

CAMDEN COUNCIL

MINUTES OF THE DEVELOPMENT COMMITTEE

27 SEPTEMBER 2004

PRESENT

Cr Funnell (Deputy Mayor/Chairperson), Cr Cagney, Cr Campbell, Cr Dewbery, Cr Elliott, Cr Kernohan, Cr Whiteman

STAFF

General Manager, Director Governance and Outcomes, Acting Director Development and Environment (Manager Development), Director Works and Services, Manager Outcomes, Senior Governance Officer

VEHICLE AUCTIONS, 3A (LOT 90 DP 870079] STEWART AVENUE, HARRINGTON PARK

Resolution: That Development Application No 760/2004 for the use of 3A Stewart Street, Harrington Park as a Motor Vehicle Auction Centre be approved subject to the draft conditions shown in the attachments.

Moved Councillor Campbell, Seconded Councillor Dewbery that: the recommendation as above be adopted.

DC128/04 THE MOTION ON BEING PUT WAS CARRIED.

DC02 PROPOSED VARIATION OF THE 88B RESTRICTION TO USER AFFECTING NO 205 (LOT 2135 DP 1031396) DEEPFIELDS ROAD, CATHERINE FIELD

Resolution: That:

- i) The 88b Restriction to User affecting No 205 (Lot 2135 DP 1031396) Deepfields Road, Catherine Field be varied to read:

“No dwelling or habitable structure is to be erected on the land at No 205 (Lot 2135 DP27602) Deepfields Rd, Catherine Field hereby burdened unless an aerated wastewater treatment system (AWTS) achieving a nitrogen level of 10.94 mg/L is installed. A related effluent application area (REAA) of either subsurface or surface irrigation of minimum size 532m² is to be provided thereon as detailed in the Wastewater Management Plan prepared by Harvest Scientific Services of Unit4a, 20 Somerset Avenue, Narellan, NSW and referenced on number 200511 dated 15 July, 2004 and amendments dated 17 August, 2004 and 10 September, 2004. Such REAA is to be installed with buffer distances complying with Council’s Draft Sewage Management Policy.

Prior to installing the system of sewage management approval under the provisions of the Local Government Act, 1993 shall be gained from Council”.

- ii) The seal of Council be affixed to the appropriate documents.

iii) All costs associated with varying the restriction to user be borne by the applicant.

Moved Councillor Dewbery, Seconded Councillor Elliott that: the recommendation as above be adopted.

DC129/04 THE MOTION ON BEING PUT WAS CARRIED.

DC03 ENCLOSURE OF UNDER ROOF CARPORT TO LIVING AREA, ADDITION OF A RUMPUS ROOM, ENCLOSURE OF A BALCONY, ADDITION OF DECKING AND ADDITION OF A CARPORT, NO 15 (LOT 50 DP 29835) MILFORD ROAD, ELLIS LANE

Resolution: That Development Application 1425/2003 for additions including Enclosure of Under Roof Carport to Living Area, Addition of a Rumpus Room, be approved, subject to attached draft conditions.

Moved Councillor Campbell, Seconded Councillor Whiteman that: the recommendation as above be adopted.

DC130/04 THE MOTION ON BEING PUT WAS CARRIED.

DC04 PROPOSED TENNIS COURT, NO 16 (LOT 19 DP834079) CAERNARVON CLOSE, KIRKHAM

Resolution: That Development Application 1425/2003 for a tennis court at No 19 (Lot 19 DP834079) Caernarvon Close, Kirkham be approved subject to the attached conditions of consent.

Moved Councillor Kernohan, Seconded Councillor Dewbery that: the recommendation as above be adopted.

DC131/04 THE MOTION ON BEING PUT WAS CARRIED.

DC05 POSSIBLE EFFECTS ON THE NEPEAN RIVER DUE TO PROPOSED UNDERGROUND MINING

Resolution: That Council write to BHP Billiton, the Premier, the Minister for the Environment, the Minister for Natural Resources and the local Member for Camden seeking their assurances that no mining will be approved which has the potential to impact on the Nepean River.

Moved Councillor Kernohan, Seconded Councillor Campbell that: the recommendation as above be adopted.

DC132/04 THE MOTION ON BEING PUT WAS CARRIED.

DC06 PROPOSED MODIFICATION OF TONNAGES AT JACKS GULLY

Resolution: That Council support the proposal by Waste Service NSW to bring a maximum of an additional 70,000 tonnes of waste from its transfer stations per year to the Jacks Gully facility. The maximum quantity of waste to be disposed at the site to be

210,000 tonnes per annum subject to the following:-

- i. Trucks bringing transfer station waste to the facility be required to use Narellan Road/ Camden Bypass/Macarthur Road/Richardson Road to access the site until Springs Road is closed for lowering. At that time, trucks are to use the Spring Farm arterial if it is constructed to Richardson Road and if it is not then trucks are to use Narellan Road/ Camden Valley Way/Richardson Road. All deliveries are to be in transfer trailers only as the access roads are not suitable for use by B-Double vehicles. Trucks bringing transfer station waste to and from the site are not to use Narellan Road or Camden Valley Way before 9am or after 4pm on weekdays.
- ii. Waste Service NSW provide Council with full details of leachate and groundwater management for the site.
- iii. Waste Service implement a monthly monitoring program for groundwater and leachate testing and provide Council with the results of this testing.
- iv. Support to the proposal be withdrawn in the event of a significant increase in the number of complaints being received in relation to odour.
- v. Waste Service NSW implement a rehabilitation plan for the site involving the sourcing of seed from native plantings prior to removal and the replanting of those endemic species. Such plan to be submitted within 3 months of the commencement of the additional landfill.
- vi. Council require that Waste Service NSW pay Camden Council a host levy of \$2 per tonne of all waste brought to Jacks Gully from its transfer stations and from the Liverpool LGA, such payment to be made on a quarterly basis. Monthly receipt data is to be provided to Camden Council of all municipal waste brought to the site.
- vii. The additional tonnage shall be brought to the site in accordance with the information contained in the Review of Environmental Factors prepared for Waste Service NSW dated August 2004.
- viii. No change in the hours of operation of the facility.

Moved Councillor Campbell, Seconded Councillor Dewbery that: the recommendation as above be adopted with the following changes:

- ix. Council officers, Community representatives and Waste Services NSW determine the current size of the Tip Face at Jacks Gully and any increase above 10% be notified in advance to Council and referred to the Specialist Monitoring Committee for determination.

DC133/04 THE MOTION ON BEING PUT WAS CARRIED.
(Councillor Whiteman and Councillor Cagney voted against the Motion)

DC07 EXHIBITION OF CAMDEN AIRPORT PRELIMINARY DRAFT MASTER PLAN AND PRELIMINARY DRAFT 2005 AIRPORT ENVIRONMENT STRATEGY

Resolution: That Council forward the following comments, which have been outlined in this report, as its submission to the exhibition of the Preliminary Draft Airport Master

Plan and Preliminary Draft Airport Environmental Strategy.

Introduction

Council acknowledges the importance of Camden Airport and fully supports its continuation as a general/recreation aviation airport, subject to strict compliance with environmental requirements.

Proposed landuse zones

The following comments are provided with regard to the proposed zones:

- A large portion of the airport land is within the 1 in 100 year flood area and any development must comply with the NSW Floodplain manual.
- The following land uses, which are proposed in the Master Plan, are not considered appropriate given the limited access to the site, for any of the proposed zones:

Bulky goods retailing

Motor showroom

Road transport terminal

Service stations

Transport depot

Warehouse

Childcare facility (except for families of airport employees)

Aged Care facility

Educational establishment

(NB The last 3 items on the basis of noise).

- The following land uses need further clarification.

Compatible land use

Shops (servicing the daily convenience needs of the local workforce and population)

Public Utility undertaking

Community facility

Flood mitigation

- It is felt that the primary purpose of this zone should be to encourage aeronautical related activities. Ancillary tourist type land use such as a conference centre and accommodation should also be encouraged together with some limited light industry.
- The land uses must be appropriate for the area, based not only on the site characteristics and constraints but also on the wider implications such as access and a balanced retail hierarchy.
- With regard to the (environmentally sensitive) Business Support Zone, an area generally consistent with this proposed zone within the master plan, is subject to a registered property agreement under the Native Vegetation Conservation Act 1997. This conservation area was secured through the Nepean Vegetation Management Incentives Program managed by Camden Council. The agreement between CAL and The Department of Infrastructure Planning and Natural Resources establishes a conservation zone for biodiversity conservation purposes and prohibits activities, which are inconsistent with this objective.

The objective makes no reference to the conservation agreement. Accordingly Council does not support either the objective of the zone or the proposed land uses. An alternative objective should reflect the intent of the conservation agreement, which would also result in restricting the land uses to those more appropriate to the conservation of the land.

Council considers the following as some examples of most inappropriate land use proposed for this zone, viz Club and Motel, Industry and Business/Commercial premises, place of assembly/Public of public workshop, Land filling (except for aviation purposes).

- The Business Support land use component, in each of the proposed non-aeronautical zones provide too wide a range of uses, which may impact on Council's existing business centres.

Heritage

Two items of environmental Heritage are listed under Council's LEP No 48, which covers the Camden Airport, these being Hassall Cottage and Macquarie Grove Cottage. Macquarie Grove Cottage is also listed on the State Heritage Register. The Master Plan refers to a heritage management strategy that is currently being prepared for the Airport. Council will welcome the opportunity to comment on the heritage strategy when it is completed. Reference is made to Built Form and Urban Design being required to be considered as part of the development assessment process.

Council understands that the Camden Historical Society is holding ongoing discussions with CAL with regard to heritage issues pertaining to the Airport. Council welcomes this dialogue and supports its continuance.

Notwithstanding the above the following issues need to be dealt with:

- The current entry to the Airport is of historical significance as it follows the original alignment and this needs to be addressed should any upgrade be proposed,
- The heritage structures include: the two 1930's hangars; five Bellman Hangars; three bunker structures; the washrooms and barracks from WW11 and "rifle butts" located near the river,
- The proximity to the Airport of the two Council listed heritage items, and
- Boundary adjustment issue of Macquarie Grove Cottage i.e. outbuildings currently alienated.

Noise

Aircraft Noise

While it is acknowledged that the proposed alterations to the ANEF zones more correctly indicate the current noise affectation Council will insist that each property affected by the change, be notified in writing by the CAL indicating the affect that such change will have on the property.

Airspace Protection

Council is aware of the height limitation restrictions however the issues of external

lighting and stack and vent efflux need further clarification with regard to requirements.

Air Youth Activities

The importance of continuity of the youth training opportunities, currently undertaken at the Camden Airport, is reinforced by Council. Moved Councillor Kernohan, Seconded Councillor Cagney that: the recommendation as above be adopted.

DC134/04 THE MOTION ON BEING PUT WAS CARRIED.
(Councillor Elliott voted against the Motion)

The Meeting closed at 6.50pm.

DEVELOPMENT COMMITTEE

SUBJECT: APOLOGIES

Leave of absence tendered on behalf of Councillors from this meeting.

RECOMMENDED

That leave of absence be granted.

RESOLUTION

That leave of absence be granted to Cr Anderson and Cr Johnson from this meeting.

Moved Councillor Whiteman, Seconded Councillor Elliott that:
the recommendation as above be adopted.

THE MOTION ON BEING PUT WAS **CARRIED**.

DC125/04

DEVELOPMENT COMMITTEE

SUBJECT: DECLARATION OF INTEREST

Council Policy requires Councillors who have a Pecuniary Interest in an item on the Agenda to declare the Interest at this stage and to leave the Meeting during consideration of the item.

RECOMMENDED

That the declarations be noted.

RESOLUTION

There were no declarations to be noted.

THE MOTION ON BEING PUT WAS **CARRIED.**

DC126/04

DEVELOPMENT COMMITTEE

SUBJECT: PUBLIC ADDRESSES

The Public Address segment in the Development Committee and Resources and Services Committee meeting provides an opportunity for people to speak publicly on an item listed for consideration by the Council at the meeting. Speakers must book in with the Council office by 4.00pm on the day of the meeting and only 7 speakers can be heard at any meeting.

Speakers may make a statement only and not direct questions to councillors or staff and only one speaker for and one speaker against any item are permitted. A second speaker for and against will be allowed, if time permits. All speakers are limited to 4 minutes and a 1 minute warning is given to speakers prior to the 4 minute time period elapsing.

Public Addresses are tape recorded for administrative purposes. It should be noted that speakers at Council meetings do not enjoy any protection from parliamentary-style privilege. Therefore they are subject to the risk of defamation action if they make comments about individuals. In the event that a speaker makes potentially offensive or defamatory remarks about any person, the Mayor/Chairperson will ask them to refrain from such comments. A copy of the tape recording may be available to third parties (in certain circumstances).

The Mayor/Chairperson has the discretion to withdraw the privilege to speak where a speaker continues to make inappropriate or offensive comments about another person.

RECOMMENDED

That the public addresses be noted.

RESOLUTION

That the public addresses be noted.

Mr David Purtle addressed the Committee in relation to Item 1.
Ms Pam Browne addressed the Committee in relation to Item 6.
Mr Barry Lewis addressed the Committee in relation to Item 6.

THE MOTION ON BEING PUT WAS **CARRIED**.

DC127/04

DEVELOPMENT COMMITTEE

DC01

CONTINUE USE OF PREMISES FOR PURPOSES OF MOTOR VEHICLE AUCTIONS, 3A (LOT 90 DP 870079] STEWART AVENUE, HARRINGTON PARK

FROM:	Director Development and Environment
FILE NO:	DA7450.75
DA NO:	760/2004
OWNER:	
APPLICANT:	
ZONING:	2(d) Residential pursuant to LEP 74
APPLICABLE PLANNING INSTRUMENT:	

PURPOSE OF REPORT

The purpose of this report is to determine a development application that proposes the re-establishment of a motor vehicle auction in addition to the general auction activity which is the current approved use of the site. The report addresses issues raised in a petition received from the adjoining residents, which raises a number of concerns with respect to the nature of the auction activities. Notification of the petition was provided to the 13 September, 2004 meeting of Council.

SUMMARY OF RECOMMENDATION

It is recommended that Council grant consent to the development for a two year period and subject to a number of constraints in terms of the nature and extent of the business activities.

BACKGROUND

General auction activities have been conducted at the subject site since 1969 with Council consent.

In January 1998, Camden Council granted approval for the establishment of a Motor Mart [Development Consent No 251/97]. The motor mart permitted the owners to display their vehicles on site in order to sell by private treaty [as distinct from an auction]. The approval was granted for a two year period and subsequently extended for a further one year. The consent lapsed on the 30 January, 2001 and the owner has not re-applied for continuation of this use.

In November 1998, Camden Council received a development application seeking approval to use the existing auction centre for the purpose of motor vehicle auctions. On 24 February, 1999 delegated consent was granted for the proposed use [Development Consent No 5975/98]. Condition No 2 of the consent limited the duration of the consent to twelve (12) months beginning from the date of commencement of the motor auction use. Council's records indicate that the 12 month limit was imposed "*due to possible residential development encroaching and also to enable Council to review operations*". This period has now lapsed and the consent has expired. The

operator of the site wishes to reinstate the use and has submitted a fresh development application.

The present owners bought the property in 1997 with a view to developing the site as an extension of Harrington Park. Council staff have had a number of discussions with the property owner with respect to the future use of the land. The property owner hopes to develop the site for residential purposes within the next 3 to 5 years. In the interim the owner wishes to continue use of the site as an Auction Centre [General] and reinstate the Motor Vehicle Auctions referred to above [but not the Motor Mart].

THE SITE

The land has an area of 7.945ha, with a 85.21m frontage to Sharman Close and a 26.455m frontage to Stewart Street. The general location of the site is identified on **the locality plan provided at the end of the report.**

The site is relatively flat with no significant vegetation. Currently Sydney Auction Markets occupy the site which comprise:

- Auction shed and office building, storage shed, toilet, catering facilities and yard area within a fenced compound measuring approximately 55m x 75m;
- Partly sealed car parking area for 150 cars within the building setback to Sharman Close;
- Grass paddocks used for overflow car parking.

The site is located at the southern end of the Harrington Park residential release area in an area known as Struggletown. Detached dwellings are located on adjoining properties along Sharman Close. Further to the west is the Aviation Museum, restaurants and art galleries. To the north are the rear boundaries of properties within the existing Harrington Park residential development. Other nearby development includes fast food outlets and bulky goods retailing outlets in George Hunter Drive.

THE PROPOSAL

The application before Council seeks approval to continue with the motor vehicle auctions. The information accompanying the development application describes the development as follows:

- a. The motor vehicle auction to be held one (1) day per month on a Wednesday for maximum 50 vehicles and every Saturday in conjunction with the other current auction for a maximum 10 vehicles;
- b. Vehicles awaiting auction to be stored within the secured compound on site at the rear of the auction shed, with vehicles typically arriving on site the day before or the morning of the sale. Inspections to be available on the morning of the sale and in accordance with industry practice, with vehicles not being available for test drive. All registration papers, ownership checks and vehicle inspections (if applicable) to be available to purchasers;
- c. The auction of the vehicles to take place in the auction shed, with vehicles being driven into the shed for auction and returned to the compound area pending processing of the sale. The maximum time to auction 50 vehicles is estimated at 1.5 hours.

The applicant has asked that Council not impose a restriction upon the consent in terms of the duration of the approval.

NOTIFICATION

PLANNING CONTROLS

The following planning provisions have been considered in the assessment of this application:

- Camden 2025
- Camden Local Environmental Plan No 74 (CLEP 74)
- Development Control Plan No 97 – Car Parking

ASSESSMENT

The subject application has been assessed in accordance with section 79C of the Environmental Planning & Assessment Act 1979. The following points are provided in relation to the critical aspects of Council's assessment.

a. The provision of any environmental planning instrument, development control plan (DCP) or matter prescribed in the regulations

Camden 2025

The strategic vision of Camden refers to accessibility to a range of services and facilities by all members of the community. The proposal would serve the residents of the area wishing to utilise the Auction Centre. The Strategic Plan also aims to increase and diversify business and employment opportunities and ensure facilities service the immediate needs of the new communities. The proposal is consistent with these aims.

Camden Local Environmental Plan No 74 (CLEP 74)

The subject land is now zoned 2(d) residential under Camden LEP 74 (CLEP 74). The planning instrument prohibits auction developments within the 2(d) zoning.

Approval was given to use the site for the purpose of an Auction Centre [General] prior to the gazettal of CLEP 74 on 1 March, 1996. Consequently the Auction Centre is permitted to operate by virtue of "existing use rights". The continued use of the site for motor vehicle auctions is not considered to be an "intensification" given that the site has previously been used for general auctions, motor vehicle auctions and a motor mart. It should be noted that Council has previously granted approval for all of these uses. In short, development consent can be granted to the proposal despite the provisions of CLEP 74. The scale of the motor vehicle auction is one that could however impact on the intensity of the auction and therefore it is appropriate to restrict the number of vehicles offered at one auction to the fifty vehicles on Wednesdays and 10 on Saturdays proposed in this application in the event that consent to the proposal is granted. This would be done by way of a condition of consent.

Development Control Plan No 97

In respect to *Auction Rooms*, DCP 97 states that car parking requirements '*will be considered individually based on the type of auction, ie general goods/vehicles, and the operation time of the auction*'.

The existing Auction Centre has a parking area at the front of the auction rooms that

can accommodate 150 vehicles. Overflow parking is also available at the rear of the auction room and compound. This area, which is not sealed, can accommodate in excess of 150 vehicles. This arrangement is considered to be more than adequate for car parking purposes provided the number of vehicles to be auctioned is restricted.

b. Likely impacts of the development, including impacts on both the natural and built environment including social and economic impacts

Noise pollution

The Auction Centre is located in an area that has considerable background noise level. These noise levels are generally attributed to traffic movements along Camden valley Way.

Noise generated by the Auction activities does not appear to be a major concern to adjoining property owners. It should be noted that noise was not raised as an issue in the petition received by Council.

Water pollution

The car park currently drains to a point where stormwater drains to the pastures at the rear of the Auction Centre. The owner has stressed that this has been the arrangement since 1969. The proposal is not expected to increase water pollution. The owner will reinstate the delineation of car parking spaces.

Air pollution

The following measures afforded to the site have the effect of reducing the likelihood of dust emissions from the site:

- The car park in front of the auction room is sealed in part with concrete and in part with road base.
- The compound located at the rear of the auction room is maintained with grass and some all weather surfaces [ie crushed sandstone].
- The paddocks at the rear of the centre are maintained as pastures.

Site contamination

The storage of vehicles on the site does not appear to occur for long periods, nor are any repairs carried out on site. The likelihood of stationary vehicles causing significant site contamination is remote. It should be noted that an investigation in terms of site contamination will need to be carried out prior to the land being developed for residential purposes.

c. Suitability of the site for the development

The site is considered to be suitable for the proposed development in terms of services provided to the site.

d. Any submissions made in accordance with the Act

As a consequence of the notification exercise Council received a petition signed by 12 residents who collectively own 11 properties in Stewart and Sharman Close. The concerns raised by the residents are summarised as follows:

“Sharman Close and Stewart Street are very small local streets not suitable to carry the extra traffic or the heavy vehicles that will be attracted by this development”

Comments: The applicant has provided Council with estimates of heavy vehicle traffic movements to and from the site. For a Wednesday auction [held once a month] up to 8 vehicle transporters can be expected to visit the site. Vehicles will enter off Camden Valley Way and travel along Sharman Close for approximately 200m to the Auction Centre. Stewart Street will not be used for access purposes to the site.

“These very narrow roads that have already been substantially damaged by heavy vehicles in the development of Harrington Park”.

Comments: The condition of the road along Sharman Close is considered to be reasonable. The volume of heavy vehicle movements resulting from the development is not expected to cause significant degradation of the roads.

“The extra traffic and trucks needed to service the development would be of great danger to the residents of Sharman Close and Stewart Street”.

Comments: As suggested above, vehicles will travel along Sharman Close for a distance of approximately 200m. In doing so vehicles will pass 4 residential dwellings, one of which is owned by the operator of the Auction Centre. It should be noted that the speed limit in this area is 50kph. Consequently the volume of traffic generated by the development is expected to have little impact upon the safety of residents in Sharman Close and even less impact on those residents in Stewart Street.

“This application is for the Stewart Street portion of the property with ingress and egress onto Stewart Street. With the approval there will be no stopping the owners from utilising this access onto Stewart Street”.

Comments: The subject site is known as 3A Stewart Street, Harrington Park. Whilst the property is addressed and has frontage to Stewart Street, access to the site is from the site’s frontage to Sharman Close. It is proposed to include this requirement as a condition of development consent.

“This is an inappropriate addition to the Auction Houses method of trading and should be undertaken in an industrial or more suitable area”.

Comments: The Auction Centre is bounded by residential development to the north and west of the site. The property owner wishes, in time, to redevelop the site for residential purposes. In the interim it is the owner’s desire to continue to operate the site as a general Auction Centre with the addition of 2 motor vehicle auctions per week. It is considered appropriate to allow the use of the Motor Vehicle Auctions by issuing a consent that is limited to a two year period in order that its performance and impact on adjoining residents can be monitored. In this way the appropriateness of the development in this part of Narellan / Harrington Park can be reassessed. This approach is consistent with Council previous dealings with the matter. Council’s records indicate that previous consents have been issued for limited periods *“due to possible residential encroachment and also to enable Council to review operations”* .

CONCLUSION

The proposed development is for the use of the existing Sydney Auctions site at 3A

Stewart Street, Harrington Park for motor vehicle auctions. The approval sought is in line with a previous consent granted by Council [Development Consent No 5975/98].

The proposed development will make a negligible contribution to the environmental impacts of the site operation due to its ancillary nature to the auction operation of the site. Adequate on site car parking is available to service the development. The proposal is considered to be appropriate and is recommended for approval by Council.

RECOMMENDED

That Development Application No 760/2004 for the use of 3A Stewart Street, Harrington Park as a Motor Vehicle Auction Centre be approved subject to the draft conditions shown in the attachments.

ATTACHMENTS



Location Plan



Draft Conditions of
Consent

RESOLUTION

That Development Application No 760/2004 for the use of 3A Stewart Street, Harrington Park as a Motor Vehicle Auction Centre be approved subject to the draft conditions shown in the attachments.

Moved Councillor Campbell, Seconded Councillor Dewbery that:
the recommendation as above be adopted.

THE MOTION ON BEING PUT WAS **CARRIED**.

DC128/04

DEVELOPMENT COMMITTEE

DC02

PROPOSED VARIATION OF THE 88B RESTRICTION TO USER AFFECTING NO 205 (LOT 2135 DP 1031396) DEEPFIELDS ROAD, CATHERINE FIELD

FROM:	Director Development and Environment
FILE NO:	DA2275.515
DA NO:	234/2004
OWNER:	
APPLICANT:	
ZONING:	1[c] Rural C pursuant to LEP 48
APPLICABLE PLANNING INSTRUMENT:	

PURPOSE OF REPORT

The applicant seeks approval to vary a restriction to user placed upon their property title in respect to the minimum effluent disposal area. The seal of Camden Council is required to be placed upon the relevant documentation to permit registration of the variation.

SUMMARY OF RECOMMENDATION

It is recommended that Council support the proposed variation to the 88b Restriction to User and fix Council's seal upon the relevant documentation.

BACKGROUND

The subject site forms part of subdivision approved by Council in May 2000 [Development Consent No 2611/99]. At the time a Geotechnical Report submitted with the application recommended that an effluent disposal area of 1415 m² be maintained for proposed Lot 2135. This requirement was reflected in the 88b Restriction to User attached to the property title.

THE SITE

The subject site has frontage to Deepfields Road. It is surrounded by rural residential type development. An existing fibro residence is erected upon the site together with a detached metal garage and timber structure. The site slopes towards the street frontage. There is no significant vegetative communities located on site which will be affected by the proposed residential development.

THE PROPOSAL

The application seeks approval to:

- Demolish the existing structures erected upon the subject site.
- Erect a new two-storey dwelling.
- Vary the 88b Restriction to User and in doing so reduce the effluent disposal area

required for the development.

With respect to the third point, the applicant has provided Council with a Geotechnical Report prepared by the same consultant used in the year 2000 for the land subdivision [Development Consent No 2611/99]. The report suggests *“the required effluent disposal area for either subsurface drip line or surface spray effluent irrigation for the proposed 4 bedroom residence is 532m²”*.

NOTIFICATION

The proposed development was notified to the adjoining property owners in accordance with Council Notification Policy. Council received no objections to the development.

PLANNING CONTROLS

The following planning instruments were considered in the assessment to this application:

- Camden LEP 48
- Camden DCP 58
- Camden Council’s Draft Sewage Management Policy

ASSESSMENT

The proposed dwelling has been assessed and found to comply with Council’s various planning controls. Staff have assessed the proposed variation to the effluent disposal requirements and have recommended that the proposed effluent disposal area is adequate provided an aerated wastewater treatment system (AWTS) achieving a nitrogen level of 10.94mg/l is installed. The amended 88b Restriction to User [referred to below] embellishes upon the type of aerated wastewater treatment system to be used on site.

CONCLUSION

In view of the above it is recommended that Council endorse the proposed variation to the 88b Restriction to User and fix the Council seal upon the relevant documentation.

RECOMMENDED

That:

- i) **The 88b Restriction to User affecting No 205 (Lot 2135 DP 1031396) Deepfields Road, Catherine Field be varied to read:**

“No dwelling or habitable structure is to be erected on the land at No 205 (Lot 2135 DP27602) Deepfields Rd, Catherine Field hereby burdened unless an aerated wastewater treatment system (AWTS) achieving a nitrogen level of 10.94 mg/L is installed. A related effluent application area (REAA) of either subsurface or surface irrigation of minimum size 532m² is to be provided thereon as detailed in the Wastewater Management Plan prepared by Harvest Scientific Services of Unit4a, 20 Somerset Avenue, Narellan, NSW and referenced on number 200511 dated 15 July, 2004 and

amendments dated 17 August, 2004 and 10 September, 2004. Such REAA is to be installed with buffer distances complying with Council's Draft Sewage Management Policy.

Prior to installing the system of sewage management approval under the provisions of the Local Government Act, 1993 shall be gained from Council".

- ii) The seal of Council be affixed to the appropriate documents.
- iii) All costs associated with varying the restriction to user be borne by the applicant.

RESOLUTION

That:

- i) The 88b Restriction to User affecting No 205 (Lot 2135 DP 1031396) Deepfields Road, Catherine Field be varied to read:

"No dwelling or habitable structure is to be erected on the land at No 205 (Lot 2135 DP27602) Deepfields Rd, Catherine Field hereby burdened unless an aerated wastewater treatment system (AWTS) achieving a nitrogen level of 10.94 mg/L is installed. A related effluent application area (REAA) of either subsurface or surface irrigation of minimum size 532m² is to be provided thereon as detailed in the Wastewater Management Plan prepared by Harvest Scientific Services of Unit 4a, 20 Somerset Avenue, Narellan, NSW and referenced on number 200511 dated 15 July, 2004 and amendments dated 17 August, 2004 and 10 September, 2004. Such REAA is to be installed with buffer distances complying with Council's Draft Sewage Management Policy.

Prior to installing the system of sewage management approval under the provisions of the Local Government Act, 1993 shall be gained from Council".

- ii) The seal of Council be affixed to the appropriate documents.
- iii) All costs associated with varying the restriction to user be borne by the applicant.

Moved Councillor Dewbery, Seconded Councillor Elliott that:
the recommendation as above be adopted.

THE MOTION ON BEING PUT WAS **CARRIED**.

DC129/04

DEVELOPMENT COMMITTEE

DC03

ENCLOSURE OF UNDER ROOF CARPORT TO LIVING AREA, ADDITION OF A RUMPUS ROOM, ENCLOSURE OF A BALCONY, ADDITION OF DECKING AND ADDITION OF A CARPORT, NO 15 (LOT 50 DP 29835) MILFORD ROAD, ELLIS LANE

FROM:	Director Development and Environment
FILE NO:	DA5500.130-2
DA NO:	625/2004
OWNER:	Mr JB Poli and Mrs JE Poli
APPLICANT:	
ZONING:	1(c) Rural Residential (0.4ha)
APPLICABLE PLANNING INSTRUMENT:	LEP48

PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application for the site. In accordance with Council's delegations the matter is referred to Council for determination as the site is affected by flooding from the Nepean River.

SUMMARY OF RECOMMENDATION

That the application be approved subject to compliance with appropriate conditions of consent.

BACKGROUND

THE SITE

The site is located at the western bend of Milford Road, Ellis Lane and has direct frontage to the road **[a location plan of the site is provided at the end of the report]**. The land has an area of 0.4ha and is adjoined by allotments with similar dimensions. The property is in the vicinity of Sickles Creek and is affected by flooding originating from the Nepean River. The property is occupied by a two storey dwelling and a detached garage and is surrounded with similar rural residential development. The dwelling was erected in 1982. The construction occurred prior to the site being officially identified as flood affected in accordance with the 1985 Nepean River Flood Study. The study was completed by the Department of Land and Water Conservation. The land is affected by the 1% AEP flood event with a current flood level at RL 67.6m AHD.

THE PROPOSAL

The applicant proposes to construct additions incorporating:

- an attached solarium
- enclosure of an existing under main roof carport to living area
- enclosure of a second storey verandah to enlarge the main bedroom
- 4 bay carport attached to an existing garage, to replace the under roof carport that is to be enclosed
- external low decks.

Plans of the proposed development are provided at the end of the report.

The solarium is at the same floor level as the existing ground floor and will be 176mm above the 1% AEP flood level. The enclosed carport floor level will be 275mm below the 1% AEP flood level. The proposed development does not require the removal of any trees.

NOTIFICATION

In accordance with Council's Development Control Plan No 116 'Notification, Advertisements and Mediation', the need to notify the application was considered. It was determined that notification was not required for the proposal because the works involved the enclosure of the area below the existing structure and the provision of a carport which should have no impact on adjoining residents.

PLANNING CONTROLS

The following documentation has been considered with respect to Council's assessment of the subject application:

- Camden 2025
- Camden Local Environmental Plan No 48
- Draft Flood Risk Management Policy
- Upper Nepean River Floodplain Management Study and Plan

ASSESSMENT

The subject application has been assessed in accordance with section 79C of the Environmental Planning & Assessment Act 1979. The following points are provided in relation to the critical aspects of Council's assessment:

a. The provision of any planning instrument, development control plan or matter prescribed by the regulations

Camden 2025

Camden 2025 seeks to manage urban growth to ensure that 'growth occurs in a planned and orderly way' and conserves the traditional qualities of the Camden area. The proposed development achieves the intent of the strategic plan for Camden by effectively utilising the site while maintaining the established aspect of the locality.

Camden Local Environmental Plan No 48

The land is zoned Residential 1(c) under Camden Local Environmental Plan 46 (LEP 48). The proposed development is permissible in the zone and meets the objectives of the LEP.

Sydney Regional Environmental Plan No 20

The provisions of Sydney Regional Environmental Plan No 20 (SREP 20) apply to the property as it falls within the Hawkesbury-Nepean River Catchment.

The SREP provides an overall direction for the protection of the environment of the river. Sediment and erosion control measures shall be implemented during construction to minimise erosion and soil loss from the site.

Draft Flood Risk Management Policy

The Draft Flood Risk Management Policy (part 4.5) suggests that Council may permit a once only addition to an existing dwelling of 30m² of habitable floor space subject to the additions not including additional bedrooms. The proposal involves the conversion of an area currently used for car parking, a verandah and the addition of new floor area, but does not create any additional bedrooms.

Of the 109m² of living area, 87.4m² is existing floor area under the roof of the dwelling. The proposed solarium is a 21m² addition to the undercover area.

The proposed construction is of flood resistant materials, with the solarium 176mm above the 1% AEP flood level and the proposed enclosed carport being 275mm below the 1% AEP flood level. It should be noted that Council's policy requires the finished floor level of living areas to be at least 600mm above the 1% AEP flood level.

The finished floor level of the carport enclosure should be raised to 275mm to the 1% AEP flood level of RL 67.6 AHD to minimise flood affectation to the habitable floor space. The available existing ceiling height allows for this increase in flood level.

Outbuildings are permissible within the flood fringe zone subject to appropriate engineer's design. The applicant has engaged a Structural Engineer to certify that the buildings have been designed to withstand the impact of floodwater, debris and buoyancy. The engineer's design also allows for inundation and draw down in the event of flooding and the cleaning of the building's wall cavities.

It should be noted that the dwelling is two storey in nature. Consequently the owner has the ability to remove most contents to the upper floor if inundation occurs.

Upper Nepean River Floodplain Management Study and Plan

The site is located within the Sickles Creek back water flooding zone of the Nepean River. The site is affected by the 1% AEP flood event, located at RL 67.6m AHD. It is categorised in accordance with the Upper Nepean River Floodplain Management Study and Plan as low hazard – flood fringe and is adjacent to a flood storage zone. The velocity of the flood water in the vicinity is considered minimal.

The 1% AEP flood line traverses the entire site. The Probable Maximum Flood (PMF) flood line extends over the entire site. Flood risk in accordance with the NSW Government's Floodplain Management manual is determined as a function of the effect of flood on the property and the effect of the property on flooding and is considered for all events up to and including the PMF. Such a consideration has been given and has taken into account:

- the existing building
- the proximity of the site to land on which safe refuge could be taken during a PMF

- event
- the proposal does not propose any new bedrooms and therefore the assumed occupancy can remain the same.

The result of the flood risk consideration is that such risk has been managed.

b. Likely impacts of the development, including impacts on both natural and built environment including social and economic impacts

The proposed development is consistent with the zoning and amenity of the locality. Conditions should be imposed on any consent granted requiring the applicant to minimise site disturbance and the potential for impact on the local environment during construction.

CONCLUSION

The Upper Nepean River Floodplain Management Study and Plan requires development to be compatible with the flooding characteristics of the locality and not increase the flood hazard or risk to adjoining properties.

The proposed garage has been designed to comply with the specific design requirements of the Study. The proposed development has been certified to be structurally adequate in the event of flood and will not be detrimental to the flooding effects experienced in the locality.

The proposed living areas do not have the necessary 600mm freeboard above the 1% flood level, however they are required to be raised to the 1% level and will be constructed of appropriate flood resistant materials with access to a second storey for storage of household items in the event of a major flood.

The increase in flood risk associated with the proposed development is considered to have been managed and the development application is appropriate for approval, subject to conditions of consent.

RECOMMENDED

That Development Application 1425/2003 for additions including Enclosure of Under Roof Carport to Living Area, Addition of a Rumpus Room, be approved, subject to attached draft conditions.

ATTACHMENTS



Plans of Proposal



Location Plan



Draft Conditions of
Consent

RESOLUTION

That Development Application 1425/2003 for additions including Enclosure of Under Roof Carport to Living Area, Addition of a Rumpus Room, be approved, subject to

attached draft conditions.

Moved Councillor Campbell, Seconded Councillor Whiteman that:
the recommendation as above be adopted.

THE MOTION ON BEING PUT WAS **CARRIED**.

DC130/04

DEVELOPMENT COMMITTEE

DC04

PROPOSED TENNIS COURT, NO 16 (LOT 19 DP834079) CAERNARVON CLOSE,
KIRKHAM

FROM:	Director Development and Environment
FILE NO:	DA1250.150
DA NO:	1542/2003
OWNER:	Mr C Pollard and Ms A Pollard
APPLICANT:	
ZONING:	1(c) Rural Residential
APPLICABLE PLANNING INSTRUMENT:	LEP48

PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application for the site. In accordance with Council's delegations the matter is referred to Council for determination as the site is affected by flooding from the Nepean River.

SUMMARY OF RECOMMENDATION

That the application be approved subject to compliance with appropriate conditions of consent.

BACKGROUND

THE SITE

The site is located on the eastern side of Caernarvon Close, Kirkham and has direct frontage to the road. The site has an area of 9.6ha in area and is adjoined by allotments with similar dimensions [**a copy of the locality plan is provided at the end of the report**]. The rear property boundary is on Narellan Creek near the Nepean River junction. The property is occupied by a single storey dwelling and inground swimming pool and is surrounded with similar rural residential development.

The land is affected by the 1% AEP flood event with a flood level at RL 71.4m AHD. The proposed tennis court is located in the flood fringe zone adjacent to a flood storage area.

THE PROPOSAL

The applicant proposes to construct a full size tennis court with fencing and lighting. The tennis court is located behind an existing swimming pool and 2.0m from the side boundary. The proposed development does not require the removal of any trees. The submitted plans **are provided at the end of the report**.

NOTIFICATION

In accordance with Council's Development Control Plan No 116 'Notification, Advertisements and Mediation' the application was notified to adjoining properties. No submissions were received by Council.

PLANNING CONTROLS

The following documentation has been considered with respect to Council's assessment of the subject application:

- Camden 2025
- Camden Local Environmental Plan No 48
- Sydney Regional Environmental Plan 20 - Hawkesbury-Nepean River
- Development Control Plan No 73 - Caernarvon Close, Kirkham
- Upper Nepean River Floodplain Management Study and Plan

ASSESSMENT

The subject application has been assessed in accordance with section 79C of the Environmental Planning & Assessment Act 1979. The following points are provided in relation to the critical aspects of Council's assessment:

a. The provision of any planning instrument, development control plan or matter prescribed by the regulations

Camden 2025

Camden 2025 seeks to manage urban growth to ensure that 'growth occurs in a planned and orderly way' and conserves the traditional qualities of the Camden area. The proposed development achieves the intent of the strategic plan for Camden by effectively utilising the site while maintaining the established aspect of the locality.

Camden Local Environmental Plan No 48

The land is zoned Residential 1(c) under Camden Local Environmental Plan 46 (LEP 48). The proposed development is permissible in the zone as it is ancillary to the residence and meets the objectives of the LEP.

Sydney Regional Environmental Plan No 20

The provisions of Sydney Regional Environmental Plan No 20 (SREP 20) apply to the property as it falls within the Hawkesbury-Nepean River Catchment. The SREP provides an overall direction for the protection of the environment of the river. Sediment and erosion control measures will be implemented during construction to minimise erosion and soil loss from the site.

Development Control Plan 73 - Caernarvon Close, Kirkham

The proposal maintains the character of the locality and complies with the development standards of the Development Control Plan.

Upper Nepean River Floodplain Management Study and Plan

The site is located within the Narellan Creek back water flooding zone. The site is

affected by the 1% AEP flood event, located at RL 71.4m AHD, and is categorised in accordance with the Upper Nepean River Floodplain Management Study and Plan as low hazard – flood fringe. The velocity of the flood water in the vicinity is 0.7m per second, and in relative terms, this is quite slow. The 1% AEP flood line traverses the land north to south to the rear of the existing swimming pool. The dwelling and access to the dwelling is not affected by the 1% AEP flood event.

The tennis court is expected to be inundated to approximately 1.4m during the 1% AEP flood event. Site constraints make it impractical to locate the tennis court anywhere else on the site.

The applicant has engaged a Structural Engineer to certify that the tennis court netting and associated lighting structures will withstand the impact of flooding. The Engineer has commented in his report that buoyancy and debris impact are not major concerns given that flow rates in the area are inconsequential.

Should Council approve the development application, the fence on the two long sides of the tennis courts (those sides presenting a plane to any flood front) will be required to be a maximum height of 1.2 m. Further, the long side fencing would be required to be of a type which is hinged at the top and free at the bottom, allowing debris associated with flood events to flow under the fencing and across the court. This will avoid the likely situation where flood debris collects at the fence and alters the free flow of flood water.

b. Likely impacts of the development, including impacts on both natural and built environment including social and economic impacts

The proposed development is consistent with the zoning and amenity of the locality. Conditions shall be imposed on the consent to reduce site disturbance and minimise the potential for impact on the local environment and amenity.

c. Any submissions

No submissions were received from owners or occupants of surrounding properties.

CONCLUSION

The Upper Nepean River Floodplain Management Study and Plan requires development to be compatible with the flooding characteristics of the locality and not increase the flood hazard or risk to adjoining properties. The proposed tennis court, with the proposed conditions of consent, has been designed to comply with the specific design requirements of the study. The proposed development has been certified to be structurally adequate in the event of flood and will not be detrimental to the flooding effects experienced in the locality.

The application has been considered on its merits and is recommended for approval subject to the draft conditions of consent.

RECOMMENDED

That Development Application 1425/2003 for a tennis court at No 19 (Lot 19 DP834079) Caernarvon Close, Kirkham be approved subject to the attached conditions of consent.

ATTACHMENTS



Submitted Plans



Location Plan



Draft Conditions of
Consent

RESOLUTION

That Development Application 1425/2003 for a tennis court at No 19 (Lot 19 DP834079) Caernarvon Close, Kirkham be approved subject to the attached conditions of consent.

Moved Councillor Kernohan, Seconded Councillor Dewbery that:
the recommendation as above be adopted.

THE MOTION ON BEING PUT WAS **CARRIED**.

DC131/04

DEVELOPMENT COMMITTEE

DC05

SUBJECT: POSSIBLE EFFECTS ON THE NEPEAN RIVER DUE TO
PROPOSED UNDERGROUND MINING
FROM: Director Development and Environment
FILE NO: 4024/1

PURPOSE OF REPORT

This report provides Councillors with an update in relation to a proposal by BHP Billiton to undertake longwall mining in the vicinity of Douglas Park including an area under the Nepean River. The report addresses potential impacts of such an activity and suggests a course of action to be taken by Council.

BACKGROUND

Councillor Kernohan asked in the Questions without Notice section of the 23 August Meeting if Council had investigated the possible effect to the Nepean River and the water flowing through Camden due to the proposed underground mining between Douglass Park and Menangle. A memo providing some background to longwall mining and its potential impacts was distributed to Councillors on 24 August, 2004.

MAIN REPORT

Investigations in relation to the status of investigations into the mining have been carried out and the matter was addressed at the most recent meeting of the Association of Mining Related Councils Inc. held on 13 August, 2004 and the 15 September, 2004 meeting of the Combined Southern Councils Mining Liaison Committee. Minutes of the first meeting are **provided at the end of the report**, however at the time of writing this report the minutes of the latter meeting had not been distributed.

Council has been made aware of a proposal by BHP Billiton to investigate the possibility of expansion of the existing Appin underground mining area. The company has produced a newsletter, a copy of which **will be distributed to Councillors under separate cover**. As can be seen from the publication, the proposal is at the preliminary stages of consultation with landholders directly impacted by the proposed mining. The area of the proposed mine is within the Wollondilly local government area, however it includes the area below a section of the Nepean River. It is the potential impact on the river that needs to be considered as it can impact on water quality and quantity of the river.

Longwall mining has the potential to cause adverse environmental impacts primarily as a result of subsidence. The most common impacts are fracturing of river beds, loss of water to the shallow su-strata, loss of riparian vegetation, loss of habitat, gas release from rock fractures (methane and carbon based gases) impacting on the chemical and physical water quality. Research conducted on the impacts of longwall mining on the Georges River suggest that up to 80% of subsidence occurs within 2 months of longwall mining. Evidence exists from areas in the vicinity of the proposed mine that it is possible that cracking of the river bed will occur and that this could lead to considerable water loss. Impacts on the Cataract River show extensive water loss due

to mining operations which have fractured the bed. With the drought conditions in place and the need to maintain environmental flow along the length of the river, any work that would prejudice the river should be avoided. The area of application has a high potential impact on the river system and it is possible to avoid this impact by not mining below the river and recommencing operations to the north-west of the river. This would be the preferred option and one that should be investigated and pursued through government. A plan showing the investigation areas **is provided at the end of the report.**

CONCLUSION

The health of the Nepean River is a critical issue and one that is important not only to the residents of Camden but those of the whole Sydney Basin. For this reason it is appropriate that Camden Council pursue all avenues available to ensure that mining operations do not prejudice the river. It is appropriate therefore to write to BHP Billiton, the Premier, the Minister for the Environment, the Minister for Natural Resources and the local member for Camden seeking their assurances that no mining will be approved which has the potential to impact on the Nepean River.

RECOMMENDED

That Council write to the Premier, the Minister for the Environment, the Minister for Natural Resources and the local Member for Camden seeking their assurances that no mining will be approved which has the potential to impact on the Nepean River.

ATTACHMENTS



Investigation Area
Plan



Liaison Committee
Minutes

RESOLUTION

That Council write to BHP Billiton, the Premier, the Minister for the Environment, the Minister for Natural Resources and the local Member for Camden seeking their assurances that no mining will be approved which has the potential to impact on the Nepean River.

Moved Councillor Kernohan, Seconded Councillor Campbell that:
the recommendation as above be adopted.

THE MOTION ON BEING PUT WAS **CARRIED.**

DC132/04

DEVELOPMENT COMMITTEE

DC06

SUBJECT: PROPOSED MODIFICATION OF TONNAGES AT JACKS
GULLY
FROM: Director Development and Environment
FILE NO: PF6525.930

PURPOSE OF REPORT

This report advises Council of a proposal by Waste Service NSW to increase tonnage of landfill at Jacks Gully. The Corporation has prepared a review of environmental factors under Part V of the EP&A Act, 1979 and has extensively exhibited this proposal. This report considers the issue and recommends that Council support the proposal. It should be noted that the current approval for the site does not prohibit the proposal. Waste Service are seeking Council's and the community's support to the proposal despite the fact that there are no tonnage limits or restrictions on the origin of waste applied under the approvals for the site. It was however always proposed that the site was to be a regional waste facility. The extent of the region was not defined, nor are any final conditions of consent. The decision whether to proceed or not lies with Waste Service NSW and not Council.

BACKGROUND

Jacks Gully Waste Management Facility commenced operation on 1 April, 1975 and was operated by the then Metropolitan Waste Disposal Authority. The development of the facility had been a co-operative arrangement between the Authority and Camden Council as Council initially identified the site in the early 1970's to replace its Springs Road tip. The facility was developed as a regional waste disposal facility and has been used to accept domestic waste from Camden, Campbelltown, Wollondilly and Wingecarribee local government areas as well as commercial contractors. The facility currently accepts approximately 140,000 tonnes per annum of putrescible waste. A review of Council's files shows standard conditions of approval relating to the requirements of the Metropolitan Waste Disposal Authority however no formal approval. The conditions are primarily operational. **A copy of these are provided at the end of the report.**

Waste Service NSW are now faced with a situation whereby landfill sites throughout Sydney are approaching the end of their life and Waste Services are running out of sites for landfill and have submitted a proposal to bring waste from some of their transfer stations to Jacks Gully. This waste will have been generated from outside the Macarthur region. In addition, to advance the release of Mount Annan South an agreement has been made between Landcom and Waste Service that will result in the site being closed as a putrescible landfill in 2007. Waste Service propose that the site could still continue to be used for waste activities such as an alternate waste technology facility, non putrescible waste (category 2) landfill, resource recovery activities and the like and these will be the subject of separate approvals.

MAIN REPORT

Waste Service NSW has prepared a Review of Environmental Factors (REF) to assess the potential environmental impacts of the receipt of additional tonnage at Jacks Gully.

The proposed tonnage increase is 70,000 tonnes per annum and would include municipal waste received from outside the region including the Liverpool LGA, as well as waste from transfer stations at Auburn, Ryde and Artarmon. This waste would currently be sent to either Eastern Creek or Lucas Heights waste management centres. Waste Service has offered Council a host levy of \$2 per tonne for the waste received from councils outside the Macarthur Region. This will return Council a minimum of \$140,000 per annum and could be more depending on how much waste is received from the Liverpool LGA. This money would be untied and could be used by Council for any purpose it sees fit.

To support the proposal, Waste Service NSW has prepared a Review of Environmental Factors, a report on odour modelling and a traffic and access assessment. Waste Service advertised these reports extensively and displayed them on their website. In addition, Camden Council notified the proposal in the press and also advised the Jacks Gully Community Monitoring Group, the Mount Annan Progress Society, CRAG, the Narellan Chamber of Commerce & Industry and WRARG in correspondence sent on 24 August, 2004. Submissions were to be received by Council by 17 September, 2004.

A special meeting of the Jacks Gully Community Monitoring Committee (CMC) was held on 7 September, 2004 to consider the proposal. **A copy of the minutes of this meeting are provided at the end of the report.**

The proposal provides Council with an opportunity to ensure the operation of the facility is in accordance with necessary standards particularly in relation to odour management, leachate controls, site monitoring and site rehabilitation. To date, as no formal consent applies to the land, it has not been possible to enforce any consent conditions and the regulation of the site has been the responsibility of the DEC.

Council has received one submission in response to the exhibition. **A copy of the submission is provided at the end of the report.** The issues raised in the submission are the need to comply with SEPP 48, impacts of surface and groundwater, impact assessment and mitigation measures, leachate management, odour and the fact that Springs Road has not been considered.

Statutory Controls

The submission highlights the proposal by Waste Service to limit the amount of landfill to 70,000 tonnes so as not to be caught by the provisions of SEPP 48 – Major Putrescible Landfill Sites. In the event that the policy applied, consent of the Minister for Planning would be required for the increase. Because Waste Service control and operate other waste facilities in the metropolitan area, it is possible that they can control the quantity of landfill being brought to the site.

The increase proposed is substantial however does not require any development application to be lodged because of the fact that no limits have been imposed on the capacity of the landfill.

Surface Water

It is agreed that the control of surface waters is important and in the event that Council endorse the proposal, it is appropriate that details of how the water will be monitored are provided. The Operating Licence for the site issued by the EPA (now DEC) requires the site to be contoured to prevent the run-on and ponding of surface waters onto areas where waste has been landfilled and that they be diverted away from any

area where waste is being or has been landfilled. As stated in the submission it is important that none of this water reaches the Nepean River.

Impact on Vegetation

Another important issue is the impact of the works on vegetation communities. Whilst the approval for the original landfill is silent in relation to the need for protection of vegetation there is a requirement for the site to be landscaped as it is completed. This application provides an ideal opportunity to gain commitment from Waste Service to reinstate the site with local vegetation communities and obtain seed stock prior to tree removal to ensure endemic species are used.

Groundwater quality and Leachate Management

It is agreed that the method of leachate management should be available to the public. It is also very important that a regular monitoring program be implemented to measure the effectiveness of the program.

Odour

This has been a major issue for our community for a considerable period of time because of the encroachment of the site by housing. The odour issue has led to Waste Service entering into an agreement with Landcom to close the landfill to putrescible waste by mid 2007. With improved gas capture and conversion to energy, the number of odour complaints have reduced however unless the gas wells continue to be installed, the odour issue will remain despite the eventual closure of the landfill. It is important that any proposal that has the potential to worsen the situation be properly assessed. The issue of the increased tipface is not considered to be a problem provided proper cover is placed over the face at the end of the day. It is important however that any support to the increase landfill is conditional that the support be withdrawn in the event of significant increases in the number of complaints regarding odour.

Traffic

The report does not address the issue of Springs Road lowering despite this having been brought to Waste Service's attention in discussions.

The additional waste material would be transported in a maximum of 40 transport trailer movements per day (20 in and 20 out). It is estimated that the average daily movement will only be 14 vehicles per day. In this regard, should Council support the proposal, it would be necessary to ensure that vehicles did not use residential streets to access the property and that the approved route to the site was Narellan Road/ Camden Bypass/Macarthur Road/Springs Road/Richardson Road to the entry until such time as Springs Road is closed for lowering. During the work on Springs Road, vehicles should use Narellan Road/Camden Valley Way/Richardson Road until such time as the Spring Farm Access road is available. It is also important to ensure that the trucks will not impact on the flow of traffic along Narellan Road or Camden Valley Way, which are already over capacity at peak times. Therefore, any agreement to the additional tonnage should be on the condition that trucks delivering waste from the transfer stations do not use Narellan Road or Camden Valley Way before 9am or after 4pm weekdays.

Self-monitoring

As stated above, the proposal does give Council the opportunity to request Waste Service to enter into an agreement to provide Council with much more information relating to the operation of the site and the rehabilitation of filled areas. In the event that Council support the proposal, these issues should be pursued.

CONCLUSION

Jacks Gully Waste Management facility has the capacity to continue receiving putrescible waste for approximately 15 years at current levels. There is an agreement to close the facility for this purpose in mid 2007 so that Landcom can release land for housing in close proximity to the site's boundaries, provided odour concerns are satisfied. The increase in the amount of landfill to be carried out prior to the cessation of the putrescible landfill operations has been assessed and it is considered that there is no reason why it should not proceed. The opportunity to address odour concerns, rehabilitation of the site, leachate management, groundwater and leachate monitoring should be pursued in the event that Council support the proposal.

RECOMMENDED

That Council support the proposal by Waste Service NSW to bring a maximum of an additional 70,000 tonnes of waste from its transfer stations per year to the Jacks Gully facility. The maximum quantity of waste to be disposed at the site to be 210,000 tonnes per annum subject to the following:-

- i. Trucks bringing transfer station waste to the facility be required to use Narellan Road/ Camden Bypass/Macarthur Road/Richardson Road to access the site until Springs Road is closed for lowering. At that time, trucks are to use the Spring Farm arterial if it is constructed to Richardson Road and if it is not then trucks are to use Narellan Road/ Camden Valley Way/Richardson Road. All deliveries are to be in transfer trailers only as the access roads are not suitable for use by B-Double vehicles. Trucks bringing transfer station waste to and from the site are not to use Narellan Road or Camden Valley Way before 9am or after 4pm on weekdays.**
- ii. Waste Service NSW provide Council with full details of leachate and groundwater management for the site.**
- iii. Waste Service implement a monthly monitoring program for groundwater and leachate testing and provide Council with the results of this testing.**
- iv. Support to the proposal be withdrawn in the event of a significant increase in the number of complaints being received in relation to odour.**
- v. Waste Service NSW implement a rehabilitation plan for the site involving the sourcing of seed from native plantings prior to removal and the replanting of those endemic species. Such plan to be submitted within 3 months of the commencement of the additional landfill.**
- vi. Council require that Waste Service NSW pay Camden Council a host levy of \$2 per tonne of all waste brought to Jacks Gully from its transfer stations and from the Liverpool LGA, such payment to be made on a quarterly basis. Monthly receipt data is to be provided to Camden Council of all municipal waste brought to the site.**

vii. The additional tonnage shall be brought to the site in accordance with the information contained in the Review of Environmental Factors prepared for Waste Service NSW dated August 2004.

viii. No change in the hours of operation of the facility.

ATTACHMENTS



Submission



Meeting Minutes of
Monitoring Committee



Conditions of
Approval

RESOLUTION

That Council support the proposal by Waste Service NSW to bring a maximum of an additional 70,000 tonnes of waste from its transfer stations per year to the Jacks Gully facility. The maximum quantity of waste to be disposed at the site to be 210,000 tonnes per annum subject to the following:-

- i. Trucks bringing transfer station waste to the facility be required to use Narellan Road/ Camden Bypass/Macarthur Road/Richardson Road to access the site until Springs Road is closed for lowering. At that time, trucks are to use the Spring Farm arterial if it is constructed to Richardson Road and if it is not then trucks are to use Narellan Road/ Camden Valley Way/Richardson Road. All deliveries are to be in transfer trailers only as the access roads are not suitable for use by B-Double vehicles. Trucks bringing transfer station waste to and from the site are not to use Narellan Road or Camden Valley Way before 9am or after 4pm on weekdays.
- ii. Waste Service NSW provide Council with full details of leachate and groundwater management for the site.
- iii. Waste Service implement a monthly monitoring program for groundwater and leachate testing and provide Council with the results of this testing.
- iv. Support to the proposal be withdrawn in the event of a significant increase in the number of complaints being received in relation to odour.
- v. Waste Service NSW implement a rehabilitation plan for the site involving the sourcing of seed from native plantings prior to removal and the replanting of those endemic species. Such plan to be submitted within 3 months of the commencement of the additional landfill.
- vi. Council require that Waste Service NSW pay Camden Council a host levy of \$2 per tonne of all waste brought to Jacks Gully from its transfer stations and from the Liverpool LGA, such payment to be made on a quarterly basis. Monthly receipt data is to be provided to Camden Council of all municipal waste brought to the site.
- vii. The additional tonnage shall be brought to the site in accordance with the information contained in the Review of Environmental Factors prepared for Waste

Service NSW dated August 2004.

viii. No change in the hours of operation of the facility.

Moved Councillor Campbell, Seconded Councillor Dewbery that:
the recommendation as above be adopted with the following changes:

ix. Council officers, Community representatives and Waste Services NSW determine the current size of the Tip Face at Jacks Gully and any increase above 10% be notified in advance to Council and referred to the Specialist Monitoring Committee for determination.

THE MOTION ON BEING PUT WAS **CARRIED**.

(Councillor Whiteman and Councillor Cagney voted against the Motion).

DC133/04

DEVELOPMENT COMMITTEE

DC07

SUBJECT: EXHIBITION OF CAMDEN AIRPORT PRELIMINARY DRAFT MASTER PLAN AND PRELIMINARY DRAFT 2005 AIRPORT ENVIRONMENT STRATEGY
FROM: Director Governance and Outcomes
FILE NO: 569/4

Purpose of this report

This report details the matters raised in the Camden Airport Preliminary Draft Master Plan and the Preliminary Draft 2005 Airport Environmental Strategy, which are currently on public exhibition. The report then outlines matters of concern, which will form the basis of Council's submission.

Introduction

In December 2003, BaCH Consortium (the consortium is made up of a number of companies including Commonwealth Bank, James Fielding and Westscheme) purchased the long-term lease over Camden Airport together with Bankstown and Hoxton Park Airports from the Commonwealth Government. The Airports Act 1996 requires that a Draft Master Plan and Draft Airport Environmental Strategy be submitted to the Federal Transport Minister within 12 months of the sale.

Exhibition

The Preliminary Draft Master Plan and the Preliminary Draft 2005 Airport Environmental Strategies, for Camden Airport, have been placed on exhibition of a 90-day period from 21 July to 18 October 2004.

Advertisements have appeared in both the Sydney and local press and written notification has been provided to residents nearby to the airport and a number of community groups. Councillors were provided with a CD of both the documents and displays and documentation was made available at Council's Customer Service Centre and both the Camden and Narellan libraries. The documents could also be downloaded from the web.

Public consultation was undertaken with relevant stakeholders including Councillors and Council officers. An "open day" was held at the Camden Airport on Saturday 21 August 2004.

Process

At the conclusion of the exhibition period the Preliminary Draft Master Plan and Preliminary Draft Environmental Strategy will be amended, if deemed appropriate, having regard to issues raised. The Draft Master Plan and Draft Environmental Strategy, together with a summary of all submissions received, will then be forwarded to the Minister for approval. This must occur by 15 December 2004.

The final stage in the process occurs when the Minister formally approves the Master Plan

and Environmental Strategy. There is no statutory time limit for this stage of the process to be completed.

Purpose of the Airport Master Plan

The Airport Master Plan is,

“a framework document which broadly outlines an Airport Lessee Company’s vision and objectives for the Airport and provides a development framework for the next 20 years...”

Master Plans are to be reviewed every 5 years although there is provision for minor variations.

Purpose of the Airport Environmental Strategy

The Airport Environmental Strategy sets out the Airport Lessee’s management strategy for a 5-year period. The Airports Act 1996 and Airports (Environmental Protection) Regulations 1997 specifies what is to be addressed in the strategy.

Generally the Strategy deals with:

- Description of the airport- its location, operation, management structure, regulatory regime, indigenous and environmental issues.
- Overview of environmental management
- Environmental management issues- airport operations, objectives and targets and protection.

Outline of Preliminary Draft Master Plan:

Below is a brief summary of what is contained in the Master Plan. The preliminary Draft Airport Environmental Strategy provides an expanded account.

General description of Camden Airport

Camden Airport comprises 196ha of land bounded by the Nepean River and farmland. Its only access is via Macquarie Grove Road. A large section of the airport is affected by the 1 in 100 year flood. There are currently 45 tenants leasing 47.6ha of airport land.

The Preliminary Draft Master Plan states that the role of Camden Airport is as a:

“...General Aviation airport, hosting relatively small aircraft operations in the commercial, private, sports and recreational aviation areas. It has a reputation as Australia’s leading sports/recreational aviation airport.”

Current aviation activities

There are currently four runways with two for powered fixed wing aircraft and two for gliders. There are 17 hangers, which provide for a number of aviation related activities.

The Air Traffic Control Tower currently operates during daylight hours on Saturdays, Sundays and public holidays.

There are currently 150 to 200 aircraft movements per day with peak activity in excess of 1000 (a movement being either a landing or take off). 79% of aircraft use/movements is single-engine piston aircraft.

Business drivers

The Preliminary Draft Master Plan indicates that gross revenue from Camden Airport in the year 2002/3 was \$428,000. This is derived from 19% aeronautical, 77% property and 4% other. The Plan states that,

“Funding for maintenance and upgrading is dependent upon the revenue generated from both aviation and non-aviation activities.”

Development Concepts

Part B of the Preliminary Draft Master Plan outlines development concepts for both aviation and non-aviation. These are dealt with separately below:

Aviation Development Concept

The objective of Camden Airport Limited (CAL), which is the company that manages the airport, is to retain and enhance Camden Airport as the

“leading recreational general aviation facility in NSW”

and to provide,

“sufficient capacity to meet forecast demand.”

In addition to the above CAL also has the objectives of maintaining safe and secure operations and meeting all the required statutory and regulatory obligations.

Traffic Forecasts

A number of factors have been taken into account in determining the traffic forecasts including; growth of existing airport traffic; the closure of Hoxton Park Airport by 2008; traffic transferring from other Sydney airports and local user forecasts.

Airport movements are expected to increase from 68,660 per annum in 2002/3 to 136,143 in 2024/5 which represents an annual compound growth of 3.3%. It should be noted that in 1992/3 there were 134,000 movements. It is estimated that the annual capacity of Camden Airport is 210,000 movements. Almost half the forecast growth (44%) is expected to occur over the next 4 years largely due to the closure of Hoxton Park.

The above increase in movements will necessitate the following changes to aviation infrastructure:

- Modifications to taxiway
- Relocation and additional engine-run-up bays
- Relocation of existing helipad
- Additional 23 aircraft grass tie down parking spaces
- Additional 21 aircraft sealed apron parking spaces
- Allowance for additional 14 hangers

Non-Aviation Development Concept

It is stated in the Draft Preliminary Master Plan that the development concept is based on the fact that:

“...96 hectares of land that has been identified as surplus to aviation requirements.”

It further states that:

“the ability for Camden Airport to engage non aviation related property development will enable it to invest in the provision of infrastructure services”.

The non-aviation related property is based on the following 3 areas;

- 9.3ha that is located in the eastern section of the airport above the 1 in 100 year floodplain.
- 3.9 ha south of Runway 06/24, above the 1 in 100 year floodplain, which is currently contains a mix of aviation and non-aviation uses.
- 82.5ha that fronts the Nepean River and is not used by the airport and is within the 1 in 100 year floodplain.

The Master Plan focuses on the 9.3ha parcel as having the most potential for non-aviation development. Reference is made to the 82.5ha as having limited development potential due to cost of infrastructure. It should be noted that this land is within the floodplain and Council has strict controls as to what development is permitted, although, in this instance, Council consent is not required.

The Master Plan cites that the Airport operates under the Airports Act, 1996 not the NSW Environmental Planning and Assessment Act, 1979. Camden Airport Limited has prepared a land use zoning plan (A coloured copy of this plan together with a land use table has been distributed to Councillors prior to the meeting). Such plan is accompanied by a zoning table as shown below:

Zone	General Description	Objective	Uses permissible with consent
Aeronautical (100ha)	Includes runway / taxiway / Helipad complex, aircraft parking and aviation tenant areas.	To identify land for current and future aeronautical uses as well as other compatible uses within the airport environment.	Advertisement; aircraft and airport maintenance and storage facilities including hangars, associated workshops and stores; aircraft engine testing areas; aircraft surveillance equipment; airport freight facilities; airport terminal and support facilities; bushland regeneration works; business premises; commercial premises; car park; child care centre; communications facility; compatible land use; flood mitigation works; fuel storage and distribution; industry; land filling; meteorological

			<p>facilities; public utility undertaking; road, road transport terminal; runways; taxi-ways; helipads and aprons; service stations; shop (servicing the daily convenience needs of the local workforce and population or servicing those associated with the airport terminal); security control and screening points; transport depot; transport infrastructure; transport terminal; utility installations; visual and non-visual navigation aids; and warehouse.</p>
<p>Camden Airport Business Support (9.6ha)</p>	<p>Primarily the non aviation areas to the north of the airport and to the west of the 06/24 Runway</p>	<p>To provide contained employment areas adjacent to the Airport facility that provide a broad range of employment opportunities. Residential-related development and tourist development is also encouraged as an integrated part of the employment area that takes advantage of the general character of the area.</p>	<p>Advertisement; aged care facility; bulky goods retailing; bushland regeneration works; business premises; car park; child care facility; club; commercial premises; communications facility; community facility; compatible land use; educational establishment; flood mitigation works; generating works; hotel; industry; land filling; motel; motor showroom; place of assembly; place of public worship; plant nursery; public utility undertaking; recreation facility; refreshment room; road; road transport terminal; service station; shops (servicing the daily convenience needs of the local workforce and population); tourist facilities; transport depot; transport terminal; utility installation; and</p>

Camden Airport (environmentally sensitive) Business Support (82.5ha)	The entire area south between the Aeronautical Zone and the Nepean River	To provide areas for employment, residential-related or tourist development as well as compatible development. Any development is to be planned in an integrated manner and have regard to the provision of services and the environmental and natural assets within the area.	warehouse. Advertisement; aged care facility; agriculture; bulky goods retailing; bushland regeneration works; business premises; car park; child care facility; club; commercial premises; communications facility; community facility; compatible land use; educational establishment; flood mitigation works; generating works; hotel; industry; land filling; motel; motor showroom; place of assembly; place of public worship; plant nursery; public utility undertaking; recreation facility; refreshment room; road; road transport terminal; service station; shops (servicing the daily convenience needs of the local workforce and population); tourist facilities; transport depot; transport terminal; utility installation; and warehouse.
Mixed use Aeronautical / Camden Airport Business support (39ha)	North and east of the Aeronautical Zone	To identify land that is suitable for either aeronautical, aeronautical-related or employment and business development, or a combination of such development. This will be developed within a coordinated and cohesively planned environment.	<ul style="list-style-type: none"> ● those uses listed within the Aeronautical zone; and ● those uses listed within the Camden Airport Business support zone

Landuse

It is apparent that the business drivers associated with the aeronautical operations of Camden Airport are not envisaged to grow substantially. The expected aviation growth over the next twenty years will only match the capacity achieved in 1992/3.

Council's Strategic Plan makes reference to the economic opportunities from the Airport when it states:

"Opportunities exist, in particular, for the development and promotion of tourism business and

aviation activities at the Camden Aerodrome”

Of major concern to Council however are the non-aeronautical opportunities suggested for the land identified as being “surplus to aviation requirements”.

The following comments are provided with regard to the proposed zones:

- A large portion of the airport land is within the 1 in 100 year flood area and any development must comply with the NSW Floodplain manual.
- It is considered that the proposed Camden Airport Business Support Zone will be the central focus of the Airport’s business strategy.

The following land uses, which are proposed in the Master Plan, are not considered appropriate given the limited access to the site, for any of the proposed zones:

Bulky goods retailing
Motor showroom
Road transport terminal
Service stations
Transport Depot

The following land uses need further clarification.

Compatible land use

Shops (servicing the daily convenience needs of the local workforce and population)

It is felt that the primary purpose of this zone should be to encourage aeronautical related activities. Ancillary tourist type land use such as a conference centre and accommodation should also be encouraged together with some limited light industry.

It is vital at this stage for Council to insist that the Master Plan ensure that the land uses are appropriate for the area, based not only on the site characteristics and constraints but also on the wider implications such as access and a balanced retail hierarchy.

Also of concern to Council is the (environmentally sensitive) Business Support Zone. An area generally consistent with this proposed zone within the master plan, is subject to a registered property agreement under the Native Vegetation Conservation Act 1997. **A map showing the land affected by the agreement is provided at the end of this report.** As can be seen it covers virtually the entire area covered by the (environmentally sensitive) Business Support zone. This conservation area was secured through the Nepean Vegetation Management Incentives Program managed by Camden Council. The agreement between CAL and The Department of Infrastructure Planning and Natural Resources establishes a conservation zone for biodiversity conservation purposes and prohibits activities, which are inconsistent with this objective. While the Camden Airport (environmentally sensitive) Business Support Zone objective partly states that:

“Any development is to be planned in an integrated manner and have regard to the provision of services and the environmental and natural assets within the area”.

The objective makes no reference to the conservation agreement. Accordingly Council does not support either the objective of the zone or the proposed land uses. An alternative objective should reflect the intent of the conservation agreement, which would also result in restricting the land uses to those more appropriate to the conservation of the land.

The Business Support land use component, in each of the proposed non-aeronautical zones provide too wide a range of uses, which may impact on Council's existing business centres.

Economic impact

The Master Plan indicates that approximately 40 to 50 people are currently employed at the airport. This number is expected to grow to between 75 to 85 by 2024/5.

The current direct economic contribution of Camden Airport to the local economy is estimated at \$6 to \$7.5 million which is expected to grow to \$11 to \$13 million in 2024/5. It should be noted that this only refers to aviation related activities. These projections could increase depending on the extent and nature of non aviation development that may occur on the site.

Part C of the Master Plan addresses the issues that arise from the development concept that the Master Plan proposes for the airport. These issues include infrastructure; environmental management; aircraft noise and airspace protection.

Infrastructure

All utility services are currently available to the airport with the exception of gas. It is indicated that there is capacity to upgrade all of the services with the exception of water, which will require a substantial upgrade of the external network.

The existing, and only, entrance to the airport is narrow and subject to flooding and an upgrade is planned. There are heritage issues with regard to the alignment of the existing road, which will need to be addressed. A new internal road is also planned.

Environmental Management

The key environmental issues to be managed during the implementation of the Master Plan include:

- air quality;
- surface water quality;
- groundwater quality;
- contaminated soil;
- ground-based noise;
- aircraft noise;
- flora and fauna;
- heritage; and
- built form and urban design.

It is noted that Council has been involved with Camden Airport with regard to the management of the endangered ecological community under the NSW Threatened Species Act and the Master Plan provides for this to continue.

Two items of environmental Heritage are listed under Council's LEP No 48, which covers the Camden Airport, these being Hassall Cottage and Macquarie Grove Cottage. Macquarie Grove Cottage is also listed on the State Heritage Register. The Master Plan refers to a heritage management strategy that is currently being prepared for the Airport. Council will welcome the opportunity to comment on the heritage strategy when it is completed. Reference is made to Built Form and Urban Design being required to be considered as part of the development assessment process.

Council understands that the Camden Historical Society is holding ongoing discussions with

CAL with regard to heritage issues pertaining to the Airport. Council welcomes this dialogue and supports its continuance.

Notwithstanding the above the following issues should be flagged to ensure that they are at least dealt with:

- i. The current entry to the Airport is of historical significance as it follows the original alignment and this needs to be addressed should any upgrade be proposed,
- ii. The heritage structures include: the two 1930's hangars; five Bellman Hangars; three bunker structures; the washrooms and barracks from WW11 and "rifle butts" located near the river,
- iii. The proximity to the Airport of the two Council listed heritage items, and
- iv. Boundary adjustment issue of Macquarie Grove Cottage i.e. outbuildings currently alienated.

How is development at Camden Airport controlled?

The Camden Airport is controlled by the following Federal legislation:

- Airports Act 1996
- Airports (Environmental Protection) Regulations 1997
- Air Navigation (Aircraft Engine Emissions) Regulations

Noise from aircraft in the air is controlled by Air Services Australia under the Air Navigation (Aircraft Noise) Regulations.

Development at Camden airport must be in accordance with the Camden Airport Master Plan and must comply with the Airport Environmental Strategy.

The process to consider a development proposal is shown on the Development Planning and Approvals Flowchart provided at the end of this report.

The Preliminary Draft Airport Environmental Strategy states that Camden Airport Corporation will continue to liaise with Camden Council on relevant development proposals. The development process does not come under the NSW Environmental Planning and Assessment Act. It should be noted that there is no provision for Council to have a concurrence role. This is why Council needs to restrict the range of uses that go into the plan. Clarification of appropriate uses also avoids any potential conflict in the future.

Noise

Aircraft Noise

Aircraft noise is shown by Australian Noise Exposure Forecast (ANEF) contours. The Preliminary Draft Master Plan has reviewed the current ANEFs and has proposed new contours that reflect the expected increase in air traffic; more accurate modeling and the inclusion of the glider activities and helicopter movements for the first time. **A plan showing the variations to the ANEF zones has been prepared and is provided at the end of this report.**

The more significant changes are over Ellis Lane. The table below indicates the number of properties that will be affected due to changes to the ANEF counters.

Proposed ANEF contours	No of new properties affected	No of properties no longer affected
20 to 25	36 (Ellis Lane) & 4 (Camden)	16 (Ellis Lane)
25 to 30	4 (Camden)	6 (Ellis Lane) 2 (Kirkham)

While it is acknowledged that the proposed alterations to the ANEF zones more correctly indicate the current noise affectation Council will insist that each property affected by the change, be notified in writing by the CAL indicating the affect that such change will have on the property.

It is also appropriate to include this information on Council's Section 149 certificates and advise affected owners of the change.

Airspace Protection

There are a number of restrictions to development on land within the vicinity of the airport. The Airports Act 1996 provides for Prescribed Airspace, which established an Obstacle Limitation Surface (OLS). Within this area there are restrictions on height, external lighting and stack and vent efflux. Council is aware of the height limitation restrictions however the issues of external lighting and stack and vent efflux limitations, need further clarification with regard to requirements.

Air Youth Activities

As part of the consultation process an issue was previously raised by Council concerning the leasing arrangements of the Air League, which operates out of buildings at the Airport. The CAjml has advised that the Air League has a long-term lease, which is based on commercial rates.

The Air Training Cadets also occupy buildings at the Airport under a long-term lease based on commercial rates.

The importance of continuity of these youth training opportunities should be reinforced.

Conclusion

The Preliminary Draft Master Plan and Preliminary Draft 2005 Airport Environmental Strategy provide a comprehensive overview for the future growth and development of Camden Airport for the next 20 years. The role of the Airport, outlined in the documents, aligns for the most part with Council's stated strategy for economic development based on tourism business and economic opportunities.

Council acknowledges the importance of Camden Airport and should support its continuation as a general/recreation aviation airport, subject to strict compliance with environmental requirements.

It is apparent that the only real economic growth of Camden Airport over the next 20 years would appear to be with the "Non aeronautical" opportunities for land surplus to airport requirements. The location of this land is such that very specific safeguards need to be inserted into both the Master Plan and Environmental Strategy to ensure land use is appropriate to the site. This information will also provide potential developers with a clear vision as to what type of development would be suitable for the site.

RECOMMENDED

That Council forward the following comments, which have been outlined in this report, as its submission to the exhibition of the Preliminary Draft Airport Master Plan and Preliminary Draft Airport Environmental Strategy.

Introduction

Council acknowledges the importance of Camden Airport and fully supports its continuation as a general/recreation aviation airport, subject to strict compliance with environmental requirements.

Proposed landuse zones

The following comments are provided with regard to the proposed zones:

- A large portion of the airport land is within the 1 in 100 year flood area and any development must comply with the NSW Floodplain manual.
- The following land uses, which are proposed in the Master Plan, are not considered appropriate given the limited access to the site, for any of the proposed zones:

**Bulky goods retailing
Motor showroom
Road transport terminal
Service stations
Transport depot**

- The following land uses need further clarification.

**Compatible land use
Shops (servicing the daily
convenience needs of the local
workforce and population)**

- It is felt that the primary purpose of this zone should be to encourage aeronautical related activities. Ancillary tourist type land use such as a conference centre and accommodation should also be encouraged together with some limited light industry.
- The land uses must be appropriate for the area, based not only on the site characteristics and constraints but also on the wider implications such as access and a balanced retail hierarchy.
- With regard to the (environmentally sensitive) Business Support Zone, an area generally consistent with this proposed zone within the master plan, is subject to a registered property agreement under the Native Vegetation Conservation Act 1997. This conservation area was secured through the Nepean Vegetation Management Incentives Program managed by Camden Council. The agreement between CAL

and The Department of Infrastructure Planning and Natural Resources establishes a conservation zone for biodiversity conservation purposes and prohibits activities, which are inconsistent with this objective.

The objective makes no reference to the conservation agreement. Accordingly Council does not support either the objective of the zone or the proposed land uses. An alternative objective should reflect the intent of the conservation agreement, which would also result in restricting the land uses to those more appropriate to the conservation of the land.

- The Business Support land use component, in each of the proposed non-aeronautical zones provide too wide a range of uses, which may impact on Council's existing business centres.

Heritage

Two items of environmental Heritage are listed under Council's LEP No 48, which covers the Camden Airport, these being Hassall Cottage and Macquarie Grove Cottage. Macquarie Grove Cottage is also listed on the State Heritage Register. The Master Plan refers to a heritage management strategy that is currently being prepared for the Airport. Council will welcome the opportunity to comment on the heritage strategy when it is completed. Reference is made to Built Form and Urban Design being required to be considered as part of the development assessment process.

Council understands that the Camden Historical Society is holding ongoing discussions with CAL with regard to heritage issues pertaining to the Airport. Council welcomes this dialogue and supports its continuance.

Notwithstanding the above the following issues need to be dealt with:

- The current entry to the Airport is of historical significance as it follows the original alignment and this needs to be addressed should any upgrade be proposed,
- The heritage structures include: the two 1930's hangars; five Bellman Hangars; three bunker structures; the washrooms and barracks from WW11 and "rifle butts" located near the river,
- The proximity to the Airport of the two Council listed heritage items, and
- Boundary adjustment issue of Macquarie Grove Cottage i.e. outbuildings currently alienated.

Noise

Aircraft Noise

While it is acknowledged that the proposed alterations to the ANEF zones more correctly indicate the current noise affectation Council will insist that each property affected by the change, be notified in writing by the CAL indicating the affect that such change will have on the property.

Airspace Protection

Council is aware of the height limitation restrictions however the issues of external lighting and stack and vent efflux need further clarification with regard to requirements.

Air Youth Activities

The importance of continuity of the youth training opportunities, currently undertaken at the Camden Airport, is reinforced by Council.

ATTACHMENTS



ANEF Zones



Dev Approvals
Flowchart



Land affected by
Agreement

RESOLUTION

That Council forward the following comments, which have been outlined in this report, as its submission to the exhibition of the Preliminary Draft Airport Master Plan and Preliminary Draft Airport Environmental Strategy.

Introduction

Council acknowledges the importance of Camden Airport and fully supports its continuation as a general/recreation aviation airport, subject to strict compliance with environmental requirements.

Proposed landuse zones

The following comments are provided with regard to the proposed zones:

- A large portion of the airport land is within the 1 in 100 year flood area and any development must comply with the NSW Floodplain manual.
- The following land uses, which are proposed in the Master Plan, are not considered appropriate given the limited access to the site, for any of the proposed zones:

Bulky goods retailing

Motor showroom
Road transport terminal
Service stations
Transport depot
Warehouse
Childcare facility (except for families of airport employees)
Aged Care facility
Educational establishment
(NB The last 3 items on the basis of noise).

- The following land uses need further clarification.

Compatible land use
Shops (servicing the daily convenience needs of the local workforce and population)
Public Utility undertaking
Community facility
Flood mitigation

- It is felt that the primary purpose of this zone should be to encourage aeronautical related activities. Ancillary tourist type land use such as a conference centre and accommodation should also be encouraged together with some limited light industry.
- The land uses must be appropriate for the area, based not only on the site characteristics and constraints but also on the wider implications such as access and a balanced retail hierarchy.
- With regard to the (environmentally sensitive) Business Support Zone, an area generally consistent with this proposed zone within the master plan, is subject to a registered property agreement under the Native Vegetation Conservation Act 1997. This conservation area was secured through the Nepean Vegetation Management Incentives Program managed by Camden Council. The agreement between CAL and The Department of Infrastructure Planning and Natural Resources establishes a conservation zone for biodiversity conservation purposes and prohibits activities, which are inconsistent with this objective.

The objective makes no reference to the conservation agreement. Accordingly Council does not support either the objective of the zone or the proposed land uses. An alternative objective should reflect the intent of the conservation agreement, which would also result in restricting the land uses to those more appropriate to the conservation of the land.

Council considers the following as some examples of most inappropriate land use proposed for this zone, viz Club and Motel, Industry and Business/Commercial premises, place of assembly/Public of public workshop, Land filling (except for aviation purposes).

- The Business Support land use component, in each of the proposed non-aeronautical zones provide too wide a range of uses, which may impact on Council's existing business centres.

Heritage

Two items of environmental Heritage are listed under Council's LEP No 48, which covers the Camden Airport, these being Hassall Cottage and Macquarie Grove

Cottage. Macquarie Grove Cottage is also listed on the State Heritage Register. The Master Plan refers to a heritage management strategy that is currently being prepared for the Airport. Council will welcome the opportunity to comment on the heritage strategy when it is completed. Reference is made to Built Form and Urban Design being required to be considered as part of the development assessment process.

Council understands that the Camden Historical Society is holding ongoing discussions with CAL with regard to heritage issues pertaining to the Airport. Council welcomes this dialogue and supports its continuance.

Notwithstanding the above the following issues need to be dealt with:

- The current entry to the Airport is of historical significance as it follows the original alignment and this needs to be addressed should any upgrade be proposed,
- The heritage structures include: the two 1930's hangars; five Bellman Hangars; three bunker structures; the washrooms and barracks from WW11 and "rifle butts" located near the river,
- The proximity to the Airport of the two Council listed heritage items, and Boundary adjustment issue of Macquarie Grove Cottage i.e. outbuildings currently alienated.

Noise

Aircraft Noise

While it is acknowledged that the proposed alterations to the ANEF zones more correctly indicate the current noise affectation Council will insist that each property affected by the change, be notified in writing by the CAL indicating the affect that such change will have on the property.

Airspace Protection

Council is aware of the height limitation restrictions however the issues of external lighting and stack and vent efflux need further clarification with regard to requirements.

Air Youth Activities

The importance of continuity of the youth training opportunities, currently undertaken at the Camden Airport, is reinforced by Council.

Moved Councillor Kernohan, Seconded Councillor Cagney that:
the recommendation as above be adopted.

THE MOTION ON BEING PUT WAS **CARRIED**.

(Councillor Elliott voted against the Motion).

DC134/04

**THE MINUTES OF THE DEVELOPMENT COMMITTEE MEETING HELD ON 27
SEPTEMBER 2004 WERE ADOPTED AT AN ORDINARY COUNCIL MEETING
HELD 22 NOVEMBER 2004. MIN. NO. 127/04**

**CR D FUNNELL
CHAIRPERSON**