

Concept Approval

Section 75O of the *Environmental Planning and Assessment Act 1979*

I, the Minister for Planning, pursuant to Part 3A of the *Environmental Planning & Assessment Act 1979*, determine:

- a. Under Section 75O of the *Environmental Planning & Assessment Act 1979*, to approve the concept plan referred to in Schedule 1 subject to the modifications in Schedule 2;
- b. Under Section 75P(1)(a) of the *Environmental Planning & Assessment Act 1979*, that future applications for all stages of the development in association with the concept plan be subject to Part 3(a) of the Act;
- c. Under Section 75P(1)(a) of the *Environmental Planning & Assessment Act 1979*, that future environmental assessment requirements for subsequent project applications associated with the concept plan be subject to the requirements set out in Schedule 2 and the proponent's Statement of Commitments in Schedule 3.

The conditions are required to:

- Adequately mitigate the environmental impact of the concept plan;
- Protect ecologically significant land;
- Maintain the amenity of the local area; and
- Encourage the orderly future development of the site



The Hon Kristina Keneally MP
Minister for Planning

Sydney,

13 Jan.

2009

SCHEDULE 1

PART A—TABLE

Application made by:	Links Illawarra Developments Pty Ltd
Application made to:	Minister for Planning
Project Application:	06_0305
On land comprising:	Illawarra Ridge Golf Resort, Princes Highway, Darkes Forest Lots 2, 3 & 4 DP240566, Portion 74 & 76 DP 752054 and Portion 76 DP 104884761
Local Government Area	Wollongong
For the carrying out of:	Redevelopment of the existing 18 hole golf course to create a 9 hole golf course with a new clubhouse, restaurant, shop, gymnasium and health spa facilities, conference facility, serviced apartments, hotel rooms and short stay tourist accommodation villas and associated parking and landscaping.
Type of development:	Major Project
Determination made on:	
Date approval is liable to lapse:	Three years from the date of determination unless works have physically commenced in accordance with Section 75Y of the Act.

PART B—NOTES RELATING TO THE DETERMINATION OF CONCEPT PLAN APPLICATION 06_0305

Responsibility for other consents / agreements

The Proponent is solely responsible for ensuring that all additional approvals, consents and agreements are obtained from other authorities, as relevant.

Appeals

The Proponent has the right to appeal to the Land and Environment Court in the manner set out in the *Environmental Planning and Assessment Act, 1979* and the *Environmental Planning and Assessment Regulation, 2000* (as amended).

PART C—DEFINITIONS

In this approval,

Act means the *Environmental Planning and Assessment Act 1979*.

Building Height means the vertical distance between ground level (existing) at any point to the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

Council means Wollongong City Council.

CPI means Consumer Price Index.

Department means the Department of Planning or its successors.

Director-General means the Director-General of the Department.

Environmental Assessment means the *Concept Plan Application for Illawarra Ridge, Golf Resort, Princes Highway, Darkes Forest, Wollongong NSW*, prepared by TPG and dated 28 March 2008.

Gross Floor Area is measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes:

- (a) the area of a mezzanine, and
- (b) habitable rooms in a basement or an attic, and
- (c) any shop, auditorium, cinema, and the like, in a basement or attic, but excludes:
 - (d) any area for common vertical circulation, such as lifts and stairs, and
 - (e) any basement:
 - (i) storage, and
 - (ii) vehicular access, loading areas, garbage and services, and
 - (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
 - (g) car parking to meet any requirements of the consent authority (including access to that car parking), and
 - (h) any space used for the loading or unloading of goods (including access to it), and
 - (i) terraces and balconies with outer walls less than 1.4 metres high, and
 - (j) voids above a floor at the level of a storey or storey above.

Minister means the Minister for Planning.

PCA means a Principal Certifying Authority and has the same meaning as Part 4A of the Act.

Proponent means Links Illawarra Developments Pty Ltd or any party acting upon this approval.

Regulation means the *Environmental Planning and Assessment Regulation 2000*.

Site has the same meaning as the land identified in Part A of this schedule.

SCHEDULE 2

MODIFICATIONS AND REQUIREMENTS FOR FUTURE APPLICATIONS

PART A – TERMS OF CONCEPT APPROVAL

A1 *Development Description*

Concept Plan approval is granted only to carrying out the development solely within the Concept Plan area as described in the Preferred Project Report, prepared by The Planning Group, dated 10 October 2008, and as described in detail below.

The future buildings/uses on the site will be contained within two precincts as depicted on the Concept Plan:

Resort Precinct

1. The resort area will be divided into a cluster of buildings arranged around the entry arrival/reception area and an artificial lake. The various buildings and facilities will comprise:
 - resort reception/lounge;
 - 100 serviced apartments in two detached buildings;
 - 100 hotel rooms in two detached buildings;
 - 200 seat conference facility and café within the hotel building.
 - golf clubhouse containing;
 - administration;
 - golf shop;
 - change rooms;
 - members lounge;
 - restaurant;
 - sports facilities (golf practice nets, tennis courts);
 - gymnasium; and
 - sauna, spa and swimming pool complex.

Central Villa Precinct

2. The central villa area will have a maximum of 127 short stay tourist accommodation villas comprising two types:

(a) Presidential villa

16 x presidential villas (8 pairs of two villas) attached by one common wall each containing 2 bedrooms with a kitchen, lounge, dining area, bathroom/laundry and outdoor terrace.

(b) Cluster villa

111 x cluster villas which are generally based on a typical cluster of 8 villas each containing 2 bedrooms, lounge, dining, kitchen, bathroom/laundry and outdoor balcony/terrace.

Additional works

The following building/works will be undertaken within the existing golf course footprint as shown on the Concept Plan:

- an internal vehicular access road looped through the middle part of the site utilising the existing access point from the Princes Highway;
- sewerage treatment plant and water storage reservoir in the northeast of the site;
- maintenance and storage shed;
- car park in the northeast the site for a maximum of 212 vehicles plus coach/bus set-down and pick-up area;
- stormwater management measures including rain-gardens, swales, water quality control ponds;
- removal of trees within the existing golf course footprint (excluding any tree within 15m of a property boundary)
- bulk earthworks; and
- landscaping.

A2 Staging

The project will be undertaken in 5 stages in accordance with *Figure 2.2: Revised Staging* and *Table 2.1: Indicative Staging of Works* in the Preferred Project Report, dated 10 October 2008.

The five stages of development are generally as follows:

Stage	Works
1	<ul style="list-style-type: none">• resort entry works• landscaping• water mains from Helensburgh• sewerage treatment plant• electrical substation• car park• building site works including construction access road and associated sheds (to be used later as a permanent maintenance and storage shed)• bulk earthworks, reshaping of golf course, irrigation dams and system• changes to the existing golf course layout• golf practice facility and driving range
2	<ul style="list-style-type: none">• golf clubhouse• Asset Protection Zones• tennis courts, gymnasium, health spa centre and swimming pool• individual villas on southern side of access road and Community Title Subdivision
3	<ul style="list-style-type: none">• entry/arrival reception area• serviced apartments and Community Title subdivision• Asset Protection Zones
4	<ul style="list-style-type: none">• Individual villas on northern side of the access road and Community Title subdivision• Asset Protection Zones
5	<ul style="list-style-type: none">• hotel complex and Community Title subdivision• Asset Protection Zones• conference facility within the hotel

A3 Project in accordance with Plans

The development will be undertaken in accordance with the Environmental Assessment, dated 28 March 2008, prepared by The Planning Group NSW Pty Ltd and as amended by the Preferred Project Report, dated 10 October 2008, prepared by The Planning Group NSW Pty Ltd including all Appendices and the following drawings except as modified by the conditions in Part B and C of approval below:

Concept Architectural (or Design) Drawings prepared by MPS Architects at Appendix A1 & A2 of the Preferred Project Report and Appendix B of the Environmental Assessment			
Drawing No.	Revision	Name of Plan	Date
MPS 2164 SK-01b		Concept Plan	September 2008
MPS 2164 SK-14c		Building Envelope – Precinct A	September 2008
MPS 2164 SK-15b		Building Envelope – Precinct B	September 2008
MPS 2164 SK-16b		Building Envelope – Precinct C	September 2008
MPS 2164 SK-17b		Building Envelope – Precinct D	September 2008
MPS 2164 SK05a		Presidential Villas	September 2007
MPS 2164 SK-03a		Cluster Villas - ground floor Plan	September 2007
MPS 2164 SK-04		Cluster Villas - first floor Plan	September 2007
MPS 2164 SK-11c		Development Matrix	September 2008
Landscape Concept Plan prepared by Gamble McKinnon Green at Appendix D1 of the of the Preferred Project Report			
Drawing No.	Revision	Name of Plan	Date
08142-01 (A)		Landscape Concept Plan	5 September 2008
08142-02 (A)		Vegetation Removal Plan	5 September 2008
08142-03 (A)		Additional Vegetation Plan	5 September 2008
08142-02 (A)		Vegetation Removal Plan	5 September 2008
08142-04 (A)		Sections	5 September 2008
08142-05 (A)		Sections	5 September 2008
08142-02 (A)		Vegetation Removal Plan	5 September 2008

Draft Subdivision Plan & Community Plan prepared by Neil Craig Johnson at Appendix C of the Preferred Project Report			
Drawing No.	Revision	Name of Plan	Date
KF107587/0908		Plan of Subdivision of Lot 1 DP 1048847, PT 2 & PT 3 DP 240566, Lot 74 DP 752054 & Lot 160 C	23 September 2008
"none provided"		Community/Precinct/Neighbourhood Plan DRAFT	23 September 2008

A4 Development in Accordance with Documents

The following documentation (including any appendices therein) is approved as part of the Concept Plan:

- (1) Environmental Assessment Report, prepared by The Planning Group NSW Pty Ltd on behalf of Illawarra Ridge Developments Pty Ltd, dated 28 March 2008, including the appendices;
- (2) Preferred Project Report, prepared by The Planning Group NSW Pty Ltd on behalf of Illawarra Ridge Developments Pty Ltd, dated 10 October 2008 including the Response to Submissions and revised Statement of Commitments;
- (3) Visual Section Analysis, dated July 2008, prepared by The Planning Group NSW Pty Ltd;
- (4) Traffic Impact Assessment, Revision A, dated 4 September 2008, prepared by Ove Arup & Partners Ltd;
- (5) Illawarra Ridge Golf Resort Landscape Report, dated 23 November 2007 Issue B, prepared by Gamble McKinnon Green Pty Ltd and as amended by the Landscape Concept Plan, Details and Sections provided with the Preferred Project Report;
- (6) Status and amendments of Landscape Report, dated 5 September 2008, prepared by Gamble McKinnon Green Pty Ltd;
- (7) Illawarra Ridge Revised Planning Application, dated 5 September 2008, prepared by ARUP Pty Ltd;
- (8) Servicing Strategy Revision A, dated 5 September 2008, prepared by ARUP;
- (9) Revised layout, Illawarra Ridge Golf Resort, dated 2 September 2008, prepared by SEEC Morse McVey & Conceptual Construction - Phase Soil and Water Management Plan, dated 18 September 2008, prepared by SEEC Morse McVey & Conceptual Water Quality Management Plan, dated 18 September 2008, prepared by SEEC Morse McVey;
- (10) Final Report Concept Riparian Corridor Management Plan for Maddens Creek within the Proposed Illawarra Ridge Golf Resort at Darkes Forest, NSW, Amended 8 September 2008, prepared by West of the Divide Environmental Consultants;
- (11) Supplementary letter for the revised concept proposal at Illawarra Ridge Golf Resort, dated 8 September 2008, prepared by Travers Environmental;
- (12) Response to Key Issues Heritage, dated 7 September 2008, prepared by Andrew Roberts; and
- (13) Draft Community Management Statement, prepared by Minter Ellison.

A5 *Inconsistency between documents*

In the event of any inconsistency between conditions of this approval and the drawings/documents referred to above, the conditions of this approval prevail.

The revised Statement of Commitments in A4 (2) prevails to the extent of any inconsistency in the plans and documentation identified in A3. The conditions of this approval override the Statement of Commitments prepared by the proponent.

The modifications of the Concept Plan approval identified in Part B and C Schedule 2 prevail over the documentation listed in A3 and A4 above.

A6 *Lapsing of Approval*

Approval shall lapse three years after the determination date in Part A of Schedule 1 of this approval unless Stage 1 is approved and physically commenced.

A7 *Determination of Future Applications*

The determination of future project applications is to be generally consistent with the terms of approval of Concept Plan MP06_0305 as described in Part A and subject to the recommended modifications and conditions of approval set out in Parts B and C of Schedule 2.

PART B – MODIFICATIONS TO THE CONCEPT PLAN

Density of the central villa precinct

B1 Reduction in the number of villas and footprint of the central villa precinct

The Concept Plan is to be amended as follows:

- A minimum of 53 individual villas are to be removed from the southern part (closest to Maddens Creek) of the central villa precinct resulting in a maximum total of 127 individual villas.
- A corresponding decrease in the footprint of the central villa precinct such that the edge of the footprint and no villa or roadway/path will be closer than 200m to the southern (freehold) boundary of the site (measured perpendicular).
- The length of the looped internal access road is to be reduced accordingly.

Riparian Corridor

B2 Buffer zone

The Concept Plan is to be amended as follows:

- A minimum 50m riparian corridor buffer zone (measured horizontally landward from the top of the bank on both sides of Maddens Creek) is to be provided to Maddens Creek.
- The Concept Riparian Corridor Management Plan for Maddens Creek, dated 8 September 2008, prepared by West of Divide Environmental Consultants, is to be amended to show a 50m riparian corridor buffer zone on both sides of Maddens Creek.
- All fairways, greens and tees and any other works must be relocated to the north outside the 50m riparian buffer zone.

Maintenance Shed

B3 Siting of the maintenance shed

The proposed maintenance shed is to be relocated further west so as to provide a minimum 15m landscaped setback to the Princes Highway.

Viewing platform

B4 Removal of the viewing platform

The viewing platform situated in Maddens Creek as depicted in the Concept Plan is to be removed from the southern Crown land portion of the site.

Garages

B5 Deletion of garages

The garage adjoining the Presidential Villa is to be replaced by a soft landscaped area and not to be used for parking.

Statement of Commitments

B6 Statement of Commitments

The Statement of Commitments should be amended as follows:

- Commitment No. 2.1.1 should be modified as follows:

An additional bullet point should be inserted which reads "The use of the individual villas is to be for short stay tourist accommodation purposes only and no villa or other accommodation on the site is to be occupied by a person for more than 42 consecutive days or in aggregate no more than 150 days in any 12 month period".

An additional bullet point should be inserted which reads "A rental letting pool is to be established and managed by a rental letting agent appointed to manage and market the letting of lodges to the public. Each villa is required to make the premises available for short term casual public letting to external guests (i.e. non-owners) throughout the year in not less than weekly blocks for not less than 120 days per year (villas in the rental pool) and 200 days (villas in the non-rental pool)."

- Commitment No. 3.1.1 should be modified as follows:

A Landscape Plan and Landscape Management Plan should be lodged and approved as part of any future project application

Also the first bullet point should be modified to read a "... 50m buffer".

- Commitment No. 4 should be modified by adding the following:

Any new infrastructure upgrades required to support the proposed development (including water, sewage, electricity, telecommunications), including any land required for asset protection are not to be located or have any impact on DECC owned land or the two Crown land portions.

The infrastructure required to support the development is to avoid DECC owned land or land subject to acquisition by DECC and any threatened species, endangered ecological communities and Aboriginal cultural heritage values.

- Commitment No.4.1.3 should be modified by including:

*The sewerage treatment plant must treat all sewage to a tertiary level
All irrigation of golf course with recycled effluent will be by subsurface irrigation only
No irrigation of recycled effluent within 50m of top northern bank of Maddens Creek
No use of fertilisers, pesticides or herbicides within 100m of northern bank of Maddens Creek
No irrigation of recycled effluent within 40m of any water quality control pond or other waterbody on the golf course*

- Commitment No. 5 Traffic and Access should be modified by adding:

The existing vehicular access point in the southern part of the site will be used for access and no other vehicular access will be provided other than for use by emergency vehicles.

- Commitment No. 7 Bushfire should be modified by adding:

No AZP zone is to encroach the 50m riparian buffer zone along Maddens Creek.

Commitment No. 9.1.1 should be modified to read *"The use of fertilisers within 100m of Maddens Creek will be prohibited."*

- Commitment No. 7 Bushfire should be modified by adding:

All bushfire protection measures are to be located outside the 50m riparian buffer zone

Commitment No. 9.1.1 should be modified to read *"The use of fertilisers within 100m of Maddens Creek will be prohibited."*

- Commitment No. 9.1.2 should be modified to read *"The use of irrigation by treated effluent will not occur within 100m of the top-of-bank of Maddens Creek."*
 - Commitment No. 12.1.2 should be modified to read *"A 50m riparian buffer zone will be provided on the northern side of Maddens Creek."*
 - Commitment No. 12.1.3 should be modified to read *"Access across Maddens Creek will be prohibited and no building or works will occur within the 50m buffer zone except for bush regeneration or environmental protection works."*
 - Commitment 13.1.1 should be replaced by: *"The findings of any further survey work should be submitted to DECC to ensure description in AHIMS is accurate."*
 - Commitment No. 14.1.1 bullet point 3 should be modified to read *"...associated with the 50m buffer)..."*
 - Commitment No. 14.1.1 bullet point 15 should be modified to read *"...Buffers adjacent to the northern side of Maddens Creek that are at least 50m wide will be maintained within the development's layout."*
 - Add the following Commitments:
 1. *Details of an Environmental Management System will be lodged and approved as part of any future Project Application to show how best practice and sustainable environmental golf course management will be achieved.*
 2. *The future use of the golf course will continue to be available for casual visitors and members and will not be exclusively used by the occupants/owners of the tourist accommodation.*
 3. *A detailed Preliminary Contamination Assessment involving soil testing and sampling of groundwater will be undertaken as part of the future project application for Stage 1. In the event that the site is found to be contaminated a Remedial Action Plan and Site Audit Statement and Validation Report will be provided prior to any future Project Application for subsequent stages of the development.*
 4. *In addition to a restriction on the use of any fertilisers/pesticides or recycled effluent within 100m of Maddens Creek there will be no irrigation of recycled effluent within 40m of any water quality control pond or other waterbody across the golf course or the north-south drainage line in the south-western part of the site.*
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PART C- FUTURE APPLICATIONS

Future project applications and applications for subdivision and where relevant, the construction of infrastructure and associated works shall comply with the requirements set out below.

C1 Development Parameters

Villa Precinct

Future applications for the individual villas within the central villa precinct must comply with the following development parameters:

Development Parameter	Requirement
number of individual villas permitted on the site (maximum)	127
number of bedrooms per villa (maximum)	2
number of storeys for each villa (maximum)	1 (except 28 cluster villas or 22% of the total number which will be allowed to have a two storey component)
Building Height (maximum)	
- Single storey	6m
- Two storey	8.5m
Gross Floor Area (maximum)	
- Single storey villas	120m ² - presidential villa 100m ² - cluster villa
- Two storey villas	130m ² - cluster villa
Setback (minimum)	
- From any villa to the southern (freehold) boundary	200m
- From any villa to the northern boundary	100m
- From any villa to the western boundary	100m
Layout/Facilities	
Garages/carports	No garages/carports are permitted - The garage adjoining the Presidential Villa is to be replaced by a soft landscaped area and not to be used for parking.
Laundry/bathroom/toilets	- All villas are to have a combined laundry/bathroom and not separate facilities. - All villas are to have a maximum of two toilets.

Resort Precinct

Future applications for the buildings in the resort precinct must comply with the following development parameters:

Development Parameter	Requirement
<i>Number of buildings (maximum)</i>	
- Hotel Buildings	2
- Serviced Apartment Buildings	2
- Reception/lounge	1
- Resort spa	1
- gymnasium	1
<i>Number of storeys (maximum)</i>	
- Hotel Buildings	2
- Serviced Apartment Buildings	2
- Reception/lounge	1
- Resort spa/gymnasium	1
<i>Building Height (maximum)</i>	
- Hotel Buildings	8.5m
- Serviced Apartment Buildings	8.5m
- Reception/lounge	6m
- Resort spa	6m
- gymnasium	6m
<i>Footprint area (maximum)</i>	
- Hotel Buildings	1,800m ² (60m x 30m)
- Serviced Apartment Buildings	2,100m ² (60m x 35m)
- Reception/lounge	1,050m ² (30m x 35m)
- Resort spa	225m ² (15m x 15m)
- gymnasium	225m ² (15m x 15m)
<i>Gross Floor Area (maximum)</i>	
- 2 x Hotel Buildings	7,200m ²
- 2 x Serviced Apartment Buildings	8,400m ²
- Reception/lounge	1,050m ²
- Resort spa	225m ²
- gymnasium	225m ²

Other Buildings outside the Resort and Villa Precinct

Future applications for the design of golf club, maintenance shed and sewerage treatment plant must comply with the following development parameters:

Development Parameter	Requirement
<i>Number of buildings (maximum)</i>	
- Golf Club	1
- Sewerage Treatment Plant	1
- Maintenance Shed	1
<i>Number of storeys (maximum)</i>	
- Golf Club	1
<i>Building Height (maximum)</i>	
- Golf Club	6m
- Sewerage Treatment Plant	5.6m
- Maintenance Shed	6m
<i>Footprint area (maximum)</i>	
- Golf Club	500m ²
- Sewerage Treatment Plant	750m ²
- Maintenance Shed	750m ²
<i>Gross Floor Area (maximum)</i>	
- Golf Club	500m ²
- Sewerage Treatment Plant	750m ²
- Maintenance Shed	750m ²

Gross floor area, building height and storey must be measured in accordance with the definition within the *Standard Instrument (Local Environmental Plans) Order 2006*.

C2 Design of Buildings

A site-specific urban design analysis, prepared by a suitably qualified urban designer/architect, must be undertaken as part of any future project application for development on the site. The analysis should address but not limited to context, design, built form, height, bulk and scale, siting, landscaping, visual impacts, materials and finishes. The following guiding principles should inform the design so it:

- is compatible with its topography and setting;
- reinforces and enhances the character and/or natural environment of the locality;
- reinforces that the development is a tourist use;
- provides a high level of amenity to its intended occupants;
- is ecologically sustainable;
- provides adequate landscaping and open space;
- provides adequate utility services and drainage facilities;
- satisfies the need for the provision and management of on-site parking;
- is designed to protect, enhance and restore significant natural or man made elements on site or in the vicinity;
- enhances public safety through its design and management; and

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- is of high architectural quality.

The analysis should consider all tourist accommodation buildings including the golf club and maintenance shed.

C3 Use of Villas for Tourist Purposes

The use of the individual villas is to be for short stay tourist accommodation purposes only and no villa or other accommodation on the site is to be occupied by a person for more than 42 consecutive days or in aggregate no more than 150 days in any 12 month period. Any future approval must impose a condition to that effect restricting the use of all accommodation to short stay tourist purposes and prohibiting permanent residential use on the site.

C4 Restriction on Title – Tourist Use

A restrictive covenant under Section 88E of the Conveyancing Act 1919, restricting the use of all accommodation on the site to short stay tourist purposes must be recorded on the title of each strata lot. The covenant will restrict the use of a strata lot by an owner or occupier to no more than 42 consecutive days or in aggregate no more than 150 days in any 12 month period. The restriction or covenant cannot be amended or revoked without Wollongong Council's consent. Any future approval must impose a condition requiring the restrictive covenant prior to the issue of a strata subdivision certificate.

C5 Community Management Statement

The Community Management Statement is to include a prohibition against permanent residential usage or occupation of a lot within the scheme for more than 42 consecutive days or in aggregate no more than 150 days in any 12 month period.

The Community Association will monitor compliance with this by-law and provide periodic reports to Wollongong City Council (WCC). The Community Association (CA) will be required to instigate legal proceedings to ensure compliance with this by-law and the conditions on consent if there is a non-compliance.

The following provisions must be imposed as Authority By-laws and will only be able to be amended or revoked with the consent of WCC.

1. A strata lot may only be occupied by a person for a period of 42 consecutive days or in aggregate, no more than 150 days in any 12 month period;
 2. A rental letting pool is to be established and managed by a rental letting agent appointed to manage and market the letting of lodges to the public. Each villa is required to make the premises available for short term casual public letting to external guests (i.e. non-owners) throughout the year in not less than weekly blocks for not less than 120 days per year (villas in the rental pool) and 200 days (villas in the non-rental pool).
 3. An owner must make available all documents relating to the use and occupation of a lot including lease arrangements and agency agreements to any authorised representative of WCC and to the CA for the purpose of ensuring compliance with the by-laws and any covenants.
 4. The CA must maintain a record about the use of strata lots and make such record available to WCC on request.
 5. The proprietor or occupier of a lot must comply with the terms of any restriction on use or public positive covenant burdening the lot.
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6. The proprietor of a lot maintains at all times an agreement with a letting agent which is bound by contract.
 7. The CA at all times maintains an agreement with a qualified and suitable person or corporation upon terms or conditions determined by the CA to enable proprietors of lots to offer through that person or corporation their lots for rental by members of the public as holiday accommodation.
 8. By-laws (1) to (7) cannot be amended or revoked without the consent of the Council.

The Community Management Statement should also provide details as follows:

1. The provision and protection for conservation purpose and any necessary rehabilitation enhancement of the 50 metre wide vegetated buffer along the southern edge of Lot 1 (Community Property);
2. Arrangements for the implementation of the VMP, including but not limited to responsibilities, long-term maintenance and funding;
3. The planting of locally indigenous native plant species required to restore /rehabilitate vegetation in the 50 metre vegetated buffer; and
4. The prohibition of domestic pets, with the exception of assistance animals, in the golf resort.

The following changes (underlined) are to be incorporated into the Community Management Statement

1. Definitions

Permitted Use means:

- (a) Short Stay in a Strata Lot for tourism purposes in accordance with (##) referred to in the Development Approval; or
- (b) Occupation and use of a Strata Lot by a bona fide full-time employee of the Resort Manager or a member of his family living with that employee, under a Leasing Agreement but only for the duration of such full-time employment

Short Stay means

- (a) 42 consecutive days; and
- (b) 150 days in aggregate in each calendar year.

2. By-law 10.5 Use of Strata Lots

- (a) In addition to By-Law 10.2 an Owner or an occupier may only use a Strata lot:
 - (i) for the permitted use; and
 - (ii) in accordance with the terms of the Development Approval; and
 - (iii) in accordance with these by-laws; and
 - (iv) in accordance with the Restrictive Covenant recorded on the title of a Strata Lot; and
 - (v) in accordance with Law
- (b) An owner or occupier must not use a strata lot as a residence

3. By-law 21.1 use of a Lot

An owner or an Occupier must not use their Lot in a way that:

- (a) adversely affects (or might adversely affect) another lot, Community Property or Common Property; or
- (b) interferes with the peaceful enjoyment of any part of the Community parcel by another Owner Occupier or a Permitted Person; or
- (c) adversely affects or might adversely affect the Community Association

4. A new By-law is proposed to be inserted between by-laws 23 & 24

By-law 23A Obligations of Owners Corporation

An owners Corporation must register By-laws in terms identical to By-laws 10.5, 10.6 and 10.7

5. New Strata By-law to be registered with the Strata Plan

The Owners Corporation has the power and authority:

- 1. to provide to the Community Association immediately upon request details of who is occupying or has occupied a Lot, for what term and on what basis; and
- 2. to require an Owner to provide the Community Association copies of their Leasing Agreements; and
- 3. to require any other written material about the use of a Strata Lot which the Council or other compliance Authority requires the Community Association to provide to it.

C6 *Traffic and Access*

- 1. No pedestrian or vehicular access will be permitted to the Southern Freeway.
 - 2. A maximum of one vehicular access point to the site from the Princes Highway utilising the existing access to the site.
 - 3. The proposed access location will have an adequate Safe Intersection Sight Distance in both directions in accordance with Roads and Traffic Authority (RTA) Road Design Guide i.e. 225m in both directions for a design speed of 100km/hr.
 - 4. A sealed channelised right turn lane shall be provided in accordance with the RTA Road Design Guide for the access to the subject development from the Princes Highway.
 - 5. A sealed left turn deceleration lane shall be provided in accordance with the RTA Road Design Guide at the proposed access point from the Princes Highway.
 - 6. No advertising signs or structures will be allowed within the Princes Highway Road reserve or the Southern Freeway Road Reserve.
 - 7. The proposed development should be designed to mitigate impact of traffic noise from the princes Highway and Southern freeway through the use of durable materials, in accordance with EPA criteria for new land use development (The Environmental Criteria for Road Traffic Noise, May 1999).
 - 8. Landscaping and fencing shall not restrict vehicular sight lines on Princes Highway.
 - 9. A suitable drainage treatment across the access point shall be provided to prevent water proceeding onto, or undermining, the travel lane along Princes Highway.
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10. Geo-metric road design shall be in accordance with RTA Road Design Guide. Pavement design shall be in accordance with the AUSTROADS Pavement Design Guide.
 11. Where required lighting shall be upgraded/provided in accordance with AS/NZS1158.
 12. All roadworks associated with the development will be at no cost to the RTA.
 13. The developer shall attain a Section 138 Approval from Council with RTA concurrence for works within the Classified Road Reserve.
 14. The developer shall apply for a Road Occupancy Licence from the RTA Traffic Operations Unit prior to commencing work within the classified road reserve.
 15. A Traffic Management Plan, prepared by suitable qualified traffic engineer, shall be provided prior to commencement of any works.

C7 *Vegetation Management Plan*

A Vegetation Management Plan (VMP) shall be provided and approved as part of the project application for the first stage of development. The VMP must consider the criteria identified in *Vegetation Management Plan Guidelines*, prepared by the Department of Water and Energy, (February 2008).

The VMP will be prepared in consultation with the Department of Environment and Climate Change, Department of Water and Energy and Wollongong City Council.

The VMP is to be prepared by a suitably qualified person and should address, but not be limited to, the following:

1. Protective measures during the construction phase, means of weed control, weed removal, revegetation, threatened species protection, habitat creation, means to control access, propagation and translocation.
 2. Provide details of vegetation to be retained and measures to protect vegetation during the construction and operation phases of the development.
 3. Identify areas to be rehabilitated and details of the vegetation species composition, planting layout and densities of plants to re-vegetate these areas.
 4. Outline ongoing management arrangements, including but not limited to responsibilities, funding and long term maintenance. The VMP must specifically address long term monitoring of Maddens Creek and establish criteria that can inform necessary changes to the VMP over time.
 5. Consultation with the Illawarra Noxious Weeds Authority is to be entered into regarding the appropriate suppression of noxious weeds. Evidence of the outcomes of the consultation is to be incorporated in to the VMP.
 6. A 100m riparian corridor buffer zone consisting of local native plant species shall be established and maintained in and adjacent to Maddens Creek. The extent of the riparian zone is to be measured horizontally landward from the top of the bank on both sides of the watercourse (i.e. minimum width of 50m on both sides of Maddens Creek).
 7. The VMP is to provide a list of actions that will be taken to avoid or minimise impacts or compensate for unavoidable impacts of the project on hollow-bearing trees.
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C8 Seed collection

1. Provide details of seed collection and propagation of plant material. Seed collection and propagation is to be undertaken by a qualified horticultural / bush regeneration firm and carried out in accordance with the Florabank Guidelines and Code of Practice (an initiative of the Australian Government, funded by the Natural Heritage Trust and delivered by Greening Australia and CSIRO).
2. Prior to seed collection all necessary permits for collection of native seed of protected, rare or threatened species or from an endangered ecological community are to be obtained.
3. Seed and propagule sources are to be from local botanical provenance (regarded as from as close as possible and from the same general habitat (same soil type, distance from watercourse, exposure etc)

C9 Environmental Protection

1. No vehicles, machinery or other equipment should be stored, driven or parked at any time within those fenced off bushland areas identified for retention and protection.
 2. The erection of temporary fencing to protect areas is to be done onsite in consultation with a qualified ecologist.
 3. Any wetlands / water features that are to be created should include reed beds that incorporate *Eleocharis* and other native wetland species sourced from local provenance.
 4. To assist with the local conservation of the two regionally significant frog species, Haswell's Frog (*Paracrinia haswells*) and Jervis Bay Tree Frog (*Litoria jervisiensis*), *Eleocharis* reeds should be collected / germinated / translocated from local stock, particularly in the case of any wetlands / ponds that support this plant and are to be destroyed.
 5. Any wetlands / water features that are to be created should be designed in consultation with a qualified ecologist to ensure it meets the life cycle requirements of a number of locally occurring native species.
 6. In addition to reed beds, any created ponds should include submerged and partially exposed logs within the ponds, as well as vegetation, rock piles and logs surrounding the ponds, these resources being utilised by a number of water associated species as sheltering and breeding sites.
 7. Any wetlands / water features that are to be created should be finalised and functional prior to the destruction of wetlands / ponds in consultation with a qualified ecologist.
 8. If it is necessary to destroy a wetland / pond to permit the redevelopment of the site, a qualified ecologist is to investigate the site and in the event that spawn or tadpoles inhabit the pond, the pond must not be destroyed until the breeding season is completed.
 9. No work shall damage or interfere with Maddens Creek, in particular:
 - native vegetation and habitat within the riparian corridor;
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- the stability of adjacent or nearby bed or banks and their associate environments;
 - the flow of the watercourse;
 - the quality of water;
 - any pumps or structures in the vicinity (that are licensed under the Water Act 1912 or the Water Management Act 2000).
10. No viewing platform or walking tracks or any other works (except for environmental works) are permitted within the 50m vegetated riparian buffer or on the southern Crown land portion of the site.
 11. Any constructed water quality control pond needs to be perched above the water table and lined with a suitable impermeable membrane.
 12. Due to their restricted distribution in the region, the bushland areas that provide habitat for the regionally significant Casuarina (*Allocasuarina paludosa*), Privet-leaved Stringybark (*Eucalyptus ligustrina*) and Gynea Lily (*Doryanthes excelsa*) are to be retained and protected in project application designs.

C10 *Riparian Corridor*

1. The riparian corridor buffer zone (i.e. 50m measured horizontally landward from the top of the northern bank of Maddens Creek) is to be revegetated and restored in accordance with the Concept Riparian Corridor Management Plan, prepared by West of Divide Environmental Consultants, dated 8 September 2008. Those parts of the existing fairways/greens and any other gaps that fall within the 50m buffer zone are required to be revegetated through a process of bush regeneration and indigenous planting, using species characteristic of the relevant adjacent vegetation community.
 2. The riparian corridor should be established for the protection and enhancement of riparian vegetation and vegetated with local native tree, shrub and groundcover species at a density that would occur naturally. All new development associated with the proposal (with the exception of environmental protection works) must be located outside the corridor zone.
 3. Site rehabilitation is to be undertaken in accordance with the Concept Riparian Corridor Management Plan, prepared by West of Divide Environmental Consultants, dated 8 September 2008. Any remnant local native riparian vegetation within the site shall be protected and any riparian zones disturbed or otherwise affected by the development shall be restored to a state that is reasonably representative of the natural ecotone of the protected waters system – to achieve a sound naturalised watercourse and long term stabilisation by the enhancement/emulation of the native vegetation communities of the area.
 4. No works will be undertaken in the 100m riparian buffer zone including golf fairways/greens, APZs, water quality control ponds or any other works except for environmental protection works such as bush regeneration and a weeding control program. No part of the development will extend into the area south of Maddens Creek as this area will remain in situ. There is no requirement for rehabilitation and/or restoration on the south side of Maddens Creek other than to undertake a regular targeted weeding program to remove weeds that may establish.
 5. The riparian zone must be monitored (including weed control) and maintained for a period of at least five (5) years after final planting or where other revegetation methods are used, five years after plants are at least of tubestock size and are at the densities required by these conditions and with a species richness as described in the
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Concept Riparian Corridor Management Plan and five (5) years minimum for those areas required for access and maintenance relating to any works plan.

6. A permanent physical barrier, (such as logs, a fence, pathway, road etc), to prevent inadvertent damage to the riparian zone is to be placed at the landward extent of the riparian zone 50m north of the top of the bank of Maddens Creek except for the Crown land portion of the site. At that point where Maddens Creek crosses the Crown land boundary the fence shall be extended in an easterly direction to the Princes Highway in line with the southern boundary of Lot 1 DP 10488471 to ensure protection of native vegetation on the Crown land.
7. Any requirements for bushfire asset protection zones, including fire trails, are not to compromise in any way the extent, form or function of the riparian zones. Fuel reduced areas are to be located outside of riparian zones.
8. Any constructed water quality control ponds/wetlands/flood compensatory area and their associated disturbed areas are not to be located in the riparian corridor.
9. The design of any stormwater outlets (including from roads, buildings, constructed basin/wetlands, swales or other drainage) and their spillways must be a "soft engineering solution" and be consistent with the *DWE Guidelines for controlled activities (February 2008): Outlet Structures*.
10. Treated wastewater to irrigate the golf course is not to be used within 50m of the northern bank of Maddens Creek or beyond the existing golf course footprint (i.e. southern boundary of Lot 1 DP 10488471).
11. The application of fertilizers, herbicides or pesticides is prohibited within 100m of the northern bank of Maddens Creek or south of Lot 1 DP 10488471.
12. The existing profile of any channel or bank of any watercourse or drainage depression must not be disturbed any more than is necessary in order to site and maintain the authorised work. Any area that is disturbed shall be stabilised and maintained by vegetation cover, stone pitching or any other approved method as directed by the Department to inhibit erosion.
13. Address the impacts from invasion by weeds and associated removal of weed species and provide details of an annual weed management and monitoring program.
14. The inspection of hollows and safeguards for the protection of fauna both prior to, during and following the works, including the presence of a suitably qualified person during the entire felling operation to ensure that proper management of any nocturnal animals or otherwise can be effectively managed).
15. The proponent must ensure that all works and activities within the site do not compromise the implementation of the VMP in any way.
16. Any hollow bearing trees that line Maddens Creek are to be retained and incorporated into the sites riparian buffers.

C11 *Tree Removal and Hollow Bearing Trees*

1. A Tree Survey Plan, prepared by a registered surveyor, shall be provided and approved as part of the project application for the first stage of development. It will include the location, height, crown area, species and hollow presence for all trees within the existing golf course relative to the lot boundaries and development layout.
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2. Provide a map showing the location and number of hollow-bearing trees proposed to be removed, modified or retained in any future project application. This should include an assessment of the habitat value of these hollow bearing trees for threatened species. A description should also be provided of the actions that will be undertaken to avoid or minimise impacts or compensate for unavoidable impacts of the project on hollow-bearing trees.
 3. Where, possible, hollow bearing trees identified for removal should have the hollow sections collected and re-erected elsewhere on the site. Where this is not feasible (i.e. because of decaying or unstable timber) artificial nest boxes providing accommodation of a similar size to the removed hollows are to be erected in suitable locations.
 4. With the exception of existing trees impacted by future development and the APZ all other native trees on the site should be retained and protected during the construction period. Future project applications are to be designed to avoid the stands of ironstone Woodland that are present within the grounds of the existing golf course
 5. A development layout should be developed that minimises the loss and clearing of hollow bearing trees.

C12 Implementation of the Vegetation Management Plan and Concept Riparian Corridor Management Plan

A detailed 'works plan' prepared by the qualified bush regenerator or landscape contractor is to be approved as part of any project application for the first stage of development. The 'works plan' will identify the actions and tasks required to implement the recommendations/conditions in the approved Vegetation Management Plan (refer to Condition C7) and the Concept Riparian Corridor Management Plan, prepared by West of Divide Environmental Consultants, dated 8 September 2008.

C13 Restriction on Title - Buffer Zone

A Restriction as to User over Portion 76 DP 10488471 & Lot 4 DP 240566 pursuant to Section 88B of the *Conveyancing Act 1919*, shall indicate a 50m riparian buffer zone (measured horizontally landward from the top of the bank of the watercourse) on both sides of Maddens Creek. The Section 88B Instrument is to show the location of all trees and significant vegetation and indicate that they are to be retained. No building/structures or works are permitted in the riparian buffer zone (except in accordance with the Vegetation Management Plan) without the prior approval of Wollongong Council. The Section 88B Instrument is to indicate measures to manage the riparian buffer zone in accordance with the provisions and requirements contained in the Vegetation Management Plan. Wollongong City Council shall have the sole authority to release, vary or modify this restriction. A copy of the restriction is to be lodged for approval with the application for a Subdivision Certificate.

C14 Water License – Existing Water Bodies

1. Metering is required of all water extraction from Maddens Creek and the records supplied to the Department of Water and Energy in a precision, format, frequency and time to be prescribed by DWE.
 2. Survey details giving the size, levels and location of all dams (existing and proposed) and pumps on the site are to be supplied on a map and drawings to the Department of Water and Energy and their locations and dimensions/capacities are not to change without written approval from the Department of Water and Energy.
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3. Licence(s) will be subject to fees and annual water use charges, as determined from time to time by the Independent Pricing and Regulatory Tribunal (IPART).
 4. The pump site and all equipment shall at all times be properly secured and/or sealed to prevent the leakage of petroleum based products and/or noxious substances from entering any waterbody. Typically, a bunding wall shall be installed around the pumping plant to avoid contamination of any waterbody through spills or leaks of oils or fuels.
 5. The licensable works shall be constructed and maintained in such manner as will ensure its safety and as will preclude the possibility of damage being occasioned by it, or resulting from it, to any public or private interest.
 6. If a work is no longer required or to be abandoned at any time the licensee shall promptly notify the Department in writing.
 7. All drainage lines shall be maintained with sufficient vegetation to ensure ground surface integrity, particularly in wet weather, and optimum water quality.
 8. Dams constructed on watercourses are to be designed to allow for the maintenance of low (environmental) flow releases for the benefit of the downstream environment.

C15 *Environmental Management Plan*

1. An Environmental Management Plan (EMP), prepared by a suitably qualified person must be approved as part of the project application for the first stage of development. The EMP is to identify the location of Asset Protection Zones, Maddens Creek and the 50m buffer zone and ameliorative measures for flora and fauna to demonstrate compliance with the recommendations contained within the following reports, referred to in Condition A3:
 2. (a) *Flora and Fauna Survey Illawarra Golf Course, prepared by Lesryk, dated November 2007. Outstanding Flora and fauna surveys are to be completed prior to the lodgement of the first project application.*
 - (b) *Bushfire Protection Assessment, prepared by Travers Environmental, dated November 2007 and Supplementary letter of the revised concept proposal, dated 8 September 2008. The EMP is to document the management and maintenance measures required, including the details for habitat restoration and mitigation measures*
 - (c) *Final Report Concept Riparian Corridor Management Plan for Maddens Creek within the Proposed Illawarra Ridge Golf Resort at Darkes Forest, NSW, Amended 8 September 2008, prepared by West of the Divide Environmental Consultants.*
 3. Details of the revegetation work within 50m buffer zone both sides of Maddens Creek.
 4. Measures for the protection of the ochre quarry and artefact site during the construction and operation phase of the development.
 5. The EMP shall address any other relevant requirements of this approval, including weed management strategy, stormwater management works and the requirements of the NSW Rural Fire Service.
 6. The EMP will be prepared in consultation with the Department of Environment and Climate Change, Department of Water and Energy and Wollongong Council.
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Future project application for the first stage of the development must provide the following details.

1. A water balance of the entire site (and for any stages if a staged approach is utilised) to be provided, to include a conceptual model of all inflows and outflows of water to and from the site on a annual basis (including rainfall, water supply, sewer, recycled water, irrigation, groundwater processes etc) and with detail provided with respect to assumptions and calculations to demonstrate the viability of the proposal (in a daily water balance spreadsheet model approach or similar which is then aggregated to show averages for dry, average and wet years).
 2. Full details of the proposed stormwater management system to be provided with modelling completed for the existing case and the developed case to consider a range of climatic conditions (dry through average to wet conditions). Any proposed water sensitive urban design features should be described in detail, including all dimensions, volumes, and any information about the presence of rock or groundwater and the potential effects on the design and/or operation of any system. Any infiltration assumptions should be supported by on-site infiltration testing. Further MUSIC modelling should take into account the actual percent imperviousness and the proposed water quality treatment measures.
 3. A review of the potential impacts of climate change on the water cycle and how these may be managed (including a sensitivity analysis of the water balance described above).
 4. Identification as to whether any groundwater contamination has the potential to occur as a result of the proposed water management systems (WSUD or any other).
 5. Detailed Servicing Strategies should incorporate explicit consideration of the provision of adequate water supplies for fire fighting purposes.
 6. A detailed Flood Study in accordance with the NSW Floodplain Development Manual (2005) should be undertaken such that the likely impacts of the proposed development on flood behaviour both within the site, and on surrounding properties, may be more fully appreciated and include an assessment as a minimum of the 20 year ARI, 100 year ARI and the Probable Maximum Flood (for evacuation issues). The study should incorporate explicit consideration of any changes in site runoff and any proposed cut or fill on the site for the 20 year ARI and the 100 year ARI events.
 7. Potential changes to flow regimes as a result of an increase or decrease in runoff from the site is to be evaluated quantitatively to consider the effects on natural flow regimes.
 8. A water quality monitoring program should be developed and baseline data collected prior to any consent issued for any works on site to allow for a before-after-control-impact (BACI) type study of water quality.
 9. An evaluation of surface runoff related to irrigation activities should be directly addressed. This should include explicit analysis of existing and proposed patterns of infiltration to the groundwater and the associated downstream effects of this process.
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10. An aquatic biodiversity study should be undertaken prior to the commencement of construction, along Maddens Creek and its tributaries, within and adjacent to the development site.
 11. A water quality/water flow assessment should be undertaken to establish current water quality conditions in accordance with relevant Water Quality and River Flow Objectives.
 12. Adequate measures are put in place, once baseline water targets are established, to ensure that the development, including the use of fertilisers, pesticides and treated effluent for irrigation, has a neutral or beneficial effect on the groundwater and downstream receiving waters.
 13. A Water Quality Management Plan be prepared that specifies the water quality monitoring and reporting to be undertaken by the landowner on an on-going basis and measures/actions to be undertaken in the event that water quality monitoring results exceed baseline values.
 14. All water quality control ponds are to be located above the 20 year ARI flood level to reduce the frequency of inundation. An assessment of the potential effects of changes in rainfall intensity during storms associated with climate change will need to be considered.
 15. Stormwater structures are not to be located on DECC land or land that has been identified for future addition to the Dharawal Nature Reserve and Dharawal State Conservation Area.
 16. Stormwater outlets discharging to Maddens Creek are to be designed to disperse the flow to pre-development levels prior to entering DECC land.

C17 *Aboriginal Heritage*

A detailed survey of the ochre quarry and artefact site along Maddens Creek should be undertaken as part of any future project application for development on the site. The survey should cover the entire length of Maddens Creek between the Southern freeway and the southern (Crown land) boundary. Additional survey work is to be undertaken in consultation with the Aboriginal Land Council and other local aboriginal groups.

The findings of the survey should be used to inform the development footprint and ensure the golf course and buildings are designed to avoid impacting on Aboriginal objects and sites of cultural significance.

If further survey work provides relevant information then this should be submitted to DECC for updating the Aboriginal Heritage Information Management System.

C18 *Effluent Disposal*

A detailed Water Quality Management Plan is to be submitted for approval with any future application for development on the site. The plan is to include full details of the proposed on-site sewerage treatment plant and must include the following:

1. All wastewater generated onsite must be treated in a tertiary treatment plant with subsurface irrigation of the golf course.
 2. Effluent shall be applied to the wastewater irrigation area at a rate not exceeding 2.1mm/day.
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3. Wet weather storage is to be provided in the form of a 700,000L storage tank to accommodate treated effluent for 3.8 days of wet weather with no irrigation.
 4. A high level alarm is to be installed on the wet weather storage tank which will activate when 24 hours of storage remains.
 5. Should the high water alarm be activated and soils remain saturated a contractor is to be engaged for effluent pump out to an approved waste facility.
 6. The importation of up to 1m of sandy clay loam fill is required to assist in providing suitable soils for onsite effluent disposal and mitigate the potential impacts from effluent irrigation.
 7. Treated effluent must not be permitted to enter any watercourse located on the site or permitted to leave the site.
 8. No irrigation of treated effluent is allowed within a 50m riparian buffer zone along Maddens Creek.
 9. The following buffer distances are to be applied for the irrigation of wastewater on the site:
 - Irrigation must not be within 3m (if down slope) or 6m (if upslope) of any building, swimming pool, property boundary, road or other hard surface.
 - Irrigation must not be within 40m of the water quality control ponds (man-made) across the site. This includes the ponds located on the fairways for holes 2, 3, 4, 8, 9 and the pond near the practise driving range.
 - Irrigation of hole 4 must adhere to a 50m buffer from the natural drainage line which runs from the north to south through to Maddens Creek.
 10. Water quality monitoring of Maddens Creek must be undertaken monthly for total nitrogen, total phosphorus, BOD5, suspended solids and faecal coliforms to ensure that wastewater is not leached from the golf course.
 11. The design effluent quality set by DWE (2008) must be adhered to when designing the STP.
 12. The use and application of fertilisers and herbicides on the site shall be done in accordance with the recommendations made in CWQMP, prepared by SEEC Morse McVey, dated 18 September 2008 but restricted within 100m of Maddens Creek.
 13. The daily load of wastewater will be approximately 180,680L based on design loadings from AS1547:2000 however, details of revised loadings should be provided to take into account the reduction in the number of villas.
 14. The Sewerage Treatment Plant should be designed to ensure long-term viability. It is essential that continued monitoring and maintenance is carried out to ensure this viability is maintained. Details of how this will be undertaken should be provided and approved by Wollongong Council prior to the installation of the STP
 15. A swimming pool filter which does not require backwashing such as a carbon cartridge filter should be provided or if this technology is not viable then further design considerations must be made for the STP and irrigation system.
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16. The connection to Sydney Water Sewer is not currently a viable option but should be further investigated prior to construction to ensure no further opportunities have arisen.

C19 *Bushfire Protection*

The approval for future stages of the development is to include a condition requiring the imposition Asset Protection Zones around the central villa and resort complex north for a distance of 60m; south for a distance of 60m; and west for a distance of 60m.

The AZPs are to be in accordance with Section 4.1.3 and Appendix 5 of *Planning for Bushfire Protection 2006 (PBP)* and the NSW Rural Fire service's document "*Standards for Asset Protection Zones*."

All bushfire protection measures are to be provided within the development site (existing golf course footprint) and are not to extend into the adjoining properties or the 50m re-vegetated buffer along Maddens Creek or the southern Crown land portion of the site.

C20 *Erosion and Sedimentation Control*

A detailed Soil and Water Management Plan shall be approved as part of any future application for development on the site. It should also include measures to divert and treat sediment in the north-east corner of the site.

Erosion and sediment control measures are to be implemented prior to any works commencing at the site and must be maintained for as long as necessary after the completion of works, to prevent sediment and dirty water entering the watercourse. These control measures are to follow relevant management practices as outlined in the Landcom manual "*Managing Urban Stormwater: Soils and Construction – Volume 1*" (4th Ed., 2004) - the "*Blue Book*".

Soil erosion and sediment control measures shall be undertaken in accordance with the SEEC Morse McVey Conceptual Soil and Water Management Plan, dated 18 September 2008.

C21 *Construction Management Plan*

A detailed Construction Management Plan (CMP) shall be approved as part of any future project application on the site. The CMP shall address, but not be limited to, the following matters where relevant: hours of work; contact details of site manager; erosion and sediment control; traffic management; noise and vibration management; waste management and flora and fauna management.

The designs and construction methods and activities are to result in NIL or minimal harm to aquatic and riparian environments and will not cause erosion, sedimentation, or increase flood levels of waterfront land. All engineering, other structural works or natural landscaping proposed must be designed, constructed and operated by suitably qualified professionals, recognised in that specialised field. This relates particularly to bushland rehabilitation practices and natural stream processes, design and rehabilitation practices.

C22 *Landscape Management Plan*

A detailed Landscape Plan shall be approved as part of any future project application on the site. The Plan must address the following issues:

1. provision of a 50m re-vegetated buffer along the northern side of Maddens Creek;
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2. provision of a minimum 15m wide landscape buffer along the eastern, northern and western property boundaries of the existing golf course and details of existing and proposed vegetation, in particular, use of species local native species to assist in screening the development;
 3. re-vegetation of areas disturbed during construction of the access road and associated stormwater control measures;
 4. a species list appropriate to the site and circumstances;
 5. consideration of the requirements for Asset Protection Zones;
 6. details of landscape treatments and planting for parking areas and the central villa and the resort precinct.

C23 *Integrated Pest Management Strategy*

A detailed Integrated Pest Management Strategy, prepared in consultation with Department of Environment and Climate Change, shall be approved as part of any future application on the site. The Plan should address but not limited to:

1. biological control – using beneficial organisms (eg. predators, parasites) to suppress pests;
2. cultural control – using techniques such as plant rotation and cultivation;
3. physical control - using barriers, traps, adjusting planting location or timing;
4. chemical control – using pesticides when needed, not regularly, and using them only where needed, not all over the course; and
5. plant choice – choosing varieties that are resistant to diseases known to be prevalent in that area, and matching species to a site.

Some of the key aspects should include:

- Identify pests or diseases before undertaking a pest control regime, and adopt the most environmentally benign method for that problem;
- Mow and prune correctly to maintain healthy grass and plants that are resistant to pest and disease;
- Carry minimum amount of chemicals on work vehicles and ensure they are safely and securely contained;
- Don't use chemicals during unsuitable weather conditions, e.g. windy periods, when soil is very wet, during rain or when rain is forecast;
- Wash chemical containers at a location where they can be treated in the STP;
- Ensure that Material Safety data Sheets (MSDS) – which list the details of each chemical used by an organisation – are obtained and staff are trained in applying chemicals and managing spills.
- Prohibit use of pesticides within 100m of northern bank of Maddens Creek.

C24 *Fertiliser Management Plan*

A detailed Fertiliser Management Plan, prepared in consultation with Department of Environment and Climate Change, shall be approved as part of any future application on the site. The Plan should address but not limited to:

- limiting spray drift by selecting correct nozzle, operating pressure and droplet size;
 - application of small quantities of fertiliser more often rather than larger amounts less often;
 - use of soil conditioning products to improve fertiliser efficiency and health of turf species;
 - limit fertiliser use to key heavy duty areas such as greens, tees and selected fairways;
 - prohibit application of fertiliser directly to any natural or artificial water body or adjacent to riparian zones;
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- prohibit use of fertilisers during times of high winds or high temperature, when rainfall is imminent, or when soil is very wet;
 - use fertilisers and pesticides which have a low heavy metal content.
 - prohibit the use of all fertilisers within 100m of northern bank of Maddens Creek.

C25 Keeping of Pets

The applicant will ensure the creation of a Restriction as to User over all lots to be created within the strata subdivision pursuant to Section 88B of the *Conveyancing Act 1919*. The Section 88B Instrument shall prohibit cats and dogs on the site (with the exception of companion and assistance animals). The Council shall have the sole authority to release, vary or modify this restriction. A copy of the restriction is to be lodged for approval with the application for Subdivision Certificate.

C26 Environmental Management System

The details of an Environmental Management System (EMS), prepared in consultation with *Australian Golf Course Superintendents Association (AGCSA)*, is to be provided demonstrating how best practice and sustainable environmental golf course management will be achieved on the site.

C27 Importation of fill

1. A Management Plan should be prepared to address the following issues associated with the importation of fill across the site:
 - The ability to obtain a consistent quality of fill across such a large area to ensure effluent loading is not compromised.
 - The potential impacts of the importation of fill on trees and vegetation lining the course. The addition of fill around the base of trees which can cause significant impacts on the health of the trees including death of the trees.
 - The addition of fill across the course will change the drainage of the course and surface flows and must be considered in stormwater design.
 - The fill must be of suitable quality for the desired effluent loading rates as poor draining fill will result in surface ponding of effluent and free draining fill will result in subsurface flows along the sandstone bedrock into the creek or groundwater reserves on the site.
 2. All imported soils to the site must undergo chemical and physical tests to ensure they are suitable to onsite effluent disposal. Further water and nutrient balance modelling must be undertaken on the imported soils prior to importation.
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SCHEDULE 3

MP 06_0305

ILLAWARRA RIDGE GOLF RESORT

PRINCES HIGHWAY, DARKES FOREST

STATEMENT OF COMMITMENTS

**(SOURCE: ILLAWARRA RIDGE GOLF RESORT PREFERRED PROJECT
REPORT DATED 10 OCTOBER 2008)**
