

**MINUTES OF THE DEVELOPMENT COMMITTEE MEETING
HELD 28 JANUARY, 2003, CIVIC CENTRE, OXLEY STREET
CAMDEN – 5.30PM**

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Present: Cr Corrigan (Mayor/Chairman), Cr Anderson, Cr Patterson, Cr Winn, Cr Batros, Cr Fekete, Cr McFadden, Cr Senise. Cr Campbell arrived at 5.40pm during Public Addresses.

Staff: General Manager, Director Governance & Outcomes, Director Development & Environment, Director Works & Services, Manager Environment & Health, Senior Governance Officer, Acting Manager Outcomes (Senior Project Officer – Environmental Systems).

DEVELOPMENT COMMITTEE PUBLIC ADDRESSES

Mr John Mullane addressed the Committee in relation to Item 7. Mr Greg Torrens addressed the Committee in relation to Item 2. Marietta McAuley addressed the Committee in relation to Item 2.

MOTION

Moved Cr Batros, seconded Cr Winn that an extension of time be granted for an additional two (2) minutes.

DC001/03 THE MOTION WAS **CARRIED.**

**1. Two Lot Subdivision of No 5 (Lot 11 DP 804974)
Gayline Drive, Narellan Vale**

File No: DA 3320.50 (Director, Development & Environment Division)
DA No: S62/2002
Owner: Mr JA & Mrs FM Heath
Zoning: 2(d) (Residential “D”) pursuant to LEP 47

Purpose of Report

The applicant seeks to vary the requirements of Development Control Plan No 58. In particular the application proposes a two lot subdivision whereby one of the lots proposed has a frontage of 13.6m. DCP 58 requires a minimum frontage of 15m.

Summary of Recommendation

That the application to subdivide No 5 Gayline Drive Narellan Vale into two (2) lots be approved. The reasons for supporting the variation are espoused in this report, but basically due to the location of the existing dwelling on the property, the proposal cannot achieve the minimum frontage requirements of the DCP.

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The Proposal

It is proposed to subdivide No 5 Gayline Drive, Narellan Vale into two (2) allotments.

Proposed Lot 111 comprises the existing house and will have a frontage of 21.4m by a depth of 47.5m for an area of 1016.5m².

Proposed Lot 112 is a vacant area on the northern side of the allotment with a frontage of 13.6m by a depth of 47.5m for an area of 645.8m².

Whilst the subject application does not propose to remove any trees, subsequent development of proposed Lot 112 may result in the removal of a number of shrubs and a large eucalypt.

A plan of the proposed subdivision forms **Tabled Document “DC 1”**.

The Site

The existing allotment has a frontage of 35m and depth of 47.5m. The total area of the lot is 1665m². The site is regular in shape and falls from Gayline Drive to the rear of the site. The fall from the front to the rear of the property is approximately 2.5 m. A right of carriageway 5m wide adjoins the front property boundary, and is used for the supply of services. The lot also affected by a 1.5m wide drainage easement at the rear of the property.

A location plan forms **Tabled Document “DC 2”**.

Notification

The proposal was notified to eight (8) adjoining property owners from 5 December 2002 to 19 December 2002. No submissions were received in relation to the proposal.

Planning Controls

The relevant planning instruments and development control plans are:

- Camden 2025
- Camden Local Environmental Plan No. 47 (LEP 47)
- Development Control Plan 58 – Residential Development
- Building Code of Australia

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Assessment

The application has been assessed in accordance with section 79C of the Environmental Planning & Assessment Act. The following comments are provided with respect to the critical aspects of Council's assessment.

(a) the provisions of any environmental planning instrument/ development control plan

Camden 2025

The strategic document seeks to ensure 'growth occurs in a planned and orderly way, including appropriate service infrastructure provision'. The site proposed for development is fully serviced, with provision made for water, power, sewer, telephone and drainage.

Camden Local Environmental Plan No. 47

The subject site is zoned 2 [d] 'Residential' pursuant to LEP 47. The proposed development is permissible within the zone. The planning instrument aims to provide for a wide range of housing needs by 'allowing a choice of housing options in each town' and 'increasing the density of residential development near commercial and community facilities where satisfactory transport services are available'. In this respect the subject site is located in close proximity Mt Annan District Centre and private bus services.

Development Control Plan 58 – Residential Development

The proposal complies with all the requirements of DCP 58, with the exception of the minimum frontage requirement of DCP 58. As stated previously, DCP 58 requires a lot created by subdivision within this locality to have a frontage of 15m. It is proposed that Lot 112 be excised with a frontage of 13.6m.

The applicant has requested that Council support the application on the basis of the location of the existing dwelling. This request is not considered unreasonable, as there are a number of lots in the vicinity, which have frontages of less than the required 15m. It should also be noted that a dual occupancy building occupies the adjoining property to the north. The area of the allotment is consistent with existing lots in the vicinity of the site.

Taking into account the surrounding land pattern, it is considered that the proposed subdivision is the best possible use for the site, without demolishing the dwelling. Demolition

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of the dwelling, a reasonable brick home, is not considered a viable proposition to the applicant at this point in time.

It should be noted that it is not possible for proposed lot 112 to comply with the requirements of DCP 58 without demolishing the existing dwelling. It should also be noted that the boundary cannot be moved closer to the existing dwelling as the boundary would not comply with the Building Code of Australia in terms of required setbacks.

Building Code of Australia

The proposed subdivision has been designed to ensure compliance with the Building Code. The 900mm setback between the existing residence and the proposed new lot will ensure against the spread of fire from one lot to another and the provisions of necessary light and ventilation.

(c) The suitability of the site

The subject site is fully serviced. Any future development of the site will have access to electricity, water, sewer and drainage facilities.

A right of carriageway 20m wide was created by a previous subdivision to provide access to properties to the South. Fifteen (15) metres of this Right of Carriageway was used for the creation of Gayline Drive, with the remaining 5m being retained as a Right of Carriageway for the provision of utility services.

Proposed lot 112 is also affected by a 1.5m wide drainage easement at the rear of the property. A collection pit is located in the north-eastern corner of the site for connection purposes. An extension of the drainage easement will ensure that proposed lot 111 also benefits for drainage purposes.

The building currently contains a carport at the front of the garage, which would prevent access to the garage from the street, as access is currently obtained by using land which would form the separate allotment. This matter has been discussed with the applicant who has advised that the carport will be removed or altered to ensure that access will be provided to the garage from the street without crossing the proposed property boundary.

(e) the public interest

As previously indicated Council did not receive any objections to the development as a consequence of the public notification process.

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Conclusion

It is to be recommended that the subject application be approved given that the proposed subdivision will result in the effective utilisation of the land without the need to demolish the existing residence.

With the exception of the adjoining allotment to the south, the surrounding area is fully developed. This lot can be subdivided in accordance with the provisions of DCP 58 subject to the demolition of the old fibro dwelling which would be probable in the event of the owner wishing to maximise subdivision opportunities. Consequently the proposed subdivision will not generate a precedent for similar development in the area.

Recommended: That the proposed subdivision of No 5 Gayline Drive being Lot 11 in DP 804974 into 2 lots be approved subject to the conditions contained in **Tabled Document "DC 3"**.

*Resolved on the Motion of Cr Batros, seconded Cr Winn that the proposed subdivision of No 5 Gayline Drive being Lot 11 in DP 804974 into 2 lots be approved subject to the conditions contained in **Tabled Document "DC 3"**.*

DC002/03 THE MOTION WAS **CARRIED**.

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2. Integrated 62 Lot Rural/Residential Subdivision. The Old Oaks Road, Grasmere. Lots 100 and 101 DP 803468, Lot 14 DP 855147 and Lot 21 DP 833274

File No: 7700.30 (Director, Development & Environment Division)
DA No: 15/2002
Owner: Mr J Sivewright, Vaste Developments P/L, Mr MT Salter, Mrs JM Salter
Zoning: 1(c) Rural LEP 48

Purpose of Report

This report seeks Council approval for a 62 Lot Rural/Residential Subdivision generally in accordance with Local Environmental Plan No. 118 and the Grasmere Masterplan. This development is an integrated application and was referred to the Department of Land and Water Conservation for comments and conditions. Several objections were received as part of the notification process and these objections will be addressed in the report.

Summary of Recommendation

It is recommended that Development Application No 15/2002 be approved subject to conditions of consent.

The Site

The subject lots are currently vacant with the exception of two (2) dwellings. Both existing dwellings have current access off The Old Oaks Road. The vacant portion of the site is predominantly used for grazing. Existing lot 100 is bound by a creek as described under the Rivers and Foreshores Act. The Department of Land and Water Conservation (DLWC) has placed conditions upon the development in respect of development adjoining creek lines. A part 3A licence will need to be obtained from DLWC for any works within or adjoining such creeks. Discussions have been held with DLWC and they are satisfied with the proposed development subject to conditions. A copy of the site plan forms **Tabled Document "DC 4"**.

The Proposal

The applicant proposes to subdivide 3 existing rural allotments into 62 rural/residential allotments generally in accordance with Local Environmental Plan No. 118 and the Grasmere Master Plan. The proposed lots vary in size between 2000m² to 9118m². This complies with the minimum lot size of 2000m². There are two existing residences on the subject properties. The subdivision layout has been designed to retain the existing

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dwellings. A plan of the subdivision layout forms **Tabled Document “ DC 5”**.

Services

The applicant proposes to provide water, sewer, Telstra, gas and electricity to all proposed lots.

Sydney Water cannot supply normal water services to lots above RL 110m AHD. The applicant is liaising with Sydney Water for the creation of a pumping station and a private main to service all lots above RL 110m AHD. Sydney Water will determine the location of the pumping station in consultation with Council. It will be located within the subdivision on private land.

Access

Access to the proposed lots is via The Old Oaks Road. The new access will be connected to the current alignment of The Old Oaks Road and is to be extended to the proposed realignment of The Old Oaks Road when it is reconstructed in accordance with Contributions Plan 16. Council is currently in negotiations for the acquisition of land for the realignment of The Old Oaks Road. A temporary intersection treatment will be constructed on the current Old Oaks Road alignment with a roundabout to be constructed at the realignment of The Old Oaks Road again at the developer's cost. A plan showing the location of the new realignment of The Old Oaks Road forms **Tabled Document “DC 6“**.

Water quality

A water quality/on site detention pond is proposed at the downstream end of the subject site. A stormwater management report was submitted with this application and concludes that water quality/quantity can be maintained at the pre development rates.

Notification

All adjoining residents were notified of the proposed development. Two (2) submissions were received by Council. The concerns raised in the submissions relate to:

- Ensuring the proposed sewer infrastructure is designed and constructed to cater for existing and future proposed developments within the subject catchment.
- Privacy issues for existing adjoining residences due to new lots.
- Proposed small lot sizes and the impacts on character and amenity of the area.

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- Privacy issues for residents adjoining the proposed pathway/cycleway. Devaluing existing property prices.
- Safety concerns for children riding bicycles along the proposed pathway/cycleway.

The grounds of the objections will be addressed in this report. Copies of the submissions have been provided to **Councillors separately with the business paper.**

Planning Controls

The relevant planning instruments and development control plans are:

- Camden 2025
- Draft Camden Local Plan
- Camden Local Environmental Plan No. 48
- Camden Local Environmental Plan No. 118
- Grasmere Master Plan.
- Safer By Design Guidelines.

Assessment

The site is subject to Camden Local Environmental Plan No 118 which amends LEP 48 so that the land is zoned 1(c) rural pursuant to that plan. The relevant aims of the zone are:

- To provide for small holding rural residential living opportunities on land not being of prime crop or pasture potential and having ready access to urban areas;
- To ensure development is carried out in a manner that minimises risk from natural hazards, particularly bushfires and flooding and does not detract from the scenic quality of the rural area.

The proposed development satisfies the aims of LEP 48 and therefore is permissible with the consent of Council. LEP 48 also refers to The Grasmere Masterplan. The relevant objectives of the Masterplan are:

- To maintain and enhance the rural character where possible through a sensitive subdivision design
- To promote a mix of lot sizes to enable a variety of housing types
- To protect the existing creek
- To provide a water quality and trunk drainage system which at least maintains the existing water quality and stormwater outflows.

The proposed development satisfies the aims of LEP 48 and 118 and therefore is permissible with the consent of Council.

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Desired Future Character

The Desired Future Character (DFC) of the land states in part “that it will remain a rural residential area consisting predominantly of houses in a distinctly non-urban setting and that the rural character will be maintained and enhanced through a sensitive subdivision design.”

The proposed subdivision complies with the Desired Future Character for the area and generally complies with Council’s adopted LEP 118 and Grasmere Masterplan.

Camden 2025

Camden 2025 has a number of key areas for Council to consider in the development of the Camden LGA. The strategies applicable to this development are Managing Urban Growth, Accessibility and Environmental systems. Each strategy has outcomes and actions

In terms of Managing Urban Growth, the proposed development meets the objectives in terms of development occurring in a planned and orderly way, including appropriate service infrastructure provision and that stresses on the natural environment are minimised.

The Accessibility strategy requires issues of public transport and connectivity to existing areas to be provided and maintained. The subdivision provides for access to The Old Oaks Road for public transport services. The next development downstream will connect the cycleway to Werombi Road. The realignment of The Old Oaks Road will reinforce the accessibility strategy.

The Environment strategy considers such matters as protecting and restoring water quality of creeks and rivers; introduce rainwater tanks; protect riparian zones and minimise the impacts of salinity. The applicant will undertake certain works to meet these requirements, including a requirement on the 88B Instrument for rainwater tanks. A landscape plan will be submitted to Council detailing works to be carried out within the subdivision.

Draft Scenic and Cultural Landscape Study

The draft Scenic and Cultural Landscape Study does not refer to this particular land, as the main aspects of the study are views from various vantage points, particularly along the Werombi Road ridgeline near Carrington Hospital. The Study also refers to the need to maintain the low-density rural streetscape character and retain rural character of land in

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views. The proposed subdivision complies with these requirements.

SREP No 20

SREP No 20 – Hawkesbury-Nepean River provides that Council shall not grant consent to any application to carry out development, which drains to the Hawkesbury-Nepean River system, unless it has taken into account the effect that development will have on the river system.

This matter is addressed under Water in the section 79c assessment of this report.

Section 79c Assessment

Context and Setting

The site is undulating in character and is bound by a ridge that follows The Old Oaks Road. Elevations range from approximately RL72m AHD to RL 117m AHD. This topography facilitates a number of small dams, which are proposed to be filled. This is in accordance with the Masterplan. The preparation of this Masterplan was extensive in nature and considered impacts that subdivision of this land would have on the character of the area.

Access and Traffic Matters

The Old Oaks Road is classified as a local road and is under the control of Council. The Old Oaks Road is proposed to be realigned under Contributions Plan 16 to create a safer intersection with Sheathers Lane. Generally the current intersection is dangerous given the poor sight distance and the speed to vehicles. The realignment of this road is to the southeast on land in private ownership (Currao). Funds have been set aside in the 2002/03 Budget for the construction of this road on the new alignment.

The applicant proposes to connect the proposed subdivision access to the existing alignment of The Old Oaks Rd. A cash bond of an amount to be determined by Council for the extension of the access to the proposed realignment of The Old Oaks Road will be required to be paid prior to the issue of the subdivision certificate. Council is currently in negotiation with property owners for the acquisition of the land required for the realignment of The Old Oaks Road. The applicant has received written consent from Currao for the construction of the link between the existing and proposed alignments. This will guarantee the connection of the subdivision to the new road once it is constructed however, until such time and the new

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road is finalised, the subdivision can access the existing road and the intersection location is considered satisfactory.

The location of the access road has been modified from that shown on the Grasmere Masterplan. This modification allows for a better subdivision design that eliminates battle-axe style allotments.

This development application was referred to the Development Traffic Committee in accordance with SEPP 11 – Traffic Generating Developments. The Committee raised no concerns with this proposal. A Traffic Study was submitted with the Local Environmental Study for this area.

Temporary turning heads will be provided on all dead end roads to allow service vehicles and local traffic to turn and exit the site. The applicant has had meetings with the new owners of the University land and it is likely that there will be a coordinated approach to the subdivision of this land.

Public Domain

In accordance with the Masterplan, a pathway/cycleway is provided which connects Benwerrin Crescent with Werombi Road. The pathway will be of concrete construction. A water quality/quantity basin will also be constructed and dedicated to Council as public reserve.

Utilities

- Water supply must be connected to all lots.
- Wastewater must be connected directly to Sydney Water's sewer.
- Telecommunication service must be connected to all lots
- Electricity services must be provided and located underground with street lighting to Council and Australian Standards.
- Gas must be connected to all proposed lots

Water

A restriction as to user will be placed on the 88b instrument requiring all dwellings to install a minimum 5000 litre rainwater tank.

All other storm water will be treated by a water quality/quantity basin within the site that will be required to maintain water quality and quantity at pre development flows for all storms up to and including the 1% AEP. Council officers will approve detailed design prior to the construction certificate being issued

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Drainage design will be in accordance with Council's standards. Further design consideration will be undertaken on submission of the engineering plans.

Flora and Fauna

There are no significant stands of vegetation on the site, which originally would have supported Cumberland Plain Woodland. It is apparent that past clearing for agricultural purposes has removed this community. No existing threatened habitat is known on the subject site in its present state.

Energy

Energy efficiency is outlined in The Grasmere Masterplan. Dwellings must be designed to achieve maximum thermal efficiency. This will be assessed at the Development Application stage for the dwellings.

Noise and Vibration

The proposed development will not impose excessive noise levels on the surrounding environment. The two adjoining noise influences on the development are Camden Airport and Werombi Road.

Council has not required a noise report as the development is outside the zone of influence delineated by the 25 ANEF associated with the operation of the Camden Airport.

Adjoining residents will be affected by construction noise during the subdivision and building stages. However, conditions will be imposed stipulating construction hours to minimise this impact.

Natural Hazards

The NSW Rural Fire Service has carried out an on-site assessment of bushfire threat in relation to the proposed development. The assessment was based on the Camden District Bush Fire Risk Management Plan and the document "Planning for Bush Fire Protection" (2001). Conacher Travers also prepared a bushfire threat assessment.

The Rural Fire Service raises no objection to this proposal and has provided comments in relation to this development. All suggestions of the Rural Fire Service can be addressed as conditions of any consent issued and incorporated as Restrictions as to User on the titles of the land.

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Safety Security and Crime Prevention

This application was jointly assessed by Council and the NSW Police Service under safer by design principles and Council policy. Two (2) points were raised as concerns regarding safety. One issue is in relation to the pathway connecting to Benwerrin Crescent and the need to ensure that any fencing allows observation of the area. In this regard the lots adjoining the pathway are to have a fence (rural type) and any landscaping is to be low growing so as not to create a “hotspot”. The second relates to the building envelope proposed for lot 59. The concern related to the issue that the position offers limited surveillance to adjoining dwellings. The suggestion is that the dwelling be positioned further back on the lot. The setback restriction on the Masterplan will overcome this issue. These have been added as suggested conditions of consent.

Landscaping

Full landscape plans are to be prepared to the satisfaction of Council. The subject site is relatively clear of vegetation. Council staff will work closely with the applicant to ensure that the landscaping of the site re-establishes, enhances and maintains the Cumberland Plain Woodland (CPW) within the development and blends in with the existing CPW of the immediate area.

Public Interest/Submissions

The application was advertised in accordance with Council’s policy. Below is a summary of main points and Council’s comments.

(a) Ensuring the proposed sewer infrastructure is designed and constructed to cater for existing and future proposed developments within the subject catchment.

Council Comment: The applicant has advised Council that sewerage services will be provided within the subdivision and sized to accommodate the existing catchment only.

(b) Privacy issues for existing adjoining residences due to new lots.

Council Comment: The subdivision layout proposes to have four (4) allotments of 2000m² directly adjoining the property making this objection. The proposed lots have a 20m wide bushfire protection buffer zone at the rear of the lots which does not allow any buildings to be constructed in this area. The objectors property is also capable of subdivision and is zoned 1(c) which allows for 4000m² lots. Preliminary discussions have

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been held with Council staff and the objector's consultant in relation to the subdivision of this land.

(c) Proposed small lot sizes and the impacts on character and amenity of the area.

Council Comment: The proposed subdivision complies with the density requirements of LEP 48 and LEP 118 Grasmere Master Plan. The LEP was extensively advertised addressing the issue of lot sizes.

(d) Privacy issues for residents adjoining the proposed pathway/cycleway. Devaluing existing property prices. Safety concerns for children riding bicycles along the proposed pathway/cycleway.

Council Comment: The proposed laneway is approximately 150m long and adjoins 35m of the objectors property. This laneway is required as a pedestrian link from Benwerrin Crescent to Werombi Road. The bushfire assessment report also requires this laneway as an alternative access to the subdivision in emergency situations.

The longitudinal grade on the proposed pathway is approximately 3.0%. A barrier can be placed at the low end of the pathway to deter cyclists from riding directly from the pathway onto the proposed road.

Modifications to the Masterplan

The applicant has proposed 3 main modifications to the masterplan, these are as follows:

- (1) The main entrance to the subdivision off The Old Oaks Road has been moved approximately 100m North of the Masterplan location. This relocation provides a subdivision layout, which deletes the need for battle-axe style allotments. The location of the new access point is more favourable for an improved sight.
- (2) The master plan requires the three existing downstream dams to be remodelled and converted for stormwater and water quality purposes. The property containing the three dams is under separate ownership. The applicant was unable to gain consent from this owner and has chosen to upgrade an existing dam within his allotment for water quality in order to proceed with this subdivision. This water quality structure is proposed to be dedicated to Council for their care and maintenance and is generally in accordance with the requirements of the Masterplan, which had the dams on the adjoining University land. The developer of this land will provide for only two dams, with one of these being modified in accordance with an on-site meeting with DLWC.

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(3) Road locations have varied slightly from the Masterplan to accommodate the two (2) abovementioned variations. The proposed road infrastructure maintains 3 access points to adjoining properties as required by the Masterplan. Proposed Road Number 3 has a 13.0m road reserve compared to a 15m shown on the Masterplan. However, the Masterplan allows for variation if alternative road layouts are envisaged. The road width proposed will accommodate traffic generated by this development and the adjoining land and therefore acceptable.

In general the changes to the Masterplan provide for a better design outcome to the land.

Road Closure

The Old Oaks Road is an existing public road, which connects Burragorang Road and Werombi Road. The proposed road closure is set out in Contributions Plan 16.

“The current four-way intersection of the Old Oaks Road, Werombi Rd and Ferguson Lane is dangerous, being at the crest of a hill and on a bend of Werombi Road. Sight distance for traffic exiting The Old Oaks Road is inadequate and is compounded by the 80kph speed limit on Werombi Road.

Additional traffic from future subdivision will only make this intersection more unsafe.

A number of alternative solutions have been investigated including:

- A roundabout at the current intersection
- Making Sheathers Lane – the Old Oaks Road the priority route; and
- The lowering of Werombi Road.

However, the safest and most cost effective solution is the realignment of the Old Oaks Road south to a new “T” junction with Sheathers lane.”

Upon completion of the realignment, the existing section of The Old Oaks Road will be closed to traffic.

Under the Roads Act 1993 (section 34) Council may make application to the Minister to close an existing public road. It is considered that Council should resolve to make representations to close The Old Oaks Road, but not proceed until the new road is constructed. As stated above, funds have been allocated in the Budget to construct this road. As the owner of the adjacent land has consented to the lodgement of the development application, Council can be satisfied that he is prepared to allow

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the applicant to acquire the additional land needed to connect the subdivision to the new road alignment.

Conclusion

The site has been zoned for rural/residential development. The subdivision is sympathetic to the inherent qualities of the surrounding estates and buildings. The land can adequately accommodate the subdivision subject to the appropriate conditions with regard to, siting, landscaping, stormwater management, water quality and road construction.

The development meets the aims and objectives of the Desired Future Character statement and Camden 2025.

On this basis, approval of the Development Application No 15/2002 for 62 rural/residential lots, and creation of open space is recommended, subject to appropriate conditions of development consent.

Recommended: That

- (i) Development Application No 15/2002 to create a Torrens Title subdivision comprising of 62 rural/residential lots, road and open space at Lot 100 DP 803468 and Lot 101 DP 803468 and Lot 14 DP 855147 The Old Oaks Road, Grasmere be approved, subject to conditions as detailed in **Tabled Document “DC 7”**.
- (ii) Those persons who made submissions be advised of Council’s decision.
- (iii) Council resolve to close The Old Oaks Road between Werombi Road and the intersection with the new alignment and that formal application be made to the Minister upon completion of the realignment of The Old Oaks Road.
- (iv) That the Seal of Council be attached to any documents necessitated under the road closure.

Resolved on the Motion of Cr Batros, seconded Cr McFadden that

- (i) *Development Application No 15/2002 to create a Torrens Title subdivision comprising of 62 rural/residential lots, road and open space at Lot 100 DP 803468 and Lot 101 DP 803468 and Lot 14 DP 855147 The Old Oaks Road, Grasmere be approved, subject to conditions as detailed in **Tabled Document “DC 7”**.*

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- (ii) *Those persons who made submissions be advised of Council's decision.*
- (iii) *Council resolve to close The Old Oaks Road between Werombi Road and the intersection with the new alignment and that formal application be made to the Minister upon completion of the realignment of The Old Oaks Road.*
- (iv) *That the Seal of Council be attached to any documents necessitated under the road closure.*

DC003/03 THE MOTION WAS **CARRIED.**

(Cr Campbell and Cr Senise voted against the Motion).

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3. Councillors Attendance at Conferences Conducted by UDIA and PIA

(File TC 653) (Director, Development & Environment Division)

Purpose of Report

This report recommends that Council approve attendance at conferences conducted by the UDIA and PIA in view of the information and education offered by both in relation to development of new release areas and other relevant local government planning and development issues.

Summary of Recommendation

The report recommends attendance and payment of registration and attendance expenses for any interested Councillors.

Report

The Urban Development Institute of Australia (UDIA) and the Planning Institute of Australia (PIA) hold annual conferences which provide an opportunity for practitioners, Councillors, the development industry and other interested parties to gain an understanding of current issues associated in planning and development. Both conferences are well conducted and offer a range of interesting speakers from Australia and overseas. Details of both conferences have been forwarded **to Councillors in a memo dated January 6, 2003.**

UDIA Conference

This conference will be held in Melbourne from March 17 to 20, 2003 and its theme is “Renaissance”. It will provide information on revitalisation and redevelopment projects both locally and internationally and this is particularly relevant to Camden because of the works being undertaken under the Narellan Urban Improvement Program. Metropolitan Growth Issues are another major theme of the conference and tours of award winning residential release areas will be offered. Other topics covered are sustainable urban development, market trends and creating neighbourhoods and streets for people. All of these issues are very relevant to a rapidly developing local government area such as Camden.

PIA Conference

PIA will hold their national planning congress in Adelaide from March 31 to April 2, 2003. Its theme is “Leading Diversity” and the conference is structured so that delegates can attend areas of particular interest across a range of topics. These include metropolitan strategic planning, sustainable water use, rural planning and country town needs, design and culture, planning

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for an ageing population, urban design and diversity, sustainable transport, new approaches to residential planning and many more. The conference also features tours of new residential development including an area with a rural/urban interface. Again, the conference features many issues of relevance to Camden.

Costs

The total costs involved taking into account Early Bird registrations and advance purchase airfares are \$1500 for the PIA Conference and \$2200 for UDIA.

Conclusion

Both conferences will offer Councillors and staff exposure to current planning and development issues and should provide valuable learning experience for those who attend. They are particularly relevant to issues facing Camden.

Recommended: That Council authorises the attendance and expenditure necessary to allow any Councillors wishing to attend the UDIA and PIA conferences.

Resolved on the Motion of Cr Fekete, seconded Cr McFadden that Council authorises the attendance and expenditure necessary to allow any Councillors wishing to attend the UDIA and PIA conferences.

DC004/03 THE MOTION WAS **CARRIED**.

(Cr Campbell voted against the Motion).

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4. “Safer By Design” Guidelines

(File 4637) (Director, Development & Environment Division)

Purpose of Report

This report seeks Council’s adoption of the Safer By Design Guidelines as Council Policy. A copy of the Guidelines forms **Tabled Document “DC 8”**.

Background

At the meeting of 14 October 2002, Council resolved to place the Safer By Design Guidelines on public exhibition for a period of 28 Days. Also Council noted that a public forum was to be held on 30 October to address this Policy. The public forum was well attended by the community, with addresses by the NSW Police Service and Council Officers.

The Safer By Design Guidelines was placed on Public Exhibition from 29 October 2002 to 29 November 2002. Developers and Building Companies were also advised of the new Guidelines. At the close of the exhibition period, no submissions were received.

Main Report

The Safer By Design Guidelines form part of an integrated approach to crime prevention and is one of the Heads of Consideration under section 79C of the EP&A Act 1979. Crime prevention broadly refers to any measure taken which attempts to address crime problems at their source – to prevent crime and anti social behaviour before it occurs. Council has also entered into a Memorandum of Understanding with the NSW Police Service (Camden) in terms of the types of development applications that need to be referred to the Service for assessment.

The development of new subdivisions and buildings should take into consideration measures that will tend to reduce the incidence of crime, and make for a safe environment.

There were no submissions to the Public Exhibition of the Guidelines and the response to the presentation at the Developer’s Forum was positive.

Conclusion

As part of Development Application assessment, the Safer By Design Guidelines will assist in identifying potential risk areas (often referred to as Hot Spots) and assist in minimising opportunities for crime in the built environment.

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Recommended: That Council adopt the Safer By Design Guidelines as Council Policy.

Resolved on the Motion of Cr Winn, seconded Cr Patterson that Council adopt the Safer By Design Guidelines as Council Policy.

DC005/03 THE MOTION WAS **CARRIED.**

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5. Food Shop Operating in contravention of Food Regulation 2001 at “Alan Bakery”, Shop 3 /346 Camden Valley Way, Narellan

File No: PF1300.1170.3 (Director, Development & Environment Division)

Proprietors: Mr An Troung Bui and Mr Xin Dinh

Purpose of Report

The purpose of this report is to:

1. Advise Council of the unclean conditions observed during routine health inspections of the subject food premise carried out on 10 & 11 December 2002 and;
2. Recommend that Council initiate legal proceedings against the proprietors of Alan Bakery for breaches of the Food Regulations 2001 and Food Standards Code.

Background

Food premise trading as “Alan Bakery” located Shop 3/346 Camden Valley Way, Narellan has been used by business partners, Mr An Troung Bui and Mr Xin Dinh as a bakery and takeaway food outlet since June 2001. Mr Dinh and Mr Bui are also partners in a second bakery business that trades under the same name “Alan Bakery” located in Claymore.

Foods manufactured for sale to the public include bread, bread rolls, meat pies, sausage rolls, numerous cakes and pastries, sandwiches and hot takeaway food such as egg and bacon rolls.

A review of previous inspection reports by Council’s officers reveals that this premise has rated poorly for some time. In this instance however it has been shown that the proprietors have failed to keep the appliances, fittings and fixtures in a clean condition and on occasions have failed to maintain correct hot and cold food temperatures.

Main Report

On Tuesday, 10 December 2002, an inspection of the subject food premises was undertaken by Council’s Environmental Health Officer. The inspection revealed a poor standard of cleanliness, in relation to fixtures, fittings and appliances. Photographs of the condition of the premises were **provided separately to Councillors**.

Also of concern was the food transport van used for the transport of prepared foods between the shop in Claymore and Narellan. The interior surfaces of the vehicle had not been

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cleaned for some time. The driver and rear passenger compartments were not separated from the food storage area nor was the van suitably fitted out for the purposes of storing and transporting food for sale.

Action Initiated by Council to date:

On 11 December 2002 Mr Bui was given a verbal warning giving him 24 hours to clean the premise.

A reinspection on 12 December 2002 revealed little change to the conditions observed on 10 December 2002. As a consequence Council issued a 24-hour clean up notice under Section 51 of the Food Act 1989.

A further inspection on 13 December 2002 revealed non-compliance with the Section 51 Clean-up notice. A Section 52 Closure notice was then issued.

Since the closure of the premises, Council officers have continued to liaise and offer assistance to Mr Bui and the building owner Mr Tran, however little progress has been made to get the premise into standard where they can recommence trading.

Current Situation

The premises are still closed. The owners advised they would notify Council when the premises were ready to re-open so that an inspection could be carried out and a Clearance Certificate issued.

Conclusion

The unclean conditions observed warrant further action by Council. The proprietors of the food establishment have a legal obligation to ensure that the food premise, appliances, fittings and fixtures as well as those parts of the food vehicle used to transport food are maintained to an acceptable standard of cleanliness. Further, proprietors of a food establishment must ensure that food is protected from the likelihood of contamination during transportation.

The premise has been inspected on five (5) separate occasions over the last two(2) years with the proprietor on each occasion being asked to rectify unsatisfactory conditions. The previous warnings given to Mr Bui, by Council's Environmental Health Officers related to the non-compliance with the Food Standards Code and Food Regulation 2001. The inspections carried out on the 10 & 11 December 2002 revealed the unclean and unhygienic manner in which the premises were being operated to such an extent that Council Officers could not justify further

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warnings nor seek further co-operation of the proprietor. It was considered that food sold from the premise could pose a risk to the health of the public.

It is to be recommended that legal proceedings be commenced for breaches of:

Clause 19(2) – “Failure to maintain all fixtures, fittings, and equipment to a *standard of cleanliness where there was no accumulation of food waste, dirt, grease or other visible matter.*”

Clause 19(2) – “Failure to maintain those parts of the vehicle that were used to transport food, to a standard of cleanliness where there was no accumulation of food waste, dirt, grease or other visible matter.”

Clause 10(a) – “Did not, when transporting food, protect the food from the likelihood of contamination.”

Recommended: That:

- (i) Institute legal proceedings against the proprietors of premises: Shop 3/346 Camden Valley Way Narellan; Mr An Troung Bui and Mr Xin Dinh for breaches of Clause 6 (1) of the Food Regulation 2001 and Food Standards Code, Standard 3.2.2, Clauses 10 (a) and 19 (2).

Resolved on the Motion of Cr McFadden, seconded Cr Fekete that:

- (i) *Institute legal proceedings against the proprietors of premises: Shop 3/346 Camden Valley Way Narellan; Mr An Troung Bui and Mr Xin Dinh for breaches of Clause 6 (1) of the Food Regulation 2001 and Food Standards Code, Standard 3.2.2, Clauses 10 (a) and 19 (2).*

DC006/03 THE MOTION WAS **CARRIED.**

6. Elderslie Release Area Link Road Local Environmental Plan

(File 3345/17) [Director Governance and Outcomes]

Purpose of Report

This report discusses procedural issues associated with the proposed rezoning of a part of Kirkham Park to allow a change of use from Community Land to Operational Land to facilitate the provision of the Link Road through the Elderslie Release Area.

Background

In respect of this proposed rezoning, Council has made previous recommendations on the following dates.

On 27 May, 2002 Council resolved to:

“prepare a Draft LEP for the corner of Kirkham Park to allow a change of use from Community Land to Operational Land to facilitate the provision of the Link Road.”

On 16 December, 2002 Council resolved to:

“issue a Section 65 Certificate to allow public exhibition of Draft LEP 130 for the corner of Kirkham Park which allows a change of use from Community Land to Operational Land to facilitate the provision of the Link Road and to proceed in accordance with the relevant statutory provisions.”

Discussion

This proposed rezoning is to facilitate the Link Road through the Elderslie Release Area which is proposed to be an extension of Kirkham Lane through the edge of Kirkham Park, ultimately connecting with the Camden Bypass.

Following the May 27 resolution PlanningNSW should have been advised of this decision pursuant to Section 54 of the Environmental Planning and Assessment Act. This advice should have been furnished within 28 days of the Council resolution.

Unfortunately this advice was not provided to PlanningNSW and without this step, should Council now proceed to exhibition, the LEP could be found to be procedurally deficient, and legally challenged. In addition, PlanningNSW is required to issue the Section 65 Certificate as the draft LEP proposes to reclassify land.

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For these reasons it is necessary for Council to once again resolve to prepare a Draft LEP for the corner of Kirkham Park to allow a change of use from Community Land to Operational Land to facilitate the provision of the Link Road, and allow the correct procedures to take place. This will not delay the matters otherwise.

Recommended: That Council resolve to:

- (i) prepare a Draft LEP for the corner of Kirkham Park to allow a change of use from Community Land to Operational Land to facilitate the provision of the Link Road.
- (ii) notify PlanningNSW of this decision pursuant to Section 54 of the Environmental Planning and Assessment Act, and request that a Section 65 Certificate be issued to enable exhibition.

Resolved on the Motion of Cr Winn, seconded Cr Anderson that Council resolve to:

- (i) *prepare a Draft LEP for the corner of Kirkham Park to allow a change of use from Community Land to Operational Land to facilitate the provision of the Link Road.*
- (ii) *notify PlanningNSW of this decision pursuant to Section 54 of the Environmental Planning and Assessment Act, and request that a Section 65 Certificate be issued to enable exhibition.*

DC007/03 THE MOTION WAS **CARRIED.**

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7. Proposed Rezoning/Development Application of Part of Lot 1, DP217570 (No. 229) Macquarie Grove Road, Kirkham (Mater Dei and Wivenhoe)

Owners: Sisters of the Good Samaritan. Applicant: Mullane Planning Consultants Pty Ltd
(File DA5125-280-14)(Director Governance & Outcomes)

Background

For some considerable time the property owners of the Mater Dei/Wivenhoe property have struggled with the delivery of specific special education programs for children with both physical and intellectual problems. Ownership and management of a unique property has compounded this issue. The Order has been keen to maintain its unique special school program offered to the broader community and more fully manage some challenging heritage buildings and major tracts of remnant vegetation and river foreshore.

The Order has recognised development opportunities now as an appropriate mechanism for producing funding to assist in the long term fulfilment of the Order's aspirations, referred to above.

In previous discussions with Council, requirements for completion of Council's Strategic Planning framework were raised as fundamental to any consideration of a development proposal on the subject site. Elements of such framework included; inter alia, the Structure Plan, the Bush Corridor Policy, the Vegetation Management Plan and the Scenic and Cultural Landscape Study. Council also required the owners to prepare a Conservation Management Plan (for the built/cultural heritage of the site), such latter plan is in place and has recently guided major conservation works in respect of Wivenhoe.

The final element in the foregoing was the Vegetation Management Plan. Such is currently before Council in the form of a Draft Natural Assets Policy.

It is clear that the planning framework is in place to commence consideration of the development proposal before Council. Further, the community benefits inherent in:

- conservation of the built and natural environments
- support of the special school program

are worthy of Council support. The Order has shown its bona fide in the preparation of a Conservation Management Plan and initial stabilisation works in respect of Wivenhoe.

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In any development proposal it would be critical that an appropriate mechanism is in place to ensure the conservation and Special School outcomes identified are linked to an ongoing revenue stream generated by developmental proceeds.

The Site

The property comprises some 279.9 hectares of generally rural land. It has frontages to both Macquarie Grove Road and Cobbitty Road, although access is only presently available from Macquarie Grove Road in the vicinity of Kirkham Lane. Both frontages have a degree of largely native vegetative screening, although the Cobbitty Road frontage is interspersed with African Olive. The property also has frontage to the Nepean River.

The site has been extensively cleared in the past for grazing activities. Large stands of remnant vegetation do, however, remain on site, with significant regrowth occurring over recent decades. The bulk of the vegetation extending from the Nepean River to Cobbitty and Macquarie Grove Roads comprises Cumberland Plain Woodland Species. The vegetation community associated with the river proper generally comprises Sydney River Flat community species.

A tree lined avenue leads from Macquarie Grove Road to a significant heritage precinct, Chapel and Special School. The heritage precinct is focussed upon the Wivenhoe Homestead and Stables. The Polding Centre – a retreat with training value is situated in a saddle to the west off the entrance driveway.

Initial analysis of the site, undertaken as part of a strategic planning exercise including Conservation Management investigations, established three (3) precincts. An extensively cleared area generally impacted by the flight path associated with Camden Airport extends from the driveway generally to the river. It is largely undulating in nature and drains directly to the Nepean River. Extensive clearing of this precinct sees it currently devoted to grazing activities. Its long term future would appear to be agricultural in nature.

A second precinct contains all the principal improvements of the site including the Polding Centre, Wivenhoe, the Chapel, School, Stables, associated curtilages and open spaces.

The third precinct generally to the north of the entrance driveway and extending to Cobbitty and Macquarie Grove Roads comprises dense woodland vegetation and scattered clearings. It is this precinct which is the subject of the application currently before Council.

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The Proposal

The proposal before Council seeks to effect a rezoning of the land so as to permit the development of a series of rural residential clusters located in the less sensitive and generally open areas in the woodland corridor. (Such corridor links the significant Harrington Park II vegetation to the previously referenced rural corridor). The clusters comprise approximately 25 dwellings each with a total projected dwelling complement of approximately 230 dwellings. The proposed distribution of clusters, service configuration and corridor linkages is portrayed on the plan reproduced as **Tabled Document "DC 9"**. A Flora and Fauna assessment prepared by Gunninah Environmental Consultants is available for viewing by Councillors.

The proposed development is largely screened from Macquarie Grove and Cobbitty Roads and is subject to only glimpses by passing motorists. It does not comprise a generally open landscape as is the case with "the Lanes" development.

The development is to be serviced off the Mater Dei central spine road and utilise the current intersection with Macquarie Grove Road.

It is proposed that the site be provided with reticulated water and sewer and the principles of water sensitive urban design incorporated in the proposal. A separate preliminary engineering analysis has been prepared by infrastructure consultants Maunsell Australia Pty Ltd and is available for viewing by Councillors.

Management of the significant vegetation remnants and corridors is central to the development proposal. It is proposed that a community title scheme be established for the development. Central to the management responsibilities of the development clusters will be management of the vegetation network.

It is proposed to embellish the existing informal playing field for multiple use by school students, patrons of the Polding Centre and proposed residents. A small community building is also proposed to service some of the immediate needs of residents and help foster a sense of place.

Finally, proceeds from the development will be devoted to a variety of projects undertaken by the Order. Importantly, a component of funding to facilitate the long term conservation of Wivenhoe and the Stables and associated settings is proposed. Further, funding is also proposed to support long term the "Special School" program and other natural system

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conservation outcomes not addressed by the Community Title Scheme.

Initial Consideration

The planning framework is in place to consider the development proposal before Council. The community and built and natural system outcomes are considered worthy of support. However, the means and context within which it is considered needs to be canvassed. Before canvassing the foregoing it is perhaps important to make the following preliminary observations.

The scale of development proposed appears over ambitious for the site having regard to Council's corridor objectives and informal principles which would underpin residential development in woodland settings generally. The placement of dwellings in a woodland setting is a major environmental and bushfire challenge. The concept is achievable and provides unique alternative residential design opportunities and an innovative community focussed opportunity for managing vegetation, however the final density may be lower than proposed.

Access to the site would need to be carefully assessed. Should access to the site occur off the existing access road it would be fundamental that the intersection with Macquarie Grove Road be fully upgraded. The real challenge would be the alignment and prevailing sight distances without major transformation of the existing rural terrain.

It is proposed to provide reticulated water and sewer. The implications for existing water supply to the existing Cobbitty Village would need to be carefully assessed. Further, the implications of ultimately sewerage Cobbitty and any lead in infrastructure needs to be assessed.

The Harrington Park II investigations (which also include Orielton) are likely to include many like issues. The major vegetation corridor Council is seeking to foster in the Scenic Hills provides the backdrop to Harrington Park and Orielton and links directly into the principal Mater Dei corridor. Further, it is proposed to investigate the opportunities for siting residential development in such corridor and achieve natural systems management outcomes in the process. Additionally there exist significant built environment conservation outcomes in the form of Harrington Park and Orielton homesteads that must be delivered in concert with future residential development.

Likewise in the context of Harrington Park II it would be fundamental to develop a mechanism to ensure the

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conservation outcomes (beyond a Community Title scheme) are linked to an ongoing revenue stream generated by development proceeds.

In accordance with the Environmental Planning and Assessment Act, 1979 (as amended) rezonings of both parcels of the nature contemplated would require preparation of a Local Environmental Study (LES) to accompany any Draft Local Environmental Plan (DLEP). There would appear to be significant merit in pursuing the preparation of one LES that covered both sites; namely, Harrington Park II and Mater Dei. Further, the principles of special outcomes (such as conservation) and their linkage to a future income stream could be similar.

There are several means by which an LES could be prepared and these are currently being reviewed to ensure the most appropriate and inclusive is ultimately selected. This process is to be pursued and will be reported back to Council for endorsement.

Other Council Policy Matters

Council has a policy whereby an application for a “spot” rezoning must be accompanied by a Development Application in order that a tangible and understandable concept is presented to the community when exhibiting a Draft Local Environmental Plan for public comment.

It should be noted that the application before Council in respect of the Mater Dei proposal is in the form of a rezoning/development application. With developments of this scale (and Harrington Park II) it is typically the case that the more detailed environmental assessment at LES stage sometimes leads to significant changes to the development proposal. Accordingly, it is not possible to process the application and indeed it needs significant modification. Further, where development applications constitute integrated development “stop the clock” procedures must be enacted.

It is clear that in the case of significant rezonings that a rezoning proposal must be accompanied by a detailed preliminary environmental assessment and concept plan or draft structure plan. The need for a complete development application is perhaps of limited benefit and poses significant processing/administration challenges.

The Mater Dei proposal is accompanied by preliminary environmental assessments and a concept plan/draft structure plan. This level of information is considered sufficient to inform a decision in respect of resolving to undertake the preparation of an LES and DLEP. The proponents should be

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encouraged to withdraw their development application, alternatively Council should “stop the clock” in terms of its processing.

In a like manner Council should amend/clarify its rezoning application policy in respect of “spot rezonings” of some scale to read that a rezoning application must be accompanied (and supported), as a minimum, by a detailed preliminary environmental assessment and concept plan/draft structure plan.

Conclusion

It is clear that the planning framework is in place to commence consideration of the development proposal before Council. Further, the community benefits inherent in:

- conservation of the built and natural environments
 - support of the special school program
- are worthy of Council support. It is, however, fundamental that a mechanism/s is developed in concert with any rezoning to ensure the abovementioned outcomes are linked to an ongoing revenue stream generated by development proceeds.

Notwithstanding support for the development concept and outcomes identified above, preliminary assessment of the development proposal leads to the conclusion it is too extensive and potentially too dense and needs to be modified significantly.

There is sufficient information and inherent merit for Council to support the preparation of an LES and DLEP during the course of which the concept could be further informed and reviewed to produce a more acceptable Structure Plan/Masterplan.

Council should, however, defer resolution to prepare an LES and DLEP until such time as it considers a proposal to jointly prepare an LES and DLEP for the Mater Dei site and the Harrington Park II site, inclusive of principles for independent Developer Agreements or the like.

Recommended: That

- (i) Council accept the planning framework is in place to consider the Mater Dei proposal.
- (ii) Council support the principles which underpin the Mater Dei development proposal; namely:
 - the development of sustainable housing modules in a woodland setting accompanied by a management structure to manage such woodland.

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- a mechanism which ensures the conservation of the built and natural systems generally and support of the special school program.
- (iii) Council advise the proponents that notwithstanding the above referenced support that initial assessment has led to the conclusion that the proposal as submitted is too extensive and potentially too dense and needs to be modified significantly. Early assessment of bush fire risk to determine viability.
- (iv) The proponents be encouraged to withdraw their development application or in the absence of their willingness to do so Council should “stop the clock” in terms of its processing.
- (v) The proponents be further advised that Council considers the development concept generally to have sufficient merit to support the preparation of an LES and DLEP (during which period the concept could be further informed and reviewed to produce a more acceptable Structure Plan/Masterplan), however, the decision in respect of the preparation of such documents is deferred, until such time as a proposal to jointly prepare an LES and DLEP for the Mater Dei and Harrington Park II sites is considered by Council.
- (vi) A proposal to jointly prepare an LES and DLEP for the Mater Dei and Harrington Park II sites be prepared for Council’s consideration in early March 2003.
- (vii) Funding of studies will be required from the proponents.
- (viii) Both the Mater Dei proponents and Harrington Park II proponents be advised of (vi) above.
- (ix) Council amend/clarify its policy in respect of “spot rezonings” of some scale to read that a rezoning application must be accompanied (and supported) as a minimum, by a detailed preliminary environmental assessment and concept plan/draft structure plan.

Resolved on the Motion of Cr Fekete, seconded Cr Winn that

- (i) *Council accept the planning framework is in place to consider the Mater Dei proposal.*
- (ii) *Council support the principles which underpin the Mater Dei development proposal; namely:*
 - *the development of sustainable housing modules in a woodland setting accompanied by a management structure to manage such woodland.*

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- *a mechanism which ensures the conservation of the built and natural systems generally and support of the special school program.*

- (iii) *Council advise the proponents that notwithstanding the above referenced support that initial assessment has led to the conclusion that the proposal as submitted is too extensive and potentially too dense and needs to be modified significantly. Early assessment is required of the bush fire risk in order to determine viability.*

- (iv) *The proponents be encouraged to withdraw their development application or in the absence of their willingness to do so Council should “stop the clock” in terms of its processing.*

- (v) *The proponents be further advised that Council considers the development concept generally to have sufficient merit to support the preparation of an LES and DLEP (during which period the concept could be further informed and reviewed to produce a more acceptable Structure Plan/Masterplan), however, the decision in respect of the preparation of such documents is deferred, until such time as a proposal to jointly prepare an LES and DLEP for the Mater Dei and Harrington Park II sites is considered by Council.*

- (vi) *A proposal to jointly prepare an LES and DLEP for the Mater Dei and Harrington Park II sites be prepared for Council’s consideration in early March 2003.*

- (vii) *Funding of studies will be required from the proponents.*

- (viii) *Both the Mater Dei proponents and Harrington Park II proponents be advised of (vi) above.*

- (ix) *Council amend/clarify its policy in respect of “spot rezonings” of some scale to read that a rezoning application must be accompanied (and supported) as a minimum, by a detailed preliminary environmental assessment and concept plan/draft structure plan.*

DC008/03 THE MOTION WAS **CARRIED.**

The Meeting closed at 6.05pm.