

Attachment Book

DA-1133/2012

Attachment 1: JRPP Minutes

MINUTES OF THE SYDNEY WEST REGION JOINT REGIONAL PLANNING PANEL MEETING HELD AT HILDA DAVIS CENTRE ON THURSDAY, 16 JULY 2011 AT 6:00 PM

PRESENT:

Bruce McDonald Chair

Lindsay Fletcher
Paul Mitchell
Nadia Napoletano
Tony Hadchiti
Panel Member
Panel Member
Panel Member

IN ATTENDANCE

Janine McCarthy
Peter Flynn
Tanya O'Brien

Manager, Statutory Planning, Liverpool City Council
Senior Development Planner, Liverpool City Council
Manager, Strategic Planning, Liverpool City Council

APOLOGY:

Janet Thomson

1. The meeting commenced at 6:03 PM

2. Declarations of Interest -

Lindsay Fletcher stated that he knew the applicant's architect, Mr Farah Georges, in a professional capacity some years ago, but did not believe this constituted a conflict of interest.

3. Business Items

ITEM 1 - 2010SYW027 Liverpool DA No. 1133/2010 – Cemetery and associated works; 321 Greendale Road, Greendale

The Chair noted that the application had been amended since it was originally lodged. The application being considered by the Panel no longer includes the multi-denominational rooms or crematorium proposed in the earlier version.

The Chair informed the audience that the Panel had been provided with copies of all the written submissions made to the Council and that, from their reading of these submissions, the Panel were aware of many concerns that the public had regarding the proposed development. The Chair identified the broad range of issues raised in the submissions.

5. Public Submission -

Jan Tibbotts addressed the panel against the item.

Terry Hay addressed the panel against the item. Duncan McDonald addressed the panel against the item. Marjourie Bratt addressed the panel against the item. Philip Said addressed the panel against the item. Colin McGonigal addressed the panel against the item. Jodie Smith addressed the panel against the item. Pauline Rowe addressed the panel against the item. Steven Rowe addressed the panel against the item. Robyn Last addressed the panel against the item. Dianne Newell addressed the panel against the item. Robert Cavagnino addressed the panel against the item. Val Cocoran addressed the panel against the item. Frank Mosca addressed the panel against the item. John Roy addressed the panel against the item. CIr Gary Lucas addressed the panel against the item. CIr Peter Harle addressed the panel against the item. Ron Camalousik addressed the panel against the item. Jim Cupitt, representing Rural Residents Rights Incorporated, addressed the panel against the item. Farah Georges, representing the applicant, addressed the panel in favour of the item.

6. Business Item Recommendations

ITEM 1 - 2010SYW027 Liverpool DA No. 1133/2010 – Cemetery and associated works; 321 Greendale Road, Greendale

Moved by Paul Mitchell, seconded by Lindsay Fletcher, that:

The JRPP defer a decision on the application to allow:

- The applicant to provide additional information relating to detailed soil and groundwater analysis based on additional sampling and on proposed cut and fill levels
- Advice relating to whether traffic safety was considered in the RTA analysis and in the independent traffic report
- The applicant the opportunity to submit an amended design, securing better integration with the undulating character of the locality by redesign of the proposed entryway and fence, retention of the dam located closest to Greendale Road in its present form and no burial plots being located between that dam and Greendale Road.

IN FAVOUR: Paul Mitchell, Bruce McDonald and Lindsay Fletcher AGAINST: Nadia Napoletano and Tony Hadchiti

MOTION CARRIED.

Moved by Nadia Napoletano, seconded by Tony Hadchiti, that:

- Liverpool City Council provide supplementary advice to the JRPP on the LCC points 2 and 3 of the Council resolution 15 June 2011 relating to this matter.
- the JRPP receive a report regarding the process and appropriateness of S23(1B) of EP&A Act relating to delegation of the panels functions to the local Council.

IN FAVOUR: Nadia Napoletano, Tony Hadchiti, Bruce McDonald and Lindsay Fletcher AGAINST: Paul Mitchell

MOTION CARRIED.

The meeting concluded at 9:13 PM

1. Post-meeting discussion and determination:

Endorsed by

Bruce McDonald Acting Chair, Sydney West Region JRPP 24 June 2011

Attachment 2: Council Report and Resolution

COUNCIL RESOLUTION 17 OCTOBER 2011

ITEM NO:

PLAN 02

FILE NO:

SUBJECT:

CEMETERIES AND CREMATORIUM WITHIN GREENDALE

AND BRINGELLY - CUMULATIVE TRAFFIC IMPACTS AND

RU1 PRIMARY PRODUCTION ZONE OBJECTIVES

RECOMMENDATION

That Council utilises the information contained within this report in the consideration of cemetery and crematorium development applications particularly noting the following:

- Adopt a precautionary approach to protect and retain agricultural land for future agricultural uses/rural uses particularly where individual properties are of sufficient size to facilitate viable agricultural developments.
- 2. Development applications are to be accompanied by environmental studies to evaluate the environmental impact on the existing lawful agricultural developments in the locality this is tho include air quality (odour and emissions) and surface water quality reports.
- 3. Development applications within areas that do not have access to sewer are to be accompanied by a comprehensive waste water report.
- Development applications are to be accompanied by a detailed stormwater 4. concept plan prepared in accordance with Council's guidelines to ensure there is no unreasonable demand on Council's drainage infrastructure.
- That appropriate design controls are imposed to minimise land use conflicts.

COUNCIL DECISION

Motion:

Moved: CIr Stanley

Seconded: Cir Gillani

That the recommendation be adopted.

On being put to the meeting the motion was declared CARRIED.

LIVERPOOL CITY COUNCIL

CITY PLANNING REPORT

ORDINARY MEETING

17/10/2011

ITEM NO:	FILE NO:
SUBJECT:	CEMETERIES AND CREMATORIUM WITHIN GREENDALE AND BRINGELLY - CUMULATIVE TRAFFIC IMPACTS AND RU1 PRIMARY PRODUCTION ZONE OBJECTIVES
COMMUNITY STRATEGIC PLAN REFERENCE:	THE COMMUNITY IS SUPPORTED BY A WELL MANAGED AND RESPONSIVE COUNCIL

EXECUTIVE SUMMARY:

At its meeting of 15 June 2011, Council considered a report into DA1133/2011 being for development of a 71,000 plot cemetery at 321 Greendale Road Bringelly. In receiving this report, Council sought to consider its position on the application despite not being the determining authority for that application. Council at that meeting resolved to undertake a study of the cumulative impact of the operation of all currently proposed cemeteries and/or crematoriums on:

- The performance and condition of the local road network and the ability of the network to accommodate the impact.
- b. The attainment of the objectives of the RU1 Primary Production zone.

This report seeks to provide the outcome and report on the recommendations as a consequence of these investigations. It is recommended that Council receives and notes the report.

DETAILED REPORT:

Status of Development Applications

Liverpool Council has received three applications for cemeteries and one application for a crematorium within the Greendale/Bringelly area over the past two years. The applications received propose developments at the following locations and are illustrated in Figure 1:



Figure 1: Location of cemetery/crematorium applications

The status and nature of these applications is provided in the table below.

ADDRESS		DEVELOPMENT	STATUS
31 Greendale Bringelly	Road,	Cemetery with a capacity of 6150 burial plots	Considered by IHAP at the meeting of 29 September 2011. To be determined within the agenda of this meeting.
41 Greendale Bringelly	Road,	Cemetery with a capacity of 44, 312 plots/internments	Currently under assessment
321 Greendale Greendale	Road,	Cemetery with a capacity of 70,000 plots	Currently under assessment. Waiting on additional information and amendments to the proposal as resolved by the JRRP.
992 Greendale	Road,	Crematorium with a capacity	Approved by the JRPP
Greendale		for 10,000 receptacles	

All the applications are currently undergoing assessment with the exception of 992 Greendale Road, Greendale, which was approved by the Joint Regional Planning Panel at its meeting of 28 April 2011. It is noted that the cemetery application at 321 Greendale Road was recently considered by the JRRP, who deferred the determination of the application pending amendments to the proposal and the submission of additional information.

A subsequent report into the application for 31 Greendale Road Bringelly is within the agenda for this meeting.

To ensure that the cumulative impacts of the applications were appropriately accounted for, Council at its meeting of 15 June 2011 resolved to undertake a study of the cumulative impact of the operation of all currently proposed cemeteries and/or crematoriums on:

- The performance and condition of the local road network and the ability of the network to accommodate the impact.
- b. The attainment of the objectives of the RU1 Primary Production zone.

This report seeks to provide the outcome and detail any recommendations as a result of these investigations.

Permissibility

A "cemetery" is defined by Liverpool Local Environmental Plan 2008 (LLEP 2008) as "a building or place for the interment of deceased persons or their ashes."

A "crematorium" means a building in which deceased persons or pets are cremated, whether or not it contains an associated building for conducting memorial services.

Both uses are a permissible with consent in the RU1 – Primary Production zone of LLEP 2008, and are subject to controls within the Liverpool Development Control Plan 2008 (LDCP 2008).

Liverpool's current planning controls namely the LLEP 2008 and LDCP 2008 clearly establish that in some circumstances cemeteries could be an acceptable land use within the rural context, this however relies on a number of site characteristics and design outcomes being achieved and relevant zone objectives being complied with.

It is noted that at the previous Council meeting 23 September 2011, Council resolved to make changes to the LLEP 2008 which may alter this situation into the future.

Zone objectives - RU1 Primary Production zone

The objectives of the RU1 - Primary Production zone are prescribed by Clause 2.3 of LLEP 2008 as follows:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within the zone and land uses within adjoining zones.
- To ensure that development does not unreasonably increase the demand for public services or public facilities.
- To ensure that development does not hinder the development or operation of an airport on Commonwealth land in Badgerys Creek.
- To preserve bushland, wildlife corridors and natural habitat.

Both commentary and recommendations on how development applications for cemeteries/crematoriums are to demonstrate that they are consistent with the objectives of the RU1 - Primary Production zone are detailed below.

Encourage sustainable primary industry production by maintaining and enhancing the natural resource base and encourage diversity in primary industry enterprises and systems appropriate for the area.

Commentary

The intent of the above objectives are to promote the use of rural land for sustainable primary industry production. The RU1 - Primary Production permits agricultural uses and primary industry with development consent and that a number of non-agricultural uses are also permitted in the zone including cemeteries, health care consulting rooms and community facilities.

An extract from the land use zoning table is provided below:

Agriculture; Airstrips; Animal boarding or training establishments; Bed and breakfast accommodation; Building identification signs; Business identification signs; Cemeteries; Community facilities; Crematoria; Dual occupancies; Dwelling houses; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Hazardous storage establishments; Health consulting rooms; Helipads; Heliports; Home businesses; Home industries; Landscaping material supplies; Open cut mining; Offensive storage establishments; Plant nurseries; Recreation areas; Recreation facilities (outdoor); Roads; Roadside stalls; Rural industries; Veterinary hospitals; Water recreation structures

While it is not the intention of the objective to retail every lot in the RU1 zone for agriculture or primary production uses nor does the zoning objectives prescribe that agriculture is the only suitable land use for RU1, in the assessment of development applications for cemeteries/crematoriums consideration needs to be given to the impact (if any) each of the development application would have on existing and future and for primary production/industry and agricultural developments.

In application of this specific zone objective, consideration needs to be given to the likely future character of the area given that both 31 and 41 Greendale Road are located within the South West Growth Centre. It is noted that more than 75 percent of Bringelly is located within the South West Growth Centre. Figure 2 below illustrates the extent of the South West Growth Centre boundaries.

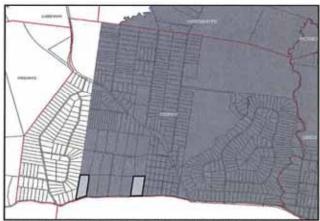


Figure 2: Land within Bringelly located within the SW Growth Centre

Recommendation

Liverpool's current planning controls provide no buffer or separation distances between cemeteries/crematoriums and agricultural developments. In the absence of controls or other statutory guidelines it is considered that a precautionary approach be adopted to protect and retain agricultural land for future agricultural uses/rural uses, particularly the adjoining land located within Greendale where individual properties are of sufficient size to facilitate viable agricultural developments.

The Rural Land Study prepared by Don Fox identifies that there are many allotments along Greendale Road which are larger then 10 hectares would be of an adequate size which could economically be used for small scale rural land uses such as hydroponics and horticulture. The Study identifies that there is significant land within this locality which should remain available for primary production.

It is further recommended that all current development applications that are within proximity to existing agricultural developments be accompanied by appropriate environmental studies to ensure that there are no environmental impacts which may impact on the existing lawful agricultural developments in the locality. This is to include air quality (odour and emissions) and surface water quality reports.

Minimise the fragmentation and alienation of resource land.

Commentary

It is considered that intent of the above objective is to ensure that viable resource land is not fragmented through in appropriate subdivision and alienated by in appropriate development.

It is considered that each of the developments for either cemeteries and/or crematoriums will alienate their subject sites from being used in the future as either primary production or agricultural uses. However in the assessment of each development application, consideration needs to be given to whether the development would alienate adjoining

lands from being used for agricultural and primary production purposes as well as extractive industries.

Recommendation

Liverpool's current planning controls provide no buffer or separation distances between cemeteries/crematoriums, agricultural developments and extractive industries. In the absence of controls or other statutory guidelines it is considered that a precautionary approach be adopted to protect and retain valuable resource land.

It is noted that the land within Bringelly ranges in area between 2 hectares to 10 hectares and that the use of these size properties for extractive industries would be limited given the required setbacks, buffer zones and other statutory requirements for these type of land uses.

The Rural Land Study prepared by Don Fox identifies that there are large amounts of land available within the Greendale/Bringelly locality which have clay and shale deposits. This type of deposits aided by the significant demand of building materials which are likely to be required to supply development of the south west and north west growth centres, is likely to see an increase in demand for the establishment of new quarries in the next 25 years.

However, adjoining land located within Greendale, are of sufficient size to facilitate viable agricultural developments and resource production. Land size within Greendale is generally over 20 hectares with some larger land parcels located to the north of Greendale Road.

In order to ensure adequate consideration is given to the specific objective for development applications located within Greendale, it is recommended that all current development applications be referred to the Department of Primary Industry for consideration.

Minimise land use conflict between land uses within the zone and land uses within adjoining zones

Commentary

It is considered that the intent of the above objective is to ensure that the development is compatible with the amenity of the area, thus minimising the potential for land use conflict. In regards to amenity, consideration has been given to the scale, bulk, design height, sitting and landscaping of cemeteries/crematorium and how they are consistent with the rural character of the locality.

In consideration as to whether the scale, bulk, design and height of the development is appropriate consideration needs to be given to the compatibility of the development with the rural landscape character of the locality.

It is considered that the rural character within the wider locality incorporating each of the development applications consists of larger lots with very little built form. The majority of the lots within the locality are in their natural setting with scattered vegetation where natural features such as the topography, watercourses, remnant strands of vegetation and dams dominate the landscape.

Characteristics and features of cemeteries/crematoriums have potential to impact adversely on the rural character of the locality unless it is carefully integrated into the site and is sensitively designed. The impact on the rural character of the locality can also be minimised by ensuring developments for cemeteries/crematoriums comply with the minimum size requirements contained within LDCP 2008 which will ensure adequate setbacks and visual buffers are provided.

It is considered that the following characteristics and features of cemeteries/crematorium have potential to impact adversely on rural character:

- · Density/grouping of burial plots;
- · Design of memorial plaques/headstones and burial plots;
- · Colours and materials of memorial plaques/headstones;
- · Fencing including front fencing;
- · Hard surface areas such as internal roads and car parking areas.

Recommendation

In consideration of the characteristics and features of cemeteries/crematorium which have the potential to impact on rural character and amenity the following recommendations are to be considered in the assessment of all current development applications.

Feature	Description
Internal roads	Proposal should adopt a curvilinear road pattern within the subject site that is responsive to the topography of the site and natural features of the site such as existing strands of vegetation.
Vegetation	Vegetation within the front setback is to be retained. This will assist in facilitating the visual integration of the development into the rural landscape.
	Existing vegetation surrounding watercourses, gullies and creek lines are to be retained.
Boundaries	Property boundaries should be dominated by vegetation endemic to the locality such as Cumberland Plain Woodlands.
	Fencing along side and rear boundaries should be relatively low in height and be rural in character. This is to include clear linear fencing such as post and rail, picket or post and wire.
	Entries to the development site should be visually reinforced and simple in character. Visually appropriate treatments include entrance created by vegetation, gateway entrance constructed of brick, masonry or timber.
Ancillary buildings	
such as amenities, office areas	Additional vegetation should integrate new buildings into the landscape. Buildings can be visible but will be highly integrated.
Density/grouping of burial plots	

Design of memorial plaques/headstones	The memorial plaques and headstones are to be low lying are should not be visually intrusive.
Acceptance	Memorial plaques on the outer areas of the site where there is greater potential for visual impacts are to be flat and integrated with the topography of the site.
	Headstones could be used within the central areas of the site where there is greater separation distances from adjoining properties and the street. Headstones could be limited to a height of 0.5m in height.
Colours and materials of memorial plaques	Appropriate materials for headstones/memorial plaques include slate, sandstone, sandstone bricks. A combination of these materials could be used.
	Appropriate colours that optimise visual integration include deep browns, earthen or neutral shades.
Skyline	Views to the skyline should be retained. Additional built elements must be built below the major skyline.

The following pictures illustrate the use of appropriate materials for headstones which have also been integrated into the landscape design.



Headstones made from sandstone and integrated with landscaping



Memorial plaques which are flat on the ground



Memorial plaques which are integrated with existing trees

The following pictures illustrate how an existing cemetery has been integrated with existing vegetation in a rural zone.



Roads located to retain existing vegetation



Memorial plaques integrated with existing vegetation



Headstones which are larger and more visually dominate located centrally within the site with existing vegetation retained along the boundaries

In addition to the above, it is considered that all current development applications be accompanied by a comprehensive visual analysis of the locality. Each current application is also to be accompanied by detailed section plans for both the street frontage of the site as well as within the site which represents existing contour levels.

To ensure that development does not unreasonable increase the demand for public services or public facilities

Comment

In relation to the above objective, it is considered that the intent is to ensure that any new development does not create an unreasonable demand for public services. Public services are taken to include physical infrastructure such as roads, sewer and drainage.

Recommendation

Road Infrastructure

Commentary in relation to road infrastructure is detailed later in this report.

Drainage

To ensure that all current development applications do not create unreasonable demand on Council's drainage infrastructure all development applications are required to be accompanied by a detailed stormwater concept plan that has been prepared in accordance with Council's guidelines.

Sewer/Waste Water Treatment

Both Greendale and Bringelly do not have access to sewer and therefore each current development application is to be accompanied by a comprehensive waste water report which is to detail methods of waste water treatment for the development.

The waste water treatment reports are to be prepared in conjunction with NSW Health Guidelines and adopt the required setbacks and separation distances as contained within LDCP 2008.

To preserve bushland, wildlife corridors and natural habitat

Comment

The intent of the above objective is to preserve bushland, wildlife corridors and natural habitat on the site and within the rural zone.

Recommendation

It is recommended for current development applications which are identified as containing Environmentally Significant Land that a comprehensive Flora and Fauna Assessment be submitted. Given the nature of the use and potential impacts on existing flora and fauna, a Vegetation Management Plan be submitted at development application stage.

The Vegetation Management Plan is to be prepared in accordance with LDCP 2008 Part 11.1 and NSW Office of Environment an Heritage publication "Recovering Bushland on the Cumberland Plain".

Local Road Network

In regard to the local road network, a number of pieces of work have been undertaken to date. A traffic report has been submitted in support of each application for a cemetery and crematorium which has been received (992, 321, 41 and 31 Greendale Road Greendale /Bringelly). The applicant for No.41 Greendale Road, being the most recent application, has been requested to assess its cumulative impact relative to the other earlier applications. In addition, and in response to Council's resolution of 15 June 2011, Council has commissioned an independent report which reviewed the following aspects of these applications:

- Traffic Generation,
- · Access Design (Frontage Road),
- Internal Road Design,
- Parking Requirements and
- Parking supply.

The Roads and Traffic Authority have been asked for comment and have advised that the proposals will not have a significant impact on the classified road network.

In summary the reporting finds that factoring the growth expected as a result of the South West Growth Centre in addition to the vehicle movements generated by these developments (assuming they were all approved) the base LoS on Greendale Road would be Condition "C". This level is a reasonable and acceptable level of performance.

Despite the technical and numerical assessment undertaken by the traffic engineers, Greendale Road presents as a scenic rural road and serves a number of rural residential properties in addition to the sub arterial function (albeit to a limited catchment). The increased number of vehicle movements along Greendale Road that would result from these applications, would however impact on the environmental amenity of existing homes along the road corridor.

It should be noted that any traffic generating development in this area will create a significant increase to traffic numbers and perception due to the low current traffic volumes.

Conclusion

The suburbs of Greendale and Bringelly are typical of rural neighbourhoods on the City fringe. These suburbs have a mixture of agriculture from hobby farming and livestock grazing to more intensive and extensive forms of agriculture. In addition the area is has a strong rural-residential character in some areas due to the subdivision patterns, and dotted communities centred around townships.

It is considered that there is potential for cemetery and crematorium applications to be contrary to the zone objectives of the RU1 - Primary Production zone unless careful consideration is given at the development application stage to ensure that each development is complimentary to and consistent with the rural landscape.

In addition, as Sydney continues to grow and develop, pressure on the retention of viable agricultural land also increases. This has seen land available for primary production in the Sydney basin steadily decline.

On this basis, it is considered that the recommendations contained within this report be utilised in the consideration of the remaining cemetery applications that have not yet been determined. These recommendations address the potential visual impacts associated with cemeteries, land use conflict and the retention of viable agricultural land.

Greendale Road performs a sub-arterial function, but also serves as a local road to many residents. The road is adequate to serve this function and is currently performing at Level of Service A due to the low traffic volumes. Traffic volumes will grow over time and in line with that, road performance will decrease. It is anticipated that by 2040 the Level of Service will be "C". When the additional traffic generated by the developments currently proposed at 992, 321, 41 and 31 Greendale Road Greendale /Bringelly is taken into account the Level of Service remains at "C".

This does not mean that the additional traffic volume will not be noticeable; it means however that the road performance does not drop considerably as a result of these applications and performance remains acceptable. It is considered however that traffic volumes will impact on the amenity of the locality.

FINANCIAL IMPLICATIONS:

There are no financial implications as a result of this report.

RECOMMENDATION:

That Council:

- 1. Receives and notes this report.
- 2. That this information be utilised in the consideration of the remaining cemetery applications that have not yet been determined.

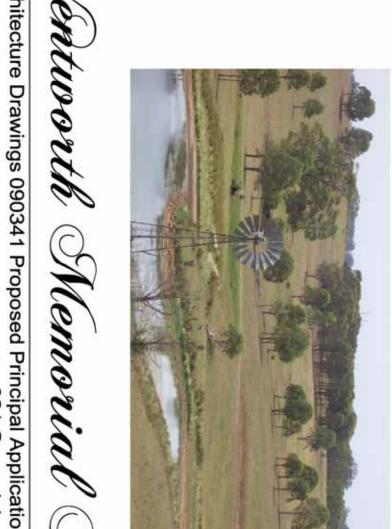
SIGNED BY:

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Milan Marecic Director City Planning

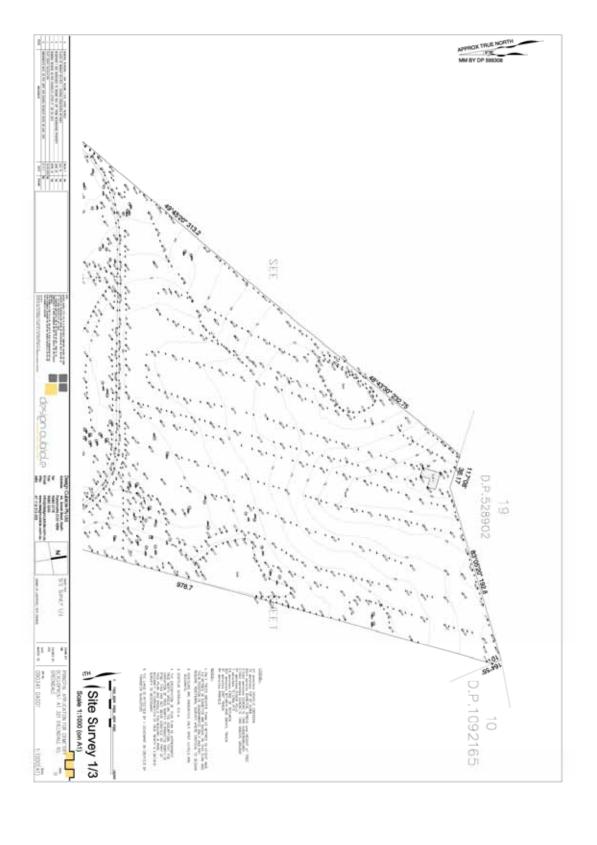
Attachments: McLaren Traffic Engineering Report (cumulative summary report)

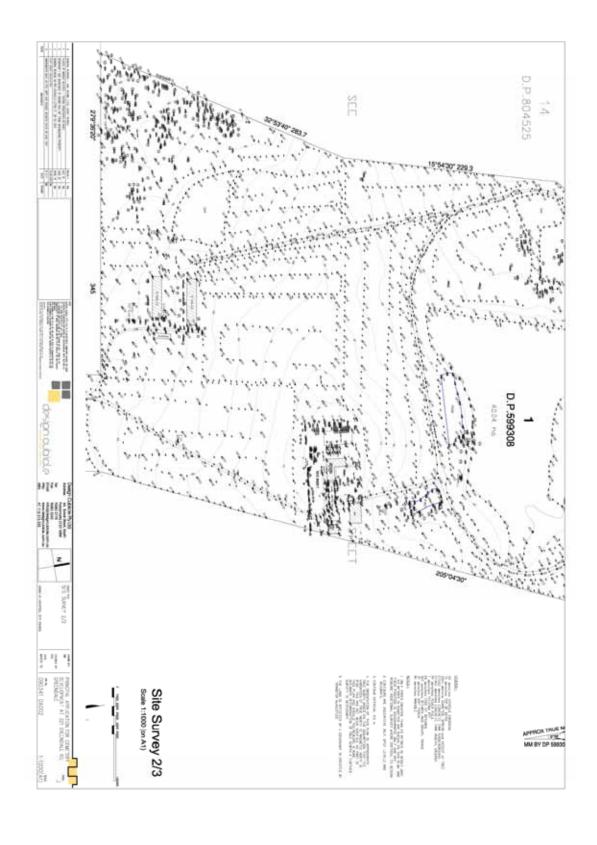
Attachment 3: Amended Plans and Burial Plot Calculations

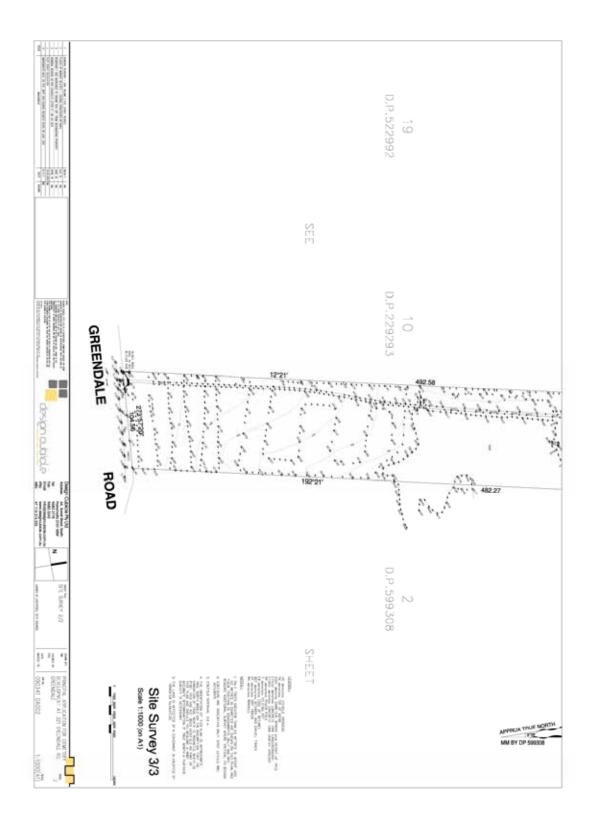


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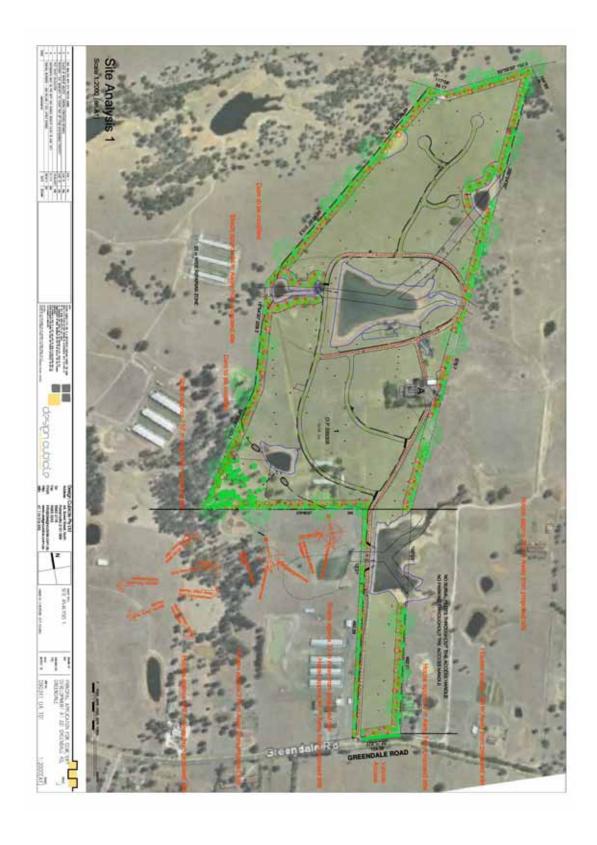
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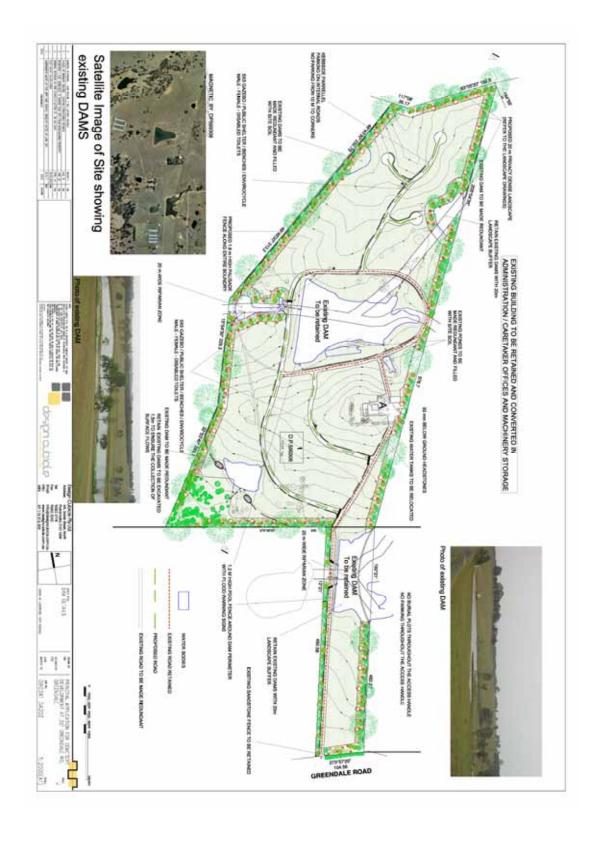


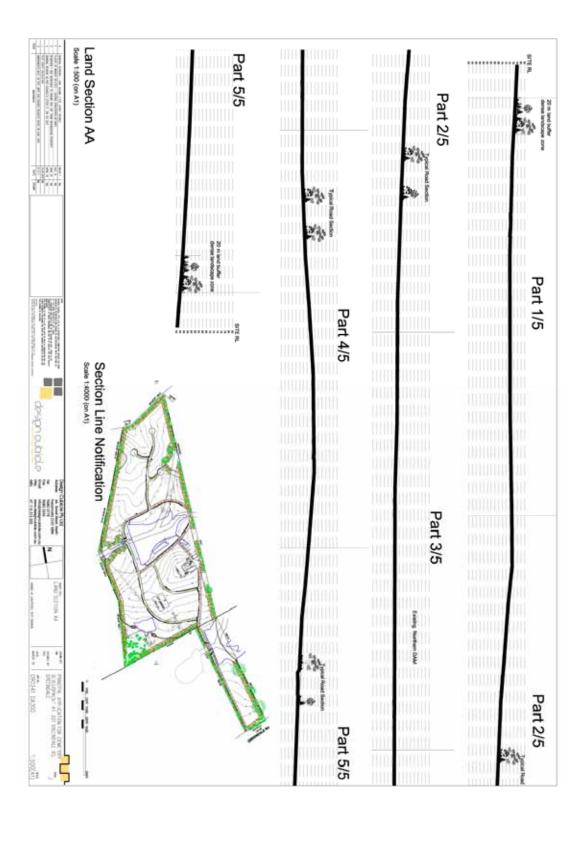


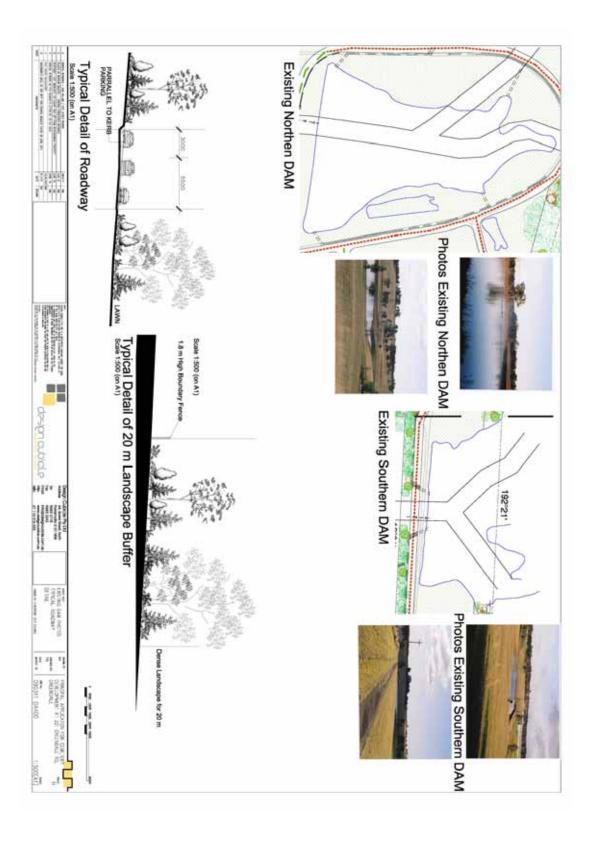


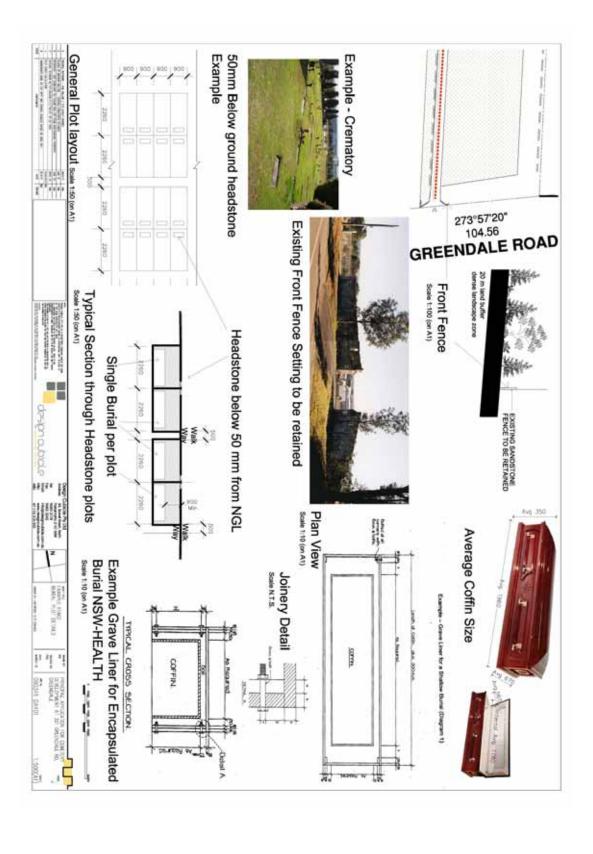


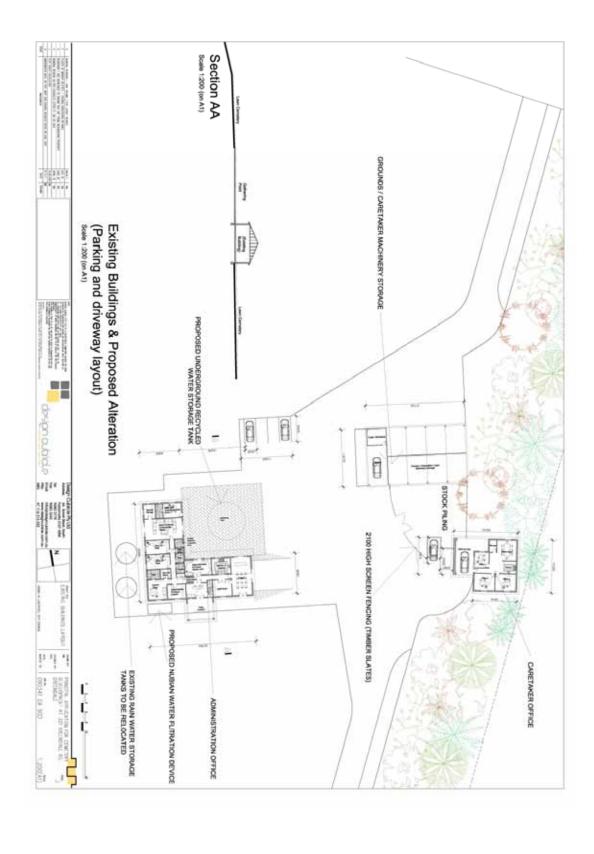


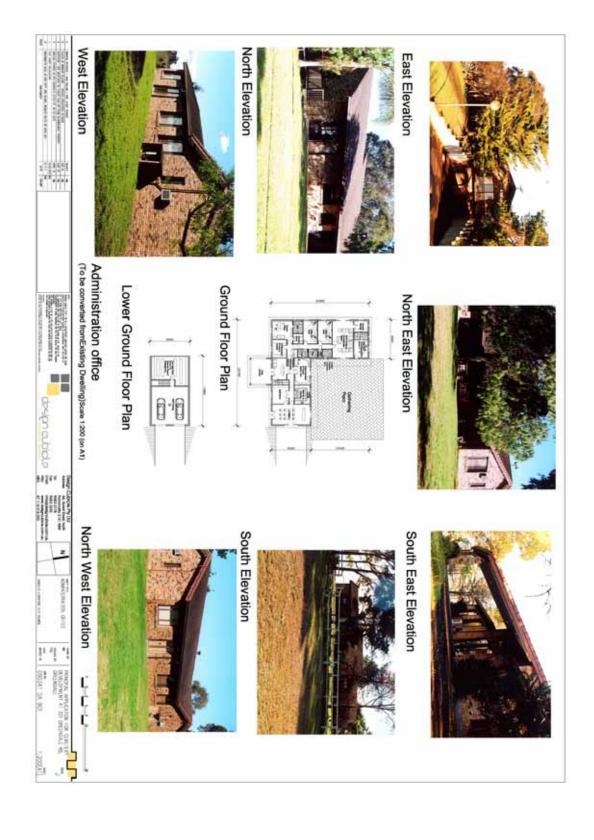


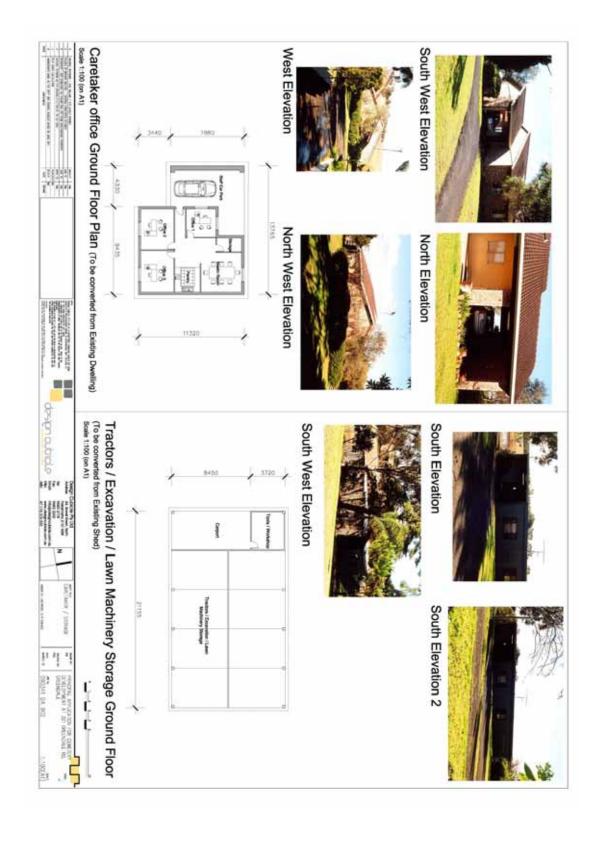


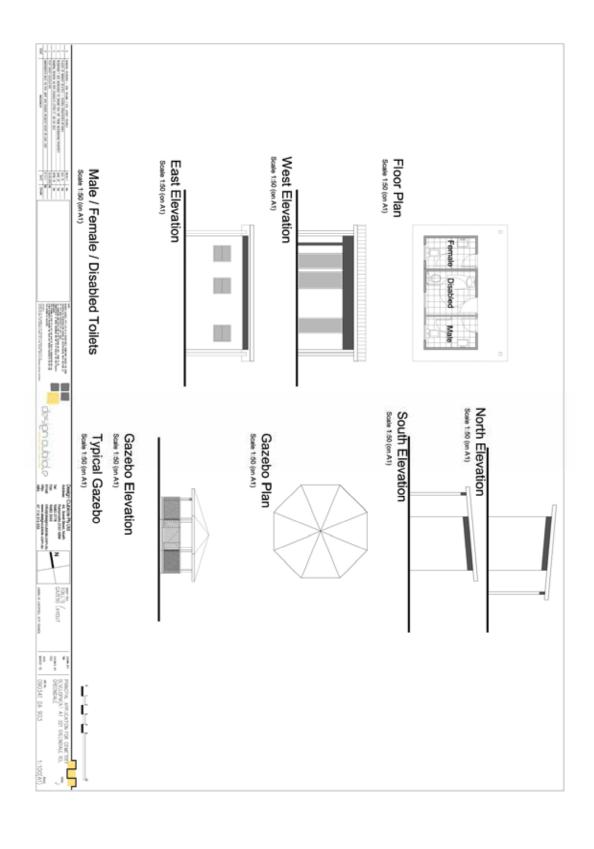


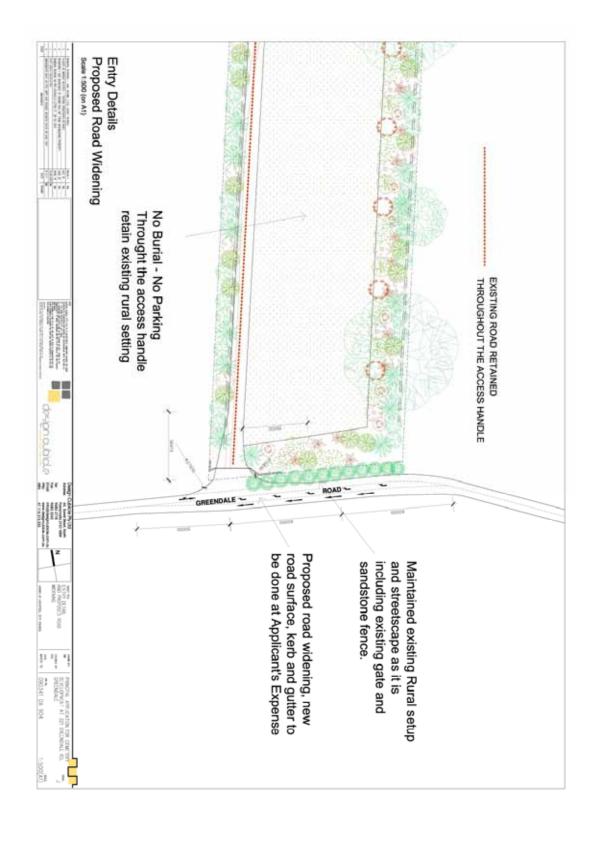






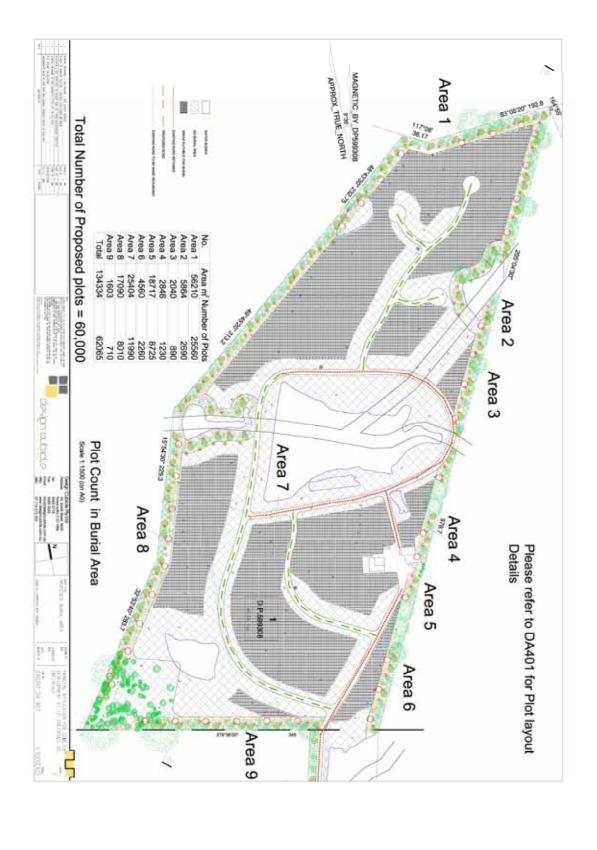


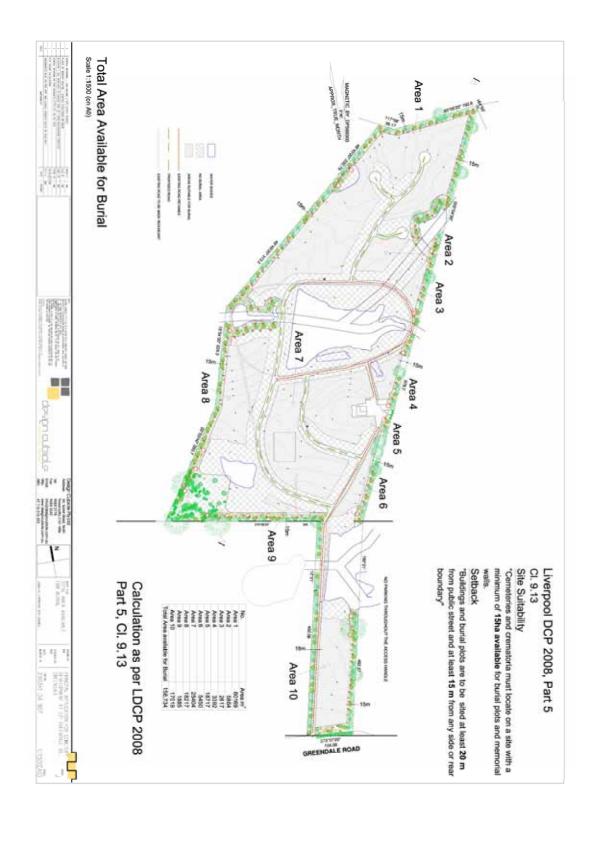












Attachment 4: RMS Advice

Your Reference: Our Reference: Contact: Telephone DA1133/2011 SYD11/01001 Stella Qu (SL) 8849 2520



The General Manager Liverpool City Council Locked Bag 7064 LIVERPOOL BC NSW 1871

Attn: Peter Flynn

DA-1133/2010, Development application for a Multi-denominational Lawn Cemetery at 321 Greendale Road, GREENDALE

Dear Sir/Madam,

I refer to Council's letter dated 10 November 2011 (ref DA-1133/2010) regarding the abovementioned development application, which was referred to the Roads and Maritime Services (RMS) for comment in accordance with Clause 104 and Column 2 of Schedule 3 of State Environmental Planning Policy (Infrastructure) 2007

I wish to advise that RMS has reviewed the application and provide the following advisory comments to Council for its consideration in the determination of the development application:

- 1. It is noted that Appendix B in the submitted Traffic and F irking Assessment Report (Ref 09193) shows that a total of 23 crashes with 20 persons injured were recorded along Greendale Road from 2005 to 2009. Any further increase of traffic on Greendale Road could potential result in an increase of crashes. As advised previously, an "Existing Roads Single Route Road Safety Audit" on Greendale Road should be undertaken by an accredited road safety auditor to identify any potential road safety hazards that may emanate due to the planned growth along Greendale Road and the relevant countermeasures necessary to be depicted to allow the efficient and safe operation of the roadway as per Austroads Guidelines.
- The proposed access intersection design plan incorporating the provision of a type CHR right-turn storage bay of minimum 120 metres in length and a BAL left-turn treatment as proposed in the Revised Traffic and Parking Impact Assessment report should be provided to the satisfaction of Council and should comply with Austroads guidelines.
- Any proposed landscaping and/or fencing must not restrict sight distance to pedestrians and cyclists travelling along the footpath of Greendale Road.
- The proponent should ensure that at least 50 metres of No Stopping restrictions are placed along either side of the approach driveway to Greendale Road to

Roads & Maritime Services

LEVEL 11, 27-31 ARGYLE STREET PARRAMATTA, NSW 2150 PO BOX 973 PARRAMATTA CBD NSW 2150 DX28555 www.rmservices.nsw.gov.au | Tel 13 22 13 ensure uninterrupted traffic flow arriving and departing from the development. Similarly No Stopping restrictions should be placed along the full frontage of the development on Greendale Road following consideration of the Local Traffic Committee.

- The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1 – 2004, AS 2890.2 – 2002, and AS 2890.6 – 2009.
- 6. The provision of off-street car parking shall be to the satisfaction of Council.
- The internal roads are to be marked with pavement arrows to direct traffic movements in / out of the site and guide traffic circulation on the site.
- A swept path analysis/plan of the longest vehicle shall be submitted to Council
 for review and approval, which illustrates the longest vehicle entering and
 exiting the subject site, as well as manoeuvrability within the subject site, in
 accordance with Austroads.
- 9. All vehicles are to enter and leave the site in a forward direction.
- 10. A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council prior to the issue of a construction certificate.
- 11. All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping.
- 12. All works associated with the proposed development shall be at no cost to the RMS.

Following Council's determination of this matter, please forward a copy of the development consent to RMS.

Any further enquiries in relation to this matter can be directed to Stella Qu on telephone 8849 2520 or via email at Stella.Qu@rms.nsw.gov.au.

Yours sincerely,

Chris Goudanas

Land Use Planning & Assessment Manager Transport Planning, Sydney Region

17 January 2012

Attachment 6: Trading Advice



TRIM: OUT11/21780

General Manager Liverpool City Council Locked Bag 7064 LIVERPOOL BC NSW 1871

Attention: Peter Flynn

Dear Mr Flynn

Lawn Cemetery - 321 Greendale Road, Greendale 2745

Thank you for your letter of 14 November 2011, the Department of Trade and Investment (T&I) has reviewed the reports and provides the following advice.

Agriculture

The land consists of agricultural land class 3 suitable for cropping in rotation with pasture. The locality contains poultry and intensive dairy operations.

The report deals mainly with the potential environmental and landscape impacts that a lawn cemetery may generate – however there is little detail or assessment regarding the potential for land use conflict risks between agricultural operations and a lawn cemetery. For example an assessment of how odour and traffic associated with agriculture particularly poultry and dairy could cause issues for people attending the lawn cemetery.

While poultry and dairy farms are operating in the locality, attendees and permanent on-site residents will experience odour on occasions particularly at clean out (usually every 8 weeks) or with low wind conditions at night near the end of the growing cycle. From DPIs experience noise impacts during truck deliveries and at bird pick-up can also trigger complaints.

Undertaking a risk assessment (attached) may assist to determine the potential for land use conflicts,

Fisheries

No issues.

Minerals

The subject land is within AUTH 424 held by Director General NSW Department of T&I on behalf of the Crown, and PEL 2 held by AGL Upstream Investments Pty Ltd. The Resources & Energy Division has no concerns to raise regarding the proposal.

Further information please contact Cressida Gilmore, Team Leader Land Use, Resources and Energy Division T&I; 4931 6537 cressida.gilmore@industry.nsw.gov.au

Thank you for providing the opportunity to comment on the proposal.

Andrew Docking

Resource Management Officer

Agriculture NSW

29 November 2011

Locked Bag 4, Richmond NSW 2753
Building M14, Castle Road, University of Western Sydney (Hawkesbury)
Tel: 02 4588 2100 Fax: 02 4588 2159
ABN 51 734 124 190
www.industry.nsw.gov.au

FACTSHEET

Land Use Conflict Risk Assessment Guide

Resource Planning & Development Unit

This factsheet provides guidance on the practical measures to use when conducting a Land Use Conflict Risk Assessment (LUCRA). It may assist landholders, developers and regulators with improved knowledge to avoid and manage land use conflicts.

Its primary focus is on conflicts affecting existing or proposed agricultural developments, but the process may also be useful for assessing land use conflicts associated with other primary industries, such as mining or forestry.



Rural landscapes may have a range of land uses. Photo: NSW DPI

What are Land Use Conflict Issues?

Land use conflicts occur when one land user is perceived to infringe upon the rights, values or amenity of another. In rural areas land use conflicts commonly occur between agricultural and residential uses. However, land use conflicts can also occur between different agricultural enterprises and other primary industries including mining, forestry, aquaculture and fishing enterprises. Rural amenity issues are the most common land use conflict issues, followed by environmental protection issues. Rural amenity issues include impacts to:

- air quality due to agricultural and rural industry (odour, pesticides, dust, smoke and particulates)
- use and enjoyment of neighbouring land e.g. noise from machinery, and
- visual amenity associated with rural industry e.g. the use of netting, planting of monocultures and impacts on views.

Environmental protection issues include:

- · soil erosion leading to land and water pollution
- · clearing of native vegetation, and
- stock access to waterways.

Direct impacts from neighbouring land uses on farming operations can also cause conflict, such as:

- harassment of livestock from straying domestic animals
- trespass
- changes to storm water flows or water availability, and
- · poor management of pest animals and weeds

Communication and Dispute Resolution

New rural residents, existing residents and rural producers all have a right to live in and enjoy the rural environment. Sharing lifestyles in rural areas comes down to having informed and reasonable expectations of how the land in your area is used, applying a little bit of give and take, and understanding the rules governing land use. It is important that all people interested in the future of rural areas understand what life is like in a rural environment and appreciate each other's needs. Information and communication are two of

the greatest allies to avoiding disputes and in resolving disputes when they arise.

Avoiding a dispute and conflict in the first instance should be a priority. Take what actions you can on your own property to minimise any impacts on the environment and your neighbours. Talk to your neighbours about any concerns you may have if an issue or misunderstanding arises. Aiming to reach agreement about how to address issues that arise in a cooperative and positive manner is by far the best solution.

What is LUCRA?

Land Use Conflict Risk Assessment (LUCRA) is a system to identify and assess the potential for land use conflict to occur between neighbouring land uses. It helps land managers and consent authorities assess the possibility for and potential level of future land use conflict.

LUCRA aims to:

- accurately identify and address potential land use conflict issues and risk of occurrence <u>before</u> a new land use proceeds or a dispute arises.
- objectively assess the effect of a proposed land use on neighbouring land uses
- Increase the understanding of potential land use conflict to inform and complement development control and buffer requirements, and
- highlight or recommend strategies to help minimise the potential for land use conflicts to occur and contribute to the negotiation, proposal, implementation and evaluation of separation strategies.

A LUCRA is a valuable tool. It enables a systematic, consistent and site-specific conflict assessment approach to land use planning and development assessment.

How does LUCRA Work?

A LUCRA prompts land use managers to identify the effects of a proposed land use on neighbouring land uses, it then causes them to evaluate the type and level of management strategies required to minimise such effects.

Applying LUCRA

The LUCRA process is not an instant formula, but a broader approach to evidence based planning! It is a tool to help make the identification and management of potential sources of conflict

between neighbouring land uses as explicit and objective as possible.

While a simple ranking system is used to identify the level of risk associated with a potential source of conflict it must be set in the planning context to which it will be applied. The process can be adapted according to each situation and the planning outcomes may vary between authorities depending on their Local Environmental Plan or Development Control Plans etc.

LUCRA should be used to guide the assessment of the potential for conflict between land uses and the potential implications of that conflict.

Keys Steps in LUCRA

There are four key steps in undertaking a LUCRA. These are:

- gather information about proposed land use change and associated activities
- evaluate the risk level of each activity
- identify risk reduction management strategies
- record LUCRA results.

These steps are described in more detail below.

Step 1: Gather information

LUCRA requires collection and consideration of site specific factors. To do this, the proponent will need to:

- describe the nature of the proposed land use change and proposed development
- describe and record the major activities associated with the land use change and their frequency. Include periodic and seasonal activities that have the potential to be a source of a complaint or conflict
- appraise the topography, climate and natural features of the site and broader locality
- undertake a site history search, review the previous environmental assessments and approvals for the site
- inspect the site and interview relevant owners/ operators of adjacent properties
- describe and record the main activities of the adjacent properties and their frequency. Include water based activities that may be adversely impacted, such as oyster farming, and
- compare and contrast the proposed and adjoining/surrounding land uses and activities for incompatibility and conflict issues.

After gathering information, record each activity and potential conflicts in a table similar to that shown in Table 1, Initial Risk Evaluation.

Step 2: Evaluate the risk level of each activity

A Risk Ranking Matrix, (Table 2) is used to rank the identified potential land use conflicts. The risk ranking matrix assesses the environmental, public health and amenity impacts according to the:

- · probability of occurrence, and
- · consequence of the impact.

Table 2: Risk Ranking Matrix -

PROBABILITY	A	В	C	D	E
Consequence			1700		
1	25	24	22	19	15
2	23	21	18	14	10
3	20	17	13	9	- 6
4	16	12	8	5	3
5	11	7	4	2	- 1

The risk ranking matrix yields a risk ranking from 25 to 1. It covers each combination of five levels of 'probability' (a letter A to E as defined in Table 3) and 5 levels of 'consequence', (a number 1 to 5 as defined in Table 4) to identify the risk ranking of each impact. For example an activity with a 'probability' of D and a 'consequence' of 3 yields a risk rank of 9.

Table 3: Probability Table – to score the likelihood of the consequence occurring

Level	Descriptor	Description
A	Almost certain	Common or repeating occurrence
В	Likely	Known to occur, or 'it has happened'
С	Possible	Could occur, or 'I've heard of it happening'
D	Unlikely	Could occur in some circumstances, but not likely to occur
E	Rare	Practically impossible

A rank of 25 is the highest magnitude of risk; a highly likely, very serious event. A rank of 1 represents the lowest magnitude or risk an almost impossible, very low consequence event.

Priority is given to those activities listed as high risk. This will help rank multiple effects and provide a priority list when developing management strategies.

In Table 1 record the risk ranking score for each potential land use conflict issue identified in Step 1.



Other land uses near bananas may result in conflicts over the use of pesticides, Coffs Harbour MSW. Photo: R Whitehead

Step 3: Risk Reduction Management strategies

The process of risk reduction aims to identify management strategies that affect the probability of an event occurring, such as the implementation of certain procedures; new technology or scientific controls that might lower the risk probability values.

It is also appropriate to look at management strategies which affect consequences e.g. supply staff with a mechanism to change impacts or establish better communication procedures. Such matters can sometimes lower negative consequences.

Table 4: Measure of Consequence

Level: 1	Descriptor: Severe	
Description Example/ Implication	Severe and/or permanent damage to the environment Irreversible Severe impact on the community Neighbours are in prolonged dispute and legal action involved Harm or death to animals, fish, birds or plants	
	 Long term damage to soil or water Odours so offensive some people are evacuated or leave voluntarily Many public complaints and serious damage to Council's reputation Contravenes Protection of the Environment & Operations Act and the conditions of Council's licences and permits. Almost certain prosecution under the POEO Act 	
Level: 2	Descriptor: Major	
Description	Serious and/or long-term impact to the environment Long-term management implications Serious impact on the community Neighbours are in serious dispute	
Example/ Implication	Water, soil or air impacted, possibly in the long term Harm to animals, fish or birds or plants Public complaints. Neighbour disputes occur. Impacts pass quickly Contravenes the conditions of Council's licences, permits and the POEO Act Likely prosecution	
Level:3	Descriptor: Moderate	
Description	Moderate and/or medium-term impact to the environment and community Some ongoing management implications Neighbour disputes occur	
Example/ Implication	Water, soil or air known to be affected, probably in the short term No serious harm to animals, fish, birds or plants Public largely unaware and few complaints to Council May contravene the conditions of Council's Licences and the POEO Act Unlikely to result in prosecution	
Lovel: 4	Descriptor: Minor	
Description	Minor and/or short-term impact to the environment and community Can be effectively managed as part of normal operations Infrequent disputes between neighbours	
Example/ Implication	Theoretically could affect the environment or people but no impacts noticed. No complaints to Council Does not affect the legal compliance status of Council	
Level: 5	Descriptor: Negligible	
Description	Very minor impact to the environment and community Can be effectively managed as part of normal operations Neighbour disputes unlikely	
Example/ Implication	No measurable or identifiable impact on the environment No measurable impact on the community or impact is generally acceptable.	

Table 5: Management Strategy

Identified Potential Conflict	Management Strategy (Method of Control)	Revised Risk Ranking	Performance Target

The objective is to identify and define controls that lower the risk ranking score to 10 or below.

Risk Reduction Controls

Record in a table, such as that shown in Table 5:

- management strategies for each identified potential conflict that could help lower the risk level
- re-asses the risk level on the basis of these management strategies being implemented
- for each of these strategies identify performance targets and details of how the effectiveness of the strategy will be monitored.

The exact solutions will depend on local circumstances; planning rules and guidelines; and industry expectations. You may find that many if not most, solutions are relatively simple, and will improve the proposed land use. A buffer zone, for example, may be a good tool, but don't forget that it is not the only planning and management tool available.



Well managed enterprises minimise the occurrence of land use conflicts. Photo: Tim Fitzrov and Associates

Step 4: Record LUCRA results

A record of the key issues, their risk level, and the recommended management strategies provides a

valuable planning document for managers and planners. This information should be included in any relevant management plan.

The results of a LUCRA can also be included in a development or planning proposal to show how it has informed the location, design and operation of a change in land use and/or development. Any key limitations, unknowns or assumptions in the LUCRA should be documented. Existing codes, policies or guidelines that have been used to develop conflict minimisation strategies should be referenced.

Recommended Structure of a LUCRA Report

Undertaking a LUCRA requires insight and experience of land use and resource management issues, and skills in investigation, research and inquiry, objectivity, and impartiality. The capacity to effectively assess the potential risk, given changing circumstances, the dynamics of rural areas and industries, the vagaries of climate and the varying expectations of individuals and rural communities can also help.

Possessing knowledge and understanding of land use conflict policy and specific codes and guidelines is an advantage when undertaking a LUCRA.

Once the LUCRA has been completed, the background information and the results of the LUCRA need to be compiled into a report that can accompany the planning proposal. A suggested outline of a LUCRA is given below, though to ensure that the LUCRA provides relevance to a planning proposal, the relevant consent authorities should be consulted to determine the level and type of detail required to accompany a development application or proposal, and to ensure that the LUCRA will align with the authorities' requirements.

Attachment 6: Police Advice

Peter FLYNN Senior Development Planner Liverpool Local Council Locked Bag 7064 Liverpool BC NSW 1871

Received by Archives & Reconfit



Dear Mr Peter FLYNN

RE: DEVELOPMENT APPLICATION (DA-1133/2010) 321 GREENDALE ROAD, GREENDALE NSW 2745 - CEMENTARY

I refer to Council's letter dated 10th November 2011, requesting comments from Green Valley Crime Prevention Officer in relation to the above mentioned DP. As the Crime Prevention Officer for the Green Valley Local Area Command I have applied the 'Crime Prevention through Environmental Design strategies' to the development plans and have come up with the following recommendations and considerations:

- Lighting throughout in particular car park areas should meet the minium Australian standards. Installing high quality, vandal resistant lamps are less likely to require replacement or maintenance. Lighting should be bright enough for an observer to be able to see into the back seat of parked vehicles. These lights should be on during the night and into the early hours of the morning to ensure visibility is maintained and decreases the opportunity for persons to hide in the darkness. As sites like these are often targets for malicious damage all precautions should be taken to preserve the memory of those buried.
- Signage is very important during the construction stage and whilst the site is up and running. These signs should be displayed on the exterior fence line at access points to act as a possible deterrent for would be vandals. These are examples of signs that could be utilised:
 - "Trespassers will be prosecuted"
 - "Have you removed your valuables"
 - "Is your car locked"
 - "Premises is under 24 hour surveillance"
- Speed signs to be posted within the site and an adequate number of calming devices (speed bumps) be put in to reduce the possibility of pedestrian related accidents.
- Consideration should be given to the current road and its capacity to deal with numerous commuters using the facilities during special religious / cultural ceremonies. In its current state Greendale Road is a rural single lane road with no street lighting, guttering and minimal street signage. Police believe this area may have the potential to be a motor

Green Valley Local Area Command

193-195 Wilson Rd, Hinchinbrook 2168

Constable Francisco RETAMALES

Telephone 02 9607 1799 Facsimile 02 9607 1711 ENet 85799 EFax 85711 TTY 9211 3776 (Hearing/Spe

NSW POLICE FORCE RECRUITING NOW 1800 222 122

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vehicle accident hot spot. As such adequate lighting, signage and a possible widening of the roadway near the entry point to the premises to allow vehicles to over take any vehicles waiting to turn into the premises. Police believe this should be done on both sides of the roadway (east & west side)

Reduction of landscaping in and around the main access points (Greendale Road). This
may impact with motorist's field of vision and may potentially lead to major motor
vehicle accidents.

There aren't any more recommendations. If you have any questions please don't hesitate to contact me on the number provided.

Kind regards.

Constable Francisco RETAMALES Green Valley Crime Prevention Officer 28th November 2011

Disclaimer

NSW Police has a vital interest in ensuring the safety of members of the community and their property. By using recommendations contained within this document, any person who does so acknowledges that:

- . It is not possible to make areas evaluated by NSW Police absolutely safe for the community and their property.
- Recommendations are based upon information provided to, and observations made by NSW Police at the time the
 document was prepared.
- The evaluation/report is a confidential document and is for use by the person/organisation referred to on page one.
- The contents of this evaluation/report are not to be copied or circulated otherwise than for the purposes of the
 person/organisation referred to on page one.

NSW Police hopes that by using the recommendations contained within this document, criminal activity will be reduced and the safety of members of the community and their property will be increased. However, it does not guarantee that all risks have been identified, or that the area evaluated will be free from criminal activity if its recommendations are followed."

Attachment 7: Office of Water Advice



Received By

- 5 MAR 2012

Records

The General Manager Liverpool City Council Locked Bag 7064 LIVERPOOL NSW 1871

Contact: John Galea and Greg Brady

Phone: 4729 8122

Fax: 4729 8141

Email: john galea@water nsw.gov.au

Our ref. ERM2009-1106 Your ref. DA-1133/2010

5 March 2012

Re: Integrated Development Referral – Dev Ref: DA-1133/2010
Description of proposed activity: Proposed Cemetery development

Site location: 321 Greendale Road, GREENDALE

Reference to the re-advertised Integrated Development Application (DA) proposed for the subject property. Please find the Office of Water's response to the water supply options as detailed in the subject DA.

The GTA previously supplied are still applicable in relation to the need for applying for a controlled activity approval.

The previous proposal had shown the dams to be modified to a storage volume to be within the Harvestable Rights of the property and therefore was not subject to water icencing requirements.

The Office of Water has reviewed the DA, which involves the use of water from the several dams currently on the property. The Office has determined that a water use approval and a Water Access Licence (WAL) are required. One of the dams on the property is on a "river" as defined in the Water Management Act 2000 and the other dam exceeds the "Harvestable Right" for the property.

It is noted that there has been significant changes to the proposal in relation to the use of water from the existing dams.

- For this proposal to proceed as currently presented, the applicant will be required to
 purchase a water allocation (WAL) from another WAL holder within the Mid Nepean River
 Catchment Zone as outlined in the trading rules within the Water Sharing Plan for the
 Greater Metropolitan Region Unregulated Water Sources. (Attached).
- Currently the use of any water for any purpose other than stock and domestic is unlawful.
- As it is expected that it could be very difficult for the applicant to purchase water from
 another WAL holder it is recommended, particularly if the proposal is reliant on the use of
 surface water, that the consent authority make any consent with a defered commencement
 until the applicant can demonstrate the gaining all the appropriate water licencing and water
 allocations to the volumes required for the success of this project.

Please note Council's statutory obligations under section 91A(3) of the Environmental Planning and Assessment Act, 1979 (EPA Act) which requires a consent, granted by a consent authority, to be consistent with the GTA proposed to be granted by the approval body.

If the proposed development is approved by Council, the Office of Water requests that these GTA also be included (in their entirety) in Council's development consent. Please also note the following:

The Office of Water should be notified if any plans or documents are amended and these
amendments result in more than minimal change to the proposed development, or any
requirements under WMA.

Once notified, the Office of Water will ascertain if the amended plans require review or variation/s to the GTA. This requirement applies even if the proposed works are part of Council's proposed consent conditions and do not appear in the original documentation.

- The Office of Water should be notified if Council receives an application to modify the
 development consent if the modification relates to a matter covered by our GTA. Failure to
 notify may render the consent invalid.
- The Office of Water requests notification of any legal challenge to the consent.

Under section 91A(6) of the EPA Act, Council must provide the Office of Water with a copy of any determination/s including refusals.

The attached GTA are not the Water Supply Works Approval, and/or Water Access License. The applicant must apply (to the Office of Water) for a Water Supply Works Approval, and/or Water Access Licence after consent has been issued by Council and before the commencement of any works.

Finalisation of any approvals can take up to eight (8) weeks from the date the Office of Water receives all documentation (to its satisfaction). Applicants must complete and submit (to the undersigned) an application form together with any required plans, documents, the appropriate fee and proof of Council's development consent.

For further assistance regarding Water Supply Works Approval and Water Access Licence, please contact John Galea on 4729-8122 or john.galea@water.nsw.gov.au

For further assistance in relation to controlled activity approvals, please contact Greg Brady on 47298134 or greg.brady@water.nsw.gov.au.

Yours Sincerely

John Galea

Licensing, Coastal Southern

OFFICE OF WATER

Our Ref: ERM2009/1106 Your Ref: DA1133/2010

Integrated Development Assessment

The Office of Water provides the following comments on the above proposal:

Dam Licensing

The proposal includes works subject to the Office of Water's Farm Dams Policy, which became effective on 1/1/99.

Under the policy the Maximum Harvestable Right Dam Capacity (MHRDC) for a particular property is determined by:

Property Area (hectares) X MHRDC Factor = MHRDC (megalitres).

The property area is estimated to be 40.04 hectares.

The property location at 321 Greendale Road, GREENDALE corresponds to a MHRDC Factor of 0.08 ML/ha.

In this instance therefore MHRDC = 40.04 x 0.08 = 3.2 megalitres

The current dam, which is surrounded by the training track is assumed to hold 17ML. Since this dam exceeds the MHRDC a Water Supply Works Approval, and/or Water Access Licence will be required to authorise storage capacity in excess of the Harvestable Right.

There are several other existing small dams on the property, volume unknown. These dams should not be used for irrigation but used as sediment and nutrient control structures.

The applicant will be required to purchase a WAL to enable them to extract water out of the above dam and the "river" dam towards the front of the property.



General Terms of Approval

for work requiring a water supply works approval under the Water Management Act 2000

Our Reference:

ERM2009-1106

File No:

Site Address:

321 Greendale Road, GREENDALE

DA Number:

DA-1133/2010

LGA:

Liverpool City Council

Standard

- The General Terms of Approval (GTAs) relate to the above development within the proposed development site.
- 2. The GTAs do not constitute an approval under the Water Management Act 2000 (WMA).
- If the consent authority determines to grant consent, the GTAs are to form part of the development consent.
- 4. Any amendments to the development application may void these GTAs.
- 5. The consent holder must submit to the NSW Office of Water (NOW), a completed application form for a water supply works approval prior to the commencement of any development / works for new or modified dams or ponds that propose to capture more rainfall runoff than the harvestable right associated with the development.
- The application for a water supply works approval is subject to the assessment provisions of the Water Management Act 2000, which may take up to 6 months to assess, including public advertisement of the proposal. The consent holder must not construct any water supply works until approval is obtained by NOW.
- 7. The consent holder must obtain a water access licence to extract water from a water source if the volume of water to be extracted is in excess of the harvestable rights provisions for the development prior to extracting any water from a water source.
- 8. Works Approval applications are required to be in accordance with the GTAs.

Works Approval Application

- 9. The consent holder must provide the following with the works approval application:
 - (a) A copy of the development consent
 - (b) Appropriate fee (to be determined once DA is granted)

Relevant Plans and Documents

- 10. The approval holder must ensure that development / works are completed in accordance with the following drawings and / or documents:
 - (a) ALW Design Civil & Stormwater Engineering Design Documentation Drawing SW11308 – S1, S2, S3, S4, S5 & SW11308 – SE1- dated 31-10-11.

Works

- 11. The approval holder must not allow any tailwater or drainage water to discharge, by any means including surface or sub-surface drains or pipes, from the approval holders property, into or onto:-
 - any adjoining public or crown road
 - any other persons land

Water Sharing Rules Middle Nepean River Management Zones

	Water Sharing Plan
Plan	Greater Metropolitan Region Unregulated Water Sources
Plan Commencement Date	1 July 2011
Term of the Plan	10 years
Water Sharing Rules	These rules apply to all surface waters in the management zones.
Note: Nine management zones (MZs) Catchment was undertaken as a single	have been included in this rules summary as planning for the Middle Nepsan River management unit.
	Boundary Definition
Menangle Weir MZ	Includes the reach of the Nepean River below Douglas Park Weir to and including Menangle Weir.
Camden Weir MZ	Includes the reach of the Nepean River below Menangle Weir to and including Camden Weir. This MZ includes Thurns Weir and Bergins Weir.
Sharpes Weir MZ	Includes the reach of the Nepean River below Camden Weir to and including Sharpes Weir.
Cobbity Weir MZ	Includes the reach of the Nepean River below Sharpes Weir to and including Cobbity Weir.
Mount Hunter Rivulet Weir MZ	Includes the reach of the Nepean River below Cobbity Weir to and including Mount Hunter Rivulet Weir.
Brownlow Hill Weir MZ	Includes the reach of the Nepean River below Mount Hunter Rivulet Weir to and including Brownlow Hill Weir.
Theresa Park Weir MZ Includes the reach of the Nepean River below Brownlow to and including Theresa Park Weir.	
Wallacia Weir MZ	Includes the reach of the Nepean River below Theresa Park Weir to and including Wallacia Park Weir.
Mid Nepean River Catchment MZ	Includes the hydrological catchment of the Nepean River below Douglas Park Weir to Wallacia Weir.

The following rules are a gu	Management	Zone When inflows to the dams > 80 th percentile	Menangle An EFPR will be in place when the Weir Weir is unable to pass the volume of water released from Pheasants Nest Veir and Broughtons Pass Weir in the previous 24 hours.	Camden Weir An EFPR will be in place when the week is unable to pass the volume of water released from Pheasants Nest Weir and Broughtons Pass Weir in the previous 24 hours.	Sharpes Weir An EFPR will be in place when the week is unable to pass the volume of water raleased from Pheasants Nest Weir and Broughtons Pass Weir in the previous 24 hours.	Cobbity Weir An EFPR will be in place when the were is unable to pass the volume of water raisased from Pheasants Nest Weir and Broughtons Pass Weir in the previous 24 hours.	Mount Hunter An EFPR will be in place when the Rivulet Weir weir is unable to pass the volume of water released from Pheasants Nest
uide only. For mor		ams > 80"	e when the he volume of easants Nest ass Weir in the	e when the he volume of essants Nest ass Weir in the	e when the ne volume of easants Nest ass Weir in the	e when the he volume of easants Nest ass Weir in the	e when the ne volume of easants Nest
Kuies Summary The following rules are a guide only. For more information about actual license conditions, contact the NSW Office of Water in Parramatta, phone 8838 7831.	EFPR	When inflows are between 80th and 95th percentile	An EFPR will be in place when the weir is unable to pass (the volume of water released from Pheasants Nest Weir and Broughtons Pass Weir in the previous 24 hours) * 0.9.	An EFPR will be in place when the weir is unable to pass (the volume of water released from Pheasants Nest Weir and Broughtons Pass Weir in the previous 24 hours) * 0.878.	An EFPR will be in place when the weir is unable to pass (the volume of water released from Pheasants Nest Weir and Broughtons Pass Weir in the previous 24 hours) * 0.871.	An EFPR will be in place when the weir is unable to pass (the volume of water released from Pheasants Neat Weir and Broughtons Pass Weir in the previous 24 hours)* 0.863.	An EFPR will be in place when the weir is unable to pass (the volume of water released from Phessants Nest Weir and
stact the NSW Office of Water in Parramatta, ph		When inflows are < 95th percentile	An EFPR will be in place when the weir is unable to pass (the volume of water released from Pheasants Nest Weir and Broughtons Pass Weir in the previous 24 hours) * 0.8.	An EFPR will be in place when the weir is unable to pass (the volume of water released from Pheasants Nest Weir and Broughtons Pass Weir in the previous 24 hours) * 0.761.	An EFPR will be in place when the weir is unable to pass (the volume of water released from Pheasants Nest Weir and Broughtons Pass Weir in the previous 24 hours) * 0.748.	An EFPR will be in place when the weir is unable to pass (the volume of water released from Pheasants Nest Weir and Broughtons Pass Weir in the previous 24 hours) * 0.734.	An EFPR will be in place when the weir is unable to pass (the volume of water released from Pheasants Nest Weir and
one 8838 7531.	Reference point		Nepean River at Menangle (212238).	Camden Weir stage gauge.	Sharpes Weir stage gauge.	Cobbity Weir stage gauge.	Mount Hunter Rivulet Weir stage gauge.

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Brownlow Hill Weir	An EFPR will be in place when the weir is unable to pass the volume of water released from Pheasants Nest Weir and Broughtons Pass Weir in the previous 24 hours.	An EFPR will be in place when the weir is unable to pass (the volume of water released from Pheasants Nest Weir and Broughtons Pass Weir in the previous 24 hours) * 0.856.	An EFPR will be in place when the weir is unable to pass (the volume of water released from Pheasants Nest Weir and Broughtons Pass Weir in the previous 24 hours) * 0.734.	Brownlow Hill Weir stage gauge.
Theresa Park Weir	An EFPR will be in place when the weir is unable to pass the volume of water released from Pheasants Nest Weir and Broughtons Pass Weir in the previous 24 hours.	An EFPR will be in place when the weir is unable to pass (the volume of water released from Pheasants Nest Weir and Broughtons Pass Weir in the previous 24 hours) * 0.837.	An EFPR will be in place when the weir is unable to pass (the volume of water released from Pheasants Nest Weir and Broughtons Pass Weir in the previous 24 hours) * 0.087.	Theresa Park Weir stage gauge.
Wallacia Weir	An EFPR will be in place when the werk is unable to pass the volume of water released from Pheasants Nest Weir and Broughtons Pass Weir in the previous 24 hours.	An EFPR will be in place when the weir is unable to pass (the volume of water released from Pheasants Nest Weir and Broughtons Pass Weir in the previous 24 hours) * 0.810.	An EFPR will be in place when the weir is unable to pass (the volume of water released from Pheasants Nest Weir and Broughtons Pass Weir in the previous 24 hours) * 0.64.	Nepean River at Wallacia (212202).
Mid Nepean River Catchment	Pumping is not permitted when there is no visible flow at the pump site.	visible flow at the pump site.		Pump site.

Note: Daily releases are not required to be made due to an emergency situation at that welf or an upstream welf and the holder notifies the Minister within 7 days of becoming aware of the emergency, the Minister is satisfied that releases cannot be made due to work capacity constraints or maintenance, refurbishment or modification work, at that welf or an upstream one for a period of more than 24 hours. The Minister requires an alternate reference release to be made due to an emergency or maintenance activity upstream, the stage necessary to deliver the release at that welf or upstream; when Wallacia Welf is spilling at a rate equal to or greater than its release requirement and when, from years 1 to 5 of the Plan, releases cannot be made despite the best endeavors of the licence holder to mede them. The Minister may conduct a review into why release requirements are not being met.

Trad	ing rules for the Cobbity Weir Management Zone
INTO management zone	Trading is permitted from Menangle Weir, Camden Weir and Sharpes Weir. Trading is only permitted from the Mount Hunter Rivulet Weir Management Zone, Brownlow Hill Weir Management Zone, Theresa Park Weir Management Zone or Wallacia Weir Management Zone if the trade will result in no net gain in entitlement to the water source.
WITHIN management zone	Permitted.
Conversion to High Flow Access Licence	Not permitted.
Trading rul	es for the Mount Hunter Rivulet Weir Management Zone
INTO management zone	Trading is permitted from Menangle Weir, Camden Weir, Sharpes Weir and Cobbity Weir.
	Trading is only permitted from the Brownlow Hill Weir Management. Zone, Theresa Park Weir Management Zone or Wallacia Weir Management Zone if the trade will result in no net gain in entitlement to the water source.
WITHIN management zone	Permitted.
Conversion to High Flow Access Licence	Not permitted.
Trading	rules for the Brownlow Hill Weir Management Zone
INTO management zone	Trading is permitted from Menangle Weir, Camden Weir, Sharpes Weir, Cobbity Weir and Mount Hunter Rivulet Weir.
	Trading is only permitted from the Theresa Park Weir Management Zone or Wallacia Weir Management Zone if the trade will result in no net gain in entitlement to the water source.
WITHIN management zone	Permitted.
Conversion to High Flow Access Licence	Not permitted.
Trading	rules for the Theresa Park Weir Management Zone
INTO management zone	Trading is permitted from Menangle Weir, Camden Weir, Sharpes Weir, Cobbity Weir, Mount Hunter Rivulet Weir and Brownlow Hill Weir.
	Trading is only permitted from the Wallacia Weir Management Zone in the trade will result in no net gain in entitlement to the water source.
WITHIN management zone	Permitted.
Conversion to High Flow Access Licence	Not permitted.

Trad	ing rules for the Wallacia Weir Management Zone
INTO management zone	Trading is permitted from Menangle Weir, Camden Weir, Sharpes Weir, Cobbity Weir, Mount Hunter Rivulet Weir, Brownlow Hill Weir and Theresa Park Weir.
	Trading is not permitted from the Mid Nepean River Catchment Management Zone, Lower Nepean River Management Zone, Erskine Creek and Glenbrook Creek Management Zone, Grose River Management Zone, Colo River Management Zone, Capertee River Management Zone, Colo River Management Zone, Upper Hawkesbury River (Grose River to South Creek) Management Zone, Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone, Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone, Lower Hawkesbury River Management Zone, Macdonald River Management Zone, Upper South Creek Management Zone, Lower South Creek Management Zone, Cattai Creek Management Zone, Berowra Creek and Cowan Creek Management Zone and Warragamba River Management Zone.
WITHIN management zone	Permitted.
Conversion to High Flow Access Licence	Not permitted.
Trading rule:	s for the Mid Nepean River Catchment Management Zone
INTO management zone	Not permitted.
WITHIN management zone	Permitted.
Conversion to High Flow Access Licence	Not permitted.

Access to very low flows (due to a water shortage)

When a 'water shortage' is triggered there may be limited access to the very low flows during this period. A water shortage will be signalled when a 24 hour forecast temperature above or below a predefined temperature occurs along with consecutive previous days EFPR. The conditions which will trigger a 'water shortage' situation are shown in below. Note that the temperature conditions would be the 4:00 pm or later Bureau of Metrology forecast for Campbelltown for the following day.

Forecast Temperature (T, °C)	No. of consecutive days EFPR before full exemption	Months
T < 4	0	All
4 ≤ T < 23		May to August
	9	September to April
23 ≤ T < 28	4	All
28 ≤ T < 31	1	All
31 ≤ T	0	All
Duration of water shortage	Once a water shortage exemption is signalled, it shall remain in force for 3 days irrespective of the pumping conditions and temperature	

The NSW Office of Water is to determine at the end of each water year the total volume of water extracted from very low flows during a water shortage. Where the volume of water extracted exceeds 41 ML/day, the Minister is to assess whether a total daily extraction limit is to be introduced for these management zones on extraction during periods of a water shortage.

	Lagoon rules	
Trading onto a lagoon from a river	Not permitted.	
Application for new works on a lagoon	Not permitted.	

More information about the macro planning process for the Greater Metropolitan Region Unregulated Water Sources is available at: www.water.nsw.gov.au.

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