Nanevee le: Alleged nueve nusance 10.12-84. No funte complaints have been necessard Several attempts have been made to contact Mr. Thompson (complanait) have the have been unsuccessful. It is recommended that this file be left economit due to have been un successful. the part problems associated with berhing dogs in this area K.May 10.17-84 B/F. 28.1.85. 28-1.85 As abave maintain unruellance on 6monthly havi for 12 months. B/F 28. 7.85. ..... Occupiers of premies aduired to ensure dogs do not room the NOTE MATTER REFERRED TO DEG

# DESTROY/6 YEARS

376/75 G

Health & Building Department RMY:DF

Mr. Ron Austin, 75 Graham Road, NARWEE N.S.W. 2209

24th October, 1984

Dear Sir,

Re: Premises - No. 75 Graham Road, Narwee.

Reference is made to recent investigations carried out by Council's Health and Building Surveyor, regarding the alleged noise nuisance created by the barking of a dog kept upon the subject premises.

Pursuant to such investigations, it is desired to bring to your notice the following provisions of the Noise Control Regulation 1975, Clause 24 (1-7) which requires the occupier or person in charge of land upon which a dog is kept, to be responsible for the abatement of any nuisance which may arise from the barking or howling of any such dog. An appropriate penalty is provided in respect of any breach of the abovedescribed requirements.

It is requested that you arrange for prompt observance of the aforementioned provisions and you are advised that any additional information regarding this matter may be obtained by contacting Mr. R. Moy, Council's Health and Building Department, Monday to Friday between the hours of 9 a.m. and 11 a.m.

Yours faithfully,

(5-J. MONTAGUE, TOWN CLERK Per: IM.

CANTERBURY MUNICIPAL COUNCIL

#### HEALTH DEPT.

# COMPLAINT FORM

1

1% 376/75 9

	DATE RECEIVED 5-10-84 PERSONAL PHONE 538 1173 REFER TO
	COMPLAINT RECEIVED FROM Mr Thompson / Chairman of the body Componente.
	3/63 Graham Rd Manuree)
	RE PREMISES 5-9 50 775
	NATURE OF COMPLAINT. A statistic and a manual of the second of the design
	17 I HILL I H
	REPORT
	Nº 50 GRAMM. Occupiens were intermened & admined of the complaint re:
	alleged raise nusarice from their day barkungs I was admed
	Mat Their day hanks when the days from N#59 come up to the fonce.
	Further, 9 was armired that they are givene of bonding dogs in premues acron
	the road & that their day is not permitted to back for any desation of
	time to taune a unecence The day did not hard at the time of impection.
	Nº 159 GRAMMM AD. No epe was at home at the time & a cord was left
	unit initiandiang to contact me. No days were seen or her dat the
	time
	WH 75 GRAMM RD. The manager Mr. Row AUSTIN was intermewed a le
	adured me that he has not heard the day handing & have watch
y.	dogs they would any back if a person was new to the nite
	Jence . (AHONE 533 1199.)
Y	R.Moy 11.10.84.
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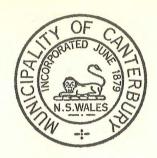
SIGNED.

(Health Surveyor)

lecords please create general file for 75 Graham Rd & return. CANTERBURY MUNICIPAL COUNTRY 10 84 RECEIVED 18 OCT 1984 Please type Not Letter 22 18 TO: MR. RON AUSTIN CLERK MANAGER WIN CLERK 75 GRAHAM RD NARWER

78 3401 **★** 789 2333 **★** 

OMMUNICATIONS ADDRESSED TO TOWN CLERK 7. POST OFFICE BIE, N.S.W. 2194



IN REPLY PLEASE QUOTE 75/1919 COUNCIL CHAMBERS 137 BEAMISH STREET CAMPSIE, N.S.W. 2194

8th January, 1976

Messrs. C. Crnic & K. Brown 75 Graham Road, BEVERLY HILLS. 2209

PTA love under no further actu

r Sir,

## Re: 77-83 Graham Road, Narwee being Lots 7/8, D.P. 23841

Reference is made to a **necent** Development Application determined Council in respect of the subject premises and in this regard it is advised your information that in accordance with the relevant provisions of inance 70, the following Classifications have been designated in ation to the premises.

ole or rtion of ilding	Description <b>if</b> Portion Only	Class or Classes of Building.
Portion	Four single storey lock-up shops being Nos. 3 - 6	VII
	DEPARTMENTAL ACTION COMPL INSPECTOR	ETE 27. 1. 76
	P/A March Call M.H.S.	

Yours faithfully,

2 month

J. E. WHITHARSH, TOWN CLARK.

ELEPHONE

OMMUNICATIONS ADDRESSED TO TOWN CLERK 7, POST OFFICE SIE, N.S.W. 2194



IN REPLY PLEASE QUOTE 75/1919

.....

COUNCIL CHAMBERS 137 BEAMISH STREET CAMPSIE, N.S.W. 2194

8th January, 1976

To: Mr. R. Stonestreet, 10 Walker Avenue, PEAKHURST. 2210

Dear Sir,

Re: 77-83 Graham Road, Narwee being Lots 7/8, D.P. 23841

Enclosed please find Certificate of Classification No. 12 issued in relation to the subject premises, in accordance with the relevant provisions of Ordinance 70.

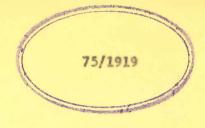
Yours faithfully,

9. 2. Amitrank

J. E. WHITMARSH, TOWN CLERK

Encl.

CANTERBURY MUNICIPAL COUNCIL 75/1919. HEALTH DEPARTMENT RE. 77-83 GRAHAM. RO NALWEE NK. XXXXXXXX R MEEK To Note AND Follow UP. Inspected on 19.12.75 , Use has commenced - conditions et auth - no trade refuse service required. A meet 1/2 es Chadde B



26th May, 1975.

JEW:RL

Mr. R. Stonestreet,	REGISTER OF CONSENTS No. 7933
10 Walker Ave.,	DATE 44th June, 1975.
PEAKHURST. N.S.W. 2210.	MB
Dear Sir,	

#### 77-83 Graham Road, Narwee being Lots 7-8. re:

Reference is made to your application for permission to use 4 lock-up shops at the abovementioned location for the purposes of a wholesale hardware store and in this regard I have been directed to advise that the application has been approved, subject to the following:

- The section of the building to be used as a hardward store 1. being categorised as Class VII under the provisions of Ordinance 70, Clause 6.6.
- Arrangements being made to the satisfaction of the Municipal 2. Health Surveyor for the removal and disposal of trade waste arising from the premises.
- The storage of materials being restricted to within the shops 3. and not extending to the yard area.

I would also advise you of your right to appeal to the Local Government Appeals Tribunal against the conditions imposed by Council in respect of the application. The necessary application forms may be obtained from this Office or direct from the Tribunal, P.O. Box K199, Haymarket, 2000, Telephone 2 0982.

1 The Bails

Yours faithfully,

g my

C.C.

X

Messrs. C. Crnic & K. Brown, BELMORE.

30 Passey Ave., 173 Pittwater Road, GLADESVILLE.

J.E. WHITMAR TOWN CLERK

Use: R. STONESTREET. (C. CRNIC & K. BROWN OWNERS). (Fi Location: 77-83 Graham Road, Narvee being Lots 7-8. Existing - Six lock-up shops Proposed - Wholesale Hardwar (File 75/1919)

Residential Wholesale Hardware Store. 1 2(c)

Zoning: OF Description of four small lock Proposed up shops, on the above land for the purposes of a

B use

CHIEF wholesale ENGINEER/TOWN hardware store. PLANNER REPORTS:

containing six small lock up Graham Road and Karne Erected on the land situated on the north eastern corner of Street is a single storey shops. brick building

are with Council's consent, for a Shops and 2 (Nos. 73-75 Graham Road) have been used since 1967 for a butchery and for the boning of meat, and

refrigerator sales and service, are now vacant. still being used for this purpose. Shops 3-6 (Nos. 77-83) previously used as a mixed business and for

wholesale hardware store, dealing with The applicant now proposes to use these four small shops as a

would be required, however, six car spaces are available at the rear of these shops with access from Karne Street. The existing promises are in the street. with the trade only. two off-street carpa

use any non-conforming use in a The existing premises are within the category of a "n in a Residential 2(c) zone and Council's policy is to non-conforming use that has ceased to operate as such. However, the adjoining shops within this building are as such, and the existing use rights would be applica a "non-conforming" to phase out are occupied and

outlets used as It ь. S at this location and such being the case it is considered pointed out that there existing use rights would be applicable. is no demand for retail shopping that

the would not prove use of the premises in detrimental the manner proposed would be reasonable, and to the amenity of this area.

commenced An inspection on 7.5.75 disclosed that the applicant is at present using the premises for the storage of hardware but as yet has not trading.

Riverwood, his business On being interviewed the applicant stated that he had conducted usiness within a building awmed by "Tom the Cheap" grocery in wood, but due to this firm being declared bankrupt he was given

http://www.ich.to.vacate.his.premises. two weeks in which to vacate his premises. He submitted the application to Council and paid the necessary fee on 16.4.1975 and did not occupy the premises until 2.5.75. In regard to the proposed use of the premises the M.H.S. reported that the proposal involves a change of classification under the that the proposal involves a change of class VI building (retail shops) provisions of Ord. 70, clause 6.6 from Class VI building (retail shops) , 70, clause ding (storage of . from Class VI building (retail shops)

that the storage of materials be restricted to within the shop premises which are the subject of this application, as the storage of materials would be readily visible from the Karne Street elevation and this may create unsightly conditions. construction is required and is available. The premises are not located within a fire zone. It is considered desirable Type 5

The proposed use is permissible, with Council's consent, under

the provisions of the is RECOMMENDED that C.P.S.O. subject to:-

The portion of being categorised as Class clause 6.6. DED that the application be APPROVED, subject the building which is the subject of this ap sed as Class VII under the provisions of Ord. application 70,

The removal Arrangements angements being made to the satisfaction of the M.H.S. for oval and disposal of trade waste arising from the premises. storage of materials being restricted to within the shop and not extending to the yard area. for the

premises and 1 Submitted for Council's consideration.

P. & S. COMMITTEE 22 MAY 1975

R. STONESTREET. (C. CRNIC & K. BROWN OWNERS). That the application be approved in the terms of the recommendation (File 75/1919)

16

USE :-DESCRIPTION OF PROPOSED DEVELOPMENT:-CHIEF ENGINEER/TOWN PLANNER REPORTS:-ZONING :-LOCATION:lana APPLICANT:mae Cones Alore Geoten love are norn 8 Slave Dales Aheps Ahops gen 2 Ave carpare The Q 90 ne Thread butcher for the CANTERBURY PLANNING SCHEME PROPOSED OTHER RESTRICTIONS EXISTING:-BEING LOT NO. 8 R. STONESTREET your ( 8 The stul 2 Ø Small it appearl "hon exitine breek P Anne pho marea 77 - 83 anar L B/ 3-6 beens Graham dealing 1 A (4) Amale ano Darces Re being P purposed Con spares bulking whelesale fex and shops as Dennee 5.0 lana 1967 API with Prenuses Nos graham ĩ business No1 77 - 83 forming lock. up ave now 00 Ra with user 48 these space 73/75 loek. up 8 C. CRNIC Z www mente actuation apprenal acceds available lesuential and The Contamp R Archeses Spahan wholesale handware are 8 phops. The real B are Councili boning and aheps, SEC. NO. Katne nource wholesale be hullin this X PROUZ Fo SAL EX have PE 2 Lu new required requester 22 425 Ro A two Live The 8 26 A Perpagae te Areneusly 3 C store hardwork Consent FILE vereand tare The WARD 6 pr Kesnential rise MANT Fre 6 2 mead D.P trave Ø NO. The atrene frequences OF I MAS reas hardware 8 75 Sa Anall AL however sheel hear Single te west à easter been 1919 and P 902 iolor ø 50 Re 6

\*\*\*\* proposal involve\$ a change of category
70, Clause 6.6 from Class \$\overline\$ building
(storage of wholesale hardware). Jone hon P B wes The premises are not located within a fire zone. Type 5 construction is required and is available. It is considered desirable that the storage of materials be restricted to within the shop premises which are the subject of this application, as the storage of materials would be readily visible from the Karne Street Fever and this may create unsightly conditions, as it is at ground level. 2 per The active buildi 8 Com ta and The morea R 6 to pers \$4 and an the P Kla K 6 0000 bleen C we burlan H 6 alor mar retark an NH H R 8 me Se 6 Subni Der mapectus 3 such nol à U 20 Der 5 aur 55 ELA the 22 Sur 5 ps ela ren R þ p 96 has are bounds Deen 2 sho Purc Ŕ 20 2 mler to ben The wh R reasonable Con f 601 t ran 2 D 2 Ø teps plan the ref E P and an auche the bra havaneve use P Aleman recessa b the b p 2 Breach è 6 Te D The 26 Anapo poluc 8 E R wear ame 9 Thank 53 ノ outle mal \$ OPA 0 pluatuo case under (retail shops) to 5 vacate That P Z 70 2 R F May 22 There she ino the 5 A rec 3 buch 8 7 Jon ۶ the provisions of Ordinance noes P.X. b S p 2 0 checlo ula buier 3 the hurs 0 8 2 22 user 4 would . ~ Ap duce was P The 2 2 p The blicant The 9 22 phase mound 2 8 rea Class Ro 5 <. 2 be Ø 6 3 20 asea In to SAS 0 thea FILE B Pro 8 2 Pre 4 TIA Anne 5 THI pp お ana 2 area loca der 2 4 NO. まい mal muthe building m oul Rel. blucable 140 res 9 state 0 Arech R oven V 9 96 Cer 5 Rent 0 6 8 20 8 p 2 F oreure S tu 9 pode . ..... To Thal D 6 Ø 31 R

22

Consert ar 2 approved 1. 2. 3 3 proposica The storage of materials being restricted to within the shop premises and not permitted to be extended to the yard area. Arrangements being made to the satisfaction of the Municipal Health Surveyor for the acculation of disposal and or trade waste arising from the premises. The portion of the building which is the subject application be categorised as & Class VII under t provisions of Ordinance 70, Clause 6.6. Recommended indes Authent use the 3 6 Procusions 12permissible they .. The Annesse application will P LUR -The t of 5. this CPSO FILE NO. 25 koun bec set? 10 .

MEMO TO CHIEF ENGINEER/TOWN PLANNER

### RE: 75/79 GRAHAM ROAD, NARWEE

M.H.S. Reports:

The development application proposes to use the premises for the purposes of sale and storage of wholessle hardware. This proposal involves a change of category under the provisions of Ordinance 70, Clause 6.6 from Class I building (retail shops) to Class VII building (storage of wholesale hardware).

The premises are not located within a fire zone. Type 5 construction is required and is available. It is considered desirable that the storage of materials be restricted to within the shop premises which are the subject of this application, as the storage of materials would be readily visible from the Karne Street fever and this may create unsightly conditions, as it is at ground level.

Should the application be given favourable consideration it is recommended that the following conditions be incorporated in the approval.

- 1. The portion of the building which is the subject of this application be categorised as a Class VII under the provisions of Ordinance 70, Clause 6.6.
- 2. Arrangements being made to the satisfaction of the Municipal Health Surveyor for the accumulation of disposal and of trade waste arising from the premises.
- 3. The storage of materials being restricted to within the shop premises and not permitted to be extended to the yard area.

Note: Please return file to Health Department for recording purposes.

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£. 25 - 4 212.21 .0 129'4" .7 55.0 D S-W DE 2.85 12.9 10 27 AN w 42.10 28'11 47 10 43 6 12. 137. 42. 0 49.6" P 42' 24433.4 ABI 43'6' .**P** 13 4 \* 50. 42'11' X Y Z 125 11/4 Y X 197'11 34" m 50'0"2" 26. 612 106'8'4" 95 11% CR.O.W. 4' 193'11%" 113'3% Pre 5.5.55 6) N AHAM 194'913 I 50'134 H.226852 196 11/2 A. P I. 197'5 RO 5. 0 182'45% 62% 178'7" 130' 41'9" D N H 226 852 -174 9% 8" MB 41.9 ω 170'11'2 N 50'134 J. N D 99 10 4 D. P. 2 D. P A