



**CAMPBELLTOWN
CITY COUNCIL**

LOCAL PLANNING PANEL

24 NOVEMBER 2021

MEETING NOTICE

Campbelltown City Council Local Planning Panel

The meeting of the Campbelltown City Council Local Planning Panel will be held via Microsoft Teams on **Wednesday, 24 November 2021 at 3.00pm.**

MEETING AGENDA

1. ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the Traditional Custodians, the Dharawal people, whose Lands we are now meeting on. I would like to pay my respects to the Dharawal Elders, past and present and all other Aboriginal people who are here today.

2. APOLOGIES

3. DECLARATIONS OF INTEREST

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4.3 Alterations and additions to an existing educational establishment - Mount Carmel Catholic College, 247 St Andrews Road, Varroville	151

General Information

The role of the Local Planning Panel is to determine development applications and provide advice on planning proposals.

When the panel is considering a report relating to a development application, the panel will receive and consider verbal submissions from the applicant and from any person that made a written submission in regard to that development application (during the notification or exhibition period).

As required by the Minister's Local Planning Panels Direction, when considering a planning proposal, the role of the panel is to provide advice to Council. The panel is the first step in the evaluation process before Council and the State Government (through the Gateway process) to decide whether to support a formal public exhibition or consultation period on the proposal. It is possible that the proposal will be modified before or as part of the consideration by Council and/or through the Gateway process. The panel will consider verbal submissions made in relation to the matter from the applicant, if there is one, and from any other person. The panel will not consider written submissions tabled at the meeting, however they will be accepted and passed on to Council officers for consideration in their report to Council.

Any person who makes a verbal submission to the panel must identify themselves and must also accept that their presentation will include their images and sounds and will be webcast and stored on Council's website for future viewing. Any person who makes a verbal submission to the panel must also declare before their submission any political contributions or donations they have made over the last four years exceeding \$1,000 to any political party or candidate who contested the last Ordinary Election of Council.

If you would like to make a verbal submission to the panel, it is necessary to submit the "request to address – community access to meetings" form available on Council's website by midday the day prior to the meeting. The panel chair will invite the registered speakers to the table at the appropriate time in the agenda. Verbal submissions to the panel will be limited to five minutes each. The chairperson has the discretion to extend the period if considered appropriate. Panel members will have the opportunity to ask your questions at the end of your submission.

Recommendations of the Panel

The reports are presented to the Local Planning Panel for its consideration and recommendation.

After the panel has considered submissions made by interested parties, the panel will make recommendations to the Council. The Panel's recommendations become public the day following the Local Planning Panel meeting.

Information

Should you require information about the panel or any item listed on the agenda, please contact Council's City Development Division on 4645 4575 between 8.30 am and 4.30pm.

The following reports are referred to the Local Planning Panel for its consideration and recommendation.

Lindy Deitz
General Manager

4. REPORTS

4.1 Construction of amenities block and storage shed at Campbelltown Golf Course - 1 Golf Course Drive, Glen Alpine

Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.5 - Host and promote major sporting events, showcasing our city's sporting facilities and encouraging community participation in sport and recreation

Referral criteria

In accordance with section 4.8 of *Environmental Planning and Assessment Act, 1979* (EP&A Act) and the Minister's for Planning and Public Spaces Local Planning Panels Direction this application is to be determined by the Local Planning Panel as prescribed in Schedule 1 of that direction due to a prescribed conflict of interest.

The land on which the proposed development is to be undertaken, is owned by Campbelltown City Council, and therefore there is a conflict of interest.

Executive Summary

- A development application has been received for the construction of an ancillary structure consisting of an amenities block and storage shed and associated works to be used in association with an established golf course at 1 Golf Course Drive, Glen Alpine.
- The subject site is zoned R2 Low Density Residential Zone under the provisions of the Campbelltown Local Environmental Plan 2015 (CLEP 2015). Recreation facilities (outdoor) are "Permitted with consent" within this zone.
- The application was publicly notified and exhibited between 18 June, 2021 and 12 July, 2021. No submissions were received.
- The land is owned by Campbelltown City Council.
- An assessment under Section 4.15 of the *Environmental Planning and Assessment Act, 1979* has been undertaken and it is recommended that the application be approved subject to the conditions of consent listed in attachment 1.

Officer's Recommendation

That development application 1824/2021/DA-0 for construction of an ancillary structure consisting of an amenities block and storage shed at 1 Golf Course Drive, Glen Alpine be approved subject to the conditions of consent in attachment 1.

Purpose

To assist the Campbelltown Local Planning Panel in its determination of the subject application in accordance with the provisions of the EP&A Act.

Property Description	Pt Lot 993 DP 861788
Application No	1824/2021/DA-0
Applicant	Local Consultancy Services
Owner	Campbelltown City Council
Provisions	<i>Environmental Planning and Assessment Act 1979</i> State Environmental Planning Policy No.55 – Remediation of Land Campbelltown Local Environmental Plan 2015 Campbelltown (Sustainable City) Development Control Plan 2015
Date Received	18 June 2021

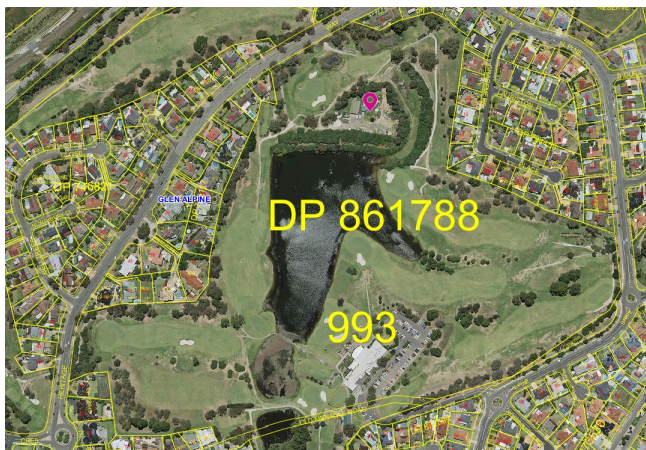
The Land and Surrounding Locality

The subject land is known as 1 Golf Course Drive, Glen Alpine and is legally defined as Pt Lot 993 in DP 861788. The land has an area of 240,090 m².

The land is currently occupied by a Golf Course with ancillary structures in accordance with the use.

The land is situated in a R2 low density residential area and surrounded by similarly zoned land characterised by single and double storey dwelling houses.

The land generally slopes from the east to west towards Heritage way.



Aerial Imagery of Subject Site

The Proposal

Development consent is sought for the construction of an ancillary structure consisting of an amenities block and storage shed with associated works at 1 Golf Course Drive, Glen Alpine. Specifically the amenities block and storage shed consists of:

- An office
- Staff room
- 2 x storage room
- 2 x WC
- Open workshop and storage area and;
- Laundry room

The development application also proposes 3 parking spaces outside of the amenities block and storage shed of which 2 are accessible spaces. A hardstand area is proposed to facilitate vehicular manoeuvring.

Report

1. Vision

Campbelltown 2027 is the 10 year Community Strategic Plan for the City of Campbelltown.

The Strategic Plan addresses 4 key strategic outcomes that Council and other stakeholders committed to achieving over the 10 year period to 2027, being:

- Outcome 1: A vibrant, liveable city
- Outcome 2: A respected and protected natural environment
- Outcome 3: A thriving, attractive city
- Outcome 4: A successful city

The key outcome most relevant to the proposed development is Outcome 1: A vibrant livable city.

The strategy most relevant to this application is:

1.5 Host and promote major sporting events, showcasing our city's sporting facilities and encouraging community participation in sport and recreation.

The proposed development provides residents with a facility that encourages participation in sporting facilities and help deliver a vibrant and liveable city.

2. Planning Provisions

2.1 State Environmental Planning Policy 55 – Remediation of Land

State Environmental Planning Policy 55 – Remediation of Land (SEPP 55) requires the consent authority to consider whether the subject land of any development application is contaminated.

As assessment of clause 7 of SEPP 55 is provided in the table below.

Requirement	Action	Response
<p>clause 7(2):</p> <p>1. Is the development for a change of use to a sensitive land use or for residential subdivision?</p> <p>Sensitive land use include residential, educational, recreational, childcare purposes or hospital.</p>	<p>a. Check if a DA proposes a new childcare centre residential accommodation or residential subdivision.</p> <p>b. If the DA is for a dwelling (including dual occupancies and secondary dwellings) on lots subdivided as part of a residential subdivision consent issued after 28 August 1988 then you should answer no to this question</p>	<p>No change of use proposed, the site is currently used as a recreation facility(outdoor).</p> <p>The development application is not for the purpose of a dwelling.</p>
<p>2. Is Council aware of any Previous investigation or orders about contamination on the land?</p>	<p>a. Is there any property information for any evidence of contamination information?</p> <p>b. Check for contamination information and planning certificates linked to the property.</p>	<p>A search of Council's records for evidence of potentially contaminating activities was undertaken on 24 September 2021. No evidence was found of contaminating land activities having occurred on the land.</p> <p>A search of the planning certificates linked to the property was undertaken on 24 September 2021. No evidence was found of contaminating land activities having occurred on the land.</p>
<p>clause 7(1)</p> <p>3. Do existing records held by Council show that a contaminating land activity has occurred on the land?</p>	<p>a. Check the approval for any potentially contaminating uses have been approved on the site.</p>	<p>A search of previous contaminated land uses approved on the site was undertaken on 24 September 2021. Some of the buildings on the site contain asbestos. This application does not propose any works to those buildings.</p>
<p>Clause 7(1)</p> <p>4. Has the land previously been zoned for potentially contaminating uses?</p>	<p>a. Check if the land is currently zoned, or was zoned under the previous LEP, Rural, Industrial or Special Purposes for a contaminating use.</p>	<p>The Campbelltown (Urban Area) Local Environmental Plan 2002 was the previous EPI that applied to the land and the site was previously zoned 2(b) Residential B which do not allow for potentially contaminating uses.</p>
<p>clause 7(1)</p> <p>5. Is the land currently being used for a potentially contaminating use or is there any evidence of a potentially contaminating use on site?</p>	<p>a. Conduct site inspection to check for any obvious signs on the site or adjoining land of an industrial use, underground storage tanks, land filling, agriculture, chemical storage, dumping or unregulated building demolition (especially fibro material)</p>	<p>Based on Council's site inspection, no evidence of potential contamination related to this particular development was found.</p>

Based on the above assessment, the provisions of clause 7 of SEPP 55 and the contaminated land planning guidelines have been considered and the site is considered suitable for the proposed development.

3. Planning Assessment

3.1 Campbelltown Local Environmental Plan 2015

The subject site is zoned R2 Low Density Residential under the provisions of CLEP 2015. The proposal involves construction of an ancillary structure consisting of an amenities block and storage shed with associated works at 1 Golf Course Drive, Glen Alpine and all other associated works, all of which are permissible with consent within the R2 Low Density Residential Zone:

A recreation facility (outdoor) defined by the CLEP 2015 as:

A building or place - (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

The proposal satisfies this definition. Recreation facility (outdoor) is permissible with consent.

The objectives of the R2 zone are:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To enable development for purposes other than residential only if that development is compatible with the character of the living area and is of a domestic scale.
- To minimise overshadowing and ensure a desired level of solar access to all properties.
- To facilitate diverse and sustainable means of access and movement.

In the subject context, the proposed development provides a facility that is required to meet the day to day needs of residents by enhancing the outdoor recreation facility present. The amenities block and storage shed is a development that is compatible with the character of the living area and is of an acceptable scale given the site area of the golf course. As such, the proposed development successfully meets the second and third objective of the R2 Low Density Residential Zone.

Clause 4.3 Height of Building

Clause 4.3 provides that the height of a building on any land is not to exceed the maximum height shown for the land on the Height of Building Map. The height of building map identifies a maximum height of 8.5 m for the subject site. The development proposes a building height of 6.8 m which is below the prescribed height limit and complies with this clause.

Clause 4.4 Floor Space Ratio

Clause 4.4 provides that the maximum floor space ratio (FSR) for a building on any land is not to exceed the FSR shown on the FSR map. The subject land is not identified on this map and as sub clause 2A of CLEP 2015 does not refer to outbuildings it is therefore not applicable.

Clause 5.21 Flood Planning

Pursuant to Clause 5.21 of CLEP 2015, development consent must not be granted unless the consent authority is satisfied that the development:

- (a) Is compatible with the flood function and behaviour on the land, and
- (b) Will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and
- (c) Will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and
- (d) Incorporates appropriate measures to manage risk to life in the event of a flood, and
- (e) Will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.

Comment: The subject site is land that is not subject to a flood study and is not impacted by an overland flow path. However, there is a lack of information on the integrity of the dam wall near the proposed development's location immediately downstream of the embankment. As such, a minimum flood planning level (building floor level) of RL 94.0 m AHD is recommended in this instance.

Clause 7.1 Earthworks

Pursuant to clause 7.1 of CLEP 2015, in deciding whether to grant development consent the consent authority must consider:

- (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development

Comment: The proposed works would be minimal earthworks as the development proposes small cuts (300 mm) to the land and moderate fill (1 m) works as part of their proposal to respond to the natural topography of the site.

- (b) the effect of the development on the likely future use or redevelopment of the land

Comment: The proposal would not restrict or prevent the redevelopment of land in the future.

- (c) the quality of the fill or the soil to be excavated, or both

Comment: A condition could be imposed to ensure that all soils imported to the site be of suitable residential quality (eg VENM) and any excess material is to be removed from the site.

- (d) the effect of the development on the existing and likely amenity of adjoining properties

Comment: The proposal would not be likely to impact on the amenity of adjoining properties,

particularly given the significant separation distances to residential development.

(e) the source of any fill material and the destination of any excavated material

Comment: The application proposes fill as part of the development. A condition is recommended to ensure that the source of fill material will be of a suitable quality (eg VENM).

(f) the likelihood of disturbing relics,

Comment: There are no known or potential relics within the vicinity of the site.

(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,

Comment: The proposed development is not within 40 m of a natural waterway and does not require concurrence. That being said, conditions are recommended to ensure appropriate erosion and sediment control measures are in place for the life of the development if development were to be approved.

(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

Comment: Due to the natural topography of the site the proposed cut and fill is seen as a necessary measure to facilitate the development and provide a more even ground level. A condition is recommended to ensure appropriate erosion and sediment control measures are in place for the life of the development if development were to be approved.

Clause 7.10 Essential Services

Pursuant to clause 7.10 of CLEP 2015, development consent must not be granted unless the consent authority is satisfied services that are essential for the development are available or that adequate arrangements have been made to make them available when required.

Comment: The site is located within an golf course with essential services readily available to existing buildings adjacent to the site of the proposed development.

2.9 Campbelltown (Sustainable City) Development Control Plan 2015 (SCDCP)

The SCDCP is to be considered and read in conjunction with the CLEP 2015. The SCDCP is broken down into several volumes and parts which relate to specific localities and various developments. Volume 1 relates to development controls for all types of development.

Part 2 – Requirements Applying to All Types of Development

An assessment of Volume 1, Part 2 Requirements applying to all types of development of the SCDCP is provided below.

Part	Requirement	Proposed	Compliance
2.2 Site Analysis	A Site Analysis Plan shall be lodged with the development application.	A site analysis plan was provided with the development application.	Yes
2.4.1 Rain Water Tanks	In addition to satisfying BASIX, residential development is encouraged to provide a rain water tank for new buildings. Above ground water tanks shall be located behind the primary or secondary building line	The development is not for the purpose of a residential development. As such, a rainwater tank is not applicable.	N/A
	A rain water tank shall be provided for all new buildings containing a roof area greater than 100 m ² for all development not specified by BASIX. The rain water tank shall have a minimum capacity in accordance with Table 2.4.1	A rainwater tank has not been provided and whilst the proposal is within a residential zone it is part of an existing commercial use and is therefore not applicable.	N/A
2.4.3 Natural Ventilation	The design of new buildings shall be encouraged to maximise opportunities for cross flow ventilation, where practical, thus minimising the need for air conditioning.	The design of the building, where practical, encourages cross flow ventilation, with the placement of windows.	Yes
2.4.5 BASIX	BASIX Certificate to be provided in accordance with State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.	A BASIX certificate is not required for the proposed development.	Yes
2.5 Landscaping	A landscape concept plan is required to be submitted with a development application/ Landscape design shall enhance the visual character of the development and complement the design/use of spaces within and adjacent to the site.	A landscape plan is not required as the development is for the purpose of an ancillary building for storage and amenities purposes. There is substantial and significant existing landscaping on the golf course.	N/A
	Landscaping shall maximise the use of locally indigenous and other drought tolerant native plants and avoid the use of invasive species.		

2.7 Erosion and Sediment Control	An Erosion and Sediment Control Plan (ESCP) shall be prepared and submitted with a development application proposing construction and/or activities involving the disturbance of the land surface.	ESCP submitted with development application. A condition of consent is recommended requiring the installation of erosion and sediment control measures prior to the commencement of works.	Yes, standard condition recommended.
2.8 Cut, Fill and Floor Levels	A Cut and Fill Management Plan (CFMP) shall be submitted with a development application where the development incorporates cut and/or fill operations.	Cut and fill has been illustrated on the site plan and elevation plans.	Yes
	For any dwellings within residential zones, the maximum level of cut shall not exceed 1.0m below the ground level (existing) and the maximum level of fill shall not exceed 1.0m above ground level (existing), when measured at any corner of the building platform.	The application proposes a maximum cut of 300 mm below the ground level (existing) and fill of 1.0 m	Yes
	Any excavation within the zone of influence of any other structure requires a 'dilapidation report' (prepared by a suitably qualified person) demonstrating that adequate ameliorative measures are to be implemented to protect the integrity of any structure	The application does not require excavation within the zone of influence.	N/A
	Development incorporating any cut or fill shall comply with the following requirements: i) minimum cross fall of 1% to any adjoining waterway; and ii) batters to be no steeper than 2H:1V ('H' stands for the term 'Vertical distance'; iii) batters to be no steeper than 6H:1V for public areas	A condition of consent is recommended to ensure compliance is achieved.	Yes, via condition.
	All fill shall be 'Virgin Excavated Natural Material' (VENM)	A condition of consent is recommended to ensure compliance is achieved.	Yes, via condition
	No fill shall be deposited in the vicinity of native vegetation	A condition of consent is recommended to ensure compliance is achieved.	N/A
	All basement excavation shall be setback a minimum of 900 mm from the property boundaries	No basement is proposed as part of the application.	N/A

	Provisions of basements shall not result in non-compliance with deep soil planting controls contained within this plan.	No basement proposed.	
2.10.3 Stormwater Drainage	A stormwater Drainage Concept Plan shall be prepared by a suitably qualified person, and submitted with all development applications, involving construction (except for internal alterations/fitouts), demonstrating to Council how the stormwater will be collected and discharged from the site.	A concept stormwater plan has been submitted as part of the development application and has been prepared by a suitably qualified person.	Yes
	b) The stormwater concept plan shall include the following information as a minimum: i) locations, layouts and sizes of stormwater pipes and pits; ii) minimum grades and capacity of stormwater pipes; and iii) existing and proposed easements, site contours and overland flow path/s,	The storm water will be discharged to the existing rubble pit.	Yes, condition recommended
2.15 Waste Management	A detailed Waste Management Plan (WMP) shall accompany development applications for certain types of development/land uses, as detailed in Table 2.15.1 and for any other development that in the opinion of Council a WMP is required.	WMP submitted with development application and is satisfactory.	Yes.
2.16 Provision of Services	Ensure that development is provided with adequate water and power supply.	The site is currently serviced and essential services are available to the site.	Yes.

Part 3 – Low and Medium Density Residential

An assessment of Volume 1, Part 3 Low and Medium Density Residential of the SCDCP is provided below.

Control	Requirement	Proposed	Compliance
3.4 General requirements for Low and Medium Density Residential Development – Zones R2, R3, R4 and R5			
3.4.1 Building Form and Character			
3.4.1.1 Streetscape	a) Building design (including facade treatment, massing, roof design and entrance features), setbacks and landscaping shall complement the scale of development, and the desired future character of the residential neighbourhoods.	The proposed amenities block and storage shed is located within the subject site away from the primary frontage. The building design including façade treatment, massing and setbacks have been appropriately considered and will complement the desired use of the site as a recreation facility (outdoor) within the R2 Low Density Residential Zone.	Yes
	b) Development on corner sites shall incorporate façade treatments that address both street frontages and achieve positive articulation in building design. Landscaping shall be used to reduce the impact of any privacy fencing.	The subject site is not a corner site.	N/A
	c) The built form shall relate to the natural landform and setting.	The built form relates to the natural landform and setting.	Yes
	d) On-site parking areas shall be designed and sited to reduce the visual prominence of garage doors and external parking spaces as viewed from the street or other public place.	The proposed on-site parking areas will not have visual prominence from the street or other public places.	Yes
	e) Garage doors facing a public street shall not be wider than 50% of the width of the building's façade fronting the street (refer to Figures 3.4.1.1).	No garages are being proposed as part of the development.	N/A
	f) No carports or garages (or like structures) shall be located within 6m of the primary street boundary, for additional requirements of setbacks for various types of residential development refer to section 3.5.3.6 and 3.7 of this part of the plan.	No carports are being proposed as part of the development.	N/A
	g) No bathroom ensuite, toilet or laundry windows shall face the primary street of an allotment.	No bathroom, ensuite, toilet or laundry windows are being proposed to face the primary street of the site.	N/A

	<p>h) Multi dwellings and dual occupancies shall satisfy the following architectural requirements:</p> <p>i) incorporation of variations in roof heights and wall planes to avoid long unbroken ridge lines</p> <p>ii) incorporation of façade shifts and articulation, varied materials and colours in order to avoid duplication of the same building elements</p> <p>iii) Provision of windows and active space in the building ends, to provide additional security and visual interest.</p>	The development is not for the purpose of multi-dwellings or a dual occupancy.	N/A
	i) All windows facing the street (primary and secondary) must have a balanced architectural design.	The building will not be visible from any public street.	Yes
3.4.1.2 Building Height	a) The height of development shall not result in any significant loss of amenity (including loss of solar access and visual and acoustic privacy) to adjacent properties and public places.	The proposed height of the development will not result in any significant loss of amenity to adjacent properties and public places.	Yes
3.4.2 Car Parking and Access			
	a) The minimum dimensions of any required parking space shall be 2.5 m x 5.5 m. If the car parking space adjoins a vertical edge which is 100mm or higher, the minimum width of the car parking space shall be 2.7 m	The proposed development provides a parking space which complies with the Australian Standard and therefore complies with this requirement.	Yes
	b) the minimum internal dimension of an enclosed garage shall be 3 m x 6 m	No enclosed garages are being proposed.	N/A
	c) Transitional grades shall comply with AS2890.1 (as amended) Parking Facilities - Off-Street Car Parking.	The submitted plans demonstrate compliance with this requirement.	Yes.
	d) The maximum garage floor levels (above or below) for a garage setback 6 m from the front property boundary shall be in accordance with the requirements contained under Council's Engineering Guide for Development, (Appendix K - Standard Drawings No. SD-R08 and SDR09).	The development does not propose a garage as part of the development.	N/A
	e) Driveways greater than 30m in length viewed from the street shall be avoided.	The development is accessed by an existing driveway, which although greater than 30m long, is not altered by the proposal.	No - however this is reasonable in this context

		The longer driveway enables the building to be located where it is not visible from the public street.	
	f) Driveways shall be located a minimum of 6 m from the tangent point of any non-signalised intersection (refer to Figure 3.4.2.1.	The proposed driveway is located appropriately.	Yes
	g) The minimum width of the driveway at the street kerb shall be: i) 2.5 m where the driveway provides access for one dwelling; and ii) 5 m where a single driveway provides access for 2 or more dwellings (excluding secondary dwellings).	The minimum width of the proposed internal driveway is 3.1m and is considered satisfactory.	Yes
	h) For residential developments incorporating more than 20 dwellings, a Traffic Impact Assessment Report shall be prepared by a suitably qualified person and submitted with the development application.	The development does not seek consent to incorporate more than 20 dwellings.	N/A
	i) Driveways shall be designed and located perpendicular to the road (Figure 3.4.2.2)	There is no alteration to the existing driveway arrangement.	N/A
	j) Plain concrete driveways including crossover and layback shall not be permitted. Details of driveway colours and patterns shall be submitted with the development application.	The existing driveway is considered adequate for the proposed development.	Yes
	k) Internal driveways and vehicle access shall be provided with sufficient widths to ensure easy access to and from designated car parking areas/garages.	Vehicle swept paths deemed satisfactory by Councils Development Engineer	Yes
	l) Internal driveways for multi dwellings shall be designed to provide 2 way vehicle access.	The development is not for the purpose of multi-dwellings.	N/A
3.5 Ancillary Residential Structures			
3.5.2 Outbuildings			
	a) Outbuildings shall: i) incorporate similar or complementary design features, finishes, materials and colours to those of the principal dwelling house;	Colour schedule has been provided with the proposal and it complements the existing buildings.	Yes
	ii) not contain any other sanitary fixtures other than a toilet and a hand basin; and	The proposed development does not contain any other sanitary fixtures other than a toilet and a hand basin.	Yes

	iii) Not be used for any habitable, commercial or industrial purposes.	A condition is recommended.	Yes, via condition.
3.5.2.2 Maximum Floor Area for Outbuildings	a) The combined areas of all 'detached' outbuildings (including carports and garages) shall be a maximum of 55 m ² .	The proposed floor area of the amenities block is 499 m ²	No, a variation request is addressed below
3.5.2.3 Setbacks for Outbuildings	a) Outbuildings shall be setback by a minimum of: i) 6 m from the primary street boundary;	The proposed amenities block and storage shed is located a minimum of 6 m from the primary street boundary.	Yes
	ii) 3 m from the secondary street boundary for all domestic outbuildings other than any garage that is accessed directly from the secondary street.	The secondary street setback is substantial and in excess of 3 m.	Yes
	iii) 5.5 m from the secondary street boundary for the garage, where the garage is directly accessed from the secondary street.	The development does not propose a garage.	N/A
	iv) 0.45 m from the side boundaries;	The proposed amenities block and storage shed is located more than 0.45 m from the side boundaries.	Yes
	v) Despite 3.5.2.3 a) iv), zero metres from the side and rear boundaries for open structures such as pergolas, carports and awnings, subject to compliance with BCA; and	The development does not propose any open structures.	N/A
	vi) 0.9 m from the rear boundary	The proposed amenities block and storage shed is located more than 0.9 m from the rear boundary.	Yes

Non-Compliance variation request

Control - 3.5.2.2 Maximum Floor Area for Outbuildings

The combined areas of all 'detached' outbuildings (including carports and garages) shall be a maximum of 55 m².

Proposal

The proposed floor area of the amenities block and storage shed is 499 m² which exceeds the maximum of 55 m².

Applicant's Justification

"The maximum floor area permitted for outbuildings in Residential Zones is 55 m². The proposed outbuilding has a total floor area of 499 m², exceeding this control. A variation is requested in this instance as it is assumed that this control is more relevant to small residential allotments, and outbuildings ancillary to residential purposes, where this development is ancillary to an existing commercial use within a residential zone.

The site is a recreation facility, being a golf course and has a total site area of 10,500 m², with the outbuilding having a total site coverage of 4.75 per cent. As the shed will have minimal site coverage and is appropriately sited so as to have minimal impact upon the adjoining residential sites or the existing vegetation the shed is considered to be a suitable development for the site.

As mentioned, the controls are considered to be more applicable to standard residential sites and outbuildings ancillary to a residential use. As the site has an existing use for a recreational facility, and the proposed shed is ancillary to this use, being for the upkeep and maintenance of the golf course and associated equipment, the size is considered reasonable.

As there is no impact upon any residential allotments as outlined above, and the shed will not impact upon the existing vegetation, the size is considered to be reasonable in this instance. The shed maintains the objectives of the SCDCP, despite numerically not complying, and is therefore considered to be a suitable form of development, it is requested Council consider a variation in this instance."

Assessing Officers comments:

The proposed storage and amenities building is replacing an existing amenities block which is to be demolished when the proposal has been completed. The subject site is zoned R2 low density residential, however is an existing commercial use being occupied as a golf course and the proposal is seen as ancillary use to the golf course. The proposal is capable of meeting the objectives within the zone and is seen as necessary to carry out the functions of the golf course despite not meeting the requirements of this control. It is considered reasonable as the proposal has mitigated the impacts of this proposal on the adjoining properties and the size of the amenities block in comparison to the lot size is minimal and as such is supported by Council in this instance.

3. Planning Assessment

3.1 Environmental Planning and Assessment Act 1979 - Section 4.15(1)(b) - Likely Impacts

Section 4.15 (1)(b) of the EP&A Act requires that the consent authority must consider the development's potential impacts on the natural and built environment, as well as, potential social and economic impacts of the development.

The key matters for consideration when considering the potential impacts on the natural and built environment are as follows:

1. Ecological Impacts
2. Flood Impacts
3. Social and Economic Impacts
4. Construction

Ecological Impacts

The application was referred to Councils Senior Environmental Officer to assess the potential impacts on the vegetation and tree located within proximity to the proposal. Subsequently an aboriginal impact assessment and ecological report was submitted.

Councils Senior Environmental Officer reviewed the amended documentation and has provided recommended conditions on the consent which are included in attachment 1.

Social and Economic Impacts

Socially, the proposal would deliver an updated amenities block and storage area for use by the employees and aiding in improving the functionality of the golf course, which is consistent with the strategic and statutory controls.

Economically, the proposal would be beneficial to the overall local economy with workers being employed during the construction phase of the development, whilst providing storage and amenity facilities for the employees of the golf course.

Construction

The construction of the proposed development would see construction vehicles accessing the site via Golf Course Drive. Construction impacts can be adequately managed within the site provided appropriate conditions that address erosion and sediment control measures and limiting construction work hours to alleviate any noise nuisance to nearby residents are included as recommended in Attachment 1.

3.2 Environmental Planning and Assessment Act 1979 - Section 4.15(1)(c) - Suitability of the Site

Section 4.14 (1)(c) of the EP&A Act requires that the consent authority must consider the suitability of the site when determining a development application. The site is considered to be suitable for the proposed storage and amenities building.

The proposal, once developed, would contribute positively to the urban streetscape and create a good outcome for function of the golf course and for the use by the employees.

4. Public Participation

Section 4.15 (1)(d) of the EP&A Act requires that the consent authority must consider any submissions made in relation to a development proposal.

The application was notified and publicly exhibited from 18 June until 12 July 2021. There were no submissions received.

Conclusion

The development application has been assessed against the relevant matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*, including Campbelltown Local Environmental Plan 2015 and the Campbelltown (Sustainable City) Development Control Plan 2015.

Overall, having regard to the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*, and the relevant matters discussed within this report, it is recommended that the development be approved, subject to the conditions listed in attachment 1.

Attachments

1. Recommended Conditions of Consent (contained within this report)
2. Site Plan (contained within this report)
3. General Arrangement Plan (contained within this report)
4. Floor Plan (contained within this report)
5. Elevations (contained within this report)
6. Colours and Materials (contained within this report)

Reporting Officer

Executive Manager Urban Centres

ATTACHMENT 1**1824/2021/DA-0****Recommended Conditions of Consent****GENERAL CONDITIONS**

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land.

For the purpose of these conditions, the term 'applicant' means any person who has the authority to act on or benefit of the development consent.

1. Approved Development

The development shall be carried out in accordance with the approved plans and documents listed in the table below, and all associated documentation supporting this consent, except as modified in red by Council and/or any conditions within.

Plan Detail	Job Number	Prepared by	Date
Site Plan	Job No. 397664 Sheet No.3 Revision A	Campbelltown City Council	20.5.2021
General arrangement Plan	Job No. 397664 Sheet No.4 Revision B	Campbelltown City Council	20.10.2021
Floor Plan	Job No. 397664 Sheet No.5 Revision A	Campbelltown City Council	20.5.2021
Elevation and Section Plan	Job No. 397664 Sheet No.6 Revision B	Campbelltown City Council	19.10.2021
Colours and Materials Schedule			N.D

2. Building Code of Australia

All building work must be carried out in accordance with the provisions of the *Building Code of Australia*. In this clause, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

3. Contract of Insurance (residential building work)

In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

This clause does not apply:

- a. To the extent to which an exemption is in force under Clause 187 or 188 of the Environmental Planning and Assessment Regulation 2000, subject to the terms of any condition or requirement referred to in Clause 187(6) or 188(4) of that regulation, or
- b. To the erection of a temporary building.

4. Notification of Home Building Act 1989 Requirements

Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the appointed Principal Certifier for the development to which the work relates (not being Council) has given Council written notice of the following information:

- a. In the case of work for which a principal certifier is required to be appointed:
 - i. The name and licence number of the principal certifier, and
 - ii. The name of the insurer by which the work is insured under Part 6 of that Act
- b. In the case of work to be done by an owner-builder:
 - i. The name of the owner-builder, and
 - ii. If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified becomes out of date, further work must not be carried out unless the appointed Principal Certifier for the development to which the work relates (not being Council) has given Council written notification of the updated information.

5. Shoring and Adequacy of Adjoining Property

If the development referred to in this development consent involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must at the person's own expense:

- a. Protect and support the adjoining premises from possible damage from the excavation, and
- b. Where necessary, underpin the adjoining premises to prevent any such damage.

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

6. Construction Certificate

Prior to the commencement of any works that require a construction certificate:

- a. the applicant shall appoint a Principal Certifier;
- b. the applicant shall obtain a construction certificate for the particular works; and
- c. when Council is not the Principal Certifier, the appointed Principal Certifier shall notify Council of their appointment no less than two days prior to the commencement of any works.

7. Pollution Management

The following conditions have been applied to ensure that all activities involving the operation of the facility are carried out in a manner which will prevent undue air, land, water pollution, noise pollution and waste management practices in accordance with the Protection of the Environment Operations Act 1997 Protection of the Environment Operations (Waste) Regulation 2014, Protection of the Environment Operations (Noise) Regulation 2017, Local Government Act 1993, Local Government Regulation 2015 and associated technical standards:

AMENITY OF THE NEIGHBOURHOOD – The implementation and ongoing operation of this development must not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, odour, dust, waste products or other products, particularly from machinery, vehicles, warning sirens, public address systems and the like.

OFFENSIVE NOISE – The development must be designed so that the use of the premises, building services, operations, equipment, machinery, vehicles and ancillary fittings must not emit 'offensive noise' as defined in the Protection of the Environment Operation Act, 1997: Offensive noise means noise:

- a) That, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:
 - i) Is harmful to (or likely to be harmful to) a person who is outside the premises from which it is emitted; or
 - ii) Interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted; or
- b) That is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulations.

UNREASONABLE NOISE, ODOUR, DUST AND VIBRATION - In the event of a noise, fumes, odour, dust, or waste related issue arising during the implementation, construction and ongoing operation of this development, the person in charge of the premises shall when instructed by Council, cause to carry out an investigation by an appropriate consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to its satisfaction.

Should the development not achieve compliance with the applicable guidelines and standards, amendments to the development are required to be made (with the consent of Council), which may include, but are not limited to, changes to hours of operation, installation of further treatment, modification of operational procedures, etc.

8. Use of Outbuilding

The amenities and storage building shall not be used as a dwelling.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a construction certificate by either Campbelltown City Council or the appointed Principal Certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a construction certificate.

9. Tree Protection Measures

Prior to the Principal Certifier issuing a Construction Certificate or the commencement of any works the tree protection zones of native trees located to the east of the development footprint are to be fenced and signed as per the requirements of AS 4970-2009 Protection of Trees on development sites by an Arborist with a minimum qualification of AQF 5. This fencing is to remain in place until all construction works have been completed.

10. Geotechnical Report

Prior to Council or the appointed Principal Certifier issuing a construction certificate, a geotechnical report prepared by a NATA registered lab shall be submitted which indicates that the land will not be subject to subsidence, slip, slope failure or erosion where excavation and/or filling exceeds 900mm in depth or identified as filled land.

11. Sydney Water

Prior to Council or the appointed Principal Certifier issuing a construction certificate, the approved plans must be submitted to Sydney Water via the Sydney Water Tap In service, to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met.

An approval receipt will be issued if the building plans have been approved. The approval receipt shall be submitted to the appointed Principal Certifier prior to issue of a construction certificate.

The Sydney Water Tap In service can be accessed at www.sydneywater.com.au.

12. Stormwater Drainage

Stormwater drainage from the outbuilding shall be drained into the gravel rubble pit.

The gravel rubble pit is to be designed and certified by a suitably qualified and practising engineer to ensure no adverse impacts on adjoining properties by the diversion, damming or concentration of stormwater flows.

The proposed method of stormwater discharge shall be detailed in the construction certificate issued by the appointed principal certifier.

PRIOR TO THE COMMENCEMENT OF ANY WORKS

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with prior to the commencement of any works on site.

13. Erosion and Sediment Control

Prior to the commencement of any works on the land, adequate/approved erosion and sediment control measures shall be fully installed/implemented.

14. Erection of Construction Sign

Prior to the commencement of any works on the land, signs must be erected in prominent positions on the site:

- a. Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours
- b. Stating that unauthorised entry to the work site is prohibited
- c. Pollution warning sign promoting the protection of waterways (a digital copy is provided with this consent that can be printed, laminated and affixed to the site or a corflute sign is available for free pick up at Council's administration office)
- d. Stating the approved construction hours in which all works can occur
- e. Showing the name, address and telephone number of the principal certifying authority for the work.

Any such signs are to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

15. Toilet on Construction Site

Prior to the commencement of any works on the land, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part thereof. Each toilet provided must be a standard flushing toilet and be connected to:

- a. A public sewer, or
- b. If connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council, or
- c. If connection to a public sewer or an accredited sewage management facility is not practicable, to some other management facility approved by Council.

16. Trade Waste

Prior to the commencement of any works on the land, a trade waste facility shall be provided on-site to store all waste pending disposal. The facility shall be screened, regularly cleaned and accessible to collection vehicles.

17. Fencing

An appropriate fence preventing public access to the site shall be erected for the duration of construction works.

18. Geotechnical Reference

Prior to the commencement of any works, a certificate prepared by the designing structural engineer certifying that the design is in accordance with the geotechnical investigation of the site shall be submitted to the appointed Principal Certifier. The designing structural engineer shall also nominate a site classification in accordance with *AS2870 – Residential Slabs and Footings*.

DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with during the construction of the development on site.

19. Tree Protection Measures

No works are permitted to be undertaken within the fenced Tree Protection Zones and no vehicles or machinery are permitted to enter the fenced Tree Protection Zones. Further, all stockpiles and building materials must be located in existing cleared areas and outside of the fenced Tree Protection Zones.

20. Construction Work Hours

All work on site shall only occur between the following hours:

Monday to Friday	7.00 am to 6.00 pm
Saturday	8.00 am to 5.00 pm
Sunday and public holidays	No Work.

21. Erosion and Sediment Control

Erosion and sediment control measures shall be provided and maintained throughout the construction period, in accordance with the requirements of the manual – Soils and Construction (2004) (Bluebook), the approved plans, Council specifications and to the

satisfaction of the principal certifying authority. The erosion and sedimentation control devices shall remain in place until the site has been stabilised and revegetated.

Note: On the spot penalties up to \$8,000 will be issued for any non-compliance with this requirement without any further notification or warning.

22. Fill Compaction Requirements

Any filling carried out in accordance with this consent shall maintain a minimum requirement of 98 per cent standard compaction.

Any lot filling operations carried out in accordance with this consent shall be tested to establish the field dry density every 300mm rise in vertical height. Test sites shall be located randomly across the fill site with 1 test per 500 m² (minimum 1 test per 300 mm layer) certified by a qualified geotechnical engineer.

23. Dust Nuisance

Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual - 'Soils and Construction (2004) (Bluebook). Construction areas shall be treated/regularly watered to the satisfaction of the appointed Principal Certifier.

24. Imported 'waste-derived' fill material

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

- virgin excavated natural material (within the meaning of the Protection of the Environment Operations Act 1997); and
- any other waste-derived material the subject of a resource recovery exemption under cl.51A of the Protection of the Environment Operations (Waste) Regulation 2005 that is permitted to be used as fill material.

Any waste-derived material the subject of 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 Certifying Authority on request.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of an occupation certificate by the appointed Principal Certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for an occupation certificate.

25. Completion of External Works Onsite

Prior to the principal certifying authority issuing an occupation certificate, all external works, repairs and renovations detailed in the schedule of treatment/finishes, landscaping, driveways, fencing and retaining walls to be completed to the satisfaction of the principal certifying authority.

26. Restoration of Public Roads

Prior to the appointed Principal Certifier issuing an occupation certificate, the restoration of public road and associated works required as a result of the development shall be carried out by Council and all costs shall be paid by the applicant.

27. Council Fees and Charges

Prior to the appointed Principal Certifier issuing an occupation certificate, the applicant shall obtain written confirmation from Council that all applicable Council fees and charges associated with the development have been paid in full. Written confirmation will be provided to the applicant following Council's final inspection and satisfactory clearance of the public area adjacent the site.

ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, other relevant Council Policy/s and other relevant requirements. This information does not form part of the conditions of development consent pursuant to Section 4.17 of the Act.

Advice 1. Environmental Planning and Assessment Act 1979 Requirements

The Environmental Planning and Assessment Act 1979 requires you to:

- a. Obtain a construction certificate prior to the commencement of any works. Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 4645 4608.
- b. Nominate a Principal Certifier and notify Council of that appointment prior to the commencement of any works.
- c. Give Council at least two days notice prior to the commencement of any works.
- d. Have mandatory inspections of nominated stages of the construction inspected.
- e. Obtain an occupation certificate before occupying any building or commencing the use of the land.

Advice 2. Tree Preservation Order

To ensure the maintenance and protection of the existing natural environment, you are not permitted to ringbark, cut down, top, lop, remove, wilfully injure or destroy a tree outside three metres of the building envelope unless you have obtained prior written consent from Council. Fines may be imposed if you choose to contravene Council's Tree Preservation Order.

A tree is defined as a perennial plant with self supporting stems that are more than three metres or has a trunk diameter more than 150mm measured one metre above ground level, and excludes any tree declared under the *NSW Biosecurity Act 2015* or included within the NSW Governments Greater Sydney Strategic Management Plan 2017-2022.

Advice 3. Covenants

The land upon which the subject building is to be constructed may be affected by restrictive covenants. Council issues this approval without enquiry as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this permit. Persons to whom this permit is issued rely on their own enquiries as to whether or not the building breaches any such covenant.

Advice 4. Asbestos Warning

Should asbestos or asbestos products be encountered during construction or demolition works you are advised to seek advice and information prior to disturbing the material. It is recommended that a contractor holding an asbestos-handling permit (issued by Work Cover NSW), be engaged to manage the proper disposal and handling of the material. Further information regarding the safe handling and removal of asbestos can be found at:

www.environment.nsw.gov.au

www.nsw.gov.au/fibro

www.adfa.org.au

www.workcover.nsw.gov.au

Alternatively, call Work Cover Asbestos and Demolition Team on 8260 5885.

Advice 5. Dial before you Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before you dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

Advice 6. Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any persons interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution.

Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

END OF CONDITIONS

DIAL 1100
BEFORE YOU DIG



SITE PLAN
NOT TO SCALE

Approved Director City Delivery: K.L. Lynch Signed: _____ Date: _____		Recommended Executive Manager Infrastructure: M. Wiczak Signed: _____ Date: _____		Recommended Executive Manager Infrastructure: M. Wiczak Signed: _____ Date: _____		Checked Drawn: L. Brancofo Designed: L. Brancofo Date: May 2021 Datum: AHD		Project: Campbelltown Golf Club New Amenities / Storage Building SITE PLAN Sheet no: 3 of 8 Job no: 397664	
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Revision	Date	Description
A	20/5/21	reduced building size to 500sqm



DIAL 1100
BEFORE YOU DIG

distance from edge of building to canopy 1.5m to the trunk 3.5m
the trees are African olive (Olea europaea subsp. cuspidata)
African olive is a long-lived small tree or shrub with a dense canopy. It invades bushland and shades out native plants and classed as a noxious weed.

All stormwater to existing rubble pit

fill approximately 1m batter down 4 to 1.

PROPOSED NEW AMENITIES / STORAGE BUILDING
F.F.L 93.00

FINISHED FLOOR LEVEL TO BE CONFIRMED WITH DESIGN

cut approximately 300mm batter up 4 to 1.

concrete hardstand area

accessible parking

EXISTING AMENITIES / STORAGE BUILDING TO BE REMOVED AT A LATER DATE

GENERAL ARRANGEMENT PLAN
SCALE 1:200 @ A1

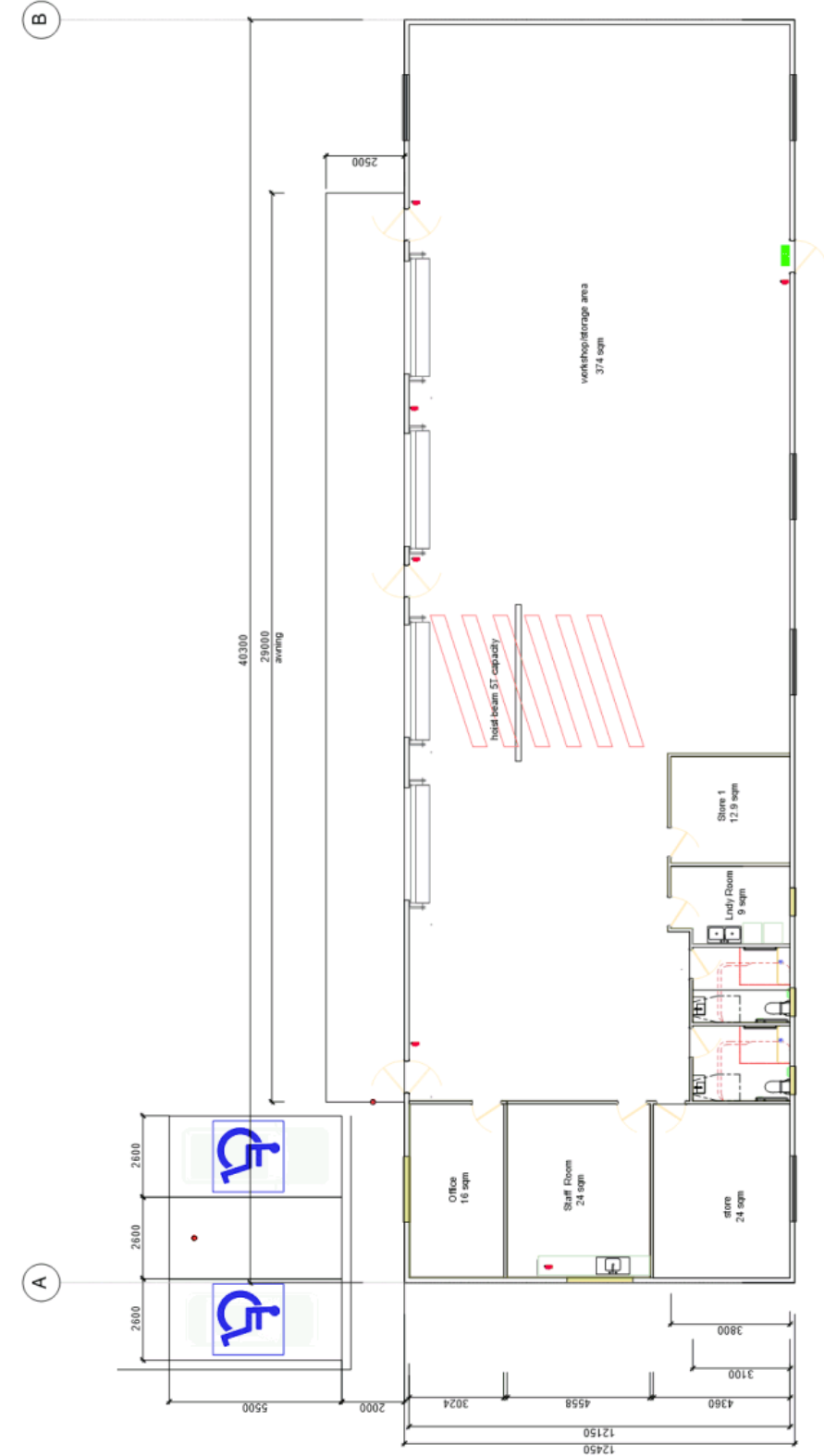
Approved
Director City Delivery:
K. Lynch

Recommended
Executive Manager Infrastructure:
M. Wolczak

Recommended
Project:
Campbelltown Golf Club
New Amenities / Storage Building
GENERAL ARRANGEMENT PLAN

Sheet no: 4 of 8
Job no: 397664

Revision	Date	Description
B	20.10.21	plans amended
A	20.5.21	reduced building size to 500sqm.
		Approved: WM
		Approved:



- b. c.a notes**
- addendum of matters to be carried out in accordance with the building code of australia.
 - the entire building is to be constructed in accordance with the applicable requirements of the building code of australia (b.c.a) and the requirements of the consent authority and certifying authority. in particular the following matters will be addressed to meet the requirements of the b. c.a
1. materials used in the building will satisfy the early fire hazard requirements of the building
 2. external wall will be designed so as to meet the fire requirements
 3. door furniture to doors in required exits or forming part of required exits will satisfy the requirements of 42.21
 4. a car parking space for people with disabilities will be provided in accordance with 3.5
 5. sanitary facilities for people with disabilities will be provided with a sign incorporating the international symbol of access in accordance with the requirements of d3.6
 6. portable fire extinguishers will be provided in the completed building in accordance with the requirements of e1.6
 7. portable fire extinguishers will be provided during construction in accordance with the requirements of e1.6
 8. emergency lighting will be provided to applicable parts of the building in accordance with the requirements of e4.2.
 9. exit signs will be installed in accordance with the requirements of e4.5 & e4.6
 10. the floor surface & walls of wet areas such as shower rooms & water closets will be impervious to water in accordance with the requirements of f1.7.
 11. the building will be provided with the ventilation in accordance with the requirements of f4.5

- essential SERVICES**
- a. emergency lighting (as required by bca clause e4.2, e4.4)
 - A.S.2293 pt1 & 2
 - b. exit signs (as required by bca clause e4.5, e4.6, e4.7)
 - A.S.2293 pt1 & 2
 - c. fire doors (as required by bca clause c3.4, c3.6)
 - A.S.1905 pt1 & 2
 - d. mechanical ventilation and air conditioning systems (as required by bca c3.15)
 - A.S.1668 pt1 & 2
 - e. portable fire extinguishers (as required by bca clause e1.6)
 - A.S.2444
 - f. smoke detection system (as required by bca clause e2.2)
 - A.S.1676

building data

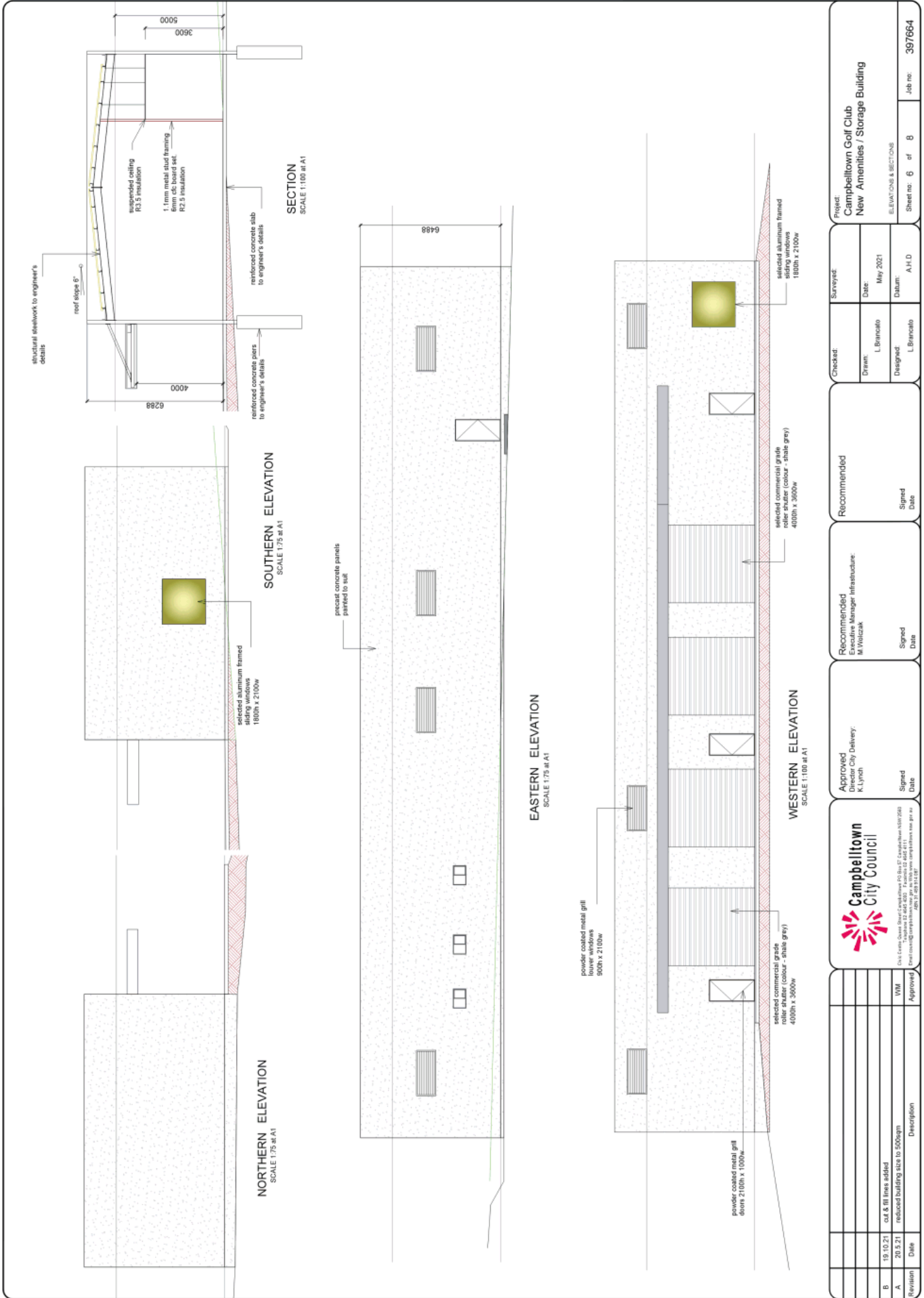
site area 10500sqm
 total building area 499sqm
 workshop storage 414.9sqm
 office/amenities 85.6sqm

car space required
 workshop storage $414.9/200 = 1.4$
 office/amenities $85.6/40 = 1.6$
 4 spaces required

provided spaces = 6 spaces + 2 accessible

FLOOR PLAN
SCALE 1:75 @ A1



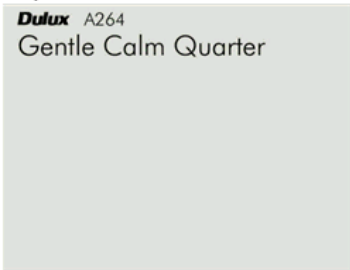


Project: Campbelltown Golf Club New Amenities / Storage Building		FLOOR PLAN	
Checked: Drawn: L.Brancaleo	Designed: L.Brancaleo	Recommended Executive Manager Infrastructure: M.Wieczak	Approved Director City Delivery: K.Lynch
Surveyed: Date: May 2021	Datum: A.H.D	Signed: n.a.	Signed: n.a.
Sheet no: 5	of 8	Job no: 397664	



<p>Project: Campbelltown Golf Club New Amenities / Storage Building</p> <p>ELEVATIONS & SECTIONS</p> <p>Sheet no: 6 of 8</p> <p>Job no: 397664</p>	
<p>Checked:</p> <p>Drawn: L. Brancallo</p> <p>Designed: L. Brancallo</p>	<p>Surveyed:</p> <p>Date: May 2021</p> <p>Datum: A.H.D.</p>
<p>Recommended Executive Manager Infrastructure: M. Hinczak</p> <p>Signed: _____ Date: _____</p>	<p>Recommended Director City Delivery: K. Lynch</p> <p>Signed: _____ Date: _____</p>
<p>Campbelltown City Council</p> <p>City Council Office, Campbelltown PO Box 57, Campbelltown, 5103 SA Email: council@campbelltown.sa.gov.au Website: www.campbelltown.sa.gov.au Phone: 08 8532 1234 Fax: 08 8532 1235</p>	
<p>Revision</p> <p>Date</p> <p>Description</p>	<p>Approved</p> <p>WM</p> <p>cut & fill lines added</p> <p>reduced building size to 500sqm</p>

Colours and Materials Schedule

Proposed Amenities Building – 1 Golf Course Dr GLEN ALPINE

<p>Roof, gutters, downpipes: Colourbond Pale Eucalypt</p>	
<p>Concrete wall Panels: Dulux colours as per example picture below:</p> 	<p>Top: Dulux Gentle Calm Quarter <i>Dulux</i> A264 Gentle Calm Quarter</p>  <p>Middle: Dulux Picture Green</p>  <p>Bottom: Dulux Herb planter</p> 

4.2 Review of Determination - demolition of dwelling and construction of boarding house - 88 Rudd Road, Leumeah

Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.8 - Enable a range of housing choices to support different lifestyles

Referral Criteria

In accordance with Section 8.3(5) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) the review of a determination made by the Local Planning Panel is to be determined by the Local Planning Panel.

Executive Summary

- Council has received a formal request for a review of a Refusal determination issued by the Campbelltown Local Planning Panel (the Panel).
- The Panel refused to issue consent for a development application under Division 8.2 of the *Environmental Planning and Assessment Act, 1979* (EP&A Act) relating to an application for the demolition of the existing dwelling and construction of a 2-storey boarding house with basement car parking at 88 Rudd Road, Leumeah.
- The development application was refused by the Panel at its meeting on 16 December, 2020.
- The subject site is zoned R3 medium density residential under the Campbelltown Local Environmental Plan 2015 (CLEP 2015). The proposed boarding house is permitted with consent in the R3 medium density residential zone.
- The provisions of the State Environmental Planning Policy (Affordable Rental Housing) 2009 (SEPP ARH) apply to the proposed development.
- The Request to Review the Determination was accompanied by amended plans seeking to address the Local Planning Panel's reasons for refusing the application.
- The amended plans accompanying the request were publicly exhibited and notified in accordance with Councils Community Participation Plan from 19 April 2021 to 20 May 2021. 16 submissions were received. One of the submissions included a petition. There were 2 letters of representation from members of parliament.
- Following further amendments to the proposal, the request to review the determination was re-exhibited and re-notified in accordance with Councils Community Participation Plan from 8 October 2021 to 8 November 2021. Eight submissions including one petition were received.

- An assessment of the amended proposal has been undertaken under Section 4.15 of the *Environmental Planning and Assessment Act, 1979*. It is recommended that the Campbelltown Local Planning Panel change its decisions and the development application as now amended be approved subject to the conditions listed in attachment 1 to this report.

Officer's Recommendation

That the Panel change its previous decision to refused the Development Application for the demolition of dwelling and construction of a boarding house at 88 Rudd Road, Leumeah and that Development Application 864/2021/DA-82A as now proposed be approved, subject to the recommended conditions of consent in attachment 1.

Purpose

To assist the Panel in its determination of the subject application in accordance with the provisions of the EP&A Act.

Property Description	Lot B DP 376602, 88 Rudd Road, Leumeah
Application No	864/2021/DA-82A
Applicant	Mr Charlie Bains
Owner	S6 Projects Pty Ltd
Provisions	State Environmental Planning Policy 55 – Remediation of Land State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy (Sydney Region Growth Centres) 2006 State Environmental Planning Policy (Affordable Rental Housing) 2009 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment Draft State Environmental Planning Policy (Housing) 2021 Campbelltown Local Environmental Plan 2015 Campbelltown (Sustainable City) Development Control Plan 2015 Campbelltown 2027
Date Received	23 March 2021

Recent Site History

In recent times a number of trees have been removed from the site, however, there is no record of approval being issued for the removal of the trees.

1796/2010/DA-M

An application for construction of a dual occupancy was withdrawn by the applicant on 1 December 2011.

3988/2019/DA-BH

A development application for the demolition of the existing dwelling and associated structures and the construction of a 27 room boarding house with basement car parking was refused by the Panel at its meeting on 16 December 2020.

The application was refused on the following reasons:

1. The proposed development does not comply with the controls of SEPP ARH with respect to the following:
 - The proposed development fails to comply with the required floor space ratio.
 - It is not demonstrated that the communal living area would receive solar access for a minimum of 3 hours.
 - It is not demonstrated that the proposed development is compatible with the character of the local area given the boarding house would be 2 storeys in a predominantly single storey area.
 - It is not demonstrated that the proposed development is compatible with the character of the local area in terms of bulk, scale and site coverage given the non-compliance with the floor space ratio.
2. The application does not comply with CLEP 2015 with respect to the following:
 - It has not been demonstrated that the proposed development would minimise and ensure a desired level of solar access to all properties.
 - It has not been demonstrated that the proposed development would comply with Clause 7.13 Design Excellence in respect to providing a development that is consistent with the existing streetscape and is of an acceptable bulk and mass.
3. The proposed development does not comply with the objectives of the Campbelltown Sustainable City Development Control Plan 2015 (SCDCP) in respect to providing a development that is capable of being supported on the land.
4. The proposed development does not comply with the controls of the Campbelltown SCDCP with respect to the following:
 - The boarding house would be inconsistent with the scale of surrounding development and desired character.
 - The area of the indoor communal living area is less than the required 42 m².
 - It has not been demonstrated that the adjoining property to the south would receive a minimum of 3 hours to the private open space areas.

- A 1.5 m wide landscape strip has not been provided along the full length of the side boundaries.
 - The species shown on the landscape plan do not maximise local indigenous species in accordance with Council's Native Gardening Guide.
5. The proposed development falls to demonstrate compliance with the relevant Australian Standards with the basement design and access for waste vehicles in respect of the following:
- The gradients of 25 per cent for a commercial vehicle is non-compliant.
 - Gradient transitions and minimum clearance heights are non-compliant.
 - A Vehicle Performance Assessment is required from the manufacture of the vehicle to certify if a SRV fully loaded can negotiate grades as designed.
6. The proposed waste collection vehicle using the manager's car space as a loading bay is not acceptable. A separate loading bay is required to be provided for the waste vehicle adjacent to the waste storage area.
7. The proposed development has failed to demonstrate that excavation of the basement and construction of the boarding house would not impact on the tree protection zones of trees located on adjacent properties within close proximity to the building foot print.
8. The proposed development is not considered to be in the public interest given the number of submissions and a petition being received not in support of the proposal.

The current application is a review of determination pursuant to Division 8.2 of the EP&A Act.

Subject Development Application History

The application was deferred on 5 July 2021 to address issues relating to engineering, waste, building, privacy and overshadowing.

Additional information was submitted by the applicant on 6 September 2021. The application was renotified and re-exhibited.

Campbelltown Design Excellence Panel

The application was referred to the Campbelltown Design Excellence Panel for advice. The proposal was amended in accordance with the comments provided by the Design Excellence Panel.

Amendments included landscaping, roof form, and the orientation of the communal room.

Site and Surrounds

The site is identified as Lot B in DP 376602 and is also known as No. 88 Rudd Road, Leumeah. It is located on the eastern side of Rudd Road and has a gentle slope to the front boundary. The site is rectangular in shape with 15.24 m frontage to Rudd Road and has a total site area of 929.03 m².

The site is occupied by a single storey fibro dwelling with tiled roof. There is a single detached garage located along the northern side boundary.

The subject site is adjoined by a single storey weatherboard dwelling to the north and 2 single storey brick dual occupancy dwellings to the south. Adjoining the site to the rear is a single storey brick dwelling.

The property is not listed as an item of Environmental Heritage, and is not located within a heritage conservation area.



Figure 1: Locality map



Figure 2: Existing street frontage.

The surrounding locality consists of a range of residential developments ranging from single dwellings to dual occupancies. Campbelltown North Public School is also in close proximity to the subject site.

Proposal

The development application proposes a 24 room boarding house with the capacity to accommodate up to 27 lodgers.

The proposal includes the following works:

Basement Level

- 12 car parking spaces plus one accessible car parking space
- 5 motorcycle parking spaces
- 5 bicycle parking spaces
- Waste storage room and bulky waste storage room
- Lift and stair access

Ground Floor

- 10 boarding rooms including 7 single boarding rooms and 3 double (accessible) boarding rooms
- Communal living room
- Lift and stairs
- Entry
- Communal outdoor area to the centre of the site, and additional communal outdoor area at the rear of the site
- Manager unit (single capacity) with adjacent manager's private open space area
- Side courtyards to ground floor boarding rooms
- Landscaping to the site

First Floor

- 14 single boarding rooms
- Balconies to rooms on the front elevation, rooms 13, 14, and 15
- Internal balconies to units 11, 18, 19 and 24
- Lift and stairs

1. Vision

Campbelltown 2027

Campbelltown 2027 is the 10 year Community Strategic Plan for the City of Campbelltown.

The Strategic Plan addresses 4 key strategic outcomes that Council and other stakeholders committed to achieving over the 10 year period to 2027, being:

- Outcome 1: A vibrant, livable city
- Outcome 2: A respected and protected natural environment
- Outcome 3: A thriving, attractive city
- Outcome 4: A successful city

Outcome 1 is considered most relevant to the proposed development. The relevant strategy to this proposed development is:

- 1.8 – Enable a range of housing choices to support different lifestyles.

The proposed development would provide an alternate and affordable housing option that would support different needs and lifestyles, enabling a vibrant and livable city.

2. Planning Provisions

Environmental Planning and Assessment Act 1979 (the Act)

Section 8.2 of the Act provides:

- (1) The following determinations or decisions of a consent authority under Part 4 are subject to review under this Division:
 - (a) the determination of an application for development consent by a council, by a local planning panel, by a Sydney district or regional planning panel or by any person acting as delegate of the Minister (other than the Independent Planning Commission or the Planning Secretary),

- (2) However, a determination or decision in connection with an application relating to the following is not subject to review under this Division:
 - (a) a complying development certificate,
 - (b) designated development,
 - (c) Crown development (referred to in Division 4.6).

Comment: The determination was not for an application of the type referenced in 8.2 (2)(a) – (c) of the Act, and as such the application remains subject to review.

Section 8.3 of the Act provides:

- (2) A determination or decision cannot be reviewed under this Division:
- (a) after the period within which any appeal may be made to the Court has expired if no appeal was made, or
 - (b) after the Court has disposed of an appeal against the determination or decision.

Comment: The original application was refused on 16 December 2020, with the period available for an appeal expiring on 16 December 2021.

In accordance with 8.3(2) of the Act, the decision of the Panel may be reviewed, provided that the review occurs prior to 16 December 2021.

- (3) In requesting a review, the applicant may amend the proposed development the subject of the original application for development consent or for modification of development consent. The consent authority may review the matter having regard to the amended development, but only if it is satisfied that it is substantially the same development.

Comment: The applicant has amended the proposed development to address issues relied upon as part of the refusal determination.

The amendments included matters relating to floor space ratio, solar access to the communal living area, and street character.

The proposal was also referred to the Design Excellence Panel and the proposal was amended in accordance with its recommendations.

Despite the amendments, the proposed development remains substantially the same as that previously considered by the Panel in December 2020, and as such, the amended development may be determined by way of review.

Section 8.3 (5) of the Act provides that the review of a determination or decision made by a Local Planning Panel must also to be made by the Local Planning Panel.

Section 8.4 of the Act provides:

After conducting its review of a determination or decision, the consent authority may confirm or change the determination or decision.

Comment: This report recommends that the Panel change its determination and that the application be approved, subject to the recommended conditions of consent in attachment 1.

Section 8.5 of the Act provides:

- (2) The functions of a consent authority in relation to a matter subject to review under this Division are the same as the functions in connection with the original application or determination.

Comment: In accordance with Council's Community Participation Plan, the amended plans and information submitted with the review was publicly exhibited and notified to properties within

100 m of the development from 19 April 2021 to 20 May 2021. Sixteen submissions were received, one of which was a petition, as well as representations from Federal and State Members.

Notification and public exhibition of the further amended plans took place from 8 October 2021 to 8 November 2021 and 8 submissions were received.

The amended development now proposed as part of the review has been assessed in accordance with the heads of consideration under Section 4.15 of the EP&A Act, and having regard to those matters, the following issues have been identified for further consideration.

State Environmental Planning Policy 55 - Remediation of Land (SEPP 55)

SEPP 55 aims to provide a state-wide planning approach to the remediation of contaminated land. In particular the policy aims to promote the remediation of contaminated land in order to reduce the risk of harm to human health or any other aspect of the environment.

The SEPP 55 requires the consent authority to consider whether the subject land of any development application is contaminated. An assessment against Clause 7 of SEPP 55 is provided in the table below.

State Environmental Planning Policy 55 - Remediation of Land

Requirement	Action	Response
Clause 7(1) 1. Is the development for a change of use to a sensitive land use or for residential subdivision? Sensitive land use include residential, educational, recreational, child care purposes or hospital.	a. Check if the DA proposes a new childcare centre, residential accommodation or residential subdivision.	The proposal provides for a new type of residential accommodation.
	b. If the DA is for a dwelling (including dual occupancies and secondary dwellings) on lots subdivided as part of a residential subdivision consent issued after 28/8/1998 then you should answer no to this question.	The subject site was subdivided prior to 1998 and has been used as a dwelling house for many years.
Clause 7(1) 2. Is Council aware of any previous investigation or orders about contamination on the land?	a. Is there any property information for any evidence of contamination information?	A search of Council's records for evidence of potentially contaminating activities was undertaken. No evidence was found of contaminating land activities having occurred on the land.
	b. Check for contamination information and planning certificates linked to the property.	A search of planning certificates linked to the property was undertaken. No evidence was found of contaminating land activities having occurred on the land.
Clause 7(1) 3. Do existing records held by Council show that a	a. Check the approval for any potentially contaminating uses have been approved on the site.	A search of previous contaminated land uses approved on the site was undertaken. No evidence was

State Environmental Planning Policy 55 - Remediation of Land

Requirement	Action	Response
contaminating land activity has occurred on the land?		found of approved contaminated land activities having occurred on the land.
Clause 7(1) 4. Has the land previously been zoned for potentially contaminating uses?	a. Check if the land is currently zoned, or was zoned under the previous LEP, Rural, Industrial or Special Purposes for a contaminating use. NB: if the proposal is industrial then you should answer no to this question.	The Campbelltown (Urban Area) Local Environmental Plan 2002 was the previous EPI that applied to the land and the site was previously zoned 2 (b)—Residential B which did not allow for potentially contaminating uses.
Clause 7(1) 5. Is the land currently being used for a potentially contaminating use or is there any evidence of a potentially contaminating use on site?	a. Conduct site inspection to check for any obvious signs on the site or adjoining land of an industrial use, underground storage tanks, land filling, agriculture, chemical storage, dumping or unregulated building demolition (especially fibro material).	No evidence of potentially contaminated signs were present on site when the site was inspected.

Based on the above assessment, the provisions of Clause 7 of SEPP 55 have been considered and the contaminated land planning guidelines and the site is considered suitable for the proposed development.

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)

The ISEPP aims to facilitate the effective delivery of infrastructure across the State.

The proposed development is not adjacent to or located on a classified road. The proposed development is not considered to be affected by road noise or vibration. Therefore, Clause 87 of the ISEPP is not applicable in this instance.

The number of vehicles do not meet the requirements under Schedule 3 that would cause the development to be classified as traffic generating development. Therefore, referral to Transport for NSW is not required in this instance.

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (SEPP SRGC)

The SEPP SRGC was amended on 6 December 2019 to include the Greater Macarthur Growth Area as a designated growth centre.

The subject site is located within the boundaries of the Greater Macarthur Growth Area, and is therefore subject to the provisions of the SEPP SRGC. Clauses 16 and 17 of the SEPP SRGC are relevant to the application and are discussed below.

The SEPP SRGC does not include a precinct plan for the Greater Macarthur Growth Area, and therefore Clause 16 of the SEPP SRGC is to be considered. In this regard, the Leumeah Precinct

Plan released under the Glenfield to Macarthur Urban Renewal Corridor Strategy does not apply to the subject site. As the proposed development is for a boarding house, the proposed development is considered to be consistent with the SEPP SRGC.

Therefore, the proposed development is considered to be satisfactory with regard to Clause 16 of the SEPP SRGC.

State Environmental Planning Policy (Affordable Rental Housing) 2009 (SEPP ARH)

The application for a boarding house has been made in accordance with the requirements of the SEPP ARH, the aims of which are:

- (a) To provide a consistent planning regime for the provision of affordable rental housing.
- (b) To facilitate the effective delivery of new affordable rental housing by providing incentives by way of expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards.
- (c) To facilitate the retention and mitigate the loss of existing affordable rental housing.
- (d) To employ a balanced approach between obligations for retaining and mitigating the loss of existing affordable rental housing, and incentives for the development of new affordable rental housing.
- (e) To facilitate an expanded role for not-for-profit-providers of affordable rental housing.
- (f) To support local business centres by providing affordable rental housing for workers close to places of work.
- (g) To facilitate the development of housing for the homeless and other disadvantaged people who may require support services, including group homes and supportive accommodation.

The proposed development is considered to be consistent with the requirements of the SEPP ARH.

An assessment against the development standards are detailed below:

Clause 26 - Land to which Division applies (division of SEPP ARH relating to boarding houses)

This Division applies to land within any of the following land use zones or within a land use zone that is equivalent to any of those zones:

- (a) Zone R1 General Residential
- (b) Zone R2 Low Density Residential
- (c) Zone R3 Medium Density Residential
- (d) Zone R4 High Density Residential
- (e) Zone B1 Neighbourhood Centre
- (f) Zone B2 Local Centre
- (g) Zone B4 Mixed Use

The subject site is located within the R3 Medium Density Residential zone. The R3 Medium Density Residential zone is listed above as being a zone within which this division of the SEPP ARH applies. Therefore, this Division of the SEPP ARH applies to the subject land.

Clause 27 - Development to which Division applies

- (1) This Division applies to development, on land to which this Division applies, for the purposes of boarding houses.
- (2) Despite subclause (1), this Division does not apply to development on land within Zone R2 Low Density Residential or within a land use zone that is equivalent to that zone in the Sydney region unless the land is within an accessible area.
- (3) Despite subclause (1), this Division does not apply to development on land within Zone R2 Low Density Residential or within a land use zone that is equivalent to that zone that is not in the Sydney region unless all or part of the development is within 400 m walking distance of land within Zone B2 Local Centre or Zone B4 Mixed Use or within a land use zone that is equivalent to any of those zones.

Comment: This application proposes the construction of a boarding house in the R3 Medium Density Residential Zone. Subsections (2) and (3) above do not apply as the site is not located in the R2 zone.

Therefore, this Division of the SEPP ARH applies to the subject development application.

Clause 28 - Development may be carried out with consent

Development to which this Division applies may be carried out with consent.

Comment: The proposed construction of a boarding house in the R3 Medium Density Residential zone is permissible with consent.

Standard	Proposal	Compliance
29 Standards that cannot be used to refuse consent		
Maximum FSR 0.75:1 (696.75 m ²)	The proposal has a FSR of 0.75:1 Ground floor 34 m ² First Floor 355 m ² Total 696 m²	Yes
Building Height 9 m	The proposal has a maximum height of 8.55 m.	Yes
Landscape area Compatible with the streetscape	The existing landscape character includes sporadic placement of trees in front setbacks and some properties with hedged front boundary lines. The proposed landscaping to the front setback provides a larger variety with regard to plant species and the scale of plant sizes selected.	Yes

	Overall, the proposed landscaping would be a significant improvement upon the local landscape character.	
Solar Access Communal living room receives 3 hours of solar access.	The revised communal room location is provided with 3 hours solar access.	Yes
Private Open Space One area at least 20 m ² with a min. dimension of 3 m Boarding house manager open space area of at least 8 m ²	Both private open space areas exceed the control. The private open space area to the manager's room is 28 m ² .	Yes
Parking 0.5 parking spaces per boarding room one parking space per employee	12 parking spaces are provided for the 23 boarding rooms. One space is provided for the boarding house manager.	Yes Yes
Accommodation size 12 m ² per single room 16 m ² per double room	Each single room is a minimum of 12 m ² Each double room is a minimum of 19 m ²	Yes
30 Standards for boarding houses		
At least one communal living room	One 45m ² communal room provided.	Yes
No boarding room will have a gross floor area (excluding kitchen and bathroom) of more than 25 m ²	No room exceeds 25 m ² .	Yes
No more than 2 lodgers per room	Maximum 2 lodgers per room, which will be conditioned based on the room size.	Yes
Adequate bathroom and kitchen facilities	Bathroom and kitchen facilities are provided to each room.	Yes
More than 20 lodgers requires managers boarding room	A boarding house manager's room is provided on the ground floor with access to a private open space area.	Yes
One bicycle and motorcycle space per 5 rooms	5 motorcycle spaces and 5 bicycle spaces are provided.	Yes

30A Character of local area

A consent authority must not consent to development to which this Division applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area.

An assessment of the proposal in terms of various aspects of its built form is provided below:

Building height – The proposed boarding house would be 2-storeys in height.

There is a 2-storey flat building at 91 Rudd Road and a 2-storey dwelling at 67 Rudd Road, the remainder of the street is single storey, the height limit under the CLEP 2015 facilitates 2-storey development. It is also noted a number of 2-storey dwellings are located to Fitzroy Street

at the rear of the subject site. Provision of an additional 2-storey element within the streetscape would be in keeping with the current mix of single storey development interspersed with 2-storey developments.

It is further noted, the area is currently zoned R3 medium density, and is likely to be transformed into a medium density neighbourhood over time. It is considered the proposal would be consistent with the desired future character of the R3 zone with regard to height.

Building bulk and scale/site coverage – The scale of the overall development as measured by its floor space ratio is compliant with the provisions of the SEPP ARH, which allows the proposed boarding house development to achieve the maximum floor space ratio applicable to residential development permissible on the land, which in this case would be a multi dwelling development with a maximum FSR of 0.75:1.

The design has also provided separation in the built form to reduce the bulk of the development along the side boundaries and solar access impacts to the properties to the south of the site.

Setbacks – The setbacks comply with the SCDCP for boarding houses in the R3 zone.

Architectural style/materials – The proposed boarding house when viewed from the street would give the appearance of a contemporary 2-storey dwelling house, the locality is predominantly single storey dwellings. However, the controls facilitate a 2-storey built form.

The proposed boarding house would be constructed in a contemporary design with face brick and render. The existing streetscape provides for a mix of housing styles which include both dwellings with prefabricated sheet finish and brick finish.

The proposal has been amended to a pitched roof at the front of the building to be more in keeping with the predominant pitched roof form in the locality.

The roof form is pitched to the front and rear of the development, the central area of the building has a flat roof to facilitate solar access to the properties at 90 and 90B Rudd Road, this also serves to reduce the overall bulk and scale of the development.

Landscaping/Fencing – The proposed landscaping area detailed on the site plan is considered to be satisfactory. Landscaping would be provided within the front, side and rear setback areas of the boarding house.

Clause 52 - No Subdivision of Boarding Houses

This clause states that the consent authority is not to grant consent to the strata subdivision or community title subdivision of a boarding house.

The application does not seek consent for subdivision.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

A BASIX Certificate (No.1059848_03) was submitted with the development application.

The BASIX Certificate lists measures to satisfy BASIX requirements which have been incorporated into the proposal. It is considered that the development is acceptable under State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.

Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment

The proposal is within the Georges River Catchment and thus this policy applies. The general aims and objectives of this plan are as follows:

- a) To maintain and improve the water quality and river flows of the Georges River and its tributaries and ensure that development is managed in a manner that is in keeping with the national, State, regional and local significance of the Catchment.
- b) To protect and enhance the environmental quality of the Catchment for the benefit of all users through the management and use of the resources in the Catchment in an ecologically sustainable manner.
- c) To ensure consistency with local environmental plans and also in the delivery of the principles of ecologically sustainable development in the assessment of development within the Catchment where there is potential to impact adversely on groundwater and on the water quality and river flows within the Georges River or its tributaries.
- d) To establish a consistent and coordinated approach to environmental planning and assessment for land along the Georges River and its tributaries and to promote integrated catchment management policies and programs in the planning and management of the Catchment.
- e) (Repealed)
- f) To provide a mechanism that assists in achieving the water quality objectives and river flow objectives agreed under the Water Reform Package.

The proposal does not conflict with any of the relevant provisions of the Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment, and is therefore considered acceptable in this regard.

Campbelltown Local Environmental Plan 2015 (CLEP 2015)

The site is zoned R3 Medium Density Residential under the CLEP 2015. In accordance with the provisions of the CLEP 2015, consent must not be granted for any type of development within this zone unless it is consistent with one or more of the zone objectives, and the use is permissible within the zone.

The zone provisions for R3 Medium Density Residential are:

- a) To provide for the housing needs of the community within a medium density residential environment.
- b) To provide a variety of housing types within a medium density residential environment.

- c) To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- d) To provide for a wide range of housing choices in close proximity to commercial centres, transport hubs and routes.
- e) To enable development for purposes other than residential only if that development is compatible with the character and scale of the living area.
- f) To minimise overshadowing and ensure a desired level of solar access to all properties.

The proposed development is consistent with the provisions of CLEP 2015, satisfying provisions (b) and (d). Further to this 'boarding houses' are permissible with development consent within the zone.

A boarding house is defined by the CLEP 2015 as:

a building that –

- (a) is wholly or partly let in lodgings, and
 - (b) provides lodgers with a principal place of residence for three months or more, and
 - (c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and
 - (d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers
- but does not include backpackers' accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.

Clause 4.3 Height of Buildings

Clause 4.3 sets out the maximum building height in accordance with the Height of Buildings map. The subject site has a height limit of 9 m. The proposed boarding house has a maximum height of 8.55 m and as such complies with this clause.

Clause 4.4 Floor Space Ratio (FSR)

Clause 4.4 sets out the FSR requirements for all developments in accordance with the floor space ratio map. Pursuant to the SEPP ARH the maximum FSR applicable to the site is 0.75:1. The proposed development complies with this control.

Clause 5.6 Architectural Roof Features

The objectives of this clause are to permit variations to the maximum height standards only where roof features contribute to the building design and to ensure that the majority of the roof is contained within the maximum building height. The proposed roof height is contained within the 9 m height limit and as such this clause does apply to the proposal.

Clause 7.1 Earthworks

The objectives of this clause are to ensure that required earthworks will not have a detrimental impact on environmental functions and processes, subject to proper construction management and the implementation of the conditions of consent. Earthworks are required for the proposed

development however it is considered that the proposed excavation would not adversely impact on environmental functions and processes, subject to standard conditions of consent being applied in regards to sediment control, geotechnical requirements and dilapidation.

Clause 7.2 Flood Planning

This clause aims to reduce the flood risk to life and property, allow development on land that is compatible with the land's flood hazard and avoid significant adverse impacts on flood behaviour and the environment. The site is not identified as a flood control lot. The proposed development has been designed to not have any adverse impacts on flood hazards and as such is considered to be satisfactory.

Clause 7.4 Salinity

Pursuant to Clause 7.4 of CLEP 2015, development consent must not be granted unless the consent authority is satisfied that the development:

- a. the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or
- b. if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
- c. if that impact cannot be minimised—the development will be managed to mitigate that impact.

The applicant provided a geotechnical report in support of the proposed excavation and construction. In addition, relevant conditions of consent will be imposed with regard to salinity.

Clause 7.10 Essential Services

This clause ensures that development consent is not granted to development unless the consent authority is satisfied that essential services such as the supply of water, the supply of electricity, the disposal and management of sewage, stormwater drainage or on-site conservation, suitable road and vehicular access, telecommunication services and the supply of natural gas are available. All required essential services are already in place for the existing dwelling and available for the proposed development.

Clause 7.13 Design Excellence

Pursuant to Clause 7.13 of CLEP 2015, development consent must not be granted unless the consent authority has had regard to the following matters:

- a. Whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,

The proposed development has incorporated a wide variety of façade treatments and materials which are consistent with what one would expect from a similar type development.

- b. Whether the form and external appearance of the development will improve the quality and amenity of the public domain,

The external façade is of a contemporary design that will improve the public domain.

c. Whether the development detrimentally impacts on view corridors,

The proposed development does not impact any significant view corridors.

d. How the development addresses the following matters—

(i) the suitability of the land for development,

The site is suitable for residential development, including boarding houses.

(ii) existing and proposed uses,

The proposed development is consistent and proposed uses and is permissible within the zone.

(iii) heritage issues and streetscape constraints,

There are no heritage items within the proximity of the site.

(iv) bulk, massing and modulation of buildings,

The design of the building is consistent with the future expectation of the area. The building design and presentation is what is expected from medium density residential development.

(v) street frontage heights,

The proposed development is consistent with height requirements detailed on the Height of Buildings Map and has been discussed previously in this report.

(vi) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,

The proposed development has given due consideration the environmental impacts, the provided shadow diagrams indicate that the proposed development allows the neighbouring allotments solar access, this is discussed further in detail below. The proposed scale and materials would not cause wind or reflectivity issues, beyond what would be expected by medium density development.

(vii) the achievement of the principles of ecologically sustainable development,

The proposed development has been designed with consideration to ecologically sustainable development particularly in the use of windows and balconies to take advantage of passive heating and cooling. Additionally the proposed development would need to comply with the Building Code of Australia which further encourages ecologically sustainable development.

(viii) pedestrian, cycle, vehicular and service access, circulation and requirements

The proposed development would not adversely impact on the existing pedestrian networks surrounding the site. The proposed development provides car parking that is sufficient to the development requirements.

- (ix) the impact on, and any proposed improvements to, the public domain,

The proposed development and associated landscaping would assist to complete streetscape setting and associated public domain of the land.

- (x) the interface with the public domain,

The proposed development addresses the public domain to create visual interest through architectural features, changes in building materials and landscaping.

- (xi) the quality and integration of landscape design

The proposed landscaping enhances the streetscape and integrates well to compliment the built form.

The process for assessment of the review included referral to the Campbelltown Design Excellence Panel for advice. The applicant modified the proposal having regard to the advice of the Design Excellence Panel.

5.2 Section 4.15(1)(a)(ii) – The Provisions of any Proposed Instrument

Draft State Environmental Planning Policy (Housing) 2021 (Draft SEPP Housing)

The Draft SEPP Housing includes provisions for boarding houses. Many of the development standards are the same/similar as the current SEPP ARH. The amendments to development standards proposed in the Draft SEPP Housing are discussed below.

Landscaping requirements

- Minimum landscaping requirements for multi dwelling housing under a relevant planning instrument,

Comment: The Sustainable City Development Control Plan (SCDCP) requires the following:

- a) Multi dwelling housing shall satisfy the following requirements relating to landscape:
- i) a detailed landscape design plan shall be submitted by a suitably qualified person with the development application; and
 - ii) a minimum of 20 per cent of the total site area shall be available for deep soil planting; and
 - iii) no more than 30 per cent of the area forward of the building line shall be surfaced with impervious area.

The proposed deep soil planting for the site required is 186 m². The proposed amount of deep soil is 189 m² which complies.

To comply with the requirements of the SEPP ARH, the amount of hard surface forward of the building line is 156 m². The SCDCP provides that the amount of hard surface forward of the building line should not exceed 47 m².

The proposed hard surface is 65 per cent of area forward of the building line. This is due to the boarding house proposal being required to provide a 6 m crossover and separate pedestrian access to the building under the SEPP ARH.

Due to the hard surface area required under the SEPP ARH, compliance with the proposed control under the Draft SEPP Housing is not possible.

Communal living area

- For a boarding house containing more than 6 boarding rooms—(i) a total of at least 30 m² of communal living area plus at least a further 2 m² for each boarding room in excess of 6 boarding rooms, and (ii) minimum dimensions of 3 m for each communal living area,

The draft development standard requires a 64 m² communal room. The proposed room is 44 m² and would not comply with the new control however does comply with the current controls within the SEPP ARH and the SCDCP.

Given that the proposal generally complies with the current controls and has been through an extensive planning process it is not considered reasonable to give determinative weight to the draft SEPP Housing in regards to the proposed communal living area control.

Communal open space

- (h) communal open spaces—(i) with a total area of at least 20 per cent of the site area, and (ii) each with minimum dimensions of 3 m

The draft SEPP Housing development standard requires 186 m² of communal open space. The proposed communal open space is 125 m² which exceeds the current SEPP ARH and SCDCP requirements.

Given that the proposal generally complies with the current controls and has been through an extensive planning process it is not considered reasonable to give determinative weight to the draft SEPP Housing in regards to the proposed communal living area control.

Bicycle parking

- At least one bicycle parking space for each boarding room.

The proposal provides for 5 bicycle parking spaces which complies with the current standards. If required the site has sufficient space in the basement and at the ground floor level to accommodate additional bicycle parking. Given that the proposal generally complies with the current controls and has been through an extensive planning process it is not considered reasonable to give determinative weight to the draft SEPP Housing in regards to the proposed communal living area control.

Lot size and Setbacks

- For development on land in Zone R3 Medium Density Residential—the minimum lot size requirements for multi dwelling housing under a relevant planning instrument, the front, side and rear setbacks for the development are not less than— (i) for development on land in Zone R2 Low Density Residential or Zone R3 Medium Density Residential—the minimum setback requirements for multi dwelling housing under a relevant planning instrument,

No minimum lot size applies for multi dwelling housing in the R3 zone, and the proposal complies with the setbacks for multi dwellings in the SCDCP.

Affordable Housing

- Must be used for affordable housing in perpetuity (1) Development consent must not be granted under this Division unless the consent authority is satisfied that from the date of the issue of the occupation certificate and continuing in perpetuity— (a) the boarding house will be used for affordable housing, and (b) the boarding house will be managed by a registered community housing provider.

The applicant has stated the management of the boarding house has not been finalised at this stage. Given that the proposal has been through an extensive planning process it is not considered reasonable to give determinative weight to the draft SEPP Housing in regards to this requirement.

5.3 Section 4.15(1)(a)(iii) – The Provisions for any Development Control Plan

Campbelltown (Sustainable City) Development Control Plan 2015 (SCDCP)

Part 2 of the SCDCP aims to reduce the resultant environmental impacts of all development proposed within the Campbelltown Local Government Area.

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
Part 2 Requirements Applying to all Types of Development			
2.3 Views and Vistas	a) Development shall appropriately respond to Campbelltown's important views and vistas to and from public places.	The proposed development does not affect views.	Yes
	b) District views and existing significant view corridors as viewed to and from public places shall be protected	The proposed development does not affect views.	Yes
2.4.1 Rain Water Tanks	a) In addition to satisfying BASIX, residential development is encouraged to provide a rain water tank for new buildings.	No rainwater tanks are provided, a rainwater tank is not required by BASIX.	N/A

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
2.4.2 Natural Ventilation	a) The design of new buildings shall be encouraged to maximise opportunities for cross flow ventilation, where practical, thus minimising the need for air conditioning.	The proposal provides for natural ventilation, bathrooms are provided with a window where possible.	Yes
2.4.4 Light Pollution	a) Outdoor lighting shall be designed to minimise pollution from the unnecessary dispersion of light into the night sky and neighbouring properties.	The proposed development will include outdoor lighting in accordance with NSW police requirements. However it is recommended that a condition be included to ensure light pollution does not affect adjoining residential properties.	Yes, Condition recommended
2.4.3 BASIX	A BASIX certificate is to be submitted with residential development in accordance with the SEPP (Building Sustainability Index) 2004.	The applicant has submitted an amended BASIX Certificate with the amended plans.	Yes
2.5 Landscaping - Design Requirements	a) Landscape design shall enhance the visual character of the development and complement the design/use of spaces within and adjacent to the site.	The landscape design is considered to improve the landscape character of Rudd Road.	Yes
	b) Landscape design shall retain and enhance the existing native flora and fauna characteristics of a site wherever possible.	The proposal does not retain existing vegetation, the proposal includes the removal of existing vegetation and replacing this with 5 trees, over 100 shrubs and a significant number of groundcovers, which will be a significant improvement upon the existing landscaping to the site.	Acceptable
	c) Landscape design shall add value to the quality and character of the streetscape.	The proposed landscaping is considered to contribute to the landscape character of Rudd Road.	Yes
	d) A Landscape Concept Plan is required to be submitted with a development application for boarding houses.	A landscape concept plan was submitted with the application.	Yes
	e) The Landscape Concept Plan	The landscape plan was	Yes

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
	shall illustrate mature height, spread of species, trees to be removed/retained and shall be prepared by a suitably qualified person.	prepared by a Landscape architect.	
	f) Landscaping shall maximise the use of locally indigenous and other drought tolerant native plants and avoid the use of invasive species.	The current landscape plan includes a number of native species, however none have been selected from the Native Gardening Guide for Campbelltown, therefore it is recommended that a condition of consent be imposed to revise the plant species to include 50% selection from the Native Gardening Guide.	Condition recommended
2.7 Erosion and Sediment Control - Design Requirements	a) An Erosion and Sediment Control Plan shall be prepared and submitted with a development application proposing construction and/or activities involving the disturbance of the land surface.	No erosion and sediment control was submitted with the application, however recommended conditions of consent have been included in attachment 1.	Condition recommended
2.8 Cut, Fill and Floor Levels	a) A Cut and Fill Management Plan (CFMP) shall be submitted with a development application where the development incorporates cut and/or fill operations.	Cut to the site will generally be contained within the basement. A cut and fill management plan should be required as a condition of consent	Yes, Condition recommended
	c) Any excavation within the zone of influence of any other structure requires a 'dilapidation report' (prepared by a suitably qualified person) demonstrating that adequate ameliorative measures are to be implemented to protect the integrity of any structure.	The proposed basement excavation requires the provision of a comprehensive dilapidation report of the surrounding properties. A condition of consent is recommended in this regard.	Yes, condition recommended
	e) All fill shall be 'Virgin Excavated Natural Material' (VENM).	Whilst external fill is not anticipated for the proposed development, recommended conditions of consent will be included in this regard.	Yes, condition recommended
	f) No fill shall be deposited in the vicinity of native vegetation.	The site does not include native vegetation	N/A
	g) All basement excavation shall be setback a minimum of 900 mm	The basement has a minimum setback of 1m from either	Yes

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
	from the property boundaries.	side boundary.	
	h) Provisions of basements shall not result in non-compliance with deep soil planting controls contained within this plan	The SCDCP does not have deep soil provisions for boarding houses. Notwithstanding this the proposal includes deep soil planting on the site.	N/A
2.8.2 Surface Water and Floor Levels	a) Development shall not occur on land that is affected by the 100-year ARI event unless the development is consistent with the NSW Floodplain Development Manual	The site is not identified as being flood affected.	Yes
	e) Buildings involving basements, hospitals, seniors living dwellings and educational establishment with more than 50 students shall comply with the provisions of Council's Engineering Design Guide for Development available from Council's website at www.campbelltown.nsw.gov.au .	The proposal is designed to comply with Council's Engineering design guide, which the proposal has been assessed against and recommended conditions of consent are included in attachment 1.	Yes
	g) Where underground car parking is proposed, measures shall be taken in design and construction to ensure escape routes, pump out drainage systems (which include backup systems) and location of service utilities (including power, phone, lifts) are appropriately located in relation to the 100 year ARI event, in accordance with Section 4.13.8 of Council's Engineering Design Guide for Development available from Council's website at www.campbelltown.nsw.gov.au .	The proposal is designed to comply with Council's Engineering design guide, which the proposal has been assessed against and recommended conditions of consent are included in attachment 1.	Yes
2.9 Demolition - Design Requirements	<p>a) A development application involving demolition shall be considered having regard to the following information:</p> <p>i) a detailed work plan prepared by a suitably qualified person, in accordance with AS2601-2001- The Demolition of</p>	The existing dwelling and associated structures will be demolished as part of the application. Recommended conditions will be applied to the consent.	Yes, condition recommended

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
	<p>Structures(as amended);</p> <p>ii) details of the licensed demolition contractor engaged to carry out the work (including name, address and building licence number);</p> <p>iii) a hazardous materials report that lists details of methods to prevent air, noise and water pollution and the escape of hazardous substances into the public domain;</p> <p>iv) details of any asbestos or other hazardous substances to be removed from the site and/or damaged during demolition; and</p> <p>v) a dilapidation report where any demolition work is to be undertaken within the zone of influence of any other structure.</p>		
2.10.2 Stormwater - Design requirements	a) All stormwater systems shall be sized to accommodate the 100-yearARI event (refer to Section 4 of Council's Engineering Design Guide for Development available from Council's website at www.campbelltown.nsw.gov.au .	The proposal is designed in accordance with the Engineering design Guide and the SCDCP.	Yes
	b) The design and certification of any stormwater system shall be undertaken by a suitably qualified person.	The stormwater system was designed by a suitably qualified person.	Yes
	h) Stormwater collected on a development site shall be disposed of (under gravity) directly to the street or to another Council drainage system/ device. Where stormwater cannot be discharged directly to a public drainage facility, a drainage easement of a suitable width shall be created over a downstream property(s) allowing for the provision of a drainage pipe of suitable size to adequately drain the proposed	The system is designed with an OSD tank under the driveway and drainage to the street.	Yes, condition recommended

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
	development to a public drainage facility.		
2.10.3 Stormwater Drainage – Design requirements	a) A stormwater Drainage Concept Plan shall be prepared by a suitably qualified person, and submitted with all development applications, involving construction (except for internal alterations/fitouts), demonstrating to Council how the stormwater will be collected and discharged from the site.	The stormwater system was designed by a suitably qualified person.	Yes
	b) The stormwater concept plan shall include the following information as a minimum: <ul style="list-style-type: none"> i) locations, layouts and sizes of stormwater pipes and pits; ii) minimum grades and capacity of stormwater pipes; and iii) existing and proposed easements, site contours and overland flow path/s. 	The stormwater concept plan is designed to comply	Yes
2.12 Retaining Walls – Design requirements	a) Any retaining wall that is not complying or exempt development as specified in the Exempt and Complying Development Certificate shall be designed by a suitably qualified person.	No retaining walls permitted on the boundary.	Yes, condition recommended
2.13 Security – Design requirements	a) Development shall be designed to maximise, where possible, casual surveillance opportunities to the street and surrounding public places.	The proposal is designed to maximise casual surveillance to the street.	Yes
	b) External lighting shall be designed to: <ul style="list-style-type: none"> i) encourage the use of safe areas; ii) define safe corridors for movement of people; and iii) allow facial recognition of approaching pedestrians at 15 m. 	External lighting to be conditioned in accordance with the referral comments from NSW Police	Condition recommended
	c) Development shall incorporate appropriate landscaping, fencing and security devices to assist in	The proposal includes landscaping, fencing and	Yes

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
	crime prevention.	appropriate security devices	
	e) Development applications for multi dwelling housing, attached dwellings residential flat buildings, mixed-use development, boarding houses, shop top housing, commercial development, industrial development and large scale subdivision comprising more than 10 dwellings/units allotments or incorporating works to be dedicated to Council shall be accompanied by a crime prevention plan to be prepared by a suitably qualified person addressing how the development embraces the principles of Crime Prevention Through Environmental Design.	Crime risk report was included in appendix 1 of the Statement of Environmental Effects.	Yes
2.14.3 Bushfire - Design requirements	c) Development applications relating to land identified on the Bushfire Prone Land Map shall be accompanied by a Bushfire Hazard Assessment Report prepared by a suitably qualified person.	The site is not bushfire affected.	N/A
2.15.1 Waste Management Plan - Design requirements	a) A detailed 'Waste Management Plan' (WMP) shall accompany development applications for certain types of development/land uses, as detailed in Table 2.15.1 and for any other development that in the opinion of Council a WMP is required.	A Waste Management Plan was submitted with the application.	Yes
	b) Plans submitted with a development application shall detail the following (as applicable): i) the size and location of waste and recycling storage areas; ii) routes for occupants to access waste and recycling areas; iii) collection point and/or access route for collection vehicles iv) ventilation of waste and recycling 2.15 storage areas; v) location of garbage chute and	The design of the waste storage room and collection are compliant with the SCDCP.	Yes

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
	service rooms; vi) bin and storage area washing facilities; and vii) occupants' disposal points for all waste streams.		
2.15.2 Waste Management During Demolition and Construction	a) Waste and recyclable streams shall be stored separately on site	Waste storage during construction is detailed in the WMP.	Yes
	b) All storage areas/containers for each waste and recycling stream shall be kept on the site at all times and shall be indicated on the site plans/drawings as part of the WMP	Waste storage during construction is detailed in the WMP.	Yes
	c) Where material cannot be reused or recycled, it shall be disposed of at an appropriately licensed waste management or recycling facility. Details of disposal arrangements shall be specified in the WMP for each material type.	Waste storage during construction is detailed in the WMP.	Yes
	d) Convenient and safe heavy vehicular access to waste and recycling material storage areas shall be provided.	A vehicular crossing during construction will be provided.	Yes
	e) The removal, handling and disposal of asbestos or other hazardous materials shall be carried out in accordance with WorkCover NSW, NSW Environment and Protection Authority (EPA), Office of Environment and Heritage and other regulatory authority guidelines and requirements.	Removal of asbestos may be undertaken in the demolition of the dwelling and conditions of consent have been recommended to ensure compliance with the relevant legislation and Australian Standard.	Yes, condition recommended
2.15.3 On-going Waste Management	a) Provision shall be made for all waste and recycling storage containers to be located behind the primary and secondary building line and out of public view.	Waste will be stored in the basement.	Yes
	b) Any room(s) for storing garbage and recycling receptacles shall be	The basement waste bin	Yes

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
	located in a position that provides convenient access for residents, maintenance and waste collection staff. Bin storage rooms shall complement the development and not be visibly obtrusive when viewed from any public place.	provides for easy access	
	c) A waste collection point shall be nominated demonstrating that waste-loading operations can occur on a level surface not adjacent to steep gradients, vehicle ramps and pedestrian access points.	The waste collection point is in the basement	Yes
	d) The path for wheeling bins between waste storage area(s) and the collection vehicle shall be free of steps or kerbs and have a maximum gradient of 1V:8H.	The path is level and free of steps.	Yes
	e) For safety and ease of manoeuvrability, the distance required for residents, building managers and caretakers to wheel bins to their collection point shall be the minimum achievable.	The path is level and free of steps.	Yes
	h) The maximum travel distance between any storage area/point and the collection point for all bins shall be 30 m.	The distance is the minimum required.	Yes
	i) Where it is intended that collection vehicles are to drive onto private property to collect waste and recycling, the development shall be designed to provide for: i) the safe and efficient service of the development with minimal need to reverse; ii) adequate clearance to accommodate waste collection by a heavy rigid vehicle, in accordance with the dimensions detailed in Table 2.15.2. iii) vehicles to enter and exit in a forward direction; iv) pavement	The basement is designed with a loading bay to ensure the waste vehicle can enter and depart in a forward direction	Yes

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
	construction that is sufficient to withstand a heavy rigid collection vehicle of 24 tonnes gross vehicle mass.		
	k) The bin storage area must be located in a position that does not require any bins to be transported through any habitable room to reach the collection point	Bin storage is not required to pass through habitable areas.	Yes
	l) A development must be designed in a manner that allows for servicing by Council's waste collection vehicles, regardless of the intended servicing arrangements.	The basement is designed for a small vehicle. Design for a 4.5m overhead vehicle is considered to be excessive in this instance.	No
2.15.4 Environmental Sustainability and Best Practice	<p>a) Systems shall be designed to maximize waste separation and resource recovery;</p> <p>b) Innovative and best practice waste management collection systems and technologies shall be supported where appropriate; and</p> <p>c) Designs shall be flexible to allow for future changes in waste generation rates, materials collected and methods of collection.</p>	The proposal provides for best practice collection with small waste truck collection.	Yes
2.15.5 Effective Waste and Resource Management	<p>a) Collection services shall occur in a safe and seamless manner;</p> <p>b) Access to resource recovery and waste disposal services shall be safe and convenient for all residents; and</p> <p>c) Functional and adequate storage spaces be provided for all waste and recycling streams, including temporary storage areas for bulky waste materials.</p>	<p>The location of waste collection will enable seamless collection.</p> <p>Access to waste services are safe.</p> <p>The waste bin and bulk waste storage room are adequately sized.</p>	Yes
2.15.6 Clean, Safe and Healthy Living Environments	a) Negative impacts on amenity for residents, neighbours and the general public such as visually unpleasant waste storage areas, bad odours and noise from bin collection shall be minimised.	The waste bins are concealed in the basement.	Yes

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
	b) Illegal dumping and litter from bins shall be minimised through good planning and installation of adequate storage and waste recovery infrastructure	Waste system is satisfactory	Yes
	c) Safe and easy access to waste and resource recovery storage areas shall be provided for residents, building managers and collection service providers	Safe and easy access is provided.	Yes
	d) All resource recovery and waste systems shall be easy to use and, where necessary, collection vehicles shall be able to safely enter sites and access buildings to remove waste and recyclables	Safe and easy access is provided.	Yes
2.15.7 Vehicle Turning Circles	a) Turning circles and clearances to kerbs, existing buildings or other obstructions shall be designed to accommodate the largest collection vehicle that could service the property (heavy rigid class in most cases).	The site is designed for a small rigid vehicle and has been reviewed by the engineer and waste officer as appropriate.	Yes
	d) Vehicles shall not be required to make more than a 3-point turn.	A loading bay is provided in the basement.	Yes
2.15.9 Bin Storage Areas	a) The design of the bin storage areas shall be considered early in the design process so that they can be successfully integrated into the overall design of the development and are convenient for all users	Bin storage design is appropriate.	Yes
	b) Sufficient areas/space shall be made available within the property boundary to store the range of bins for the quantity of waste, recycling and organics (and other materials where appropriate) likely to be generated between collections.	Bin storage design is appropriate.	Yes
	c) Residents shall not be required to walk more than a maximum distance of 30 m to access the bin storage area.	The distance from the furthest point to the bin access is 36 m, the majority of rooms are within 30 m of the waste storage room.	Yes

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
2.17.1 Approval Required Prior to Working On or Over Public Land	a) Written approval shall be obtained from Council, prior to the commencement of any works, activities or occupancy upon public land, including roads, road related areas, stormwater connections, Council car parks, footpaths or nature strips.	Conditions of consent have been recommended to require the applicant to obtain the relevant approvals for work on public land.	Yes, condition recommended
2.17.2 Working Near Public Land	a) Notwithstanding clause 2.17.1 a) a hoarding or fence shall be erected between the work site and a public place where: i) the work involved in the development is likely to cause pedestrian or vehicle traffic in a public place to be obstructed or altered; and/or ii) the building involves the enclosure of a public place in accordance with Work Cover requirements	Conditions of consent have been recommended to require hoarding and site fencing.	Yes, condition recommended
2.21 Acoustic Privacy	a) Development shall comply with any relevant provisions in the following documents. The event of an inconsistency between the noise related controls in this plan and the documents below, the documents below prevail to the extent of the inconsistency. i) The NSW Noise Policy for Industry(NPfi) ii) The NSW Road Noise Policy iii) The NSW Development Near Rail Corridors and Busy Roads - Interim Guideline iv) Association of Australasian Acoustical Consultants Guideline for Child Care Centre Acoustic Assessment	Acoustic report was provided and reviewed by Council, the acoustic wall and other measures contained within the recommendation of the acoustic report are included in the recommended conditions of consent	Yes, condition recommended
	b) A Noise Impact Assessment prepared by a suitably qualified acoustic consultant will be required in cases where the consent authority is not satisfied that a development will: i) Achieve a satisfactory level of acoustic amenity for occupants within the existing noise environment; and	An acoustic report was provided with the application	Yes

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
	ii) Produce noise only at levels that will not exceed the relevant noise criteria.		

The proposal is generally consistent with Part 2 of the SDCDP and as such should be positively considered in this regard.

Part 11 – Vegetation and Wildlife Management

The proposal includes the removal of one Council Street tree and one native tree on site. The applicant has also submitted an arborist report that addresses tree protection of 2 trees on the adjoining property at 21 Fitzroy Crescent, Leumeah that are in close proximity to the boundary and require retention.

The proposed tree removal will be offset with the provision of a new street tree and 5 new trees on site that include both native and introduced species. It is considered the proposed tree offset is acceptable given the current tree on site is classified as being in declining health.

Council's Environment Officer raised concerns regarding tree retention at 86 Rudd Road, the trees do not appear to be of a significant size, however a condition of consent is recommended that an arborist provide tree protection measures to ensure the trees at 86 Rudd Road are protected.

Part 17 – Boarding Houses

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
Part 17 Boarding Houses			
17.2.1 Site and Size Requirements	a) Boarding houses located within low density residential areas shall only be located on sites with a minimum area of 700 m ² and a road frontage of 15 m.	The site has a frontage of 15.24 m.	Yes
	b) Boarding houses located within land zoned R2 Low Density Residential zone under the CELP shall have a maximum of 12 boarding rooms.	The site is located in the R3 zone.	Yes
	c) Boarding houses shall not be erected on battle-axe allotment.	The site is not a battle-axe lot	Yes
	d) Boarding houses shall only be permitted on a site where no part	The site is not located on a cul-de-sac.	Yes

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
	of the allotment is within 50 m of the commencement of the head of a cul-de-sac to which vehicular access to the site is obtained.		
	e) Boarding houses shall only be allowed on streets that provide for on street parking.	Street parking is provided.	Yes
	f) Boarding houses within local, neighbourhood centres and mixed use areas are not permitted to be located at the ground floor level.	The site is zoned R3.	N/A
17.2.2 Streetscape	a) The design of new purpose built buildings (including facade treatments, building massing, roof design and entrance features, setbacks and landscaping) shall complement the scale of the surrounding development, and the desired character of the locality.	The locality is predominantly characterised by older style single storey dwellings, with some single level dwelling redevelopments interspersed along the street.	Yes
	b) New buildings on corner sites shall incorporate facade treatments that address both street frontages and achieve positive articulation in building design.	The site is not a corner lot.	Yes
	c) Clothes lines and air conditioning units shall be screened and not visible by the public when viewed from a public area.	Clothes lines are located in the rear setback.	Yes
17.2.3 Setbacks - Low and medium density Residential Areas	a) A boarding house development shall be set back a minimum of: i) 5.5 m from the primary street boundary; iii) 0.9 m from any side boundary at the ground level; iv) 1.5 m from any side boundary for all levels above the ground level; v) 5 m from the rear boundary at the ground level; and vii) 6.5 m from the rear boundary for all levels above ground level within land zoned R3 under the	9 m front setback. 1.5 m side north setback. 2.5 m side south setback. 7.5 m rear setback to the ground and first floor levels.	Yes

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
	CLEP 2015.		
	b) Notwithstanding 17.2.3 a) i) and ii), any garage shall be setback a minimum of 6 m from any street boundary.	The basement entry aligns with the front setback.	Yes
17.2.7 Shared facilities	e) laundry and clothes drying facilities are to be provided at a rate of: i) 1 washing machine and washing tub for every 10 occupants or part thereof; plus ii) one clothes dryer for every 10 occupants or part thereof and; iii) one fixed clothesline of at least 30 m for every 10 occupants or part thereof.	2 washing lines provided Washing machine facilities are provided within the rooms.	Yes
17.2.8 Indoor Communal living areas	a) Indoor communal living areas shall be provided with a minimum dimension of 3 m and a minimum total area of 20 m ² or 1.2 m ² /resident, whichever is greater.	32.4 m ² is required and the proposed communal room is 45 m ² .	Yes
17.2.9 Solar Access	a) Dwellings on adjoining properties are to receive a minimum of 3 hours sunlight in habitable rooms and in at least 50% of the private open space between 9:00am and 3:00pm on 21 June.	Rear setback and living room of 90 Rudd Road receive 3 hours solar access. Rear setback of 90B receives 3 hours solar access. Living rooms to 90 Rudd Road lose solar access.	See discussion below
	b) Where existing adjoining development currently receives less sunlight than this requirement, this should not be unreasonably reduced. In order to demonstrate what can be achieved, shadow diagrams may be required with the development application.	Shadow diagrams have been submitted for the application	See discussion below
17.2.10 Site Services Boarding	a) The location, design and construction of utility services shall satisfy requirements of the	The provision of services is adequate for the proposal.	Yes

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
Houses	relevant servicing authority and Council.		
	b) Adequate provision shall be made available for all essential services (i.e. water, sewerage, electricity, gas, telephone, internet and stormwater drainage).	The provision of services is adequate for the proposal.	Yes
	c) All site services shall be placed underground.	Services will be located underground.	Yes
	d) All communication dishes, antennae and the like shall be located to minimise visual prominence.	No dishes are proposed.	N/A
17.2.11 Visual Privacy	a) No window of a habitable room or balcony shall directly face a window of another habitable room, balcony or private open space of another dwelling located within 6 metres of the proposed window or balcony unless appropriately screened.	First floor windows are screened and frosted where required. First floor balconies are not directed towards adjoining private property.	Yes
	b) Notwithstanding Clause 3.4.3.2 a) any window of a living room located on an upper level shall: i) be offset by 2 m to limit views between windows and balconies; or ii) have a sill height 1.7 m above the floor level; or iii) be splayed to avoid direct views between windows; or iv) have fixed translucent glazing in any part of the window within 1.7 m of the floor level.	First floor windows are screened and frosted where required.	Yes
	c) Notwithstanding 17.2.11 a), a balcony will only be considered where the private open space area of any adjacent dwelling is screened from view.	First floor balconies to the internal rooms are screened.	Yes
17.2.12 Signage	a) Signage shall be limited to a maximum of one sign per building, detailing only the name and address of the premises and	No details provided for any signage on the site.	Condition recommended

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
	<p>contact details of the managing agent.</p> <p>b) Signage must be affixed to the front elevation and not to the fence.</p> <p>c) The sign shall have a maximum area of 0.25 m² and a maximum height of 0.5 m.</p> <p>d) Signage shall be non-illuminated.</p>		
17.2.12 Private Open Space	a) A minimum of one private open space area of 20 m ² with a minimum dimension of 3 m shall to be provided for use by lodgers.	The combined area of the 2 private open space areas is 125 m ² .	Yes
	b) Where the boarding house is not within walking distance (400 m) to a park it should provide 30 m ² of communal private open space.	Fitzroy walk at the rear of the site is zoned RE1, but is not a formal play space. Notwithstanding the communal private open space has a combined area of 125 m ² .	Yes
17.3.1 Car Parking	a) Car parking areas shall be setback a minimum of 3 m from the front boundary and any secondary boundary.	Basement parking is provided.	Yes
	b) Off street parking and loading shall be designed in accordance with Australian Standards 2890 (as amended), except as otherwise provided by this Plan.	Parking is designed to comply with AS2890.	Yes
	c) No required car parking space shall be designed in a stacked configuration.	No stacked parking is proposed.	Yes
	d) A boarding house shall have a maximum of one ingress and one egress driveway.	The driveway access is satisfactory.	Yes
	e) The minimum width of a driveway serving a boarding house shall be 3 m.	The driveway is 6 m wide.	Yes
	f) Driveways shall : i) be located a minimum distance	The driveway location is satisfactory.	Yes

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
	of 6 m from the tangent point of any unsignalled intersection; and ii) be sealed.		
	g) Sufficient space shall be provided on site so that no vehicle shall be required to make more than a three-point turn to exit the site in a forward direction.	The basement area has ample manoeuvring area and a loading bay.	Yes
	h) All car parking spaces shall be line marked and delineated with appropriate signage and pavement marking.	Car parking will be line marked.	Yes
	i) Car parking areas shall be designed and sized so that only one three-point turn is required for exiting/entering the site in a forward direction.	Turning bay provided in the basement.	Yes
17.3.2 Access for People with Disabilities	a) Boarding houses shall comply with the minimum access requirements contained within the BCA and Australian Standard 1428 – Design for Access and Mobility (as amended).	A BCA report was submitted in support of the proposal. Conditions of consent have been recommended with regard to access.	Yes
17.4 Landscaping	a) Landscaping shall be provided to a minimum of a: i) 3 m wide strip along the primary and secondary street frontage (other than vehicle driveways); and ii) 1.5 m wide strip along the full width of the rear setbacks.	Landscaped areas to be provided along the front and side setbacks are considered to be appropriate.	Yes
	b) Native mature trees on site shall be retained.	The site has 2 trees identified for removal that will be replaced.	Acceptable
	c) Car parking areas located in the front building setbacks must be screened by appropriate hedging plant species at suitable spacing.	Car parking is provided in the basement.	N/A
	d) Development applications for boarding houses shall include a Landscape Plan and report, prepared by a suitably qualified person addressing the following:	A landscape plan was submitted.	Yes

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
	i) species, location and mature height of proposed planting; ii) driveway areas; and iii) fencing height and materials.		
17.5.1 Boarding Housing and Waste Management	a) Boarding houses shall make provision for waste storage, allocated behind the primary and secondary setbacks and out of public view. Provision shall be made for the following rates of waste generation: i) Garbage: one x 240-litre bin for every 3 boarding rooms per week if bins are to be used on a shared basis, or one x 140-litre bin for every boarding room per week if bins are to be allocated to individual boarding rooms ii) Recyclables: one x 240-litre bin for every 3 boarding rooms per fortnight if bins are to be used on a shared basis, or one x 240-litre bin for every boarding room per fortnight if bins are to be allocated to individual boarding rooms.	The waste storage is located in the basement. The proposal requires 8 garbage bins and 8 recycling bins.	Yes
	b) All boarding house developments shall make provision for an appropriately sized waste/recycling bin storage facility that is centrally located and provides convenient access for occupants and collection contractors. Such storage shall: i) provide for storage of a sufficient number of bins, as outlined under Section 17.5.1 a) above; ii) be no more than 25 m from the street; iii) be covered; iv) contain a hose connection; v) have an impervious floor that is connected to the sewer; and vi) incorporate design and construction (including colours, materials and finishes) that	The waste bin room is appropriately sized for the required number of bins.	Yes

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
	complement the development.		
	c) The communal waste/recycling bin storage facility shall not be located in such a place that requires any bins to be transported through any habitable part of the boarding house to reach the collection point.	The waste bin is located in the basement and waste will be collected in the basement.	Yes
	d) All bins located within waste/recycling bin storage facility shall be presented to the kerbside for collection by a site manager, no earlier than the evening prior to scheduled collection and returned directly to the communal bin storage area within 4 hours of collection.	The proposal includes basement waste collection by a private waste contractor.	Yes
	e) Any development containing 20 or more bedrooms , and/or when the number of bins proposed cannot be accommodated within 50% of the development's frontage width on collection day, the development shall be designed to accommodate forward-in, forward-out, drive-on vehicular collection for on-site servicing (for the purpose of calculating the minimum area behind the kerb and gutter required for bin placement, each bin shall be provided a clear width of 1.0 m which allows for a 300 mm separation distance either side of each bin).	The proposal includes basement waste collection by a private waste contractor.	Yes
	f) Developments shall make provision for the storage of bulky waste (kerbside clean up) materials on site including: i) a minimum area of 10 m ² ; i) the area must be accessible to all residents; i) the area must not be more than ten metres (10 m) from the waste collection point.	The proposal includes a bulk waste storage room in the basement and is accessible to all residents.	Yes
17.6	a) A management plan shall be	A Plan of Management was	Yes

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
Management Plan	prepared and lodged with the Development Application for any proposed boarding house.	lodged with the application.	
	<p>b) The management plan shall provide the following information:</p> <p>i) 24 hour contact details of the manager/caretaker (including phone number and mobile phone number);</p> <p>ii) proposed staffing arrangements during the daytime and at night-time;</p> <p>iii) proposed measures to control any potential noise or amenity impacts within the building and upon the surrounding locality;</p> <p>iv) proposed safety and security measures to be employed within the boarding house including prominent display boards within the building containing emergency telephone numbers and other essential telephone numbers;</p> <p>v) proposed management practices to prevent the use of outdoor common open space areas between 10.00 pm and 7.00 am.; and</p> <p>vi) professional cleaning and vermin control arrangements for at a minimum, the shared facilities, such as kitchens, bathrooms, laundries and indoor and outdoor common areas.</p>	Condition to review the Plan of Management and distribute to council, police and residents of the boarding house yearly or when change of the boarding house manager/ contact details occur.	Yes, condition recommended

Solar Access

The proposed development provides compliance with regard to solar access to the private open space areas to both 90 and 90B Rudd Road, and solar access is retained to one living area at 90 Rudd Road.

The proposal was amended to provide a greater setback to the southern side boundary and achieves solar access to the private open space areas and the rear property living area. However, the living areas to 90B Rudd Road will still be impacted by the proposal.

The current design provides for a building separation of approximately 7 m between the existing dwelling and the proposed development, it is considered that the significant building separation seeks to undertake reasonable measures to attempt to provide solar access to the adjoining properties.

The orientation of the lot results in significant solar access impacts from any 2 storey built form on the adjoining site and adjoining sites as well. The impact has been reduced as much as possible with the increased building separation, solar access to the rear private open space area has been maintained and the proposal is considered to be acceptable.

3. Planning Assessment

Section 4.15(1)(a)(iia) The provisions of any Planning Agreement

The proposed development is not subject to the provisions of a planning agreement pursuant to Section 7.4 of the EP&A Act.

Section 4.15(1)(a)(iv) The provisions of the Regulations

The proposal does not contravene the Environmental Planning and Assessment Regulations.

Section 4.15 (1)(b) The Likely Impacts of the Development

Section 4.15(1)(b) of the EP&A Act requires Council to assess the development's potential impacts on the natural and built environment, as well as potential social and economic impacts.

The key matters for consideration when considering the development's potential impact on the natural and built environment is as follows:

- Solar access
- Waste
- Access and transport and traffic
- Safety security and crime prevention
- Site design and internal design
- Construction
- Built Form
- Privacy
- Review of determination

Sunlight access

The solar access compliance with regard to the SCDCP is discussed above. The proposal will provide for suitable levels of solar access to the proposed communal living room and rooms with north facing windows. The rear private open space area and managers courtyard has solar access for 4 hours. The central courtyard is south facing and does not receive solar access, however this space will serve to provide a sheltered open space area in the summer months and also serves to improve the overall building design and increase airflow into centrally located boarding rooms.

Waste

The site doesn't not have sufficient frontage for kerb side waste collection. The proposed development seeks to provide for basement waste collection from a small waste truck that has a clearance of less than 2.2 m. The applicant has provided details of two companies that can provide waste collection services. There are an increasing number of waste services providers for small basement collection.

The basement includes a loading bay area to collect waste and to also enable the truck to turn around to achieve a forward in forward out vehicle movement.

The proposed waste collection method is supported and conditions of consent have been recommended with regard to private waste collection.

Access and transport and traffic

The site has sufficient access from a public road to the proposed basement, it is also noted the site is approximately 386 m from the bus stop on Rudd Road near Kulgoa Street. This bus stop is serviced by the 870, 871 and 872 service routes which will provide the occupants of the development with access to regular public transport.

The site is located on a local road and a traffic report submitted with the application concludes:

It is considered that the adjoining road network is capable of accommodating the traffic projected to be generated by the subject development.

Given the above, it is considered that the proposed development is unlikely to have a significantly adverse impact on local traffic or the local road network.

Safety security and crime prevention

The proposal has been designed to maximise the safety of patrons and a crime prevention report was submitted and reviewed by NSW Police. Relevant conditions of consent have been recommended where required and the crime prevention plan will form part of the consent.

Site design and internal design

The proposed development has been designed to respond to site constraints with regard to solar access and seeks to mitigate impacts on the southern properties where possible.

The overall internal design provides for two private open spaces and a communal room to serve the occupants of the development.

Construction

The construction phase of the development has the potential to generate short term environmental impacts through the generation of dust, noise and vibration.

Conditions of consent have been recommended to manage the proposed works, including the installation of site fencing and erosion and sediment control measures prior to works commencing on site.

Built Form

The proposed development provides an appropriate design with a range of building materials which reflects the predominant building materials in the local area. The use of face brick finish on the building façade provides for a low maintenance durable façade which reflects the desired future character of the local area.

The proposal includes first floor rear planter boxes. The planter boxes do not provide privacy measures and will be difficult to maintain due to Building Code of Australia window opening requirements. Therefore, it is recommended the planter boxes to the rear elevation be deleted.

Overall, it is considered the proposed development is consistent with the desired future character for development in the locality.

Privacy

The proposed ground floor windows and doors will be screened by the proposed acoustic fence.

The proposed development provides for a number of first floor windows, the majority of which are highlight windows or have privacy screens included on the plans. The bathroom windows that have a lower sill height will be frosted and are not considered to be a privacy issue.

The proposed first floor balconies do not face the boundary and will be screened. The four balconies overlook the internal communal courtyard but will be provided with high level frosted balustrades to maintain internal privacy from the ground floor view.

As demonstrated by the above assessment the proposed development is unlikely to result in adverse impacts on either the natural and/or built environments.

Review of Determination

In assessing the review of determination the table below outlines the original reasons for refusal and how the issue have been addressed in the review of determination.

Reason For refusal	Comment
The proposed development does not comply with the controls of State Environmental Planning Policy (Affordable Rental Housing) 2009 with respect to the following:	
<ul style="list-style-type: none"> The proposed development fails to comply with the required floor space ratio. 	The proposal now complies with the maximum floor space ratio for the site.
<ul style="list-style-type: none"> It is not demonstrated that the communal living area would receive solar access for a minimum of 3 hours. 	The communal living area now receives 3 hours solar access.
<ul style="list-style-type: none"> It is not demonstrated that the proposed development is compatible with the character of the local area given the boarding house would be two 	The amended design provides for a contemporary façade that is more in keeping with the local character.

storeys in a predominantly single storey area.	
<ul style="list-style-type: none"> It is not demonstrated that the proposed development is compatible with the character of the local area in terms of bulk, scale and site coverage given the non-compliance with the floor space ratio. 	The proposal complies with the floor space ratio. The amended proposal has a reduced building bulk with the removal of three boarding rooms.
The application does not comply with Campbelltown Local Environmental Plan 2015 with respect to the following:	
<ul style="list-style-type: none"> It has not been demonstrated that the proposed development would minimise and ensure a desired level of solar access to all properties. 	<p>The applicant has amended the design to facilitate solar access to the dwellings to the south, including increasing the southern side setback, increasing the separation between the two built forms and relocating the communal room.</p> <p>The applicant has provided solar access diagrams for 21 June showing a reduction in overshadowing to private open space areas and additional shadows for the summer solstice, autumn and spring demonstrating the adjoining dwellings will still retain solar access for the remainder of the year.</p>
<ul style="list-style-type: none"> It has not been demonstrated that the proposed development would comply with Clause 7.13 Design Excellence in respect to providing a development that is consistent with the existing streetscape and is of an acceptable bulk and mass. 	The amended design was referred to the Campbelltown Design Excellence Panel for comment, overall the proposal was supported. Some design amendments were required for building massing, privacy and landscaping.
The proposed development does not comply with the objectives of the Campbelltown Sustainable City Development Control Plan 2015 in respect to providing a development that is capable of being supported on the land.	The revised design is considered to be able to be supported on the land.
The proposed development does not comply with the controls of the Campbelltown Sustainable City Development Control Plan 2015 with respect to the following:	
<ul style="list-style-type: none"> The boarding house would be inconsistent with the scale of surrounding development and desired character. 	The revised design is more in keeping with the appearance of a contemporary dwelling façade, being similar to more recent single level facades in the street.
<ul style="list-style-type: none"> The area of the indoor communal living area is less than the required 42sqm. 	The size of the communal open space area complies.
<ul style="list-style-type: none"> It has not been demonstrated that the adjoining property to the south would receive a minimum of 3 hours to the private open space areas. 	Both private open space areas to the south review solar access, one of the two dwellings will received solar access to one living room. Additional shadow diagrams have been submitted by the application and solar access is addressed in detail in the report.
<ul style="list-style-type: none"> A 1.5m wide landscape strip has not been provided along the full 	Landscaping has been provided along both side boundaries where practical and varies between 1m to 1.5m which is

length of the side boundaries.	considered to be acceptable.
<ul style="list-style-type: none"> The species shown on the landscape plan do not maximise local indigenous species in accordance with Council's Native Gardening Guide. 	The proposed landscaping species, whilst predominantly native, are not included in the Council's native gardening guide, therefore a condition to increase native plantings selected from the native gardening guide is recommended in attachment 1.

Social and Economic Impacts

The boarding house is expected to make a positive contribution to the provision of housing choice and housing affordability, and will assist with meeting the housing needs of the local community.

The demolition and construction phases of the development will have minor flow on economic benefits for the locality, through the generation of employment.

Section 4.15(1)(c) The suitability of the development

Section 4.15(1)(c) of the EP&A Act requires Council to assess the suitability of the site for the proposed development.

It is considered the proposed development is of a scale and design that it is suitable for the site. The proposal responds well to site conditions in terms of its size, shape, topography and relationship to adjoining dwellings.

No constraints or hazards have been identified which would deem the site unsuitable for the proposed development.

Section 4.15(1)(d) Any Submissions

Section 4.15(1)(d) of the EP&A Act requires Council to consider submissions. The application was publicly exhibited and notified to properties within 100 m of the site in accordance with the Campbelltown Community Participation Plan.

Notification and public exhibition of the development was from 19 April 2021 to 20 May 2021 and 16 submissions were received, one of which was a petition and two representations from Federal and State Ministers.

Notification and public exhibition of the amended plans was from 8 October 2021 to 8 November 2021 and 8 submissions including one petition were received.

The issues raised in the submissions are addressed in detail below.

Issue: Proximity to local schools

Response: The site is located in close proximity to Campbelltown North Public School. There are no requirements within the SEPP or the SCDCP which state a boarding house cannot be located within a certain distance of a school.

Objections have been raised in relation to the supervision of students on the school grounds near the fences at the end of Rudd Road. While it is an important issue, the safety of students on school grounds is not a planning consideration under Clause 4.15 of the EP&A Act.

Issue: Number of boarding houses in the area

Response: There are currently two registered boarding houses in the suburb of Leumeah. The number of boarding houses in Leumeah is not considered to be an issue.

Issue: Parking issues

Response: The proposed development complies with the parking requirements under the SEPP ARH. As stated under the SEPP ARH, car parking cannot be a reason to refuse the application, where it complies with the standards in the SEPP ARH.

Issue: Overshadowing

Response: Objections have been received with regard to overshadowing, and the proposal will affect the living areas of the properties to the south during the winter months.

The windows on the property to the south will receive solar access during the summer, spring and autumn months. The applicant has provided additional shadow diagrams to demonstrate this.

A more detailed discussion on this issue is provided under Section 5.3 of this report where the relevant controls under the SCDCP are discussed.

Issue: Operation of premises and type of occupants

Response: Neither the EP&A Act nor the SEPP ARH places restrictions on the type of occupants in a boarding house. There will be an onsite boarding house manager who will reside at the premises and operation of the premises will be undertaken in accordance with a Plan of Management for the site.

Boarding houses are intended to provide low income housing and housing affordability. The occupants will be required to conduct themselves in accordance with the requirements outlined within the Plan of Management with regard to noise, use of common areas etc.

Issue: Profit driven development

Response: The proposed development is not assessed based on the profit of the proposal as it is not a consideration under Section 4.15 of the EP&A Act. The proposal will provide for affordable housing choices for low income earners.

Issue: Increase in criminal activity

Response: A crime prevention report was submitted in support of the proposed development and the proposal was referred to the NSW Police for comment and includes recommendations that have been included as recommended conditions of consent to the Panel.

Issue: Privacy issues

Response: Issues with regard to privacy have been addressed elsewhere in the report, the first floor windows are predominantly highlight windows to living areas and windows to bathrooms will be obscure glazing. Where windows are not highlight windows, screening is proposed below 1.7 m sill height.

Further, recommended conditions of consent will be included with regard to the maximum aperture of any privacy screens.

Issue: Traffic impacts

Response: The applicant has submitted a traffic report in support of the proposed development. As discussed earlier in this report, the traffic report provided by the applicant concludes 'it is considered that the adjoining road network is capable of accommodating the traffic projected to be generated by the subject development'.

The surrounding local road network is considered to have sufficient environmental capacity to cater for the additional traffic generated by the development, without causing a significantly adverse impact on other road users.

Issue: Height

Response: The submissions state the proposal will be higher than a normal 2-storey development due to the basement.

The proposal is considered to be of a height consistent with a 2-storey development when viewed from the street and as such would not exceed the maximum height of building development standard for the site in the CLEP 2015.

Issue: Structural issues due to basement excavation

Response: The applicant has provided a geotechnical report in support of the proposed development.

Recommended conditions of consent are included in the draft consent relating to site excavation and dilapidation and protection of neighbouring properties.

Issue: Noise pollution

Response: The applicant has submitted an acoustic report in support of the proposal which outlines measures to reduce the acoustic impacts of the ongoing use of the proposed development.

Noise issues associated with construction are standard for any form of development and restrictions on construction times are included in the recommended conditions of consent to minimise disturbance to neighbouring properties.

The onsite manager is required to ensure noise generated from the activities of occupants is not offensive and is not unreasonably impactful on other occupants or neighbours.

Issue: Impact on trees

Response: The proposal includes the removal of one tree on the property and one street tree, neither of which are identified as 'heritage trees' and are not included on the significant tree register. Replacement tree planting is proposed.

The arborist report submitted to Council outlines tree protection measures for trees on adjoining properties.

Issue: Loss of property values

Response: Property values are not a planning consideration under Clause 4.15 of the EP&A Act.

Issue: Redacted Plans

Response: The plans have been redacted in accordance with Council Policy with regard to privacy and copyright which is required for all development applications.

Issue: Campbelltown North Public School not notified about application

Response: Council records indicate notification letters were sent to the Department of Education and Training with regard to the proposed development for both Campbelltown North Public School and Campbelltown Performing Arts School.

Notwithstanding, the application was also publicly exhibited.

Issue: Impact of high resident turnover

Response: The definition of the SEPP ARH requires residents have a minimum occupation of 3 months per boarding room. Whilst some room turnover maybe more regular than owner/occupiers, it is anticipated that for the most part, the rooms would be on a longer term basis.

Issue: Amended shadow plans and documentation

Response: The amended plans submitted include additional shadow diagrams showing a reduced impact on the adjoining property due to the relocation of the communal room and lift, and amendments to the roof form in the middle of the building facilitate greater solar access.

Additional shadows submitted for summer, autumn and winter show a significant reduction in overshadowing due to the position of the sun at those times of the year, this is not an indication that the plans are not correct.

Section 4.15(1)(e) Public Interest

The proposed development has addressed the requirements of the relevant planning instruments and development controls including the objectives of the zone. The proposed development has demonstrated that the site is suitable for the proposed development.

It is generally considered that on balance, the proposal is in the interest of the public.

Developer Contributions

The proposed development is subject to developer contributions, the application was referred to Council's Contributions Officer and recommended conditions of consent have been included in attachment 1.

Conclusion

This report relates to a requested review of the determination of a development application for the demolition of an existing dwelling and the construction of a 2-storey boarding house with basement car parking at location 88 Rudd Road, Leumeah (Lot B in DP 376602).

The application under review was refused by the Campbelltown Local Planning Panel at its meeting of 16 December 2020.

In submitting the request for a review of the determination, the applicant has modified the plans for the development to address the reasons for refusal from the Panel.

Additionally the proposal was further modified based on the advice of the Campbelltown Design Excellence Panel. The modified proposal has been assessed under the heads of Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

The proposed development is considered consistent with the general intent of Campbelltown 2027 which outlines the strategic direction and community's aspirations for the 10 year period to 2027, for which the proposal provides another layer of housing in support of the delivery of a liveable city.

The proposed use is permissible within the R3 medium density residential zoning and has been found to be not inconsistent with the zone objectives. The proposal is also considered generally consistent with all other relevant environmental planning instruments and the Campbelltown Sustainable City Development Control Plan 2015.

However, while the proposal is not consistent with some of the proposed provisions under the NSW Government's draft SEPP Housing, it is not considered that these inconsistencies should be given determinative weight, given the extensive planning process this proposal has been subject to under current planning rules.

The proposal does not strictly comply with the solar access controls in the Campbelltown Sustainable City Development Control Plan 2015 for the neighbouring dwelling, with the proposal not strictly complying with solar access standards during the winter months. However, it is accepted that even with the construction of a 2-storey single dwelling, possibly approved under a Complying Development Certificate, a similar reduction in solar access to the affected properties would occur given the orientation of the allotments.

Notwithstanding, the amended proposal includes increased setbacks and design elements to minimise the solar impact with the private outdoor space of the adjoining allotments maintaining compliant solar access. On balance it is considered that the amended proposal has provided a reasonable response to the solar access requirements.

Overall, having regard to the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*, and the relevant matters discussed within this report, it is recommended that the development be approved, subject to the conditions listed in attachment 1.

Attachments

1. Recommended Conditions of Consent (contained within this report)
2. Shadow Diagrams (contained within this report)
3. Elevations (contained within this report)
4. Landscape Plan (contained within this report)
5. Materials Schedule (contained within this report)
6. Plan of Management (contained within this report)
7. Section Plan (contained within this report)
8. Site Plan (contained within this report)
9. Basement and Floor Plan (due to confidentiality) (distributed under separate cover)

Reporting Officer

Executive Manager Urban Centres

ATTACHMENT 1
864/2021/DA-82A
Recommended Conditions of Consent
GENERAL CONDITIONS

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land.

For the purpose of these conditions, the term 'applicant' means any person who has the authority to act on or benefit of the development consent.

1. Approved Development

The development shall be carried out in accordance with the approved plans and documents listed in the table below, and all associated documentation supporting this consent, except as modified in red by Council and/or any conditions within.

Plan Detail	Job Number	Revision	Prepared by	Date
Drawing Number 01 Site Plan	Project No 20020	E	Baini Design	31.08.2021
Drawing Number 02 Site Analysis	Project No 20020	E	Baini Design	31.08.2021
Drawing Number 03 Basement and Ground Floor Plan	Project No 20020	E	Baini Design	31.08.2021
Drawing Number 04 Level 01 & Roof Plan	Project No 20020	E	Baini Design	31.08.2021
Drawing Number 05 Elevations	Project No 20020	E	Baini Design	31.08.2021
Drawing Number 06 Sections - Streetscape	Project No 20020	E	Baini Design	31.08.2021
Drawing Number 07 Typical Kitchen/ Laundry Layout	Project No 20020	E	Baini Design	31.08.2021
Drawing Number 08 Evacuation Plans	Project No 20020	E	Baini Design	31.08.2021
Drawing Number 09 FSR Plan	Project No 20020	E	Baini Design	31.08.2021
Drawing Number 10 Room Area Size	Project No 20020	E	Baini Design	31.08.2021
Drawing Number 15 Materials Schedule	Project No 20020	E	Baini Design	31.08.2021
Drawing Number LP01 Landscape Plan	JALA-19-025	C	Jala Designs	22.02.2021
Sheet 1 Stormwater Drainage Plan	2019476	6	MBC Engineering	26.08.2021
Sheet 2 Stormwater Drainage Plan	2019476	4	MBC Engineering	29.7.2020
Sheet 3 Stormwater Drainage Plan	2019476	6	MBC Engineering	26.08.2021

Sheet 4 Stormwater Drainage Plan	2019476	5	MBC Engineering	26.08.2021
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- a. Plan of Management prepared by Think Planners dated 6 September 2021.
- b. BASIX Certificate No 1059848_03
- c. Access Compliance Report prepared by PSE Access Consulting dated 16 August 2021
- d. Waste Management Plan dated 17.03.2021
- e. Traffic Report ref. 19-159-2 prepared by Stanbury Traffic Planning dated February 2021.
- f. Traffic Response prepared by Stanbury Traffic Planning dated 1 September 2021
- g. Geotechnical Investigation prepared by AWGeotechnics Ref. AWT55467 dated 1 October 2019.
- h. Arborist Report prepared by Horticultural Management Services dated 18 February 2021.

Amended Plans

The development is to incorporate the following amendments and the amended plans are to be submitted to the Principal Certifier, for approval, prior to the issuing of a Construction Certificate:

- a. Plans 08, 09 and 10 prepared by Biani Design are to be amended to be consistent with plan 04 prepared by Biani Design.
- b. Windows on the rear elevation will have privacy screens, where the sill height is less than 1.7m above first floor finished floor level.
- c. All windows to bathrooms will be provided with obscured glazing
- d. Privacy screens are to have a maximum open aperture of 30 per cent.
- e. All recommendations detailed in the approved acoustic report will be notated on the approved plans.
- f. The planters to the rear elevation at the first floor level shall be deleted from the plans.
- g. The acoustic fence required in the acoustic report shall be constructed to the northern and southern boundary to a height of 2.1m in accordance with the requirement of the acoustic report Environmental Noise Assessment Report report no 6881-1.1R dated 16 December 2019.
- h. The species within the approved landscape plan shall be amended to include 50% species from the Campbelltown Native Gardening Guide.

3. Building Code of Australia

All building work must be carried out in accordance with the provisions of the *Building Code of Australia*. In this clause, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

4. Notification of Home Building Act 1989 Requirements

Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the appointed Principal Certifier for the development to which the work relates (not being Council) has given Council written notice of the following information:

- a. In the case of work for which a principal certifier is required to be appointed:
 - i. The name and licence number of the principal certifier, and
 - ii. The name of the insurer by which the work is insured under Part 6 of that Act.
- b. In the case of work to be done by an owner-builder:
 - i. The name of the owner-builder, and
 - ii. If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified becomes out of date, further work must not be carried out unless the appointed Principal Certifier for the development to which the work relates (not being Council) has given Council written notification of the updated information.

5. External Finishes

The external finishes shall be in accordance with the approved plans and the schedule of finishes approved with this application. Any proposed alterations to these finishes are considered to be a modification to the development consent and require separate approval by Council.

6. Garbage Room

The garbage storage room identified on the approved plans shall:

- Be fully enclosed and shall be provided with a concrete floor, with concrete or cement rendered walls coved to the floor.
- The floor shall be graded to an approved sewer connection incorporating a sump and galvanised grate cover or basket.
- A hose cock shall be provided within the room.
- Garbage rooms shall be vented to the external air by natural or artificial means.

7. Fencing

Fences shall be erected on the site's side and rear boundaries behind the front building alignment and between each required courtyard at the sole cost of the developer. 'Colorbond' style metal fences that face a public space are not permitted.

8. Switchboards/Utilities/Air Conditioning Units

Switchboards, air conditioning units, garbage storage areas and storage for other utilities shall not be attached to the front elevations of the building or side elevations that can be seen from a public place.

9. Driveway

The gradients of driveways and manoeuvring areas shall be designed in accordance with *Australian Standard AS 2890.1 and AS 2890.2 (as amended)*.

Driveways shall be constructed using decorative paving materials such as pattern stencilled concrete, coloured stamped concrete or paving bricks. The finishes of the paving surfaces are to be non-slip and plain concrete is not acceptable.

10. Deliveries and Ongoing Operations

Vehicle/s servicing the site shall comply with the following requirements:

- a. All vehicular entries and exits shall be made in a forward direction.
- b. All vehicles awaiting loading, unloading or servicing shall be parked on site and not on adjacent or nearby public roads.
- c. All deliveries to the premises shall be made to the loading bay/s provided.
- d. The maximum sized vehicle able to utilise the site is 6.4 m long.
- e. Headroom clearance within basement is 2.20 m.

A traffic sign shall be placed adjacent to the driveway at the entrance of the property advising drivers of the above information. Should the sign be damaged or removed, it shall be replaced within 48 hours.

11. Lighting

Illumination of the site is to be arranged to provide an appropriate level of lighting and in accordance with the requirements of *Australian Standard 4282 (as amended)* so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises or traffic.

12. Crime Prevention

The development shall include the following measures in accordance with the recommendation with NSW Police, all measures shall be detailed in the relevant documentation prior to the issue of a Construction Certificate.

Lighting

- a. Adequate lighting should be used when operating CCTV cameras during times of low light and darkness.

Territorial Reinforcement

- b. Effective signage and/or directional signs must be installed to provide guidance to visitors in locating prohibited areas
- c. Post warning signs around the perimeter of the business to warn intruders of what security treatments have been implemented to reduce opportunities for crime, such as, Warning. This property is under electronic surveillance. Warning. No large amounts of cash are kept on these premises.

Environmental Management

- a. Use of graffiti resistant materials, particularly on the fences, ground floor, and areas which are accessible by other structures to reduce such attacks or assist in the quick removal of such attacks.
- b. A graffiti management plan needs to be incorporated into the maintenance plan for the development. Research has shown that the most effective strategy for reducing graffiti attacks is the quick removal of such material generally within a forty-eight-hour period.

Active Management

- a. Furniture should pose no threat to being used as a weapon or used to cause malicious damage. This includes chairs and tables, planter boxes and potential inclusion of garden rocks, garden statues, etc.

Access Control

- b. The premises should be fitted with single cylinder locksets (Australia and New Zealand Standards - Locksets), which comply with the Building Code of Australia.
- c. Windows can also be re-enforced to restrict unauthorized access by applying a shatter resistant film
- d. Emergency evacuation plans should be implemented and maintained to assist staff and emergency services in the event of an emergency. This plan should be prominently displayed.
- e. Staff should be suitably trained in evacuation procedures.
- f. It is recommended that the premise be fitted with an Intruder alarm system as this will enhance the security of the boarding house. Ensure that the system has been designed and installed to the Australian Standard (Domestic and Commercial Alarm Systems).
- g. Access to the boarding house and communal areas should be restricted to tenants only and therefore, entry doors should have either electronic/pin code or key access. This will enhance the security of the residents at this facility as it is known that premises of this nature can become targets for theft and break-ins. (This has been addressed in the amended Application)

- h. Unfortunately, offenders target this type of development in its construction phase. Police would recommend the use of security sensor lights and a security company to monitor the site while construction is in progress.
- i. Mailbox facilities being installed at the location need to have Australian Standard locks fitted. These mailboxes should have good surveillance, and lighting needs to be included to illuminate them in darkness.

13. Storage of Goods

All works, storage and display of goods, materials and any other item associated with the premises shall be contained wholly within the building.

14. Graffiti Removal

In accordance with the environmental maintenance objectives of 'Crime Prevention Through Environmental Design', the owner/lessee of the building shall be responsible for the removal of any graffiti which appears on the buildings, fences, signs and other surfaces of the property within 48 hours of its application.

15. Arborist Report

Prior to the issue of any Construction Certificate the approved arborist report shall be amended to provide additional details with regard to the following:

- Retention of trees on the adjoining site at 86 Rudd Road.
- Impacts of landscaping and fencing and other works that involve ground level changes shall be considered with regard to tree protection measure on adjoining properties.

16. Engineering Design Works

The design of all engineering works shall be carried out in accordance with the requirements set out in *Council's 'Engineering Design for Developments Guide'* (as amended) and the applicable development control plan.

17. Car Parking Spaces

13 car parking spaces shall be designed, sealed, line marked and made available to all users of the site in accordance with Australian Standards 2890.1 and 2 (as amended).

18. Rubbish/Recycling Bin Storage

The rubbish and recycling bins shall not be stored within vehicle parking, vehicle manoeuvring areas or landscaped areas.

The bin(s) shall only be stored in accordance with the approved plans.

19. Shoring and Adequacy of Adjoining Property

If the development referred to in this development consent involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must at the person's own expense:

- a. Protect and support the adjoining premises from possible damage from the excavation, and
- b. Where necessary, underpin the adjoining premises to prevent any such damage.

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

20. Construction Certificate

Prior to the commencement of any works that require a construction certificate:

- a. the applicant shall appoint a Principal Certifier;
- b. the applicant shall obtain a construction certificate for the particular works; and
- c. when Council is not the Principal Certifier, the appointed Principal Certifier shall notify Council of their appointment no less than two days prior to the commencement of any works.

21. Operation in Accordance with the Plan of Management (PoM)

- a. The operation and management of the premises shall be in accordance with a Council approved POM at all times.
- b. The approved POM shall be adopted by the Management, and filed with Council and the Local Area Command prior to the commencement of operation.
- c. The plan shall be reviewed (at minimum) on an annual basis, and at any time there is a change in boarding house manager at the premises.

22. Boarding House Management Plan

The operator of the boarding house shall ensure that the approved Boarding House Management Plan is complied with at all times. The Boarding House Management Plan shall not be varied without the consent of Council.

A copy of the Boarding House Management Plan must be kept by the owner, the Managing Agent and Council.

23. Offensive Noise

The development must be designed so that the use of the premises, building services, operations, equipment, machinery, vehicles and ancillary fittings must not emit 'offensive noise' as defined in the Protection of the Environment Operation Act, 1997: Offensive noise means noise:

- a) That, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:
 - i) Is harmful to (or likely to be harmful to) a person who is outside the premises from which it is emitted; or
 - ii) Interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted; or
- b) That is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulations.

24. Amenity of the Neighbourhood

The implementation and ongoing operation of this development must not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, odour, dust, waste products or other products, particularly from machinery, vehicles, warning sirens, public address systems and the like.

25. Unreasonable Noise, Odour, Dust and Vibration

In the event of a noise, fumes, odour, dust, or waste related issue arising during the implementation, construction and ongoing operation of this development, the person in charge of the premises shall when instructed by Council, cause to carry out an investigation by an appropriate consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to its satisfaction.

Should the development not achieve compliance with the applicable guidelines and standards, amendments to the development are required to be made (with the consent of Council), which may include, but are not limited to, changes to hours of operation, installation of further treatment, modification of operational procedures, etc.

26. Noise Management Restrictions

The following boarding house management restrictions must be adhered to at all times:

- i. Outdoor common area is not used after 10pm or before 7am
- i. Doors and windows to the indoor communal area are to be kept closed after 10pm and before 7am
- ii. No music to be played in outdoor areas
- iii. Radios or similar are permitted in the common area when the windows to the common area are kept closed.

27. Waste Storage Room and Waste Management

The waste storage room identified on the approved plans must:

- i. Include 240 litre general waste bins and 240 litre recycle bins.
- i. Be provided with a concrete floor, with concrete or cement rendered internal walls covered to the floor.
- ii. Be provided with a floor that is graded to an approved sewer connection incorporating a sump and galvanised grate cover or basket.
- iii. Be provided with a hose connector to adequately clean the room.
- iv. Be vented to the external air by natural or artificial means.

The waste management plan shall adhere to the following:

- i. The bins shall be stored within the waste storage room at all times other than for collection. Waste bins must not be stored within vehicle parking, vehicle manoeuvring areas of landscaped areas.
- i. All bins shall be presented to the street and returned to the waste storage room by a building manager.
- ii. All waste and recycling generated from the premises is to be kept within an appropriate storage receptacle on the premises. Waste is not to be stored or placed outside of a waste storage receptacle or in such a manner that it will become a litter, odour or health nuisance.

28. Maximum Number of Lodgers per Room

The building is to contain a maximum of 27 lodgers. The maximum occupancy rate of each boarding room shall be in accordance with the table below:

Room Number	Maximum occupancy
RM1	1
RM2	1
RM3	1
RM4	2
RM5	1
RM6	2
RM7	1
RM8	2
RM9 (Managers Room)	1
RM10	1
RM11	1
RM12	1
RM13	1
RM14	1

RM15	1
RM16	1
RM17	1
RM18	1
RM19	1
RM20	1
RM21	1
RM22	1
RM23	1
RM24	1

In order to maintain this occupancy rate, a sign is to be erected immediately adjacent to the doorway accessing the building detailing the maximum sleeping capacity of the occupancy.

The occupier of the premises must not allow any room or cubicle in the premises to be used for the purposes of sleeping accommodation unless the room or cubicle has a floor area of 5.5 square metres or more for each person sleeping in it (in the case of long-term sleeping accommodation) or 2.0 square metres or more for each person sleeping in it (in any other case) (*Public Health Regulation 2012*).

29. Maximum Number of Lodgers in the Building

The maximum number of lodgers in the building at any given time is 27.

30. Acts and Regulations

The boarding house, where applicable, must comply with the following Acts and Regulations:

Public Health Act 2010
Public Health Regulation 2012
Boarding Houses Act 2012
Boarding Houses Regulation 2013
Local Government Act 1993
Local Government (General) Regulation 2005
Protection of the Environment Operations Act 1997
Protection of the Environment Operations (Noise Control) Regulation 2017

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a construction certificate by either Campbelltown City Council or the appointed Principal Certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a construction certificate.

31. Utility Servicing Provisions

Prior to Council or the appointed Principal Certifier issuing a construction certificate, the applicant shall obtain a letter from both the relevant electricity authority and the relevant

telecommunications authority stating that satisfactory arrangements have been made to service the proposed development.

Note: The applicant should also contact the relevant water servicing authority to determine whether the development will affect the authorities water or sewer infrastructure.

32. Cut and Fill Management Plan

Prior to the issue of any Construction Certificate a Cut and Fill Management Plan shall be prepared in accordance with Volume 1 Part 2.8 of the Campbelltown (Sustainable City) Development Control Plan 2015.

33. Construction Environment Management Plan

Prior to Council or an appointed Principal Certifier issuing a construction certificate, a Construction Environmental Management Plan (CEMP) must be prepared and approved in writing by Campbelltown City Council's Executive Manager Urban Centres. The CEMP must detail the environment management and control measures which will be implemented in association with the proposed construction activities to ensure the works are managed in a manner to reduce adverse impacts on the environment. At a minimum the CEMP must address:

- a. A tree management plan and all tree protection measures shall be detailed on the plan in accordance with the relevant standards for tree removal and the Arboricultural Impact Assessment and Tree Management Plan prepared by Horticultural Management Services
- b. Retention and protection of all trees is required on adjoining properties including 86 Rudd Road and 21 Fitzroy Crescent
- c. No pruning of any trees is permitted
- d. Tree felling procedures.
- e. Preclearance and clearance survey requirements.
- f. Required Sediment and Erosion Control Measures as per Managing Urban Stormwater: Soils and Construction (Landcom, 2004) - The Blue Book
- g. Hazardous material management protocols (i.e. fuel etc.)
- h. Incident and emergency response protocols
- i. Competence, training and awareness procedures (i.e. Environmental inductions, Toolbox talks, training and awareness)
- j. Roles and responsibilities for implementing, monitoring and reviewing CEMP requirements

34. Erosion and Sediment Control Plan

Prior to the issue of a Construction Certificate an erosion and sediment control plan shall be prepared in accordance with Volume 1 Part 2.7 of the Campbelltown (Sustainable City) Development Control Plan.

35. Waste Management Plan

Prior to Council or the appointed Principal Certifier issuing a construction certificate, the relevant provisions of Council's Waste Management Plan is to be completed to the satisfaction of Council.

36. Geotechnical Report

Prior to Council or an accredited certifier issuing a Construction Certificate, a comprehensive geo-technical engineering report must be prepared by a suitably qualified and professional geotechnical engineer. The report must include but not be limited to the Following:

- a. provide an overall assessment of the engineering plans for the proposed development and their suitability in relation to the site's geotechnical characteristics, and compliance with geotechnical requirements outlined in the Campbelltown (Sustainable City) Development Control Plan, and Engineering Design for Development.
- b. determine land that will be subject to subsidence, slip, slope failure or erosion, where; excavation and/or filling exceeds 900mm in depth, or is identified as filled land.
- c. provide preferred excavation, retention and stabilisation techniques, and suitability of excavated materials for use in on-site earthworks.
- d. detail construction methods, especially where required to avoid problem areas associated with loose materials and groundwater seepage.
- e. provide requirements for surface and subsurface drainage lines.
- f. provide an analysis of the level of risk to existing adjacent structures/buildings, including the scenario of vibratory rollers and other large earthworks machines used anywhere within the site the subject of these works. In the event that the proposed development, it's Construction, and use of vibratory rollers or other machinery could affect adjacent structures/buildings, both high risk areas and method of mitigation shall be identified on a plan and discussed in the report. This analysis shall include outlining the potential for possible damage to adjoining premises from excavation on the site, and specifying safe method(s) of underpinning the adjoining premises to prevent such damage.
- g. outline the recommended treatment of any unstable areas within privately owned allotments surrounding the site the subject of these works.
- h. determine the impact of the installation of services on overall site stability and specify recommendations on short term drainage methods, shoring requirements and other remedial measures that may be appropriate during installation.

- i. specify the foundation conditions and footing requirements of the site, such as bearing pressures, pile design parameters, special techniques for expansive clays, etc., and provide solutions for consideration of structural and civil engineers.
- j. determine the extent and stability of any existing and proposed embankments.
- k. specify all recommended Geotechnical testing requirements.
- l. specify the level of geotechnical supervision required for each part of the works as defined under AS3798 - Guidelines on Earthworks for Commercial and Residential Developments.

37. Soil and Water Management Plan

Prior to Council or the appointed Principal Certifier issuing a construction certificate, a detailed soil and water management plan shall be submitted for approval.

38. Waste Management – Private Collection

Prior to Council or the appointed Principal Certifier issuing a construction certificate, the applicant shall submit to Council details of the collection and disposal of internal waste generated by the occupants to be arranged through a licensed authorised contractor.

39. Stormwater Management Plan

Prior to Council or an accredited certifier issuing a construction certificate, a detailed stormwater drainage design plan and report shall be submitted for approval. The engineering plan and report shall detail, but not be limited to, the following;

- a. The proposed stormwater drainage system shall comply with Campbelltown (Sustainable City) Development Control Plan, and Engineering Design for Development guides (as amended), Australian Standard 3500, Australian Rainfall and Runoff and the NSW Floodplain Development Manual (current versions).
- b. Stormwater drainage system layout shall generally be designed as per Site Stormwater Drainage Plans prepared by MBC Engineering P/L, Reference 2019476, Sheet 1 Issue 6 (dated 26/08/2021), Sheet 2 Issue 4 (dated 29/07/2020), Sheet 3 Issue 6 (dated 26/08/2021), and Sheet 4 Issue 5 (dated 26/08/2021).
- c. All relevant geotechnical and structural engineering requirements outlined in any engineering report/investigation submitted as part of this consent prior to issue of a Construction Certificate, shall be complied with.
- d. All engineering design details, calculations, and assumptions made.
- e. Proposed development shall not adversely impact stormwater flows on surrounding property, and post-development site discharge flow rate shall be equal to or less than total pre-development flow rate.
- f. Proposed minor and major site stormwater systems shall safely discharge to a new kerb inlet pit in Rudd Road by gravity from a single site boundary pit. The existing public drainage infrastructure is to be extended from the existing kerb inlet pit outside No. 82 Rudd Road to the proposed development.

- g. The proposed basement stormwater pump out chamber shall be automatically controlled to discharge ponded stormwater directly to the site boundary pit, at a flow rate that does not cause the total post development discharge to exceed total predevelopment flow rate. Full basement drainage system details, including pump sizing, pump system discharge flowrate and velocity into the boundary discharge pit, and the automatic/manual control of discharge pumps, shall be provided.
- h. The method of disposal of all stormwater, and connection from the site's drainage system into Council's Stormwater drainage network, including; augmentation of the existing system in Rudd Road, existing and finished ground and surface levels, all pervious and impervious areas, estimated flow rates, pipe velocities, invert levels, clearances between other services, and sizes of all pipelines, shall be detailed on the plans, and discussed in the design report.
- i. Safe overflow stormwater drainage paths shall be designed with freeboard to cater for 1% AEP storm event.
- j. Rainwater tank dimensions, point of overflow discharge, and details of the pump control system required to provide water to the toilets, clothes washer and/or any other fixture identified in the BASIX certificate, shall be provided.

40. Existing Drainage

Prior to Council or appointed Principal certifier issuing a construction certificate, the applicant shall submit design details and related calculations for the analysis of the existing drainage system in Rudd Road, where it is proposed to discharge stormwater from the proposed development, to determine whether the existing system has sufficient capacity to adequately convey the increased flows.

41. Dilapidation Report

Dilapidation surveys must be conducted and dilapidation reports prepared by a practising professional engineer (structural) of all buildings, (both internal and external), including ancillary structures located on land adjoining the site and of such further buildings located within the likely "zone of influence" of any excavation, dewatering and/or construction induced vibration. The survey must identify which properties are within the likely 'zone of influence'.

These properties must include (but are not limited to) 86, 90 and 90B Rudd Road, Leumeah, and any others identified to be in the zone of influence in the Dilapidation Survey.

The dilapidation reports must be completed and submitted to Council and the Principal Certifying Authority with or prior to the Notice of Commencement and prior to the commencement of any development work. The adjoining building owner(s) must be given a copy of the dilapidation report for their building(s) prior to the commencement of any work.

Please note the following:

- (a) The dilapidation report will be made available to affected property owners on request and may be used by them in the event of a dispute relating to damage allegedly due to the carrying out of the development.

- (b) This condition cannot prevent neighbouring buildings being damaged by the carrying out of the development.
- (c) Council will not be held responsible for any damage which may be caused to adjoining buildings as a consequence of the development being carried out.
- (d) Council will not become directly involved in disputes between the Developer, its contractors and the owners of neighbouring buildings.
- (e) In the event that access for undertaking the dilapidation survey is denied the applicant is to demonstrate in writing to the satisfaction of the Council that all reasonable steps were taken to obtain access to the adjoining property. The dilapidation report will need to be based on a survey of what can be observed externally.

42. Work on Public Land

Prior to Council or an appointed Principal Certifier issuing a construction certificate, the applicant shall obtain written approval from Council for any proposed work on public land. Inspection of this work shall be undertaken by Council at the applicant's expense and a compliance certificate, approving the works, shall be obtained from Council prior to the appointed Principal Certifier issuing an occupation certificate.

43. Design for Access and Mobility

Prior to Council or the appointed Principal Certifier issuing a Construction Certificate, the applicant shall demonstrate by way of detailed design, compliance with the relevant access requirements of the BCA and AS 1428 - Design for Access and Mobility.

44. Telecommunications Infrastructure

- a. If the development is likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to proposed works must be submitted to the appointed Principal Certifier prior to the issue of a Construction Certificate or any works commencing, whichever occurs first; and
- c. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.

45. Section 7.11 Contribution

Contribution

The developer must make a monetary contribution to Campbelltown City Council in the amount of **\$182,192.64** for the purposes of the Local Infrastructure identified in the Campbelltown Local Infrastructure Contributions Plan 2018 (the Plan).

Open space and recreation facilities	57% of total
Community facilities	16.4% of total
Traffic, transport and access facilities	16.1% of total

Cycleways	5.6% of total
Town centre public domain facilities	3.5% of total
Plan management and administration	1.4% of total
Total	\$182,192.64

The contribution rate will be adjusted on a quarterly basis with CPI indexation as detailed in Section 6.3.2 of the Plan. The exact amount of the contribution will be calculated at the rate applicable at the time of payment.

Indexation

The monetary contribution must be indexed between the date of this certificate and the date of payment in accordance with the following formula:

$$\frac{\$CC \times CPI_P}{CPI_C}$$

Where:

- \$CC is the contribution amount shown in this certificate expressed in dollars.
- CPI_P is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Statistician at the time of the payment of the contribution.
- CPI_C is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Statistician which applied at the time of the issue of this certificate.

Time for payment

The contribution must be paid prior to the release of a construction certificate for any works authorising construction above the floor level of the ground floor.

Works in kind agreement

This condition does not need to be complied with to the extent specified, if a works in kind agreement is entered into between the developer and the Council.

How to make the contribution payment

Contact Council's Development Contributions Officer on 4645 4000 or email, council@campbelltown.nsw.gov.au for an invoice which will also provide details of the various methods of payment available, prior to payment.

46. Civil Works under S138 Roads Act

Prior to Council or appointed Principal certifier issuing any construction certificate, a S138 Roads Act application, including payment of plan assessment and inspection fees shall be lodged with Campbelltown City Council for the construction of the new in-ground stormwater drainage system, vehicle crossing, kerb and gutter and associated civil works in the road reserve within Rudd Road.

Detailed engineering plans for the proposed works in the Rudd Road reserve shall be submitted to Council for approval. All works shall be carried out in accordance with Roads Act 1993 and the relevant Campbelltown City Council's specifications.

47. On-Site Detention Facility

Prior to Council or appointed Principal certifier issuing a construction certificate, the applicant shall submit details and design calculations of the On-Site Detention (OSD) system for approval. OSD system shall comply with the requirements detailed in the Council's 'Engineering Design Guide for Development (as amended).

48. Construction Management Plan

Prior to Council or appointed Principal certifier issuing a construction certificate, detailed Construction Management Plan (CMP) prepared by a suitability qualified person shall be submitted to and written approval from Council's Executive Manager of Urban Centres. The CMP must be prepared in consultation with adjoining owners and must include (but not limited to) the following details:

- Plan of proposed construction storage area
- Parking for construction workers during the demolition and construction phases
- Timing of delivery of materials
- Dust suppression measures
- The proposed access points to the site during construction
- Treatment of barricading/ fencing for construction and restricting access
- Pedestrian access plan showing movements around the site during the demolition and construction phases
- Address all environmental aspects of the developments demolition and construction phases including soil and water management/erosion and sediment control plan, noise and vibration management plan, dust suppression/dust management plan, waste management and litter control.
- Timing of waste collection during construction

Copies of the approved CMP shall be kept on site for the duration of the works, in accordance with Work Cover Authority requirements and copies shall also be forwarded to Council for its records.

Should the CMP identify the need to occupy the public road to perform site construction activities, the applicant shall separately obtain approval from a Road Occupancy and Standing Plant application from Council's Executive Manager Infrastructure, prior to the undertaking of any demolition or construction works on the development site.

Council reserves the right to request modification to the CMP during the development works, in order to maintain adequate and safe management of vehicular and pedestrian traffic.

PRIOR TO THE COMMENCEMENT OF ANY WORKS

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with prior to the commencement of any works on site.

49. Erosion and Sediment Control

Prior to the commencement of any works on the land, adequate/approved erosion and sediment control measures shall be fully installed/implemented.

50. Erection of Construction Sign

Prior to the commencement of any works on the land, signs must be erected in prominent positions on the site:

- a. Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours
- b. Stating that unauthorised entry to the work site is prohibited
- c. Pollution warning sign promoting the protection of waterways (a digital copy is provided with this consent that can be printed, laminated and affixed to the site or a corflute sign is available for free pick up at Council's administration office)
- d. Stating the approved construction hours in which all works can occur
- e. Showing the name, address and telephone number of the principal certifying authority for the work.

Any such signs are to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

51. Toilet on Construction Site

Prior to the commencement of any works on the land, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part thereof. Each toilet provided must be a standard flushing toilet and be connected to:

- a. A public sewer, or
- b. If connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council, or
- c. If connection to a public sewer or an accredited sewage management facility is not practicable, to some other management facility approved by Council.

52. Trade Waste

Prior to the commencement of any works on the land, a trade waste facility shall be provided on-site to store all waste pending disposal. The facility shall be screened, regularly cleaned and accessible to collection vehicles.

53. Vehicular Access during Construction

Prior to the commencement of any works on the land, a single vehicle/plant access to the site shall be provided, to minimise ground disturbance and prevent the transportation of soil onto any public road system. Single sized aggregate, 40mm or larger placed 150mm deep, extending from the kerb and gutter to the property boundary, shall be provided as a minimum requirement.

54. Public Property

Prior to the commencement of any works on site, the applicant shall provide Council with a report establishing the condition of the property which is controlled by Council which adjoins the site including (but not limited to) kerbs, gutters, footpaths, and the like.

Failure to identify existing damage may result in all damage detected after completion of the development being repaired at the applicant's expense.

55. Footpath and Vehicular Crossing Levels

Prior to the commencement of any work, footpath and vehicular crossing levels are to be obtained from Council by lodging an application on the prescribed form.

56. Demolition Works

Demolition works shall be carried out in accordance with the following:

- a. Prior to the commencement of any works on the land, a detailed demolition work plan designed in accordance with Clause 1.7.3 of Australian Standard AS 2601-2001 - The Demolition of Structures, prepared by a suitably qualified person with suitable expertise or experience, shall be submitted to and approved by Council and shall include the identification of any hazardous materials, method of demolition, precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
- b. Prior to commencement of any works on the land, the demolition Contractor(s) licence details must be provided to Council.
- c. The handling or removal of any asbestos product from the building/site must be carried out by a NSW Work Cover licensed contractor irrespective of the size or nature of the works. Under no circumstances shall any asbestos on site be handled or removed by a non-licensed person. The licensed contractor shall carry out all works in accordance with NSW Work Cover requirements.
- d. An appropriate fence preventing public access to the site shall be erected for the duration of demolition works
- e. Immediately prior to the commencement of the demolition or handling of any building or structure that contains asbestos, the applicant shall request that the principal certifying authority attend the site to ensure that all appropriate safety measures are in place. The applicant shall also notify the occupants of the adjoining premises and Workcover NSW prior to the commencement of any works.

57. Hoarding / Fence

Prior to the commencement of any works, a hoarding or fence must be erected between the work site and a public place if the work involved in the development is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or if the building involves the enclosure of a public place in accordance with Work Cover requirements.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

A separate land use application under *Section 68 of the Local Government Act 1993* shall be submitted to and approved by Council prior to the erection of any hoarding on public land.

58. Fencing

An appropriate fence preventing public access to the site shall be erected for the duration of construction works.

59. Structural Engineer Details

Prior to the commencement of any works, the submission to the principal certifying authority of all details prepared by a practicing structural engineer.

60. Demolition of Existing Dwelling

Prior to the commencement of any other works, the existing dwelling and all other improvements on the land shall be demolished in accordance with the conditions of this consent.

DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with during the construction of the development on site.

61. Construction Work Hours

All work on site shall only occur between the following hours:

Monday to Friday	7.00 am to 6.00 pm
Saturday	8.00 am to 5.00 pm
Sunday and public holidays	No Work.

62. Erosion and Sediment Control

Erosion and sediment control measures shall be provided and maintained throughout the construction period, in accordance with the requirements of the manual – Soils and Construction (2004) (Bluebook), the approved plans, Council specifications and to the satisfaction of the principal certifying authority. The erosion and sedimentation control devices shall remain in place until the site has been stabilised and revegetated.

Note: On the spot penalties up to \$8,000 will be issued for any non-compliance with this requirement without any further notification or warning.

63. Work Zones

All loading, unloading and other activities undertaken during construction shall be accommodated on the development site.

Where it is not practical to load, unload or undertake specific activities on the site during construction, the provision of a 'Work Zone' external to the site may be approved by Council following an application being submitted to Council's Traffic Unit outlining the proposal for the work zone. The application is required to be made prior to the commencement of any works and is to include a suitable 'Traffic / Pedestrian Management and Control Plan' for the area of the work zone that will be affected. All costs of approved traffic/pedestrian control measures, including relevant fees, shall be borne by the applicant.

64. Protection of Existing Trees

During construction, no trees are to be cut down, lopped, destroyed or removed without the separate written approval of Council unless those trees are within three metres of the footprint of a building that has been approved by Council.

All trees that are to be retained are to be protected by fencing, firmly staked within the drip line/ canopy of the tree and maintained during the duration of the works. The area within the fencing must not be used for stockpiling of any material, nor for vehicle or pedestrian convenience.

All useable trees and shrubs shall be salvaged for re-use, either in log form, or as woodchip mulch for erosion control or garden beds or site rehabilitation. Non-salvable materials such as roots and stumps shall be disposed of to a waste management centre or other approved form.

65. Excavation and Backfilling

All excavations and backfilling associated with the approved works must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.

If an excavation associated with the approved works extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- Must preserve and protect the building from damage; and
- If necessary, must underpin and support the building in an approved manner, and
- Must at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

66. Fill Compaction Requirements

Any filling carried out in accordance with this consent shall maintain a minimum requirement of 98 per cent standard compaction.

Any lot filling operations carried out in accordance with this consent shall be tested to establish the field dry density every 300mm rise in vertical height. Test sites shall be located randomly across the fill site with 1 test per 500m² (minimum 1 test per 300mm layer) certified by a qualified geotechnical engineer.

67. Fill Contamination

Any landfill used on the site is to be validated in accordance with the Environment Protection Authority's guidelines for consultants reporting on contaminated sites. The validation report shall state in an end statement that the fill material is suitable for the proposed use on the land.

68. Dust Nuisance

Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual - 'Soils and Construction (2004) (Bluebook). Construction areas shall be treated/regularly watered to the satisfaction of the appointed Principal Certifier.

69. Certification of Location of Building during Construction

Prior to the positioning of wall panels/bricks or block work, the applicant shall submit to the appointed Principal Certifier a qualified practicing surveyor's certificate showing the boundaries of the allotment, distances of walls and footings from the boundaries, and the dimensions of the building.

70. Certification of Location of Building upon Completion

Upon completion of the building, the applicant shall submit to the appointed Principal Certifier a qualified practicing surveyor's certificate showing the boundaries of the allotment, distances of walls and footings from boundaries.

71. Certification of Levels of Building during Construction

Prior to the placement of any concrete of the basement/ground floor slab, the applicant shall submit to the appointed Principal certifier a qualified practicing surveyor's certificate showing that the formwork levels are in accordance with the approved plan.

72. Floor Level

The floor level of all habitable rooms shall be a minimum 300 mm above finished ground level, when measured 1 m clear of the external wall.

All regraded areas shall be free draining with a minimum grade of 2 per cent falling away from the dwelling. Regraded areas shall not direct flows into adjoining lots.

73. Excess Material

All excess material is to be removed from the site. The spreading of excess material or stockpiling on site will not be permitted without prior written approval from Council.

74. Earth Works/Filling Works

All earthworks, including stripping, filling, and compaction shall be:

- Undertaken in accordance with Council's 'Specification for Construction of Subdivisional Roads and Drainage Works' (as amended), AS 3798 'Guidelines for Earthworks for Commercial and Residential Development' (as amended), and approved construction drawings;
- Supervised, monitored, inspected, tested and reported in accordance with AS 3798 Appendix B 2(a) Level 1 and Appendix C by a NATA registered laboratory appointed by the applicant. Two collated copies of the report and fill plan shall be forwarded to Council; and
- Certified by the laboratory upon completion as complying, so far as it has been able to determine, with Council's specification and AS 3798.

75. Revegetation

Revegetation to the requirements of the manual – 'Soils and Construction (2004) (Bluebook) shall be applied to all disturbed areas within seven days after completion of earthworks, and shall be fully established prior to release of the maintenance security bond.

76. Public Safety

Any works undertaken in a public place are to be maintained in a safe condition at all times in accordance with AS 1742.3. Council may at any time and without prior notification make safe any such works Council considers to be unsafe, and recover all reasonable costs incurred from the applicant.

77. Compliance with Council Specification

All design and construction work shall be in accordance with:

- a. Council's specification for Construction of Subdivisional Road and Drainage Works (as amended);
- b. Council's Engineering Design for Developments guide;
- c. *Campbelltown (Sustainable City) DCP - Volumes 1 (as amended)*;
- d. 'Soils and Construction (2004) (Bluebook); and
- e. Relevant Australian standards and State Government publications.

78. Footpath

The footpath adjoining the subject land shall be regraded, topsoiled and turfed in accordance with levels to be obtained from Council. The footpath formation may need to be extended beyond the site boundaries, to provide an acceptable transition to existing footpath levels.

79. Footpath Kerb and Gutter

The applicant shall re-construct all damaged bays of kerb and gutter, adjacent to the site, in Rudd Road. Areas not concreted shall be re-graded, topsoiled and turfed. All works shall be in accordance with Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)*, *Council's Engineering Design for Developments guide* and with the design requirements of the *Campbelltown (Sustainable City) DCP - Volumes 1(as amended)*.

80. Industrial / Commercial Driveway and Layback Crossing

The applicant shall provide a reinforced concrete driveway and layback crossing/s to Council's *Industrial/Commercial Vehicle Crossing Specification* and *Campbelltown (Sustainable City) DCP - Volumes 1(as amended)*.

A separate application for this work, which will be subject to a crossing inspection fee, fixing of levels and inspections by Council, must be lodged with Council. Conduits must be provided to service authority requirements.

81. Associated Works

The applicant shall undertake any works external to the development, that are made necessary by the development, including additional road and drainage works or any civil works directed by Council, to make a smooth junction with existing work.

82. Redundant Laybacks

All redundant layback/s shall be reinstated to conventional kerb and gutter to Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and with the design requirements of the *Campbelltown (Sustainable City) DCP - Volumes 1 (as amended)*.

83. Demolition Work/Plan

All work shall be completed in accordance with the approved demolition work plan designed in accordance with clause 1.7.3 of Australian Standard A52601-2001 *The Demolition of Structures*.

84. Completion of Construction Works

Unless otherwise specified in this consent, all construction works associated with the approved development shall be completed within 12 months of the date of the notice of the intention to commence construction works under *Section 81A of the Act*.

In the event that construction works are not continually ongoing, the applicant shall appropriately screen the construction site from public view with architectural devices and landscaping to Council's written satisfaction.

85. Imported 'waste-derived' fill material

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

- virgin excavated natural material (within the meaning of the Protection of the Environment Operations Act 1997); and
- any other waste-derived material the subject of a resource recovery exemption under cl.51A of the Protection of the Environment Operations (Waste) Regulation 2005 that is permitted to be used as fill material.

Any waste-derived material the subject of 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 Certifying Authority on request.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of an occupation certificate by the appointed Principal Certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for an occupation certificate.

86. Private Waste Collection

Prior to the issue of any Occupation Certificate, proof of a fully executed Service Agreement made with a licensed waste collection contractor shall be provided to the Executive Manager Urban Centres which includes details for the collection of waste and recycling in vehicles dedicated to each stream for this particular premises. The Agreement must include the vehicle dimensions that are in accordance with the information provided in the approved traffic impact report prepared by Stanbury Traffic Planning.

87. Section 73 Certificate

Prior to the appointed Principal Certifier issuing an occupation certificate, a Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation. Early application for the certificate is suggested as this can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator.

For help either visit www.sydneywater.com.au > Building and developing > Developing your Land > Water Servicing Coordinator or telephone 13 20 92.

The Section 73 Certificate must be submitted to the appointed Principal Certifier prior to the issue of an occupation certificate.

88. Structural Engineering Certificate

Prior to the appointed Principal Certifier issuing an occupation certificate, the submission of a certificate from a practising structural engineer certifying that the building has been erected in compliance with the approved structural drawings, the relevant Standards Association of Australia Codes and is structurally adequate.

89. Completion of External Works Onsite

Prior to the principal certifying authority issuing an occupation certificate, all external works, repairs and renovations detailed in the schedule of treatment/finishes, landscaping, driveways, fencing and retaining walls to be completed to the satisfaction of the principal certifying authority.

90. Mechanical Ventilation

Prior to the principal certifying authority issuing an occupation certificate, the submission of a compliance certificate certifying that:

- The mechanical ventilation exhaust system has been installed in accordance with Australian Standard AS1668 Part 1 and 2.
- The exhaust hood and air conditioning system has been installed in accordance with Australian Standard AS1668 (Mechanical Ventilation and Air Conditioning Code), and Australian Standard AS1055 (Acoustics – Description and Measurement of Environmental Noise).

91. Maintenance Security Bond

Prior to the appointed principal certifying authority issuing a subdivision certificate, a maintenance security bond of 5 per cent of the contract value or \$5000, whichever is the greater, shall be lodged with Council. This security will be held in full until completion of maintenance, minor outstanding works and full establishment of vegetation to the satisfaction of Council, or for a period of six months from the date of release of the subdivision certificate, whichever is the longer. All bonds are to be provided in the form of Cash or a written Bank Guarantee from an Australian Banking Institution.

The applicant is responsible for applying to Council for the return of the bond. Should no request be made to Council for the return of the bond six years after the issue of the subdivision certificate, Council will surrender the bond to the Office of State Revenue.

92. Contaminated Land

Prior to the principal certifying authority issuing a subdivision certificate, the applicant shall ensure by way of soil testing by a N.A.T.A. registered laboratory that the land and any imported filling are free from contamination in accordance with the Environmental Health Form Health Based Soil Investigation Levels - Soil Series No. 1 and a copy of the laboratory report shall be submitted to Council.

93. Final Inspection – Works as Executed Plans

Prior to the appointed principal certifying authority issuing an occupation/a subdivision certificate, the applicant shall submit to Council two complete sets of fully marked up and certified work as executed plans in accordance with Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and with the design requirements detailed in the Campbelltown (Sustainable City) DCP Volume 3 (as amended).

The applicant shall **also** submit a copy of the Works as Executed information to Council in an electronic format in accordance with the following requirements:

Survey Information

- Finished ground and building floor levels together with building outlines.
- Spot levels every 5m within the site area.
- Where there is a change in finished ground levels that are greater than 0.3m between adjacent points within the above mentioned 5m grid, intermediate levels will be required.
- A minimum of 15 site levels.
- If the floor level is uniform throughout, a single level is sufficient.
- Details of all stormwater infrastructure including pipe sizes and types as well as surface and invert levels of all existing and/or new pits/pipes associated with the development.
- All existing and/or new footpaths, kerb and guttering and road pavements to the centre line/s of the adjoining street/s.
- The surface levels of all other infrastructure.

Format

- MGA 94 (Map Grid of Australia 1994) Zone 56 - Coordinate System
- All level information to Australian Height Datum (AHD)

AutoCAD Option

- The "etransmit" (or similar) option in AutoCAD with the transmittal set-up to include as a minimum:

Package Type - zip
 File Format - AutoCAD 2004 Drawing Format or later
 Transmittal Options - Include fonts

Include textures from materials

Include files from data links

Include photometric web files

Bind external references

The drawing is **not** to be password protected.

MapInfo Option

- Council will also accept either MapInfo Native format (i.e. .tab file) or MapInfo mid/mif.

All surveyed points will **also** be required to be submitted in a point format (x,y,z) in either an Excel table or a comma separated text file format.

94. Engineering Documentation

Prior to Council or appointed Principal Certifier issuing an Occupation certificate, the applicant shall submit to Council the following documents:

- a. Two copies of geotechnical stability reports, dispersion tests, earthworks and fill placement reports, concrete core tests, sub grade, subbase, base and pavement density reports, structural compliance reports,
- b. Two copies of all compliance certificates, including supply of pipes and precast units, supply of subgrade, sub-base material, supply of base course material, supply of concrete, and supply of bituminous materials.

All reports/certificates shall be prepared by a N.A.T.A. registered laboratory or qualified engineer in accordance with Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and with the design requirements detailed in the Campbelltown City Council Engineering Design for Development (as amended) and shall list the relevant compliance standard(s) and certify that the whole of the area of works or materials tested comply with the above specification. All reports/certificates shall be complete, fully referenced, clearly indicate the area or material tested, the location and required/actual values of all tests and retesting, and be collated and suitably bound.

95. Restoration of Public Roads

Prior to the appointed Principal Certifier issuing an occupation certificate, the restoration of public road and associated works required as a result of the development shall be carried out by Council and all costs shall be paid by the applicant.

96. Public Utilities

Prior to the appointed Principal Certifier issuing an occupation certificate, any adjustments to public utilities, required as a result of the development, shall be completed to the satisfaction of the relevant authority and at the applicant's expense.

97. Service Authorities

To ensure that an adequate level of services and infrastructure is provided to this development, prior to the appointed Principal Certifier issuing a Subdivision Certificate the following is required:

- a. Energy supplier – A Notice of Arrangement for the provision of distribution of electricity from Endeavour Energy to service the proposed development
- b. Telecommunications – Evidence demonstrating that satisfactory arrangements have been made with a telecommunications carrier to service the proposed development
- c. Gas supplier (if relevant)- Evidence demonstrating that satisfactory arrangements have been made with a gas supplier to service the proposed development; and

- d. Water supplier – A Section 73 Compliance Certificate demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.

All construction work shall conform to the relevant authorities' specifications.

The final seal shall be deferred pending installation of all services. In this regard the applicant shall provide a temporary seal and lodge with Council as security, the amount to be determined by Council, to cover the cost of trench restoration by Council and the placement of the final asphaltic concrete seal.

98. House Numbers

Prior to the appointed principal certifier issuing an occupation certificate all house numbers shall be stencilled onto the kerb at appropriate locations with black letters/numbers 75mm high on a white background using approved pavement marking grade paint.

For all new additional lots created, please contact Council's Land Information Unit on 4645 4465 to ensure the correct house number is stencilled.

99. BASIX

Prior to the appointed principal certifier issuing an occupation certificate, completion of all requirements listed in the relevant BASIX certificate for the subject development shall be completed/installed.

100. Council Fees and Charges

Prior to the appointed Principal Certifier issuing an occupation certificate, the applicant shall obtain written confirmation from Council that all applicable Council fees and charges associated with the development have been paid in full. Written confirmation will be provided to the applicant following Council's final inspection and satisfactory clearance of the public area adjacent the site.

101. Compliance Certificate

All the works on public area in relation to the development shall be completed as per the Council approved plans. A compliance certificate, approving the works, shall be obtained from Council prior to the appointed principal certifier issuing an occupation certificate.

102. Positive Covenant

The applicant shall create a positive covenant and appropriate restriction on the use of land under Section 88B of the Conveyancing Act over the On-Site Detention facility prior to the appointed principal certifier issuing an occupation certificate.

The applicant shall liaise with Council regarding the required wording. The authority empowered to release, vary or modify these restrictions on the use of land shall be the Council of the City of Campbelltown. The cost and expense of any such release, variation or modification shall be borne by the person or corporation requesting the same in all respects.

BOARDING HOUSE CONDITIONS

The following conditions have been applied to ensure that the use of the building is carried out in such a manner that is consistent with the Boarding Houses Act 2012, Public Health Act 2010, Regulations, Local Government Act 1993 and associated technical standards.

103. Registration

The boarding house must be registered with The Office of Fair Trading and Campbelltown City Council.

104. Notices

A sign indicating the permissible maximum length of time during which a person may board or lodge in the premises must be conspicuously displayed to public view outside the premises.

A schedule showing the numeral designating each bedroom and the number of persons permitted to be accommodated in each must be conspicuously displayed on the premises.

Each bedroom must be numbered in accordance with the schedule and there must be displayed clearly on the door of or in each bedroom the maximum number of persons allowed to be accommodated in the bedroom.

105. Cleanliness

All parts of the premises and all appurtenances (including furniture, fittings, bedsteads, beds and bed linen) must be kept in a clean and healthy condition, and free from vermin.

Any kitchen facilities and utensils for the storage or preparation of food must be kept in a clean and healthy condition, in good repair, free from foul odours and, as far as practicable, free from dust, flies, insects and vermin.

106. Pest and Vermin

All practicable measures are to be taken to keep the premises free from fleas, other disease-carrying insects, rats and mice (except any such animals kept as pets).

107. Lighting and Ventilation

Adequate light and ventilation must be maintained in the premises.

108. Long term residences

If persons may board or lodge for 7 days or longer, an adequate number of beds (each provided with a mattress and pillow and an adequate supply of clean blankets or equivalent bed clothing), adequate storage space and blinds, curtains or similar devices to screen bedroom windows for privacy must be provided for the occupants.

109. Neighbourhood Amenity

The implementation and ongoing operation of this development must not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, odour, dust, waste products or other products. In addition, the recommendations included in the Acoustic Report, prepared by Acoustic Logical, dated 14 June 2016, and the approved Boarding House Management Plan must be implemented and complied with at all times.

ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, other relevant Council Policy/s and other relevant requirements. This information does not form part of the conditions of development consent pursuant to Section 4.17 of the Act.

Advice 1. Environmental Planning and Assessment Act 1979 Requirements

The Environmental Planning and Assessment Act 1979 requires you to:

- a. Obtain a construction certificate prior to the commencement of any works. Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 4645 4608.
- b. Nominate a Principal Certifier and notify Council of that appointment prior to the commencement of any works.
- c. Give Council at least two days notice prior to the commencement of any works.
- d. Have mandatory inspections of nominated stages of the construction inspected.
- e. Obtain an occupation certificate before occupying any building or commencing the use of the land.

Advice 2. Tree Preservation Order

To ensure the maintenance and protection of the existing natural environment, you are not permitted to ringbark, cut down, top, lop, remove, wilfully injure or destroy a tree outside three metres of the building envelope unless you have obtained prior written consent from Council. Fines may be imposed if you choose to contravene Council's Tree Preservation Order.

A tree is defined as a perennial plant with self supporting stems that are more than three metres or has a trunk diameter more than 150 mm measured one metre above ground level, and excludes any tree declared under the *NSW Biosecurity Act 2015* or included within the NSW Governments Greater Sydney Strategic Management Plan 2017-2022.

Advice 3. Provision of Equitable Access

Nothing in this consent is to be taken to imply that the development meets the requirements of the *Disability Discrimination Act 1992* (DDA1992) or *Disability (Access to Premises – Buildings) Standards 2010* (Premises Standards).

Where a Construction Certificate is required for the approved works, due regard is to be given to the requirements of the *Building Code of Australia* (BCA) & the Premises Standards. In this regard it is the sole responsibility of the certifier, building developer and building manager to ensure compliance with the Premises Standards.

Where no building works are proposed and a Construction Certificate is not required, it is the sole responsibility of the applicant and building owner to ensure compliance with the DDA1992.

Advice 4. Smoke Alarms

All NSW residents are required to have at least one working smoke alarm installed on each level of their home. This includes owner occupier, rental properties, relocatable homes and any other residential building where people sleep.

The installation of smoke alarms is required to be carried out in accordance with AS 3786. The licensed electrical contractor is required to submit to the appointed Principal Certifier a certificate certifying compliance with AS 3000 and AS 3786.

Advice 5. Filling on Site

Council's records in respect of this lot indicate that varying depths of filling covers the natural ground surface.

Advice 6. Inspections – Civil Works

Where Council is nominated as the principal certifying authority for civil works, the following stages of construction shall be inspected by Council.

- a. EROSION AND SEDIMENT CONTROL –
 - i. Direction/confirmation of required measures.
 - ii. After installation and prior to commencement of earthworks.
 - iii. As necessary until completion of work.
- b. STORMWATER PIPES – Laid, jointed and prior to backfill.
- c. VEHICLE CROSSINGS AND LAYBACKS – Prior to pouring concrete.
- d. FINAL INSPECTION – All outstanding work.

Advice 7. Adjustment to Public Utilities

Adjustment to any public utilities necessitated by the development is required to be completed prior to the occupation of the premises and in accordance with the requirements of the relevant Authority. Any costs associated with these adjustments are to be borne by the applicant.

Advice 8. Salinity

Please note that Campbelltown is an area of known salinity potential. As such any salinity issues should be addressed as part of the construction certificate application. Further information regarding salinity management is available within *Campbelltown (Sustainable City) DCP - Volumes 1 and 3 (as amended)*.

Advice 9. Bonds and Bank Guarantees

All bonds are to be provided in the form of Cash or a written Bank Guarantee from an Australian Banking Institution. Bonds will not be accepted in any other form or from any other institution.

Advice 10. Dial before you Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before you dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

Advice 11. Telecommunications Act 1997 (Commonwealth)

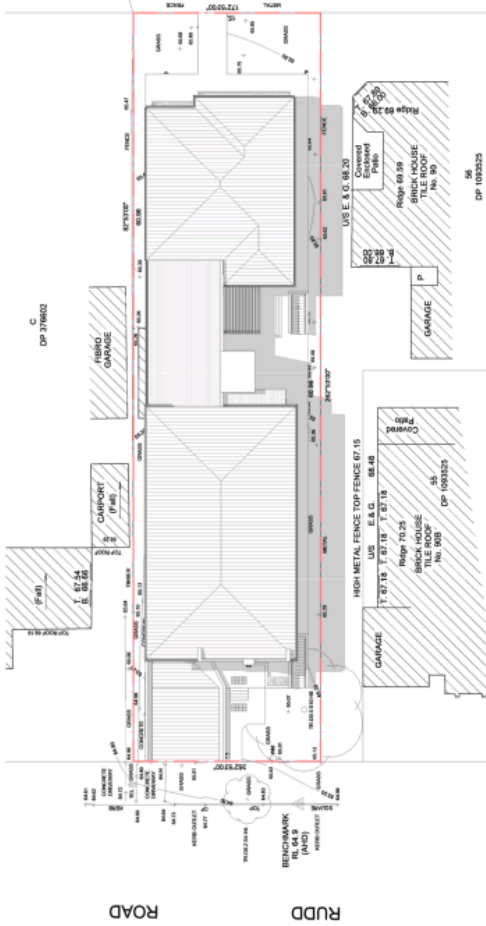
Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any persons interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution.

Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

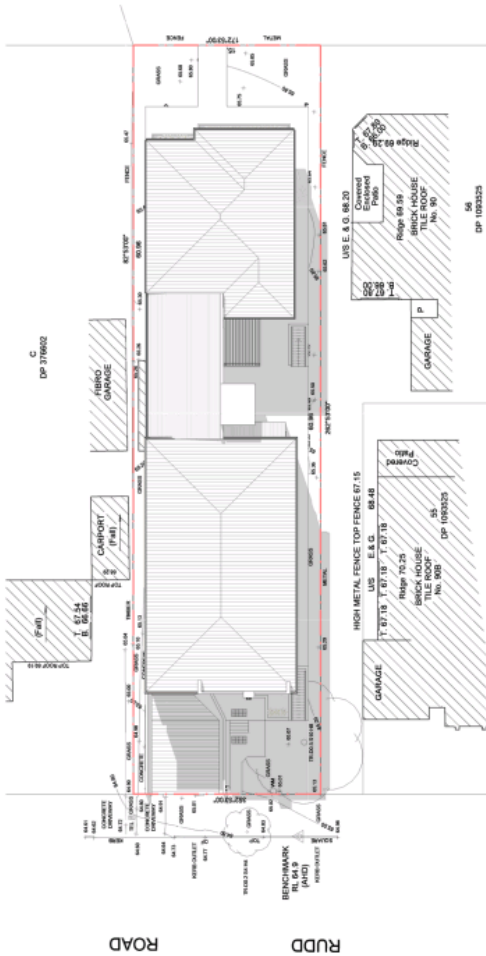
Advice 12. Waste Collection Service

In Accordance with the Local Government Act, private waste collection does not negate Domestic Waste Management Charge included in Council's Rates.

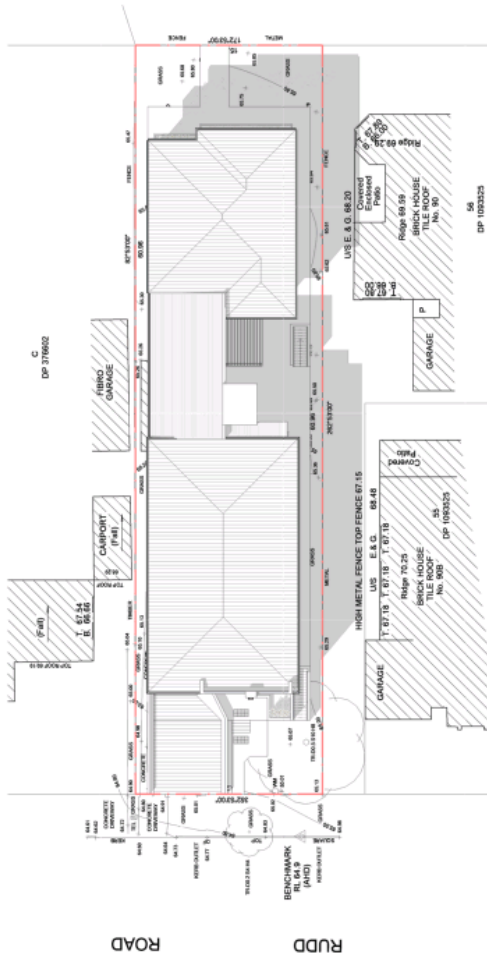
END OF CONDITIONS



2 21ST MARCH 12PM
1:200



1 21ST MARCH 9AM
1:200



3 21ST MARCH 3PM
1:200

FOR DA APPROVAL

baini design

PROJECT TITLE
CONSTRUCTION OF A DOUBLE STOREY BOARDING HOUSE
88 RUDD ROAD, LUMEAU NSW 2560

DATE
21ST MARCH 2020

PROJECT NUMBER
13

SCALE
1:100

DATE
10/26/21

DESIGNER
BAINI DESIGN
ANN 11 008 712 951
17/01/19 (U.S. 1800 215)

CLIENT
MURPHY, ANITA M
10/09/19 (U.S. 1800 215)
WWW.BAINIDESIGN.COM.AU

DATE
13

SCALE
1:100

DATE
10/26/21

DESIGNER
ANN 11 008 712 951
17/01/19 (U.S. 1800 215)

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DATE
13

SCALE
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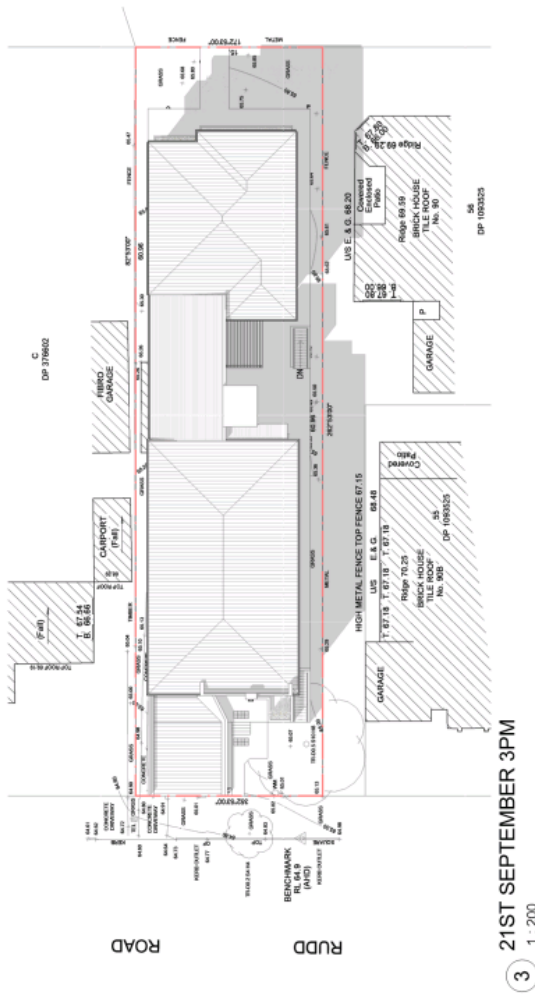
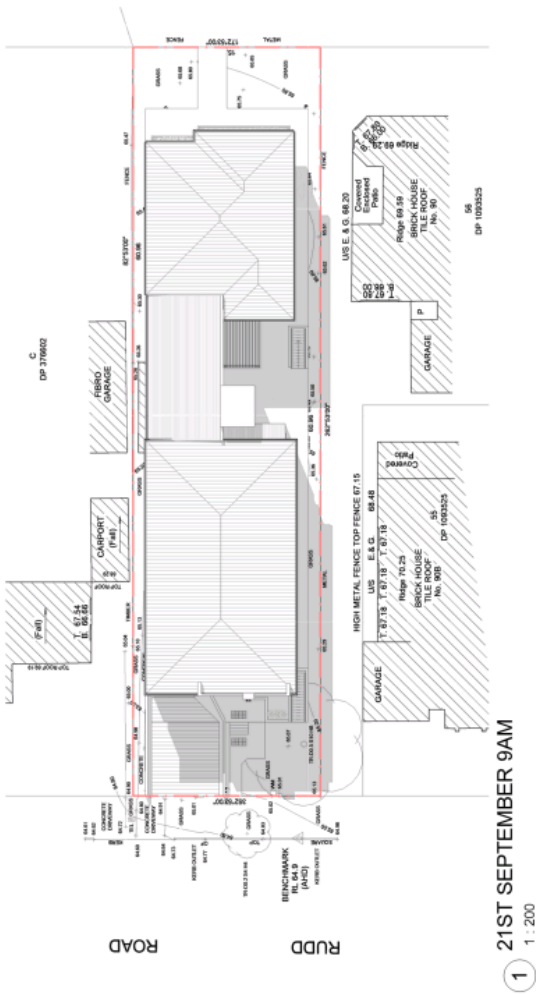
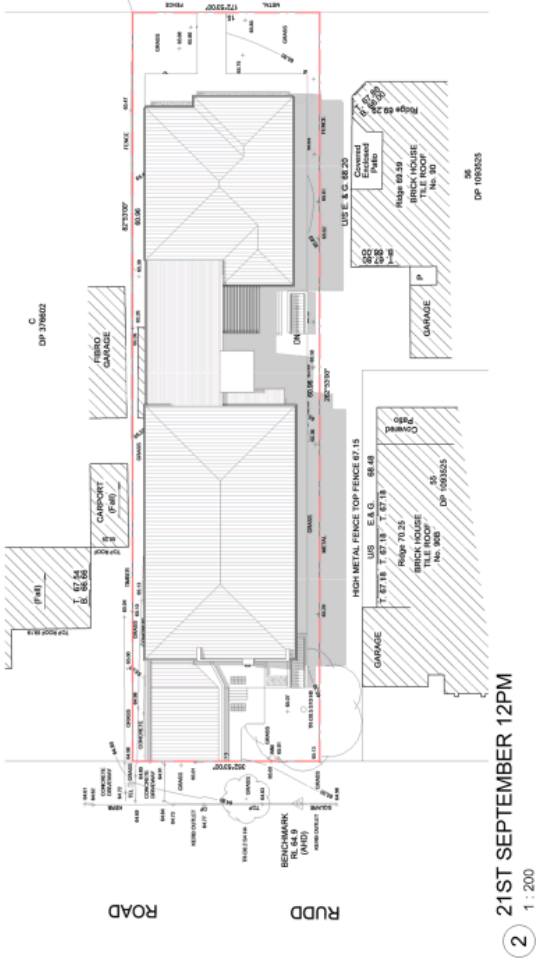
DATE
10/26/21

DESIGNER
ANN 11 008 712 951
17/01/19 (U.S. 1800 215)

CLIENT
MURPHY, ANITA M
10/09/19 (U.S. 1800 215)
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REV	DESCRIPTION	DATE	BY
A	ISSUED FOR DA APPROVAL	10/27/21	AN
B	ISSUED FOR DA APPROVAL	13/02/21	AN
C	ISSUED FOR DA APPROVAL	26/02/21	AN
D	ISSUED FOR DA APPROVAL	26/02/21	AN
E	ISSUED FOR DA APPROVAL	21/03/21	AN



FOR DA APPROVAL

baini design

PROJECT TITLE
CONSTRUCTION OF A DOUBLE STOREY BOARDING HOUSE
88 RUDD ROAD, LUMEAU NSW 2560
21ST SEPT SHADOW ANALYSIS

DATE: 10/26/21
DRAWN BY: J.E.
CHECKED BY: C.B.

PROJECT NUMBER: 20020

DATE: 14/10/2021
DRAWN BY: J.E.
CHECKED BY: C.B.

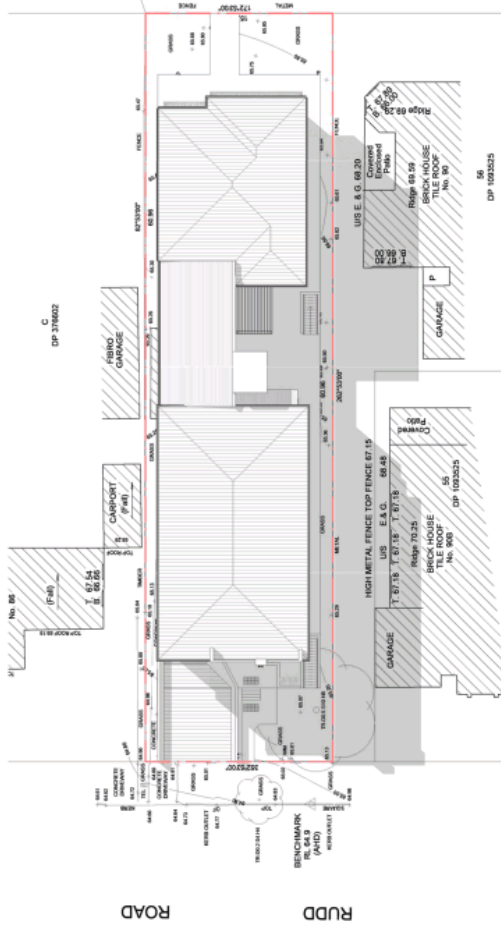
PROJECT NUMBER: 20020

DATE: 14/10/2021
DRAWN BY: J.E.
CHECKED BY: C.B.

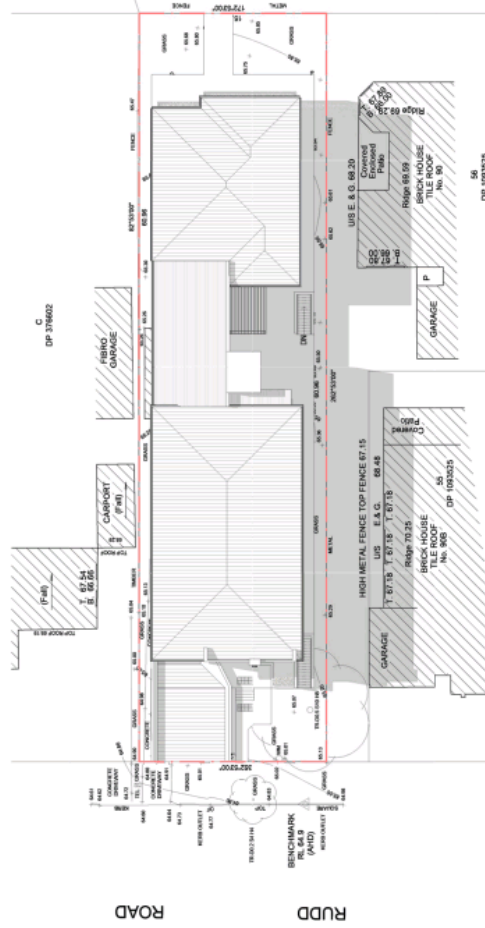
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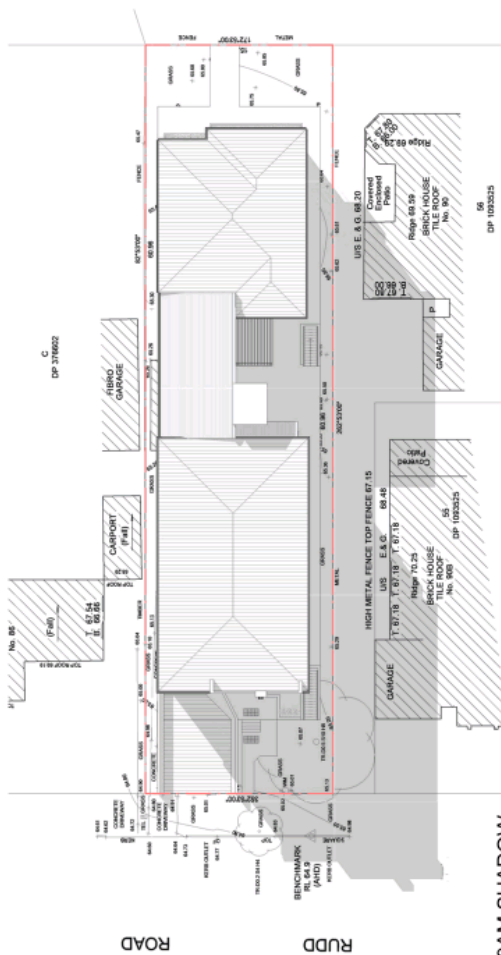
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A	QUANTIFIED ATTACHED TO PLAN	10/27/21	J.E.
B	REVISED ATTACHED TO PLAN	13/09/21	J.E.
C	REVISED ATTACHED TO PLAN	26/02/21	J.E.
D	REVISED ATTACHED TO PLAN	26/02/21	J.E.
E	REVISED ATTACHED TO PLAN	21/09/21	J.E.



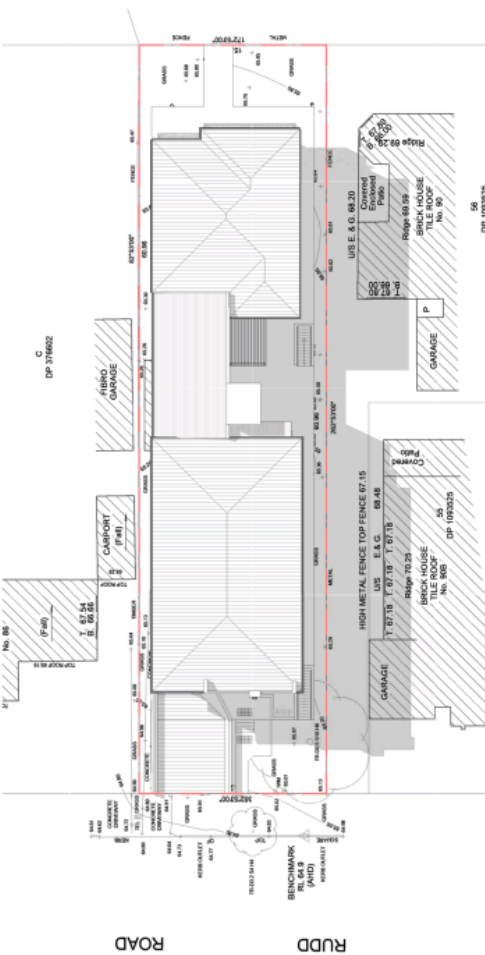
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1 : 200



12PM SHADOW
1 : 200



9AM SHADOW
1 : 200



11AM SHADOW
1 : 200

FOR DA APPROVAL

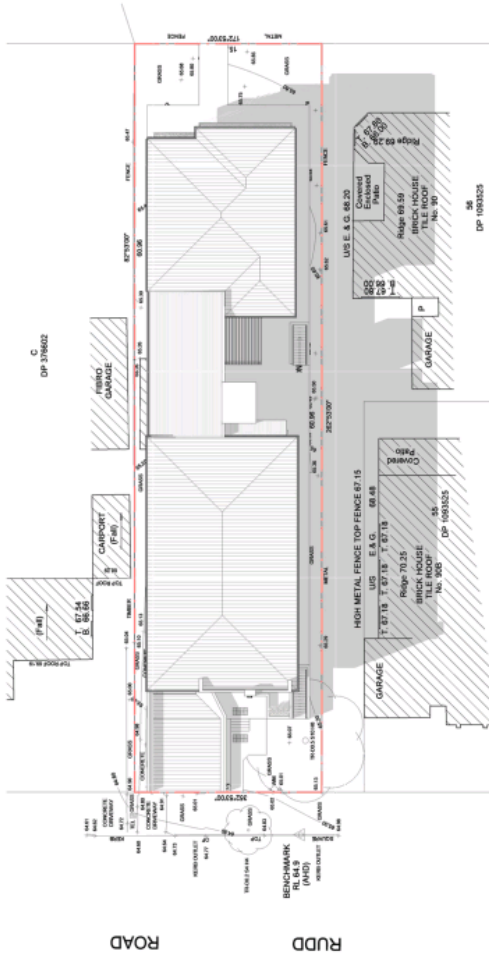
baini design
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 11/11/2021
 26/02/21
 11/11/2021
 26/02/21
 11/11/2021
 26/02/21

PROJECT FILE
 CONSTRUCTION OF A DOUBLE STOREY BOARDING HOUSE
 68 RUDD ROAD, LEEMHILL NSW 2560
 SHADOW ANALYSIS

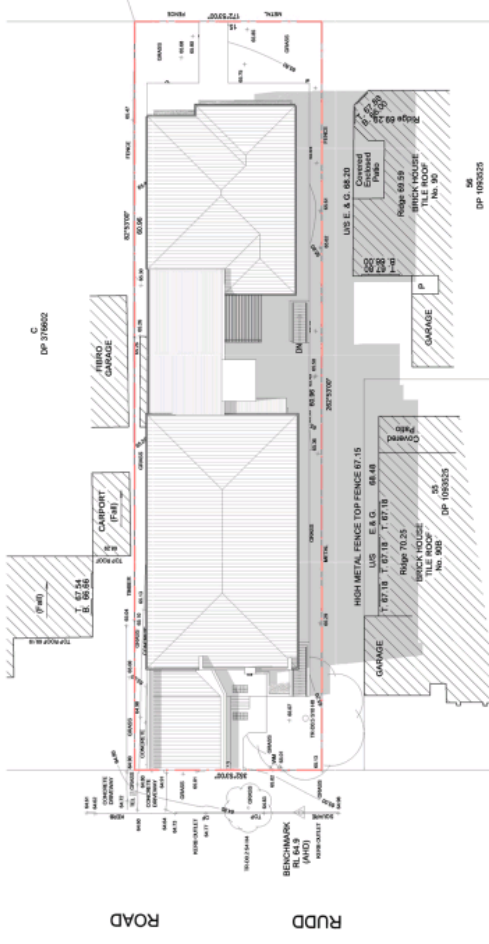
PROJECT NUMBER: 20020
 DRAWING NUMBER: 11
 DATE: 26/02/21
 REGION: E
 SCALE: 1:100 @ A1
 DRAWN BY: JJE
 CHECKED BY: CB
 SCALE: 1:200 @ A3
 DATE: 26/02/21

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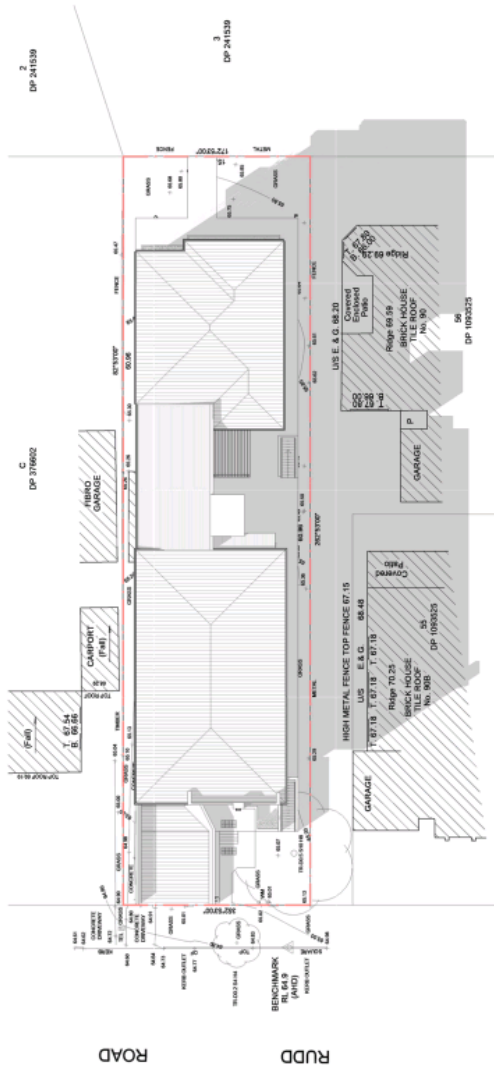
REV	DESCRIPTION	DATE	BY
1	ISSUED FOR APPROVAL	11/11/2021	JJE
2	ISSUED FOR APPROVAL	11/11/2021	JJE
3	ISSUED FOR APPROVAL	11/11/2021	JJE
4	ISSUED FOR APPROVAL	11/11/2021	JJE
5	ISSUED FOR APPROVAL	11/11/2021	JJE
6	ISSUED FOR APPROVAL	11/11/2021	JJE
7	ISSUED FOR APPROVAL	11/11/2021	JJE
8	ISSUED FOR APPROVAL	11/11/2021	JJE
9	ISSUED FOR APPROVAL	11/11/2021	JJE
10	ISSUED FOR APPROVAL	11/11/2021	JJE



2 2PM SHADOW
1:200



1 1PM SHADOW
1:200



3 3PM SHADOW
1:200

FOR DA APPROVAL

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11/11/2021
Sydney, Australia
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PROJECT FILE
CONSTRUCTION OF A DOUBLE STOREY BOARDING HOUSE
88 RIDD ROAD, LEEMAH NSW 2560
SHADOW ANALYSIS

PROJECT NUMBER: 20020
DRAWING NUMBER: 12
DATE: 26/02/21
SCALE: 1:100 (A1) 1:200 (A4) 1:500 (A3)
REGION: E
JOB: JE
CB

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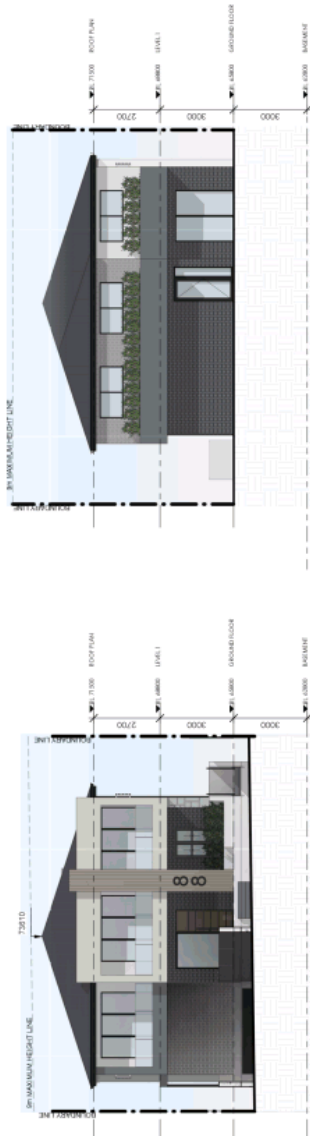
REV	DESCRIPTION	DATE	BY
1	ISSUED FOR DA APPROVAL FOR CONSTRUCTION	17/02/21	JE
2	ISSUED FOR DA APPROVAL FOR CONSTRUCTION	17/02/21	JE
3	ISSUED FOR DA APPROVAL FOR CONSTRUCTION	18/02/21	JE
4	ISSUED FOR DA APPROVAL FOR CONSTRUCTION	18/02/21	JE
5	ADDITIONAL COMMENTS	31/03/21	CB



NORTH ELEVATION
1 : 100



SOUTH ELEVATION
1 : 100



WEST ELEVATION
1 : 100



EAST ELEVATION
1 : 100

REV	DESCRIPTION	DATE	BY
1	ISSUED FOR APPROVAL TO LOCAL COUNCIL	11/01/21	JE
2	ISSUED FOR APPROVAL TO LOCAL COUNCIL	11/01/21	JE
3	ISSUED FOR APPROVAL TO LOCAL COUNCIL	11/01/21	JE
4	ISSUED FOR APPROVAL TO LOCAL COUNCIL	11/01/21	JE
5	ISSUED FOR APPROVAL TO LOCAL COUNCIL	11/01/21	JE
6	ISSUED FOR APPROVAL TO LOCAL COUNCIL	11/01/21	JE
7	ISSUED FOR APPROVAL TO LOCAL COUNCIL	11/01/21	JE
8	ISSUED FOR APPROVAL TO LOCAL COUNCIL	11/01/21	JE
9	ISSUED FOR APPROVAL TO LOCAL COUNCIL	11/01/21	JE
10	ISSUED FOR APPROVAL TO LOCAL COUNCIL	11/01/21	JE

FOR DA APPROVAL

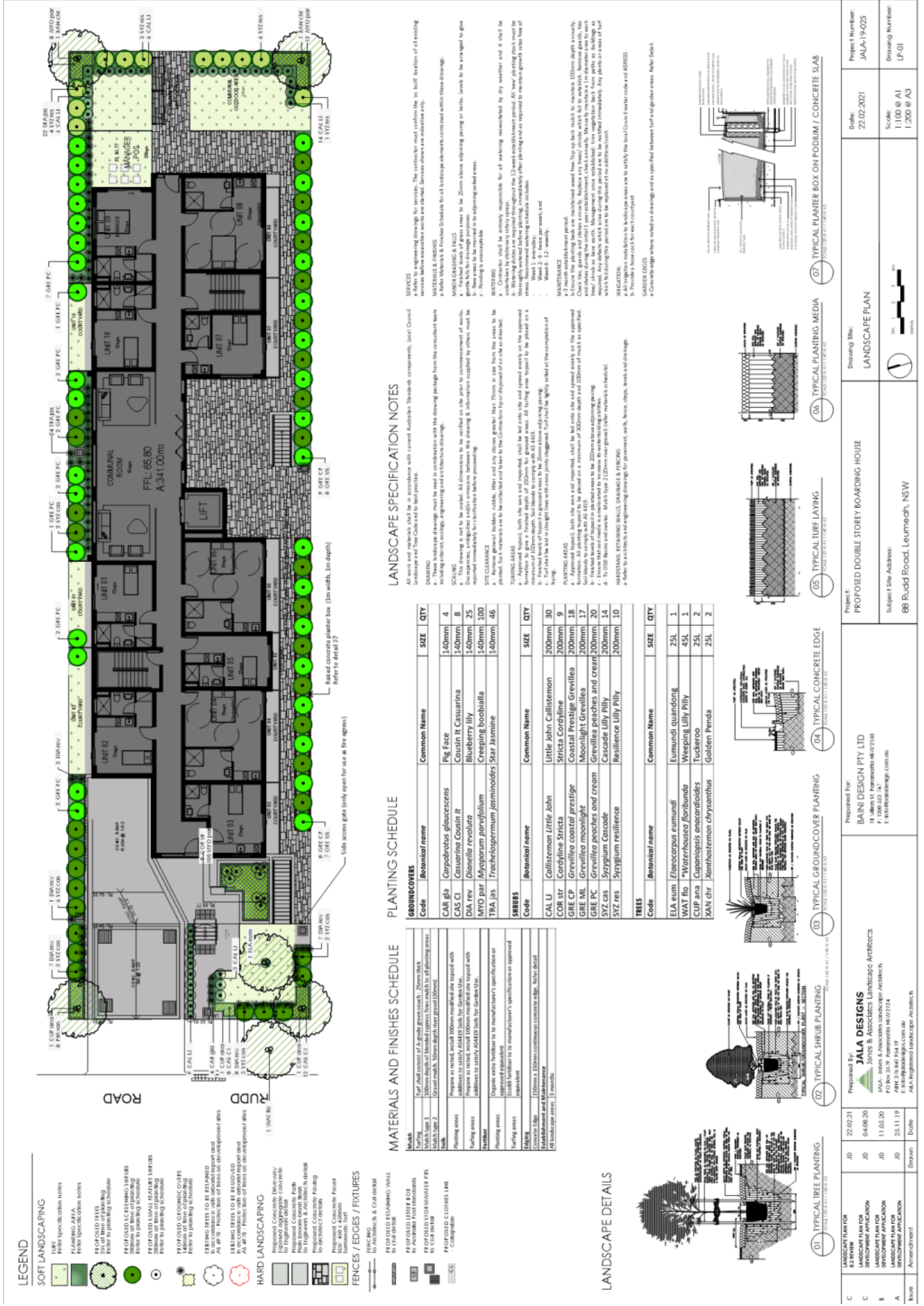
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PROJECT FILE
CONSTRUCTION OF A DOUBLE STOREY BOARDING HOUSE
88 RIDDO ROAD, LEEMAIT NSW 2560
ELEVATIONS

PROJECT NUMBER 20020
DATE 24/11/21
SCALE 1:100 @ A1
DESIGNED BY JE
CHECKED BY CS

BAINI DESIGN
17 AVONDALE AVENUE
LEEMAIT NSW 2560
SYDNEY, AUSTRALIA
PHONE: 02 9333 2500
FAX: 02 9333 2501
WWW.BAINIDESIGN.COM.AU

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LEGEND
SOFT LANDSCAPING
Refer to planting schedule
Refer to planting schedule
Refer to planting schedule
Refer to planting schedule
Refer to planting schedule
Refer to planting schedule
Refer to planting schedule
Refer to planting schedule

HARD LANDSCAPING
Proposed Concrete Driveway
Refer to planting schedule
Proposed Concrete Path
Refer to planting schedule
Proposed Concrete Path
Refer to planting schedule
Proposed Concrete Path
Refer to planting schedule
Proposed Concrete Path
Refer to planting schedule

FENCES / EDGES / FIXTURES
Fencing
Refer to planting schedule
Refer to planting schedule
Refer to planting schedule
Refer to planting schedule
Refer to planting schedule

LANDSCAPE DETAILS
Typical Tree Planting
Typical Shrub Planting
Typical Groundcover Planting
Typical Concrete Edge
Typical Turf Laying
Typical Planter Box on Podium / Concrete Slab

LANDSCAPE SPECIFICATION NOTES

All work and materials shall be in accordance with the drawing package for the construction, local Council landscape and fire code and to best practice.
DRAWING
a. These landscape drawings must be read in combination with the drawing package for the construction, local Council including fire and other relevant drawings.

SCULPTURE
Approved form and material shall be used in combination with the drawing package for the construction, local Council including fire and other relevant drawings.
Sculpture drawing is not to be used. All dimensions to be verified on site prior to commencement of works. Discrepancies, omissions or errors on drawing to be reported immediately for information purposes.

SITE CLEARANCE
All trees to be removed shall be removed and to be replaced with new trees to match the existing trees. A tree is defined as a tree with a trunk diameter of 100mm or greater at 1.3m above ground level. The contractor shall be responsible for the removal of all trees, stumps, and debris. A tree is defined as a tree with a trunk diameter of 100mm or greater at 1.3m above ground level. The contractor shall be responsible for the removal of all trees, stumps, and debris.

TRAINING AREAS
Approved form and material shall be used in combination with the drawing package for the construction, local Council including fire and other relevant drawings.
Training areas shall be used in combination with the drawing package for the construction, local Council including fire and other relevant drawings.

PARKING AREAS
Approved form and material shall be used in combination with the drawing package for the construction, local Council including fire and other relevant drawings.
Paving areas shall be used in combination with the drawing package for the construction, local Council including fire and other relevant drawings.

HEADWORK - EXISTING WALLS, EXISTING ROOFING
Approved form and material shall be used in combination with the drawing package for the construction, local Council including fire and other relevant drawings.
Headwork shall be used in combination with the drawing package for the construction, local Council including fire and other relevant drawings.

PLANTING SCHEDULE

Code	Botanical name	Common Name	SIZE	QTY
CAR 91a	<i>Carpobrotus glaucescens</i>	Pig Face	140mm	4
CAS CI	<i>Casuarina Cousin It Casuarina</i>	Cousin It Casuarina	140mm	8
DIA rev	<i>Dianella revoluta</i>	Blueberry Lily	140mm	25
MYO par	<i>Myoporum parvifolium</i>	Creeping boobialla	140mm	100
TRA 10a	<i>Trachycarpum lasiocarpum</i>	Star Jasmine	140mm	46

Code	Botanical name	Common Name	SIZE	QTY
CALL 10a	<i>Callistemon Little John</i>	Little John Callistemon	200mm	30
COR 11F	<i>Corydalis Stricta</i>	Stricta Corydalis	200mm	9
GRE CP	<i>Grevillea coastal prestige</i>	Coastal Prestige Grevillea	200mm	18
GRE ML	<i>Grevillea moonlight</i>	Moonlight Grevillea	200mm	17
GRE PC	<i>Grevillea peaches and cream</i>	Grevillea peaches and cream	200mm	14
SYZ cas	<i>Syzygium Cascade</i>	Cascade Lilly Pilly	200mm	20
SYZ res	<i>Syzygium resilience</i>	Resilience Lilly Pilly	200mm	10

Code	Botanical name	Common Name	SIZE	QTY
ELA eum	<i>Elaeocarpus eumundi</i>	Eumundi quandong	25L	1
WAT flo	<i>Waterhousea floribunda</i>	Weeping Lilly Pilly	45L	1
CUP ana	<i>Cupressus anacardoides</i>	Tuckeroo	25L	2
XAN dri	<i>Xanthostemon chrysanthus</i>	Golden Penda	25L	2

MATERIALS AND FINISHES SCHEDULE
Turfing: Turf shall consist of a grade green couch - 25mm thick.
Gravel: 100mm depth of layered gravel over sand to all planting areas.
Soil: 100mm depth of layered gravel over sand to all planting areas.
Fencing: Prepare as noted, install 100mm modified site topsoil with address to satisfy AS4150 table for GardenUse.
Turfing areas: Prepare as noted, install 100mm modified site topsoil with address to satisfy AS4150 table for GardenUse.
Fertiliser: Apply granular fertiliser to manufacturer's specification or approved equivalent.
Edging: 100mm x 100mm continuous concrete edging. Refer Detail A10.
Establishment and Maintenance: Establish and maintain plants in accordance with manufacturer's specification or approved equivalent.
All landscape areas: 12 months.

LANDSCAPE DETAILS
01. TYPICAL TREE PLANTING
02. TYPICAL SHRUB PLANTING
03. TYPICAL GROUND COVER PLANTING
04. TYPICAL CONCRETE EDGE
05. TYPICAL TURF LAYING
06. TYPICAL PLANNING MEDIA
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SERVICES

Refer to engineering drawings for services. The contractor must confirm the 'as built' location of all existing services before construction work and install. Services shown are indicative only.
Materials & Finishes: Refer to planting schedule for all landscape materials and finishes. Refer to planting schedule.
Site Clearing & Filling: Refer to planting schedule for all landscape materials and finishes. Refer to planting schedule.
Permeable Paving: Refer to planting schedule for all landscape materials and finishes. Refer to planting schedule.
Fencing: Refer to planting schedule for all landscape materials and finishes. Refer to planting schedule.
Watering: Refer to planting schedule for all landscape materials and finishes. Refer to planting schedule.
Maintenance: Refer to planting schedule for all landscape materials and finishes. Refer to planting schedule.

CONCRETE
Refer to planting schedule for all landscape materials and finishes. Refer to planting schedule.
Concrete shall be used in combination with the drawing package for the construction, local Council including fire and other relevant drawings.

PAVING AREAS
Approved form and material shall be used in combination with the drawing package for the construction, local Council including fire and other relevant drawings.
Paving areas shall be used in combination with the drawing package for the construction, local Council including fire and other relevant drawings.

TRAINING AREAS
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Project Number: JALA-19-025
Date: 22.02.2021
Drawing Number: UP-01
Scale: 1:100 @ A1
1:200 @ A3

Project: PROPOSED DOUBLE STOREY BOARDING HOUSE
Drawing Title: LANDSCAPE PLAN
Subject Site Address: 88 Rudd Road, Leumeah, NSW

Prepared For: BANJ DESIGN PTY LTD
11 Glen St, Leumeah NSW 1510
P: 1800 553 347
E: info@banjdesign.com.au

Prepared By: JALA DESIGNS
JALA - JANA & ASSOCIATES Landscape Architects
PO Box 3179, Parramatta NSW 1514
PH: (02) 841 944
E: info@jaldesigns.com.au
JALA - JANA & ASSOCIATES Landscape Architects

Date: 22.02.21
JOB: 04/08/20
JOB: 11.05.20
JOB: 25.11.19
Drawn: [Name]
Date: [Date]

01. TYPICAL TREE PLANTING
02. TYPICAL SHRUB PLANTING
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04. TYPICAL CONCRETE EDGE
03. TYPICAL GROUND COVER PLANTING
02. TYPICAL SHRUB PLANTING
01. TYPICAL TREE PLANTING



SCHEDULE OF MATERIALS AND FINISHES

SUBJECT TO AVAILABILITY

REFERENCE	ELEMENT	MATERIAL	FINISH / SPECIFICATION
01	EXTERNAL WALL	BRICK	PGH ALFRESCO ESPRESSO OR SIMILAR
02	EXTERNAL WALL	BRICK	PGH ALTITUDE MATTERHORN OR SIMILAR
03	EXTERNAL WALL	PAINTED BRICK	DULUX NATURAL WHITE OR SIMILAR
04	EXTERNAL WALL	RENDER AND PAINT	DULUX ENDLESS DUSK OR SIMILAR
04	EXTERNAL WALL	RENDER AND PAINT	DULUX SIMONE VEIL OR SIMILAR
06	FEATURE WALL	STAGGERED BRICK @ 30° Angle	PGH DRY PRESSED ORGANIC WHITE OR SIMILAR
07	FEATURE COLUMN	TIMBER CLADDING	ARBOID VULCAN CLADDING PETINA FINISH OR SIMILAR
08	SLIDING DOORWINDOWS	GLASS SET IN POWDER COATED ALUMINIUM FRAME	DULUX DURATEC ZEUS BLACK MATT OR SIMILAR
09	ROOF	COLORBOND	COLORBOND MONUMENT OR SIMILAR
10	DRIVEWAY	CONCRETE	CONCRETE OR SIMILAR
11	FRONT FENCE	MASONRY	ALUMINIUM SLATS AND PGH ALFRESCO ESPRESSO OR SIMILAR

REV	DESCRIPTION	DATE	BY
1	ISSUED FOR CONSTRUCTION	17/10/21	JE
2	ISSUED FOR CONSTRUCTION	17/10/21	JE
3	ISSUED FOR CONSTRUCTION	18/10/21	JE
4	ISSUED FOR CONSTRUCTION	18/10/21	JE
5	ISSUED FOR CONSTRUCTION	19/10/21	JE

baini design
 BAINI DESIGN
 1/1100 WILSON ROAD
 SYDNEY, AUSTRALIA 1588
 PH: 02 9550 9999
 WWW.BAINIDESIGN.COM.AU

FOR DA APPROVAL

PROJECT FILE
CONSTRUCTION OF A DOUBLE STOREY BOARDING HOUSE
 88 RIDGE ROAD, LEBMATH NSW 2560

MATERIALS SCHEDULE

PROJECT NUMBER: 20020
 DRAWING NUMBER: 15
 DATE: 26/10/21
 REGION: E
 SCALE: 1:100 @ A1
 DRAWN BY: JE
 CHECKED BY: CB
 SCALE: 1:200 @ A3

The drawing is to be used for the purpose of the project. It is not to be used for any other purpose. It is not to be used for any other purpose. It is not to be used for any other purpose. It is not to be used for any other purpose.



Plan of Management

88 RUDD ROAD, LEUMEAH

6 SEPTEMBER 2021





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PLAN OF MANAGEMENT OVERVIEW

This Plan of Management has been prepared for the operation and management of a boarding house at No. 88 Rudd Road, Leumeah.

The boarding house is to accommodate a total of 24 rooms/suites (including on site manager), each with full bathroom, kitchenette and living area. The boarding house will accommodate a total of 27 lodgers based on the room size and configuration.

The development proposal also includes a communal living room and outdoor communal open space, 13 car parking spaces including an accessible car parking space, 5 motorcycle parking spaces and 5 bicycle parking spaces.

This plan of management identifies appropriate strategies and procedures to address potential social or environmental impacts associated with Boarding Houses. The plan of management embraces current best practice methodologies such as casual surveillance, formal CCTV surveillance, clear contact points and procedures, complaint handling processes, articulation of responsibilities, and agreed house rules.

A plan of management is an accepted concept in environmental law and can be used in a range of circumstances. This plan of management assists in addressing the amenity impacts on the neighbours and integrating the proposed development with the existing development in the street.

The plan of management assists in addressing any adverse impacts on the amenity and characteristics of the established residential area. It provides a procedure to receive and resolve complaints.

The measures outlined in this plan of management will be of assistance in maintaining the amenity and characteristics of the area.





LEGISLATIVE FRAMEWORK

The Boarding House is regulated by the Boarding Houses Act 2012 and the associated Boarding Houses Regulation 2013. The provisions of the Act and Regulations are to be complied with at all times.

Objects of the Act

The objects of the Act are to *establish an appropriate regulatory framework for the delivery of quality services to residents of registrable boarding houses, and for the promotion and protection of the wellbeing of such residents, by:*

- (a) providing for a registration system for registrable boarding houses, and*
- (b) providing for certain occupancy principles to be observed with respect to the provision of accommodation to residents of registrable boarding houses and for appropriate mechanisms for the enforcement of those principles, and*
- (c) providing for the licensing and regulation of assisted boarding houses and their staff (including providing for service and accommodation standards at such boarding houses), and*
- (d) promoting the sustainability of, and continuous improvements in, the provision of services at registrable boarding houses.*

Definition

The proposal is defined as a 'general boarding house' under the Act:

- (2) Boarding premises are a **general boarding house** if the premises provide beds, for a fee or reward, for use by 5 or more residents (not counting any residents who are proprietors or managers of the premises or relatives of the proprietors or managers).*

KEY REQUIREMENTS

Registration of Boarding Houses

The boarding house is required to Notify the Commissioner the following according to Section 9:

9 Notification of particulars about registrable boarding house

(1) A proprietor of boarding premises that are used as a registrable boarding house must notify the Commissioner, in accordance with this section, of the following particulars so as to enable the Commissioner to include information about the boarding house in the Register:

- (a) the name, and the residential or business address, of each proprietor of the boarding house,*
- (b) the name (if any) and the address of the registrable boarding house,*
- (c) whether the boarding house is a general or regulated assisted boarding house,*





- (d) *whether development consent or approval is required under the Environmental Planning and Assessment Act 1979 to use the boarding house as boarding premises and, if so, whether such consent or approval has been granted,*
- (e) *the number of residents of the registrable boarding house,*
- (f) *the number of residents who are under 18 years of age,*
- (g) *the name of the manager (if any) of the registrable boarding house,*
- (h) *the total number of bedrooms provided as sleeping accommodation for the residents,*
- (i) *such other particulars as may be approved by the Commissioner or prescribed by the regulations.*

The additional particulars specified by Section 9(1)(i) are identified in Section 4 of the Regulations and stated as:

- (1) *The following additional particulars are prescribed for the purposes of section 9 (1) of the Act:*
 - (a) *the telephone number and email address, if any, of the manager (if any) of the registrable boarding house,*
 - (b) *the telephone number, email address and website address, if any, of the registrable boarding house,*
 - (c) *the local government area in which the registrable boarding house is located,*
 - (d) *the telephone number and email address, if any, of each proprietor of the registrable boarding house,*
 - (e) *the maximum number of fee-paying residents who can be accommodated in the registrable boarding house,*
 - (f) *the method or methods for calculating charges for fee-paying residents and the fee amounts payable,*
 - (g) *the methods of payment used by fee-paying residents (including cash payments, credit cards, cheques, direct bank debits, money orders, BPay and Australia Post),*
 - (h) *the kinds of services provided to any residents (including accommodation, meals and personal care services),*
 - (i) *whether the registrable boarding house has special provisions for physical access and, if so, the kind of provisions provided,*
 - (j) *the numbers of residents who fit into each of the following categories (to the extent that it is reasonably practicable to ascertain this information):*
 - (i) *males,*
 - (ii) *females,*
 - (iii) *elderly persons (that is, persons 60 years of age or more),*
 - (iv) *students of tertiary institutions,*
 - (v) *persons who are mentally ill persons within the meaning of the Mental Health Act 2007,*
 - (vi) *persons who have a disability (however arising and whether or not of a chronic episodic nature) that is attributable to an intellectual, psychiatric, sensory, physical or like impairment or to a combination of such impairments,*



- (vii) *persons with significant health problems,*
- (viii) *persons needing assistance with daily tasks and personal care.*

Occupancy Agreements

A written Occupancy Agreement is to be formulated in accordance with the Act and associated Regulations that sets out the terms of the occupancy agreement. The Occupancy Agreement is to align with the Occupancy Principles contained in Schedule 1 of the Act, as stated below (but may be updated from time to time):

Schedule 1 Occupancy principles

(Section 30 (1))

1 State of premises

A resident is entitled to live in premises that are:

- (a) reasonably clean, and*
- (b) in a reasonable state of repair, and*
- (c) reasonably secure.*

2 Rules of registrable boarding house

A resident is entitled to know the rules of the registrable boarding house before moving into the boarding house.

3 Penalties for breaches of agreement or house rules prohibited

A resident may not be required to pay a penalty for a breach of the occupancy agreement or the rules of the registrable boarding house.

4 Quiet enjoyment of premises

A resident is entitled to quiet enjoyment of the premises.

5 Inspections and repairs

A proprietor is entitled to enter the premises at a reasonable time on reasonable grounds to carry out inspections or repairs and for other reasonable purposes.

6 Notice of increase of occupancy fee

A resident is entitled to 4 weeks written notice before the proprietor increases the occupancy fee.

7 Utility charges

(1) The proprietor is entitled to charge a resident an additional amount for the use of a utility if:

- (a) the resident has been notified before or at the time of entering the occupancy agreement of the use of utilities in respect of which the resident will be charged, and*
- (b) the amount charged is based on the cost to the proprietor of providing the utility and a reasonable measure or estimate of the resident's use of that utility.*

*(2) A **utility** for the purposes of this clause is each of the following:*

- (a) the supply of electricity,*
- (b) the supply of gas,*
- (c) the supply of oil,*
- (d) the supply of water,*



(e) the supply of any other service prescribed by the regulations.

8 Payment of security deposits

(1) The proprietor may require and receive a security deposit from the resident or the resident's authorised representative only if:

(a) the amount of the deposit does not exceed 2 weeks of occupancy fee under the occupancy agreement, and

(b) the amount is payable on or after the day on which the resident (or the resident's authorised representative) enters the agreement.

(2) Within 14 days after the end of the occupancy agreement, the proprietor must repay to the resident (or the resident's authorised representative) the amount of the security deposit less the amount necessary to cover the following:

(a) the reasonable cost of repairs to, or the restoration of, the registrable boarding house or goods within the premises of the boarding house, as a result of damage (other than fair wear and tear) caused by the resident or an invitee of the resident,

(b) any occupation fees or other charges owing and payable under the occupancy agreement or this Act,

(c) the reasonable cost of cleaning any part of the premises occupied by the resident not left reasonably clean by the resident, having regard to the condition of that part of the premises at the commencement of the occupancy,

(d) the reasonable cost of replacing locks or other security devices altered, removed or added by the resident without the consent of the proprietor,

(e) any other amounts prescribed by the regulations.

(3) The proprietor may retain the whole of the security deposit after the end of the occupancy agreement if the costs, fees or charges referred to in subclause (2) (a)–(e) are equal to, or exceed, the amount of the security deposit.

(4) In this clause:

security deposit means an amount of money (however described) paid or payable by the resident of a registrable boarding house or another person as security against:

(a) any failure by the resident to comply with the terms of an occupancy agreement, or

(b) any damage to the boarding house caused by the resident or an invitee of the resident, or

(c) any other matter or thing prescribed by the regulations.

9 Information about occupancy termination

A resident is entitled to know why and how the occupancy may be terminated, including how much notice will be given before eviction.

10 Notice of eviction

(1) A resident must not be evicted without reasonable written notice.

(2) In determining what is reasonable notice, the proprietor may take into account the safety of other residents, the proprietor and the manager of the registrable boarding house.

(3) Subclause (2) does not limit the circumstances that are relevant to the determination of what is reasonable notice.



11 Use of alternative dispute resolution

A proprietor and resident should try to resolve disputes using reasonable dispute resolution processes.

12 Provision of written receipts

A resident must be given a written receipt for any money paid to the proprietor or a person on behalf of the proprietor.





MANAGEMENT OF THE BOARDING HOUSE

The Boarding House will be managed by an appointed on site manager through a Property Management Company, who will be contactable 24 hours a day and 7 days per week. The Property Management Company will be a business with relevant ABN and authorities for property management and is licensed under the Property Stock and Business Agents Act and associated regulations, will be made the point of contact. The on site manager is to be trained and have resources to screen potential occupants, manage complaints efficiently and ensure maintenance of common property is systematic and thorough.

The on site manager is to be engaged by contract on an annual basis. The on site manager will be able to respond within short timeframes, and be responsible for contracts and contacts with maintenance persons and companies, manage the facilities for the recording and storing of CCTV footage, and have established relationships/contacts with security companies and services such as the NSW Police Force, NSW Ambulance Service and NSW Fire Brigade.

Any matters that require urgent and potentially life threatening responses are the responsibility of either police, ambulance or fire services.

The on site manager must:

- Be experienced in the operation of multiple occupancy residential development.
- Oversee all occupancy agreements and ensure such agreements align with the provisions of the Boarding Houses Act 2012 and associated Regulations, including setting out information about occupancy evictions (such as the amount of notice to be provided of eviction).
- Organise building and landscaping maintenance as required through the engaging of contractors to undertaken maintenance, landscaping and cleaning functions.
- Promptly address and respond to tenant issues and building operation and maintenance matters.
- Maintain an incident register and record any complaints. The register is to be made available to Council.
- Ensure that the total occupancy of the boarding rooms pursuant to the leases does not exceed 27 lodgers.
- Provide the tenant with a copy of the Resident Information Brochure and House Rules with any new occupancy agreement;



- Undertake periodic inspections of the boarding rooms to ensure that they are being maintained in a clean and tidy fashion and that maximum occupant numbers are maintained.

The Manager is located in Unit 9 at the rear of the site as shown on the extract below.



MAINTENANCE OF COMMON AREAS AND RESPONSIBILITIES

Common areas are to be maintained by users and spaces should be left as they are found, in a clean and tidy state.

A weekly cleaner will be employed, at the cost of the Boarding House owner, to ensure that the common property is clean and to take out the bins for the council garbage collection and subsequently bring in the bins after collection. Recycling bins and residual bins will be provided in each room to promote recycling.

The Boarding House on site manager is to employ the services of professional maintenance companies to undertake regular maintenance of the building. The maintenance companies are to enter the premises regularly and complete all maintenance required.

Any damage of internal or external property is repaired immediately together with all wear and tear items.



MAINTENANCE OF INDIVIDUAL AREAS AND RESPONSIBILITIES

Individual residents are responsible for maintaining their rooms in a clean and tidy state and must be made available for inspection by the boarding house manager upon request (48 hours' notice).

PEST CONTROL ARRANGEMENTS

Cleaning will also include regular inspections for vermin control and pest control services will be arranged by the boarding house manager on a regular basis.

WASTE MANAGEMENT AND COLLECTION

Internal Cleaning and Bins

A weekly cleaner will be employed, at the cost of the Boarding House owner, to ensure that the common property is clean. Recycling bins and residual bins will be provided in each room to promote recycling.

Collection of Waste

Bins are stored in the basement waste room and waste collection is to occur within the basement area, notably by using the dedicated loading bay.

The waste collection will be by 'Waste Wise (NSW) Pty Ltd' with a service agreement to be entered into post DA consent.

It is noted that the information below is contained in the WMP:

These bins will be transported from the WSA to the collection vehicle in accordance with all relative work, health, and safety requirements.

SERVICE	NUMBER OF CONTAINERS	COLLECTION FREQUENCY
WASTE SERVICE	8 x 240-litre mobile containers	Per week
RECYCLING SERVICE	8 x 240-litre mobile containers	Per Fortnight

Waste Wise Pty Ltd is the appointed waste contractor that will service the site from the basement utilising the 2.1 mini rear loader. The vehicle is 6.4m long. Waste Wise will service the bulky waste in a Flat Bed. The Cage Truck is than 6m in length.

Please refer to the Traffic & Parking Impact assessment by Stanbury Traffic for further details.

This PoM should be updated to reflect the agreed day and time of collection to ensure consistency.



FIRE SAFETY

A Fire Safety Evacuation Plan will be prepared and attached to this Plan of Management prior to commencement of operations of the boarding house. The plan will contain pictorial instructions detailing evacuation steps in the case of an emergency.

The plan is to include evacuation routes, assembly points, and a plan of action once a fire alarm has been activated. The Fire Safety Evacuation Plan is to be prominently located in each room and in the common area.

The phone numbers of appropriate contacts will be prominently displayed throughout the premises e.g. NSW Police, Security Company, NSW Fire and Rescue, NSW Ambulance Service and other local emergency assistance services.

EMERGENCY CONTACTS AND PROCEDURES

The phone numbers of appropriate contacts will be prominently displayed throughout the premises (foyer and common room) e.g. NSW Police, Security Company, NSW Fire and Rescue, NSW Ambulance Service and other local emergency assistance services. Phone numbers are also to be provided for appropriate support infrastructure service providers such as Telstra, Electrical Authority, Water Authority, local Council, etc.

CONFLICT RESOLUTION

Complaints from the community and between lodgers are to be noted in an Incident Diary with details of the complaint and the action taken to address the complaint. The task of the on site manager is to ensure that all neighbourhood and internal complaints are recorded, and management responses documented. A Management Diary and an Incident Register is to be kept.

The on site manager will listen to complaints or respond to correspondence and detail procedures to the persons complaining as to how the Boarding House intends minimising any further impact in the future on neighbours or between residents.

The procedures detailed in this Plan of Management are designed to minimise complaints. The on site manager is to deal with empathy and respect to any person making a complaint.





COMPLAINTS MECHANISM: EXTERNAL

The on-site manager is responsible for establishing contact and maintaining a relationship with the neighbours of the Boarding House within a 100m radius by undertaking the following tasks:

- Upon appointment letterbox drop all mail boxes within 100m radius of the Boarding Housing advising of their appointment and nominating all methods to contact them should any matter arise that warrants addressing. There shall be no less than two after hours contact numbers.
- Provide a clear sign at the front of the Boarding House, that is visible to the public, identifying the name of the on site manager and the methods of contacting the Manager in the event that there is a matter that warrants addressing.

Complaints from the community are to be noted in an Incident Diary with details of the complaint and the action taken to address the complaint.

The task of the on site manager is to ensure that all neighbourhood complaints are recorded, and management responses documented. A Management Diary and an Incident Register is to be kept. The on site manager will listen to complaints or respond to correspondence and detail procedures to the persons complaining as to how the Boarding House intends minimising any further impact in the future.

The procedures detailed in this Plan of Management are designed to minimise complaints.

The on site manager is to deal with empathy and respect to any person making a complaint.

COMPLAINTS MECHANISM: BETWEEN LODGERS

The on-site manager is responsible for acting as mediator in disputes between lodgers.

Complaints from the lodgers are to be noted in an Incident Diary with details of the complaint and the action taken to address the complaint. The task of the on site manager is to ensure that all complaints are recorded, and management responses documented. A Management Diary and an Incident Register is to be kept.

The on site manager will listen to complaints or respond to correspondence and detail procedures to the persons complaining as to how it is intended to minimise any further impact in the future.





The procedures detailed in this Plan of Management are designed to minimise complaints.

The on site manager is to deal with empathy and respect to any person making a complaint.

COMMON AREAS AND USAGE TIMES & NOISE MANAGEMENT.

Common areas are available for the enjoyment of boarders provided good order is maintained. All waste is to be disposed of and not left in the common areas or externally in common areas;

The common room and common courtyard shall only be used during the following Hours:

Sunday to Thursday 7am to 10pm

Friday and Saturday 7am to 10pm

The following recommendations of the Acoustic Report must be followed at all times:

- The ground floor communal outdoor areas should not be used at any time during the night time period (10 pm – 7 am).
- Normal conversation within the ground floor open space will be acceptable, however shouting would not, and should be subject to management by the Boarding House management.
- The indoor common rooms on the ground and first floor levels may be used at any time, however, during the night time period, we recommend that the entry door and windows are kept closed while the room is occupied.
- Amplified music should not be played within either of the indoor or communal outdoor areas at any time.
- Signs should be posted around the car park, in clearly visible locations, reminding residents to be mindful of the neighbouring residential properties and the importance of respecting their amenity.





HOUSE RULES - AMENITY OF THE NEIGHBOURHOOD AND CONTROL OF NOISE

The draft "House Rules" for the Boarding House are attached to this Plan of Management. It is noted that the document is a draft as it outlines the minimum requirements to be implemented by the on site manager; however, it may be appropriate to amend and add to the House Rules as the Boarding House operations evolve.

The House Rules are to be prominently displayed in the common areas. Each new tenant is to be provided with a copy of the House Rules when signing their leasing agreement and agree to be bound by the House Rules.

House Rules relate to:

- The emission of noise (from within the boarding house and the external spaces);
- prohibition of large gatherings and parties on the premises;
- interference with the peace and quiet of other residents and neighbours;
- volume of television and music players;
- control of alcohol intake and prohibition of illegal substances; and
- anti-social behaviour.
- Parking of vehicles.

The emission of noise and appropriate hours for noise emission is dictated in legislation and enforced by parties such as the local Council.

The on site manager is to be familiar with the legislative requirements and rules and be aware of the relevant authorities that are responsible for enforcement of noise issues.





HOUSE RULES

The following rules are a condition of your occupancy agreement – Any breach of these rules will result in termination of your occupancy agreement.

Resident Behaviour & Neighbour Relations

Each occupant is required to ensure that other occupants of this boarding house as well as surrounding neighbours are allowed to peacefully and quietly enjoy their own premises. Each occupant is required to ensure they do not do anything or allow anything to occur that will impact on the quiet enjoyment of each tenant and neighbour of this boarding house.

Occupants of each boarding room shall make available their boarding room available for inspection by the property manager. This shall be by appointment with 24 hours' notice. However, in the case of an emergency, no notice is required, and the property manager may use the spare key to enter the premises.

Occupants are not to congregate in groups in any part of the common property, especially the external common property. Anti-social behaviour of any kind is prohibited and will be referred immediately to the police.

Any breach of the house rules will result in warnings initially, and in the case of persistent and serious breaches, termination of your lease and eviction from the premises.

Noise & Radio/TV

At any time noisy activities are occurring, occupants should keep doors any windows closed where possible to reduce noise emission and impact on neighbours.

Television, music players and any other sound emitting device should be kept at a moderate level and not be audible from neighbouring properties

Use of External Areas

The common room and common courtyard shall only be used during the following Hours:

Sunday to Thursday 7am to 10pm

Friday and Saturday 7am to 10pm

Alcohol and Smoking

No Alcohol or illegal substances are to be consumed or be brought into common property at any time. Alcohol consumed in rooms must be disposed of in designated recycling bins.





No smoking is permitted within the Boarding House. Smoking is to be limited to visually obscured external open space areas only. No smoking is to be undertaken at the front of the property, only in the designated external smoking spaces.

*Parking of Vehicles and Vehicular Access Arrangements
Entry and Exit of Cars and Turning Area*

The development has 13 defined parking spaces within the basement level, and these are the only areas where parking is permitted.

When entering and exiting the site in a vehicle, vehicles must enter and leave the site in a forward direction.

Parking of Cars

Any cars unable to be accommodated on site will be parked on the street network and are not to block driveways or being parked in no parking or no stopping zones. At no time are cars authorised to park on the footpath area in a manner that is not permitted by relevant legislation- cars are either to be parked on the site or parked lawfully on the surrounding street network.

Register of Complaints & Dealing with Complaints: Neighbours

The on site manager is responsible for establishing contact and maintaining a relationship with the neighbours of the Boarding House within a 100m radius by undertaking the following tasks:

Upon appointment letterbox drop all mail boxes within 100m radius of the Boarding Housing advising of their appointment and nominating all methods to contact them should any matter arise that warrants addressing. There shall be no less than two after hours contact numbers.

Provide a clear sign at the front of the Boarding House, that is visible to the public, identifying the name of the on site manager and the methods of contacting the Manager in the event that there is a matter that warrants addressing.

Complaints from the community are to be noted in an Incident Diary with details of the complaint and the action taken to address the complaint.

This is to include specific room numbers that generate complaints.

The task of the on site manager is to ensure that all neighbourhood complaints are recorded, and management responses documented.

A Management Diary and an Incident Register is to be kept.





The on site manager will listen to complaints or respond to correspondence and detail procedures to the persons complaining as to how the Boarding House intends minimising any further impact in the future.

Register of Complaints & Dealing with Complaints: Between Tenants

If conflict between lodgers cannot be resolved amicably complaints are to be directed to the boarding house manager who will act as a mediator between lodgers. Complaints are to be noted in an Incident Diary with details of the complaint and the action taken to address the complaint.

This is to include specific room numbers that generate complaints.

The task of the on site manager is to ensure that all internal complaints are recorded, and management responses documented. A Management Diary and an Incident Register is to be kept.

The on site manager will listen to complaints or respond to correspondence and detail procedures to the persons complaining as to how it is intended to minimise any further impact in the future.

Cleaning Schedules

Each resident is required keep common areas clean. After using common facilities such as the kitchen or bathroom, residents are clean up after themselves. Residents are encouraged to use their own private kitchen and bathroom where possible.

Common areas are to be maintained by users and spaces should be left as they are found- in a clean and tidy state.

A weekly cleaner will be employed, at the cost of the Boarding House owner, to ensure that the common property is clean and to take out the bins for the council garbage collection and subsequently bring in the bins after collection. Recycling bins and residual bins will be provided in each room to promote recycling.

Waste Disposal

Waste is to be disposed to the communal waste bins once bins are full;

Number of Approved Boarding House Rooms

There are to be no more than 1-2 lodgers in each room- noting that any room identified as a single room is to have no more than 1 lodger.

Common Areas and Usage Times

Common areas are available for the enjoyment of boarders provided good order is maintained. All waste is to be disposed of and not left in the common areas or externally in common areas;





The common room and common courtyard shall only be used during the following Hours:

Sunday to Thursday 7am to 10pm
Friday and Saturday 7am to 10pm

Behaviour and Guest Visiting Times

Each tenant of this boarding house is responsible for themselves and their visitors. Tenants should ensure their visitors enter and exit the site in a quiet and respectful manner, having regard to the time of day or night they are entering or exiting the site.

Guests are permitted on site however they are not to stay overnight if this would lead to more than 2 persons being located in the boarding room.

Animals

There is to be no keeping of animals on the premises as this may compromise the health and/or safety of other residents and will impact upon maintenance and cleanliness requirements within the Boarding House.

Smoking

No smoking is permitted within the Boarding House. Smoking is to be limited to visually obscured external open space areas only. No smoking is to be undertaken at the front of the property, only in the designated external smoking spaces.

Alcohol and Drugs

No Alcohol or illegal substances are to be consumed or be brought into common property at any time. Alcohol consumed in rooms must be disposed of in designated recycling bins.

Security

The Boarding House is to be fitted with recording CCTV cameras in the common areas such as entries, car parking area and common lounge room. All movement in these areas is to be recorded and monitored. The footage is to be capable of being viewed live and recorded, over the Internet from any fixed or portable Internet viewing device, from anywhere locally or internationally.

The continual electronic monitoring and recording of common areas is a key function of providing actual and perceived security. These premises are under 24/7 video surveillance which is recorded and held and will be provided to council and/or law enforcement at any time. Disturbances are to be reported to the manager and NSW Police (if manager unavailable).

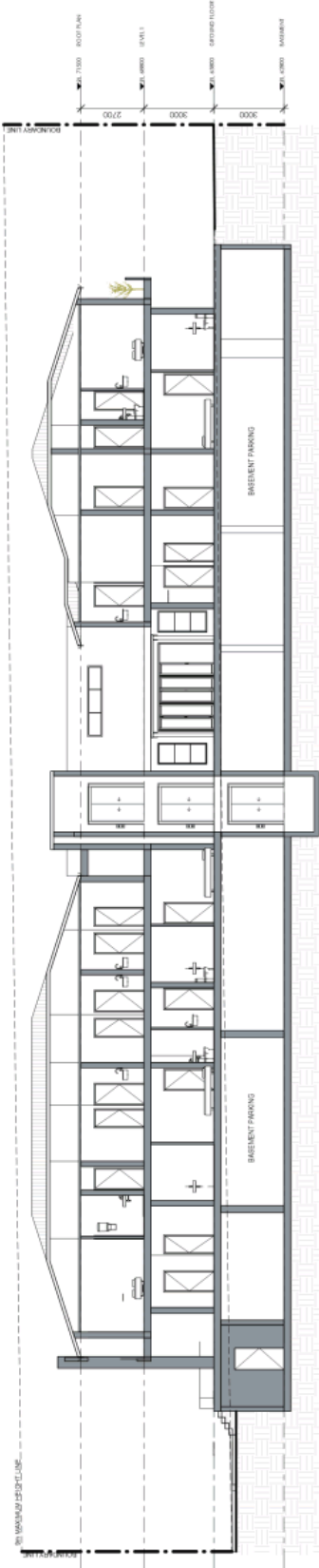




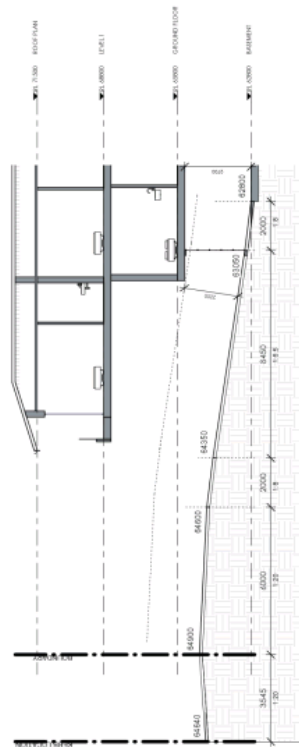
Function and Event Restrictions

No Parties or any other noise generating activity is to occur after 10pm Sunday to Thursday and after midnight Friday and Saturday.





1 A-A
1:100



2 DRIVEWAY SECTION
1:100



3 RUDD STREETSCAPE
1:100

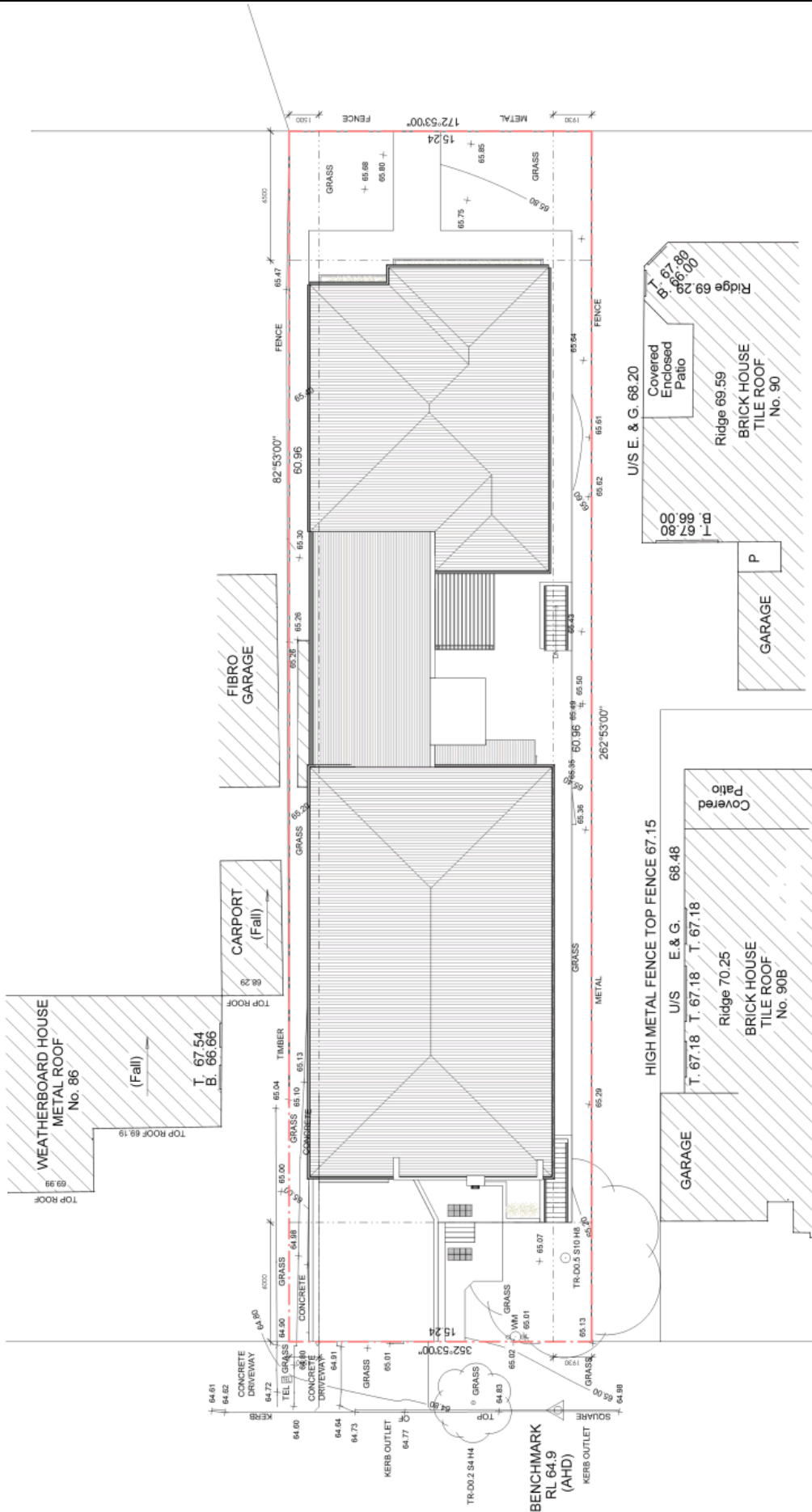
REV	DESCRIPTION	DATE	BY
1	ISSUED FOR APPROVAL TO LOCAL COUNCIL	17/10/21	JE
2	REVISIONS	15/05/21	JE
3	ADDITIONAL INFORMATION	24/02/21	JE
4	REVISIONS	24/02/21	JE
5	ADDITIONAL INFORMATION	24/02/21	JE
6	ADDITIONAL INFORMATION	24/02/21	JE
7	ADDITIONAL INFORMATION	24/02/21	JE
8	ADDITIONAL INFORMATION	24/02/21	JE
9	ADDITIONAL INFORMATION	24/02/21	JE
10	ADDITIONAL INFORMATION	24/02/21	JE

FOR DA APPROVAL

bainidesign

PROJECT FILE
CONSTRUCTION OF A DOUBLE STOREY BOARDING HOUSE
88 RUDD ROAD, LEWISBURG NSW 2560
 SECTIONS / STREETScape
 PROJECT NUMBER: 20020
 DRAWING NUMBER: 20020-01
 DATE: 24/02/21
 REVISION: E
 DRAWN BY: JE
 CHECKED BY: CB
 SCALE: 1:100 @ A1
 DRAWN BY: JE
 CHECKED BY: CB
 SCALE: 1:100 @ A3
 DRAWN BY: JE
 CHECKED BY: CB

The drawings copyright used the property of baini design. Large scale drawings and other dimensions take precedence. Do not scale from drawing all dimensions to be verified on site before commencement of work. All dimensions to be brought to the attention of the author.



1 SITE PLAN
1:100

REV	DESCRIPTION	DATE	BY
1	ISSUED FOR APPROVAL	11/2021	JE
2	AMENDED ADDITIONAL INFORMATION	12/2021	JE
3	AMENDED ADDITIONAL INFORMATION	18/2022	JE
4	AMENDED ADDITIONAL INFORMATION	18/2022	JE
5	AMENDED ADDITIONAL INFORMATION	31/08/23	CB

FOR DA APPROVAL

baini design

PROJECT FILE
CONSTRUCTION OF A DOUBLE STOREY BOARDING HOUSE
88 RIDGE ROAD, LEEMING NSW 2560
SITE PLAN

PROJECT NUMBER: 2640221
SCALE: 1:100 @ A1
DATE: 26/02/21
DESIGNER: JE
CHECKED BY: CB

BAINI DESIGN
17/177-179/181
BORNSHOLE NSW 2100
Sydney, Australia
Phone: 02 9339 8888
info@bainidesign.com.au
www.bainidesign.com.au

The drawings are prepared for the purposes of final design. They are not to be used for construction. All dimensions shall be as shown. Do not scale from drawings. All dimensions shall be as shown. Do not scale from drawings.

4.3 Alterations and additions to an existing educational establishment - Mount Carmel Catholic College, 247 St Andrews Road, Varroville

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.4 - Retain and expand existing businesses and attract new enterprises to Campbelltown, offering opportunities for a diverse workforce including professional, technology and knowledge based skills and creative capacity

Referral Criteria

In accordance with section 4.8 of *Environmental Planning and Assessment Act, 1979* (EP&A Act) and the Minister's for Planning and Public Spaces - Local Planning Panels Direction (the Direction), this application is to be determined by the Campbelltown Local Planning Panel (the Panel) as the development exceeds the maximum height criteria by more than 10 per cent.

Executive Summary

- Council is in receipt of a development application proposing the construction of alterations and additions to Mount Carmel Catholic College, 247 St Andrews Road, Varroville.
- The subject site is partly zoned E3 Environmental Management, RE1 Public Recreation and SP2 Infrastructure (Drainage) under the provisions of the Campbelltown Local Environmental Plan 2015 (CLEP 2015). The proposed development will only occur on land zoned E3 Environmental Management.
- The alterations and additions include replacing the Science and Technical and Applied Studies Buildings, demolishing and replacing demountable buildings utilised for general learning as well as the relocation and refurbishment of the Fitness Centre and Art Facilities. There are no provisions to increase student capacity.
- The application was notified and publicly exhibited between 29 March 2021 and 19 April 2021, in accordance with Council's Community Participation Plan. One submission was received in relation to the proposed development.
- The application is supported by a Clause 4.6 variation in relation to Clause 4.3 Height of Buildings of the Campbelltown Local Environmental Plan 2015, which prescribes a 9 m building height for the site. The proposed development includes provisions for an 11.82 m high building which contravenes the requirement by 31.11 per cent. In accordance with Section 9.1 of *Environmental Planning and Assessment Act, 1979* and the Minister for Planning and Public Spaces direction dated 30 June 2020, the application shall be determined by the Local Planning Panel on Council's behalf, as the development contravenes a development standard by 10 per cent.

- An assessment under Section 4.15 of the *Environmental Planning and Assessment Act, 1979* has been undertaken and the application is recommended for approval subject to the recommended conditions.

Officer's Recommendation

That development application 443/2021/DA-C for the construction of alterations and additions to the existing school (Mount Carmel Catholic College) at St Andrews Road, Varroville be approved subject to the conditions in attachment 1.

Purpose

To assist the local planning panel in its determination of the subject application in accordance with the provisions of the EP&A Act.

Property Description	Lot 20 DP 712018 Mount Carmel, 247 St Andrews Road, Varroville NSW
Application No	443/2021/DA-C
Applicant	Quinn O'Hanlon Architects Pty Ltd
Owner	Discalced Carmelite Fathers
Provisions	Campbelltown '2017/2027' Community Strategic Plan <i>Roads Act 1993</i> <i>NSW Rural Fires Act 1997</i> Planning for Bushfire Protection 2019 State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 State Environmental Planning Policy (Koala Habitat Protection) 2021 State Environmental Planning Policy No 55 - Remediation of Land Campbelltown Local Environmental Plan 2015 Campbelltown (Sustainable City) Development Control Plan 2015
Date Received	18 February 2021

History

Site and Surrounds

The site is legally described as Lot 20 DP 712018, which is also identified as Mount Carmel, 247 St Andrews Road, Varroville (the Site). Our Lady of Mount Carmel Catholic Church is to the north west of the Mount Carmel Catholic College, to which this application relates.

The site is approximately 500 m north of the St Andrews Road fly over of the Hume Motorway, on the south western side of St Andrews Road, 8 km south of the Willowdale Town Centre and 11 km north of the Campbelltown Central Business District.

The site is accessed via Spitfire Drive which borders the site to the south.

There is residential development to the south and open, relatively cleared, undeveloped land to the east, and within the scenic hills lands to the north and west as illustrated in the figure 1 of attachment 2.

The site is burdened by the following easement/restrictions:

- Easement for Padmount Substation 2.75 wide
- Restriction on the use of land
- Easement for underground cables 1 wide
- Easement for overhead powerlines 9 wide
- Easement for energy transmission line 60 wide
- Easement for water pipeline 2.44 wide
- MWS and DR Easement 6.095 wide

The proposed development will not occur in an area impacted by any of the aforementioned easements/restrictions, which is illustrated in attachment 3.

The site is not currently burdened by significant stands of vegetation although a small portion is identified as an endangered ecological community, river-flat eucalypt forest and preferred koala feed trees.

The site is mapped as bushfire prone land on Council's mapping.

The site exists at the base of the scenic hills area.

Proposal

This application is for proposed alterations and additions to Mount Carmel Catholic College. The works are to modernise and improve the facilities afforded to the students, the works will not increase the student numbers or how the site is accessed. Specifically, the works include:

New Science and Technical and Applied Studies (TAS) Building

- Construction of the new Science and TAS building (notated as block H on the Site Plan).
- The existing science block (block H) and the existing TAS building (block D) will be relocated to the new Science and TAS building (block H).
- Decommissioning of the existing demountable buildings that are used for science classes (notated as Z1, Z2 and Z3 on the Site Plan).

General Learning Areas

- Demolition of Block M and N general learning areas (GLAs) and relocation to block D.
- Refurbishment of GLAs (block D and K), common areas and connection of informal spaces.
- Upgrades to the existing amenities and toilet facilities (Block E and K).
- Refurbishment of the existing covered walkways which link to the associated learning areas.

Refurbishment and Relocation of Fitness Centre and Art Facilities

- Relocate and refurbish existing Block N Art (Block N to Block B).
- Relocate and refurbish existing Fitness Centre/Gym (Block O to Block B).
- Refurbishment of the existing Fitness Centre/Gym as storage (Block O).

The development also includes associated landscaping, removal of trees and associated site works to support the development proposal.

The proposed works, in the context of the school are illustrated in the site plan, prepared by Quinn O'Hanlon Architects, dated 22 January 2021 in attachment 4.

Report

1. Vision

1.1 Greater Sydney Regional Plan

The Greater Sydney Region Plan (GSRP), is built on a vision of 3 cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places. In the transformation of Greater Sydney, the needs of a growing and changing population have been broken into 3 metropolis cities:

- Western Parkland City
- Central River City
- Eastern Harbour City

The GSRP identifies the need for an additional 725,000 dwellings across Greater Sydney between 2016-2036. Approximately 29 per cent of this growth will come from the Western Parkland City, which the Campbelltown Local Government Area is a part.

The proposal is consistent with the GSRP in that the decommissioning of old buildings and construction of new learning spaces, including the science and technology rooms will ensure state of the art learning facilities are provided to support the learning outcomes of existing and future students.

1.2 Western City District Plan

The Western City District Plan (the District Plan) sets out more detail with respect to the anticipated growth in housing and employment in the Western City over the next 20 years.

The District Plan identifies future growth of an additional 184,500 dwellings to be provided in land release areas and urban renewal of existing areas close to existing centres. The proposed development provides urban renewal within the context of the existing school, through the demolition of removal of older buildings and construction of new science and technology buildings.

1.4 Local Strategic Planning Statement

On 31 March 2020 the Campbelltown Local Strategic Planning Statement (LSPS) came into force when it was published on the NSW Department of Planning, Industry and Environment's e-planning portal.

The LSPS responds to a number of key strategic documents produced by the Federal and NSW State Governments, as well as by Council, to provide a 20 year land use vision for the Campbelltown LGA. The LSPS delivers 4 key themes, which are consistent with the Council's Community Strategic Plan. The themes that are most relevant to the proposed development are:

4. A successful city

The planning priorities, within these themes, that are applicable to the proposed development are:

- Planning Priority 14 - Creating a smart, connected, productive city

The proposed development provides for new learning infrastructure within an established and respected school that will support the learning needs of existing and future students.

Campbelltown '2017/2027' Community Strategic Plan

Campbelltown 2027 is the 10 year Community Strategic Plan for the City of Campbelltown.

The Strategic Plan addresses 4 key strategic outcomes that Council and other stakeholders committed to achieving over the 10 year period to 2027, being:

- Outcome 1: A vibrant, liveable city
- Outcome 2: A respected and protected natural environment
- Outcome 3: A thriving, attractive city
- Outcome 4: A successful city

The key outcome most relevant to the proposed development is Outcome 3: A Thriving, attractive city.

The strategy relevant to this application is as follows:

3.4 - Retain and expand existing businesses and attract new enterprises to Campbelltown, offering opportunities for a diverse workplace including professional, technology and knowledge based skills and creative space.

The proposed works will improve operations at the existing business. The proposed development is considered to retain employment opportunities for residents within the local government area and will contribute to the local economy. Therefore, the proposal satisfies the relevant outcomes of the community strategic plan.

2. Planning Provisions

The development has been assessed in accordance with the heads of consideration under Section 4.15 of the EP&A Act, and having regard to those matters, the following have been identified for further consideration.

Rural Fires Act 1997

Section 100B of the *Rural Fires Act 1997* requires a bushfire safety authority for:

- (a) a subdivision of bush fire prone land that could lawfully be used for residential or rural residential purposes.
- (b) development of bush fire prone land for a special fire protection purpose.

The site is identified as bushfire prone land and involves a special fire protection purpose. Accordingly, the proposed development is considered to be integrated development within the provisions of Section 4.46 of EP&A Act.

The NSW Rural Fire Service (NSW RFS) provided a bushfire safety authority, dated 27 April 2021 (Ref:DA20210317001041-Original-1) (attachment 5), which have been include as a condition within the recommended conditions of consent.

Roads Act 1993

Section 138 of the *Roads Act 1993* requires consent to connect a road (whether public or private) to a classified road.

No road works, road upgrading, or road connection works are proposed on RMS controlled classified or regional roads.

Accordingly, the applicant has not lodged the development application as integrated development within the meaning of the *Roads Act 1993*.

Heritage Act 1977

Section 57 of the *Heritage Act 1977* requires approval to be granted for works on a place, building, work, relic, moveable object, precinct, or land that is subject to an interim heritage order or listing on the State Heritage Register.

The subject site is not classified as a heritage item, nor does the site immediately adjoin a heritage item.

Accordingly, the applicant has not lodged the development application as integrated development within the meaning of the *Heritage Act 1977*.

Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment

The proposal is within the Georges River Catchment and thus this policy applies. The general aims and objectives of this plan are as follows:

- a) To maintain and improve the water quality and river flows of the Georges River and its tributaries and ensure that development is managed in a manner that is in keeping with the national, State, regional and local significance of the Catchment.
- b) To protect and enhance the environmental quality of the Catchment for the benefit of all users through the management and use of the resources in the Catchment in an ecologically sustainable manner.
- c) To ensure consistency with local environmental plans and also in the delivery of the principles of ecologically sustainable development in the assessment of development within the Catchment where there is potential to impact adversely on groundwater and on the water quality and river flows within the Georges River or its tributaries.
- d) To establish a consistent and coordinated approach to environmental planning and assessment for land along the Georges River and its tributaries and to promote integrated catchment management policies and programs in the planning and management of the Catchment.
- e) (Repealed)
- f) To provide a mechanism that assists in achieving the water quality objectives and river flow objectives agreed under the Water Reform Package.

The proposal does not conflict with any of the relevant provisions of the Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment, and is therefore considered acceptable in this regard.

State Environmental Planning Policy No.55 – Remediation of Land

State Environmental Planning Policy No.55 – Remediation of Land (SEPP 55) introduces state-wide planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed. An assessment of Clause 7 of SEPP 55 is provided in the table below. No further assessment or investigation is required.

Requirement	Action	Response
Clause 7(2): 1. Is the development for a change of use to a sensitive land use or for residential subdivision?	a. Check if the DA proposes a new childcare centre, residential accommodation or residential subdivision.	N/A – existing approved use to be maintained.

Sensitive land use include residential, educational, recreational, child care purposes or hospital.		
Clause 7(1) 2. Is Council aware of any previous investigation or orders about contamination on the land?	a. Is there any property information for any evidence of contamination information?	A search of Council's records for evidence of potentially contaminating activities was undertaken. No evidence was found.
	b. Check for contamination information and planning certificates linked to the property.	A search of planning certificates linked to the property was undertaken. No evidence was found of contaminating land activities having occurred on the land.
Clause 7(1) 3. Do existing records held by Council show that a contaminating land activity has occurred on the land?	a. Check the approval for any potentially contaminating uses have been approved on the site.	A search of previous contaminated land uses approved on the site was undertaken. No evidence was found of approved contaminated land activities having occurred on the land.
Clause 7(1) 4. Has the land previously been zoned for potentially contaminating uses?	a. Check if the land is currently zoned, or was zoned under the previous LEP, Rural, Industrial or Special Purposes for a contaminating use.	The Campbelltown Local Environmental Plan District 8 (Central Hills Lands) was the previous EPI that applied to the land and the site was previously zoned 7(d1) Environmental Protection (scenic) and that zone did not allow for potentially contaminating uses.
Clause 7(1) 5. Is the land currently being used for a potentially contaminating use or is there any evidence of a potentially contaminating use on site?	a. Conduct site inspection to check for any obvious signs on the site or adjoining land of an industrial use, underground storage tanks, land filling, agriculture, chemical storage, dumping or unregulated building demolition (especially fibro material).	The proposed site has operated as a school since the 1980's and before that would have been grazing land, the surround land uses are either grazing, environmental protection or residential, none of which are expected to generate contamination concerns.

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (SEPP Education) applies to the state. The proposed development could have been considered complying development if not for the Site being mapped within Council's LEP (Clause 7.6) as Escarpment Preservation which precludes complying development, in accordance with clause 19(3)(e)(v).

Clause 35 – Development permitted with consent

Pursuant to 35(3) of SEPP Education, development for the purpose of a school may be carried out by any person with development consent, on land that is not in a prescribed zone if it is

carried out on land within the boundaries of an existing school. Accordingly, the development application is seeking consent for works to an existing educational establishment.

In accordance with clause 35(6), before determining a development application for development of a kind referred to in subclause (3), the consent authority must take into consideration:

- (a) the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 4, and

Comment: The following table provides an assessment of the proposal against the provisions of Schedule 4:

Principle	Consideration	Response
Principle 1— context, built form and landscape	Schools should be designed to respond to and enhance the positive qualities of their setting, landscape and heritage, including Aboriginal cultural heritage. The design and spatial organisation of buildings and the spaces between them should be informed by site conditions such as topography, orientation and climate.	The design and positioning of the buildings has been done with due consideration to the existing physical and cultural qualities afforded to the site.
	Landscape should be integrated into the design of school developments to enhance on-site amenity, contribute to the streetscape and mitigate negative impacts on neighbouring sites.	The proposed landscaping specifically addresses the site constraints whilst seeking to mitigate any perceived negative impacts on neighbouring allotments.
	School buildings and their grounds on land that is identified in or under a local environmental plan as a scenic protection area should be designed to recognise and protect the special visual qualities and natural environment of the area, and located and designed to minimise the development's visual impact on those qualities and that natural environment.	The Site is mapped in Council's LEP as a Scenic Preservation Area and Escarpment Preservation Area, given its' proximity to the "scenic hills". With this in mind the proposal has been designed to minimise visual impact on the scenic hills from the public domain.
Principle 2— sustainable, efficient and durable	Good design combines positive environmental, social and economic outcomes. Schools and school buildings should be designed to minimise the consumption of energy, water and natural resources and reduce waste and encourage recycling.	The development would be consistent with current environmental, social and economic outcomes and is supported by a Section J and ESD Report.
	Schools should be designed to be durable, resilient and adaptable, enabling them to evolve over time to meet future requirements.	The alterations and additions allow the school to evolve and meet the future demands/requirements.
Principle 3— accessible and inclusive	School buildings and their grounds should provide good wayfinding and be welcoming, accessible and inclusive to people with differing needs and capabilities. Note— Wayfinding refers to information systems that guide people through a physical environment and enhance their understanding and experience of the space.	The design promotes inclusiveness by increasing the permeability and functionality of the school's facilities.

	Schools should actively seek opportunities for their facilities to be shared with the community and cater for activities outside of school hours.	Such opportunities would be investigated by the school once the facilities are operational.
Principle 4– health and safety	Good school development optimises health, safety and security within its boundaries and the surrounding public domain, and balances this with the need to create a welcoming and accessible environment.	The school is semi-isolated from neighbouring allotments. However, the design is welcoming for its' intended use.
Principle 5– amenity	Schools should provide pleasant and engaging spaces that are accessible for a wide range of educational, informal and community activities, while also considering the amenity of adjacent development and the local neighbourhood.	In addition to the new educational facilities, there is also improved landscaping and open recreation areas that would benefit the students and provide improved amenity for passing residents.
	Schools located near busy roads or near rail corridors should incorporate appropriate noise mitigation measures to ensure a high level of amenity for occupants.	The proposed development will not result in any reduced amenity for the occupants.
	Schools should include appropriate, efficient, stage and age appropriate indoor and outdoor learning and play spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage and service areas.	The proposed development would meet all amenity requirements. The design would have a negligible impact on the amenity of the surrounding allotments and with the proposed landscaping, would improve existing amenity.
Principle 6– whole of life, flexible and adaptive	School design should consider future needs and take a whole-of-life-cycle approach underpinned by site wide strategic and spatial planning. Good design for schools should deliver high environmental performance, ease of adaptation and maximise multi-use facilities.	The proposed works are an upgrade to the existing facilities to improve the usability and function.
Principle 7– aesthetics	School buildings and their landscape setting should be aesthetically pleasing by achieving a built form that has good proportions and a balanced composition of elements. Schools should respond to positive elements from the site and surrounding neighbourhood and have a positive impact on the quality and character of a neighbourhood.	The design, as well as, the colours, textures and finishes are complementary to the existing and proposed landscape. The proposed landscaping provides function to both the occupants and the broader natural environment.
	The built form should respond to the existing or desired future context, particularly, positive elements from the site and surrounding neighbourhood, and have a positive impact on the quality and sense of identity of the neighbourhood.	The built form is complementary to the existing character and ties in to the desired future character of the area. Additionally the proposed works are hidden from the public realm which reduces any potential impacts.

- (b) whether the development enables the use of school facilities (including recreational facilities) to be shared with the community.

Comment: The proposed development does not impact the use of the school facilities to be shared with the community.

The proposed development is considered to be acceptable with regards to SEPP Education.

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure), applies to the state.

Clause 104 – Traffic generating development

Clause 104 of the SEPP sets out provisions relating to traffic generating development, as defined at Schedule 3 of the SEPP. Given that the site is an existing 7 stream school, and will remain a 7 stream school as a result of the proposal, it is considered that the proposal is not classified as a traffic generating development with respect to Schedule 3 of the SEPP. As such, the proposal is not required to be referred to the NSW Roads and Maritime Services for comment.

State Environmental Planning Policy (Koala Habitat Protection) 2020

State Environmental Planning Policy (Koala Habitat Protection) 2020 applies to the land as the DA was lodged between 30 November 2020 and 17 February 2021 and a small portion of the site is mapped as Potential Koala Habitat.

The proposed development will avoid the area that is mapped. Despite occurring on unmapped land, the proposal would result in the removal of four preferred koala feed trees (PKFTs), which constitutes less than 15 per cent, of the total number of trees. Therefore, Council is satisfied the site is not Potential Koala Habitat. Due to Koala records nearby, a condition is recommended to cover tree feeling requirements and Koala Protection Measures during the construction works. The landscaping strategy includes provisions to replant 6 PKFTs which is acceptable to Council.

Campbelltown Local Environmental Plan 2015

The subject site is partly zoned E3 Environmental Management, RE1 Public Recreation and SP2 Infrastructure (Drainage) under the provisions of the Campbelltown Local Environmental Plan 2015 (CLEP2015). The proposed development is located only on land zoned E3 Environmental Management as detailed in figure 2 of attachment 2. Within the E3 zone "Educational Establishments" are listed as permitted with consent and the proposed development is considered to be consistent with the following zone objectives:

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.
- To provide for a limited range of development that does not have an adverse effect on those values.

Clause 2.7 Demolition

Clause 2.7 necessitates that the demolition of a building or work may be carried out only with development consent. Demolition details have been demonstrated on the submitted site plan, which demonstrates that the structures being demolished are sought for consent under this application. As such, the proposal is considered to be consistent with Clause 2.7.

Clause 4.1D Minimum lot sizes for certain land uses in certain environment protection zones

Clause 4.1D sets out provisions for minimum lot sizes for certain land uses in certain environment protection zones. This clause requires that educational establishments in an E3 zone have a lot size with a minimum area of 10 ha. The E3 portion of the site within which the school is located has an area of approximately 44.6 ha and the school leases an area of approximately 8 ha from the Discalced Carmelite Fathers. As the actual size of the property zoned E3 is 44.6 ha, the proposed development is considered compliant with this requirement.

Clause 4.3 Height of buildings

Clause 4.3 details provisions for the permissible height of buildings. The subject allotment is subject to a maximum building height limit of 9 m under the Standard Instrument LEP.

The development proposes building maximum ridge heights of 11.8 m, with flues for proposed fume cabinets extending 3 m above the proposed 11.8m ridge height, to a maximum height of 14.8 m. The Standard Instrument LEP building height definition excludes flues from the measurement of building height.

As the proposal exceeds the maximum permissible height that is prescribed under Clause 4.3 of CLEP2015, the applicant is seeking approval to vary the relevant maximum building height standard pursuant to Clause 4.6 (attachment 6) of CLEP2015. Further assessment of the request is outlined below.

Clause 4.6 Exceptions to development standards

Clause 4.6 of CLEP 2015 provides that development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument, where certain matters are met.

The objectives of Clause 4.6 are to:

- (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development
- (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances

Clause 4.6 provides a degree of flexibility with the application of certain development standards where sufficient justification can be provided that a variation of the standard would not be inappropriate in the circumstances, and the approval of the variation by the consent authority would not result in an unreasonable and detrimental environmental impact.

In this regard, the applicant is seeking a departure from Clause 4.3 height of buildings of the CLEP 2015.

The subject site has a maximum building height, prescribed by the CLEP of 9 m. The proposed building would have a height of 11.8 m, exceeding the provisions of Clause 4.3 by 2.8 m or 31.1 per cent.

It is argued that the proposed variation is considered justifiable, and has been designed to the existing site constraints, both natural and physical, as well as meeting the prime function of the site and its' continued/intended use as an education establishment.

Clause 4.6(3) requires:

- 3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:
 - (a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
 - (b) That there are sufficient environmental planning grounds to justify contravening the development standard.

Comment: A written variation request has been submitted and seeks to justify the contravention of the development standard.

The written request provides commentary outlining compliance with the development standard is unreasonable or unnecessary in the circumstances of this case. The variation applies to the proposed building height of Block H, which will be the technical and applied sciences building. It is argued by the applicant that its purpose will require a greater floor to ceiling height.

As the technical and applied science building requires the use and delivery of bulky materials and machinery, it is accepted that the building height would need to be increased to accommodate the proposed activity/use of the building.

On review, the proposed development, including the building height non-compliance, is not considered to result in a significantly adverse impact/or detract from the existing amenity/view corridors afforded to/from the surrounding lands. Additionally, the proposed development continues to be generally compliant with the Objectives of Clause 4.3, as detailed below.

As detailed in the following section, the written request has demonstrated sufficient environmental planning grounds to justify contravening the development standards.

Clause 4.6(4) requires:

- 4) Development consent must not be granted for development that contravenes a development standard unless:
 - (a) the consent authority is satisfied that:
 - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and

- (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and

- (b) the concurrence of the Secretary has been obtained

Comment: In reviewing the written request in accordance with Clause 4.6 (4) of the CLEP 2015, the applicant has adequately justified that compliance with the development standard is unreasonable or unnecessary.

The written response has identified the objectives of the development standard and has clearly demonstrated that those objectives have been achieved, where relevant.

Clause 4(a)(ii) requires development consent must not be granted for development that contravenes a development standard unless the consent authority is satisfied that the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

Objectives of Clause 4.3 are as follows:

- (a) to nominate a range of building heights that will provide a transition in built form and land use intensity across all zones,

Comment: The site continues to operate as an educational establishment and has done so for several decades. An educational establishment/high school is considered a higher intensity use of land than what is expected from the surrounding land uses, namely low and medium density residential and grazing and as such, a higher building height would be expected.

The increase in intensity does not relate to an increase in the number of students but relates to function and use of the proposed building. The objective does not distinguish between intensity, being the number of students or function of the building and this is considered to be deliberate to allow flexibility, in instances like this.

- (b) to ensure that the heights of buildings reflect the intended scale of development appropriate to the locality and the proximity to business centres and transport facilities,

Comment: The existing transport connections would not be impacted, as there is no increase in the number of students, the educational establishment has been approved and continues to be a permissible land use. Given the relative isolated nature of the site, it is unlikely to set a precedent that would impact surrounding developments. The intended scale is therefore considered appropriate in this instance.

- (c) to provide for built form that is compatible with the hierarchy and role of centres,

Comment: As discussed above, it is not unreasonable for higher buildings to be located within educational establishments. This is reinforced by the existing/approved built form of Block B which has a building height of 12.41 m.

- (d) to assist in the minimisation of opportunities for undesirable visual impact, disruption to views, loss of privacy and loss of solar access to existing and future development and to the public domain.

Comment: The site is deemed to be within the 'Scenic Hills' and within Council's Scenic Hills Study. The site is located in the far-eastern edge of the study area and at the base "the lowest point" of the Landscape Unit.

When viewed from the public domain, whether it be to or from the Scenic Hills, the proposed additional development would not present as being inconsistent with the character of the landscape that has existed for many decades.

The use of dark/recessive colours, the physical location of the site at the base of the Scenic Hills, the existence of the school and its multitude current buildings, mean that the proposal would not be out of character with the current landscape.

Additionally, the proposed development is isolated from the surrounding land uses and there are no expected implications in relation to privacy and/or loss of solar access.

The proposal, despite the numerical non-compliance, is not considered to be inconsistent with overarching intent of all of the objectives of Clause 4.3.

It is considered that the written request adequately addresses the matters required to be demonstrated by subclause (3) of Clause 4.6.

The proposal is considered to be in the wider public interest because the development can be shown to be consistent with the objectives of Clause 4.3, Clause 7.6 and the E3 Environmental Management Zone.

It is therefore recommended that the Campbelltown Local Planning Panel support the request to vary the subject development standards pursuant to the relevant provisions of Clause 4.6 of the CLEP 2015.

Clause 7.1 Earthworks

Clause 7.1 details the provisions for earthworks on an allotment. Given the site's existing topography and its' interaction with the existing built form there will be some earthworks required to set appropriate levels whilst tying the works to the existing built form in a cohesive and practical manner. The earthworks are not unreasonable in the context of the site and would not result in a detrimental impact on the amenity of the neighbouring allotments. As such, the proposed earthworks are considered consistent with the provisions of Clause 7.1.

Clause 7.5 Preservation of the natural environment

Clause 7.5 details development consent must not be granted for the removal of soil or bush rock from any land zoned E3. The proposal involves some cut through the land zoned E3, although, the provisions of Clause 7.5 (4) allows the soil to be relocated within the site. The cut material will be used throughout the site, as fill, to facilitate the finished levels. There is no evidence of bush rock on the site.

Clause 7.6 Scenic Protection and Escarpment Preservation

Clause 7.6 provides that development consent must not be granted to development unless the consent authority is satisfied on several matters in relation to the visual impact of the development on the natural and visual environment of the land. In relation to compliance with the subject clause, the following details are noted:

- a) The external surfaces of the proposed building would be constructed of the prescribed materials as specified under Clause 7.6(4), which is demonstrated in the submitted 3D perspective drawings (attachment 7).
- b) Block H replaces the existing buildings that are subject of demolition under this proposal, which ultimately demonstrates that no land use conflicts arise from the proposal.
- c) The proposed building is located as close as reasonably possible to the eastern edge of the Scenic Hills, which means that it has been sensitively and logically sited to minimise the intrusion of the building into the Scenic Hills. Additionally, the site is identified in Council's Scenic Hills Study as being in the "lowest point of the landscape unit and of a relatively compact scale within the setting...".
- d) The demolition and removal of the demountable buildings to the south of Block A and B would improve the views towards the scenic hills as Building H integrates into the existing built form both architecturally and with regards to the materials and finishes.
- e) Building H, despite the building height contravention, generally aligns with the existing built form, as illustrated in elevation plans in attachment 8.
- f) Given this part of the site has already been developed, there is no undue impact on the landform. A geotechnical report prepared by Geofirst Pty Ltd has been provided which advises on the stability of the site.

Clause 7.7 Considerations for Development on Environmentally Constrained Land

Clause 7.7 provides that the consent authority must consider for land in Varroville, identified as "No build area" on the Environmental Constraint Map – that the land is not capable of accommodating development other than a lawn cemetery and associated fencing. The subject site is not affected by the "No build area" constraint, and therefore the clause does not apply to the development.

Clause 7.8 Development on Steep Land in the Scenic Hills

Clause 7.8(2) provides that development consent be obtained if land has a gradient of 16 per cent or more. The gradient of the site is 4 per cent, and therefore this clause does not apply.

Clause 7.10 Essential Services

Clause 7.10 (Essential services) provides that development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:

- (a) the supply of water
- (b) the supply of electricity
- (c) the disposal and management of sewage
- (d) stormwater drainage or on-site conservation
- (e) suitable road and vehicular access
- (f) telecommunication services
- (g) the supply of natural gas

As there is an existing school and church on the site, it is readily serviced by water and electricity. A condition is recommended that the applicant liaise with all relevant service authorities prior to the issuing of a construction certificate, to ensure that appropriate connections are afforded to the new works.

Campbelltown (Sustainable City) Development Control Plan 2015

The purpose of Campbelltown (Sustainable City) Development Control Plan 2015 (SCDCP) is to provide more detailed provisions to supplement CLEP 2015.

Part 2 – Requirements applying to all Types of Development

General design requirements with regard to possible environmental impacts of the development are outlined in Part 2 of SCDCP. The applicant is required to consider all sections applicable to them as outlined in the following table:

Part	Requirement	Proposed	Complies
2.2 Site Analysis	A Site Analysis Plan shall be lodged with the development application.	A site analysis plan was provided with the development application.	Yes
2.3 Response to Views and Vistas	Development shall appropriately respond to Campbelltown's important views and vistas to and from public places. These include views and vistas to and from: i) the Scenic Hills;...	The proposed development has been designed and located in a manner not visually obtrusive to or from the Scenic Hills. The development is within confines/footprint of the existing educational establishment.	Yes
2.4 Sustainable Building Design	Development shall be designed to reduce energy consumption and encourage environmental sustainable design	A Section J Report and an ESD Report support the proposed development that detail the reduce and reuse measures for both natural resources and materials.	Yes
2.5 Landscaping	Landscaping shall be included that maintains and rehabilitates the natural environment, whilst enhancing the built form.	The landscape plans address the existing natural and built environments that enhances the functionality of the development.	Yes
2.6 Weed Management	Ensure that weeds are appropriately managed throughout the LGA.	The proposal is supported by a Weed Management Plan, prepared by Ecological Surveys & Planning and a condition is recommended that the provisions of the Plan be implemented.	Yes
2.7 Erosions and Sediment	An Erosion and Sediment Control Plan (ESCP) shall be prepared and	An appropriate ESCP has been provided in support of the	Yes

Control	submitted with a development application proposing construction and/or activities involving the disturbance of the land surface.	proposal.	
2.8 Cut, Fill and Floor Levels	A Cut and Fill Management Plan (CFMP) shall be submitted with a development application where the development incorporates cut and/or fill operations.	An appropriate cut and fill plan has been provided in support of the proposal.	Yes
2.9 Demolition	A development application involving demolition, must incorporate a demolition plan.	A demolition plan has been provided in support of the proposed development. A condition is recommended to ensure that the relevant standards are met before demolition can begin.	Yes
2.10 Water Cycle Management	A Stormwater Drainage Concept Plan shall be prepared by a suitably qualified person, and submitted with all development applications, involving construction (except for internal alterations/fitouts), demonstrating to the consent authority how the stormwater will be collected and discharged from the site.	An appropriate Stormwater Management Plan has been prepared by Sparks and Partners, in support of the proposal.	Yes
2.11 Heritage	Ensure that new development takes appropriate account of the significance of heritage items, heritage conservation areas, relics and their settings.	There are no known European or Aboriginal Heritage items on the site, nor are there any nearby that would be impacted by the proposed development.	N/A
2.12 Retaining Walls	Ensure that retaining walls visible to a public place are compatible with the character and scale of development within the streetscape and other public domain areas in the locality.	The retaining walls proposed are appropriate given the topography of the site and the need to create a useable and functional development. The retaining walls will not be visible from the public domain.	Yes
2.13 Security	Ensure that development incorporates security features in accordance with the principles of Crime Prevention Through Environmental Design (CPTED).	The proposed development has been designed with the CPTED principles in mind. The site is clearly defined and there will be external lighting that will promote safety.	Yes
2.14 Risk Management	Salinity: A detailed Salinity Analysis and Remedial Action Plan shall be prepared and submitted with the development application if the site is impacted by saline soils.	The provided Geotechnical Report, prepared by Geo First Pty Ltd, dated 25 October 2020, in support of the proposal indicated there were no saline soils onsite.	N/A
	Bushfire: Development on bush fire prone land (as detailed on the Campbelltown Bush Fire Prone	The proposed development was supported by a Bushfire Report and the NSW RFS have issued a bushfire safety authority under	Yes

	Lands Map) shall comply with the requirements of Planning for Bushfire Protection, (NSW RFS) as amended.	100B of the <i>Rural Fire Act 1997</i> .	
	Mine Subsidence: An applicant shall made appropriate enquiries and have plans stamped with the Mine Subsidence Board regarding any construction requirements for any type of development involving the erection of a building within a mine subsidence district prior to a development application being submitted to Council.	The proposed development is not in an area mapped by the Subsidence Advisory Board.	N/A
	Public Health: Cooling towers shall be located and installed in accordance with the relevant Australian Standards.	The proposed development does not include any cooling towers.	N/A
2.15 Waste Management	A detailed Waste Management Plan (WMP) shall accompany development applications.	An appropriate WMP has been provided in support of the proposed development.	Yes

Part 11 Vegetation and Wildlife Management

As the proposed development site contains native vegetation and fauna habitat, the provisions of Volume 1 Section 11.2 of the Campbelltown (Sustainable City) DCP 2015 apply.

The objectives of Section 11.2 are:

- Protect and conserve the City's biodiversity through the retention of native vegetation.
- Maintain, enhance and/or establish corridors, which enable existing plant and animal communities to survive and range in their natural habitat.
- Protect habitat resources including hollow-bearing trees and hollow logs within Campbelltown LGA.
- Provide appropriate measures to compensate for the loss of hollow-bearing trees within the LGA.

In summary, in order to deliver the above objectives, Section 11.2 requires:

- development to be sited, designed, managed and constructed in a manner that seeks to avoid and minimise impacts on biodiversity as much as practicable (11.2.1 a.).
- appropriate ecological assessment to be undertaken (11.2.2 b.).

The proposal is supported by a Site Assessment and a Tree Impact Assessment that addresses the ecological impacts of the proposal on the site. Although, the development would occur within the footprint of the existing school, the proposal would result in the removal of 30 trees, of which, 21 are being replaced. Of the lost trees, 4 are preferred koala feed trees and would be

replaced with 6 trees. Council's ecologist has reviewed the proposal and provides the following comment in relation to the lost trees:

Given that the school has a limited area to safely plant large trees this replacement is ok. In addition, the trees replanted will be protected and more likely to survive to maturity due to the regular management on site and in perpetuity.

Therefore, the proposal is acceptable from an ecological perspective subject to the recommended conditions of consent, as it has successfully avoided areas of ecological significance, namely the EEC River-flat eucalypt forest, which occurs in the area.

The proposed development is generally consistent with the provisions set forth in the SCDCP.

3. Planning Assessment

Section 4.15(1)(a)(iv) The provisions of the Regulations

The proposal does not contravene the Environmental Planning and Assessment Regulations 2000.

Section 4.15 (1)(b) The Likely Impacts of the Development

Section 4.15(1)(b) of the EP&A Act requires the consents authority to assess the development's potential impacts on the natural and built environment, as well as potential social and economic impacts.

The key matters for consideration when considering the development's potential impact on the natural and built environment is as follows:

- Context and Setting.
- Natural Environment.
- Social and Economic.

Context and Setting

The proposal will take place on a site that is identified as scenic protection, given its proximity to the "Scenic Hills" of Campbelltown. The site is on the very eastern boundary of the "Scenic Hills" and is identified in Council's Scenic Hills Study as the "lowest point of the Landscape Unit". With this in mind and the semi-isolated nature of the site and its temporal existence within the landscape, the proposed development has been designed to be sympathetic to the existing built form and the wider "scenic" area.

Despite the building height non-compliance of Building H, when viewed in the context of the existing/approved buildings the height is generally consistent and the variation would not be noticeable from the public domain. The colours textures and finishes of the proposed works are consistent with the existing built form in that they blend into the background so as not to cause an adverse impact on the existing "Scenic Hills" landscape.

Natural Environment

The proposal would result in the removal of 30 trees, including 4 preferred koala feed trees. The supplied landscaping plans include provisions for 6 preferred koala feed trees, which is acceptable to Council's ecologist, as discussed earlier. The proposal has successfully avoided areas of ecological significance and would not impact on areas identified as potential koala habitat and/or endangered ecological communities.

Social and Economic Impacts

Socially, the proposal would deliver functional and modern learning facilities to current and future students of the school, in a manner that is generally consistent with the strategic and statutory controls. The proposal has been designed with consideration of the provisions of Crime Prevention Through Environmental Design (CPTED). The proposal continues to maintain the clear delineation between the Site and the surrounding land uses, without a significant visual imposition.

Economically, the proposal would be beneficial to the overall local economy with workers being employed during the demolition and construction phases of the development.

Section 4.15 (1)(c) The suitability of the development

Section 4.15(1)(c) of the EP&A Act requires the consent authority to assess the suitability of the site for the proposed development.

The proposed alterations and additions, to modernise and improve the functionality of the existing school, does not alter the site's suitability for the proposed development in terms of the site's land use.

No constraints, hazards or impact have been identified which would deem the site unsuitable for the proposed development.

The proposal is considered appropriate with regard to the zoning and is not anticipated to have adverse impacts on the immediate or surrounding locality.

The school is an existing element of the Scenic Hills landscape, and as such, the proposed development of the site will not result in a significant impact on the exiting visual Scenic Hills landscape.

Developer Contributions

Section 7.12 Developer contributions are applicable to the development proposal, as the alterations and additions exceed \$100,000. As such, section 7.12 contributions of \$115,515.39 is required to be imposed as a condition of consent, where the applicant is to pay the development contributions prior to the issuing of a construction certificate.

4. Public Participation

Section 4.15(1)(d) of the EP&A Act requires the consent authority to consider submissions made to the proposal.

In accordance with Council's Community Participation Plan, the proposal was publicly exhibited between 29 March 2021 and 19 April 2021.

One submission (attachment 9) was received objecting to the development proposal:

Submission:

Council's policy:

- 1) No construction along the ridgeline of the scenic hills.
- 2) Certain development is permissible along the scenic hills area.

Comment:

The proposed development is located on the eastern edge and at the base of the land identified as "Scenic Hills" and is approximately 1.5-2.5km from the various ridgelines of the Scenic Hills.

The proposed development would occur within the development footprint of the existing school which has existed within the Scenic Hills landscape for a number of decades.

Although, the proposed building heights do exceed the relevant development standards, the proposed development would not result in a significantly adverse impact on the value of the "Scenic Hills" to the wider community.

Referrals

The proposal was referred internally to the following departments within Council:

- Building Certification Unit
- Environmental Planning Unit

Building Certification Unit

Council's Building Certification Unit provided a response to the referral on 2 August 2021, indicating that the Access Report prepared by Lindsay Perry Access is appropriate, subject to conditions that ensure the relevant provisions are met before and after construction.

Environmental Planning Unit

Council's Environmental Planning Unit provided a response and conditions on 22 September 2021. The response indicated that the proposal has sufficiently addressed and satisfied the relevant provisions of the *Biodiversity Conservation Act*, SEPP Koala and Part 11 of the SCDCPW. The recommended conditions have been incorporated in the recommended conditions.

Section 4.15(1)(e) Public Interest

Section 4.15(1)(e) of the EP&A Act requires the consent authority to consider the public interest of the proposal. The public interest is a comprehensive requirement that requires consent authorities to consider the long-term impacts of development and the suitability of the proposal in a larger context.

In this instance, given the long-term existence of the school and its many buildings, the non-significant impact that the proposed development is deemed to have on the Scenic Hills landscape, and the higher order community service the school provides to the community, the proposed development is considered appropriate, when also having regard to the matters raised within the single submission received during the public notification period.

Approval of the proposed development is therefore considered to be in the public interest.

Conclusion

The development application has been assessed against the relevant matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act, 1979* the Campbelltown Local Environmental Plan 2015 and Campbelltown (Sustainable City) Development Control Plan 2015.

The proposed development, subject to the recommended conditions, is considered to satisfy relevant State legislation and State Environmental Planning Policies including the *Rural Fires Act 1997*, SEPP Education, SEPP 55 Remediation of Land, Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River, and SEPP (Infrastructure) 2007 and other relevant legislation.

The application is supported by a clause 4.6 variation against the building height standard detailed in Clause 4.3 of the Campbelltown Local Environmental Plan 2015, which prescribes a 9 m building height for the site. The proposed development includes provisions for an 11.8 m building which contravenes the requirement by 31.1 per cent. The Clause 4.6 variation request justifies the height contravention on environmental planning grounds and would not detract from the views and vistas, to or from the "Scenic Hills".

The likely impacts of the development have been considered, including environmental impacts on both the natural and built environments, as well as social and economic impacts in the locality.

The site is considered to be suitable for the proposed alterations and additions and would allow the school to provide students a functional and modern learning environment that does not detract from the surrounding amenity.

The application was notified and publicly exhibited between 29 March 2021 and 19 April 2021, in accordance with Council's Community Participation Plan. One submission was received commenting on the proposed development, which has been addressed in this report.

The school site has formed part of the visual character of the Scenic Hills for a number of decades, and as such, the proposed alterations/addition of buildings on the same site (including the proposed building height variation), would not result in an undesirable and/or additional impact on the surrounding landscape.

Accordingly, the development is considered appropriate for the site and the application is recommended for approval.

Attachments

1. Recommended Conditions of Consent (contained within this report)
2. Location and Zoning (contained within this report)
3. Survey Plan (contained within this report)
4. Site Plan (contained within this report)
5. RFS Controlled Activity Approval (contained within this report)
6. Clause 4.6 Variation (contained within this report)
7. 3D Perspectives (contained within this report)
8. Elevations and Sections - Block H and Refurbished Areas (contained within this report)
9. Floor Plans (contained within this report)

Reporting Officer

Executive Manager Urban Release and Engagement

Attachment 1 Recommended Conditions

GENERAL CONDITIONS

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land.

For the purpose of these conditions, the term 'applicant' means any person who has the authority to act on or benefit of the development consent.

1. Approved Development

The development shall be carried out in accordance with the approved plans and documents listed in the table below, and all associated documentation supporting this consent, except as modified in red by Council and / or any conditions within.

Title (Drawing Number)	Revision/ Issue	Author	Date
Drawing Register and Location Plan (DA000)	01	QUINN O'HANLON ARCHITECTS PTY LTD	22-Jan-21
Site Plan (DA001)	01	QUINN O'HANLON ARCHITECTS PTY LTD	22-Jan-21
Roof/Site Plan (DA003)	01	QUINN O'HANLON ARCHITECTS PTY LTD	22-Jan-21
Site Analysis (DA004)	01	QUINN O'HANLON ARCHITECTS PTY LTD	22-Jan-21
Existing Lower Ground Floor Plan - PT.A (DA200)	02	QUINN O'HANLON ARCHITECTS PTY LTD	06/07/2021
Existing Lower Ground Floor Plan - PT.B (DA201)	01	QUINN O'HANLON ARCHITECTS PTY LTD	22-Jan-21
Existing Lower Ground Floor Plan - PT.C (DA202)	01	QUINN O'HANLON ARCHITECTS PTY LTD	22-Jan-21
Lower Ground Floor Plan - PT.A (DA220)	02	QUINN O'HANLON ARCHITECTS PTY LTD	6/07/2021
Lower Ground Floor Plan - PT.B (DA221)	01	QUINN O'HANLON ARCHITECTS PTY LTD	22-Jan-21
Lower Ground Floor Plan - PT.C (DA222)	02	QUINN O'HANLON ARCHITECTS PTY LTD	6/07/2021
Upper Ground Floor Plan - PT.C (DA223)	02	QUINN O'HANLON ARCHITECTS PTY LTD	6/07/2021
First Floor Plan - PT.C (DA224)	02	QUINN O'HANLON ARCHITECTS PTY LTD	6/07/2021
Roof Plan (DA225)	02	QUINN O'HANLON ARCHITECTS PTY LTD	6/07/2021
Elevations - Block H (DA300)	04	QUINN O'HANLON ARCHITECTS PTY LTD	29-Sep-21
Elevations & Sections - Block H & Refurbished Areas (DA301)	03	QUINN O'HANLON ARCHITECTS PTY LTD	29-Sep-21
3D Perspective (DA950)	02	QUINN O'HANLON ARCHITECTS PTY LTD	6/07/2021
Drawing Register & Site Plan (DA1800)	02	OHD LANDSCAPE ARCHITECTS PTY LTD	02-Sep-21
Landscape Plan 1 (DA1810)	02	OHD LANDSCAPE ARCHITECTS PTY LTD	02-Sep-21
Landscape Plan 2 (DA1811)	02	OHD LANDSCAPE ARCHITECTS PTY LTD	02-Sep-21

Landscape Plan 3 (DA1812)	02	OHD ARCHITECTS PTY LTD LANDSCAPE	02-Sep-21
Typical Details & Proposed Planting (DA1830)	02	OHD ARCHITECTS PTY LTD LANDSCAPE	02-Sep-21

Supporting Documents

Title	Reference	Author	Date
Clause 4.6 Exceptions to Development Standards	20143	Planning Plus Pty Ltd	October 2021
PLAN SHOWING DETAIL & CONTOURS Sheets 1 to 7 (inclusive)	213838-DET01 (Revision D)	Land Team	18/08/21
Energy Efficiency Evaluation	21796	Partners Energy	8/12/2020
Ecological and Sustainability Design Report	21824	Partners Energy	13/12/2020
Geotechnical Report	GF1064-A	Geofirst Pty Ltd	25 October 2020
Waste Management Plan		QOH Architects	03/04/21
Site Assessment		Ecological Surveys & Planning	November 2020 (updated January, May and August 2021)
Tree Impact Assessment Report		Mark Bury Consulting	8 September 2020 (amended August 2021)
Disability Access Report	LP_20381	Lindsay Perry Access	16 December 2020
Building Construction in Bush Fire Prone Areas	20.10.309	Control Line Consulting	23/12/2020
Bush Fire Safety Authority	DA20210317001041-Original-1	NSW Rural Fire Service	27 April 2021

2. Building Code of Australia

All building work must be carried out in accordance with the provisions of the *Building Code of Australia*. In this clause, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

3. Signage

This development consent does not permit any changes to the existing signage.

4. Enrolment

This development consent does not permit any increase in enrolments.

5. Landscaping

The provision and maintenance of landscaping shall be in accordance with the approved landscape plan containing Council's approved development stamp including the engagement of a suitably qualified landscape consultant/ contractor for landscaping works. The landscape design shall incorporate a significant portion of native, low water demand plants.

6. Tree Removal

This determination only provides consent to remove the following trees as identified in the Tree Impact Assessment Report (August 2021), prepared by Mark Bury Consulting:

- Trees 25-31, 49-64 and 67a-73.

Tree removal outside of that detailed in this consent requires separate approval.

Tree removal is to be undertaken in a manner that does not cause harm to any retained trees or vegetation.

Tree removal must be undertaken by an arborist with a minimum qualification of AQF 5 (Arboriculture).

7. Tree Offsets

At least 21 native trees (including 6 Potential Koala Feed Trees) are to be planted in accordance with the approved landscape plans.

If a replacement planting dies, a further replacement planting is required to be planted in its place, so the same or similar species.

Landscaping work is to be maintained for a 12 month period (from the date of the final occupation certificate). A compliance report including photos is to be provided to Council by the landscape contractor detailing that the landscaping has been maintained for a period of 12 months and that the replacement trees are all in good health.

Note: Replacement plantings are subject to annual audits by Council and a penalty may be issued for non-compliance.

8. Existing Easements

Changes to existing easements and their physical infrastructure shall not occur without the written approval of the authority benefitting from such.

9. RFS Requirements

The proposed development shall be carried out in accordance with the Bush Fire Safety Authority (DA20210317001041-Original-1), dated 27 April 2021, as stated below:

RURAL FIRE SERVICE CONDITIONS

Asset Protection Zones

Prior to the issue of an occupation certificate by the appointed Principal Certifier, and in perpetuity to ensure ongoing protection from the impact of bush fires, the entire grounds of the Mt Carmel Catholic College, Varroville must be managed as an inner protection area (IPA) in accordance with the requirements of Appendix 4 of Planning for Bush Fire Protection 2019. When establishing and maintaining an IPA the following requirements apply:

- Tree canopy cover should be less than 15% at maturity;
- Trees at maturity should not touch or overhang the building;
- Lower limbs should be removed up to a height of 2m above the ground
- Tree canopies should be separated by 2 to 5m;
- Preference should be given to smooth barked and evergreen trees;
- Large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire towards buildings;
- Shrubs should not be located under trees;

- Shrubs should not form more than 10% ground cover;
- Clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation;
- Grass should be kept mown (as a guide grass should be kept to no more than 100mm in height); and
- Leaves and vegetation debris should be removed.

Water and Utilities

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:

- A 20,000 litre static water supply tank must be provided on site;
- Above ground tanks are constructed from metal or concrete;
- Underground tanks are clearly marked and have an access hole of 200mm to allow for the draughting of water; or
- If above ground, the tank is fitted with a 65mm Storz outlet with a gate or ball valve;
- All external fittings and pipes are metal rather than plastic; and
- A hardened ground surface (minimum width of 4 metres and minimum vertical clearance of 4 metres) is provided to within 4 metres of the tank.

Emergency and Evacuation Planning Assessment

A Bush Fire Emergency Management and Evacuation Plan must be prepared and be consistent with the NSW RFS document: *A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan*. The Bush Fire Emergency Management and Evacuation Plan should include planning for the early relocation of occupants.

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 the issue of an occupation certificate by the appointed Principal Certifier.

10. Engineering Design Works

The design of all engineering works shall be carried out in accordance with the requirements detailed in Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)*, *Engineering Design Guide for Development (as amended)* and the applicable *Development Control Plan*.

11. External Finishes

The external finishes shall be in accordance with the approved plans and the schedule of finishes submitted with this application. Any proposed alterations to these finishes are considered to be a modification to the development consent and require separate approval by Council.

12. Switchboards/Utilities/Air Conditioning Units

Switchboards, air conditioning units, garbage storage areas and storage for other utilities shall not be attached to the front elevations of the building or side elevations that can be seen from a public place.

13. Deliveries

Vehicles servicing the site shall comply with the following requirements:

- a. All vehicular entries and exits shall be made in a forward direction.

- b. All vehicles awaiting loading, unloading or servicing shall be parked on site and not on adjacent or nearby public roads.
- c. All deliveries to the premises shall be made to the loading bay/s provided.

A traffic sign shall be placed adjacent to the driveway at the entrance of the property advising drivers of the above information. Should the sign be damaged or removed, it shall be replaced within 48 hours.

14. Graffiti Removal

In accordance with the environmental maintenance objectives of 'Crime Prevention Through Environmental Design', the owner/lessee of the building shall be responsible for the removal of any graffiti which appears on the buildings, fences, signs and other surfaces of the property within 48 hours of its application.

15. Rubbish/Recycling Bin Storage

The rubbish and recycling bins shall not be stored within vehicle parking, vehicle manoeuvring areas or landscaped areas.

The bin(s) shall only be stored in accordance with the approved plans.

16. Lighting

Illumination of the site is to be arranged to provide an appropriate level of lighting and in accordance with the requirements of *Australian Standard 4282 (as amended)* so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises or traffic.

17. Rain Water Tank(s)

Rain water tank/s shall be installed on site for the collection and storage of stormwater for irrigation and reuse purposes (eg the flushing of toilets), in accordance with the approved plans.

18. Fill Material

All fill material imported to the site shall meet one of the characterisations detailed the table below:

Defining Instrument	Definition
Protection of the Environment Operations Act, 1997	Virgin Excavated Natural Material
Protection of the Environment Operations (Waste) Regulation 2014	The following resource recovery exemptions: <ul style="list-style-type: none"> ▪ Excavated natural material ▪ Foundry sand ▪ Recovered fines (provided no samples have a benzo(a)pyrene concentration exceeding 3 mg/kg 'dry weight')
N/A	Non-waste engineered construction materials

19. Unreasonable Noise, Dust and Vibration

The development, including operation of vehicles, shall be conducted so as to avoid the generation of unreasonable noise, dust or vibration and cause no interference to adjoining or nearby occupants. Special precautions must be taken to avoid nuisance in neighbouring

residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like.

The generation of noise, dust and vibration shall be managed in accordance with appropriate EPA guidelines and construction codes.

20. Construction Certificate

Prior to the commencement of any works that require a construction certificate:

- a. the applicant shall obtain a construction certificate for the particular works;
- b. the applicant shall appoint a principal certifying authority; and
- c. the private certifying authority shall notify Council of their appointment no less than two days prior to the commencement of any works.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a construction certificate by either Campbelltown City Council or an accredited certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a construction certificate.

21. Weed Management Plan

Prior to the appointed Principal Certifier issuing a construction certificate or the commencement of works (whichever occurs first), a site-specific Weed Management Plan that addresses the school site only must be prepared and submitted to the appointed Principal Certifier and Council. The recommendations from the Weed Management Plan must be incorporated into the site-specific Construction Environmental Management Plan.

22. Construction Environmental Management Plan

Prior to the appointed Principal Certifier issuing a construction certificate or the commencement of works (whichever occurs first), a site-specific Construction Environmental Management Plan (CEMP) must be prepared addressing the requirements of this consent including the NSW RFS Controlled Activity Approval and the environmental mitigation measures both on the natural environment, as well as, the surrounding residential area. The CEMP must be approved in writing by Council's Executive Manager Urban Release and Engagement (or equivalent) prior to the issuing of any construction certificate or the commencement of any works whichever comes first.

23. Boundary of Work

Prior to the appointed Principal Certifier issuing a construction certificate or commencement of any works (whichever comes first), the boundary of the approved development footprint as identified on approved Plans, must be fenced and signed under the supervision of a suitably qualified consultant ecologist. This is to clearly demarcate the boundary of approved clearing and to prevent any clearing and damage to native vegetation beyond the boundary of the approved development footprint.

No works are permitted to occur outside of the limit of works shown on the approved plans.

No vegetation clearance is to occur outside of the approved development footprint as identified on the approved plan.

Ancillary facilities such as stockpile sites, site compounds and construction zones must not be located in vegetated areas outside of the development footprint.

24. Utility Servicing Provisions

Prior to appointed Principal Certifier issuing a construction certificate, the applicant shall obtain a letter from both the relevant electricity authority and the relevant telecommunications authority stating that satisfactory arrangements have been made to service the proposed development.

Note: The applicant should also contact the relevant water servicing authority to determine whether the development will affect the authorities water or sewer infrastructure.

25. Geotechnical Report

Prior to the appointed Principal Certifier issuing a construction certificate, where proposed excavation and/or filling exceed 900mm in depth, or where the subject site is identified as being filled land, a geotechnical report prepared by a NATA registered laboratory shall be submitted which indicates that the land will not be subject to subsidence, slip, slope failure or erosion.

26. Soil and Water Management Plan

Prior to the appointed Principal Certifier issuing a construction certificate, a detailed soil and water management plan shall be submitted for approval.

27. Unexpected Finds Protocol

Prior to the appointed Principal Certifier issuing a construction certificate or the commencement of works (whichever comes first) an unexpected finds protocol must be prepared by a suitably qualified person and submitted for approval.

28. Waste Management Plan

Prior to appointed Principal Certifier issuing a construction certificate, the relevant provisions of Council's *Waste Management Plan* is to be completed to the satisfaction of the appointed Principal Certifier.

29. Stormwater Management Plan

Prior to the appointed Principal Certifier issuing a construction certificate, a plan indicating all engineering details and calculations relevant to the site regrading and the collection and disposal of stormwater from the site, building/s and adjacent catchment, shall be submitted for approval.

All proposals shall comply with the requirements detailed in Council's *Engineering Design Guide for Development (as amended)*.

30. Design for Access and Mobility

Prior to the appointed Principal Certifier issuing a construction certificate, the applicant shall demonstrate by way of detailed design endorsed by an Access Consultant with a minimum AQF4 qualification shall be provided to the Principal Certifying Authority demonstrating compliance with the relevant access requirements of the *Disability (Access to Premises – Buildings) Standards 2010 (Premises Standards)* including any referenced Australian Standards and the *National Construction Code (NCC)*.

31. Telecommunications Infrastructure

- a. If the development is likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to proposed works must be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate or any works commencing, whichever occurs first; and

- b. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.

32. Sydney Water

Prior to the appointed Principal Certifier issuing a construction certificate, the approved plans must be submitted to Sydney Water via the Sydney Water Tap In service, to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met.

An approval receipt will be issued if the building plans have been approved. The approval receipt shall be submitted to the Principal Certifying Authority prior to issue of a construction certificate.

The Sydney Water Tap In service can be accessed at www.sydneywater.com.au.

33. Section 7.12 Contributions

Contribution

The developer must make a monetary contribution to Campbelltown City Council in the amount of **\$115,515.39** for the purposes of the Local Infrastructure identified in the Campbelltown Local Infrastructure Contributions Plan 2018.

Indexation

The monetary contribution is based on a proposed cost of carrying out the development of \$ **11,300,000**. This cost (and consequently the monetary contribution) must be indexed between the date of this consent and the date of payment in accordance with the following formula:

Indexed development cost (\$) =	$\$C_0 \times \text{Current CPI}$
	Base CPI

Where:

- $\$C_0$ is the original development cost estimate assessed at the time of the issue of consent.
- Current CPI is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics at the time of the quarter immediately prior to the date of payment.
- Base CPI is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics at the quarter ending immediately prior to the date of imposition of the condition requiring payment of a contribution.

Note: The contribution payable will not be less than the contribution specified in this consent.

Time for payment

The contribution must be paid prior to the release of a construction certificate for any works authorising construction above the floor level of the ground floor.

Deferred payments of contributions may be accepted if the applicant meets the Council's requirements set out in the contributions plan.

Works in kind agreement

This condition does not need to be complied with to the extent specified, if a works in kind agreement is entered into between the developer and the Council.

PRIOR TO THE COMMENCEMENT OF ANY WORKS

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with prior to the commencement of any works on site.

34. Protection of retained trees

Prior to the commencement of any works:

Trees 1-24, 32-48, and 67 as identified in the Tree Impact Assessment Report (August 2021), prepared by Mark Bury Consulting must be protected in accordance with the Tree Protection Plan associated with Tree Impact Assessment Report (August 2021), prepared by Mark Bury Consulting and Australian Standard 4970-2009: Protection of Trees on Development Sites and include but not limited to the following:

- All compound/ stockpile, laydown, vehicle park up and amenities shall be located in cleared areas and beyond the dripline of retained trees
- Temporary and permanent protective fencing must be erected around all trees identified for retention.
- The area required for site access must be clearly demarcated to ensure there is no damage to native vegetation outside of the development impact zone.

A Project Arborist with a minimum qualification of AQF 5 (Arboriculture) is to be appointed and their details provided to Council's Executive Manager Urban Release and Engagement (or equivalent). The Project Arborist must supervise and advise on all works associated with and within Tree Protection Zones.

The applicant must demonstrate to the written satisfaction of Council's Executive Manager Urban Release and Engagement (or equivalent) that all requirements of the Tree Impact Assessment Report (August 2021), prepared by Mark Bury Consulting have been incorporated into the Construction Environmental Management Plan for the site.

All staff and contractors who will be working on the site must be briefed as part of site inductions about the vegetation protection areas/ no access areas, the penalties and fines associated with damaging such areas.

35. Safety Management Plan

Prior to the commencement of any works on the land, a Safety Management Plan is to be in place for the proposed works. The Plan must outline how all users of the school will be able to access and use the school safely, during the proposed works.

36. Erosion and Sediment Control

Prior to the commencement of any works on the land, adequate/approved erosion and sediment control measures shall be fully installed/implemented.

37. Erection of Construction Sign

Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:

- a. Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours
- b. Stating that unauthorised entry to the work site is prohibited
- c. Pollution warning sign promoting the protection of waterways (issued by Council with the development consent)

- d. Stating the approved construction hours in which all works can occur
- e. Showing the name, address and telephone number of the principal certifying authority for the work.

Any such sign/s is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

38. Toilet on Construction Site

Prior to the commencement of any works on the land, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part thereof. Each toilet provided must be a standard flushing toilet and be connected to:

- a. A public sewer, or
- b. If connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council, or
- c. If connection to a public sewer or an accredited sewage management facility is not practicable, to some other management facility approved by Council.

39. Trade Waste

Prior to the commencement of any works on the land, a trade waste facility shall be provided on-site to store all waste pending disposal. The facility shall be screened, regularly cleaned and accessible to collection vehicles.

40. Vehicular Access during Construction

Prior to the commencement of any works on the land, a single vehicle/plant access to the site shall be provided, to minimise ground disturbance and prevent the transportation of soil onto any public road system. Single sized aggregate, 40mm or larger placed 150mm deep, extending from the kerb and gutter to the property boundary, shall be provided as a minimum requirement.

41. Public Property

Prior to the commencement of any works on site, the applicant shall advise Council of any damage to property which is controlled by Council which adjoins the site, including kerbs, gutters, footpaths, and the like. Failure to identify existing damage may result in all damage detected after completion of the development being repaired at the applicant's expense.

42. Demolition Works

Demolition works shall be carried out in accordance with the following:

- a. Prior to the commencement of any demolition works on the land, a detailed demolition work plan designed in accordance with Clause 1.7.3 of Australian Standard AS 2601-2001 – The Demolition of Structures, prepared by a suitably qualified person with suitable expertise or experience, shall be submitted to Council and shall include the identification of any hazardous materials, method of demolition, precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
- b. Prior to commencement of any works on the land, the demolition Contractor(s) licence details must be provided to Council.

- c. The handling or removal of any asbestos product from the building/site must be carried out by a NSW Work Cover licensed contractor irrespective of the size or nature of the works. Under no circumstances shall any asbestos on site be handled or removed by a non-licensed person. The licensed contractor shall carry out all works in accordance with NSW Work Cover requirements.
- d. An appropriate fence preventing public access to the site shall be erected for the duration of demolition works
- e. The applicant shall notify the occupants of the adjoining premises and SafeWork NSW prior to the commencement of any works.

43. Hoarding / Fence

Prior to the commencement of any works, a hoarding or fence must be erected between the work site and a public place if the work involved in the development is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or if the building involves the enclosure of a public place in accordance with *Work Cover* requirements.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

A separate land use application under Section 68 of the Local Government Act 1993 shall be submitted to and approved by Council prior to the erection of any hoarding on public land.

DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with during the construction of the development on site.

44. Mud/Soil

Mud and soil from vehicular movements to and from the site must not be deposited on the road.

45. Construction Work Hours

All work on site shall only occur between the following hours:

Monday to Friday	7.00am to 6.00pm
Saturday	8.00am to 5.00pm
Sunday and public holidays	8.00am to 5.00pm

46. Erosion and Sediment Control

Erosion and sediment control measures shall be provided and maintained throughout the construction period, in accordance with the requirements of the manual – *Soils and Construction (2004) (Bluebook)*, the approved plans, Council specifications and to the satisfaction of the principal certifying authority. The erosion and sedimentation control devices shall remain in place until the site has been stabilised and revegetated.

Note: On the spot penalties up to \$8,000 will be issued for any non-compliance with this requirement without any further notification or warning.

47. Work Zones

All loading, unloading and other activities undertaken during construction shall be accommodated on the development site.

Where it is not practical to load, unload or undertake specific activities on the site during construction, the provision of a 'Work Zone' external to the site may be approved by Council following an application being submitted to Council's Traffic Unit outlining the proposal for the work zone. The application is required to be made prior to the commencement of any works and is to include a suitable 'Traffic / Pedestrian Management and Control Plan' for the area of the work zone that will be affected. All costs of approved traffic / pedestrian control measures, including relevant fees, shall be borne by the applicant.

48. Protection of Koalas from Disturbance

Clearing of native vegetation and/or earthworks associated with this consent must be temporarily suspended within a range of 25m from any tree which is concurrently occupied by a koala and must not resume until the koala has moved from the tree of its own volition.

Any clearing of land must not commence until the area proposed for clearing has been inspected for the presence of koalas by a suitably qualified ecologist, and approval given in writing.

Approval to proceed with the clearing of vegetation is only valid for the day on which the inspection has been undertaken.

The ecologist referred to above, or a nominated representative, must remain on site during any approved clearing of vegetation, that has been impacted by a Koala

49. Dust Nuisance

Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual – *'Soils and Construction (2004) (Bluebook)*. Construction areas shall be treated/ regularly watered to the satisfaction of the principal certifying authority.

50. Excess Material

All excess material is to be removed from the site. The spreading of excess material or stockpiling on site will not be permitted without prior written approval from Council.

51. Public Safety

Any works undertaken in a public place are to be maintained in a safe condition at all times. In this regard, the applicant shall ensure that a safe, fully signposted passage, minimum 1.2 metres wide, separated from the works and moving vehicles by suitable barriers and lights, is maintained for pedestrians, including disabled pedestrians, at all times. The applicant shall ensure that traffic control is undertaken and maintained strictly in accordance with AS 1742.3, the requirements set out in the State Roads Authority manual "*Traffic Control at Work Sites*" (as amended), all applicable Traffic Management and/or Traffic Control Plans. The contractor shall also ensure that all *Work Cover Authority* requirements are complied with. Council may at any time and without prior notification make safe any such works that be considered to be unsafe, and recover all reasonable costs incurred from the applicant.

52. Compliance with Relevant Specifications

All design and construction work shall be in accordance with:

- a. Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)*.
- b. Council's *Engineering Design for Development (as amended)*.
- c. Council's relevant Development Control Plan.

- d. *Soils and Construction (2004)(Bluebook).*
- e. *Australian Standard AS 1742 various (Manual for traffic control devices).*
- f. *RMS "Guide to Traffic Control at Work Sites" 1998.*
- g. Relevant Endeavour Energy Specification and Australian Standards.

53. Associated Works

The applicant shall undertake any works external to the development, that are made necessary by the development, including additional road and drainage works or any civil works directed by Council, to make a smooth junction with existing work.

54. Completion of Construction Works

In the event that construction works are not continually ongoing, the applicant shall appropriately screen the construction site from public view with architectural devices and landscaping to Council's written satisfaction.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of an occupation certificate by either Campbelltown City Council or an accredited principal certifying authority. All necessary information to comply with the following conditions of consent must be submitted with the application for an occupation certificate.

Note: Under this subheading, for the purpose of issuing an occupation certificate, any reference to "occupation certificate" shall also be taken to mean "interim occupation certificate".

55. Section 73 Certificate

Prior to the appointed Principal Certifier issuing an occupation certificate, a Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Early application for the certificate is suggested as this can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator.

For help either visit www.sydneywater.com.au > Building and developing > Developing your Land > Water Servicing Coordinator or telephone 13 20 92.

56. Restoration of Public Roads

Prior to the appointed Principal Certifier issuing an occupation certificate, any restoration of the public road pavement required as a result of the development, shall be carried out by the developer to the satisfaction of Council. All costs shall be borne by the developer.

57. Bush Fire Certification

Prior to the appointed Principal Certifier issuing an occupation certificate, a certificate by a person who is recognised by the NSW Rural Fire Service as a qualified consultant in bush fire risk assessment shall be submitted to Council and the appointed Principal Certifier stating that the development conforms to the relevant specifications and requirements as specified in the relevant condition from the NSW Rural Fire Service forming part of this consent.

58. Tree Offset Signoff

Prior to the appointed Principal Certifier issuing an occupation certificate, the landscaping contractor must provide written confirmation and photos that the offsetting measures required by this consent have been satisfied. A copy of the confirmation and photos must be forwarded to Council and clearly detail the application number and associated property address.

59. Access and Mobility Sign-off

Prior to the appointed Principal Certifier issuing an occupation certificate, sign-off from an Access Consultant with a minimum AQF4 qualification shall be provided to the Principal Certifying Authority verifying that the relevant access requirements of the Disability (Access to Premises – Buildings) Standards 2010 (Premises Standards) including any referenced Australian Standards and the National Construction Code (NCC) have been satisfied.

60. Completion of External Works Onsite

Prior to the appointed Principal Certifier issuing an occupation certificate, all external works, repairs and renovations detailed in the schedule of treatment/finishes, landscaping, driveways, fencing and retaining walls to be completed to the satisfaction of the principal certifying authority.

61. Public Utilities

Prior to the appointed Principal Certifier issuing an occupation certificate, any adjustments to public utilities, required as a result of the development, shall be completed to the satisfaction of the relevant authority and at the applicant's expense.

62. Retaining

Prior to the appointed Principal Certifier issuing an occupation certificate, all excavated and filled areas shall be battered to a slope of not greater than 1:2 or similarly be retained in accordance with the approved plan or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 provisions for exempt development. Construction of retaining walls outside the scope of the State Environmental Planning Policy and not shown on the approved plans require lodgement of a separate development application.

63. Council Fees and Charges

Prior to the appointed Principal Certifier issuing an occupation certificate, the applicant shall obtain written confirmation from Council that all applicable Council fees and charges associated with the development have been paid in full. Written confirmation will be provided to the applicant following Council's final inspection and satisfactory clearance of the public area adjacent the site.

ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, other relevant Council Policy/s and other relevant requirements. This information does not form part of the conditions of development consent pursuant to Section 4.17 of the Act.

Advice 1. Environmental Planning and Assessment Act 1979 Requirements

The Environmental Planning and Assessment Act 1979 requires you to:

- a. Obtain a construction certificate prior to the commencement of any works. Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 4645 4000.
- b. Nominate an appointed Principal Certifier and notify Council of that appointment prior to the

commencement of any works.

- c. Give Council at least two days notice prior to the commencement of any works.
- d. Have mandatory inspections of nominated stages of the construction inspected.
- e. Obtain an occupation certificate before occupying any building or commencing the use of the land.

Advice 2. Tree Preservation Order

To ensure the maintenance and protection of the existing natural environment, you are not permitted to ringbark, cut down, top, lop, remove, wilfully injure or destroy a tree outside three metres of the building envelope unless you have obtained prior written consent from Council. Fines may be imposed if you choose to contravene Council's Tree Preservation Order.

A tree is defined as a perennial plant with self supporting stems that are more than three metres or has a trunk diameter more than 150mm measured one metre above ground level, and excludes any tree declared under the Noxious Weeds Act (NSW).

Advice 3. Provision of Equitable Access

Nothing in this consent is to be taken to imply that the development meets the requirements of the *Disability Discrimination Act 1992* (DDA1992) or *Disability (Access to Premises – Buildings) Standards 2010* (Premises Standards).

Where a Construction Certificate is required for the approved works, due regard is to be given to the requirements of the *Building Code of Australia* (BCA) & the Premises Standards. In this regard it is the sole responsibility of the certifier, building developer and building manager to ensure compliance with the Premises Standards.

Where no building works are proposed and a Construction Certificate is not required, it is the sole responsibility of the applicant and building owner to ensure compliance with the DDA1992.

Advice 4. Covenants

The land upon which the subject building is to be constructed may be affected by restrictive covenants. Council issues this approval without enquiry as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this permit. Persons to whom this permit is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.

Advice 5. Asbestos Warning

Should asbestos or asbestos products be encountered during construction or demolition works you are advised to seek advice and information prior to disturbing the material. It is recommended that a contractor holding an asbestos-handling permit (issued by Work Cover NSW), be engaged to manage the proper disposal and handling of the material. Further information regarding the safe handling and removal of asbestos can be found at:

www.environment.nsw.gov.au
www.nsw.gov.au/fibro
www.adfa.org.au
www.workcover.nsw.gov.au

Alternatively, call Work Cover Asbestos and Demolition Team on 8260 5885.

Advice 6. Smoke Free Environment Act

Nothing in this consent is to be taken to imply that the development meets the requirements of the *Smoke Free Environment Act 2000* (SFEA2000) or the *Smoke Free Environment Regulations 2007* (SFER2007). In the event that the occupier wishes to facilitate smoking within any enclosed public place of the premises (in accordance with clause 6 of the SFER2007), the occupier must first contact NSW Department of Health to ensure that the design and construction of the area proposed to facilitate smoking fully complies with the requirements of the SFEA2000 and the SFER2007.

Advice 7. Dial before you Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before you dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

Advice 8. Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any persons interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution.

Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.



Figure 1: Subject Site in a broader context showing the surrounding land uses

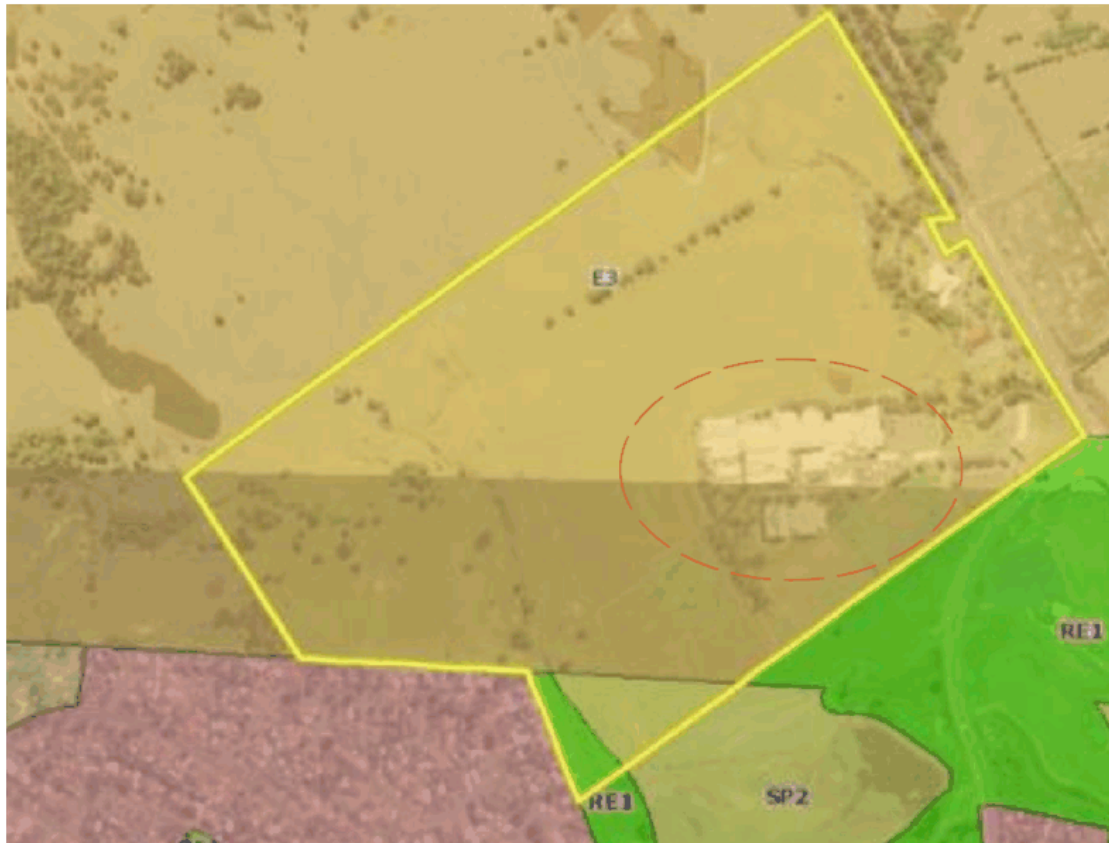


Figure 2: Zoning context, showing the separation between the school and the RE1 and SP2 zoning.

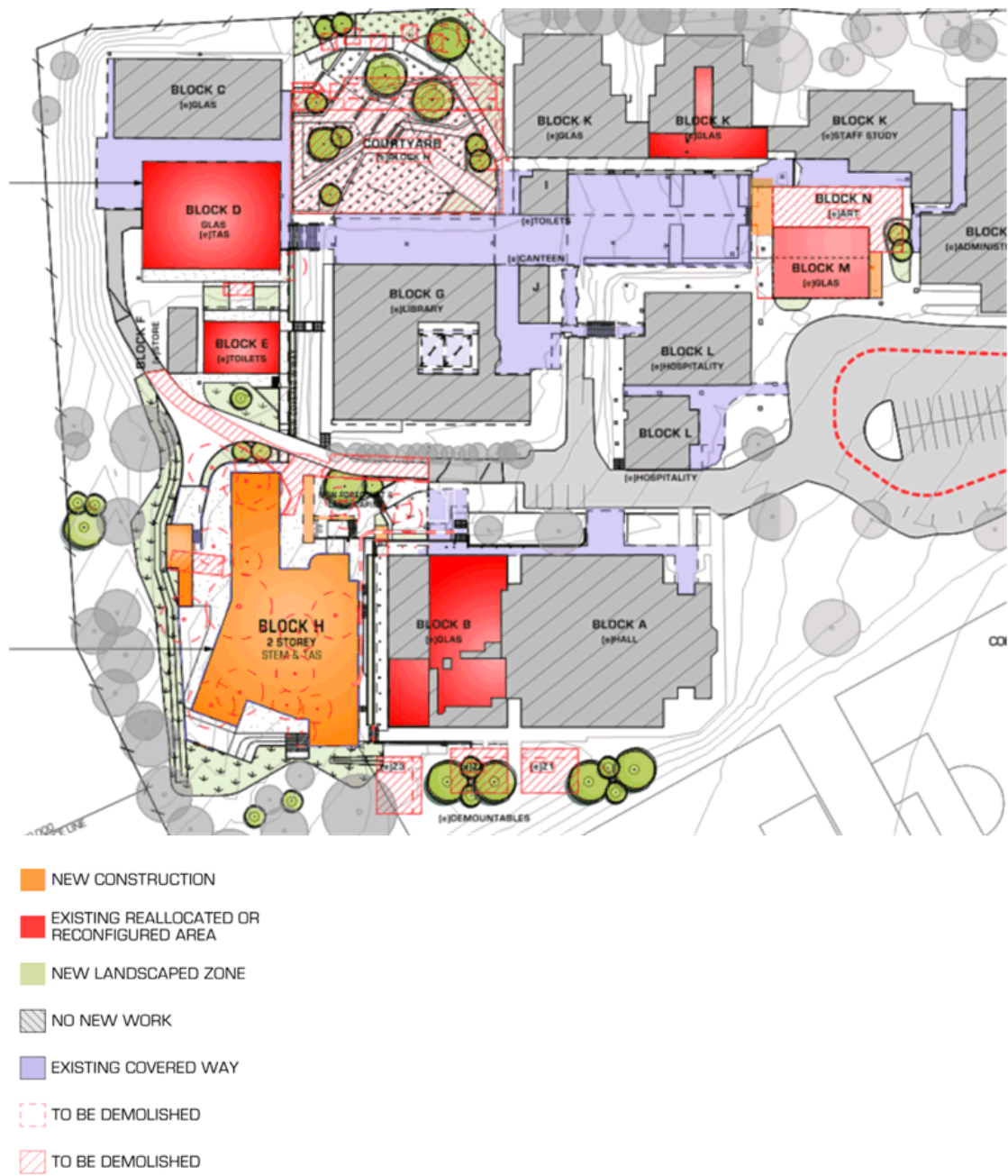
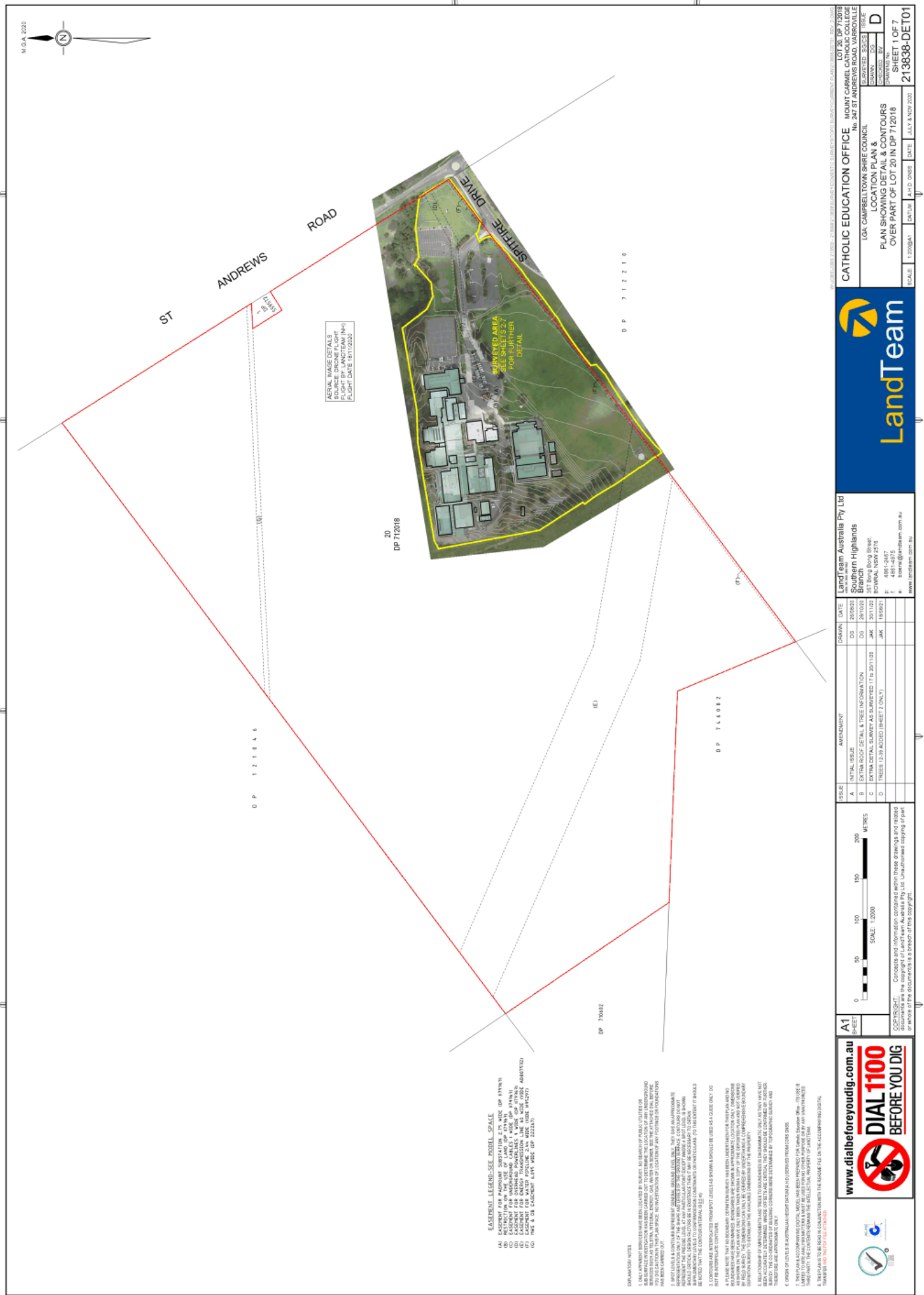


Figure 2



AERIAL IMAGE DETAILS
SOURCE: AIRPHOTOGRAPHY
FLIGHT DATE: 18/11/2020

20
DP 712018

3D RENDERED AREA
SEE SHEET S.2.7
POUGHAMEN
DETAIL

ST ANDREWS ROAD

SPTFIRE DRIVE

DP 712210

DP 730482

- EASTWENT LEGEND-SEE MODEL SCALE
- AA) EASEMENT FOR PARKING SUBSTATION 2.7M WIDE (DP 67767)
 - AB) RESTRICTION ON THE USE OF LAND (DP 67767)
 - AC) EASEMENT FOR OVERHEAD POWERLINES 1.5M WIDE (DP 67767)
 - AD) EASEMENT FOR OVERHEAD POWERLINES 1.5M WIDE (DP 67767)
 - AE) EASEMENT FOR WATER PIPING 2.5M WIDE (DP 222337)
 - AF) TRIP & FALL EASEMENT 6.0M WIDE (DP 222337)

- DISCLAIMER NOTES
1. ONLY APPROVED SERVICES HAVE BEEN LOCATED BY SURVEY. NO RECORD OF PUBLIC UTILITIES OR SERVICES SUCH AS TELEPHONE, WATER, ENERGY GAS OR OTHER SERVICES HAS BEEN IDENTIFIED. ANY SUCH SERVICES WILL BE IDENTIFIED BY THE APPLICANT AND THE APPLICANT WILL BE RESPONSIBLE FOR OBTAINING ANY NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.
 2. THE PLAN IS A COMPUTER GENERATED 3D MODEL. THE MODEL IS AN APPROXIMATION OF THE PROPOSED DEVELOPMENT AND DOES NOT REPRESENT THE EXACT AS-BUILT DEVELOPMENT. THE MODEL IS NOT TO BE USED FOR CONSTRUCTION OR AS A BASIS FOR ANY OTHER PURPOSES.
 3. THE MODEL IS NOT TO BE USED FOR CONSTRUCTION OR AS A BASIS FOR ANY OTHER PURPOSES.
 4. PLEASE NOTE THAT NO BOUNDARY DEFINITION SURVEY HAS BEEN UNDERTAKEN FOR THIS PLAN AND THE BOUNDARIES SHOWN ARE ONLY APPROXIMATE. THE APPLICANT WILL BE RESPONSIBLE FOR OBTAINING ANY NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.
 5. THE APPLICANT HAS BEEN ADVISED THAT THE PROPOSED DEVELOPMENT IS SUBJECT TO A VARIATION OF THE LOCAL GOVERNMENT ACT 1993 AND THE APPLICANT WILL BE RESPONSIBLE FOR OBTAINING ANY NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.
 6. THE APPLICANT HAS BEEN ADVISED THAT THE PROPOSED DEVELOPMENT IS SUBJECT TO A VARIATION OF THE LOCAL GOVERNMENT ACT 1993 AND THE APPLICANT WILL BE RESPONSIBLE FOR OBTAINING ANY NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.
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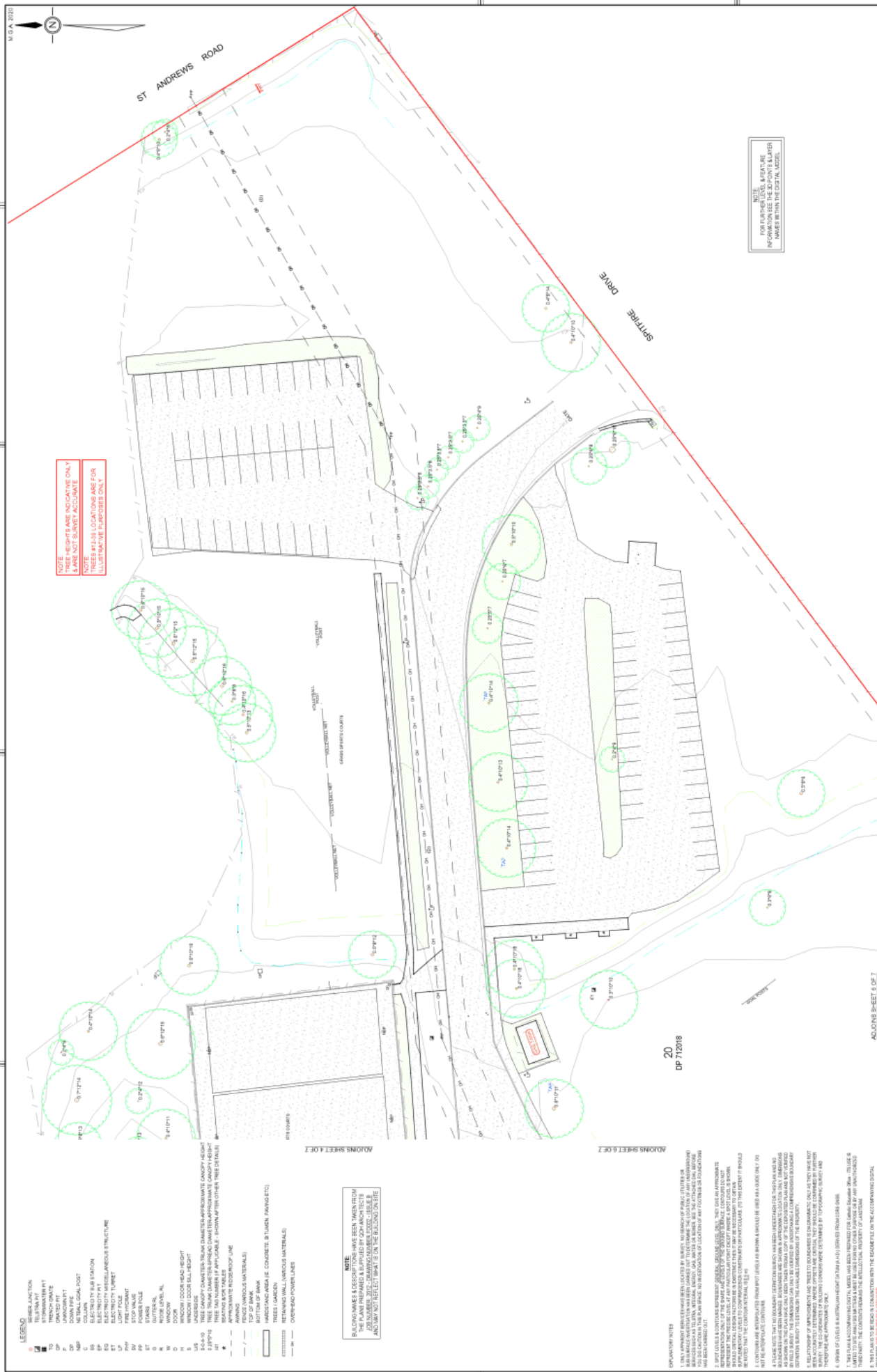
SCALE	1:2000	CADIAN	A1-D 2000	DATE	JULY 8 NOV 2020
SHEET	1 OF 7				
CATHOLIC EDUCATION OFFICE - MARY'S CORNER No. 247 ST ANDREWS ROAD, MARCOOLLE LOA CAMPBELLTOWN SHIRE COUNCIL LOCATION PLAN & CONTOURS OVER PART OF LOT 20 IN DP 712018					
DRAWN	DS	CHECKED	BY	DATE	
DATE					
213838-DE101					

LandTeam Australia Pty Ltd
 Southern Highlands Branch
 107 Bong Bong Street,
 Bong Bong NSW 2574
 P 4881-5467
 E sales@landteam.com.au
 www.landteam.com.au

SCALE	AMENDMENT	DRAWN	DATE
A	INITIAL ISSUE	DS	26/06/20
B	EXTRA ROOF DETAIL & TREE INFORMATION	DS	28/10/20
C	EXTRA DETAIL SURVEY AS SURVEYED 17th 20/11/20	JAK	30/11/20
D	TREES TO BE REMOVED (SHEET 2 ONLY)	JAK	19/09/21

www.dialbeforeyoudig.com.au

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NOTE
 FOR FINISHED LEVEL INFORMATION SEE THE 3D POINTS ALREADY PROVIDED WITHIN THE DIGITAL MODEL.

NOTE
 THESE HEIGHTS ARE INDICATIVE ONLY & ARE NOT SURVEY ACCURATE.
NOTE
 THESE ASIL BLOCKS ARE FOR ILLUSTRATIVE PURPOSES ONLY.

CATHOLIC EDUCATION OFFICE
 MOUNT CARMEL CATHOLIC COLLEGE
 No. 287 ST ANDREW'S ROAD, WARRAVILLE
 LOCAL CAMPBELLTOWN SHIRE COUNCIL
 PLAN SHOWING DETAIL & CONTOURS OVER
 PART OF LOT 20 DP 712018
 SCALE 1:200B/A
 DATE JULY 2020
 DRAWING NO. 213838-DE/01
 SHEET 5 OF 7



LandTeam Australia Pty Ltd
 Southern Highlands
 111 High Street
 BOVALA, NSW 2578
 4881 1487
 8 800822008.com.au
 www.10318.com.au

REVISION	DATE	ISSUE
1	26/11/2020	INITIAL ISSUE
2	28/11/2020	EXTERNAL ROOF DETAIL & TREE INFORMATION
3	18/12/2020	EXTERNAL DETAIL CORRECTION AS IDENTIFIED BY TP/20118
4	18/12/2020	TREES TO BE ACCIDED (SHEET 2 ONLY)

ADJOINING SHEETS & DP 1

SHEET	AMENDMENT	ISSUE	DATE
A1		INITIAL ISSUE	26/11/2020

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DIAL 1100 BEFORE YOU DIG

EXPLANATORY NOTES

1. ALL APPROPRIATE SERVICES SHOULD BE LOCATED BY SURVEY OR RECONSTRUCTION OF ADJACENT SERVICES TO THE ADJACENT PROPERTY.
2. THE PLAN CANNOT BE USED AS A BASIS FOR ANY CLAIMS AGAINST THE SURVEYOR OR HIS/HER OFFICE OR FOR ANY OTHER PURPOSES.
3. THE PLAN CANNOT BE USED AS A BASIS FOR ANY CLAIMS AGAINST THE SURVEYOR OR HIS/HER OFFICE OR FOR ANY OTHER PURPOSES.
4. THE PLAN CANNOT BE USED AS A BASIS FOR ANY CLAIMS AGAINST THE SURVEYOR OR HIS/HER OFFICE OR FOR ANY OTHER PURPOSES.
5. THE PLAN CANNOT BE USED AS A BASIS FOR ANY CLAIMS AGAINST THE SURVEYOR OR HIS/HER OFFICE OR FOR ANY OTHER PURPOSES.

LEGEND

- SEWER JUNCTION
- TELEPHONE
- △ TRINCH (ON-AISLE)
- GRATED PIT
- ◆ DOWN PIPE
- ◇ COLLAR
- COLLECTOR
- ELECTRICITY SUB STATION
- ELECTRICITY TURNOUT
- FIRE HYDRANT
- POWER POLE
- STAIRS
- ROOF LEVEL
- WINDOW
- WINDOW DOOR HEAD HEIGHT
- WINDOW DOOR HEAD HEIGHT
- UNDERGROUND
- ABOVE GROUND
- AWNING
- TOP OF BANK
- BOTTOM OF BANK
- HARDSTANDING CONCRETE (BUSTY FININGS ETC)
- REINFORCED CONCRETE
- REINFORCED WALL (CONCRETE MATERIALS)
- OVERHEAD POWER LINES

NOTE

BUILDING NAME & ADDRESS HAVE BEEN TAKEN FROM THE PLANS PREPARED & SUPPLIED BY CONVEYANCERS FOR MORTGAGING PURPOSES ONLY. THESE ARE APPROXIMATE AND NOT TO BE RELIED UPON FOR ANY OTHER PURPOSE.

NOTE

FOR FURTHER LEVEL & FINISH INFORMATION, REFER TO THE SURVEY DRAWING SHEET WHICH MAKES REFERENCE TO THIS DRAWING.

NOTE

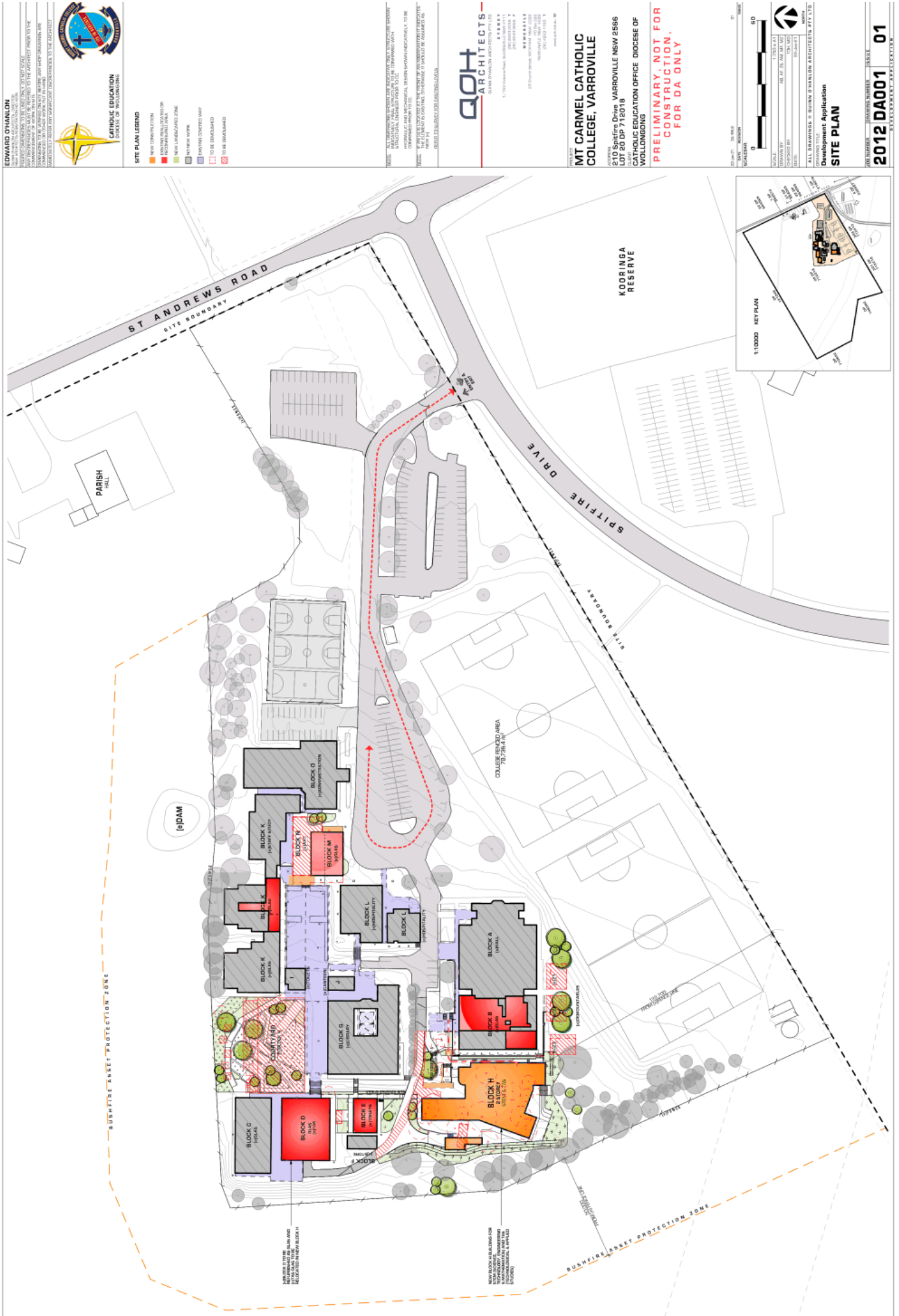
THESE #1-3-0 LOCATIONS ARE FOR ILLUSTRATION PURPOSES ONLY.

EXPLANATORY NOTES

1. ALL APPROVED SERVICES ARE LOCATED BY REFERENCE TO NEAREST OF FORMAL STREET OR ROAD. THE POSITION OF THE SERVICES AT THE POINT OF ENTRY TO THE PROPERTY ARE SHOWN BY DASHED LINES. THE POSITION OF THE SERVICES AT THE POINT OF ENTRY TO THE PROPERTY ARE SHOWN BY DASHED LINES. THE POSITION OF THE SERVICES AT THE POINT OF ENTRY TO THE PROPERTY ARE SHOWN BY DASHED LINES.

NOTE

THESE #1-3-0 LOCATIONS ARE FOR ILLUSTRATION PURPOSES ONLY.





NSW RURAL FIRE SERVICE

Campbelltown City Council
PO Box 57
CAMPBELLTOWN NSW 2560

Your reference: 443/2021/DA-C (CNR-18658)
Our reference: DA20210317001041-Original-1

ATTENTION: Campbelltown Council

Date: Tuesday 27 April 2021

Dear Sir/Madam,

Integrated Development Application

s100B – SFPP – School

247 St Andrews Road Varrowville NSW 2566, 20//DP712018, 1//DP121046, 1//DP121046

I refer to your correspondence dated 16/03/2021 seeking general terms of approval for the above Integrated Development Application.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted. General Terms of Approval, under Division 4.8 of the *Environmental Planning and Assessment Act 1979*, and a Bush Fire Safety Authority, under section 100B of the *Rural Fires Act 1997*, are now issued subject to the following conditions:

Asset Protection Zones

Intent of measures: to provide suitable building design, construction and sufficient space to ensure that radiant heat levels do not exceed critical limits for firefighters and other emergency services personnel undertaking operations, including supporting or evacuating occupants.

1. At the issue of a subdivision certificate, and in perpetuity to ensure ongoing protection from the impact of bush fires, the entire grounds of the Mt Carmel Catholic College, Varoiville must be managed as an inner protection area (IPA) in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*. When establishing and maintaining an IPA the following requirements apply:

- tree canopy cover should be less than 15% at maturity;
- trees at maturity should not touch or overhang the building;
- lower limbs should be removed up to a height of 2m above the ground;
- tree canopies should be separated by 2 to 5m;
- preference should be given to smooth barked and evergreen trees;
- large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire towards buildings;
- shrubs should not be located under trees;
- shrubs should not form more than 10% ground cover; and
- clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation.

1

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au

- grass should be kept mown (as a guide grass should be kept to no more than 100mm in height); and
- leaves and vegetation debris should be removed.

2. The area identified as 'Bushfire Asset Protection Zone' in the document Site Plan -Mt Carmel Catholic College, Varoiville, prepared by Quinn O'Hanlon Architects, Job No: 2012 Dwg No: DA001 Issue: 01, dated 22 January 2021, must be subject to a Plan of Management created to the satisfaction of Campbelltown Council which will ensure management in perpetuity consistent as an inner protection area as described in Condition 1.

Water and Utility Services

Intent of measures: 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.

3. 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*:

- A 20,000 litre static water supply tank must be provided on site;
- Above ground tanks are constructed from metal or concrete;
- Underground tanks are clearly marked and have an access hole of 200mm to allow for the draughting of water; or
- If above ground, the tank is fitted with a 65mm Storz outlet with a gate or ball valve; and
- All external fittings and pipes are metal rather than plastic; and
- A hardened ground surface (minimum width of 4 metres and minimum vertical clearance of 4 metres) is provided to within 4 metres of the tank.

Emergency and Evacuation Planning Assessment

Intent of measures: to provide suitable emergency and evacuation arrangements for occupants of SFPP developments.

4. A Bush Fire Emergency Management and Evacuation Plan must be prepared and be consistent with the NSW RFS document: *A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan*. The Bush Fire Emergency Management and Evacuation Plan should include planning for the early relocation of occupants.

Note: 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.

For any queries regarding this correspondence, please contact Joshua Calandra on 1300 NSW RFS.

Yours sincerely,

Kalpana Varghese

**Team Leader, Dev. Assessment & Planning
Planning and Environment Services**



NSW RURAL FIRE SERVICE

BUSH FIRE SAFETY AUTHORITY

SFPP – School

247 St Andrews Road Varroville NSW 2566, 20//DP712018, 1//DP121046, 1//DP121046

RFS Reference: DA20210317001041-Original-1

Your Reference: 443/2021/DA-C (CNR-18658)

This Bush Fire Safety Authority is issued on behalf of the Commissioner of the NSW Rural Fire Service under s100b of the Rural Fires Act (1997) subject to the attached General Terms of Approval.

This authority confirms that, subject to the General Terms of Approval being met, the proposed development will meet the NSW Rural Fire Service requirements for Bush Fire Safety under *s100b of the Rural Fires Act 1997*.

Kalpana Varghese

Team Leader, Dev. Assessment & Planning
Planning and Environment Services

Tuesday 27 April 2021



Appendix H
Justification for Variation to Height
Lot 20 DP 712018
Mount Carmel Catholic College, Varroville
Planning Plus Project 20143– February 2021

town planning

| *environment*

| *urban design*

| *project management*

Variation to Height

Justification

Construction of Proposed Block H

Lot 20 DP 712018
Mount Carmel Catholic School Varroville

PREPARED FOR

Catholic Education Diocese of Wollongong

PREPARED BY

Planning Plus (NSW) Pty Ltd (Planning Plus)

Office: 7 Rosemont Street, West Wollongong NSW 2500
PO Box 113 Keiraville NSW 2500
Telephone: 043435 0913
E-mail: info@planningplus.com.au

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Document Tracking

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1	Draft Report	Anne Trezise		Dec 2020		WT	
2	Client Issue	Anne Trezise		Dec 2020		WT	
3	Council Issue	Anne Trezise		Feb 2021		WT	
4	Council Request	Anne Trezise		Oct 2021			

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FIGURE 1.3	Cross-section and height plane
FIGURE 1.3.	Location of proposed Block H in context of nearest buildings
FIGURE1. 4	Location of Site within Scenic Hills
FIGURE 1.5	Line of Hill

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1.0 INTRODUCTION

1.1 General

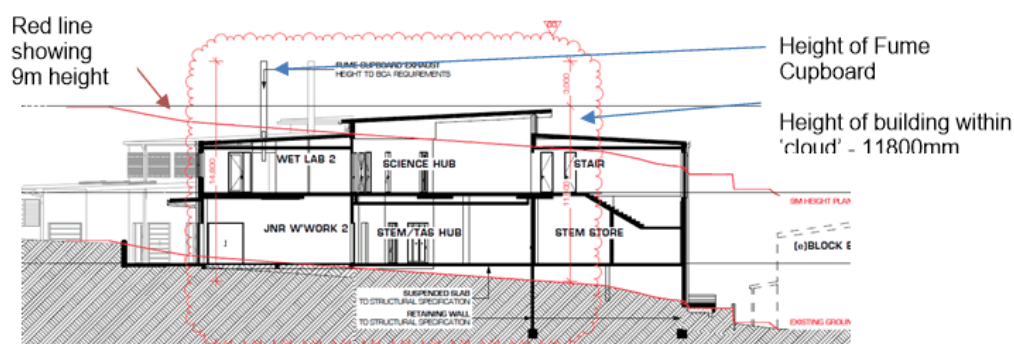
The site has a height restriction of 9m applying under Clause 4.3 of the Campbelltown Local Environmental Plan 2015.

The development has a proposed height which exceeds this limit. The cross-section shown in Figure 1.1 shows the height of the proposed building and the 9m height limit is shown as a red line. The proposed height is 11800 and shown in the 'red cloud' outlined below.

Also shown within this red cloud is the fume cupboard exhaust which is a further 3m taller than the height of the building. The definition of building height (or height of building) includes certain elements of a building *but excludes communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like*.

This fume cupboard is considered to fall within those elements of a structure which would be excluded from a building's height but the advice is provided for Council's information.

Figure 1.1 Cross-Section showing 9m height limit



Source: QOH Architects

A request for a variation to a development standard must address Clause 4.6 in the Campbelltown Local Environmental Plan (LEP).

1.2 Clause 4.6

Clause 4.6 of the LEP provides for exceptions to development standards so that a better outcome can be achieved by allowing flexibility in particular circumstances.

The standard for height can be varied if it is demonstrated:

- (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
- (b) *that there are sufficient environmental planning grounds to justify contravening the development standard*

and the consent authority is satisfied that:

- (c) *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the*

VARIATION TO HEIGHT

objectives for development within the zone in which the development is proposed to be carried out,

Compliance with the development standard is unreasonable or unnecessary in the circumstances of the case,

To determine whether compliance with the development standard is reasonable, the objectives of the standard are considered.

Clause 4.3 of the LEP identifies the objectives of the height limit and these are to:

- (a) to nominate a range of building heights that will provide a transition in built form and land use intensity across all zones,*
- (b) to ensure that the heights of buildings reflect the intended scale of development appropriate to the locality and the proximity to business centres and transport facilities,*
- (c) to provide for built form that is compatible with the hierarchy and role of centres,*
- (d) to assist in the minimisation of opportunities for undesirable visual impact, disruption to views, loss of privacy and loss of solar access to existing and future development and to the public domain.*

The following addresses each of the objectives as follows:

Objective (a) - to nominate a range of building heights that will provide a transition in built form and land use intensity across all zones.

The LEP maps have nominated the various heights applicable in the different areas of the city and in gazetting the LEP maps for height this objective has been achieved.

The commercial centre allows for taller buildings and higher density development which physically and metaphorically represents the centre of town. Radiating out from these centres, are lower intensity uses, and these are reflected in the height of these buildings which are limited by the relevant mapping.

In this objective, the issue of *land use intensity* is one element which informs the permissible height. A school, particularly a high school, is a relatively high intensity use, particularly in comparison with medium and low density residential which often surrounds school sites. Therefore, it is suggested that the intensity of the site is already at a higher level than the closest development in the area and a taller building is reflective of the function of the site. However, it is also noted that whilst the school is a higher density form of development than the closest to the site, the actual construction of Block H will not increase the intensity of use of the site as the school is currently a 7 stream school and remains a 7 stream school.

Objective (b) - to ensure that the heights of buildings reflect the intended scale of development appropriate to the locality and the proximity to business centres and transport facilities.

One intent of this objective is to locate higher density activities in areas where they will be serviced by public transport, the implication being that taller buildings will generate a higher density of development and consequently there is a demand for greater transport services.

VARIATION TO HEIGHT

In this instance, buses pick up students on identified routes and deliver them to school and this accounts for the majority of students 'getting to school'. Consequently, the increased height and implied increased density does not create additional transport needs. It is also reiterated that the construction of Block H does not result in an increased intensity of use of the site as it will remain a 7 stream school.

Educational establishments are permitted in the zone with development consent and have a certain 'scale' of development associated with what might be normally associated with school buildings.

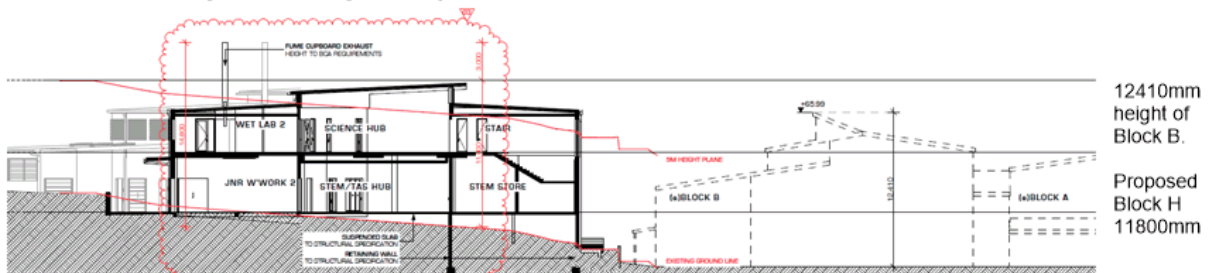
The State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 has numerical limits for complying development and these allow buildings to have a height of 4 storeys or 22m. This numerical limit points to the expectation of the size of buildings anticipated on school grounds that can be considered under complying development - obviously this building is significantly below this height limit. Nevertheless, this height limit is an indicator of what might be expected on an 'ordinary' school site.

As the building is part of an existing school complex, and the school complex is effectively located as a discrete entity within a larger site, it is considered unlikely that the proposal will impact on nearby development or provide a precedent for other forms of development in the immediate vicinity.

Figure 1.2 shows a cross -section of proposed Block H and also shows the cross-section of the existing Block B. It is evident when viewing this cross-section that at its apex, Block B has a height of 12410mm. Arising from this it is evident that the height of the proposed development is reflective of the adjacent building.

The cross-sections show a clearer picture of the actual height of the building and how it 'sits' on the land. The cross-sections also show the existing slope of the land and from which the 9m height plane is derived.

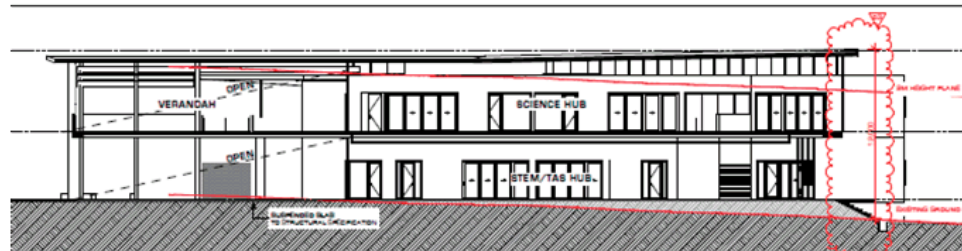
Figure 1.2 Height comparison between Block H and B



Source: QOH Architects

Figure 1.3 shows Section A of proposed Building H and this shows the 9m height plane shown in red and the 'red cloud' shows that the exceedance, at its' highest point, is 11.950m. Consideration was given to step the building across the slope however this is not considered sustainable given the need to keep each floor at the same RL in order to maximise the use of the floor plate and to reduce the impact of accessibility requirements on each floor.

Figure 1.3 Cross-section and height plane



Source: QOH Architects- Section A

The elevations show that the building has a height of 12.525m however this does not account for the change to the slope of the land that arises through the process of construction. Consequently the elevations show the height of the building based on a finished ground level and after construction rather than the requirement to assess height from an existing ground level.

Objective (c)- to provide for built form that is compatible with the hierarchy and role of centres.

The hierarchy and role of centres is reasonably anticipated to be located around commercial precincts and further differentiation can also be created within and between commercial areas through differing heights with the apex of the tallest buildings located in the central core and then the height of buildings scaling down from the central core.

The taller buildings also act as a visual marker for people heading towards these commercial enterprises so that the commercial centre can be more easily identified.

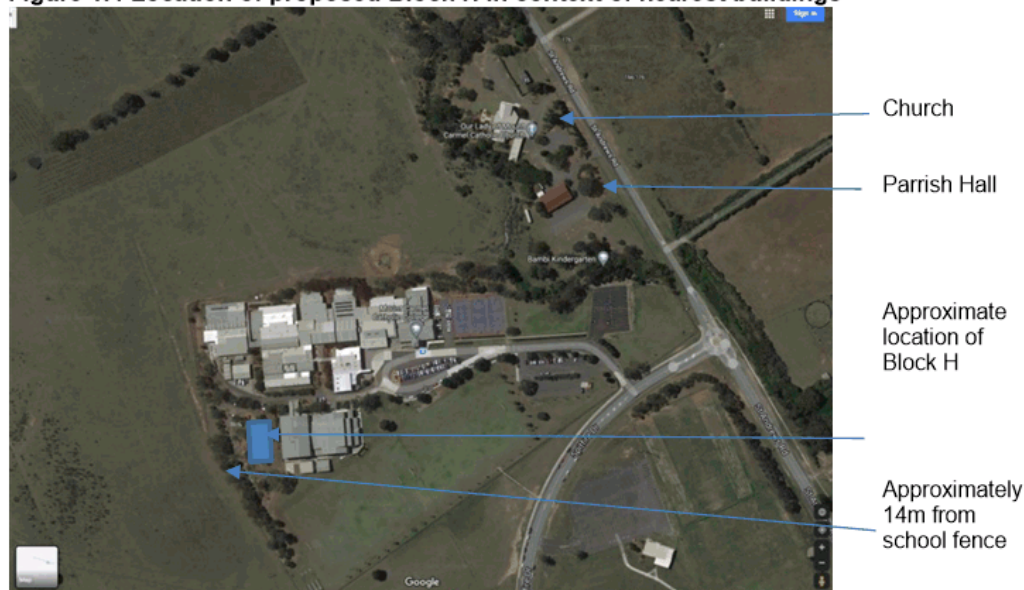
It is also a reasonable contention that a school operates as a 'centre' within a community as it is a meeting place where social and intellectual development occurs. It is a place where friendships are formed, ideas discussed and argued and platforms for future careers are created. It is conceivably one of the most significant 'centres' for the majority of children in Australia ranging in age from 5 to 16/18.

When the importance of school is viewed this way, it is a reasonable proposition that a portion of the site has a building which exceeds the permitted height limit.

Objective (d) - to assist in the minimisation of opportunities for undesirable visual impact, disruption to views, loss of privacy and loss of solar access to existing and future development and to the public domain.

The school is located within a property which has an area of 44.6 ha of land zoned E3. The only other building on the site is the Carmel Catholic Church and the Parrish Hall and this is approximately 318 m from proposed Block H. On this basis, it is considered that there is no impact on solar access to either of these buildings. Furthermore, the existing school buildings are located between the proposed construction and the Church. This is shown in Figure 1.4 and it is evident there is no capacity to impact on their solar access.

Figure 1.4 Location of proposed Block H in context of nearest buildings



Source: Google Maps

It is also evident from this figure that there is no loss of privacy arising from the construction of proposed Block H.

The setback from the school fence line is approximately 14m which means that there is no reasonable expectation that there would be any loss of privacy or solar access to any development that might occur beyond the fence line. Furthermore, given the use of the building is for a school, periods of use are generally limited to school hours and consequently any impacts on privacy would be for a limited duration.

The issue of an undesirable visual impact or disruption to views needs to be considered in the context that the proposed construction is within an existing school complex and arising from this there is an established 'presence' on the site.

It is also acknowledged that construction is proposed within an area identified as Scenic Hills. Figure 1.4 is an extract from the Scenic Hills Study. The school is located on the eastern periphery of the study area and the proposed building is located toward the south eastern edge of the study area.

VARIATION TO HEIGHT

Figure 1.4 Location of Site within Scenic Hills



Source: Campbelltown Council Scenic Hills Study – Figure 4.1.6

As stated in the Statement of Environmental Effects, the study identifies the compact nature of the site and accordingly it minimises the impact on the wider landscape.

The existing school is cited at the eastern end of Saint Andrews Road near the suburban area and sits prominently in an open paddock. Although it has little landscaping to help it blend into views, its position at the lowest point of the Landscape Unit and relatively compact scale within its setting help it minimise its impact on the wider landscape. The other institutional uses in the Landscape Unit are also compact in their footprints and are designed and sited unobtrusively with predominantly dark material that have allowed the building to blend into the landscape in distant views. Pg 116

The colours of materials of the proposed development are described in the submitted plans and these have been selected to be respectful of the requirement to be predominantly dark materials. This colour scheme allows the building to 'sit' within the landscape and its overall recessive colours ensure that it does not dominate the landscape.

1.3 Variation Justified

The standard is considered to be unreasonable and unnecessary in the circumstances of the case in that the development is proposed within the *existing* grounds of the Mount Carmel Catholic College. This means that the site already acts as a focal point for the community. This focal point exists in the context of the landmark the College provides for the

area, as well as the social connection and centre it provides for many people in the community.

Block H will be used for technical and applied sciences which means that the floor to ceiling heights proposed are required to enable the easy manoeuvring and lifting of timber and machinery within the building and in transporting it to the building

The construction of Block H, whilst exceeding the height limit, is not out of character with existing development on site in that there are already buildings which are two storey constructed on site.

Figure 1.5 shows the 'line' of the Scenic Hills in the background and it is also evident from this photo that the proposed building will not intrude above the line of this hill. The small buildings in the foreground are demountable buildings proposed to be demolished with Block A and B behind these demountables.

Figure 1.5 Line of Hill



Source: QOH Architects

This photo also demonstrate that there is no capacity for loss of privacy or solar impact on neighbours as a result of the proposal.

The design has also had regard to issues of accessibility so that all people are able to move between the subject buildings and the carparking area and that this movement can occur independently and equitably. This parameter has informed the floor heights of the proposed development. In addition, the regular requirement to deliver large and bulky materials to Block H requires that vehicular access is available to the building. These materials will be used for wood working and other similar activities. The size of these materials is reflected in the floor to ceiling height shown on the submitted plans.

Consideration was given to excavation of the site to lower the height of the proposed building however to achieve the appropriate drainage lines so that the building is not impacted by inundation, the current floor levels must be retained.

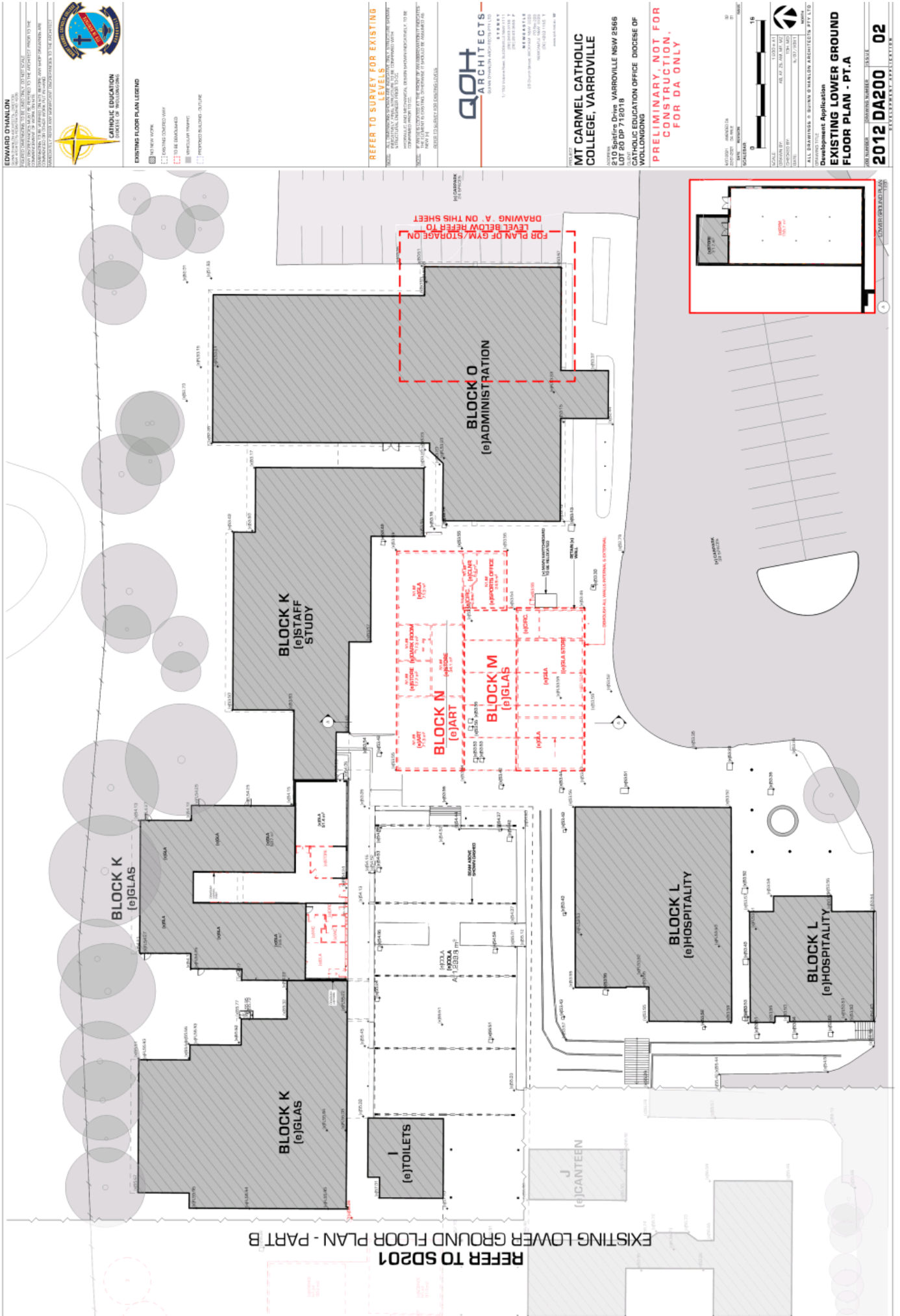
Mount Carmel Catholic School does provide a landmark for the area because of its function however in exceeding the height limit it has no immediate neighbours which are adversely impacted. It is considered that the quality of the views to the Scenic Hills is not adversely impacted because the school is a discrete entity and is located on the eastern periphery of the study area. It is also considered the approval of this

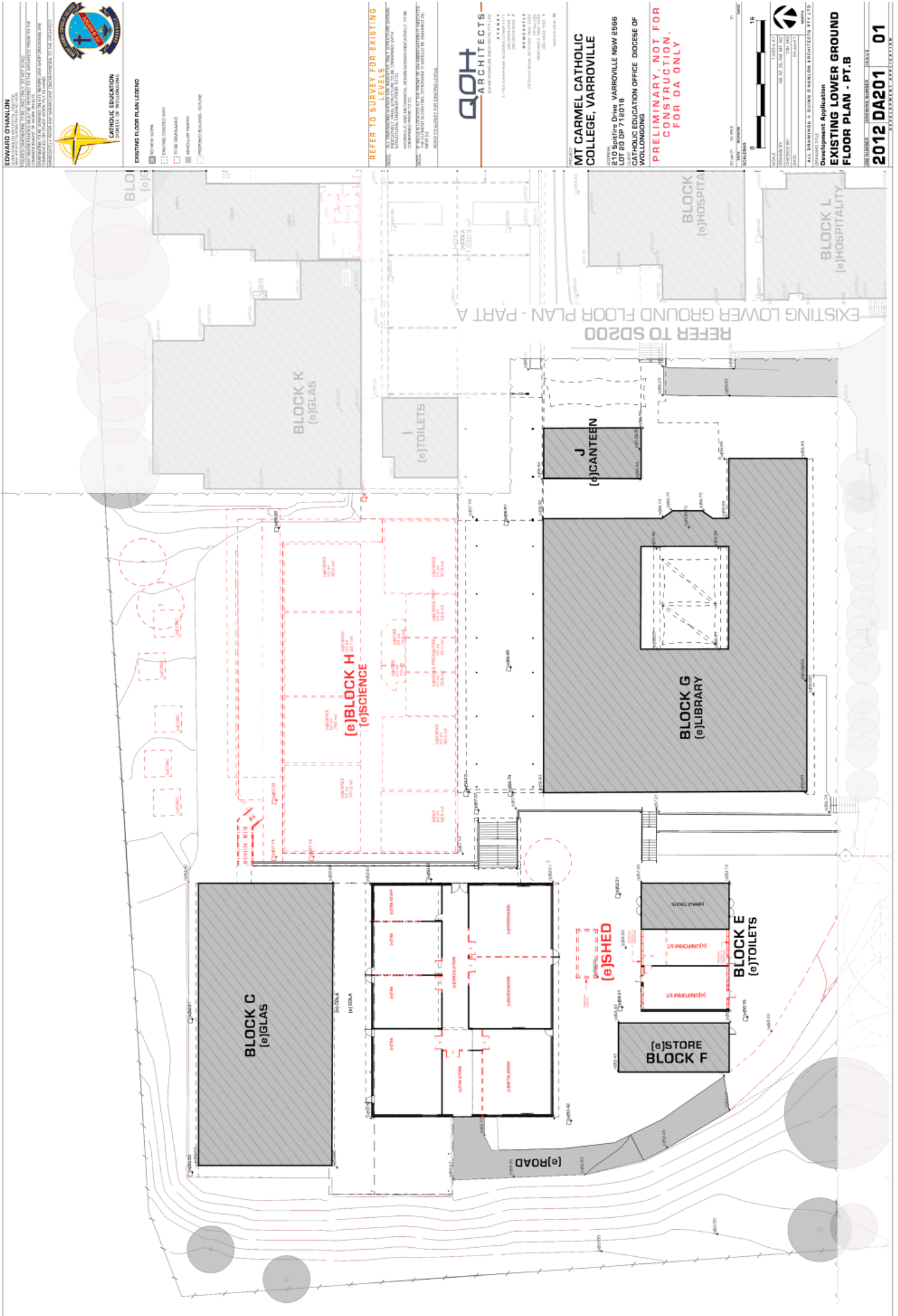


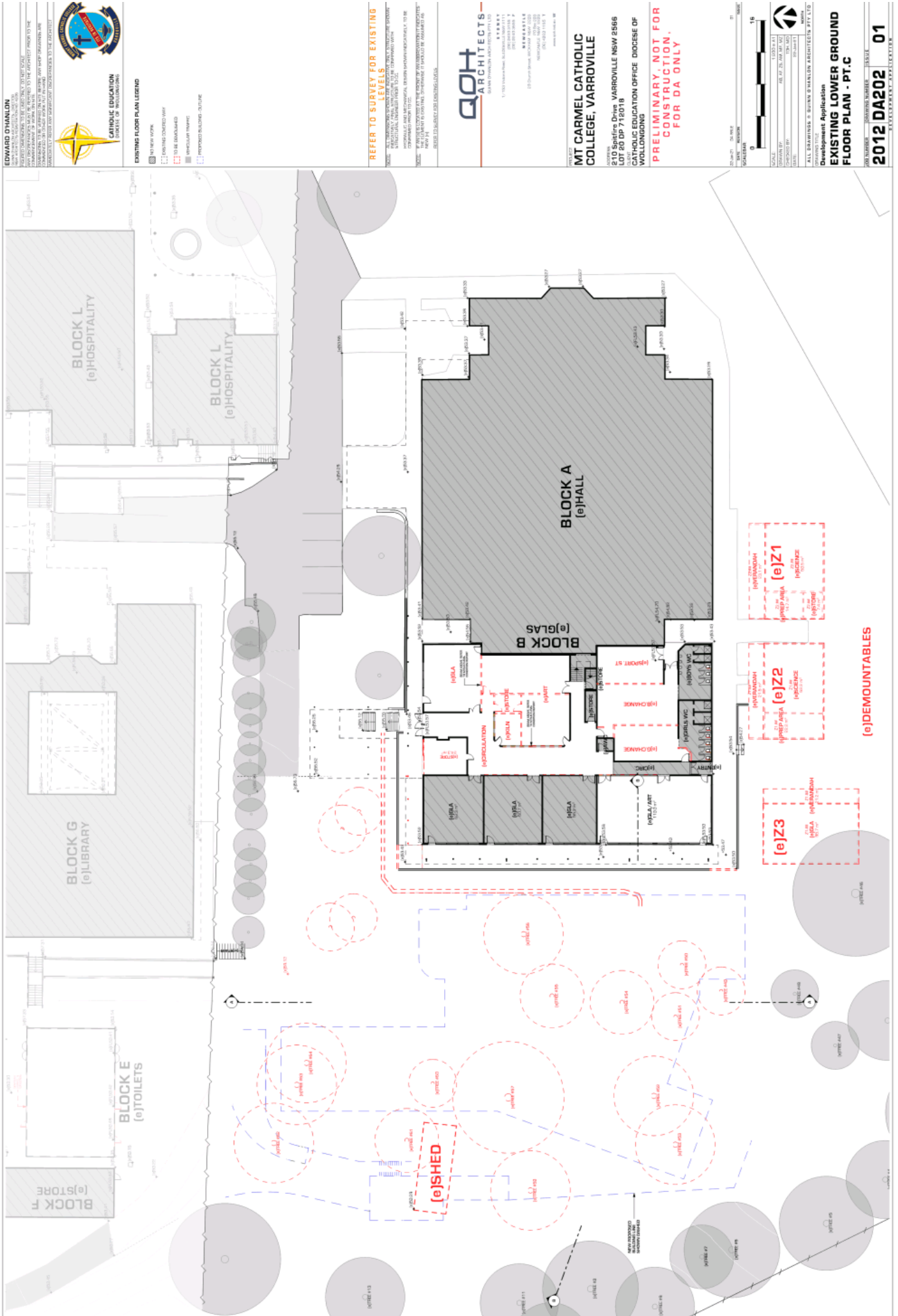
VARIATION TO HEIGHT

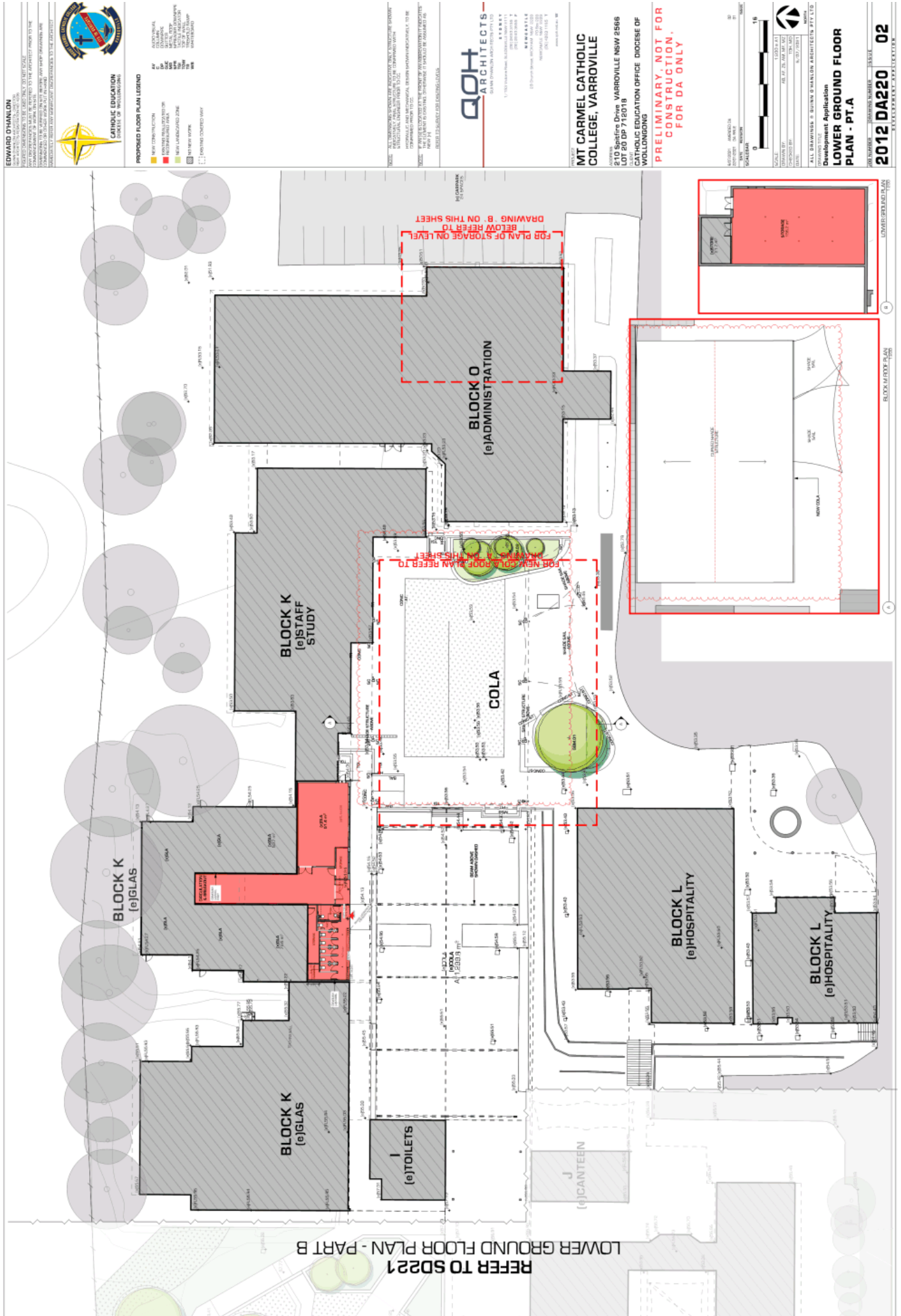
building does not invite further opportunity for a variation on the similar grounds.

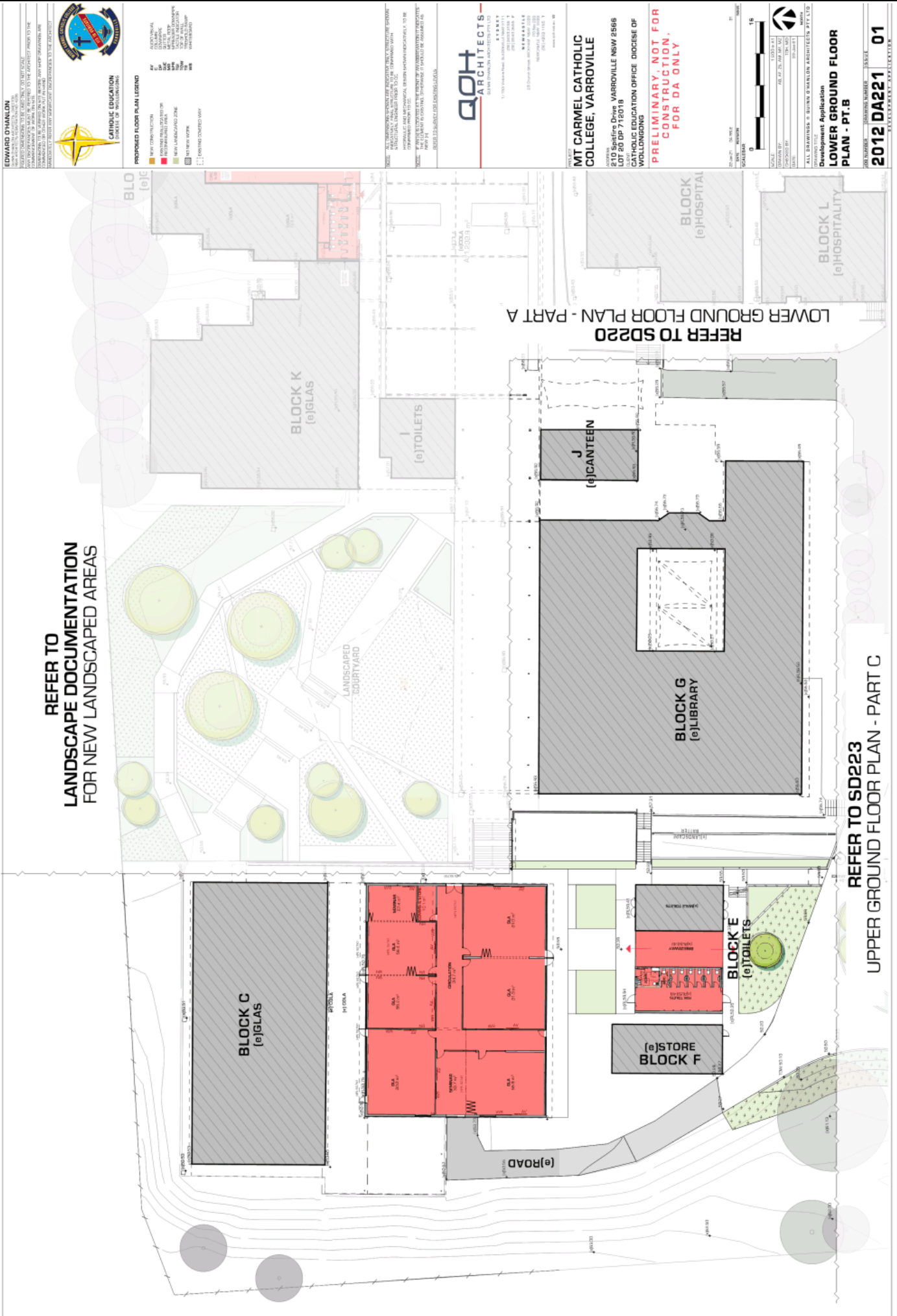
For the reasons stated above, it is considered that the proposed variation does not contravene the objectives of the standard and its application in this instance would be unreasonable and unnecessary.

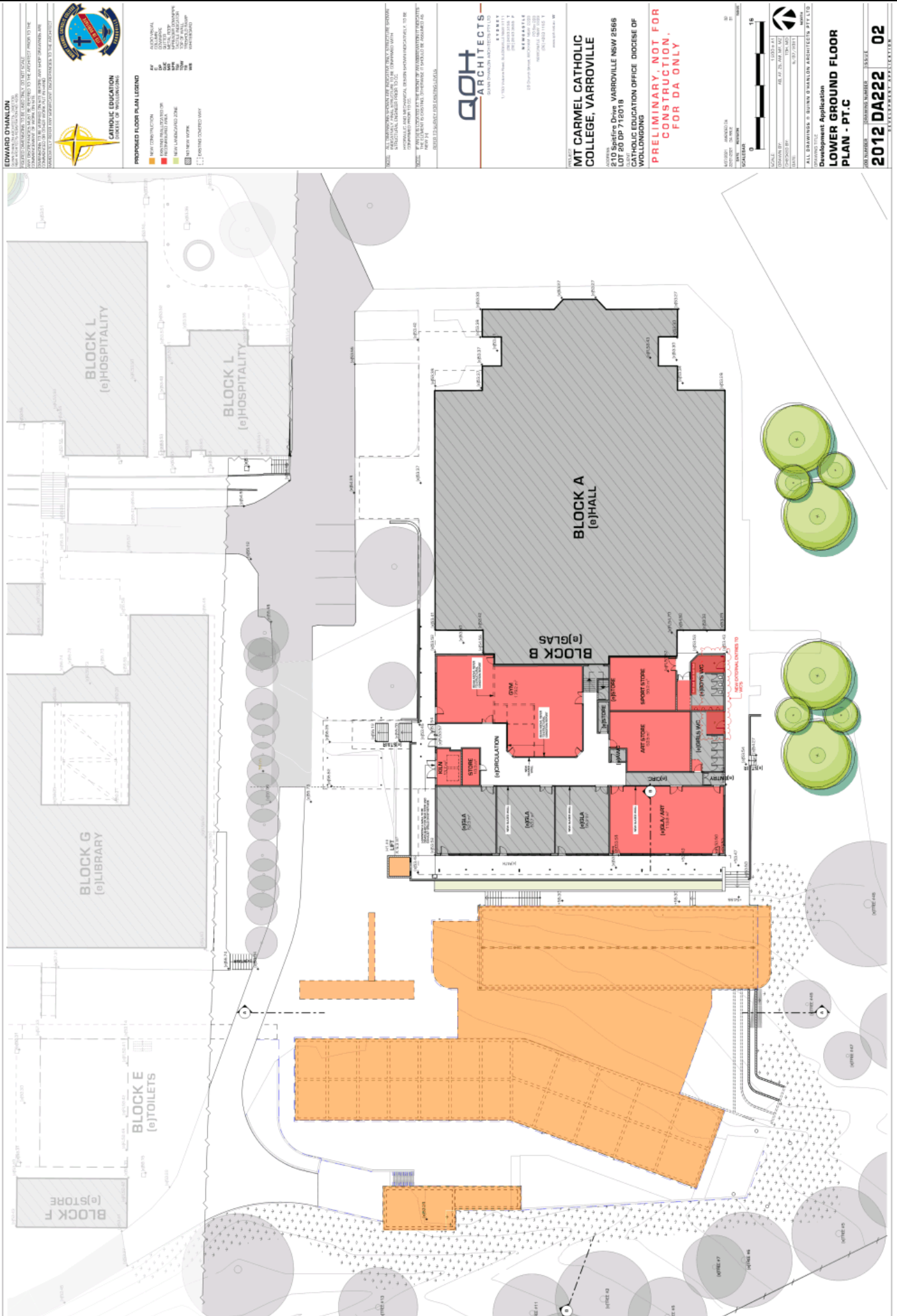


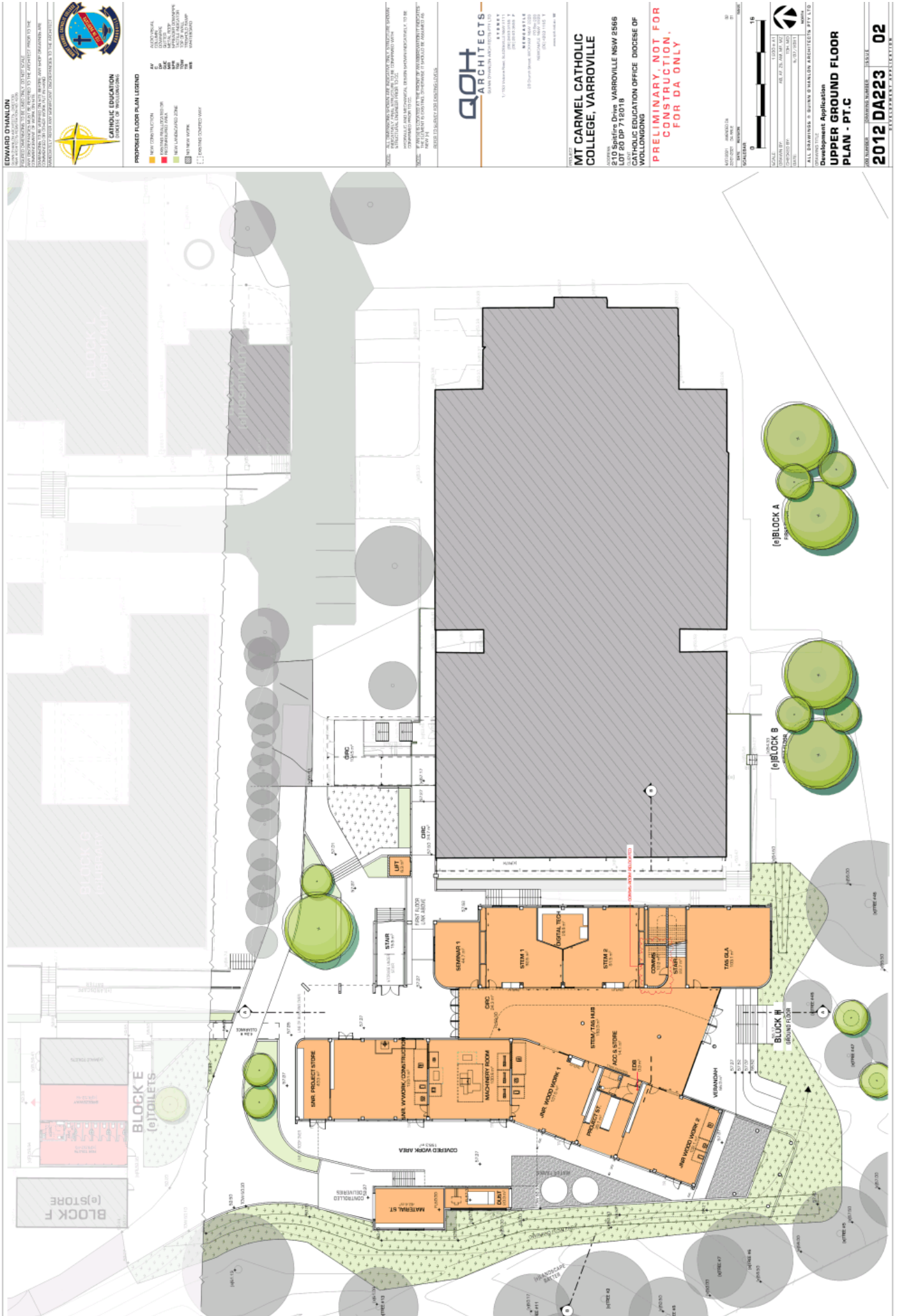


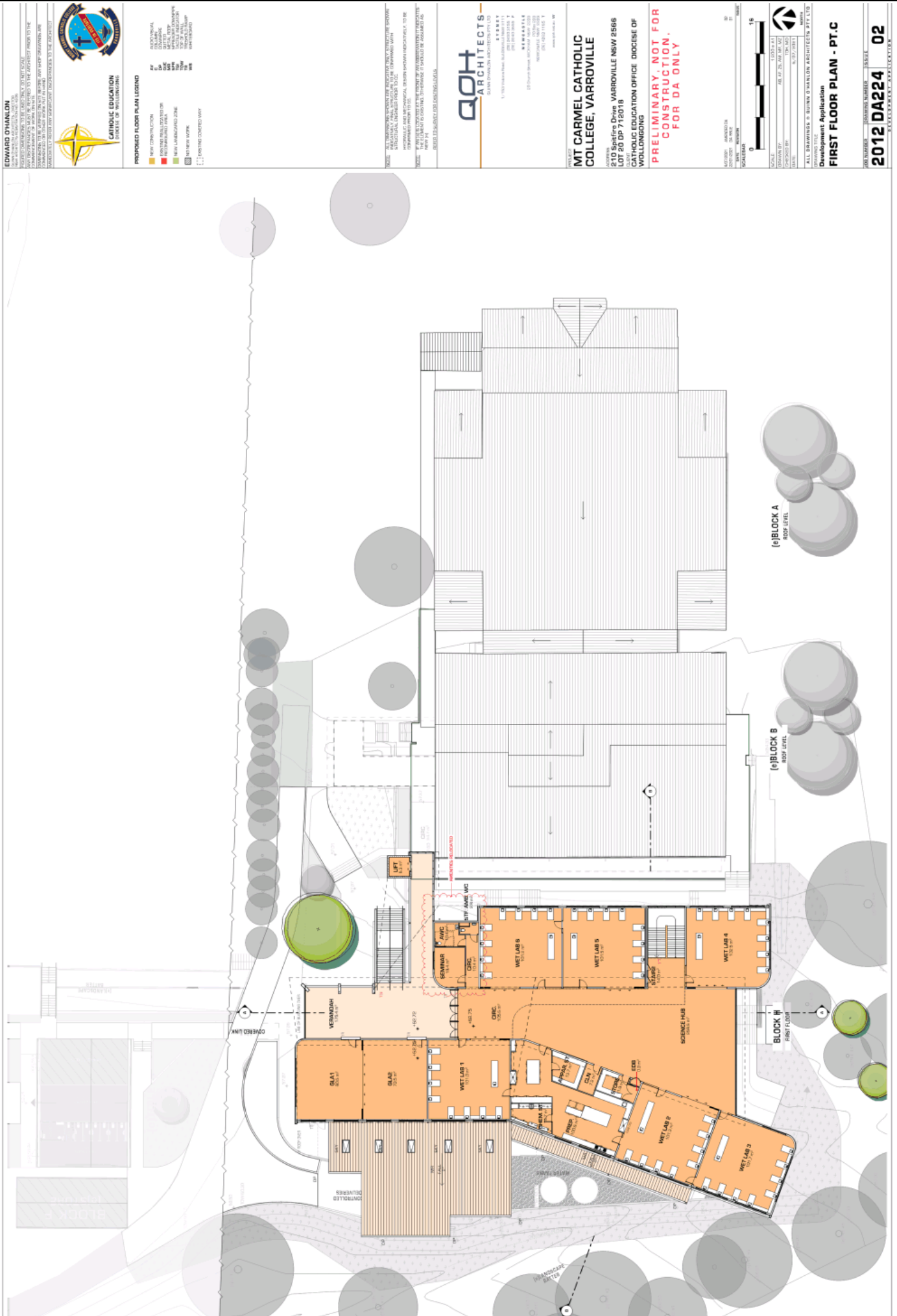


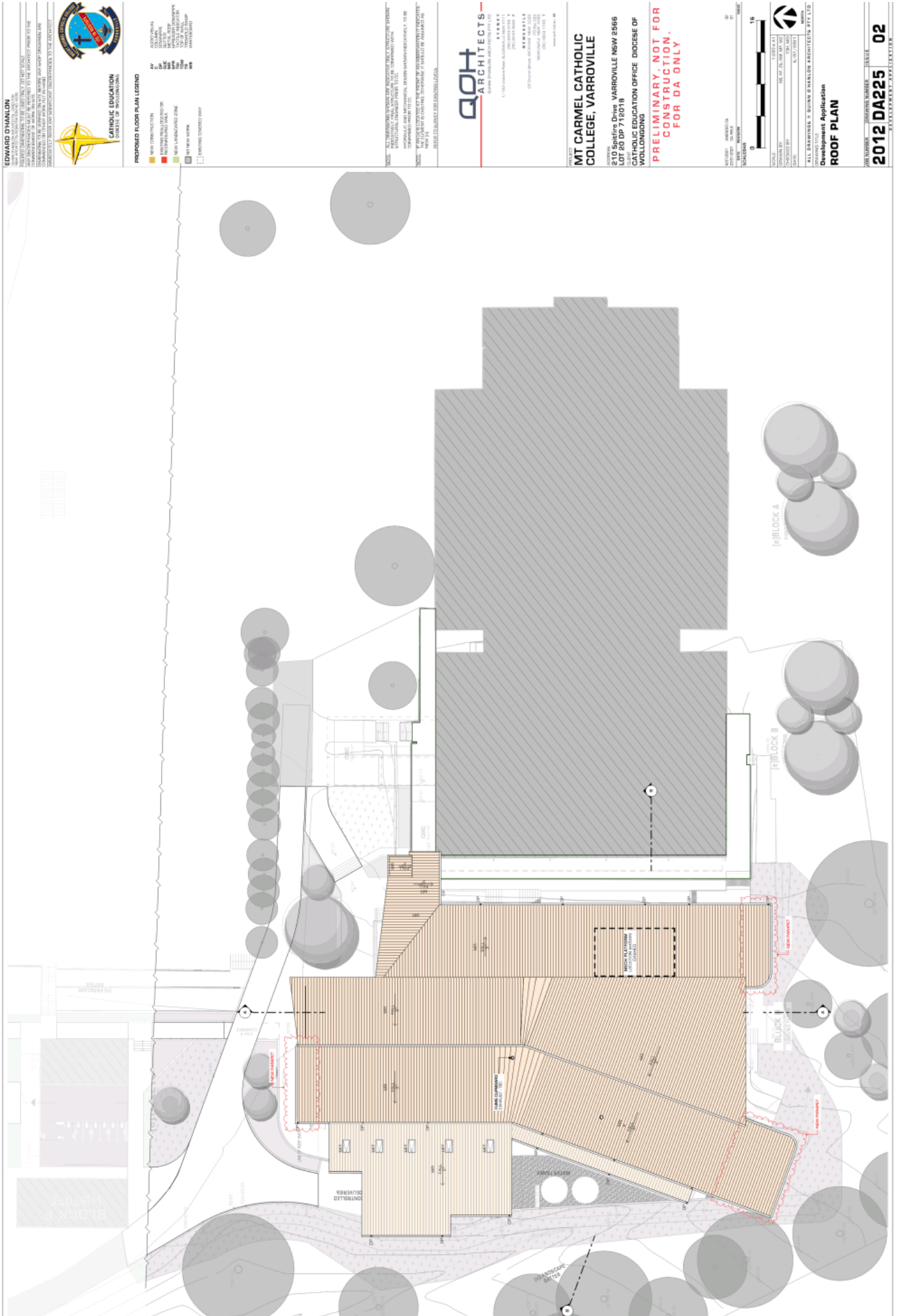












PO Box 57, Campbelltown NSW 2560

T 02 4645 4000

F 02 4645 4111

W campbelltown.nsw.gov.au