



City of Blue Mountains

23rd November, 1989.

The Manager
Cariste Pty Ltd
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TURRAMURRA 2074

Please quote file
20104
DB:JAS

If telephoning or calling regarding this
matter, please contact:
Acting City Planner

SUBJECT: Notice to Applicant of Determination of a Development
Application.

Dear Sir,

Pursuant to Section 92 of the Environmental Planning and Assessment Act, 1979, notice is hereby given of the determination by Council of Development Application No. 8162 to establish a Flora and Fauna Park on Part Portion 26, Great Western Highway, Wentworth Falls, being that land contained within Local Environmental Plan No. 79. The Development Application has been determined by the granting of consent subject to the following conditions:-

Major Traffic Route

1. All motor vehicle access to and from the Great Western Highway shall be via left in/left out movements only, in accordance with the Traffic Survey Report prepared by Sinclair Knight and Partners, dated July, 1989.
2. A raised median strip shall be constructed in accordance with the requirements of the Roads and Traffic Authority, between the two (2) sections of existing New Jersey median, in order to prohibit right hand turns to and from the park, or U-turn manoeuvres. This condition is imposed in recognition of the need to ensure illegal traffic movements do not occur in this section of the Great Western Highway.
3. Any measures for traffic safety that may be required by the Roads and Traffic Authority. These may include extensions of a raised median strip, and improvements to the Tableland Road intersection. This condition is imposed in recognition of the need to ensure illegal traffic movements do not occur in this section of the Great Western Highway.

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4. Full engineering plans and details are to be prepared by a suitably qualified Consulting Engineer for all roadworks referred to in Condition Nos. 1 to 3 above, and be submitted to, and approved by, the Roads and Traffic Authority. Construction shall include any additional conditions or works required by the Roads and Traffic Authority to make these works effective, and be completed prior to the opening of the flora and fauna park.
5. No vehicular access to the subject site shall be permitted via Tableland Road and Miller Street.
6. All undeveloped highway road reserve areas for the full frontage of the site, extending from the existing and future kerbline to highway property boundary of the site, shall be landscaped with trees and shrubs. Such works are to receive Roads and Traffic Authority approval, and be completed prior to the opening of the flora and fauna park.

Access and Parking

7. Full details shall be lodged, for Council approval, at the building application stage, indicating the proposed site entry treatment, and shall include all intended directional and identification signage, landscaping, gates and the like. In this regard, the highway entrance gate shown on the plan submitted shall not be located in any section of the Environmental Protection Zone.
8. To maintain appropriate safety levels, the site entry point shall consist of separate ingress and egress driveways, each to a minimum width of 5 metres, divided by a minimum 1 metre wide median. The proposed driveway, and physical separation, shall be at a level grade for a minimum of 6 metres within the property boundary.
9. All on-site car parking spaces and coach bays, together with access driveways and turning areas, shall be constructed, paved, linemarked, signposted and maintained. In this regard, car spaces shall have minimum dimensions of 5.5 m x 2.5 m; coach bays 3 m x 15 m; aisle widths servicing car parking of 7 m and 16 m servicing coach bays.
10. All access driveways and parking areas shall be fully kerbed and guttered, or provided with dish gutters and appropriate physical barriers, such as to suitably contain vehicular parking and traffic movements and provide effective drainage.
11. The main access driveway shall be a minimum 7 m in width to ensure unimpeded two-way traffic movement.
12. A revised car and coach parking layout shall be submitted to Council for approval. The configuration is to be based on the concept proposed, however all areas encroaching within the Environmental Protection Zone are to be relocated and clearly shown as such on the plans. Parking numbers shall not be less than the 32 car spaces and 5 coach bays indicated, however adequate area is to be set aside for additional parking, should the need arise.

13. Parking plans referred to in Condition No. 12 above shall include construction and drainage details required to ensure the area remains effective and stable at all times. In this regard, the detail will need to demonstrate the manner in which the crushed quartz surface will withstand the effects of storm intensity rainfall, erosion, and drainage detail that ensures all surface water from parking areas does not by-pass the purification lagoon.
14. All detail required in Conditions 7-13 above, shall be submitted to and approved by Council, prior to the release of a building application.

Building

15. The location and design of the main building shall be in accordance with the plans submitted, ensuring that the structure is a minimum 100 m from the highway property boundary, and that the height of the building (to roof top) does not exceed highway road level at the point of the entrance gate (i.e. maximum height of 12 m above natural ground level).
16. All external materials of construction shall have low-reflective surfaces and be of earth tone colours, representative of the tonal qualities of the site's surrounding natural vegetation to ensure the development merges and blends in with the site and natural areas.
17. A schedule and sample of all external building materials and finishes shall be submitted to Council, prior to the issue of a Building Permit.

Full details of all colours of external materials of construction shall be submitted to, and approved by, Council prior to their installation or application on any building.

18. To preserve the amenity of the neighbourhood, measures, to the satisfaction of Council, shall be incorporated to minimise the transmission and visibility of internal lighting beyond the boundaries of the site.
19. To preserve the acoustic amenity of the neighbourhood, minimal noise nuisance shall emanate from any plant, equipment or internal activity. Noise levels shall be adequately suppressed, so that the ambient is not exceeded at the residential boundaries of the property.
20. Building application plans shall include the necessary detail to ensure compliance with the requirements of Conditions 18-19 above.

Site Planning/Landscaping

21. All sections of the development shall be contained within the Rural 1(C3) zone, as defined by Local Environmental Plan No. 79. Accordingly, the following proposals located within the Environmental Protection Zone shall be relocated and/or deleted and plans submitted with the building application, amended accordingly, prior to approval thereof:

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- the park gates located immediately behind the highway property boundary;
 - the security fencing (and slashed area) as shown surrounding the property boundaries, and within the environmental protection zone.
22. A suitably rigid fence of bushland tone shall be erected within the Rural 1(C3) zone adjacent to the Environmental Protection Zone. This condition is imposed to ensure all captive animal exhibits are contained within the designated development zone. No objection is raised to the establishment of a walking track within the 7(e) zone, located in such a position so as to direct patrons past natural site features. These natural exhibits should be approximately detailed by signage for educational benefit.
23. For the areas denoted (e) on the site plan, the stocking rate of animals shall not exceed a level consistent with the maintenance of a stable vegetative cover at ground level to prevent soil erosion, damage to natural watercourses and hanging swamps. A qualified statement as to the type and number of animals (maximum) shall be submitted to Council.
24. Landscaping of the Rural 1(C3) development area shall be in accordance with a plan prepared by a qualified landscape architect. The plan is to have regard to the generalised layout shown on the development plans, but shall include specific detail and specification on earthworks, retaining walls, paths, gradients, gardens, tree/shrub plantings and drainage works necessary to ensure all works are and will remain effective.
25. The landscape detail shall demonstrate the means by which all areas within the environmental protection zone are protected during the construction phase of the development and is to include, in association with Condition No. 24 above, the proposed works within highway reserve between highway kerb line and property boundary for the full frontage of the site.
26. The required detail contained in Condition Nos. 21-25 above, shall be submitted to and approved by Council and prior to release of building application approval.
27. All work related to the main exhibit building, car parking, driveways, landscaping as required by the consent, shall be completed prior to the opening of the flora and fauna park.

Stormwater Management

- * 28. Full design details and cross-sections of the purification lagoon are to be submitted to Council prior to its construction. The lagoon must be extended in both northerly and southerly directions for a sufficient distance, to fully trap and process all run-off from the development site, including sediment and run-off from all access roads and vehicle parking areas. In this regard, small dams across the two flowlines are necessary, and details of cross-sections, capacity, freeboard, batter slopes, revegetation and detailed spillway designs (with trash racks) are necessary, and must be designed for a 1 in 20 year storm intensity.

29. Hydrological and environmental reports shall be submitted prior to building approval, that provides further specific detail on the following:-

- the operation and effectiveness of the purification lagoon in this location and assurance that such system will withstand surface water run-off generated by a 1 in 20 year storm intensity;
- the management of the lagoon in respect of sediment removal and general maintenance;
- means to ensure the effectiveness of the purification lagoon to areas within the 7(e) zone and downstream of the site (i.e. water flow, nutrient content, siltation, any other adverse environmental effect).
- that the contents of the report have taken into account the climate, hydrology and ecological aspects of this area.

30. To ensure the effective continuing operation of the system, the submission of details of an ongoing maintenance programme for all elements in the stormwater management system, for Council approval prior to the issue of a building permit. The programme shall include, for both constructional and operational phases, the frequency at which the various maintenance procedures specified shall be carried out. Maintenance procedures shall be executed in accordance with the approved programme.

31. All work related to the construction of the purification lagoon and dams referred to in Condition No. 28 above, shall be carried out in accordance with all requirements of the Soil Conservation Service of New South Wales. A copy of the Inspectors reports from the Soil Conservation Service of New South Wales District Officer following regular inspection of ponds, spillways, watercourses, water channels, erosion control work and the like shall be provided to Council as evidence that all work meets the requirements of the Service. All hydraulic structures and civil works shall be inspected and certified as structurally sound by a qualified civil engineer.

32. No construction of the buildings, roadways or carpark is to begin until the purification lagoon, with amendments, is constructed, planted to macrophytes and is operational.

33. In accordance with Council policy, advertising structures and/or signs of any kind shall not be erected, affixed, painted or displayed in any way on any building, fence or land, without the prior consent of Council. Only 2 signs, one of these at the entrance to the site, shall be visible from the Great Western Highway or public areas, the maximum area of each sign being 0.75 sq. metres.

34. In accordance with Council policy, details of any proposed screen walls or fences are to be submitted to Council for approval prior to their erection.

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35. To maintain acceptable health and visual amenity standards, satisfactory arrangements are to be made with the Health and Building Department regarding the storage and removal of all garbage wastes generated by the development.
36. To ensure minimal adverse off-site effects, prior to the erection/installation of any external lighting, full details on location and type shall be submitted to Council for approval.
37. All adjustments to public utilities necessitated by the development shall be completed prior to occupation of the premises.
38. The applicant is to make satisfactory arrangements with Prospect County Council for the supply of underground electricity to and within the subject development.
39. The existing slashed area beneath the power lines and poles that traverse the property between the highway property boundary and main entrance building (approximately 50 m) shall be allowed to revegetate to a height of 3 m.

Should this treatment be unacceptable to Prospect Electricity for any reason, then the power lines/poles will be required to be removed and an alternative power supply provided to Bodington Hospital for which their written concurrence will be required. Confirmation in writing from Prospect Electricity authorising the revegetation of this area is required prior to the release of any Building Approval. The highway reserve shall be landscaped in accordance with Condition Nos. 24 and 25 above. All costs related to any part or all of this work shall be borne by the applicant.
40. The development shall be connected to the Water Board sewer in accordance with the provisions of Local Environmental Plan No. 79. Approved plans/documents from the Water Board are to be submitted to Council prior to release of building approval that indicates the Board's acceptance to the removal of all effluent and the type and location of the approved connection.
41. Minimal disturbance shall occur to the site during construction works with all building materials, equipment and earth moving plant involved in the construction being kept within the site.
42. All construction work on the development shall be carried out between the hours of 7.00 a.m. and 5.00 p.m., Monday to Friday. No work is to be carried out on weekends or public holidays without formal request and Council approval. All surplus excavated or demolished materials shall be removed from the site, in an orderly manner, during the days and hours specified above and be disposed of in a location to be approved by Council.
43. To restrict sources of pollution no incinerators are to be installed.
44. The land comprising Local Environmental Plan No. 79 shall be subdivided from Part Portion 26 into separate title.

45. Details (prepared by an Acoustics Engineer) of noise control equipment and noise attenuation measures or methods to be installed or effected are to be submitted with the Building Application.
46. The design and installation of air handling systems shall be in conformity with Ordinance 70. Performance details, plans and specifications are to be submitted to the Health and Building Department for approval prior to installation.
47. Sections of the building which are intended to be used for the preparation and storage of food and to be constructed in accordance with the requirements of the Pure Food Act and Council's Food premises code.
48. The provision of full access for the disabled to, and within, all buildings in accordance with the provisions of Ordinance 70 .

Surveys

49. The applicant shall have prepared and submitted a detailed Archeological Survey of the total site. The survey shall be prepared by a suitably qualified person, and be in a format acceptable to the National Parks and Wildlife Service.

The applicant shall liaise with the National Parks and Wildlife Service prior to the preparation of the Survey.

The above conditions are imposed in conformity with Council's current Codes and Policies which are aimed at providing the Blue Mountains with an environment and amenity in keeping with public convenience and tourism, and are set out in a standard form to encourage consistency in application and confidence in those investing in the City's growth.

This approval became effective on the above date (Section 93 of the Act) and will lapse unless the proposed development is substantially commenced within two (2) years of the approval date (Section 99 of the Act).

Under the provisions of Section 97 of the Act you may (within twelve (12) months of receipt of this notice) appeal to the Land and Environment Court against conditions imposed should you feel they are unreasonable.

Yours faithfully,

R. FENNELL,
Town Clerk/City Manager.

Per: 