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Record Number: 18/99883

The Secretary
Department of Planning and Environment
GPO BOX 39
SYDNEY NSW 2001



20 April 2018

Attention: Ann-Maree Carruthers- Director Sydney Region West

Dear Ann-Maree,

RE: PLANNING PROPOSAL- CAMDEN LEP 2010 (AMENDMENT NO. 42)

I refer to the enclosed Planning Proposal for the Department of Planning and Environment's consideration. The Planning Proposal seeks the amendments to the Height of Buildings Map from 9.5m to 22m under Camden LEP 2010 to facilitate development of a Hotel. The Proposal also seeks to amend also amend Additional Permitted Uses Map to limit the building footprint within a designated area in the part Lot 50, DP 1221870 and update the property title description under Schedule 1.

On 27 March 2018, Council resolved to submit this Planning Proposal to the Department of Planning and Environment for Gateway Determination. A copy of Council Report and Resolution is enclosed for your reference.

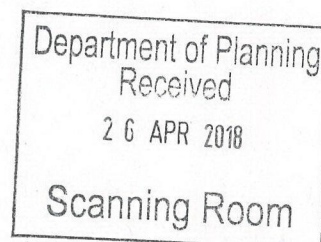
In addition, Council intends to use its delegation pursuant to Section 2.4 of the EP&A Act 1979 as the matter is considered to be of local significance. The delegation will be sub-delegated to the General Manager.

In this regard, please find enclosed the Planning Proposal and associated appendices.

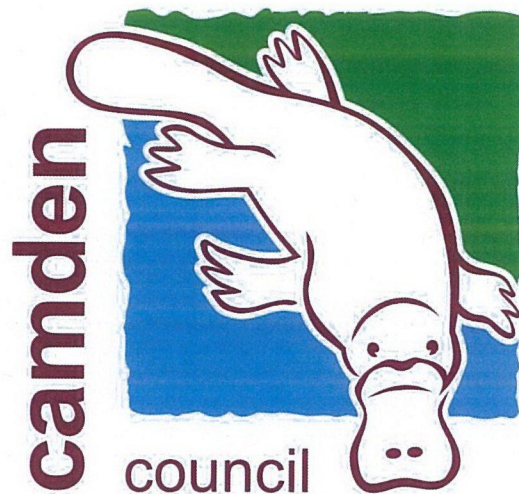
Should you or your officers require any further information, please do not hesitate to contact me on 4654 7833.

Yours sincerely,

Heath James
Team Leader- Land Use Planning



*Enclosures - Council Report & Resolution dated 8 August 2017
- Planning Proposal and associated appendices*



CAMDEN COUNCIL PLANNING PROPOSAL

Amendment No.42 – Camden LEP 2010

Camden Lakeside Hotel

50E Raby Road, Gledswood Hills

**Version 1
APRIL 2018**

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Executive Summary

The subject site is located at the Camden Lakeside Golf Course, on Raby Road, Gledswood Hills (Part Lot 50 DP 1221870). The subject land is located entirely within the Camden Local Government Areas (LGA).

The Planning Proposal seeks amendments to the Height of Buildings Map under Camden Local Environmental Plan 2010 (Camden LEP) to facilitate development for the construction of a hotel with a maximum height of 22m. The Planning Proposal also seeks to amend the Additional Permitted Use Map to limit the building footprint within a designated area within Part Lot 50, DP 1221870 and update the property title description under Schedule 1.

1.0 Introduction

This Planning Proposal seeks to make amendments to the Camden LEP 2010 to facilitate development for the construction of a hotel with a maximum building height of 22m. The Planning Proposal also seeks to amend the Additional Permitted Uses Map to limit the building footprint within a designated area within Part Lot 50, DP 1221870 and update the property title description under Schedule 1 of the Camden LEP 2010.

The Planning Proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act, 1979* and guidelines published by the Department of Planning and Environment, namely 'A guide to preparing Planning Proposals' to ensure all matters requiring consideration are appropriately addressed.

This Planning Proposal explains the intent and justification for the amendments to the Camden LEP 2010, as it applies to the land.

At its meeting of 27 March 2018, Council considered a report on the Planning Proposal, which is included as **Appendix 3** to this report. Council subsequently resolved to forward the Planning Proposal to the Department of Planning and Environment (DPE) for Gateway Determination.

2.0 Site Description and Context

2.1 Overview

This Section describes the location of the site, existing development on the land, the current planning framework, and the relationship of the area to the draft South West Subregional Strategy.

2.2 Site Locality

The area that is the subject of this Planning Proposal is shown edged blue in **Figure 1**.



Figure 1: Location of Subject Site (Source: Camden Council Intramaps)

The site is located on the western side of Raby Road, Catherine Field and is approximately 400m from the signalised intersection of Raby Road and Camden Valley Way. The site accommodates the Camden Lakeside Golf Club and Lakeside Club House which commenced operation in 1993. The remaining portions of land is zoned residential and form part of the Camden Lakeside residential precinct.

2.3 Site Context

2.3.1 Outline

A TransGrid tower abuts the eastern boundary of the site and the Sydney Water Upper Canal is located approximately 240m to the east of the site. To the north, on the opposite side of Raby Road is new development being constructed in Emerald Hills. On the western boundary of the Golf Course is Camden Valley Way and at the southern boundary across from the Golf Course is the state heritage listed Gledswood Estate.

The subject site and surrounding areas include ridgelines and rolling hills with visual perspectives of the Greater Blue Mountains approximately 21km to the west. The topography of the subject site and surrounding area is typical of the Cumberland Plains, consisting of gently rolling foot hill. The site generally falls away in a north – south direction to the rear boundary.

The context of the surrounding area is typically characterized as rural however the surrounding areas are experiencing rapid redevelopment. The surrounding areas are seeing significant changes with urban release areas developments and rezoning occurring to the surrounding site to the north, east and south.

2.3.2 Surrounding Sites

Emerald Hills

Located to the immediate north of the site and on the northern corner of Raby Road and Camden Valley Way, opposite the Camden Lakeside site, is a site known as Emerald Hills, 1100-1150 Camden Valley Way, Leppington.

The Emerald Hills estate has an area of approximately 151 hectares and was rezoned in 2014 to deliver approximately 1200 dwellings.

Emerald Hills is proposed to include a range of lands uses including up to 1200 dwellings with a mix of housing types, a local shopping centre, open space, environmental protection zones, and riparian corridor improvements. The proposed Hotel is located within 1km of the majority of this site.

The Emerald Hills Development Vision identifies a mix of hill side lots and detached housing lots adjacent to the Water NSW Water Supply Canal, which separates the Emerald Hills site from the subject site.

El Caballo Blanco/Gledswood/East Side Rezoning

The El Caballo Blanco/Gledswood/ East Side rezoning is located to the south of the Camden Lakeside site. The site is a precinct of approximately 160 hectares of former tourist park, rural and rural residential holdings. This precinct has recently been rezoned to accommodate approximately 860 dwellings, a golf course, and the restoration of the State Heritage listed Gledswood House.

Turner Road Precinct South West Priority Growth Area

The Turner Road Precinct is located approximately 2.5km south west of the site. The Precinct was rezoned in December 2007 and was one of the first precincts released within the South West Priority Growth Area. The Precinct has an area of approximately 536 hectares and will accommodate approximately 4,000 dwellings, 96 hectares of employment land, a town centre and open space and recreational facilities.

The Precinct comprises three main parts, being the Dart West/Marist Brother joint venture release area known as Gregory Hills, an employment lands area at the junction of Gregory Hills Drive and Camden Valley Way, and thirdly the Hermitage release area being developed by Sekisui House. Construction has commenced within all three areas, delivering key infrastructure, employment lands, a town centre and dwellings.

2.4 The Site

The land that is the subject of the Planning Proposal is located within the Camden Council LGA. The land is owned by Narellan Properties Holdings (NPH) and comprises part of an allotment of land that has a real property description of Lot 50 in DP 1221870 and is commonly known as Camden Lakeside Golf Course ('the site').



Figure 2: Aerial view of the site (outlined in red) (Source: Camden Council Intramaps – April 2018)

Camden Lakeside Golf Club has been in operation since 1993. Camden Lakeside Golf Club is also used as a function venue and holds range of functions throughout the year. The site is proposed to accommodate a hotel, which is to be located partly over an existing carpark between the Golf Course Clubhouse and a TransGrid electrical transmission tower. The site is setback approximately 175m from a new signalised intersection on Raby Road and has an area of approximately 3,601sqm as shown in **Figure 3**.

The site is part of the Camden Lakeside Development, which is yet to be constructed but will comprise of a mix of housing set amongst a golf course and clubhouse facilities. The built features of Camden Lakeside include the golf course, clubhouse, two car parks and a maintenance facility. Landscape features include undulating hills, lakes, introduced vegetation and patches of protected native Cumberland Plain Woodland vegetation (CPW).

There is existing managed vegetation located across the site, which comprise of a range of low level shrubs and trees. In addition, there is also a permanent water body, a "Lake" within the Camden Lakeside lands which contributes to the overall aesthetic of the golf course and club.

The site is accessed directly off Raby road via an internal driveway which also facilitates Camden Lakeside Golf Club.

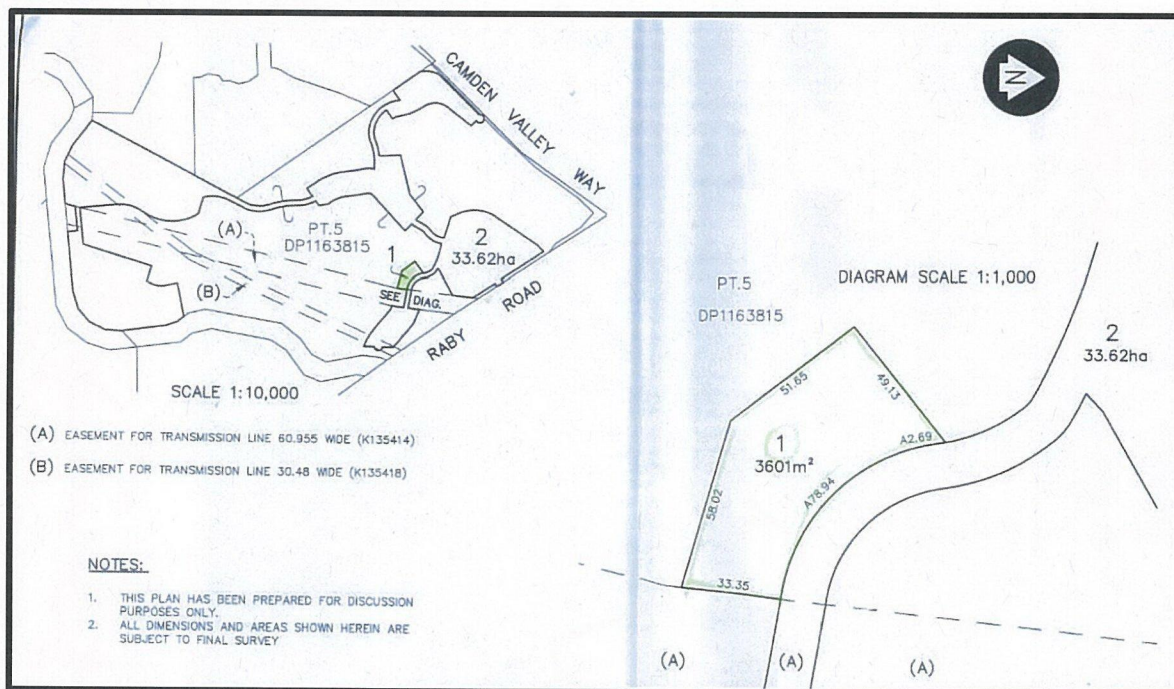


Figure 3: Area of proposed Hotel (Source: YSCO Geomatics)

3.0 Statutory Framework

3.1 Zoning

The proposed hotel site which is located within Part Lot 50 DP 1221871 is currently zoned R1 General Residential under provisions of the Camden LEP 2010. However, the land includes a number of other zones which includes RE2 Private Recreation with areas of Cumberland Plain Woodland (CPW) vegetation, zoned E2 Environmental Conservation (refer to Figure 4).

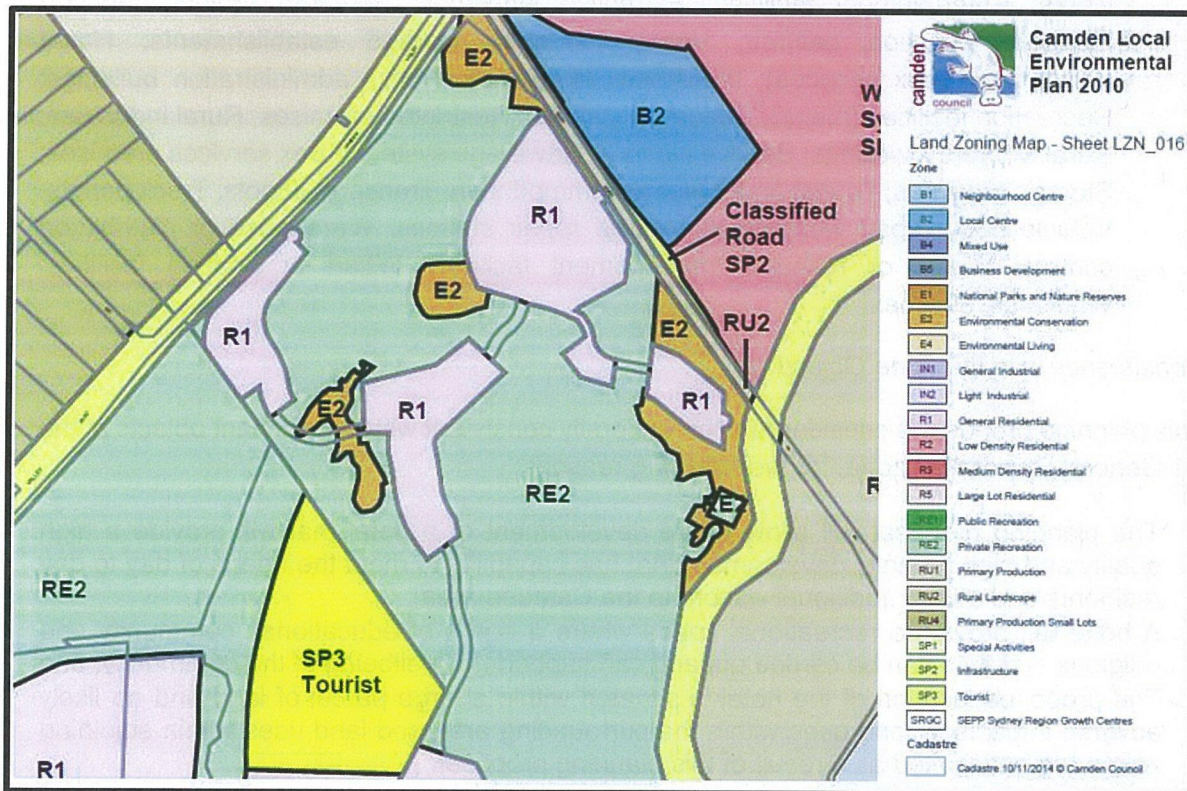


Figure 4: Zoning Extract from Camden LEP 2010 (March 2018)

In accordance with the Camden LEP 2010, land uses within the R1 General Residential Zone include:

2 Permitted without consent

Home occupations

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Centre-based child care facilities; Community facilities; Dwelling houses; Exhibition homes; Group homes; Home-based child care; Home businesses; Home industries; Hostels; Kiosks; Multi dwelling housing; Neighbourhood shops; Places of public worship; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Any other development not specified in item 2 or

4

4 Prohibited

Agriculture; Air transport facilities; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Car parks; Caravan parks; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Extractive industries; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Home occupations (sex services); Industries; Mortuaries; Public administration buildings; Recreation facilities (major); Research stations; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sewerage systems; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Wharf or boating facilities; Wholesale supplies

Consistency with the Zone Objectives

This planning proposal is considered to be generally consistent with the relevant objects of the R1 General Residential zone, for the following reasons:

- The planning proposal will allow future development of a hotel that will provide a high quality and high amenity development that has capability to meet the needs of day to day residents and attract additional visitors to the Camden area;
- A hotel will provide a recreational space where a range of educational, community and religious activities can be carried out and can support the wellbeing of the community; and
- The proposed location of the hotel is situated within a large parcel of land and no likely adverse impacts to land uses within the surrounding area and land uses within adjoining zones are anticipated as a result of this planning proposal.

Additional Permitted Uses

It should be noted that a hotel is prohibited under the R1 General Residential Zone, however Clause 4 of Schedule 1 under the Camden LEP 2010 applies to lands identified as Lots 1 and 2, DP 746767 (now legally known as Lot 50, DP 1221870), which is the subject site:

4 Use of certain land at Camden Valley Way, Catherine Field

(1) This clause applies to land at Camden Valley Way, Catherine Field, being Lots 1 and 2, DP 746767 (the Lakeside Golf Course).

(2) Development for the purposes of hotel or motel accommodation (limited to a hotel) is permitted with development consent.

The proposed hotel is to be contained within a portion of this land and identified within the area contained in a Red circle in **Figure 5** below. That area comprises approximately 3,601m² as shown in **Figure 3**.

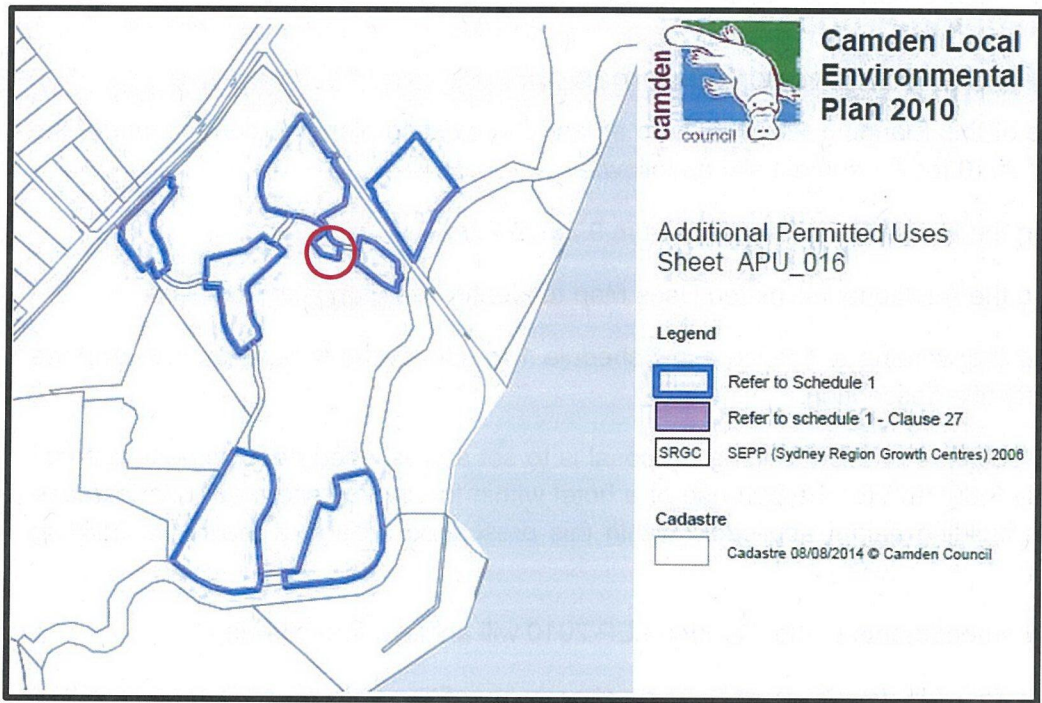


Figure 5: Additional Permitted Uses Map (Source: Camden LEP 2010, March 2018)

3.2 Other Controls

Other relevant planning controls applying to the subject site include the maximum height of buildings. The maximum building height of the subject site is identified as 9.5m (refer to Figure 6).

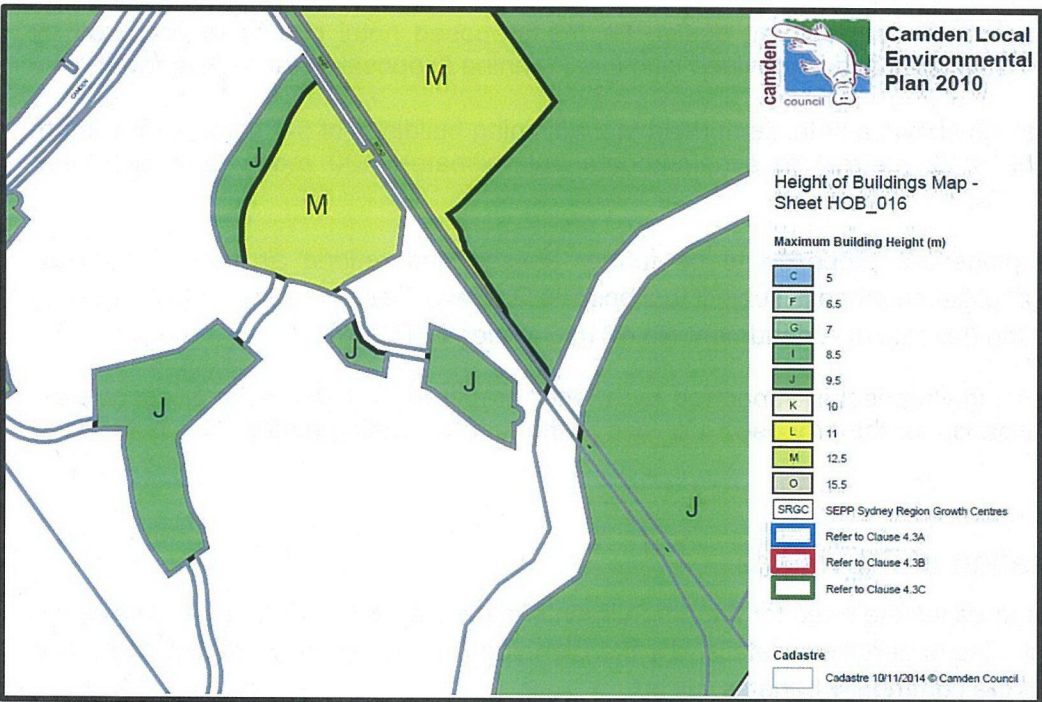


Figure 6: Height of Buildings Map (Source: Camden LEP 2010, March 2018)

4.0 The Planning Proposal

4.1 Objectives and Intended Outcomes

The objective of this Planning Proposal is to amend the existing planning controls under the Camden LEP 2010 for the subject site as follows:

1. Amend the Height of Building Map from 9.5m to 22m.
2. Amend the Additional Permitted Uses Map to identify the proposed hotel site.
3. Amend the wording of Clause 4 in Schedule 1 to update the suburb location and the property title description.

The intended outcome of this Planning Proposal is to set a prescribed development footprint (approximately 3,601m²) for the purpose of a hotel within the overall site area; and increase the maximum building height applicable within this prescribed area to a maximum building height of 22m.

The proposed amendments to the Camden LEP 2010 will achieve the following:

- Provide feasible development to lands already benefiting from an additional permitted uses clause to allow a hotel development;
- Allow changes to development standards (increased building height) to facilitate the construction of a hotel with a maximum building height of 22m; and
- Set a prescribed development footprint for the purpose of a hotel within the overall site area.

An indicative concept development design for the proposed hotel has been prepared by Mostaghim & Associates and is provided with this Planning Proposal, refer to **Appendix 4**.

The concept plans shows a hotel comprised of 2 adjoining buildings of 5-7 storeys (maximum building height of 22 metres) to accommodate approximately 130 rooms and basement carparking.

The concept plans are proposed to be further revised and refined as part of a future development application process subject to a positive Gateway Determination for this Planning Proposal and the gazettal of Amendment No.42 to Camden LEP 2010.

The draft Planning Proposal is supported by a letter prepared by Mostaghim & Associates, providing justification for the proposed increase to the hotel's building height. This is included in **Appendix 5**.

4.2 Explanation of Provisions

This section addresses the need for the amendments to the Camden LEP 2010, identifies the background studies undertaken, details why the Planning Proposal is the best approach, and identifies what the community benefits will be.

The objectives and intended outcomes of this Planning Proposal are to be achieved by amendment the following clauses and maps:

Clauses and text to be amended:

- Schedule 1 - Additional Permitted Uses, Clause 4 – Use of certain land at Camden Valley Way, Catherine Field.

Maps to be amended:

- Height of Building Map (Sheet HOB_016)
- Additional Permitted Uses Map (Sheet APU_016)

The specific amendments to the clause and maps are outlined below.

Schedule 1 Additional Permitted Uses

This Planning Proposal seeks to amend Clause 4 of Schedule 1 of the Camden LEP 2010 from:

4 Use of certain land at Camden Valley Way, Catherine Field

(1) This clause applies to land at Camden Valley Way, Catherine Field, being Lots 1 and 2, DP 746767 (the Lakeside Golf Course).

(2) Development for the purposes of hotel or motel accommodation (limited to a hotel) is permitted with development consent.

It is proposed to be amended to :

4 Use of certain land at Camden Valley Way, Gledswood Hills

(1) This clause applies to land at Camden Valley Way, Gledswood Hills, Lot 50 DP 1221870 (the Lakeside Golf Course) as shown shaded red on sheet 016 of the Additional Permitted Uses Map.

(2) Development for the purposes of hotel is permitted with development consent.

Height of Building Map Changes

This Planning Proposal seeks to amend the Height of Buildings Map (Sheet HOB_016) as shown in **Figure 7**, which is shows the subject site as currently being 9.5m to 22m in height.

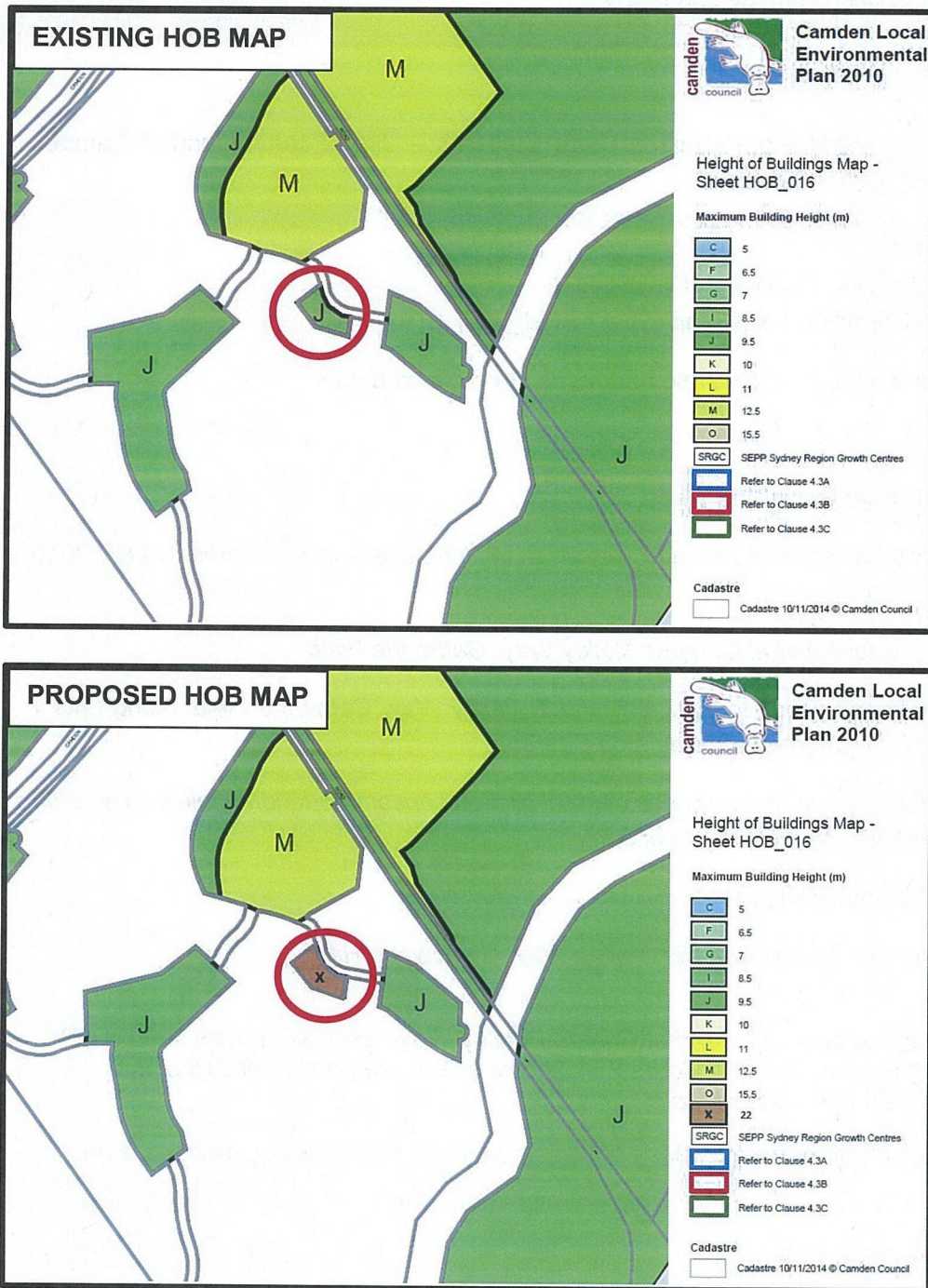


Figure 7: Current and Proposed Height of Buildings Maps

Additional Permitted Uses Map Changes

This Planning Proposal seeks to amend the Additional Permitted Uses Map (Sheet APU_016) as shown in **Figure 8**.

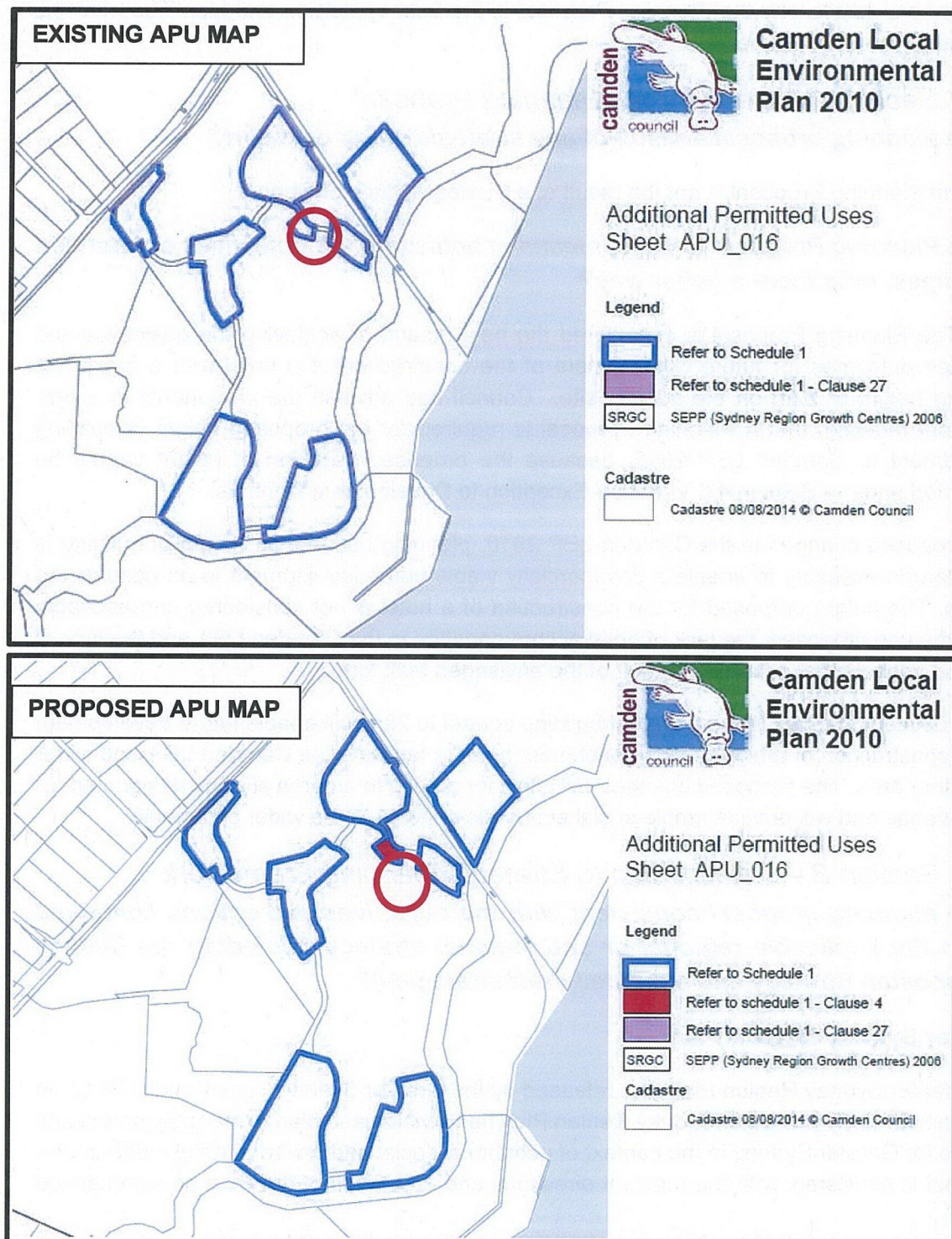


Figure 8: Current and Proposed Additional Permitted Uses Maps

4.3 Justification

This section addresses the need for the rezoning, identifies the background studies undertaken, details why the Planning Proposal is the best approach, and identifies what the community benefits will be.

4.3.1 Section A – Need for the Planning Proposal

Is the planning proposal a result of any strategic study or report?

No. The Planning Proposal is not the result of a Strategic Study or Report.

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

Yes. The Planning Proposal is considered the best means of achieving the objectives and intended outcomes for future development of the construction of a hotel with a maximum building height of 22m on the subject site. Council had advised the proponents in a pre-lodgment meeting, that a Planning Proposal is required for the proposed height of building amendment to Camden LEP 2010, because the proposed variation of height cannot be supported under a Section 4.6 Variation-Exception to Development Controls.

The proposed changes to the Camden LEP 2010, planning controls for height of building is considered necessary to enable a commercially viable hotel development to be constructed on site. The height proposed for the construction of a hotel is not considered unreasonable given the use proposed, the lack of hotel accommodation in the Camden LGA and the lack of adverse impacts that occur as a result of the envisaged built form.

The proposed changes to the height of building control to 22m will enable future development of the construction of a high-quality benchmark hotel to facilitate the Camden LGA and wider Macarthur area. The proposed changes will allow for a hotel in an area already designated for that purpose and will provide ample social economic benefits to the wider community.

4.3.2 Section B – Relationship to Strategic Planning Framework

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

Greater Sydney Region Plan

The Greater Sydney Region Plan was released by the Greater Sydney Commission (GSC) on 18 March 2018. The Greater Sydney Region Plan has a vision and plan to manage growth and change for Greater Sydney in the context of economic, social and environmental matters. The proposal is consistent with the relevant directions and objectives of the Plan as summarised below.

Direction 5: A City of great Places

Objective 13: Environmental heritage is conserved and enhanced

- Should the Planning Proposal receive a positive Gateway Determination, a draft DCP will be prepared and will include site specific mitigation measures to ensure the proposal will have minimal impact on heritage items in the vicinity.

Direction 7: Jobs and Skills for the City

Objective 24: Economic Sectors are targeted for success

- The proposal will create jobs, contribute to local tourism and support the economy.

Direction 8: A City in its landscape

- The proposal will provide growth to the tourism sector in Sydney's Western City.

Objective 28: Scenic and cultural landscapes are protected

- Should the Planning Proposal receive a positive Gateway Determination, a draft DCP will be prepared and will include site specific mitigation measures to ensure the proposal will have minimal impact on scenic and cultural landscapes.

Western City District Plan (District Plan)

The Western City District Plan was released by the GSC on 18 March 2018. The Western City District Plan guides the 20-year growth of the district to improve its social, economic and environmental assets. The draft Planning Proposal is consistent with the relevant Planning Priorities and Actions as summarised below.

Planning Priority W6: Creating and renewing great places and local centres, and respecting the District's heritage

Key Action: Identify, conserve and enhance environmental heritage

- A draft DCP will be prepared and will include site specific mitigation measures to ensure the proposal will have minimal impact on heritage items in the vicinity.

Planning Priority W8: Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis

Key Actions:

Create capacity for tourist accommodation in appropriate locations though local environmental plans. Consider opportunities to implement place-based initiatives to attract more visitors, improve visitor experiences and ensure connections to transport at key tourist attractions. Consider opportunities to enhance the tourist and visitor economy in the district, including a coordinated approach to tourism activities, events and accommodation.

- The proposal will provide tourist accommodation for the Camden LGA and region.

- The proposal will provide a desirable location that would complement existing and proposed tourism activities in the Camden-Macarthur region.

Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

Community Strategic Plan (CSP) June 2017

The CSP is the applicable Community Strategic Plan for the People and Place of the Camden Local Government Area which was approved by Council on June 2017.

Key Direction 3 – A Prosperous Economy - developing an environment that supports a diversity of business and industry to invest, establish, grow and be sustainable over time.

Strategy 3.1.1 seeks to ensure employment, tourism and education opportunities are expanded across the LGA. Strategy 3.1.4 seeks to strengthen and support business growth and attract new industries.

The draft Planning Proposal is consistent with Council's local strategic plans and policies.

Is the planning proposal consistent with applicable state environmental planning policies?

The relevant State Environmental Planning Policies and deemed State Environmental Policies have been addressed at Appendix 1 to this report.

The consideration of these State Environmental Planning Policies and deemed SEPPs has identified that the Planning Proposal is consistent with the policies.

Is the planning proposal consistent with applicable Ministerial Directions (S9.1 Directions)?

The s 9.1 directions applicable to the Planning Proposal have been addressed at Appendix 2 of this report.

4.3.3 Section C – Environmental, Social and Economic Impact

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

The subject site sits within Camden Lakeside lands that comprise of a privately owned golf course and associated golf club. Surrounding lands comprise of managed bush lands that are currently subject to development approvals for future residential development and private recreation uses.

As detailed above, a Biodiversity Certification Assessment Report and Strategy has been prepared by Ecological Australia, dated 10 February 2017 and is currently under assessment with Camden Council. The Biodiversity Certification Assessment Report and Strategy identifies the subject site within this study.

The location of the proposed area designated to this planning proposal is not contained within the Biodiversity Certification Assessment Area (BCAA), nor does the Biodiversity Certification Assessment Strategy outline any specific requirements that prohibit development to the subject site.

The Biodiversity Certification Assessment Report and Strategy did highlight one study which identified a range of fauna located on Camden Lakeside land, within an area directly adjacent but outside the BCAA to the north. The area identified the presence of the potential green and golden bell frog and Cumberland land snail. The location of this study area is north east of the proposed hotel location, and it is not considered these findings will not result in adverse impacts to this planning proposal.

It is considered the likelihood that critical habitat or threatened species, populations or ecological communities or their habitats will not be adversely affected as a result of the planning proposal and based on the development footprint proposed.

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

The proposed height of building variation will allow development to reach a maximum building height of 22m. The 12.5m height variation has the ability to generate potential environmental effects and these potential impacts are detailed below.

Potential Visual impacts

Camden Lakeside Golf Course land have important visual qualities. The Camden Local Environmental Plan 2010 (Camden LEP 2010) and Camden Development Control Plan 2011 (Camden DCP 2011) seek to protect important visual elements within the landscape including distant views, vegetation, water bodies and cultural elements.

When the land was rezoned in 2009, the siting of the residential areas were specifically planned to maintain the landscape's visual importance. In addition, significant vegetation within the golf course was zoned E2 Environmental Conservation to ensure its ongoing protection.

The Landscape and Visual Impact (LVI) assessment prepared by RPS (February 2018) lodged with the Planning Proposal includes an assessment of current and previous viewpoints including:

- A review of the visual impacts from the Landscape and Visual Impact Assessment prepared in 2006 that informed the rezoning of Camden Lakeside Golf Course land to determine the extent of change and to assess the visual impact of the proposal; and
- New viewpoints in the vicinity of the site.

The LVI assessment prepared by RPS is included in **Appendix 6**.

The current LVI assessment concluded the visual impacts from the proposal are acceptable. This is because 10 of the 13 identified viewpoints will have vegetation (perimeter and internal) that provide a visual barrier to the proposed development.

For the remaining 3 viewpoints, it is considered 2 will have adequate vegetation to screen the proposed development in accordance with the El Caballo Blanco, Gledswood and East Side Site Voluntary Planning Agreement (VPA) and in accordance with the Camden Lakeside Vegetation Strategy in Camden DCP 2011.

For the remaining viewpoint from Raby Road, near the new signalised intersection, the proposal will be more visible. However, the visual impact from this viewpoint is considered acceptable because of the setback distance (around 175m) and the mitigation measures recommended by the LVI assessment.

The recommended mitigation measures include:

- Use of finishes and materials that are complementary to the landscape;
- Minimal reflective surfaces and use of recessive toned colours;
- Vegetated barrier plantings and a lighting mitigation strategy.

These mitigation measures will be incorporated as development controls within the Camden DCP 2011. A draft DCP would be placed on public exhibition as part of the draft Planning Proposal package inclusive of site specific mitigation measures.

Potential Heritage Impacts

A Heritage Impact Assessment (HIA) was prepared by RPS (February 2018) to detail any likely impacts of the subject planning proposal or future development at Camden Lakeside Golf Course Land.

The HIA identified three state heritage items in the vicinity of the site, including the Gledswood Estate, Raby Homestead and the Sydney Water Upper Canal. The Heritage Impact statement prepared by RPS is included in **Appendix 7**.

The HIA notes that the items are not located within the site and concluded that the proposal would not have any impact on the heritage significance of the items, subject to mitigation measures being implemented.

The visual impact assessment considered the vistas to and from each item and the site. The following potential impacts were identified:

- Gledswood Estate – negligible to moderate visual impacts;
- Raby Homestead – negligible visual impacts;
- Sydney Water Upper Canal – minor visual impacts.

The HIA recommends mitigation measures for the heritage items including the following:

- Vegetation buffer to be retained and enhanced between the site and the three heritage items;
- Use of sympathetic colour schemes and materials for the hotel to minimise impacts from the Gledswood Estate and the Sydney Water Upper Canal.

In relation to the HIA recommendation for a visual vegetation buffer between the site and the 3 heritage items, the vegetation planting is recommended adjacent to the proposed hotel to mitigate any visual impact from the Gledswood Estate. This would serve as a screen to the hotel and is consistent with the Gledswood Conservation Management Plan. This measure would be included as part of the draft DCP to be prepared.

For the Sydney Water Upper Canal, it is recommended that vegetation planting be provided in between the proposed hotel and the Upper Canal to mitigate any visual impact. This measure would also be included as part of the draft DCP.

Council agrees with the findings of the LVI assessment that the proposed hotel will be screened from Raby Homestead by existing vegetations, resulting in a negligible visual impact. Additional plantings to screen the view from Raby Homestead is not considered warranted.

Aboriginal Cultural Heritage Impact

An Aboriginal Cultural Heritage Due Diligence Assessment was prepared by RPS (February 2018) in compliance with the 'Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales' (DECCW, now OEH, 2010) on the subject site.

The Aboriginal Cultural Heritage Due Diligence Assessment is included in **Appendix 8**.

A summary of the due diligence findings included the following:

- No Aboriginal Heritage Information Systems (AHIMS) sites were located within the site;
- A site inspection identified the area to be heavily disturbed throughout;
- No aboriginal objects were located within the site; and
- No areas or aboriginal archaeological potential located within the site.

The site inspection as conducted in this due diligence assessment has not identified any Aboriginal objects within the site. In addition, there were no areas of archaeological potential identified within the site.

It is considered an Aboriginal Heritage Impact Permit (AHIP) is not required and the proposal will not result in any adverse impacts to Aboriginal Cultural Heritage.

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

The draft Planning Proposal identifies that the Camden Lakeside Golf Club has become a popular destination for all levels of golfers, both locally and regionally and provides an award-winning clubhouse and function facilities.

Council's Economic Development Strategy (EDS) recognizes tourism as a target sector and its potential contributing factors to the future growth of business and employment within the Camden LGA. A hotel on the site would provide benefits to tourism and the local economy consistent with the EDS.

4.3.4 State and Commonwealth Interests

Is there adequate public infrastructure for the planning proposal?

The subject site is currently serviced with adequate public infrastructures, with some surrounding sites currently undergoing redevelopment. The surrounding developments include provisions for additional public transports, roads, utilities and essential services. No required upgrades are identified for purpose of this Planning Proposal. The current capacity and future demand associated with the redevelopment will be considered and confirmed as part of a detail design and investigation to support any future Development Application on the subject site.

What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?

The Planning Proposal has not received a positive Gateway Determination. However, Council has carried out initial consultation with TransGrid and WaterNSW due to the nearby transmission lines and Upper Canal. TransGrid and WaterNSW have raised no objections to the proposal.

4.5 Mapping

The following maps will need to be amended:

- Height of Building Map (Sheet HOB_016)
- Additional Permitted Uses Map (Sheet APU_016)

4.6 Community Consultation

The Planning Proposal and draft DCP amendments will be publicly exhibited in accordance with the gateway determination timeframe. A notification will be placed in the local newspaper and the exhibition material available at:

- Oran Park Administration Centre, 70 Central Avenue, Oran Park (Hard copy);
- Narellan Library, Queen Street, Narellan (Hard Copy);
- Camden Library, John Street, Camden (Hard Copy); and
- Council website for the length of the exhibition period (Electronic Copy).

During the exhibition period, a letter notifying land owners in the vicinity of the subject site will be sent to advise of the proposal. At the conclusion of the exhibition period, a report will be submitted back to Council should there be any submissions received.

4.7 Project Timeline

Anticipated commencement date (date of Gateway determination)	May/June 2018
Anticipated timeframe for the completion of required technical information	N/A
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	June 2018
Commencement and completion dates for public exhibition period	June/July 2018
Dates for public hearing (if required)	N/A
Timeframe for consideration of submissions	July/August 2018
Timeframe for the consideration of a proposal post exhibition	August 2018

Date of submission to the department to finalise the LEP	September 2018
Anticipated date RPA will make the plan (if delegated)	October 2018
Anticipated date RPA will forward to the department for notification	October 2018

5.0 Conclusions and Recommendations

The Planning Proposal seeks to amend Camden Local Environmental Plan 2010 (Camden LEP 2010) Height of Buildings Map applying to the subject land at 50E Raby Road, Gledswood Hills (Lakeside Golf Course).

It is envisaged this Planning Proposal will enable development on this land, as anticipated by the additional permitted uses clause already in place, to facilitate the construction of a hotel with a building height of 22m at Camden Lakeside Golf Course.

The Planning Proposal is considered to have merit in the following respects:

- The proposed height of the hotel will not have unacceptable visual impacts subject to appropriate mitigation measures.
- The proposal will create jobs, contribute to local tourism and support the economy.
- The proposal is not inconsistent with State, Regional, District and local plans and their relevant objectives.

Mitigation measures for the potential visual and heritage impacts will be incorporated as development controls within the Camden DCP 2011. A draft DCP will be placed on public exhibition as part of the draft Planning Proposal package inclusive of site specific mitigation measures.

6.0 Appendices

Appendix 1: Consistency against State Environmental Planning Policies

Appendix 2: S 9.1 Directions

Appendix 3: Council Report and Resolution 27 March 2018

Appendix 4: Indicative Concept Plan-Proposed Hotel

Appendix 5: Proponent's Architect Justification for Increase to Building Height

Appendix 6: Landscape and Visual Impact Assessment prepared by RPS (February 2018)

Appendix 7: Heritage Impact Assessment (HIA) was prepared by RPS (February 2018)

Appendix 8: Aboriginal Cultural Heritage Due Diligence Assessment prepared by RPS
(February 2018)

Appendix 1: Consistency against State Environmental Planning Policies

SEPP Title	Consistency	Comment
1. Development Standards	N/A	This SEPP does not apply to the Camden LGA.
14. Coastal Wetlands	N/A	This SEPP does not apply to the Camden LGA.
15. Rural Land-sharing Communities	N/A	This SEPP does not apply to the Camden LGA.
19. Bushland in Urban Areas	Yes	The Planning Proposal will have no adverse effect to the surrounding bushland areas.
21. Caravan Parks	N/A	Not applicable to this Planning Proposal.
26. Littoral Rainforests	N/A	This policy does not apply to the Camden LGA.
29. Western Sydney Recreation Area	N/A	Not applicable to this Planning Proposal.
30. Intensive Agriculture	N/A	Not applicable to this Planning Proposal.
32. Urban Consolidation (Redevelopment of Urban Land)	N/A	Not applicable to this Planning Proposal.
33. Hazardous and Offensive Development	Yes	This SEPP applies to the state; however, the proposal is not hazardous or offensive. This Planning Proposal is not inconsistent with the SEPP.
36. Manufactured Home Estates	N/A	Not applicable to this Planning Proposal.
39. Spit Island Bird Habitat	N/A	Not applicable to this Planning Proposal.
41. Casino Entertainment Complex	N/A	Not applicable to this Planning Proposal.
44. Koala Habitat Protection	N/A	This SEPP does not apply to the Camden LGA.
47. Moore Park Showground	N/A	This SEPP does not apply to the Camden LGA.

50. Canal Estate Development	Yes	The provisions of this SEPP do not apply to the site.
52. Farm Dams and Other Works in Land and Water Management Plan Areas	N/A	This SEPP relates to the construction of artificial waterbodies.
55. Remediation of Land	Yes	<p>SEPP 55 requires Council to consider whether the subject land is contaminated. If the land requires remediation for a proposed use or zoning, Council must be satisfied that the land can and will be remediated before the land is used for that purpose.</p> <p>It is considered unlikely that the area associated with this Planning Proposal would be affected by contamination given it has been used as a club since 1963. Further detailed investigations will occur to satisfy SEPP 55 at any future Development Application stage.</p>
59. Central Western Sydney Economic and Employment Area	N/A	Not applicable to this Planning Proposal.
62. Sustainable Aquaculture	N/A	This SEPP relates to land-based aquaculture development.
64. Advertising and Signage	Yes	No advertising or signage is proposed as part of this Planning Proposal. Any future Development Application for the construction of a hotel will need to consider the provisions of this SEPP.
65. Design Quality of Residential Flat Development	N/A	This SEPP applies to development for the purpose of a residential flat building, shop top housing or mixed use development with a residential accommodation component. This Planning Proposal seeks to amend the HOB clause to enable the development of a hotel with a maximum building height of 22m. This policy does not apply to a Hotel.

70. Affordable Housing (Revised Schemes)	N/A	Not applicable to this Planning Proposal.
71. Coastal Protection	N/A	Not applicable to this Planning Proposal.
SEPP (Building Sustainability Index: BASIX) 2004	Yes	This SEPP is relevant to specific development that would become permitted under the Planning Proposal. Future development would need to comply with these provisions.
SEPP (Housing for Seniors or People with a Disability) 2004	N/A	Not applicable to this Planning Proposal.
SEPP (Major Development)	Yes	This SEPP applies to the state; however, the proposal has no relevance to the SEPP.
SEPP (Sydney Region Growth Centres) 2006	N/A	The site is not identified within the Sydney Region Growth Centre. The provisions of this SEPP do not apply to the site.
SEPP (Infrastructure) 2007	Yes	This SEPP is relevant to particular development categories that would become permitted under the Planning Proposal. Future development would need to comply with the provisions of this SEPP.
SEPP (Kosciuszko National Park-Alpine Resorts) 2007	N/A	The provisions of this SEPP do not apply to the site.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	N/A	Not applicable to this Planning Proposal.
SEPP (Temporary Structures and Places of Public Entertainment) 2007	N/A	Not applicable to this Planning Proposal.
SEPP (Exempt and Complying Development Codes) 2008	N/A	Not applicable to this Planning Proposal.
SEPP (Rural Lands) 2008	N/A	This SEPP does not apply to the Camden LGA.

SEPP (Western Sydney Parklands) 2009	N/A	The site is not identified within the Western Sydney Parklands. The provisions of this SEPP do not apply to the site.
SEPP (Affordable Rental Housing) 2009	N/A	Not applicable to this Planning Proposal.
Sydney Regional Environmental Plan (Sydney Harbour Catchment)	N/A	Not applicable to this Planning Proposal.
SREP20 Hawkesbury-Nepean River	Yes	<p>The SREP requires consideration be given to the impact of future land use in Hawkesbury- Nepean River catchment in a regional context. The plan covers water quality and quantity, environmentally sensitive areas, riverine scenic quality, agriculture, and urban and rural residential development.</p> <p>The Planning Proposal is unlikely to alter or impact adversely upon the water quality and quantity, environmentally sensitive areas and flora and fauna within the Hawkesbury-Nepean River catchment.</p>

Appendix 2 : S 9.1 Directions

S 9.1 Direction Title	Consistency	Comment
1.0 Employment and Resources		
1.1 Business and Industrial Zones	N/A	This site is not located within land zoned business or industrial.
1.2 Rural Zones	N/A	This site is not located within land zoned rural.
1.3 Mining, Petroleum Production and Extractive Industries	N/A	This Planning Proposal does not propose the extraction of minerals specified within this direction.
1.4 Oyster Aquaculture	N/A	This Planning Proposal does not propose changes within a Priority Oyster Aquaculture Areas and does not propose oyster aquaculture outside such an area as identified in the NSW Oyster Industry Sustainable Aquaculture Strategy (2006) ("the Strategy").
1.5 Rural Lands	N/A	This site is not located within land zoned rural or environmental protection.
2.0 Environment and Heritage		
2.1 Environment Protection Zones	N/A	This site is not located within land zoned rural or environmental protection.
2.2 Coastal Protection	N/A	This site is not located within lands affected by the Coastal Protection Act 1979.
2.3 Heritage Conservation	N/A	The subject site does not contain heritage items, areas, objects and places of environmental heritage significance and indigenous heritage significance.
2.4 Recreation Vehicle Areas	N/A	This direction does not apply as the Planning Proposal does not seek to develop land for the purpose of a recreation vehicle area.

2.5 Application of E2 and E3 Zones and Environmental

N/A

This direction does not apply as the Planning Proposal is not located within lands identified within this direction.

3.0 Housing, Infrastructure and Urban Development

3.1 Residential Zones

Yes

The subject site is located within an existing R1 - General Residential zone under the provision of the Camden LEP 2010. The site benefits from an additional permitted use under the Camden LEP 2010 – Schedule 1 which allows development for the purpose of a hotel.

This Planning Proposal seeks to amend the Height of Buildings Map clause to enable future development to occur to a building height of 22m. The proposed height of building amendment is not considered to adversely impact the surrounding land use (as demonstrated by supporting studies).

It is considered the Planning Proposal is consistent with the provisions of this direction as outlined below:

- The proposal will make more efficient use of existing infrastructure and services already located within the site. The site sits adjacent to Camden Lakeside Golf Club, within an established Golf Course where existing services and driveways are already established. The construction of a Hotel will further benefit the existing club and golf course with its potential to increase patronage whilst providing an additional venue for recreation to the surrounding community;

- The Planning Proposal is located within lands that has purpose of a hotel. The Planning Proposal will not reduce the availability of land for housing and

associated urban development on the urban fringe; and

-The Hotel will be of good design with harmonizing character with surroundings. And ensures using a range of high quality finishes and materials, creating a benchmark development within the Campbelltown Macarthur region.

3.2 Caravan Parks and Manufactured Home Estates	N/A	The Planning Proposal is consistent with this direction as it does not modify provisions relating to the permissibility of caravan parks and the like.
3.3 Home Occupations	N/A	The Planning Proposal is consistent with this direction as it does not modify provisions relating to the permissibility of home occupations within dwellings.
3.4 Integrating Land Use And Transport this Ministerial Direction	Yes	<p>The Planning Proposal is considered to be consistent with this Direction. As the Proposal will enable future development to be constructed in a location that is serviced by an existing public transport route along Raby Road; and</p> <p>It is likely that public transport provision will increase in this area in parallel to the urban development of the area;</p> <p>Future bus routes have been proposed as part of the urban development of the El Caballo Blanco/Gledswood/East Side and Camden Lakeside sites, which will provide access to Campbelltown and the Leppington Railway Station in the future Major Centre at Leppington. These routes are located less than 3km from the site.</p>
3.5 Development Near Licensed Aerodromes	N/A	This direction is not applicable as the planning proposal will not create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome.
3.6 Shooting Ranges	N/A	This direction is not applicable as the planning proposal will not affect, create, alter

or remove a zone or a provision relating to land adjacent to and/or adjoining an existing shooting range.

4.0 Hazard and Risk

4.1 Acid Sulphate Soils	N/A	This direction is not applicable as the land has not been identified as acid sulphate soils under Camden LEP 2010.
4.2 Mine Subsidence and Unstable Land	N/A	This direction is not applicable as the land has not been identified within a mine subsidence district.
4.3 Flood Prone Land	N/A	This direction is not applicable as the Planning Proposal will not create, remove or alter a zone or a provision that affects flood prone land.
4.4 Planning for Bushfire Protection	Yes	This Planning Proposal is consistent with this Ministerial Direction as the proposal will not affect, or alter lands mapped as bushfire prone land. Further detailed investigations will occur to satisfy this direction at any future Development Application stage.

5.0 Regional Planning

5.1 Implementation of Regional Strategies	N/A	This direction is not applicable as the Planning Proposal is not considered a regional strategy released by the Minister for Planning.
5.2 Sydney Drinking Water Catchments	N/A	This direction is not applicable as the land has not been identified within the Sydney drinking water catchment.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	This Ministerial Direction does not apply to the Camden LGA.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	This direction is not applicable as the land is not within the vicinity of an existing and/or proposed alignment of the Pacific Highway.

5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Revoked – N/A	Revoked 18 June 2010
5.6 Sydney to Canberra Corridor	Revoked – N/A	Revoked 10 July 2008.
5.7 Central Coast	Revoked – N/A	Revoked 10 July 2008.
5.8 Second Sydney Airport: Badgerys Creek	N/A	This direction is not applicable as the land is not in the vicinity of lands shown within the boundaries of the proposed airport site
5.9 North West Rail Link Corridor Strategy	N/A	This direction is not applicable as the land is not within the North West Rail Link Corridor, as identified in the NWRL Corridor Strategy and Structure Plans.
5.10 Implementation of Regional Plans	Yes	<p>This Planning Proposal consistent with the vision, land use strategy, goals, directions and actions contained in the Sydney Metropolitan Strategy and Western Sydney District Plan.</p> <p>One of the main aspects of these reports to address the importance of boosting Sydney's economy and employment sector by supporting areas such as the South West Growth precinct. This planning proposal will enable future development of a hotel which will boost local tourism & job opportunities to both the local and surrounding communities and surely will support the Badgerys Creek Airport.</p>
6.0 Local Plan Making		
6.1 Approval and Referral Requirements	Yes	The Planning Proposal is not identified as designated development and is consistent with this direction as it does not alter any approval or referral requirements.
6.2 Reserving Land for Public Purposes	N/A	This direction is not applicable as this proposal does not request the provision of

		public services or facilities to reserve land for public purposes.
<hr/>		
6.3 Site Specific Provisions	Yes	<p>The intent of this Planning Proposal is to amend the Height of Buildings Map applying to the site from 9.5m to 22m for purpose of the constructions of a Hotel.</p> <p>It is considered the Planning Proposal is consistent with the provisions of this direction as outlined below:</p> <ol style="list-style-type: none"> The site benefits from an existing additional permitted uses clause for the purpose of a hotel; No change in zoning is proposed as part of this Planning Proposal; The Planning Proposal seeks to amend the Height of Buildings Map for the subject lot to permit future development for a hotel with a maximum building height of 22m.
<hr/>		
7.0 Metropolitan Plan Making		
<hr/>		
7.1 Implementation of A Plan for Growing Sydney	Yes	This Planning Proposal is consistent with this direction as the proposal is considered to achieve the overall intention of the Plan and does not undermine the achievement of its planning principles; directions; and priorities for sub regions, strategic centers and transport gateways.
<hr/>		
7.2 Implementation of Greater Macarthur Land Release Investigation	N/A	This Ministerial Direction does not apply to the Camden LGA.
<hr/>		
7.3 Parramatta Road Corridor Urban Transformation Strategy	N/A	This Ministerial Direction does not apply to the Camden LGA.
<hr/>		
7.4 Implementation of North West Priority Growth Area Land Use	N/A	This Ministerial Direction does not apply to the Camden LGA.

And Infrastructure
Implementation Plan

7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	This Ministerial Direction does not apply to the Camden LGA.
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7.6 Implementation of Wilton Priority Growth Area Interim Land Use And Infrastructure Implementation Plan	N/A	This Ministerial Direction does not apply to the Camden LGA.
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Appendix 3: Council Report and Resolution - 27 March 2018



ORDINARY COUNCIL

ORD01

SUBJECT: PLANNING PROPOSAL - PART LOT 50 DP 1221870, 50E RABY ROAD, GLEDSDOOD HILLS
FROM: Director Planning and Environment
TRIM #: 18/36017

PROPERTY ADDRESS

50E Raby Road Gledswood Hills

APPLICANT

Hawes & Swan

OWNER

Narellan Properties Holdings (NPH)

PURPOSE OF REPORT

The purpose of this report is to seek Council endorsement of a draft Planning Proposal (provided as an **attachment** to this report) to amend Camden Local Environmental Plan 2010 (Camden LEP 2010) Height of Building Map applying to land at 50E Raby Road, Gledswood Hills (Lakeside Golf Course) and to resolve to forward the draft Planning Proposal to the Department of Planning and Environment (DPE) for Gateway Determination.

BACKGROUND

The subject site is located at the Camden Lakeside Golf Course, on Raby Road, Gledswood Hills (Part Lot 50 DP 1221870). Under Schedule 1 of the Camden LEP 2010 a hotel is an additional permitted use on the site.

In May 2017, a Planning Proposal was lodged by Hawes and Swan on behalf of the landowners (Narellan Property Holdings) to amend the Camden LEP 2010 – Height of Building (HOB) Map applying to a portion of the site.

The intent of the Planning Proposal is to amend the HOB Map applying to the site from 9.5m to 22m for the purpose of constructing a hotel.

The site is located approximately 175m from Raby Road in the north-eastern portion of the golf course. The proposed hotel is located across an existing carpark between the golf course club house and a Transgrid electrical transmission tower. The proposed hotel site has an area of approximately 3,601sqm.

Figure 1 shows the location of the site and the surrounds.



Figure 1 – The site and the surrounds

The draft Planning Proposal was notified for 14 days with one (1) submission received in support of the proposal (provided as a **supporting document**).

Councillors were briefed on this proposal on 14 November 2017.

MAIN REPORT

Zoning and Permissibility

The proposed hotel site is zoned R1 General Residential under Camden LEP 2010. Under Schedule 1 of the Camden LEP 2010 a hotel is a permitted use on the site.

Other land on the golf course is zoned RE2 Private Recreation and includes areas of protected Cumberland Plain Woodland (CPW) vegetation zoned E2 Environmental Conservation. Figure 2 shows the zoning on the site.

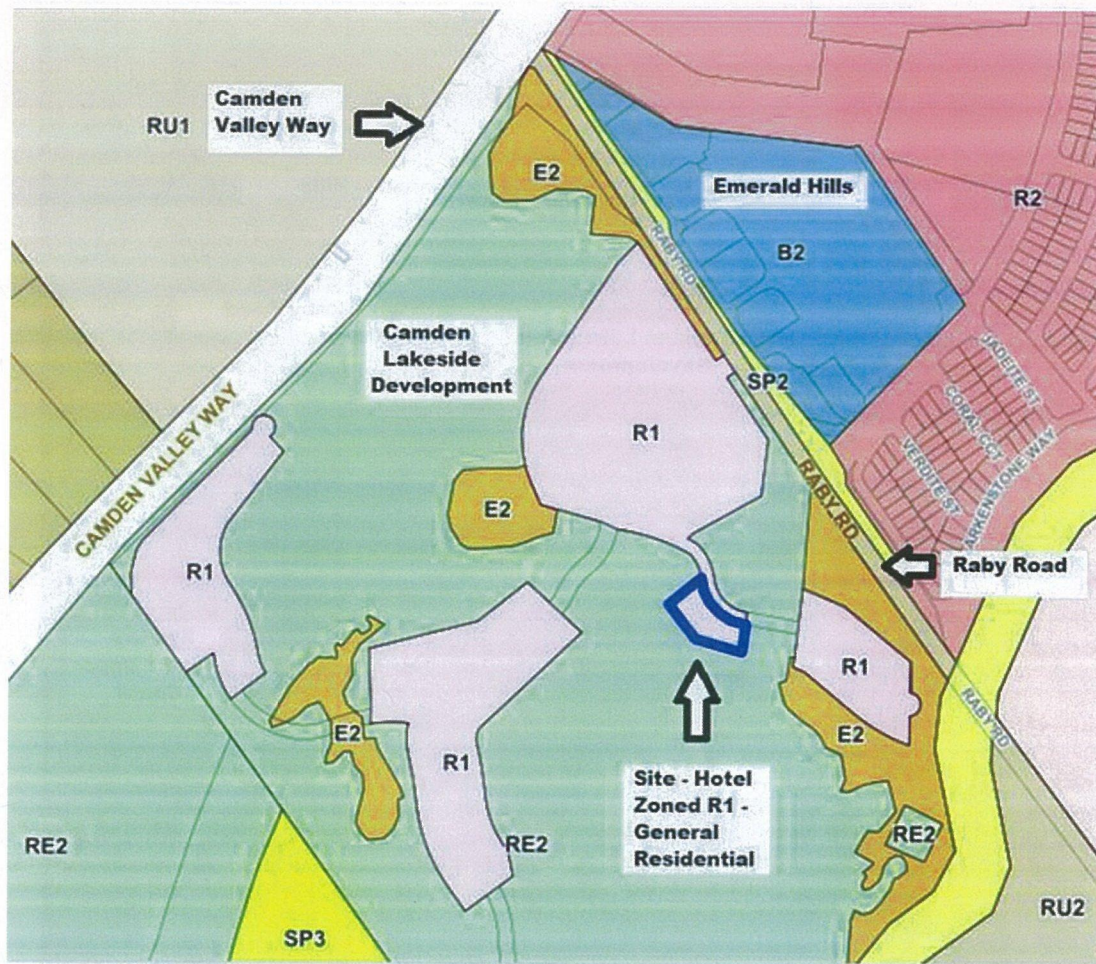


Figure 2 – Zoning – Camden LEP 2010 (Source: Council)

The draft Planning Proposal seeks the following amendments to Camden LEP 2010:

- i. Amend the Height of Building Map from 9.5m to 22m.
- ii. Amend the Additional Permitted Uses Map to identify the proposed hotel site.
- iii. Amend the wording of Clause 4 in Schedule 1 to update the suburb location and the property title description.

Should the Planning Proposal proceed, Council officers will work with the DPE to ensure the 22m building height applies to the proposed hotel site only (and not all of the land).

The draft Planning Proposal has been submitted with the following supporting studies:

- Landscape and Visual Impact Assessment;
- Heritage Impact Assessment; and
- Aboriginal Cultural Heritage Assessment.

The supporting studies are included as an **attachment** to this report.

The Proposal

A concept plan of the future hotel is provided as an **attachment** to this report, which shows a hotel comprised of 2 adjoining buildings of 5-7 storeys (maximum building height of 22 metres) to accommodate approximately 130 rooms and basement carparking.

The draft Planning Proposal is supported by a letter prepared by the applicant's architect, providing justification for the proposed increase to the hotel's building height. This is included as an **attachment** to this report.

Key issues

Justification for Increase in Building Height

The applicant has indicated that the financial viability of building and operating a hotel would be improved if the maximum building height were increased to enable a smaller building foot print rather than a series of 2-3 storey buildings.

To support the Planning Proposal and justification for a height increase, the applicant has included a letter from an architect experienced in hotel construction. The letter states that it is uneconomical, cost-prohibitive and dysfunctional to construct a hotel of 1-2 storeys and adhere to other design requirements such as parking to fit within the boundaries of the site.

The letter adds that it is more cost efficient for a higher building form, where all service utilities are contained and rooms can be accessed and serviced conveniently in less time, as compared with a building form, which is spread out over the site.

Officer Comment

Financial viability does not form part of the consideration of planning merit, however it is noted that the increase in height may improve the viability of a hotel on the land.

Visual Impact

Camden Lakeside has important visual qualities. The Camden LEP 2010 and Camden Development Control Plan 2011 (Camden DCP 2011) seek to protect important visual elements within the landscape including distant views, vegetation, water bodies and cultural elements.

When the land was rezoned in 2009, the siting of the residential areas were specifically planned to maintain the landscape's visual importance. In addition, significant vegetation within the golf course was zoned E2 Environmental Conservation to ensure its ongoing protection.

The Landscape and Visual Impact (LVI) assessment lodged with the Planning Proposal includes an assessment of current and previous viewpoints including:

- A review of the visual impacts from the Landscape and Visual Impact Assessment prepared in 2006 that informed the rezoning of Camden Lakeside to determine the extent of change and to assess the visual impact of the proposal; and
- New viewpoints in the vicinity of the site.



The current LVI assessment concluded the visual impacts from the proposal are acceptable. This is because 10 of the 13 identified viewpoints will have vegetation (perimeter and internal) that provide a visual barrier to the proposed development.

For the remaining 3 viewpoints, the assessment notes that infrastructure works including Camden Valley Way and Raby Road upgrades have resulted in the removal of some vegetation that bounds the site. This will permit filtered 'broken views' to the proposed development. The assessment suggests that additional planting in certain locations would reduce the potential visual impacts to the development.

The assessment of the new viewpoints in the vicinity of the site concluded that while the proposed development will be visible from a number of locations, the visual impacts are acceptable because the existing vegetation will provide 'broken views' to the proposed development and due to the landform, setback distance and proposed residential development on the site.

Officer Comment

Council officers have reviewed the assessment and agree that 10 of the 13 viewpoints will have vegetation that provides a visual barrier to the proposed development.

Regarding the remaining 3 viewpoints, it is considered 2 will have adequate vegetation to screen the proposed development in accordance with the El Caballo Blanco, Gledswood and East Side Site Voluntary Planning Agreement (VPA) and in accordance with the Camden Lakeside Vegetation Strategy in Camden DCP 2011.

For the remaining viewpoint from Raby Road, near the new signalised intersection, the proposal will be more visible. However the visual impact from this viewpoint is considered acceptable because of the setback distance (around 175m) and the mitigation measures recommended by the LVI assessment.

The recommended mitigation measures include:

- Use of finishes and materials that are complementary to the landscape;
- Minimal reflective surfaces and use of recessive toned colours;
- Vegetated barrier plantings and a lighting mitigation strategy.

Should Council endorse the proposal to proceed and a favourable Gateway Determination be received, the mitigation measures will be incorporated as development controls within the Camden DCP 2011. A draft DCP would be placed on public exhibition as part of the draft Planning Proposal package inclusive of site specific mitigation measures.

Heritage

The Heritage Impact Assessment (HIA) identified three state heritage items in the vicinity of the site, including the Gledswood Estate, Raby Homestead and the Sydney Water Upper Canal.

The HIA notes that the items are not located within the site and concluded that the proposal would not impact on the heritage significance of the items, subject to mitigation measures being implemented.

The visual impact assessment considered the vistas to and from each item and the site. The following potential impacts were identified:

- Gledswood Estate – negligible to moderate visual impacts;
- Raby Homestead – negligible visual impacts;
- Sydney Water Upper Canal – minor visual impacts.

The HIA recommends mitigation measures for the heritage items including the following:

- Vegetation buffer to be retained and enhanced between the site and the three heritage items;
- Use of sympathetic colour schemes and materials for the hotel to minimise impacts from the Gledswood Estate and the Sydney Water Upper Canal.

Officer Comment

Sympathetic colour schemes and materials for the hotel to minimise impacts on the views to and from the Gledswood Estate and the Upper Canal is supported.

In relation to the recommendation for a visual vegetation buffer between the site and the 3 heritage items, vegetation planting is recommended adjacent to the proposed hotel to mitigate any visual impact from the Gledswood Estate. This would serve to screen the hotel and is consistent with the Gledswood Conservation Management Plan. This measure would be included as part of the draft DCP.

For the Sydney Water Upper Canal, it is recommended that vegetation planting be provided between the proposed hotel and the Upper Canal to mitigate any visual impact to the Upper Canal. This measure would also be included as part of the draft DCP.

Council officers agree with the findings of the LVI assessment that the proposed hotel will be screened from Raby Homestead by existing vegetation, resulting in a negligible visual impact. Additional planting to screen the view from Raby Homestead is not considered warranted.

Economic Impact

The draft Planning Proposal identifies that the Camden Lakeside Golf Club has become a popular destination for all levels of golfers, both locally and regionally and provides an award-winning clubhouse and function facilities.

Officer Comment

Council's Economic Development Strategy (EDS) recognises tourism as a target sector and its potential to contribute to the future growth of business and employment in the Camden LGA. A hotel on the site would provide benefits to tourism and the local economy consistent with the EDS.



State Agencies

The draft Planning Proposal was referred to TransGrid and WaterNSW for comment due to the nearby transmission lines and Upper Canal. TransGrid and WaterNSW raised no objections to the proposal.

Greater Sydney Region Plan

The Greater Sydney Region Plan was released by the Greater Sydney Commission (GSC) on 18 March 2018. The Greater Sydney Region Plan has a vision and plan to manage growth and change for Greater Sydney in the context of economic, social and environmental matters. The proposal is consistent with the relevant directions and objectives of the Plan as summarised below.

Direction 5: A City of great Places

Objective 13: Environmental heritage is conserved and enhanced

- Should the Planning Proposal proceed, a draft DCP will be prepared and will include site specific mitigation measures to ensure the proposal will have minimal impact on heritage items in the vicinity.

Direction 7: Jobs and Skills for the City

Objective 24: Economic Sectors are targeted for success

- The proposal will create jobs, contribute to local tourism and support the economy.

Direction 8: A City in its landscape

- The proposal will provide growth to the tourism sector in Sydney's Western City.

Objective 28: Scenic and cultural landscapes are protected

- Should the Planning Proposal proceed, a draft DCP will be prepared and will include site specific mitigation measures to ensure the proposal will have minimal impact on scenic and cultural landscapes.

Western City District Plan

The Western City District Plan was released by the GSC on 18 March 2018. The Western City District Plan guides the 20 year growth of the district to improve its social, economic and environmental assets. The draft Planning Proposal is consistent with the relevant Planning Priorities and Actions as summarised below.

Planning Priority W6: Creating and renewing great places and local centres, and respecting the District's heritage

Key Action: Identify, conserve and enhance environmental heritage

- Should the Planning Proposal proceed, a draft DCP will be prepared and will include site specific mitigation measures to ensure the proposal will have minimal impact on heritage items in the vicinity.

Planning Priority W8: Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis

Key Actions:

Create capacity for tourist accommodation in appropriate locations though local environmental plans

Consider opportunities to implement place-based initiatives to attract more visitors, improve visitor experiences and ensure connections to transport at key tourist attractions.

Consider opportunities to enhance the tourist and visitor economy in the district, including a coordinated approach to tourism activities, events and accommodation.

- The proposal will provide tourist accommodation for the Camden LGA and region.
- The proposal will provide a desirable location that would complement existing and proposed tourism activities in the Camden-Macarthur region.

Community Strategic Plan (CSP) June 2017

Key Direction 3 – A Prosperous Economy - developing an environment that supports a diversity of business and industry to invest, establish, grow and be sustainable over time.

Strategy 3.1.1 seeks to ensure employment, tourism and education opportunities are expanded across the LGA. Strategy 3.1.4 seeks to strengthen and support business growth and attract new industries.

The draft Planning Proposal is consistent with the CSP.

Initial Notification of the Draft Planning Proposal

The draft Planning Proposal was notified for a period of 14 days from 20 June to 3 July 2017. Adjoining and nearby properties were directly notified by letter. Notices were also placed in the local newspaper. One submission in support of the proposal was received (provided as a **supporting document**).

A formal public exhibition period will occur at a later stage, subject to Council endorsement and the receipt of a positive Gateway Determination.

Assessment of Planning Merit

Council officers consider the draft Planning Proposal has merit to proceed to Gateway Determination for the following reasons:



- The proposed height of the hotel will not have unacceptable visual impacts subject to appropriate mitigation measures.
- The proposal will create jobs, contribute to local tourism and support the economy.
- The proposal is not inconsistent with State, Regional, District and local plans and their relevant objectives.

LEP Delegation

Council intends to use its delegation pursuant to Section 2.4 of the *Environmental Planning and Assessment Act 1979*. This will streamline the processing of the Planning Proposal by enabling Council to deal directly with Parliamentary Counsel for the making of the Plan. The request for delegation will be made as part of the Gateway submission. The General Manager is Council's nominated delegate.

FINANCIAL IMPLICATIONS

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

CONCLUSION

The draft Planning Proposal seeks to amend Camden LEP 2010 Height of Buildings Map from 9.5m to 22m on Part Lot 50 DP 1221870, 50E Raby Road Gledswood Hills.

Council officers have assessed the draft Planning Proposal and consider the proposal has planning merit to proceed to Gateway Determination as outlined in the report.

Should Council resolve to endorse the draft Planning Proposal, it will be forwarded to the DPE for Gateway Determination. Subject to Gateway Determination, a draft Camden DCP 2011 will be prepared by officers and included in the draft Planning Proposal package for public exhibition.

A further report will be submitted to Council detailing the results of the public exhibition and to seek Council's endorsement of the draft DCP.

RECOMMENDED

That Council:

- endorse the draft Planning Proposal for Part Lot 50 DP 1221870, 50E Raby Road, Gledswood Hills to be forwarded to the Department of Planning and Environment for Gateway Determination and advise that Council will be using its delegation pursuant to Section 2.4 of the *Environmental Planning and Assessment Act 1979*;**
- subject to receiving a favourable response from the Department of Planning and Environment, Council prepare a draft Camden DCP 2011 to support the draft Planning Proposal and proceed to public exhibition in accordance with the requirements of the Gateway Determination; and**
- consider a further report outlining the results of the public exhibition, and to seek adoption of the draft Development Control Plan; or**
- should the draft Planning Proposal not receive gateway approval, notify the proponent that the draft Planning Proposal will not proceed.**

ATTACHMENTS

1. Draft Planning Proposal Report 50E Raby Rd - Feb 2018
2. Landscape & Visual Impact Assessment -50E Raby Rd
3. Heritage Impact Assessment - 50E Raby Rd
4. Aboriginal Cultural Heritage Assessment - 50E Raby Rd
5. Design Statement - Architect -50E Raby Rd
6. Concept Plans -50E Raby Rd
7. Submission 50E Raby Road - *Supporting Document*

PRESENT

Cr Symkowiak (Mayor/Chairperson), Cr A Cagney, Cr C Cagney, Cr Campbell, Cr Farrow, Cr Fedeli, Cr Mills, Cr Sidgreaves.

STAFF

General Manager, Director Customer & Corporate Strategy, Director Planning & Environment, Director Sport, Community & Recreation, Acting Director Community Assets, Chief Financial Officer, Chief People Officer, Chief Information Officer, Manager Governance & Risk, Manager Corporate Performance & Customer Service, Manager Growth & Advocacy, Manager Development Certification, Manager Waste & Compliance, Manager Strategic Planning, Manager Assets, Design & Traffic Services, Manager Communications & Events, Manager Community Development, Manager Sport, Recreation & Sustainability, Media Officer, Team Leader Land Information Services, Senior Governance Officer, Governance Officer.

APOLOGIES

Resolution: Moved Councillor Sidgreaves, Seconded Councillor Farrow that Councillor Morrison be granted leave of absence.

ORD49/18 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Symkowiak, Campbell, Fedeli, C Cagney, A Cagney, Farrow and Mills voted in favour of the Motion. No Councillors voted against the Motion.)

DECLARATIONS OF INTEREST

There were no declarations to be noted.

PUBLIC ADDRESSES

There were no public addresses to be noted.

CONFIRMATION OF MINUTES

Resolution: Moved Councillor C Cagney, Seconded Councillor A Cagney that the Minutes of the Ordinary Council Meeting held 13 March 2018, copies of which have been circulated, be confirmed and adopted.

ORD50/18 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Symkowiak, Campbell, Fedeli, C Cagney, A Cagney, Farrow and Mills voted in favour of the Motion. No Councillors voted against the Motion.)

ORD01 PLANNING PROPOSAL - PART LOT 50 DP 1221870, 50E RABY ROAD, GLEDSDOOD HILLS

Resolution: Moved Councillor C Cagney, Seconded Councillor Fedeli that Council:

- i. endorse the draft Planning Proposal for Part Lot 50 DP 1221870, 50E Raby Road, Gledswood Hills to be forwarded to the Department of Planning and Environment for Gateway Determination and advise that Council will be using its delegation pursuant to Section 2.4 of the *Environmental Planning and Assessment Act 1979*;
- ii. subject to receiving a favourable response from the Department of Planning and Environment, Council prepare a draft Camden DCP 2011 to support the draft Planning Proposal and proceed to public exhibition in accordance with the requirements of the Gateway Determination; and

- iii. consider a further report outlining the results of the public exhibition, and to seek adoption of the draft Development Control Plan; or
- iv. should the draft Planning Proposal not receive gateway approval, notify the proponent that the draft Planning Proposal will not proceed.

ORD51/18 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Symkowiak, Campbell, Fedeli, C Cagney, A Cagney, Farrow and Mills voted in favour of the Motion. No Councillors voted against the Motion.)

ORD02 PROPOSED AMENDMENT TO STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES) 2006 AND ORAN PARK PART B DCP AMENDMENT - ORAN PARK NORTHERN NEIGHBOURHOOD CENTRE

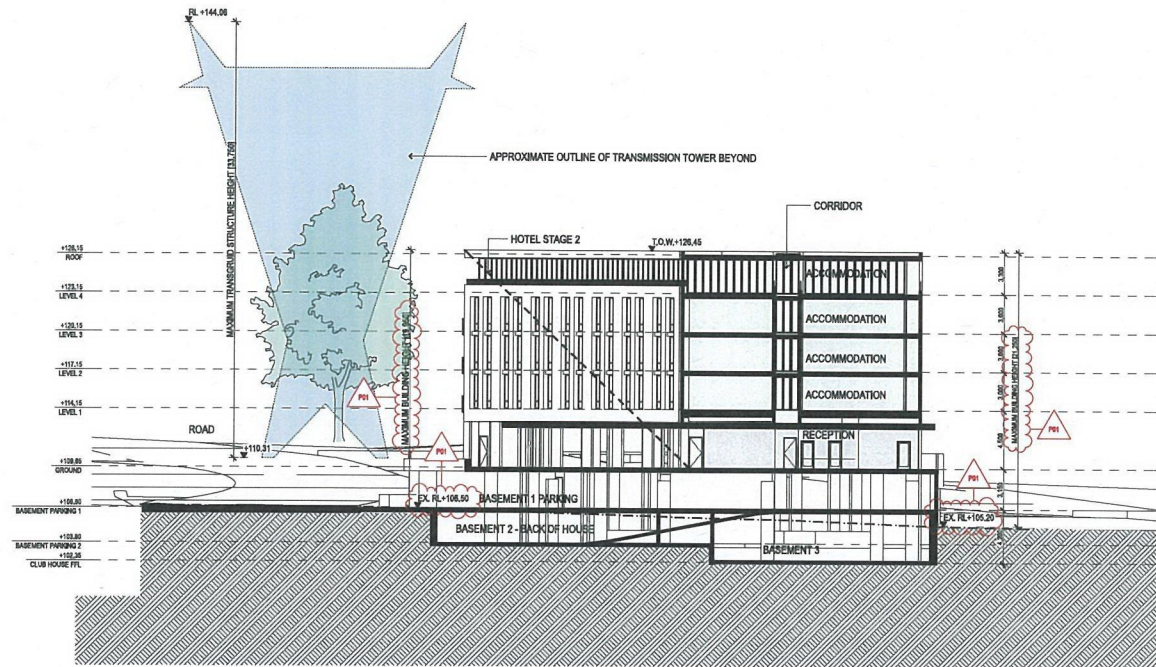
Resolution: Moved Councillor C Cagney, Seconded Councillor Fedeli that Council:

- i. endorse the draft Planning Proposal to amend the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 as it applies to the Oran Park Northern Neighbourhood Centre;
- ii. endorse the draft amendment to the Oran Park DCP;
- iii. forward the draft Planning Proposal to the Department of Planning and Environment for a Gateway Determination;
- iv. following receipt of a Gateway approval, exhibit the draft Planning Proposal and draft amendment to the Oran Park DCP for a period of 28 days in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and Regulations;
- v. notify the Department of Planning and Environment of the exhibition of the draft amendment to the Oran Park DCP in accordance with the delegations issued by the Secretary of the Department of Planning and Environment on 19 January 2015; and
- vi. at the conclusion of the public exhibition period:
 - a. if there are no unresolved submissions, forward the Planning Proposal to the Department of Planning and Environment to be made and grant delegation to the General Manager to adopt the DCP amendment in accordance with the delegations issued by the Secretary of the Department of Planning and Environment on 19 January 2015; or
 - b. if unresolved submissions are received, require a report to Council that outlines the results of the exhibition period.

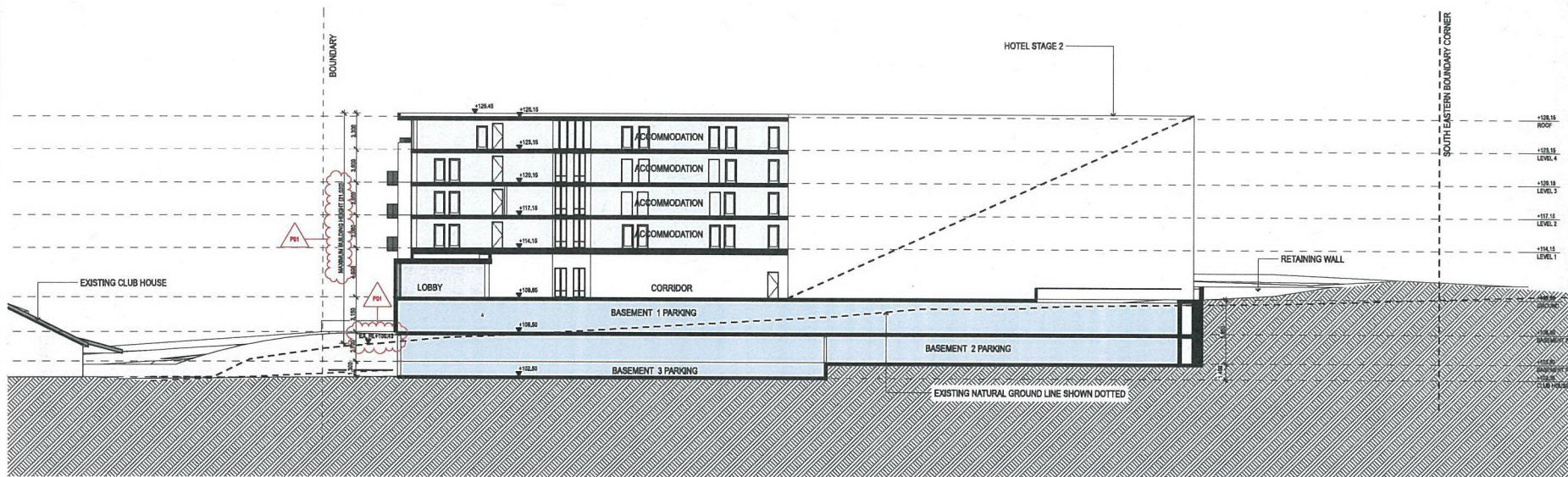
ORD52/18 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Symkowiak, Campbell, Fedeli, C Cagney, A Cagney, Farrow and Mills voted in favour of the Motion. No Councillors voted against the Motion.)

Appendix 4: Indicative Concept Plan - Proposed Hotel



1 SECTION 1
1:200



2 SECTION 2
1:200

NOTE
1. Consistent to verify all dimensions on site before any shop drawings or work is commenced.
2. Any discrepancies between drawings of differing scales or between drawings and specifications shall be referred to the architect for clarification.
3. All dimensions shall be taken in preference to scaled dimensions.
4. All dimensions shall be taken in preference to scaled dimensions.
5. This drawing is to be used in conjunction with the specification and engineers' drawings.
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REV	DESCRIPTION	BY	CHK	DATE
A01	ISSUED FOR DEVELOPMENT APPLICATION	AM	AM	10/08/2010
A02	ISSUED FOR DEVELOPMENT APPLICATION	AM	AM	10/08/2010
A03	ISSUED FOR DEVELOPMENT APPLICATION	AM	AM	10/08/2010
A04	ISSUED FOR DEVELOPMENT APPLICATION	AM	AM	10/08/2010
A05	ISSUED FOR DEVELOPMENT APPLICATION	AM	AM	10/08/2010
A06	ISSUED FOR DEVELOPMENT APPLICATION	AM	AM	10/08/2010
A07	ISSUED FOR DEVELOPMENT APPLICATION	AM	AM	10/08/2010

CLIENT
CAMDEN LAKESIDE GOLF CLUB

ARCHITECT
mostaghim & associates
12, 11 Balmuir Rd, Camden NSW 2520
Tel: 02 9333 1111
Fax: 02 9333 1112
Email: info@mostaghim.com.au

PROJECT
PROPOSED HOTEL
DEVELOPMENT

PROJECT ADDRESS
50 RABY ROAD
CATHERINE FIELD
NSW 2557

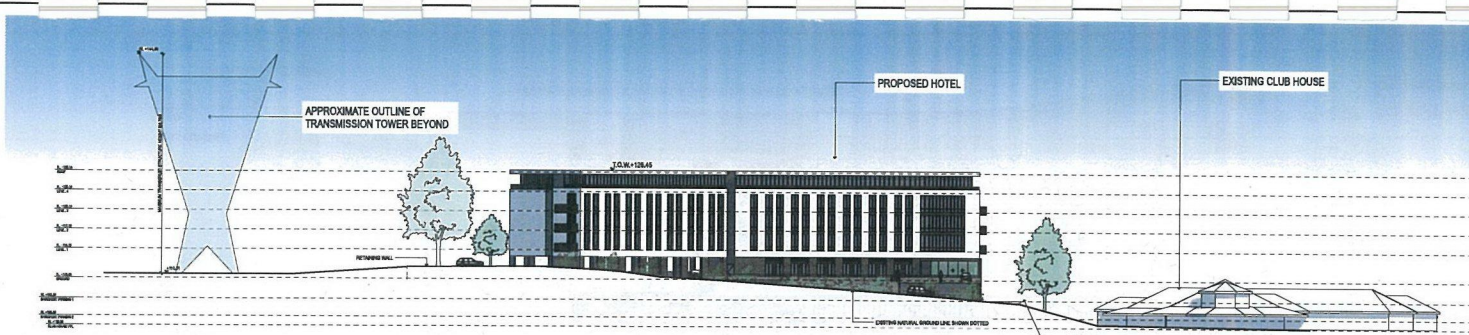
DRAWING TITLE
SECTIONS 1 & 2

50 mm ACTUAL

IF THE ABOVE DIMENSION DOES NOT MEASURE FIFTY MILLIMETRES OR MORE EXACTLY, THE DRAWING WILL HAVE BEEN ENLARGED OR REDUCED, AFFECTING ALL LABELED DIMENSIONS.

SCALE	REDUCED SCALE	NORTH POINT
1:200 @ A1		
PROJECT No.	15008	
DRAWN BY	CR	CHECKED BY
	AM	
A	DA	DA.8 A07

CLOUDED CHANGES
P01. THE MAXIMUM BUILDING HEIGHT ANNOTATION HAS BEEN AMENDED



1 STREET ELEVATION (NORTH EAST ELEVATION)
1:400



2 NORTH EAST ELEVATION
1:200



3 SOUTH WEST ELEVATION
1:200

- NOTES:
1. Contractors to verify all dimensions on site before any shop drawings or work is commenced.
 2. Any discrepancies between drawings of differing scales or between drawings and specifications shall be referred to the architect for decision.
 3. Typical dimensions to be taken in accordance to finished construction.
 4. Critical dimensions to be taken from site.
 5. This drawing is to be read in conjunction with the specifications and requirement drawings.

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REV	DESCRIPTION	BY	CHK	DATE
REV 1	ISSUED FOR DEVELOPMENT APPLICATION	AM	AM	15/08/2018
REV 2	ISSUED FOR DEVELOPMENT APPLICATION	AM	AM	15/08/2018
REV 3	ISSUED FOR PLANNING	AM	AM	15/08/2018
REV 4	ISSUED FOR PLANNING	AM	AM	15/08/2018
REV 5	ISSUED FOR PLANNING	AM	AM	15/08/2018
REV 6	ISSUED FOR PLANNING	AM	AM	15/08/2018
REV 7	ISSUED FOR PLANNING	AM	AM	15/08/2018
REV 8	ISSUED FOR PLANNING	AM	AM	15/08/2018

CLIENT
CAMDEN LAKESIDE GOLF CLUB

ARCHITECT
mostaghim & associates
12/11/2018
12/11/2018
12/11/2018
12/11/2018

PROJECT
PROPOSED HOTEL
DEVELOPMENT
PROJECT ADDRESS
50 RABY ROAD
CATHERINE FIELD
NSW 2557

DRAWING TITLE
STREET ELEVATION, NORTH
EAST & SOUTH WEST
ELEVATION

50 mm ACTUAL

IF THE ABOVE DIMENSIONS DO NOT MEASURE FIFTY
MILLIMETERS (50 mm) EXACTLY, THIS DRAWING WILL HAVE BEEN
ENLARGED OR REDUCED AFFECTING ALL LABELED SCALES.

SCALE	REDUCED SCALE	NORTH POINT
1:200@ A1		
PROJECT NO.	15008	
DRAWN BY	CR	AM
CHECKED BY		
DATE	DA	DA.9 A08

CLOUDED CHANGES
P01. THE MAXIMUM BUILDING HEIGHT ANNOTATION HAS BEEN AMENDED

Appendix 5: Justification for Increase to Building Height

08 MAY 2017

To Whom It May Concern,

This letter of justification outlines the benefits of the proposed hotel design for **50 Raby Road Catherine Field, NSW 2557.**

Mostaghim & associates is an architecture firm based in Sydney who specialize in hotel design and refurbishment. We have designed and constructed over a dozen hotels all over Australia and are extremely experienced in the field. In our professional opinion it is considered uneconomical, cost-prohibitive and dysfunctional to construct a hotel one or two stories high and spread out to incorporate the same room count as the proposed scheme.

The proposal takes into account the requirements for parking, drop-off zones, landscaping and pathways, open space and public areas. Given the sites constraints a hotel that adheres to the height of building limit with a similar room count would not fit within the existing boundary and provide sufficient area for these requirements.

Furthermore for a hotel to run efficiently it needs to have numerous levels of identical rooms easily accessible by a lift for housekeeping and cleaning. Having a building that is spread out significantly increases the inefficiency in servicing rooms due to the time spent traveling from room to room.

From our experience it takes 1 maid to service between 20-30 rooms a shift in a higher hotel with easy access to lifts and facilities where as in a more spread out hotel a maid can only service up to 12 rooms a shift. To maintain this standard with the proposed designs room count the hotel would have to employ 11 maids compared to 4.

Constructing a hotel that is more spread out can also cost up to 20% more both during construction and maintenance. A hotel that is requires additional wastage systems, piping, electrical facilities and labour services. A wider spread hotel also requires more accessible points and pathways, which detracts from possible public open space

The RACV hotel in Torquay is a primary example of a hotel similar in design. The hotel is also located in close proximity to a golf course and is 5 identical levels high. The design scheme had the opportunity to spread out over the site, however by creating a higher hotel they have been able to maintain an efficient balance between built area, private and public open space and landscaping. The Pepper Sands in Torquay also demonstrates these design strategies.

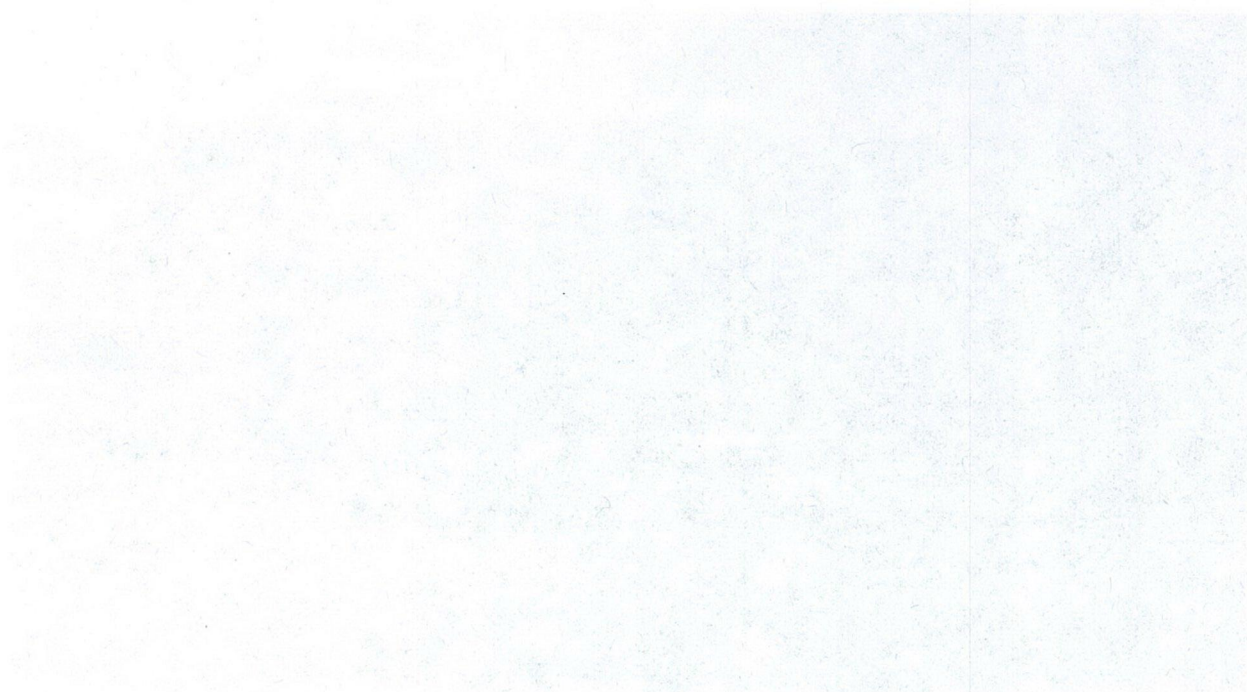
Mostaghim & associates have articulately designed the proposed design scheme with regards to the above points. The proposal is of high architectural quality and is the most appropriate response to the hotel brief.

Yours faithfully,

Ashkan Mostaghim
Director

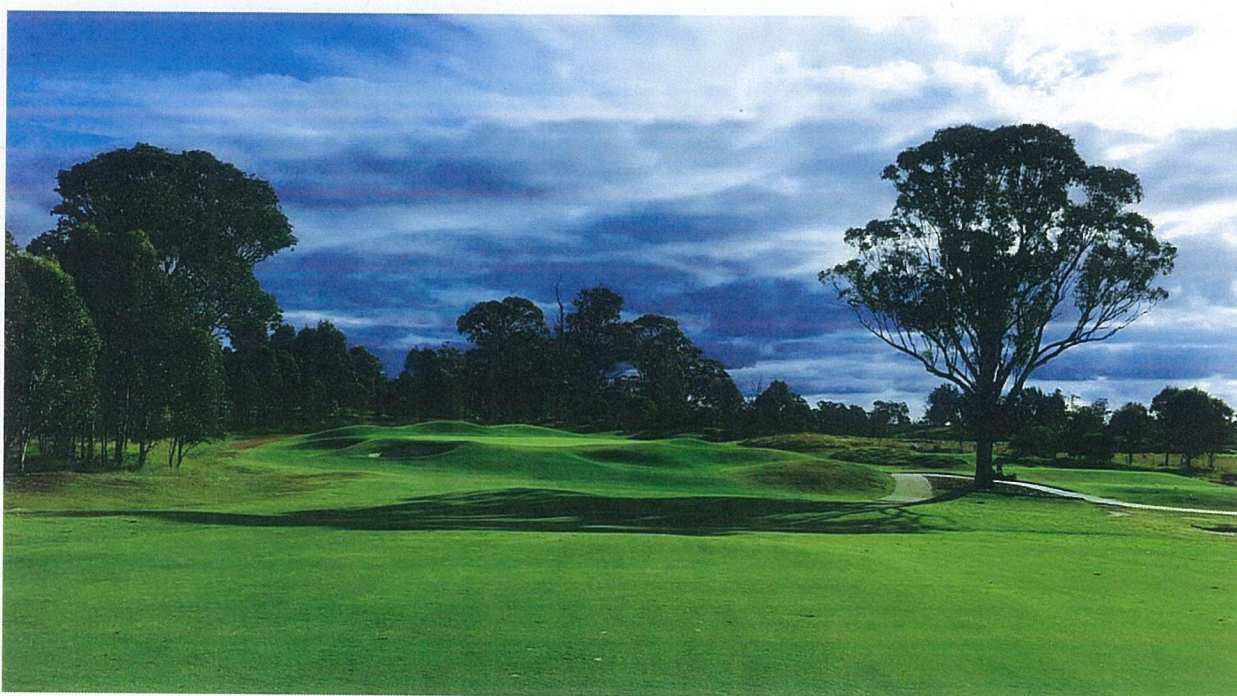


Appendix 6: Landscape and Visual Impact Assessment prepared by RPS (February 2018)



Landscape and Visual Impact Assessment

Lakeside Golf Club – Camden NSW
Proposed Hotel Development



Prepared by



RPS Australia East Pty Ltd

Feb 2018

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In preparing this report we have made certain assumptions. We have assumed that all information and documents provided to us by the Client or as a result of a specific request or enquiry were complete, accurate and up-to-date. Where we have obtained information from a government register or database, we have assumed that the information is accurate. Where an assumption has been made, we have not made any independent investigations with respect to the matters the subject of that assumption. We are not aware of any reason why any of the assumptions are incorrect.

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Document Status

Version	Purpose of Document	Purpose of Amendment	Orig	Review	Review Date
1	Draft		KP	ST/MS	04.08.2016
2	Draft for review		KP	ST	08.08.2016
3	Draft for review		BE	RG	23.12.2016
4	Final		BE	RG	04.04.2017
5	Final		BE	MD	22.11.2017
6	Final	Change Lot and Plan numbers	BE	MD	20.02.2018

Approval for Issue

Name	Signature	Date
Ben Ewins		20180220

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Executive Summary

The visual impact assessment has been prepared by RPS on behalf of NPH for a proposed hotel (the Proposal) at the Lakeside Golf Club - Camden in Catherine Field, 50A-50C Raby Road. The assessment process included a review of; aerial photography, contour maps, Camden Council's DCP, computer generated images (CGI) and detailed field inspections.

Six key viewpoints were identified by Camden Council and reviewed as part of the assessment for the hotel and development in relation to the existing visual and landscape character and to assess the visual impact of the Proposal within the existing landscape and visual context.

The study found that while there are opportunities to view the Proposal from the identified locations, visual impacts generally range from low to negligible due to a range of factors including existing trees, land form and distance.

The view of the proposed hotel from the Gledswood Ponds area is assessed as being a Moderate-Low visual impact largely due to the relative proximity of visual receivers, the sensitivity of the view, the magnitude (scale) of the development and the change to the amenity of the view expected as a result of the development.

The proposed hotel development should be considered within the broader existing visual context which contains large scale, utility infrastructure as well as a more suburban character created by the current and future residential developments occurring at the Hermitage, Crest and Emerald Hills.

In light of the findings in this report, the anticipated visual impacts that will be created by the Proposal are considered to be acceptable for the area.

The use of screen planting in strategic locations, and facade treatments, could further minimise the visual impacts on the identified surrounding locations.

1.0 Introduction

RPS has been engaged to prepare a visual impact assessment (VIA) on behalf of the NPH for a proposed hotel development (the Proposal) at the Lakeside Golf Club - Camden (LGCC) in Catherine Field a suburb southwest of Sydney.

The study area is located at 50A-50C Raby Road approx. 10 kilometres southwest of Liverpool, 5 kilometres north-west of Campbelltown and 60 kilometres south-west of the Sydney CBD, Refer also Figure 1.

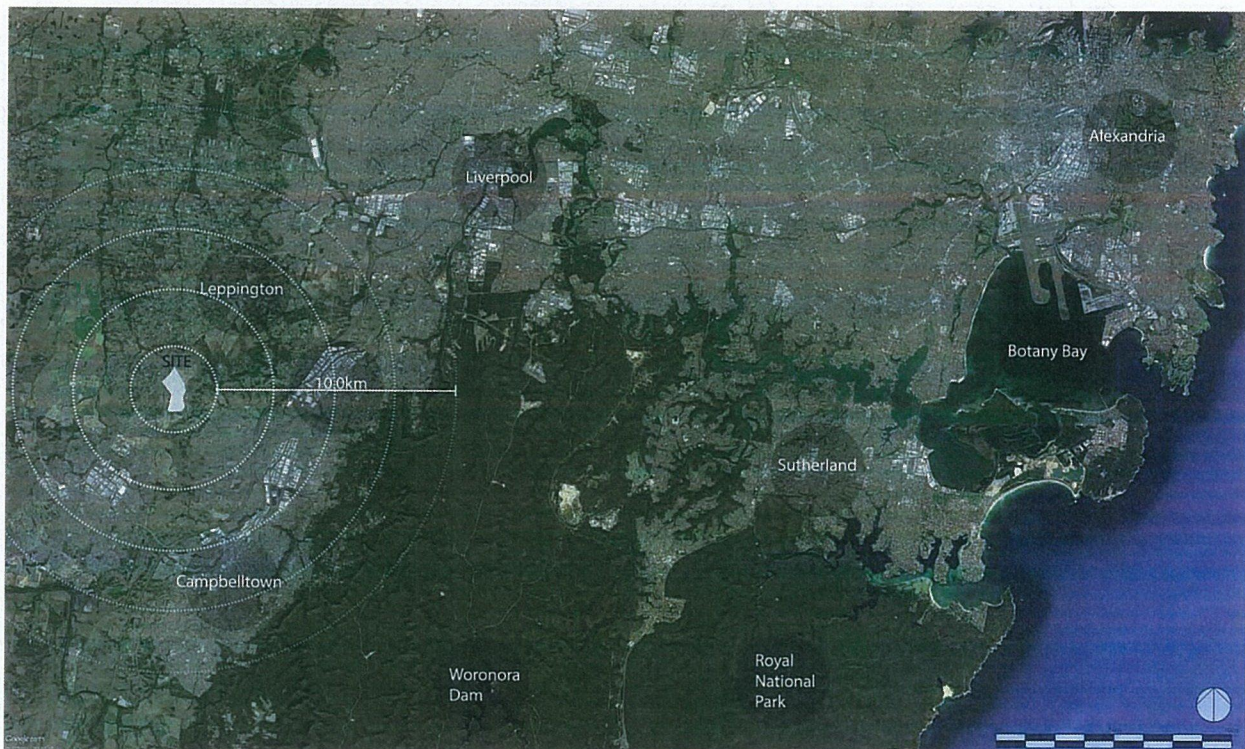


Figure 1 - Location Map

1.2 Background

NPH currently operate the Lakeside Golf Club Camden (Lot 50 / DP 1221870) and is looking to develop a Hotel on the site. The development is within Camden Council Local Government Area (LGA) and is subject to Council's planning controls. The current design for the proposed hotel development is beyond the height limitation as designated in the LEP for the site. The proposed hotel development height is 22 metres, however the Camden LEP for the site limits development to 9.5 metres.

1.3 Purpose of the Report

This visual assessment and related Computer Generated Images (CGI) are being undertaken to assess the visual impacts from six key viewing locations. These viewpoints were identified by Camden Council and have been prepared to provide the basis for discussion regarding opportunities for modifications to existing planning conditions, provide additional planning options for consideration and mitigation measures that may assist in creating successful and agreed planning and design outcomes.

This assessment also considers the existing and expected future context of the LGCC site and surrounding areas.

1.4 Methodology Summary

The following is a summary of the methodology employed for the visual assessment. The primary objective of this study is to evaluate and determine the potential visual significance of the Proposal on people living, working or recreating in the surrounding areas.

The following methodology is used and involved;

- Consideration of the original visual impact assessment prepared by LFA Associates in 2006.
- A preliminary contextual analysis involving a site visit, character study for the area.
- Description and evaluation of the existing landscape character and visual environment in order to establish a baseline for the visual assessment.
- Preparation of CGI's for 6 identified view locations to assist with assessment.
- Visual impact assessment considering visual **sensitivity** (of the viewpoint) and the **magnitude** of the visual change, to arrive at an overall level of effect or impact.

1.5 Key Terms

The following key terms and definitions are used in the in the visual assessment and are key to understanding the report.

Sensitivity

Visual sensitivity refers to the character of a setting, the quality of the view, and how sensitive it is to the proposed change. Combined with magnitude, sensitivity provides a measure of impact. Visual sensitivity relates to the direction of view and the composition of the view.

A judgement has been made as to the quality of the landscape, its cultural importance to the community, scenic quality, and overall composition of the place and its inhabitants. The following sensitivity judgements have been used as the basis for this assessment:

- Places with high social, recreational, and historical significance to local residents have higher sensitivity.
- Generally, water and natural environments are more highly valued than modified areas, though views over rolling farmland are still highly valued.
- Areas of unique scenic quality have higher sensitivity.
- A pristine environment would have greater sensitivity with less ability to absorb new elements in the landscape than modified landscapes or those areas with contrast and variety of landscape types.
- The number and frequency of viewers effects sensitivity, with retail, residential and open space viewers generally more sensitive than workers and motorists.

Magnitude

The magnitude of a visual effect is the degree of change the visual landscape undergoes as a result of the proposed development. It is the measurement of the overall scale, form and character of a development proposal when compared to the existing condition. Magnitude also takes into consideration the distance between the viewer(s) and the proposal. Judging the magnitude of visual effects takes account of;

- The scale of the change within the view with respect to the addition (or loss) of elements in the view and

change to its composition. This includes the proportion of the view that is taken up by the proposed development.

- The degree of change and/or integration of any new features or changes in the landscape in terms of form, scale and mass, line height, colour and texture.
- The nature of the view of the proposed development and whether the views are permanent, full, partial or glimpses.

A high magnitude results if the project is a major development or piece of road infrastructure and contrasts highly with the surrounding landscape, or entails heavy modification of the existing landscape, for example, the large scale removal of existing vegetation. A moderate magnitude rating would result if the project is moderately integrated into the landscape. A low magnitude rating would occur if the project is of a small scale and integrates well into the landscape.

The magnitude impact rating also considers whether the project has a positive or negative impact on the landscape character of the zone. For example, a project may be of a large scale but may provide beneficial outcomes such as increased open space, enhancement of the areas 'sense of place', and better connectivity and a safer road environment.

Visual Absorption Capacity

The concept of Visual Absorption Capacity (VAC) relates to an estimation of the capacity of the landscape to absorb development without creating significant visual changes resulting in a reduction in the existing scenic quality. The capacity to absorb development is primarily dependent on vegetation cover, landform and the presence of other development.

Landscapes with a low visual permeability have higher capability for visual absorption. Landscapes that are complex, such as ones that include a mix of scale, forms and lines and screening vegetation also have high visual absorption capability.

1.6 Visual Assessment Grading Matrix

The matrix below is used in chapter 4 in order to provide a visual impact rating by combining values for sensitivity and magnitude in order to establish a visual impact rating.

		Magnitude			
		High	Moderate	Low	Negligible
Sensitivity	High	High Impact	High-Moderate	Moderate	Negligible
	Moderate	High-Moderate	Moderate	Moderate-low	Negligible
	Low	Moderate	Moderate-Low	Low	Negligible
	Negligible	Negligible	Negligible	Negligible	Negligible

Figure 2 - Visual Impact grading Matrix, Roads and Maritime Services NSW (2013)

1.7 Scope and Limitations

This assessment is intended to be an objective report based on professional analysis of the proposed current design. It seeks to establish the anticipated visual impacts of the proposal on a wide range of viewers. The assessment has been undertaken based on information provided by others and therefore must make conclusions based on certain assumptions regarding the design. Wherever possible, these assumptions are stated in the report.

The services undertaken by RPS under the Contract in connection with preparing this report were limited to those specifically detailed in the Contract and this report and are subject to the scope limitations set out in the Contract and this report.

Other than as expressly stated in this report to the contrary, the opinions, conclusions and any recommendations in this report are based on conditions encountered and information reviewed at the date of preparation of the report. RPS has no responsibility or obligation to update this report to account for events or changes occurring subsequent to the date that the report was prepared.

The opinions, conclusions and any recommendations in this report are based on assumptions made by RPS described in this report. RPS disclaims liability arising from any of the assumptions being incorrect.

2.0 Proposal Overview

The following is a summary description of the Proposals noting the main features that relate to this visual assessment. This summary provides an overview of those elements that may impact on the surrounding visual environment.

2.1 The Proposal

The NPH is proposing to develop a seven-storey hotel that comprises of 5 levels; 1 ground floor and 4 upper levels, and 2 basement levels sitting below the ground floor. The hotel is north of the existing lake near the existing club house and car park. The Proposal and surrounding key developments are shown in Figure 3.

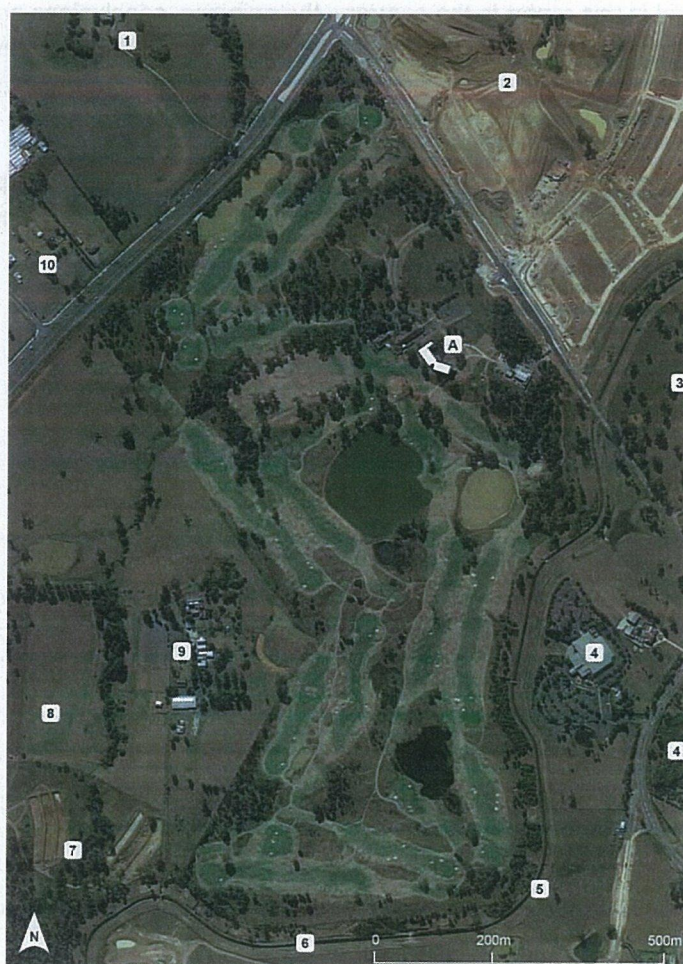


Figure 3 - Location and Context

KEY

- | | |
|--|---|
| 1. Raby House | 6. "Crest" residential development |
| 2. "Emerald Hills" residential development | 7. Gledswood Ponds |
| 3. Rural private residential properties | 8. The Hermitage - future residential and golf course |
| 4. Assembly Hall of Jehovah's Witness | 9. Gledswood Homestead |

5. Existing Water Canal

10. Rural private residential and agricultural properties

A. Proposed Hotel Development

The timing and staging of the implementation of the Proposal is not known but would be subject to a range of factors including but not limited to; funding, access and planning approval.

2.2 Hotel

The proposed design of the Hotel development is indicated in Figure 4 below – Proposed Hotel Artist Impressions. RPS has produced the renders below from a 3D model provided by the project architect. The hotel footprint resembles an L shape to take advantage of views to the lakes west of the proposal. Five stories in height, the façade is articulated with columns and windows which provide an overall broken appearance. The roof is entirely flat, which keeps the overall height of the structure low at 21.26m above the existing ground level, although the maximum building height may be 22.0m to allow for services / overruns.

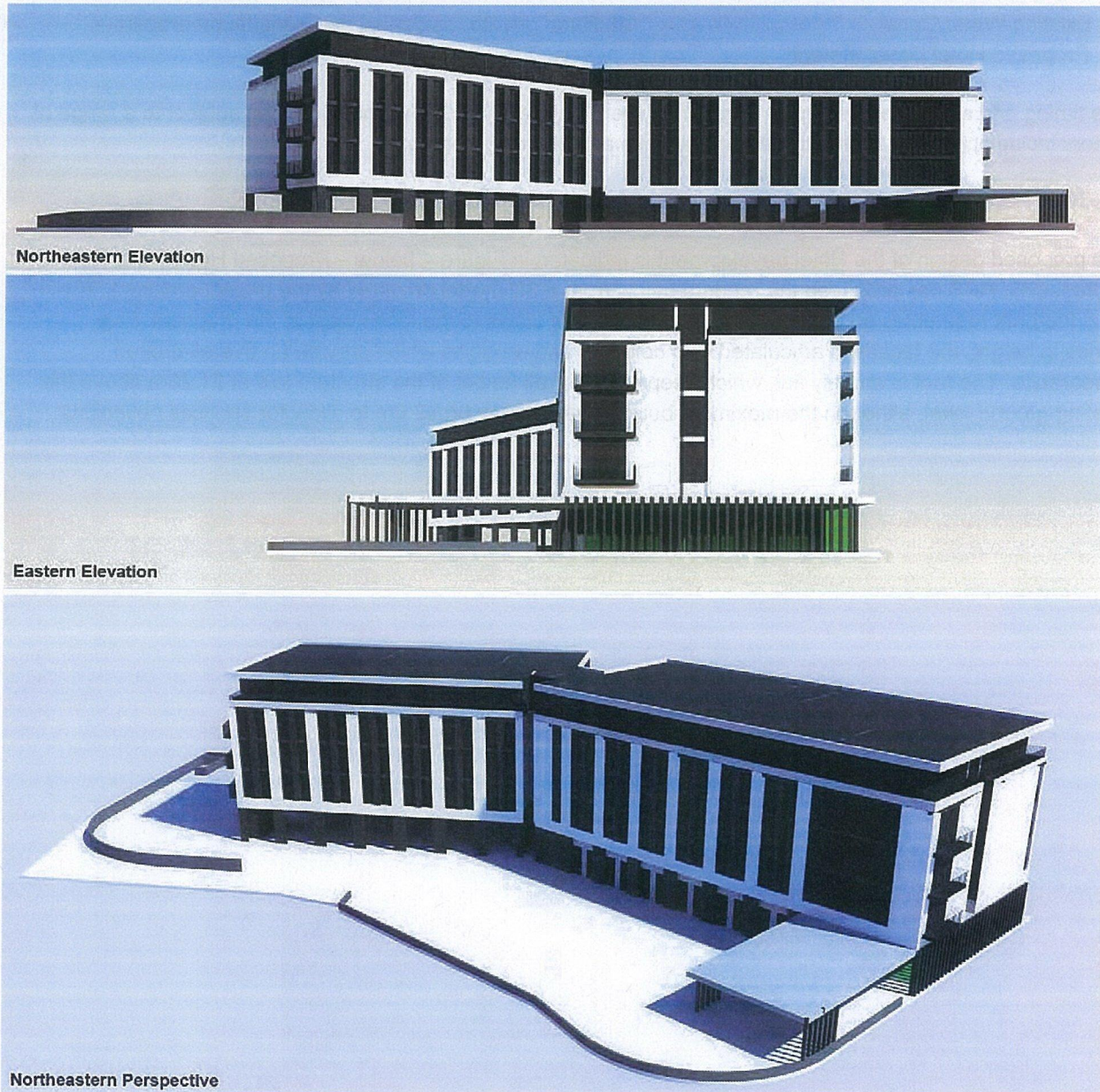


Figure 4 - Proposed Hotel Artist Impressions

3.0 Contextual Analysis

The following chapter reviews the study area's main urban and environmental characteristics. An understanding of the local context provides the basis for the understanding of the existing landscape context and visual baseline.

3.1 Site

LGCC is an 18 hole golf course set in a rural area with gently undulating terrain with remnant native (Eucalyptus species) trees dispersed around the site, refer also Figure 5. There is also a permanent water body, a "Lake" which contributes to the overall aesthetic of the golf course and club. The existing club house building consists of a restaurant, conference facility and pro-shop.



Figure 5 - Lakeside Golf Club Camden views

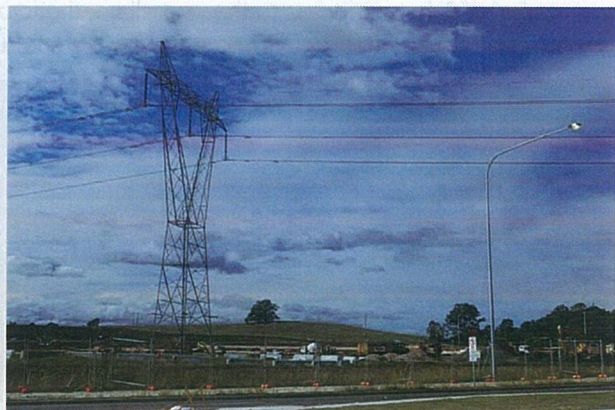
3.2 Local Context

The below images show the key physical elements surrounding the LGCC to help illustrate the surrounding landscape character and context.

The area is characterised by rural farmland and large lot, private rural properties. Camden Valley Way provides a major vehicle connection to the north and south just west of the site. The area is also known for sport and recreation with other golf facilities in the area such as the Country Club Camden Valley, Macarthur Grange Country Club and the Camden Golf Club. Areas to the north, south and west of the LGCC are currently being developed into low density suburban residential development.



Emerald Hills Residential Development



Raby Road looking north

The Assembly Hall of Jehovah's Witness, to the east of the site, contains a hall with coach drop off, car parking area, proprietor's residence and ancillary structures as well as maintained lawn and garden areas.



Assembly Hall of Jehovah's Witness coach arrival



Assembly Hall of Jehovah's Witness



View north of the "Crest" residential development and wider landscape

A historic water canal, known as "Upper Canal", found to the east and south of the site is listed under Schedule five as a NSW State Heritage item.



Upper Canal bridge



Upper Canal looking west



View north from former Caballo Blanco site



Country Club Camden Valley

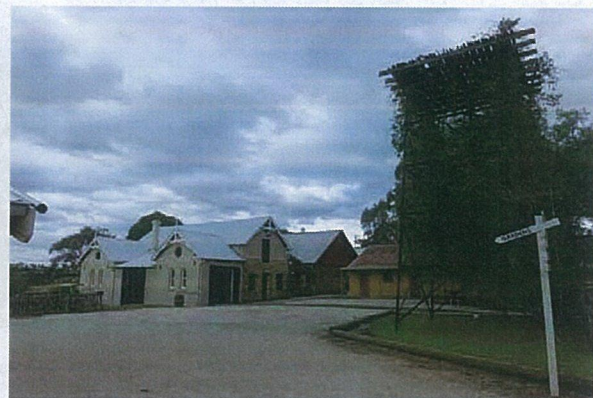


View south from Country Club Camden Valley car park

Gledswood Homestead and Raby House are west and northwest respectively. Gledswood is an authentic Australian colonial farm with many of its original buildings that date from the early 1800's.



Gledswood Homestead



The area to the west of Camden Valley Way consists of a predominantly rural character.



View East from Raby House

3.3 Planning Context

The LGCC contains a number of different land use zoning designations including R1 General Residential, RE2 Private Recreation and E2 Environmental Conservation. The proposed Hotel is contained within Lot 50 DP1221870 and has an overall area of 33.97 hectares.

The maximum building height limit under the Camden Local Environmental Plan 2010 (CLEP 2010) is 9.5 metres (Area J), refer also Figure 6. This height limit applies to other R1 zoned areas of the LGCC site, with the exception of areas just north of the Proposal which permits building heights of 12.5 metres.

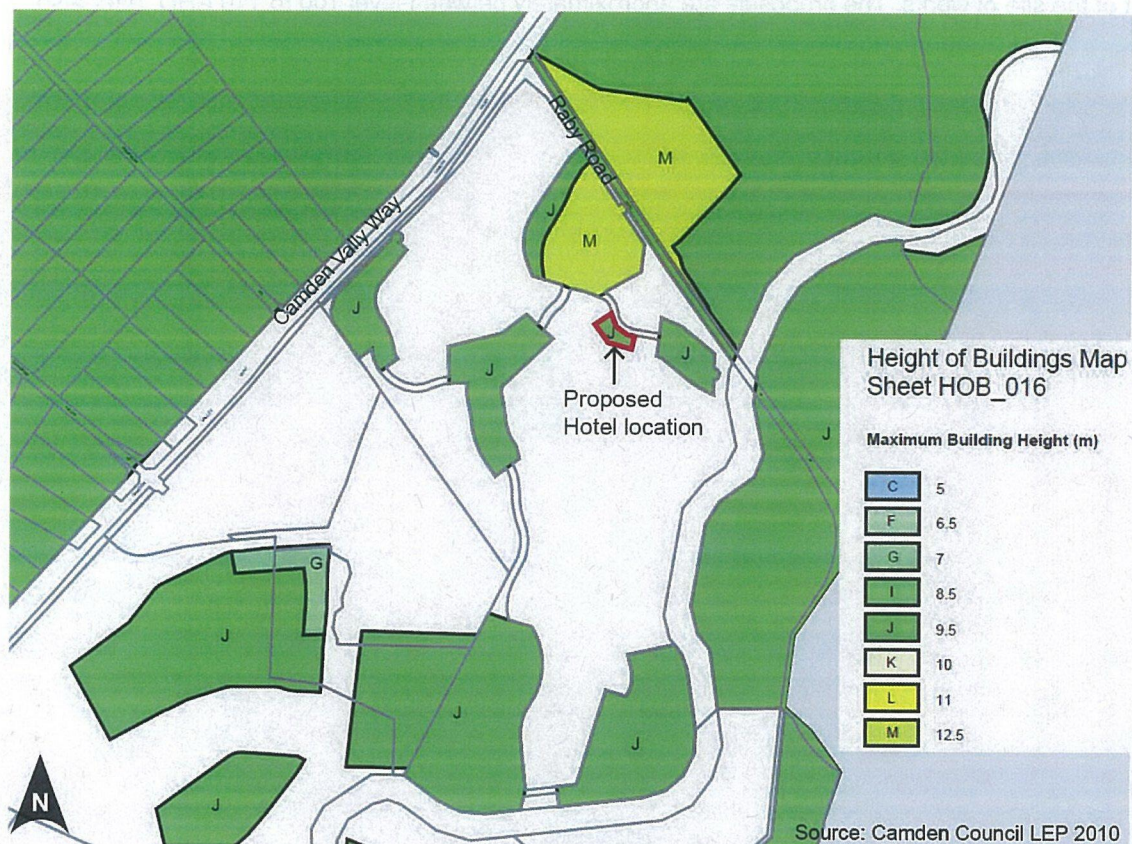


Figure 6 - LEP 2010 HOB and Proposed Hotel Location (NTS)

3.4 Topography

The site of works and surrounding areas include ridgelines and rolling hills within the visual context of the Greater Blue Mountains approximately 21 kilometres to the west. The topography of the site of works and surrounding area is typical of the Cumberland Plains, consisting of gently rolling foot hills with local relief of 90-140 metres. Slopes are generally less than 5 percent but sometimes to 10 percent and occasionally between 10-30 percent.

A ridge line running east-west and extending north with a high point of 140 metres AHD occurs to the south and east of the site of works. The proposals are approximately between level 100 to 110 AHD, refer also Figure 7.

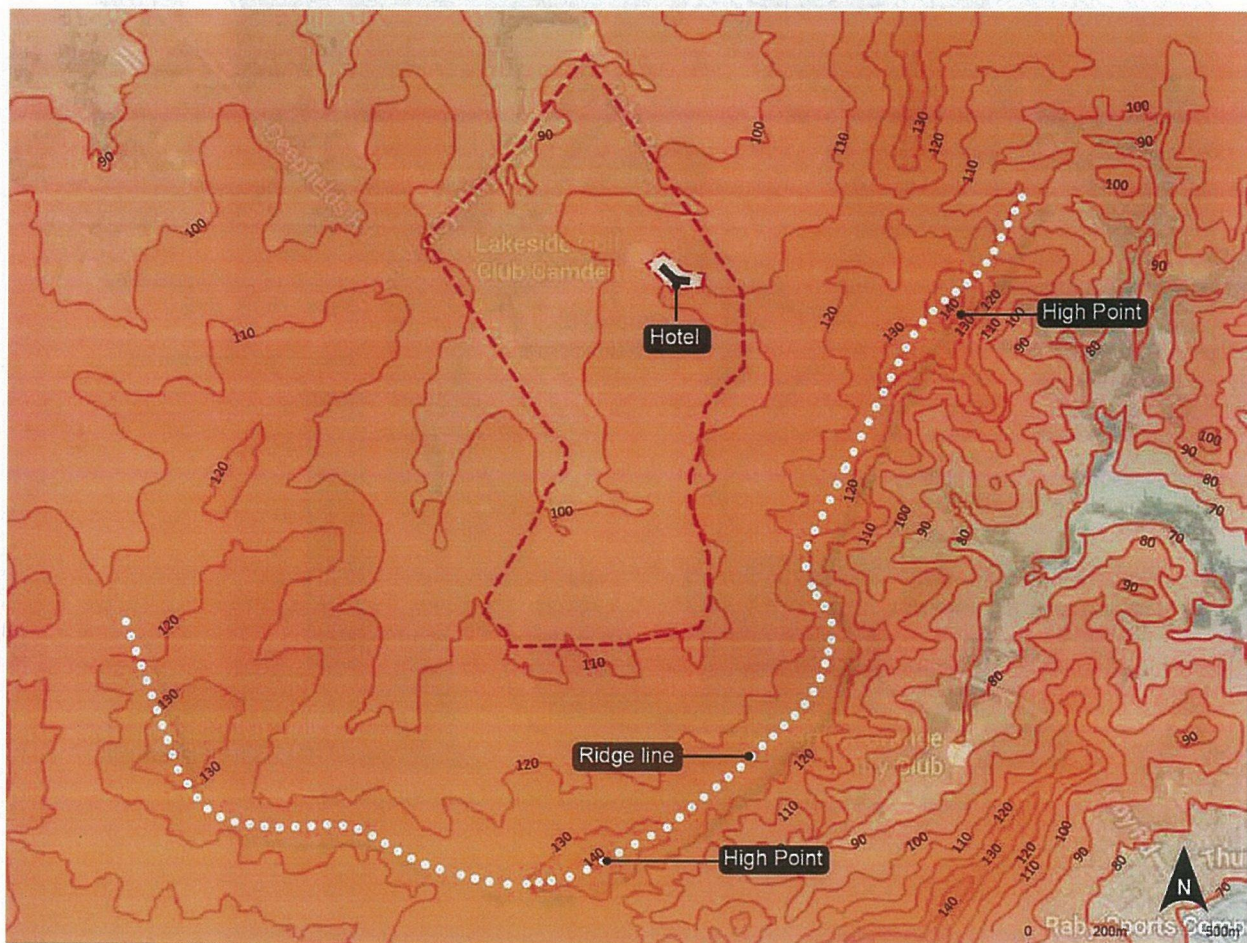


Figure 7 - Existing Landform

3.5 Surrounding Development

Areas to the north, west and south of the LGCC are currently undergoing significant evolution from a primarily rural landscape to a highly urban environment. Land release areas are being developed for (primarily) residential housing to the north and south. To the east there are current planning proposals that have been endorsed by Council to rezone land from rural uses to transitional large lot residential or medium density development. There is also a golf course indicated to the west as part of the Future Hermitage estate development.

Figure 8 is a composite of existing satellite aerial imagery overlain with masterplans obtained from website information for each of the proposed developments.

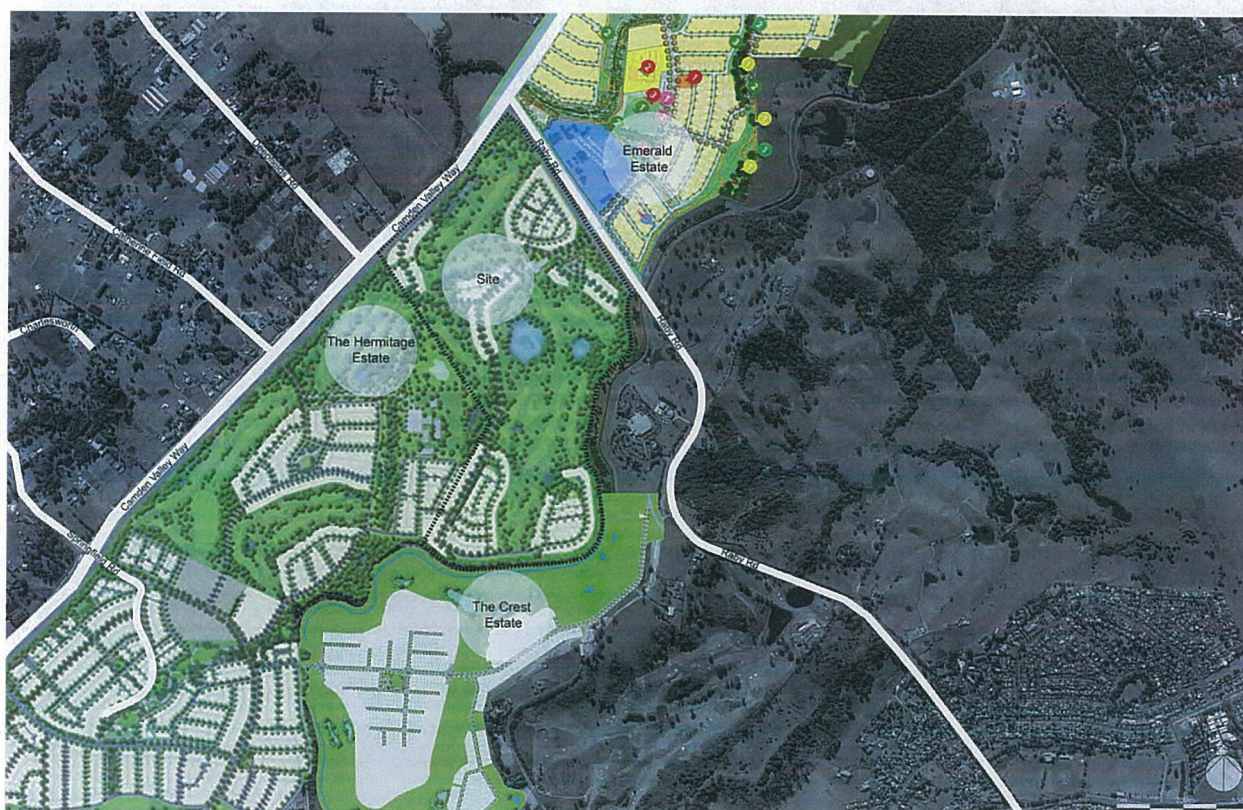


Figure 8 - Surrounding Development

The diagram indicates that surrounding areas will undergo significant changes to the landscape character from its existing rural character to a suburban character. The extent of changes to the landscape is significant as the surrounding landscape setting should be considered with regards to the proposed development at the LGCC.

3.6 Vegetation & Topography

The sections below highlight the relationship between the localised topography, vegetation and the proposal. The golf course sits in a dished site with variable topography, and the proposal is to be positioned on a higher hillside area adjacent Raby Road. There is a significant number of tall (estimated 15-35m height) native trees in the property and to its outskirts, an effective visual barrier to development within the site. Although the proposal is approx. 22.0m height, the existing vegetation will minimise potential visual impacts.

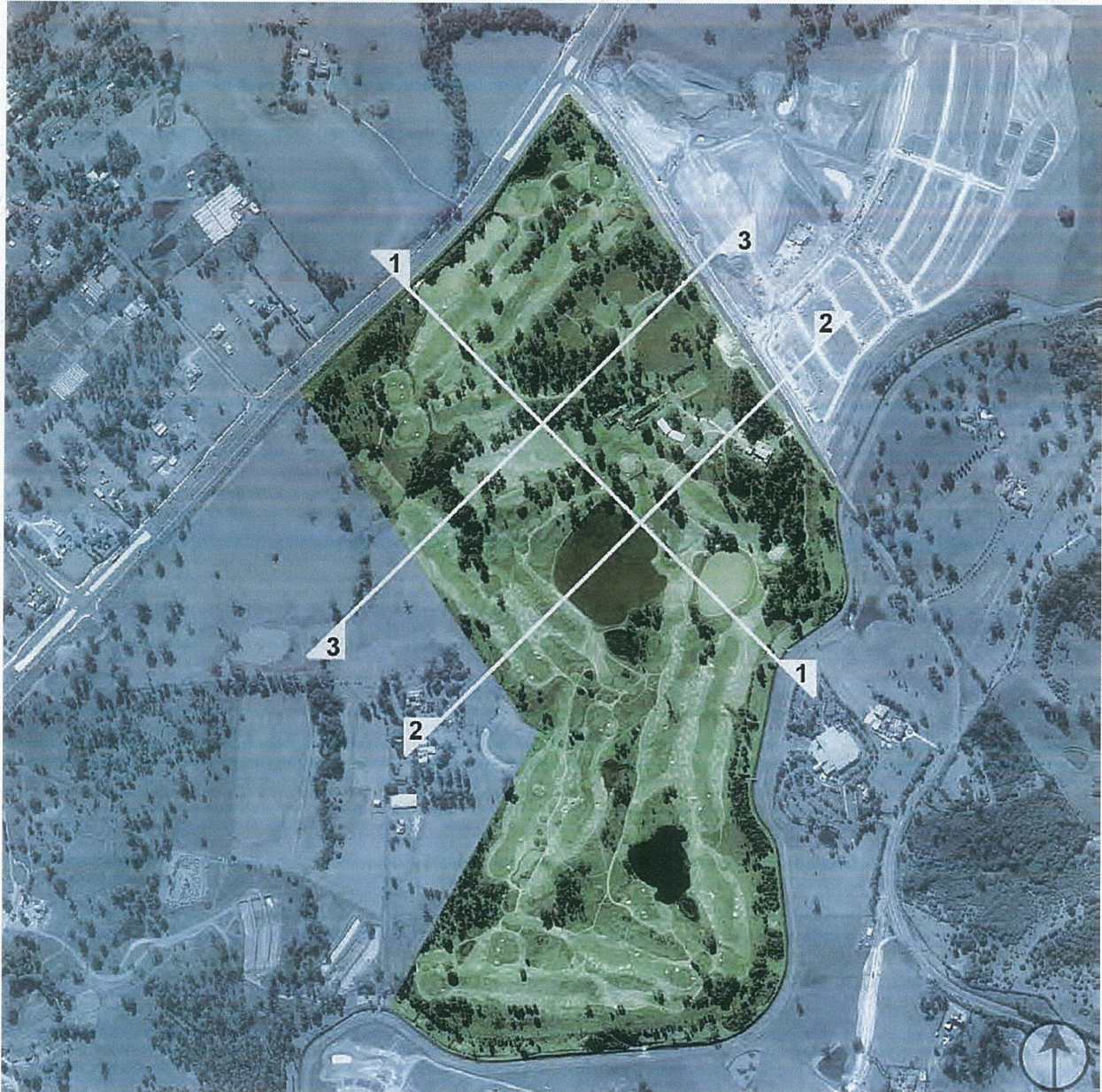


Figure 9 – Map: Location & direction of sections.



Figure 10 – Section 1: Looking northeast towards proposal.



Figure 11 – Section 2: Looking northwest towards proposal.



Figure 12 – Section 3: Looking southeast from within the golf course towards proposal.

4.0 Visual Impact Assessment

The Visual Impact Assessment (VIA) evaluates the potential visual impact of the proposed hotel development. The assessment is designed to document the existing landscape character and to establish the degree of potential visual change resulting from the proposal. The methodology adopted for the VIA involves a number of tasks and fieldwork to effectively communicate the foreseeable influence of the development. These methodologies have been outlined in following chapters.

4.1 VIA Structure

This visual impact assessment (VIA) has been structured to consider past and present data/information. As a result, the report assesses a total of 23 different proposal viewpoints, as summarised below:

- 13 viewpoints from a Landscape & Visual Assessment report completed in 2006 by the firm LFA.
- 12 new viewpoints, 6 of which were included due to the expected level of exposure to the proposal. The balance of 6 viewpoints have been included due to concerns raised by Camden Council.

4.2 Revisiting the 2006 LFA Report: Landscape & Visual Assessment

In 2006 LFA was contracted by Camden Council to develop a Landscape & Visual Assessment (titled, “Camden Lakeside & Gledsworth Rezoning”). The report was commissioned to evaluate the existing visual qualities of the area & properties surrounding the golf course in lieu of prospective development. Therein, the LFA report identified 13 key viewpoints as represented in Figure 9 on the following page.

In this section of the report, the LFA viewpoints are revisited & assessed against the current physical environment. This is done to determine the level of change which has occurred in the area since 2006, and thus evaluate the present-day visual impact of each viewpoint.

The original 13 viewpoint photos have been included in this report, along with present-day viewpoint photos to provide a measure of difference, assessing general development in the area, and the growth of view-mitigating vegetation over time. For each viewpoint a description has been included to discuss any changes within the context of the hotel development proposal. Table 1 - Summary of LFA Viewpoints Assessment outlines the results.

4.3 Original LFA Viewpoint locations

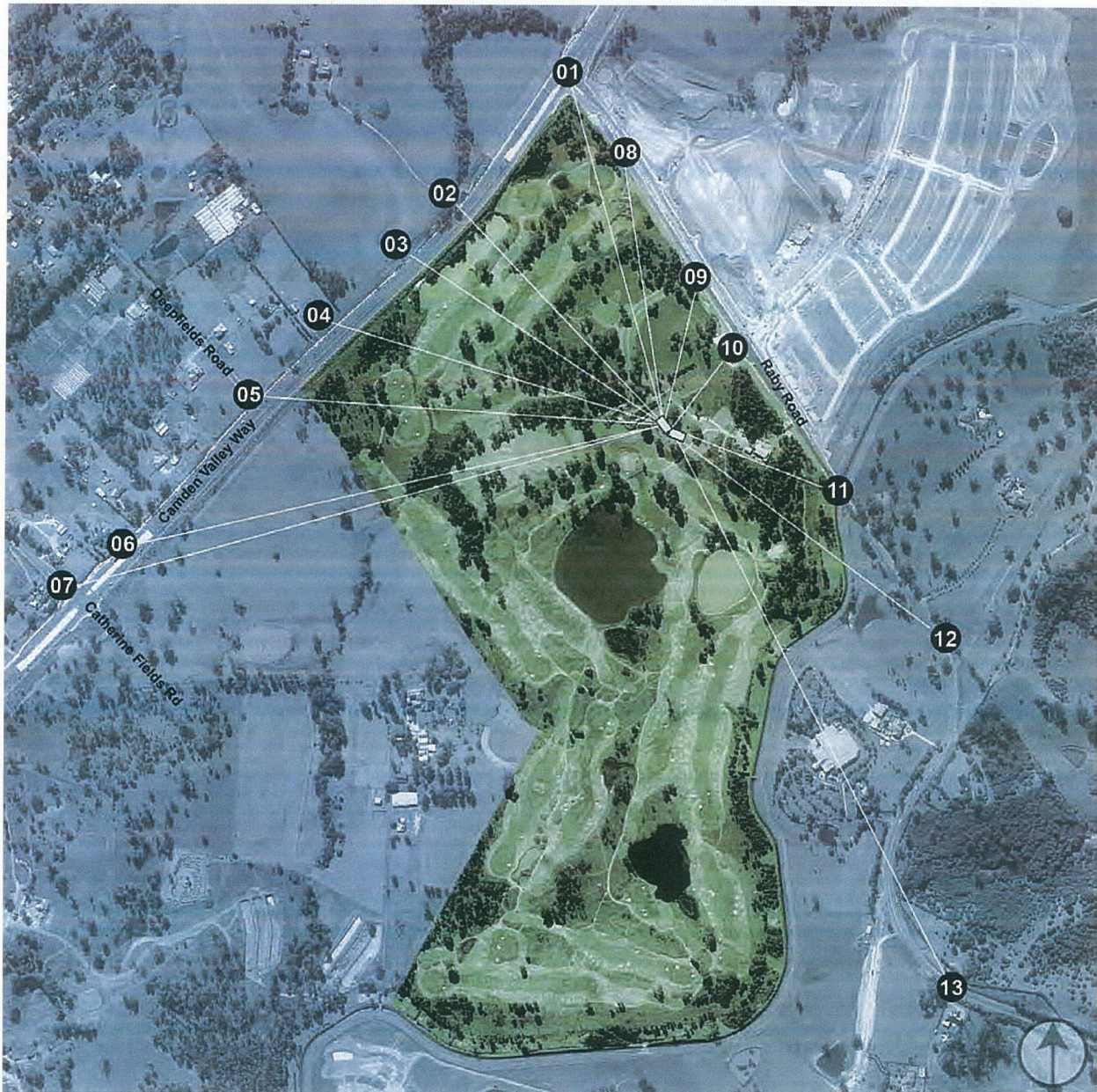


Figure 13 – 2006 LFA Viewpoint locations

**Care has been taken to determine the exact location of the original viewpoints, however without accurate GPS coordinates some minor variation is expected. RPS will not be held accountable for any losses arising from these discrepancies.*

4.4 Viewpoint 1 – Corner of Raby Road & Camden Valley Way

Although both roads have been upgraded/widened, the original pocket of vegetation to the corner of Raby Road and Camden Valley Way has matured, providing a visual barrier to any development within the golf course. Additional vegetation has been planted to the verge which will further bolster this vegetation buffer.

Figure 14 – Viewpoint 1 2006 & 2016 images



4.5 Viewpoint 2 – Adjacent No.1025 Camden Valley Way

When Camden Valley Way was upgraded/widened, it's evident that some of the roadside / foreground vegetation was removed. Additional plantings have occurred, particularly to the verge, resulting in a significant level of screening.

Figure 15 – Viewpoint 2 2006 & 2016 images



4.6 Viewpoint 3 – Adjacent No.1025 Camden Valley Way

The Camden Valley Way upgrade forced the removal of some taller roadside vegetation. However, a significant extent/range & quantity of mature vegetation has become established providing broken views into the golf course. Where gaps in the vegetation exist, it's possible to plant additional screening vegetation.

Figure 16 – Viewpoint 3 2006 & 2016 images



4.7 Viewpoint 4 – Adjacent No.963 Camden Valley Way

Much of the original vegetation coverage & density remains. The random position of the mature vegetation provides minimal, broken views into the golf course.

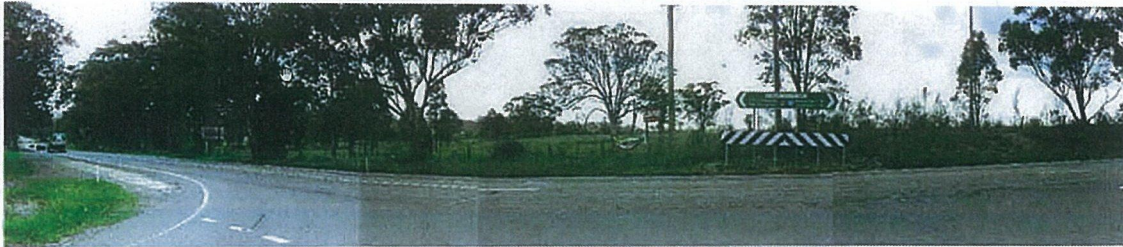
Figure 17 – Viewpoint 4 2006 & 2016 images



4.8 Viewpoint 5 – Corner Deepfields Rd & Camden Valley Way

There has been a significant increase in the extent and density of the vegetation buffer which is currently providing a much higher degree of visual blockage.

Figure 18 – Viewpoint 5 2006 & 2016 images



4.9 Viewpoint 6 – Adjacent No.915 Camden Valley Way

Although Camden Valley Way has been upgraded/widened, much of the original roadside vegetation remains and has in many cases further matured. Additional landscaping along the road has created a greater degree of visual blockage.

Figure 19 – Viewpoint 6 2006 & 2016 images



4.10 Viewpoint 7 – Corner of Catherine Fields Road & Camden Valley Way

Many of the original large mature trees remain. The topography in this location, along with the vegetation provided broken views into the valley. Additional plantings here would assist in screening the proposal from view, particularly from the entry into Gledswood.

Figure 20 – Viewpoint 7 2006 & 2016 images



4.11 Viewpoint 8 – Adjacent No.2179 Camden Valley Way

The widening of Raby Road forced the removal of some foreground vegetation, however the remaining vegetation has matured and resulted in a strong perimeter buffer. In places between Viewpoint 8 and 9 there are clear views into the property, additional buffer plantings may be required.

Figure 21 – Viewpoint 8 2006 & 2016 images



4.12 Viewpoint 9 – Golf course Driveway Entry

There has been a negligible change in the visual qualities to the entrance of the golf course.

Figure 22 – Viewpoint 9 2006 & 2016 images



4.13 Viewpoint 10 – Approx. 150m East Of Golf Course Driveway Entry

There has been a significant level of foreground vegetation removal close to Raby Road, which has allowed clearer views into the property. Buffer plantings may be required to prevent views to the proposal.

Figure 23 – Viewpoint 10 2006 & 2016 images



4.14 Viewpoint 11 – Eastern Corner of Golf Course

There has been a significant level of foreground vegetation removal close to Raby Road, which has allowed clearer views into the property. However, the staggered nature of the existing vegetation prevent significant views to the proposal.

Figure 24 – Viewpoint 11 2006 & 2016 images



4.15 Viewpoint 12 – Adjacent No.100 Raby Rd

There has been an increase in the degree of mature foreground vegetation close to Raby Road, contributing to visual barrier into the property.

Figure 25 – Viewpoint 12 2006 & 2016 images



4.16 Viewpoint 13 – Adjacent No.182 Raby Rd

There has been a negligible change in the visual quality. Much of the existing vegetation remain, providing a strong visual barrier to the proposal.

Figure 26 – Viewpoint 13 2006 & 2016 images



Viewpoint	Location	Approx. Distance from Proposed Development	Current Rating
1	Corner of Raby Road & Camden Valley Way	670m	Negligible
2	Adjacent No.1025 Camden Valley Way	590m	Negligible
3	Adjacent No.1025 Camden Valley Way	620m	Negligible
4	Adjacent No.963 Camden Valley Way	700m	Negligible
5	Corner Deepfields Rd & Camden Valley Way	805m	Negligible
6	Adjacent No.915 Camden Valley Way	1080m	Negligible
7	Corner Catherine Fields Rd & Camden Valley Way	1185m	Moderate
8	Adjacent No.2179 Camden Valley Way	530m	Moderate
9	Golf course driveway entry	280m	Negligible
10	Approx. 150m East of golf course driveway entry.	250m	Moderate
11	Eastern corner of golf course	335m	Negligible
12	Adjacent No.100 Raby Rd	480m	Negligible
13	Adjacent No.182 Raby Rd	1090m	Negligible

Table 1 - Summary of LFA Viewpoints Assessment

4.17 Conclusion

Overall the influence of the proposed development, in the context of the original viewpoints, is negligible; the maturation of the perimeter & more internal vegetation has resulted in a significant visual barrier to the proposed development in 10 of the 13 instances.

However, due to the location of the development and removal of some foreground vegetation over time due to localised infrastructural works, the development would receive broken views in these locations. In these instances, some additional buffer plantings would largely eliminate any potential views to the development.

4.18 New Viewpoint Locations

A total of twelve present-day viewpoint locations have been assessed. Viewpoint positions 1-6 have been selected due to the expected visual exposure to the proposal. The balance of viewpoints 7-12 have been included due to concerns raised by Camden Council.

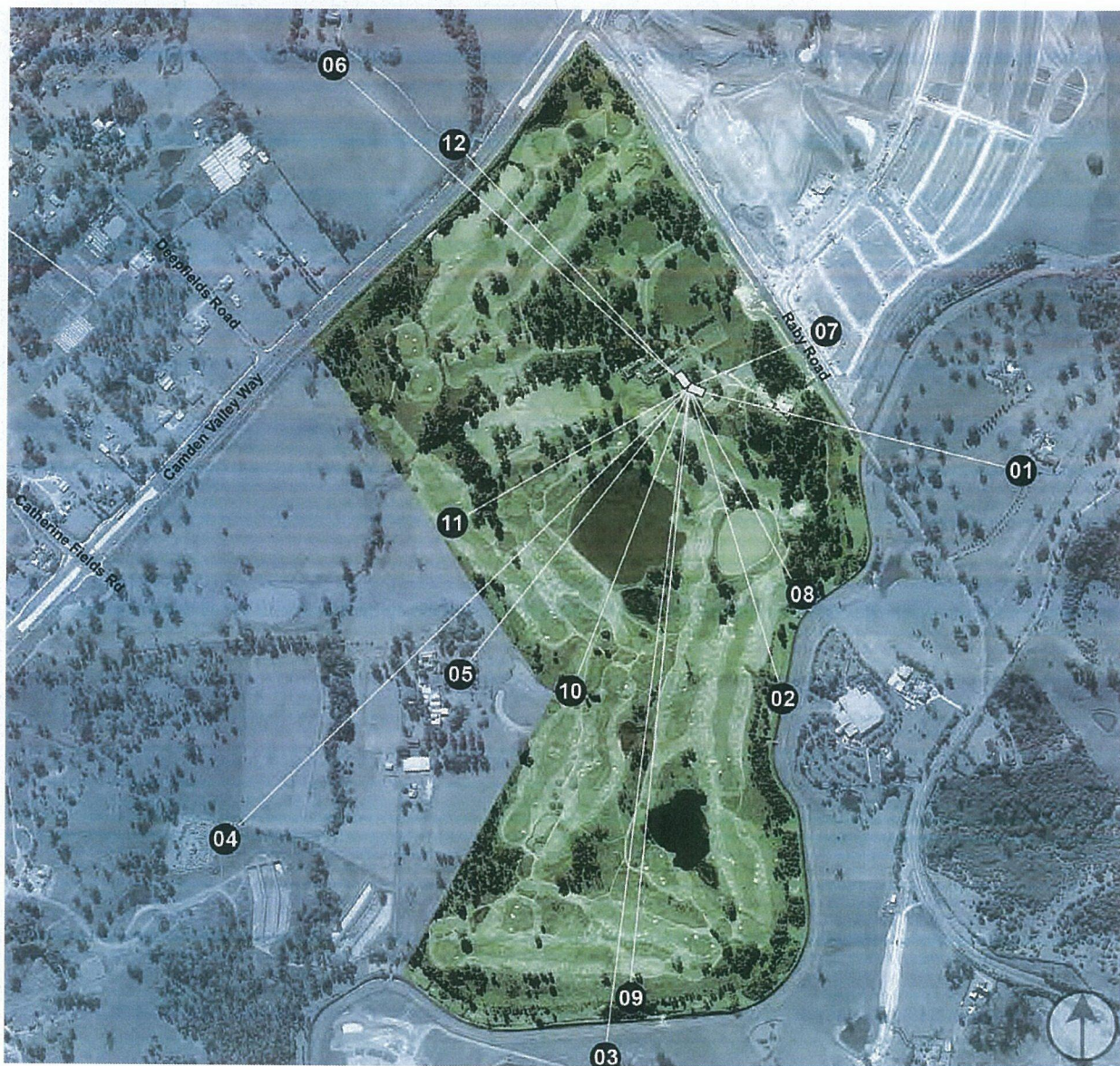


Figure 27 - Representative Viewpoints and distances

4.19 Assessment Methodology

The visual impact assessment for viewpoints 1-12 adopts two methodologies:

1. The first method utilises photogrammetry technology to map and geolocate the proposed development, as described in section 6.2.1 Photogrammetry Method. This has been used for the first 6 viewpoints (1-6).
2. The second method has been selected due to programming constraints and has been endorsed for use by Camden Council. This method involves groundtruthing to establish a general zone of development influence, discussed in section 6.2.2 Groundtruthing Method. This methodology has been used for the remaining 6 viewpoints (7-12).

4.19.1 Photogrammetry Method

The first six viewpoints have been assessed utilising digital technology combined with survey information known as Photogrammetry resulting in the creation of CGIs that simulate, with survey accuracy, how the proposed development will be seen from a location and visual receivers:

1. A CGI combines a digital photograph with computer generated, 3D model of the proposed development. The CGI process employed for this visual assessment was developed by RPS in conjunction with Emeritus Professor John Fryer of the school of Surveying and Photogrammetry at the University of Newcastle.
2. A ground survey was first undertaken to establish a survey control network and coordinated marks at the locations where the photographs were taken. This allowed an accurate determination of the location of the camera and direction and tilt of the photograph.
3. A Canon EOS 650D with Canon EF 24mm fixed focal length lens was used to take the photographs. This camera and lens combination is calibrated with Photogrammetry software so that lens distortion and exact focal length can be determined. The camera was then mounted on top of a WILD T1000 theodolite with a custom made bracket to align the camera with the theodolite in order to eliminate camera roll.
4. The position and orientation of the camera was calculated during the field survey taking into account the height and tilt of the camera mounting system. Direction and orientation for each of the photos was recorded at the time of capture.
5. The proposed building was then “modelled”, positioned and coloured from plans and information supplied from outside sources. Spatial accuracy is ensured through the use of “real world” coordinate systems.
6. A virtual camera in the CAD package was used to exactly simulate the location, orientation and specifications of the camera used to take the actual photos. Thus, when the proposed buildings are built, the view through the virtual camera will look the same as the CGI view. The EF 24mm lens is specifically used for this process as it accurately represents the field of view and magnification of the human eye and therefore this methodology and equipment represent a survey accurate view and model combination.
7. Photographs used in the figures on the following pages were taken on the 7th of June 2016.

4.19.2 Groundtruthing Method

Viewpoints 7-12 have been requested by Camden Council, and assessed using a traditional groundtruthing method, a more hands-on approach designed to collect and assess a greater level of information, particularly relating to landscape character. This methodology delivers an assessment which allows for a higher level of site appreciation. The process has been outlined below.

1. Initial desktop studies are undertaken to establish the overall character of each site, including topography, vegetation, built form and other infrastructure. This step assists with identifying the most effective location to capture a viewpoint.
2. Mud maps are produced which highlight the likely location of each viewpoint in relation to the proposed development. As the proposed development is generally difficult to locate on site, this process helps to establish a point of viewpoint direction.
3. On-site groundtruthing commences with locating points of reference, typically an address, boundary of landmark within the landscape. Once the position is confirmed, the mud map is utilized to establish the correct viewpoint direction. Tablets with Google Earth capabilities are now used to determine location and viewpoint direction.
4. Photos are taken of the viewpoint using a high resolution camera with a wide angle lens. In this instance, a Canon EOS 650D with Canon EF 24mm fixed focal length lens was used to take the photographs, the same unit as the Photogrammetry Method.
5. The resulting photos are assessed against Google Earth imagery to confirm accuracy. The Extent of Subject Site is then highlighted to depict the general location of the proposed development.

4.20 Viewpoint I - 121 Raby Road

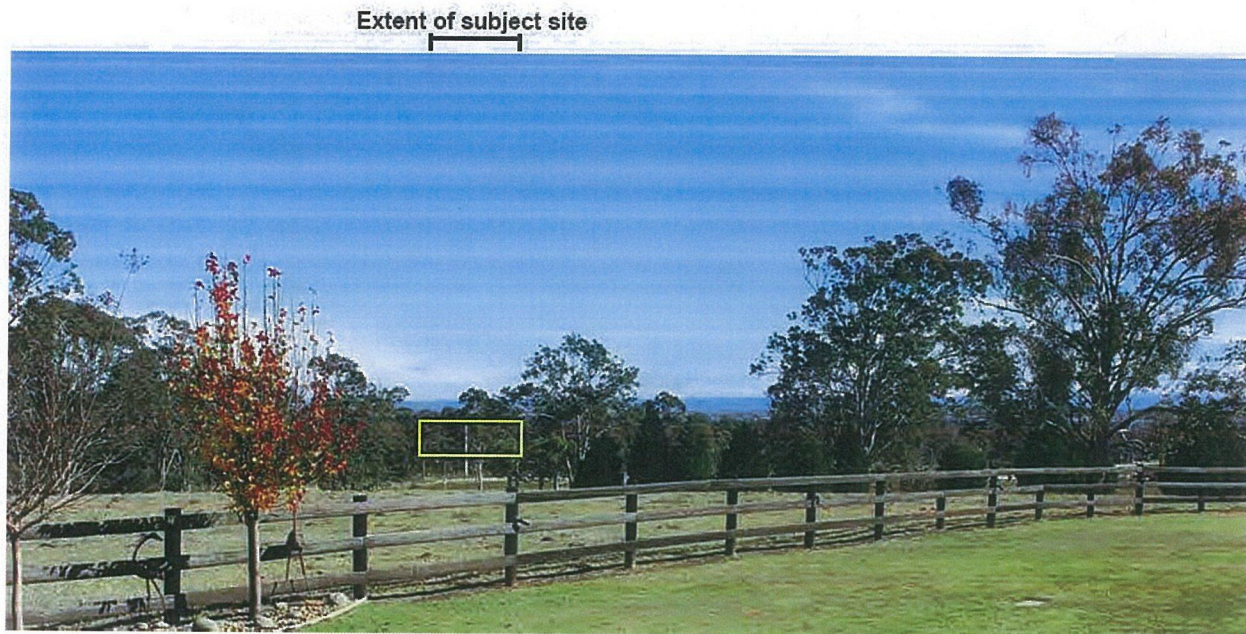


Figure 28 - View west towards the Hotel from private property

Description	Existing Visual Condition	Changes to Visual Environment	Visual Impact
The selected viewpoint represents views from rural residential visual receivers in dwellings, refer also Figure 10. Visual receivers in private dwellings generally have open views of the surrounding areas and potentially long viewing times, thereby a potentially higher sensitivity to changes in the visual environment.	<p>The proposed hotel is located to the west of the viewpoint location. Existing foreground views consist of a mix of open grassland, post and rail boundary fencing and a mix of native and exotic trees at varying maturity. Middle ground views include a consistent, continuous and predominantly native mature tree canopy. The Blue Mountains can also be seen in the distance.</p> <p>The scenic amenity of this view would generally be considered to be moderate-high due to the minimal appearance of urban development.</p>	<p>It is unlikely that the proposed Hotel will alter the existing views as a majority of the Proposal will be hidden from view by existing tree canopy and vegetation.</p> <p>Magnitude rating = Negligible</p> <p>Sensitivity Rating = Moderate</p>	All elements of the proposed hotel will be screened by existing trees, therefore there would be no discernible change to the view. A negligible impact rating results when combining sensitivity and magnitude in the grading matrix (Figure 2).

4.21 Viewpoint 2 - Assembly Hall of Jehovah's Witness (AHJW)

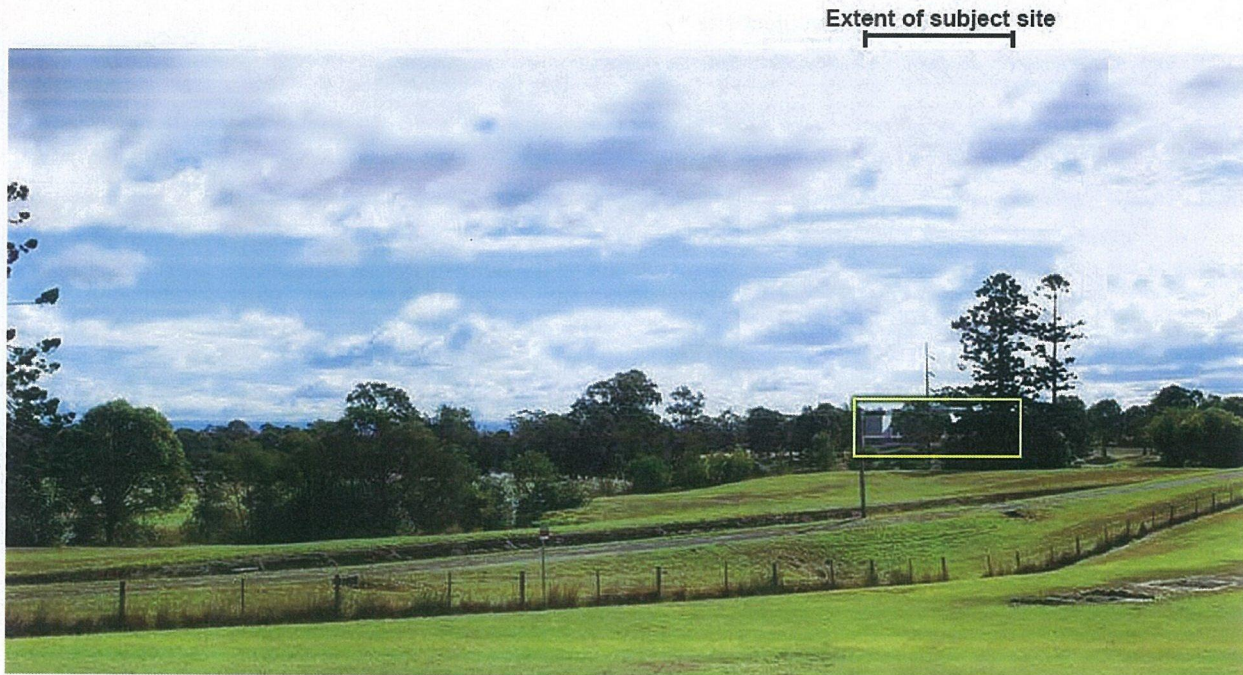


Figure 29 - View northwest towards the proposed Hotel development

Description	Existing Visual Condition	Changes to Visual Environment	Visual Impact
The selected viewpoint represents views from the western perimeter of the AHJW property adjacent the car park, refer also Figure 11. Visual receivers are temporary users of the car park areas and along the western areas of the property.	The proposed hotel is located north of the viewpoint location, refer Figure 13. The view is generally of a modified landscape with gently undulating terrain including foreground views of open mown grass areas, post and chain mesh boundary fencing and a water canal with adjacent gravel access road. Glimpses of the golf course are possible through a mix of native and exotic trees and lower screen plantings of varying height and maturity. The Blue Mountains can also be seen in the distance. The scenic amenity of this view would generally be considered to be moderate-low due to the modified nature of the landscape and the presence of a gravel service road, fencing, canal, utility wires and signage.	<p>The proposed Hotel will generally be screened by existing vegetation with some portions of the southern and eastern facades potentially visible.</p> <p>Magnitude rating = Low</p> <p>Sensitivity Rating = Low</p>	Although the proposal will introduce a new element, views are filtered by existing vegetation. The height of the hotel also corresponds with the tree canopy and horizon. A low impact rating results. A moderate degree of VAC in the landscape will help diminish the appearance of the hotel in the view.

4.22 Viewpoint 3 – Rural Residential Area (south)

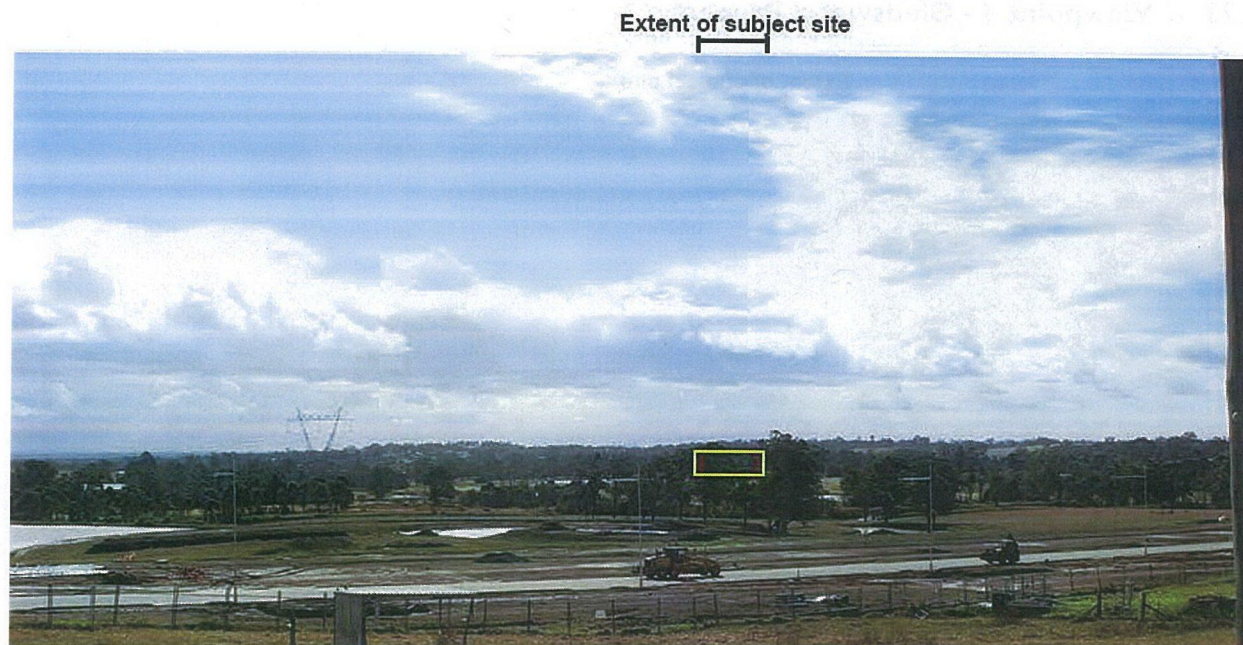


Figure 30 - View north of the proposed hotel development

Description	Existing Visual Condition	Changes to Visual Environment	Visual Impact
<p>The selected viewpoint is located along an existing private access road near rural residential properties to the south of the proposed hotel development, refer also Figure 12. Visual receivers in private dwellings generally have open views of the surrounding areas and potentially long viewing times.</p>	<p>Foreground views consist of a mix of open grassland, post and chain boundary fencing. The view also contains construction earthworks and street pole lighting for a new suburban residential development. Middle to long distance views include, predominantly tree canopy and existing residential dwellings dotted along a continuous ridge to the north. Power lines and a support tower are strong urban visual elements in the view.</p> <p>Scenic amenity is generally considered to be low due to the predominance of urban development.</p>	<p>The proposal will be partly screened by existing vegetation with some portions of the southern facades potentially visible. Future residential development in the foreground will likely become the dominant visible element within the view depending on the height, scale and spacing of the structures.</p> <p>Magnitude rating = Low</p> <p>Sensitivity Rating = Low</p>	<p>The proposed hotel will form part of an evolving landscape to a more suburban character. A low impact rating results when combining sensitivity and magnitude in the grading matrix (Figure 2). The VAC is considered high taking into account the context of a semi-urban and rural landscape.</p>

4.23 Viewpoint 4 - Gledswood Property

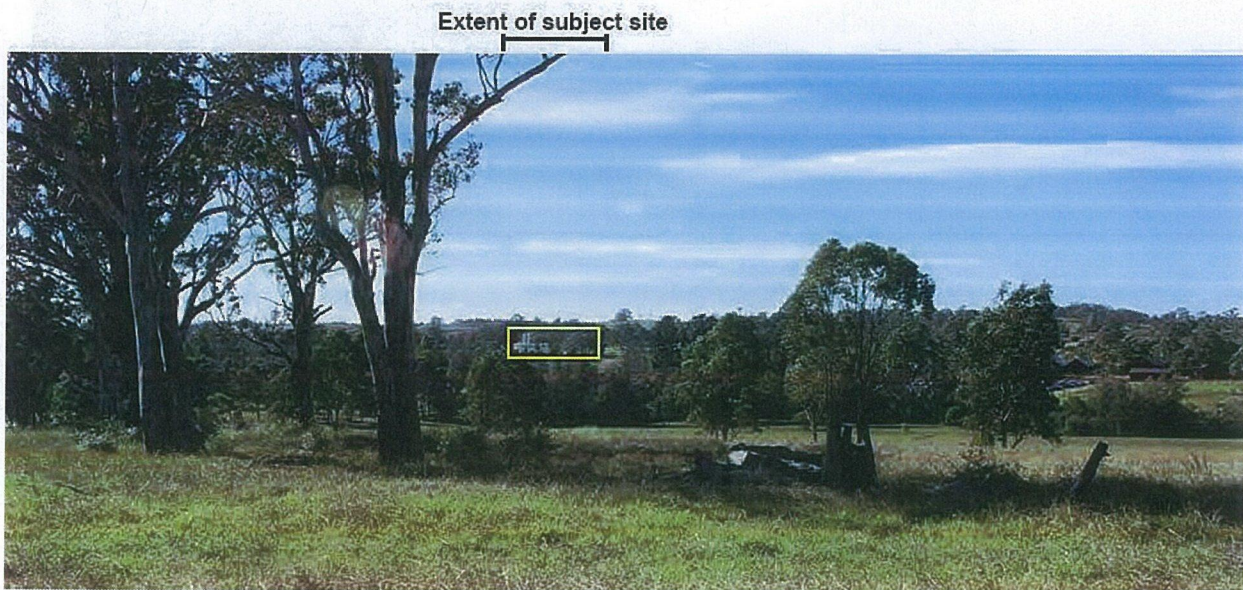


Figure 31 - View north of the proposed hotel

Description	Existing Visual Condition	Changes to Visual Environment	Visual Impact
The selected viewpoint is representative of temporary visual receivers such as tourists and/or patrons who are hiring the gardens for events and longer stay workers with generally open views to the northeast, Refer also Figure 14.	Foreground views consist of a mown lawn, ornamental trees and planting associated with the gardens as well as rural fencing. Middle ground views consist largely of views of the golf course including mown lawns, maintenance personnel, golfers and golf carts. More distant views are curtailed by a continuous existing tree canopy with a utility tower and power lines being a prominent element in the view. The existing golf club house building is partially visible through trees. As per View Point 4, sitting directly between this view and the proposed hotel development is the proposed residential subdivision, Hermitage Estate, which will all but block views to the hotel from this view point (refer to figure 8).	Existing trees and vegetation in the foreground will block or filter views of the proposed hotel. Magnitude rating = Low Sensitivity Rating = Low	The proposed hotel will be lower than the existing tree line and generally will not be visible resulting in a low impact . Additional note; this impact rating assumes retention of the trees in the foreground as indicated.

4.24 Viewpoint 5 - Gledswood Ponds

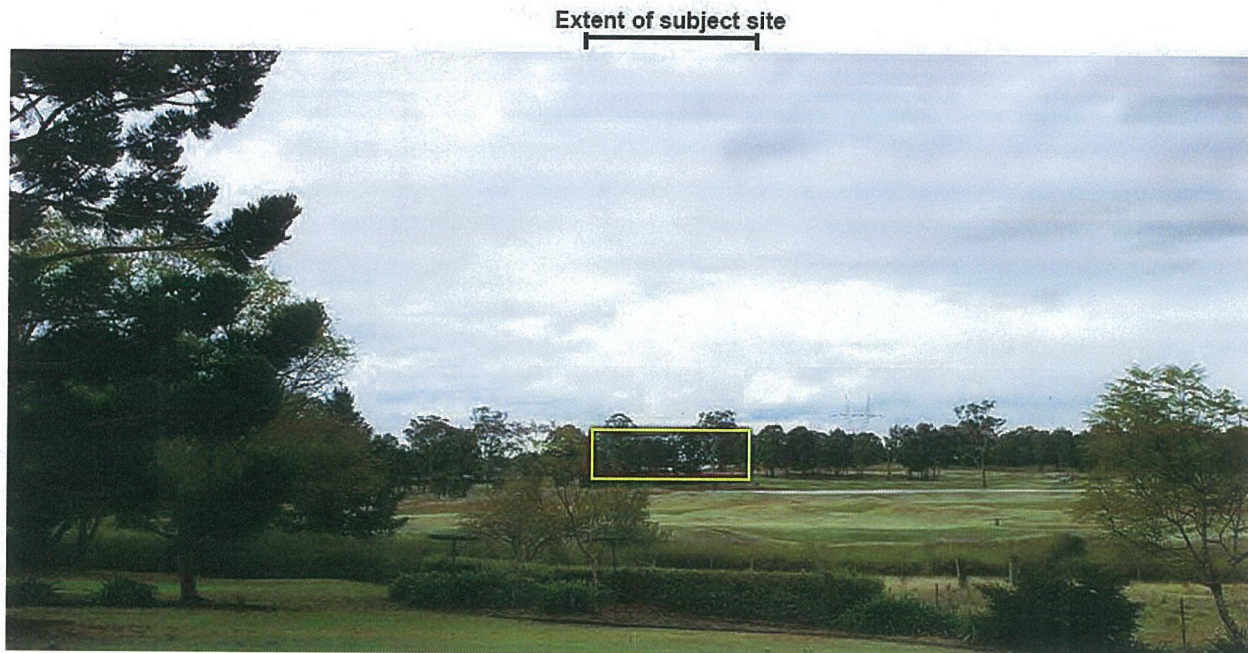


Figure 32 - View northeast of the proposed hotel

Description	Existing Visual Condition	Changes to Visual Environment	Visual Impact
The selected viewpoint represents views from the Gledswood Ponds area. From this viewpoint there are open views of the surrounding semi-wooded, rural landscape, refer also Figure 13.	<p>Foreground views consist of a mix of open grassland and mown grass areas with scattered remnant native trees. Middle ground views are occupied by a fairly consistent, continuous and predominantly native mature tree canopy. Partial views of the Gledswood Homestead property car park and homestead buildings are evident in the middle ground along with power lines and a tower as well as a rural access road to the west. A tree-lined ridge contains views to the north. Sitting directly between this view and the proposed hotel development is the proposed residential subdivision, Hermitage Estate, which will all but block views to the hotel from this view point (refer to figure 8).</p> <p>Due to the proposed residential subdivision, Hermitage Estate, this view sensitivity is considered Low.</p>	<p>Partial views of the southern and western hotel facades are likely to be possible through existing tree canopies.</p> <p>Magnitude rating = Low</p> <p>Sensitivity Rating = Low</p>	<p>The proposed hotel will be lower than the existing ridge line and will not interrupt the horizon line. A low impact rating results. The VAC is considered moderate taking into account the combination of a modified trees, vegetation and existing built elements.</p>

4.25 Viewpoint 6 - Raby House

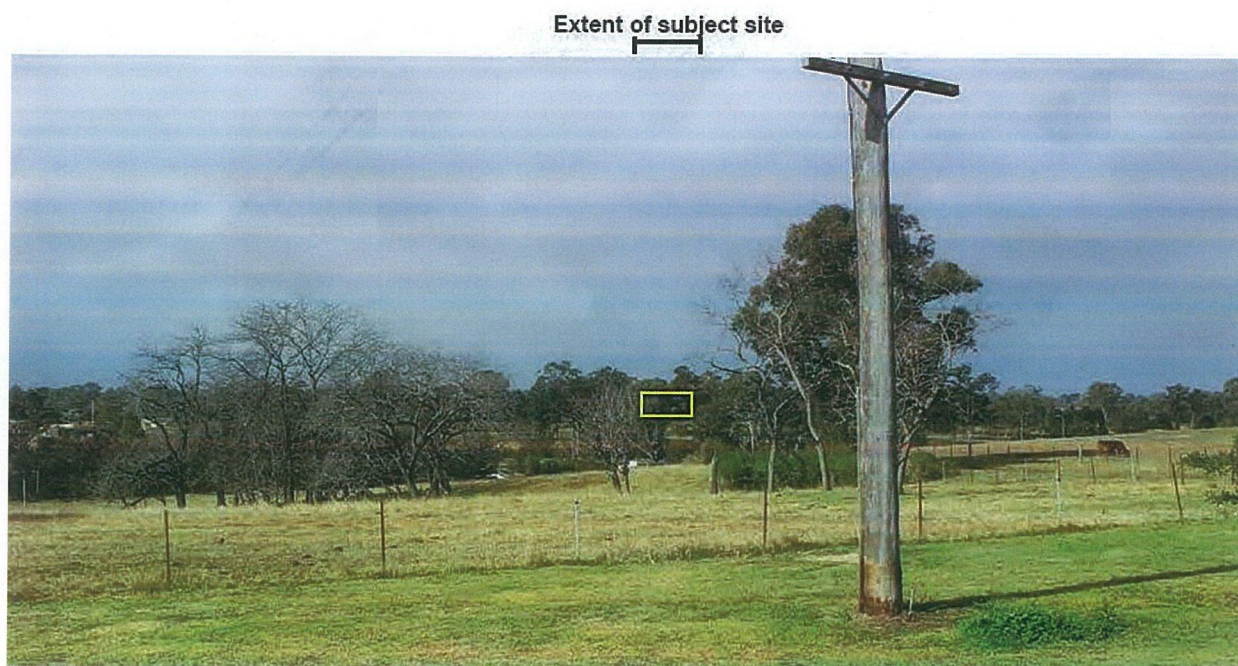


Figure 33 - View southeast towards the proposed hotel

Description	Existing Visual Condition	Changes to Visual Environment	Visual Impact
The selected viewpoint is representative of a residential visual receiver in a rural residential property with generally open views to the east and of the surrounding areas, refer also Figure 15.	<p>Foreground views consist of a mix of open grassland, rural post and wire fencing and scattered remnant trees. A large power pole and wires is a dominant element in the view. Existing tree canopy fills the middle ground and more distant views. Earthworks, as part of a new residential development, is visible through trees to the left of the view.</p> <p>The view would generally be considered of a moderate scenic amenity considering the modified nature of the landscape and the new residential development.</p>	<p>It is unlikely that the implementation of the proposed development will in any way alter the existing views as it will be hidden from view by existing tree canopy, vegetation and land form.</p> <p>Magnitude rating = Negligible</p> <p>Sensitivity Rating = Moderate</p>	<p>All elements of the proposed hotel will be screened by existing trees, therefore there would be no discernible change to the view and therefore a negligible impact on the amenity of the view when combining sensitivity and magnitude.</p>

4.26 Viewpoint 7 - 35 Coral Circuit Leppington 2179



Figure 34 - View southwest towards the proposal

Description	Existing Visual Condition	Changes to Visual Environment	Visual Impact
The viewpoint above has been taken from no. 35 Coral Circuit, just opposite the road from the proposal, about 250m proximity. As this is a dwelling, this viewpoint represents permanent visual receivers within the vicinity.	<p>The view is rural and bush-like in nature, consisting of rural fencing, open grassland in the foreground. In the background are tall trees and shrubs varying in height. This provides a high level of screening at a lower and higher level, however there are broken views through the middle of this vegetation.</p> <p>The view would generally be considered of a high scenic amenity considering the rural and bush nature of the scenery.</p>	<p>Due to the existing nature of the background vegetation, and the height of the proposal, there are likely to be broken views of the hotel.</p> <p>Magnitude rating = Moderate</p> <p>Sensitivity Rating = High</p>	The location and scale of the proposal in concert with the nature of the existing vegetation would result in a high-moderate impact .

4.27 Viewpoint 8 - Assembly Hall of Jehovah's Witnesses

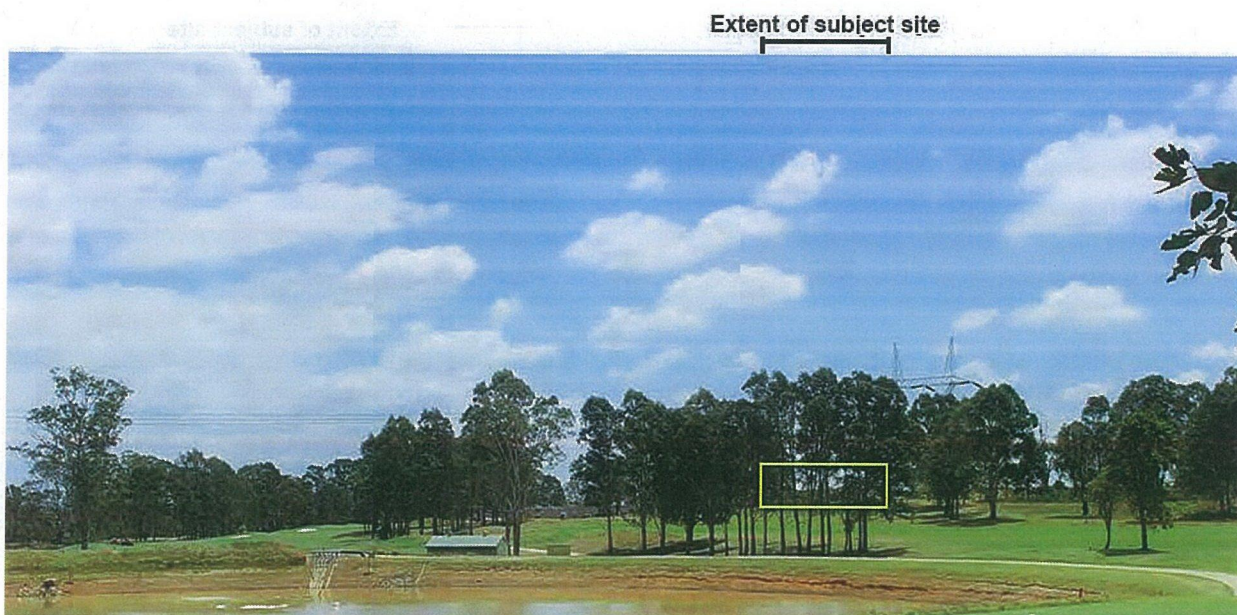


Figure 35 - View northwest towards the proposal

Description	Existing Visual Condition	Changes to Visual Environment	Visual Impact
<p>This viewpoint represents views from the boundary between the golf course and the outer limits of the property of the Assembly Hall of Jehovah's Witnesses. From this higher vantage point, the proposal is 460m in a north-westerly direction.</p>	<p>Views from this boundary position are characterised by the golf course and the various components which assist with its function, including pathways, small sheds, rural fencing etc. Although distinctly recreational in nature, the views are also rural.</p> <p>With respect to vegetation, the views are largely open in nature with little immediate foreground vegetation. Much further away in the background, there are clusters of trees staggered in the view, providing a significant visual barrier to the larger built forms within the golf course, only the roof of the existing golf club can be seen and this is not easily identifiable.</p>	<p>It is unlikely that the implementation of the proposed development will in any way alter the existing views as it will be hidden from view by existing tree canopy, vegetation and land form.</p> <p>Magnitude rating = Negligible</p> <p>Sensitivity Rating = Negligible</p>	<p>The proposal will be largely hidden from sight by existing mature trees and therefore no discernible change to the view would occur.</p> <p>This presents a negligible impact.</p>

4.28 Viewpoint 9 - Southern-Most Point of Golf Course Boundary

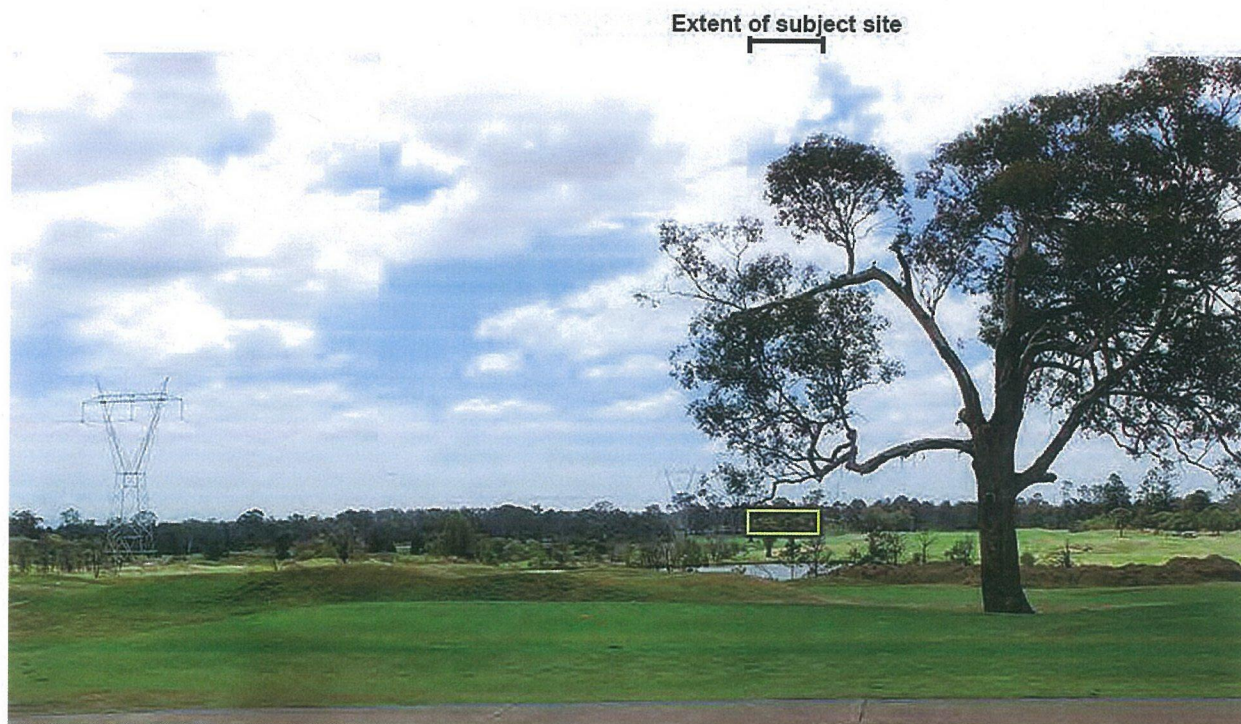


Figure 36 - View from the southern-most point of the golf course looking north towards the proposal

Description	Existing Visual Condition	Changes to Visual Environment	Visual Impact
<p>The selected viewpoint is positioned at the southern-most point of the golf course on the boundary with Lot 1/DP623825 which contains the canal. From this location the proposal is 1150m northerly.</p>	<p>Views from this boundary position are characterised by the golf course and the various components which assist with its function, including pathways, small sheds, rural fencing etc. Although distinctly recreational in nature, the views are also rural.</p> <p>Tall and large-scale power poles and wires are a dominant element in the view, extending north through the golf course. No other golf course related built form can be seen from this viewpoint.</p> <p>Existing mature tree canopy fills the middle ground and more distant views.</p>	<p>Due to the distance, existing vegetation and landform, it is unlikely that the implementation of the proposed development will in any way alter the existing views.</p> <p>Magnitude rating = Negligible</p> <p>Sensitivity Rating = Negligible</p>	<p>The proposal will be largely hidden from sight by existing mature trees and therefore no discernible change to the view would occur.</p> <p>This presents a negligible impact.</p>

4.29 Viewpoint 10 - Gledswood Homestead & Golf Course Boundary

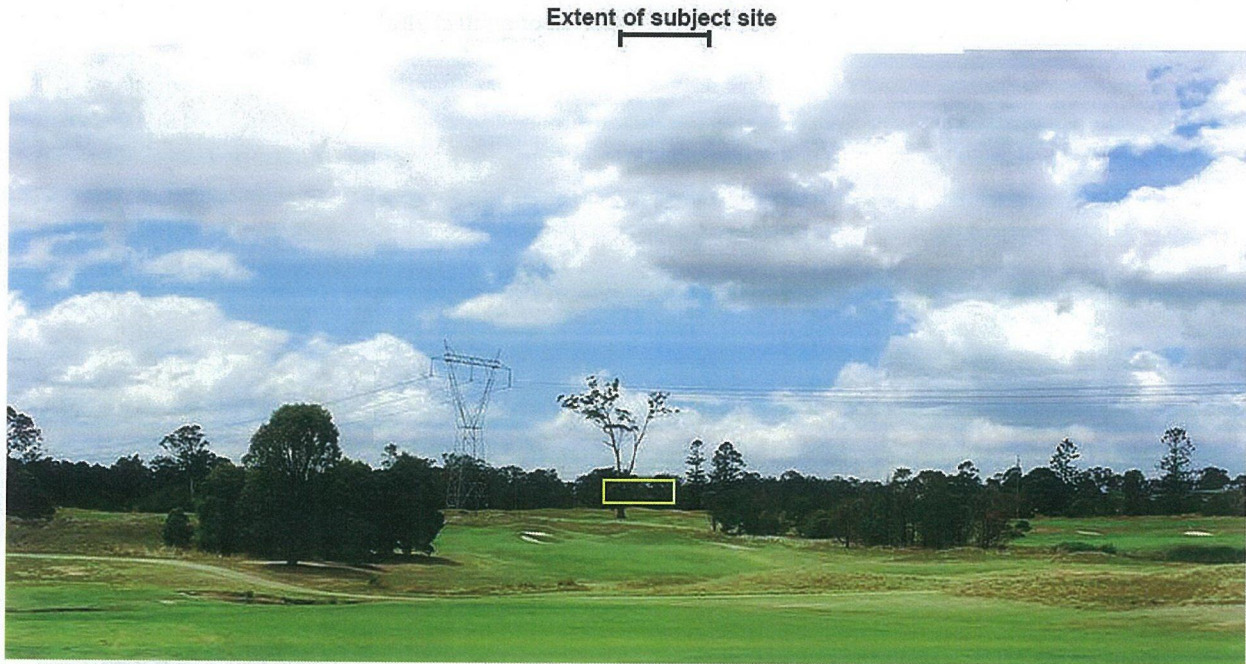


Figure 37 – View from Gledswood Homestead looking northeast towards the proposal

Description	Existing Visual Condition	Changes to Visual Environment	Visual Impact
From a topographically low area adjacent the Gledswood Homestead ponds, this viewpoint sits on the boundary and is 715m proximity from the proposal.	<p>Views from this boundary position are characterised by the golf course and the various components which assist with its function, including pathways, small sheds, rural fencing etc. Although distinctly recreational in nature, the views are also rural.</p> <p>Tall and large-scale power poles and wires are a dominant element in the view, extending north through the golf course. No other golf course related built form can be seen from this viewpoint, however the roof of the Assembly Hall of Jehovah's Witnesses can be seen in the distance to the right of the view.</p> <p>Existing mature tree canopy fills the middle ground and more distant views.</p>	<p>Due to the distance, existing vegetation and landform, it is unlikely that the implementation of the proposed development will in any way alter the existing views.</p> <p>Magnitude rating = Negligible</p> <p>Sensitivity Rating = Negligible</p>	<p>The proposal will be largely hidden from sight by existing mature trees and therefore no discernible change to the view would occur.</p> <p>This presents a negligible impact.</p>

4.30 Viewpoint 11 - 900 Camden Valley Way & Golf Course Boundary



Figure 38 – Northeast view towards the proposal

Description	Existing Visual Condition	Changes to Visual Environment	Visual Impact
<p>The selected viewpoint is representative of views seen from the adjoining property, 900 Camden Valley Way, the future Hermitage site. This position is 600m proximity from the proposal at a relatively low area.</p>	<p>Views from this boundary position are characterised by the golf course and the various components which assist with its function, including pathways, rural fencing, putting greens etc. Although distinctly recreational in nature, the views are also rural in aesthetic.</p> <p>Running northwest to southeast is the 4th hole (pictured above in Figure 38). This fairway is lined by a dense clump of tall mature vegetation which entirely blocks views to the existing golf club and associated infrastructure such as the parking lot.</p> <p>Looking southeast of this position the tall and large-scale power poles and wires are a dominant element in the view, as is the Assembly Hall of Jehovah's Witnesses which can be easily seen in the distance.</p>	<p>It is unlikely that the implementation of the proposed development will in any way alter the existing views as it will be totally hidden from view by existing tree canopy, vegetation and land form.</p> <p>Magnitude rating = Negligible</p> <p>Sensitivity Rating = Negligible</p>	<p>All elements of the proposed hotel will be screened by existing trees, therefore there would be no discernible change to the view and therefore a negligible impact on the amenity of the view when combining sensitivity and magnitude.</p>

4.31 Viewpoint 12 - 1025 Camden Valley Way

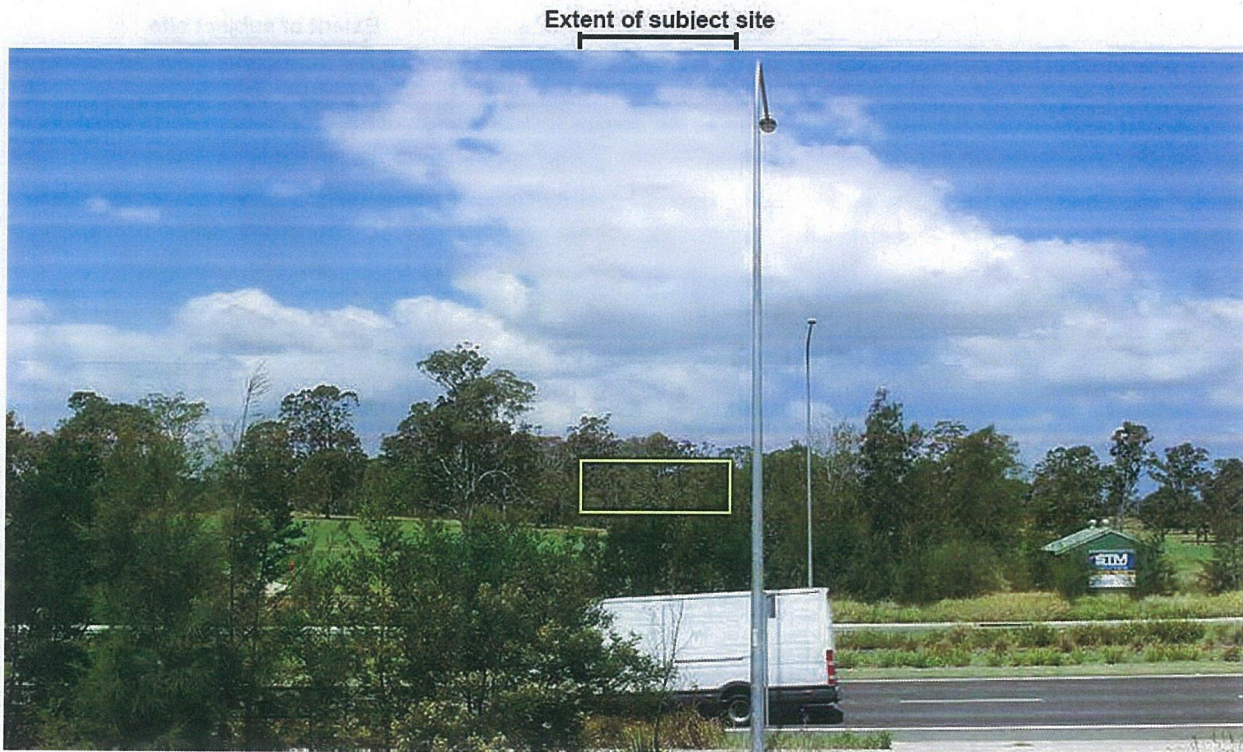


Figure 39 - View southeast towards the proposed hotel

Description	Existing Visual Condition	Changes to Visual Environment	Visual Impact
<p>This viewpoint is positioned on the boundary of 1025 Camden Valley Way, at a point of prospect approximately 600m proximity from the proposed hotel. As this is an elevated position, it's possible to see over the canopies of trees within the golf course.</p>	<p>Views from this position are dominated by infrastructure comprising the Camden Valley Way roadway and overhead powerlines. Rural effects are also commonplace, and include fencing, open paddocks and rural landscaping.</p> <p>Camden Valley Way is a dominant feature of this viewpoint and presents in the foreground. The road is lined with verge landscaping which softens the appearance of the road and provides broken views into the golf course. The background is dominated by tall vegetation located within the golf course, which is typically positioned on higher ground, mitigating any views beyond the immediate views of the golf course.</p>	<p>It is unlikely that the implementation of the proposed development will in any way alter the existing views as it will be totally hidden from view by existing tree canopy, vegetation and land form.</p> <p>Magnitude rating = Negligible</p> <p>Sensitivity Rating = Negligible</p>	<p>All elements of the proposed hotel will be screened by existing trees, therefore there would be no discernible change to the view and therefore a negligible impact on the amenity of the view when combining sensitivity and magnitude.</p>

5.0 Conclusion

5.1 Summary of Impacts

The following summarises the anticipated visual impacts by the proposed hotel development on the surrounding areas.

Viewpoint	Location	Approximate Distance	Visual Impact
1	121 Raby Road	600 metres	Negligible
2	Assembly Hall of Jehovah's Witness	600 metres	Low
3	Rural residential area (south)	1700 metres	Low
4	Gledswood property	1700 metres	Low
5	Gledswood Ponds	600 metres	Low
6	Raby House	850 metres	Negligible
7	35 Coral Circuit Leppington 2179 (new intersection)	250m	High-Moderate
8	Boundary between Golf Course & Assembly Hall of Jehovah's Witnesses	460m	Negligible
9	Southern-most point of golf course on boundary	1150m	Negligible
10	Boundary between Gledswood Homestead & Golf Course	715m	Negligible
11	Boundary between 900 Camden Valley Way & Golf Course	600m	Negligible
12	Boundary of 1025 Camden Valley Way	600m	Negligible

Table 2 - Summary of RPS Viewpoints

Within the context of this Report and the original LFA Report, the study found that while there are opportunities to view the Proposal from a number of locations, visual impacts are generally range from low to negligible due to a range of factors including existing trees, land form, current/proposed residential and urban development, and distance.

In light of the findings in this report, the anticipated visual impacts that will be created by the Proposal is deemed to be acceptable for the area.

5.2 Mitigation Measures

Although the visual impacts relating to the proposed hotel are minor, additional measures should be taken to further reduce the visual impacts from viewpoint areas, where the development may be seen. The following measures may help in reducing the Moderate-Low assessment ratings if successfully implemented:

- Utilise finishes and materials of a high standard complementary to the existing locality & landscape
- Minimise reflective surfaces with a preferred use of muted/less intrusive colours particularly regarding the northern and western facades
- Where feasible, use trees and/or other screening vegetation to assist in reducing the visual prominence of the structure particularly along the northern and southern facade
- Prepare lighting models for the proposed lighting of the hotel during its operation. Develop lighting that addresses Australian Standards AS4282 Control of the Obtrusive Effects of Outdoor Lighting. Ensure that all light spill is contained within the boundary limits of the car park wherever possible

5.3 Construction

- Retain and protect existing trees and vegetation wherever practicable
- Minimise or eliminate light spill, wherever possible, on adjacent properties
- The site to be kept tidy and well maintained, including removal of all rubbish at regular intervals. There should be no storage of materials beyond the construction boundaries
- Restore any areas that are impacted by construction with appropriate landscape treatments
- Work/site compounds should be screened, with shade cloth or similar material (where necessary) to minimise visual impacts on key viewing locations

5.4 Operation

- Replace damaged or missing elements as required
- Undertake regular landscape maintenance works

6.0 Acronyms and Glossary

AHD	Australian Height Datum
EP Act	Environment Protection Act 1994
Horizon Line	The horizon line in perspective drawing is a horizontal line across the picture. It is always at eye level - its placement determines where we seem to be looking from - a high place, or from close to the ground.
Landform	The shape and form of the land surface which is the result of the action and interaction of natural and/or human factors
Landscape Character	A distinct recognisable and consistent pattern of elements in the landscape that makes one landscape different from another, rather than better or worse
LGA	Local Government Area
LEP	Local Environmental Plan
LIEMA	UK Landscape Institute and Institute of Environmental Management & Assessment
Magnitude	A term that combines the judgements about the size and scale of the effect, the extent of the area over which it occurs, whether it is reversible or irreversible and whether it is short or long term in duration
Photogrammetry	The use of photography in surveying and mapping to ascertain measurements between objects
RMS	New South Wales Roads and Maritime Services
Sensitivity	A term applied to visual receivers, combining judgments of the susceptibility of the receiver to the specific type of change or development proposed and the value related to that receptor
Site of Works	Refers to the geographical area where the proposed work will occur
Theodolite	A surveying instrument with a rotating telescope for measuring horizontal and vertical angles
The Proposal	Refers to the proposed hotel development
Scenic amenity	The overall pleasantness of the views people enjoy of their surroundings, which provides an attractive visual setting or backdrop for the enjoyment of activities of the people living, working, recreating, visiting or travelling through an area
Visual receiver	Individuals and/or defined groups of people who have the potential to be affected by the proposal

Appendix 7: Heritage Impact Assessment (HIA) prepared by RPS (February 2018)



Camden Lakeside Golf Hotel

Heritage Impact Assessment

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Version: 2.3

Date: February 2018

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DOCUMENT STATUS

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1.2	Change in map and definition of out of scope works	Lucy Irwin	Claire Rayner	18/04/2017
2.0	Amendments following council review	Claire Rayner	Aly Howard	16/11/2017
2.1	Final for client review	Claire Rayner	Aly Howard	16/11/2017
2.2	Finalised Copy	Lucy Irwin	Aly Howard	23/11/2017
2.3	Amendment to Lot and DP	Lucy Irwin	Aly Howard	20/02/2018

APPROVAL FOR ISSUE

Name	Signature	Date
Aly Howard		20/02/2018

Executive Summary

RPS was engaged by NPH to prepare a Heritage Impact Assessment for a proposed hotel development at Camden Lakeside Golf Club in Catherine Fields. This report forms part of the Development Application for this project.

The Project Area is located within the Camden Lakeside Golf Club at 50 Raby Road, approximately 10 kilometres southwest of Liverpool, five kilometres north-west of Campbelltown and 60 kilometres southwest of the Sydney CBD. It comprises Lot 50, DP 1221870. The area to be developed (the Project Area) is the area extending east from the existing clubhouse to existing transmission line easement. (see Figure 1).

The Project Area consists of the area within the red dotted line in Figure 1 only.

Searches of State and local heritage databases showed that there are three State Heritage Listed items adjacent to the golf course, these are:

- Gledswood (State Heritage Register ID #01692/Camden LEP [CLEP] I81) approximately 500 metres south west of the Project Area.
- Raby (SHR # 01694/CLEP I82) approximately 610 metres north west of the Project Area
- Upper Canal System (Pheasants Nest Weir to Prospect Reservoir, SHR #01373/CLEP #I122) approximately 420 metres south east of the Project Area

None of these items are located within the Project Area and the proposed works would not directly impact the heritage fabric or heritage curtilages of the items. A detailed visual impact assessment has considered the vistas that exist to and from each item and the Project Area. The following potential impacts were identified:

- Gledswood – negligible to moderate visual impacts
- Raby – negligible visual impacts
- Upper Canal System – minor visual impacts

The Project Area has been assessed to have low to nil potential to contain archaeological remains associated with any phase of occupation. It is unlikely that the proposed works would impact any archaeological remains.

The following management recommendations and mitigation measures have been formulated with consideration of the relevant CMPs for the heritage items, the findings of this report and the relevant legislation:

Recommendation 1 – Landscaping

A visual buffer of vegetation should be maintained between the Project Area and Gledswood House, Raby and the Upper Canal. During construction the removal of trees should be minimised or avoided if practicable. Consideration should be given to a landscape design around the proposed hotel that adequately screens the structure. The selection of plants should reflect the current landscape and the colonial history of the site as part of the Gledswood Estate.

Plantings between the Gledswood Estate and the proposed hotel site should be built up within the golf course area as per Conservation policy 7.4.6-4 of the Gledswood CMP. This is to ensure an adequate buffer is established and maintained once the proposed hotel is completed.

Recommendation 2 – Colours and Materials

Consideration of sympathetic colours schemes and materials should be made in the final designs of the proposed hotel. Bright colours, stark whites and blacks should be avoided. The preferred colour palette should aim to soften the visual impact and tie the works into the surrounding environment. This would minimise impacts to the views from the Gledswood Estate and the Upper Canal.

Recommendation 3 – Heritage Induction

It is recommended that a heritage induction exercise be carried out in advance of the proposed works. All relevant staff, contractors and subcontractors will be made aware of their statutory obligations for heritage under the Heritage Act, and the NPW Act through the site induction and toolbox talks.

Recommendation 4 – Unexpected Finds

If, during the course of development works, suspected archaeological relics, as defined by the Heritage Act (as amended), as defined by the NPW Act are uncovered, work should cease in that area immediately. The Heritage Branch and the Office of Environment & Heritage (Enviroline 131 555) should be notified and works only recommence when an approved management strategy developed.

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1 Introduction

RPS was engaged by NPH to prepare a Heritage Impact Assessment for a proposed hotel development at Camden Lakeside Golf Club in Catherine Field. This report forms part of the Planning Proposal for this project.

This report assesses the potential for impacts to Non-Aboriginal (Historic) archaeological resources and heritage values previously identified within the Project Area. This report provides appropriate mitigation measures to manage any potential impacts to these archaeological resources and heritage values associated with the proposed works.

1.1 Project Area

The Project Area includes a portion of the Camden Lakeside Golf Club located at 50 Raby Road, Catherine Field NSW, approximately 10 kilometres southwest of Liverpool, five kilometres north-west of Campbelltown and 60 kilometres southwest of the Sydney CBD. It is located within Lot 50, DP 1221870. The area to be developed (The 'Project Area') extends east from the existing clubhouse to an existing transmission line easement (see Figure 1.1).

The Project Area is located within the suburb of Catherine Field, in the Camden Local Government Area (LGA). The suburb is located within the Cumberland County and the Cook Parish.

The Project Area consists of the area within the red dotted line in Figure 1 only.

1.2 The Proposal

The proposal is for the development of a hotel within the Project Area, which would be located next to the existing clubhouse. It is proposed that the hotel would be five stories high, with two levels of basement parking. The proposal therefore comprises both surface and subsurface impacts.

1.3 Methodology

The non-Aboriginal Statement of Heritage Impact component of this report has been prepared in accordance with *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance (Burra Charter)* (2013) and associated Guidelines as well as best practice standards set by the NSW Heritage Branch.

Best practice guidance followed in this report includes *Assessing Heritage Significance* (Heritage Officer (former), 2001) and *Statements of Heritage Impact* (Heritage Office and Department of Urban Affairs & Planning (former), 1996, revised 2002).

1.4 Limitations

This report considers the non-Aboriginal heritage values of the Project Area only. It does not provide an assessment of the Aboriginal cultural heritage values of the Project Area. A separate letter report has been compiled to address Aboriginal cultural heritage.

1.5 Authorship and Acknowledgements

This report has been prepared by RPS Graduate Cultural Heritage Consultant Lucy Irwin with assistance from RPS Heritage Consultant Claire Rayner. A technical review was undertaken by RPS Heritage Manager, Deborah Farina.



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				<div><div>JOB REF: SPA</div></div>				<div><div></div></div>			

2 Legislative Context

The following section provides an overview of the legislative framework relating to the protection and management of historic heritage. This overview is provided solely as information for the client rather than as legal advice. The findings from a review of national, state and local statutory heritage registers are provided in Section 4 below.

Heritage Act 1977 (NSW) and the NSW Heritage Branch

Historical archaeological relics, buildings, structures, archaeological deposits and features are protected under the *Heritage Act 1977* (Heritage Act) (and subsequent amendments) and may be identified on the State Heritage Register (SHR) or by an active Interim Heritage Order.

The Heritage Council of NSW, constituted under the *Heritage Act 1977*, is appointed by the Minister and is responsible for heritage in NSW. The Council reflects a cross-section of community, government and conservation expertise with the NSW Heritage Branch being the operational arm of the Council. The work of the NSW Heritage Branch includes:

- Working with communities to help them identify their important places and objects;
- Providing guidance on how to look after heritage items;
- Supporting community heritage projects through funding and advice; and
- Maintaining the NSW Heritage Database, an online list of all statutory heritage items in NSW

The 1996 NSW Heritage Manual, published by the NSW Heritage Branch and the then Department of Urban Affairs and Planning, provides guidelines for conducting assessments of heritage significance. The Manual includes specific criteria for addressing the significance of an item and this assessment has been completed in accordance with those guidelines. These criteria are addressed more fully in Section 8 of this report.

Environmental Planning and Assessment Act 1979 (NSW) (EP&A Act)

The EP&A Act regulates a system of environmental planning and assessment for NSW. Land use planning requires that environmental impacts are considered, including the impact on cultural heritage. Assessment documents prepared to meet the requirements of the EP&A Act including Reviews of Environmental Factors, Environmental Impact Statements and Environmental Impact Assessments, should address cultural heritage where relevant. Statutory planning documents such as Local Environment Plans and State Environmental Planning Policies typically contain provisions for heritage.

The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance 2013

The *Burra Charter* is a set of best practice principles and procedures for heritage conservation. It was developed by Australia ICOMOS (International Council for Monuments and Sites), the Australian group of the international professional organisation for conservation. Although without statutory weight, the *Burra Charter* underpins heritage management in New South Wales and Australia. The policies and guidelines of the Heritage Council of NSW and the NSW Heritage Office are consistent with and guided by the *Burra Charter*.

Camden Local Environmental Plan 2010

The *Camden Local Environment Plan 2010* was developed with the aim of conserving and enhancing the built and landscape heritage of Camden by controlling the development in the Camden Local Government Area by

establishing zones that allow certain types of standards to regulate what development can occur. The LEP contains a register of the Heritage Listed sites within Camden.

Camden Development Control Plan 2011

The Camden Development Control Plan 2011 sets out a detailed guideline to show what controls apply to a particular type of development or a particular area. A review of the Camden DCP was conducted on the 3rd of February by RPS and no development controls were found to be in place that would impact the Project Area.

C11 Camden Lakeside

Section C11 of the Camden Council Development Control Plan 2011 outlines the design structure and planning principles for residential subdivision in the area. These controls, where applicable, have been recognised in the formulation of this report.

B3.1 European Heritage

Section B3.1 of the Camden Council Development Control Plan 2011 outlines a series of controls in order to ensure that there is sufficient understanding of Camden's heritage and that development and activities are sympathetic to its conservation. These controls have been recognised in the formulation of this report.

3 NSW Heritage Registers Review

Acknowledged heritage items and places are recorded in statutory and non-statutory registers held at the federal, state and local level depending on their level of significance. Internationally significant sites of 'outstanding universal value' are inscribed in the World Heritage List (WHL) and in turn, such sites are usually recognised through their inclusion on Federal and state-level registers.

Federal designations include the National Heritage List (NHL) and the Commonwealth Heritage List (CHL) created by the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Both registers are maintained by the Commonwealth Department of the Environment and are available to view on an online database, the Australian Heritage Database. The NHL includes natural, historic and Indigenous places that are of outstanding national heritage value to the Australian nation. The CHL protects natural, Indigenous and historic heritage places on land owned or leased by the Commonwealth or a Commonwealth Authority. To reach the threshold for the NHL, a place must have 'outstanding' heritage value to the nation whereas to be entered on the CHL, a place must have 'significant' heritage value.

Heritage places of state significance are included on the State Heritage Register (SHR) maintained by the Heritage Branch. Places included on the SHR are available on an online database, the NSW Heritage Inventory database. In order to reach the threshold for inclusion in the SHR, a place needs to meet one of more of the heritage criteria identified by the Heritage Council of NSW. The ultimate decision on whether a place is included on the State Heritage Register is made by the Minister for Heritage.

Places of local significance are included in the heritage schedules in Local Environmental Plans (LEPs).

3.1 World Heritage

There are **no World Heritage Sites** ('WHS') located within the Project Area.

3.2 National and Commonwealth Heritage

A search of the Australian Heritage Database was undertaken on 31 January 2017 which indicates that there are **no items within the Project Area included on the National Heritage List ('NHL') or Commonwealth Heritage List ('CHL')**.

3.3 State Heritage

A search of the SHR database was undertaken on 31 January 2017. There are three items located adjacent to the Project Area. These are listed in Table 3.1.

Table 3.1 State Heritage Items

Item	Address	Listing No.	Relation to Project Area
Gledswood	900 Camden Valley Way, Catherine Field	01692	Adjacent (SW) Approximately 500 metres
Raby	1025 Camden Valley Way, Catherine Field	01694	Adjacent (NW) Approximately 610 metres
Upper Canal System (Pheasants Nest Weir to Prospect Reservoir)	NULL	01373	Adjacent (SE) Approximately 420 metres

3.4 Section 170 Registers

Section 170 of the Heritage Act requires State Government Agencies to keep records of heritage items owned or operated by it. These registers can be found on the NSW Heritage Inventory. A search of the State Heritage Inventory database undertaken on 31 January 2017 found that there were **no items on the Section 170 Registers** in or adjacent to this area.

3.5 Local Heritage

A search of Schedule 5 of the Camden Local Environmental Plan 2010 was conducted on 6 February 2017. There are three items located adjacent to the Project Area (Table 3.2). These items were previously identified on the SHR (Section 3.3).

Table 3.2 Local Heritage Items

Item	Address	Listing No.	Relation to Project Area
Gledswood	900 Camden Valley Way, Catherine Field	I81	Adjacent (SW) Approximately 500 metres
Raby (Inc Homestead, Garden, Outbuildings, Grounds and Gateway)	1025 Camden Valley Way, Catherine Field	I82	Adjacent (NW) Approximately 610 metres
Upper Canal System (Pheasants Nest Weir to Prospect Reservoir)	NULL	I122	Adjacent (SE) Approximately 420 metres

3.6 Summary

The heritage register searches have identified three items listed on the State Heritage Register and Camden LEP 2010. None of the items identified are located within the Project Area. The register search results are summarised in Table 3.3 below.

Table 3.3 Summary of Heritage Items

Item Name/ID	Significance	Relationship to Project Area
Gledswood/01692/ I81	State	Adjacent (SW) Approximately 500 metres
Raby/01694/ I82	State	Adjacent (NW) Approximately 610 metres
Upper Canal System (Pheasants Nest Weir to Prospect Reservoir)/ 01373/ I122	State	Adjacent (SE) Approximately 420 metres



4 Historical Context

This historical context sets out the development of historical land use in the Project Area. This is included in order to provide a context for heritage items as well as to support a predictive model for the potential presence of archaeological remains

4.1 Summary of Landownership

The Project Area has passed between several owners since it was first part of a grant made to William Laycock in 1812 by Governor Macquarie. The table below provides a summary of all known landowners to the present day.

Table 4.1 Ownership History (Ashley-Riddle 1990:27, 'Gledswood' OEH)

Date	Owner
Grant. 1812	William Laycock
1816	James Chisholm of Calder, combined with William Laycock's grant.
1829	James (Jas) Chisholm
1858	James Kinghorne Chisholm
9 th April 1907	Thomas Charles Barker, whose wife was Miss Chisholm, together with David William Roxburg
18 th August 1914	Elizabeth Chisholm and Mary Macarthur Chisholm
1940	"Gledswood" sold to Blanche and John Chisholm Martin
Unknown - 1950	Percival Hopkins and his wife, Norah
1950-1953	Unknown Owner
1953	Percival Hopkins and his wife, Norah
Exact Date Unknown	Arthur Wilson (of Wilson Fabrics)
Exact Date Unknown	Roy Morell and Lindsay Atkins
1958	Glen Gordon McKay of Narellan, grazier
1968	Mr and Mrs Anthony Hordern. Cattle Breeders.
1971	"Gledswood" sold to Testoni Bros, Fred and Tullio.
1972	38 acres between Raby Road and Upper Canal divided from the Estate.
1973	Subdivision divides Gledswood roughly in half

4.2 1790-1820s Early European Land Grants

The first recorded explorations of the Camden area were made after rumours spread of a wild cattle herd thriving in the area. The herd was descended from six cattle brought to Sydney from Cape Town with the first fleet, all of which had escaped shortly after the First Fleet's arrival in Sydney in 1788. By 1811 the herd had grown to 500 head of cattle from the original six. The rediscovery of the cattle in 1795 led to the area becoming known as the Cow Pastures and the suitability of the area for agriculture resulted in its early settlement.

In the early years of the settlement one of the critical difficulties facing the new colony was the availability of fresh food. Agriculture in Sydney Town failed and the lack of experienced farmers amongst the settlers did not help. As a consequence, for the first few years following the rediscovery of the cattle land west of the

Nepean River was forbidden from being granted and even exploration was limited. It was hoped that this would allow the herd to continue to grow with the River providing a buffer between settlers and the cattle. Herdsmen's stations were set up at Brownlow Hill, Cawdor and The Oaks ("Burrenuick" 1932:9).

John MacArthur, however, began petitioning his patrons in England for land grants on the west of the River to start his sheep empire. He was successful and was awarded one of the earliest grants in the area in 1805 by the Privy Council (Willis 2008). Following MacArthur's grant, other large estates were established in the area, including Elderslie, Glenlee and Harrington Park, which are noted on an early Narellan Parish Map (Plate 4.1). Further grants were made in the Parish from 1812 onwards including 500 and 400 acres made to William Laycock and Count Gabriel Louis Maree Huon de Kerilleau respectively in 1812. (Plates 4.2 and 4.3) and 3000 acres made to Alexander Reily upon which Raby House is located (Plate 4.4) in 1816. The wild cattle eventually disappeared, mostly as a result of raids by settlers ("Burrenuick" 1932:9).

Laycock's original grant was conditional upon the fact that he would not sell the land for five years and would cultivate 50 acres within the same time period. He was also required to allow the government to create a public road through his property, and to pass on any timber on the property that the Crown deemed fit for naval purposes.

Count Gabriel Louis Maree Huon de Kerilleau arrived in NSW after fleeing France during the revolution (Walsh 1966). Kerilleau was a tutor to MacArthur's sons from 1807 to 1809. This may have played a role in the grant being made to the Frenchman given MacArthur's prominent standing in the early colony. Kerilleau received five convicts with his land grant and constructed a cottage and coach house in late 1810. Kerilleau named the grant 'Buckingham' after the Marquis of Buckingham of England (Ashley-Riddle 1990:7). Kerilleau sold his property in 1816 to his neighbour James Chisholm, who had been granted his property 'Calder Farm' in the early 1800s (Plates 4.5 and 4.6). By this time, Chisholm had also acquired William Laycock's property to the north.

Plate 4.1 Narellan Parish Map (no date likely pre-1832), approximate location of Project Area circled in red

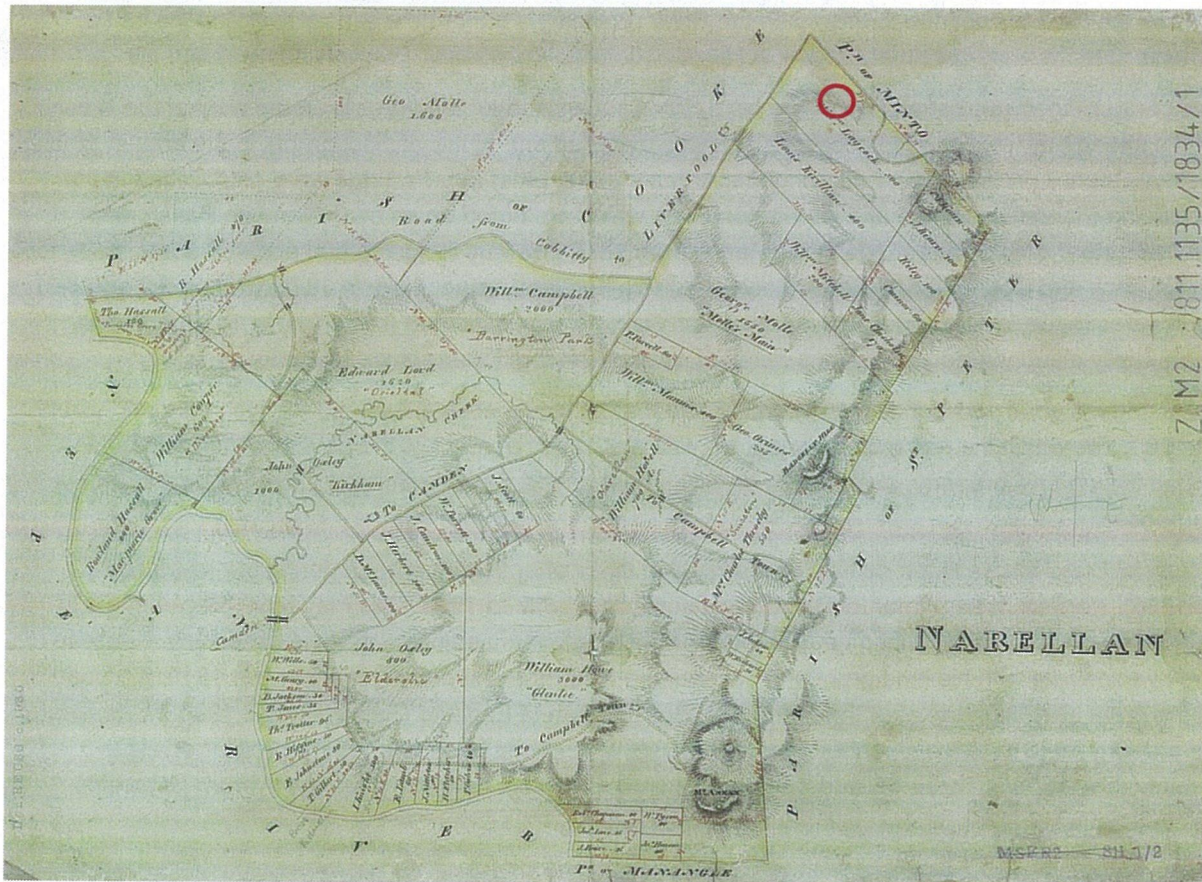


Plate 4.2 Crown Grant to William Laycock

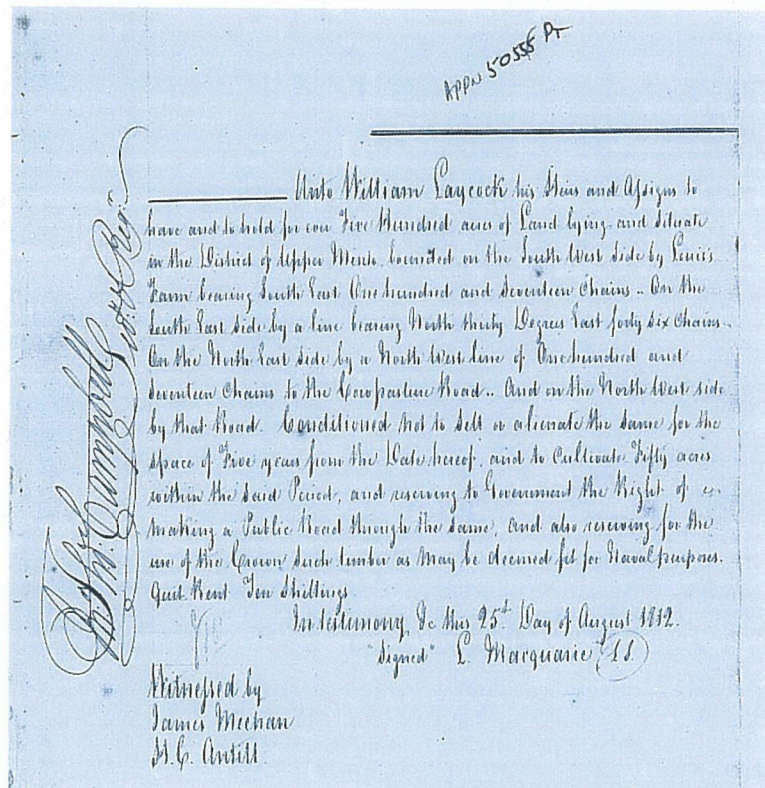


Plate 4.5 Crown Grant to James Chisholm

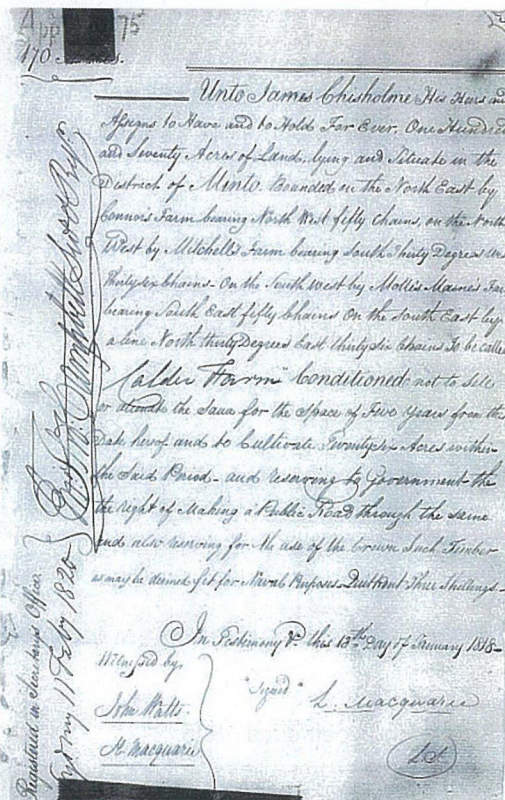


Plate 4.6 1928 Narellan Parish Map showing original land grants made to Kerilleau (seen on map as 'Kerillian'), Laycock and Chisholm. Project Area is outlined in red.



4.3 1816 - 1940 Growth and Development of Gledswood

Following the acquisition of Kerilleau's "Buckingham" Chisholm changed the name to the Gledswood Estate. The late 1810s-1820s saw a period of growth and construction of the Gledswood Estate. Construction of the homestead was completed in 1827 (Ashley-Riddle 1990:11).

James Chisholm and his wife Elizabeth had seven children. A school was constructed on the property for their education. Chisholm and his wife tended the grounds together. During this period of growth and development the foundations were laid for five acres of 'extensive old-world' gardens. The Estate had its own butcher, a vineyard was planted in 1830 and a herd of cattle and sheep were run on the property ('Gledswood' OEH). By 1850 the Estate comprised 1000 acres and an orchard had been constructed ('Gledswood' OEH).

Josie Ashley-Riddle gives an architectural summary of the Homestead during this period in *History of Gledswood* (1990:21)

"The homestead comprises 90 squares [sic] of living space. The main drawing room gives the distinct impression of Verge architecture with Corinthian columns, a vaulted ceiling and concave statue niches on the eastern wall, the cedar throughout being magnificent. There are five large bedrooms, two spacious living rooms, a dining room, three bathrooms, a butler's pantry, two wide elegant halls, an office, a maid's room, the servants quarters and the cellar (convict built) - holding capacity 20'000 bottles, also the ballroom and verandah's all around. The cedar ceiling in the ballroom is supported without nails."

During the following years the extensive gardens at Gledswood were maintained and expanded. James K Chisholm imported ornamental trees from South Africa and roses and geraniums that flanked the old carriageway to the front gate facing Raby Road. A rose garden was planted on the property, which was occupied by a stone love seat that is the resting place of the Chisholm family dogs (Ashley-Riddle 1990:23). The homestead underwent a renovation in the 1870s with the addition of gothic verandas and porches.

The description of the homestead and images available indicate that all of the main structures and outbuildings were located within the SHR listing curtilage. There is no evidence to suggest that structures associated with the day to day life of the homestead would be located within the Project Area.

The State Heritage listed Upper Canal was constructed between 1880 and 1888. Known as the Sydney Water Supply, the canal was constructed in order to provide water to the Prospect Reservoir and then on to Sydney ('Upper Canal' OEH). When the Upper Canal was built, it intersected the Gledswood property running north east to south west.

In 1907, property ownership was transferred to Thomas Barker by James Chisholm. It was thought that Barker, Chisholm's son in law, received ownership of the property to keep it within the family. When Mary MacArthur Chisholm died in 1919, her half share of the estate was transferred to Elizabeth Mary Chisholm and Thomas Barker, Elizabeth holding three-quarters and Thomas Barker one-quarter share. When Thomas Barker died, Elizabeth became the full owner (Ashley-Riddle 1990:29).

4.4 1940 to Present Day Renovation and Subdivision

Ownership of Gledswood passed out of the hands of the Chisholm family in the 1940s. It was subsequently owned by several families including a fabric importer, a grazier and cattle breeders.

In 1950, the property was said to be 'well and securely fenced and subdivided into about 15 paddocks.'

An auction pamphlet from 1953 for the estate describes the property as follows:

'About 600 acres of the property could be cultivated [...] and that 170 acres has already been mown, limed, top dressed and sown with red and white subterranean clover. [...] A feature of the land is the big timber it carries, mainly box and gum, clear indication of the superior quality of the soil. 35 acres at present under oats. "Gledswood" is now running 200 cattle, including a Hereford stud, but it has carried 350 head. [...] The main Sydney Water canal runs right through the property for 44 miles. Also 17 surface tanks and dams. (Richardson & Wrench 1953)

The property is listed as being recently renovated, divided into two separate dwellings that could be reconverted into one if desired. Mention is made of the ornamental trees and scrubs that made up the Chisholm 'old-world' gardens. There are no references to the vineyards cultivated on the property in 1953. At the 1953 auction, the estate was repurchased by the Hopkins family, who had previously owned it in 1950.

The homestead and outbuildings appear in a sketch map from the 1953 auction pamphlet. Note that no structures are recorded within the Project Area (Plate 4.7). At the time, the land was being used for stud farming (Plate 4.8) and oat farming (Plate 4.9).

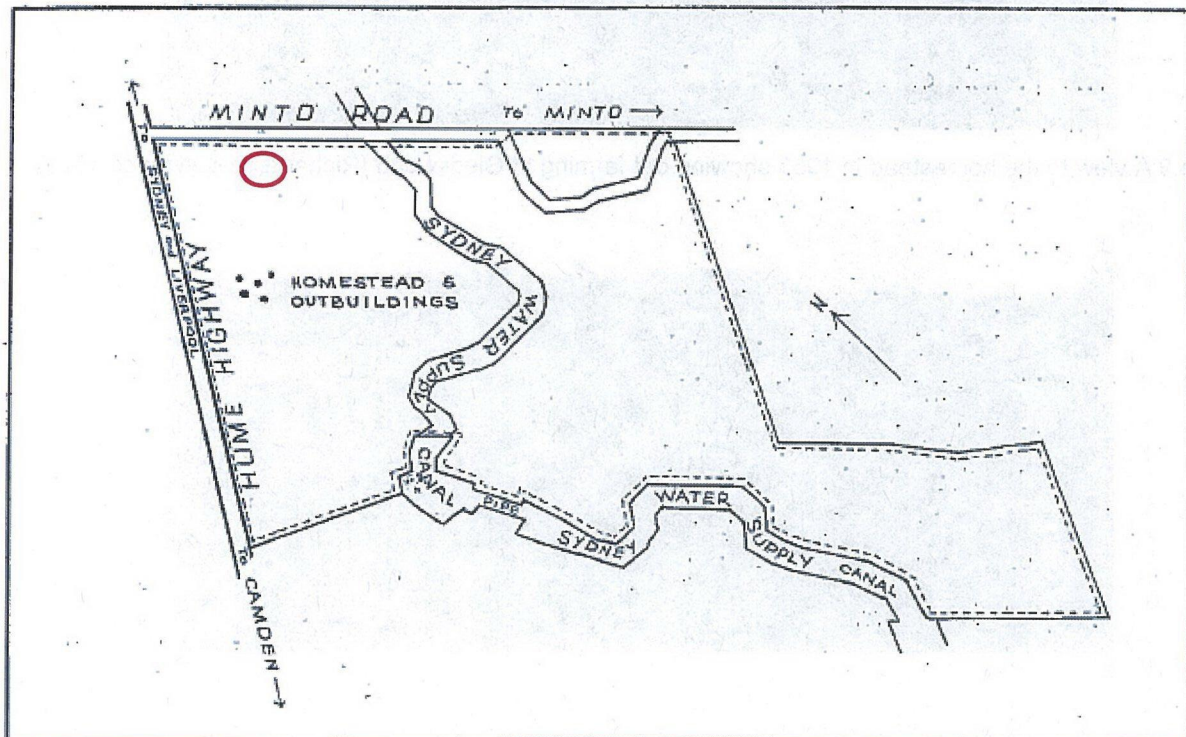
In 1968 the Hordern family took ownership of the property and bred cattle. (Ashley-Riddle 1990:30) In 1971, the Testoni brothers bought the property under the agreement that they would re-establish the winery. The family established 60 hectares of grapes and a small herd of cattle for making cheese. ('Gledswood' OEH)

In 1972, 38 acres of the Gledswood property including Raby Road, the Upper Canal and the Project Area, was divided from the estate.

In 1973, the estate was further subdivided. Over 100 hectares to the north and east of the house was transferred to the NSW Planning and Environment Commission, and another 10 hectares was transferred to the Camden Council in 1976. In 1978, the land on which the Homestead was situated was subdivided again, when over 400 hectares was sold for the creation of the El Caballo Blanco horse shows. The 1970's also saw the subdivision of the eastern section facing Camden Valley Way. ('Gledswood' OEH)

The Camden Lakeside Golf Course was constructed on the land including the Project Area adjacent to Raby Road in 1993.

Plate 4.7 Sketch Map of the Gledswood Homestead and Outbuildings (Richardson & Wrench 1953), general location of the Project Area circled in red. (Note: 'Minto Road' would later be renamed 'Raby Road')



SKETCH MAP OF "GLEDWOOD"—Note the long frontages to the Sydney Water Supply Canal

Plate 4.8 A view to the homestead in 1953 showing stud farming practices (Richardson & Wrench 1953)



Plate 4.9 A view to the homestead in 1953 showing oat farming at Gledswood (Richardson & Wrench 1953)



5 Site Inspection

In keeping with best heritage practice, a visual inspection of the Project Area was conducted on 31 January 2017 by Claire Rayner, RPS Cultural Heritage Consultant and Lucy Irwin, RPS Graduate Cultural Heritage Consultant. The site inspection aimed to locate any visible archaeological remains or potential heritage items, gain an understanding of the site topography, assess the condition of the area and identify previous disturbance. The survey was conducted on foot and in accordance with best practice standards.

The site inspection was limited to the Project Area as defined in Section 1.1.

5.1 Project Area

The north western boundary of the Project Area is formed by the existing clubhouse (Plate 5.1). To the east, the proposed development ends approximately fifty metres from an electricity transmission tower (Plate 5.2). The south eastern boundary is marked by several large trees and the edge of the parking facilities (Plate 5.3). The Project Area consists of a flat carpark, footpaths, landscaped gardens and construction debris. Most ground surfaces in the area were covered with bitumen or concrete, or have been heavily landscaped for garden beds. A small amount of remnant vegetation exists at the site, but has largely been removed in keeping with its function as a golf course.

The landscape of the Project Area has been highly modified. The Clubhouse has been cut into the natural slope. The carpark, comprising the majority of the Project Area, is covered with bitumen (Plate 5.4). There is evidence of previous disturbance to the site, including the construction of a transmission line easement (Plate 5.5). A small amount of remnant vegetation was observed adjacent to the Project Area (Plate 5.6).

There are three state heritage items adjacent to the land on which the Project Area sits. Photographs were taken from the Project Area facing these heritage items in order to establish sight-lines: Raby to the north west (Plate 5.7), Gledswood Homestead to the south west (Plate 5.8) and Upper Canal to the south east (Plate 5.9).

The visual inspection did not identify any potential unlisted heritage items or areas of potential archaeological deposits.

Plate 5.1 View of the clubhouse comprising north western project boundary.



Plate 5.2 Transmission line comprising eastern project boundary.



Plate 5.3 Line of trees and edge of parking facilities comprising south eastern project boundary.



Plate 5.4 View of carpark**Plate 5.5** View of construction materials.

Plate 5.6 View south towards Gledswood from Project Area



Plate 5.7 View north towards Raby Road from Project Area



Plate 5.8 View east towards the Upper Canal from the Project Area

6 Archaeological Potential and Significance

6.1 Land Use Summary

The following discussion of the historical archaeological potential of the Project Area is based on the background research conducted for this assessment and is not intended to be exhaustive. Based on the extensive history of the site and the nature of the land use in the local area there is always a possibility that unexpected historical archaeological remains would be encountered during works.

There are three broad phases of land use associated with the Project Area.

- Phase 1 (1812 – 1816): This phase is associated with the initial land grants on the property and the building of Buckingham to the south of the Project Area, ending in 1816 when the property was purchased by James Chisholm.
- Phase 2 (1816 – 1940): This phase is associated with growth and development of the Gledswood Homestead, including the development of the gardens and establishment of a vineyard to the south of the Project Area. During this phase the Project Area would have been used for cattle and sheep rearing.
- Phase 3 (1940 to Present Day): This phase is associated with the land passing out of the hands of the Chisholm family, its subsequent ownership, renovation, subdivision and development into a golf course.

6.2 Previous Structures

The documentary research conducted for this assessment does not indicate that any substantial structures were located within the Project Area.

Ephemeral structures present in the Project Area would have likely included fencing and animal shelters.

6.3 Previous Impacts

It is necessary to understand previous impacts that have occurred in order to assess the archaeological potential of an area. Subsurface impacts associated with former or current land uses have the potential to damage or remove potential archaeological remains. These would include the following:

- Cattle grazing from the 1940s onwards
- Construction of the golf course Clubhouse, car park and installation of subsurface utilities on the property

The stud farming in the late 1900s and development of the Camden Lakeside Golf Course in 1993 are likely to have had the greatest impacts on any archaeological potential within the Project Area. The land currently housing the Camden golf course has been subject to landscaping typical of that of a golf course including the creation of artificial lakes and bunkers, the laying of new turf and the removal of trees. Structures have been built on the property including the clubhouse and the laying of concrete and bitumen for the carpark and footpaths within the Project Area. Therefore the Project Area has been subject to high levels of disturbance.

6.4 Assessment of Archaeological Potential

The previous sections have outlined the potential impacts to the archaeological resource of the Project Area. This section presents a series of gradations of potential to indicate the degree to which the archaeological remains associated with each phase are likely to be present within the Project Area. The identified level of potential is:

- Low-Nil - Disturbance has most likely removed archaeological remains or research indicates low level occupation and activity.

Phase 1 (1812 – 1816) Early Land Grants

Land Use during this phase is associated with early land grants. The Project Area is located within a land grant made by Governor Macquarie to William Laycock in 1812. An analysis of historical documents indicates it was unlikely that Laycock built a residence on his land grant.

Early uses of land within this region were largely devoted to agriculture, including grazing and stud-farming. Vegetation on the property would have been cleared, but it is unlikely that further landform modification took place during this period.

Potential archaeological remains typically associated with this use are:

- Evidence of vegetation removal and small-scale landform modification such as the burning of tree stumps
- Evidence of fence lines
- Evidence of formalisation of water courses
- Evidence of modification of the landscape for agricultural purposes, such as ploughing.

The archaeological remains of the activities described above are likely to have been ephemeral in nature and subsequent land use would have impacted any remains located within the Project Area. The documentary research conducted provides no evidence that substantial structures were built on the site during this stage

There is low-nil potential for archaeological remains associated with early land uses to be present within the Project Area.

Phase 2 (1816-1940) Growth and Development of Gledswood

Land use during this phase is associated with the development and growth of the Gledswood Homestead. The Project Area is located six hundred metres from the Homestead, in what would have originally been the northern corner of the property. An analysis of historical documents indicates that it is unlikely that any substantial structures associated with the homestead were built in the Project Area.

Land use during this phase was largely devoted to pastoralism, including the farming of cattle and sheep.

Potential archaeological remains typically associated with this use are:

- Evidence of ephemeral structures to support stud farming (including paving, shelters and/or sheds, fencing)
- Evidence of modification of the landscape for agricultural purposes, such as ploughing.

The Project Area is unlikely to contain any archaeological evidence relating to the growth and development of the homestead. The documentary research provides no evidence that substantial structures or domestic structures associated with the homestead were built on the site during this stage. The activities above would have left little material evidence, and subsequent disturbance is likely to have damaged any archaeological remains.

There is low-nil potential for archaeological remains associated with land use phase 2 to be present within the Project Area.

Phase 3 (1940 – Present Day) Renovation and Subdivision

Land use during this phase is associated with the renovation and subdivision of the Gledswood Homestead. While the Project Area was still connected to the homestead, it was largely devoted to agriculture and pastoralism, including running cattle and growing oats. The Project Area was subdivided from the Gledswood property in 1972, and developed into a golf course in 1993. The site inspection results made it clear that extensive landform modification has taken place, as well as the installation of utilities. Currently, a large majority of the Project Area is covered by a bitumen car park.

There is low-nil potential for archaeological remains associated with land use phase 3 to be present within the Project Area.

Summary of Archaeological Potential

The archaeological potential resulting from each land use phase is summarized below:

Phase 1 – low to nil potential for archaeological remains associated with land use phase 1

Phase 2 – low to nil potential for archaeological remains associated with land use phase 2

Phase 3 – low to nil potential for archaeological remains associated with land use phase 3

Archaeological significance

Archaeological significance is assessed using the guidelines issued by the Heritage Division of OEH, *Assessing Significance for Historical Archaeological Sites and 'Relics'* (2009). These guidelines consider the values of archaeological sites beyond their research potential. This section discusses the research potential of the potential archaeological resource and provides an assessment against the NSW heritage significance criteria.

Archaeological research potential

The archaeological research potential of a site can guide the significance assessment of a site. Bickford and Sullivan (1984) provide a framework in order to assess archaeological research potential based on the sites ability to answer three questions:

1. Can the site contribute knowledge that no other resource can?
2. Can the site contribute knowledge that no other site can?
3. Is this knowledge relevant to general questions about human history or other substantive questions relating to Australian history, or does it contribute to other major research questions?

The Project Area has low to nil potential to contain an archaeological resource that is likely to support and enhance the current state of knowledge about its phases of occupation. This assessment has not identified any structures within the Project Area during its occupation before its subdivision in 1972. The 20th century development of the Project Area is likely to have disturbed any archaeological remains of ephemeral structures.

6.5 Significance Assessment

This significance assessment has been undertaken in line with the *Burra Charter* of Australia ICOMOS. The principles of the Charter are relevant to the assessment, conservation and management of sites and relics. The following section contains an assessment of the heritage significance of these items using the NSW state significance heritage criteria outlined through the *Heritage Act*, the *NSW Heritage Manual* and the

Archaeological Assessment Guidelines. An item is considered to have heritage significance if it meets one of the seven heritage criteria outlined below.

An item or potential archaeological site may be assessed as being of Local or State significance. If a potential relic is not considered to be of Local or State significance then it is not considered to be a relic under the Heritage Act.

The heritage significance assessment criteria as described in the *Assessing Significance for Historical Archaeological Sites and 'Relics'* (2009) is as follows:

Table 6.1 NSW heritage assessment criteria

Criteria	Description
A – Historical Significance	An item is important in the course or pattern of the local area's cultural or natural history
B – Associative Significance	An item has strong or special associations with the life or works of a person, or group of persons, of importance in the local area's cultural or natural history
C – Aesthetic Significance	An item is important in demonstrating aesthetic characteristics and/or high degree of creative or technical achievement in the local area
D – Social Significance	An item has strong or special association with a particular community or cultural group in the local area for social, cultural or spiritual reasons
E – Research Significance	An item has potential to yield information that will contribute to an understanding of the local area's cultural or natural history
F – Rarity	An item possesses uncommon, rare, or endangered aspects of the local area's cultural or natural history
G – Representativeness	An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places of cultural or natural environments (or the cultural or natural history of the local area).

The assessment of the significance of the potential archaeological resource contained within the Project Area against the NSW heritage assessment criteria is outlined in the table below.

Table 6.2 Assessment of archaeological potential against the NSW heritage criteria

Criteria	Description
A – Historical Significance	There is nil to low potential for archaeological remains to be present within the Project Area. The potential archaeological resource is unlikely to provide information relating to the cultural or natural history of the local area. The potential archaeological resource does not meet the local significance threshold under this criterion.
B – Associative Significance	The Project Area has some association with early land grants in the area, but is unlikely to contribute to existing knowledge about the local area's cultural history, or to the personal history of the land holders. The potential archaeological resource does not meet the local significance threshold under this criterion.
C – Aesthetic Significance	It is unlikely that archaeological remains would demonstrate a high degree of creative or technical achievement, or demonstrate aesthetic characteristics. The potential archaeological resource does not meet the local significance threshold under this criterion.

Criteria	Description
D – Social Significance	<p>It is unlikely that archaeological remains within the Project Area would provide insight into a particular community, or that a special association would exist between a community and any archaeological remains.</p> <p>The potential archaeological resource does not meet the local significance threshold under this criterion.</p>
E – Research Significance	<p>The Project Area has low to nil potential to contain any archaeological remains. It is unlikely that remains would yield information that would contribute to an understanding of the area's local history.</p> <p>The potential archaeological resource does not meet the local significance threshold under this criterion.</p>
F – Rarity	<p>Remains associated with the early land grants of Catherine Field and the development of Homesteads in the area are known to exist, such as Raby House and Varroville. It is unlikely that any archaeological remains would yield information about endangered aspects of the local area's cultural history.</p> <p>The potential archaeological resource does not meet the local significance threshold under this criterion.</p>
G – Representativeness	<p>The potential archaeological remains are likely to be representative of agricultural practices typically found in pastoral contexts. It is unlikely that remains would be considered particularly representative, merely displaying standard characteristics.</p> <p>The potential archaeological resource does not meet the local significance threshold under this criterion.</p>

Statement of Archaeological Significance

Based on the land-use history there is nil to low potential for significant archaeological remains to be located within the Project Area. Potential archaeological remains that are located within the Project Area are unlikely to contribute to research questions and therefore do not meet the local significance threshold. As such there is nil to low potential for relics to be located within the Project Area

7 Built Heritage Items

The Project Area is located adjacent to the State Heritage listed Gledswood Homestead, Raby and Upper Canal. Each of these items have Conservation Management Plans (CMPs) to provide guiding principles for the conservation and future management of the item. This section presents a summary of these CMPs and previous significance assessments for each item.

7.1 Gledswood Homestead

Statement of Significance

Gledswood Homestead is an early 19th century farming estate built by James Chisholm in c. 1830, significant for its contributions to the Australian wine industry and the art of gardening in NSW. From the Project Area, the Gledswood Homestead is located to the south west. The original land of the Gledswood Homestead encompassed the Camden Lakeside Golf Course.

The statement of significance as listed on the state heritage register is as follows:

Gledswood is an early 19th century farm estate that has close associations with the Camden area which is the birthplace of the Australian wool industry. Built by James Chisholm in c.1830, Gledswood remained the Chisholm family residence for 90 years. A prominent feature at Gledswood is an outstanding colonial garden that was expanded in 1870. The garden featured in Horticultural Magazine (1870) and was romanticised by Hardy Wilson in 1920. The intense and continual interest in gardening at Gledswood has made Gledswood a prominent contributor to the art of gardening within NSW.

Gledswood has historical significance for its association with the early development of Australia's wine industry. James Chisholm junior planted a vineyard in 1830, and in 1847 vinedressers from Germany were imported to work it. A convict built cellar under the homestead was capable of holding 20,000 bottles of wine.

Gledswood Conservation Management Plan prepared by GML 2011

A CMP was prepared for the Gledswood Homestead in 2008 by Godden Mackay Logan (GML). This was later updated by GML in 2011 following review of the original document by the NSW Heritage Council. The CMP describes the historical context of the item, the landscape and setting of the item and provides an analysis of the site. The landscape analysis examined the original layout of the estate and the subsequent modifications (see Plate 7.1). The initial layout of access points to the Estate is shown in Plate 7.1. The Project Area is located east of a band of woodland that is now the Camden Lakeside Golf Course. The landscape analysis did not identify any significant elements within the vicinity of the Project Area. It highlighted the importance of the spatial relationship between the Raby Estate and Gledswood Estate.

The CMP provides a summary of significant view corridors from the Gledswood Homestead (Plate 7.2). There are no direct views indicated in Plate 7.2 between the heritage item and the Project Area. However, there may be some overlap for views labelled A, B and C with the Project Area. The chief views into the Gledswood Estate are considered to be from Camden Valley Way, Raby Road and the immediate neighbouring properties from the north, south east and south west (GML 2011: 19). Important views from the Estate are described as views east towards Raby Road over the former parts of the Gledswood Estate, views to early colonial roads Camden Valley Way and Raby Road and views from the upper edge of the northwestern paddock near Camden Valley Way to the Raby homestead.

The CMP recommended that the visual context of Gledswood, which includes views to and from the estate as well as the views between the homestead and farm buildings and their surrounding paddocks, be conserved, enhanced and interpreted (GML 2011: 116). These views are listed as the following:

- Views from the homestead to the landscape park,
- Views from the homestead to the 'home' paddock (north),
- Views from the homestead to the Hoop Pines and Stone Pines off the eastern axis at and beyond the Upper Canal,
- Views to the homestead group and farm group, enhanced by their flanking tree composition, from both Raby Road and Camden Valley Way,
- Views from the elevated northwestern paddock situated along Camden Valley Way to the homestead group and farm group,
- Views from the elevated northwestern paddock to Raby homestead,
- The serial view sequences from the southern estate road, former eastern entry and original Camden Valley Way driveway to the homestead group and farm group (GML 2011: 120).

Conservation policy 7.4.6-4 states that mitigation measures should be put in place where powerlines and recent neighbouring development have combined to compromise important traditional views. This includes introduction of strategically placed blocks of tall indigenous vegetation at the eastern edge of the site and within the Camden Lakeside Golf Course to screen intrusive elements

Plate 7.1 Gledswood Landscape analysis, approximate location of Project Area circled in red (GML 2011: 53)

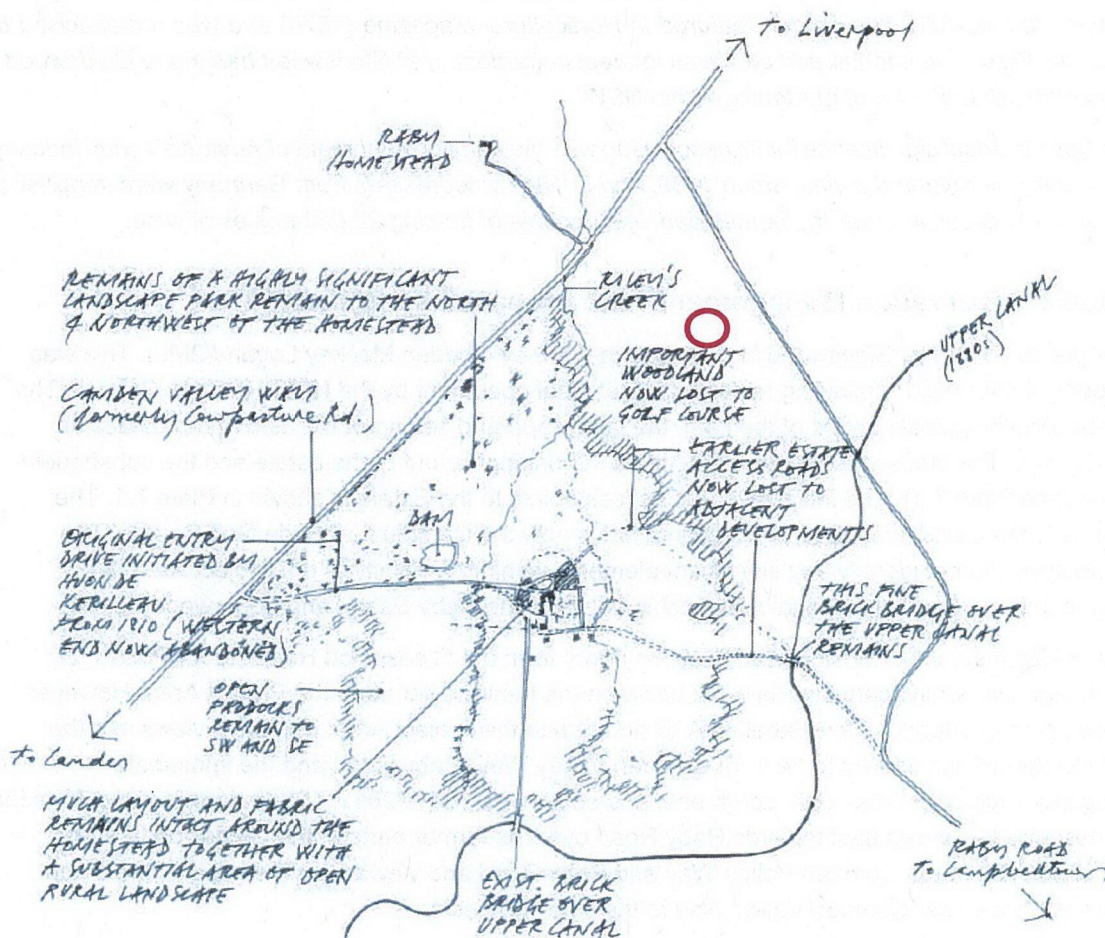


Figure 3.41 Analysis of Gledswood landscape.

Plate 7.2 Significant views to and from the Gledswood Estate, location of Project Area circled in red (GML 2011: 99)

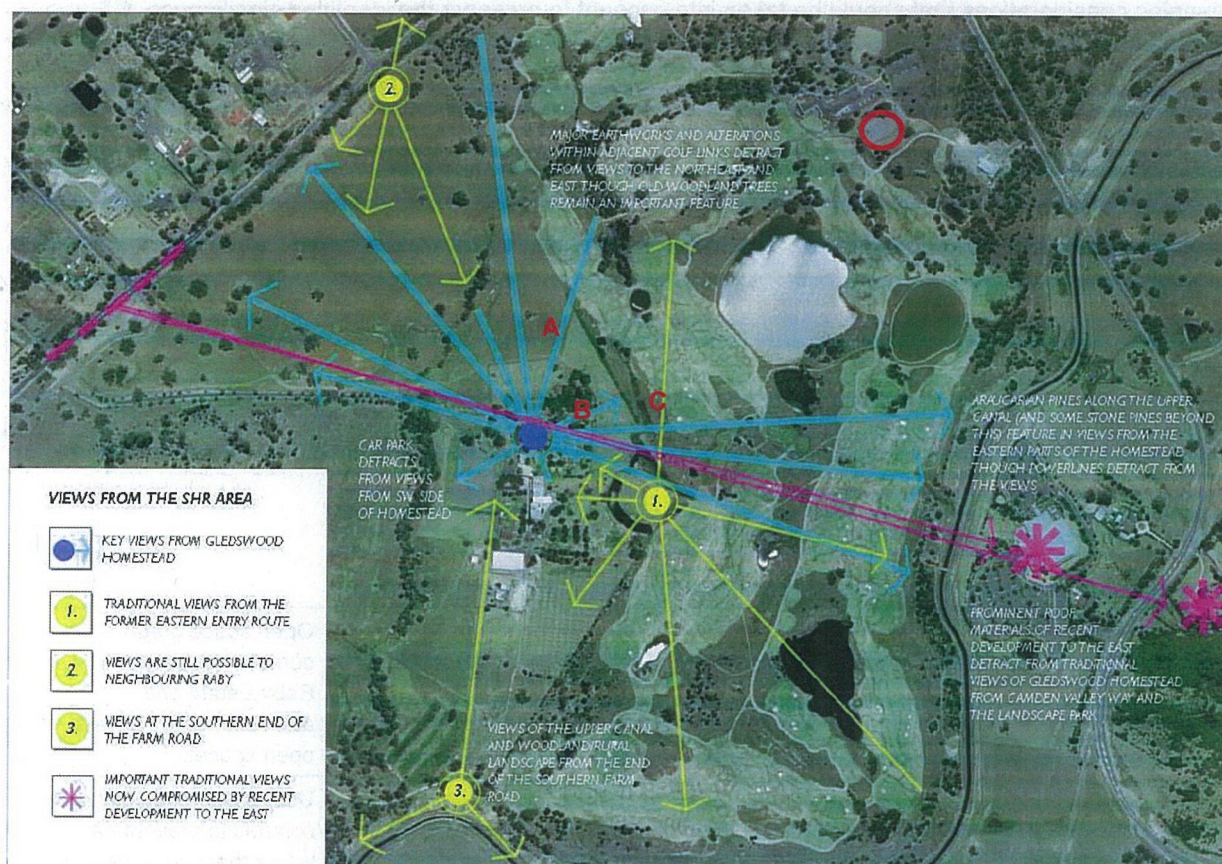


Figure 5.3 Significant views at the Gledswood estate—including sequential entry views and traditional vistas.

7.2 Raby

Statement of Significance

Raby is a colonial estate built in 1820-1834, significant for its contributions to the Australian merino wool industry. From the Project Area, Raby is located to the north west, separated by Camden Valley Way.

The statement of significance as listed on the state heritage register is as follows:

Raby is a rare surviving element of an early colonial estate and is significant at state level for its associations with the pioneering of the Australian fine merino wool industry. Raby is part of an important group of extant early colonial farming estates along the former Cowpastures Road, and is representative of early colonial farming estates. The homestead group is sited on the remains of the original 1816 land grant. Raby has associations with the Riley and Moore families and throughout its history was the subject of illustration and literature produced by prominent people, notably Joseph Lycett & W. Mason (c.1820), Baron Von Hugel and Dr John Lhotsky (c.1834) and by William Hardy Wilson (c.1920).

Raby 1025 Camden Valley Way, Catherine Field Conservation Management prepared by Perumal Murphy Wu 2002

Perumal Murphy Wu compiled a CMP for SHR item Raby in 2002. The CMP includes an architectural assessment of the built fabric, archaeological assessment and landscape assessment which all contribute to the significance assessment of the site and its components. Conservation policies were then formulated

based on these significance assessments. The landscape analysis of the CMP considered the five aspects of the items significance, the characteristics and features of the item that contributed to that significance and the planning considerations that should be taken into account to preserve the identified significance. Of relevance to this assessment are the characteristics and features that include views to and from the item. As a rare example of the early 19th century Cowpastures settlement the relationship between Gledswood Estate and Raby are considered significant. The significant views are summarised in the table below:

Table 7.1 Characteristics that contribute to significance.

Aspect of Significance	Characteristics and features	Obligations	Considerations
An enduring component of one of the first areas new Sydney settled for pastoral use in the 19 th century	Scenery and views	<ul style="list-style-type: none"> Retain rural character of new roads and key views of homestead and other historical features from roads. Protection of main views of Raby complex from Camden Valley Way, Raby Road and Dwyer Road 	<ul style="list-style-type: none"> Treatment of new road reserve, siting and character of any roadside planting could enhance sense of special place
An increasingly rare part of the 19 th century Cowpastures Road settlement	Relationship between Raby and other estates/homesteads	<ul style="list-style-type: none"> Retain landscape and visual link between Raby, Gledswood and golf course 	<ul style="list-style-type: none"> Open space green corridor link between Raby Estate and adjacent/nearby private open spaces
Remnant core of a successful early pastoral estate that has endured from the 18110's to the present	Views to and from the property (visibility in the landscape)	<ul style="list-style-type: none"> Retain the prospect from the house north-east to Raby Road, to the east and to the south-east Retain views of the Raby homestead group along most of Camden Valley Way, from the historic current entrance and Dwyer Road 	<ul style="list-style-type: none"> Use design and planting controls to prevent new works that might obscure views Views to be protected in LEP/DCP Views to be retained and enhanced through landscaping and selected editing of trees Screen any potential development in the north-east corner, while if practicable allowing to protect/retain glimpse of the homestead group.

7.3 Upper Canal System

Statement of Significance

The Upper Canal forms a major component of the Upper Nepean Scheme, supplying water from the Cataract River to the Crown Street Reservoir, a distance of 63.25 miles.

The statement of significance as listed on the state heritage register is as follows:

The Upper Canal System is significant as a major component of the Upper Nepean Scheme. As an element of this Scheme, the Canal has functioned as part of Sydney's main water supply system since 1888. Apart

from maintenance and other improvements, the Upper Canal has changed little. As part of this System, the Canal is associated with Edward Moriarty, Head of the Harbours and Rivers Branch of the NSW Public Works Department.

The Canal is aesthetically significant, running in a serpentine route through a rural bushland setting as an impressive landscape element with sandstone and concrete-lined edges; The Canal is significant as it demonstrates the techniques of canal building, and evidence of engineering practice. The Canal as a whole is an excellent example of 19th century hydraulic engineering, including the use of gravity to feed water along the canal (BCubed Sustainability, 2/2006).

The Upper Nepean Scheme is significant because:

- In its scope and execution, it is a unique and excellent example of the ingenuity of late 19th century hydraulic engineering in Australia, in particular for its design as a gravity-fed water supply system.
- It has functioned as a unique part of the main water supply system for Sydney for over 100 years, and has changed little in its basic principles since the day it was completed.
- It represented the major engineering advance from depending on local water sources to harvesting water in upland catchment areas, storing it in major dams and transporting it the city by means of major canals and pipelines.
- It provides detailed and varied evidence of the engineering construction techniques prior to the revolution inspired by reinforced concrete construction, of the evolution of these techniques (such as the replacement of timber flumes with wrought iron and then concrete flumes), and of the early use of concrete for many engineering purposes in the system.
- The scheme possesses many elements of infrastructure which are of world and national renown in technological and engineering terms.

Many of the structural elements are unique to the Upper Nepean Scheme.

Conservation Management Plan for the Upper Canal, Pheasant's Nest to Prospect Reservoir, NSW prepared by Edward Higginbotham & Associates 2002

Higginbotham & Associates compiled a CMP for the Upper Canal in 2002. This CMP included a detailed historical background, detailed inventory of all significant items along the route of the Upper Canal, a detailed assessment and statement of significance and proposed conservation policies, guidelines and recommendations. The CMP identified the Upper Canal as part of a cultural landscape enhanced by the natural bushland and rural farmland of its setting (Higginbotham 2002: 12). This setting establishes the physical context for the historic relationship between the Upper Canal and early colonial estates such as Gledswood.

Remnant plantings along the route contribute to the aesthetic values of the item. A number of significant built components such as cottages, tunnels and bridges are located along the route of the item, however none of these are located within the section nearest the Project Area. The CMP recommended the conservation of the traditional setting of the item from potential encroachments of an inappropriate nature such as residential or industrial development (Higginbotham 2002: 35). The CMP does not identify significant views or vistas to and from the item. However, the physical connection to the Gledswood Estate characterized by the open fields and remnant bushland contributes to the historic and aesthetic significance of the item.

8 Heritage Impact Assessment

8.1 Proposal

The proposed works include the construction of a hotel on the site, which would be located next to the existing clubhouse. The hotel would be five stories high with two levels of basement parking. Bulk earthworks would be required in order to facilitate the creation of the two levels of basement parking (see Plate 8.3).

Plate 8.1 Proposed works showing ground level plans

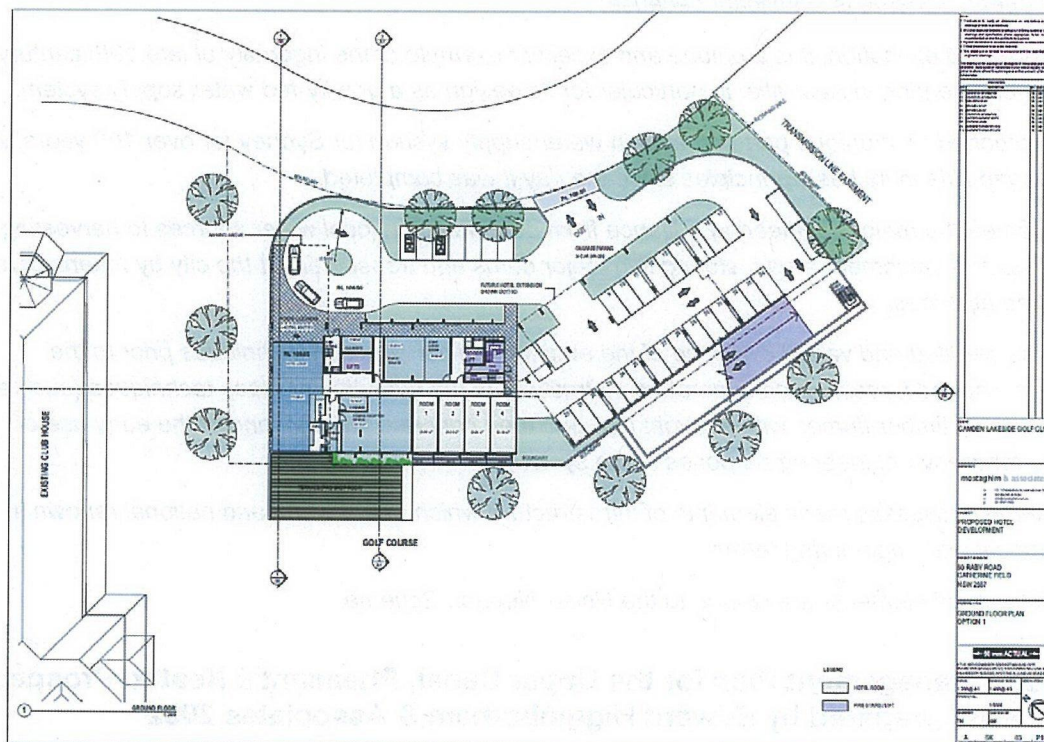


Plate 8.2 Proposed works showing basement level plans

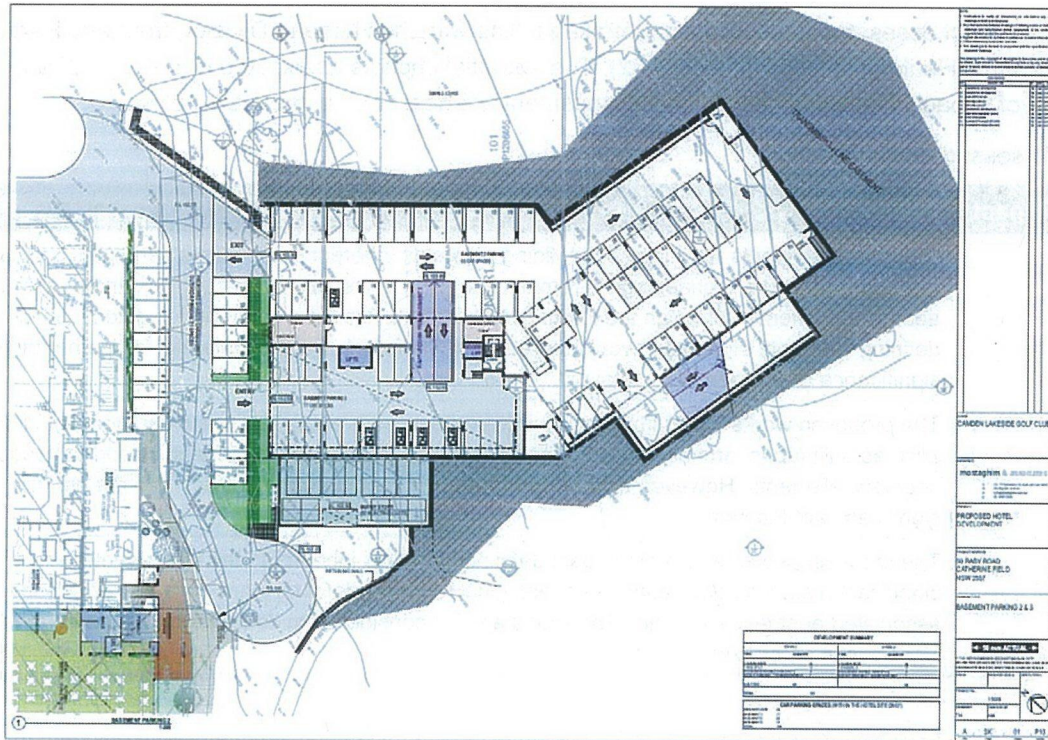
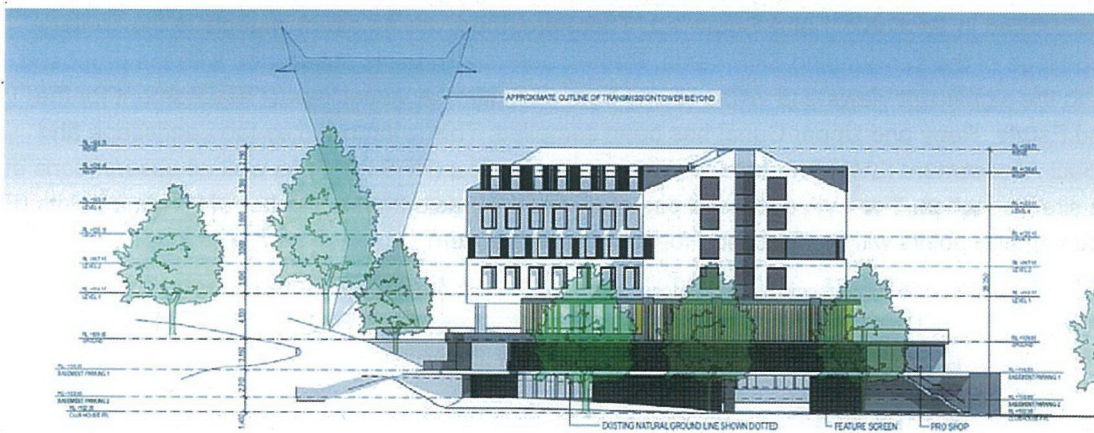


Plate 8.3 Proposed works showing elevation and cut into existing landscape



8.2 Heritage Impact Assessment

The heritage impact assessment has been undertaken in line with the Heritage Division (formerly Heritage Office) guidelines (Heritage Office & DUAP 2002). The potential impacts associated with the proposal are given a level of impact. The levels used in this assessment are described in the table below.

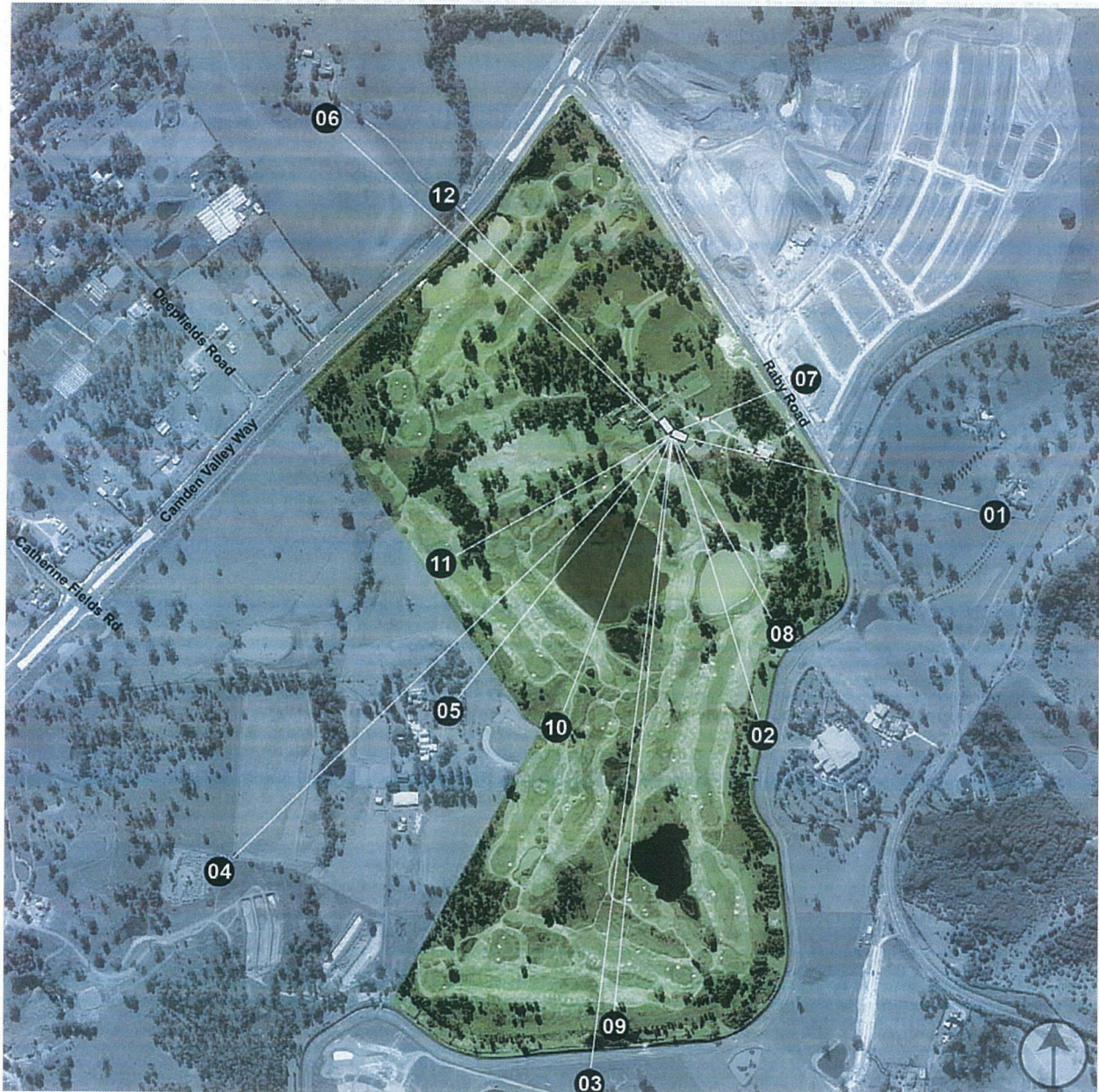
Table 8.1 Assessed levels of impact

Level of impact	Description
Moderate	The proposed works would impact defining elements inherent to the item's heritage significance such as built fabric, archaeological remains, defining landscape characteristics and/or associated aesthetic elements. Although the integrity/intactness of the item would be impacted, some defining elements of the item would be retained. Therefore, there is potential for the heritage significance of the item to be retained.
Minor	The proposed works would impact defining elements inherent to the item's heritage significance such as built fabric, archaeological remains, defining landscape characteristics and/or associated aesthetic elements. However, these impacts are not considered to detract from the heritage significance of the item.
Nil	The proposed works would not impact defining elements inherent to the items heritage significance such as built fabric, archaeological remains, defining landscape characteristics and associated aesthetic elements. The works are not considered to detract from the heritage significance of the item.

Heritage visual impact assessment

The ground disturbance associated with the construction of the proposed works is limited to the Project Area boundaries defined in Section 1.1 and Figure 1.1. Therefore, there are no direct impacts to the heritage fabric or curtilage of the surrounding SHR items. Rather, potential impacts associated with the proposed works are to the significant views and vistas to and from each item. A visual impact assessment for the Gledswood Estate, Raby and Upper Canal has been compiled. This is informed by the Landscape and Visual Impact Assessment (LVA) prepared for the proposed works (RPS 2017) as well as observations made during the site inspection. The LVA assessed potential visual impacts from a number of vantage points (Plate 8.4). These vantage points will be discussed for each individual item.

Plate 8.4 LVA vantage points (RPS 2017)

**Gledswood Homestead (SHR # 01692/CLEP I81)**

The Gledswood Homestead CMP identified a number of significant views to and from the heritage item. The Project Area is located within the vicinity of three of these views:

- Views from the homestead to the landscape park,
- Views from the homestead to the Hoop Pines and Stone Pines off the eastern axis at and beyond the Upper Canal,
- The serial view sequences from the southern estate road, former eastern entry and original Camden Valley Way driveway to the homestead group and farm group (GML 2011: 120).

The LVA vantage points 4, 5 and 10 assessed the potential impacts to views and vistas generally corresponding with these significant view corridors. Vantage point 11 assessed potential impacts to views and vistas from the eastern boundary of the heritage curtilage.

LVA 4 – Views from the homestead to the landscape park, Gledswood Ponds (Plate 8.5)

This vantage point is located on the western side of the Gledswood Estate looking northeast towards the Gledswood homestead buildings and the Project Area. It is located on the western side of the ridge on which the Gledswood homestead is situated overlooking the Lakeside Golf Course green. This vantage point has a clear view towards the Project Area. There are some stands of trees, however the golf course club house is clearly visible. It is likely that the proposed hotel would be visible from this location. The Gledswood homestead CMP considered the 19th century parklike landscape and remnant bush to be important to the heritage significance of the item. Therefore, the proposed works would cause a minor to moderate impact to this view corridor.

Plate 8.5 LVA 4 – view towards Project Area from Gledswood Ponds



LVA 5 – Views from the homestead to the landscape park and Views from the homestead on the eastern axis (Plate 8.6)

Views from the homestead towards the Project Area include the manicured lawns and gardens to the eastern boundary of the Gledswood Estate, Remnant native bush and the golf course green beyond. The location of the proposed hotel is behind a thick stand of native trees which act as a visual barrier between the Project Area and the heritage item. The Project Area is located to the north west of the Upper Canal and therefore the proposed works would not impact the views from the homestead towards the Canal.

The proposed works would not alter the current landscape of this vista. The roof of the completed hotel may be slightly visible from the homestead however the existing stands of native bush would block any significant impacts caused by the hotel façade. Any impacts to the views from the homestead would be minor in nature and would not affect the overall heritage significance of the view.

Plate 8.6 LVA 5 – Views from the homestead to the landscape park (RPS 2017)



LVA 10 – Views from former eastern entry (Plate 8.7)

This vista is dominated by the modified Lakeside Golf Course green, and includes a large transmission tower and stands of native trees and shrubs. The Project Area is located behind the dense stands of trees and it is highly unlikely that the proposed works would alter the current views from this location. The roof of the completed hotel may just be visible through the tree line. However, this is considered to be a minor impact that would not alter the heritage significance of views from the former eastern entry to the Gledswood Estate.

Plate 8.7 LVA 10 – Views from the former eastern entry (RPS 2017)



LVA 11 – Views from north eastern boundary of Gledswood Estate (Plate 8.9)

Views from LVA 11 incorporate the modified Lakeside Golf Course green and a thick stand of native bush. The bush acts as a visual barrier between this location and the Project Area. The transmission tower

adjacent to the Project Area is not visible above the tree line. As the proposed hotel would not be taller than the transmission line it is highly unlikely that the structure would be visible from this location. Therefore, the proposed works would not impact this vista and there would be no impacts to the heritage significance of the item.

Plate 8.8 LVA 11 – views from eastern boundary of Gledswood Estate (RPS 2017)



Raby (CHL #01694/CLEP I82)

The Raby CMP identified three visual components that contribute to the overall significance of the item. These components are:

- Scenery and views
- Relationship between Raby and other estates/homesteads
- Views to and from the property (visibility in the landscape)

The LVA vantage points 6 and 12 assessed the potential impacts to views and vistas from the heritage item.

LVA 6 & 12 – Views from Raby House and entrance (Plates 8.9 & 8.10)

LV 6 is located in front of Raby House and looks towards the Project Area. The view includes the open paddocks that front Raby House to Camden Valley Way, overhead power lines and thick native bush and scrub. LV12 is located at the entrance to Raby House on Camden Valley Way and looks south east towards the Project Area. It includes the modern road corridor of Camden Valley Way, a modern shed structure, remnant native bush and shrubs and a portion of the Lakeside Golf Course.

The Project Area is located behind the thick bush and scrub which would act as a visual barrier between the heritage item and the proposed works. The proposed works would have a negligible impact on the scenery and views or the visibility in the landscape component of the heritage significance of the item. The Project Area is located to the south east of Raby House. The Gledswood Homestead is located to the south west of the Raby House. Therefore, the proposed works would impact the visual relationship between Raby and the Gledswood Estate. Overall the proposed works would have negligible impacts to this view corridor.

Plate 8.9 LV6 – View south east from Raby House**Plate 8.10 LV12 – View southeast from entrance to Raby, Camden Valley Way****Upper Canal System (Pheasants Nest Weir to Prospect Reservoir, SHL #01373/
CLEP I122)**

The statement of heritage significance assessment compiled in the CMP for this item did not specify any particularly significant views and vistas to or from the item. However, the setting of the item in rural farm and native bush landscapes as well as the physical connection to the early colonial estates such as Gledswood is considered to contribute to the historic and aesthetic significance of the item.

LVA vantage points 2 and 8 assessed the potential impacts to views and vistas from the heritage item.

LVA 2 – view north east from Upper Canal (Plate 8.11)

The vista from LVA 2 includes the open grassed areas of the modified Lakeside Golf Course, some singular pines and remnant bush and shrubs. The plantings in the area are generally wide spread with some clumps of low shrubs and isolated tall pines. The proposed hotel would be clearly visible in the landscape from the heritage item. This would have a negative impact on the aesthetic heritage of the item in this location. The Upper Canal is an extensive example of water infrastructure. Considering the large scale of the item and location of the proposed works this impact is assessed to be minor in nature.

Plate 8.11 LVA 2 view north east from Upper Canal



LVA 8 – view north-east from Upper Canal, north of LVA 2 (Plate 8.12)

LVA 8 is located north of LVA 2 and looks north east towards the Project Area. This vantage point overlooks a large dam and includes some small sheds and scattered tall trees with a sparse understorey. The transmission tower located to the east of the Project Area is visible from this point. It is likely that the proposed hotel would be visible from the heritage item in this location. As with LVA 2 this would have a negative impact on the aesthetic heritage of the item in this location. However, in consideration of the large scale of the item this impact is considered to be minor to the overall aesthetic significance of the item.

Plate 8.12 LVA 8 view northeast towards Project Area from Upper Canal heritage item

Summary of heritage visual impact assessment

Overall the visual impacts to the surrounding SHR items are considered to be negligible to moderate. The results of the assessment for each item is summarised in the table below.

Table 8.2 Summary of visual impact assessment

Item	LVA # visual impact assessment	Overall visual impact assessment
Gledswood Homestead	4 – minor to moderate	Negligible to moderate
	5 – minor	
	10 – minor	
	11 – negligible	
Raby	6 – negligible	Negligible
	12 – negligible	
Upper Canal System	2 – minor	Minor
	8 – minor	

Archaeological Potential

There is low to nil potential for the Project Area to contain archaeological relics of local or state significance as defined by the Heritage Act. It is therefore unlikely that development will impact on archaeological remains.

8.3 Statement of Impact

The proposed works include the construction of a hotel with two basement levels. The construction of this hotel will include bulk earthworks across the Project Area. There are no built heritage items within the Project

Area. There is nil to low potential for archaeological remains to be located within the Project Area. These items would not be considered as relics under the Heritage Act. Therefore, the proposed works would have nil impacts on archaeological remains.

Gledswood Homestead

The Gledswood Homestead CMP identified a number of significant views to and from the heritage item. The Project Area is located within the vicinity of three of these views:

- Views from the homestead to the landscape park,
- Views from the homestead to the Hoop Pines and Stone Pines off the eastern axis at and beyond the Upper Canal,
- The serial view sequences from the southern estate road, former eastern entry and original Camden Valley Way driveway to the homestead group and farm group (GML 2011: 120).

These view corridors have been identified as contributing the aesthetic and historic significance of the item as a planned early 19th century estate. The proposed hotel would be visible from the Gledswood ornamental ponds which is considered to be a minor to moderate impact to the heritage significance of the item. The proposed works would have minor impacts to views from the former eastern entry and negligible impacts to views towards the Upper Canal.

Raby

The CMP compiled for Raby identified three visual components which are considered to contribute to the historical and aesthetic significance of the item. These include:

- Scenery and views
- Relationship between Raby and other estates/homesteads
- Views to and from the property (visibility in the landscape)

The visual impact assessment has identified that the proposed works would have negligible impacts to all three of these components. Dense thick bush acts as a natural visual barrier between the item and the proposed hotel. Therefore there is no direct visual link between the Raby and the Project Area.

Upper Canal System (Pheasants Nest Weir to Prospect Reservoir)

The setting of the Upper Canal System in rural farm and native bush landscapes as well as the physical connection to the early colonial estates such as Gledswood is considered to be an important component of the historic and aesthetic significance of the item. The proposed hotel would be directly visible from the Upper Canal in both locations assessed for the visual impact assessment. Given the large scale and size of the heritage item this is considered to be minor visual impact on the setting and landscape of the Upper Canal.

9 Mitigation and Management Measures

The proposed works would not directly impact the heritage fabric of the surrounding heritage items. All potential impacts associated with the proposed works are to the views and vistas between the Project Area and the heritage items.

The proposed works are likely to have negligible to moderate visual impacts on the surrounding SHR heritage items. The following mitigation measures are recommended to minimise the potential adverse impacts to the views and vistas to and from these heritage items.

- A buffer of vegetation should be retained and enhanced between the Project Area and Gledswood House, Raby and the Upper Canal.
 - The removal of trees should be minimised and avoided if practicable during construction.
 - Consideration should be given as to the landscape design around the proposed hotel to adequately screen the structure. Consideration should be given to the selection of plants to reflect the current landscape and the colonial history of the site as part of the Gledswood Estate.
 - Additional plantings should be incorporated into the Lakeside Golf Course as per Conservation policy 7.4.6-4 of the Gledswood CMP to screen the proposed works from the heritage item
- Consideration of sympathetic colours schemes and materials should be made in the final designs of the proposed hotel. Bright colours, stark whites and blacks should be avoided. The preferred colour palette should aim to soften the visual impact and tie the works into the surrounding environment. This would minimise impacts to the views from the Gledswood Estate and the Upper Canal.

10 Conclusion

10.1 Conclusion

This report has considered the significance of the Project Area as defined in Section 1.2 and Figure 1 only.

It was found that:

- There are three State Heritage Listed items adjacent to the Project Area, these are:
 - Gledswood/SHR #01692/ CLEP I81
 - Raby/SHR #01694/ CLEPI82
 - Upper Canal System (Pheasants Nest Weir to Prospect Reservoir) SHR #01373/ CLEP I122
- The visual impact assessment identified the following visual impacts to the surrounding heritage items:
 - Gledswood – negligible to moderate visual impacts
 - Raby – negligible visual impacts
 - Upper Canal System – minor visual impacts
- The Project Area has been assessed to have low to nil potential to contain archaeological remains associated with any phase of occupation. It is unlikely that the proposed works would impact any archaeological remains.

The following management recommendations and mitigation measures have been formulated with consideration of the relevant CMPs for the heritage items, the findings of this report and the with relevant legislation:

10.2 Recommendations

The following management recommendations and mitigation measures have been formulated with consideration of all available information in accordance with relevant legislation:

Recommendation 1 – Landscaping

A visual buffer of vegetation should be maintained between the Project Area and Gledswood House, Raby and the Upper Canal. During construction the removal of trees should be minimised or avoided if practicable. Consideration should be given to a landscape design around the proposed hotel that adequately screens the structure. The selection of plants should reflect the current landscape and the colonial history of the site as part of the Gledswood Estate.

Plantings between the Gledswood Estate and the proposed hotel site should be built up within the golf course area as per Conservation policy 7.4.6-4 of the Gledswood CMP. This is to ensure an adequate buffer is established and maintained once the proposed hotel is completed.

Recommendation 2 – Colours and Materials

Consideration of sympathetic colours schemes and materials should be made in the final designs of the proposed hotel. Bright colours, stark whites and blacks should be avoided. The preferred colour palette

should aim to soften the visual impact and tie the works into the surrounding environment. This would minimise impacts to the views from the Gledswood Estate and the Upper Canal.

Recommendation 3 – Heritage Induction

It is recommended that a heritage induction exercise be carried out in advance of the proposed works. All relevant staff, contractors and subcontractors will be made aware of their statutory obligations for heritage under the Heritage Act, and the NPW Act through the site induction and toolbox talks.

Recommendation 4 – Unexpected Finds

If, during the course of development works, suspected archaeological relics, as defined by the Heritage Act (as amended), as defined by the NPW Act are uncovered, work should cease in that area immediately. The Heritage Branch and the Office of Environment & Heritage (Enviroline 131 555) should be notified and works only recommence when an approved management strategy developed.

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Appendix 8: Aboriginal Cultural Heritage Due Diligence Assessment by RPS (February 2018)

**Sydney Office**

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Date: 20 February 2018
Our Ref: PR132174-2
Via: Email

Attn: Tony Mathew B. Bus
Western Suburbs League Club

Dear Mr Mathew,

Aboriginal Cultural Heritage Due Diligence Letter Report : Camden Lakeside Golf Hotel

This letter report has been prepared by RPS at your request in relation to the proposed hotel development (the Project Area) at the Camden Lakeside Golf Course. It outlines the results of an Aboriginal cultural heritage due diligence undertaken in compliance with the '*Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*' (DECCW, now OEH, 2010). This report is intended to support a Planning Proposal for the Project Area.

This report was written by RPS Graduate Heritage Consultant Lucy Irwin with assistance from RPS Heritage Consultant Claire Rayner. Claire Rayner provided the final review.

The Project Area

The Project Area is located at 50 Raby Road, approximately ten kilometers southwest of Liverpool, five kilometers north-west of Campbelltown and sixty kilometers southwest of the Sydney CBD. It represents part of Lot 50, DP 1221870, specifically the area extending east from the existing clubhouse to the existing transmission line easement.

The Project Area is located within the suburb of Catherine Field, in the Camden Local Government Area (LGA), and within the Cumberland County and the Cook Parish. The Project Area is located within the Tharawal Local Aboriginal Land Council and Cubbitch Barta Native Title Claimant Aboriginal Corporation boundaries.

The Project Area consists of the area within the red dotted line shown in Figure 1 only.

The Proposal

The proposal is for the development of a hotel in the Project Area, which would be located next to the existing clubhouse. The hotel would be seven stories high with two levels of basement parking, therefore comprising both surface and subsurface impacts. Bulk earthworks would be required to facilitate the construction of this hotel.



AHIMS

An extensive search of the Aboriginal Heritage Information Management System (AHIMS) was undertaken on 20 January 2017. The search identified 39 Aboriginal objects within the searched area. The search parameters were as follows:

Datum:	GDA 56
Eastings:	294425 – 297289
Northings:	6234172 – 6237071
Buffer:	0m
Number of Aboriginal Sites:	39

The search did not identify any Aboriginal sites within the Project Area.

Environmental Background

The Triassic Wianamatta Group of geological formations underlies both the Project Area and the surrounding landscape. The Liverpool Sub-Group of this formation underlies the Project Area. This sub-group consists of shale with some sandstone beds.

The soil landscape represented within the Project Area is the Blacktown soil landscape. The Blacktown soil landscape consists of shallow to deep (greater than 100 centimetres) hard setting, mottled texture contrast soils. The erosion hazard for the Blacktown soil landscape is low to moderate with the potential for localised surface movement (Bannerman and Hazelton 1990:35-38). The outcome of the Blacktown soil landscape is that the often hard-setting A₁ and A₂ horizons, which have high fine sand and silt content, indicate the potential for subsurface archaeological resources. Localised surface movement however, may affect the depositional context of surface artefacts.

The original topographical landscape associated with this geological formation and soil profile is gently undulating rises with local relief to 30m and slopes usually >5%. Broad rounded crests exist in this landscape with gently inclined slopes. Outcrops of shale do not occur naturally on the surface.

Riley's Creek runs to the west and the south of the Project Area, approximately four hundred metres away. The Project Area is located in between the Nepean and Georges River, approximately 11km from each.

The original vegetation landscape of the Project Area would have been Coastal Valley Grassy Woodlands (Keith 2006).



Previous Archaeological Investigations within the Project Area

In August 2016, Lyndon Patterson of Eco Logical Australia (Eco Logical) prepared an Aboriginal Heritage Due Diligence Assessment for Sekisui House Camden Valley Pty Ltd. The report, undertaken for the entirety of 50 Raby Road (Lot 100 DP 1206855) was to support a Development Application to Camden Council. The assessed area included the current Project Area.

A month prior to this, Eco Logical completed an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Camden Lakeside Golf Club. The Due Diligence and ACHAR were intended to support a Development Application to Camden Council.

An extensive AHIMS search was undertaken on the 26th of April 2016. This search identified 113 Aboriginal sites within the searched area. None of these sites are located within the Project Area. The closest site, AHIMS #52-2-3301 is located approximately 95 metres from the Project Area's eastern boundary.

The assessment considered the landscape features in accordance with the Due Diligence Code of Practice:

- Riley's Creek, a second order stream with some standing water was located within 50m of the assessed area but has been subjected to a high level of disturbance
- The entirety of the assessed area has been subjected to a high level of disturbance including native vegetation clearance, the construction of a golf course including land leveling, soil importation, excavation and creation of cemented vehicle tracks.
- Prior to this disturbance in c.1970, the area had been subjected to agricultural disturbance from its use as part of the former Gledswood estate from c.1820 onwards.
- Natural waterways in the area had been modified into artificial lakes and ponds for the golf course.

Due to the high levels of disturbance identified it was considered highly likely that any Aboriginal sites that once existed within the assessed area were likely to have been disturbed. The Camden Lakeside ACHAR did also not recommend further archaeological assessment in the area due to past soil disturbance.

An AHIP was applied for and is valid in the area until the 15th of April 2021 (AHIP C0001788).

Visual Inspection Results

In accordance with the Due Diligence Code of Practice, RPS undertook an inspection of the Project Area as defined on page 1 of this letter report. The purpose of the inspection was to record any Aboriginal archaeological heritage visible on the ground surface or as landscape features, and to assess the Aboriginal archaeological sensitivity of the Project Area.

The Project Area consists of a flat carpark, footpaths, landscaped gardens and construction debris. Most ground surfaces in the area were covered with bitumen or concrete, or have been heavily landscaped for garden beds. A small amount of remnant vegetation exists at the site, but has largely been removed in keeping with its function as a golf course. The landscape of the Project Area has been highly modified. The Clubhouse has been cut into the natural slope.

Visibility was low where surfaces were covered with concrete or bitumen, and high in areas of erosion and exposure. No Aboriginal objects were identified during the course of the inspection.

Basal B horizon clays were evident in areas where the ground surface was visible. Excavations across the Cumberland Plain indicate that this soil layer is generally culturally sterile indicating that the archaeological potential of the area would be nil.

The Project Area demonstrated a highly modified landform with a high level of disturbance.

Plate 1 View from carpark over project area



Plate 2 View to carpark over project area



Impact Assessment

The site inspection conducted for this due diligence assessment did not identify any Aboriginal objects within the Project Area. There were no areas of archaeological potential identified within the Project Area. Therefore the proposal would not impact any Aboriginal objects or areas of archaeological potential and an Aboriginal Heritage Impact Permit (AHIP) is not required.

Conclusion and Recommendations

The due diligence report has concluded:

- There are no AHIMS sites located within the Project area.
- The site inspection identified the Project Area to be heavily disturbed throughout.
- There are no Aboriginal objects located within the Project Area.
- There are no areas or Aboriginal archaeological potential located within the Project Area.

RPS has considered the archaeological sensitivity of the proposal area, and the potential impact of the proposal area. RPS provides the following recommendations:

- There are no Aboriginal heritage constraints associated with the Project Area. Works may proceed with caution.
- This due diligence report must be kept so that it can be presented, if needed, as a defence from prosecution under Section 86(2) of the National Parks and Wildlife Act 1974.
- If any Aboriginal objects are uncovered during the conduct of the proposed activity, all activity in that area must cease and the area cordoned off. OEH must be notified on 131 555 (Enviroline) so that the object(s) can be adequately assessed and managed.
- In the unlikely event that human remains are identified, all activity must cease and the area cordoned off. The proponent must contact the local NSW Police, who will make an initial assessment as to whether the remains are part of a crime scene or possible Aboriginal



remains. If the remains are thought to be Aboriginal, OEH must be notified by ringing the Enviroline on 131 555. An OEH representative would determine if the remains are Aboriginal or not; and a management plan must be developed in consultation with the local Aboriginal community before any activity recommences within that area.

Yours sincerely

RPS

A handwritten signature in black ink, appearing to read 'Lucy Irwin', written in a cursive style.

Lucy Irwin

Graduate Cultural Heritage Consultant

cc: Ben Ewins, Landscape Architect. RPS Australia Asia Pacific

cc: Claire Rayner, Cultural Heritage Consultant. RPS Planning and Development

References

Eco Logical Australia (2016) *Camden Lakeside Golf Club Residential Development Application – Aboriginal Heritage Due Diligence*. Report to Oliver Roborgh, Development Manager SH Camden Valley Pty Limited.

environment.nsw.gov.au. (2016). eSPADE | NSW Environment & Heritage. [online] Available at: <http://www.environment.nsw.gov.au/eSpadeWebapp/> [Accessed 24 November 2016].

Keith, D. (2006). *Ocean Shores to Desert Dunes: The Native Vegetation of New South Wales and the ACT*. Sydney, Department of Environment and Conservation (NSW).

Woolongong 1:250 000 Geological Sheet. Geological Survey of New South Wales, Sydney.

Bannerman and Hazelton (1990). Soil Landscapes of the Penrith 1:100 000 Sheet Map and Report. Sydney, Soil Conservation Service of New South Wales.

Appendix

AHIMS SEARCH

AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : PR132174-2

Client Service ID : 263386

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
45-5-3945	CF-1	GDA	56	295412	6236014	Open site	Destroyed	Artefact : 2		
	<u>Contact</u>	<u>Recorders</u>	Mr.Mark Rawson,Kelleher Nightingale Consulting Pty Ltd,Kelleher Nightingale Con							
52-2-3816	CF-2	GDA	56	295065	6235577	Open site	Valid	Artefact : 7	Permits 3517	
	<u>Contact</u>	<u>Recorders</u>	Mr.Mark Rawson,Kelleher Nightingale Consulting Pty Ltd							
52-2-3817	CF-3	GDA	56	294971	6235563	Open site	Destroyed	Artefact : 8		
	<u>Contact</u>	<u>Recorders</u>	Kelleher Nightingale Consulting Pty Ltd,Kelleher Nightingale Consulting Pty Ltd,Mi							
52-2-3818	CF-4	GDA	56	294516	6235036	Open site	Destroyed	Artefact : 2	Permits 3517	
	<u>Contact</u>	<u>Recorders</u>	Mr.Mark Rawson,Kelleher Nightingale Consulting Pty Ltd,Kelleher Nightingale Con							
45-5-4268	EH1	GDA	56	295763	6236310	Open site	Valid	Artefact : 1		
	<u>Contact</u>	<u>Recorders</u>	Oliver Brown Consulting Archaeology							
45-5-4269	EH2	GDA	56	296055	6236260	Open site	Valid	Artefact : 1		
	<u>Contact</u>	<u>Recorders</u>	Oliver Brown Consulting Archaeology							
52-2-4176	Gledswood 1	GDA	56	295273	6235290	Open site	Valid	Artefact : -		
	<u>Contact</u>	<u>Recorders</u>	Mr.Julian Travaglia							
52-2-4177	Gledswood 2	GDA	56	295271	6235022	Open site	Valid	Artefact : -		
	<u>Contact</u>	<u>Recorders</u>	Mr.Julian Travaglia							
52-2-4182	Gledswood Hills PAD 1	GDA	56	296041	6234213	Open site	Valid	Artefact : -, Potential Archaeological Deposit (PAD) : -		
	<u>Contact</u>	<u>Recorders</u>	Miss.Nicole Castle							
52-2-4183	Gledswood Hills PAD 2	GDA	56	295752	6234378	Open site	Valid	Artefact : -, Potential Archaeological Deposit (PAD) : -	Permits 3866	
	<u>Contact</u>	<u>Recorders</u>	Miss.Nicole Castle							
52-2-4184	Gledswood Hills PAD 3	GDA	56	295752	6234378	Open site	Destroyed	Artefact : -, Potential Archaeological Deposit (PAD) : -		
	<u>Contact</u>	<u>Recorders</u>	Miss.Nicole Castle, Miss.Nicole Castle							
52-2-4168	Gledswood Hills Isolated Find 1(GH IF1)	GDA	56	296194	6234494	Open site	Destroyed	Artefact : -	Permits 3866	
	<u>Contact</u>	<u>Recorders</u>	Doctor.Samantha Gibbins, Miss.Nicole Castle							
52-2-4169	Gledswood Hills AS1	GDA	56	295253	6234233	Open site	Destroyed	Artefact : -		
	<u>Contact</u>	<u>Recorders</u>	Doctor.Samantha Gibbins, Miss.Nicole Castle							
52-2-3300	CH12 IF13	AGD	56	295202	6234141	Open site	Valid	Artefact : 1		102190
	<u>Contact</u> T Russell	<u>Recorders</u>	Australian Museum Consulting (AM Consulting)							
52-2-3301	CH4 IF2	GDA	56	295686	6235839	Open site	Valid	Artefact : 1		
	<u>Contact</u> T Russell	<u>Recorders</u>	Australian Museum Consulting (AM Consulting), Mr.Geordie Oakes, Matthew Kelleh							

Report generated by AHIMS Web Service on 20/01/2017 for Lucy Irwin for the following area at Datum :GDA, Zone : 56, Eastings : 294425 - 297289, Northings : 6234172 - 6237071 with a Buffer of 0 meters. Additional Info : Due Diligence Reporting. Number of Aboriginal sites and Aboriginal objects found is 39

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SiteID	SiteName	Datum	Zone	Eastings	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
52-2-3299	CH13 IF4	GDA	56	296050	6234450	Open site	Valid	Artefact : 1		102190
	<u>Contact</u> T Russell	<u>Recorders</u>	Australian Museum Consulting (AM Consulting)							
								<u>Permits</u>	3866	
52-2-3296	ch(1)	AGD	56	295926	6235364	Open site	Valid	Artefact : 2		102190
	<u>Contact</u> Searle	<u>Recorders</u>	Matthew Kelleher							
								<u>Permits</u>		
45-5-3258	CH3IF1;CVW-7	GDA	56	295359	6235864	Open site	Destroyed	Artefact : -		
	<u>Contact</u> S Scanlon	<u>Recorders</u>	Matthew Kelleher,Mr.Mark Rawson,Kelleher Nightingale Consulting Pty Ltd,Kelleher							
								<u>Permits</u>	3517	
52-2-3315	CH 8	GDA	56	295548	6235677	Open site	Valid	Artefact : 2		
	<u>Contact</u> Searle	<u>Recorders</u>	Matthew Kelleher							
								<u>Permits</u>	3990	
52-2-3307	CH10	GDA	56	294537	6234964	Open site	Destroyed	Artefact : 1		102190
	<u>Contact</u> S Scanlon	<u>Recorders</u>	Australian Museum Consulting (AM Consulting),Matthew Kelleher,Kelleher Nightingale Consulting Pty Ltd							
								<u>Permits</u>	3517,3950	
52-2-3308	CH9	AGD	56	294961	6234473	Open site	Valid	Artefact : 5		102190
	<u>Contact</u> S Scanlon	<u>Recorders</u>	Australian Museum Consulting (AM Consulting),Matthew Kelleher							
								<u>Permits</u>	3950	
52-2-3309	CH7	AGD	56	295607	6235014	Open site	Valid	Artefact : 2		
	<u>Contact</u> S Scanlon	<u>Recorders</u>	Australian Museum Consulting (AM Consulting),Matthew Kelleher,Mr.Lyndon Pattison							
								<u>Permits</u>		
52-2-3310	CH6	AGD	56	295392	6234334	Open site	Valid	Modified Tree (Carved or Scarred) :		102190
	<u>Contact</u> S Scanlon	<u>Recorders</u>	Australian Museum Consulting (AM Consulting),Matthew Kelleher							
								<u>Permits</u>		
52-2-3311	CH 5	AGD	56	295712	6234791	Open site	Valid	Artefact : 12		102190
	<u>Contact</u> S Scanlon	<u>Recorders</u>	Australian Museum Consulting (AM Consulting),Matthew Kelleher							
								<u>Permits</u>		
52-2-3312	CH 2	AGD	56	295452	6235472	Open site	Valid	Artefact : 1		102190
	<u>Contact</u> S Scanlon	<u>Recorders</u>	Australian Museum Consulting (AM Consulting)							
								<u>Permits</u>		
52-2-3750	CG-TRE-03	GDA	56	294881	6234861	Open site	Valid	Artefact : 1		
	<u>Contact</u>	<u>Recorders</u>	Miss.Melanie (Duplicate of #6086) Thomson							
								<u>Permits</u>		
52-2-4107	SH-IF1	GDA	56	295828	6235286	Open site	Valid	Artefact : -		
	<u>Contact</u>	<u>Recorders</u>	Eco Logical Australia Pty Ltd - Sydney,Mr.John Beattie							
								<u>Permits</u>		
45-5-4451	EH 1	GDA	56	296030	6236280	Open site	Valid	Artefact : -, Potential Archaeological Deposit (PAD) :-		
	<u>Contact</u>	<u>Recorders</u>	Ms.Michelle Lau,Mr.Alistair Hobbs							
								<u>Permits</u>	3808	
45-5-4452	EH 2	GDA	56	296103	6236820	Open site	Partially Destroyed	Artefact : -		
	<u>Contact</u>	<u>Recorders</u>	Ms.Michelle Lau							
								<u>Permits</u>	3808	
45-5-4455	EH 5	GDA	56	296690	6236975	Open site	Partially Destroyed	Artefact : -		
	<u>Contact</u>	<u>Recorders</u>	Ms.Michelle Lau							
								<u>Permits</u>	3808	

Report generated by AHIMS Web Service on 20/01/2017 for Lucy Irwin for the following area at Datum :GDA, Zone : 56, Eastings : 294425 - 297289, Northings : 6234172 - 6237071 with a Buffer of 0 meters. Additional Info : Due Diligence Reporting. Number of Aboriginal sites and Aboriginal objects found is 39

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AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : PR132174-2

Client Service ID : 263386

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
45-5-4456	EH 6	GDA	56	296620	6236500	Open site	Valid	Aboriginal Resource and Gathering : -		
	Contact	Recorders								
52-2-4259	Gledswood 4	GDA	56	295195	6234934	Open site	Valid	Artefact : 1	Permits	3808
	Contact	Recorders								
52-2-4260	Gledswood 8	GDA	56	295094	6234589	Open site	Valid	Artefact : 1	Permits	
	Contact	Recorders								
52-2-4261	Gledswood 10	GDA	56	295265	6235372	Open site	Valid	Artefact : 1	Permits	
	Contact	Recorders								
52-2-4262	Gledswood 7	GDA	56	295306	6234903	Open site	Valid	Artefact : 1	Permits	3990
	Contact	Recorders								
52-2-4263	Gledswood 9	GDA	56	295033	6234481	Open site	Valid	Artefact : 1	Permits	
	Contact	Recorders								
52-2-4264	Gledswood 5	GDA	56	295145	6235591	Open site	Valid	Artefact : 1	Permits	
	Contact	Recorders								
52-2-4257	Gledswood 6	GDA	56	295219	6235239	Open site	Valid	Artefact : 1	Permits	3990
	Contact	Recorders								
52-2-4258	Gledswood 3	GDA	56	294843	6234864	Open site	Valid	Artefact : 1	Permits	3990
	Contact	Recorders								

Report generated by AHIMS Web Service on 20/01/2017 for Lucy Irwin for the following area at Datum :GDA, Zone : 56, Eastings : 294425 - 297289, Northings : 6234172 - 6237071 with a Buffer of 0 meters. Additional Info : Due Diligence Reporting. Number of Aboriginal sites and Aboriginal objects found is 39

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Legislative Context

National Parks and Wildlife Act (1974) (NPW Act)

The NPW Act provides statutory protection for all Aboriginal objects under Section 90 and Aboriginal Places under Section 84 of the Act. An Aboriginal object is defined as consisting of any material evidence of the Aboriginal occupation of NSW. An Aboriginal Place is defined as areas of cultural significance to the Aboriginal community. The Act is administered by the Office of Environment and Heritage (OEH).

All Aboriginal objects are protected under the act regardless of the level of their significance or issues of land tenure. However, Aboriginal places may only be gazetted as such if the Minister is satisfied that sufficient evidence exists to demonstrate that the location was and or is of special significance to Aboriginal culture.

The National Parks and Wildlife Regulation 2009 ("NPW Regulation") was introduced to provide a framework for undertaking activities and exercising due diligence in respect to Aboriginal heritage. This was followed by amendments to the NPW Act by which the legislative structure for seeking to impact on a heritage item was modified. A Section 90 is now the only Aboriginal Heritage Impact Permit (AHIP) available and is granted by OEH. Various factors are considered in the AHIP process such as cultural significance, Aboriginal consultation, ESD principles, project justification and consideration of alternatives. The applicable penalties and fines for causing harm to an Aboriginal object were also increased.

Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW (2010) (Due Diligence Code of Practice)

The Due Diligence Code of Practice provides a set of guidelines to assist individuals and organisations to exercise due diligence when carrying out activities that may harm Aboriginal objects and to determine whether an AHIP would be required.

A due diligence assessment takes reasonable and practicable steps to determine whether there is a likelihood that Aboriginal objects would be disturbed during the proposed development. This is achieved through a desktop assessment, extensive search of the Aboriginal Heritage Information Systems (AHIMS) database, review of landforms and a site inspection.

If the due diligence assessment considers sites to exist or that there is a likelihood of sites existing within the proposal area and that these sites would be impacted by the development then further archaeological assessment would be required along with an AHIP. If it is found unlikely that Aboriginal sites would exist within the proposal area and the assessment has been conducted in accordance with the Due Diligence Code of Practice, work may proceed without an AHIP.