

Planning Proposal



The Michael Clarke Cricket Academy, Berrima

AP 715

September 2013

The Michael Clarke Cricket Academy

Compton Park Road, Berrima

Planning Proposal for submission to Wingecarribee Shire Council

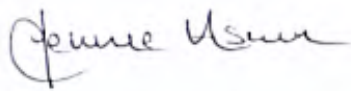
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Report Prepared by: Jennie Askin

Signature



Date: 17 September 2013

Report Reviewed by: Lewis Adey

Signature



Date: 30 June 2013

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1. INTRODUCTION

1.1 Project Details

This planning proposal relates to land known as Round Hill, Compton Park Road, Berrima, legally known as Lot 100 and Lot 101 in DP 1006276.

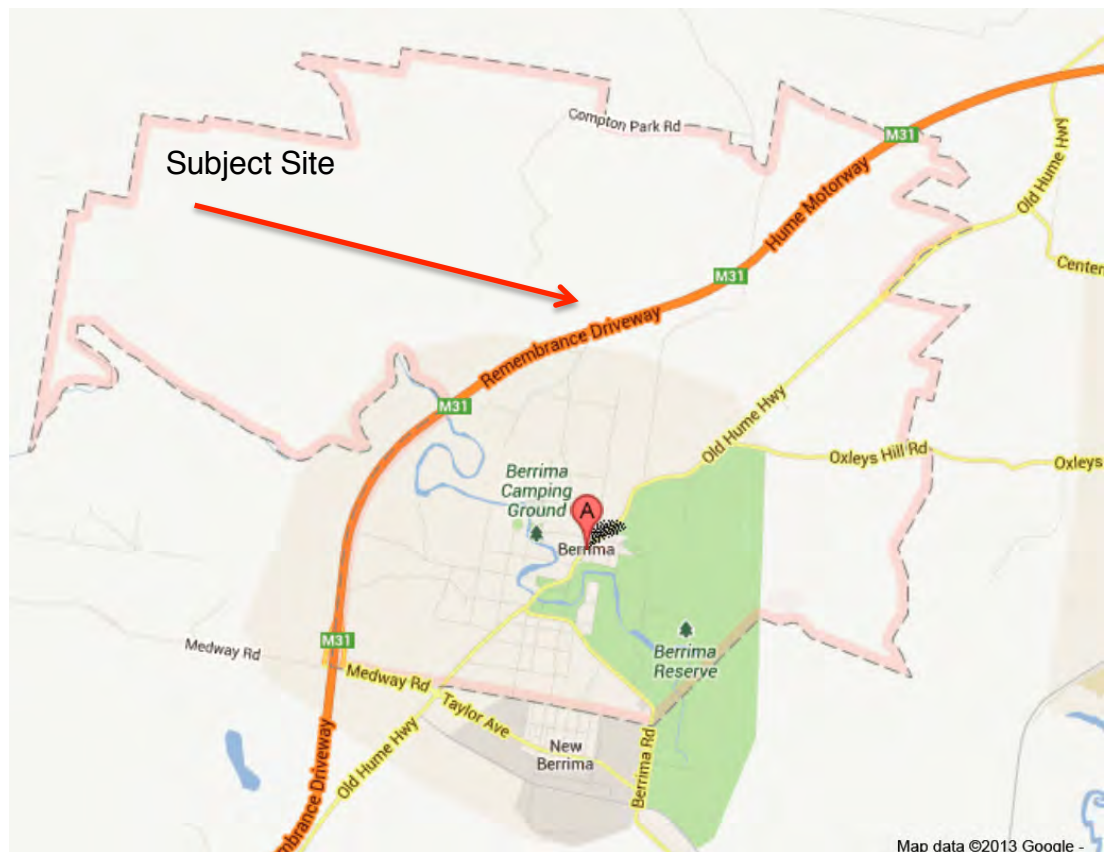
The planning proposal seeks to amend the Wingecarribee Local Environmental Plan 2010 to allow for the use of the Lot 100 for the following additional purposes:

- tourist and visitor accommodation
- recreation (indoor)

The preparation of this Planning Report has been undertaken in accordance with Section 55 of the Environmental Planning & Assessment Act, 1979 and the Department of Planning and Infrastructure's "A Guide to Preparing Planning Proposals" (July 2009).

1.2 The Site

The site is located on the northern side of the Hume Highway to the north of Berrima Village Centre.



The site comprises two lots (Lots 100 + 101, DP 1006276). Lot 100 Lot has an area of 43.9ha and Lot 101 Lot has an area of 50.9ha, providing a combined site area of 94.8ha. The planning proposal relates to Lot 100 of DP 1006276 only.

Existing on the site is the homestead accessed from the private driveway towards the north of the site (Lot 101) and the oval, accessed from the private driveway to the south of the site (Lot 100).



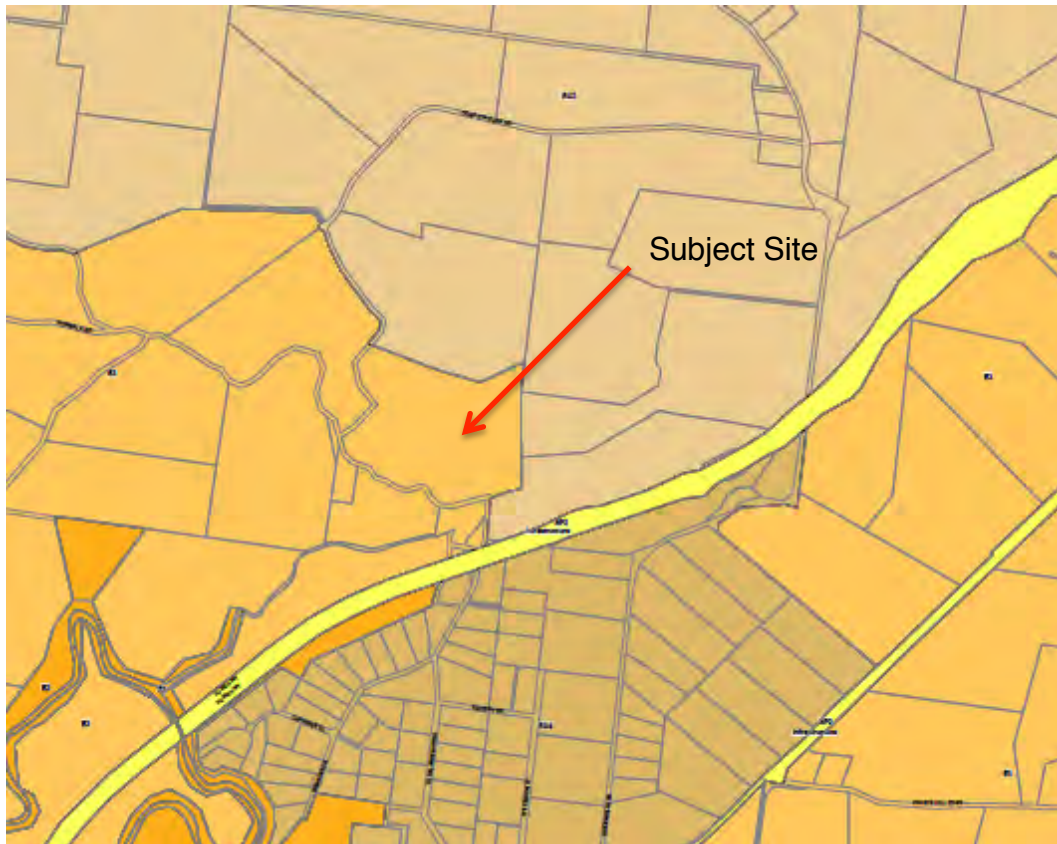


Cricket Oval from southern driveway



Private Driveway from Compton Park Road to Cricket Oval

Lot 100 (the subject site) is zoned E3 Environmental Management under the Wingecarribee Local Environmental Plan, 2010.



The LEP maps applicable to the subject site are attached as Appendix 1.

2. OBJECTIVES OR INTENDED OUTCOMES

The objective and intended outcome of the planning proposal is to permit the use of the subject land for the purpose of a sporting facility with short-term accommodation for 25 people and communal kitchen and dining facilities.

The facility would be primarily a cricket academy but would also have a general sport association to allow for all year round usage and will use indoor and outdoor recreation facilities.

This can be achieved by either rezoning the site to SP3 or by amending Schedule 1 of the WLEP 2010 to allow additional uses for the subject property. These options are discussed in detail below under Section 4.

The intended outcome of this Planning Proposal is that a development application for the use as a sporting facility can be processed in association with the following concept plan.



3. EXPLANATION OF PROVISIONS

The subject site is zoned E3 Environmental Management under the Wingecarribee Local Environmental Plan, 2010:

Zone E3 Environmental Management

1 Objectives of zone

- *To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.*
- *To provide for a limited range of development that does not have an adverse effect on those values.*
- *To encourage the retention of the remaining evidence of significant historic and social values expressed in existing landscape and land use patterns.*
- *To minimise the proliferation of buildings and other structures in these sensitive landscape areas.*
- *To provide for a restricted range of development and land use activities that provide for rural settlement, sustainable agriculture, other types of economic and employment development, recreation and community amenity in identified drinking water catchment areas.*
- *To protect significant agricultural resources (soil, water and vegetation) in recognition of their value to Wingecarribee's longer-term economic sustainability.*

2 Permitted without consent

Environmental protection works; Extensive agriculture; Home-based child-care; Home occupations

3 Permitted with consent

Airstrips; Aquaculture; Bed and breakfast accommodation; Community facilities; Dairies (pasture-based); Dual occupancies (attached); Dwelling houses; Environmental facilities; Farm buildings; Farm stay accommodation; Flood mitigation works; Health consulting rooms; Helipads; Home businesses; Horticulture; Information and education facilities; Places of public worship; Recreation areas; Recreation facilities (outdoor); Roads; Roadside stalls; Secondary dwellings; Signage; Viticulture; Water storage facilities

4 Prohibited

Industries; Multi dwelling housing; Residential flat buildings; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

To enable the subject land to be used for the purposes of a sporting facility with short-term accommodation for 25 people and communal kitchen and dining facilities, development consent is required for the following uses:

- tourist and visitor accommodation
- recreation (indoor)
- recreation (outdoor)
- health consulting rooms

The aspects of the proposal that are prohibited under the current zoning (E3) are:

- accommodation for 25 people (tourist and visitor accommodation)
- indoor sporting facilities (recreation indoor)

A review of the current zonings in the Wingecarribee LEP indicates that the Zone SP3 Tourist specifies each of these land uses as permissible. The proposed outcome can therefore be achieved by the following two options:

1. Option 1: Rezoning of subject land from E3 Environmental Management to SP3 Tourist
2. Option 2: Amendment of Schedule 1 to allow for additional uses to subject parcel of land

4. JUSTIFICATION

4.1 Section A – Need for planning proposal

Is the Planning Proposal a result of any strategic study or report?

The Planning Proposal is considered to be minor in nature and does not specifically form part of any strategic study or report.

The planning proposal is considered to be consistent with Council's Community Strategic Plan 2031+.

Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

A review of the current zonings in the Wingecarribee LEP indicates that the Zone SP3 Tourist specifies each of the required land uses as permissible. The proposed outcome can therefore be achieved by the following two options:

1. Option 1: Rezoning of subject land from E3 Environmental Management to SP3 Tourist
2. Option 2: Amendment of Schedule 1 to allow for additional uses to subject parcel of land

The table below indicates the permissible uses for the E3 zone and SP3 zone:

Use	E3	SP3
Airstrips	✓	✓
Aquaculture	✓	✓
Agriculture	✓	
B&B Accommodation	✓	✓
Community Facilities	✓	
Dairies (pasture based)	✓	✓
Dual Occupancies (attached)	✓	
Dwelling houses	✓	✓
Environmental facilities	✓	✓
Farm buildings	✓	
Farmstay accommodation	✓	✓
Flood mitigation works	✓	✓
Food & drink premises		✓

Use	E3	SP3
Health consulting rooms	✓	✓
Helipads	✓	✓
Home-based child care	✓	✓
Home business	✓	✓
Home occupations	✓	✓
Information and educational facilities	✓	✓
Place of public worship	✓	✓
Recreation areas	✓	✓
Recreation facilities (outdoor)	✓	✓
Recreation facilities (indoor)		✓
Recreation facilities (major)		✓
Retail premises		✓
Roads	✓	✓
Roadside stalls	✓	✓
Secondary dwellings	✓	✓
Signage	✓	✓
Tourist and visitor accommodation		✓
Viticulture	✓	✓
Warehouse or distribution centre		✓
Water storage facilities	✓	✓

Option 1

This option is for the rezoning of subject land from E3 Environmental Management to SP3 Tourist. In addition to the requested recreation (indoor) and tourist and visitor accommodation use, this would result in the introduction of the following permissible uses:

- Food and drink premises
- Recreation facilities (major)
- Retail premises
- Warehouse or distribution centre

The subject parcel of land and adjoining parcels are zoned E3 or RU2 (see Appendix 1). The objectives of the E3 zone are:

- *To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.*
- *To provide for a limited range of development that does not have an adverse effect on those values.*
- *To encourage the retention of the remaining evidence of significant historic and social values expressed in existing landscape and land use patterns.*

- *To minimise the proliferation of buildings and other structures in these sensitive landscape areas.*
- *To provide for a restricted range of development and land use activities that provide for rural settlement, sustainable agriculture, other types of economic and employment development, recreation and community amenity in identified drinking water catchment areas.*
- *To protect significant agricultural resources (soil, water and vegetation) in recognition of their value to Wingecarribee's longer-term economic sustainability.*

The objectives of the RU2 zone are:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To maintain the rural landscape character of the land.*
- *To provide for a range of compatible land uses, including extensive agriculture.*
- *To provide opportunities for employment-generating development that is compatible with, and adds value to, local agricultural production through food and beverage processing and that integrates with tourism.*

By allowing these additional uses for the subject parcel of land, the rural character of the locality has the potential to be affected and the nature of the site as a site of special ecological, scientific, cultural and aesthetic value has the potential to be compromised. Particular concern is raised to allowing food and drink premises, recreation facilities (major) and warehouse or distribution centres as permissible uses and the impact these may have on the locality as a whole.

In addition, the use of land for agricultural purposes and farm buildings would be prohibited.

It is also noted that the SP3 zone is currently specified for only two locations within the Municipality, being Welby and Moss Vale.

As part of the preparation of the Local Planning Strategy 2010-2031, a workshop was held in Berrima to gain an understanding of the future character and development opportunities for Berrima. The village atmosphere of Berrima was identified as a major strength of the area with the existing scale of development and high heritage value supporting this. Threats to the area were identified as the loss of this "village" and inappropriate tourist accommodation with the possibility of the becoming a "theme park" without the protection of the existing rural areas.

The rezoning of this site to SP3 has the potential to allow for future uses, which would be inconsistent with the existing and future character of Berrima as a “village” and therefore inconsistent with the community’s expectations.

It is also noted that the rezoning of the site from E3 (rural) to SP3 (tourist) is inconsistent with the Section 117 Ministerial Direction relating to Rural Zones, which states that a planning proposal must not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.

Option 2

This option is to amend Schedule 1 to allow for additional uses to the subject parcel of land.

This option would allow for the retention of the following permissible uses:

- Agriculture
- Community facilities
- Farm buildings

The intent of the planning proposal is to allow for the use of the site for the purposes of a sport academy with accommodation facilities and for this to be carried out in accordance with the objectives of the E3 zone. This would ensure that the amenity of adjoining lands is protected.

This would also allow for the existing permissible uses above to be carried out in the future, if so desired.

Any future development application for the sporting facility, including tourist and visitor accommodation, would be required to comply with the following objectives as set out in Clause B5.2 of the Rural Lands DCP:

- (a) Sited and designed to respect the rural environment within which the development is located.*
- (b) Appropriately located to ensure no detrimental impacts on neighbouring development.*
- (c) Constructed from materials, which respect the rural landscape.*
- (d) Complements the style of any existing development within the SP3 Tourist zone.*
- (e) Designed to provide adequate car parking, located to be accessible to tourists and visitors to the development without detracting from the rural*

landscape in which the development is located.

- (f) Appropriately located in terms of accessibility from regional access roads.*
- (g) Appropriately located in terms of the suitability of the surrounding road network to support the level and type of traffic expected to be generated by the proposed development*

Any future development application for the sporting facility, including a recreation facility (indoor), would be required to comply with the following objectives as set out in Clause B5.4 of the Rural Lands DCP:

- (a) Sited and designed to respect the rural environment within which the development is located.*
- (b) Appropriately located to ensure no detrimental impacts on neighbouring development.*
- (c) Constructed from materials, which respect the rural landscape.*
- (d) Complements the style of any existing development within the SP3 Tourist zone.*
- (e) Designed to provide adequate car parking, located to be accessible to users of the development without detracting from the rural landscape in which the development is located.*
- (f) Appropriately located in terms of accessibility from regional access roads.*
- (g) Appropriately located in terms of the suitability of the surrounding road network to support the level and type of traffic expected to be generated by the proposed development, in particular the ability of the road system to cater for tourist buses and horse transport vehicles.*

These objectives would ensure the aesthetic quality and amenity of the locality would be retained in accordance with the E3 zoning.

Conclusion

To ensure the future character and development opportunities for the site are in keeping with the aesthetic quality and amenity of the Berrima locality, providing additional uses to the subject parcel of land by amending Schedule 1 of the LEP is considered to be the appropriate method.

The planning proposal therefore seeks to add additional uses (tourist and visitor accommodation and recreation indoor) to the subject site by altering Schedule 1

Additional Permitted Uses in association with Clause 2.5 of the Wingecarribee Local Environmental Plan, 2010:

Use of land at Round Hill, Compton Park Road, Berrima

- (1) This clause applies to land at Compton Park Road, Berrima, being Lot 100, DP 1006276.*
- (2) Development for the purpose of tourist and visitor accommodation and indoor sporting facilities is permitted with consent.*

4.2 Section B – Relationship to strategic planning framework

Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The planning proposal is consistent with the objectives and actions of the Sydney Canberra Corridor Regional Strategy and does not have the potential to detract from the objectives of the Strategy.

Is the Planning Proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?

The planning proposal is consistent with the Wingecarribee Community Strategic Plan 2031+.

Is the Planning Proposal consistent with the applicable state environmental planning policies?

The planning proposal is consistent with the applicable SEPPs as follows:

State Environmental Planning Policy	Complies	Comments
SEPP 1 – Development Standards	n/a	
SEPP 4 – Development with Consent and Miscellaneous Exempt and Complying Development	n/a	
SEPP 6 – Number of Storeys in a Building	n/a	
SEPP 14 – Coastal Wetlands	n/a	
SEPP 19 – Bushland in Urban Areas	n/a	
SEPP 21 – Caravan Parks	n/a	
SEPP 22 – Shops and Commercial Premises	n/a	
SEPP 26 – Littoral Rainforests	n/a	
SEPP 29 – Western Sydney Recreation Area	n/a	
SEPP 30 – Intensive Agriculture	n/a	
SEPP 32 – Urban Consolidation	n/a	
SEPP 33 – Hazardous and Offensive Development	n/a	
SEPP 36 – Manufactured Home Estates	n/a	
SEPP 39 – Spit Island Bird Habitat	n/a	
SEPP 41 – Casino/Entertainment Complex	n/a	
SEPP 44 – Koala Habitat Protection	Yes	Whilst parts of the site have been identified as possibly providing koala habitat, the proposed development area consists of modified and disturbed land. If considered necessary, a plan of management will be submitted with the development application.
SEPP 47 – Moore Park Showground	n/a	
SEPP 50 – Canal Estates	n/a	

State Environmental Planning Policy	Complies	Comments
SEPP 15 – Rural Land Sharing Communities	n/a	
SEPP 52 – Farm Dams and Other Works in Land and Water Management Plan Areas	n/a	
SEPP 55 – Remediation of Land	Yes	There is no evidence to suggest that a contaminating use has occurred on the subject site.
SEPP 59 – Central Western Sydney Regional Open Space and Residential	n/a	
SEPP 60 – Exempt and Complying Development	n/a	
SPP 62 – Sustainable Aquaculture	n/a	
SEPP 64 – Advertising and Signage	n/a	Any signage associated with the use of the site will be subject to the development application process.
SEPP 65 – Design Quality of Residential Flat Development	n/a	
SEPP 70 – Affordable Housing (Revised Schemes)	n/a	
SEPP 71 – Coastal Protection	n/a	
SEPP (Penrith Lakes Scheme) 1989	n/a	
SEPP (Kurnell Peninsula) 1989	n/a	
SEPP (Housing for Seniors or People with a Disability) 2004	n/a	
SEPP (Building Sustainability Index BASIX) 2004	n/a	
SEPP (Development on Kurnell Peninsula) 2005	n/a	
SEPP (Major Development) 2005	n/a	
SEPP (Sydney Region Growth Centres) 2006	n/a	
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	n/a	
SEPP (Temporary Structures) 2007	n/a	
SEPP (Infrastructure) 2007	n/a	
SEPP (Kosciuszko National Park – Alpine Resorts) 2007	n/a	

State Environmental Planning Policy	Complies	Comments
SEPP (Rural Lands) 2008	Yes	The planning proposal is consistent with the aims of the Rural Lands SEPP (2008) and the Rural Planning and Rural Subdivision principles of the SEPP.
SEPP (Western Sydney Employment Area) 2009	n/a	
SEPP (Exempt and Complying Development Codes) 2008	n/a	
SEPP (Western Parklands) 2009	n/a	
SEPP (Affordable Rental Housing) 2009	n/a	
SEPP (Urban Renewal) 2010	n/a	
SEPP (Sydney Drinking Water Catchment) 2011	Yes	The planning proposal will adopt the Sydney Water Catchment Authority current recommended practices and is able to meet the Neutral or Beneficial Effects (NorBE) Test.
SEPP (State and Regional Development) 2011	n/a	

Is the Planning Proposal consistent with applicable Ministerial Directions (Section 117 Directions)?

Section 117 Direction	Complies	Comments
Employment and Resources		
1.1 Business and Industrial Zones	n/a	
1.2 Rural Zones	Yes	The proposal does not seek to rezone the existing land to a residential, business, industrial, village or tourist zone.
1.3 Mining, Petroleum Production and Extractive Industries	n/a	
1.4 Oyster Aquaculture	n/a	

Section 117 Direction	Complies	Comments
1.5 Rural Lands	Yes	The planning proposal is consistent with the aims of the Rural Lands SEPP (2008) and the Rural Planning and Rural Subdivision principles of the SEPP.
Environment and Heritage		
2.1 Environmental Protection Zones	n/a	
2.2 Coastal Protection	n/a	
2.3 Heritage Conservation	n/a	
2.4 Recreation Vehicles Areas	n/a	
Housing, Infrastructure and Urban Development		
3.1 Residential Zones	n/a	The planning proposal will not alter the planning controls relating to residential development.
3.2 Caravan Parks and Manufactured Home Estates	n/a	
3.3 Home Occupations	n/a	
3.4 Integrating Land Use and Transport	Yes	The existing road system can handle the projected increase as a result of the proposed use.
3.5 Development near Licensed Aerodromes	n/a	
3.6 Shooting Ranges	n/a	
Hazard and Risk		
4.1 Acid Sulfate Soils	n/a	
4.2 Mine Subsidence and Unstable Land	n/a	
4.3 Flood Prone Land	n/a	
4.4 Planning for Bushfire Protection	Yes	The development area is sufficiently large and cleared to be able to comply with any bushfire setback and construction requirement.
Regional Planning		
5.1 Implementation of Regional Strategies	Yes	The planning proposal is consistent with the objectives and actions of

Section 117 Direction	Complies	Comments
		the Sydney Canberra Corridor Regional Strategy and does not have the potential to detract from the objectives of the Strategy.
5.2 Sydney Drinking Water Catchments	Yes	The planning proposal will adopt the Sydney Water Catchment Authority current recommended practices and is able to meet the Neutral or Beneficial Effects (NorBE) Test.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	n/a	
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	n/a	
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 10.6.10)	n/a	
Sydney to Canberra Corridor (Revoked 10.7.08; see amended Direction 5.1)	n/a	
Central Coast (Revoked 10.7.08; see amended Direction 5.1)	n/a	
Second Sydney Airport: Badgerys Creek	n/a	
Local Plan Making		
Approval and Referral Requirements	Yes	
Reserving Land for Public Purposes	n/a	
Site specific provisions	Yes	
Metropolitan Planning		
Implementation of the Metropolitan Plan for Sydney 2036	n/a	

4.3 Section C – Environmental, social and economic impact

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

A Preliminary Assessment (Flora and Fauna) has been prepared by Woodlands Environmental Management for the subject site having regard to the Planning Proposal.

The full report is attached as Appendix 2.

The report concludes that the development as proposed will have minimal impacts on flora and fauna, as the subject area is located within modified and disturbed land.

The report has however identified that the development will require the removal of mature specimen of Grey Gum, which provides several small hollows suitable for Threatened Species of fauna. Since the preparation of this report, the proposed location of the proposed buildings have been altered and the planning proposal will only apply to Lot 100 of DP 1006276 and will not require the removal of these Grey Gums.

It is also noted that any subsequent development application will be required to be accompanied by an Assessment of Significance to address the loss of habitat. An initial evaluation within this report concludes that the impact is not likely to be significant as there is a presence of tree hollows within larger areas of habitat in good condition within the study area.

Are there any likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

There is no detrimental environmental impacts are anticipated as a result of the planning proposal.

Sean Harris of Harris Environmental undertook a site inspection on 5 April 2013 and following this provided verbal advice that there is ample cleared area on the development site and surrounds to handle wastewater treatment and stormwater

disposal infrastructure that is required for the proposed development. In addition, the land is to be able to deal with any bushfire setback and construction requirements.

The Flora and Fauna report advises that as the siting of development is on cleared land historically used for grazing, the impact on ten surrounding ecological communities on the site will be negligible.

How has the planning proposal adequately addressed any social and economic effects?

The planning proposal will not have result in any adverse social and economic impacts and will be of a benefit to the immediate locality and surrounding areas by seeking employment and service provision from the Berrima community, by assisting the tourist sector through a connection with the Bradman Museum and International Cricket Hall of Fame, by supporting local boutique scale accommodation business as a result of visiting parents or other associated with the Academy.

An important aspect of the Academy is that the facility compliments, rather than competes, with existing businesses in the immediate area and within the Wingecarribee Shire area.

The proposed use will increase the traffic flow to the site in the form of 2 mini-buses transporting to and from the site when the Academy is in use and a low volume of family visitation and staff. Preliminary advice from Craig Hazell of Traffic Solutions confirmed that the existing road system can handle the projected increase in traffic of the proposed type (see Appendix 3).

4.4 Section D – State and Commonwealth interests

Is there adequate public infrastructure for the planning proposal

The proposed use will increase the traffic flow to the site in the form of 2 mini-buses transporting to and from the site when the Academy is in use and a low volume of family visitation and staff. Preliminary advice from Craig Hazell of Traffic Solutions confirmed that the existing road system can handle the projected increase in traffic of the proposed type (see Appendix 3).

What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

No gateway determination has been made with respect to this planning proposal and therefore the views of the State and Commonwealth public authorities is unknown at this stage. Consultation will be undertaken as required in the Gateway Determination.

5. COMMUNITY CONSULTATION

Given the nature of the Planning Proposal, the scheme is considered to be a “low impact planning proposal” under Section 4.5 of the “Guide to Preparing Local Environmental Plans”.

The Planning Proposal will be advertised as required by the Gateway Determination.

6. CONCLUSION AND RECOMMENDATIONS

The Planning Proposal seeks to allow additional uses within the subject site to allow for the use to be used as a Sporting Academy by amending Schedule 1 of the Wingecarribee LEP 2010. This method has the advantage of not allowing otherwise unsuitable land uses, whilst achieving the intentions of the planning proposal and protecting the existing attributes and character of the locality.

The Planning Proposal is consistent with the strategic planning framework and state environmental planning instruments for the site and locality and is consistent with Section 117 Ministerial Directions.

On this basis, it is recommended that Wingecarribee Shire Council and the Department of Planning & Infrastructure amend Schedule 1 of the Wingecarribee LEP 2010 to allow the use of Lot 100 of DP 10006276 for a recreation facility (indoor) and tourist accommodation.

APPENDIX 1

WINGECARRIBEE LEP 2010 MAPS

Land Zoning Map - Sheet LZN_007B

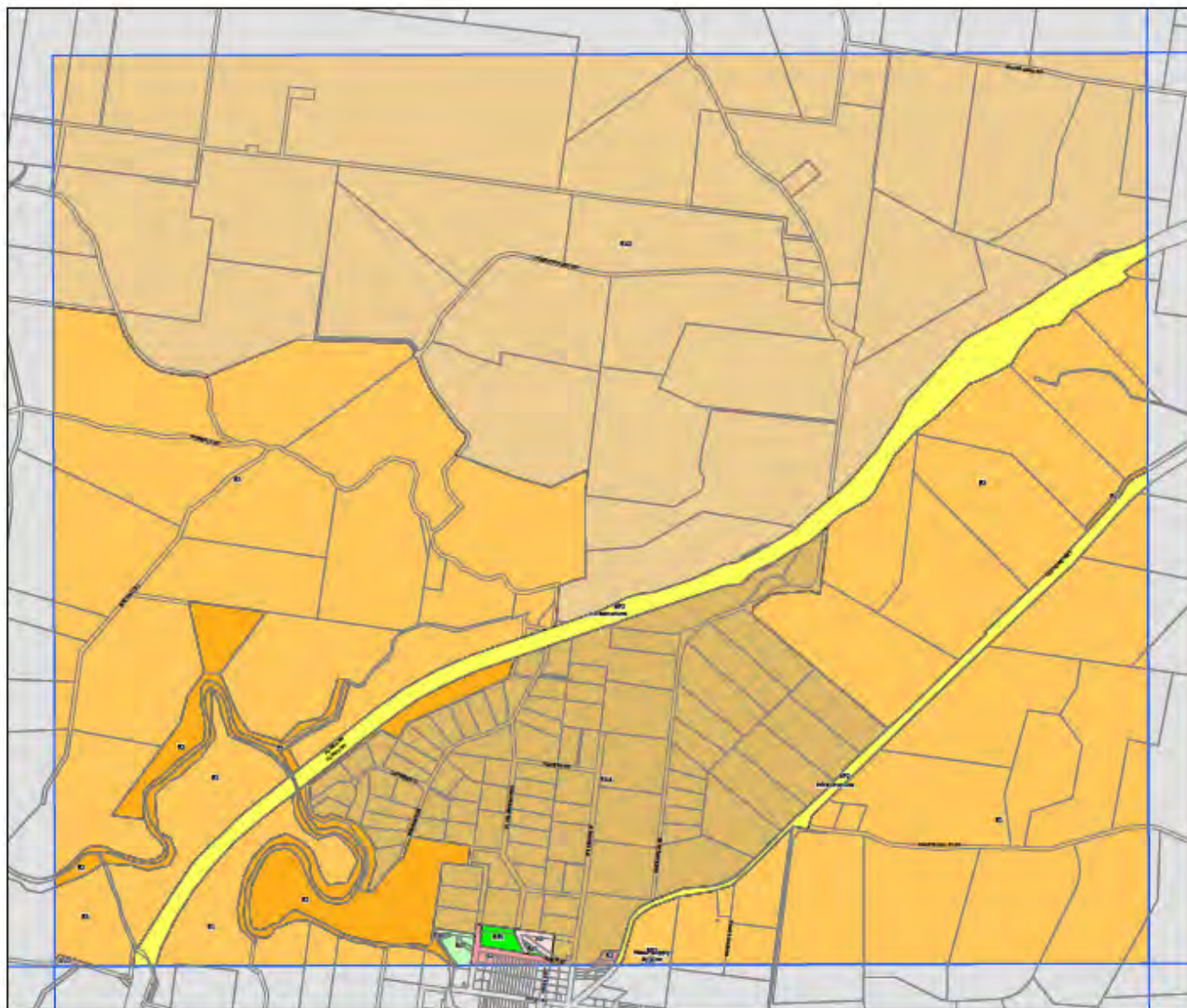
- Zone**
- B1 Neighbourhood Centre
 - B2 Local Centre
 - B3 Mixed Use
 - B4 Business Development
 - B5 Business Park
 - C1 National Parks and Nature Reserves
 - C2 Environmental Conservation
 - C3 Environmental Management
 - C4 Environmental Living
 - I1 General Industrial
 - I2 Light Industrial
 - I3 Heavy Industrial
 - R1 Low Density Residential
 - R2 Medium Density Residential
 - R3 Large Lot Residential
 - P1 Public Recreation
 - P2 Private Recreation
 - PR1 Primary Production
 - PR2 Rural Landscape
 - PR3 Forestry
 - PR4 Rural Small Holdings
 - S1 Special Activities
 - S2 Infrastructure
 - S3 Tourist
- Cadastral**
- Cadastral 04/05/10 © Land and Property Management Authority



Projection: WGS 1984 UTM Zone 56

Scale 1:25,000 @ A3

Map identification number: WINGECAR_LZN_007B_001_2010000





Wingecarribee Local Environmental Plan 2010

Lot Size Map - Sheet LSZ_007B

Minimum Lot size (sq m)

300
450
700
800
1000
2000
4000
8000
10000 (1 ha)
20000 (2 ha)
40000 (4 ha)
80000 (8 ha)
100000 (10 ha)
400000 (40 ha)

Cadastral

□ Cadastral 06/05/10 © Land and Property Management Authority

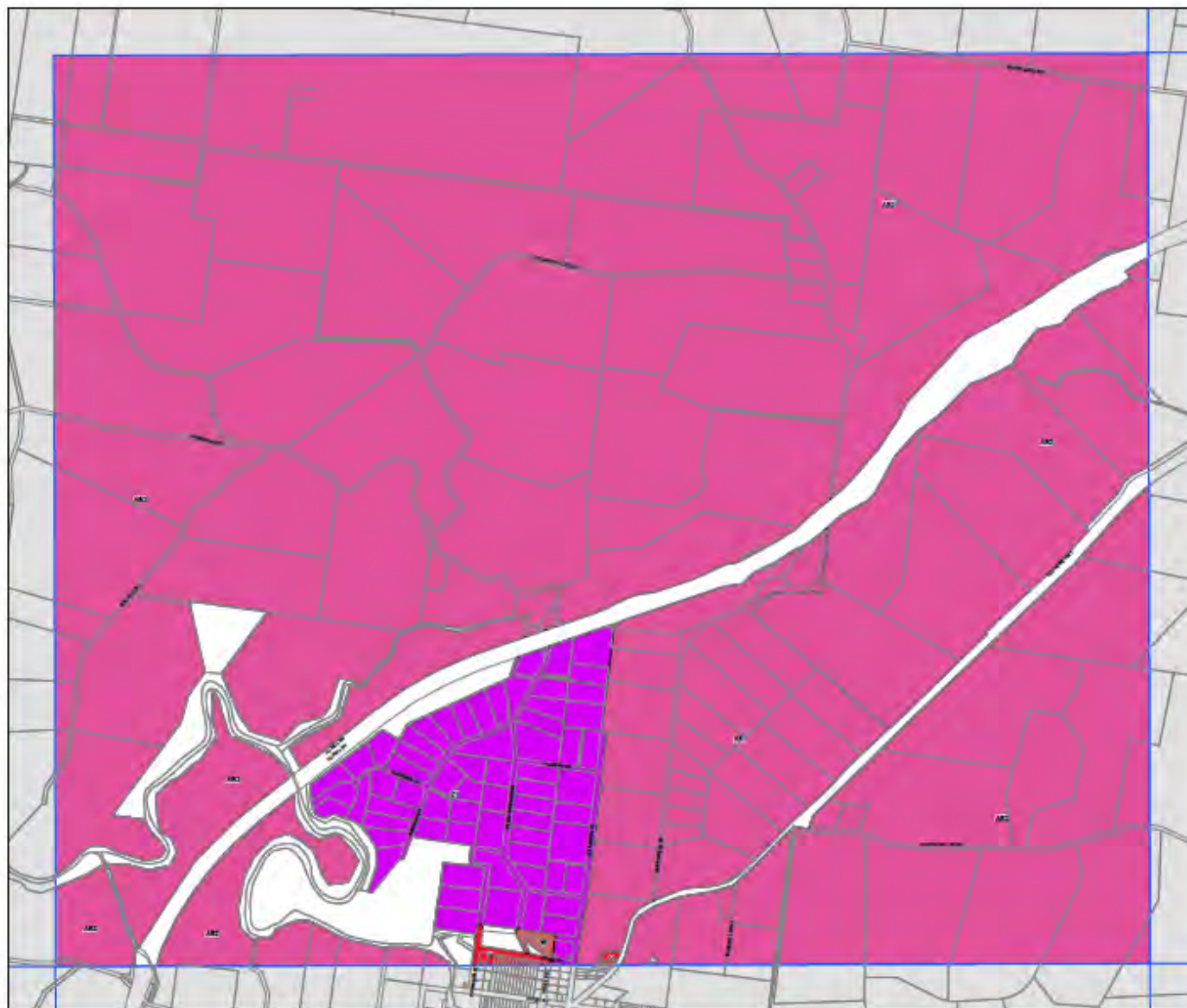


0 200 400 600 800
metres

Scale 1:25,000 @ A3

Map identification number:

WLEP_2010_LSZ_007B_2010000



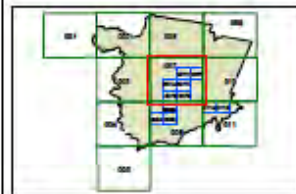


Wingecarribee Local Environmental Plan 2010

Heritage Map - Sheet HER_007

- Heritage**
- Conservation Area - General
 - Conservation Area - Landscape
 - Item - Archaeological
 - Item - General
 - Item - Landscape

- Cadastral**
- Cadastral 04/05/10 © Land and Property Management Authority



Projection: MGA
2011AD (GDA 94)

Scale 1:50,000 @ A3

Map identifier number:

WLEP_2010_HER_007_000000



APPENDIX 2

FLORA AND FAUNA ASSESSMENT

**Preliminary Environmental Assessment (Flora and Fauna) for
a Proposed Development at Lots 100 & 101 DP 1006276,
Berrima, NSW**

Prepared for:

Michael Clarke Cricket Academy
c/o Tom Isaksson
4/113 Reservoir Street,
Surry Hills NSW 2010

Prepared by:

G.J. Stone
Woodlands Environmental Management
ABN 93 036 995 658
133 Forest Road,
Wingello NSW 2579

Tel: (02) 488 44255
Mob: 0422279946
E-mail: woodlandsenvironmental@yahoo.com.au

April, 2013

Preliminary Environmental Assessment (Flora and Fauna) for a Proposed Development at Lots 100 & 101 DP 1006276, Berrima, NSW

Prepared by G.J. Stone, Woodlands Environmental Management, 133 Forest Road, Wingello, NSW 2579 for Michael Clarke Cricket Academy c/o Tom Isaksson, 4/113 Reservoir Street, Surry Hills NSW 2010

Introduction

Michael Clarke Cricket Academy proposes the construction of a cricket academy at Lots 100 & 101 DP 1006276, Berrima, NSW. An application has also been made for a rezoning of the land to accommodate the proposed development.

A Preliminary Environmental Assessment (Flora and Fauna) was therefore undertaken at the above location for the purposes of:

- 1) making a preliminary determination as to whether the proposed development is likely to significantly affect threatened species, populations or ecological communities, or their habitats, and
- 2) identifying any significant ecological values which will need to be considered in the rezoning process.

Summary

Proposed Development

The development as proposed is located within Modified and disturbed land it is likely that there will be minimal impacts flora and fauna. However the development will require the removal of a mature specimen of Grey Gum *E. punctata* providing several small hollows suitable for Threatened Species of fauna. The removal of this tree will therefore require the preparation of an Assessment of Significance to address the loss of this habitat. Given the presence of tree hollows within larger areas of habitat in good condition within the study area, it is likely that an Assessment of Significance will conclude that the impact on Threatened Species will not be significant.

Rezoning

Approximately 50% of the property supports vegetation and fauna habitats in very good condition, providing habitat suitable for over thirty Threatened Species of fauna recorded within the locality.

Much of the remnant vegetation type may represent Core Koala Habitat under *State Environmental Planning Policy No. 44 – Koala Habitat Protection*.

The remnant vegetation is within an extensive wildlife corridor providing connectivity for fauna to the Wingecarribee River.

None of the vegetation types within the study area are listed as Endangered Ecological Communities, however the remnants are considered to be significant due to historic clearing and more recent subdivision development within the local area.

There are no issues likely to emerge in relation to alterations to zoning at the site, however it is recommended that the future protection of the above significant environmental values be taken into consideration in the rezoning process.

1. Site location

1.1 Location

The proposed development will be undertaken at Compton Park Road, Berrima, approximately 2.5km north Berrima. The property is located within the Wollondilly

LGA and the Burragorang (A) Sub-region of the Hawkesbury Nepean Catchment Management Area.

1.2 The subject site

The subject site is the area to be directly affected by the proposed development (Figure 1: Subject site and study area map).

1.3 The study area

The study area includes Lots 100 & 101 DP 1006276 (Figure 2: Subject site and study area map).

2. Site description

2.1 Landform and topography

The subject site is located on undulating land with low hills. Drainage is to the south into tributaries of Cordeaux Creek, which transects the southern-most corner of Lot 100. Elevation of the site ranges from c. 740m to 695m asl.

2.2 Geology and soils

The subject site is situated on geological bases of Hawkesbury Sandstone and Tertiary Basalt. Soils range from sandy loams of good depth, moderate drainage and moderate fertility through to deep, fertile and well-drained red soils. Rocky outcrops are present on steeper slopes.

2.3 Climate

Berrima is in a cool-sub humid zone, experiencing an average annual rainfall of 828mm with a fairly even distribution. Mean maximum temperature is 23° and mean minimum 10°C.

3. Vegetation

3.1 Subject site

The subject site supports highly modified Grey Gum - Blue-leaved Stringybark open forest consisting of remnant Grey Gum *Eucalyptus punctata* within cleared and managed grassland. One mature and eight immature specimens of Grey Gum are present along with a minor occurrence of shrubby understorey.

No Threatened Species of flora were located within the community.

3.2 Study area

The study area supports four major vegetation types:

Modified and disturbed land

Grey Gum - Blue-leaved Stringybark open forest

Grey Gum - Thin-leaved Stringybark grassy woodland

River Peppermint - Narrow-leaved Peppermint open forest

These vegetation types are mapped in Figure 2: Vegetation map

3.2.1 Modified and disturbed land

Approximately 50% of the study area supports land historically cleared for grazing and managed areas associated with gardens surrounding the residence and the cricket field.

3.2.2 Grey Gum - Blue-leaved Stringybark open forest

Undulating land in the southern and eastern areas of Lot 100 support Grey Gum - Blue-leaved Stringybark open forest (*Biometric* HN531) with an overstorey of Grey

Gum *E. punctata*, Blue-leaved Stringybark *E. agglomerata* and Silvertop Ash *E. sieberi*. The moderately dense shrubby understorey includes Narrow-leaved Geebung *Persoonia linearis*, Snowy Daisy Bush *Olearia viscidula*, Nodding Blue Lily *Stypanandra glauca* and Spiny-headed Mat Rush *Lomandra longifolia*. The moderately sparse groundcover is dominated by herbaceous species such as Ivy Goodenia *Goodenia hederacea*, Pomax *Pomax umbellata*, Flax lily *Dianella revoluta* var. *revoluta*, Mat Rush *Lomandra multiflora*, Wattle Mat Rush *Lomandra filiformis* and Purple Twining Pea *Hardenbergia violacea*. The community presently supports a dense cover of leaf-litter.

The vegetation is in very good condition and includes a diversity of species and age-ranges throughout overstorey, understorey and groundcover. Evidence of historic disturbance can be observed at some locations however the vegetation has recovered well.

This vegetation type is not an Endangered Ecological Community.

3.2.3 Grey Gum - Thin-leaved Stringybark grassy woodland

Moderately steep slopes and hills in the western portion of Lots 100 and 101 support a community with affinity to Grey Gum - Thin-leaved Stringybark grassy woodland (*Biometric* HN535). The overstorey is of River Peppermint *E. elata* and Grey Gum *E. punctata* with a dense, shrubby understorey including Snowy Daisy Bush *Olearia viscidula* and Dogwood *Cassinia aculeata* along with the small tree Broad-leaved Hickory *Acacia falciformis*. The moderately sparse groundcover is dominated by herbaceous species such as Ivy Goodenia *Goodenia hederacea*, Pomax *Pomax umbellata*, Flax lily *Dianella revoluta* var. *revoluta*, Mat Rush *Lomandra multiflora*, Wattle Mat Rush *Lomandra filiformis* and Purple Twining Pea *Hardenbergia violacea*. The community presently supports a dense cover of leaf-litter.

The community also occurs in gullies within the southern portion of Lot 100.

The vegetation is in very good condition and includes a diversity of species and age-ranges throughout overstorey, understorey and groundcover.

This vegetation type is not an Endangered Ecological Community.

3.2.4 River Peppermint - Narrow-leaved Peppermint open forest

The sheltered, basalt slopes in the north-eastern area of Lot 101 support River Peppermint - Narrow-leaved Peppermint open forest (HN575) with an overstorey dominated by River Peppermint *E. elata* in association with Narrow-leaved Peppermint *E. radiata*. The shrubby understorey includes Snowy Daisy Bush *Olearia viscidula*, Nodding Blue Lily *Stypanandra glauca* and the small tree Black Wattle *Acacia mearnsii*. The groundcover includes Bracken *Pteridium esculentum*, Kidney Weed *Dichondra repens*, Native violet *Viola hederacea* and Creeping Speedwell *Veronica plebeia*.

The vegetation is in good condition and includes a diversity of species and age-ranges throughout overstorey, understorey and groundcover. Evidence of recent cattle grazing was observed.

This vegetation type is not an Endangered Ecological Community.

4. Fauna Habitats

4.1 Subject site

The single mature specimen of Grey Gum *E. punctata* contains several small hollows suitable for – and potentially utilised by – birds and bats. Threatened Species of fauna could potentially utilise these hollows.

No other fauna habitats occur within the subject site.

4.2 Study area

4.2.1 Modified and disturbed land

Modified and disturbed land provides limited habitat for fauna. It is unlikely that any Threatened Species would utilise this habitat.

4.2.2 Grey Gum - Blue-leaved Stringybark open forest

Grey Gum - Blue-leaved Stringybark open forest within the study area supports a diversity of fauna habitat in very good condition. Specific habitats present include tree hollows, stags, fallen timber, termite mounds, leaf litter and dense shrubby understorey.

The remnant vegetation is within an extensive wildlife corridor providing connectivity for fauna to the Wingecarribee River.

This vegetation type provides habitat suitable for thirty-two Threatened Species of fauna recorded within the locality.

This vegetation type may represent Core Koala Habitat under *State Environmental Planning Policy No. 44 – Koala Habitat Protection* due to the presence of Grey Gum *E. punctata*, which is listed as a Koala feed trees under Schedule 1 of SEPP no. 44.

4.2.3 Grey Gum - Thin-leaved Stringybark grassy woodland

Grey Gum - Thin-leaved Stringybark grassy woodland within the study area supports a diversity of fauna habitat in very good condition. Specific habitats present include tree hollows, stags, fallen timber, termite mounds, surface rocks and rocky outcrops, leaf litter and dense shrubby understorey.

The remnant vegetation is within an extensive wildlife corridor providing connectivity for fauna to the Wingecarribee River.

This vegetation type provides habitat suitable for thirty-two Threatened Species of fauna recorded within the locality.

This vegetation type may represent Core Koala Habitat under *State Environmental Planning Policy No. 44 – Koala Habitat Protection* due to the presence of Grey Gum *E. punctata*, which is listed as a Koala feed trees under Schedule 1 of SEPP no. 44.

4.2.4 River Peppermint - Narrow-leaved Peppermint open forest

River Peppermint - Narrow-leaved Peppermint open forest within the study area supports a diversity of fauna habitat in good condition. Specific habitats present include fallen timber, surface rocks and rocky outcrops, leaf litter and dense shrubby understorey.

The remnant vegetation is within an extensive wildlife corridor providing connectivity for fauna to the Wingecarribee River.

This vegetation type provides habitat suitable for sixteen Threatened Species of fauna recorded within the locality.

5.2.5 Riparian and aquatic habitats

Cordeaux Creek and its tributaries provide habitat in very good condition suitable for amphibious and other aquatic fauna species. These waterways provide important connectivity to the Wingecarribee River.

5. Impacts – Subject Site

5.1 Vegetation

The planned development within the subject site will require the disturbance of highly modified understorey and the removal of one mature and eight immature specimens of Grey Gum *E. punctata*.

5.2 Fauna habitats

The single mature specimen of Grey Gum *E. punctata* contains several small hollows suitable for – and potentially utilised by – birds and bats including Threatened Species of fauna.

The removal of this tree will therefore require the preparation of an Assessment of Significance to address the loss of this habitat. Given the presence of tree hollows within larger areas of habitat in good condition within the study area, it is likely that an Assessment of Significance will conclude that the impact on Threatened Species will not be significant.

6. Impacts – Study Area

6.1 Vegetation

As the development as proposed is located within Modified and disturbed land it is unlikely that there will be impacts on remnant vegetation within the study area.

6.2 Fauna habitats

As the development as proposed is located within *Modified and disturbed land* it is unlikely that there will be impacts on fauna or fauna habitats – including Threatened Species – associated with remnant vegetation within the study area.

7. Rezoning considerations

Approximately 50% of the study area (i.e. Lots 100 and 101) supports vegetation and fauna habitats in very good condition, providing habitat suitable for over thirty Threatened Species of fauna recorded within the locality.

Much of the remnant vegetation type may represent Core Koala Habitat under *State Environmental Planning Policy No. 44 – Koala Habitat Protection*.

The remnant vegetation is within an extensive wildlife corridor providing connectivity for fauna to the Wingecarribee River.

None of the vegetation types within the study area are listed as Endangered Ecological Communities, however the remnants are considered to be significant due to historic clearing and more recent subdivision development within the local area.

It is recommended that the future protection these significant environmental values be taken into consideration in the rezoning process.

Prepared by:

Greg Stone

*B. App.Sc. (Parks, Recreation and Heritage) (Charles Sturt University), Grad. Cert.
Sci. Comm. (Australian National University), Adv.Dip. Land Management (University
of Sydney), Ass.Dip. Land Management (University of New England)*

Woodlands Environmental Management

April, 2013

Figure 1: Subject site and study area

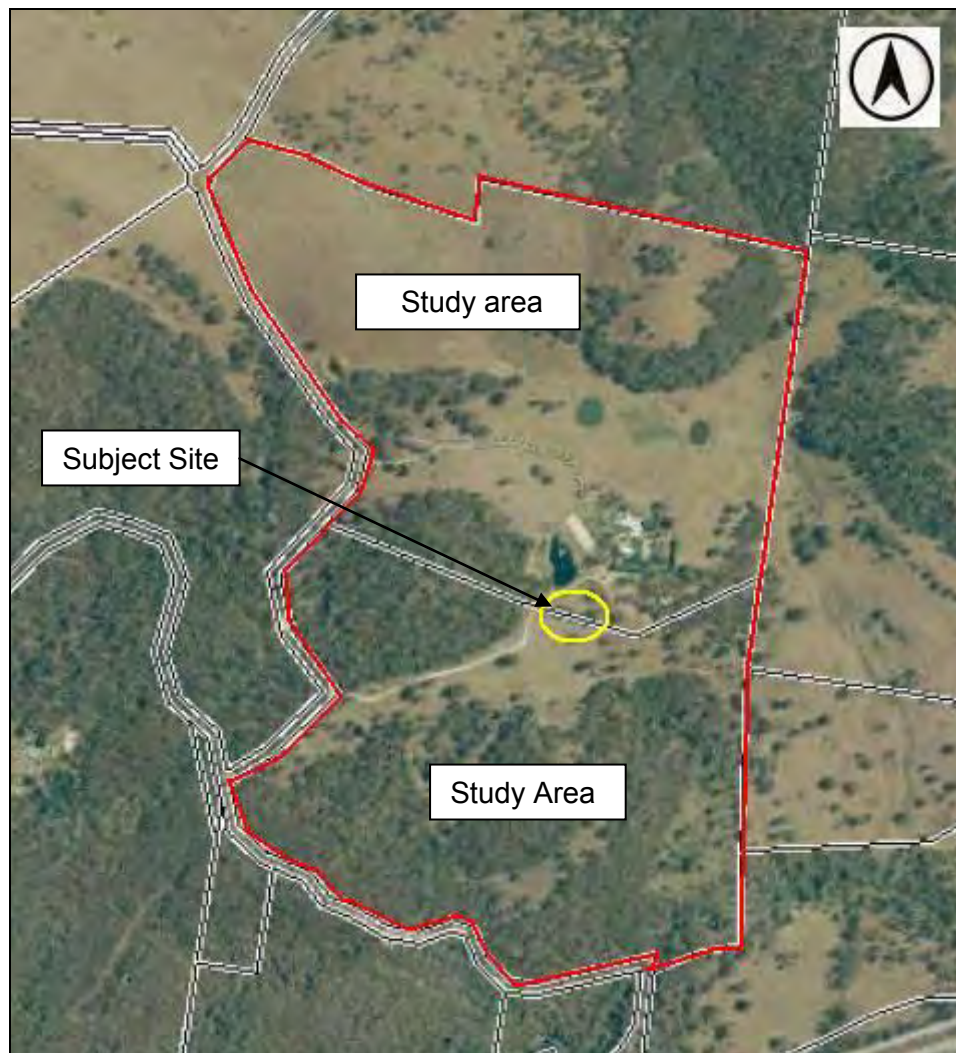
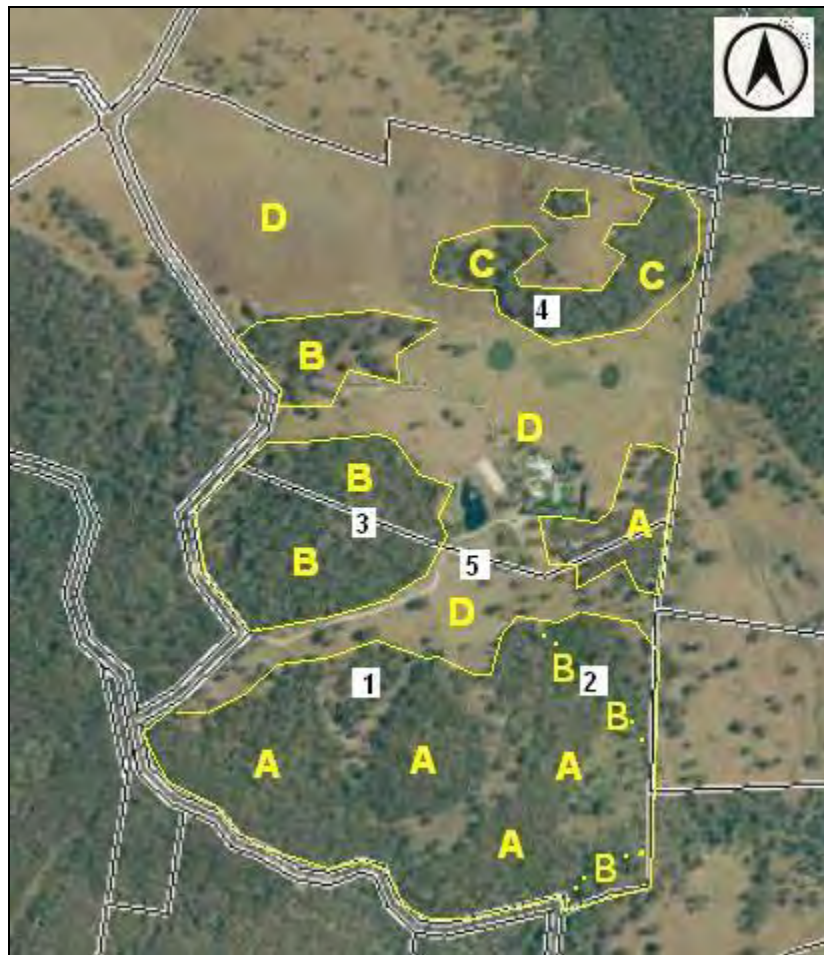


Figure 2: Vegetation map



A - Grey Gum - Blue-leaved Stringybark open forest
B - Grey Gum - Thin-leaved Stringybark grassy woodland
C - River Peppermint - Narrow-leaved Peppermint open forest
D - Modified and disturbed land

1-5 = photo-points

Figure 3: Photographs at Lots 100 & 101 DP 1006276, Berrima, NSW



Photo point 1: Grey Gum - Blue-leaved Stringybark open forest



Photo-point 2: Grey Gum - Thin-leaved Stringybark grassy woodland / Grey Gum - Blue-leaved Stringybark open forest



Photo-point 3: Grey Gum - Thin-leaved Stringybark grassy woodland



Photo-point 4: River Peppermint - Narrow-leaved Peppermint open forest



Photo-point 5: Subject site – Grey Gums to be removed.

Appendix 1: Threatened Species of fauna recorded within the local area and potentially utilising habitats within the study area

Scientific Name	Common Name
<i>Anthochaera phrygia</i>	Regent Honeyeater
<i>Callocephalon fimbriatum</i>	Gang-gang Cockatoo
<i>Calyptorhynchus lathamii</i>	Glossy Black-Cockatoo
<i>Cercartetus nanus</i>	Eastern Pygmy-possum
<i>Chalinolobus dwyeri</i>	Large-eared Pied Bat
<i>Climacteris picumnus victoriae</i>	Brown Treecreeper (eastern subspecies)
<i>Daphoenositta chrysoptera</i>	Varied Sittella
<i>Dasyurus maculatus</i>	Spotted-tailed Quoll
<i>Falsistrellus tasmaniensis</i>	Eastern False Pipistrelle
<i>Heleioporus australiacus</i>	Giant Burrowing Frog
<i>Hieraaetus morphnoides</i>	Little Eagle
<i>Isodon obesulus obesulus</i>	Southern Brown Bandicoot (eastern)
<i>Lathamus discolor</i>	Swift Parrot
<i>Litoria booroolongensis</i>	Booroolong Frog
<i>Melithreptus gularis gularis</i>	Black-chinned Honeyeater (eastern subspecies)
<i>Miniopterus australis</i>	Little Bentwing-bat
<i>Miniopterus schreibersii oceanensis</i>	Eastern Bentwing-bat
<i>Mixophyes balbus</i>	Stuttering Frog
<i>Mormopterus norfolkensis</i>	Eastern Freetail-bat
<i>Myotis macropus</i>	Southern Myotis
<i>Neophema pulchella</i>	Turquoise Parrot
<i>Ninox connivens</i>	Barking Owl
<i>Petaurus australis</i>	Yellow-bellied Glider
<i>Petaurus norfolcensis</i>	Squirrel Glider
<i>Petrogale penicillata</i>	Brush-tailed Rock-wallaby
<i>Petroica boodang</i>	Scarlet Robin
<i>Petroica phoenicea</i>	Flame Robin
<i>Phascolarctos cinereus</i>	Koala
<i>Pomaderris cotoneaster</i>	Cotoneaster Pomaderris
<i>Pteropus poliocephalus</i>	Grey-headed Flying-fox
<i>Scoteanax rueppellii</i>	Greater Broad-nosed Bat
<i>Stagonopleura guttata</i>	Diamond Firetail
<i>Tyto novaehollandiae</i>	Masked Owl
<i>Varanus rosenbergi</i>	Rosenberg's Goanna

APPENDIX 3

PRELIMINARY TRAFFIC ADVICE

Traffic Solutions Pty Ltd



Address:
P.O Box 9161
Bathurst NSW 2795

Phone / Fax:
(02) 6331 0467

E-mail
craig@trafficsolutions.com.au

4 July 2013
Reference No. 12.13.128

Mr Tom Isaksson
Isato Design
Urban Grow4/113 Reservoir Street
Surry Hills NSW 2010

Dear Tom

Michael Clarke Cricket Academy, Compton Park Road, Berrima Vehicle Travel Routes Review

I refer to your request to review the external vehicle travel routes to/from the proposed location of the Cricket Academy on the 100Ha property off Compton Park Road, Berrima.

As you are aware I have inspected the property and the 2 available road routes to the site from Berrima which are:

- Route 1 – From Old Hume Highway, Wingecarribee/Argyle Street, Old Mandemar Road then Compton Park Road to the southern gate of the property. (The Academy entrance gate)
- Route 2 – From Old Hume Highway, Green Hills Road, Compton Park Road past residential access gate of the property to the southern gate. (The Academy entrance gate)

If both routes are to be utilised it is expected that the following traffic attending the site will use each the most direct route, namely:

- o Route 1 is expected to be the major route used by cars or buses traveling to/from the north, south, west and east, such as Moss Vale, Sydney, Canberra and western NSW towns and east coast towns.
- o Route 2 is expected to be used by cars and buses travelling to/from/through Bowral or Mittagong

The following is the results of the inspection of the site for each route:

Route 1 – Old Mandemar Road (traveling towards Academy Gate)

1. Intersection of Old Hume Highway and Wingecarribee Street is suitable for all vehicles to turn from Highway. **Photo 1 and 2**
2. Argyle Street between Wingecarribee Street and Wilshire Street is One Way north. **Photo 2** Therefore returning vehicles will be required to turn onto Old Hume Highway from Argyle Street which is narrow and unsuitable for heavy vehicles to turn, although has good sight lines along the Old Hume Highway. **Photo 3.** Heavy vehicle returning from the subject site would need to use Oxley Street to access Old Hume Highway which is sufficient in width and has good sight lines.
3. Argyle Street has Give Way restrictions at Oxley Street.
4. Berrima town centre is 50km/h increasing to 60 Km/h on Old Mandemar Road at Apple Street.

5. Old Mandemar Road has a single lane concrete causeway at the creek to the north of the Motorway. This causeway would flood. **Photo 4**
6. Route is bitumen sealed until the causeway, and then is rural gravel road.
7. Intersection of Old Mandemar Road and Compton Park Road provides good sight lines. **Photos 5, 6 and 7**
8. Compton Park Road narrows to 4.5m measured between the top of the table drains. Only sufficient for 2 vehicles to pass at very slow speeds with vehicles wheels in table drains.
9. Intersection of Compton Park Road and Academy access gate road is suitable for larger vehicles to turn and provides good sight lines. **Photos 8, 9, 10 and 11.**
10. The unsealed section of Compton Park Road is 60 km/h.

Route 2 – Greenhills Road (travelling from Old Hume Highway to Academy gate)

- A. Old Hume Highway has an 80 km/h speed limit and two lanes northbound at Greenhills Road.
- B. Intersection of Old Hume Highway and Greenhills Road has very good sight lines for all turning vehicles.
- C. Greenhills Road has a 10t load limit restriction. (this does not affect heavy vehicles if they have a legitimate destination in the area and is the most direct appropriate route).
- D. Greenhills Road has an 80 km/h speed limit and a 6m wide bitumen seal plus table drains.
- E. Intersection of Greenhills Road and Compton Park Road has good sight lines for turning vehicles.
- F. Compton Park Road has an 80 km/h speed limit with a 5.5m wide bitumen seal plus table drains. **Photo 12**
- G. Approximately 2.5kms along Compton Park Road from Greenhills Road the bitumen seal ends with a sealed turn around (possible for a school bus). Then returns to a rural gravel road with a variable width of 4.5m – 6m (including table drains) until the Academy gate. **Photos 13 and 14.**

Evaluation of routes based upon observations:

Whilst Route 1 is the most direct route for almost all approach/departing vehicles, it is the less desirable route due to the Old Mandemar Road 'One Way' causeway which is likely to be impassable in inclement weather and is unsuitable for vehicles larger than a garbage truck (i.e. coaches). This route also travels through the residential township of Berrima, which may draw complaints from residents despite the low traffic generation.

Route 2 Bitumen seal ends at a turn around and should coaches be required to attend the Academy, Council may require road works to enable two vehicles to pass. In any event Council may require road works to enable two vehicles to pass, at the moment the road is 4.5m wide table drain to table drain and the minimum Council would expect would 5.5m wide. However, it may be a possibility to

provide 5.5m passing bays at regular intervals

Conclusions

I understand that the proposal is to bus Academy attendees from Sydney (or perhaps Canberra?) with approximately 25 children numbers being considered. I have evaluated the routes assuming coaches so that I could assess a worse case scenario due to the amount of gear that young cricketers carry.

Whilst Route 2 could be travelled by a coach, the size of this vehicle is likely to prompt Council into requiring greater road works than that for smaller buses. In this regard The 25 attendees may have to be reviewed as I have looked at the typical small buses made by Toyota (most popular) of which there are two, namely:

1. Hiace commuter bus (5.4m long) – seats 14 including driver and has insufficient room for luggage.
2. Coaster bus (6.99m long) – 21 seats plus driver and has insufficient luggage room.

As you can see, unless you can source a 25 seat bus with a luggage trailer, 25 attendees may have to be reviewed, unless two buses are acceptable.

Given the information to date, the potential traffic generation of the proposal is minimal and will not require any road upgrades, however, Council may require re grading of Compton Park Road to enable two way traffic and this should be factored in to the proposal.

In my opinion either route could be used to access the Academy. It is recommended that the Greenhills Road route be considered as the advertised route to the academy for the reasons outlined in this review.

Should you require any additional information or clarification of the contents of this letter please contact me on the telephone numbers provided.

Yours sincerely

Craig Hazell
Director

Photo 1 – Looking north along Old Hume Highway at Wingecarribee St intersection.



Photo 2 – Google image from Old Hume Highway at Argyle Street intersection.



Photo 3 – looking north from Wingecarribee Street at Argyle Street



Photo 4 – Looking north from Old Mandemar Road at concrete single lane causeway.



Photo 5 – Looking south (towards Berrima) along Old Mandemar Road at Compton Park Road intersection



Photo 6 – Looking south (towards Berrima) from Compton Park Road along Old Mandemar Road.



Photo 7 – Looking north from Compton Park Road along Old Mandemar Road.



Photo 8 – Looking from Compton Park towards Academy gate (approaching from Old Mandemar Rd)



Photo 9 - Looking from Compton Park towards Academy gate (approaching from Greenhills Rd route)



Photo 10 - Looking from Academy access Road along Compton Park towards Old Mandemar Rd route



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Photo 11 - Looking along Compton Park Road from Academy access road towards Greenhills Road route



Photo 12 – Compton Park Road bitumen sealed section from Green Hills Road



Photo 13 – End of Compton Park Road sealed section (Greenhills Road Route)



Photo 14 – End of Compton Park Road sealed section (Greenhills Road Route)

