

<b>JRPP NO:</b>	2010SYW074
<b>DA NO:</b>	1187/2010
<b>PROPOSED DEVELOPMENT:</b>	EDUCATIONAL ESTABLISHMENT (Industry-Based Aquaculture and Vegetable Research Facility), 107 COBBITTY ROAD, COBBITTY (Lot 1 DP 833397)
<b>APPLICANT:</b>	Urban Ecological Systems Ltd
<b>OWNER:</b>	University of Sydney
<b>APPLICABLE PLANNING INSTRUMENT:</b>	Camden Local Environmental Plan 2010
<b>ZONING:</b>	SP2 Infrastructure "Educational Establishment"
<b>REPORT BY:</b>	Ron Dowd – Urban Design, Camden City Council

## **Assessment Report and Recommendation**

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### **PURPOSE OF REPORT**

The purpose of this report is to seek a determination for Development Application DA 1187/2010 for an Educational Establishment at 107 Cobbitty Road, Cobbitty.

### **SUMMARY OF RECOMMENDATION**

It is recommended that the Joint Regional Planning Panel approve Development Application DA 1187/2010 subject to draft conditions of consent attached to this report.

### **BACKGROUND**

In late 2008 Urban Ecological Systems was introduced to Professor Richard Whittington - Head of the Veterinary Science at the University of Sydney by one of Australia's Leading fish Veterinarians Dr Matt Landos. Discussion ensued in relation to collaboration on some research into sustainable fish feed. Further discussion was held with Professor Mark Adams - Dean of Agriculture, Food and Natural Resources on the advantages into the future for a number of research projects. Having an industry partner could assist derive research outcomes in a "real life" facility, resulting in Urban Ecological Systems being invited to consider building a farm on the University land at Cobbitty. A Memorandum of Understanding was subsequently entered into in March 2009.

Development Application DA 1187/2010 was lodged on 15 October 2010 seeking consent for an Educational Establishment. The Capital Investment Value of the project is reported to be \$6 Million and as such, the development application is reported to the Joint Regional Planning Panel (Sydney West) for determination.

## THE SITE

The land to which this DA applies is known as 107 Cobbitty Road, Cobbitty and comprises Part of Lot 1 DP 833397. The subject site forms approximately 7 hectares of a 38.31 hectare parcel. Lot 1 has direct vehicular access to Cobbitty Road.

The site forms part of the Cobbitty Campus of the University of Sydney which, incorporates a number of tertiary education facilities, including the Plant Breeding Institute, Lansdowne Turf Farm, Animal Reproduction Unit and the Horse Units of the University. The property has been owned and operated by Sydney University for approximately 25 years as a research campus connected to the Faculties of Agriculture, Food and Natural Resources and Veterinary Science.

The subject site slopes gently to the west and is characterised by grass and remnant radiata pine tree plantation. There is no known native vegetation within the development footprint and the site is currently unimproved and is used intermittently for cattle grazing. The site is bordered to the south and east by rural residential development fronting Cobbitty Road, and the Cobbitty Rural Fire Brigade which shares access with the subject site. The proposed glasshouse is approximately 75m from the nearest dwelling, and will be screened by existing and retained vegetation. The University farms are located to the west and agriculture land located to the north of the site.

## THE PROPOSAL

Development Consent is sought for an Educational Establishment (Industry-Based Aquaculture and Vegetable Research Facility), to be constructed in 3 stages, comprising:

- Construction of a glasshouse for aquaculture and intensive agriculture (Gross Floor Area of 14,707 m<sup>2</sup> and Building Site coverage - 13,025 m<sup>2</sup>), to a height of 5.9 metres and up to 2 storeys, constructed of glass external walls and roofing and structural steel;
- Improvement of an existing access driveway;
- Associated site and drainage works, parking area and screen planting;
- Clearing of selected radiata pine trees.
- Removal of one Eucalyptus Tree on the northern side of the Cobbitty Road access.

The lower ground floor (1,607m<sup>2</sup>) includes aquaculture tanks, plant room, packing and storage rooms and offices. The ground floor (13,025m<sup>2</sup>) intensive horticulture, and the mezzanine level (720m<sup>2</sup>) seed growing areas and storage.

The project is proposed to be constructed in three stages described as follows:

### Stage 1 – Immediate commencement

- Glasshouse marked as Phase 1 on plans being including approximately one-third of the Ground Floor and the whole of the Lower Ground Floor and Mezzanine Level;
- Access road, with a sprayed bitumen coating up to 50 m within the site's boundary and crushed gravel elsewhere;
- Driveway connection to Cobbitty Road;
- Clearing of selected radiata pine trees.
- Removal of one Eucalyptus Tree on the northern side of the Cobbitty Road access.

- Stormwater and sewage management systems; and
- Landscaping.

## **Stage 2**

- Glasshouse works marked as Phase 2 on plans.

## **Stage 3**

- Upgraded access road to a sprayed bitumen coating across the entire road extent and a concrete pavement utilised for the rear service area, and
- Glasshouse works marked as Phase 3 on plans.

The proposed activities include:

**Aquaculture** - The proposed aquaculture activity will initially be the growing of Barramundi. Other species that will be trialled at later times include Murray Cod, Golden Perch, Spangled Perch, Redclaw, Sleepy Cod. These trials will be subject to the requirements of NSW Department of Industry and Investments (incorporating NSW Fisheries).

Up to 250,000 fingerlings per annum are proposed be delivered to the facility. Fingerlings will be delivered monthly (equating to approximately 21,000 fingerlings per month), generally in insulated boxes, and will be sourced from accredited Australian hatcheries. Grow out time is approximately 6 months during which time the fish are graded and moved between tanks onsite. There will be no cooking, cleaning or processing of fish on-site. After purging, fish will either be sold live (transferred to transport tank for delivery) or killed on-site and packed in ice and stored in the cool-room then taken to market by refrigerated truck. Up to 2,000 kilograms of killed fish could be cold stored at the site.

In a severe and untreatable “disease” case (rare) all fish would be humanely killed and removed to an approved waste facility. The water in the aquaculture tanks would be sterilised (most likely chlorinated then dechlorinated). It may be necessary to empty each tank and physically clean and dry the tank. In this case the 30,000 litre effluent tanks allow 2 or 3 tanks at a time to be completely emptied, cleaned, sterilised and refilled if this is required. This step can then be repeated until all tanks have been through the sterilisation and cleaning process, without needing to send wastewater outside the aquaculture compartment of the glasshouse.

Although tank failure is very rare, if a tank or tanks were to be damaged and its water drained onto the floor, the bund around the concrete slab will prevent water from escaping the facility. The water from the floor will gravity flow to the floor sump and be pumped into the 30,000 litre effluent tanks where it will be disinfected and re-used. Each tank will have a float switch linked to an alarm system, so if a tank were to be ruptured the farm operator will be immediately notified by the alarm system so that fish can be relocated to another tank.

**Horticulture** - Plants proposed to be grown will initially be salad crops and herbs, and expand to tomatoes and cucumbers. Approximately 2 to 3 vegetable harvests per week will be collected and sent to market. The irrigation method for plants is “flood and drain” type of hydroponics, where the roots of the plants are not permanently under water, but are flooded from time to time through enclosed channels. Water from the channels will then circulate back to the fish tanks below.

**Research Activities** – The proponent has entered into a research agreement with the University of Sydney, which supports research, education and teaching between industry, tertiary students and university facilities.

Examples of the research projects that the proponent has received funding for, or are subject of funding applications, include:

- Selective breeding of barramundi (and other aquaculture species) for optimum growth rates, uniform growth rates, improved flavour and other quality characteristics.
- Organic methods for health management of aquaculture species.
- Commercialisation of freshwater crayfish species.
- Integration of omega 3 algae/oil into sustainable aquaculture feedstock.
- Production of sustainable aqua feed.
- Use of aquaculture effluent for production of fodder crops.
- Refinement of solar-thermal technologies for integration with commercial greenhouse production

## **NOTIFICATION**

Development Application DA 1178/2010 was publicly advertised in accordance with Part C: Chapter 2 of Camden Development Control Plan 2006 between 4 and 19 November 2010. The application was also notified to properties in Cobbitty located near the proposed development site over the same period. Two written submissions were received by Council. Issues raised on those submissions are discussed under the heading “Any Submissions”.

The Development Application is Integrated Development under Section 91 of the Environmental Planning and Assessment Act 1979 as it requires a permit under the Fisheries Management Act 1994 from the NSW Department of Industry and Investment. General Terms of Approval were received from Industry and Investment on 22 November 2010 and are recommended to be imposed as conditions of consent.

## **PLANNING CONTROLS**

Camden Local Environmental Plan 2010

State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy No. 62 – Sustainable Aquaculture

Sydney Regional Environmental Plan No 20 – Hawkesbury Nepean River (No 2)

## **ASSESSMENT**

### **1(a)(i) The provisions of any Environmental Planning Instrument**

#### **Camden Local Environmental Plan 2010**

The land is zoned SP2 Infrastructure “Educational Establishment” pursuant to Camden Local Environmental Plan 2010.

The proposed use is defined as an “*educational establishment*” which means a building or place used for education (including teaching), being:

(a) a school, or

(b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.

An educational establishment is permissible with the consent of Council. As stated previously in this report, the site forms part of the Cobbitty Campus of the University of Sydney, which is a tertiary institution constituted under the University of Sydney Act 1989.

It is considered that the use will remain permissible as long as a formal and legal research agreement with the University is in force. It is considered that this matter shall be addressed by way of conditions.

It is also considered that Camden LEP 2010 does not place any restriction on the University from gaining an income from its research, namely sale of fish and vegetables at off site markets. It is supported that this income stream would contribute towards the viability of the project and facilitates further research being undertaken by the development.

Further, it is considered that the agreement which will encourage students to get involved in a new, exciting and sustainable way of producing food in a 'real life' commercial environment, should be supported. It is however required that conditions will have to be imposed that no retailing shall take place from the land.

It is considered that the proposed development is consistent with the objectives of the zone. The development is compatible with the existing uses, provides additional infrastructure for related uses and is compatible with and does not negatively impact on existing infrastructure on the land.

The subject site is not affected by flooding and the LEP does not identify any items of environmental heritage in the vicinity.

#### **State Environmental Planning Policy (Major Development) 2005**

The provisions of SEPP 2005 apply to the proposed development as the capital investment value is in excess of \$5 million. In accordance with the requirements of Clause 13B (1)(a) the submitted application is classified as "regional development" with the determining authority for the application being the Joint Regional Planning Panel (Sydney West). The development application is therefore referred to the Joint Regional Planning Panel for determination in accordance with the applicable provisions of SEPP (Major Development).

#### **Sydney Regional Environmental Plan No 20 – Hawkesbury Nepean River (No 2)**

The proposal is subject to the provisions of Sydney Regional Environmental Plan No 20. The State Government recently abolished the terms Regional Plans (REPs) and transferred all such provisions to state planning policies, however existing REPs remain valid and are now termed deemed SEPPs. The aim of this plan is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context. As stated earlier in this report, suitable arrangements for the collection and disposal of stormwater drainage can be made and addressed through consent conditions. Therefore it is considered that the proposal is consistent with the aims and implementation strategies of this plan.

#### **State Environmental Planning Policy No. 62- Sustainable Aquaculture**

The proposed development is subject to the provisions of SEPP 62. In accordance with Clause 7 of SEPP 62, the proposal is defined as Tank-Based Aquaculture. Table 1 of Clause 7 confirms that Tank-Based aquaculture is permissible with development consent in the SP2 Infrastructure zone. The consent authority must be satisfied that

the development complies with provisions of Schedule 1. Site location and operation requirements criteria are set out in Schedule 1 of SEPP 62.

The proposed development is not within a conservation exclusion zone. The proposed Fish species of the development are consistent with Table 3 of the NSW Land Based Sustainable Aquaculture Strategy. The design of the system permits each tank to be pumped out and completely dried while ensuring no water will be discharged to natural waterbodies or wetlands. All tanks are contained within the glasshouse building and fish cannot escape. The proposed development satisfies the site location and operational criteria set out in Schedule 1 of SEPP 62.

As stated previously in this report, the Development Application is Integrated Development under Section 91 of the Environmental Planning and Assessment Act 1979 as it requires a permit under the Fisheries Management Act 1994 from the NSW Department of Industry and Investment. General Terms of Approval were received from Industry and Investment on 22 November 2010. The Department's consideration in granting general terms of approval that the aquaculture component of the development satisfies the requirements of the Fisheries Management Act 1994.

**(1)(a)(ii) The provisions of any proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority**

There are no proposed Environmental Planning Instruments that apply to the land or development.

**(1)(a)(iii) The provisions of any development control plan**

**Camden Development Control Plan (DCP) 2006**

Part D: Chapter 1 – Carparking requirements of Camden DCP 2006 applies to the development. A Traffic and Parking Report prepared by Varga (reference 10173 dated 28 September 2010) was submitted in support of the development application and has been reviewed by Council's Development Engineer and Traffic Engineer. The requirements for the provision of off-street parking are summarised below.

<b>Control</b>	<b>Required</b>	<b>Proposed</b>	<b>Complies</b>
<b>Adult Education:</b> 1 space per 2 staff members; Plus 1 space for every 5 students	18 Staff = 9 5 Students = 1 Total = 10	15 (including 1 disabled parking space)	Yes
<b>Dimensions</b>	2.4m width 5.4m length	2.5m width 5.4m length	Yes
<b>Wheel Stops</b>	1m min clearance between wheel stop and pedestrian path	Pedestrian path of travel between spaces and building require wheel stop at 1m	Conditioned
<b>Gradients</b>	Min gradient: , Bituminous seal 3%, Asphaltic concrete 2.5%, Cement concrete 2%.	3% gradient	Yes

<b>Width of Driveway</b>	6-9 m for combined entry/exit.	Design has 6m width subject to removal of Eucalyptus tree	Yes
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At the completion of the development a maximum traffic generation potential of the development is 18 trips in the morning and 18 trips in the afternoon. This figure assumes some degree of car pooling, access from staff and students from adjoining university facilities and drop off/pickups. The development will also received up to 6 deliveries per week with a 13.7 metre refrigerated articulated vehicle and 10 medium trucks per week.

The parking spaces and access shall be designed in accordance with AS2890.1. The recently released AS2890.6 – “Off Street Parking for People with Disabilities” applies to the development. The internal road system will not be dedicated as public roads and is considered that the operation of the existing Rural Fire shed will be unaffected by this development. Based on this the geometry of the internal road system is considered to be satisfactory.

Access to the site is proposed from Cobbitty Road, approximately 150 metres south of the Cobbitty Road intersection with Cut Hill Road. The application proposes an upgraded driveway with the removal of a tree and relocation of a power pole on the northern side driveway access with Cobbitty Road. This is required in order for 13.7 metre trucks to manoeuvre out of the site and safely turn north into Cobbitty Road. If the tree is not removed, truck drivers would have to cross onto the opposite side of Cobbitty Road facing oncoming traffic and then move back to the other side (the left side). Council’s Traffic Engineer advises that this situation is unacceptable on safety grounds and therefore supports the applicant’s proposal to remove the tree.

While the Eucalyptus Tree on the northern side of the driveway makes a contribution to the streetscape, Council’s Tree Preservation Officer advises that only the tree on southern side of the drive is protected under Council’s Significant Tree Register. It is therefore recommended that the application to remove the tree be supported, but only on the grounds that it is required for the manoeuvring out of the site by a 13.7 metre vehicle.

Stormwater concept drainage plan, prepared by Warren Smith & Partners (job no 3678, dated 29/09/10), indicates that stormwater from all impervious areas and part of pervious areas will be collected and discharged in to the proposed onsite detention basin. The basin is sized so that it reduces the level of the flows to predevelopment levels for all storm events up to and including 1 in 100 year ARI storm event. It is proposed that stormwater system is included in the supply of water that will be used in day to day operations of the proposed facilities. The runoff from the proposed vehicular manoeuvring area will be passed through the proposed bio retention swale. Indicated percentage pollutant loads reduction is higher than Council’s recommended water quality target.

Given regard to the relevant parking and access provision, it is considered that the proposed development satisfies the aims and controls of Camden DCP 2006.

**(1)(a)(iia) The provisions of any planning agreement**

No planning agreement relates to the site or proposed development.

**(1)(a)(iv) The provisions of the Regulations**

Prescribed conditions required by the Environmental Planning and Assessment Regulation will be addressed by way on conditions.

**(1)(b) The likely impacts of the development**

The development is unlikely to have a significant impact on adjoining and surrounding properties. The proposed development will provide for 18 staff, of which 12 are full-time equivalent, as well as construction jobs for a \$6 Million facility.

The tertiary educational facility will, by its scale, produce quantities of vegetable produce and fresh barramundi which will be sold at market. Other benefits include a reduction in transport kilometres to be travelled thereby ensuring improved market supplies.

The proposed development demonstrates a high degree of energy and water efficient design, thereby permitting reductions in overall energy consumption, greenhouse gas emission and water consumption against comparable scale broad-acre agriculture development.

The application was supported by a number of environmental assessment reports including acoustics and salinity. At full scale the facility will hold a total volume of 500,000 litres of water in the aquaculture grow out tanks. The water will be reticulated twice per hour, with a total pumping requirement of 100,000 litres per hour. The culture tanks are round 10, 000 litre polytanks that are purposely designed for aquaculture. The facility is designed to accommodate up to 50 Culture tanks at full scale. It is recommended that all organic waste is to be disposed off-site at an approved recycling or land fill facility and that chemicals on site are to be stored in designated lockable chemical store.

The nearest residential neighbours to the glasshouse is 75m to the east. All equipment is internal to either the boiler room or the greenhouse. In full operation the typical noise level inside the greenhouse is predicted to be 65dB(A). Traffic movements are proposed to occur between 7.00am -10.00pm, which is considered to be acceptable for the locality.

A Section 68 Application under the Local Government Act for a wastewater system was lodged with this development application. The proposal for "Sub-surface" effluent management system is supported by a wastewater management report prepared by Whitehead and Associates Environmental Consultants Pty Ltd. Council officers assessing the Section 68 application have requested additional information in order to make a determination. Although it is desirable that the disposal of wastewater be resolved prior to the determination of the development application, Council Environment Officers recommend that the Panel impose a condition of consent requiring the approval of that Section 68 Application prior to the release of any Construction Certificate and that an Occupation Certificate not be released until a Approval to Operate under the provisions of the Local Government Act is obtained from Camden Council.

Section 79BA of the Environmental Planning and Assessment Act was considered as the property is located in a bushfire prone area. The development is not integrated development in this regard as the proposal is not a development referred to under Section 100B of the Rural Fires Act. The application is supported by a bushfire assessment carried out by Australian Bushfire Protection Planners, which identifies the level of risk to the buildings from a potential bushfire hazard and determines the deemed-to-satisfy bushfire protection requirements for the proposed development, in accordance with the provisions of Planning for Bushfire Protection 2006. The report



also assesses the adequacy of fire-fighting access and water supplies; construction standards of the building, the management of the Defendable Spaces and evacuation protocols necessary to address the bushfire risk to the proposed development and to address the aim and objectives of Planning for Bushfire Protection 2006. The report is satisfied that the development conforms to the specifications and requirements of Planning for Bushfire Protection and as such the recommendations of the consultants report be imposed as conditions of consent.

**(1)(c) The suitability of the site for the development**

The site is considered suitable for the proposed development as it is proposed to co-locate the development with the existing University of Sydney Camden Campus, including current research activities conducted by the Faculty of Agriculture, Food and Natural Resources and enables close research linkages with the Plant Breeding Institute. The site provides adequate area for the development and ensures significant separation from adjoining rural residential properties.

**(1)(d) Any submissions**

The application was notified in accordance with Camden DCP 2006 between 13 and 28 April 2010. A separate on-site community consultation meeting has also been held by the proponent, their consultants, representatives of the University and adjoining residents. Two written submissions were received by Council. The issues raised are summarised and discussed below.

*Issue* - Support development being in keeping with the University's research function and the rural landscape. There was preference for this type of use over an urban development

*Officer comment* - Noted

*Issue* - Concern raised by residents on the southern side and adjacent to the access road over privacy impacts into their backyard and pool area from passing trucks.

*Officer Comment* - Temporary screening and longer term vegetation planting along the boundary fence are proposed and will be conditioned.

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*Issue* - Construction impacts - what will be the construction hours.

*Officer Comment* - The application will be subject to standard Council conditions relating to management of noise and dust during construction. This will include no construction activities to be undertaken on Sundays.

*Issue* - Concern that large Eucalyptus Trees at the access to Cobbitty Road are a traffic hazard. Support removal of trees.

*Officer Comment* – Removal of the tree is discussed earlier in this report.

*Issue* – Concern over the continued drop of pine needles from Radiata Pine Tress near the adjoining rural residential properties.

*Officer Comment* - Council's Tree Preservation Officer has reviewed the application and inspected the site and supports the selective remove of identified pine trees. Screen planting proposed is unlikely to impact adversely on adjoining properties.

*Issue* – Concern about potential impacts to existing operations of Rural Fires Shed.

*Officer Comment* – Rural Fire trucks utilise the apron in front of their sheds on Sundays which may impinge on access - deliveries are unlikely to be on Sundays. The landowner, University of Sydney, has advised Council that the RFS are looking at relocating from the current site. No submission was received by RFS in relation to this application.

*Issue* - Concern about number of truck movements.

*Officer Comment* - there will be approx 12 truck movements per week or about 2 a day. There will be no truck movements on Sundays. Council Traffic Engineer has provided advice that the number of movements is considered negligible.

*Issue* - Visual impact from adjoining residences.

*Officer Comments* - Vegetation screening is proposed between the houses and the glasshouse. Planting will generally comprise shrubs that will not result in the rural outlook of being impacted.

*Issue* – Why can't the development share access with existing Plant Institute.

*Office Comment* – The applicant has advised Council that due to the distance from that access (approx 1.1km to the west) and the fact an adequate access at the subject site exists, co-use for the western access would not be beneficial. This view is supported.

### **(1)(e) The public interest**

The proposal meets the aims, objectives and controls set out in the prevailing planning instruments. The proposed development is an industry-based aquaculture research which has the potential to provide significant technological advances in agricultural and aquaculture production.

Co-locating the development with the existing University of Sydney Camden Campus shall ensure the University continues to play a world-leading role in food production and research. Subject to compliance with the conditions listed below, it is not expected that the proposed development will create any significant impacts on the surrounding area. It is therefore considered that the proposed development is not contrary to the public interest.

### **CONCLUSION**

Development consent is sought for a Educational Establishment (Industry-Based Aquaculture and Vegetable Research Facility) comprising construction of a glasshouse for aquaculture and intensive agriculture at the University of Sydney Camden Campus on Cobbitty Road, Cobbitty.

The proposal is in accordance with the objectives of the Camden LEP 2010 and the DCP and the relevant provisions applying to Tank-based aquaculture under State Environmental Planning Policy No. 62 - Sustainable Aquaculture. It is considered that the proposal would be a positive contribution to the locality and assist the University and its research partners continues to play a world-leading role in food research and food security in close proximity to the Camden and within the Sydney Basin.

The proposal has been considered on its merits and is now able to be recommended to Joint Regional Planning Panel for approval subject to draft conditions shown below.

### **RECOMMENDATION**

It is recommended that the Joint Regional Planning Panel approve Development Application DA 1178/2010 subject to draft conditions of consent attached to this report.

## **Details of Conditions:**

### **1.0 - General Requirements**

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

- (1) **Approved Plans** – The development must be carried out strictly in accordance with the following approved plans or other documentation:

#### **Development Plans**

- Job No db1764 Drawings 02, 03, 04, 05, 06, 07 and 08 prepared by Bennett Design, dated 14.9.2010

#### **Concept Engineering Plans**

- Job No. 3678 Drawings C-01, C-02, C-03, C-04, C-05, C-06, C-07, C-10, C-11, C-12, C-13, C-14, C-15

#### **Supporting Documents**

- Statement of Environmental Effects prepared by JBA planning Dated October 2010 (as amended)
- Aboriginal Heritage Assessment prepared by Mary Dallas Consulting Archaeologists, dated 27.8.2010
- European Heritage Report prepared by Jill Sheppard Heritage Consultants, dated September 2010
- Traffic and Parking Assessment Report, prepared by Varga Traffic Planning, ref no 10173, dated 28 Sep 2010
- Statement on Provision of Roads, Sewage and Site Stormwater Drainage Stormwater, prepared by Warren Smith & Partners (job no 3678)
- Acoustic Impact Statement Prepared by Wilkinson Murray Dated 15 September 2010
- Preliminary Salinity Report prepared by Whitehead and Associates dated 9 September 2010
- Terrestrial Flora and Fauna Assessment prepared by Biosis Research, project no. N11507
- Bushfire Protection Assessment, prepared by Australian Bushfire Protection Planners, Ref B101353, dated 15.9.2010

The development must also comply with the conditions of approval imposed by Council hereunder.

Amendments or modification of the approved development require the written prior approval of Camden Council.

- (2) **Research Agreement** - That a binding Research Agreement between the University of Sydney and the operator of the Educational Establishment shall be entered into and submitted to Camden Council. This consent will become invalid if at any time, the agreement for use is not in place.
- (3) **Requirements of NSW Industry and Investment** – Development shall be consistent with the General Terms of Approval issued by the NSW Department of Industry and Investment dated 16 November 2010 and attached to this consent. The facility must be operated in accordance with an

operative permit issued under the Fisheries Management Act 1994 at all times.

- (4) **Building Code Of Australia** - All works must be carried out in accordance with the requirements of the *Building Code of Australia*.
- (5) **Non Habitable use** - The development shall not be used for habitable purposes.
- (6) **Disability Discrimination Act** - This approval does not necessarily guarantee compliance with the Disability Discrimination Act 1992, and the applicant/owner is therefore advised to investigate their liability under the Act.

## 2.0 - Construction Certificate Requirements

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

- (7) **Sewage management** - Prior to release of the Construction Certificate approval under section 68 of the Local Government Act, 1993 is to be obtained to Install a Commercial Sewage Management System from Camden Council. The application shall be a system that is NSW Department of Health Accredited, Compliant with Council Sewage Management strategy and the Australian/New Zealand Standards
- (8) **Design and Construction Standards** - All proposed road, civil and structural engineering work associated with the development must be designed and constructed strictly in accordance with:
  - (i) Camden Council's current Engineering Design and Construction Specifications, and
  - (ii) the recommendations of the Salinity Management Plan

It should be noted that designs for linemarking and regulatory signage associated with any proposed public road within this subdivision MUST be submitted to and approved by the Roads Authority, Camden Council prior to the issue of any Construction Certificate.

- (9) **Parking Spaces** - A minimum of 15 car parking spaces must be provided on site. These spaces, and associated access driveways and manoeuvring areas must conform with Camden Council's Development Control Plan 2006, and must be designed in accordance with a pavement design prepared by a Geotechnical Engineer and the Camden Council's standard. Documentary evidence of compliance from an Accredited Certifier/Suitably qualified person must be submitted to the Principal Certifying Authority, prior to the Construction Certificate being issued.
- (10) **Internal Road Design And Width** - With the exception of garbage and recycling collection vehicles, the developer must not permit the reversing of vehicles onto or away from the road reserve. All vehicles must be driven forward onto and away from the development and adequate space must be provided and maintained on the land to permit all vehicles to turn in accordance with Australian Standard 2890.1 Parking Facilities - Off Street Car Parking. The design of the driveway ingress and egress is cater for a 13.7 metre vehicle,

without crossing the centreline of Cobbitty Road when exiting. A Public Road Activity (PRA) approval, must be obtained prior to the removal of a Eucalyptus Tree and relocation of a telegraph pole on the northern side of the driveway.

- (11) **Vehicular Area Design Standards** - The internal driveway and car parking area must be designed in accordance with AS2890.1-1993 off-street carparking.
- (12) **Traffic Management Procedure** - Traffic management procedures and systems must be introduced during construction of the development to ensure safety and minimise the effect on adjoining pedestrian and traffic systems. Such procedures and systems must be in accordance with AS1742.3 1985 and to the requirements and approval of Council (and the Roads and Traffic Authority). Plans and proposals must be approved by Council (and the Roads and Traffic Authority) prior to the Construction Certificate being issued.
- (13) **Surface Drainage** – To prevent surface water from entering the building:
  - The floor level for slab on ground construction shall be a minimum of 150 mm above finished ground level for habitable rooms;
  - Seepage and surface water shall be collected and diverted clear of the building by a sub-surface/surface drainage system;
  - The control of surface water drainage shall in all respects comply with the *Building Code of Australia*;
  - Where a rainwater tank is required on the site, all surface water drainage lines shall be connected to the outlet overflow drainage line from the rainwater tank.
- (14) **Drainage Design** - A stormwater management plan is to be prepared prior to the issue of a Construction Certificate to ensure that the final stormwater flow rate off the site is no greater than the maximum flow rate currently leaving the development site for all storm events. This plan must be submitted and approved by the Principal Certifying Authority. Such designs must cater for future developments of land adjoining the site and overland flow from adjoining properties.
- (15) **Stormwater Disposal** - Stormwater run-off from the whole development must be properly collected and discharged to the Council drainage system. Surface discharge across the footpath to the road gutter is not permitted. Provision must be made to cater for existing stormwater overland flow from adjoining properties.
- (16) **Stormwater Detention** - The capacity of the existing stormwater drainage system must be checked to ensure its capability of accepting the additional run-off from this development. If necessary an on site detention system must be provided to restrict stormwater discharges from the site to pre-development flows. The system is to provide for all storms up to and including the 1% AEP event. Engineering details and supporting calculations must be prepared by a qualified Hydrology Engineer and submitted to the PCA for approval with the Construction Certificate.

On completion of the on-site detention system, Works-as-Executed plans are to be prepared by a registered surveyor or the design engineer and submitted to the Principal Certifying Authority. If Camden Council is not the Principal Certifying Authority, a copy is to be submitted to the Council prior to the issue of the Occupation Certificate. The plans are to be certified by the designer and are to clearly make reference to:

- the works having been constructed in accordance with the approved plans,
- actual storage volume and orifice provided,
- the anticipated performance of the system with regard to the design intent.

The developer must prepare a Section 88B Instrument for approval by the Principal Certifying Authority which incorporates the following easements and restrictions to user:

Restriction as to user indicating that the on-site detention basin must be maintained at all times to a level sufficient to ensure efficient operation of the basin, and that the Consent Authority (ie Camden Council) must have the right to enter upon the burdened lot with all necessary materials and equipment at all reasonable times and on reasonable notice (but at any time and without notice in the case of an emergency) to:

- (i) view the state of repair of the basin;
- (ii) to execute any work required to remedy a breach of the terms of this covenant if the proprietor has not within fourteen (14) days of the date of receipt by the proprietor of written notice from the Council, requiring remedy of a breach of the terms of this covenant, taken steps to remedy the breach and without prejudice to the Council's other remedies the Council may recover as a liquidated debt the cost of such remedial work from the proprietor forthwith upon demand.
- (iii) Restriction as to user indicating that the on-site detention basin must not be altered, or removed in part, or structures erected thereon without the prior consent of Council.

- (17) **Public Risk Insurance Policy - Prior to the issue of the Construction Certificate**, the owner or contractor is to take out Public Risk Insurance Policy with a minimum cover of \$20 million in relation to the occupation of and works within Council's road reserve and any Council land . The Policy is to note Council as an interested party and a certificate of currency from the insurer of such policy must be submitted to the Council as evidence of such policy. Where the coverage of such policy expires during the period of construction of the works, the policy must be renewed prior to the expiration of the policy and a Certificate of Currency from the insurer.

Failure to keep the works insured shall be reason for Council to make the works safe and all costs associated with making the works safe shall be a cost to the owner of the land.

- (18) **Soil Erosion and Sediment Control Plans** - Soil erosion and sediment control plans must be designed and installed in accordance with the Camden Council "Soil Erosion and Sediment Control Policy".

Control measures must be maintained during the entire development procedure and can only be removed upon completion of the project when all landscaping and disturbed surfaces have been stabilised.

Plans containing a minimum of four (4) sets of the undermentioned information must be prepared and submitted to the Principal Certifying Authority for approval prior to a Construction Certificate being issued:

(a) existing and final contours

- (19) **Salinity** – Due to the inherent characteristics of the Camden Local Government Area landscape, buildings erected in the area may be susceptible to soil salinity levels that will have a cumulative damaging effect on the building over time.

For these reasons, the Structural Engineer may have to incorporate in the design of the structural elements of the building, measures to reduce/prevent any detrimental effect to the building from accumulative salt deposits. A Structural Engineer's Certificate is to be submitted to the certifying authority prior to the issue of a Construction Certificate, stating that the soil salinity was considered when designing the structural elements of the building.

That all buildings and roads should be constructed in accordance with the "Preliminary Salinity Report" prepared by Whitehead and Associates section 5 Conclusion and Recommendations, along with the Council's Policy "Building in a Saline Environment".

- (20) **Trade Waste Bins** - Provision must be made for the storage of the trade waste bin within the building/external to the building which does not compromise the allocated number of off street parking spaces. Trade waste bins must be emptied on a regular basis to prevent odour and fire hazard occurring.

The location of the trade waste bin must be clearly indicated on building plans and submitted to the Principal Certifying Authority for approval prior to a Construction Certificate being issued.

- (21) **Sydney Water Clearance** – Prior to the issue of a Construction Certificate a section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water and submitted to the Principal Certifying Authority.

- (22) **Tree removal works that will require a Public Road Activity** approval – Any proposed tree or vegetation removal or clearing that:

- a) Will involve the use of a crane or;
- b) utilises any such equipment;

that will impact upon a Public Road in such a manner that the normal vehicle movement, peak hour and school zone traffic, immediate residents, area amenity, pedestrian thoroughfares or Emergency Services access are affected, must be approved by the Public Roads Authority (i.e. Camden Council).

That approval, in the form of a Public Road Activity approval, must be obtained prior to the commencement of the subject tree work.

Accordingly, an application for approval for a Public Road Activity must be submitted to the Public Roads Authority (i.e. Camden Council).

Public Road Activity (PRA) application forms are available from Council's Customer Service Counter or from Council's internet site [www.camden.nsw.gov.au](http://www.camden.nsw.gov.au).

The PRA application shall include:

- (i) Supporting information that details all proposed activities.
- (ii) A Certificate of Currency for an appropriate Public Liability Policy.
- (iii) A Traffic Control Plan (TCP). A Roads & Traffic Authority (RTA) accredited person or organisation must prepare the TCP.
- (iv) Details of the notification process to be applied, for affected street residents.

- (23) **Conditional Approval for tree removal** - Consent is granted for removal of Pines trees located within the proposed development envelope as shown on survey plan prepared by UES, drawing no. C-09 dated August 2010.

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

Where possible all green waste generated from the approved tree work is to be recycled into mulch or composted at a designated facility. All reasonable measures must be taken to protect the remaining vegetation on the site from damage during the approved tree works.

The issuing of this Consent is conditioned upon the planting and maintenance of twenty five (25) replacement trees (tree species consistent with Alluvial Woodland) as a means to achieve a "No Nett Loss" approach to vegetation management. The plantings shall consist of minimum 25 litre container stock and are to be installed on that portion of the property on the eastern side of the proposed development and the rear of properties fronting Cobbitty Road. Replanting shall occur within six (6) months of the authorised removals.

The replacement trees must be cared for and maintained until they reach a height of three (3) metres, the point at which the trees are further protected by Council's tree preservation provisions. Should any of the trees die before they reach the required height of three (3) metres then they shall be replaced with the same type and size of tree specified above.

At the appropriate time, arrangements will be made for a Council officer to inspect the planting/s (referred to in the clause above) to ensure that Council's objectives for vegetation management are being achieved.

- (24) **Tree Pruning** - The pruning of trees must be completed in accordance with the standards, specified in the "Australian Standard of Pruning Amenity Trees - AS 4373-2007".

This work should only be carried out by a fully insured and qualified Arborist. Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the



actual carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.

- (25) **The Biosis Research** report recommendations, (6.0 Recommendations, page 34) are to be implemented in full at applicable works staging.
- (26) **Street Trees**, with the exception to the tree on the northern side of the driveway, are to be protected from damage during construction works.
- (27) **Responsibility for damage for tree removal/pruning** - The applicant is responsible for any damage caused to existing public utilities, footpaths or public roads during the cutting down, grinding, removal and disposal of the timber and roots. Care must also be taken by the applicant and the applicant's agents to prevent any damage to adjoining properties. The applicant or the applicants' agent may be liable to pay compensation to any adjoining owner if, due to tree works, damage is caused to such adjoining property.
- (28) **Detailed Landscaping Plans** - Prior to the issue of the Construction Certificate, detailed Landscaping Plans prepared by a qualified Landscape Architect or suitably qualified Landscape Consultant, must be submitted with the Construction Certificate application for approval by the Principal Certifying Authority. The detailed Landscaping Plans must include (but not be limited to):
- The landscape plan is to include visual screen landscaping to the east and south of the development, directly adjoining rural residential properties. The proposed species are to be all fast growing natives.
  - any proposed or existing permanent water bodies and/or wetland areas must have clear detail regarding the accessibility, positioning, size and construction details of each installed permanent work area for on going maintenance.
  - any proposed lighting for paths, parks and any other open space area.
  - universal access details for all open space areas, parks, playgrounds and any other public accessible areas or facilities.
  - all landscape amenity elements such as boardwalks, playgrounds, picnic facilities, bubblers, signage, shade structures, paths, cycle ways, dog and litter bins as well as any furniture elements.
  - clearly detail any fencing, bollarding or other means of unauthorised vehicle control and access denial into and within all proposed open space areas.
  - clearly detail how controlled accessibility to all open space areas for emergency vehicles and personal will be achieved.
  - detailed planting schedule, which includes species listed by botanical and common names, quantities of each species, pot sizes, and the estimated size of the plant at maturity.
  - that the scale of planting is in proportion to the scale of the development and be consistent with the Cultural, Ecological, Heritage and Landscape character of the area.
- (29) **Bushfire Construction Requirements** - The subject site is within a bush fire prone area and is required to comply with 'AS3959 *Construction of buildings in bushfire prone areas*' and Planning for Bushfire Protection 2006. Prior to the issue of a Construction Certificate, details shall be

provided showing proposed construction compliance with the above bush fire attack category.

### 3.0 - Prior To Works Commencing

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

- (30) **Construction Certificate Before Work Commences** - This development consent does not allow site works, building or demolition works to commence, nor does it imply that the plans approved as part of the development consent comply with the specific requirements of *Building Code of Australia*. Works must only take place after a Construction Certificate has been issued, and a Principal Certifying Authority (PCA) has been appointed.
- (31) **Notice Of Commencement Of Work** – Notice in the manner required by Section 81A of the *Environmental Planning and Assessment Act, 1979* and Clause 103 of the *Environmental Planning and Assessment Regulation 2000* shall be lodged with Camden Council at least two (2) days prior to commencing works. The notice shall include details relating to any Construction Certificate issued by a certifying authority, the appointed Principal Certifying Authority (PCA), and the nominated 'principal contractor' for the building works.
- (32) **Signs To Be Erected On Building And Demolition Sites** – Under Clause 98A of the *Environmental Planning and Assessment Regulation 2000*, a sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- (a) showing the name, address and telephone number of the Principal Certifying Authority (PCA) for the work, and
  - (b) showing the name of the 'principal contractor' (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - (c) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

This clause does not apply to building work carried out inside an existing building that does not affect the external walls of the building.

Note: The PCA and principal contractor must ensure that signs required by this condition are erected and maintained.

- (33) **Toilet Facilities** - Toilet facilities must be provided at the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced.

- (34) **Soil Erosion And Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site.

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

Where a soil erosion and sediment control plan (or details on a specific plan) has been approved with the development consent, these measures must be implemented in accordance with the approved plans. In situations where no plans or details have been approved with the development consent, site soil erosion and sediment controls must still be implemented where there is a risk of pollution occurring.

An Infringement Notice issued under the Environmental Planning and Assessment Act, 1979, which imposes a monetary penalty of \$600.00, may be initiated by the Principal Certifying Authority (PCA) and issued by Camden Council where the implementation or maintenance of measures is considered to be inadequate. In the event that a risk of environmental pollution occurs an Infringement Notice issued under the Protection of the Environment Operations Act 1997, which imposes a monetary penalty of \$750 for an individual or \$1500 for a corporation maybe issued by Camden Council.

- (35) **Environmental Management Plan** - An Environmental Site Management Plan must be submitted to the Certifying Authority for approval. The plan must be approved in writing prior to the commencement of works The plan must be prepared by a suitably qualified person in accordance with AS/NZ ISO 14000 - 2005 and must address, but not be limited to, the following issues:

- (a) All matters associated with Council's Erosion and Sediment Control Policy.
- (b) All matters associated with Occupational Health and Safety.
- (c) All matters associated with Traffic Management/Control during construction, which should address issues of access of construction traffic, storage material, location of site office, and parking for workers, use of equipment and other matters which has an impact on the road network or immediate environment.
- (d) All other environmental matters associated with the site works such as noise control, dust suppression, waste management and the like.
- (e) Any construction work which involved access to public road shall be subject to an approval of a Public Road Activity Application to Council accompanied by a Traffic Control Plan prepared by a RTA accredited Certifier.

#### **4.0 - During Construction**

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

- (36) **Hours Of Work** – The hours for all construction and demolition work are restricted to between:
- (a) 7am and 6pm Monday to Friday (inclusive);
  - (b) 7am to 4pm Saturday (if construction noise is inaudible to adjoining residential properties), otherwise 8am to 4pm;

(c) work on Sunday and Public Holidays is prohibited.

- (37) **Construction Noise Levels** – Noise levels emitted during construction works shall be restricted to comply with the construction noise control guidelines set out in Chapter 171 of the NSW EPA's Environmental Noise Control Manual. This manual recommends;

Construction period of 4 weeks and under:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 20 dB(A).

Construction period greater than 4 weeks:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 10 dB(A).

- (39) **Dust Control** - Potential dust sources on-site must be minimised through the maintenance of vegetation cover and the use of water sprays to suppress dust from exposed areas during periods of dry and/or windy weather.

- (40) **Fill Material for Development Site** - Prior to the importation and/or placement of any fill material on the subject site a validation report and sampling location plan for such material must be submitted to the Principal Certifying Authority for approval and concurrence. All filling or cutting more than 1.0m must be approved at the Development Application Stage development.

The validation of the fill material must be done prior to use of any fill material and validation report must be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.

The validation report and sampling location plan must be prepared:

- a) by a practising engineer with National Professional Engineering Registration and with a Specific Area of Practice in Subdivisional Geotechnics, and
- b) in accordance with:
  - i) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity", and
  - ii) The Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW".
- c) and confirm that the fill material:
  - i) provides no unacceptable risk to human health and the environment;
  - ii) is free of contaminants;
  - iii) has had salinity characteristics identified in the report;
  - iv) is suitable for its intended purpose and land use, and
  - v) has been lawfully obtained.

The sampling for salinity of fill volumes less than 6000m<sup>3</sup> must provide for 3 sampling locations; fill volumes exceeding 6000m<sup>3</sup>, require one sampling location for each additional 2000m<sup>3</sup>. A minimum of 1 sample from each sampling location must be provided for assessment.

The sampling for Contamination should be undertaken in accordance with the following table:

<b>Classification of Fill Material</b>	<b>No. of Samples per Volume or part thereof</b>	<b>Volume of fill (m<sup>3</sup>)</b>
Virgin excavated Natural material	1 (see note 1)	1000

Note 1: Where the volume of each fill classification is less than that required above, a minimum of 2 separate samples from different locations must be taken.

- (41) **Roof-Water Destination** - The roof of the subject building(s) must be provided with guttering and down pipes and all stormwater conveyed to:
- (a) an approved water storage tank; or
  - (b) the existing dam and/or natural water course on the subject allotment;

## **5.0 - Prior To Issue Of Occupation Certificate**

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

- (42) **Occupation Certificate** – An Occupation Certificate must be issued by the Principal Certifying Authority (PCA) prior to occupation or use of the development. In issuing an Occupation Certificate, the PCA must be satisfied that the requirements of Section 109H of the *Environmental Planning and Assessment Act 1979* have been satisfied.

The PCA must submit a copy of the Occupation Certificate to Camden Council (along with the prescribed lodgement fee) within two (2) days from the date of determination and include all relevant documents and certificates that are relied upon in issuing the certificate.

The use or occupation of the approved development must not commence until such time as all conditions of this development consent have been complied with.

- (43) Prior to issue of the Occupation Certificate an Approval to Operate the Commercial Sewage Management System shall be obtained from Camden Council.
- (44) **Footpath Crossing Construction** – Prior to use or occupation of the development, a footpath crossing must be constructed in accordance with Camden Council's issued footpath crossing information.

To obtain such information a Public Road Activity application must be submitted to Camden Council with the appropriate fee. Applications forms are available from Council's: -

Customer Service Centre, and/or  
Internet site – [www.camden.nsw.gov.au](http://www.camden.nsw.gov.au)

- (45) **Fire Safety Certificates** – A Fire Safety Certificate is to be submitted to the Principal Certifying Authority (PCA) prior to the issue of an Occupation Certificate in accordance with the requirements of the *Environmental Planning and Assessment Regulation 2000*. The Fire Safety Certificate is to certify that each fire safety measure specified in the current fire safety schedule for the building to which it relates:

- (a) has been assessed by a properly qualified person; and
- (b) was found, when it was assessed, to be capable of performing to at least the standard required by the current fire safety schedule for the building for which the certificate is issued.

As soon as practicable after the Final Fire Safety Certificate has been issued, the owner of the building to which it relates:

- (a) must cause a copy of the certificate (together with a copy of the current fire safety schedule) to be given to the Commissioner of New South Wales Fire and rescue, and
- (b) must cause a further copy of the certificate (together with a copy of the current fire safety schedule) to be prominently displayed in the building.

## 6.0 - Operational Conditions

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

- (46) **Retailing Prohibited** - This consent does not authorise the sale or display of goods for retail sale to the general public from the site.
- (47) **Traffic Movements and Deliveries** - The hours of traffic movements and deliveries shall be restricted to between 7am and 10pm Monday to Saturday. No deliveries permitted on Sundays or Public Holidays.
- (48) **Trade Waste** - The applicant shall enter into a commercial contract for the collection of trade waste and recycling. A copy of this agreement shall be held on the premises at all times.
- (49) **Exhaust Fans** - That the 50" Exhaust fans shall only be used between the hours of 11am to 4pm.
- (50) **Plant Noise Restriction** - The level of total continuous noise emanating from operation of all the plant or processes in all buildings ( $LA_{eq}$ ) (measured for at least 15 minutes) or in, the above premises must not exceed the background level by more than 5dB(A) when measured at any point on the boundary.
- (51) **Liquid Wastes** - All liquid wastes other than stormwater generated on the premises must be discharged to the sewer in accordance with the requirements of Sydney Water.

- (52) **MSDS** - That a Material Safety Data Sheet (MSDS) must be obtained for all Hazardous chemicals that are stored on the premises.
- (53) **Spill Kit** - That a spill kit must be provided for accidental chemical spills. The spill kit must contain items suitable for cleaning up spills of any liquid stored at the premises such items shall include absorbents, gloves, buckets and face masks.
- (54) **General Requirement** - All activities associated with the development must be carried out in an environmentally satisfactory manner as defined under section 95 of the Protection of the Environment Operations Act 1997.
- (55) **Light Spillage** - The lighting of the premises must be directed so as not to cause nuisance to owners or occupiers of adjoining premises.
- (56) **Offensive Noise** - The use and occupation of the premises including all plant and equipment installed thereon, must not give rise to any offensive noise within the meaning of the Protection of the Environment Operations Act, 1997.
- (57) **Disposal of water** – All water collected on site must be managed on site so that it does not pollute waters in accordance with “Section 120 – Prohibition of pollution of water” of the Protection of the Environment Operations Act 1997.
- (58) **Aquaculture** – a maximum of 250,000 fingerlings may be delivered to the facility per annum.
- (59) **Food Authority** - That full compliance shall be given to any requirement of the NSW Food Authority.
- (60) **Work Cover Licence** - Prior to the occupation of the premises, a copy of the licence issued by the NSW WorkCover Authority to keep dangerous good must be submitted to Camden Council.
- (61) **Dangerous Goods Store / Cabinet** - The storage of dangerous / flammable goods must be kept in a suitable storage cabinet and fully comply with the relevant Australian Standard which should include AS 1940 (2004) - The storage and handling of flammable and combustible liquids.
- (62) **Wastewater** - That there shall be no discharge of wastewater to land at all unless further approval from Council is sought.
- (63) **Air Pollution** - The occupier of the premises must not cause air pollution (including odour) through a failure to maintain or operate equipment, to carry out maintenance work on plant or to deal with materials in a proper and efficient manner. The operator must also take all practical means to minimise and prevent air pollution under the protection of the Environment Operations Act 1997.
- (64) **Organic Matter** - All organic matter (including fish kills) is to be disposed off site to an approved recycling or landfill facility.