

REPORT BY ACTING CITY PLANNER

17529. Proposed Transcendental Meditation Academy - Portion 207, Pulpit Hill Road, Katoomba (Radiata Plateau).

Report SummaryProposal

Academy for conference and training programmes in Transcendental Meditation. This Development Application seeks Council approval for Stage 1 only, which consists of main building, entry building, clinic, office/teahouse, and parking area, and provides total accommodation for 51 people.

Applicant/Owner

World Plan Executive Council of Australia
c/- Planning Workshop
PO Box C183
Clarence Street
SYDNEY NSW 2000

Site Description

Portion 207, off Pulpit Hill Road, Katoomba. The applicant also owns the land covering the remainder of Radiata Plateau (total 404 ha).

Public Exhibition

Exhibited for 4 weeks, from 21st February, 1990 to 21st March, 1990. Two-hundred and sixty-eight submissions received (as at 7th May, 1990). Issues raised will be examined in detail in Report.

Relevant Issues

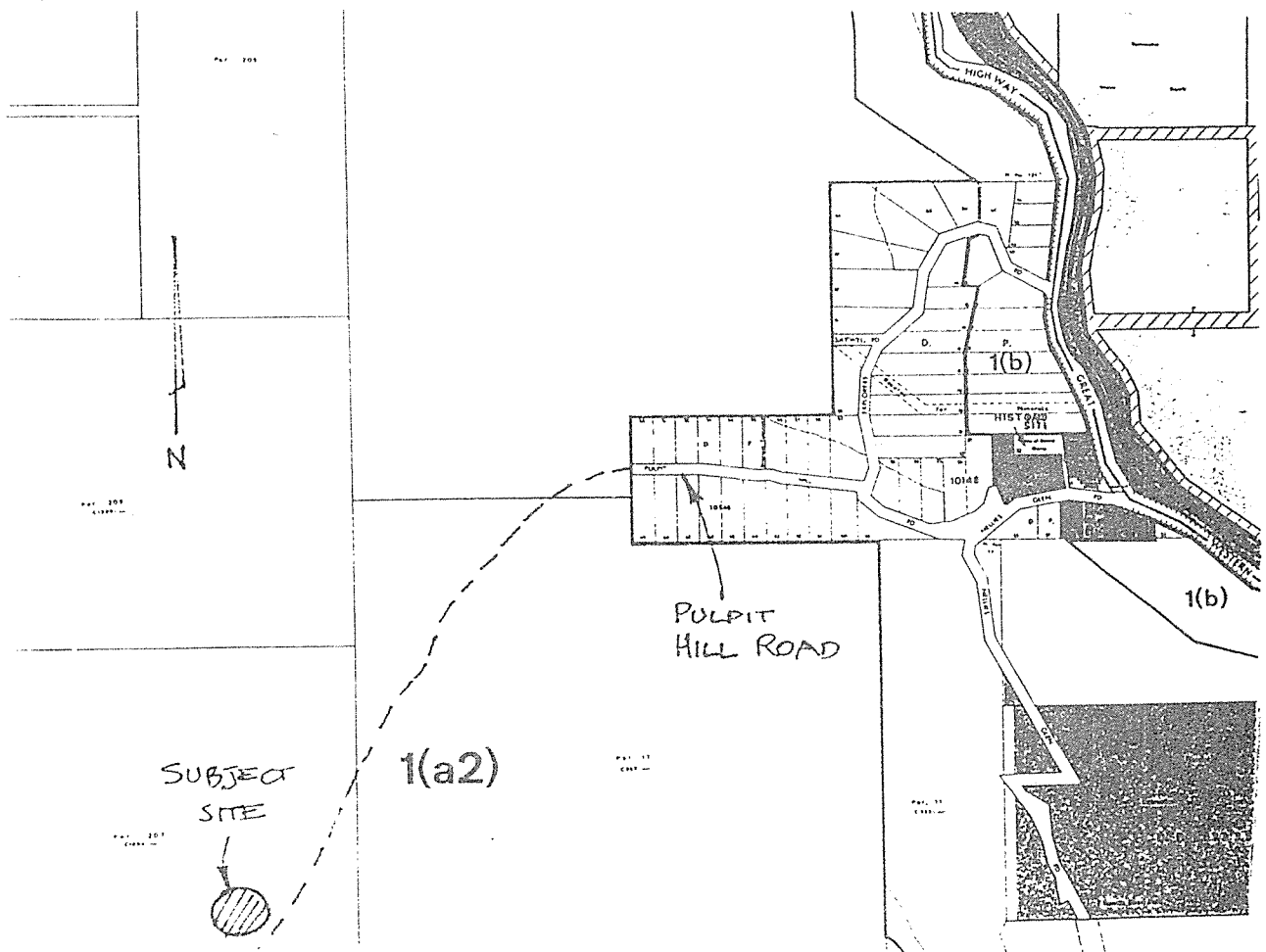
- Compliance with Local Environmental Plan No. 4 and Council's Draft Environmental Management Plan.
- Design and site planning.
- Environmental impacts.
- Effect upon local amenity.
- Provision of services and utilities.
- Access, parking and traffic.
- Public access.

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Summary of Recommendation

This development application has been the subject of extensive preliminary discussions with the public and public authorities. In response to concerns raised, the applicant has submitted an additional submission, which now provides adequate information to enable a proper environmental assessment of the proposal. Aldermen will have received a copy of the additional submission prior to the meeting. As detailed in this report, the planning assessment of the proposal finds that, on balance, all areas of concern can be addressed (including connection to sewer and water, road upgrading, sediment and erosion control plan and re-orientation of main building).

It will therefore be recommended that the application for Stage 1 only be approved, subject to the conditions attached to this report.



Attachments

1. Submitted Plans.
2. Applicant's Additional Submission - Summary.
3. Summary of Submissions.
4. Comments from Public Authorities.

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Development Application Report (Section 90 and Local Environmental Plan No. 4).

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Applicant: World Plan Executive Council of Australia
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PO Box C183
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Site: The site comprises portions 17, 133, 136, 137, 206, 207, 208 and 209, an area of approximately 404 hectares. It occupies almost the whole of Radiata Plateau including Mount Elphinstone, Megalong Head and the tops, cliff line and talus slopes on the east, south and west of the escarpment. The building development is located on Portion 207.

Much of the upper sections of the land has been used as a Radiata Pine plantation for many years. The land comprises both escarpment and forested or scrub covered plateau which is either partly or fully infested with pine. A network of roads and fire tracks has been created on the land.

Site access is via a local unsealed road, Pulpit Hill Road.

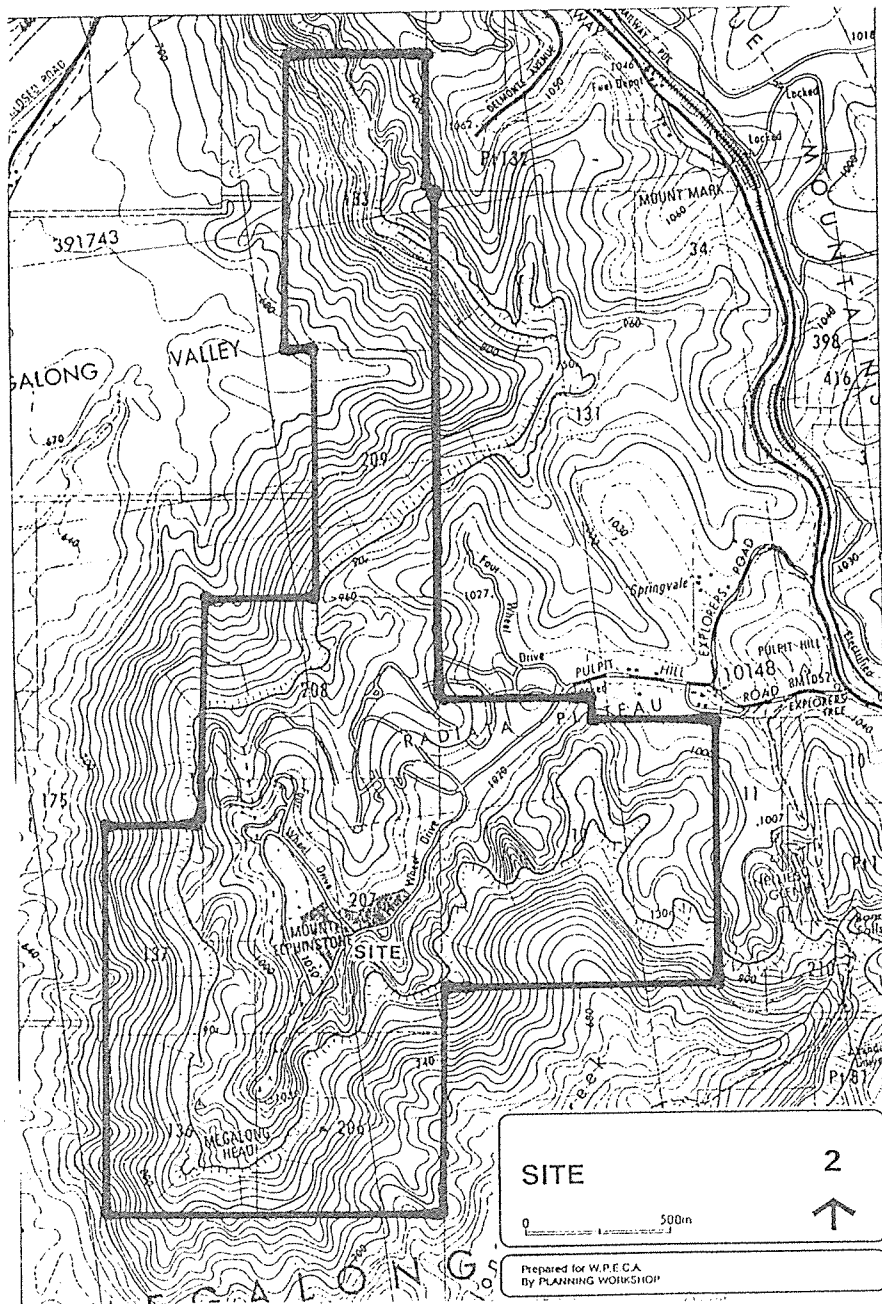
Owner: World Plan Executive Council of Australia, since 1979.

Planning History: 30/12/1977 - enquiries made of Council by the applicant, regarding use of the site for an educational academy.

1989 - Environmental Management Plan Study identified this area as appropriate for Regional Open Space. This was not accepted by the Department of Planning.

Exhibited E.M.P. 1 shows land as part Bushland Conservation, part Environmental Protection.

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Proposal:

Stage 1 of a 4-stage Academy for conference and Training Programmes in Transcendental Meditation.

Stage 1 comprises 2-storey main building (34 bedrooms), clinic (17 bedrooms), entry building, teahouse, office, parking area and access road. (Total 51 beds). (Refer to submitted plans at Attachment No. 1).

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Details of future stages, although not part of the development application, have been included for the information of Council. The applicant fully understands that any development beyond that proposed in Stage 1 will require further Council approval.

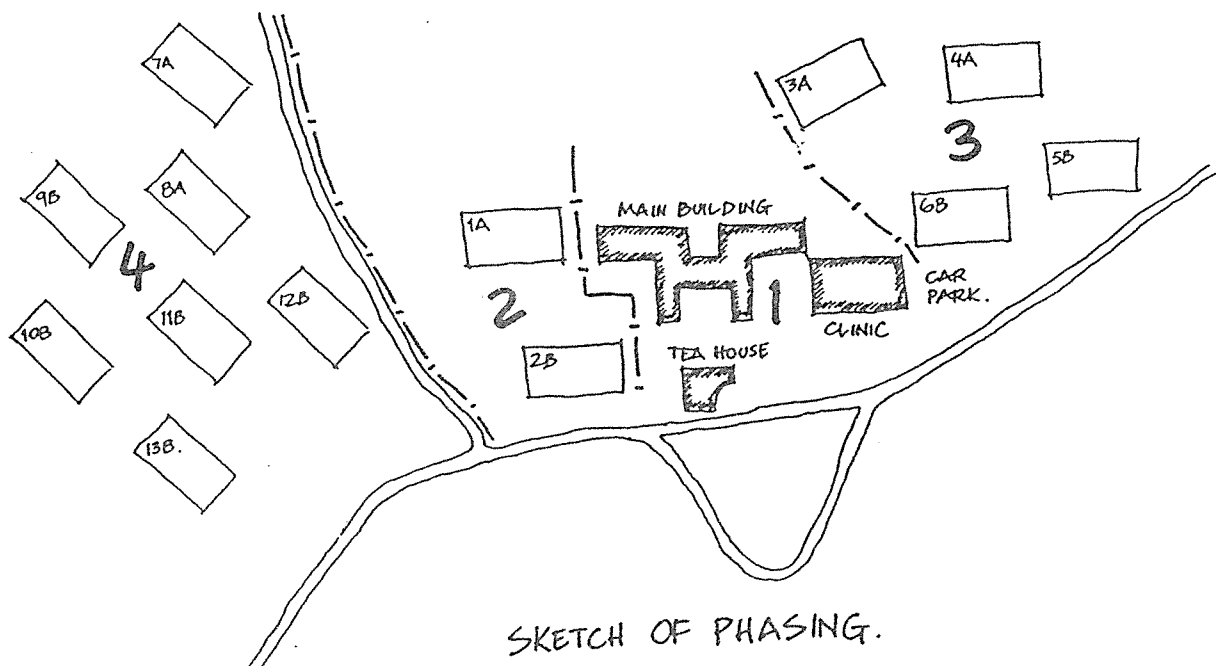
The development application is supported by a Statement of Environmental Effects, full architectural plans for all buildings, landscape plans, and consultants' reports (including Environmental Report, Traffic Report, Hydraulic Report and Referrals from Public Authorities).

An additional submission was received by the Council from the applicant on 4th May, 1990, in response to various issues raised by Council officers, Aldermen, local residents and public authorities during the period following the lodgement of the development application, and includes the following:-

1. Sediment and Erosion Control Plan.
2. Water Supply Study.
3. Effluent Disposal Study.
4. Archaeological Study.
5. Road Access Assessment.
6. Bush Fire Study.
7. Alternative Sites Assessment.
8. Rare and Threatened Plant Survey.
9. Re-orientation of Main Building.
10. Public Use of Site.
11. Site Management Plan.
12. Background to Applicant Organisation.
13. Traffic Flows.

(Refer to additional submission summary at Attachment No. 2).

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PUBLIC COMMENT

The development application was publicly advertised for 4 weeks, from 21st February, 1990 to 21st March, 1990, and local residents and landowners notified.

At 7th May, 1990, 268 submissions had been received, including submissions from several organisations. A summary of the submissions, and concerns raised, is set out on Attachment No. 3. #

Relevant public authorities were also invited to comment on the proposal, and their comments are taken into account in the report. (National Parks and Wildlife Service, Water Board).

The application was also the subject of meetings between the applicant, residents, Council Aldermen and officers. Arising out of this, additional information was given to Council by the applicant, in response to the various issues raised. Issues are evaluated in the assessment.

TOWN PLANNING ASSESSMENT

Zoning and Other Prescribed Matters

L.E.P. No. 4: Current zoning Rural 1(a2). The proposed use could be considered an 'educational establishment', or 'recreation establishment', which are permissible in the zone, with Council consent.

It is considered that the latter is the closest description. It is not agreed with objections that this is a "tourist facility". It provides more than just accommodation.

E.M.P. (1): The subject land is also included in Council's Draft Environmental Management Plan (E.M.P.) (exhibited from April to July, 1989). It is zoned part Bushland Conservation, part Environmental Protection. The development is proposed to be sited on land which is proposed to be zoned Environmental Protection 7(e). This was an issue raised by objection.

As a result of the exhibition, Blake Dawson and Waldron, Planning Workshop on behalf of World Plan Executive Council, submitted an objection to the zoning, and requested an extension to the Bushland Conservation zoning to include the proposed development site in accordance with a detailed land capability study undertaken by Ian Olsen.

This objection was also heard by Commissioner Simpson who conducted a Section 68 Public Hearing for Council. At this hearing, Council's Town Planner indicated general agreement with the proposed extension of the Bushland Conservation zone. However, the question of the development was one for Council determination. Commissioner Simpson accepted the recommendation of Council's Town Planner on zone boundary changes. However, he expressed no view on the merit of the proposed development, believing this to be a matter for detailed Council investigation and determination.

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If the recommendation is adopted by Council, the proposed development site would be zoned Bushland Conservation (no subdivision) and would also be designated as 'Land Between Towns'. 'Educational Establishment' is permissible in this zone, with Council consent.

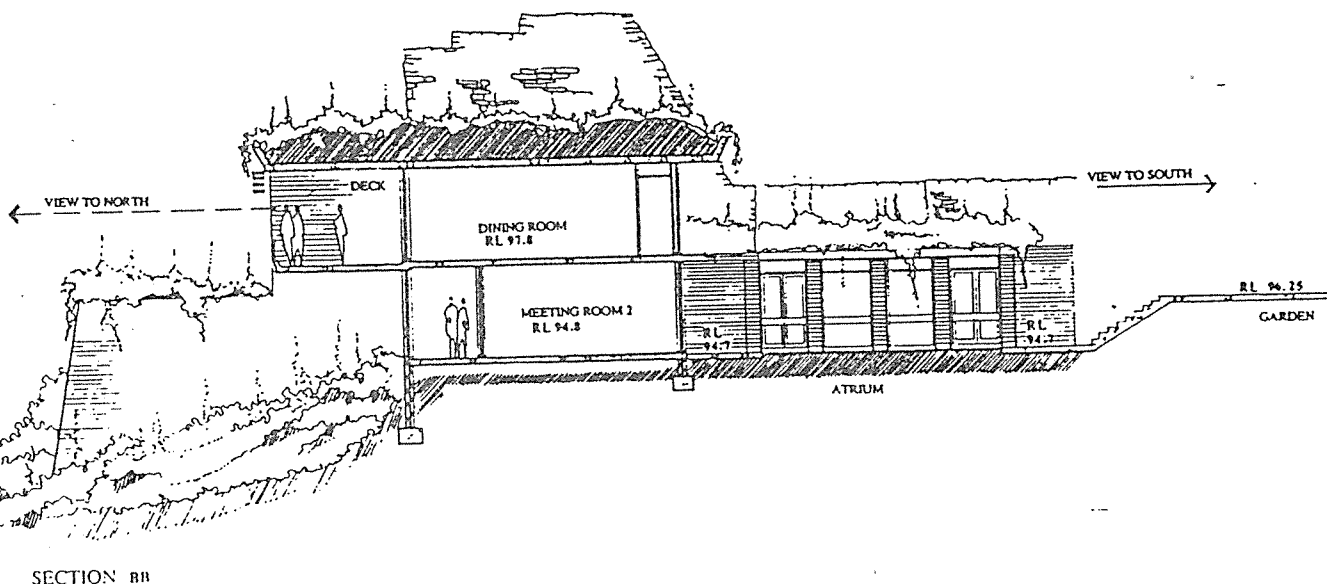
The objectives and development criteria for the Bushland Conservation zone and 'Land Between Towns' are part of the evaluation of the application.

Design and Site Development

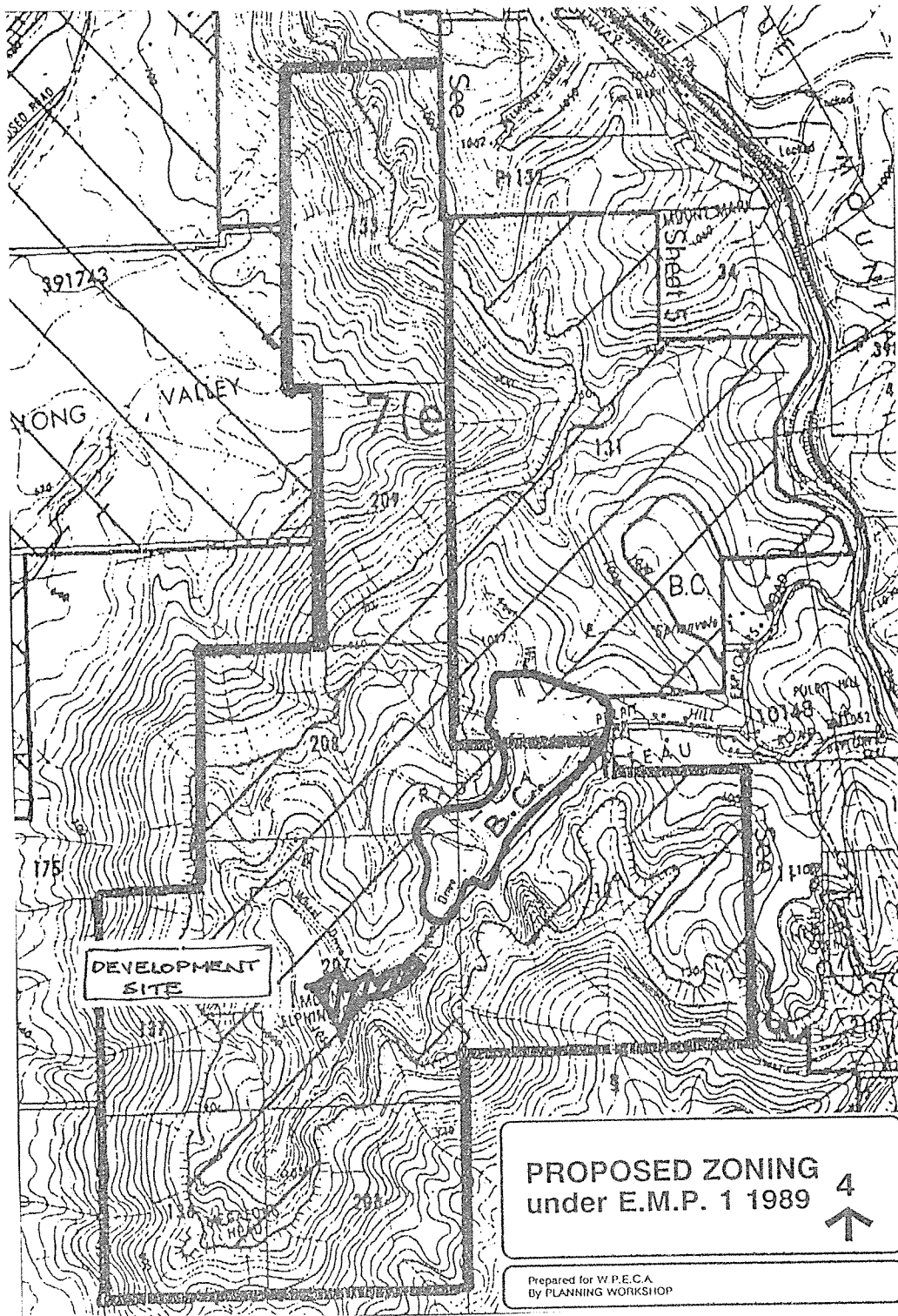
The proposed buildings occupy an area approximately one kilometre south-west from the end of Pulpit Hill Road. The site is at the head of a north-facing valley within Radiata Plateau.

Generally, the style of development (Stage 1) conforms to the objectives of the Bushland Conservation zone.

Earth integrated buildings, with masonry walls, clad with ironstone or colour membrane, and concrete roof slab covered with earth and vegetated with indigenous vegetation are bushland compatible. The buildings are intrinsically fire safe, reducing the need for extensive clearing of vegetation for fire protection. Samples of colours should be submitted for approval prior to building approval.



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The principal question, and the basis of considerable objection, is the use of the site for development. Comment has been made that the site should be acquired for conservation purposes for its wilderness values.

The Environmental Study accompanying E.M.P. (1) identified Radiata Plateau as an area which should be considered for Regional Open Space. The 'preliminary plans' showed a development site on the north-eastern part of the site, and the remainder as Regional Open Space. Following discussion with the Department of Planning, this zone was changed to Environmental Protection. Acquisition of the whole site has not been considered.

The objective must therefore be to achieve development that will maximise protection of the cliffs and prominent areas and minimise environmental effect, particularly from pollution and run-off.

The choice of development site and style of development enables the achievement of escarpment conservation objectives. It more than satisfies the 'Eastern Escarpment Guidelines'. The siting of the buildings on the north side of the main ridgeline within a small valley will ensure the buildings will be effectively screened from view when viewed from the east (Cahill's Lookout - Peckman's Plateau). It is considered that when viewed from the north, the buildings will not intrude into the skyline or protrude above the tree canopy. Minor change to canopy will occur, however this is mitigated by the earth-covered design of buildings and very distant viewing point.

An examination of alternative sites, an issue raised by objectors, has been carried out by the applicant. A Land Capability Assessment shows that only two areas of Radiata Plateau are suitable for the proposed development, i.e. the proposed site, and an area near the end of Pulpit Hill Road. The assessment concludes that the proposed site is the most acceptable, due to the functional and visual problems associated with the alternative site.

A site Management Plan submitted by the applicant includes details of landscaping. Basically, the submitted plans identify protected zones, Stage 1 (and future) regeneration zones, restoration zones, amenity landscape zones, and roof planting zones. Objectives and strategies are identified for each zone, which aim to provide a landscape management programme for the entire site.

Detailed site inspections reveal that a minor re-orientation of the Main Building (Stage 1) will avoid steeper sloping land to the north-west. The applicant has agreed to accept this amendment.

The size of the ultimate proposal (415 rooms) causes concern. Although application is made for only Stage 1, it is important for Council and the community to know what the applicant ultimately has in mind.

Should Stage 1 be approved, no further stage should be contemplated until the former can be shown to be functioning in a way satisfactory to Council. E.M.P. (1) sets 80 units as the maximum for the general run of motels, sizes above that being classed as a 'resort' in view of their impact.

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While this is not a motel proposal, that scale would seem appropriate. The applicant has indicated that he agrees Stage 1 must be functioning acceptably before any future stage is considered, but at that time (8-10 years) they may wish to have a larger stage than 80.

Council should indicate that it does not favour development of more than 80 rooms, and that no development will be permitted in the location shown for Stage 4.

Environmental Impact

Bush fire hazard, which was a concern raised by objectors, was discussed between the applicant and Council's Fire Control Office prior to development application submission. Consequently, the proposed buildings reflect an intrinsic fireproof design (earth roof covering, earth fill against walls, fire shutters on all windows, masonry/stone construction), which will offer a reasonably safe refuge for occupants. The applicant has also agreed to incorporate all of Council's hazard reduction requirements, namely:

- A properly formed two lane all-weather road will be constructed from the end of Pulpit Hill Road to the development.
- A 30 metre fuel reducing zone around the development (including some thinning of the Pinus Radiata) will be established.
- A ground sprinkler system capable of wetting down the development area will be installed.
- A fire awareness/safety planning programme will be introduced once the development is operational.

Existing fire trails and a dam provide additional safety measures. The applicant engaged an independent bush fire consultant to examine the bush fire risk to the proposal, who agreed with the measures proposed to be adopted.

In response to concerns over threatened flora on the site, a Rare and Threatened Plant Survey is included in the applicant's additional submission. No rare flora was found within the main development site, however one species of concern was located beyond the development site, near the dam. The consultant concludes that restriction or modification of development plans are not necessary on these grounds.

Legitimate concern has been raised to possible adverse effect upon existing pristine creeks below the development site. Any impacts would occur to the north and result from site disturbance during construction, and run-off from the ultimate use of the site. The development application outlines certain environment protection and water quality control measures which are proposed to mitigate these impacts. The development should however be serviced by a macrophyte bed installation, which would become part of the site landscaping, to treat urban run-off waters washed from the development during rains, before it reaches the downslope catchment.

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The application has been examined by the Water Board's Catchment Control Branch, which raised no objection to the measures outlined, provided that specific conditions are imposed.

The applicant's additional submission includes a comprehensive Site Management Plan, which details strategies for sediment and erosion control, site maintenance, restoration and conservation zones. Generally, the earth-covered style of building will not increase stormwater run-off on the site. However, the car park will increase run-off and potentially be a source of pollution to the catchment. The applicant proposes that the car park be included in the catchment control zone for the overall development, proposed in the additional submission. This zone is served by a sedimentation pond.

The catchment in which the development is proposed is currently very stable and has very high quality water, despite extensive man-made modifications (dam, pine plantation and tracks). The land is privately owned and drains into the Megalong Valley, which is largely cleared, rural land. Given the recommended Water Board conditions, and additional site management measures proposed (with the additional use of artificial wetlands), it is considered that existing water quality in the catchment will be preserved. As previously discussed, the applicant has agreed to re-orientate the main building to avoid a 1 in 3 slope within the development area.

The applicant proposes a domestic water supply from on-site groundwater, which will be supplemented by a Water Board private line if ground water supply is inadequate. Concern is raised by Council and objectors that the amount of water required will cause severe groundwater depletion, affecting the hydrology of swamps and streams of the plateau, top and cliffline seepage.

The applicant's additional submission concludes that sufficient groundwater exists at depth and extraction will not have any adverse environmental effects. However, as the long term supply and effects cannot be guaranteed or identified, particularly as it will be connected to the sewer, the long term use of bore water should be resisted. The connection by private line to the Water Board town supply system would remove any doubt about adverse effects possibly caused by the alternative. As the Council is not assured of the development proceeding beyond Stage 1, connection to the reticulated town water supply should be required immediately, should this application be approved.

Noise from the proposal will most likely be caused during the construction phase and by patrons' vehicles accessing the site. A condition limiting construction times to reasonable hours can be imposed, should the application be approved. The effect of traffic noise upon local neighbourhood amenity is discussed later.

In their additional submission, the applicant has provided an Archaeological Study of the Stage 1 development site. (See Attachment No. 2). The Study reveals that no Aboriginal relics or sites were found within the Stage 1 development site. The National Parks and Wildlife Service and local Aboriginal Land Council have been advised of the above.

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Effect Upon the Neighbourhood

The proposed development is situated near the centre of the 404 ha property owned by the applicant. The nearest adjoining property boundary is some 280 metres to the south-east. The nearest dwelling house is over a kilometre distant.

The Stage 1 proposal will not be visible to any adjoining or nearby lands. Possible concerns relating to night lighting are to be addressed by the provision of window shutters and screens, and low ground lighting. The earth integrated building design and restricted night activities effectively reduce night light pollution.

Public concern is raised to the adverse effect of the proposal on the local neighbourhood amenity. There is no doubt that the proposal will generate additional traffic within the local road system. However, an evaluation of its effect on local amenity can only be gauged by measuring the traffic increase.

Further, traffic surveys carried out by the applicant (based upon existing traffic movements and proposed movements gauged from similar course attendances in other areas) indicate that the additional traffic generated by the proposal (Stage 1) will form only a small percentage of the overall traffic. Applicant's consultant's figures are disputed.

The main effect upon local residential amenity will be by additional traffic, principally of strangers not used to the road, by additional people visiting the area and by reduced public use of the subject site.

Public use of the tearooms is not considered desirable, in attracting visitors and introducing a commercial use.

Services

Services required to be extended to the proposed development site include telephone, electricity, water and sewer.

An underground Telecom line already extends from Pulpit Hill Road to the site.

Prospect Electricity has advised that electricity supply to the development site is available at the applicant's cost. Any approval should require the undergrounding of the service, along the existing access road.

Following further consultation, the applicant has agreed to pump sewage effluent from Stage 1 development to the Water Board main in the Great Western Highway. Septic tanks will provide on-site treatment and storage prior to pumping to Water Board sewer mains at off-peak times. While this overcomes Council's initial concerns regarding on-site disposal and effluent tanker removal, any approval should require that the holding tank for effluent be designed to prevent leakages and spills. A back-up pump may be necessary in the event of breakdowns or maintenance. The Water Board raises no objection to sewer mains connection, subject to their normal conditions.

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It is proposed that sufficient groundwater can be found within the property to satisfy all the needs of the proposed Stage 1 development, i.e. drinking water, water for bush fire fighting, water for the sprinkler system, and water for fire hydrants. The applicant's additional submission indicates that sufficient groundwater exists on the site, and that its extraction will not cause adverse local environmental impacts. However, as any development proceeding beyond Stage 1 is not assured, town water supply should be required immediately should this application be approved. The long term effects of groundwater extraction at the scale proposed are not known, and should be resisted.

Access, Parking and Traffic

Road access to the proposed development site from the Great Western Highway is via either Nellies Glen Road (at the Explorers Tree) or Explorers Tree Road, then to Pulpit Hill Road, and a private track. Only part of Nellies Glen Road is sealed. Concerns raised by Council, Traffic Forum, and objectors relate to existing dangerous Highway intersections, greater use of unsealed roads, and insufficient on-site parking.

Based upon existing conditions and expected traffic increase, the Traffic Forum has recommended basically that, should the application be approved, access at both Nellies Glen Road and Explorers Road be restricted to left turn in/left turn out only, upgrading of all local roads to allow sufficient access and passing of buses and service vehicles, and Highway intersection upgrading at Explorers Road. However, left turn in/out of Explorers Road is too restrictive and will encourage illegal U-turns. A Type C intersection will be recommended.

The local roads are an existing maintenance problem, and there will be environmental benefits in sealing these roads. The character of this area notwithstanding, the road is causing considerable siltation of natural areas and an escarpment watercourse. The likely increase in vehicle movements, especially on the steep section of the road can only exacerbate this adverse impact. The road from the property boundary to the development site will also benefit from upgrading for the same reasons.

The impact of this development on the local residents also needs to be considered as although the increase in traffic generated may be marginal at 32% maximum, the impact will be quite significant. Quiet back streets will turn into well used roads by non-locals. The figures do not also take into account the increase in traffic volumes caused by tourists visiting the Explorers Tree who will, as a result of the traffic changes, have to drive down and in some cases up and back Nellies Glen Road and Explorers Road.

If the development application is approved, the following road upgrading conditions should apply:-

- (a) Access to be from Nellies Glen Road and Explorers Road, with Nellies Glen Road as a left turn in and out only, and enforced by raised continuous median and signs.

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- (b) Ingress and egress left and right turning lanes to be at Explorers Road intersection.
- (c) Full design plans to be prepared by the applicant and to address lane widths, sight distances, turning circles (including service vehicles and buses), linemarking and signposting. Details to be submitted to Roads and Traffic Authority and Council for their consideration and approval, with the Building Application.
- (d) Upgrade Explorers Road at the Great Western Highway intersection to allow a level vehicle length adjacent the Highway.
- (e) The reconstruction and sealing of Pulpit Hill Road from the Academy to the intersection with Explorers Road and Nellies Glen Road. This work shall include an appropriate turning facility at the end of Pulpit Hill Road, and all necessary drainage work to make the construction effective. The roadworks will generally consist of a 5.5 m central seal with gravel/grassed table drains where possible within the existing carriageway alignment.

The reconstruction of Explorers Road from the Pulpit Hill Road intersection to the Great Western Highway. This work shall include the realignment of the existing carriageway to provide an all-weather gravel surface with a 5.5 m wide travelling surface with established table drains. This work shall also include all necessary works and drainage to make the construction effective.

This work does not cover any Highway improvements required.

It is recognised that the proposed development will not be the only user of the improved local roads, and a reasonable contribution will be sought from the applicant, with respect to upgrading works. Preliminary discussions have already taken place with the applicant in this regard. The applicant will be expected to bear full cost of Great Western Highway intersection works, and the required two lane all-weather road within the property.

Council will undertake to upgrade Nellies Glen Road, from the Great Western Highway to Pulpit Hill Road intersection, to a similar standard as that proposed for Pulpit Hill Road, at its cost.

It should be advised that any future development stages would require the sealing of Explorers Road from Pulpit Hill Road to the Great Western Highway.

The submitted plan proposes a number of on-site parking areas, to serve the overall development.

The applicant has submitted typical attendance figures that indicate that course participants use public transport, or share transport, when attending courses, and to require a parking space for each of the 51 rooms proposed in Stage 1 would be unreasonable.

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The landscape plans propose 23 spaces for Stage 1. Ample space exists for additional parking if required. The parking area has been located to avoid removal of significant trees and excessive cut and fill, and is located within the erosion control zone. If approval is granted, the applicant should be required to ensure that all vehicles associated with the use are accommodated within the car park. Any proposed car park extensions will require prior Council approval.

Special Circumstances

Social impact, matters of public use of the site, the nature of the proposed use, and public reservation of the site have been raised by objectors.

In response to the first two matters, the applicant has agreed to allow a degree of public access onto their site, for the purposes of sightseeing, bushwalking, etc. at their discretion. Such an arrangement should be encouraged by Council.

Additional background information on the applicant organisation (World Plan Executive Council of Australia) has also been submitted.

With respect to public reservation, the subject site has never been earmarked for Public Reserve. While its environmental significance has been recognised in the proposed 7(e) Environmental Protection zone in the draft E.M.P., Radiata Plateau was not accepted by the Department of Planning for inclusion as Regional Open Space. The Department has more recently confirmed that the area has not been included for future consideration as Regional Open Space, nor are there other State funds available to acquire the land.

There will be a lessening of natural, spectacular bushland experience for local residents and visitors. However, without acquisition this advantage will be lost. The concern must be to obtain a development that may best retain the greater part of the site. It is considered, however, that the proposal should be the only development site on the property. Sale of outlying areas for house sites, particularly behind Pulpit Hill Road, should be foregone for the real impact this proposal will have on local residents.

It is then considered that the provisions of the draft E.M.P. for Environmental Protection zones are sufficient to adequately protect the remainder of Radiata Plateau.

A concern was also raised to the likely future uses of the site in the event of change of ownership. Under the existing and proposed zonings for the site, certain uses are permissible with Council consent. Any future change of use will require further Council approval.

Conclusion

This report summarises the various aspects of the proposed Transcendental Meditation Academy and concerns raised by Council, objectors and other Authorities.

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In response to the concerns raised after the exhibition, the applicant has made an additional submission, which now provides adequate information to enable a proper assessment of the proposal. This information has been made available to the local residents and Aldermen.

Other matters, including road upgrading details, Health and Building requirements, and construction and operating controls have been examined and can be adequately catered for in consent conditions.

The applicant has indicated his disagreement with conditions requiring consolidation of all lots, roadworks (as described above), water connection and limits to future expansion of the proposal.

All matters for consideration in the Environmental Planning and Assessment Act, Council's Local Environmental Plan No. 4 and draft Environmental Management Plan have been evaluated and I find no grounds for refusal, provided certain conditions are met.

RECOMMENDATION: That the Application (Stage 1 only) be approved, subject to the following conditions:-

Building Design

1. This consent relates to Stage 1 development only, as described in the Development Application.
2. All external materials of construction shall be dark earth tone colours of low reflective quality.
3. The completed building shall not, at any time, be substantially altered externally in character or colour without the consent of Council.
4. A schedule of colours and sample of all external building materials shall be submitted to the Town Planning Section for approval with the lodgement of a Building Application.
5. The buildings are to be re-orientated in accordance with amended plans dated 3rd May, 1990.

Car Parking/Vehicular Access

6. (a) Improvement, at applicant's cost to the Great Western Highway to achieve:
 - Nellies Glen Road as a left turn in and out only from the Highway, and enforced by raised continuous median and signs.
 - Ingress and egress left and right, with right turning lanes on the Highway to be at Explorers Road intersection.

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- Full design plans to be prepared by the applicant and to address lane widths, sight distances, turning circles (including service vehicles and buses), linemarking and signposting. Details to be submitted to Roads and Traffic Authority and Council for their consideration and approval, with the Building Application.

All Highway intersection roadworks are to be subject to adequate erosion and siltation controls, during and after construction. Details are to be submitted with the Building Application. This condition is imposed to avoid adverse environmental impacts on the Cascade Lakes Water Storage.

- (b) Upgrade Explorers Road at the Great Western Highway intersection to allow a level vehicle length adjacent the Highway.
- (c) The reconstruction and sealing of Pulpit Hill Road from the site to the intersection with Explorers Road and Nellies Glen Road. This work shall include an appropriate turning facility at the end of Pulpit Hill Road and all necessary drainage work to make the construction effective. The roadworks will generally consist of a 5.5 m central seal with gravel/grassed tabledrains, where possible within the existing carriageway alignment.
- (d) The reconstruction of Explorers Road from the Pulpit Hill Road intersection to the Great Western Highway. This work shall include the realignment of the existing carriageway to provide an all-weather gravel surface, with a 5.5 m wide travelling surface with established tabledrains. This work shall also include all necessary works and drainage to make the construction effective.
- (e) Grade and water the existing earth formed roads during construction of the development and prior to road sealing, to minimise dust and inconvenience to local residents.

Landscaping

7. No trees or native vegetation shall be destroyed or removed from the site without prior consent of Council.
8. The overall site is to be conserved and managed in accordance with the submitted Site Management Plan dated 3rd May, 1990.
9. Vegetation within the car park is to be conserved and maintained in accordance with the submitted Site Management Plan.
10. The development shall be serviced by a macrophyte bed (artificial wetland) installation, to be included as part of the overall site landscaping. Details are to be submitted with the Building Application. This condition is imposed to ensure adequate treatment of stormwater washed from the development during rains, before it reaches to downslope catchment.

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11. All screen vegetation to building roof tops, car park and adjoining areas is to be maintained and embellished (in accordance with the submitted Site Management Plan) to ensure complete screening from public areas, particularly to the north.

Bush Fire

12. A properly formed two-lane all-weather road is to be constructed from the end of Pulpit Hill Road to the Stage 1 development site, prior to works commencing. To avoid excessive site disturbance, the road is to follow the existing access track, and is to be included in the Sedimentation and Erosion Control Plan dated 3rd May, 1990. This work will include all necessary works and drainage to make the construction effective.
13. A 30 metre fuel reduced zone is to be established and maintained around the development (and include thinning out of Pinus Radiata). This is to be implemented as part of Stage 1 Site Management Plan dated 3rd May, 1990.
14. A ground sprinkler system capable of wetting down the development area is to be installed, prior to the use commencing. The sprinkler system is to be fed from a nearby static water storage tank of a minimum 30 000 litres capacity, and coupled to a petrol or diesel pump housed in a fireproof enclosure. Details are to be submitted with the Building Application.
15. A fire awareness/safety planning programme is to be introduced upon commencement of the use. Details of the programme are to be submitted with the Building Application.
16. All windows and other openings are to be fully protected with metal shutters. Details to be shown on Building Application.

Site Development/General

17. To ensure that all environmental safeguards are effective, the submitted Sediment and Erosion Control Plan shall be implemented prior to earthworks commencing, and a monitoring programme is to be implemented during construction phase, and shall include:
 - site run-off, stabilisation of embankments, maintenance of drains, silt traps, sediment ponds, water quality and impacts upon hanging swamp;
 - the impact upon bush tracks, and erosion over the whole of the plateau;
 - landscape works, especially roof areas and cut and fill batters, and bushland screening;
 - fuel levels (with respect to bush fire hazard).

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18. Construction times are limited to 7.00 a.m. to 5.00 p.m., Mondays to Saturdays. This condition is imposed to protect the local amenity from excessive traffic during the construction phase.
19. The internal access road shall be constructed and maintained in accordance with the applicant's submitted Site Management Plan, and to be amended to allow two-way traffic for its full length.
20. All water demand required by the Stage 1 development is to be met via reticulated town water supply. Extraction of groundwater on-site will not be permitted. Details of installation and Water Board agreements are to be submitted with the Building Application.
21. Any fuels, soils and greases are to be stored on a bunded concrete platform. Bunding (dwarf wall) is to contain maximum possible volume stored plus 10%. Platform to be roofed and stormwater conveyed to ground surface by downpipe. Details are to be submitted with the Building Application.
22. Advertising structures or signs of any kind shall not be erected, affixed, painted or displayed in any way without prior Council consent.
23. Materials, goods or advertising signs shall not be stored, placed or displayed anywhere outside the property boundaries.
24. Boundary fence lines, if any, shall be hand cleared only, with no topsoil disturbance and to a maximum width of one (1) metre. Give and take shall be employed where necessary to avoid unnecessary tree removal. Fencing shall be of field type only.
25. All lots included in the proposal shall be consolidated into one parcel. Evidence of registration of such consolidation by the Registrar General's Department shall be required by Council before the issue of a Building Permit. This condition is imposed to protect the remainder of Radiata Plateau from further development.
26. No work shall commence until the Building Application for the proposal has been approved.

This condition is imposed in the environmental interests of the area and applies to land clearing, fencing, tree lopping and/or felling and any form of earthworks including site preparation and access construction.
27. All adjustments to public utilities necessitated by the development shall be completed prior to occupation of the premises.
28. The development (Stage 1) is not to be occupied until all conditions of Council's Development Consent have been met.

REPORT BY ACTING CITY PLANNER

29. Any buildings incidental or ancillary to this development consent, (such as workshops, as garden sheds and the like) shall be constructed in environmentally sympathetic materials that blend in with the development the subject of this approval and the surrounding landscape. This condition is imposed in the interests of the Blue Mountains generally so as to ensure that these buildings and associated activities are suitably screened from public areas. Prior to details of such buildings being submitted for approval, it is required that discussions be held with Council's Town Planning Department in the first instance where assistance and advice will be given prior to formal submission.
30. Satisfactory arrangements are to be made with Prospect Electricity, Water Board and Telecom Australia, regarding the extension/provision of utility services to and within the development site. Written evidence of such arrangements is to be submitted with the Building Application.

Health and Building

31. The submission of a separate Building Application for the project complying with Ordinance 70 and Part XI of Local Government Act.
32. The applicant is requested to confer with the Development and Environmental Surveillance Section (Health and Building) prior to the submission of the Building Application, as the plans do not conform to the requirements of Ordinance 70 in regard to:-
- (i) travel distances within the accommodation areas and clinic building (refer to Part 24 of Ordinance 70);
 - (ii) access, facilities and car parking for the disabled have not been provided to the development;
 - (iii) an additional shower facility is required to the west wing of the accommodation block in accordance with Clause 46.6 of Ordinance 70.
33. All waste material shall be stored and disposed of to the satisfaction of Council. Details to be submitted with the Building Application.
34. The kitchen areas shall be fitted out in accordance with Council's Food Premises Code. Details to be submitted with the Building Application.
35. A Boarding House Licence shall be obtained from Council in accordance with Ordinance 46 and 69 of the Local Government Act.
36. The development shall be connected to the mains water supply in accordance with the requirements of the Water Board.

REPORT BY ACTING CITY PLANNER

37. Effluent from the proposed development shall be pumped to the sewer in accordance with the requirements of the Water Board. A separate Septic Tank Application shall be submitted with the Building Application, and is to include details of the septic tanks, collection wells, pump sizes and the location and size of the pump line. These details are to be certified by a practising Hydraulics Engineer. The application shall also include a copy of the Water Board's approval and conditions to connect the sewer.
38. Details relating to the waterproofing of the external walls and roof of the building so as to prevent the penetration of moisture to the inner parts of the building shall be submitted with the Building Application.
39. A complete hydraulics layout plan, indicating surface, roof and sediment control drainage, together with pipe sizes, levels and points of drainage shall be submitted with the Building Application. The layout plan shall be certified by a practising Hydraulics Engineer. The applicant and their agents are also advised that the erosion and sediment control works are to be completed to the satisfaction of Council prior to the commencement of building works.
40. Due to the size of the development, it is recommended that a system of external hydrants is installed on the site to assist in the suppression of fire within the building and also for bush fire fighting purposes. The design and installation of the hydrants shall be in accordance with Ministerial Specification No. 10 under the provisions of Ordinance 70.
41. A system of artificial light and mechanical ventilation shall be provided to the toilet and shower rooms. Details to be submitted with the Building Application.
42. The proposed "teahouse" is not to be used as a refreshment room available to the general public not in residence at the Academy.

29/5/90

REPORT BY ACTING CITY PLANNER

Advice

1. A further development application will be required for any further stage. Council considers that a total of 80 rooms is the maximum with no development on the area indicated for "Stage 4".
2. The applicant is reminded of his right of appeal under Section 97 of the Environmental Planning and Assessment Act, 1979.

Attachments (30)

* * * * *



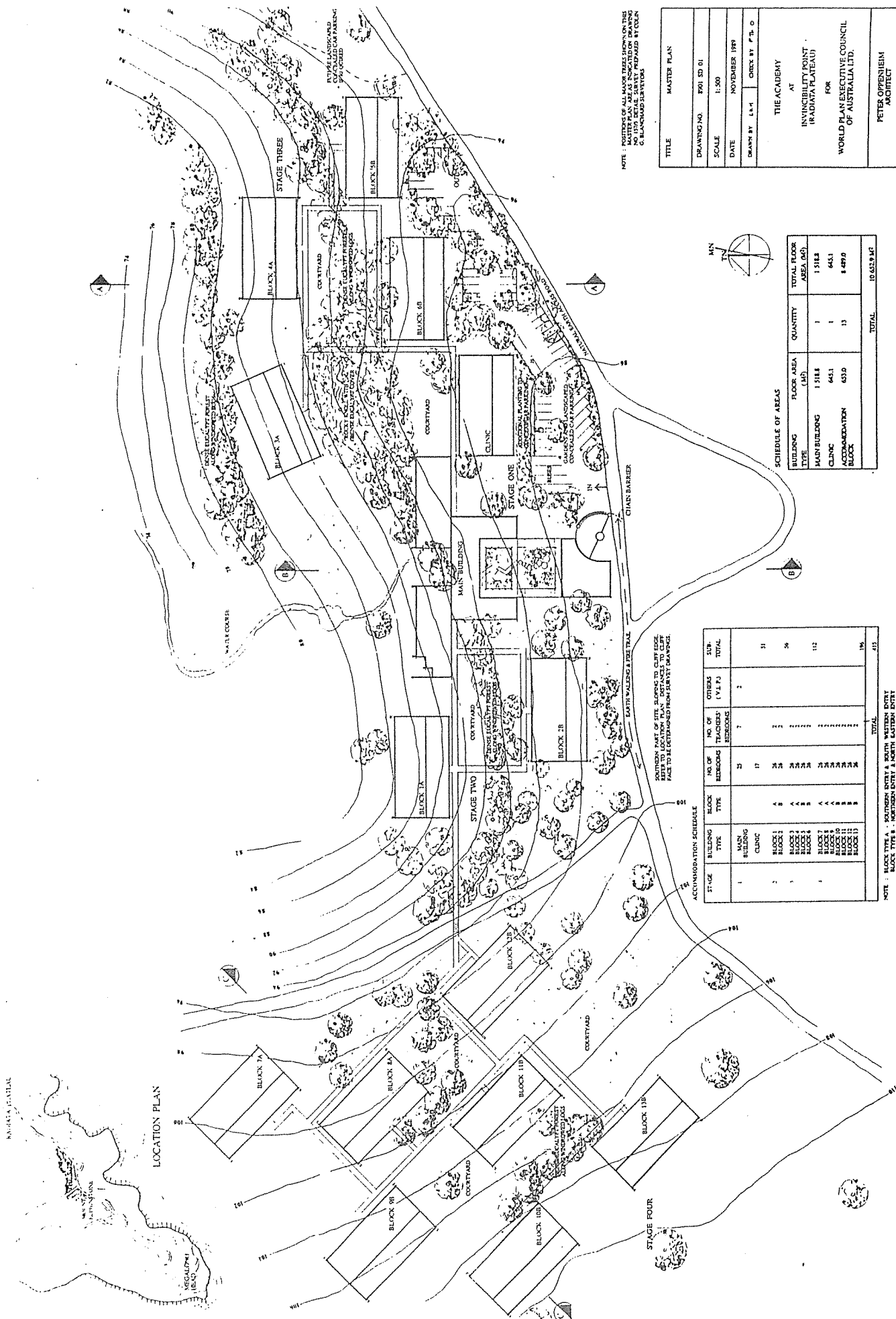
A. TOWERS,
Acting City Planner.

Date: 24/5/90.

Acknowledged:

C. E. GREGG,
Director of Environment,
Health and Development Services.

ATTACHMENT NO. 1



NOTE: POSITIONS OF ALL MAJOR TREES SHOWN ON THIS PLAN ARE TO BE MAINTAINED. NO NEW DETAIL SURVEY REQUIRED BY CLIENT. C. LANDSCAPING SERVICES

TITLE		MASTER PLAN	
DRAWING NO.	F901 SD 01		
SCALE	1:500		
DATE	NOVEMBER 1989		
DRAWN BY	L.A.1	CHECK BY	P.T. 0
THE ACADEMY AT INVINCIBILITY POINT (RADATA PLATEAU) FOR WORLD PLAN EXECUTIVE COUNCIL OF AUSTRALIA LTD.			
PETER OPPENHEIM ARCHITECT			



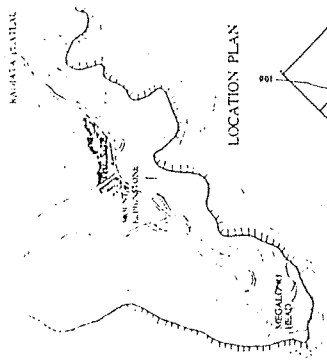
SCHEDULE OF AREAS

BUILDING TYPE	FLOOR AREA (M ²)	QUANTITY	TOTAL FLOOR AREA (M ²)
MAIN BUILDING	1 518.8	1	1 518.8
CLINIC	643.1	1	643.1
ACCOMMODATION BLOCK	633.0	13	8 429.0
TOTAL			10 632.9 M ²

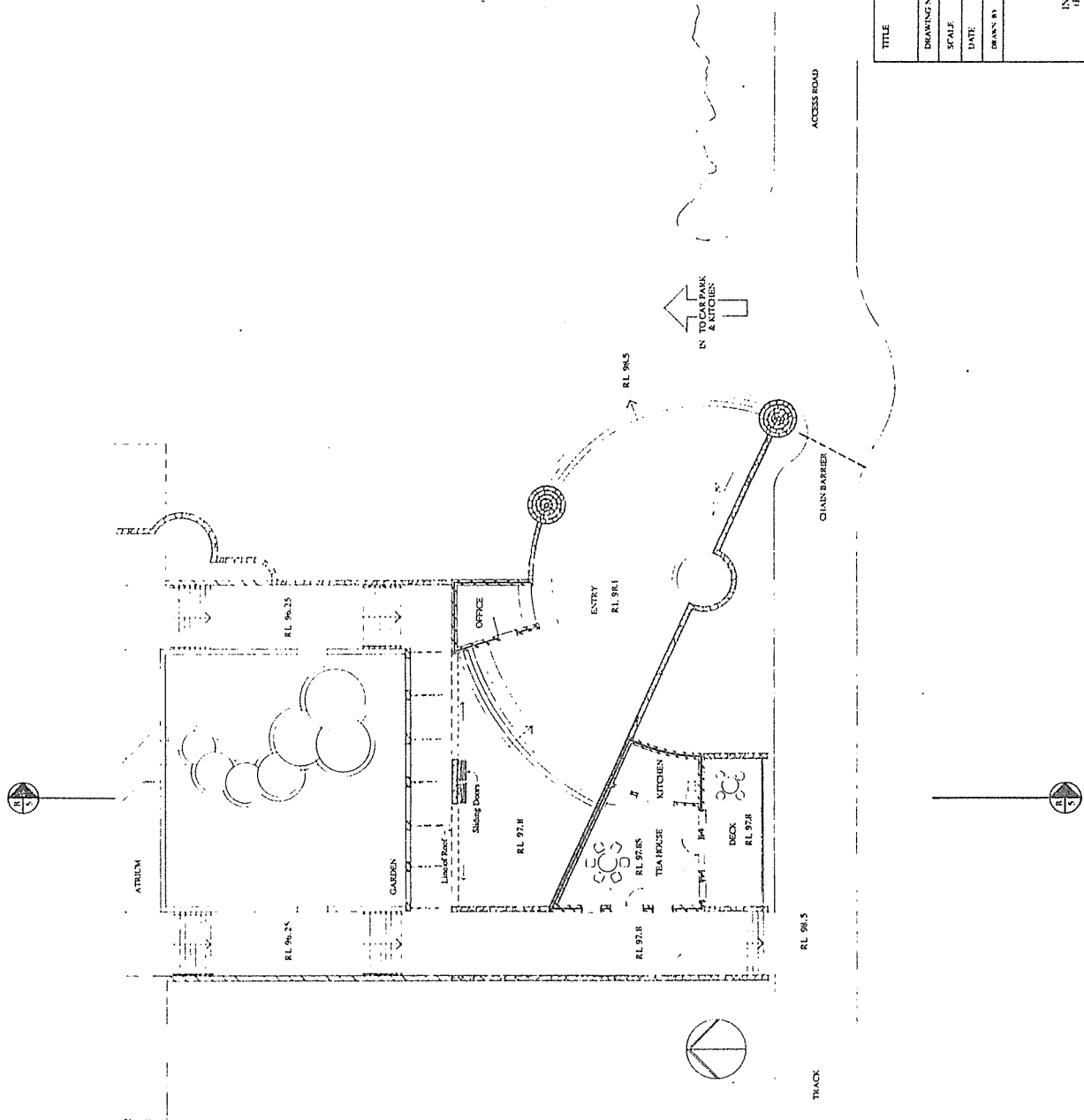
ACCUMULATION SCHEDULE

STAGE	BUILDING TYPE	NO. OF REMOVED TEACHERS (Y.V.F.)	NO. OF REMOVED TEACHERS (Y.V.F.)	NO. OF REMOVED TEACHERS (Y.V.F.)	SUB-TOTAL
1	MAIN BUILDING	2	7	2	11
2	CLINIC	17	17	17	34
3	BLOCK 1	11	11	11	45
4	BLOCK 2	11	11	11	56
5	BLOCK 3	11	11	11	67
6	BLOCK 4	11	11	11	78
7	BLOCK 5	11	11	11	89
8	BLOCK 6	11	11	11	100
9	BLOCK 7	11	11	11	111
10	BLOCK 8	11	11	11	122
11	BLOCK 9	11	11	11	133
12	BLOCK 10	11	11	11	144
13	BLOCK 11	11	11	11	155
14	BLOCK 12	11	11	11	166
15	BLOCK 13	11	11	11	177
TOTAL					415

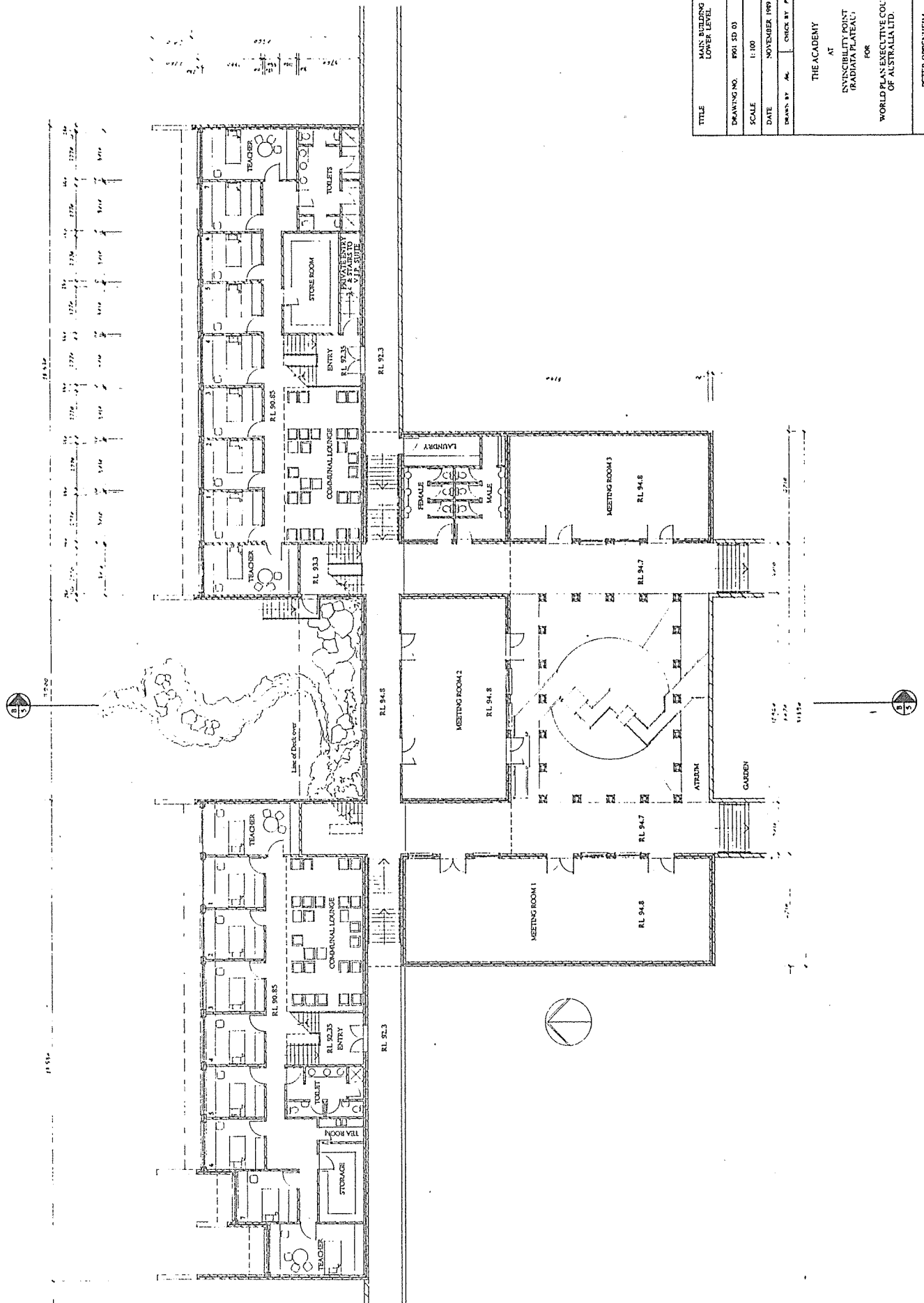
NOTE: BLOCK TYPE 1 - NORTH SIDE ENTRY & NORTH LATTER ENTRY
BLOCK TYPE 2 - NORTH SIDE ENTRY & NORTH LATTER ENTRY



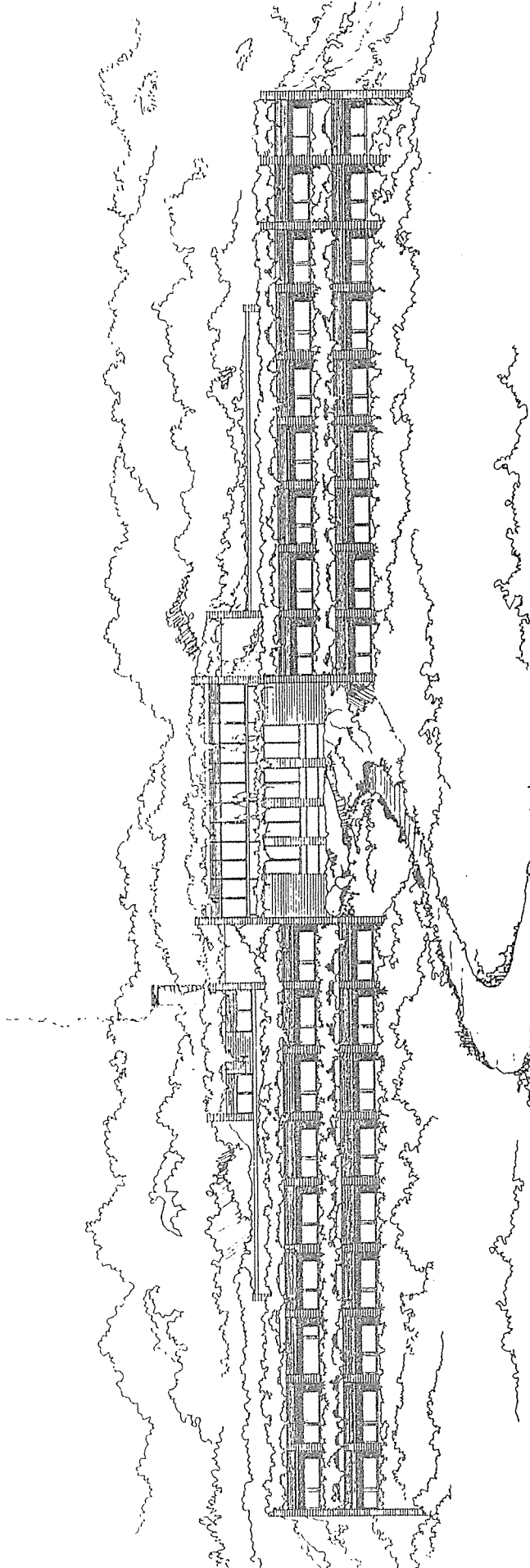
ACP1/DPHC, (2) , 29/5/90



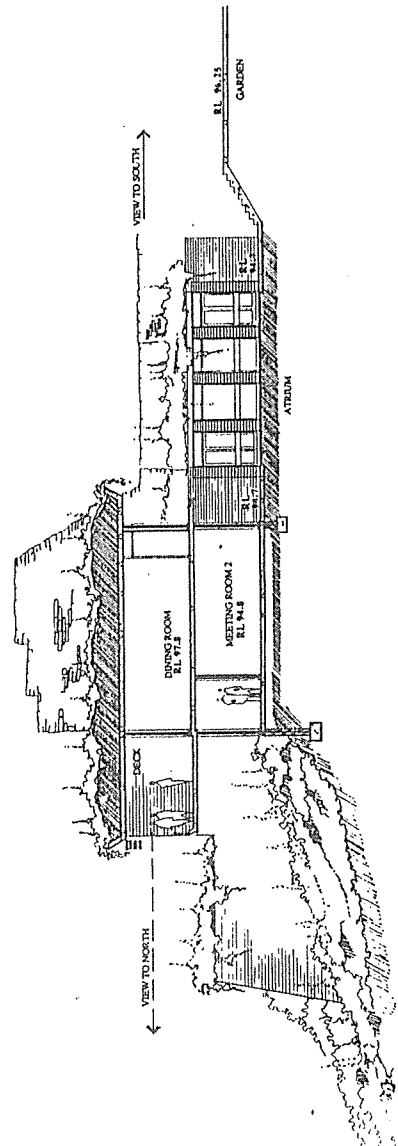
TITLE	ENTRY
DRAWING NO	8201 SD 02
SCALE	1:100
DATE	NOVEMBER 1989
DRAWN BY	SL
CHECK BY	1 & 0
THE ACADEMY AT INUVIK POINT (RADABA PLATEAU) FOR WORLD PLAN EXECUTIVE COUNCIL OF AUSTRALIA LTD.	
PETER OFFENHEIM ARCHITECT	



ACP1/DPHC, (4), 29/5/90

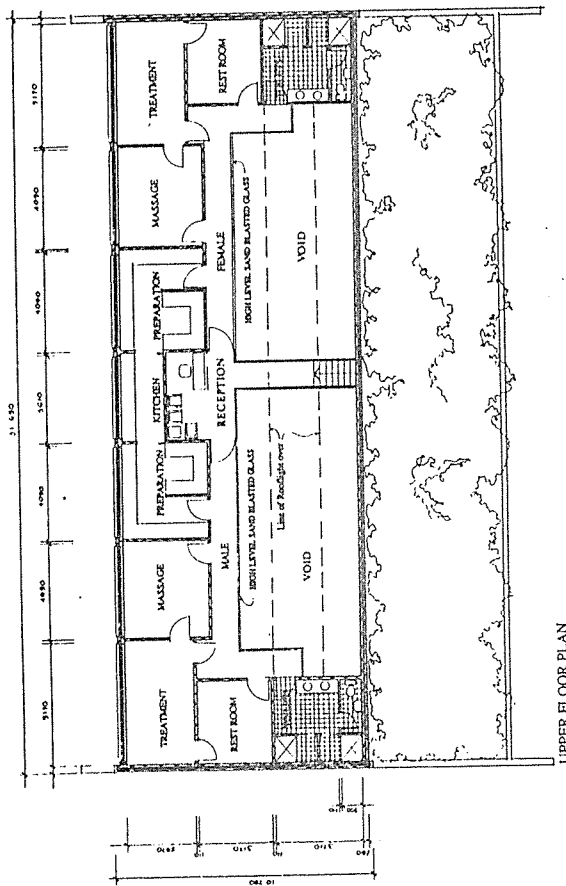


NORTH ELEVATION

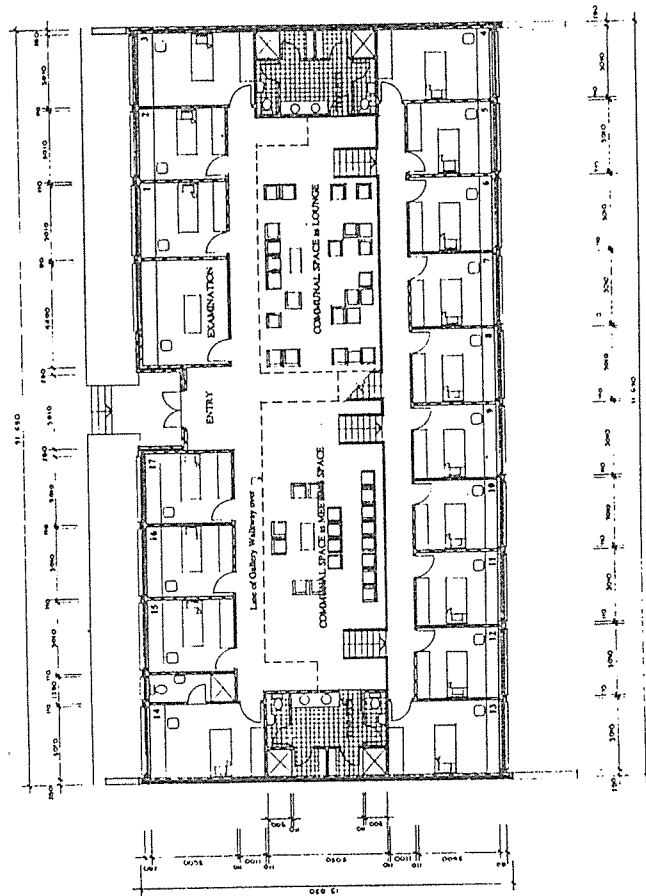


SECTION BB

TITLE	MAIN BUILDING NORTH ELEVATION SECTION
DRAWING NO.	8701 SD 05
SCALE	1:100
DATE	NOVEMBER 1989
DRAWN BY	LMH
CHECK BY	P.H.O.
THE ACADEMY AT INVINCIBILITY POINT (RADDAIA PLATEAU) FOR WORLD PLAN EXECUTIVE COUNCIL OF AUSTRALIA LTD.	
PETER OPPENHEIM ARCHITECT	



UPPER FLOOR PLAN

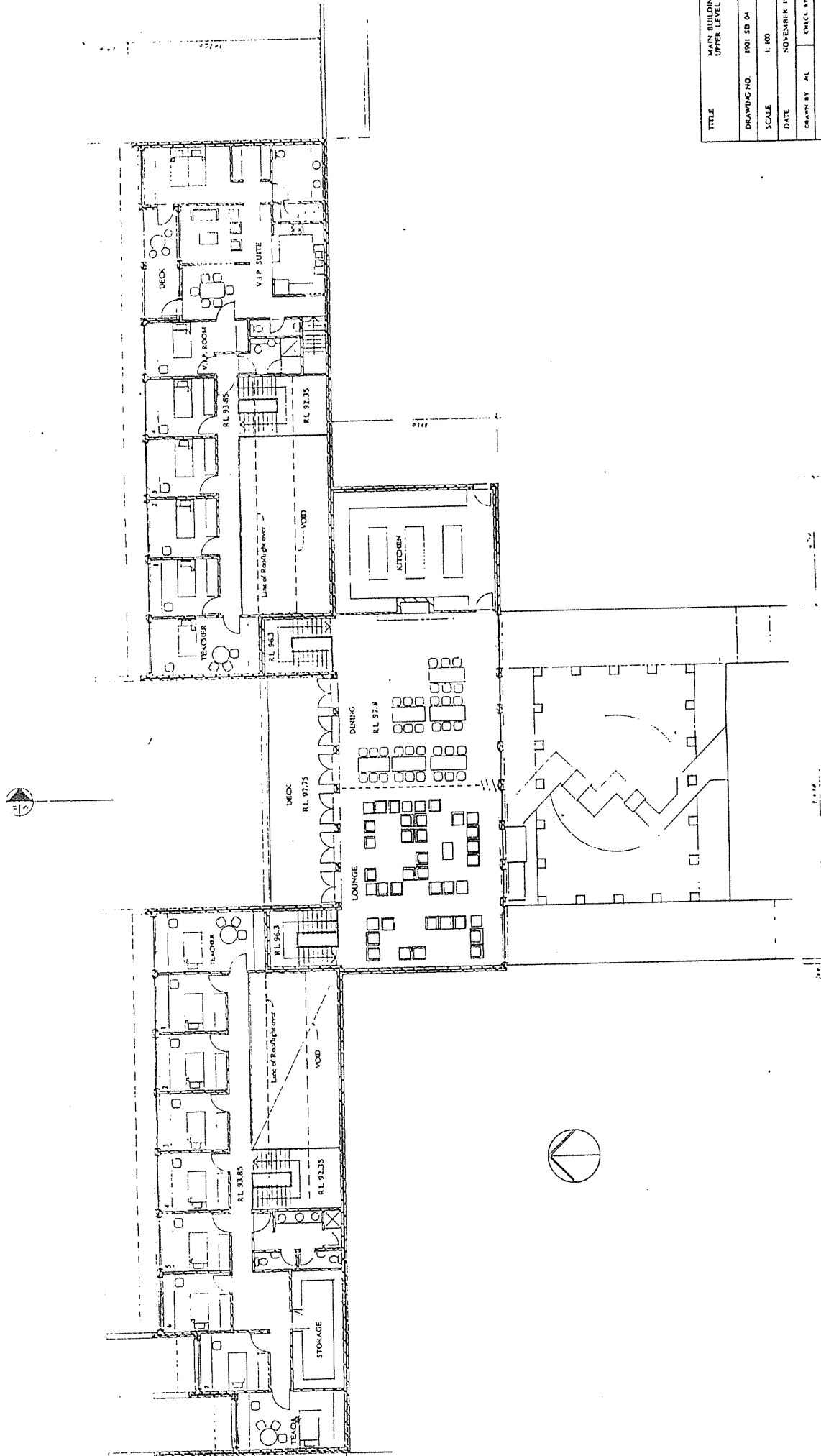


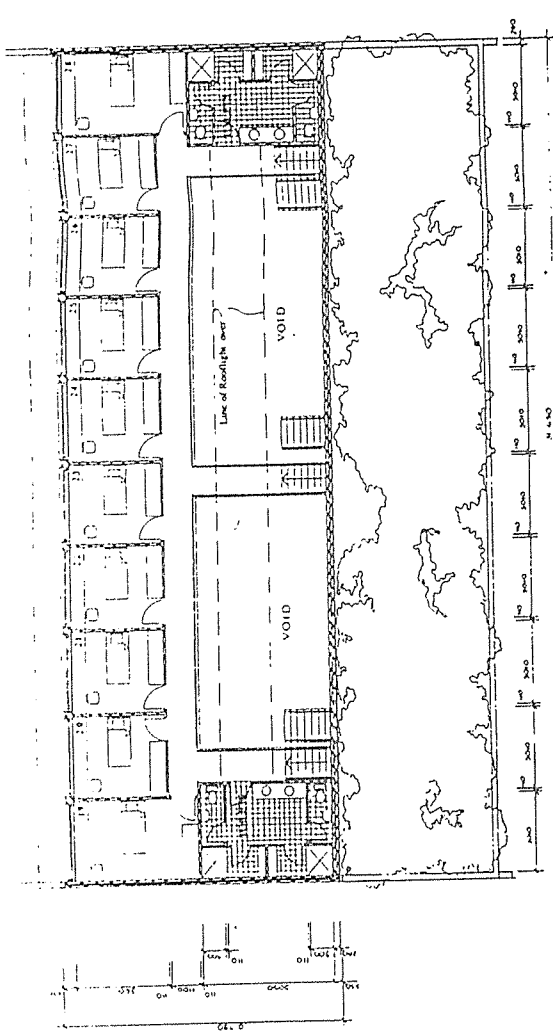
ENTRY & LOWER FLOOR PLAN



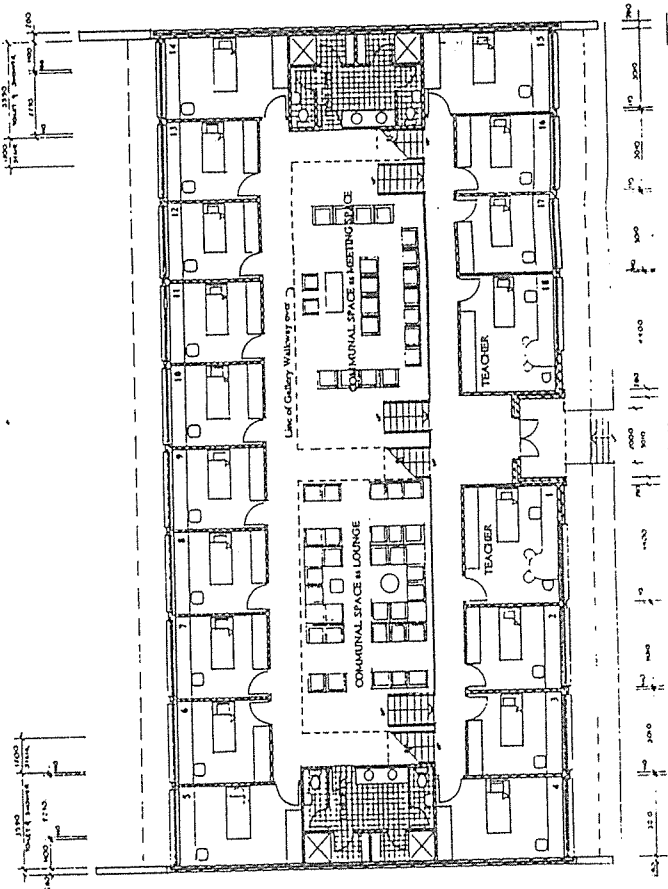
TITLE	CLINIC FLOOR PLANS
DRAWING NO.	9001 SD 06
SCALE	1:100
DATE	NOVEMBER 1989
DRAWN BY	S.M.
CHECKED BY	P.N.C.
THE ACADEMY AT INVINCIBILITY POINT (RADAKA PLATEAU) FOR WORLD PLAN EXECUTIVE COUNCIL OF AUSTRALIA LTD	
PETER OPPENHEIM ARCHITECT	

TITLE	MAIN BUILDING UPPER LEVEL		
DRAWING NO.	E901 SD 04		
SCALE	1:100		
DATE	NOVEMBER 1989		
DRAWN BY	AL	CHECK BY	P.T.O.
THE ACADEMY AT INVISIBILITY POINT (RADAR PLANT SITE) FOR WORLD PLAN EXECUTIVE COUNCIL OF AUSTRALIA LTD			
PETER O'NEILL ARCHITECTS			



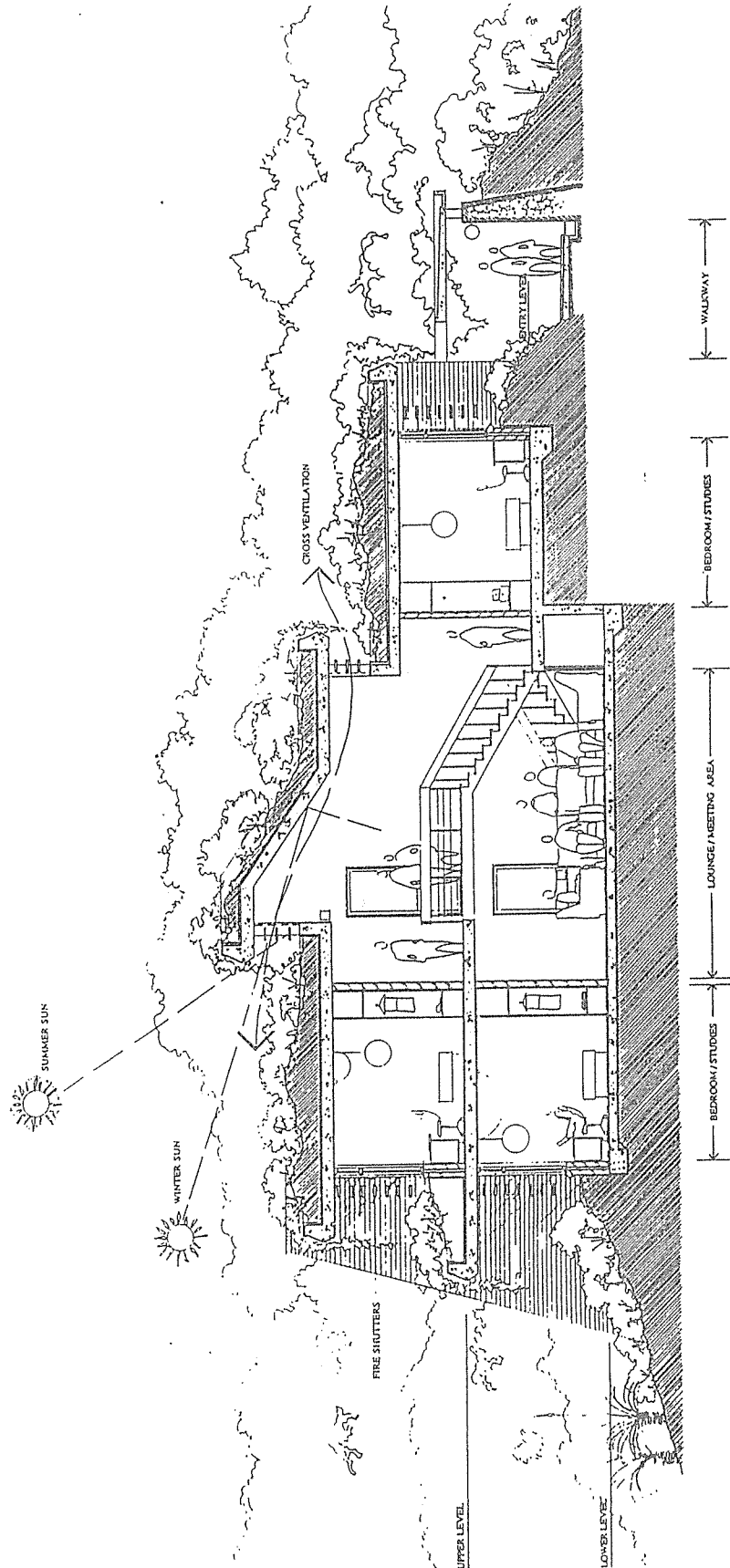


UPPER FLOOR PLAN

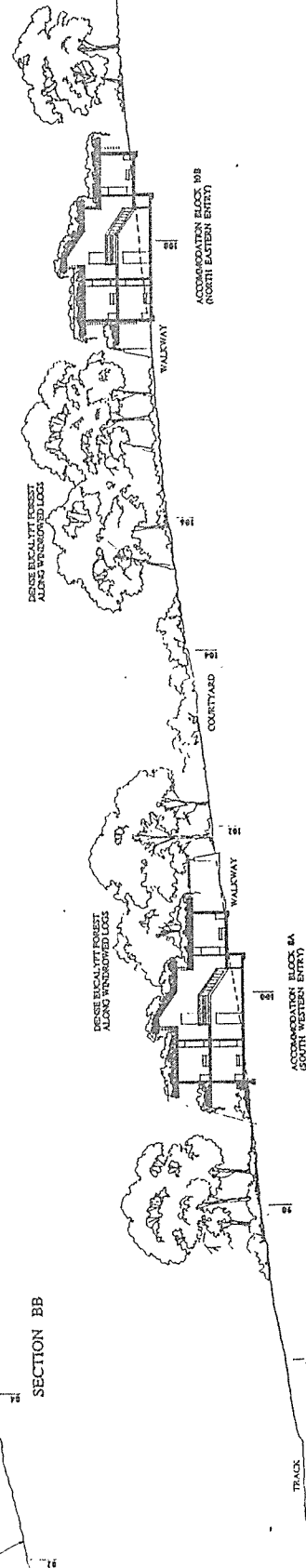
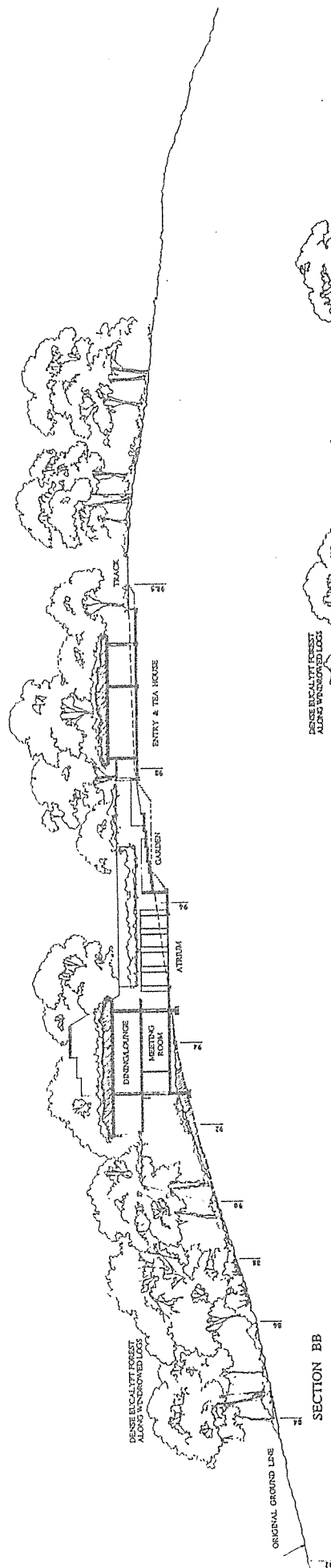
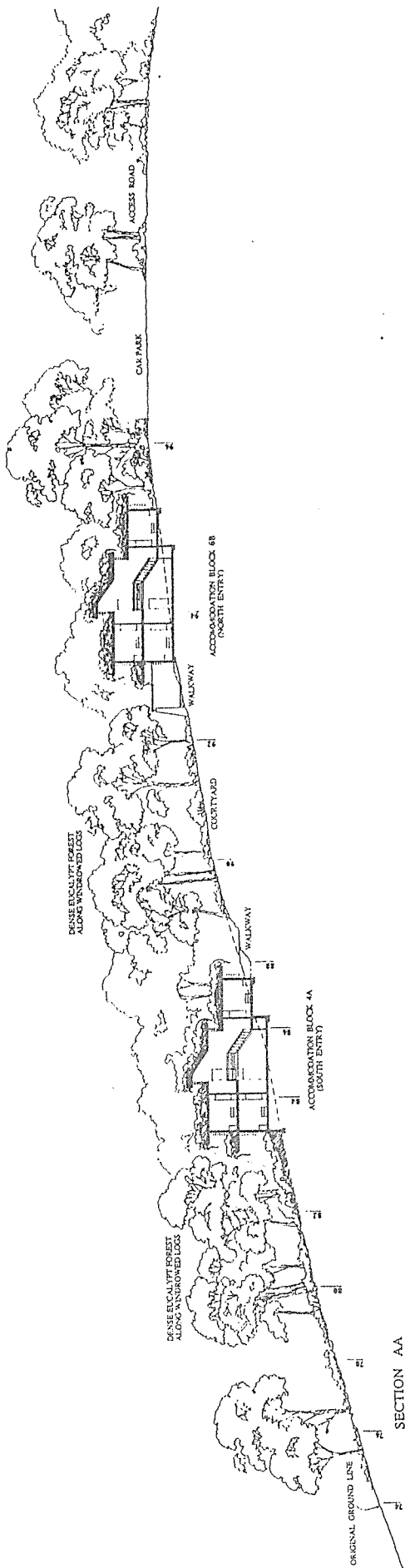


ENTRY & LOWER FLOOR PLAN

TITLE		ACCOMMODATION BLOCK TYPICAL FLOOR PLANS	
DRAWING NO.	8901 SD 07	SCALE	1:100
DATE	NOVEMBER 1989	DRAWN BY	LAF
CHECK BY	PLO	THE ACADEMY AT INVINCIBILITY POINT (RADIATA PLATEAU) FOR WORLD PLAN EXECUTIVE COUNCIL OF AUSTRALIA LTD	
		PETER GUTHRIE ARCHITECTS	

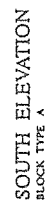
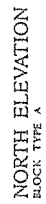


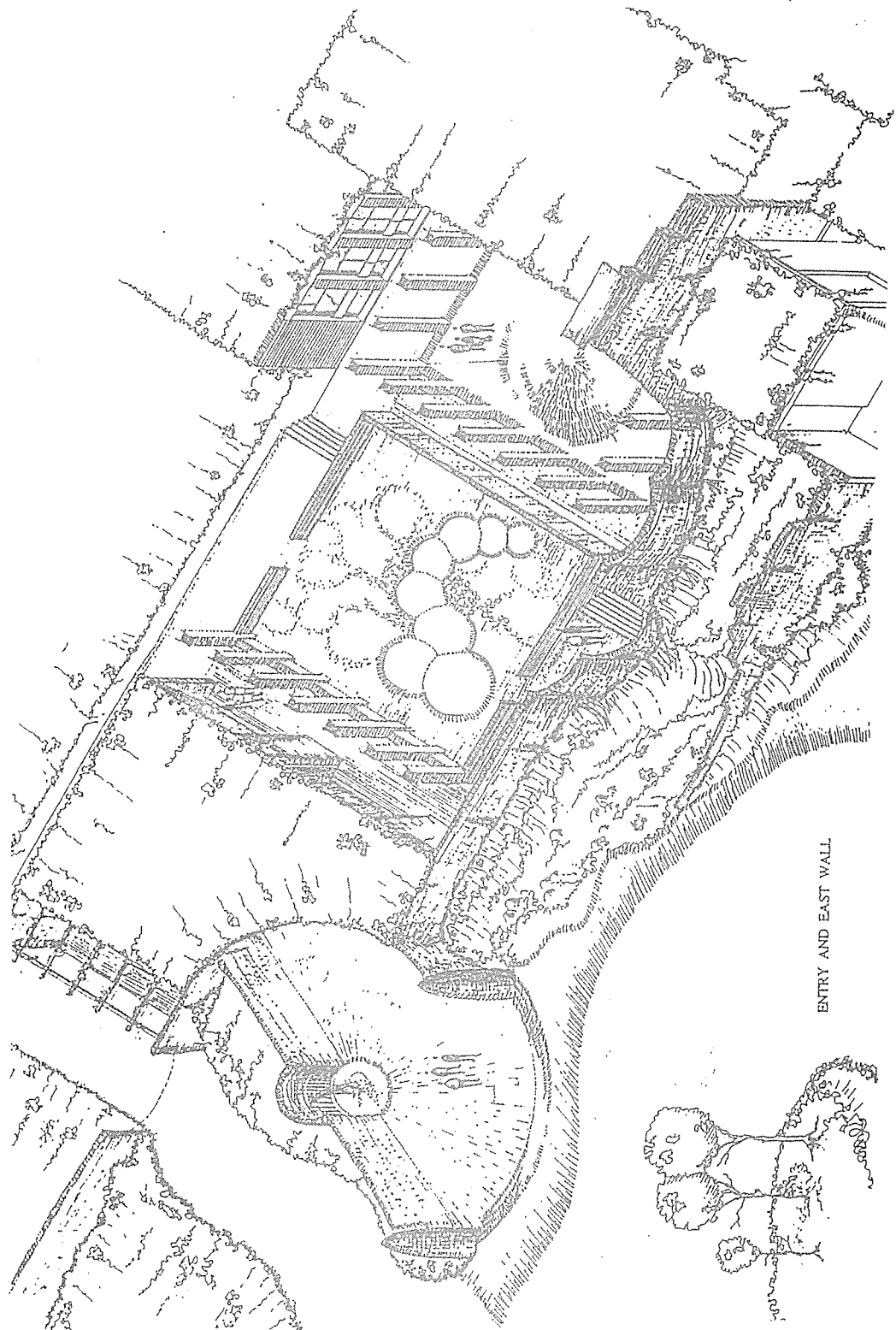
TITLE	ACCOMMODATION BLOCK TYPICAL SECTION
DRAWING NO.	8901 SD 08
SCALE	1:100
DATE	NOVEMBER 1989
DRAWN BY	L.R.H.
CHECK BY	P.H.O.
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PETER GIBBS ARCHITECT	

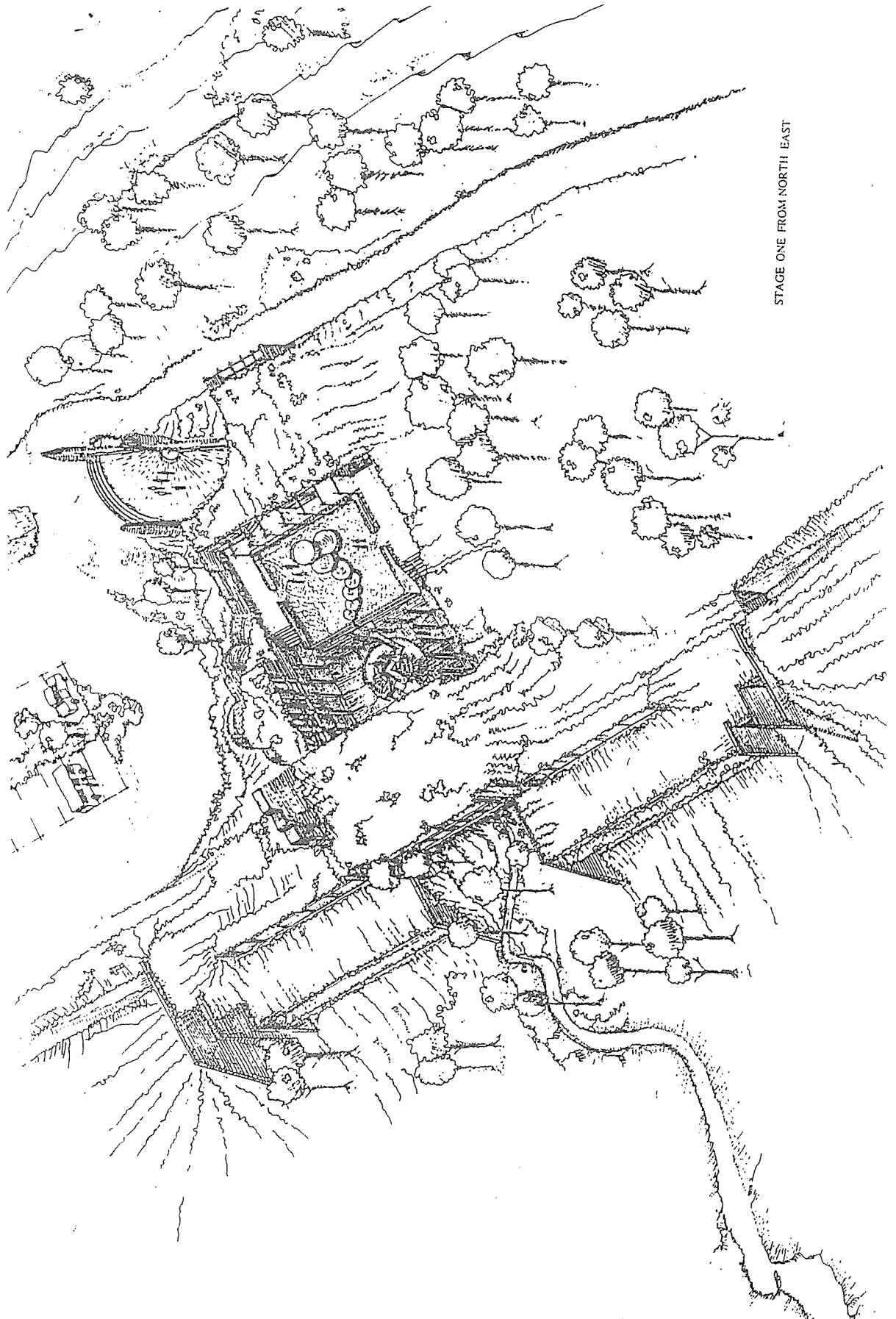


TITLE	SITE SECTIONS
DRAWING NO.	901 20 09
SCALE	1:200
DATE	NOVEMBER 1989
DRAWN BY	PK
CHECK BY	P.K.C.
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PETER OPPENHEIM ARCHITECT	

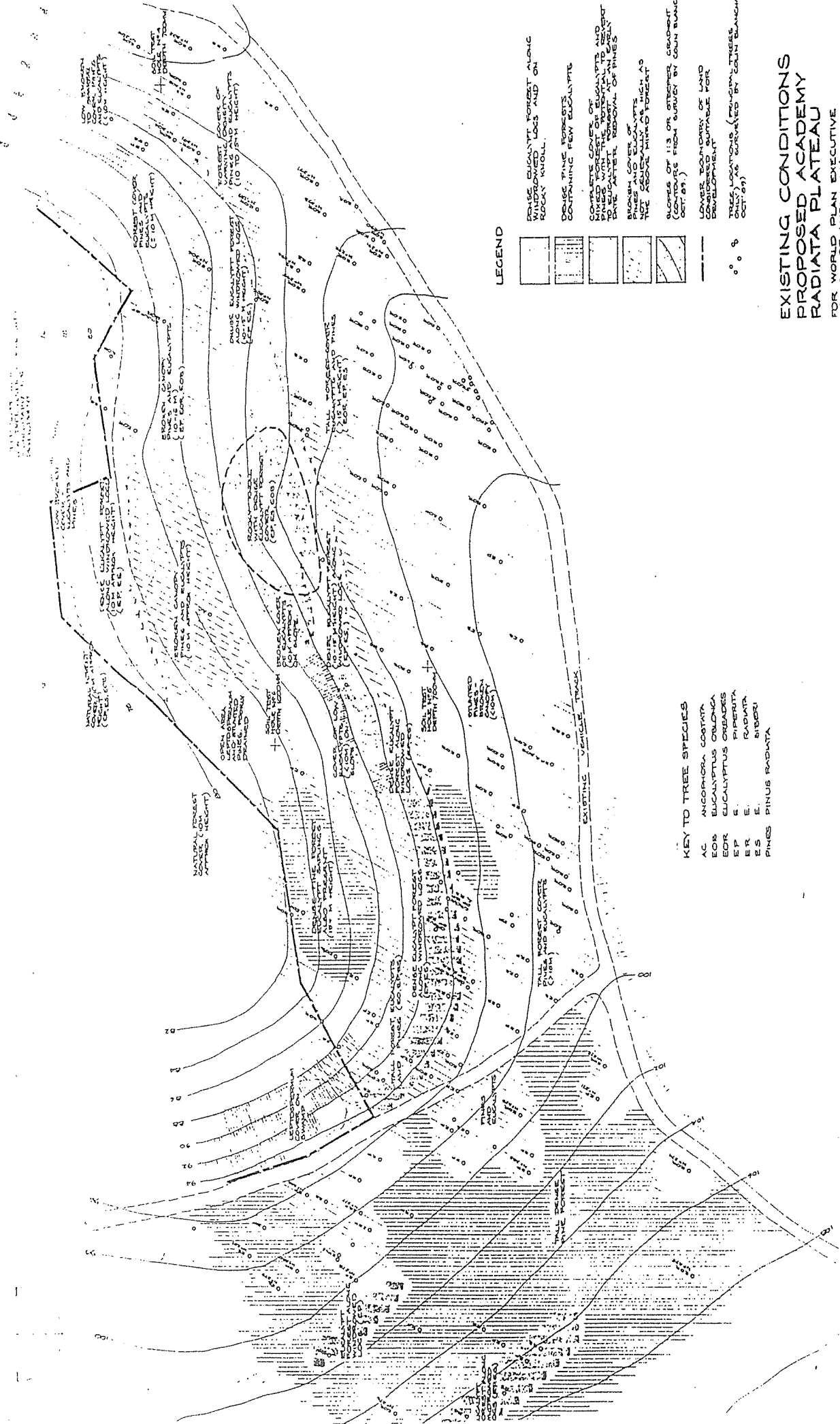
TITLE	ACCOMMODATION BLOCK TYPICAL ELEVATIONS		
DRAWING NO.	\$701 SD 10		
SCALE	1: 100		
DATE	JANUARY 1990		
DRAWN BY	JAF	CHECK BY	WJC
<p>THE ACADEMY AT INVINCIBILITY POINT (RADIATA PLATEAU) FOR WORLD PLAN EXECUTIVE COUNCIL OF AUSTRALIA LTD.</p>			
<p>PETER OPPENHEIM ARCHITECT</p>			

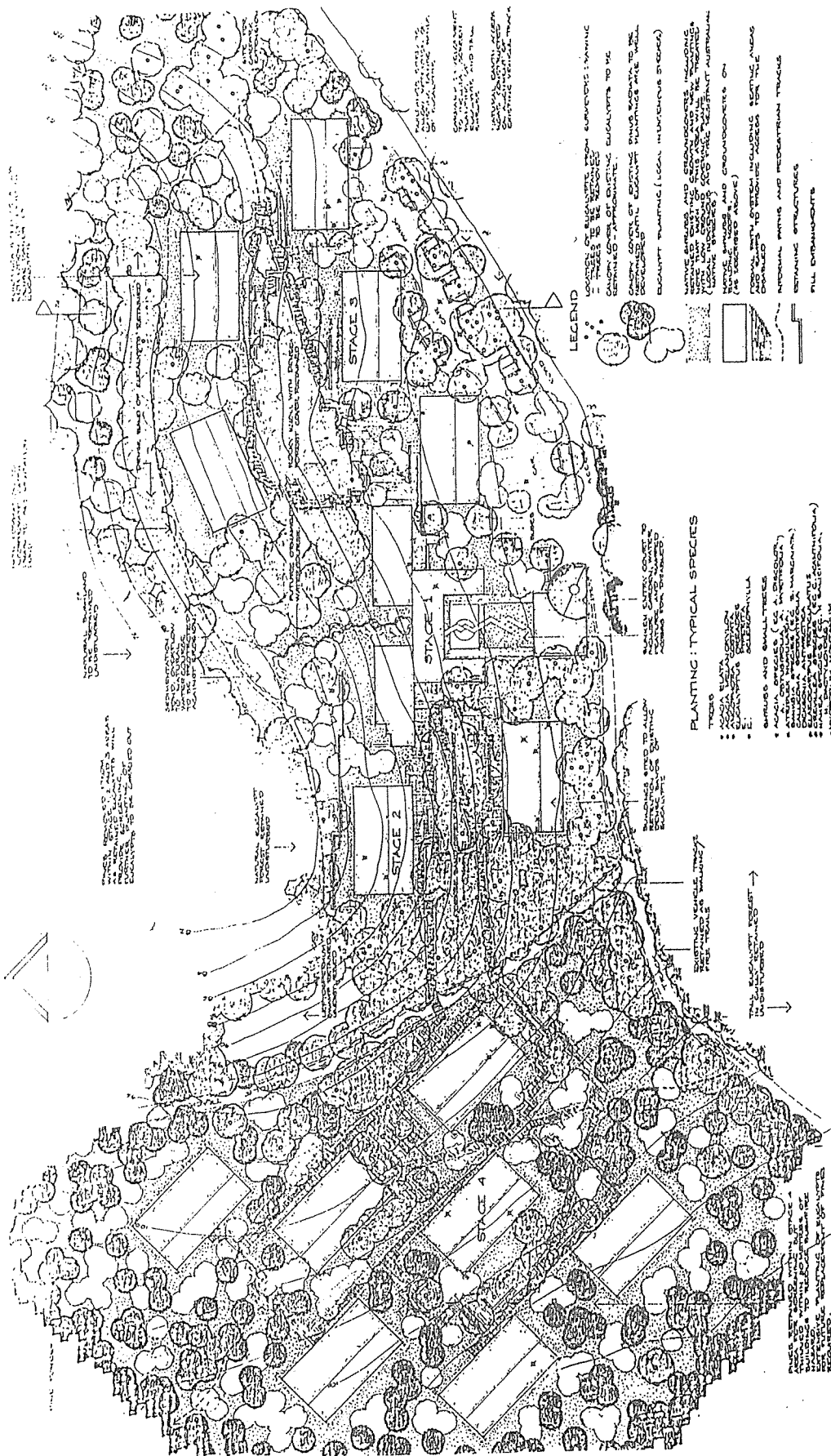






STAGE ONE FROM NORTH EAST





LANDSCAPE CONCEPT PLAN
PROPOSED ACADEMY
RADIATA PLATEAU
FOR WORLD PLAN EXECUTIVE
COUNCIL OF AUSTRALIA

SCALE 1:500

DATE: 11/11/89
DRAWN: LANDSCAPE ARCHITECT
11/11/89
CHECKED: LANDSCAPE ARCHITECT
11/11/89

DRG. NO. 8909/91

SECTION: STAGE 3
SCALE 1:200

ROAD
LANDSCAPE
VEGETATION
WATERWAY
BUILDINGS
DRAINAGE SYSTEM

LOCAL NATIVE SHRUBS AND GROUNDCOVERS TO BE ESTABLISHED ON ROOF TOP AND OTHER SUSCEPTIBLE PLANTING AREAS. PROPOSED PLANTING WILL COVER EXISTING ROOF TOP AND OTHER SUSCEPTIBLE AREAS.

SOIL MIX
DRAINAGE SYSTEM

EXISTING MAINTENANCE BUILDING TO BE DEMOLISHED AND REPLACED WITH A NEW MAINTENANCE BUILDING. THE NEW BUILDING SHOULD BE PLACED TO THE SOUTH OF THE EXISTING BUILDING. THE NEW BUILDING SHOULD BE PLACED TO THE SOUTH OF THE EXISTING BUILDING. THE NEW BUILDING SHOULD BE PLACED TO THE SOUTH OF THE EXISTING BUILDING.

ALTERNATIVE
FINISHED GROUND
PROFILE WITH
ACCESS TO
WILDLIFE IS FROM
OTHER (NORTH
SIDE.

SOIL MIX | DRAINAGE SYSTEM

SURFACE GRADIENTS OF FILL
BATTERS TO BE 1:3 MAXIMUM
WHERE POSSIBLE
TO MINIMIZE EXTENT OF DISTURBANCE
STEEPER BATTERS - TO 1:2 - AND/OR
LOW SANDSTONE RUBBLE
RETAINING WALLS TO BE USED
WHERE NECESSARY.
SURFACE STEEPER THAN 1:3
TO BE STABILIZED USING
EROSION CONTROL FABRIC

DATE 23-11-69

LANDSCAPE CONCEPT - SECTION 1
PROPOSED ACADEMY
RADIATA PLATEAU
FOR WORLD PLAN EXECUTIVE
COUNCIL OF AUSTRALIA

ATTACHMENT NO. 2

planning workshop environmental analysts, statutory and advocate planners

346 Kent Street Sydney, PO Box C183 Clarence St. NSW 2000. DX 10246 Fax 29 6186 Telephone 29 5288

3 May 1990

Our Ref: W00254.DC/11-
Your Ref

The Town Clerk
Blue Mountains City Council
Great Western Highway
Katoomba NSW 2780

Attention: Mr Mark Broderick

Dear Sir,

Re: DA No 44/90

We write with reference to the above development application which is currently before Council for consideration. You will recall that, on 27 March 1990, a meeting was held in Council offices and attended by the applicant, the applicant's representatives and Council officers. At this meeting a number of issues were raised which required a response from the applicant. Minutes of this meeting were recorded by the undersigned and a copy is attached for your reference (see Attachment A). A subsequent meeting was convened on the site on 17 April 1990. Minutes of this meeting were recorded by Dr Byron Rigby of World Plan Executive Council of Australia and a copy of same is also attached (see Attachment B).

By letter dated 19 April 1990 we informed Council that certain additional information in support of the DA was in course of preparation by the applicant's consultants. Most of this information has now been finalised and is either attached to or discussed in this correspondence.

This additional information has been prepared in response to various issues raised by Council officers, elected aldermen and local residents during the period following lodgement of the DA with Council. The information pertains to services, the archaeological significance of the development site, road access, hydrology, local flora, bushfire risk and erosion and sedimentation control. The documentation serves to provide Council with an appropriate information base upon which to determine the application and to clarify the applicant's intentions.

The consultant team retained by the applicant has been expanded for the purposes of compiling this additional information. The following is an indication of consultant responsibility and the respective areas of expertise:

Water supply and Effluent Disposal

Pak Poy and Kneebone Pty Limited and
Longmac Associates Pty Limited

Archaeology

Brayshaw McDonald Pty Limited, Consultant
Archaeologists

Road Access

Tierney and Partners, Consulting Engineers

Bushfire Risk

Mr R H Luke AM DipFor MIFA

K0590002

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Assessment of alternative site
suggested by Council Officer Eades

Olsen Environmental Services

Erosion and Sedimentation Control Plan

Olsen Environmental Services

Flora

Mr Peter Abell, Consultant in Horticulture

In respect of each of the issues above, we now comment as follows.

Water Supply

There are two alternative means of supplying water to the subject development: either

- * extraction of bore water from within the subject property; or
- * provision of a reticulated water supply from Catalina Reservoir.

In respect of the former, concern has been expressed by Council officers at the possibility of groundwater extraction impacting upon the prevailing groundwater regime, the perched swamps and on species relying on seepage from the swamps and from rock fractures in cliff faces. These issues are being investigated by Pak-Poy and Kneebone Pty Limited in association with Longmac Associates Pty Limited. On the basis of their preliminary assessment, it is highly unlikely that there will be any such impacts. However, much more comprehensive information will be available when a water bore has been drilled and the resultant geological information analysed. It is anticipated that this analysis will confirm that underground sources are not connected to either the perched swamp or the natural springs or the nearby property owned by Mr Edelbuttel. Similarly, it is anticipated that flows from the aquifer will not affect either the creek or the perched swamp, either during normal times or during drought (see Attachment C).

When the information is available, it will be forwarded to Council. The applicant acknowledges that a reticulated supply from Catalina Reservoir will need to be provided if the environmental implications of extracting bore water prove to be unacceptable.

Effluent Disposal

Notwithstanding that the Water Board was willing to accept the method of wastewater disposal originally proposed (as was Council's Deputy Chief Health and Building Inspector, provided a turn-around facility was provided for vehicles adjacent to the proposed holding tank), the applicant now proposes to pump sewage effluent from the Stage 1 development to the Water Board main in the Great Western Highway. Septic tanks will be provided as on-site treatment following by on-site storage prior to pumping to the Water Board main at times to be nominated by the Board (ie. off-peak). Appropriate application has been made to the Water Board for approval of this method of effluent disposal. The Water Board has given a verbal indication that the application will be approved. We understand that this is Council's preferred means of wastewater disposal (see also Attachment C).

Details of septic tank location for Stage 1 have been discussed by Mr Ian Sharpe of Pak-Poy and Mr Ian Olsen of Olsen Environmental Services. The new location is indicated on plans prepared by Mr Ian Olsen which will be submitted to Council under separate cover. The proposed location requires minimum disturbance to ground levels and existing vegetation.

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Archaeology

The Stage 1 building site has been inspected by Brayshaw McDonald Pty Limited, Consultant Archaeologists. Their report of inspection is appended to this correspondence as Attachment D. You will note that no Aboriginal relics or sites were found within the area where it is proposed to erect the 50 room meditation centre.

Road Access

There are two issues requiring discussion relating to road access:

- * access across land owned by the Karuna Foundation; and
- * the necessary road improvements associated with the proposed development.

In respect of the former, the Karuna Foundation has agreed to sell to the applicant that portion of the Karuna Foundation land over which access is gained to the proposed development site. A letter from Karuna Foundation is appended to this correspondence (see Attachment E).

In respect of the necessary road improvements associated with the proposed development, we note that Mr Ross Speers of Tierney and Partners has discussed this issue with Mr Mifsud, the City Engineer. Clearly the applicant accepts that the proposed development will result in some increase in vehicular traffic using Pulpit Hill Road, Nellies Glen Road and Explorers Tree Road and will add to the existing utilisation rates of the intersections of the Great Western Highway with Nellies Glen Road and Explorers Tree Road. Accordingly, the applicant will make a reasonable contribution to the upgrading of the intersections and road surfaces. The determination of what is reasonable is clearly a matter for detailed discussion with Council. The applicant is currently in course of preparing a submission to Council on an appropriate monetary sum to be contributed to Council for roadworks. This will be submitted to Council as soon as possible. It is intended that this submission form the basis for further detailed discussions.

Bushfire Risk

The applicant has commissioned Mr Harry Luke to advise on bushfire risk and a meeting was convened on the subject property on Thursday, 26 April 1990, and attended by Council's Bushfire Control Officer, Mr J Tolhurst, and Mr Luke. There is general agreement on the measures which need to be adopted to minimise bushfire risk and these are discussed in correspondence forwarded to the applicant by Mr Luke. A copy of this correspondence is appended as Attachment F.

Assessment of Alternative Site

At the meeting held in Council offices on Wednesday, 27 March 1990, Mr Eades suggested that a more appropriate site for the proposed development may exist closer to the access gate to the subject property. It was agreed that the suitability of this site would be assessed by the applicant. This work has been carried out by Olsen Environmental Services and is appended as Attachment G to this correspondence. The assessment concludes that a number of functional and visual problems are associated with the alternative site. It is considered that these disadvantages outweigh the advantages and that the proposed site is more suitable for development.

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Erosion and Sedimentation Control Plan

Olsen Environmental Services have also formulated appropriate erosion and sedimentation controls for implementation during and after construction. Three drawings have been prepared to illustrate the controls: Sediment and Erosion Control Plan (Plan No 9005/1); Sediment and Erosion Control Details (Plan No 9005/2); and Access Road: Environmental Protection Principals (Plan No 9005/3). These will be submitted to Council under separate cover.

Flora

A Rare and Threatened Plant Survey has been undertaken by Mr P Abell, Consultant in Horticulture. His report is appended as Attachment H. No rare flora was found within the main development site.

There are several further issues on which comment should be made.

Reorientation of Main Building

On the occasion of the site inspection attended by Council aldermen and officers (and members of the public), the possibility was raised of reorientating the main building of Stage 1 to avoid an area of relatively steeply sloping ground upon which the north eastern corner of the main building was then proposed. A further detailed site inspection has revealed that a minor realignment of the main building can be made to avoid this area. The applicant is prepared to accept a condition of consent requiring realignment of the main building in accordance with the diagram attached to this correspondence in Attachment I.

Mooted Acquisition of Site as a National Park

In recent public debates and formal discussions, it has been suggested that the applicant's landholding at Radiata Plateau should be acquired by the National Parks and Wildlife Service (NPWS). NPWS has no proposal to acquire the subject property (see Attachment J). The land is not zoned as National Park. Indeed, the zoning of the land upon which the subject proposal is proposed is Bushland Conservation within which the proposal is permissible with the consent of Council. It was with the agreement of both Council and Commissioner, William Simpson, that this zone was extended to encompass the development site.

Site Management Plan

Mr Ian Olsen of Olsen Environmental Services is currently preparing a Site Management Plan which will comprise the following:

- * a preliminary plan for the on-going management of the Stage 1 site;
- * the identification of management zones and locations of permanent catch drains, sediment traps and pond;
- * detailed drawing illustrating permanent catch drains, sediment traps and pond, including surface stabilisation measures; and
- * a statement of objectives and management strategies for each zone, including a description of maintenance requirements for sediment control works.

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This plan will be forwarded to Council as soon as possible (Plan No 9005/4). Mr Ian Olsen is also preparing a plan of the proposed main carpark and its relationship to existing eucalypts within its boundaries.

Nature and Structure of Applicant Organisation

Various individuals have, during the course of DA assessment, requested background information on the applicant organisation. For your reference, we attach relevant descriptive material (see Attachment K).

Public Access

Concern has been expressed by several interested parties that the proposed development will result in a denial of public access to the site.

The applicant has compiled a number of considerations in this respect which are appended in Attachment L. We propose to embody public access provisions in a Plan of Management for the entire 1,000 acres which comprise the WPECA landholding.

We are not aware of any further issues on which Council requests the applicant to respond. However, if clarification is required on any matter raised in this correspondence, we ask that you contact the undersigned. We, other members of the consultant team and the applicant are available to attend any further meetings which you may care to convene. We would also be grateful if you could inform the undersigned of any matters (if any) which remain of concern to you or your colleagues.

Yours faithfully

Planning Workshop



Robert Chambers

Associate Director

Enclosures

ATTACHMENT NO. 3

RADIATA PLATEAU - SUMMARY OF SUBMISSIONS AS AT 7/5/1990

No. <u>Received</u>	268	
No. <u>For</u>	2	
No. <u>Against</u>	266	
No. <u>Form Letters</u>	177 (66%)	2/3
Form Letter No. 1	55	
Form Letter No. 2	122	
No. <u>Petitions</u>	3	(1) 20 signatures (2) 8 signatures (3) 12 signatures

<u>Submission Source</u>		% Total Submissions
Within B.M.C.C.	182	68%
Outside B.M.C.C.	86	32%
		100%
Ward 1	68	25%

Groups Represented

1. Colong Foundation for Wilderness
2. Total Environment Centre
3. Upper Blue Mountains Conservation Society
4. Pulpit Hill/Explorers Road Residents - Joint Submission
5. C.O.R.E.
6. Upper Blue Mountains Bushwalking Club
7. Illawarra Environment Centre
8. K.A.R.M.A.

Summary of Issues Raised (in order of frequency)

1. Contrary to, or non-compliance with, Council's draft Environmental Management Plan - development application premature.
2. Environmental impact - flora - not investigated.
3. Adverse impact upon local residential amenity - social impact; quiet street.
4. Radiata Plateau should be returned to Public Open Space - World Heritage nomination sought.
5. Adverse traffic impacts - increase to local streets.

- 2 -

6. Environmental impacts to existing pristine creeks.
7. Visual impact - visible to the north; night light intrusion.
8. Dangerous Highway intersection will exacerbate existing situation.
9. Overdevelopment.
10. Environmental impact - domestic water source (ground water) and effluent disposal; lack of services.
11. Environmental impact - depletion/inadequacy of ground water.
12. Site disturbance - run-off - soil erosion.
13. Nature of use (i.e. Academy) unclear - use of clinic?; who is W.P.E.C.A.?
14. Inadequate information - traffic statistics.
15. Alternative sites not considered.
16. Unacceptable bush fire risk.
17. Noise during construction.
18. Adverse effect upon bushland amenity - wilderness values; unspoilt area.
19. Inadequate information - environmental study - E.I.S.?
20. Environmental impact - local relics - not investigated.
21. Local roads - likely deterioration.
22. Environmental impact by electricity connection.
23. Precedent for future escarpment development.
24. Concern over consequences of future change in applicants/nature of use.

* * * * *

ATTACHMENT NO. 4



WATER BOARD

WARRAGAMBA CATCHMENT

HEADWORKS BRANCH: Fowler Road, Guildford, N.S.W.

Postal Address:
P.O. Box 2,
Guildford, N.S.W., 2161

Tel : 681 0315
Fax : 681 0363
Ref : 172292F6

The Town Clerk
Blue Mountains City Council
PO Box 189
KATOOMBA NSW 2780

- 4 APR 1990

Subject: Proposed Academy at Invincible Point, Radiata Plateau,
Warragamba Catchment Area

Reference: Your letter of 28 February 1990.
Board's letter of 21 March 1990.

Further to the Water Board's previous letter of 28 Feb 1990, the following comments are provided with regard to the likely effects of the proposed development on the Board's water supply catchment area.

The subject land is within the Warragamba Catchment Area and is managed by the Board as a Special Area under Section 21 of the Water Board Act, 1987. This area is part of the water catchment for Warragamba Dam, which is the Sydney region's major water supply dam. The Board's primary aim in managing these areas is the protection of water quality and environmental values. The Board must therefore ensure that developments in this area do not affect these values.

In general terms, the Board has no objections to the environmental protection and water quality control measures outlined in the Statement of Environmental Effects and considers these measures to provide a suitable basis for the conditions of development consent provided that the following conditions are also included:

- i) A soil and water management plan covering the period of construction is to be prepared by the proponents to the satisfaction of the Soil Conservation Service of NSW, the Water Board and Council. The Plan should be site specific and give details of:
 - soil erosion and sediment control
 - site rehabilitation
 - sewage disposal
 - petroleum products storage

6.11.91

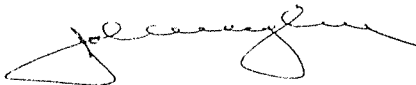
BMCC - CENTRAL RECORDS		
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- ii) All fuels, oils and greases are to be stored on a bunded concrete platform. Bunding (dwarf wall) is to contain maximum possible volume stored +10%. Platform to be roofed and storm water conveyed to ground surface by downpipe.
- iii) The proposed 'Site Management and Maintenance Plan' is to be completed by the end of the Stage 1 construction period. Subsequent developments should not be allowed to proceed until completion of the Plan. This Plan should be made available to relevant authorities, including the Board, as required to ensure the continued sound environmental management of the area.

Please contact David Hinchley of the Boards Catchment Control Sub-Branch (Phone 681 0315) if you would like to discuss any aspect of this proposal.

Yours faithfully



Catchment Control Manager



WATER BOARD

Sydney - Illawarra - Blue Mountains

REGIONAL OFFICE: 22 Main Street, Blacktown. 2148 N.S.W.

Postal Address:
P.O. Box 367,
Blacktown. N.S.W. 2148

Tel: 831-0647
Mr. G. Aiken
Gordon

D.X. 8133

Ref: 172292 F6

21 MAR 1990

The Town Clerk,
Blue Mountains City Council,
DX 8305,
KATOOMBA

6457
RECEIVED
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Dear Sir,

Subject: Academy at Invincibility Point,
Radiata Plateau, Near Katoomba.

Reference: Your letter dated 28th February, 1990
(17529 MB:KD)

The Board has no objections to the proposed development subject to the following comments.

Water Supply

The Board would allow an extended private service to water supply if required. The details of the point of connection, size etc, will be determined when the water requirements have been made available, and subject to the Board's normal conditions for an Extended Private Service. The payment of a Major Works Charge will be required. The charge will be calculated on a flow basis.

Sewerage Supply

The Board has no objection to the disposal method for sewage as described in The Statement of Environmental Effects report. Pumping to the Boards sewer would be subject to the Board's normal conditions. The actual details of size, point of connection etc, and any conditions and charges to be applied will depend on the flow rates required.

Water Board

- 2 -

Ref: 172292 F6

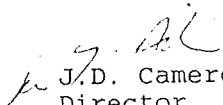
Catchment Area

Appendix 5 of The Statement of Environmental Effects report states that the sandy yellow earth soils are shallow and stony on the northern edge of the proposed development site. In order to maintain water quality in adjacent watercourses and to reduce the likelihood of sediment moving off site, there should be a buffer zone of width say 10-20m, between the edge of the construction zone and the edge of the plateau. If the temporary hay bale or earthen berms fail, sediment would be trapped on-site within the buffer zone.

To encourage regeneration of natural vegetation again is not a satisfactory way of controlling soil erosion and rehabilitating a site. Detailed rehabilitation measures should be implemented.

The Board will be making further comments on its catchment area in another submission to follow shortly.

Yours faithfully,


J.D. Cameron,
Director,
North Western Region.

ACP1/DPHC, (27), 29/5/90

National Parks and Wildlife Service
BLUE MOUNTAINS DISTRICT



The Town Clerk,
Council Headquarters,
PO Box 189,
KATOOMBA NSW 2780

Includes
Blue Mountains National Park
Kanangra Boyd National Park
Hartley Historic Site
The Heritage Centre, Govetts Leap Road
P.O. Box 43
Blackheath, NSW 2785

Our reference

GL:CI:BM
Your reference BM/1326

Telephone (047) 87 8877

30th March, 1990.

Dear Sir,

PROPOSED ACADEMY FOR THE TEACHING
OF TRANSCENDENTAL MEDITATION AND RELATED
DISCIPLINES, RADIATA PLATEAU, KATOOMBA

The Service has received notification of the Development Application for the above proposal. The Service interest is in relation to the previously identified proposed additions to Blue Mountains National Park, together with responsibilities for rare species and cultural resource matters.

In your consideration of the Development Application we would appreciate the following comments being considered.

1. Provisions of Planning Instruments

- 1.1 The existing zoning (LEP No 4) is Rural 1 (a2). As a result of Commissioner Simpson's public hearing the Draft LEP zoning was altered to Bushland Conservation (BC) and Rural Conservation (RC). Under the present and proposed zoning 'resort' development is specifically precluded. Under the proposed zonings education establishments, motels, medical centres and recreational establishments are permissible only if consistent with the zoning objectives.

The construction of an extensive complex, the majority of which is devoted to accommodation (415 bedrooms) would appear to be inconsistent with the intent of the zoning.

The current development application should be rejected on the grounds that the proposal is inconsistent with the intent of present and proposed landuse zonings. In addition the proposal is inconsistent with the intent of the Draft Environmental Management Plan to retain the existing character of each township and maintain their physical separation by areas of bushland.

- 1.2 In the Draft LEP, Radiata Plateau was identified as regionally significant with high visual and environmental significance and the potential for some form of low key development with the application of strict environmental controls. The current proposal is not considered low key.

Later it identified the Radiata Plateau as a major crucial omission from the publicly owned escarpment protection system and that it should be acquired by the State Government as Regional Open Space on the basis of landscape, conservation and recreation values.

2. Visual Aspects

- 2.1 The height of the proposed buildings exceeds the 8 metre limit for escarpment preservation areas under LEP No 4.
- 2.2 The proposed developments will be visible from the south-eastern margin of the Shipley Plateau, is proposed for addition to Blue Mountains National Park. This area contains the important Double Echo Point and Hargreave Lookouts.
- 2.3 The visibility may give rise to negative economic effect given the loss of general tourist amenity.
- 2.4 Commissioner Simpson correctly identified that escarpment protection involves protection of not just the area immediately adjacent to the cliff line but also the entire area above the cliff line. Escarpment preservation is an important objective of the Environmental Management Plan.

3. Bush Fire Hazard

- 3.1 The Statement of Environmental Effects describes the site as being within an isolated extreme bushfire risk area. Council is responsible for the protection of developments and are reminded of the guidelines set out in the Department of Environment and Planning Circular 74. The planning controls for high or medium fire hazard areas state that the option of exclusion of development should be considered first.
- 3.2 In all new developments the entire fire protection measures should be confirmed within the development. No extra burden for protection works should be necessary on completion of the project outside the development area.
- 3.3 In consideration of the above points and the combination of principles of circular 74 it is our view that the proposal must have a substantial effect on aspects of the natural environment and visual amenity. The necessity to clear large areas of the development precinct to achieve the above objectives should be clearly understood.

The assessment of the overall effect of protection measures must consider the effect on the environment and in particular the protection of rare plants should they be found on the site. These matters have not been addressed by the environment review.

4. Water Supply

Insufficient information has been compiled to determine the impact that drawing large amounts of ground water will have on the hydrology of swamps and streams of the plateau top and seepage on the cliff faces. Each of these sites contains sensitive plant communities of conservation significance.

5. Rare and Endemic Plants

Darwinia fascicularis spp. *olisontha*, *Acacia asparagoides* and *Persoonia acerosa* are rare plants known to occur on the Radiata Plateau. It is highly likely that other plants of conservation significance also occur here. No detailed flora or fauna surveys have been included in the Statement of Environmental Effects. It is a requirement under the Bushland Conservation Zoning (BC) that protection of natural conservation features such as important wildlife habitats and rare flora be maximised. The Service would require a site

inspection and identification of locations of rare species and subsequent protection thereof.


6. Cultural Heritage

The Statement of Environmental Effects contains no archaeological survey of Aboriginal cultural heritage. The Service would require an archaeological survey to determine the effect of proposal developments or aspects of heritage value.

7. General Remarks

- 7.1 The Service objects to the proposal as it is inconsistent with the intention of current and proposed planning guidelines.
- 7.2 The statement of Environmental Effects is seriously inadequate to allow a proper review of the effects on the environment.
- 7.3 The Service recommends that before the Council further consider the application that an adequate and comprehensive Environmental review take place with specific attention to the items above.
- 7.4 The Service would be available to discuss issues of concern and provide detailed requirements of surveys and analysis required.

Yours faithfully,


G. Manson,
Superintendent,
For Director