

PROPOSED MOTION

That:

1. The staff assessment report for development application DA/0117/2021 for the proposed Alterations and Additions to Recreation Facility (major) be received.
2. Consent be granted for DA/0117/2021 for Alterations and Additions to Recreation Facility (major) located at Lot 1 DP 832905, 4770 Braidwood Road Tirrannville, subject to the following conditions:

SECTION A: GENERAL CONDITIONS

1. Approved Development and Use

Development consent has been granted in accordance with this Notice of Determination for the purposes of the following, under the *Goulburn Mulwaree Local Environmental Plan 2009*:

- Demolition of existing pit lane building and associated structures,
- Construction of new pit lane building consisting of:
 - 14 additional garages
 - Space to enable corporate functions
 - Terrace space
 - Race control and commentary boxes
 - Office and administration areas, and medical centre
 - Ambulance and emergency response vehicle parking
- Construction and use of new off-road experience area.
- Ongoing use of the existing visitor accommodation facilities in conjunction with motorsport activities.
- Use of part of the site for the purposes of short –term camping only in conjunction with attendance at events.
- Carrying out of general purpose markets up to 12 times per calendar year.
- Additional internal signage, and new business identification signage at the site frontage.
- Water management infrastructure for the new building and off-road experience area.
- Implementation of the noise management and mitigation framework required under the Protection of the Environment Operations Act 1997 (POEO Act) Prevention Notice dated 8 January 2020 (the prevention notice) and a New Event Management Plan for larger events held at the site.
- Ongoing operation of a Community Consultative Committee in accordance with the Prevention Notice.
- Ongoing use of the site for motorsport activities and other ancillary uses, including implementation of the noise management and mitigation framework required under the POEO Act Prevention Notice dated 8 January 2020 and a new Event Management Plan for larger events hosted at the site.

(Reason: *To confirm the components of the approval)*

2. Development in Accordance with Documentation

The development must only be carried out:

- a) in compliance with the conditions of this Notice of Determination; and
- b) in accordance with the approved plans and documentation listed in the table below.

Architectural plans prepared by Leffler Simes Architects

drawing no.	rev	title of plan or document	date.
DA01	E	Site Plan	06/05/2021
DA02	D	Site Plan Detail Existing Site Plan Detail Proposed	06/05/2021
DA03	P6	Ground Floor	11/09/2020
DA04	P7	First Floor	11/09/2020
DA05	P3	Roof	11/09/2020
DA6	P6	Elevations	11/09/2020
DA07	P7	Sections	11/09/2020

Architectural plans prepared by Veris

drawing no.	rev	title of plan or document	date.
Project No. 219069.04	D	Proposed Development Lot 1 DP 832905, 4770 Braidwood Road Tirrannaville	05/05/2021

Landscape plans prepared by Nicholas Bray Landscapes

drawing no.	rev	title of plan or document	date.
L1	F	Overall Site Plan & Planting Palette	12/05/2021
L2	F	Planting Zones Overall Site	12/05/2021
L3	F	Landscape Area 9	12/05/2021

Documentation prepared by various authors

document ref.	rev	title of plan or document	date.
2200293	-	Statement of Environmental Effects (Ethos Urban)	15/09/2020
-	-	Wakefield Park Raceway Event Management	09/2020 (submitted to Council on 13 May 2021)
-	1	Wakefield Park Raceway, Tirrannaville Civil Engineering Report (WSP)	11/09/2020
PS121597, C200-201	1	Proposed Stormwater Drainage Layout Plan Sheet 1 of 2 and 2 of 2 (WSP)	11/09/2020
Our Ref: PS121597	-	Wakefield Park Raceway – Civil Information Response to Goulburn Mulwaree Council letter (WSP)	10/05/2021
PS121597 C170	2	Off-Road Track SWD & ESC Layout Plan (WSP)	06/05/2021
PS121597 C160	1	Erosion and Sediment Control Layout Plan (WSP)	11/09/2020
-	-	Response to RFI Construction Phase Venue Management	Undated (submitted to Council on 13 May 2021)
Reference No: 113876-Fire Safety Audit- r2a	-	Fire & Life Safety Audit Report Wakefield Park Raceway (BCA Logic)	10/05/2021
S18234_002_psi	Rev 2	Preliminary Site Investigation Wakefield Park Raceway (Sensversa)	10/09/2020

(Reason: *To ensure that the development is undertaken in accordance with the submitted plans and documents as amended)*

3. Documentation Inconsistency

In the event of any inconsistency between the conditions of this Notice of Determination, the drawings and any accompanying documentation referred to above, the conditions of this Notice of Determination prevail, to the extent of the inconsistency.

(Reason: *To ensure that the development is undertaken in accordance with the submitted plans and documents as amended)*

4. Documentation to be Kept on Site

At all times, a complete set of all endorsed plans, specifications and any other documentation referenced by this Notice of Determination must be kept on **'site'** and be readily available for perusal by any officer of **'Council'** or the **'Principal Certifier'** upon their request.

(Reason: *To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information and to ensure ongoing compliance)*

5. Water NSW - General

The site layout and ongoing operations at the site shall generally be as:

- specified in the Statement of Environmental Effects prepared by Ethos Planning (dated 15 September 2020)
- Event Management Plan (dated September 2020) prepared by Ethos Planning, and
- shown on the Site Plans (Job No 4922, Dwg No DA01, Rev. E and DA02, Rev. D; dated 06.05.21) prepared by Leffler Simes Architects.

No revised site layout, staging or external works that will impact on water quality, shall be permitted without the agreement of Water NSW.

(Reason: *Water NSW has based its assessment under the State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 on this version of the development)*

6. Water NSW - Stormwater Management

All stormwater treatment and management measures shall be implemented as specified in Section 5.3 of the Civil Engineering Report (dated 11 September 2020) and shown on the proposed Stormwater Drainage Layout Plans (Proj. No. PS121597; Sheets C200 - 201; Rev 1; dated 11/09/2020), all prepared by WSP (Australia) Pty Limited, except where varied by these conditions.

(Reason: *To ensure appropriate stormwater treatment and quality control measures are implemented to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term)*

7. Water NSW - Stormwater Management

A Stormwater Management Plan for the proposed off-road area, based on the Off-Road Track SWD & ESC Layout Plan (Proj. No. PS121597; Sheets C170; Rev 2; dated 06/05/2021) prepared by WSP (Australia) Pty Limited, shall be prepared in consultation with Water NSW prior to the finalisation of the design for the proposed off-road area.

(Reason: *To ensure appropriate stormwater treatment and quality control measures are implemented to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term)*

8. Water NSW - Stormwater Management

No Variation to stormwater treatment or management that will impact on water quality shall be permitted without the agreement of Water NSW.

(Reason: *To ensure appropriate stormwater treatment and quality control measures are implemented to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term)*

9. TransGrid - General

TransGrid shall be notified of any amendments/ modifications to the proposal which may change proposed distances to TransGrid structures or conductors. If there are new services proposed within or crossing the easement TransGrid will need to provide approval, prior to the undertaking of work.

(Reason: *To ensure that any alterations to the approved works are consistent with TransGrid's requirements)*

10. Essential Energy - General

Any proposed vegetation or planting:

- is to be capped at 4.0 metres for mature trees near and under Essential Energy's existing overhead infrastructure; and
- must be a minimum of 5.0 metres away from any electrical infrastructure.

(Reason: *To ensure that vegetation or planting within close proximity to electricity infrastructure is safely located)*

11. Essential Energy - Access roads

Any proposed access and/or exit roads must remain at least 1.0 metre away from any electricity infrastructure (power pole, streetlight) at all times, to prevent accidental damage.

(Reason: *To ensure that access infrastructure is safety located from location of electricity infrastructure)*

12. Signage at road frontage

The proposed freestanding business identification sign shall replace all other signage located at the site frontage that can be seen by the travelling public. In this regard, all existing signage must be removed.

(Reason: *To avoid unnecessary clutter from excess signage at the site frontage)*

13. Noise Limits

Unless otherwise varied by Council, the following noise limits will apply to the operations of the facility:

Noise Category	Noise Limit (LAeq 15min)	No. of Days per calendar year
Red Category	Above 85dB(A) and no greater than 95dBA	75
Amber Category	Above 83dB(A) and to 85dB(A)	50
Green Category	Between 75dB(A) and 83dB(A)	162
Blue Category	Less than 75dB(A)	All other operational days excluding the motorsport activity-free days as set out within Condition 15

Measurements shall be recorded in accordance with Condition 16.

The absolute vehicle noise limit of shall not exceed an L_{Amax}(Fast) greater than 95 dB(A) when measured at any point not less than 30 metres from the nearest edge of the track.

NOTE: The following definitions are used in relation to site operations and noise management throughout this consent:

'Competition engines' are defined as engines that are no longer in the same state or configuration as they were when they left the factory (for mass produced vehicles), or engines that have specifically been built for the purposes of motorsport activities.

'Motorsport activities' are defined as any activity or event involving a motor vehicle at Wakefield Park Raceway excluding facility maintenance and repairs.

'Racing events' means any motorsport activities except recreational events. For the avoidance of doubt, racing events include CAMS State, Australian Motor Racing Series, Australian Superbike Championship, Wakefield 300 Endurance Race and any other State or National Championship.

'Recreational events' means any of the following motorsport activities: Speed Off The Streets, Test & Tune, WPM Track Day, WPM Ride Day, WPM Trackschool, and any private hire event that does not involve vehicles participating in a competitive race.

(Reason: *To ensure that sensitive receivers are not impacted by unreasonable noise)*

14. Events Calendar

Prior to commencement of any race track activity, an event calendar is to be developed and made publicly available via the Wakefield Park Raceway website. The calendar must present a minimum of the forthcoming three (3) month period.

For the purposes of this condition, an event is defined as one (1) calendar day.

The calendar shall be characterised by a colour-coded system that allows residents and competitors/facility users to readily identify the noise criteria for the specific event. The colour-coding shall be a 'Blue, Green, Amber, Red' system in accordance with the table in Condition 13.

(Reason: *To allow for open and transparent operations, and to allow Council to determine compliance against the relevant operating parameters)*

15. Event Scheduling

At least one complete weekend per month (i.e. a consecutive Saturday and Sunday) must be free from any use of the race circuit for motorsport-related activities.

At least one day per week (Monday to Friday) must be free from any use of the race circuit for motorsport-related activities.

No events are to be held on Christmas Day or Easter Good Friday.

Events categorised as Red (*Above 85dB(A) and no greater than 95dBA*) or Amber (*Between 75dB(A) and 85dB(A)*) must not be held on any more than three (3) consecutive days.

(Reason: *To ensure that sensitive receivers are not impacted by unreasonable noise)*

16. Noise Monitoring

The existing Simpson Group Soundweb system (or equivalent) must monitor and record noise levels emitted from any motorsport activity, race event or recreational event during operating hours. The microphone for the Soundweb system or equivalent is to be positioned at a point not less than 42m from the edge of the track.

Records of measurement and calibration will be maintained by WPR in perpetuity, and are to be made available to Goulburn Mulwaree Council at any time upon request.

Furthermore, WPR is to provide Council with real-time access to data being captured or previously recorded by the Simpson Group Soundweb system (or equivalent) via a direct system login that is accessible 24 hours per day. Furthermore, WPR must provide any further record relating to noise monitoring within 24 hours of a request being made by Council.

(Reason: *To allow Council and the facility manager to perform an effective compliance function)*

17. Staff Training

Key operational staff at the facility are to be provided with appropriate training in the use and maintenance of the Soundweb system (or equivalent), including the required procedures for removing a vehicle from the circuit.

Records of staff training will be kept by WPR, and are to be made available to Goulburn Mulwaree Council at any time upon request.

(Reason: *To allow Council and the facility manager to perform an effective compliance function)*

18. Noise Reference Monitor and Location

Prior to commencement of any motorsport activity, race event or recreational event, the applicant must commission and install an equivalent system to the Simpson Group Soundweb system currently utilised by WPR, at its own cost for utilisation by Council as a noise reference monitor. The equivalent system and its data is to be accessible by Council 24 hours per day for use in determining ongoing compliance.

The location, unless otherwise varied by Council, shall be located within the road reserve adjacent to the Gundry Rural Fire Service Shed, Yattelunga Lane, Tirranville and be appropriately secured by way of a permeable barrier or fence of a minimum height of 2m to prevent unauthorised access and vandalism.

An application is to be made to Council under Section 138 of the Roads Act prior to the installation of any noise reference infrastructure.

(Reason: *To allow Council to perform an effective compliance function)*

19. Static Vehicle Noise Testing

A static vehicle noise testing procedure must be provided and maintained to sample vehicles involved in 'motorsport activities' at the facility during the event. The applicant must test whichever is greater of:

- 15 vehicles per operational day; or
- 20% of the total number of vehicles participating on that operational day.

All static vehicle noise testing shall be completed prior to the selected vehicles entering onto the circuit.

Records of all static vehicle noise testing must be maintained by WPR for a period of 12 months, and are to be made available to Goulburn Mulwaree Council at any time upon request.

(Reason: *To allow the facility manager to perform an effective compliance function)*

20. Additional Landscaping Requirements

Prior to commencement of any motorsport activity, race event or recreational event, and within 42 days of receiving consent, the applicant is to provide a revised landscaping plan that incorporates an intensive planting regime for the perimeter of the site in its entirety in order to minimise the effect of fugitive noise on surrounding receivers.

The location of the plantings must be located wholly within the boundaries of the site.

All plantings proposed as part of any endorsed Landscaping Plan shall be undertaken within 3 months of Council's endorsement of the Plan.

(Reason: *To ensure that sensitive receivers are not impacted by unreasonable noise)*

21. External Noise Mitigation Measures

The applicant is to engage with all sensitive receivers as identified in the Supplementary Information Report prepared by Renzo Tonin and Associates, dated 3 March 2021, to identify and implement offsite noise mitigation measures and strategies that fall within the limits of this consent.

Evidence of engagement with the identified sensitive receivers, along with any details of property-specific noise mitigation measures, options or strategies that have been explored to minimise the cumulative impact of noise, are to be provided to Council for record keeping purposes prior to the commencement of any motorsport activity, race event or recreational event. For purposes of clarity, it is not Council's role as part of this consent to determine specific noise mitigation measures on properties not subject to this consent.

It should be noted that agreements reached with landholders should not be regarded as permanent (for example, changes in land tenure) and should be reviewed by the applicant periodically.

(Reason: *To ensure that sensitive receivers are not impacted by unreasonable noise)*

22. Noise Management Responsibilities

At all times, the site operator shall be responsible for ensuring that noise mitigation requirements contained within this development consent are achieved. Any penalties for non-compliance will be served upon the site operator.

NOTE: In accordance with Council's Enforcement Policy, any non-compliance with a

condition of development consent will be cause for Council to consider its enforcement options. This will include, but is not limited to, the issuing of Penalty Infringement Notices, Environment Protection Notices or prosecution.

It is noted that as of the date of determination (refer cover page), the current penalty amount for non-compliance with a development consent is \$6000 per offence for a corporation.

(Reason: To set out the responsibilities of the site operator in relation to compliance with noise impact mitigation measures required by this consent)

SECTION B: PRESCRIBED CONDITIONS IMPOSED UNDER EP&A ACT, THE REGULATION, AND OTHER RELEVANT LEGISLATION

23. Building Code of Australia Compliance

All building work must be carried out in accordance with the provisions of the National Construction Code Series.

(Reason: Prescribed by cl. 98 of 'the Regulation')

24. Construction Certificate Requirements

Building work, demolition or excavation in accordance with the Notice of Determination must not be commenced until a Construction Certificate required by s.6.3 of **'the Act'** for the relevant part of the works has been issued in accordance with the provisions of **'the Act'** and **'the Regulation'**.

(Reason: Statutory; To ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)

25. Issue of a Construction Certificate

In accordance with cl.145 of the *Environmental Planning and Assessment Regulation 2000*, the plans and specifications submitted with a construction Certificate must not be inconsistent with this Notice of Determination.

(Reason: Prescribed by legislation)

26. Occupation Certificate Requirements

A person must not commence occupation or use of the whole or any part of a new building (new building includes an altered portion of, or an extension to, an existing building) unless an Occupation Certificate required by s.6.3 of **'the Act'** for the relevant part of the works has been issued in accordance with the provisions of **'the Act'** and **'the Regulation'**.

(Reason: Prescribed by legislation)

27. Critical Stage Inspections

Building work must be inspected by the **'Principal Certifier'** at the critical stage occasions prescribed by **'the Act'**, **'the Regulation'** and as directed by the appointed **'Principal Certifier'**.

Critical stage inspections are defined as: -

- a) after excavation for, and prior to the placement of any footings; and
- b) prior to covering any stormwater drainage connections; and
- c) after the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

(Reason: Prescribed by legislation)

SECTION C: TO THE SATISFACTION OF COUNCIL PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

28. Construction Environmental Management Plan

A Construction Environmental Management Plan must be prepared and submitted to, and approved in writing by **'Council'** prior to the issue of any Construction Certificate. The plan must include, but not be limited to, the following: -

- a) Details of:
 - i. 24-hour contact details of site manager
 - ii. the proposed phases of construction **'works'** on the **'site'**, and the expected duration of each construction phase;
 - iii. the proposed manner in which adjoining property owners will be kept advised of the timeframes for completion of each phase of development/construction process;
 - iv. the proposed areas within the **'site'** to be used for the storage of excavated materials, construction materials and waste containers during the construction period;
- b) Construction Traffic and Pedestrian Management Sub-Plan;
- c) Construction Noise and Vibration Management Sub-Plan;
- d) Construction Waste Management Sub-Plan;
- e) Construction Soil and Water Management Sub-Plan, including dust; and
- f) Unexpected Contamination Procedure Sub-Plan, further to all the recommendations made within the approved Preliminary site assessment. In addition to the unexpected finds procedure, any area where hardstand is to be removed and utilised for open space, such as the proposed landscaped areas marked in yellow on the approved plans, must be assessed for signs of contamination, including staining, odorous soils and anthropogenic materials such as Asbestos Containing Material (ACM). In this regard, a procedure must be established, endorsed and supervised by a suitably qualified and experienced environmental consultant, that ensures that potential contaminants are identified, an appropriate degree of sampling is undertaken, and that any contamination identified is appropriately remediated, prior to the occupation of those newly landscaped areas. Copies of all documentation that addresses compliance with this condition must be provided.

All **'works'** must be undertaken in accordance with the approved Construction Environmental Management Plan and any conditions attached to the approved plan. A copy of the approved Construction Environmental Management Plan must be kept on the **'site'** at all times and made available to any officer of **'Council'** upon request.

(Reason: To ensure appropriate measures have been considered for site access, storage and the operation of the site during all phases of the construction process in a manner that respects adjoining owner's property rights and residential amenity in the locality, without unreasonable inconvenience to the community, and that appropriate measures are taken to ensure impacts to human health are not compromised)

29. s.68 Local Government Act Requirements

Prior to the issue of any Construction Certificate, an application under s.68 of the *Local Government Act 1993* must be made to, and an approval issued by, '**Council**' for the following works:

- Onsite wastewater treatment systems,
- Stormwater works,
- Sewerage plumbing,
- Hot and cold-water reticulation,
- Solid fuel heater,
- Hoarding within road reserve

Documentation demonstrating compliance with the above must be submitted to, and approved by the '**Certifier**' prior to the release of a Construction Certificate.

(Reason: *To ensure approvals under the provisions of the Local Government Act 1993 are obtained before '**works**' commence)*

30. Fire Safety Upgrade

The following works as outlined in the Fire and Life Safety Audit by BCA Logic reference 113876-Fire Safety Audit-r2a dated 10 May 2021 are to be included in the documentation submitted for the Construction Certificate application:

- a) Buildings A, B and C are to be provided with a fire hydrant system in accordance with E1.3 of BCA2019 and AS2419.1-2005.
- b) Fire hose reels are to be provided to serve the eastern side of Building A in accordance with E1.4 of BCA2019 and AS2441-2005.
- c) Additional pedestrian exit doors are to be provided to the enclosed garage zones on the western side of Building 1.
- d) Additional portable fire extinguishers are to be provided to Building A and B suitable for the risk being protected (being motor vehicles) in accordance with AS2444-2001.
- e) An additional 1.0m² landing is to be constructed to the rear exit door to the Café building to satisfy D2.15 of BCA2019.
- f) A light switch is to be located inside the cool room of the existing Café building with an indicator located above the door outside the cool room as per G1.2 of BCA2019. An alarm is also to be installed that can be activated from inside the cool room.

The works above must be completed prior to the issue of an occupation certificate for the new spectator building.

(Reason: *To provide an improved level of fire safety to the existing buildings)*

31. Flora and Fauna Assessment Report

Prior to the issue of any Construction Certificate, the submitted Flora and Fauna Assessment Report prepared by Joy Haffey Environmental Consultant, must be updated to ensure that the report accounts for the Environmental Protection and Bioheristy Conservation Acts Protected Matters Search Tool.

- a) The following threatened species/MNES are known or predicted to be found in the study area, and are required to be included in a revised report:

Flora

Amphibromus fluitans Floating Swamp
Wallaby Grass

Caladenia tessellata Thick Legged
Spider Orchid

Calotis glandulosa Mauve Burr Daisy

Fauna

Calidris ferruginea Curlew Sandpiper

Ephippiorhynchus asiaticus Black
Necked Stork

Falco hypoleucos Grey Falcon

Diuris aequalis Buttercup Doubletail Orchid	Grantiella picta Painted Honeyeater
Dodonaea procumbens Creeping Hop Bush	Haliaeetus leucogaster White Bellied Sea Eagle
Lepidium hyssopifolium Aromatic Peppercress	Hirundapus caudacutus White Throated Needletail
Prasophyllum petilum Tarengo Leek Orchid	Lophoictinia isura Square Tailed Kite
Rutidosis leptorhynchoides Button Wrinklewort	Monarcha melanopsis Black Faced Monarch
Senecio macrocarpus Large Fruited Groundsel	Motacilla flava Yellow Wagtail
Swainsona recta Small Purple Pea	Myiagra cyanoleuca Satin Flycatcher
Thesium australe Austral Toadflax	Numenius madagascariensis Eastern Curlew
	Polytelis swainsonii Superb Parrot
	Rhipidura rufifrons Rufous Fantail
	Petauroides volans Greater Glider
	Petrogale penicillata Brush-tailed Rock Wallaby
	Pseudomys novaehollandiae New Holland Mouse
	Litoria aurea Green and Golden Bell Frog
	Macquaria australasica Macquarie Perch
	Synemon plana Golden Sun Moth

Documentation demonstrating compliance with the above must be submitted to, and approved by the **'Council'** prior to the release of a Construction Certificate.

(Reason: *To ensure the submitted Flora and Fauna Assessment Report accounts for all potential Flora and Fauna that could occur within the site)*

32. Underground Petroleum Storage tank

The use and ongoing management associated with the underground petroleum storage system at the site must be in accordance with the provisions of the *Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019*.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by **'Council'** prior to the issue of any Construction Certificate.

(Reason: *To ensure that a system is set up to adequately manage fuel spills and alleviate environmental contamination)*

33. Landscaping - General

Except where varied by other conditions, the proposed landscape plan is approved

subject to the following requirements:

- a) *Eucalyptus albens* (White Box) does not occur within Goulburn. Please delete these species from the planting list. Trees utilised in the revegetation works must be selected from the following list:

<i>Acacia dealbata</i> Silver Wattle	<i>Eucalyptus blakelyi</i> Blakely's Red Gum
<i>Acacia decurrens</i> Early Black Wattle	<i>Eucalyptus bridgesiana</i> Apple Box
<i>Acacia mearnsii</i> Late Black Wattle	<i>Eucalyptus dives</i> Broad Leaf Peppermint
<i>Acacia parramattensis</i> Parramatta Wattle	<i>Eucalyptus cinerea</i> Argyle Apple
<i>Allocasuarina littoralis</i> Black She Oak	<i>Eucalyptus globoidea</i> White Stringybark
<i>Allocasuarina verticillata</i> Drooping She Oak	<i>Eucalyptus macrorhyncha</i> Red Stringybark
<i>Brachychiton populneus</i> Kurrajong	<i>Eucalyptus mannifera</i> Brittle Gum
<i>Eucalyptus amplifolia</i> Cabbage Gum	<i>Eucalyptus melliodora</i> Yellow Box
<i>Eucalyptus pauciflora</i> Snow Gum	<i>Eucalyptus rossii</i> Inland Scribbly Gum
<i>Eucalyptus viminalis</i> Ribbon Gum	

- b) All proposed planting areas must incorporate the same extent of landscaping as that for the proposed landscaped area bordered in yellow on the approved landscape plans, incorporating similar species at similar numbers per square metre.
- c) Trees used in the re-vegetation works must comprise at least 50% *Eucalyptus* species.
- d) Parts of areas proposed to be vegetated contain dumped tyres and other rubbish (i.e. the north eastern parts of the site). These areas must be cleaned up, with all waste to be conveyed to an approved waste facility, prior to implementing revegetation works.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by 'Council' prior to the issue of any Construction Certificate.

(Reason: *To ensure that the proposed landscaping is suitable to Goulburn's climate and that a suitable extent of landscaping is proposed to encourage habitation by local fauna)*

SECTION D: SUBSIDIARY MATTERS TO BE COMPLETED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

34. NSW Rural Fire Service - Construction Standards

Where the existing tourist cabins cannot support a 50 metre APZ within the property boundaries, they shall be upgraded to improve ember protection, unless already constructed to a relevant standard. This is to be achieved by enclosing all openings (excluding roof tile spaces) or covering openings with a non-corrosive metal screen mesh with a maximum aperture of 2mm. Where applicable, this includes any sub floor areas, openable windows, vents, weepholes and eaves. External doors are to be fitted with draft excluders.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by 'Certifier' prior to the issue of any Construction Certificate.

(Reason: *To ensure buildings are designed and constructed to withstand the potential impacts of bush fire attack.)*

35. NSW Rural Fire Service - Access Roads for Special Fire Protection Purpose

Access roads for special fire protection purpose (SFPP) developments must comply with general requirements of Table 6.8b of Planning for Bush Fire Protection 2019:

- SFPP access roads are two-wheel drive, all-weather roads;
- Access is provided to all structures;
- Traffic management devices are constructed to not prohibit access by emergency services vehicles;
- Access roads must provide suitable turning areas in accordance with Appendix 3; and
- One way only public access roads are no less than 3.5 metres wide and have designated parking bays with hydrants located outside of these areas to ensure accessibility to reticulated water for fire suppression.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by **'Certifier'** prior to the issue of any Construction Certificate.

(Reason: *To provide safe operational access for emergency services personnel in suppressing a bush fire, while residents are accessing or egressing an area.)*

36. NSW Rural Fire Service - Perimeter Roads

Perimeter roads for special fire protection purpose (SFPP) developments must comply with general requirements of Table 6.8b of Planning for Bush Fire Protection 2019 and the following:

- Perimeter roads are provided for residential subdivisions of three or more allotments;
- Where kerb and guttering is provided on perimeter roads, roll top kerbing should be used to the hazard side of the road;
- There are two-way sealed roads;
- Minimum 8m carriageway width kerb to kerb;
- Parking is provided outside of the carriageway width;
- Hydrants are to be located clear of parking areas;
- There are through roads, and these are linked to the internal road system at an interval of no greater than 500m;
- Curves of roads have a minimum inner radius of 6m;
- The maximum grade road is 15 degrees and average grade of not more than 10 degrees;
- The road cross fall does not exceed 3 degrees; and
- A minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by **'Certifier'** prior to the issue of any Construction Certificate.

(Reason: *To provide safe operational access for emergency services personnel in suppressing a bush fire, while residents are accessing or egressing an area.)*

37. NSW Rural Fire Service - Non-perimeter roads

Non-perimeter roads for special fire protection purpose (SFPP) developments must comply with general requirements of Table 6.8b of Planning for Bush Fire Protection 2019 and the following:

- Minimum 5.5m carriageway width kerb to kerb;
- Parking is provided outside of the carriageway width;
- Hydrants are located clear of parking areas;
- There are through roads, and these are linked to the internal road system at an interval of no greater than 500m;
- Curves of roads have a minimum inner radius of 6m;
- The maximum grade road is 15 degrees and average grade of not more than 10 degrees;
- The road cross fall does not exceed 3 degrees; and
- A minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by '**Certifier**' prior to the issue of any Construction Certificate.

(Reason: *To provide safe operational access for emergency services personnel in suppressing a bush fire, while residents are accessing or egressing an area.)*

38. NSW Rural Fire Service - Water and Utility services

The provision of water, electricity and gas must comply with the following in accordance with Table 6.8c of Planning for Bush Fire Protection 2019:

- As recommended in the submitted bushfire report, reticulated water is to be provided to the development;
- Fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS2419.1:2005;
- Hydrants are and not located within any road carriageway;
- Reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads;
- Fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1:2005;
- All above-ground water service pipes are metal, including and up to any taps;
- Where practicable, electrical transmission lines are underground;
- Where overhead, electrical transmission lines are proposed as follows:
 - Lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and
 - No part of a tree is closer to a power line than the distance set out in accordance with the specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines.
- Reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used;
- Reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 - The storage and handling of LP Gas, the requirements of relevant authorities, and metal piping is used;
- All fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side;

Connections to and from gas cylinders are metal; polymer-sheathed flexible gas supply lines are not used; and

- Above-ground gas service pipes are metal, including and up to any outlets.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by '**Certifier**' prior to the issue of any Construction Certificate.

(Reason: *To provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building)*

39. Water NSW - Wastewater management

A report as indicated in the letter prepared by WSP (dated 10 May 2021) shall be prepared in consultation with Water NSW providing details of the existing on-site wastewater treatment and management measures prior to issuance of a Construction Certificate for the new spectator building. This report shall:

- show all components of the existing on-site wastewater treatment and effluent management systems and providing adequate information including the capacity to determine the adequacy of each component of the system, and
- determine the number of people (both staff and visitors) that the existing on-site wastewater management system currently has capacity for.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by '**Certifier**' prior to the issue of any Construction Certificate.

(Reason: *To ensure that all wastewater is disposed of and treated and is managed in a manner that has a sustainable neutral or beneficial effect on water quality over the longer term)*

40. Water NSW- Wastewater management

- a) Portable toilets shall be provided for any event where the number of visitors exceeds the capacity of the existing on-site wastewater management system. The number and type shall be hired for the event in accordance with the supplier's recommendation and as specified in <http://www.events.nsw.gov.au/event-starter-guide/9-health/9-4-toilet-facilities/>.
- b) The portable toilets shall be located on flat land so as to be stable, and at least 10 metres away from any watercourse or drainage feature, unless the portable toilets are mounted on trailers or trucks.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by '**Certifier**' prior to the issue of any Construction Certificate.

(Reason: *To ensure that all wastewater is disposed of and treated and is managed in a manner that has a sustainable neutral or beneficial effect on water quality over the longer term)*

41. s.7.12 Contributions

Under s.7.12 of '**the Act**' '**Council**' has determined that development contributions are applicable to this development, as the development is likely to require the provision of, or increase the demand for, public amenities and public services within the Goulburn Mulwaree local government area.

The following Goulburn Mulwaree Council developer contributions plans are applicable to the development:

- Section 94a Contribution Plan

The contributions in accordance with **'Council's** Fees and Charges at the time of payment must be paid prior to the issue of any Construction Certificate.

The level of contributions is calculated on the cost of carrying out the works and in accordance with cl.25I of **'the Regulation'** and **'Council's** contribution plans at the time of payment.

A cost summary report must be completed for works under \$200,000. Where the value of the work exceeds \$200,000 the cost shall be certified by a registered Quantity Surveyor or an equivalent or acceptable alternative agreed to by Council.

Where staging of the **'works'** occurs the value of the **'works'** for each stage is to be calculated as a cumulative total.

Documentation as issued by **'Council'** demonstrating that the contribution has been paid must be submitted to, and approved by the **'Certifier'** prior to the issue of a Construction Certificate.

Note: *Copies of the Contributions Plans are available from **'Council'** or alternatively, they can be downloaded from **'Council's'** website.*

Payment is to be accompanied by the attached sheet entitled "Summary of Charges". If payment is by personal or company cheque the plans subject to this approval will not be available for collection until such time as the cheque has been honoured (i.e. a minimum of 10 days).

(Reason: *To retain a level of service for the existing population and to provide the same level of service to the population resulting from new development)*

42. Business Identification Signage

The proposed Business Identification signage must be reduced to a maximum width of 1.2 metres.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by **'Certifier'** prior to the issue of any Construction Certificate.

(Reason: *To ensure the proposed signage is of appropriate width to sufficiently convey information and alleviate distraction to drivers on Braidwood Road from excess electronic information)*

43. Colours and materials scheme

The proposed pit lane building must incorporate external colour and material schemes that complement the surrounding natural tones.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by **'Certifier'** prior to the issue of any Construction Certificate.

(Reason: *To ensure the proposed building will not be visually obtrusive)*

44. Car parking pavement

All car parking spaces shown on the approved site plan, including those that service the existing accommodation units, with the exception of the car parking area on the northern side of the proposed camping area, must be paved with bitumen and line marked.

Documentary evidence demonstrating compliance with this condition must be

submitted to, and approved by **'Certifier'** prior to the issue of any Construction Certificate.

(Reason: *To ensure that car parking spaces are defined and alleviate dust nuisance)*

45. Earthworks

A detailed cut and fill plan must be provided for all required earthworks to facilitate the proposed development. For the proposed off-road experience area, details must be provided as to how the area will be suitably compacted, and stormwater management will be maintained.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by **'Certifier'** prior to the issue of any Construction Certificate.

(Reason: *To ensure that the proposal does not have any adverse sediment and erosion impacts)*

SECTION E: PRIOR TO THE COMMENCEMENT OF ANY DEMOLITION OR BUILDING WORKS

46. Prior to Commencement

'Works' must not commence on **'site'** in connection with this Notice of Determination until:

- a) a Construction Certificate (where required) for the building work has been issued by:
 - i. the consent authority; or
 - ii. an **'Accredited Certifier'**; and
- b) the person having the benefit of the development consent has:
 - i. appointed a **'Principal Certifier'** for the building work, and
 - ii. notified the **'Principal Certifier'** that the person will carry out the building work as an owner-builder, if that is the case, and
- c) the **'Principal Certifier'** has, no later than two (2) days before the building work commences:
 - i. notified the **'Council'** of his or her appointment, and
 - ii. notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- d) the person having the benefit of this Notice of Determination, if not carrying out the work as an owner builder, has:
 - i. appointed a **'Principal Contractor'** for the building work who must be the holder of a contractor licence if any residential building work is involved, and
 - ii. notified the **'Principal Certifier'** of such appointment, and
 - iii. unless that person is the **'Principal Contractor'** notified the **'Principal Contractor'** of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- e) the person having the benefit of this Notice of Determination has given at least two (2) days' notice to the **'Council'** of the person's intention to commence building work.

Documentary evidence confirming the above statutory requirements have been satisfied must be submitted to **'Council'** not less than two (2) days before any commencement of **'works'**.

(Reason: *Statutory; to ensure appropriate safeguarding measures are in place*

prior to the commencement of any building work, demolition or excavation)

47. Site Sign

A sign must be erected in a prominent position on any **'site'** on which work involved in the erection or demolition of a building is being carried out:

- a) stating that unauthorised entry to the **'site'** is prohibited;
- b) showing the name of the **'Principal Contractor'** (or person in charge of the **'site'**), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
- c) showing the name, address and telephone number of the **'Principal Certifier'** for the work.

Any such sign must be maintained while the **'works'** are being carried out and must be removed when the **'works'** have been completed.

The installation is to be approved by the **'Principal Certifier'** prior to any further commencement of **'site' 'works'**.

(Reason: *Statutory requirement)*

48. Water NSW- Construction Activities

Erosion and sediment controls as specified in the Erosion and Sediment Control Layout Plan (Proj. No. PS121597; Sheets C160; Rev 1; dated 11/09/2020) prepared by WSP (Australia) Pty Limited), shall be implemented and effective erosion and sediment controls shall be installed prior to any construction activity.

(Reason: *To manage adverse environmental and water quality impacts during the construction phase of the development and to minimise the risk of erosion, sedimentation and pollution within or from the site during this construction phase)*

SECTION F: CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION OR BUILDING WORKS

49. TransGrid - During work

During the proposed works, the following shall be adhered to:

- All work must be carried out in accordance with NSW WorkCover 'Working near overhead powerlines' Code of Practice 2006.
- During the construction phase of development TransGrid is not to be restricted from undertaking normal maintenance & inspection activities and, at completion of works, access to Transmission Lines & structures shall be available at all times for TransGrid plant & personnel.
- Any trench backfill for any services where travel is required by TransGrid maintenance vehicles must safely withstand the 40 tonne load capacity of maintenance vehicles.

- Adequate precaution shall be taken to protect structures from accidental damage, and the easement area shall not be used for temporary storage of construction spoil, topsoil, gravel or any other construction material.
- Safety clearance are to be observed near powerlines.

(Reason: *To ensure that all proposed works in the vicinity of electricity infrastructure is carried out safely and that TransGrid maintenance vehicles are able to gain full access to the site safely and at any time)*

50. NSW Rural Fire Service - Asset Protection Zones

At the commencement of building works and in perpetuity the property around the pit lane building, camping area, tourist cabins and existing dwelling to a distance of 50 metres or the property boundary (whichever comes first), shall be maintained as an inner protection area (IPA) as outlined within section 6.8a and Appendix 4 of Planning for Bush Fire Protection 2019 and the NSW Rural Fire Service's document Standards for Asset Protection Zones.

(Reason: *To provide sufficient space for fire fighters and other emergency services personnel, ensuring radiant heat levels permit operations under critical conditions of radiant heat, smoke and embers, while supporting or evacuating occupants.)*

51. Essential Energy - Activities within close proximity of infrastructure

Any activities within close proximity to electricity infrastructure must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure. Approval may be required from Essential Energy should activities within the property encroach on the electricity infrastructure.

All work carried out within close proximity to power lines must adhere to the requirements of SafeWork NSW publication *Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets*.

(Reason: *To ensure that any work required within close proximity of electricity infrastructure is carried out in accordance with industry guidelines)*

52. Construction Hours

All **'works'** must be restricted to within the hours of 7.00 am to 6.00 pm Monday to Friday and on Saturday to within the hours of 8.00 am to 1.00 pm inclusive, with no work on Sundays and Public Holidays.

Demolition and excavation works must be restricted to within the hours of 8.00 am to 5.00 pm Monday to Friday only.

All builders, excavators must display, on-site, their twenty-four (24) hour contact telephone number, which is to be clearly visible and legible from any public place adjoining the site.

Note: *Demolition work means any physical activity to tear down or break up a structure (or part thereof) or surface, or the like, and includes the loading of demolition waste and the unloading of plant or machinery.*

Excavation work means the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders, or the like, regardless of whether the activities disturb or alter the natural state of

the existing ground stratum or are breaking up/removing materials from the site and includes the unloading of plant or machinery associated with excavation work.

(Reason: *To ensure that works do not interfere with reasonable amenity expectations of residents and the community)*

53. Unexpected Finds Protocol – Aboriginal Heritage

In the event that surface disturbance identifies a new Aboriginal object, all **'works'** on **'site'** must halt in the immediate area and to an outer radius of no less than twenty meters to prevent any further impacts of the object(s). A suitably qualified archaeologist and the registered Aboriginal Land Council representatives must be contacted to determine the significance of the object(s). The **'site'** if required is to be registered in the Aboriginal Heritage Information Management System (AHIMS) along with the management outcome for the **'site'**.

The person having the benefit of this Notice of Determination must consult with the Aboriginal Land Council community representatives, the archaeologist and Heritage NSW to develop and implement management strategies for all objects/sites. **'Works'** must only recommence with the written approval of Heritage NSW and only after a copy of that approval has been forwarded to the **'Certifier'** and **'Council'**.

(Reason: *To ensure the correct preservation and respect of aboriginal heritage)*

54. Waste Derived Fill and Material

The only waste derived fill material that may be received at the development **'site'** is:

- a) Virgin excavated natural material (VENM) within the meaning of the *Protection of the Environment Operations Act 1997*; and
- b) Any other waste derived material the subject of a resource recovery exemption under clauses 91 & 92 of the *Protection of the Environment Operations (Waste) Regulation 2014* that is permitted to be used as fill material.

Any waste derived material the subject of a resource recovery exemption received at the development **'site'** must be accompanied by documentation as to the material's compliance with the exemption conditions and must be provided to the **'Principal Certifier'**.

(Reason: *To ensure that imported fill that is of an acceptable standard for environmental protection purposes)*

55. Site management during construction

During the entire phase of construction, the Construction Phase Venue Management document submitted with the Development Application must be adhered to. Temporary way finding signage shall be erected from the site entrance, to convey traffic movement between construction staff and ordinary site users in accordance with the management document.

(Reason: *To ensure that measures are in place to control site operations and avoid conflict between site users and construction vehicles and personnel)*

56. Water NSW - Stormwater Management

The stormwater management plan for the proposed off-road area shall be implemented during the construction and operation of the proposed off-road area.

(Reason: *To ensure appropriate stormwater treatment and quality control)*

measures are implemented to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term)

57. Water NSW - Stormwater Management

During construction, the Sediment and Erosion controls shall prevent sediment or polluted water leaving the site or entering any stormwater drain or natural drainage system. The controls shall be regularly inspected, maintained and retained until works have been completed and ground surface stabilised or groundcover re-established.

(Reason: *To manage adverse environmental and water quality impacts during the construction phase of the development and to minimise the risk of erosion, sedimentation and pollution within or from the site during this construction phase)*

58. Construction Environmental Management Plan

During construction, all requirements of the Construction Environmental Management Plan approved in the Construction Certificate must be adhered to.

(Reason: *To ensure that all necessary steps are taken to mitigate impacts to the natural environment and the health and safety of all future site users)*

SECTION G: CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

59. Compliance with Conditions of Consent

Prior to the issue of any Occupation Certificate the person having the benefit of this Notice of Determination must demonstrate to the '**Principal Certifier**' that all conditions required to be complied with, either at or before the occupation stage, including conditions identified as at all times have been complied with. An Occupation Certificate must not be issued where the development undertaken is in breach of this Notice of Determination.

(Reason: *To ensure compliance with the terms of this Notice of Determination)*

60. Plumbing and Drainage Finalisation

A final inspection of water plumbing and sewer drainage must be conducted by '**Council**' as the Water and Sewer Authority.

Documentary evidence issued by '**Council**' confirming that the final inspection was satisfactory must be provided to the '**Principal Certifier**' prior to the issue of any Occupation Certificate.

(Reason: *To ensure compliance with the statutory requirements)*

61. Certificate of Compliance

A Compliance Certificate and a sewer service drainage diagram as issued by the plumber who submitted the Notice of Work must be issued to '**Council**' prior to the release of any Occupation Certificate.

Documentary evidence confirming that the above requirements have been fulfilled must be provided to the '**Principal Certifier**' prior to the issuing of any Occupation

Certificate.

(Reason: *To ensure compliance with the statutory requirements)*

62. Fire Safety Certificate

Prior to the issue of any Occupation Certificate it will be necessary to submit to the **'Principal Certifier'**, a Fire Safety Certificate in respect of the fire safety measures installed within the building.

A Fire Safety Certificate is to state, in relation to each essential fire or other safety measure implemented in the building or on the land on which the building is situated that the measure has been assessed by a person (chosen by the owner of the building) who is properly qualified to do so, and that, as at the date of the assessment, the measure was found to be capable of performing to a standard not less than that required by the schedule to the relevant approval.

(Reason: *Statutory requirement)*

63. NSW Rural Fire Service - prior to use

Prior to the use of the site for camping and events/function, the proposed refuge building (pit lane building) shall be established in satisfaction of this Bush Fire safety authority and shall:

- Be clearly signposted as a place of refuge;
- Provide a pathway linking the camping area to the refuge building, which is clearly signposted and accommodated by appropriate APZs;
- The maximum capacity of the camping use (being the total number of all camping guests, and camping activity staff, etc) shall be provided for in the proposed refuge building as outlined below;
 - Occupancy levels permissible for a Class 9b Assembly Building ('Public Hall') and 'area per person' requirements (being 1 square metre per person) as specified under the Building Code of Australia.

(Reason: *To ensure that the approval accommodates sufficient area for all users of the site in the event of a bush fire emergency)*

64. NSW Rural Fire Service - Emergency and Evacuation Planning Assessment

Prior to the commencement of use, a Bush Fire Emergency Management and Evacuation Plan be prepared as outlined below:

- NSW RFS document: A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan;
- Australian Standard AS 3745:2010 Planning for emergencies in facilities (where applicable);
- The Bush Fire Emergency Management and Evacuation Plan must consider a mechanism for the early relocation of occupants on days when adverse fire weather is notified or adverse fire activity occurs in the local government area in which the development operates;
- A copy of the Bush Fire Emergency Management and Evacuation Plan should be provided to the Local Emergency Management Committee for its information prior to occupation of the development; and,
- A copy of the Draft Emergency Management and Evacuation Plan shall be

provided to the NSW RFS Far South Coast Team for comment, and any return comments from the district shall be adopted into an amended Emergency Management and Evacuation Plan.

(Reason: *To provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments)*

65. Disposal Information

Prior to the issue of any Occupation Certificate the person having the benefit of this Notice of determination must provide to the **'Principal Certifier'** copies of all waste disposal receipts and any documentation as necessary demonstrating that all demolition and construction waste has been lawfully disposed of or recycled in accordance with the Construction Waste Management Sub-Plan and these conditions of consent.

The **'Principal Certifier'** must be satisfied that quantity of waste disposed of or recycle is commensurate to the quantity of waste actually generated by the **'works'**.

(Reason: *To ensure waste material is appropriately recycled and lawfully disposed)*

66. Way-Finding Signage

Prior to the issue of any Occupation Certificate way-finding signage must be installed throughout the **'site'** that provides clear and visible directional signage that caters for all users of the site, and visitors.

Details demonstrating compliance with this condition must be submitted to the **'Principal Certifier'** prior to the issue of any Occupation Certificate.

(Reason: *To ensure the public and emergency services can properly access the site)*

67. Parking Areas

All vehicular parking areas that are required to be paved with bitumen and line marked under this development approval are to be paved with bitumen and line marked, prior to the issue of any Occupation Certificate.

(Reason: *To ensure that vehicular parking areas are delineated and appropriately paved)*

68. Food Premises - General

Prior to the issue of any Occupation Certificate, the construction and fit-out of any food preparation area is to comply with the requirements of the Food Act 2003, the Food Standards Code and AS 4674-2004: Design, construction and fit-out of food premises.

(Reason: *To ensure that food preparation areas meet the requirements of relevant legislation)*

69. Private Water Supplies

Prior to the issue of any Occupation Certificate, a quality assurance plan developed in accordance with the requirements of the *Public Health Act 2010* and *Public Health Regulation 2012* must be submitted to NSW Health.

(Reason: *To ensure that the development proponent meets their obligations in regard to potable water quality)*

70. Completion of landscaping

All proposed landscaping as detailed on the approved plans and within the conditions of consent, must be fully completed, prior to the issue of any Occupation Certificate.

(Reason: *To ensure that the development is provided with landscaping to screen the proposed off-road experience area, that amenity is provided to users of the site and that sensitive receivers are not impacted by unreasonable noise)*

71. Biodiversity Management Plan

A site Biodiversity Management Plan must be developed, with a copy provided to '**Council**' for approval prior to the issue of any Occupation Certificate. The A site Biodiversity Management Plan must include provisions for each of the following:

- Clear demarcation and protection revegetation zones for the proposed site revegetation works. No vehicle access is to be permitted into these areas except for emergency access or maintenance activities such as weed and feral animal control, biodiversity monitoring and vegetation management.
- No rubbish dumping is to be permitted in revegetation areas.
- Annual threatened species flora and fauna surveys/monitoring must be conducted on the site following approved protocols to demonstrate continuing improvements in biodiversity values. Detailed records of flora and fauna surveys must be maintained. These records must be made available for audit by council on request.
- The site generally has an abundance of rock. It is recommended that this be placed as loose surface rock in the revegetation areas to create and enhance fauna habitat, at a spacing of at least one rock (30 cm width at widest part) per 25 square metres.
- Weed control and management, especially Serrated Tussock, African Love Grass, Blackberry, St John's Wort and Chilean Needle Grass.
- Feral animal management, including rabbits, cats and foxes.
- Ten (10) nest boxes must be installed in mature trees on the site to enhance fauna habitat. Five (5) nest boxes are to be suitable for micro-bats and 5 nest boxes are to be suitable for Red Rumped Parrots (or similar sized birds). Nest boxes are to be constructed and installed following guidelines in the Local Land Services Greater Sydney Publication "Build your own wildlife nest box".
- Annual review and updating of the Biodiversity Management Plan.

(Reason: *To ensure that provision is made for the vegetation areas to be adequately protected and maintained, and encourage habitat by local fauna)*

72. Water NSW - Stormwater management

A suitably qualified consultant(s) or engineer(s) shall certify in writing to Water NSW and Council prior to issuance of an Occupation Certificate that all stormwater management measures have been installed as per these conditions of consent and are in a functional state.

(Reason: *To ensure appropriate stormwater treatment and quality control measures are implemented to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term)*

73. Water NSW - Operational Environmental Management Plan

An Operational Environmental Management Plan (OEMP) for the whole site shall be prepared in consultation with Water NSW by a person with knowledge and experience in the preparation of such plans prior to the issuance of an Occupation Certificate. The OEMP shall be implemented and shall include but not be limited to:

- details on the wastewater management systems including location and nature of structures such as pipes, septic tank(s), flow meter(s), balance tank(s), pump well(s), standby pumps, alarms, switch on and off valves, aerated wastewater treatment system, storage dam and effluent irrigation area
- a monitoring program for the wastewater management system that shall include, but not be limited to:
 - actual peak wastewater flow generated by large events at the site
 - system operation and control, and
 - desludging frequency of septic tank(s)
- the management measures to be implemented if monitoring shows the wastewater management system is not operating effectively or may be causing adverse environmental impacts
- details on the location and nature of stormwater management structures such as pits, pipes, swales, dams, and rainwater collection system
- outline the responsibilities and detailed requirements for the inspection, monitoring and maintenance of all wastewater and stormwater management structures, including the frequency of such activities
- identify the individuals or positions responsible for inspection and maintenance activities including a reporting protocol and hierarchy, and procedures for managing and notification of water quality emergencies (On-site Wastewater System failure), and
- provide checklists for recording inspections and maintenance activities.

(Reason: *To ensure appropriate wastewater and stormwater treatment and quality control measures are maintained so as to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term)*

SECTION H: CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

74. Prior to undertaking any events

Prior to undertaking all Class 1 (Minor), Class 2 (Large) and Class 3 (Major) events, the applicant must:

- Prepare an event based Traffic Management Plan (TMP), and implemented to Council's satisfaction. The TMP shall be in accordance with Chapter 7 of the Guide to Traffic Management and Transport Management for Special Events. A copy of this guide can be downloaded from http://www.rms.nsw.gov.au/trafficinformation/downloads/tmc_specialevents_dl1.html
- The proponent is to liaise with the Director of Major Events in preparing their TMP. In the first instance they should contact the Director by email details of the event to major.events@tmc.transport.nsw.gov.au.
- The proponent is to liaise with the Manager, Operations Planning (TfNSW) in preparing their TMP. In the first instance they should contact the Manager by email

details of the event to regional.special.events@rms.nsw.gov.au.

- A communication strategy be put in place to notify motorists of potential delays.
- If the traffic management arrangements for the event, are likely to impact on a travel lane of Braidwood Road or impact on the operation of traffic signals on any road, the developer must apply for, and obtain a Road Occupancy Licence (ROL) from the TfNSW Traffic Operations Unit (TOU) prior to the event. The ROL application would require a traffic management plan (TMP) to be prepared by a person who is certified to prepare Traffic Control Plans. TfNSW recommends that the application be lodged a minimum of one month prior to the event.

(Reason: *The TMP needs to consider and identify appropriate internal arrangements to minimise existing queuing onto Braidwood Road. For instance, TfNSW understands the proposed internal arrangements which may result in conflict eg. Vehicles waiting to exit the site may block vehicles entering the site and turning right into Jack Brabham Drive, potentially causing queuing onto Braidwood Road. Given this, alternative arrangements need to be considered for Class 2 and Class 3 events)*

75. TransGrid - Obstructions

At all times, no obstruction of any type shall be placed within 30 metres of any part of transmission line structures i.e. the 30 metre exclusion zone is to be observed, and no obstructions are to be placed on access tracks or within the easement area that restricts access.

(Reason: *To ensure that the proposed development is not carried out contrary to TransGrid requirements)*

76. Hours of Operation

Use of the Wakefield Park Raceway facility for motorsport activities shall observe the following operating hours, Monday to Sunday:

- 8:00am to 6:00pm, for use of the motor racing circuit;
- 9:00am to 6:00pm or sundown, whichever first occurs, for racing events;
- 9:30am to 6:00pm or sundown, whichever first occurs, for recreational events.
- No events of any nature are to be held on Christmas Day or Easter Good Friday.

For the purposes of warming up, testing and mechanical repairs/maintenance, competition engines may be started no earlier than 8:00am.

(Reason: *To ensure that the approved hours of the operation for the facility are clarified)*

77. Hours of Illumination - Signage

At all times the proposed Business Identification sign must cease illumination outside the operational hours of the recreation facility.

(Reason: *To ensure appropriate forms of signage that are consistent with the development controls and those that are desired for the locality)*

78. Maintenance of Landscaping

At all times the landscaped area of the approved '**works**' is to be maintained in accordance with the approved landscape plan.

Any replacement plants required must be advanced in growth and be selected to maintain the anticipated mature height, canopy density and nature of those plant

species as originally approved.

(Reason: *To ensure the visual amenity of the streetscape is maintained)*

79. Use of relocated structures

At all times the relocated structures must only be used for purposes that are ancillary to the use of the recreation facility (major).

(Reason: *This approval grants consent for the existing site activity being a recreational facility (major)*)

80. Market operations

At all times the proposed markets must operate in accordance with the following requirements:

- a) the rows of garages where markets are to be held must be separated by temporary fencing or other physical barrier.
- b) signage must be erected for the entire duration of market events, to direct pedestrians from the car parking area to the markets.
- c) markets must only be held when there is a class 1 event in operation, or when the site is not holding any motorsport events.
- d) there must only be one market event held per month.

(Reason: *To ensure that the market activity does not conflict with the principal use of the site and that pedestrian safety is not compromised)*

81. Further ground water monitoring

Six (6) months following the issue of this Development Consent, the development proponent must carry out groundwater monitoring, around the Underground Petroleum Storage System (UPSS), to ascertain concentration of hydrocarbons in ground water. If levels of concentration continue to be above adopted screening criteria, the proponent will be required to install a loss monitoring and leak detection system (incorporating a network of three monitoring wells around the UPSS), as per NSW EPA Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019.

Council is to be provided with the results of the ground water monitoring, within 30 days of the sampling date. If levels of concentration are above those previously analysed, the development proponent is to install the loss monitoring and leak detection system above, within 90 days of the date of the ground water monitoring sampling date.

(Reason: *To ensure that there is adequate action taken, in recognition of hydrocarbon concentrations in groundwater above adopted screening criteria in accordance with EPA guidelines)*

82. Off-road experience area

All earthworks to facilitate the off-road experience area must:

- Incorporate a maximum mound height of 5 metres, from existing ground level.
- Be fully utilised and must not be stockpiled.
- Be appropriately compacted.
- Incorporate permanent sediment and erosion control devices
- Not be sourced externally to the site. No earth is to be imported to the site or exported from the site.
- Ensure that all stormwater run-off is directed to the existing stormwater

management system.

(Reason: *To alleviate sediment and erosion impacts and ensure that mounds are to an appropriate height)*

83. Biodiversity Management Plan Maintenance

At all times, all requirements of the Biodiversity Management Plan approved as part of this development consent must be implemented.

(Reason: *To ensure that the vegetated areas continue to be protected and maintained and continue to encourage activity by local fauna)*

84. Event Management Plan

At all times, the site must function in accordance with the approved Event Management Plan. For all class 2 and 3 events, traffic controllers (persons) will be required to ensure that there are no impacts from queuing on Braidwood Road.

(Reason: *To ensure that vehicles utilising the site during peak periods are adequately controlled to alleviate any traffic impacts to Braidwood Road)*

85. Use of on-site Food and Drink Premises

At all times, the on-site Food and Drink Premises must be used ancillary to the use of the site as a Recreation Facility (Major).

(Reason: *To ensure that the Food and Drink Premises remains an ancillary use to the principal use of the site)*

86. Underground Petroleum Storage tank

At all times, the paving, bunding and roofing system to the re-fuelling area shall be maintained. Capture of liquids into the bunding system must be monitored and waste liquid is to be emptied and lawfully disposed of prior to it becoming full.

(Reason: *To ensure that liquid waste is adequately managed to prevent environmental contamination)*

87. Waste oil and liquid storage

At all times, the storage of waste oil and other liquids must occur within a roofed, paved and bunded area. The bunding system must enable the storage of the total volume of all stored liquids, plus 10%. The capture of liquids into the bunding system must be monitored and waste liquid is to be emptied and lawfully disposed of prior to it becoming full.

(Reason: *To ensure that liquid waste is adequately managed to prevent environmental contamination)*

88. Private Water Supplies

At all times, the applicant must demonstrate that the drinking water supplied to the development and used in any aspect of the food production process will consistently meet the criteria of the Australian Drinking Water Guidelines.

(Reason: *To ensure that the development proponent continually meets their obligations in regard to potable water quality)*

89. Water NSW - Operational Environmental Management Plan

The wastewater and stormwater management structures shall be monitored, maintained, and managed as per the Operational Environmental Management Plan.

(Reason: *To ensure appropriate wastewater and stormwater treatment and quality control measures are maintained so as to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term)*

90. Water NSW - Operational Environmental Management Plan

The wastewater management system monitoring and performance reports, prepared by a person with knowledge and experience in the preparation of such reports, shall be submitted to Council and Water NSW. These reports shall be submitted initially on an annual basis for the first two year with future requirements to be determined by system performance.

(Reason: *To ensure appropriate wastewater and stormwater treatment and quality control measures are maintained so as to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term)*

SECTION I: GENERAL TERMS OF APPROVAL PURSUANT TO SECTION 4.47 OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

91. NSW RFS General Terms of Approval

NSW RFS provides its General Terms of Approval to the application, subject to the conditions within the letter dated 15 June 2021, which must be satisfied during the relevant stage of the development and prior to the issue of the Subdivision Certificate (or at a time as otherwise stated in the condition).

(Reason: *To ensure the development meets the requirements of Planning for Bushfire Protection 2019)*

SECTION J: CONCURRENCE AGENCY CONDITIONS

92. Water NSW Concurrence

Water NSW concurs with Council granting consent to the application, subject to the conditions within the concurrence letter dated 16 June 2021, which must be satisfied during the relevant stage of the development and prior to the issue of the Subdivision/Occupation Certificate (or at a time as otherwise stated in the condition).

(Reason: *To ensure the development has a neutral or beneficial effect on water quality)*

SECTION K: ADVISORY INFORMATION

- a) Prior to commencing any building, or associated constructions works, the following provisions of **'the Act'** are to be complied with:
- (i) A Construction Certificate is to be obtained in accordance with Section 6.3 of **'the Act'**.

- (ii) A Principal Certifier is to be appointed and Council is to be notified of the appointment in accordance with Section 6.6 of the Act.
 - (iii) Council is to be notified at least two (2) days of the intention to commence building works, in accordance with Section 6.6(2)(a) of the Act.
- b) Prior to any **'Work'** commencing on **'site'** all services should be clearly located and identified by contacting "Dial before you Dig" by telephoning 1100 or utilising www.1100.com.au
- c) **'Council's'** fees and charges are adjusted annually on the 1st July, all fees are calculated at the time of payment this may mean that amounts required to be paid increase.
3. That Council revoke the Prevention Notice dated 1st February 2019 once the consent becomes operational.

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.