

MINUTES OF THE SYDNEY WEST REGIONAL PANEL MEETING HELD AT CAMDEN CIVIC CENTRE ON THURSDAY, 19 MAY 2011 AT 11.30 AM

PRESENT:

Bruce McDonald	Chairperson
Paul Mitchell	Panel Member
Lindsay Fletcher	Panel Member
Cr Fred Anderson	Panel Member
Chris Lalor	Panel Member

IN ATTENDANCE

Ryan Pritchard	Council Officer
Ron Dowd	Council Officer

APOLOGY:

Janet Thomson	Panel Member
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1. The meeting commenced at 11.30 am

2. Declarations of Interest –

Paul Mitchell advised his employer company is working for the proponent of the development in Item 1 but that he has no involvement in this project and that there is no conflict in relation to this item.

3. Business Items

ITEM 1 - 2011SYW012 Camden Council DA 1546/2010 - Subdivision to create 285 residential lots, construction of bulk earthworks, roads, drainage, services, open space, landscaping and revegetation of waterfront land; 630A and 650A Camden Valley Way, Gregory Hills

ITEM 2 - 2010SYW051 Camden Council DA 878/2010 - 840 Student Primary School, demolition of existing buildings, boundary adjustment and associated works; 941-955 Cobbitty Road, Oran Park

5. **Public Submissions -** Dean Golding (Dart West Development), Karen Still (Resident - 73 Turner Road), Charmaine Jelenkovic (Resident – Manooka Valley), David Bryant (Thompson Adsett Architects), John Day (Catholic Education Office)

6. Business Item Recommendations

ITEM 1 - 2011SYW012 Camden Council 1546/2010 - Subdivision to create 285 residential lots, construction of bulk earthworks, roads, drainage,

**services, open space, landscaping and revegetation of waterfront land;
630A and 650A Camden Valley Way, Gregory Hills**

Resolution to approve subject to the following additional and amended development consent conditions:

The following conditions are to be amended:

Condition 3-5

Amended to read:

Traffic Committee Approval – Designs for all roads, line marking, regulatory signage and traffic management associated with all proposed public roads within this subdivision **MUST** be submitted to and approved by the Roads Authority, Camden Council, **prior to works commencing**. If any changes to the proposed designs are required an amended Construction Certificate may be required.

Condition 4-12

Amended to read:

Construction Noise - Noise Levels emitted during construction works shall be restricted to comply with the DECCW's Interim Noise Construction Guidelines dated July 2009.

Condition 5-16(m)

Amended to read:

A notation on title on lots 2332, 2334, 2351, 2355, 2361, 2404, 2447, 2448, 2457, 2302, 2205, 2239 and 2272 advising that windows facing Donovan Boulevard, or windows on the side façade, need to be kept closed to meet internal noise goals and that mechanical ventilation may be required in accordance with the minimum standards prescribed by the Building Code of Australia.

Condition 5-16(n)

Amended to read:

A notation on title on lots 2300, 2174, 2170, 2141, 2142 and 2107-2109 (inclusive) advising that windows facing the Collector Road, or windows on the side façade, need to be kept closed to meet internal noise goals and that mechanical ventilation may be required in accordance with the minimum standards prescribed by the Building Code of Australia.

Condition 5-26

Amended to read:

Special Infrastructure Contribution – The applicant is to make a special infrastructure contribution in accordance with any determination made by the Minister administering the Environmental Planning and Assessment Act 1979 under Section 94EE of that Act that is in force on the date of this consent, and must obtain a certificate to that effect from the Department of Planning and Infrastructure before a Subdivision Certificate is issued in relation to any part of the development to which this development consent relates.

Information on the Special Infrastructure Contribution can be found at the Department of Planning and Infrastructure's website www.gcc.nsw.gov.au. To obtain an estimate of the Special Infrastructure Contribution that may be payable for the application, please email infrastructurecontribution@gcc.nsw.gov.au.

The following additional conditions are to be added:

Additional conditions to be added to “Section 2.0 – Construction Certificate Requirements:”

1. **TRN Works Compound** – Once the TRN works compound ceases operation, further sampling in accordance with the EPA contamination guidelines shall be carried out to ascertain any further contamination. A Validation Report from a geotechnical consultant shall be submitted and approved by Council **prior to the issue of a Construction Certificate relating to the area of the compound.**
2. **Visual Assessment** – A visual assessment from a geotechnical consultant shall be undertaken of the stockpile footprints once removed, with a clearance certificate submitted to Council **prior to the issue of a Construction Certificate (for the area of the stockpiles)** certifying that all spoil from the stockpiles has been removed from the site.

Additional conditions to be added to “Section 4.0 – During Construction:”

1. **Duty to Notify** – To ensure compliance with the Protection of the Environment Operations Act 1997 the Environment Protection Authority or Council must be notified immediately, should a pollution incident occur.
2. **Filling Material** - All filling material within the compound shall be assessed in accordance with the NSW DECCW Waste Classification Guidelines (April 2008) (refer www.environment.nsw.gov.au/waste/envguidlms/index.htm) Once assessed, the materials will be required to be disposed to a licensed waste facility suitable for the classification of the waste with copies of tipping dockets supplied to Council.

Alternatively the fill material may be land farmed/bio-remediated on site and re-used at a subsequent works compound position in accordance with the Phase 2 Contamination Assessment dated May 2011 by Douglas Partners.

Additional condition modifications requested by the applicant

Condition 18 in “Section 1.0 – General Requirements”

Be modified to read:

Bollards – Bollards must be provided around the perimeter of park to prevent vehicular access.

Point 4 of condition 1 in “Section 2.0 – General Requirements”

Be modified to read:

Details of the type, number and positioning of all bollard installations. The bollards are to be of a style that matches those provided around the perimeter of Thomas Donovan Park in Gregory Hills.

Motion to be moved in three (3) parts:

1. To note the Report of Memorandum from Council Officers in relation to the additional contamination and salinity results.
2. Approve the Development Application for staged subdivision to create 285 residential lots, construction of bulk earthworks, roads, drainage, services, open space, landscaping and revegetation of waterfront land subject to the draft development consent conditions set out in the report amended as listed.

3. Council be requested to liaise with Mr & Mrs Steele with a view to resolving their concerns regarding the future acquisition of their property.

Moved: Lindsay Fletcher, seconded by Cr Fred Anderson.

ITEM 2 - 2010SYW051 Camden Council DA 878/2010 - 840 Student Primary School, demolition of existing buildings, boundary adjustment and associated works; 941-955 Cobbitty Road, Oran Park

Resolution to approve subject to the following amended development consent conditions:

The following conditions are to be amended:

Under Section 4.0

Delete Condition 4(6)

- (29) **Drainage Design** - Prior to the issue of a Construction Certificate a stormwater management plan is to be prepared to ensure that the final stormwater flow rate off the proposed development site is no greater than the maximum flow rate currently leaving the existing site for all storm events. Such designs must cater for land adjoining the site and overland flow from adjoining properties. The plan must be submitted to and approved by the Certifying Authority.
- (42) **Trade Waste Bins** - Provision must be made for the storage of the trade waste bin within the site. 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. The location chosen for storage of the bins should not diminish the allocated number of off-street parking spaces nor have any detrimental impact upon access to fire services and emergency exit doorways.

Under Section 5.0

- (1) **Construction Certificate Before Work Commences** - This development consent does not allow site works, building or demolition works, except conditions under Sections 2.0 and 3.0, 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.

Under Section 6.0

- (2) **Engineering Inspections** - Where Council has been nominated as the Principal Certifying Authority, inspections by Council's Engineer are required to be carried out at the following Stages of construction:
 - (a) After the installation of sediment and erosion control measures;
 - (b) final inspection after all works are completed.

Where Council is not nominated as the Principal Certifying Authority, documentary evidence in the form of Compliance Certificates, stating that all work has been carried out in accordance with Camden Council's Development Control Plan 2006

and Current Engineering Specifications must be submitted to Council prior to the issue of the Occupation Certificate.

- (7) **Construction Noise Levels** - Noise levels emitted during all works shall be restricted to comply with the Department of Environment and Climate Changes (DECC) Interim Construction Noise Guideline 2009.
- (17) **Rainwater tanks** - The rainwater tank(s) for the development must be constructed to comply with the following standards:
- The tank must be designed to capture and store roof water from gutters or downpipes on a building only.
 - The tank must be structurally sound.
 - The tank must be prefabricated, or be constructed from prefabricated elements that were designed and manufactured for the purpose of the construction of a rainwater tank.
 - The tank must be assembled and installed in accordance with the instructions of the manufacturer or designer of the tank.
 - The tank must not be installed over or immediately adjacent to a water main or a sewer main, unless it is installed in accordance with any requirements of the public authority that has responsibility for the main, nor is the tank to be installed over any structure or fittings used by a public authority to maintain a water or sewer main.
 - No part of the tank or any stand for the tank may rest on a footing of any building or other structure, including a retaining wall, unless the structure is designed for such purposes.
 - The tank must not exceed 2.4 metres in height above ground level, except for 3.0 metres for Fire Hydrant tank, including any stand for the tank.
 - The tank must be located at least 450 millimetres from any property boundary.
 - The tank must be located behind the front alignment to the street of the building to which the tank is connected (or, in the case of a building on a corner block, the tank must be located behind both the street front and street side alignments of the building or fencing).
 - The overflow from the tank must be directed and connected to the street gutter, drainage easement or an existing stormwater system.
 - Any plumbing work undertaken on or for the tank that affects a water supply service pipe or a water main must be undertaken:
 - (i) with the consent of the public authority that has responsibility for the water supply service pipe or water main, and
 - (ii) in accordance with any requirements by the public authority for the plumbing work, and
 - (iii) by a licensed plumber in accordance with the New South Wales Code of Practice—Plumbing and Drainage produced by the Committee on Uniformity of Plumbing and Drainage Regulations in New South Wales.
 - A sign must be affixed to the tank clearly stating that the water in the tank is rainwater:
 - If water in rainwater tanks is intended for human consumption, the tank should be maintained to ensure that the water is fit for human consumption—see the Rainwater Tanks brochure produced by NSW Health and the publication titled Guidance on the use of rainwater tanks, Water Series No 3, 1998, published by the National Environmental Health Forum.
 - Any motorised or electric pump used to draw water from the tank or to transfer water between tanks:
 - (i) must not create an offensive noise, and

- (ii) in the case of a permanent electric pump, must be installed by a licensed electrician.
- The tank must be enclosed, and any inlet to the tank must be screened or filtered, to prevent the entry of foreign matter or creatures.
- The tank must be maintained at all times so as not to cause a nuisance with respect to mosquito breeding or overland flow of water.
- It is recommended that the tank is fitted with a first-flush device, being a device that causes the initial run-off of any rain to bypass the tank to reduce pollutants entering the tank.

Under Section 7.0

- (1) **Subdivision Certificate Release** - The issue of a Subdivision Certificate and registration of the Plan of Subdivision shall occur prior to the commencement of any Building Works. The issue of a Subdivision Certificate is not to occur until conditions of this consent, as those conditions relate to each approved stage, have been satisfactorily addressed and, unless otherwise approved in writing by the Principal Certifying Authority.

Under Section 8.0

- (4) **Registration and Notification** - Proprietor/s of the canteen are required to register the business with Camden Council and complete a Food Business Notification Form. The registration form must be returned to Council, whereas the Notification Form may be completed on-line on the Internet (free of charge) or returned to Council with an administration processing fee of \$55 (inclusive of GST).
- (5) **Canteen Compliance Letter** - Where the consent authority is not the Principal Certifying Authority (PCA) an additional inspection of the canteen must be undertaken by the Consent Authority prior to the issue of an Occupation Certificate. A letter is to be issued from the Consent Authority certifying that the kitchen complies with the Food Codes and Regulations.
- (8) **Fencing and Landscaping** to the entire boundary of the school site shall be completed prior to the release of any occupation certificate for school and associated buildings.
- (15) **School Road Safety Program** Prior to the issue of any Occupation Certificate, a School Road Safety Program is to be prepared in conjunction with the principal, school representatives, Local Traffic Committee, Council's Road Safety Officer and other relevant persons and is to address the following:
 - a) Management/supervision program for students from the "kiss and drop" zones, car parking areas and bus drop off and pick up areas;
 - b) Supervision and monitoring conducted by school teaching staff during am and pm peak times;
 - c) Supervision and monitoring conducted by school teaching staff of the bus pick up and drop off area during am and pm peak times;
 - d) Preparation of educational information relating to pedestrian safety to be distributed to students;
 - e) Preparation of educational information in relation to school road safety which is to be distributed to parents.

Advice

Insert under Heading "Advice"

- (1) **WICA Licence** – A Water Industry Competition Act (WICA) Licence shall be obtained from the Independent Pricing and Regulatory Tribunal (IPART).

Motion to be moved in three (3) parts:

1. Approve the Development Application for 840 Student Primary School, demolition of existing buildings, boundary adjustment and associated works subject to the draft development consent conditions set out in the report and amended as listed.
2. The value of a dedicated public vehicular access from Oran Park Drive to the northern boundary of the site be examined as part of the Planning for the Catherine Fields Precinct.
3. If further educational uses are proposed on adjoining land to the east, that access at the Harrington Grove Intersection be examined.

Moved: Paul Mitchell, seconded by Cr Fred Anderson.

MOTION CARRIED.

The meeting concluded at 12.50 pm

Endorsed by:

Bruce McDonald
Acting Chair
Sydney West Region

30 May 2011