



Independent Hearing and Assessment Panel

Minutes

17 April 2018

**Camden Council
Administration Centre
70 Central Avenue, Oran Park**



INDEPENDENT HEARING AND ASSESSMENT PANEL MEETING

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PRESENT

Stuart McDonald (Chairperson), Michael Mantei (Alternate Chairperson), Sue Francis (Expert Member), Mary-Lynne Taylor (Expert Member), Bill Rooney (Community Member – Central Ward).

ALSO IN ATTENDANCE

Governance Officer, Governance Officer Panel and Committees.

ACKNOWLEDGEMENT OF COUNTRY

The Chair acknowledged the traditional Custodians of the Land:

I would like to acknowledge the traditional custodians of this land on which we meet and pay our respect to elders both past and present.

RECORDING OF MEETING

The Chair stated that the meeting is being audio recorded as this is a requirement for all local panels.

APOLOGIES

There were no apologies to be noted.

DECLARATIONS OF INTEREST

Mr Stuart McDonald declared a conflict of interest in relation to IHAP01, and advised that he would vacate the Chair.

Mr Stuart McDonald retired from the meeting the time being 1.34pm and took no further part in the Panel's deliberation.

Mr Michael Mantei assumed the chair for the remainder of the meeting.

There were no further conflicts declared by any other member of the Panel.

PUBLIC ADDRESSES

Mr Michael Baker and Ms Mairead Hawes addressed the panel in relation to IHAP01 - Construction of a New Registered Club and Golf Academy, Maintenance Shed, Outdoor Seating Area, Car Parking, Landscaping, Associated Site Works and use of the Nine (9) Hole Golf Course Subject to DA/2015/840/1 at 880 Camden Valley Way, Gledswood Hills.

IHAP01 CONSTRUCTION OF A NEW REGISTERED CLUB AND GOLF ACADEMY, MAINTENANCE SHED, OUTDOOR SEATING AREA, CAR PARKING, LANDSCAPING, ASSOCIATED SITE WORKS AND USE OF THE NINE (9) HOLE GOLF COURSE SUBJECT TO DA/2015/840/1 AT 880 CAMDEN VALLEY WAY, GLEDWOOD HILLS

SUMMARY

The Panel has considered the Council officer's report and inspected the site of the proposed development.

The Panel has also been provided with an addendum report (**Attachment 1 to these minutes**) that addresses the requirements of the Biodiversity Conservation Act (2016) and an updated suite of draft conditions prepared by Council officers dated 17 April 2018.

DETERMINATION OF PANEL

The Panel resolved to grant development consent to DA/2017/678/1 for the construction of a new registered club and golf academy, maintenance shed, outdoor seating area, car parking, landscaping, associated site works and use of the nine (9) hole golf course constructed subject to DA/2015/840/1 at 880 Camden Valley Way, Gledswood Hills subject to the draft conditions outlined in the amended conditions prepared by the Council officers dated 17 April 2018 (**Attachment 2 to these minutes**).

The panel adopts the reasons for the determination as contained in the Council officer's report at pages 17 and 18, subject to the following additional reasons:

In addition to Reason 2:

The Panel notes that the proposed golf course is predominantly located within the RE2 zone but may traverse the R1 Residential Zone boundary. The proposed development is defined as a Recreation Facility (Outdoor) under Camden LEP 2010 and is permissible with development consent in both the R1 and RE2 Zones.

The Panel has been provided with the objectives of the R1 zone. The Panel considers that the proposed development is consistent with the zone objectives of the R1 Zone.

Objectives of the R1 Residential Zone are:

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To allow for educational, recreational, community and religious activities that support the wellbeing of the community.
- To minimise conflict between land uses within the zone and land uses within adjoining zones.

In addition to Reason 6:

Having considered the additional information provided in the addendum report, the Panel is satisfied that the proposed development is not likely to have a significant impact on threatened species and that the proposed development satisfies the requirements of the Biodiversity Conservation Act (2016).

VOTING NUMBERS

The Panel voted 4-0 in favour of the determination.

Mr Michael Mantei tabled the below item for consideration of the Panel.

IHAP02 DRAFT CAMDEN LOCAL PLANNING PANEL OPERATIONAL PROCEDURES

SUMMARY

The draft Operational Procedures were tabled at the meeting for adoption (**Attachment 3 to these minutes**).

DETERMINATION OF PANEL

The Panel resolved that the Operational Procedures be adopted for future meetings of the Panel.

VOTING NUMBERS

The Panel voted 4-0 favour of the determination..

THE MEETING CLOSED AT 1.50PM

ATTACHMENT 1 – ADDENDUM REPORT

Consideration of the Objectives of the R1 – General Residential zone of Camden Local Environmental Plan 2010

It is noted that the adjoining golf course, which is currently under construction at present and sought to be used in conjunction with the proposed new registered club development may potentially encroach within the adjoining R1 – General Residential zone of Camden Local Environmental Plan 2010.

Council in assessment of the application have considered the objectives of the R1 – General Residential Zone and are satisfied that the proposed development is consistent with the objectives of the R1 zone. The proposed development is permissible in either the R1 – General Residential zone or the RE2 Private Recreation zone, noting that construction of the golf course has already been granted development consent subject to DA/2015/840/1.

Assessment of Vegetation removal in accordance with the Biodiversity Conservation Act 2016

The project site contains some scattered vegetation and eleven (11) of these trees will need to be removed to facilitate construction of the new club. The trees to be cleared do not form a fully structured Cumberland Plain Woodland. The footprint of this vegetation clearance results in impacts below the 'Biodiversity Offsets Scheme Threshold' outlined in the *Biodiversity Conservation Act 2016* (BC Act) and the Biodiversity Offset Scheme does not apply to the proposed clearing of eleven (11) trees.

As the proposal does not trigger the Biodiversity Offset Scheme threshold, the proposal is to be assessed under Section 7.3 of the *Biodiversity Conservation Act 2016* to determine if the development is likely to significantly affect threatened species or ecological communities.

An extract from *Section 7.3 Test for determining whether proposed development or activity likely to significantly affect threatened species or ecological communities, or their habitats* is outlined below and was considered in the assessment of this proposal:

(b) in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity:

- *(i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or*
- *(ii) is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction,*

The extent of Cumberland Plain Woodland (CPW) is not likely to be adversely affected by the proposal as the adjoining golf course is to be revegetated and regenerated with CPW. This will result in the assisted regeneration and management of 8.23 ha of retained CPW and the recreation of 19.27 ha of CPW. This additional CPW to be regenerated and revegetated will reduce the risk of local extinction and mitigate the impact of removal of the eleven (11) trees. The CPW to be revegetated within the adjoining golf course is to contain structural complexity encompassing groundcover, shrubs and trees naturally present within the vegetation community. Therefore, following the assessment for significance in S7.3 of the *Biodiversity Conservation Act, 2016*, the loss of eleven (11) trees is not considered significant.

ATTACHMENT 2 – AMENDED CONDITIONS

Details of Conditions:

1.0 - General Conditions of Consent

The following conditions of consent are general conditions applying to the development.

- (1) **General Terms of Approval/Requirements of State Authorities** - The general terms of approval/requirements from state authorities shall be complied with prior to, during, and at the completion of the development.

The general terms of approval/requirements are:

1. Department of Primary Industries – Water, General terms of Approval, Reference IDAS1102900, dated 13 March 2018.
2. NSW Police Force, Safer by Design Crime Risk Evaluation, correspondence received 24 October 2017.

- (2) **Approved Plans and Documents** - Development shall be carried out in accordance with the following plans and documentation, and all recommendations made therein, except where amended by the conditions of this development consent:

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
02 Revision B1	Site / Roof Plan	Mostaghim & associates	23/10/2017
03 Revision B	Proposed ground floor plan	Mostaghim & associates	20/10/2017
04 Revision A3	Proposed maintenance shed plan & elevations	Mostaghim & associates	15/6/2017
05 Revision B1	Elevations	Mostaghim & associates	20/10/2017
06 Revision A3	Sections	Mostaghim & associates	15/6/2017
07 Revision B	Boundary wall detail plan & elevations	Mostaghim & associates	23/10/2017
SW-01 Revision C	Hydraulic services site plan drainage services	Harris Page & Associates Pty Limited	10/10/2017
SW-02 Revision C	Hydraulic services roof plan drainage services	Harris Page & Associates Pty Limited	10/10/2017
SW-03 Revision C	Hydraulic Services Detail Sheet 1	Harris Page & Associates Pty Limited	10/10/2017
SW-04 Revision C	Hydraulic Services Detail Sheet 2	Harris Page & Associates Pty Limited	10/10/2017
SW-05 Revision B	Hydraulic Services Sediment & erosion control plan	Harris Page & Associates Pty Limited	13/12/2016
SKC-TPHW—036 Rev P1	Road MC08 Temporary Access	Arcadis	16/04/2018

	Road		
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Document Title	Prepared by	Date
Waste Management Plan	Universal Foodservice Designs	18 October 2017
Plan of Management	Hawes & Swan	23 October 2017
Bushfire Hazard Assessment Report	Firstfield Environmental	23 October 2017
Acoustic Report, Proposed New Clubhouse	Koikas Acoustics Pty Ltd	1 May 2017
Noise emission from the maintenance shed at The Greens, Gledswood Hills, NSW	Koikas Acoustics Pty Ltd	30 October 2017

(3) **Modified Documents and Plans** - The development shall be modified as follows:

- a) A mechanical exhaust system shall be provided above the commercial dishwater in the kitchen.
- b) A suitably sized general purpose sink shall be provided adjacent to the coffee machine located in the kitchen.
- c) A cleaners sink shall be provided, in or in close proximity, to the kitchen and bar areas and in an area away from open food preparation.
- d) Four (4) bicycle and four (4) motorcycle spaces shall be provided within the carpark.
- e) No approval is granted to floodlights or other forms of lighting in conjunction with the driving range. Separate approval shall be obtained.

Amended plans or documentation demonstrating compliance shall be provided to the Certifying Authority and Council prior to the issue of a Construction Certificate

(4) **Separate Approval for Signs** - A separate development application for any proposed signs shall be provided to, and approved by, the Consent Authority prior to the erection or display of those signs (unless the erection or display of those signs is exempt or complying development pursuant to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

(5) **Building Code of Australia** - All building work shall be carried out in accordance with the BCA. In this clause, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.

(6) **Works in Road Reserves** - Where any works are proposed in a public road reservation, a Road Opening Permit shall be obtained from Council in accordance with Section 138 of the *Roads Act 1993* prior to works commencing.

- (7) **Engineering Specifications** - The entire development shall be designed and constructed in accordance with Council's Engineering Specifications.
- (8) **Local Traffic Concurrence** - Installation of or changes to regulatory signage, line marking and devices are subject to the concurrence of Council's Local Traffic Committee on local roads and the Roads and Maritime Services on State Roads.

These concurrences (as required) must be obtained prior to the installation of or any changes to regulatory signage, line marking and devices.

- (9) **Construction of Permanent Water Quality Facilities** - Permanent water quality facilities must be constructed:
- a) in accordance with the approved plans;
 - b) to Council's standards; and
 - c) when 80% of the catchment is built out.

Earth batters associated with the facilities must be compacted and stabilised to ensure that the integrity of the batters is continually maintained.

- (10) **Conditional Approval for Tree Removal** - Consent is granted for the removal of only those trees and vegetation as shown on Site/Roof Plan prepared by Mostaghim & associates drawing no. 02 rev. A.

The following conditions apply;

- a) Approved tree works are to be undertaken in accordance with the relevant provisions of AS 4373 'Pruning of amenity trees' and is to be carried out in accordance with the WorkCover NSW Code of Practice for the Amenity Tree Industry.
- b) Approved tree work should only be carried out by a fully insured and qualified Arborist. Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.
- c) This consent does not grant access to adjoining land. The applicant must negotiate any issues of access with adjoining property owners.
- d) In the case of obvious nesting hollows being present within the trees an experienced wildlife handler (member of NANA or WIRES) is to be present during the tree work. Relocation of wildlife from the nesting hollows and the creation of new nesting opportunities shall be provided elsewhere on the property at a rate of one for one. Relocated hollow sections of nesting boxes are to be installed within existing trees for any animals removed. The design of these boxes is to conform to those designs outlined within the publication: The Nestbox Book. At least one relocated hollow or nest box is to be installed for each hollow removed that has been considered to have accommodated wildlife (irrespective of whether the hollow had an animal in it at the time of removal/assessment).
- e) Green waste and or timber generated from the approved tree work is to be recycled into mulch and reused on site or transferred to a designated facility for composting. Stock piles of green waste or processed timber for reuse including firewood must be stored behind the building line or place out view from the street within 28 days of the tree works authorised by this consent.

- f) All reasonable measures must be taken to protect the remaining vegetation on the site from damage during the approved tree works.
- g) The issuing of this Consent is conditioned upon the planting and maintenance of tree planting in accordance with VMP approved under DA 840/2015 as a means to achieve a “No Nett Loss” approach to vegetation management.

- (11) **Protect Existing Vegetation and Natural Landscape Features** - Approval must be sought from Council prior to the removal, pruning, impact upon or any disturbance of the existing vegetation and natural landscape features, other than any existing vegetation and/or natural landscape feature authorised for removal, pruning, impact upon or disturbance by this development consent.

The following procedures shall be strictly observed:

- a) no additional works or access/parking routes, transecting the protected vegetation shall be undertaken without Council approval; and
- b) pedestrian and vehicular access within and through the protected vegetation shall be restricted to Council approved access routes.

The protection of existing trees and other landscape features, other than any existing trees and natural landscape features authorised for removal, pruning, impact upon or disturbance by this Consent, must be carried out as specified in the Australian Standard AS 4970-2009 Protection of Trees on Development Sites.

All initial procedures for the protection of existing trees and landscape features, as detailed in AS 4970-2009, must be installed prior to the commencement of any earthworks, demolition, excavation or construction works on the Development site.

The works and procedures involved with the protection of existing trees and other landscape features are to be carried out by suitable qualified and experienced persons or organisations. This work should only be carried out by a fully insured and qualified Arborist.

Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.

- (12) **Noxious Weeds Management** - Weed dispersion must be minimised and weed infestations must be managed during all stages of the development. Any noxious or environmentally invasive weed infestations that occur during or after works must be fully and continuously suppressed and destroyed by appropriate means. New infestations must be reported to Council.

Pursuant to the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*, the applicant must at all times ensure that any machinery, vehicles or other equipment entering or leaving the site are clean and free from any noxious weed material to prevent the spread of all weeds to or from the property.

Earth moved containing noxious weed material must be disposed of at an approved waste management facility and be transported in compliance with the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*.

- (13) **Reflectivity** - The reflectivity of glass index for all glass used externally shall not exceed 20%.
- (14) **Compliance with approved AHIP** - Any activities within Lot 50 DP1175424 shall be in accordance with the conditions of AHIP C0001788, issued on 15 April 2016.
- (15) **Infrastructure in Road and Footpath Area** - Infrastructure must not be removed and / or reconstructed without prior written approval from Council. Any costs incurred due to the relocation, restoration or reconstruction of pram ramps, footpath, light poles, kerb inlet pits, service provider pits, street trees or other infrastructure in the street footpath area for the proposed development shall be borne by the applicant, and not Council.

Note: The issue of this development consent does not imply concurrence or approval of any required public infrastructure work associated with the development.

2.0 – Prior to Issue of a Construction Certificate

The following conditions of consent shall be complied with prior to the issue of a Construction Certificate.

- (1) **Compliance with the Submitted Acoustic Report** - The noise control measures specified in the acoustic report prepared by Koikas Acoustic Pty Ltd dated 1st May 2017 Project number 2996 revision V4b and noise emission from the maintenance shed document prepared by Koikas Acoustic Pty Ltd dated 30 October 2017, shall be installed, prior to the issuing of the occupation certificate.
- (2) **Structural Engineer's Details** - The piers/slabs/footings/structural elements shall be designed and certified by a suitably qualified structural engineer and shall take into consideration the recommendations of any geotechnical report applicable to the site. A statement to that effect shall be provided to the Certifying Authority.
- (3) **Driveway Gradients and Design** - The design of all driveways shall comply with AS 2890.1-2004 'Off street car parking' and:
 - a) the driveway shall comply with Council's Access Driveway Specifications; <https://www.camden.nsw.gov.au/assets/pdfs/Development/Preparing-a-DA/Development-Guidelines-and-policies/Access-Driveways-Specifications-and-Drawings.pdf>
 - b) the driveway shall be at least 1m from any street tree, stormwater pit or service infrastructure;
 - c) the level for the driveway across the footpath area shall achieve a gradient of 4%; and
 - d) a Driveway Crossing Approval (PRA) must be obtained prior to the issue of a Construction Certificate.Details demonstrating compliance shall be provided to the Certifying Authority prior to issue of a Construction Certificate.
- (4) **Parking Compliance** – Vehicle parking facilities are to be designed in accordance with AS2890.1, AS2890.2 – 2002 and AS2890.6.

- (5) **Civil Engineering Plans** - Civil engineering plans indicating drainage, roads, accessways, earthworks, pavement design, details of line-marking, traffic management, water quality and quantity facilities including stormwater detention and disposal, shall be prepared in accordance with the approved plans and Council's Engineering Design and Construction Specifications. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

A stormwater plan is to be submitted to the Certifying Authority prior to the augmentation of the existing drainage system to accommodate drainage from the approved development and to protect other property to the satisfaction of the Certifying Authority.

Note – Under the *Roads Act 1993*, only the Roads Authority can approve commencement of works within an existing road reserve.

- (6) **Retaining Walls** - All retaining walls shall be designed and certified by a suitably qualified structural engineer in accordance with Council's Engineering Specifications.
- (7) **Stormwater Detention and Water Quality** - An on-site detention system and water quality system shall be provided for the site and designed in accordance with Council's Engineering Specifications.

Where a Construction Certificate is required by this development consent, a detailed on-site detention and water quality report reflecting the Construction Certificate plans shall be provided to the Certifying Authority with the Construction Certificate application.

Where a Construction Certificate is not required by this development consent, a detailed on-site detention and water quality report reflecting the approved development application plans and Council's Engineering Specifications shall be provided to Council prior to works commencing.

- (8) **Soil, Erosion, Sediment and Water Management** - An erosion and sediment control plan shall be prepared in accordance with Council's Engineering Specifications. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (9) **Validation Report** - Remediation works approved by DA/2015/24/1 and DA/840/2015/1 must be completed and a validation report prepared by a suitability qualified person shall be provided to the Certifying Authority and Council prior to issue of the Construction certificate for this development. The validation report is to demonstrate:
- a) compliance with the approved RAP;
 - b) that the remediation acceptance criteria (in the approved RAP) has been fully complied with;
 - c) that all remediation works undertaken comply with the contaminated lands planning guidelines, *Contaminated Lands Management Act 1997*, SEPP 55 and Council's Management of Contaminated Lands Policy; and includes:
 - d) Works-As-Executed Plan(s) that identify the extent of the remediation works undertaken (that includes any encapsulation work) prepared by a registered surveyor;
 - e) a "notice of completion of remediation work" as required under Clause 18 of SEPP 55; and

f) statement confirming that the site following remediation of contamination is suitable for the intended use.

- (10) **Site Audit Statement** - Remediation works approved by DA/2015/24/1 and DA/840/2015/1 must be completed and the Validation Report shall be reviewed by a NSW EPA Accredited Site Auditor (Site Auditor) as defined under the *Contaminated Land Management Act 1997* at the conclusion of the remediation works.

The Site Auditor shall provide a Site Audit Statement (SAS) in accordance with the contaminated lands planning guidelines, *Contaminated Lands Management Act 1997*, SEPP 55 and Council's Contaminated Lands Policy, confirming the land is suitable for the intended use. The SAS shall be provided to the Consent Authority prior to the construction certificate being issued for this development.

- (11) **Water Quality Monitoring Plan** - A water quality monitoring plan shall be provided to the Certifying Authority.

The WQMP shall include monitoring (this extends to water quality sampling and laboratory analysis) for all completed water quality treatment systems that provide water quality treatment to service the development both during the construction and post development stages. Only relevant water quality treatment systems that drain the development should be included in the WQMP.

The WQMP shall include:

- a) quarterly water sampling;
- b) reference to an approved sampling methodology;
- c) location plan of sampling;
- d) frequency of reporting of results to the Consent Authority; and
- e) nomination of suitable water quality criteria (i.e., concentration values for pollutants expressed in mg/l) for the purpose of determining compliance.

- (12) **Pollutants** - Discharge of pollutants is strictly forbidden. Measures to prevent the pollution of waters, air and land shall be incorporated into the development to comply with the requirements of the *Protection of the Environment Operations Act 1997*.

Where there is potential for pollutant discharge, a report by a suitably qualified expert shall be provided to the PCA detailing the pollution mitigation measures incorporated into the building design so that any discharges comply with the requirements of the *Protection of the Environment Operations Act 1997*.

- (13) **Bunding of Transfer Areas** - All areas used for fuel transfer, refuelling or fuel/oil decanting shall be paved and bunded in accordance with the requirements of the Council and NSW EPA. Details demonstrating compliance shall be provided to the Certifying Authority.

- (14) **Smoke Free Premises** - The construction and fit out of the premises shall comply with the *Smoke-Free Environment Act 2000* and Smoke-Free Environment Regulation 2000. Details demonstrating compliance shall be provided to the Certifying Authority.

- (15) **Garbage Room** - Plans showing the location and details of garbage room(s) and room(s) used for the washing and storage of garbage receptacles shall be provided to the Certifying Authority for approval. Garbage rooms shall be roofed

and drained and connected to the sites stormwater system. Garbage room(s) are to be constructed of solid material, cement rendered and trowelled to a smooth even surface. Floors are to be impervious, coved, graded and drained to an appropriate floor waste connection. Walls are to be smooth impervious surfaces. Ventilation, pest proofing and a hose tap must be provided.

- (16) **Mechanical Exhaust System** - Mechanical exhaust system(s) shall comply with the BCA and AS 1668 Parts 1 and 2 (including exhaust air quantities and discharge location points). Details demonstrating compliance shall be provided to the Certifying Authority.
- (17) **Detailed Lighting Plan** – A detailed lighting plan shall be submitted to the Certifying Authority with the Construction Certificate application. The plan must demonstrate that the orientation and intensity of lighting will comply with AS 4282 and AS 1158.
- (18) **Car Park Noise Control** – All off-street car parks must have a coved finish with Slabseal 2000 SR sealant or equivalent similar product applied to the concrete floor. The coved finish and sealant must be suitably maintained on the floor of all car parks at all times to a standard that eliminates tyre squeal noise from being audible.

Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

- (19) **Detailed Landscape Plan** - A detailed landscape plan must be prepared in accordance with Council's Engineering Specifications and the following requirements:
- a. Plant schedule to include local tree species: Eucalyptus tereticornis, E. moluccana, E. crebra & Corymbia maculata to be planted on the periphery of the car park and maintenance shed.
 - b. Plant schedule to include large tree species with mature dimensions greater than 15m in height with 6m spread to be incorporated within car park in substitution for Acmena to for urban forest services and climate amelioration.
 - c. Include signature tree planting consisting of Araucaria sp. or Agathis robusta
 - d. Additional tree species selection shall be derived from Council's preferred tree list.
<http://www.camden.nsw.gov.au/assets/pdf/Environment/Biodiversity/2015/15-67558-Final-Tree-Management-Policy-Appendix-A-Tree-and-Landscape-Species-List.pdf>

Acoustic Wall Landscape

- e. Small trees/tall shrub species capable of reaching a mature height of 4 metres shall be planted on the outsides of the proposed acoustic wall and planted in staggered rows as shown in Figure 1. (attached to this consent). The matrix is to be repeated every 4 metres for the entire length of the wall.

- f. Matrix planting area preparation shall consist of sub grade rips 0.5m apart to a minimum depth of 0.4m followed by cultivation of the top soil at a depth of 100mm.
- g. Individual planting holes shall be excavated to twice the depth and the width of the new tree root-ball and backfilled with quality garden mix.
- h. A 75mm layer of leaf mulch shall be applied evenly over the entire planting area after planting.
- i. The planting stock shall consist of minimum 5 litre container stock and must consist of a mix of at least four different species with known performance in the Camden district. Suggested species; Callistemon, Grevillea, Hakea, Leptospermum, Melaleuca, Pittosporum, Viburnum or Syzygium.
- j. Prior to issue of the Occupation Certificate the applicant shall make arrangements for a Council officer to inspect the planting/s (referred to in the clause above) to ensure that the screen planting is achieved.

Details demonstrating compliance shall be provided to the Certifying Authority

- (20) **Sydney Water Trade Waste** - The applicant shall contact the Commercial Trade Waste section of Sydney Water regarding the trade waste requirements. A written response from Sydney Water demonstrating compliance shall be provided to the Certifying Authority and Council.
- (21) **Food Premises** - The design, construction, fit-out, use and ongoing operation of the food premises and/or food storage area shall comply with all applicable Acts, Regulation, codes and standards including:
 - a) the *Food Act 2003*;
 - b) the Food Regulation 2015;
 - c) Food Standards Australia and New Zealand – Food Standards Code 2003;
 - d) Council’s Food Premises Code;
 - e) AS 1668.1-2015 and 1668.2-2012;
 - f) the BCA; and
 - g) AS 4674-2004 Design, construction and fitout of food premises

Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

- (22) **Long Service Levy** - In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, the applicant shall pay a long service levy at the prescribed rate to either the Long Service Payments Corporation or Council for any building work that cost \$25,000 or more.
- (23) **Damages Bonds** - The applicant is to lodge a bond with Council to ensure any damage to existing public infrastructure is rectified in accordance with Council’s Development Infrastructure Bonds Policy.

Note – An administration fee is payable upon the lodgement of a bond with Council.

3.0 - Prior to Commencement of Works

The following conditions of consent shall be complied with prior to any works commencing on the development site.

- (1) **Controlled Activity** – The attached GTA issued by DPI Water do not constitute an approval under the *Water Management Act 2000*. The development consent holder must apply to DPI Water for a Controlled Activity Approval after consent has been issued by Council and before the commencement of any work or activity.
- (2) **Public Liability Insurance** - The owner or contractor shall take out a Public Liability Insurance Policy with a minimum cover of \$20 million in relation to the occupation of, and works within, public property (i.e. kerbs, gutters, footpaths, walkways, reserves, etc) for the full duration of the proposed works. Evidence of this Policy shall be provided to Council and the Certifying Authority.
- (3) **Notice of PCA Appointment** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:
 - a) a description of the work to be carried out;
 - b) the address of the land on which the work is to be carried out;
 - c) the registered number and date of issue of the relevant development consent;
 - d) the name and address of the PCA, and of the person by whom the PCA was appointed;
 - e) if the PCA is an accredited certifier, his, her or its accreditation number, and a statement signed by the accredited certifier consenting to being appointed as PCA; and
 - f) a telephone number on which the PCA may be contacted for business purposes.
- (4) **Notice of Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:
 - a) the name and address of the person by whom the notice is being given;
 - b) a description of the work to be carried out;
 - c) the address of the land on which the work is to be carried out;
 - d) the registered number and date of issue of the relevant development consent and construction certificate;
 - e) a statement signed by or on behalf of the PCA/developer (only where no PCA is required) to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
 - f) the date on which the work is intended to commence.
- (5) **Construction Certificate Required** - In accordance with the *EP&A Act 1979*, construction or subdivision works approved by this consent shall not commence until the following has been satisfied:
 - a) a Construction Certificate has been issued by a Certifying Authority;
 - b) a Principal Certifying Authority (PCA) has been appointed by the person having benefit of the development consent;

- c) if Council is not the PCA, Council is notified of the appointed PCA at least two (2) days before building work commences;
 - d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and
 - e) the PCA is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.
- (6) **Sign of PCA and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
- a) that unauthorised entry to the work site is prohibited;
 - b) the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours; and
 - c) the name, address and telephone number of the PCA.
- The sign shall be maintained while the work is being carried out, and shall be removed upon the completion of works.
- (7) **Site is to be Secured** - The site shall be secured and fenced.
- (8) **Sydney Water Approval** – The approved construction certificate plans must also be approved by Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of the development. Go to www.sydneywater.com/tapin to apply.
- A copy of the approval receipt from Sydney Water must be submitted to the PCA.
- (9) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with 'Managing Urban Stormwater – Soils and Construction ('the blue book') and any Sediment and Erosion plans approved with this development consent.
- (10) **Dilapidation Report – Council Property** - A dilapidation report prepared by a suitably qualified person, including a photographic survey of existing public roads, kerbs, footpaths, drainage structures, street trees and any other existing public infrastructure within the immediate area of the site shall be prepared. The report must be submitted to the PCA and Council at least 2 days prior to the commencement of works.
- Should any public property or the environment sustain damage during the course of and as a result of construction, or if the construction works put Council's assets or the environment at risk, Council may carry out any works necessary to repair the damage or remove the risk. The costs incurred will be deducted from the applicant's damages bond.
- (11) **Traffic Management Plan** - A traffic management plan shall be prepared in accordance with Council's Engineering Specifications and AS 1742.3. The plan must be submitted to the PCA.
- (12) **Construction Management Plan** - A construction management plan that includes dust, soil and sediment and traffic management, prepared in accordance with Council's Engineering Design Specification, shall be provided to the PCA.

(13) **Construction Waste Management Plan** - A construction waste management plan must be prepared for all construction work on the site. The plan must incorporate the concept of recycling and reuse where practicable, include the requirement to dispose of material not suitable for reuse or recycling at a licenced waste facility. The plan must be kept on site for compliance until the completion of all construction works.

(14) **Environmental Management Plan** - An environmental management plan (EMP) prepared in accordance with Council's Engineering Design Specification shall be provided to the PCA.

The EMP shall address the manner in which site operations are to be conducted and monitored to ensure that adjoining land uses and the natural environment are not unacceptably impacted upon by the proposal. The EMP shall include but not be necessarily limited to the following measures:

- a) measures to control noise emissions from the site;
- b) measures to suppress odours and dust emissions;
- c) soil and sediment control measures;
- d) measures to control air emissions that includes odour;
- e) measures and procedures for the removal of hazardous materials that includes waste and their disposal;
- f) any other recognised environmental impact;
- g) work, health and safety; and
- h) community consultation.

(15) **Protection of Existing Street Trees** - No existing nature strip, street tree, tree guard, protective bollard, garden bed surrounds or root barrier installation shall be disturbed, relocated, removed or damaged during earthworks, demolition, excavation (including any driveway installation), construction, maintenance and/or establishment works applicable to this consent, without Council agreement and/or consent.

The protection methods for existing nature strip, street tree, tree guard, protective bollard, garden bed surrounds or root barrier installation during all works approved by this development consent shall be installed in accordance with AS 4970-2009 Protection of Trees on Development Sites.

(16) **Protection of Adjoining Bushland and/or Waterfront Areas** – To limit the potential for damage to the adjoining bushland areas and/or waterfront areas, the boundaries to these areas must be fenced prior to the commencement of any earthworks, demolition, excavation or construction works. As well as the fencing prior to any earthworks commencing, other protection measures must be completed in accordance with the standards as specified in AS 4970.

The fencing must be kept in place until the completion of development and maintenance works and be marked by appropriate signage notifying all site

visitors that the subject trees and vegetation areas are protected. The fencing should be a minimum of a 1.8 metres high chain link or welded mesh fencing.

- (17) **Construction of a Temporary Access Road** – Prior to works commencing to construct the Registered Club, a temporary access drive is to be constructed. The temporary access drive shall install a sub-base course of 355mm crushed sandstone, with a flush seal over the sub-base layer.

4.0 - During Works

The following conditions of consent shall be complied with during the construction phase of the development.

- (1) **Approved and Prepared Plans and Reports to be Complied With** - All plans and reports approved by, and required to be prepared by this development consent, must be complied with.
- (2) **Construction Hours** - All work (including delivery of materials) shall be restricted to the hours of 7.00am to 5.00pm Monday to Saturday inclusive. Work is not to be carried out on Sundays or Public Holidays.
- (3) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.
- (4) **Acoustic barrier** - A 2.5m high acoustic barrier constructed of material with a minimum surface mass of 15-20kg/m² shall be placed on top of the retaining wall as illustrated in Figure 6 of the acoustic report prepared Koikas Acoustic Pty Ltd dated 1st May 2017 Project number 2996 revision V4b.
- (5) **Acoustic treatments for Glazing and Construction** - In accordance with section 5.4 of the acoustic report prepared Koikas Acoustic Pty Ltd dated 1st May 2017 Project number 2996 revision V4b, the following acoustic treatments are to be implemented:
 - Glazing for the full height glass framed screens along the sides of the north terrace and driving range covered seating shall be not less than 10.38mm thick laminated glazing to achieve a minimum Rw34 including the frame and seals;
 - All north and east facing glass doors windows and skylights are to be a minimum 6.38mm thick laminated glass to achieve a minimum Rw32 including the frame and seals;
 - The ceiling in the Outdoor Gaming area is to be treated with Absorptive media with a noise reducing coefficient of not less than 0.8 to achieve the L_{A10} noise level of 69 dBA,
 - The roof over the sports bar, restaurant and driving range is to include a minimum of 2 layers of 13mm Plasterboard ceiling lining and 100mm glass wool insulation within the ceiling cavity (minimum density of 14kg/m³)
- (6) **Sports Bar and Restaurant Framed External Walls** – The framed and cladded external walls of the sports Bar and Restaurant are to include a minimum of 2 layers of 13mm plasterboard internal wall lining and cavity absorption of 75mm glasswool (minimum density of 14kg/m³).

- (7) **Raising of Perimeter Wall** - The perimeter wall to the outdoor gaming area is required to be extended in height by a minimum of 1 metre in height consistent with “figure 5” within “Acoustic Report : Proposed New Clubhouse, Prepared by Koikas Acoustic Pty Ltd, Ref no 2996R20170501 V4b, dated 1st May 2017.”
- (8) **Mechanical Plant Selection and Operating Levels** – The maximum allowable mechanical plant noise levels must be consistent with ‘Table 12 ’ within “Acoustic Report : Proposed New Clubhouse, Prepared by Koikas Acoustic Pty Ltd, Ref no 2996R20170501 V4b, dated 1st May 2017.” The noise levels from the plant must not exceed 38 dB (LAeq 15 minutes) when measured at the nearest sensitive residential receiver when the plant is operating between the hours of midnight and 5.30am. The assistance of a qualified acoustic professional should be undertaken when plant is being selected to ensure compliance with all recommended criteria in the approved acoustic report.
- (9) **Site Management** - The following practices are to be implemented during construction:
- a) stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off site;
 - b) builder’s operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner;
 - c) waste shall not be burnt or buried on site or any other properties, nor shall wind-blown rubbish be allowed to leave the site. All waste shall be disposed of at a licenced waste disposal facility;
 - d) a waste control container shall be located on the site;
 - e) all building materials, plant, equipment and waste control containers shall be placed on the building site. Building materials, plant and equipment (including water closets), shall not be placed on public property (footpaths, roadways, public reserves, etc);
 - f) toilet facilities shall be provided at, or in the vicinity of, the work site at the rate of 1 toilet for every 20 persons or part thereof employed at the site. Each toilet shall:
 - i) be a standard flushing toilet connected to a public sewer; or
 - ii) have an on-site effluent disposal system approved under the *Local Government Act 1993*; or
 - iii) be a temporary chemical closet approved under the *Local Government Act 1993*.
- (10) **Finished Floor Level** - A survey report prepared by a registered land surveyor confirming that the finished floor level complies with the approved plans or floor levels specified by the development consent, shall be provided to PCA prior to the development proceeding beyond floor level stage.
- (11) **Building Height** - A survey report prepared by a registered land surveyor confirming that the building height complies with the approved plans or as specified by the development consent, shall be provided to the PCA prior to the development proceeding beyond frame stage.
- (12) **Traffic Management Plan Implementation** - All traffic management procedures and systems identified in the approved traffic management plan shall be introduced and maintained during construction of the development to

ensure safety and to minimise the effect on adjoining pedestrian and traffic systems.

- (13) **Site Signage** - A sign shall be erected at all entrances to the development site and be maintained until the issue of the Occupation Certificate. The sign shall be constructed of durable materials, be a minimum of 1200mm x 900mm, and read as follows:

“WARNING UP TO \$8,000 FINE. It is illegal to allow soil, cement slurry or other building materials to enter, drain or be pumped into the stormwater system. Camden Council (02 4654 7777) – Solution to Pollution.”

The wording shall be a minimum of 120mm high and the remainder a minimum of 60mm high. The warning and fine details shall be in red bold capitals and the remaining words in dark coloured lower case letters on a white background, surrounded by a red border.

- (14) **Compaction Lots** – Within the building footprint, which is subject to filling must be compacted in accordance with Council's current Engineering Construction Specifications. A suitably qualified and experienced geotechnical engineer must supervise the placing of fill material and certify that the work has been carried out to level 1 responsibility in accordance with Appendix B of AS 3798.

- (15) **Vehicles Leaving the Site** - The construction supervisor must ensure that:

- a) all vehicles transporting material from the site cover such material so as to minimise sediment transfer;
- b) the wheels of vehicles leaving the site:
 - i. do not track soil and other waste material onto any public road adjoining the site; and
 - ii. fully traverse the site's stabilised access point.

- (16) **Removal of Waste Materials** - Where there is a need to remove any identified materials from the site that contain fill/rubbish/asbestos, the waste material shall be assessed and classified in accordance with the NSW EPA Waste Classification Guidelines 2014 (refer to: www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm)

Once assessed, the materials shall be disposed of to a licensed waste facility suitable for that particular classification of waste. Copies of tipping dockets shall be retained and supplied to Council upon request.

- (17) **Soil, Erosion, Sediment and Water Management – Implementation** - All requirements of the erosion and sediment control plan and/or soil and water management plan shall be maintained at all times during the works and any measures required by the plan shall not be removed until the site has been stabilised.

- (18) **Noise During Work** - Noise levels emitted during works shall be restricted to comply with the construction noise control guidelines set out in Chapter 171 of the NSW Environment Protection authority's Environmental Noise Control Manual.

- (19) **Location of Stockpiles** - Stockpiles of soil shall not be located on / near any drainage lines or easements, natural watercourses or water bodies, footpath or roadway without first providing suitable protective measures adequate to protect

these water bodies. All stockpiles of contaminated materials shall be suitably covered to prevent dust and odour nuisance.

- (20) **Disposal of Stormwater** - Water seeping into any site excavations is not to be pumped into the stormwater system unless it complies with relevant EPA and ANZECC standards for water quality discharge.
- (21) **Delivery Register** - The applicant must maintain a register of deliveries which includes date, time, truck registration number, quantity of fill, origin of fill and type of fill delivered. This register must be made available to Council officers on request and be provided to the Council at the completion of the development.
- (22) **Fill material** - Prior to the importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be provided to and approved by the PCA.

The validation report and associated sampling location plan must:

- a) be prepared by a person with experience in the geotechnical aspects of earthworks;
- b) be endorsed by a practising engineer with Specific Area of Practice in Subdivisional Geotechnics; and
- c) be prepared in accordance with:

Virgin Excavated Natural Material (VENM):

- i) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity", and
 - ii) the Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW".
- d) confirm that the fill material:
- i) provides no unacceptable risk to human health and the environment;
 - ii) is free of contaminants;
 - iii) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity");
 - iv) is suitable for its intended purpose and land use; and
 - v) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

- e) less than 6000m³ - 3 sampling locations; and
- f) greater than 6000m³ - 3 sampling locations with 1 extra location for each additional 2000m³ or part thereof.

For e) and f) a minimum of 1 sample from each sampling location must be provided for assessment.

Sampling of VENM for contamination and salinity must be undertaken in accordance with the following table:

Classification of Fill Material	No of Samples Per Volume	Volume of Fill (m ³)
Virgin Excavated Natural Material	1 (see Note)	1000 or part thereof

Note: Where the volume of each fill classification is less than that required above, a minimum of 2 separate samples from different locations must be taken.

- (23) **Offensive Noise, Dust, Odour and Vibration** - All work shall not give rise to offensive noise, dust, odour or vibration as defined in the *Protection of the Environment Operations Act 1997* when measured at the property boundary.
- (24) **Erosion and Sedimentation Control** - Soil erosion and sedimentation controls are required to be maintained for the duration of the works. The controls must be undertaken in accordance with version 4 of the Soils and Construction – Managing Urban Stormwater manual (Blue Book).

Soil erosion and sediment control measures shall only be removed upon completion of the works when all landscaping and disturbed surfaces have been stabilised (for example, with site turving, paving or re-vegetation).

- (25) **Unexpected Finds Contingency (General)** - Should any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material, etc.) be encountered during any stage of works (including earthworks, site preparation or construction works, etc.), such works shall cease immediately until a qualified environmental specialist has been contacted and conducted a thorough assessment.

In the event that contamination is identified as a result of this assessment and if remediation is required, all works shall cease in the vicinity of the contamination and Council shall be notified immediately.

Where remediation work is required, the applicant will be required to obtain consent for the remediation works.

- (26) **Salinity Management Plan** - All approved development that includes earthworks, imported fill, landscaping, buildings and associated infrastructure must be carried out or constructed in accordance with the management strategies as contained within the report Salinity Assessment and Salinity Management Plan prepared by Douglas Partners, reference number 76631.03, dated April 2015.
- (27) **Native Vegetation Removal Offset** – All native vegetation removed must be offset by replacement planting. Native vegetation must be replanted at a minimum 1:1 ratio to ensure no net loss of the Camden LGA's biomass.

5.0 - Prior to Issue of an Occupation Certificate

The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

- (1) **Registration and Dedication as Public Road (MC08)** – Prior to the issue of any Occupation Certificate, the construction of Road MC08 to the boundary of Part Lot 1 DP 1233370 (880 Camden Valley Way, Gledswood Hills) and evidence of registration and dedication as public road subject to DA/2015/1230/1 and DA/2016/1527/1 shall be submitted to the Consent Authority.
- (2) **Occupation Certificate Required** - An Occupation Certificate shall be obtained prior to any use or occupation of the development.
- (3) **Compliance Certificate** - Once the installation of the mechanical ventilation system is completed, a Certificate of Compliance prepared by a suitably qualified mechanical engineer with details of tests carried out shall be provided to the PCA. Verification shall be provided that the air handling system as installed has been tested and complies with the approved plans and specifications, including ventilation requirements and fire precautions.
- (4) **Fire Safety Certificates** - A Fire Safety Certificate shall be provided to the PCA in accordance with the requirements of the EP&A Regulation 2000.
- (5) **Building Height** - A registered surveyor shall certify that the maximum height of the building is consistent with the height in the approved plans and this consent. The certification/verification shall be provided to the satisfaction of the PCA.
- (6) **Acoustic Certification** - Within three months of the premises being occupied, an acoustic report prepared by a suitably qualified person, is to be submitted to the consent authority demonstrating that the noise emitted from the premises complies with the criteria contain in the acoustic report prepared Koikas Acoustic Pty Ltd dated 1st May 2017 Reference Project 2996 revision V4b and noise emission from the maintenance shed document prepared by Koikas Acoustic Pty Ltd dated 30 October 2017. Where the criteria are not meet the acoustic report is to include recommendation of noise control measures that are to be implemented to ensure compliance with the criteria.
- (7) **Services** - Certificates and/or relevant documents shall be obtained from the following service providers and provided to the PCA:
 - a) Energy supplier – A Notice of Arrangement for the provision of distribution of electricity from Endeavour Energy to service the proposed development;
 - b) Telecommunications – Evidence demonstrating that satisfactory arrangements have been made with a telecommunications carrier to service the proposed development; and
 - c) Water supplier – A Section 73 Compliance Certificate demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.

The assessment will determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water mains. Sydney Water will assess the development and if required will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator (WSC). Go to

www.sydneywater.com.au/section73 or phone 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

- (8) **Works as Executed Plan** - Works As Executed Plans shall be prepared and provided in accordance with Council's Engineering Specifications.

Digital data must be in AutoCAD .dwg or .dxf format, and the data projection coordinate must be in (GDA94.MGA zone 56).

- (9) **Certification of On-Site Detention and Water Quality Systems Works** – Prior to the Occupation Certification being issued, a certificate prepared by a suitably qualified engineer shall be submitted to the Principal Certifying Authority certifying the following:

- (a) The works having been constructed in accordance with the approved plans;
- (b) The constructed On-Site Detention and Water Quality systems will function in accordance with the approved Construction Certificate Plans.
- (c) Any variations from the approved drainage plans will not impair the performance of the On-site Detention and Water Quality systems.

- (10) **Positive Covenant – OSD / On Site Retention / Water Quality Facility** - A positive covenant shall be created under Section 88E of the *Conveyancing Act 1919* burdening the owner(s) with a requirement to maintain the on-site detention, water quality facility and on-site retention/re-use facilities on the property, prior to the issue of an Occupation Certificate.

The terms of the Section 88E instrument with positive covenant shall include the following:

- a) the Proprietor of the property shall be responsible for maintaining and keeping clear all pits, pipeline s, trench barriers and other structures;
- b) the proprietor shall have the facilities inspected annually by a competent person;
- c) the Council shall have the right to enter upon the land referred to above, at all reasonable times to inspect, construct, install, clean, repair and maintain in good working order the facilities; and
- d) The registered proprietor shall indemnify the Council and any adjoining land owners against damage to their land arising from the failure of any component of the OSD and OSR, or failure to clean, maintain and repair the OSD and OSR.

The proprietor or successor shall bear all costs associated in the preparation of the subject Section 88E instrument. Proof of registration with NSW Land Registry Services shall be provided to and approved by the PCA prior to the issue of an Occupation Certificate.

- (11) **Stormwater – Plan of Management (POM)** - The registered proprietor of the land shall prepare a Plan of Management (POM) for the on-site detention facilities. The POM shall set out all design and operational parameters for the detention facilities including design levels, hydrology and hydraulics, inspection and maintenance requirements, and time intervals for such inspection and maintenance. The POM shall be provided to the PCA for approval.

- (12) **Reinstate Verge** - The applicant shall construct and/or reconstruct the unpaved verge area with grass, species and installations approved by Council.

- (13) **Waste Management Plan** - The PCA shall ensure that all works have been completed in accordance with the approved waste management plan referred to in this development consent.
- (14) **Waste Collection Contract** - The building owner shall ensure that there is a contract with a licensed contractor for the removal of all waste. A copy of the contract is to be held on the premises at all times.
- (15) **Mechanical Exhaust System** - A Certificate of Compliance prepared by a suitably qualified engineer confirming that the mechanical exhaust systems have been designed, constructed and installed in accordance with the relevant requirements of Clause F4.12 of the BCA and AS1668 Parts 1 and 2, shall be provided to the PCA. Certification shall be provided that the air handling system as installed has been tested and complies with the approved plans and specifications, including ventilation requirements and fire precautions.
- (16) **Completion of Landscape Works** - All landscape works, including the removal of noxious weed species, are to be undertaken in accordance with the approved landscape plan and conditions of this development consent.
- (17) **Inspection of Existing Street Trees** – All existing street trees must be inspected by Council to ensure that they are undamaged and in a healthy condition.
- (18) **Food Premises** - The following notifications shall occur:
- a) Council shall be notified that the premises is being used for the preparation, manufacture or storage of food for sale and an inspection of the completed fit out is to be conducted. A 'Food Business Registration' form can be found on Council's website; and
- (19) **Storage Of Waste Oil** - The premises shall contain adequate holding facilities for the reception of waste oil and a contract for the recycling of this oil shall be provided to the PCA.

6.0 – Ongoing Use

The following conditions of consent are operational conditions applying to the development.

- (1) **Manoeuvring of Vehicles** - All vehicles shall enter and exit the site in a forward direction.
- (2) **Removal of Graffiti** - The owner/manager of the site is responsible for the removal of all graffiti from the building and fences within 48 hours of its application.
- (3) **Hours of Operation** - The property is only to be open for business and used for the purpose approved within the following hours:

Registered Club

Day	Hours of Operation
Monday	5.30am - Midnight
Tuesday	5.30am - Midnight
Wednesday	5.30am - Midnight

Thursday	5.30am - Midnight
Friday	5.30am - Midnight
Saturday	5.30am - Midnight
Sunday and Public Holidays	5.30am – 10.00pm

Golf Course / Academy

Day	Hours of Operation
Monday	5.30am – 9pm
Tuesday	5.30am – 9pm
Wednesday	5.30am – 9pm
Thursday	5.30am – 9pm
Friday	5.30am – 9pm
Saturday	5.30am – 9pm
Sunday and Public Holidays	5.30am – 9pm

- (4) **Terrace Restrictions including Patron Numbers and Times of Use** - The maximum number of patrons and the time of use of terraces is restricted to the limits and times set out in 'Table 10 – Recommended maximum patron numbers to terraces' as contained within "Acoustic Report : Proposed New Clubhouse, Prepared by Koikas Acoustic Pty Ltd, Ref no 2996R20170501 V4b, dated 1st May 2017."

Period	North Terrace		East Terrace
	Bi-folds open	Bi-folds closed	
5.30am to 7.00am	60	200	0
7.00am to 9.00pm	300	Unrestricted*	60
9.00pm to midnight	120	300	20
Notes 1.	Where shown as 'unrestricted', a practical limit of 300 could be assumed based on the floor areas and expected use.		

- (5) **Waste and Delivery Vehicles Operating Hours** – In accordance with the acoustic report prepared Koikas Acoustic Pty Ltd dated 1st May 2017 Project number 2996 revision V4b, delivery vehicles to the site shall only occur during the between the hours of 7.00am – 6.00pm Monday to Saturday and 8.00am – 6.00pm Sunday and Public Holidays.
- (6) **Live entertainment** - In accordance with the acoustic report prepared Koikas Acoustic Pty Ltd dated 1st May 2017 Reference Project 2996 revision V4b, the Average indoor level from Live entertainment shall not exceed L_{A10} 90dB.
- (7) **Maintenance shed roller doors:** In accordance with the noise emission from the maintenance shed document prepared by Koikas Acoustic Pty Ltd dated 30 October 2017, the north and east facing roller doors are to remain closed during the early morning (5.30am and 7.00 am) and evening (6pm and 10 pm). During the day (7am and 6pm) the west facing roller door and either the north or east facing door may be open.
- (8) **Public Address Systems and Amplified Music** - Public address systems and amplified music are not to be installed or used external to the building. The use

of such equipment at the premises must not cause the emission of offensive noise (as defined by the Protection of the Environment Operations Act 1997).

As a guide to minimise the likelihood of disturbance, the $L_{Aeq(15\text{ minutes})}$ noise level due to the operation of amplified sound equipment should not exceed the background LA90 plus 5dB(A) sound level when measured in the immediate vicinity of the external structure of any nearby residence.

(9) **Operation of the Golf Course** – The operation of the golf course shall be undertaken in accordance with the following documents:

- Vegetation Management Plan – El Caballo Blanco and Gledswood Estates Golf Course, Version 2, prepared by Eco Logical Australia, dated 29th July 2015;
- El Caballo Blanco & Gledswood – Stormwater Management Strategy Report Incorporating Water Sensitive Urban Design Techniques, prepared by J. Wyndham Prince, dated January 2016;
- Golf Course Safety Report, prepared by Greg Norman Golf Course Design Company;
- Golf Holes Strategy, prepared by SJB Planning, dated August 2015; and
- Reuse Assessment, prepared by ISLE, dated 6th January 2016.

(10) **Storage or Hazardous Goods** - Dangerous and hazardous goods shall be stored in accordance with NSW WorkCover Authority requirements, dependant on the quantities stored. Any flammable or combustible liquids shall be stored in accordance with AS 1940 'The Storage and Handling of Flammable and Combustible Liquids'.

Hazardous and/or industrial waste arising from the use shall be removed and/or transported in accordance with the requirements of the EPA and the NSW WorkCover Authority.

(11) **Loading to Occur on Site** - All loading and unloading operations are to be carried out wholly within the building/site.

The loading dock (if provided) shall be used for loading and unloading operations in connection with the approved use.

(12) **Parking – Signage (Loading zone)** - Proposed parking areas, service bays, loading zones, driveways and turning areas shall be maintained clear of obstructions and be used exclusively for purposes of car parking, loading/unloading, and vehicle access respectively for the life of the development. Under no circumstances are such areas to be used for the storage of goods or waste materials.

(13) **Parking Areas to be Kept Clear** - At all times, the loading, car parking spaces, driveways and footpaths shall be kept clear of goods and shall not be used for storage purposes.

(14) **Discharge into Waterways** - No wastewater, chemicals or other substances shall be permitted to discharge to the waterway that runs through the site or Council's stormwater system. Only clean, unpolluted water is permitted to discharge. All liquids (such as oils lubricants, hydraulic fluids, fuel, paints, detergents and any other chemicals) shall be stored in a covered and suitably bunded area.

- (15) **Liquid Spills** - Sufficient supplies of appropriate absorbent materials and other spill prevention and clean-up materials shall be kept on site to recover any liquid spillage. Liquid spills shall be cleaned up using dry methods, by placing absorbent material on the spill and sweeping or shovelling the material into a secure bin. Materials used to clean up shall be disposed of to an appropriately licensed waste facility.
- (16) **Storage of goods** - The storage of goods and materials shall be confined within the building. At no time shall goods, materials or advertising signs be displayed or placed within the designated car parking spaces, landscaped areas or road reserve.
- (17) **Amenity** - The approved development shall be conducted and patrons controlled at all times so that no interference occurs to the amenity of the area, the footpath, adjoining occupations or residential/business premises.
- (18) **Chemical Bunding** - All paints, chemicals and other liquids shall be stored in approved receptacles, which shall be housed in a suitably constructed, covered, impervious bunded area. The bunded area shall be constructed of impervious material and being able to effectively store a minimum of 110% of the volume of the largest container stalled or 25% of total volume of the stored product for facilities storing small containers.
- (19) **Pollution Control** - The use and operation of the premises shall not give rise to the discharge (by air, water or land) of any pollutant which may degrade the environment or be prejudicial to its inhabitants, in accordance with the requirements of the *Protection of the Environment Operations Act 1997*.
- (20) **Emission Requirements** - All gases, odours, dust, fumes, steam, moisture and particulate matter generated by the use of the premises shall be collected into approved stacks for discharge to the atmosphere. The quality of the discharges from the stack system shall comply with the requirements of the *Protection of the Environment Act 1997* and Regulations made thereunder.
- (21) **Offensive Noise** - The use and occupation of the premises including all plant and equipment shall not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act 1997* and shall comply with the NSW Industrial Noise Policy 2000 (as amended).
- (22) **Disposal of Waste Oil and By-Products** - All waste oil, grease and associated products shall be transferred to a waste disposal depot or recycling facility, approved for the reception of such materials by an appropriate liquid waste contractor.
- All waste disposal shall be in accordance with the EPA's waste tracking requirements. Under the waste tracking requirements all documentation relating to waste disposal shall be kept for 4 years. This documentation shall be made available at the request of Council.
- (23) **Maintenance of Landscaping** - Landscaping shall be maintained in accordance with the approved landscape plan.
- (24) **Landscaping Maintenance Establishment Period** - Commencing from the date of practical completion, the applicant will have the responsibility to establish and maintain all hard and soft landscaping elements associated with this consent.

The 12 month maintenance and establishment period includes the applicant's responsibility for the establishment, care and repair of all landscaping elements including all street tree installations, plantings, lawn and hardscape elements including paths, walls, bins, seats, BBQs, shelters, playground equipment and soft fall treatments.

The date of practical completion is taken to mean completion of all civil works, soil preparation and treatment and initial weed control, and completion of all planting, turf installation, street tree installation and mulching.

At the completion of the 12 month landscaping maintenance and establishment period, all hard and soft landscaping elements (including any nature strip and road verge areas, street trees, street tree protective guards and bollards, etc) shall be in an undamaged, safe and functional condition and all plantings have signs of healthy and vigorous growth.

At the completion of the maintenance and establishment period, the landscaping works shall comply with the approved landscape plans and all improvements be in full working order.

- (25) **Food Premises** - All equipment (including pie warmers, hot food display units, etc) used for the display or storage of hot food shall maintain the food at a temperature of not less than 60°C.

All equipment used for the display or storage of cold food shall maintain the food at a temperature of not more than 5°C.

A food business must, at food premises where potentially hazardous food is handled, have a temperature measuring device (eg probe thermometer) that:

- a) Is readily accessible; and
- b) Can accurately measure the temperature of potentially hazardous food to +/-1oC

A suitable waste contractor(s) must be engaged for the removal of wastes generated at the premises. All bins and waste storage facilities at the premises are to be sealed and emptied on a regular basis to prevent odour, vermin and fire hazards from occurring.

- (26) **Music and/or Amplifiers** - Music and other amplified sound, including recorded or broadcast programmes or the like, played on the premises, shall be controlled so as not to cause any distraction or disturbance to nearby or adjacent residents, pedestrians or motorists, and shall only be audible within the property boundaries.



Camden Local Planning Panel Operational Procedures

The following procedures are adopted by the Camden Council Local Planning Panel pursuant to section 3.3 of the direction made by the Minister for Planning under section 9.1 of the *Environmental Planning and Assessment Act 1979* on 23 February 2018.

Consideration and Determination of Development Applications

Part 1 - Pre-Panel Meeting Matters

1. A draft list of matters for the panel meeting will be sent to the selected panel members and the substantive chair the Wednesday week preceding panel meeting.
2. The panel meeting agenda will be sent electronically to the selected panel members the Friday week preceding a panel meeting. If necessary, an electronic link to application documentation such as architectural drawings, engineering drawings, etc. may also be sent. Paper copies of the agenda will also be sent to members by express post.
3. Copies of all submissions will be sent to members as supporting documents to the main report, but will not be made publicly available due to privacy reasons.
4. A 'run schedule' of the day will be distributed to panel members with the agenda. This will include times and locations of site visits and other relevant information.
5. Applicants and those persons who have made written submissions to the Council regarding relevant applications will be advised in writing of the matter being reported to a Panel meeting, a minimum of one working week in advance of the meeting date.
6. Persons wishing to speak at the panel meeting must register with Council by 5pm on the Friday before the meeting

Part 2 - Panel Composition

2.1 Chair Selection and Rotation

1. The chair and any alternate chairs are to rotate presiding over panel meetings, or other business, as practicable, unless the chair or alternative chair is unavailable for any reason.
2. Where possible, deferred matters should be considered by the chair that presided over the original deferment.

2.2 Independent Expert Members and Alternates

1. The independent expert members and alternate members can be interchanged as

needed by the chair for that meeting for reasons including:

- a. a member has a conflict of interest,
- b. a member is unable to attend on the day, or
- c. to periodically rotate the members.

2.3 Community Representatives for Wards and Use of Alternates

1. A community representative member can be interchanged as needed by the chair or alternate chairs for reasons including:
 - a. a member has a conflict of interest,
 - b. a member is unable to attend on the day, or
 - c. to periodically rotate the members.

Part 3 - Panel Meetings

3.1 Role of the Chair

1. The chair is responsible for the management of the panel's functions and operations, including managing conflicts of interest.
2. The chair is to preside over panel meetings and other business.
3. The chair is to ensure the panel fully discharges its responsibilities under the *Environmental Planning and Assessment Act 1979*, these operational procedures, any other directions from Council and the code of conduct for panel members in a timely manner.
4. The chair is responsible for the good and orderly conduct of the panel meetings and may do all things and take all steps necessary to control the good and orderly conduct of any meeting of the panel or site inspection carried out by the panel in the performance of its functions.
5. The chair is to determine which alternative chair, independent expert members or alternates, and which community representatives or alternates are to hear a matter prior to the meeting commencing. The chair may make arrangements with the general manager (or delegate) to determine independent expert members or alternates, and which community representatives or alternates are to hear a matter.

3.2 Role of Alternate Chairs

1. Alternate chairs have the same role as the chair when presiding over a panel meeting or any other business.

3.3 Site Inspections

1. The chair may elect for the panel to attend site inspections for development applications to be considered at the public meeting. It is anticipated that there will be site inspections for all matters unless extenuating circumstances exist.
2. Site visits should be conducted on the same day as a public hearing, if practicable. The site visits will be undertaken in the morning with the time and order to be determined by Council officers subject to the number of items on the agenda.

3. Site visits are solely to be used to identify and clarify issues with a proposal.
4. At a site visit, a panel member must not offer an opinion on the merit of the proposal, or ask those involved with the assessment of the proposal for their opinion or recommendation. However, a Panel member may ask a Council officer to answer questions and clarify any issues arising from the assessment report or from matters arising from the site inspection.
5. Applicants and objectors will not be invited to attend site inspections. Panel members are to avoid contact with the applicant or objectors during a site inspection, where practicable.

3.4 Meeting Procedures

1. Meetings will comprise a public hearing part followed by a private deliberation part. The public hearing will be recorded by audio.
2. The panel shall hold meetings as required to meet panel demands and workloads. The panel must give reasonable notice to the public of the times and places of its meetings. This must be through the website used by the panel and may include other mechanisms as appropriate.
3. The panel is not bound by the rules of evidence and may inquire into and inform itself on any matter, in such manner as it thinks fit, subject to the rules of natural justice and procedural fairness.
4. The panel is to act with as little formality as the circumstances of the case permit and according to equity, good conscience and the substantial merits of the case without regard to technicalities or legal forms.
5. A minimum of 3 panel members will form a quorum. Where a quorum for a panel meeting or other business is not present, the meeting or other business is to be deferred.
6. The public meeting will generally commence from 2pm. Any person may attend a public meeting and may remain so long as they do not disrupt, or otherwise interfere with the orderly conduct of the meeting. Members of the public must comply with any direction given by the panel chair at all times.
7. The public meeting will be audio recorded.
8. At the commencement of the public meeting, the chair will introduce the panel members and provide a short explanation of the role of the panel and meeting procedures. The chair must invite panel members to declare any conflicts of interest in respect of any item on the meeting agenda, and each panel member must either declare any conflict or advise the meeting that no conflict exists.
9. Items on the meeting agenda will be called in the order appearing on the agenda, unless otherwise determined by the chair. In the case of development applications, when each item is called the panel will first hear from objectors against the application who have lodged prior notice with Council of their intention to speak. The Panel may then, at its discretion, hear from objectors who have not lodged prior notice of their intention to speak.
10. At the time of the panel considering each individual item on the meeting agenda Council officers attending the meeting will electronically project the assessment

report and recommendation in order that it is visible for all those attending the meeting.

11. Where there are a large number of objectors with a common interest at any public meeting, the panel may, in its absolute discretion, hear a representative of those persons.
12. The panel encourages applicants and their representatives to attend the panel meeting, regardless of whether they intend to speak to the panel. Applicants and their representatives will be given the opportunity to be heard by the panel, and for the panel to ask questions. The panel will hear from the applicant and the applicant's representatives after hearing from all objectors to that item.
13. The panel may, at the discretion of the chair, accept additional information about an item on the agenda from an objector or an applicant. The panel may not accept any amended plans or specifications from applicants at the panel meeting. Applicants wishing to amend a proposal on the panel agenda may request that the panel defer determination of the item to enable the amended details to be provided to Council officers for assessment after the meeting.
14. Submissions by objectors are limited to 4 minutes each. Submissions by applicants and/or their representatives are limited to 15 minutes in total for all applicant representations. The chair has the discretion to extend the period if considered appropriate.
15. The panel may ask questions of an objector, the applicant, the applicant's representatives or Council officers about any item on the agenda. The chair may require Council officers to attend both the public hearing and the private deliberation for the purposes of assisting the panel in discharging its duties.
16. After hearing all submissions on all applications in public the panel will close the public meeting for deliberation and determination. The panel minutes including the determination of matters will be published on Council's website within 48 hours of the panel meeting.
17. In the case of development applications, the panel may at its absolute discretion, but according to law, determine an application by:
 - a. granting development consent either unconditionally or conditionally;
 - b. refusing to grant consent, or
 - c. deferring determination for the submission of additional information.
18. If the panel determines an application by the granting of development consent, the panel shall either endorse the recommended conditions provided by Council officers or add to, delete or modify those conditions.
19. If the panel resolves to defer an item, the meeting minutes must clearly state the issues to be addressed by the applicant or the Council to enable the application to be determined.
20. If an application is deferred for the submission of additional information or further assessment, the panel may resolve to determine the matter in the future by way of electronic determination or may delegate its power to determine the application to Council on receipt and assessment of the additional information.

21. The minutes of the panel meeting must record the reasons for the decision in relation to each item on the meeting agenda.
22. The panel minutes will be published on Council's website within 48 hours of the panel meeting.

Part 4 - Electronic Determination

1. The panel may electronically determine a matter without the matter being considered at a public meeting where no submissions have been received and Council officers and the applicant are in agreement on any conditions recommended to be imposed.

Part 5 - Reviews of Panel Decisions

1. The determination of a review application from a panel decision shall be determined by different members of the panel to those who made the original determination.

Part 6 - Other Matters

6.1 Obligation to Consult with Council if Adverse Financial Impacts

1. A panel must not exercise a function that will result in the making of a decision that would have, or that might reasonably be expected to have, a significantly adverse financial impact on the Council until after it has consulted with the Council.
2. The consultation may be in writing with the Council being given a specified time to respond in writing. Where a meeting with the General Manager (or delegate) is to be held to discuss the matter, all relevant panel members should be present and minutes kept of the meeting and its outcomes.

6.2 Interactions with Third Parties About Matters Before the Panel

1. Panel members are not to discuss any matter that is to be considered by the panel with Councillors, the applicant, their consultants, parties who have made a submission or any other person with an interest in the matter outside of the panel meeting.
2. Point 1 above does not apply to persons employed by Council to assess the matters to be considered by the panel.

6.3 Public Meeting Minutes

1. Council is responsible for ensuring that full and accurate records are kept of the proceedings of public meetings.
2. A copy of the unconfirmed meeting record will be provided to all panel members who participated in the panel meeting.
3. Panel members may submit any proposed corrections to the unconfirmed meeting record to Council for confirmation by the chair.
4. Alternatively, the panel may choose to complete and endorse the final meeting records immediately after completing the meeting. In this case, draft meeting records will not be circulated.

5. When the meeting records have been confirmed and endorsed by the chair of that meeting, the meeting record will be placed on Council's website.

Consideration of Planning Proposals

1. Planning Proposals are referred to the panel for advice only. A proposal is to be referred to the panel before it is forwarded to the Minister under section 3.34 of the *Environmental Planning and Assessment Act 1979* (forwarded by the Council for a *Gateway* determination).
2. It will be a matter for Council officers to decide whether a proposal is forwarded to the panel for advice prior to the reporting of the matter by Council officers to the Elected Council or following the such reporting and consideration by the Elected Council.
3. If the matter is referred to the panel for advice prior to the reporting of the matter by Council officers to the Elected Council then the any advice formulated by the panel shall form part of the reporting of the matter to the Elected Council.
4. If the matter is referred to the panel for advice following reporting and consideration by the Elected Council and the Elected Council's decision is to forward the planning proposal for a *Gateway* determination, then the panel's advice shall also be forwarded to the Minister.
5. As Planning Proposals are referred to the panel for advice only then the meetings of the panel will not involve persons other than panel members and Council staff. As a result these meetings will not be held in public. The consideration of Planning Proposals by the Elected Council will be held in public in accordance with the Council's adopted meeting practice.
6. The Pre-Panel Meeting Matters; Panel Composition; Role of Panel Members and general administrative matters associated with the panel and panel meetings shall be generally the same as for development applications, including distribution of papers, site inspections, interaction with applicants and Council officers and administrative support provided by the Council to the panel.