

SYDNEY WESTERN CITY PLANNING PANEL ASSESSMENT REPORT

Panel Number:	PPSSWC-409.
Application Number:	2024/96/1.
Local Government Area:	Camden.
Development:	Construction of a new registered club premises and outdoor recreation facility in conjunction with an existing golf course, including golf driving range, driving range netting, 27 hole mini golf course, lighting, car parking, drainage construction, landscaping and all associated works.
Capital Investment Value:	\$45,195,295
Site Address(es):	880 and 890 Camden Valley Way, Gledswood Hills.
Applicant:	Western Suburbs League Club (Campbeltown) Limited.
Owner(s):	Western Suburbs League Club (Campbeltown) Limited.
Date of Lodgement:	22 March 2024.
Number of Submissions:	Three submissions.
Number of Unique Objections:	Two objections.
Classification:	<ul style="list-style-type: none"> Regionally significant. Nominated integrated development.
Recommendation:	Approve with conditions.
Regionally Significant Development Criteria (Schedule 6 of State Environmental Planning Policy (Planning Systems) 2021):	General development capital investment value >\$30 million.
List of All Relevant Section 4.15(1)(a) Matters:	<ul style="list-style-type: none"> State Environmental Planning Policy (Planning Systems) 2021. State Environmental Planning Policy (Transport and Infrastructure) 2021. State Environmental Planning Policy (Resilience and Hazards) 2021. State Environmental Planning Policy (Industry and Employment) 2021. State Environmental Planning Policy (Biodiversity and Conservation) 2021. Camden Local Environmental Plan 2010. Camden Development Control Plan 2019.

List all Documents Submitted with this Report for the Panel's Consideration:	<ul style="list-style-type: none"> • Assessment report. • Camden Local Environmental Plan 2010 assessment table. • Camden Development Control Plan 2019 assessment table. • Recommended conditions. • Proposed plans. • Submissions.
Development Standard Contravention Request(s):	N/A
Summary of Key Submission Issues:	<ul style="list-style-type: none"> • Traffic impacts. • Plan of management. • Construction impacts. • Improved implementation of the approved Vegetation Management Plan under DA/2015/840/1.
Report Prepared By:	Jessica Mesiti, Executive Planner
Report Date:	September 2024.

Summary of Section 4.15 Matters

	Yes
Have all recommendations in relation to relevant Section 4.15 matters been summarised in the Executive Summary of the assessment report?	<input checked="" type="checkbox"/>

Legislative Sections Requiring Consent Authority Satisfaction

	Yes
Have relevant sections in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed and relevant recommendations summarised in the Executive Summary of the assessment report?	<input checked="" type="checkbox"/>

Development Standard Contraventions

	Yes	N/A
If a written request for a contravention to a development standard has been received, has it been attached to the assessment report?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Special Infrastructure Contributions

	Yes	No
Does the application require Special Infrastructure Contributions?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Conditions

	Yes
Have draft conditions been provided to the applicant for comment?	<input checked="" type="checkbox"/>

PURPOSE OF REPORT

The purpose of this report is to seek the Sydney Western City Planning Panel's (the Panel's) determination of a development application (DA) for the construction of a new registered club premises and outdoor recreation facility in conjunction with an existing golf course and associated site works at 880 and 890 Camden Valley Way, Gledswood Hills.

The Panel is the consent authority for this DA as the capital investment value (CIV) of the development is \$45,195,295. This exceeds the CIV threshold of \$30 million for Council to determine the DA pursuant to Schedule 7 of State Environmental Planning Policy (Planning Systems) 2021.

SUMMARY OF RECOMMENDATION

Determination of DA/2024/96/1 by the Panel is sought for the construction of a new registered club premises and outdoor recreation facility in conjunction with an existing golf course and associated site works pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions attached to this report.

EXECUTIVE SUMMARY

Council is in receipt of a DA for the construction of a new registered club premises and outdoor recreation facility in conjunction with an existing golf course and associated site works at 880 and 890 Camden Valley Way, Gledswood Hills.

The DA has been assessed against the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2021*, relevant environmental planning instruments, development control plans and policies.

A summary of the assessment of all relevant environmental planning instruments is provided below with a detailed assessment provided later in the report.

State Environmental Planning Policy (Planning Systems) 2021.	The Panel is the consent authority for this DA as the development has a CIV of \$45,195,295. The CIV threshold for Council to determine the DA is \$30 million.
State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP).	The DA was referred to Endeavour Energy and Transport for NSW for comment pursuant to the Transport and Infrastructure SEPP and the comments received have been considered. Council is also satisfied that the proposed development complies with

	Section 2.119 – Development with Frontage to a Classified Road.
State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP).	<p>The site has been previously assessed for contamination under DA/2015/24/1, DA/2015/840/1 and DA/2015/1232/1, with three areas of environmental concern located within the extent of works proposed under the subject DA.</p> <p>Remediation Action Plans have been submitted and approved under all three applications, with remediation works being completed on the subject site.</p> <p>A Site Audit Statement was issued for the property and the site is considered suitable for a proposed registered club and associated recreation use.</p>
State Environmental Planning Policy (Industry and Employment) 2021 (Industry and Employment SEPP).	<p>Council staff are satisfied the proposed signage is consistent with the Industry and Employment SEPP's objectives in as it is compatible with the desired amenity and visual character of the area, will provide effective communication by displaying the development's name and will be of a high quality design and finish. Council staff are also satisfied that the proposed signage is consistent with Schedule 5 of the Industry and Employment SEPP.</p>
State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity and Conservation SEPP).	<p>The development is considered satisfactory in terms of the matters for consideration in Chapter 6 of the Biodiversity and Conservation SEPP.</p>
State Environmental Planning Policy (Sustainable Buildings) 2022	<p>Chapter 3 of the SEPP aims to encourage the design and delivery of sustainable non-residential development and requires DAs for such development to be accompanied by a list of NABERs commitments in a manner in which the development will be carried out. An Embodied Emissions Materials Form has been submitted in support of the application. The proposed development is consistent with the aims and controls of the SEPP.</p>

The DA was publicly exhibited for a period of 28 days in accordance with Camden Community Participation Plan 2021. The exhibition period was from 17 April to 20 May 2024. Three submissions were received (one in support of the development and two raising matters for consideration).

The issues raised in the submissions relate to:

- Traffic impacts;
- Requirement for a Plan of Management for the club;
- Construction impacts; and
- Improved implementation of the approved Vegetation Management Plan under DA/2015/840/1.

Based on the assessment, it is recommended that the DA be approved subject to the conditions attached to this report.

AERIAL PHOTO



THE SITE

The site is commonly known as 880 & 890 Camden Valley Way, Gledswood Hills and is legally described Lot 1 DP 1237468 and Lot 1 DP 1241677. The site has an overall area of 29.9 hectares, is irregular in shape and is located on the eastern side of Camden Valley Way. The site has a frontage of approximately 849 metres to Camden Valley Way.

The site formed part of a large entertainment park, known as El Caballo Blanco, which housed Spanish Andalusian dancing stallions and a range of amusements including waterslides, train rides, go-karting, and a small wildlife zoo.

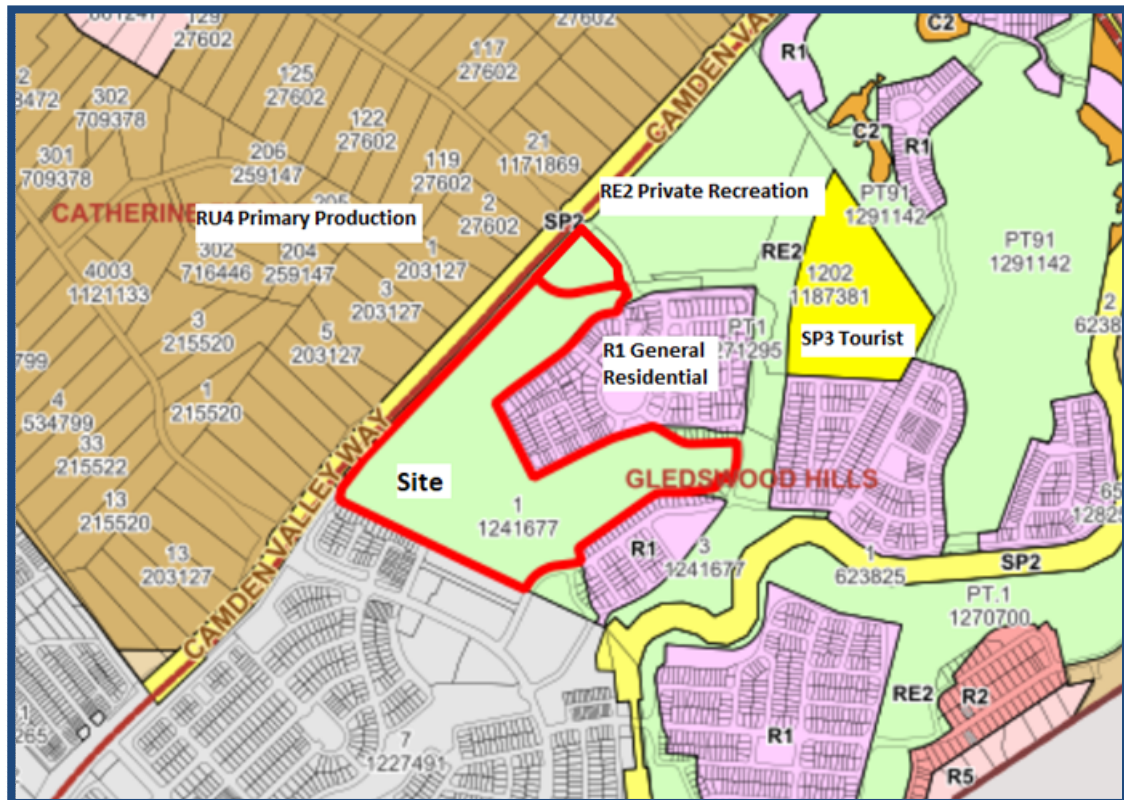
The area of proposed works is currently vacant, with the surrounding area developed, or being developed, for a recreational golf course and residential land uses.

The site currently contains an existing nine-hole golf course without a club building. The intent of the subject development application is to construct a registered golf club and associated facilities in association with the existing golf course.

It is noted that a registered club, golf academy and maintenance shed were previously approved on the subject site under DA/2017/678/1. The intent is for that DA to be surrendered should the current DA be approved.

The site is located on the eastern side of Camden Valley Way and is bounded by The Hermitage Residential Estate to the south, Gledswood Homestead (which is a state listed heritage item) to the north and the residential land and the Sydney Catchment Authority Canal to the east. The site sits on the northern boundary of the Turner Road Precinct which forms part of the Sydney South West Growth Centre.

ZONING PLAN



AREA MASTER PLAN



HISTORY

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

Date	Development
21 January 2015	Demolition of existing structures (DA/2014/1066/1).
30 March 2015	Remediation of contaminated land (DA/2015/24/1).
16 February 2016	Construction of nine-hole golf course and driving range, with associated earthworks, drainage, site works, and remediation of contaminated land (DA/2015/840/1).
19 December 2016	Staged subdivision and construction to create 136 Torrens title residential lots and 6 residue lots, demolition of an existing dwelling and ancillary structures, bulk earthworks, remediation of contaminated land, boundary adjustment between two lots, construction of an access road and new roads, riparian corridor rehabilitation and creek re-alignment

	works, creation of a landscape buffer and associated site works (DA/2015/1232/1).
23 August 2017	Two lot Torrens title subdivision (DA/2017/397/1).
17 April 2018	Construction of a new registered club and golf academy, maintenance shed, outdoor seating area, car parking, associated site works and use of the nine-hole golf course (DA/2017/678/1).

THE PROPOSAL

DA/2024/96/1 seeks approval for the construction of a registered club, outdoor recreation facilities and associated site works.

Specifically, the development involves:

- Removal of 21 trees;
- Construction of a two-storey registered club to be known as 'The Greens'.
- Provision of additional golf facilities and operations comprising:
 - Provision of 56 driving range bays at the rear of the club across two levels for use of the driving range including the construction of driving range netting which has a maximum height of 48.2m from natural ground level.
 - Minor amendments to the approved driving range, including returfing and minor reconfiguration.
 - Provision of a ball processing plant for the driving range.
 - Provision of a 27-hole mini golf course.
- Construction and maintenance shed and associated compound for the existing golf operations.
- Provision of car parking for 431 vehicles. The car parking is to be accommodated across a two-level car parking structure comprising basement parking, lower ground level parking and upper-level parking and parallel parking along the Providence Drive access road.
- Construction of a new driveway and vehicular access from Providence Drive with direct access to the upper-level parking area and main entrance to the club.
- Amendments to the existing access from Huntington Street to provide improved and compliant access to the lower parking levels and service areas.
- The driving range is proposed to operate from 5:30am to 12.00 midnight Monday to Sunday, the mini golf course is proposed to operate from 7:00am to 12:00 midnight Monday to Sunday and the registered club is proposed to operate from 5:30am to 4.00am Monday to Sunday.
- Ancillary work offsetting of vegetation on site to facilitate the development, landscaping, civil works and signage.

PANEL BRIEFING

Council staff briefed the DA to the Panel on 22 March 2024. The following discussion provides an assessment of how the issues raised by the Panel at the briefing have been addressed:

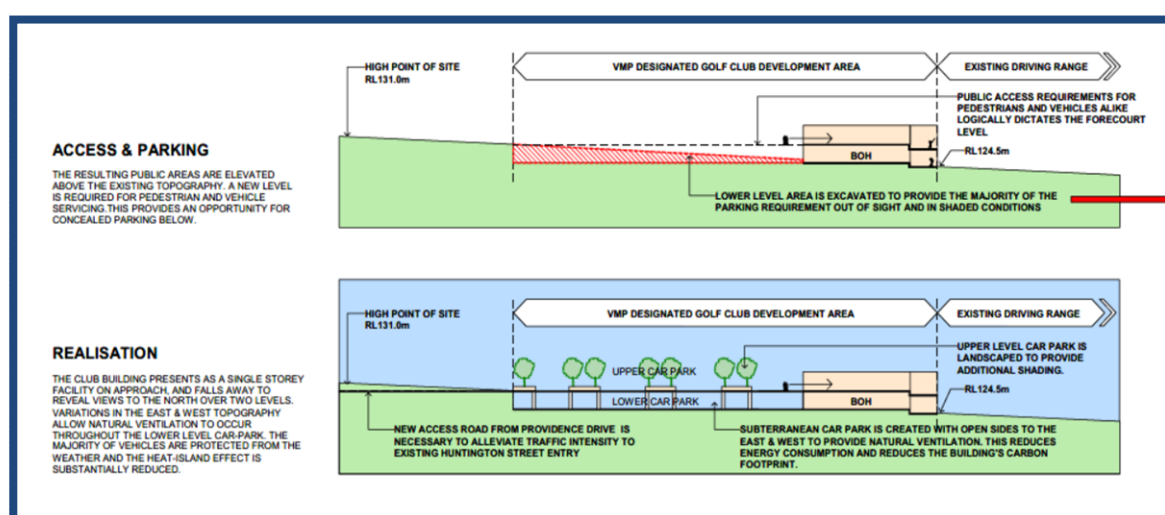
1. *The Panel queried what response has been made to the Design Review Panel's suggestion that the car parking be provided underground.*

Officer comment:

As highlighted later in this report, the DA was briefed to Council's Design Review Panel (DRP) on 25 March 2024. The DRP provided various comments and recommendations regarding the proposed design of the golf club. Concerns were raised with the large expanse of car park which is visible from the entertainment area and from the residents of the future apartments planned for the site to the south. It was suggested by the DRP that the car park should be relocated entirely underground.

The applicant has advised that the site's existing topography is undulating and it is not practical to provide all parking underground. A substantial amount of excavation is proposed to ensure the parking structure is nestled into the site to reduce the visual impact. Approximately 11,300sqm of site area is to be excavated to provide the lower-level car park and loading dock facilities which allows 58% of the parking spaces to be provided at the lower level which are visually screened. The car park is not considered to be highly visible as demonstrated in the Visual Impact Assessment submitted with the DA.

A series of amendments to the plans have been made since briefing the DRP, which have reduced the impact and improved the design of the hard stand area including a reduction of 30 car spaces and introduction of large canopy trees scattered throughout the car park. Further details on the DRP's commentary and the applicant's response are provided in the next section of this report.



Cross section showing excavation and proposed parking layout.

DESIGN REVIEW PANEL

The DA was briefed to Council's Design Review Panel (DRP) on 25 March 2024. The Panel provided various comments and recommendations regarding the hard stand car parking (and consideration of undergrounding car park); requirement for an improved sense of arrival into the club for patrons; suggested additional viewpoints provided in the Visual Impact Assessment; improved landscaping; improved schedule of materials and finishes; improved sustainability; and reduced urban heat island effect.

Amended plans and a response prepared by the applicant to address the DRP comments was submitted on 7 June 2024.

The following discussion provides a summary of the matters raised by the DRP and how they have been addressed by the applicant:

Context and Connectivity

Interface with adjoining mixed-use development

Comments were made that the southern and western elevations show little regard for the visual and amenity impacts from the open car park. As detailed in the amended Visual Impact Assessment, the northern and southern elevations are not readily visible from the closest residential developments due to the topography, existing vegetation, proposed landscaping and distance between the proposed development and the residential development to the south-west. That said, a number of changes have been implemented to soften the open car park including the removal of 30 car spaces and introduction of landscape bays, provision of upper canopy trees and changes in the pavement type.



Perspective View from the South-Western boundary.

Visual Impact

An amended Visual Impact Assessment has been submitted to address the DRPs requirement for further viewpoints, including views from the rear gardens of the properties on the western side of Huntington Street. It is considered that these properties, in addition all other viewpoints assessed, are not visually impacted by

lighting, netting and the building given the existing vegetation onsite, and distance between the dwellings and the works proposed.

Huntingwood Street Access

Concerns were raised that the use of Huntingwood Street by service vehicles and patrons will have an impact on the residents facing Huntingwood Street. Concerns were also raised with how this access would be perceived from the road being the back of house/service entry to the building.

The development proposes to retain entry and exit for all patrons from both Huntington Street and Providence Drive. Amenity of adjoining residents have been considered in the submitted traffic report and acoustic report which conclude that there will be no adverse impacts on the adjoining residents. Visually, the back of house and service areas are screened from the residential development.



View from Huntingwood Street Entry.

Built Form

Design Philosophy

The DRP highlighted that a strong design philosophy should be established for the building. The Panel considered the format to be inwardly focused, appearing to be driven by the commercial golf driving range.

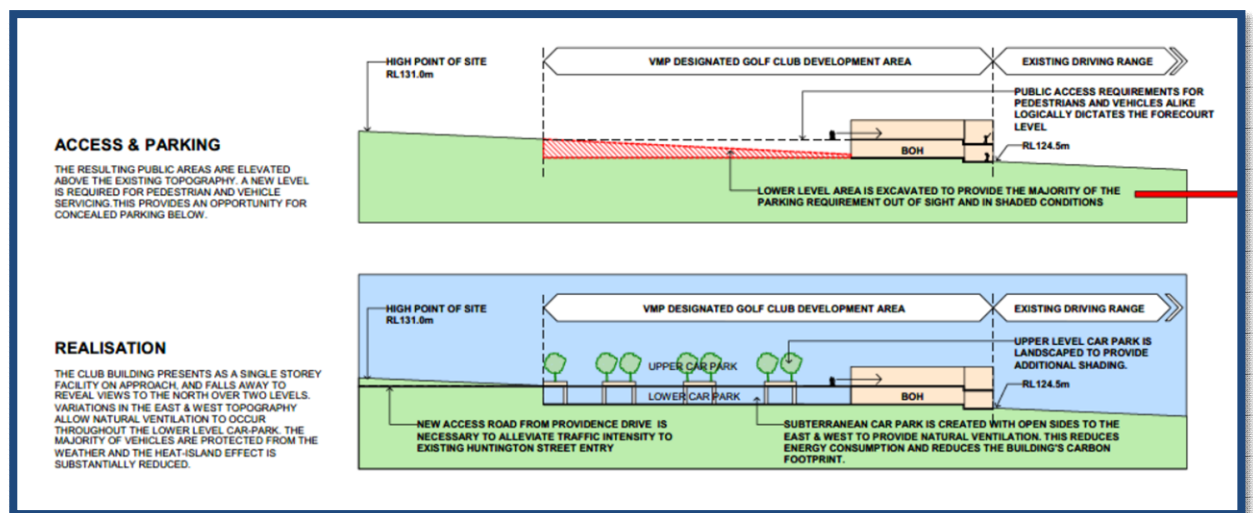
The applicant has clarified that the design philosophy of the club has been led by the need to integrate it into the landscape and directly connect the nine-hole golf course and managed vegetated lands which surround it. The design is centered around the relationship between the new uses and existing site conditions. The built form is divided into three components with a natural light filled central spine which provides connectivity to the differing uses and a central hub that provides views out toward the golf driving range and entertainment precinct.

Car Park Design and Club Access

Concerns were raised with the expanse of the car park which is visible from the entertainment area and from residents of the future apartments planned for the site to

the immediate south. It was suggested by the DRP that that the car park should be relocated entirely underground.

The applicant has advised that the site's existing topography is undulating and it is not practical to provide all parking underground. A substantial amount of excavation is proposed to ensure the parking structure is nestled into the site to reduce the visual impact. Approximately 11,300sqm of site area is to be excavated to provide the lower-level car park and loading dock facilities which allows 58% of the parking spaces to be provided at the lower level which are visually screened. The car park is not considered to be highly visible and views to the site from the surrounding development are limited. A series of amendments have been received since briefing the DRP, which have reduced the impact of the hard stand area.



Cross section showing excavation and proposed parking layout

Sense of Arrival

Concerns were raised that the development lacked a sense of arrival as the approach to the development was via a long straight road which rises above natural ground level, before doglegging onto an extensive hardstand car parking structure. The DRP recommended that greater focus be given to creating an integrated and inviting arrival experience which guide visitors into the facility.

A number of changes have been made to further embellish the sense of arrival including:

- The redesign of the entry from Providence Drive, inclusion of car parking along that driveway to open up the site and allow people to meander through;
- Provision of a viewing platform over golf hole 5 at the entry to the car park;
- Provision of a shared pedestrian zone allowing connection into the adjoining future mixed use site to the south;
- Provision of additional landscaping within the setbacks of the Providence Drive and public artwork; and
- Significant embellishment within the centre of the car park to create a clear and green pedestrian spine through the site. That is also facilitated by the introduction of two shared zones as you enter the site from the Providence Drive which are delineated on the plans.



Perspective View of Providence Drive Access Road into Club

Landscaping

The DRP recommended the planting of large trees in deep soil zones (which could not be provided if the design retained the upper car park). The DRP considered that a reduction in the podium car park would allow for better integration of the development into the landscape, improved sustainability, and deep soil landscaping.

As highlighted above a design rational for the proposed hard stand car park size has been provided. The car park has been amended by removing 30 car spaces and introducing planter boxes to ensure mature trees are installed. Measures have been incorporated in the amended plans to reduce the perceived dominance of the car park through additional landscaping.

Public Domain Interface / Public Space

Whilst the development is commercial in nature, it is also considered a community facility. It was requested by the DRP to encourage active transport connections through walking tracks and paths. The development allows for a range of access points from Huntingwood Street, Providence Drive and through the envisaged pedestrian connection on adjoining land in The Hermitage precinct to the south. There is sufficient permeability on site to address walkability.

Schedule of Materials and Finishes

Concerns were raised that the material palette had changed since the Pre-DA stage and was no longer as naturalistic. It was considered futuristic and did not relate to the landscape.

The applicant submitted an amended material and finishes schedule to reflect a more natural selection of materials which reflect the current landscape.

Improved Sustainability

The DRP noted that solar panels were proposed on the small shelters within the car park; however, the clubs flat roof provided a good opportunity for the placement of panels. The DRP also considered that other sustainability measures should be considered, including opportunities for saving water, and natural cross ventilation.

Amended plans were received which now indicate solar panels on the roof to maximise solar benefits. A Section J report was also provided in support of the DA which sets out sustainability measures including solar panels, electric vehicle charging stations and the use of natural ventilation and upper tree canopy measures.

Conclusion

It is considered that the proposed development consists of high quality architectural and urban design features and the proposal satisfactorily addresses the comments provided by the DRP.

ASSESSMENT

Environmental Planning and Assessment Act 1979 - Section 4.15(1)

In determining a DA, the consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the DA:

(a)(i) the provisions of any environmental planning instrument

The environmental planning instruments that apply to the development are:

- State Environmental Planning Policy (Planning Systems) 2021.
- State Environmental Planning Policy (Transport and Infrastructure) 2021.
- State Environmental Planning Policy (Resilience and Hazards) 2021.
- State Environmental Planning Policy (Industry and Employment) 2021.
- State Environmental Planning Policy (Biodiversity and Conservation) 2021.
- State Environmental Planning Policy (Sustainable Buildings) 2022

State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP)

The Planning Systems SEPP identifies development that is State significant development, infrastructure and critical infrastructure and regionally significant development.

The Panel is the consent authority for this DA as the CIV of the development is \$45,195,295. The CIV threshold for Council to determine the DA is \$30 million pursuant to Schedule 6 of the Planning Systems SEPP.

State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP)

The Transport and Infrastructure SEPP aims to facilitate the effective delivery of infrastructure across the State.

Referral to Endeavour Energy

The DA was referred to Endeavour Energy for comment pursuant to Section 2.48 of the Transport and Infrastructure SEPP as the site contains easements for underground electrical cables.

Endeavour Energy raised no objections to the development and recommended compliance with several technical guidelines and requirements. A condition requiring compliance with Endeavour's technical guidelines and requirements is included in the recommended conditions of consent.

Development With Frontage to a Classified Road

Pursuant to Section 2.119 of the Transport and Infrastructure SEPP, the consent authority must not grant consent to a development on land that has a frontage to a classified road unless it is satisfied that:

- (a) *where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and*
- (b) *the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—*
 - (i) *the design of the vehicular access to the land, or*
 - (ii) *the emission of smoke or dust from the development, or*
 - (iii) *the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
- (c) *the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

Access to the proposed development for patrons will be via Providence Drive and Huntington Drive. Service vehicle will access via Huntington Drive only. The safety, efficiency and ongoing operation of Camden Valley Way will not be adversely affected by the proposed development, as access will be via the surrounding local street network. It is considered that the development is of a type that is not sensitive to traffic noise or vehicle emissions.

Traffic Generating Development

The DA was referred to TfNSW for comment pursuant to Section 2.122 of the Transport and Infrastructure SEPP as, pursuant to Schedule 3 of the SEPP, the development is classed as traffic generating development.

TfNSW raised no objections to the proposed development subject to conditions regarding connection of drainage infrastructure to the classified road infrastructure, public utility works, and signage compliance with the Transport Corridor Outdoor Advertising and Signage Guidelines 2017 and relevant Australian Standards. Compliance with the TfNSW conditions have been included as a recommended condition of consent.

Council staff have also assessed the accessibility of the site, including the efficiency of people and service vehicle movements, traffic safety, road congestion and parking implications of the development and are satisfied the development is acceptable with regards to traffic management.

Council has also considered any potential interference of the golf driving range on the surrounding road network which will be mitigated through the provision of 48.2m high netting, coupled with the separation distances to the surrounding roads.

State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP)

The Resilience and Hazards SEPP regulates hazardous and offensive development and aims to ensure that the consent authority has sufficient information to assess whether or not development is hazardous or offensive. The Resilience and Hazards SEPP also provides a Statewide planning approach to the remediation of contaminated land.

Section 4.6 of the Resilience and Hazards SEPP requires the consent authority to consider if the site is contaminated. If the site is contaminated, the consent authority must be satisfied that it is suitable in its contaminated state for the development. If the site requires remediation, the consent authority must be satisfied that it will be remediated before the land is used for the development. Furthermore, the consent authority must consider a preliminary contamination investigation in certain circumstances.

The site has previously been assessed for contamination as part of earlier development applications, namely, DA/2015/24/1, DA/2015/840/1 and DA/2015/1232/1, with three areas of environmental concern located within the extent of works proposed under the new club development. Remediation Action Plans have been submitted and approved under all three applications, with remediation works being completed on site.

A Site Audit Statement was issued for the property and the site is considered suitable for a proposed registered club and associated recreation use.

A standard contingency condition is recommended which requires any contamination found during construction works to be appropriately managed.

State Environmental Planning Policy (Industry and Employment) 2021 (Industry and Employment SEPP)

The Industry and Employment SEPP aims to ensure that signage is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish. The proposal includes the construction of business identification signage including the following:

- Three backlit wall signs detailing “The Greens” on the southern elevation;
- Entry illuminated pylon sign at the Providence Street entry to a height of 6m;
- Two level wall mounted illuminated entry signs at the Providence Street entry;
- Low level wall mounted illuminated entry sign at the Huntington Street entrance; and
- Low level wall mounted illuminated sign prior to entering the car park area.

Section 3.6 of the Industry and Employment SEPP requires the consent authority to be satisfied that signage is consistent with the objectives as set out in Section 3.1(1)(a) of the SEPP and the assessment criteria specified in Schedule 5 of the SEPP. An

assessment has been undertaken of the proposed signage and Council is satisfied that it is consistent with the objectives of the SEPP.

State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity and Conservation SEPP)

The development is satisfactory in terms of the matters for consideration in Chapter 6 of the Biodiversity and Conservation SEPP. There will be no unreasonable adverse impacts on the Hawkesbury-Nepean Catchment as a result of the development.

State Environmental Planning Policy (Sustainable Buildings) 2022

Chapter 3 of the SEPP aims to encourage the design and delivery of sustainable non-residential development and requires DAs for such development to be accompanied by a list of NABERs commitments in a manner in which the development will be carried out. An Embodied Emissions Materials Form has been submitted as part of the DA. The proposed development is consistent with the aim of the SEPP and its planning controls.

Camden Local Environmental Plan 2010 (LEP)

The site is partly zoned RE2 Private Recreation and partly zoned R1 General Residential pursuant to Clause 2.2 of the LEP.

Land Use/Development Definitions

The proposed development is defined as a 'registered club' by the LEP.

Permissibility

The development is located within the RE2 Private Recreation zone and is permitted with consent pursuant to Clause 2.3 and the land use table of the LEP.

An assessment table in which the proposed development is considered against the LEP is provided as an attachment to this report.

(a)(ii) the provisions of any proposed 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 Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)

There are no draft environmental planning instruments that are applicable to the development.

(a)(iii) the provisions of any development control plan

Camden Development Control Plan 2019 (Camden DCP)

Planning Controls

An assessment table in which the development is considered against the Camden DCP is provided as an attachment to this report.

(a)(iia) the provisions of any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

The site is subject to the terms and conditions of the Voluntary Planning Agreement (El Caballo Blanco, Gledswood and East Side Site Planning Agreement) executed between Camden Council and SH Camden Valley Pty Limited, Cadla Pty Limited, Vincenzo & Elizabeth Piscuneri, Rok & Teresa Friscic, Jozo & Eva Bernatovic, Frank, Maria & Samuel Galluzzo and the Owners – Strata Plan 36786, dated 8 May 2012.

However, the proposed works do not trigger any requirements of the VPA to be delivered in this instance. A condition is recommended which requires the payment of monetary contributions under Section 7.12 of the *Environmental Planning and Assessment Act 1979*.

(a)(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)

The *Environmental Planning and Assessment Regulation 2021* prescribes several matters that are addressed in the conditions attached to this report.

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

Visual Impacts

A Visual Impact Assessment was submitted with the DA which provides an analysis of the main club building and associated golf driving range netting from eight key viewpoints surrounding the development. The primary building and car park are the major built forms which are positively positioned within the landscape, topography, and surrounding vegetation. The height and area of the ball control netting poses the greater visual intrusion. As a result, the poles and netting are proposed in a dark colour which is recessive and blends into the landscape. The Visual Impact Assessment concludes that the development has a low to moderate visual impact from the key viewpoints. It is noted that the assessment is undertaken without consideration of the proposed landscape design.

The proposed landscape design and implementation of the proposed vegetation management requirements will provide large tree canopies which will further visually screen the development. In addition, the multi-storey mixed-use entertainment precinct development proposed on the adjoining site to the south, which is currently under assessment by Council (DA/2024/5/1), will also provide a further visual buffer of the club from the southern sections of The Hermitage Estate.

The proposed development is therefore considered to have a low visual impact on the surrounding area and is reflective of the recreational use of the land and desired future character of the precinct.

Lighting

The proposed lighting for the development has been sited and designed to ensure it does not result in adverse impacts on existing or future development. An Obtrusive Lighting Assessment report has been submitted with the DA, which concludes that the

lighting for this development is within acceptable limits, complies with the Australian Standards and will not result in adverse light spill into adjoining properties.

Traffic Impacts

Access to the proposed development for patrons will be via Providence Drive and Huntington Drive. Service vehicle access will be via Huntington Drive only. The safety, efficiency and ongoing operation of Camden Valley Way will not be adversely affected by the proposed development as access will be via the surrounding local street network. It is considered that the the development is of a type that is not sensitive to traffic noise or vehicle emissions.

As highlighted earlier in this report, the DA was referred to TfNSW for comment pursuant to Section 2.122 of the Transport and Infrastructure SEPP as, pursuant to Schedule 3 of the Transport and Infrastructure SEPP, the development is classed as traffic generating development. TfNSW raised no objections to the proposed development subject to conditions. Compliance with the TfNSW conditions have been included as a recommended condition of consent.

Council staff have also assessed the supporting traffic report submitted with the DA and the proposed development with regards to the accessibility of the site, including the efficiency of people and service vehicle movements, traffic safety, road congestion and parking implications of the development. Council staff are satisfied the development is acceptable with regards to traffic management.

Acoustic Impacts

An acoustic report has been submitted which assesses potential noise impacts from the proposal. Following noise monitoring on site, the report provides several recommendations including building façade glazing specifications, driving range materials and operation restrictions, restrictions on outdoor smoking areas, restrictions on service delivery times, acoustically treated mechanical plant and equipment, maintenance shed operating restrictions, and implementation of a Noise Management Plan prepared by the acoustic consultant, to ensure any adverse noise impacts on the proposed development are mitigated.

Council's Environmental Health Specialist has reviewed the acoustic report and is satisfied that subject to the implementation of the recommendations of the acoustic report, the proposal will have no adverse noise impacts on the surrounding locality. The requirements of the acoustic report are included as recommended conditions of consent.

Hours of Operation

The DA, as originally submitted, sought to operate:

- The registered club from 5.30am to 4.30am Monday to Sunday;
- The driving range from 5:30am to 12.00 midnight Monday to Sunday; and
- The mini golf course from 7:00am to 12:00 midnight Monday to Sunday.

Council staff did not support the proposed hours of operation for the registered club component of the development, as the hours were considered excessive for the locality and not consistent with the approved hours of operation of similar facilities throughout the local government area.

Council staff raised these concerns with the Applicant who in turn modified the proposed hours of operation for the registered club to 10.00am to 2.00am, seven (7) days per week. These modified hours are more consistent with other licensed premises approved in the locality and are considered appropriate given the clubs proximity to the surrounding residential area.

The locality is currently undergoing development / transition and the amended hours proposed for the registered club component of the development will ensure that adverse impacts on the amenity of the locality are minimised.

The hours of operation sought by the applicant for the driving range and the mini golf course components of the development are considered reasonable.

Ecological Impacts

The site includes environmentally sensitive land and land identified on the Biodiversity Values Map. A Flora and Fauna Assessment has been submitted with the DA in accordance with the *Biodiversity Conservation Act 2016* and the *Environment Protection and Biodiversity Conservation Act 1999*, as the proposed building footprint will relinquish 0.45ha of a previously approved golf course areas which were required to be rehabilitated under a separate Vegetation Management Plan. The proposed building removes 0.45ha of Pant Community Type (PCT) 2220 Cumberland Plain Woodland.

The vegetation which is identified on the Biodiversity Values Map is not impacted by any works associated with this proposal. Therefore, the Biodiversity Offsets Scheme is not triggered. These impact areas are recreation areas (grassland to open woodland) which were either open areas or high disturbed to moderately disturbed.

The Flora and Fauna Assessment identified the following threatened species and Critically Endangered Ecological Community as listed under the *NSW Biodiversity Conservation Act* as potentially occurring within the proposed impact area:

- Cumberland Plain Woodland;
- Fauna species including specific species of birds, bats, the Cumberland Plain Land Snails; and
- Flora being the Spike Rice Flower.

A Test of Significance was undertaken in accordance with Section 7 of the *Bio Certification Act 2016*, which concludes the proposed works are considered unlikely to have an impact on the threatened species and endangered ecological communities. The following recommendations are provided to minimise any potential impacts:

- Provide a Construction Environmental Management Plan;
- Implementation of a Vegetation Management Plan to manage the new 1:1 offset area identified within the Flora/Fauna report; and,
- Fauna management actions including ecological clearance supervision and habitat salvaging or nest box installation.

Council's Natural Resource Officer has reviewed the submitted Flora and Fauna report and associated Vegetation Management Plan and is satisfied with the reports subject recommended conditions of consent.

As demonstrated by the assessment, the development is unlikely to have any unreasonable adverse impacts on either the natural or built environments, or the social and economic conditions in the locality.

All other likely impacts have been assessed in other sections of this report.

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

As demonstrated by the assessment, the site is suitable for the development.

(d) *any submissions made in accordance with this Act or the regulations*

The DA was publicly exhibited for a period of 28 days in accordance with Camden Community Participation Plan 2021. The exhibition period was from 17 April to 20 May 2024. Three submissions were received (one in support of the development and two raising matters for consideration).

The following discussion addresses the issues raised in the submissions.

1. *Concerns were raised with traffic impacts by the Department Education particularly from the new access driveway to Providence Drive located near Gledswood Hills Public School. The Department is concerned with pedestrian safety outcomes due to the driveway being adjacent to parking utilized for drop off and pick up at the school.*

Officer Comment

A Traffic Report was submitted with the DA which demonstrates that the proposed site access will carry low to modest traffic during weekday morning and afternoon periods around school start and finish times. It will not introduce safety issues for pedestrians, being typical of other driveways and roads in the vicinity of the school.

2. *The traffic report submitted with the DA does not include any traffic estimates during school drop off and pick up times and should be assessed to determine the impacts to the school.*

Officer Comment

The peak traffic times for the club will occur on Friday and Saturday evenings. At other times of the week, including school start and finish times, traffic generation will be around 100 vehicles per hour in the afternoon and even lower in the morning.

3. *The traffic report does not include a cumulative traffic assessment of surrounding developments, including the mixed use development DA under assessment (DA/2024/5/1) at 1 Providence Drive and 2 and 4 Huntington Street, Gledswood Hills.*

Officer Comment

The site is located within the El Caballo Blanco and Gledswood Hills release area, for which a structure plan, indicative layout plan and development control plan have been prepared. This site is also surrounded by the broader South West Growth Area, for which site planning included traffic impacts which have been

previously undertaken. The site is also identified on the indicative layout plan for the purpose of a club house and associated recreational facilities.

The submitted traffic report is considered satisfactory with regard to the traffic modelling provided and the DA was referred to TfNSW for comment who raised no objections to the proposed development subject to conditions. Compliance with the TfNSW conditions have been included as a recommended condition of consent. Council staff have also assessed the Traffic Report and are satisfied the development is acceptable with regards to traffic management.

4. *The proposed does not include an assessment of anticipated service and heavy vehicle volumes and frequencies. Any increase in service and heavy vehicle volumes adjacent to the school will impact safety and amenity. Consideration should be given to restrict all service and heavy vehicle volumes during school drop off and pick up times.*

Officer Comment

The submitted Traffic Report details that the number of service vehicles to the site will be relatively low (between 5 to 10 per day). All service vehicles will use the Huntington Drive access, which would therefore have no impact on the school. Restricting the service vehicle hours is not warranted in this instance.

5. *The proposal may result in increased parking on residential streets from staff and patrons associated with the development. This may impact on existing drop off and pick up activities.*

Officer Comment

The Traffic Report submitted with the DA and the provision of 431 car parking spaces on site (to meet the clubs peak parking times on a Friday and Saturday night) demonstrate there is sufficient car parking available on site. The application does not rely on the use of on street parking to satisfy its parking requirements. Parking on the street would be located at a significant distance away from the club entry doors, which would make it unlikely for patrons to park on the street. The development will not result in any adverse impacts on parking on the surrounding road network.

6. *The new driveway on Providence Drive will make walking and cycling to school less desirable due to the increased risk of vehicle conflicts. It is requested that pedestrians be provided with priority across the new access road, including provision of a wombat crossing.*

Officer Comment

As highlighted above, the peak traffic times for the club will occur on Friday and Saturday evenings. At other times of the week, including school start and finish times, traffic generation will be around 100 vehicles per hour in the afternoon and even lower in the morning. The club will not introduce unusual safety issues for pedestrians and the location of the driveway does not meet the warrants for installations of a marked pedestrian crossing.

7. *A Plan of Management should be provided which addresses responsible service of alcohol, antisocial behaviour, safe patron dispersal from the premises, provision of alternative transport options to discourage drink driving, event*

management procedures including noise and traffic management, and student safety.

Officer Comment

The applicant submitted a detailed Plan of Management which satisfactorily addresses the responsible service of alcohol, management of anti-social behaviour, safe patron dispersal from the premises, provision of alternative transport options to discourage drink driving, event management procedures including noise and traffic management, and student safety.

It is noted that a condition will be included in the consent which requires the applicant to obtain a license from NSW Liquor and Gaming prior to the release of a construction certificate for the club. These matters are also considered as part of the registered club licensing application process by NSW Liquor and Gaming.

In addition, Council referred the DA to NSW Camden Local Area Command, who undertook a Crime Prevention Through Environmental Design assessment. The proposed club was deemed to be a low crime risk and is considered satisfactory with regards to the proposed design and location.

8. *The proposal should include a Construction Management Plan which considers impacts to the school as a sensitive receiver including student safety, traffic, noise, vibration and air quality.*

Officer Comment

A condition will be included in the consent which requires the preparation and submission of a Site Management Plan prior to commencement of works and implementation during works. The Site Management Plan must include details of construction traffic management in accordance with Council's engineering specifications and AS 1742.3 - Manual of Uniform Traffic Control Devices - Traffic Control for Works on Roads. It also required to prohibit offensive noise, vibration, dust and odour as defined by the *Protection of the Environment Operations Act 1997*.

9. *The Department requests consideration be given to construction access points, especially around school drop off and pick up. It is requested that the main access point be from Huntington Drive to avoid heavy vehicles negotiating Providence Drive.*

Officer Comment

Construction access will be undertaken via Providence Drive as per the proposed sediment and erosion control plan. As highlighted above, a condition will be included in the consent which requires the preparation and submission of a Site Management Plan before the commencement of works.

10. *The movement of construction vehicles, including delivery vehicles entering and exiting the site, should be restricted during the 30 minutes before and after morning and afternoon school bell times.*

Officer Comment

A condition will be included in the consent which requires the preparation and submission of a Site Management Plan. A condition will also be included which restricts construction vehicle and delivery vehicles during the peak school pick up and drop off times.

11. *A submission in support has requested that heavy vehicles are diverted away from the local streets of Gledswood Hills including Fairbank Drive, Gledswood Hills Drive, Providence Drive and The Hermitage Way (except for the short section to the west of Huntington Street to access Camden Valley Way).*

Officer Comment

Access to the proposed development for patrons will be via Providence Drive and Huntington Drive. Service vehicle access will be via Huntington Drive only. Construction vehicles will use the Providence Drive access; however, this is a temporary arrangement until completion of construction works. A satisfactory traffic report has been submitted and both TfSNW and Council staff are satisfied the development is acceptable with regards to traffic management.

12. *Concerns are raised that since the approval of DA/2015/840/4 the implementation of the Vegetation Management Plan (VMP) has been substandard which has resulted in aggressive weed invasion. Conditions have been requested for the subject DA to restore the site to the standard expected under DA/2015/840/1.*

Officer Comment

The concerns raised relate to the previous DA approved on the site under DA/2015/840/1 and the management/maintenance of the existing areas under the requirements specified under the previous Vegetation Management Plan. The requirement for monitoring and compliance of the current VMP proposed under the subject DA are included as a recommended condition of consent.

(e) the public interest

The public interest is served through the detailed assessment of this DA under the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2021*, environmental planning instruments, development control plans and policies. Based on the assessment, the development is consistent with the public interest.

EXTERNAL REFERRALS

The external referrals undertaken for this DA are summarised in the following table:

External Referral	Response
NSW Rural Fire Service	No objection and conditions recommended under Section 4.14 of the Environmental Planning and Assessment Act 1979.
Department of Planning and Environment - Water	General Terms of Approval were granted on 25 July 2024. A controlled activity approval is required to be obtained in this instance.
Transport for NSW	No objection and conditions recommended.

Endeavour Energy	No objection and conditions recommended.
Camden Police Area Command	The application was referred to Camden Local Area Command who provided several recommendations in respect to surveillance, access control, territorial reinforcement and activity and space management to improve the development.

Conditions that require compliance with the external referral recommendations are recommended.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The DA has been assessed in accordance with Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* and all relevant instruments, plans and policies. The DA is recommended for approval subject to the conditions attached to this report.

RECOMMENDATION

That the Panel approve DA/2024/4596/1 for the construction of a new registered club premises and outdoor recreation facility in conjunction with an existing golf course and associated site works at 880 and 890 Camden Valley Way, Gledswood Hills subject to the conditions attached to this report for the following reasons:

- 1. The development is consistent with the objectives and controls of the applicable environmental planning instruments, being State Environmental Planning Policy (Transport and Infrastructure) 2021, State Environmental Planning Policy (Resilience and Hazards) 2021, State Environmental Planning Policy (Industry and Employment) 2021, State Environmental Planning Policy (Biodiversity and Conservation) 2021, State Environmental Planning Policy (Sustainable Buildings) 2022 and Camden Local Environmental Plan 2010.**
- 2. The development is consistent with the objectives of the Camden Development Control Plan 2019.**
- 3. The development is considered to be of an appropriate scale and form for the site and the character of the locality.**
- 4. Subject to the recommended conditions, the development is unlikely to have any unreasonable adverse impacts on the natural or built environments.**
- 5. For the above reasons, the development is a suitable use of the site and its approval is in the public interest.**