

## JOINT REGIONAL PLANNING PANEL (Sydney West Region)

JRPP No	2016SYW099
DA Number	DA/2016/404
Local Government Area	Camden
Proposed Development	Construction and use of a new glasshouse and associated buildings to facilitate the expansion of the existing research facility located at the University of Sydney Campus, associated tree removal, earthworks and site works.
Street Address	107, 217 & 221 Cobbitty Road, Cobbitty
Applicant/Owner	Urban Ecological Systems Ltd
Number of Submissions	None
Regional Development Criteria (Schedule 4A of the Act)	Private infrastructure and community facilities over \$5 million – Educational Establishment  Capital Investment Value (CIV) of \$9,855,000.
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none"> <li>• State Environmental Policy (State and Regional Development) 2011</li> <li>• Deemed State Environmental Planning Policy No 20 – Hawkesbury-Nepean River</li> <li>• State Environmental Planning Policy No. 62 – Sustainable Aquaculture</li> <li>• Camden Local Environmental Plan 2010</li> <li>• Camden Development Control Plan 2011</li> </ul>
Does the DA require Special Infrastructure Contributions conditions (s94EF)?	No
List all documents submitted with this report for the panel's consideration	<ul style="list-style-type: none"> <li>• Assessment report and recommended conditions</li> <li>• Statement of environment effects</li> <li>• Architectural plans</li> <li>• Engineering plans</li> <li>• Landscape plans</li> </ul>
Recommendation	Approve with conditions
Report by	Aisling McGrath
Report date	29 August 2016

## **PURPOSE OF REPORT**

The purpose of this report is to seek the Joint Regional Planning Panel's (the Panel) determination of DA 404/2016 which proposes the construction and use of a new glasshouse and associated buildings to facilitate the expansion of the existing research facility located within the University of Sydney Campus, associated tree removal, earthworks and site works at 107 Cobbitty Road, Cobbitty.

The Panel is the determining authority for this DA pursuant to Part 4 of State Environmental Planning Policy (State and Regional Development) 2011 and Schedule 4A of the *Environmental Planning and Assessment Act 1979*, the capital investment value (CIV) of the proposed development is \$9,855,000 which exceeds the CIV threshold of \$5 million for Council to determine the DA.

## **SUMMARY OF RECOMMENDATION**

That the Panel determine DA 404/2016 for the construction and use of a new glasshouse and associated buildings to facilitate the expansion of the existing research facility located at the University of Sydney Campus, associated tree removal, earthworks and site works at 107 Cobbitty Road, pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions contained in this report.

## **EXECUTIVE SUMMARY**

Council is in receipt of an application for the construction and use of a new glasshouse and associated buildings to facilitate the expansion of the existing research facility located within the University of Sydney Campus, associated tree removal, earthworks and site works at 107 Cobbitty Road, Cobbitty.

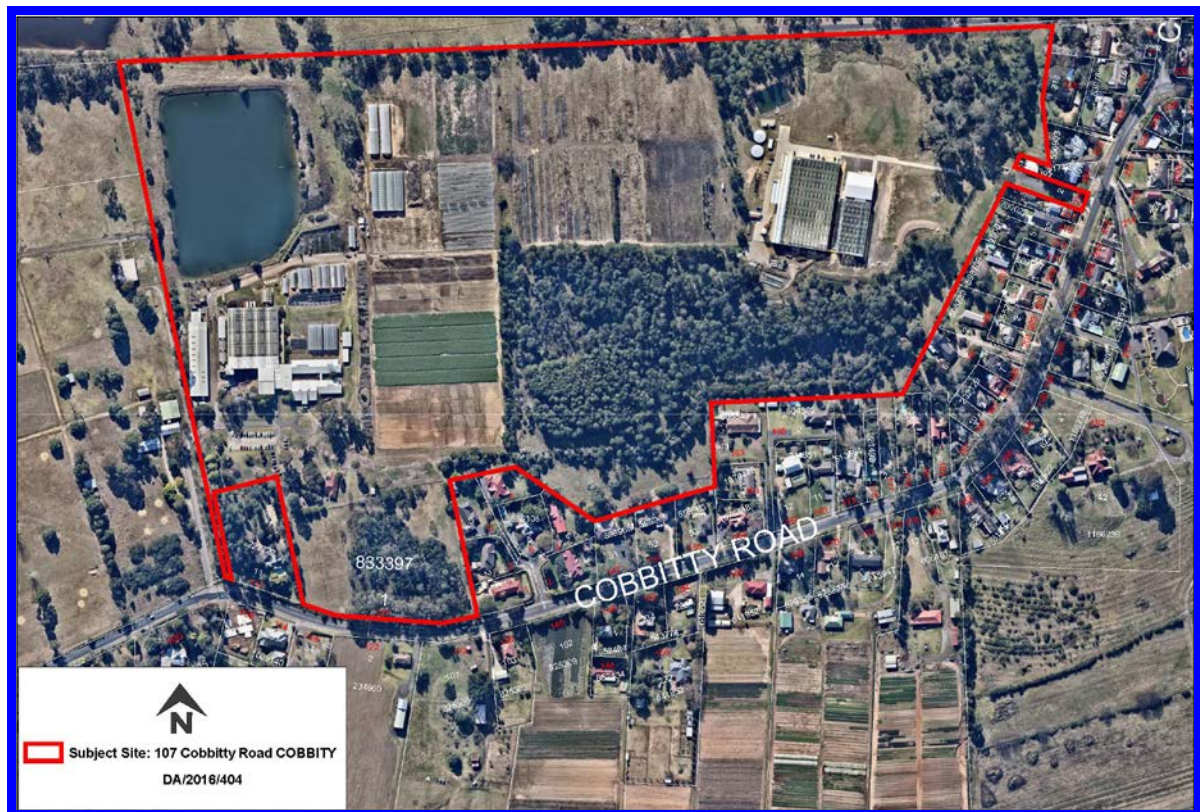
The DA has been assessed against the *Environmental Planning and Assessment Act 1979*, the Environmental Planning and Assessment Regulation 2000, relevant Environmental Planning Instruments, Development Control Plans and policies. The outcome of this assessment is detailed further within this report.

The DA was publicly exhibited for a period of 14 days in accordance with Camden Development Control Plan 2011. One (1) submission was received. The submitter subsequently formally advised Council that the submission issues have been resolved.

DA 1178/2010 was determined by the Panel in February 2011 and approved the original three stage construction of an aquaculture and vegetable research facility. Stage 1 & 2 have been constructed and are operating. The applicant has indicated the Stage 3 glasshouse is no longer required, as all required operations have been incorporated into new glasshouse proposed under this DA.

Based on the assessment, it is recommended that the application be approved subject to the conditions contained in this report.

## AERIAL PHOTO



## THE SITE

The site is commonly known as 107 Cobbitty Road, Cobbitty and is legally described as Lot 1 DP833397.

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

The site measures 39.31 hectares in total. The University farms are located to the west of the site and the two existing glasshouses are located to the east of the site. Access to the glasshouses is via a driveway off Cobbitty Road and the Cobbitty Rural Fire Brigade shares access with the subject site.

The majority of the site is zoned SP2 (Infrastructure) including the area where the approved educational establishment is located. The southern portion of the site is zoned RU1 Primary Production and the rural residential lots adjoining the site to the south and east fronting Cobbitty Road are zoned R5 Large Lot Residential.

## HISTORY

The relevant development history of the site is summarised in the following table:

Date	Development
8 February 2011	Approval of DA 1178/2010 by the Panel for an Educational Establishment (Industry Based Vegetable and Aquaculture Facility).
17 May 2012	Approval of Section 96 modification to DA 1178(2)/2010 for various modifications to the Stage 1 development and an increase in the stormwater detention capacity.
27 May 2015	Approval of Section 96 modification to DA 1178(3)/2010 for various modifications to the Stage 2 glasshouse.

## **THE PROPOSAL**

DA 404/2016 seeks approval for the construction and use of a new glasshouse and associated buildings to facilitate expansion works of the existing research facility located within the University of Sydney Campus, associated tree removal and site works.

Specifically:

- Construction of a glasshouse measuring 22, 575m<sup>2</sup> in area and an overall height of 13.2m;
- Construction of ancillary buildings for storage, packing and seeding, an office and amenities;
- Use of the buildings for aquaculture and vegetable research associated with the University of Sydney's plant breeding institute;
- Hours of operation from 6am to 6pm;
- Provision of 12 additional car spaces;
- Earthworks including cut and fill to provide a level building platform and provide a 2m high earth mound to the north of the proposed building;
- Removal of vegetation within the building footprint area and within a 30m buffer of the new building, primarily, Pine Forest and African Olive understorey;
- Erection of a 2.8m high boundary fence along residential properties 217 and 221 Cobbitty Road;
- Construction of an on site detention basin; and
- Associated landscaping and site works.



**OSD/ Retention Basin 12.0m**

**Proposed 2m high above ground rainwater tank (13m dia)**

**Green House 1**  
12.5 x 12.5

**Harvesting Area**  
12.5 x 12.5

**Sowing Area**  
12.5 x 12.5

**Warehouse 1**  
12.5 x 12.5

**Warehouse 2**  
12.5 x 12.5

**Aqua 1**  
12.5 x 12.5

**Aqua 2**  
12.5 x 12.5

**Ready product**  
12.5 x 12.5

**Office**  
12.5 x 12.5

**Fishing Process**  
12.5 x 12.5

**Dry Storage Bunkers**  
10.0 x 10.0

**Implement and Dry Storage Shed**  
10.0 x 10.0

**Floor Plan - All Buildings**  
1:500

**Scale**  
1:500

**Date**  
25-08-16

**Project No.**  
15398-17

**Sheet**  
2/7

**Client**  
Hawes & Swan

**Proposed Green Camel Cobbley Farm**

**Site**  
100/100 Exchange Parade, Narre Valley NSW

**Phone**  
0246472552

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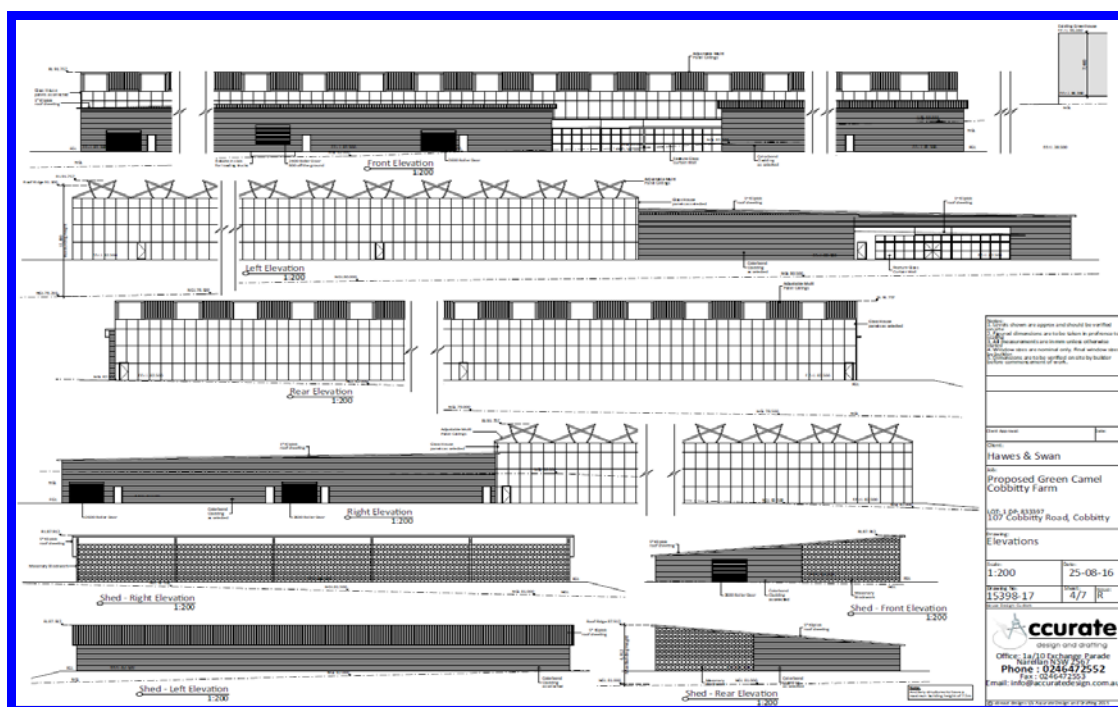
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## PROPOSED ELEVATIONS



## ASSESSMENT

An assessment against Section 79C of the *Environmental Planning and Assessment Act 1979* is provided below:

### ***Environmental Planning and Assessment Act 1979 – Section 79(C)(1)***

In determining a development application, the consent authority is to take into consideration the following matters as are of relevance in the assessment of the development application on the subject property:

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

The Environmental Planning Instruments that relate to the proposed development are:

- State Environmental Planning Policy (State and Regional Development) 2011.
- Deemed State Environmental Planning Policy No 20 – Hawkesbury-Nepean River.
- State Environmental Planning Policy No. 62 – Sustainable Aquaculture.
- Camden Local Environmental Plan 2010.

An assessment of the proposed development against these Environmental Planning Instruments is detailed below.

#### **State Environmental Planning Policy (State and Regional Development) 2011**

Pursuant to Clauses 20 and 21 of the SEPP, the proposed development is included in Schedule 4A of the *Environmental Planning and Assessment Act 1979* and has a Capital Investment Value (CIV) of \$9,855,000. This exceeds the CIV threshold of \$5

million for Council to determine the DA; therefore it is referred to the Panel for determination.

#### Deemed State Environmental Planning Policy No 20 – Hawkesbury-Nepean River (SEPP)

The proposed development is consistent with the aims of the SEPP (to protect the environment of the Hawkesbury-Nepean River system) and all of its planning controls.

There will be no detrimental impacts upon the Hawkesbury-Nepean River system as a result of the proposed development. Appropriate erosion and sediment control measures as well as water quality and quantity devices are proposed as part of the development.

#### State Environmental Planning Policy No. 62 – Sustainable Aquaculture

The site is zoned SP2 which is listed under Table 1 of the SEPP 62, as such development for the purposes of tank based aquaculture is permissible with consent within the zone, subject to compliance with the minimum requirements set out in Schedule 1.

Species to be used are approved for tank farming as per Table 3 of the *NSW Land Based Sustainable Aquaculture Strategy*. Tank water will not be discharged to natural waterbodies or wetlands. All tanks are contained within the greenhouse and fish cannot escape.

Based on the above assessment, the design and operation of the aquaculture component of the facility will be consistent with the minimum operating criteria set out in Schedule 1, Division 2 of SEPP 62 and under Part 2, Clause 7 of SEPP 62 tank-based aquaculture is permissible within the SP2 Infrastructure zone provided it complies with provisions of Schedule 1.

#### Camden Local Environmental Plan 2010 (LEP)

##### *Permissibility*

The portion of the site subject to this DA is zoned SP2 Infrastructure “Educational Establishment” under the provisions of the LEP. The development being a research facility associated with the University of Sydney is defined as an “Educational Establishment” by the LEP which is a permissible land use in this zone.

A memorandum of understanding/research agreement has been entered into by the University of Sydney and the operator of the research facility which requires the facility to be used in conjunction with the University. A condition of consent will require the use to cease if this agreement is not in place.

The proposed development is consistent with the objectives of the SP2 zone.

##### *Zone Objectives*

The objectives of the SP2 Infrastructure zone are as follows:

- To provide for infrastructure and related uses.

Officer comment:

The proposed development is directly associated with the operation of the University of Sydney Cobbitty Campus therefore is consistent with this objective.

- To prevent development that is not compatible with or that may detract from the provision of infrastructure.

Officer comment:

The proposed development is compatible with the provision of the educational establishment. The new glasshouse has been carefully designed with regard to the site's sensitivities to ensure that potential impacts are minimized; therefore the development is consistent with this objective.

The two lots adjoining the entrance to the site on which the new fencing is proposed are zoned R5 Large Lot Residential. The fencing as proposed measures 2.8m in height and requires consent.

*Relevant Clauses*

The DA was assessed against the following relevant clauses of the LEP.

Clause	Requirement	Provided	Compliance
4.3 Height of Buildings	There is no maximum building height specified for this area of the site	The maximum height of the proposed glasshouse is 13.2m to the ridge line.  Ancillary buildings will have a maximum height of 7.5m.	Yes
5.9 Preservation of Trees or Vegetation	Removal of trees or vegetation requires development consent	A flora and fauna report has been submitted which supports the removal of the vegetation within the proposed building footprint and a 30m curtilage around the building for bush fire and safety issues. The vegetation to be removed is primarily Pine Forest and an African Olive understorey and is not considered significant vegetation and is removal is acceptable.  All other vegetation on site is to be retained.	Yes
5.10 Heritage Conservation	Impacts to heritage items, heritage conservation areas, European and Aboriginal	The site does not contain a heritage item, nor is it in a heritage conservation area.  A condition of consent will	Yes



Clause	Requirement	Provided	Compliance
	archaeological sites require consideration.	require all works to cease and OEH contacted if any aboriginal items are discovered during construction works.	
7.2 Airspace Operations	Notice must be given to Camden Airport where development on the land is within the OLS map	The proposed development does not penetrate the OLS as shown on the Obstacle Limitation Surface Map. The application was referred to Camden airport for comment. No issues were raised.	Yes
7.4 Earthworks	Consider a number of matters relating to earthworks including detrimental effects on drainage patterns, fill quality and amenity of adjoining properties	The matters listed by this clause have been considered. Subject to the recommended conditions, the proposed earthworks are considered to be acceptable. Cut and fill works are required to provide a level building platform, a 2m high earth mound along the northern side of the building is proposed as part of the acoustic mitigation measures.	Yes

***(a)(ii) The Provisions of any Draft Environmental Planning Instrument (that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)).***

There is no draft Environmental Planning Instrument applicable to the proposed development.

***(a)(iii) The Provisions of any Development Control Plan***

Camden Development Control Plan 2011 (DCP)

The following is an assessment of the proposed development's compliance with the controls in the DCP.

Control	Requirement	Provided	Compliance
B1.1 Erosion and Sedimentation	Erosion, sediment and dust control measures	Appropriate erosion and sedimentation controls measures have been proposed. Conditions imposed for their installation during site and construction work.	Yes

Control	Requirement	Provided	Compliance
B1.2 Earthworks	Minimise cut and fill	A maximum of 3.5m of cut and 4.3m of fill are required. The proposed cut and fill is appropriate for this development given the topography of the site.	Yes
	Use only clean fill	A standard condition is recommended to ensure clean fill is used.	Yes
B1.3 Salinity Management	Salinity resistant construction	The proposed development will be constructed to be salinity resistant and in accordance with the report provided.	Yes
B1.4 Water Management	Compliance with Council's Engineering Specification and use of Water Sensitive Urban Design measures	A stormwater plan has been prepared by Envirotech for the site which demonstrates compliance with Council's Engineering Specifications.  Council's Development Engineer is satisfied the drainage infrastructure proposed is acceptable. It has been demonstrated stormwater quantity and quality arrangements and the OSD tank is satisfactory.	Yes
B1.5 Trees and Vegetation	Removal of trees higher than 3m requires consent	A flora and fauna report has been submitted which supports the removal of the vegetation within the proposed building footprint and also within a 30m curtilage surrounding the building for bush fire and safety issues.	Yes
B1.6 Environmentally Sensitive Land	To address impacts to vegetation, habitats and threatened species	Council's Sustainability Unit have reviewed the flora and fauna report submitted and are satisfied the proposed tree removal is appropriate and can be supported.	Yes
B1.8 Environmental and Declared Noxious Weeds	Subdivision developments to include noxious weed control and management	A condition of consent requiring noxious weed management is required to occur in accordance with Camden Development Control Plan 2011.	Yes
B1.9. Waste	Waste management	The purpose of the proposal is to ensure organic waste is	Yes

Control	Requirement	Provided	Compliance
Minimisation and Management	plan	<p>reused and recycled within the food production process. Ongoing operational waste will therefore be limited to the office and employee facilities within the development.</p> <p>Office waste will be disposed of through a suitably qualified contractor.</p>	
B1.10 Bushfire Risk Management	Bushfire assessment in accordance with NSW Rural Fire Service (RFS) guidelines	<p>A bushfire report has been prepared for the proposed development in accordance with the requirements of Planning for Bushfire Protection 2006.</p> <p>The DA was referred to the RFS for comment. Conditions will be imposed on the consent accordingly.</p>	Yes
B1.12 Contaminated and Potentially Contaminated Land	Contamination assessment and remediation (if required)	A contamination assessment has been provided. Compliance with the reports and documentation is a recommended condition. The site is suitable for its intended purpose.	Yes
B1.15 Development near Camden Airport	Development must not exceed the OLS height limit	The proposed development will be well beneath the OLS height limit.	Yes
B1.16 Acoustic Amenity	Compliance with Council's Environmental Noise Policy	An acoustic assessment was submitted supporting the DA and will be approved as part of the consent. The development will comply with Council's Environmental Noise Policy.	Yes
B2 Landscape Design	A landscape plan is required	An appropriate landscape plan has been provided and will be endorsed as part of the application.	Yes
B5.1 Off-street Car Parking Rates and Requirements	<p>1 car parking space per 5 seats or 1 space per 10m<sup>2</sup> GFA, whichever is the greater.</p> <p>1 bicycle and 1 motorcycle</p>	<p>Due to the nature of this research facility, it is not appropriate to apply the typical car parking rates for an educational establishment.</p> <p>A traffic report has been prepared and includes a</p>	Yes

Control	Requirement	Provided	Compliance
	space per 25 car parking spaces in excess of the first 25 car parking spaces.	<p>survey of staff who work on site, the required car parking rate has been established as 2.25 persons/vehicles. Based on a total of 58 employees for the entire research facility, the provision of a total of 26 car spaces is required. 27 car spaces are proposed.</p> <p>2 bicycle and motorcycle spaces can also be accommodated on site to facilitate the development.</p> <p>Council's Traffic Engineers are satisfied with the parking arrangement and access as proposed.</p>	
D1.3.1 Intensive Plant Agriculture	Minimum lot size for intensive plant agriculture is 2ha.	The site has an overall area of 38.1 hectares.	Yes
	Front setback 20m	The proposed building is setback approximately 298m from Cobbitty Road.	Yes
	Side and rear setbacks 5m	Setback of 200m to the west and 30m from the rear (north).	Yes
	New durable materials	The glasshouse and materials for the ancillary buildings are new and durable.	Yes
	Suitable landscape screening to mitigate visual impacts of the development	<p>An existing mature landscape screen exists around the perimeter of the site which will screen the development.</p> <p>An additional row of trees will be planted along the northern (rear) boundary of the site to provide further screening.</p>	Yes
	Waste water on unsewered sites must be disposed of in	A Section 68 application will be required as a condition of consent. The proposal has been reviewed in relation to	Yes

Control	Requirement	Provided	Compliance
	accordance with Council's Sewage Management Strategy	waste water and is acceptable subject to this application.	
D1.5.2 Rural Fences	Council can consider rural fencing which exceeds the development standards in the SEPP based on the merits of the application	Council considered the 2.8m high fencing proposed along a portion of the access way adjoining lots at 217 and 221 Cobbitty Road as acceptable. The fencing will be setback behind the front building line of the dwellings and will not be readily visible from the public road. The fencing will be located between the privately owned access road and the residential lots. The height of the fencing was requested by the land owners to obscure the view of their backyards from a truck driver entering and exiting the site.	Yes

***(a)(iia) The Provision of any Planning Agreement that has been entered into under Section 94F, or any draft Planning Agreement that a developer has offered to enter into under Section 93F***

No relevant agreement exists or has been proposed as part of this DA.

***(a)(iv) The Regulations***

The Regulations prescribe several matters that are addressed in the conditions contained in this report.

***(b) The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality***

Visual Impacts

The proposed development is compatible with existing development within the University of Sydney, Cobbitty Campus in terms of its use and bulk and scale. The new glasshouse and associated amenity buildings have been positioned to complement the existing natural features of the site, as this is the lowest part of the site from a visual perspective, and capitalise on existing vegetation. The existing mature vegetation forms a natural perimeter around the site boundary and will aid in screening and integrating the new development. Additional landscaping will be planted along the northern side of the proposed building on top of a 2m high earth mound to ensure the glasshouse is not visible from the properties to the north. It is considered that there will not be any adverse visual impact on the surrounding properties.



### Noise Impacts

An acoustic assessment has been submitted to support the application. The report also assessed the current research operations occurring on site. The noise sources including plant servicing the glasshouses and truck movements in and within the site were identified as the noise sources. The report concluded that the attenuation measures/methods implemented for the current buildings are providing the correct noise attenuation and similar measures will be implemented for this development. An earth mound will be constructed to the north of the building to attenuate noise. Restrictions on truck movements in and out of the site will be imposed as a condition of consent.

### Other Environmental Impacts

The purpose of the proposal is to ensure that organic waste is reused and recycled within the food production process. Ongoing operational waste will therefore be limited to the office and employee facilities within the development. Office waste will be disposed of through a suitably qualified contractor.

Sewage waste will be treated and disposed of on-site via a septic tank, reed bed system and sub-surface irrigation in accordance with Councils 'Sewage Management Strategy' June 2006.

As demonstrated by the above assessment, the proposed development is unlikely to have a significant impact on both the natural and built environments, and the social and economic conditions of the locality.

#### **(c) *The suitability of the site***

As demonstrated by the above assessment, the proposed development is considered appropriate in that:

- The zoning of the site permits the proposed use;
- The size and dimensions of the site are appropriate for accommodating the proposed development;
- It is located within an existing research precinct operated by University of Sydney and therefore natural synergies exist;
- It provides a well-designed research and development facility; and
- It is consistent with the site specific objectives and provisions of both the Camden LEP 2011 and the Camden DCP 2011.

#### **(d) *Any submissions made in accordance with this Act or the Regulations***

The development application was publicly exhibited for a period of 14 days in accordance with the DCP. The exhibition period was from 30 May to 12 June 2016. One (1) submission was received. The submitter subsequently formally advised Council that the submission issues have been resolved.

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**(e) *The public interest***

The public interest is served through the detailed assessment of this development application under the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2000*, *Environmental Planning Instruments*, *Development Control Plans* and policies.

Prior to the lodgement of the development application significant public consultation was undertaken by an external consultant on behalf of and for the applicant with adjoining land owners. The consultation revealed some of the key issues the residents had with the current operations and also the proposed expansion works. Noise, access to the site, truck movements, vegetation removal and screening the development were the major issues discussed as part of the consultation.

As detailed earlier in this report, noise attenuation measures implemented to address the issues with the current buildings are now providing sufficient noise attenuation and similar measures will be implemented for this development. Additional landscaping will be planted along the northern side of the proposed building on top of a 2m high earth mound to ensure the glasshouse is not visible from the properties to the north. Restrictions on truck movements in and out of the site will be imposed as a condition of consent.

The application was notified to all adjoining land owners and it is noted Council received one submission to the proposed development. The issues raised in this submission were successfully resolved.

It is considered that the development is in the public interest. Subject to appropriate conditions, it is not anticipated that the development will have any adverse impact on adjacent properties.

**EXTERNAL REFERRALS**

*NSW Department of Primary Industries - Agriculture*

The development is integrated development in that it requires an aquaculture permit. NSW DPI Fisheries have provided the general terms of approval and the aquaculture permit which will be included as conditions of the consent.

*NSW Rural Fire Service (RFS)*

The proposed development is not considered Integrated Development. The DA was referred to the RFS for comment as the land is bushfire prone. The RFS raised no objection to the proposed development subject to conditions of approval relating to asset protection zones, water, services, landscaping, design and construction which will be imposed as conditions of consent.

*Camden Airport*

The DA was referred to Camden Airport for comment. No issues have been raised.

## **FINANCIAL IMPLICATIONS**

This matter has no direct financial implications for Council.

## **CONCLUSION**

The development application has been assessed in accordance with Section 79C(1) of the *Environmental Planning and Assessment Act 1979* and all relevant instruments, plans and policies. Accordingly, Development Application 404/2016 is recommended for approval subject to the conditions contained in this report.

## **CONDITIONS**

### **1.0 - General Conditions of Consent**

- (1) **General Terms of Approval** - The General Terms of Approval from state authorities shall be complied with prior to, during, and at the completion of the development.

The General Terms of Approval are:

- a) NSW Department of Primary Industries Office of Water, Reference OUT16/22988 dated 14 June 2016.
- (2) **State Authorities Requirements** - The requirements of the following State authorities shall be complied with prior to, during, and at the completion of the development.
- a) Rural Fire Service, Reference D16/1686 dated 16 August 2016.
- (3) **Research Agreement** – The approved use of the facility must cease if the research agreement between the University of Sydney and the operator is not in place.
- (4) **Approved Plans and Documents** - Development shall be carried out in accordance with the following plans and documentation, and all recommendations made therein, except where amended by the conditions of this development consent:

<b>Plan Reference/ Drawing No.</b>	<b>Name of Plan</b>	<b>Prepared by</b>	<b>Date</b>
15398-17	Locality Plan	Accurate Design and Drafting	25/8/2016
15398-17	Site Plan	Accurate Design and Drafting	25/8/2016
15398-17	Floor Plan – All Buildings	Accurate Design and Drafting	25/8/2016
15398-17	Floor Plan Office Building	Accurate Design and Drafting	25/8/2016
15398-17	Elevations	Accurate Design and Drafting	25/8/2016
15398-17	Sections	Accurate Design and Drafting	25/8/2016
1001	Bulk Earthworks Plan	Rienco Consulting	3/6/2016

-	Fencing Plan	-	-
36-16	Landscaping – Cover Page	Distinctive	6/7/2016
36-16	Palettes, Schedule, Notes & Details	Distinctive	6/7/2016
36-16	Landscaping Plan	Distinctive	6/7/2016
265615	Stormwater Drainage Site Plan Pages 2 - 12	Envirotech	2/5/2016

Document Title	Prepared by	Date
Acoustic Report	Envirotech	22 April 2016
Bushfire Protection Assessment	ABPP Pty Ltd	18 April 2016
Flora & Fauna Assessment Report	Envirotech	21 April 2016
Salinity Investigation Report	Envirotech	20 April 2016

- (5) **Engineering Specifications** - The entire development shall be designed and constructed in accordance with Council's Engineering Specifications and the relevant DCP.
- (6) **Earthworks, Infrastructure and Building Construction** – The entire development shall be carried out in accordance with “Site Specific Level 3 Salinity Management Response Checklist” contained within the “*Salinity Investigation Report: 107 Cobbitty Road Cobbitty, Prepared by Envirotech, Ref No REP265915-B, Dated 20 April 2016.*”
- (7) **Tree Removal** – The only trees approved to be removed are within the 30m clearance areas shown on approved Site Plan prepared by Accurate Design dated 20.6.16.

Tree removal 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.

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

The following procedures shall be strictly observed:

- a) no additional works or access/parking routes, transecting the protected vegetation shall be undertaken without Council approval,

- b) pedestrian and vehicular access within and through the protected vegetation shall be restricted to Council approved access routes.

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

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

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

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

- (9) **Vegetation Clearing Requirement** – Prior to removal, all hollow-bearing trees removed from the development site are to be inspected by a qualified ecologist or wildlife carer. Measures must be taken in line with OEH's Policy on the Translocation of Threatened Fauna in NSW to ensure that fauna inhabiting tree hollows, or other habitat onsite, are treated humanely and relocated before development activities commence.

A qualified ecologist or wildlife carer must be present throughout vegetation clearing activities to relocate fauna or take fauna into care where appropriate.

- (10) **Parking Spaces** – All carparking spaces must comply with AS 2890.1 and 2890.6.
- (11) **Separate Approval for Signs** - A separate development application for any signage shall be provided to, and approved by, the Consent Authority prior to the erection or display of any such signs.
- (12) **Building Code of Australia** - All building work shall be carried out in accordance with the BCA. In this clause, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.
- (13) **Selection and Enclosing of Mechanical Plant** – A qualified acoustic consultant is to be engaged to review the final selection of all mechanical plant and compressors and to ensure that the plant selected is enclosed with suitable acoustic housing (or similar acoustic material) so as to ensure that offensive noise will not impact on any residence.
- (14) **Section 68 Approval** – An application must be made to Council to upgrade the existing wastewater system.



- (15) **Stormwater Detention and Water Quality** - An on-site detention system and water quality system shall be provided for the site and designed in accordance with Council's Engineering Specifications.

## 2.0 - Prior To Issue of Construction Certificate

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

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

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

- (2) **Traffic Management Plan** - A Traffic Management Plan (TMP) shall be prepared in accordance with Council's Engineering Specifications and AS 1742.3. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (3) **Soil, Erosion, Sediment and Water Management** - An Erosion and Sediment Control Plan (ESCP) shall be prepared in accordance with Council's Engineering Specifications. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (4) **Environmental Management Plan** - An Environmental Management Plan (EMP) prepared in accordance with Council's Engineering Design Specification shall be provided to the Certifying Authority.

The Environmental Management Plan shall address the manner in which site operations are to be conducted and monitored to ensure that adjoining landuses and the natural environment is not unacceptably impacted upon by the proposal. The Environment Management Plan shall include but not be necessarily limited to the following measures:

- a) Measures to control noise emissions from the site;
  - b) Measures to suppress odours and dust emissions;
  - c) Soil and sediment control measures;
  - d) Measures to control air emissions that includes odour;
  - e) Measures and procedures for the removal of hazardous materials that includes waste and their disposal;
  - f) Any other recognised environmental impact; and
  - g) Community Consultation.
- (5) **Structural Engineer's Details** - The piers/slabs/footings/structural elements shall be designed and certified by a suitably qualified structural engineer and shall take into consideration the recommendations of any Geotechnical

Report applicable to the site. A statement to that effect shall be provided to the Certifying Authority.

- (6) **Premises Standards** - Prior to the issue of a Construction Certificate details shall be provided to the Principal Certifying Authority demonstrating compliance with the requirements of *Disability (Access to Premises – Buildings) Standards 2010*.

### 3.0 - Prior To Commencement of Works

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

- (1) **Public Liability Insurance** - The owner or contractor shall take out a Public Liability Insurance Policy with a minimum cover of \$20 million in relation to the occupation of, and works within, public property (i.e. kerbs, gutters, footpaths, walkways, reserves, etc) for the full duration of the proposed works. Evidence of this Policy shall be provided to Council and the Certifying Authority.
- (2) **Notice of PCA Appointment** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:
- a) a description of the work to be carried out;
  - b) the address of the land on which the work is to be carried out;
  - c) the registered number and date of issue of the relevant development consent;
  - d) the name and address of the PCA, and of the person by whom the PCA was appointed;
  - e) if the PCA is an accredited certifier, his, her or its accreditation number, and a statement signed by the accredited certifier consenting to being appointed as PCA; and
  - f) a telephone number on which the PCA may be contacted for business purposes.
- (3) **Notice Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:
- a) the name and address of the person by whom the notice is being given;
  - b) a description of the work to be carried out;
  - c) the address of the land on which the work is to be carried out;
  - d) the registered number and date of issue of the relevant development consent and construction certificate;

- e) a statement signed by or on behalf of the PCA to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
  - f) the date on which the work is intended to commence.
- (4) **Construction Certificate Required** - In accordance with the provisions of Section 81A of the *EP&A Act 1979*, construction or subdivision works approved by this consent shall not commence until the following has been satisfied:
- a) a Construction Certificate has been issued by a Consent Authority;
  - b) a Principal Certifying Authority (PCA) has been appointed by the person having benefit of the development consent in accordance with Section 109E of the *EP&A Act 1979*;
  - c) if Council is not the PCA, Council is notified of the appointed PCA at least two (2) days before building work commences;
  - d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and
  - e) the PCA is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.
- (5) **Sign of PCA and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
- a) that unauthorised entry to the work site is prohibited;
  - b) the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours;
  - c) the name, address and telephone number of the PCA.
- The sign shall be maintained while the work is being carried out, and shall be removed upon the completion of works.
- (6) **Performance Bond** - Prior to commencement of works a performance bond of \$10,000 must be lodged with Camden Council in accordance with Camden Council's Engineering Construction Specifications.
- (7) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with 'Managing Urban Stormwater – Soils and Construction ('the blue book') and any Sediment and Erosion plans approved with this Development Consent.
- Soil erosion and sediment control measures shall be maintained during construction works and shall 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).

- (8) **Sydney Water Approval** – A Section 73 certificate if required shall be approved by Sydney Water.
- (9) **Protection of Fauna** - If tree hollows and/or active nests are discovered within the development site, a Nest Box Installation and Active Nest Relocation Plan will be developed and submitted to Camden Council. The Nest Box Installation and Active Nest Relocation Plan shall provide fauna with short-term habitat requirements during vegetation clearance and bushland restoration works. Each individual tree hollow must be replaced at a minimum 1:1 ratio with nest boxes that will provide suitable short-term habitat requirements.

#### 4.0 - During Works

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

- (1) **Construction Hours** - All work (including delivery of materials) shall be restricted to the hours of 7.00am to 5.00pm Monday to Saturday inclusive. Work is not to be carried out on Sundays or Public Holidays.
- (2) **Traffic Management Plan Implementation** - All construction traffic management procedures and systems identified in the approved Construction Traffic Management Plan shall be introduced during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems.
- (3) **Soil, Erosion, Sediment and Water Management – Implementation** - All requirements of the Erosion and Sediment Control Plan or Soil and Water Management Plan shall be maintained at all times during the works and any measures required by the plan shall not be removed until the site has been stabilised.
- (4) **Removal of Waste Materials** - Where there is a need to remove any identified materials from the site that contain fill/rubbish/asbestos, the waste material shall be assessed and classified in accordance with the NSW EPA Waste Classification Guidelines (2008) (refer to: [www.environment.nsw.gov.au/waste/envguidlms/index.htm](http://www.environment.nsw.gov.au/waste/envguidlms/index.htm))

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

- (5) **Noise** - All work shall not give rise to an 'offensive noise' as defined in the *Protection of the Environment Operations Act (1997)*.

All work shall comply with the requirement of the NSW Industrial Noise Policy and the Environment Protection Authority's Environmental Noise Manual.

- (6) **Location of Stockpiles** - Stockpiles of soil shall not be located on / near any drainage lines or easements, natural watercourses or water bodies, footpath or roadway without first providing suitable protective measures adequate to protect these water bodies. All stockpiles of contaminated materials shall be suitably covered to prevent dust and odour nuisance.
- (7) **Delivery Register** - The applicant must maintain a register of deliveries which includes date, time, truck registration number, quantity of fill, origin of fill and type of fill delivered. This register must be made available to Camden Council officers on request and be provided to the Council at the completion of the development.
- (8) **Fill Material** - Importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be provided to and approved by the Principal Certifying Authority.

The validation report and associated sampling location plan must:

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

Virgin Excavated Natural Material (VENM):

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

Sampling of VENM for salinity of fill volumes:

- e) less than 6000m<sup>3</sup> - 3 sampling locations,
- f) greater than 6000m<sup>3</sup> - 3 sampling locations with 1 extra location for each additional 2000m<sup>3</sup> or part thereof.



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

Sampling of VENM for Contamination and Salinity should be undertaken in accordance with the following table:

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

**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.

- (9) **Offensive Noise, Dust, Odour and Vibration** - All work shall not give rise to offensive noise, dust, odour or vibration as defined in the *Protection of the Environment Operations Act 1997* when measured at the property boundary.
- (10) **Erosion and Sedimentation Control** - Soil erosion and sedimentation controls are required to be installed and maintained for the duration of the works. The controls must be undertaken in accordance with version 4 of the Soils and Construction – Managing Urban Stormwater manual (Blue Book).
- (11) **Unexpected Finds Contingency (General)** - Should any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material, etc) be encountered during any stage of works (including earthworks, site preparation or construction works, etc), such works shall cease immediately until a qualified environmental specialist has been contacted and conducted a thorough assessment.

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

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

- (12) **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).

- (13) **Site Management Plan** - The following practices are to be implemented during construction:
- a) stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off site;
  - b) builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner;
  - c) waste shall not be burnt or buried on site, nor shall wind blown rubbish be allowed to leave the site. All waste shall be disposed of at an approved waste disposal depot;
  - d) a waste control container shall be located on the site;
  - e) all building materials, plant, equipment and waste control containers shall be placed on the building site. Building materials, plant and equipment (including water closets), shall not to be placed on public property (footpaths, roadways, public reserves, etc);
  - f) toilet facilities shall be provided at, or in the vicinity of, the work site at the rate of 1 toilet for every 20 persons or part thereof employed at the site. Each toilet shall:
    - g) be a standard flushing toilet connected to a public sewer; or
    - h) have an on-site effluent disposal system approved under the Local Government Act 1993; or
    - i) be a temporary chemical closet approved under the Local Government Act 1993.
- (14) **Construction and Operational Waste Management Plans** – Construction and operational waste management plans must be written to manage construction and future business waste generated from activities conducted on the site. A copy of each plan must be kept on the premises during works and operation.
- (15) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.
- (16) **Excavations and Backfilling** - All excavations and backfilling associated with this development consent shall be executed safely, and be properly guarded and protected to prevent them from being dangerous to life or property, and in accordance with the design of a suitably qualified structural engineer.
- If an excavation extends below the level of the base of the footings of a building on an adjoining allotment, the person causing the excavation shall:
- a) preserve and protect the building from damage; and
-

- b) if necessary, underpin and support the building in an approved manner; and
- c) give at least seven (7) days notice to the adjoining owner before excavating, of the intention to excavate.

The principal contractor, owner builder or any person who needs to excavate and undertake building work, shall contact “Dial Before You Dig” prior to works commencing, and allow a reasonable period of time for the utilities to provide locations of their underground assets.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

- (17) **Aboriginal Heritage** - Should any Aboriginal items be unexpectedly found, all work must cease and the Office of Environment and Heritage must be informed.

## 6.0 - Prior To Issue of an Occupation Certificate

The following conditions of consent shall be complied with prior to the Council or an Accredited Certifier issuing an Occupation Certificate.

- (1) **Requirement for an Occupation Certificate** - An Occupation Certificate shall be obtained prior to any use or occupation of the development.
- (2) **Acoustic Boundary Earth Mound** - The 2.0 metre high acoustic earth mound is required to be constructed along the northern boundary in the location consistent with the approved plan prior to the issue of an occupation certificate.
- (3) **Landscape Buffer** – The landscape buffer to the north of the building as shown on the approved landscaping plan must be planted accordingly prior to the issue of an occupation certificate
- (4) **Increase Existing Fence Height** – Prior to the issue of an occupation certificate, the fences on properties at 217 and 221 Cobbitty Road that face the access road must be increased to a height of 2.8m in accordance with the approved fencing plan. The materials and colours of the fencing must be similar to the existing fencing and be neutral in colour.
- (5) **Waste Management Plan** - The PCA shall ensure that all works have been completed in accordance with the approved waste management plan referred to in this development consent.
- (6) **Fire Safety Certificates** - A Fire Safety Certificate shall be provided to the PCA In accordance with the requirements of the EP&A Regulation 2000.
- (7) **Services** - Certificates and/or relevant documents shall be obtained from the following service providers and provided to the PCA:

- a) Energy supplier – Evidence demonstrating that satisfactory arrangements have been made with the energy supplier to service the proposed development.
- b) Telecommunications – Evidence demonstrating that satisfactory arrangements have been made with a telecommunications carrier to service the proposed development.
- c) Water supplier – Evidence demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development

## 7.0 – Ongoing Use

The following conditions of consent shall be complied with during the use of the development:

- (1) **Hours of Operation** - The approved hours of operation include:

Day	Hours of Operation
Monday - Sunday	6am – 6pm

- (2) **Truck Movement Restriction** – Truck movements and deliveries to and from the site are restricted to between 7.00am and 6.00pm Monday to Saturday. No deliveries are permitted on Sundays or Public Holidays.
- (3) **Retailing Prohibited** – The sale of produce to the public is not permitted from the site.
- (4) **Offensive Noise** - The use and occupation of the premises including all plant and equipment shall not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act 1997* and shall comply with the NSW Industrial Noise Policy 2000 (as amended).
- (5) **Air Conditioner and Plant Noise Restriction** – The noise level from the combined use and operation of mechanical plant and compressors must not exceed 45B(A) LAeq 15 minutes during the day, or 42 dB(A) during the evening, or 40 dB(A) during the night when measured inside the nearest affected residential boundary.
- (6) **Maintenance of Landscaping** - Landscaping shall be maintained in accordance with the approved landscape plan.

## RECOMMENDED

That the Panel approve DA 404/2016 for construction and use of a new glasshouse and associated buildings to facilitate the expansion of the existing research facility located at the University of Sydney Campus, associated tree removal, earthworks and site works at 107 Cobbitty Road, Cobbitty subject to the conditions listed above.