

**MINUTES OF THE SYDNEY WEST REGION JOINT REGIONAL  
PLANNING PANEL MEETING  
HELD AT HAWKESBURY COUNCIL  
ON THURSDAY, 1 SEPTEMBER 2011 AT 5.00 PM**

**PRESENT:**

Bruce McDonald	Acting Chair
Lindsay Fletcher	Panel Member
Peter Jackson	Panel Member
Matt Owens	Panel Member
Kara Krason	Alternate Panel Member

**IN ATTENDANCE**

Shari Hussein	Manager Planning
Colleen Haron	Senior Town Planner
Abbey Rouse	Manager Corporate Services and Governance
Kylie Wade-Ferrell	Administration Support Co-ordinator (Minutes)

**APOLOGY:**

Paul Mitchell	Panel Member
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1. Meeting commenced at 5.02pm. The Chair welcomed everyone to the meeting of the Panel.
2. **Declarations of Interest - Nil**
3. **Business Items**

***ITEM 1 - 2011SYW020 – Hawkesbury Council, DA0038/2011 - Redevelopment and Refurbishment of existing Benedict XVI Retreat Centre; 347 Grose Wold Road, Grose Wold NSW 2753***

5. **Public Submission -**

Mr Paul Coffey, respondent, addressed the Panel against the application. He presented a PowerPoint presentation to the Panel.

Mr Michael Want, respondent, addressed the Panel against the application.

Mr Danny Casey, Business Manager for the Catholic Archdiocese of Sydney, representing the applicant, addressed the Panel in favour of the application.

## 6. Business Item Recommendations

### **2011SYW020 – Hawkesbury Council, DA0038/2011 - Redevelopment and Refurbishment of existing Benedict XVI Retreat Centre; 347 Grose Wold Road, Grose Wold NSW 2753**

*Motion moved by Mr Matt Owens, Seconded by Mr Lindsay Fletcher.*

That development application DA0038/11 at Lot 2 DP 606169, 347 Grose Wold Road, Grose Wold for Recreational Establishment – redevelopment and refurbishment of existing religious retreat centre be approved as a Deferred Commencement Consent subject to the following conditions:

1. Upon compliance with the conditions appearing in Schedule 1, and with the issue of confirmation to that effect in writing from Council, this "Deferred Commencement" consent shall commence to operate as a development consent inclusive of all conditions appearing in Schedule 2 pursuant to Section 80(3) of the Act.
2. The 'Deferred Commencement' consent will lapse in twelve months from the date of this consent unless all conditions appearing in Schedule 1 have been complied with.

#### **Schedule 1**

- a. The playing field/oval shall not be used for carparking due to the potential damage to the effluent disposal area. Additional carparking spaces shall be provided on site to cater for the expected demand based on the submission of a traffic report demonstrating a suitable occupancy rate per vehicle. Details shall be submitted to Hawkesbury City Council for approval.
- b. An amended Plan of Management for the activity shall be submitted to Hawkesbury City Council for approval. This amended Plan is to include, but not limited to, the following details:
  - Site Management - arrangements are to be made for a Site Manager to be present at all times when Retreat activities are being conducted.
  - Neighbour notification be provided in writing to all adjoining residents of the Plan of Management and contact details of Site Managers prior to commencement and on an annual basis.
  - Number of Staff
  - Signage – to be erected explaining contents and location of sign about 'private property'.
  - Site signs be included at entry and all boundaries that include details of a 24-hour contact number for the Site Manager.
  - Complaints register – to be maintained on site and submitted to Council for information annually
  - Security measures – including practices for when site is not in use
  - Education of guests about site practices, procedures and rules including:
    - i. Noise
    - ii. Trespass
    - iii. Promoting respect for environmental significance of the site and locality
  - Noise – Amended hours for commencement of outdoor activities; hours for servicing of the site.

## Schedule 2

### NSW Rural Fire Services Conditions

#### Asset Protection Zone

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of building are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

- A. At the commencement of building works and in perpetuity the Asset Protection Zones shall be provided as detailed on the "Site Plan – Asset Protection Zone Drawing No. DA 403 issue B" by Suttie Rofe Architects dated 02/03/11 and shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

#### Water and Utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

- B. Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of 'Planning for Bush Fire Protection 2006'.
- An 'SWS' marker shall be obtained from the local NSW Rural Fire Service and positioned for ease of identification by brigade personnel and other users of the SWS. In this regard:
    - i. Markers must be fixed in a suitable location so as to be highly visible; and
    - ii. Markers should be positioned adjacent to the most appropriate access for the static water supply.
  - A 150,000 L water tank and fittings shall be provided in accordance with the "Site Plan Asset Protection Zone Drawing No. DA 403 issue B" by Suttie Rofe Architects dated 02/03/11 and the additional information dated 12 May 2011 ref 100006 submitted by Building Code & Bushfire Hazard Solutions.
  - An additional water tank of 5,000 L shall be installed next to the manager's residence.
  - The water tanks shall be of a non-combustible material.
  - A 65mm metal Storz outlet with a gate or ball valve shall be provided.
  - All associated fittings shall be of non-combustible material.
- C. A hardened ground surface for truck access is to be supplied up to and within four metres of the swimming pool.

#### Access

The intent of measures for internal roads is to provide safe operational access for emergency services personnel in suppressing a bush fire, while residents are accessing or egressing an area. To achieve this, the following conditions shall apply:

- D. Internal roads and the access road shall comply with the Road Upgrade Plan DWG No DA 104 issue B, Site Plan and road width diagrams submitted by Suttie Rofe Architects, and;
- Shall be two wheel drive, sealed, all weather roads.

- Traffic management devices are constructed to facilitate access by emergency services vehicles.
- Shall have a minimum vertical clearance of 4 metres to any overhanging obstructions, including tree branches, is provided.
- Shall be clearly signposted and bridges clearly indicate load ratings.
- The internal road surfaces and bridges shall have a capacity to carry fully loaded fire fighting vehicles (15 tonnes).

## Evacuation and Emergency Management

The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose development. To achieve this, the following conditions shall apply:

- E. Arrangements for emergency and evacuation are to comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.

## Design and Construction

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

- F. The existing buildings are required to be upgraded to improve ember protection. This is to be achieved by enclosing all openings (excluding roof tile spaces) or covering openings with a non-corrosive metal screen mesh with a maximum aperture of 2mm. Where applicable, this includes any sub floor areas, openable windows, vent, weepholes and eaves. External doors are to be fitted with draft excluders.
- G. The proposed new buildings shall be constructed in accordance with the recommendations of section 9 of the Bushfire Hazard Assessment Report reference no. 100006, prepared by Building Code & Bushfire Hazard Solutions Pty Ltd dated 7 March 2011-08-11.
- New fencing shall be constructed in accordance with the recommendations of section 9 of the Bushfire Hazard Assessment Report reference no. 100006, prepared by Building Code & Bushfire hazard Solutions Pty Ltd dated 7 march 2011.

## Landscaping

- H. Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

## Hawkesbury City Council Conditions

### General Conditions

1. The development shall take place in accordance with the following stamped plans, specifications and accompanying documentation submitted with the application except as modified by these further conditions and any amended plans required by the Deferred Commencement Conditions:

Plan	Description	Prepared By	Date
DE101-A	Demolition Plan	Suttie Rofe Architects	15 January 2011
DA101-B	Overall Site Plan	Suttie Rofe Architects	2 March 2011
DA102-B	Site Plan	Suttie Rofe Architects	2 March 2011
DA103-B	Building Layout Plan	Suttie Rofe Architects	2 March 2011
DA104-B	Road Upgrades	Suttie Rofe Architects	2 March 2011
DA104-D	Trees Removed and Retained	Suttie Rofe Architects	2 March 2011

DA403-B	Asset Protection Zone	Suttie Rofe Architects	2 March 2011
DA201-A	Site Sections 01	Suttie Rofe Architects	15 January 2011
DA202-A	Site Sections 02	Suttie Rofe Architects	15 January 2011
DA301-A	Chapel	Suttie Rofe Architects	15 January 2011
DA302-A	Main Hall	Suttie Rofe Architects	15 January 2011
DA303-A	Minor Hall/Covered Open Area/Admin	Suttie Rofe Architects	15 January 2011
DA304-A	Northern Accommodation	Suttie Rofe Architects	15 January 2011
DA305-A	Southern Accommodation	Suttie Rofe Architects	15 January 2011
DA306-A	Southern Common Room/Amenities	Suttie Rofe Architects	15 January 2011
DA307-A	Obelisk	Suttie Rofe Architects	15 January 2011

- 'Assessment of Traffic and Parking Impacts of Proposed Refurbishment of Benedict XVI Retreat Centre' prepared by Transport & Urban Planning and dated 22 December 2010
  - Flora & Fauna Study and Ecological Assessment', dated 6 January 2011 and prepared by UBM Ecological Consultants P/L
  - 'Peer review of a flora and fauna report by UBM Pty Ltd dated 6 January 2011', dated 2 March 2011.
  - 'Flora and fauna impact assessment for the Benedict XVI Retreat Proposal 347 Grose Wold Rd, Grose Vale' dated 2 March 2011
  - 'Bushfire Hazard Assessment Report' Ref 10006 prepared by Building code & Bushfire Hazard Solutions P/L dated 7 March 2011.
  - Design Review of a Proposed Wastewater Treatment and Effluent Irrigation System at Grose Vale, NSW prepared by Whitehead & Associates Environmental Consultants P/L dated 6 June 2011
  - Concept Application Design Report for Benedict XVI Retreat Centre, Issue D prepared by Warren Smith & Partners - dated 21 March 2011.
  - Statement of Environmental Effects - Prepared by JBA Planning dated January 2011.
  - Geotechnical Investigation Report - prepared by Geotechnique P/L dated 15 October 2008.
  - Plan of Management dated January 2011.
2. The height of the obelisk shall not exceed 6m.
  3. No excavation, site works or building works shall be commenced prior to the issue of an appropriate Construction Certificate.
  4. The approved use shall not commence until all conditions of this Development Consent have been complied with.
  5. The buildings shall not be used or occupied prior to the issue of an Occupation Certificate.
  6. The development shall comply with the provisions of the Building Code of Australia at all times.
  7. The accredited certifier shall provide copies of all Part 4 certificates issued under the Environmental Planning and Assessment Act, 1979 relevant to this development to Hawkesbury City Council within 7 (seven) days of issuing the certificate. A registration fee applies.
  8. Hawkesbury City Council is the sewer authority for this development, inspection for compliance certification for internal and external sewer drainage shall be requested and approved prior to covering any pipe. An inspection fee applies.

9. All vegetative debris (including felled trees) resulting from the approved clearing of the site for construction, is to be chipped or mulched. Tree trunks are to be recovered for posts, firewood or other appropriate use. No vegetative material is to be disposed of by burning.

***Prior to Issue of Construction Certificate***

10. An Environmental Management and Rehabilitation Plan for the development site shall be prepared by an appropriately qualified person. The Plan shall address (without being limited to) the clearing of vegetation, lopping and removal of trees, earthworks, erosion control, site rehabilitation and landscaping.

All site works shall be carried out in accordance with the Plan. Implementation of the Plan shall be supervised by an appropriately qualified person.

11. Construction of the access, car park, drainage, filling and retaining walls are not to commence until three (3) copies of the plans and specifications of the proposed works are submitted to and approved by the Director of City Planning or an Accredited Certifier.
12. Payment of a Construction Certificate checking fee and a Compliance Certificate inspection fee when submitting Civil Engineering Plans for approval. Required fees will be provided on request. Fees required if an Accredited Certifier is used will be provided on request.
13. Details of any fill material removed from or imported to the site shall be submitted with the engineering plans. Details to include quantities, borrow sites or disposal sites.
14. Where the design for the constructed batters is steeper than 1:3, geotechnical advice is to be provided to confirm the long term stability of the batters.
15. Retaining walls are to be designed by a suitably qualified and experienced Structural Engineer.
16. Pursuant to section 80A(1) of the *Environmental Planning and Assessment Act 1979* and Hawkesbury City Council's Section 94A Development Contributions Plan 2006 (as amended from time to time), a contribution of \$96,055.00 shall be paid to Hawkesbury City Council.

The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the provisions of Hawkesbury City Council's Section 94A Development Contributions Plan 2006 (as amended from time to time).

The contribution is to be paid prior to the issue of the construction certificate and copies of receipts(s) confirming that the contribution has been fully paid are to be provided to the certifying authority.

17. Details demonstrating that provision shall be made for access to the buildings with adequate aids provided for those with disabilities (i.e. mobility, hearing, site impaired) in accordance with the Discrimination Against People with Disabilities Act (DDA), Building Code of Australia and the Commonwealth Disability (Access to Premises – Buildings) Standards (Premises Standards).
18. The existing pool fence shall be upgraded to comply with the current Swimming Pool Act, Regulations and Australian Standard. Details demonstrating compliance shall be submitted prior to the issue of the Construction Certificate.
19. A Sewer Management Facility System application shall be submitted to and approved by Council.

20. Boundary fences are to be provided to prevent trespassing onto adjoining properties. Details of the design and location of fencing is to be provided to Hawkesbury City Council for approval prior to the issue of any construction certificate.
21. A landscape plan suitable for construction is to be submitted to Hawkesbury City Council for approval. The landscaping plan shall detail plant species and mature heights, the number and location of each species, the establishment and ongoing maintenance of plantings, paving and location of lighting. Landscaping of the development shall be a mixture of trees, shrubs and ground cover and are to be species of local provenance where bushfire requirements permit.
22. A Vegetation Management Plan shall be submitted to, and approved by Hawkesbury City Council prior to the issue of the Construction Certificate. The Plan shall incorporate, but not be limited to the following:
  - The recommendations contained within the 'Flora & Fauna Study and Ecological Assessment', dated 6 January 2011 and prepared by UBM Ecological Consultants P/L.
  - The recommendations contained within the 'Peer review of a flora and fauna report by UBM Pty Ltd dated 6 January 2011', dated 2 March 2011 and 'Flora and fauna impact assessment for the Benedict XVI.
  - Retreat Proposal 347 Grose Wold Rd, Grose Vale' dated 2 March 2011 prepared by Abel Ecology
  - The methods for protecting existing vegetation and revegetated areas;
  - Weed management;
  - Maintenance and monitoring of revegetated areas;
  - Location, number and species of replacement/off set planting;

The compilation and implementation of the Vegetation Management Plan is to be supervised by a suitably qualified and experienced person, such as a bush regenerator. The Rehabilitation Plan shall be updated every five (5) years, commencing from the date of this Consent. A copy is to be provided to Council.

23. The existing access road bridge is to be certified by a suitably qualified structural engineer as being adequate to support the loadings from construction vehicles, including deliveries of fill and earthmoving equipment, buses, bush fire tankers/vehicles and water carter tankers and, if required, to be upgraded to comply with NSW Rural Fire Services Condition 'D'.

#### ***Prior to Commencement of Works***

24. Erosion and sediment control devices are to be installed and maintained at all times during site works and construction. The enclosed warning sign shall be affixed to the sediment fence/erosion control device.
25. A waste management plan shall be submitted to and approved by Council. The plan shall address any builder's waste and waste generated during the day to day operation of the development. Particular attention shall be paid to type and quantity of waste, recycling, reuse, storage and disposal.
26. The applicant shall advise Council of the name, address and contact number of the principal certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1979.
27. At least two days prior to commencement of works, notice is to be given to Hawkesbury City Council, in accordance with the Environmental Planning and Assessment Regulation.

28. Toilet facilities (to the satisfaction of Council) shall be provided for workmen throughout the course of building operations. Such facility shall be located wholly within the property boundary.
29. A sign displaying the following information is to be erected adjacent to each access point and to be easily seen from the public road. The sign is to be maintained for the duration of works:
  - (a) Unauthorised access to the site is prohibited.
  - (b) The owner of the site.
  - (c) The person/company carrying out the site works and telephone number (including 24 hour 7 days emergency numbers).
  - (d) The name and contact number of the Principal Certifying Authority.

### ***During Construction***

30. Site and building works (including the delivery of materials to and from the property) shall be carried out only on Monday to Friday between 7:00am – 6:00pm and on Saturdays between 8:00am – 4:00pm.
31. During the demolition and construction period, the person responsible for the site is to retain records of waste disposal (waste receipts or dockets, recycling processor receipts etc.) in a Waste Data File. The Waste Data File must be provided to Council officers on request to demonstrate that the approved Waste Management Plan is being implemented.
32. The topsoil shall be stripped and stockpiled and used to cover the landfill.
33. The filled area, including batters, shall be grassed immediately after filling takes place.
34. All fill to be adequately compacted by track rolling or similar in layers not exceeding 300mm.
35. The cut or fill shall be battered at a slope not exceeding 1 (one) vertical to 3 horizontal, unless prior geotechnical advice have been provided to the principal certifying authority as part of the construction certificate application.
36. The site shall be secured to prevent the depositing of any unauthorised material.
37. Dust control measures, e.g. vegetative cover, mulches, irrigation, barriers and stone shall be applied to reduce surface and airborne movement of sediment blown from exposed areas.
38. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
39. All trucks entering or leaving the site shall have their trays suitably covered to prevent spillage of any material from the truck onto the road.
40. Off-street car parking spaces, together with access driveways and turning areas, shall be constructed, paved, line marked, signposted and maintained, as shown on the approved plan.
41. Disabled parking shall be provided in accordance with AS2890.1-1993.
42. A ticketing system is to accompany any fill material being brought to the site. A register is to be kept on site to cross reference against the source records. An independent site auditor is to be engaged to undertake appropriate certification regarding the monitoring and validation of the fill material imported to the site as being sound, suitable for the proposed use and free of contamination.



43. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted.
44. All civil construction works required by this consent shall be in accordance with Hawkesbury Development Control Plan appendix E Civil Works Specification.
45. All fill including existing fill must be compacted to 98% standard compaction in accordance with AS1289 and verified by the submission of test results and accompanied by a contoured depth of fill plan.
46. Inspections shall be carried out and compliance certificates issued by Council or an accredited certifier for the components of construction detailed in Hawkesbury Development Control Plan Appendix E Civil Works Specification, Part II, Table 1.1.
47. The construction of a sealed loop road extension, parking spaces, coach parking/drop off bay and turning area as shown on the approved plans.
48. The construction of the service road with an all weather surface, as shown on the approved plans and to the requirements of the NSW Rural Fire Service.
49. The construction of an additional passing bay along the entrance road and any other upgrading required in accordance with the approved plans and the requirements of the NSW Rural Fire Service.
50. Where upgrading of the entrance to the site within the road reserve is required, consent from Council by way of approval under the Roads Act is required. Fees apply.
51. The proposed headwalls are to be replaced with suitably designed infiltration basin/trenches.
52. The site shall be kept clean and tidy during the construction period and all unused building materials and rubbish shall be removed from the site upon completion of the project. The following restrictions apply during construction:
  - (a) Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path or easement, natural watercourse, footpath, kerb or road surface and shall have measures in place to prevent the movement of such material off site.
  - (b) Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken only within the site.
  - (c) Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a Waste Disposal Depot.
53. At all times during demolition, a competent person shall directly supervise work. It is the responsibility of the person to ensure that:
  - (a) Adjoining owners are given 24 (twenty four) hours notice, in writing, prior to commencing demolition.
  - (b) Utility services within the structure not required to be maintained during the demolition work shall be properly disconnected and sealed before any demolition commences.
  - (c) The site shall be secured at all times against the unauthorised entry of persons or vehicles.

- (d) Safe access and egress from adjoining buildings is to be maintained at all times for the duration of the demolition work.
  - (e) precautions are taken to ensure that the stability of all parts of the structure and the safety of persons on and outside the site are maintained, particularly in the event of sudden and severe weather changes.
  - (f) The structure and all components shall be maintained in a stable and safe condition at all stages of the demolition work.
  - (g) Demolition activity shall not cause damage to or adversely affect the structural integrity of adjoining buildings.
  - (h) Removal of dangerous or hazardous materials shall be carried out in accordance with the provisions of all applicable State legislation and with any relevant recommendations published by the National Occupational Health and Safety Commission (Worksafe Australia).
  - (i) All work shall be carried out in accordance with AS2601 and the Work Plan submitted with the development application.
  - (j) Unless otherwise permitted by Council, the structure is to be demolished in reverse order of construction, being progressive and having regard to the type of construction, to enable the maximum separation and recycling of demolished materials to take place.
  - (k) No material is to be burnt on site.
54. The footings shall be pierced or shall penetrate through any fill or unstable foundation material to bear upon a structurally adequate foundation material of a uniform load-bearing value.
55. All natural and subsurface water-flow shall not be re-directed or concentrated to adjoining properties. Water flows shall follow the original flow direction without increased velocity.
56. Erosion and sediment control devices are to be installed and maintained until the site is fully stabilised in accordance with the approved plan and Hawkesbury Development Control Plan chapter on Soil Erosion and Sedimentation.
57. The development shall be completed in accordance with the approved colours and finishes and shall not be altered.

However, the zincalume roof sheeting and gutters shall be treated or painted in an earth toned colour so that it is non-reflective.

58. Landscaping shall be completed in accordance with the approved landscaping plan.
59. Boundary fences shall be completed in accordance with the approved plan.

***Prior to Issue of the Occupation Certificate***

60. A Plan of Management for the gross pollutant tap units shall be submitted to and approved by the Principal Certifying Authority. The Plan of Management shall set out inspection and maintenance requirements and time intervals for such inspection and maintenance.
61. A works as executed plan and contour depth of fill plan prepared by a registered surveyor or the design engineer shall be submitted.

62. Retaining walls are to be certified on completion by a suitably qualified and experienced Structural Engineer.
63. Prior to occupation of the development, a grease trap of an appropriate size shall be installed on the drainage line at a location approved by the Manager of Regulatory Services. Alternatively, details of an existing trap are to be supplied to Hawkesbury City Council.
64. Details of the Bushfire Evacuation and Emergency Management Plan as required by Condition E be submitted to the Principal Certifying Authority.

### ***Use of the Development***

65. All fire safety equipment and fixtures shall be regularly serviced and maintained. The owner or their agent shall certify annually that each of the fire safety measures specified in this statement has:
  - (a) been assessed by a properly qualified person, and
  - (b) 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.
66. No advertising signs or structures shall be erected, displayed or affixed on any building or land without prior approval.
67. The development is limited to a maximum of 150 people (excluding the onsite managers) at any one time. 68. The development shall be operated in accordance with the approved Management Plan.
68. Service vehicles are only permitted on the site 7:00am to 6:00pm Monday to Saturday inclusive.
69. Outdoor activities are restricted to the hours of 7:00am to 9:00pm.
70. A complaints register shall be kept and details of all complaints and actions taken are to be recorded and provided to Hawkesbury City Council annually commencing from the issue of the Occupation Certificate.
71. Any external lighting shall be directed in such a manner so that no nuisance is caused to adjoining properties or to drivers on surrounding streets.
72. The development shall be limited to the area shown on the submitted plans.
73. The subject development, including landscaping, is to be maintained in a clean and tidy manner.
74. All waste materials shall be regularly removed from the property.
75. All food premises are to comply with Hawkesbury City Council's Food Premises Fit Out Code.
76. All premises offering food, packaged or otherwise, are to be registered with Council and have inspections conducted by Council's officers as necessary/required. These premises are required to comply with the Food Act, 2003, associated Regulations, and the Food Safety Standards 3.2.2 and 3.2.3. These are available at [www.foodstandards.gov.au](http://www.foodstandards.gov.au).

77. The premises are to provide potable water and comply with the NSW Health

### **Private Water Supply Guidelines.**

78. Noise generated from the proposed development is to comply with the intrusive noise criteria for the day time periods (7.00am to 6.00pm) and evening periods (6.00pm to 10.00pm) in accordance with the NSW Industrial Noise Policy, i.e. noise generated shall not exceed 5 decibels above background noise during.

79. No offensive noise is to be generated from the proposed development during the night time period (10.00pm to 7.00am) as defined by the NSW Industrial Noise Policy.

### **Advisory Notes**

\*\*\* The applicant is advised to make detailed inquiries as to whether approval by the Australian Government Minister for the Environment and Heritage is necessary under the Environment Protection and Biodiversity Conservation Act 1999.

\*\*\* The land is within the Hawkesbury City Council Sewerage Catchment. A separate application shall be submitted to Council for any alterations or connections to the sewer mains. The applicant shall consult with Council regarding acceptable discharge limits to the sewerage system.

\*\*\* The applicant shall make themselves aware of the Discrimination Against People with Disabilities Act (DDA) and assess their responsibilities and liabilities with regards to the provision of access for all people.

\*\*\* on-compliance with any condition of this development consent may result in a penalty notice being issued by Council.

\*\*\* he applicant is advised to consult with:

- (a) *Water and Sewer provider*
- (b) *Electricity provider*
- (c) *Natural Gas provider*
- (d) *Telecommunications carrier*
- (e) *Road authority*

*regarding their requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on site or on the adjacent public roads.*

\*\*\* The developer is responsible for all costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed subdivision. Such utilities include water, sewerage, drainage, power, communication, footways, kerb and gutter.

\*\*\* The applicant shall make themselves aware of any User Restriction, Easements and Covenants to this property and shall comply with the requirements of any Section 88B Instrument relevant to the property in order to prevent the possibility of legal proceedings against them.

**MOTION CARRIED.**

The meeting concluded at 6:00pm

Bruce McDonald  
Chair, Sydney West Regional Planning Panel  
Date: 09 September 2011