



**CAMPBELLTOWN**  
CITY COUNCIL

# **LOCAL PLANNING PANEL**

14 DECEMBER 2022

## **MEETING NOTICE**

### **Campbelltown City Council Local Planning Panel**

The meeting of the Campbelltown City Council Local Planning Panel will be held via Teams on Wednesday, 14 December 2022 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**

### **4. REPORTS**

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4.1 Development application for demolition of existing dwelling, removal of 8 trees and construction of boarding house - 103 Oxford Road Ingleburn	6
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## **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 report is referred to the Local Planning Panel for its consideration and recommendation.

Lindy Deitz  
**General Manager**

## 4. REPORTS

### 4.1 Development application for demolition of existing dwelling, removal of 8 trees and construction of boarding house - 103 Oxford Road Ingleburn

#### Community Strategic Plan

Objective	Strategy
2 Places For People	2.3.1 Ensure all people in Campbelltown have access to safe, secure, and affordable housing

#### Delivery Program

Principal Activity
2.3.1.2 Lead and build partnerships to achieve diverse and affordable housing options

#### Referral Criteria

The application has been referred to the Local Planning Panel (the Panel) for determination as the application has received more than 10 unique submissions.

#### Executive Summary

- Council is in receipt of a development application for the demolition of existing dwelling, removal of 8 trees and construction of a 2 storey, 13 room boarding house with associated car parking.
- The subject site is zoned R3 medium density residential under the Campbelltown Local Environmental Plan 2015 (CLEP 2015). Boarding houses are permitted with consent in the R3 medium density residential zone.
- The application for a boarding house has been assessed in accordance with the State Environmental Planning Policy (Affordable Rental Housing) 2009 (SEPP ARH).
- The application was publicly exhibited and notified to adjoining and nearby properties between 22 April 2021 and 21 May 2021. Thirty-eight submissions were received in response and raised objections to the proposal.
- The application was referred to the Design Excellence Panel (DEP) on 17 June 2021.
- The application was deferred for amended plans and final amended plans were received 5 August 2022.
- Exhibition of the amended plans was undertaken on 12 October 2021 to 9 November 2021 and no submissions were received.

- An assessment under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) has been undertaken and the application is recommended for approval, subject to the recommended conditions.

### Officer's Recommendation

That Development Application 810/2021/DA-BH for the demolition of existing dwelling, removal of 8 trees and construction of a 2 storey 13 room boarding house with associated car parking at Lot 10 DP 38550, 103 Oxford Road, Ingleburn be approved subject to the conditions in attachment 1.

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### Purpose

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

<b>Property Description</b>	Lot 10 DP 38550, 103 Oxford Road, Ingleburn
<b>Application No</b>	810/2021/DA-BH
<b>Applicant</b>	Mark Mott
<b>Owner</b>	Mark Mott
<b>Provisions</b>	State Environmental Planning Policy (Affordable Rental Housing) 2009 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 Campbelltown Local Environmental Plan 2015 Campbelltown (Sustainable City) Development Control Plan 2015 Campbelltown 2032
<b>Date Received</b>	17 March 2021

### Site and surrounds

The site is identified as Lot 10 in DP 38550, known as 103 Oxford Road, Ingleburn. The site is rectangular in shape with a north (front) boundary measuring 18.29 m, east (side) boundary measuring 48.765 m and south (rear) boundary measuring 18.29 m and west (side) boundary measuring 48.765 m. The site has an area of 891.9 m<sup>2</sup> and the site is generally flat with a gentle slope of 0.5 m from the rear to the front.

The site is occupied by a single storey detached dwelling with vehicular access provided from Oxford Road to a garage located at the side of the site.

The subject site is adjoined by detached dwellings on either side. The locality is predominantly characterised by low density residential development including detached dwellings and multi dwelling development.

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



Figure 1: Locality map

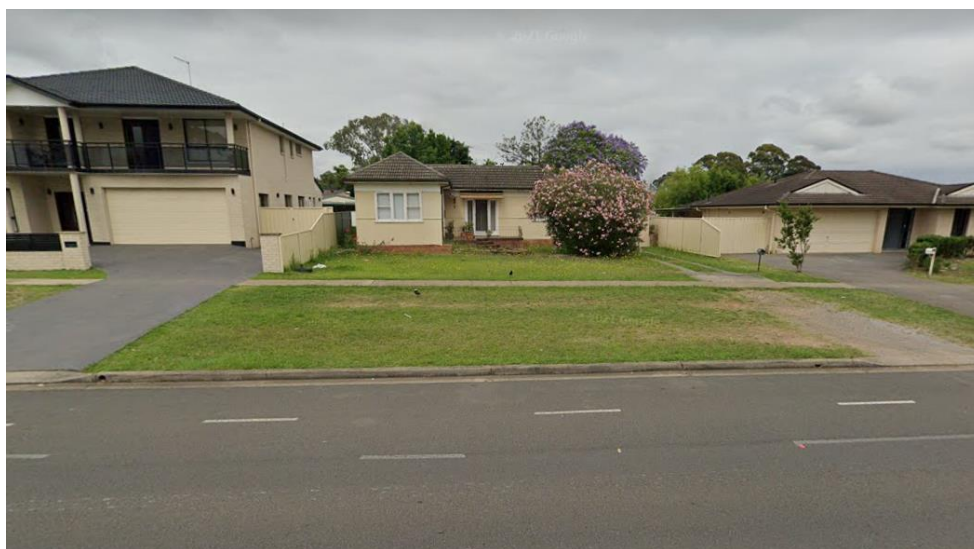


Figure 2: Existing street frontage

### Design Excellence Panel

The application was considered by the DEP at its meeting on 17 June 2021. Following the DEP meeting, the application was deferred and amended plans requested to address the issues raised by the DEP.

## Proposal

The proposed boarding house includes the following works:

- Demolition of the existing dwelling and associated structures
- Removal of 8 trees
- Construction of a 13 room boarding house which includes bathroom and kitchen facilities to each room, 12 double boarding rooms, one managers boarding room and a communal room
- Provision of 10 car parking spaces, 3 motorbike parking spaces and 3 bicycle parking spaces
- External ground floor works include landscaping to the site and clothes line

## Report

### 1. Vision

#### Campbelltown 2032

Campbelltown 2032 is the Community Strategic Plan (CSP) for the City of Campbelltown. The CSP addresses five key strategic outcomes that Council and other stakeholders will work to achieve over the next 10 years:

- Outcome 1: Community and Belonging
- Outcome 2: Places for People
- Outcome 3: Enriched Natural Environment
- Outcome 4: Economic Prosperity
- Outcome 5: Strong Leadership

The proposal is generally consistent with the long term vision for Campbelltown, and is of particular relevance to Outcome 2, Strategy 2.3.1 Ensure all people in Campbelltown have access to safe, secure, and affordable housing.

### 2. Section 4.15(1)(a)(i) The provisions of any environmental planning instrument

#### 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 State Environmental Planning Policy (Affordable Rental Housing) 2009 (SEPP ARH). The aims of the SEPP ARH are outlined as follows:

- (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 contained in the SEPP ARH is detailed below:

#### **Clause 26 - Land to which Division applies (division of SEPP 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 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.

#### **Clause 29 - Standards that cannot be used to refuse consent**

Standards that cannot be used to refuse consent are presented in the table below:

<b>Standard</b>	<b>Proposal</b>	<b>Compliance</b>
<b>29 Standards that cannot be used to refuse consent</b>		
<b>Maximum FSR</b> 0.75:1 (668.9 m <sup>2</sup> )	The proposal has a FSR of 0.68:1  Ground floor 242.21 m <sup>2</sup> First Floor 360 m <sup>2</sup>  Total 602.21 m <sup>2</sup>	Yes
<b>Building Height</b> 9 m	The proposal has a maximum height of 8.55 m.	Yes
<b>Landscape area</b>	The existing landscape character includes	Yes

Compatible with the streetscape	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 of plant species and the scale of plant sizes selected. Overall, the proposed landscaping would be a significant improvement upon the local landscape character.	
<b>Solar Access</b> Communal living room receives 3 hours of solar access.	The revised communal room location is provided with 3 hours solar access.	Yes
<b>Private Open Space</b> One area at least 20 m <sup>2</sup> with a minimum dimension of 3 m  Boarding house manager open space area of at least 8 m <sup>2</sup>	Both private open space areas exceed the control.  The private open space area to the manager's room is 28 m <sup>2</sup> .	Yes
<b>Parking</b> 0.5 parking spaces per boarding room  one parking space per employee	6 parking spaces are required for the 12 boarding rooms.  one space is provided for the boarding house manager.  10 parking spaces are provided.	Yes  Yes
<b>Accommodation size</b> 16 m <sup>2</sup> per double room	Each double room is a minimum of 22 m <sup>2</sup>	Yes
<b>30 Standards for boarding houses</b>		
At least one communal living room	One 34.52 m <sup>2</sup> communal room provided.	Yes
No boarding room will have a gross floor area (excluding kitchen and bathroom) of more than 25 m <sup>2</sup>	No room exceeds 25 m <sup>2</sup>	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 bike and motorbike space per 5 rooms	3 motorbike spaces and 3 bicycle spaces are provided.	Yes

### Clause 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, which is consistent with the height of the existing dwellings and dual occupancy developments within the surrounding locality. The local streetscape is a mix of single and 2 storey development. The area is currently zoned R3 medium density, and is likely to be further transformed into a medium density neighbourhood over time.

**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 housing development to achieve the maximum floor space ratio applicable to residential development permissible on the land. In this case, the floor space ratio applicable to the proposed development is 0.75:1 with the proposed development having a floor space ratio of 0.68:1.

**Setbacks** – The front and rear setbacks of the proposed development are consistent with those specified by CLEP 2015 for boarding house developments. In this regard, the proposed development has a minimum front setback of 5.5 m, a minimum rear setback of 6 m on the ground floor and 6.5 m at the first floor, which complies with the Campbelltown (Sustainable City) Development Control Plan 2015 (SCDCP).

The proposed side setbacks are a minimum of 900mm at the ground floor level to the boarding rooms. The proposal does have a reduced setback to the car park area of 630mm on the southern side boundary, which does not comply with the SCDCP. As this relates to a car park and not a habitable room the setback is considered to be acceptable. The proposed first floor side setbacks comply with the SCDCP.

General compliance with the majority of the setback requirements has given the boarding house an opportunity to provide some spatial relief from the adjoining properties.

**Architectural style/materials** – The proposed boarding house when viewed from the street would give the appearance of a double storey building which would be visually compatible with the existing surrounding residential development. The proposed boarding house would be constructed of face brick and render which would be visually compatible with the existing dwellings that are a mix of fibro or brick construction. The pitched roof of the proposed boarding house would also be compatible with the existing streetscape given the streetscape character of pitched roofs.

**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.

Comment: The subject boarding house is not proposed to be subdivided.

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

A BASIX Certificate for the development (No. 1164948M) 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.

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

SEPP RH 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 RH requires the consent authority to consider whether the subject land of any development application is contaminated. An assessment of Clause 4.6 of SEPP RH is provided in table below.

Requirement	Action	Response
<b>Clause 4.6(1)</b> 1. Is the development for a <b>change of use</b> to a sensitive land use or for residential subdivision?  <b>Sensitive land use</b> 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 includes new residential accommodation for a boarding house.
	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.
<b>Clause 4.6 (1)</b> 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.
<b>Clause 4.6 (1)</b> 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.

<p><b>Clause 4.6 (1)</b> 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>NB: if the proposal is industrial then you should answer no to this question.</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 did not allow for potentially contaminating uses.</p>
<p><b>Clause 4.6 (1)</b> 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>No evidence of potentially contaminated signs were present on site when the site was inspected.</p>

The applicant has submitted a Preliminary Site Investigation in support of the proposed development prepared by Martens Consulting Engineers. The report concludes the following:

Prior to the proposed development, assessment of the AEC and COPC as noted in this PSI should be undertaken.

To address potential identified AEC and COPC, a Detailed Site Investigation (DSI) including intrusive soil and analysis of COPC is recommended. Given the restriction that the current structures put on undertaking intrusive investigations, it is recommended DSI works are conditioned and assessed following demolition of structures. That way, appropriate testing under dwelling and shed footprints (plus 1 - 2 m curtilage) can be appropriately undertaken to determine any residual impacts from previous use. Contamination, if any, is expected to be localised and shallow in nature and expected to be readily managed to allow future development of the site as a boarding house.

The DSI is to be developed in accordance with NSW EPA (1995) Sampling Design Guidelines and a risk based assessment. Assessment shall address each of the identified AEC and associated COPC identified in Table 5. Results of the site testing shall be assessed against site acceptance criteria (SAC) developed with reference to ASC NEPM (2013).

If any soil material is removed from site, a formal waste classification assessment shall be required in accordance with the NSW EPA Waste Classification Guidelines (2014).

The application was reviewed by Council's Environment (Contamination) Officer who advised that stated the submitted report was acceptable with regard to the SEPP RH.

Based on the above assessment, the provisions of Clause 4.6 of SEPP RH have been considered and the contaminated land planning guidelines and the site is considered suitable for the proposed development.

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

The proposal is within the Georges River Catchment and the SEPP BC applies. The SEPP was amended on 21 November, 2022 however the amendments do not apply to applications submitted before this amendment was made. The general aims and objectives of this plan, as they were prior to this recent amendment, 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) 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 State Environmental Planning Policy (Biodiversity and Conservation) 2021, and is therefore considered acceptable in this regard.

**State Environmental Planning Policy (Housing) 2021**

The Housing SEPP was published and commenced operation on 26 November 2021. The Housing SEPP repeals (among other SEPPs) the State Environmental Planning Policy (Affordable Rental Housing) 2009.

Under the new Housing SEPP, boarding houses are now required to be affordable in perpetuity, so developments that would previously have proceeded as boarding houses would now be lodged as "co-living housing".

The Housing SEPP contains a savings provision, which states that "The former provisions of a repealed instrument continue to apply to a development application made, but not yet determined, on or before the commencement date". In this regard, as this development application was made before the commencement date of the Housing SEPP, the provisions of the Housing SEPP do not apply to this application.

**Campbelltown Local Environmental Plan 2015**

The site is zoned R3 Medium Density Residential under the CLEP 2015. In accordance with clause 2.3 of the CLEP 2015, the consent authority must have regard for the zone objectives in the determination of a development application.

The objectives for the R3 Medium Density Residential are:

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

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

**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**

Clause 4.4 sets out the floor space ratio requirements for all developments in accordance with the floor space ratio map. Pursuant to the SEPP (ARH) the maximum FSR is applicable to the site which provides an FSR of 0.75:1 for multi dwelling development. The proposed development has an FSR of 0.68:1 would be equivalent to 602.21 m<sup>2</sup> of floor area.

**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 9m height limit and as such this clause does apply to the proposal.

**Clause 5.21 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 7.1 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.

**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:

- 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 site is not identified as being affected by salinity, the proposal does not include excessive excavation. Notwithstanding, a condition of consent has been applied to ensure a geotechnical report is provided prior to the issue of a construction certificate.

**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 considers that the development exhibits design excellence. In considering whether or not the development has design excellence, the consent authority must have 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,

Comment: 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,

Comment: The external façade is of a contemporary design that combined with the landscaping proposed will improve the public domain

- c. whether the development detrimentally impacts on view corridors,

Comment: 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,

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

- (ii) existing and proposed uses,

Comment: The proposed development is consistent with the existing and proposed uses permissible within the zone.

- (iii) heritage issues and streetscape constraints,

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

- (iv) bulk, massing and modulation of buildings,

Comment: 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,

Comment: 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,

Comment: 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,

Comment: 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

Comment: 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 as well as facilities for bicycles.

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

Comment: 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,

Comment: 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

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

### **3. Section 4.15(1)(a)(ii) The provision of any proposed instrument**

No draft instruments apply.

### **4. Section 4.15(1)(a)(iii) The provisions of any development control plan**

#### **Campbelltown Sustainable City Development Control Plan 2015**

Part 2 of the Campbelltown (Sustainable City) Development Control Plan 2015 (SCDCP) aims to reduce the resultant environmental impacts of all development proposed within the Campbelltown Local Government Area.

The proposal is generally consistent with Part 2 of the SCDCP. Refer to attachment 2 for a full assessment compliance table.

#### **Part 3 - Low and Medium Density Residential Development and Ancillary Residential Structures**

The development application was further assessed under the relevant controls outlined in Part 3 of the SCDCP with regard to requirements for residential development.

## **Part 11 – Vegetation and Wildlife Management**

The proposal includes the removal of 8 trees from the site, seven of which are introduced species and one native species. The applicant has submitted an arborist report in support of the tree removal and details for the retention of one native tree on the site and one tree on the adjoining property.

The proposed tree removal will be offset with the provision of two new native trees on site. It is considered the proposed tree offset is acceptable.

Relevant conditions of consent are recommended with regard to tree protection measures for trees on adjoining properties. An Erosion and Sediment Control Plan will also be required as a condition of consent to ensure the measures contained within the arborist report are undertaken on the site.

## **Part 17 - Boarding Houses**

An assessment against the Boarding house provisions of the SCDCP is provided in attachment 2.

A discussion of non-compliances with the SCDCP is provided below.

### **Setbacks**

The proposed development has a non-compliant side setback to part of the ground floor area. The enclosed garage area has a side setback to the southern boundary of 630 mm. The boarding rooms themselves are provided with a compliant setback.

It is considered that the reduced side setback to the garage area is consistent with the objectives of Part 17.2 of the SCDCP with regard to high quality design and reducing adverse impacts on the adjoining neighbours. The enclosure of the parking area is required to ensure the acoustic impacts of the car parking area do not affect the surrounding properties. It is also noted that achieving compliance with the side setback would result in creating a car park that does not archive an acceptable aisle width in accordance with the Australian Standard 2890 for car parking. As such, it is considered the reduced setback to the parking area is acceptable in this instance.

### **Privacy**

The proposed development includes first floor windows with a one metre sill height to bathroom and kitchen areas along the side elevations. The plans state translucent glazing will be provided however this is not clearly notated, as such, a condition of consent is recommended to ensure fixed and translucent glazing to the lower part of all windows on the ground floor.

The proposed development includes balconies to the first floor rear elevation. The proposed balconies with fixed screens above are not considered to be acceptable with regard to privacy. The site has sufficient communal open space areas and the proposed rear balconies are not considered to be acceptable for the proposed development. As such it is recommended that the rear balconies be required to be removed by way of condition and replaced with windows with translucent glazing to 1.7 m.

The proposed upper level open area is provided with a 1 m balustrade. The privacy screen notated on the plans is not satisfactorily detailed on the elevation plans, as such to ensure consistency a condition of consent has been recommended to ensure a 1.7 m high fixed louvre privacy screen is provided to the open space area to ensure the privacy of the adjoining neighbours.

Translucent glazing has also been recommended for stairwell stairs upon the advice of the design excellence panel, a condition of consent has been recommended to address this matter.

### **Landscaping**

The proposed development does not provide a 1.5 m landscaping setback both side setbacks of the ground floor. The landscape strip control is contrary to the ground floor side setback control, of which the development is predominantly compliant with, as discussed above. The applicant has sought to provide landscaping within the side setbacks which is considered to be satisfactory. The substantial landscaping to the side boundaries in the front and rear setbacks is appropriate for the site. Overall, the landscaping to the site is considered to be satisfactory.

### **5. Section 4.15(a)(iii) The provisions of any Planning Agreement**

The proposed development is not subject to the provisions of a planning agreement.

### **6. Section 4.15(a)(iv) The provisions of the Regulations**

Applicable Regulation considerations including demolition, compliance with the Building Code of Australia, compliance with the *Home Building Act*, PCA appointment, notice of commencement of works, sign on work sites, critical stage inspections and records of inspection which have all been included in the recommended consent conditions.

### **7. 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 are as follows:

- Sunlight access
- Access
- Transport and traffic
- Waste
- Noise and vibration
- Safety, security and crime prevention
- Construction
- Built Form
- Privacy

**Sunlight access**

The proposed development would result in overshadowing to the adjoining property, however this impact is considered satisfactory as the proposed development retains 3 hours solar access to the adjoining properties private open space areas to the rear and the south of the site.

The proposed development does not obstruct solar access to living room windows to the adjoining property at 105 Oxford Road. It is also noted a fixed 20 m<sup>2</sup> of private open space area also retains 3 hours solar access, in accordance with the requirements of the SCDCP.

**Access**

The proposed development includes 2 accessible units on the ground floor. It is noted that stairs are proposed from the street entry, which will impede access to the ground floor accessible units, as such a condition of consent is recommended to provide ramp access to each front deck area of the accessible units.

The applicant has submitted an access report in support of the proposed development and the application was referred to Council's Building Surveyor with regard to access. The application was reviewed and relevant conditions of consent have been recommended and included in attachment 1.

**Transport and traffic**

The development has vehicular access from Oxford Road. There is a pedestrian crossing located to the south of the site. The proposed development is not expected to result in traffic conflicts with regard to the existing pedestrian crossing located at 105 Oxford Road, Ingleburn.

The site is located one kilometre from Ingleburn Railway Station and has access to bus stops within 90 m of the site.

The applicant has submitted a traffic and parking assessment prepared MLA Transport Planning, in support of the proposed development. The report concludes:

The proposed development is not expected to generate any noticeable adverse traffic and parking impacts on the local road network. Overall, the traffic and parking aspects of the proposed development are considered to be satisfactory.

It is noted the proposed motorbike parking spaces conflict with the entry to the proposed ground floor units. The development is provided with surplus car parking and therefore relocation of the motorbike parking spaces would improve vehicle and pedestrian interaction at the ground floor. Therefore a condition of consent is recommended to relocate the three motorbike parking spaces within one of the existing car parking spaces.

Overall, it is considered the traffic impacts of the proposed development are considered to be acceptable and as such, the application is recommended for approval.

**Waste**

The proposed waste room is not enclosed and would impact the ground floor tenants. The current design is not supported and it is therefore recommended that the design be amended to fully enclose the bin storage areas with external ventilation (not within the basement) to protect the amenity of the ground floor tenants. A condition of consent has been recommended in attachment 1.

**Noise and vibration**

The application is supported by an acoustic report, the proposal was amended to address concerns relating to car park noise and the ground floor car park has now been enclosed to address acoustic issues with the proposed development. It is also noted the proposal includes acoustic fencing to mitigate impacts from residents on surrounding properties.

**Safety, security and crime prevention**

The application was supported by a crime risk assessment report which was assessed as part of the application. It is considered that overall the proposed development is considered to mitigate crime risk through security measures and management of the premises. The proposed development is designed to facilitate casual surveillance to the street.

The application was referred to NSW Police for comment. The recommendations from NSW Police have been included as a recommended condition of consent in attachment 1.

**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 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 reflect the predominant building materials in the local area. The use of face brick and render finish on the building façade provides for a low maintenance durable façade which reflects the desired future character of the local area.

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

**Privacy**

The proposed development provides for a number of windows and projections to the side elevation, the floor level of the windows are required to be increased to a minimum of 1.7 m above FFL to ensure the privacy of the surrounding properties, as such a condition of consent has been recommended in attachment 1.

The proposed first floor balconies have been amended to provide solid masonry balustrades a privacy screens above to mitigate privacy issues to the existing dwellings to the rear.

It is considered that appropriate privacy measures have been included in the proposal and refinements by way of recommend conditions included in attachment 1 to ensure privacy for residents and adjoining neighbours.

### **Social, economic and environmental impacts**

Having regard to social and economic impacts generated by the development, the boarding house will contribute to the provision of housing choice within the locality, to meet 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.

### **8. 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.

### **9. 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 adjoining and nearby properties between 22 April 2021 and 21 May 2021. 38 submissions were received in response.

Exhibition of the amended plans was undertaken between 12 October 2021 to 9 November 2021 and no submissions were received.

The issues raised in the submissions are discussed in the table below:

<b>Issue</b>	<b>Concern</b>	<b>Response</b>
Traffic and congestion	Concerns relating to existing and future traffic congestion in the area	The proposed development is not considered to result in significant traffic generation, thus the reason why a lower car parking rate is applied to boarding house developments. The application was supported by a Traffic and Parking assessment which states the increased traffic volume from the proposed development is considered to be low.

Traffic Access	Concerns raised regarding the traffic impact and submitted traffic report, with regard to the 3 m wide access.	The access to the site was amended and increased to 5.5 m as required by Australian Standards.
Traffic	Concerns relating to increased traffic and potential pedestrian impacts	The proposed driveways and increased traffic from the proposed development is not considered to be significant and would not be considered unsafe to pedestrians in the locality. The car park is adequately designed and sightlines are provided to ensure pedestrian safety.
Parking	Concerns relating to number of parking spaces and parking on local streets.	The proposal exceeds parking requirements for boarding houses. Boarding houses are permitted to have a reduced car parking rate as outlined in the SEPP ARH.
Parking in new subdivisions	Concern raised regarding parking issues as a result of subdivisions in the locality.	New subdivisions in the Caledonia precinct and subsequent parking in this area are not considered to be relevant to the application at hand.
Proximity to local schools	Concerns relating to the proximity of the proposed development to several local schools.	The State and Local controls do not restrict the provision of boarding houses based upon proximity to schools.  The location of the site is considered to be acceptable and is permissible in the R3 zone.
Children at risk	Concerns relating to the risk the proposed development and occupants will pose to children in the locality.	There is an on-site manager. The application was also referred to NSW Police who provided recommended conditions of consent.
Increase in crime	Concerns relating to existing and potential future crime rates as a result of the proposed development.	The proposed development is not considered to result in an increased risk of crime. A CPTED assessment was completed and referred to NSW Police. The development will be privately managed and a plan of management will ensure any issues that arise are managed by the boarding house manager who resides at the site.
Proximity to public transport	Concerns relating to the proximity of boarding houses to public transport.	The site has appropriate access to regular bus services.
Proximity to a police station	Concerns relating to the proximity of boarding houses to police stations.	There is no statutory requirement for boarding house developments to be located in close proximity to a police station.
Use by itinerants and criminals	Concerns relating to the occupants of the proposed development	The intention of a boarding house is to provide housing flexibility and accommodation to low income earners.
Drug and alcohol use	Concerns relating to drug and alcohol use by future residents	The management of the premises will have strict policies with regard to drug and alcohol use in the plan of management.
Rezoning to build more houses	Objector request to rezone the locality to build more houses and buildings	The proposal is not a rezoning application and the rezoning of Ingleburn is not relevant to the current application.



		It is also noted the proposed development will provide more housing options in the locality.
Monitoring of boarding house	Concerns relating to how the boarding house will be managed.	The boarding house will have an onsite boarding house manager who will reside at the premises to manage the property.
Privacy	Concerns raised regarding privacy screening and privacy measures for the proposed development	The proposed development has been assessed, the amended plans provide for additional privacy measures
	Concerns relating to visual privacy and overlooking to adjoining properties request increased setbacks to side boundaries.	The proposed boarding house rooms comply with all relevant side setback controls and additional privacy measures have been addressed by way of recommended conditions. The proposed privacy measures are considered to mitigate privacy impacts to adjoining residential properties.
	Concern relating to rear balconies and associated privacy impacts to the properties at the rear.	The proposed development was amended to delete the rear balconies on the first floor to provide solid balustrades and fixed screens.
Overlooking	Objector states overlooking arises from poor design.	The proposal has been amended and suitable privacy mitigation measures have been employed to mitigate overlooking to adjoining properties.
Visual Bulk	Concerns relating to the visual bulk of the proposed building and sense of enclosure due to the proposed development.	The proposal complies with the setbacks for the proposed development with regard to the first floor, front and rear setbacks. The design provides for a separated first floor built form to reduce visual bulk which is considered to be acceptable.
Character	Concerns have been raised regarding the proposal being out of character with Ingleburn.	An assessment of the character of the proposal has been undertaken in accordance with the SEPP ARH. The character of the proposal is considered to be appropriate for the existing and desired future character of Ingleburn.
Streetscape	Concerns relating to the streetscape of the development	The design of the proposed development is consistent with the bulk and scale of the two adjoining two storey dwellings from a streetscape perspective.  It is also noted the contemporary design is more in keeping with the desired future character of the locality.
Bulk and Scale	Concerns have been raised regarding the bulk and scale of the proposed development.	The overall size of the development from a streetscape perspective is similar to the adjoining two storey dwellings. It is further noted the bulk of the structure at the first floor level is provided with a substantial building separation. Overall it is considered the bulk and scale of the proposal is acceptable.
Qualifications and experience	Objector has requested details on the qualifications of the boarding	There are no legal requirements for the qualifications of a boarding house

of the building manager	house manager.	manager, management and operation of the premises is required to be in accordance with the Plan of Management that relates to the property.
FSR not compatible	Concerns relating to the proposal occupying 75% of the site not being compatible with the character of the area.	The maximum FSR under the SEPP ARH for the R3 zone is 0.75:1 the proposed development is significantly less than the maximum FSR at 0.64:1. The proposed development complies with the FSR for the R3 zone for multi dwelling developments.
Acoustic privacy	Concerns raised regarding acoustic impacts of the proposal.	An acoustic report was provided and the proposal has been amended to mitigate acoustic impacts from the development including the enclosure of the car park area.
	Concerns relating to the absence of an acoustic report with the application.	An acoustic report was provided and appropriate measures will be undertaken to ensure the acoustic privacy of the surrounding neighbours.
	Request by an objector to reduce rear setbacks on acoustic privacy grounds.	The proposed development complies with Acoustic requirements and rear setback controls and as such the proposal is considered to be acceptable in the current form.
Overcrowding	Concerns relating to overcrowding due to the maximum number of tenants on the site.	Proposal is consistent with the SEPP ARH, CLEP 2015 and SCDCP. The proposal complies with the controls and is not considered to result in overcrowding.
Asking the Department of Planning and Environment to re-evaluate policies on boarding houses.	Concern relating to the Department of Planning and Housing policies.	The details in the submission relating to the Department of Planning, should be addressed to the Department not Council. Recent revisions of State Environmental Planning Policy still do not preclude the subject site from being a boarding house.  The proposal is permissible in the R3 zone, which is intended for medium density housing.
Operation of Boarding House	Concern relating to boarding house being operated by or assisted by a not-for-profit organisation or sub leased as social housing.	Details of the operation of the boarding house have not been provided, however it has not been stated the proposal will be operated by a not for profit organisation, as different controls would apply under the SEPP, therefore the development could be privately run, which is permitted.
Location of smoking areas	Concerns relating to the location of smoking areas.	The location of smoking areas has not been detailed on the plans and whether or not smoking is permissible on the site will be at the discretion of the property owner, as is the case with any private residential property.
Height	Concerns the proposal does not comply with the height limit.	The proposed development is compliant with the 9 m height limit for the site.
Overdevelopment	Concern the boarding house is an overdevelopment of the site	The proposal for the most part complies with all relevant controls and is not considered to be an overdevelopment of

		the site.
Significant tree removal	Objection raised to removing a jacaranda in the middle of the site.	The tree removal will be offset with other landscaping on the site. Retention of the tree is considered to be unreasonable in the case.
Waste service	Concerns relating to delivery and waste services	Waste will be collected from the street like all other waste collection for the locality.
Impact on local infrastructure	Concerns relating to the size of the development and impacts on local infrastructure.	The proposed development is not considered to impact upon local infrastructure. Notwithstanding relevant condition of consent has been recommended to ensure the development pays the required development contributions required for a boarding house.
Located on residential street	Objection stating boarding houses should not be located in residential streets.	Boarding houses are permissible in the R3 zone.
Commercial business	Concern relating to commercial business in residential zone.	A boarding house is defined as a type of residential accommodation under the CLEP 2015 and is not considered to be a business.
Need more green spaces	Concern relating to needing more green spaces	The subject site is zoned for residential development, not as Open Space.
Visitors to boarding houses	Concerns relating to visitors to the proposed boarding house	<p>Visitors to the residents of the boarding house are limited to certain hours, in addition the occupation of rooms for sleeping is limited by way of condition.</p> <p>Visitors to residents in the boarding house will be subject to the rules and requirements as outlined in the Plan of Management.</p>
Overshadowing	Concerns relating to the overshadowing of adjoining properties	<p>The overshadowing to the properties at the rear between 9am and 12pm on the winter solstice, which means the Private Open Space to the Matthews Sq properties would still obtain solar access between 12 and 3pm.</p> <p>The property to the south at 105 Oxford Street would still retain a 20 m<sup>2</sup> POS area that would receive 3 hours of solar access between 9am and 12pm on the winter solstice.</p>

#### 10. Section 4.15 (1)(e) Public Interest

The proposed development has addressed the requirements of the relevant environmental planning instruments and the SCDCP. The proposal is consistent with the objectives of the R3 medium density zone. It has been demonstrated that the site is suitable for the proposed development.

Accordingly it is considered that the proposal is in the public interest.

## 11. Developer Contributions

Development contributions are applicable to the proposed development and a condition of consent has been recommended with regard to developer contributions.

### Conclusion

The subject development application (810/2021/DA-BH) proposing the demolition of existing dwelling, removal of 8 trees and construction of a 2 storey 13 room boarding house with associated car parking at location 103 Oxford Road, Ingleburn (Lot 10 DP 38550) has been assessed under the heads of Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

The proposed development is consistent with the general intent of Campbelltown 2027 which outlines the long term vision for the Campbelltown and Macarthur Region. The proposed use is permissible within the R3 medium density residential zoning and is consistent with the zone objectives.

The matters raised in public objections have resulted in amendments to the application. No submissions were received when the amended application was notified.

It is recommended that the Development Application be approved subject to conditions of consent.

### Attachments

- 4.1.1 Recommended Conditions of Consent (contained within this report)
- 4.1.2 Compliance Table (contained within this report)
- 4.1.3 Architectural Plans (contained within this report)
- 4.1.4 Stormwater Plan (contained within this report)
- 4.1.5 Plan of Management Report (contained within this report)
- 4.1.6 Access Report (contained within this report)
- 4.1.7 Arborist Report (due to confidentiality) (distributed under separate cover)
- 4.1.8 Floor Plans (due to confidentiality) (distributed under separate cover)
- 4.1.9 Area Calculation (due to confidentiality) (distributed under separate cover)
- 4.1.10 Landscape Plan (due to confidentiality) (distributed under separate cover)
- 4.1.11 Noise Assessment Report (due to confidentiality) (distributed under separate cover)
- 4.1.12 Contamination Report (due to confidentiality) (distributed under separate cover)

### Reporting Officer

Executive Manager Urban Centres

**ATTACHMENT 1**  
**810/2021/DA-BH**  
**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.

<b>Plan Detail</b>	<b>Job Number</b>	<b>Prepared by</b>	<b>Revision</b>	<b>Date</b>
DA0000 Cove Page	18174	Bureau SRH Architecture	03	03.12.2021
DA1000 Site Plan/ Site Analysis Plan	18174	Bureau SRH Architecture	03	03.12.2021
DA1100 Demolition Plan	18174	Bureau SRH Architecture	03	03.12.2021
DA2100 Ground Floor	18174	Bureau SRH Architecture	05	04.08.2022
DA2101 First Floor	18174	Bureau SRH Architecture	04	04.08.2022
DA2102 Roof Plan	18174	Bureau SRH Architecture	04	04.08.2022
DA2800 Shadow Diagrams	18174	Bureau SRH Architecture	03	03.12.2021
DA2801 Shadow Diagrams	18174	Bureau SRH Architecture	03	03.12.2021
DA2900 Area Calculation	18174	Bureau SRH Architecture	04	03.12.2021
DA2900 Views from the Sun diagram	18174	Bureau SRH Architecture	02	04.08.2022
DA3100 Elevations	18174	Bureau SRH Architecture	04	04.08.2022
DA3101 Elevations	18174	Bureau SRH Architecture	04	04.08.2022
DA3200 Sections	18174	Bureau SRH Architecture	04	04.08.2022
DA8000 Material Board	18174	Bureau SRH Architecture	03	03.12.2021
C00.01 General Notes	19365	Engineering Studio Civil & Structural	B	10.08.2021

C01.01 Roof Drainage, Sediment Control Plan	19365	Engineering Studio Civil & Structural	B	10.08.2021
C01.02 Sediment & Erosion control details	19365	Engineering Studio Civil & Structural	B	10.08.2021
C02.01 Stormwater Drainage Plan	19365	Engineering Studio Civil & Structural	B	10.08.2021
C02.02 Stormwater Details Sheet 1	19365	Engineering Studio Civil & Structural	B	10.08.2021
C02.03 Stormwater Details Sheet 2	19365	Engineering Studio Civil & Structural	B	10.08.2021
20190 DA1 Landscape Concept Plan		Vision Dynamics	C	16.8.21

- Noise Assessment Revision 5 prepared by Rodney Stevens Acoustics dated 3 August 2022.
- Arborist report Ref. 6638 dated 4 August 2021
- Plan of Management dated 19 August 2021
- Access Report dated 2 December 2020
- Preliminary Site Investigations ref. P1907246JR01V01 dated January 2021

## 2. 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:

- One dedicated car parking space shall be converted into a turning bay.
- The three motorbike parking spaces are required to be relocated to occupy one existing car parking space
- The waste bin room is to be fully enclosed with internal walls to be constructed within the ground floor area. The bin room is required to be externally vented.
- The steps to each Private Open Space area to Room 1 and 2 will be replaced with accessible ramps.
- All first floor windows (including stairwell windows) are to have fixed translucent glazing to a height of 1.7m above FFL RL 49.50
- The first Floor privacy screen to the first floor outdoor area shall have a minimum height of 1.7m above FFL RL 49.50, in this regard the privacy screens shall be constructed of fixed louvres.

- g. The First Floor rear balconies shall be deleted and the proposed sliding doors shall be replaced with windows with fixed translucent glazing to a height of 1.7m above FFL RL 49.50.

**3. Acoustic Measures**

The following acoustic measures are required to be notated and detailed on the plans prior to the issue of a Construction Certificate and submitted to the Principal Certifying Authority as follows:

- a. The acoustic barrier to the rear boundary is required to achieve an acoustic rating greater than Rw 27 and must have a surface density greater than 12kg/m<sup>2</sup>. Some suitable materials include:
  - 75mm thick Hebel Powerpanel.
  - AcousticMax75
  - Acoustisorb100
  - Modularwalls – SlimWall

All barriers must be free of gaps and penetrations and it is particularly important to ensure that the gap at the bottom of the barrier is minimised as far as practicable. The base of the barriers should be well sealed at the junction where the barrier meets the floor, but still be designed to allow proper water drainage.

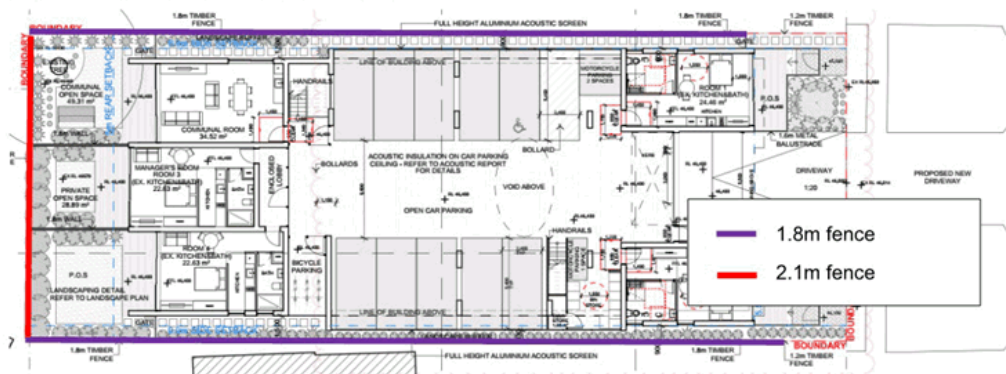
- b. Acoustic absorption to the surface area of the carpark ceiling to control potential for excessive reverberation.

Acoustic absorption should have an NRC of 0.7, be 50mm thick and cover the carpark ceiling. Suggested products include Pyrotek Reapor or Soundblock Whisper or any approved alternative product. Precise selection of material and location of material should be reviewed by a qualified acoustic consultant before final selection and installation at Construction Certificate assessment stage and submitted to the principal certifying authority for approval.

- c. A full height aluminium acoustic screen is required to be provided on the ground floor car park

- d. A 1.8m lapped and capped fence to both side boundaries behind the front building line

Figure 7-1 Barrier Location & Carpark Wall



#### **4. Acoustic operational measures**

The following measures shall be complied with for the duration of the operation of the premise as a boarding house as required by the Acoustic Report 210401R1 Revision 5 prepared by Rodney Stevens Acoustics.

- Outdoor communal area should not be used during the night time period.
- Limit the number of people in outdoor area to 8 people during the day and evening period (7am to 10pm).
- Indoor communal area external doors and windows should be closed during the night time period.

The measures outlined above shall be incorporated into the Plan of Management and submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate.

#### **5. 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.

#### **6. 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.

#### **7. 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 consistent with BASIX requirements.

#### **8. 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.

#### **9. Fencing**

All fencing shall be erected on the site's side and rear boundaries behind the front building alignment in accordance with the acoustic report approved in Condition 1 at the sole cost of the developer.

'Colorbond' style metal fences that face a public space are not permitted.

#### **10. 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.

#### **11. 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)*.

#### **12. Deliveries**

Vehicles servicing the site shall comply with the following requirements:

- All vehicular entries and exits shall be made in a forward direction.
- All vehicles awaiting loading, unloading or servicing shall be parked on site and not on adjacent or nearby public roads.
- 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.

#### **13. Advertising Signs – Separate DA Required**

This consent does not permit the erection or display of any advertising signs.

Most advertising signs or structures require development consent. You should make separate enquiries with Council prior to erecting or displaying any advertising or signage.

**14. 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.

Lighting shall be designed to minimise all forms of light pollution and must not use bright 'blue-white' LED lighting outside in order to avoid harmful effects on insects which has flow on effects for microbats and birds.

**15. 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.

**16. 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.

**17. 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.

In the event of a noise related issue arising during construction, the person in charge of the premises shall when instructed by Council, cause to be carried out an acoustic investigation by an appropriate acoustical 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.

**18. 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 *Campbelltown (Sustainable City) DCP (as amended)*.

**19. Car Parking Spaces**

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).

**20. 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.

**21. Offensive Odour**

To ensure that adequate provision is made for the treatment of odours, suitable odour control equipment shall be fitted to the mechanical exhaust system within the development. This equipment shall be capable of enabling the operation of the exhaust system free from the emission of offensive odours from the premises as defined under the *Protection of the Environment Operations Act 1997* and Regulations.

**22. 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.

**23. Construction Certificate**

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

- a. the applicant shall appoint a Principal Certifier;
- a. the applicant shall obtain a construction certificate for the particular works; and
- b. 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.

**24. CCTV footage verifying integrity of all new pipes and existing pipes**

Prior to Council or an accredited certifier issuing a Subdivision Certificate, the applicant shall provide CCTV footage to Council for all new pipes and for all existing pipes which are modified by works prior to Linen release. The footage shall comply with the following requirements:

- the files shall be in MP4 format
- file resolution shall be 640 by 480 pixels, 3 Mbps and 25 frames per second
- each pipe reach (i.e. between two pits) shall be provided as a separate file

- the CCTV inspection shall be undertaken in accordance with the IPWEA Condition

Assessment and Asset Performance Guidelines, Practice Note 5, Stormwater Drainage

- the speed and panning of the footage shall be sufficient to demonstrate that there are no significant cracks in the pipe and that the joints have been properly constructed
- the files shall have a name corresponding with the unique label provided in the associated stamped approved drawings and
- a summary report (\*.pdf) shall accompany the data.

#### **25. 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.

#### **26. 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.

#### **27. Unreasonable Noise**

The development, including operation of vehicles, shall be conducted so as to avoid the generation of unreasonable noise and cause no interference to adjoining or nearby occupants.

The applicant shall place signs in the vehicle car parking and outdoor recreation areas that contain wording to the effect that residents and visitors are requested to refrain from making noise after 9pm.

#### **28. Security Measures**

The development is required to implement the following security measures:

- a. CCTV cameras are to be installed effectively around the boarding house premises, in accordance with Australian Standards. Adequate lighting should be used when operating CCTV cameras during times of low light and darkness.
- a. Once installed, the Manager should be trained in the operating procedures of the equipment.
- b. Any surveillance system should be manufactured and installed by a qualified and reputable company and regularly function tested.
- c. Cameras should be placed in the common area of the boarding house, the entrance/exit and also the basement where cars are parked and storage facilities exist. Ensure that the requirements of the Surveillance and Privacy Act are adhered to.

- d. Ensure that lighting illuminates pedestrian routes, room entries, internal and external communal areas.
- e. Post warning signs around the perimeter of the business to warn intruders of what security treatments have been implemented to reduce opportunities for crime.
- f. A graffiti management plan is required to ensure graffiti attacks are removed within a 48 hour period
- g. All boarding house rooms are to be fitted with single cylinder locksets which comply with the BCA.
- h. Any new landscaping should be designed so that it does not provide concealment or entrapment areas and should be maintained regularly
- i. 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.
- j. 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.
- k. Shatter resistant film applied to windows.
- l. Locks to Australian Standard to be fitted to the storage areas.
- m. Mailboxes to be fitted with locks to Australian Standards.

### 29. 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*

### 30. Maximum Number of Lodgers per Room

The building is to contain a maximum of 26 persons. The maximum occupancy rate of each boarding room shall be in accordance with the table below:

Room Number	Maximum occupancy
<b>Ground Level</b>	
RM1	2
RM2	2
RM3 (Boarding House Managers Room)	2
RM4	2
RM5	2
RM6	2
RM7	2

RM8	2
RM9	2
RM10	2
RM11	2
RM12	2
RM13	2

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 m<sup>2</sup> or more for each person sleeping in it (in any other case) (*Public Health Regulation 2012*). Common areas must not be used for the purposes of sleeping accommodation.

### **31. Maximum Number of Lodgers in the Building**

The maximum number of lodgers in the building at any given time is 26.

### **32. Boarding House Requirements**

The following conditions are required to be complied with 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.

#### **a. Registration**

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

#### **b. 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.

#### **c. 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.

**d. 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).

**e. Lighting and Ventilation**

Adequate light and ventilation must be maintained in the premises.

**f. 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.

**g. 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.

**33. Pollution Management Conditions**

The following conditions have been applied to ensure that all activities involving the operation of the boarding house are carried out in a manner which will prevent undue air, land, water pollution, and noise pollution management practices in accordance with the Protection of the Environment Operations Act 1997 Protection of the Environment Operations (Noise) Regulation 2017, Local Government Act 1993, Local Government Regulation 2005 and associated technical standards:

- a. 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.
- b. OFFENSIVE NOISE – The development must be design 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:
  1. 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
- 2. 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.
- c. 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.

- d. 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.

#### **34. 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 fully enclosed and provided with a concrete floor, with concrete or cement rendered internal walls coved 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.

### **35. Retaining Walls**

No consent is given or implied for the construction of retaining walls associated with this application. Separate approval shall be obtained for all retaining walls that are not considered to be exempt development.

### **36. Tree removal**

- a. Trees approved for removal include the following trees as identified in section 7.8 and Table 1 of the Arboricultural Impact Assessment Report (4/8/2021) prepared by Redgum Horticultural:
  - i. Trees 1-8; and
  - ii. All other trees identified within the report are to be retained.
- b. Tree removal must be carried out in accordance with the Arboricultural Impact Assessment Report and Tree Protection Plan (4/8/2021) prepared by Redgum Horticultural.

### **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.

### **37. 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.*

**38. Waste Management Plan**

Prior to Council or the appointed Principal Certifier issuing a construction certificate, the Waste Management Plan is required to be amended to address all relevant requirements of Part 2 and Part 17 of volume 1 of the Campbelltown (Sustainable City) Development Control Plan 2015.

**39. Demolition of Existing Dwelling**

Prior to Council or the appointed Principal Certifier issuing a construction certificate, the existing dwelling on the property shall be demolished and all materials removed from the site.

**40. Geotechnical Report**

Prior to Council or an accredited 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.

The report must cover, but not be limited to the following:

- a. extent and stability of proposed embankments including those acting as retarding basins,
- b. recommended Geotechnical testing requirements,
- c. level of geotechnical supervision for each part of the works as defined under *AS 3798 - Guidelines on Earthworks for Commercial and Residential Developments*,
- d. an analysis of the level of risk to existing adjacent structures/buildings including the scenario of a construction contractor using vibratory rollers anywhere within the site the subject of these works. In the event that vibratory rollers could affect adjacent structures/buildings, high risk areas must be identified on a plan and indicate that no vibratory rollers shall be used within that zone,
- e. the impact of the installation of services on overall site stability and recommendations on short term drainage methods, shoring requirements and other remedial measures that may be appropriate during installation,
- f. the recommended treatment of any unstable areas within privately owned allotments;
- g. requirement for subsurface drainage lines,
- h. overall assessment of the engineering plans for the proposed development and their suitability in relation to the site's geotechnical characteristics.

**41. 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.

**42. Traffic Control Plans**

Prior to Council or the appointed Principal Certifier issuing a construction certificate, the applicant shall prepare and obtain approval from an accredited person, a Traffic Control Plan (TCP) in accordance with the State Roads Authority manual "Traffic Control at Work Sites" and Australian Standard AS 1742.3 (as amended). A copy of the approved TCP shall be kept on site for the duration of the works in accordance with Work Cover Authority requirements. A copy shall be submitted to Council for its records.

**43. Stormwater Management Plan**

Prior to Council or an accredited 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)*.

**44. Dilapidation Report**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit a dilapidation report for all buildings in the vicinity of the subject works and for any other infrastructure that may be affected by the works on the subject site.

**45. Work on Public Land**

Prior to Council or the 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 applicants expense and a compliance certificate, approving the works, shall be obtained from Council prior to the Principal Certifier issuing an occupation certificate.

**46. 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
- b. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.

**47. 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](http://www.sydneywater.com.au).

**48. Vehicle turning movements**

Prior to Council or the appointed Principal Certifier issuing a Construction Certificate, Vehicle turning movements (for the appropriate vehicle types as agreed with Council) shall be assessed by an appropriately qualified person using Autodesk Vehicle Tracking and provided to Council for approval. In this regard the Vehicle Tracking files and associated development proposal shall be submitted in dwg/dxf format and the speed environment used in the assessment must be consistent with the requirements as set out in the Austroads Guide to Road Design Part 4.

**49. Section 7.11 Contribution**

Contribution

The developer must make a monetary contribution to Campbelltown City Council in the amount of **\$172,290.28** 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
<b>Total</b>	<b>\$172,290.28</b>

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<sub>P</sub> 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<sub>C</sub> 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 – **June 2022**

#### Time for payment

The contribution must be paid prior to the release of the 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.

### **50. On-Site Detention Facility**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit details & design calculations of the On-Site Detention (OSD) system for approval. OSD system shall comply with the requirements detailed in the *Campbelltown City Council Engineering Design Guide for Development (as amended)*.

In this regard, an Operation and Maintenance Manual for the detention facility shall be submitted for approval, prior to Council or an accredited certifier issuing a construction certificate.

### **51. Engineer Designed Pavement**

All car parking areas, manoeuvring areas and the access aisle must be paved, drained and marked. The pavement must be designed by a qualified civil engineer and certified to be satisfactory for the expected traffic loadings from a development of this size and type. *AUSTROADS Guide to Pavement Technology* can be used as the design guideline for the pavement design.

The laybacks and crossings must be designed to accommodate expected traffic loadings. In this regard they must be constructed to an commercial/industrial standard with the work carried out at the Developer's expense, including all alteration to public infrastructure where necessary.

### **52. Design for Access and Mobility**

Prior to the issue of a Construction Certificate, an access report accompanied by design details endorsed by an Access Consultant with a minimum AQF4 qualification 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) shall be provided to the appointed Principal Certifier.

### **53. Civil Works under S138 Roads Act**

Prior to Council or an accredited 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 construction of *stormwater drainage system, vehicle crossings in Oxford Road*.

Detailed engineering plans for the proposed works in Oxford Road shall be submitted to Council for approval. All works shall be carried out in accordance with Roads Act approval including the stamped approved plans and Council specifications.

To lodge your application you will need to submit the following information:

- a. detailed engineering drawings of the proposed works in the road and footpath area,
- a. traffic management plan,
- b. provision of public liability insurance,
- c. details of timing and length of works,
- d. details of road resurfacing on Oxford Road and,
- e. details of the stormwater works

#### **54. Construction Environmental Management Plan**

Prior to the issue of any construction certificate, a comprehensive site-specific Construction Environmental Management Plan (CEMP) must be prepared by a qualified and experienced professional engineer registered on the NER (or equivalent), to the satisfaction of the appointed Principal Certifier. A copy of the CEMP shall be provided to Campbelltown City Council.

The objective of the CEMP is to provide an overarching framework to ensure that the development remains within the limits and standards required by these conditions and that works appropriately avoid, remedy or mitigate more than minor adverse environment impacts.

- (a) Details of all high hazard work required to facilitate construction, including Safe Work Method Statements, risk assessment and mitigation requirements and procedures, in accordance with Work Health and Safety Act and Regulations, and SafeWork NSW;
- (a) Location of the vehicle parking area for vehicles associated with the construction of the development.
- (b) Key Stakeholder Register including full name, 24hr contact details, emergency contact details of the Project Manager, Officers, Superintendents, and Foreman;
- (c) A plan of how the community will be engaged during the construction process to provide regular updates on;
  - Any changes to pedestrian and vehicle access;
  - Construction progress and key dates for major milestones; and
  - Communication on any other matters potentially affecting residents or business operations in the vicinity of the works.
  - Placement of notice boards that clearly identify the Consent Holder and the development name, together with the name, telephone number and email address of the Site Superintendent or Project Manager
- (d) Project's construction schedule, including construction hours of operation;
- (e) Means of ensuring the safety of the general public;
- (f) Noise control measures and hours of operation;
- (g) Air and Water quality control measures (including dust management);

- (h) The Tree Protection Measures in accordance with *Australian Standards AS4970 - Protection of Trees on Development Sites* including:
  - All compound/ stockpile, laydown, vehicle park up and amenities shall be located in cleared areas and beyond the dripline of adjoining existing trees.
- (i) Hazardous material management protocols (i.e. fuel etc.) addressing storage, use, refuelling etc.;
- (j) Incident and emergency response protocols;
- (k) Competence, training and awareness procedures (ie. Environmental inductions, Toolbox talks, training and awareness);
- (l) Roles and responsibilities for implementing, monitoring and reviewing CEMP requirements;
- (m) An overview of relevant environmental management documentation;
- (n) Inspection, monitoring and auditing requirements for all environmental controls and adaptive management to ensure environmental mitigation measures remain effective;
- (o) Public Liability Certificate of Currency showing at least \$20 Million;
- (p) Machinery types and sizes to be used;
- (q) Access and egress including wet weather provisions;
- (r) Location of amenities, site sheds etc.;
- (s) Temporary water/electricity sources;
- (t) Details of procedures to follow if groundwater is intercepted during excavations, including -
  - Groundwater quality must be investigated by a suitably qualified and experienced Environmental Scientist or equivalent.
  - Appropriate PPE must be worn by construction workers likely to come into contact with ground water.
  - Dewatering to stormwater is not permitted without qualitative data, appropriate filtration and approval from applicable consent authorities.

The environmental controls outlined in the CEMP are to form part of the site induction process and daily toolbox meetings.

#### **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.

#### **55. 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.

#### **56. Detailed Site Investigation**

A Detailed Site Investigation (DSI) including intrusive soil and analysis of COPC is

required to be prepared for the site following the demolition of the dwelling and prior to the commencement of any further construction works. The DSI is required to assess areas located under the existing building footprints as outlined in the Preliminary Site Investigation P1907246JR01V01 dated 5/01/2021 prepared by martens consulting engineers. The report is required to be submitted to the Principal Certifying Authority prior to the commencement of construction works.

#### **57. 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.

#### **58. 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.

#### **59. 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.

#### **60. 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.

#### **61. 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.

#### **62. 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.

#### **63. 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.

**64. 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.

**65. 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.

**66. Soil and Water Management Plan Implementation (SWMP)**

The measures required in the Soil and Water Management Plan approved by the Certifying Authority must be implemented prior to the commencement of works.

**67. Site Management Plan**

Prior to the commencement of works, the applicant must submit to and obtain approval for a construction and site management plan from the Certifying Authority that clearly sets out the following:

- a. what actions are proposed to ensure safe access to and from the site and what protection will be provided to the road and footpath area from building activities, crossings by heavy equipment, plant and materials delivery and static load from cranes, concrete pumps and the like,
- b. the proposed method of loading and unloading excavation machines, building materials and formwork within the site,
- c. the proposed areas within the site to be used for the storage of excavated material, construction materials and waste containers during the construction period,
- d. sediment and erosion control measures as per Landcom's publication 'Managing Urban Stormwater - Soils and Construction (2004)' also known as the 'Blue Book' or subsequent revisions.
- e. how it is proposed to ensure that soil/excavated materials are not transported on wheels or tracks of vehicles or plant and deposited on the roadway and,
- f. the proposed method of support to any excavation adjacent to adjoining buildings or the road reserve. The proposed method of support is to be certified by an appropriately qualified and experienced engineer.

**68. Protection of retained trees**

- a. Trees to be retained are shown in Appendix C and Table 1 of the Arboricultural Impact Assessment Report (4/8/2021) prepared by Redgum Horticultural and include the following:
  - i. Trees 9 and 10
- b. Prior to works commencing the applicant is to demonstrate to Council that all requirements of the Arboricultural Impact Assessment Report and Tree Protection Plan (4/8/2021) prepared by Redgum Horticultural have been incorporated into the Environmental Management Plan for the site.
- c. All works within proximity to retained trees shall comply with ANS 4970 *Protection of Trees on Development Sites* and include but not be limited to the following:
  - i. All compound/ stockpile, laydown, vehicle park up and amenities shall be located in cleared areas and beyond the dripline of retained trees
  - ii. Prior to the commencement of works temporary and permanent protective fencing must be erected around all trees identified for retention.
  - iii. Prior to the commencement of any works, the area required for site access will be clearly demarcated to ensure there is no damage to native vegetation outside of the development impact zone.

**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.

**69. 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.

**70. 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.**

**71. 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.

**72. Protection of Existing Trees**

During construction, no trees are to be cut down, lopped, destroyed or removed without the separate written approval of 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.

**73. 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.

**74. 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.

**75. 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.

**76. 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.

**77. 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.

**78. 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 1.2m 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.

**79. 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 Guide for Development (as amended)*;
- c. Council's *Campbelltown (Sustainable City) DCP (as amended)*;
- d. *Soils and Construction (2004)(Bluebook)*; and
- e. Relevant Australian Standards and State Government publications.

**80. Medium Density Driveway and Layback Crossing**

The applicant shall provide a reinforced concrete footpath crossing and layback at the entrance to the property, in accordance with Council's *Medium Density Vehicle Crossing Specification and Engineering Design Guide for Development (as amended)*.

A separate application for this work, which will be subject to a crossing inspection fee and inspections by Council, must be lodged with Council prior to pouring the concrete. Where necessary, conduits shall be provided under the footpath crossing, in accordance with the relevant service authority's requirements.

The driveway must:

- a. maintain a perpendicular alignment from the kerb to the property boundary line,
- b. have a minimum width of 5.5m,
- c. not interfere with the existing public utility infrastructure,
- d. be located 500mm clear of all drainage structures and 2m from any street tree,
- e. be finished with a slip resistant coating, and
- f. be constructed at the developer's expense, including all alterations of public infrastructure where necessary.

Where there is conflict between the location of the proposed driveway and the assets of a service utility, such as Telstra pits/manholes, the relevant service provider must be contacted **prior to any driveway works commencing**. It is an offence to modify or tamper with the assets of a service provider.

**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 vehicular layback crossing/s must be removed and replaced with kerb and gutter to match existing. This work must be carried out by Council, or a Council approved contractor, at the developer's expense, including all alterations of public infrastructure where necessary.

**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. 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.

**85. 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](http://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.

**86. Landscaping**

All trees are to be planted within the property in accordance with the approved landscape plan

**87. 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.

**88. 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.

**89. 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).

**90. Restriction on the Use of Land**

Prior to the appointed principal certifying authority issuing a subdivision certificate, the applicant shall create appropriate restrictions on the use of land under Section 88B of the Conveyancing Act.

- Onsite detention

The applicant shall liaise with Council regarding the required wording. Any lots subsequently identified during the subdivision process as requiring restrictions shall also be suitably burdened. Design plans and work as executed plans shall show affected lots marked with Council approved symbols. 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.

**91. 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.

#### **92. 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.

#### **93. 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.

#### **94. 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.

**95. 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.

**96. 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.

**97. Access and Mobility Sign-off**

Prior to the issue of an Occupation Certificate, sign-off from an Access Consultant with a minimum AQF4 qualification 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 shall be provided to the appointed Principal Certifier.

**FOOD CONSTRUCTION CONDITIONS**

The following conditions have been applied to ensure that all construction and fit-out of the food premises complies with the *Food Act 2003*, *Food Regulation 2015*, *Food Standards Code Australia* and *New Zealand and Australian Standard 4674-2004: Design, construction and fit out of food premises*.

**98. Food for Sale**

As there are no satisfactory facilities for the handling, preparing, processing or storage of food, this consent does not allow for the sale of food as defined by the *Food Act 2003*. Prior Council approval is required for the sale of food from the premises.

**END OF CONDITIONS**

## Attachment 2: Compliance tables

**Part 2 – General Requirement for all Development**

An assessment Part 2 of the SCDCP 2015 is provided below:

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
<b>Part 2 Requirements Applying to all Types of Development</b>			
<b>2.3 Views and Vistas</b>	a) Development shall appropriately respond to Campbelltown's important views and vistas to and from public places.	The proposed development is not considered to obstruct views and vistas.	Yes
	b) District views and existing significant view corridors as viewed to and from public places shall be protected	The proposed development is not considered to obstruct views and vistas.	Yes
<b>2.4.1 Rain Water Tanks</b>	a) In addition to satisfying BASIX, residential development is encouraged to provide a rain water tank for new buildings	No rainwater tank is required by BASIX.	N/A
<b>2.4.2 Natural Ventilation</b>	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.	Cross flow ventilation is provided.	Yes
<b>2.4.3 BASIX</b>	A BASIX certificate is to be submitted with residential development in accordance with the SEPP (Building Sustainability Index) 2004.	A BASIX certificate was provided.	Yes
<b>2.4.4 Light Pollution</b>	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 a condition of consent has been recommended to ensure	Yes, conditioned

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
		light pollution does not affect adjoining residential properties	
<b>2.5 Landscaping - Design Requirements</b>	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 applicant has submitted a landscape plan.	Yes
	b) Landscape design shall retain and enhance the existing native flora and fauna characteristics of a site wherever possible.	One native tree retained on site.	Yes
	c) Landscape design shall add value to the quality and character of the streetscape.	The proposed landscaping is acceptable.	Yes
	d) A Landscape Concept Plan is required to be submitted with a development application for boarding houses	A landscape plan was submitted.	Yes
	e) The Landscape Concept Plan shall illustrate mature height, spread of species, trees to be removed/retained and shall be prepared by a suitably qualified person.	The landscape plan is acceptable.	Yes
	f) Landscaping shall maximise the use of locally indigenous and other drought tolerant native plants and avoid the use of invasive species.	The landscape species are acceptable.	Yes
<b>2.7 Erosion and Sediment Control - Design Requirements</b>	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.	An erosion and sediment control plan has been submitted.	Yes, conditioned

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
<b>2.8 Cut, Fill and Floor Levels</b>	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 and fill to the site is minor and a CFMP is not considered to be required in this instance.	N/A
	b) For any dwellings within residential zones, the maximum level of cut shall not exceed 1.0 m below the ground level (existing) and the maximum level of fill shall not exceed 1.0 m above ground level (existing), when measured at any corner of the building platform.	The level of cut and fill is considered to be acceptable for the proposed development.	Yes
	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 proposal does not include basement excavation. Notwithstanding, conditions of consent will be imposed regarding dilapidation.	Yes, conditioned
	d) Development incorporating any cut or fill shall comply with the following requirements: <ul style="list-style-type: none"> <li>i) minimum cross fall of 1% to any adjoining waterway; and</li> <li>ii) batters to be no steeper than 2H:1V ('H' stands for the term 'horizontal distance' and 'V' stands for the term 'Vertical distance';</li> <li>iii) batters to be no steeper than 6H:1V for public areas.</li> </ul>	No significant cut or fill proposed.	N/A

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
	e) All fill shall be 'Virgin Excavated Natural Material' (VENM).	No fill is proposed.	N/A
	f) No fill shall be deposited in the vicinity of native vegetation.	The site does not have native vegetation.	N/A
<b>2.9 Demolition - Design Requirements</b>	<p>a) A development application involving demolition shall be considered having regard to the following information:</p> <ul style="list-style-type: none"> <li>i) a detailed work plan prepared by a suitably qualified person, in accordance with AS2601-2001- The Demolition of Structures (as amended);</li> <li>ii) details of the licensed demolition contractor engaged to carry out the work (including name, address and building licence number);</li> <li>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;</li> <li>iv) details of any asbestos or other hazardous substances to be removed from the site and/or damaged during demolition; and</li> <li>v) a dilapidation report where any demolition work is to be undertaken within the zone of influence of any other structure.</li> </ul>	The demolition of the dwelling and associated structures will be appropriately conditioned to ensure compliance with the SDCDP 2015.	Yes, conditioned
<b>2.10.2 Stormwater -</b>	a) All stormwater systems shall be sized to accommodate the	A stormwater management plan was designed by a	Yes

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
<b>Design requirements</b>	100-yearARI event (refer to Section 4 of Council's Engineering Design Guide for Development available from Council's website at <a href="http://www.campbelltown.nsw.gov.au">www.campbelltown.nsw.gov.au</a> .	suitably qualified person and reviewed by Council's Development Engineer with regard to compliance with the SCDCP and the Engineering Design Guide.	
	b) The design and certification of any stormwater system shall be undertaken by a suitably qualified person.	A stormwater management plan was designed by a suitably qualified person and disposes of stormwater via gravity to the street.	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 development to a public drainage facility.	The stormwater will be drained via gravity to Oxford Road.	Yes
<b>2.10.3 Stormwater Drainage – Design requirements</b>	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.	A stormwater management plan was designed by a suitably qualified person and reviewed by Council's Development Engineer with regard to compliance with the SCDCP and the Engineering Design Guide.	Yes

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
	<p>b) The stormwater concept plan shall include the following information as a minimum:</p> <ul style="list-style-type: none"> <li>i) locations, layouts and sizes of stormwater pipes and pits;</li> <li>ii) minimum grades and capacity of stormwater pipes; and</li> <li>iii) existing and proposed easements, site contours and overland flow path/s.</li> </ul>	The stormwater plan is acceptable.	Yes
<b>2.12 Retaining Walls – Design requirements</b>	a) Any retaining wall that is not complying or exempt development as specified in the E&CDC shall be designed by a suitably qualified person.	<p>The proposed development does not include retaining walls.</p> <p>Conditions will be included to ensure any new retaining walls obtain relevant consent.</p>	N/A
<b>2.13 Security – Design requirements</b>	a) Development shall be designed to maximise, where possible, casual surveillance opportunities to the street and surrounding public places.	A Crime Prevention report was provided at Appendix 1 of the Statement of Environmental Effects.	Yes
	<p>b) External lighting shall be designed to:</p> <ul style="list-style-type: none"> <li>i) encourage the use of safe areas;</li> <li>ii) define safe corridors for movement of people; and</li> <li>iii) allow facial recognition of approaching pedestrians at 15 m.</li> </ul>	External lighting has been addressed with a recommended condition in Attachment 1.	Yes, conditioned
	c) Development shall incorporate appropriate landscaping, fencing and	The design of the proposal is acceptable and has been addressed with a	Yes, conditioned



		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
	security devices to assist in crime prevention.	recommended condition in Attachment 1.	
	e) Development applications for boarding houses, 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.	A Crime Prevention report was provided at Appendix 1 of the Statement of Environmental Effects.	Yes
<b>2.14.3 Bushfire – Design requirements</b>	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
<b>2.15.1 Waste Management Plan – Design requirements</b>	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 for assessment.	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	Sufficient waste details have been provided.	Yes

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
	iv) ventilation of waste and recycling 2.15 storage areas; v) location of garbage chute and service rooms; vi) bin and storage area washing facilities; and vii) occupants' disposal points for all waste streams.		
<b>2.15.2 Waste Management During Demolition and Construction</b>	a) Waste and recyclable streams shall be stored separately on site	Waste Management during construction has been addressed 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	The proposal complies.	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.	The proposal complies.	Yes
	d) Convenient and safe heavy vehicular access to waste and recycling material storage areas shall be provided.	Safe access can be provided for construction waste removal.	Yes
	e) The removal, handling and disposal of asbestos or other hazardous materials shall be carried out in accordance with WorkCover NSW, NSW Environment & Protection Authority (EPA), Office of Environment and Heritage and	Removal of asbestos has been addressed within demolition conditions recommended condition in Attachment 1.	Yes, conditioned

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
	other regulatory authority guidelines and requirements.		
<b>2.15.3 On-going Waste Management</b>	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 room is located behind the front building.	Yes
	b) Any room(s) for storing garbage and recycling receptacles shall be 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.	Waste room suitably located.	Yes
	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.	Kerb side collection is acceptable.	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 proposal complies.	Yes
	e) For safety and ease of manoeuvrability, the distance required for residents, building managers and caretakers to wheel bins to their collection	The proposal complies.	Yes

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
	point shall be the minimum achievable.		
	h) The maximum travel distance between any storage area/point and the collection point for all bins shall be 30 m.	The proposal complies.	Yes
	<p>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:</p> <p>i) the safe and efficient service of the development with minimal need to reverse;</p> <p>ii) adequate clearance to accommodate waste collection by a heavy rigid vehicle, in accordance with the dimensions detailed in Table 2.15.2.</p> <p>iii) vehicles to enter and exit in a forward direction;</p> <p>iv) pavement construction that is sufficient to withstand a heavy rigid collection vehicle of 24 tonnes gross vehicle mass.</p>	Kerbside collection is proposed.	Yes
	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	The proposal complies.	Yes
<b>2.15.4 Environmental Sustainability and Best Practice</b>	<p>a) Systems shall be designed to maximize waste separation and resource recovery;</p> <p>b) Innovative and best practice waste management collection</p>	The proposal complies.	Yes

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
	<p>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>		
<b>2.15.5 Effective Waste and Resource Management</b>	<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>	The proposal complies.	Yes
<b>2.15.6 Clean, Safe and Healthy Living Environments</b>	<p>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.</p>	The proposal complies.	Yes
	<p>b) Illegal dumping and litter from bins shall be minimised through good planning and installation of adequate storage and waste recovery infrastructure</p>	The proposal complies.	Yes
	<p>c) Safe and easy access to waste and resource 2.15 recovery storage areas shall be provided for residents, building managers and collection service providers</p>	The proposal complies.	Yes

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
	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	Not applicable.	N/A
	e) Healthy and safe practices for the storage, handling and collection of waste and recycling materials shall be provided.	The proposal complies	Yes
<b>2.15.9 Bin Storage Areas</b>	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	The proposal complies.	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.	The proposal complies.	Yes
	c) Residents shall not be required to walk more than a maximum distance of 30m to access the bin storage area.	The proposal complies	Yes
<b>2.17.1 Approval Required Prior to Working On or Over Public Land</b>	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,	Separate approval is required and has been addressed with a recommended condition in Attachment 1.	Yes, conditioned

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
	Council car parks, footpaths or nature strips.		
<b>2.17.2 Working Near Public Land</b>	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	Relevant conditions have been addressed with a recommended condition in Attachment 1.	Yes, conditioned
<b>2.21 Acoustic Privacy</b>	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	The acoustic report was provided and reviewed by Council, the acoustic wall and other measures contained within the recommendation has been addressed with a recommended condition in Attachment 1.	Yes, conditioned
	b) A Noise Impact Assessment prepared by a suitably qualified acoustic consultant will be required in cases where the consent authority is not	Acoustic report submitted and reviewed by Council's Environment Officer, the report and proposed was amended to address concerns relating to acoustic impacts from the	Yes, conditioned

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
	satisfied that a development will: i) Achieve a satisfactory level of acoustic amenity for occupants within the existing noise environment; and ii) Produce noise only at levels that will not exceed the relevant noise criteria.	unenclosed car park and as such the proposal has been amended accordingly.	

### **Part 3 – Low and Medium Density Residential Development and Ancillary Residential Structures**

An assessment of Part 3 of the SCDCP is provided below:

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
<b>Part 3 – Low and Medium Density Residential Development and Ancillary Residential Structures</b>			
<b>3.5.1 Fencing</b>	b) Residential fencing along the rear and side boundaries shall be: i) located behind the primary street building line; ii) a maximum 2.1 m in height (excluding retaining walls); and iii) a maximum 1.8 m in height, if adjoining a secondary street.	The submitted acoustic report details a 1.8 m to 2.1 m fence on the side and rear property boundaries. The fences do not extend into the front setback.	Yes
	c) Front residential fencing shall be a maximum of 1.2 m in height and complement the design of the development.	1.2 m fences are provided in the front setback.	Yes



		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
	e) Fencing shall not obstruct power, water, sewer, gas or telephone services, drainage systems, (including overland flow paths) or any easements or rights	The proposal complies.	Yes

### Part 17 - Boarding Houses

An assessment against the Boarding house provisions of the SDCP 2015 is provided below:

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
<b>Part 17 Boarding Houses</b>			
<b>17.2.1 Site and Size Requirements</b>	a) Boarding houses located within low density residential areas shall only be located on sites with a minimum area of 700 m <sup>2</sup> and a road frontage of 15 m.	The site complies.	Yes
	b) Boarding houses located within land zoned R2 Low Density Residential zone under the CELP or land zoned Zone 2(b) Residential B Zone under LEP 2002 shall have a maximum of 12 boarding rooms.	The site is within the R3 zone.	N/A
	c) Boarding houses shall not be erected on battle-axe allotment.	The site is not a battle-axe lot.	N/A
	d) Boarding houses shall only be permitted on a site where no part of the allotment is within 50 m of the commencement of	The site is not on a cul-de-sac.	N/A

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
	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.	There are no apparent street parking restrictions to Oxford Road	Yes
<b>17.2.2 Streetscape</b>	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 proposal complements the locality.	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 located on a corner.	N/A
	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
<b>17.2.3 Setbacks - Low and medium density Residential Areas</b>	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	5.5 m front setback.  630 mm to 1.5 m at ground floor.  1.5 m at first floor.  6 m at the ground floor level.	Partial Compliance, see discussion below

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
	vii) 6.5 m from the rear boundary for all levels above ground level within land zoned R3 under the CLEP.	6.5 m first floor rear setback.	
	b) Notwithstanding 17.2.3 a) i) and ii), any garage shall be setback a minimum of 6 m from any street boundary.	The garage is setback 10.35 m.	Yes
<b>17.2.7 Shared facilities</b>	a) Where shared bathroom facilities are proposed, they shall be provided at the following rates:  i) A minimum of 1 bath or shower for each 10 occupants or part thereof; and  ii) in addition, one accessible toilet and one accessible shower where the number of residents exceeds 5 or more; and  iii) a closet pan and a washbasin with hot and cold running water for each toilet provided; and	The boarding house does not include shared facilities other than the proposed common room.	N/A
	b) Where the number of residents is 5 or less, the common toilet/shower shall also be accessible for people with disabilities.	The boarding house does not include shared facilities other than the proposed common room.	N/A
	c) Toilets shall be able to be accessed separately from the shower, so that toilet and the shower may be used by two separate people at the same time.	The boarding house does not include shared facilities other than the proposed common room.	N/A
	d) Where communal kitchen facilities are proposed, they shall be provided at the following rates:	The boarding house does not include shared facilities other than the proposed common room.	N/A

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
	i) a minimum area of 8sqm for up to 10 occupants and 1sqm additional area for every 2 occupants thereof.		
	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) 1 clothes dryer for every 10 occupants or part thereof and; iii) 1 fixed clothesline of at least 30 m for every 10 occupants or part thereof.	Washer/dryer provided to each room.  Clothes lines in the rear setback.	Yes
<b>17.2.8 Indoor Communal living areas</b>	a) Indoor communal living areas shall be provided with a minimum dimension of 3 m and a minimum total area of 20 m <sup>2</sup> or 1.2 m <sup>2</sup> square metres/resident, whichever is greater.	The proposal requires 28.8 m <sup>2</sup> common room. A 34.52 m <sup>2</sup> common room is proposed.	Yes
<b>17.2.9 Solar Access</b>	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.	3 hours solar access is retained to the adjoining residences.	Yes
	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.	The proposal complies.	Yes

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
<b>17.2.10 Site Services Boarding Houses</b>	a) The location, design and construction of utility services shall satisfy requirements of the relevant servicing authority and Council.	Services are acceptable.	Yes
	b) Adequate provision shall be made available for all essential services (i.e. water, sewerage, electricity, gas, telephone, internet and stormwater drainage).	Services are acceptable.	Yes
	c) All site services shall be placed underground.	Services are acceptable.	Yes
<b>17.2.11 Visual Privacy</b>	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 m of the proposed window or balcony unless appropriately screened.	Windows located on the side boundaries are bathroom and kitchen windows. No screening proposed.  Rear balconies include high masonry balconies and screens however the rear balconies are not considered to be appropriate or acceptable for a boarding house development in a residential area and the site has sufficient ground floor communal open space and first floor communal space to service the occupants.	See discussion in the report.
	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	Bathroom not considered a living room, however translucent glazing still required.  Kitchen window additional glazing measures are required.	See discussion in the report.

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
	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.		
	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.	The first floor balconies are not supported. To be removed as a condition of consent.	Yes, conditioned
<b>17.2.12 Signage</b>	a) Signage shall be limited to a maximum of 1 sign per building, detailing only the name and address of the premises and contact details of the managing agent. b) Signage must be affixed to the front elevation and not to the fence. c) The sign shall have a maximum area of 0.25 m <sup>2</sup> and a maximum height of 0.5 m. d) Signage shall be non-illuminated.	No signage is proposed.	N/A
<b>17.2.12 Private Open Space</b>	a) A minimum of one private open space area of 20 m <sup>2</sup> with a minimum dimension of 3 m shall to be provided for use by lodgers.	A communal open space area is provided.	Yes
	b) Where the boarding house is not within walking distance (400 m) to a park it should provide 30 m <sup>2</sup> of communal private open space.	The communal open space area is 49 m <sup>2</sup> .	Yes

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
	c) The area of the communal private open space shall be directly adjacent to, and accessible from, the main indoor communal living area.	The proposal complies.	Yes
<b>17.3.1 Car Parking</b>	a) Car parking areas shall be setback a minimum of 3 m from the front boundary and any secondary boundary.	Car parking is located behind the front building line.	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 was reviewed by Council's Engineer and a recommended conditions of consent have been included in attachment 1.	Yes, conditioned
	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.	A shared ingress and egress is proposed.	Yes
	e) The minimum width of a driveway serving a boarding house shall be 3 m.	Driveway crossover is 5.5 m.	Yes
	f) Driveways shall : i) be located a minimum distance of 6 m from the tangent point of any unsignalled intersection; and ii) be sealed.	The driveway is not within 6 m of an intersection.	Yes
	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.	No turning bay is provided. However, the site has surplus parking and a turning bay has been included as a recommended condition in Attachment 1.	Yes, conditioned

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
	h) All car parking spaces shall be line marked and delineated with appropriate signage and pavement marking.	All parking spaces will be clearly 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.	A turning bay has been included as a recommended condition in Attachment 1.	Yes, conditioned
<b>17.3.2 Access for People with Disabilities</b>	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).	2 accessible rooms and 1 accessible parking provided.	Yes
<b>17.4 Landscaping</b>	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.	Landscaping front setback is acceptable.  The landscaping to the side setbacks do not comply. See discussion in the report	No
	b) Native mature trees on site shall be retained.	The proposal retains 1 native tree in the rear setback, eight trees are proposed for removal.	Yes
	c) Car parking areas located in the front building setbacks must be screened by appropriate hedging plant species at suitable spacing.	Car parking is located behind the front building line.	Yes
	d) Development applications for boarding houses shall include a Landscape Plan and report, prepared by a suitably	A landscape plan was submitted with the application, which has been	Yes



		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
	<p>qualified person addressing the following:</p> <p>i) species, location and mature height of proposed planting;</p> <p>ii) driveway areas; and</p> <p>iii) fencing height and materials.</p>	prepared by a suitably qualified person.	
<b>17.5.1 Boarding Housing and Waste Management</b>	<p>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:</p> <p>i) Garbage: 1 x 240-litre bin for every 3 boarding rooms per week if bins are to be used on a shared basis, or 1 x 140-litre bin for every boarding room per week if bins are to be allocated to individual boarding rooms</p> <p>ii) Recyclables: 1 x 240-litre bin for every 3 boarding rooms per fortnight if bins are to be used on a shared basis, or 1 x 240-litre bin for every boarding room per fortnight if bins are to be allocated to individual boarding rooms.</p>	5 x 240L waste and recycling bins are required to service the development.	Yes
	<p>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:</p> <p>i) provide for storage of a sufficient number of bins, as</p>	The bin storage area is suitably located relevant conditions of consent have been recommended to enclose the bin storage area to protect the amenity of the resident.	Yes

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
	<p>outlined under Section 17.5.1 a) above;</p> <p>ii) be no more than 25 m from the street;</p> <p>iii) be covered;</p> <p>iv) contain a hose connection;</p> <p>v) have an impervious floor that is connected to the sewer; and</p> <p>vi) incorporate design and construction (including colours, materials and finishes) that complement the development.</p>		
	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 room is appropriately located.	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 four hours of collection.	Bins can be collected from the kerb.	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,	On site collection is not required.	N/A

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
	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).		
	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 <sup>2</sup> metres; i) the area must be accessible to all residents; i) the area must not be more than 10 m from the waste collection point.	A bulky waste room is provided.	Yes
<b>17.6 Management Plan</b>	a) A management plan shall be prepared and lodged with the Development Application for any proposed boarding house.	The applicant has submitted a plan of management with the application.  Conditions of consent have been included in the consent, relating to the plan of management.	Yes conditioned
	b) The management plan shall provide the following information: i) 24 hour contact details of the manager / caretaker (including phone number and mobile phone number);	The applicant has submitted a plan of management with the application.  Conditions of consent have been included in the consent, relating to the plan of management.	Yes conditioned

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
	ii) proposed staffing arrangements during the daytime and at night-time; iii) proposed measures to control any potential noise or amenity impacts within the building and upon the surrounding locality; 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; v) proposed management practices to prevent the use of outdoor common open space areas between 10.00pm and 7.00am.; and 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.		

# NEW BOARDING HOUSE

## 103 Oxford Road, Ingleburn

### DEVELOPMENT APPLICATION

DRAWING ID	NAME	REV	SCALE
DA0000	COVER PAGE	03	
DA1000	SITE PLAN / SITE ANALYSIS PLAN	03	1:500
DA1100	DEMOLITION PLAN	03	1:200
DA2100	GROUND FLOOR	05	1:200
DA2101	FIRST FLOOR	04	1:200
DA2102	ROOF PLAN	04	1:200
DA2800	SHADOW DIAGRAMS	03	1:400
DA2901	SHADOW DIAGRAMS	03	1:400
DA2900	AREA CALCULATION	04	1:400
DA2000	VIEWS FROM THE SUN DIAGRAM	02	1:400
DA3100	ELEVATIONS	04	1:200
DA3101	ELEVATIONS	04	1:200
DA3200	SECTIONS	04	1:200
DA8000	MATERIAL BOARD	03	



NO.	DESCRIPTION	DATE	BY	CHKD.
01	ISSUED FOR PERMIT	15/02/2021	IS/BJE	IS/BJE
02	ISSUED FOR PERMIT	20/02/2021	IS/BJE	IS/BJE
03	ISSUED FOR PERMIT	20/02/2021	IS/BJE	IS/BJE



NOT FOR CONSTRUCTION

PROJECT NO: 18174

DRAWING NO: DA0000

CLIENT: AUSMOTT

CHECKED: SH

APPROVED: SRH

REGION: 03

STAGE: DEVELOPMENT APPLICATION

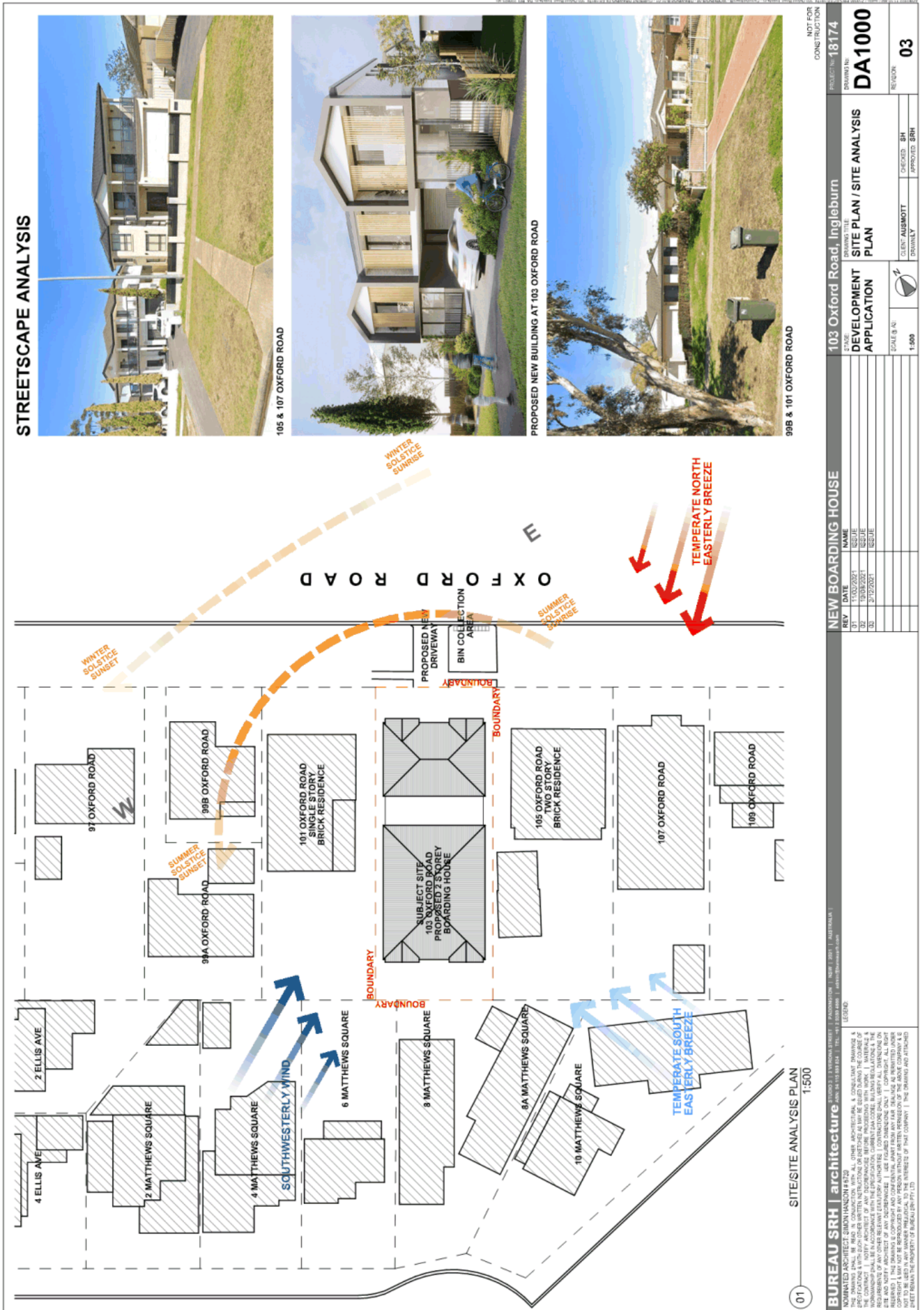
DRAWING TITLE: COVER PAGE

103 Oxford Road, Ingleburn

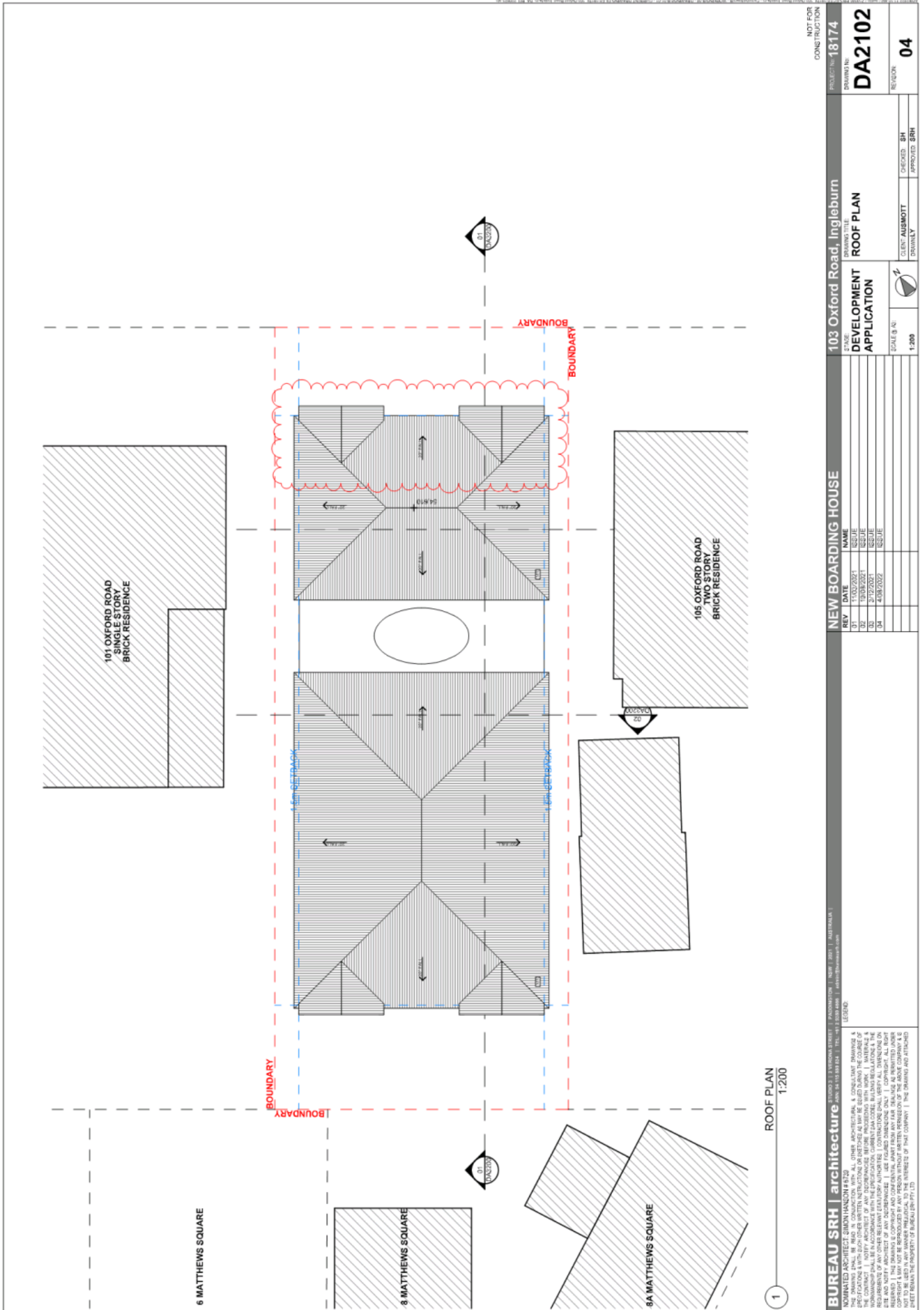
REV	DATE	NAME
01	15/02/2021	IS/BJE
02	20/02/2021	IS/BJE
03	20/02/2021	IS/BJE

**BUREAU SRH | architecture** 51/ROCKY LANE, SYDNEY NSW 1588 AUSTRALIA | TEL: 02 9559 4488 | [www.bureau.com.au](http://www.bureau.com.au)

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NOT FOR CONSTRUCTION

PROJECT No: 18174

DRAWING No: DA2102

REGION: 04

103 Oxford Road, Ingleburn

DRAWING TITLE: ROOF PLAN

STAGE: DEVELOPMENT APPLICATION

CLIENT: AUSMOTT

CHECKED: SRH

APPROVED: SRH

REV	DATE	NAME
01	15/02/2021	RSJUE
02	24/02/2021	RSJUE
03	24/02/2021	RSJUE
04	4/09/2022	RSJUE

NEW BOARDING HOUSE

LEGEND:

1 NOMINATED ARCHITECT: SIMON HANCOCK #6729

2 OWNER: AUSMOTT PTY LTD

3 CONSULTING ENGINEER: BUREAU SRH ARCHITECTURE

4 SPECIFICATIONS AND CONDITIONS OF CONTRACT: AS PER THE INSTRUCTIONS AND SPECIFICATIONS AS MAY BE ISSUED DURING THE COURSE OF THE CONTRACT

5 NOTIFY ARCHITECT OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK

6 MATERIALS & FINISHES TO BE USED TO BE APPROVED BY ARCHITECT

7 CONTRACTOR SHALL VERIFY ALL DIMENSIONS ON SITE AND NOTIFY ARCHITECT OF ANY DISCREPANCIES

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1

ROOF PLAN

1:200





**01** JUNE 21 1PM 1:400

**02** JUNE 21 2PM 1:400

**03** JUNE 21 3PM 1:400

**NOT FOR CONSTRUCTION**

**PROJECT No: 18174**

**DRAWING No: DA2801**

**103 Oxford Road, Ingleburn**

**STAGE: DEVELOPMENT APPLICATION**

**DRAWING TITLE: SHADOW DIAGRAMS**

**CLIENT: AUSMOTT**

**CHECKED: SA**

**DRAWN BY: SRH**

**SCALE(S): 1:400**

**REGION: 03**

REV	DATE	NAME
01	15/02/2021	SRH
02	21/12/2021	SRH
03	21/12/2021	SRH

**NEW BOARDING HOUSE**

**BUREAU SRH | architecture**

**NOMINATED ARCHITECT SIMON HANCOCK #8729**

**LEGEND:**

SHADOWS FROM THE PROPOSED BUILDING AS SHOWN IN THESE SHADOW DIAGRAMS ARE FOR INFORMATION ONLY AND DO NOT REPRESENT THE EXACT SHADOWS THAT WILL BE CAST AT THE TIME AND DATE SHOWN. SHADOWS ARE CAST FROM THE PROPOSED BUILDING AS SHOWN IN THESE SHADOW DIAGRAMS AND ARE NOT TO BE USED AS A GUIDE TO THE EXACT SHADOWS THAT WILL BE CAST AT THE TIME AND DATE SHOWN. SHADOWS ARE CAST FROM THE PROPOSED BUILDING AS SHOWN IN THESE SHADOW DIAGRAMS AND ARE NOT TO BE USED AS A GUIDE TO THE EXACT SHADOWS THAT WILL BE CAST AT THE TIME AND DATE SHOWN. SHADOWS ARE CAST FROM THE PROPOSED BUILDING AS SHOWN IN THESE SHADOW DIAGRAMS AND ARE NOT TO BE USED AS A GUIDE TO THE EXACT SHADOWS THAT WILL BE CAST AT THE TIME AND DATE SHOWN.

1 9am 1:400

2 10am 1:400

3 11am 1:400

4 12pm 1:400

5 1pm 1:400

6 2pm 1:400

7 3pm 1:400

COMMUNAL LIVING ROOM RECEIVING SOLAR: 4HOURS (11AM, 12PM, 1PM, 2PM & 3PM)

**BUREAU SRH | architecture** 51 TOWN STREET | ADELPHI, SYDNEY NSW 2000, AUSTRALIA  
 TEL: 02 9550 1000 | FAX: 02 9550 1001 | WWW.BUREAU-SRH.COM

**NOMINATED ARCHITECT SIMON HANCOCK #6729** UNDER ARCHITECTURAL & VISUAL ENVIRONMENTAL REGULATIONS AND/OR WITHIN INSTRUMENTAL INSTRUMENTS AS MAY BE REQUIRED DURING THE COURSE OF THE CONTRACT. IN THE EVENT OF ANY DISCREPANCY BETWEEN THE DRAWINGS AND ANY INSTRUMENTAL INSTRUMENTS OR REGULATIONS, THE INSTRUMENTS SHALL TAKE PRECEDENCE. THE CLIENT'S RESPONSIBILITY IS TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES. THE CLIENT'S RESPONSIBILITY IS TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES. THE CLIENT'S RESPONSIBILITY IS TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES. THE CLIENT'S RESPONSIBILITY IS TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.

**LEGEND:**

1. SOLAR GAIN

2. SOLAR GAIN

3. SOLAR GAIN

4. SOLAR GAIN

5. SOLAR GAIN

6. SOLAR GAIN

7. SOLAR GAIN

**NOT FOR CONSTRUCTION**

**PROJECT No: 18174**

**DRAWING No: DA2900**

**CLIENT: AUSMOTT** DRAWN BY: SRH

**CHECKED: SRH** APPROVED: SRH

**REGION: 02**

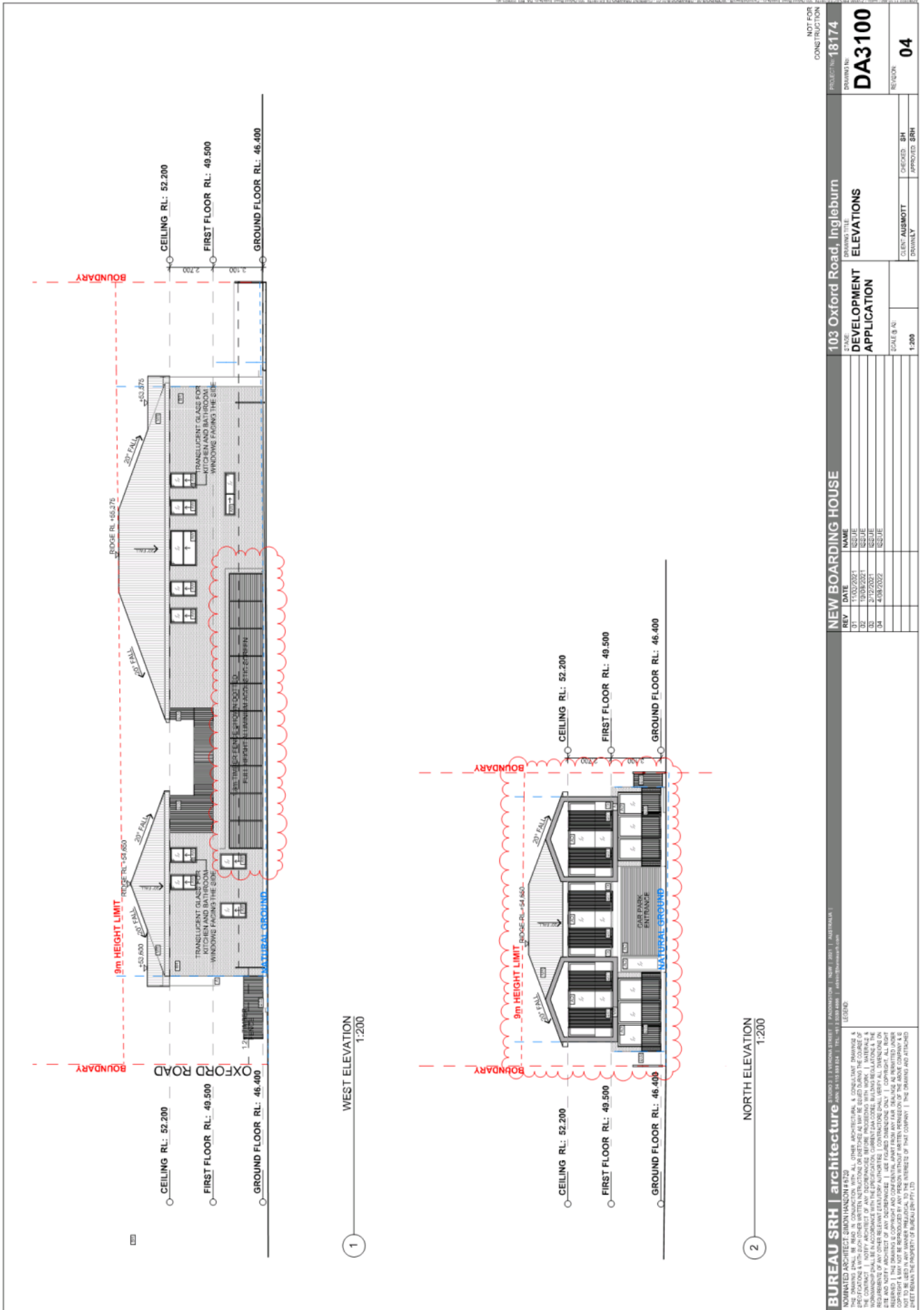
**STAGE: DEVELOPMENT APPLICATION**

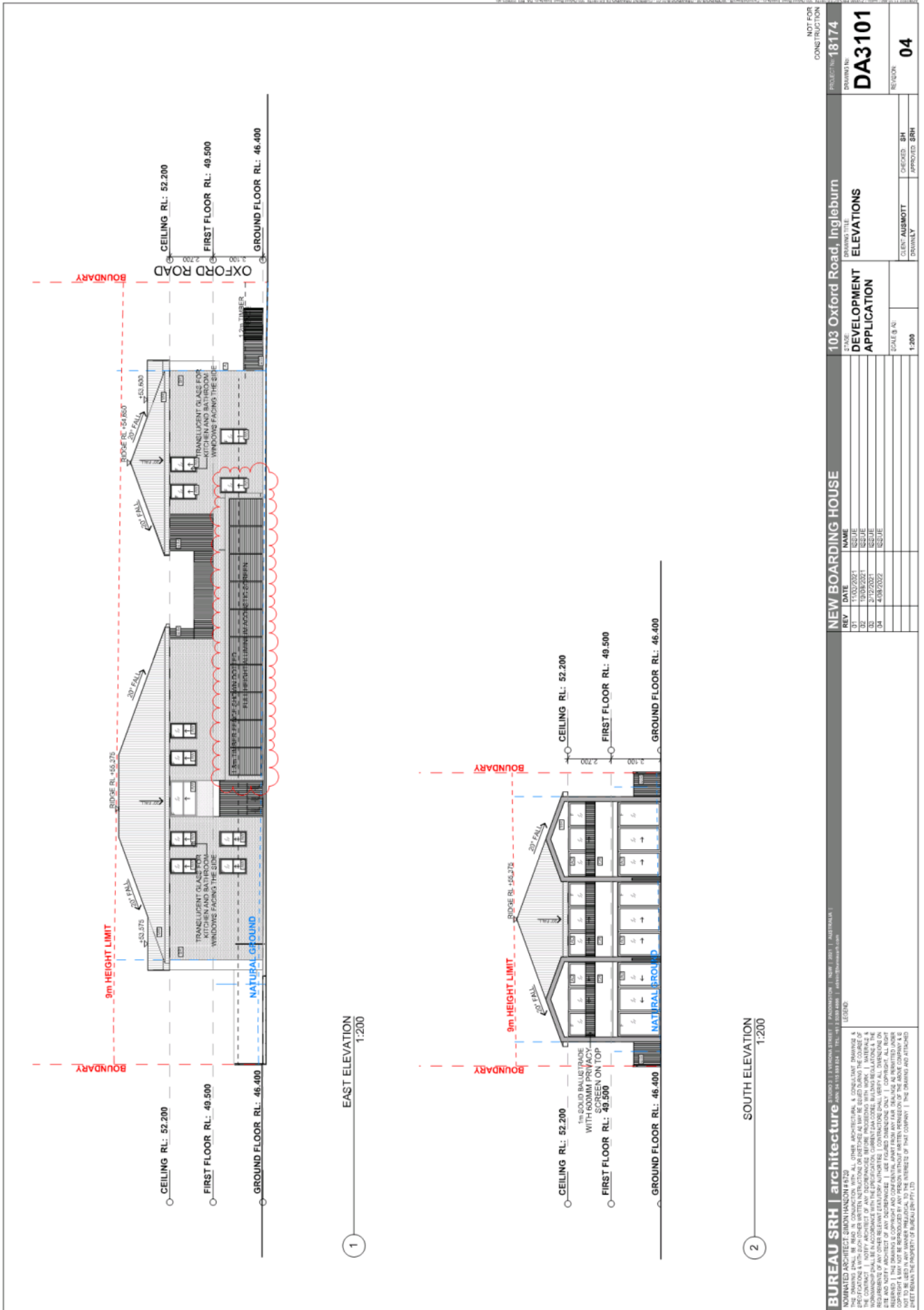
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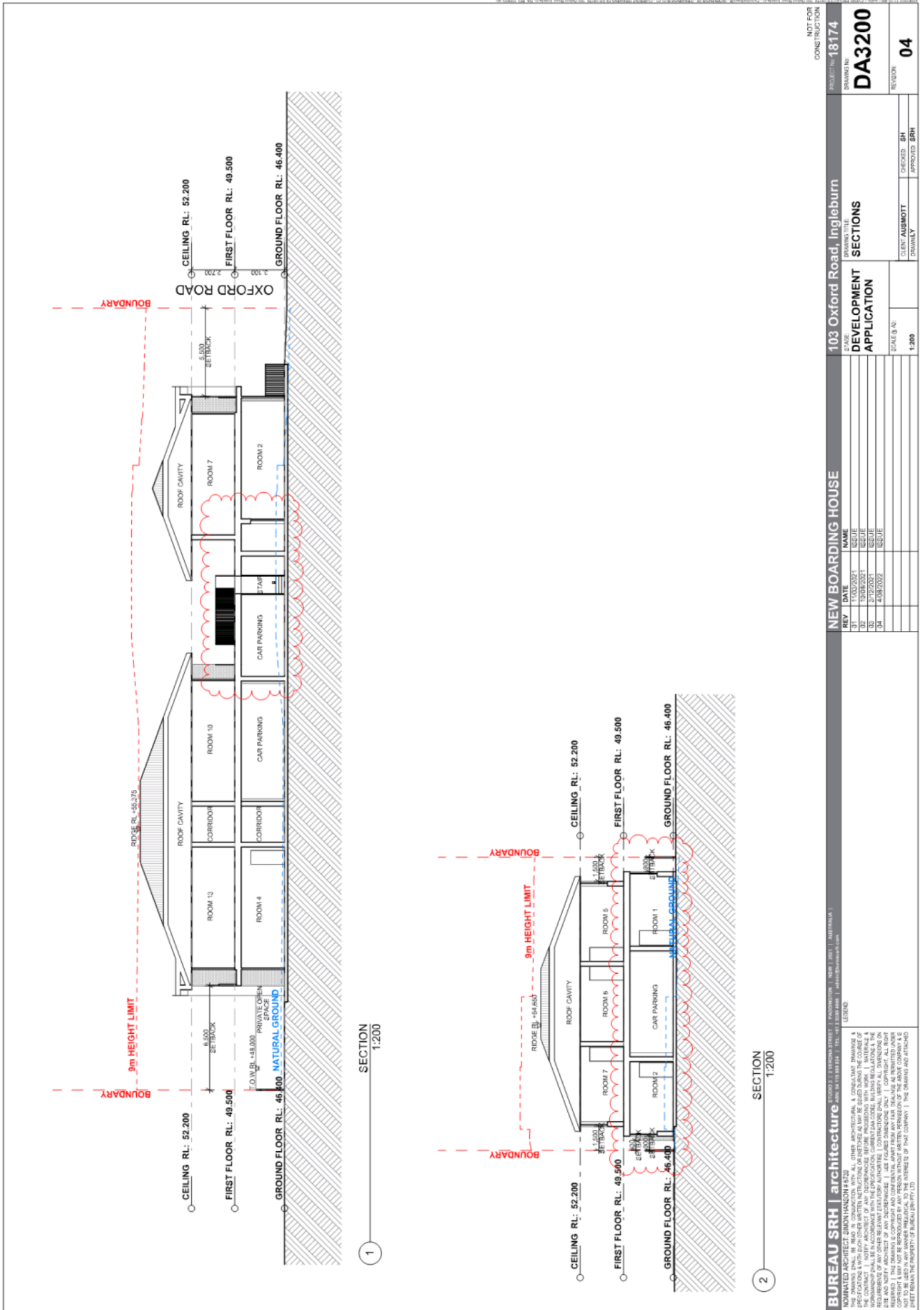
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**NEW BOARDING HOUSE** 103 Oxford Road, Ingleburn

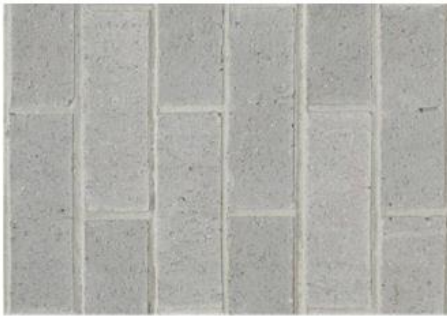
REV	DATE	NAME
01	10/09/2021	ISSUE
02	21/12/2021	ISSUE







**MATERIAL BOARD**



**BR** - BRICK WALL - COLOUR PGH 'LIGHTNING' OR SIMILAR



**S02** - VERTICAL METAL FENCE



**A** - METAL AWNING DARK GREY OR SIMILAR



**AW** - ALUMINUM DOUBLE HUNG WINDOW DARK GREY OR SIMILAR



**S01** - TIMBER LOOKING ALUMINUM PRIVACY SCREENS OR SIMILAR



**MR** - METAL ROOFING DARK GREY OR SIMILAR



**AD** - ALUMINUM DOOR DARK GREY OR SIMILAR



**G** - GLASS BALUSTRADE

NOT FOR CONSTRUCTION

**NEW BOARDING HOUSE**

PROJECT No: **18174**

DRAWING No: **DA8000**

DRAWING TITLE: **MATERIAL BOARD**

STAGE: **DEVELOPMENT APPLICATION**

CLIENT: **AUSMOTT**      CHECKED: **SH**

DRAWN BY: **SRH**      APPROVED: **SRH**

REV	DATE	NAME
01	15/02/2021	SRH
02	24/02/2021	SRH
03	24/02/2021	SRH

SCALE: 1:1

103 Oxford Road, Ingleburn

**BUREAU SRH | architecture**

NOMINATED ARCHITECT: SIMON HANCOCK #48229      ENGINEER: ANDREW BARKER #123456789      REGISTERED ARCHITECT: ANDREW BARKER #123456789      REGISTERED ENGINEER: ANDREW BARKER #123456789

BUREAU SRH ARCHITECTURE PTY LTD      10/100 ST LOUISA STREET      WANDSWORTH NSW 1570      TEL: (02) 9559 4444      WWW.BUREAUSRH.COM

LEGEND:

THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL AND ANY OTHER RELEVANT AUTHORITIES. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS ON SITE AND NOTIFY ARCHITECT OF ANY DISCREPANCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL AND ANY OTHER RELEVANT AUTHORITIES. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS ON SITE AND NOTIFY ARCHITECT OF ANY DISCREPANCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL AND ANY OTHER RELEVANT AUTHORITIES. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS ON SITE AND NOTIFY ARCHITECT OF ANY DISCREPANCIES.

PROPOSED BOARDING HOUSE AT 103 OXFORD ROAD, INGLEBURN

GENERAL
01 The contractor shall be responsible for the verification of the site location, boundaries and easements of the project. The contractor shall be responsible for obtaining all necessary permits from the relevant authorities.

EROSION AND SEDIMENT CONTROL NOTES
01 New runs are to be made in accordance with the following table:
02 The contractor shall be responsible for the verification of the site location, boundaries and easements of the project.

RECOMMENDED MAINTENANCE SCHEDULE
DISCHARGE CONTROL (DDP)
RESPONSIBILITY PROCEDURE
01 Remove piles. Ensure the area is free from debris and vegetation.
02 Remove piles. Ensure the area is free from debris and vegetation.

STANDARD LINE TYPES AND SYMBOLS
PROPOSED LINE AND SYMBOLS
OVERLAP PROVISIONS
DOWNGRADE

LEGEND table listing symbols and descriptions for various engineering features such as boundaries, easements, and structural elements.

PROPOSED BOARDING HOUSE AT 103 OXFORD ROAD, INGLEBURN GENERAL NOTES table with 2 columns: NO., DESCRIPTION.

Engineering Studio Civil & Structural logo and contact information.

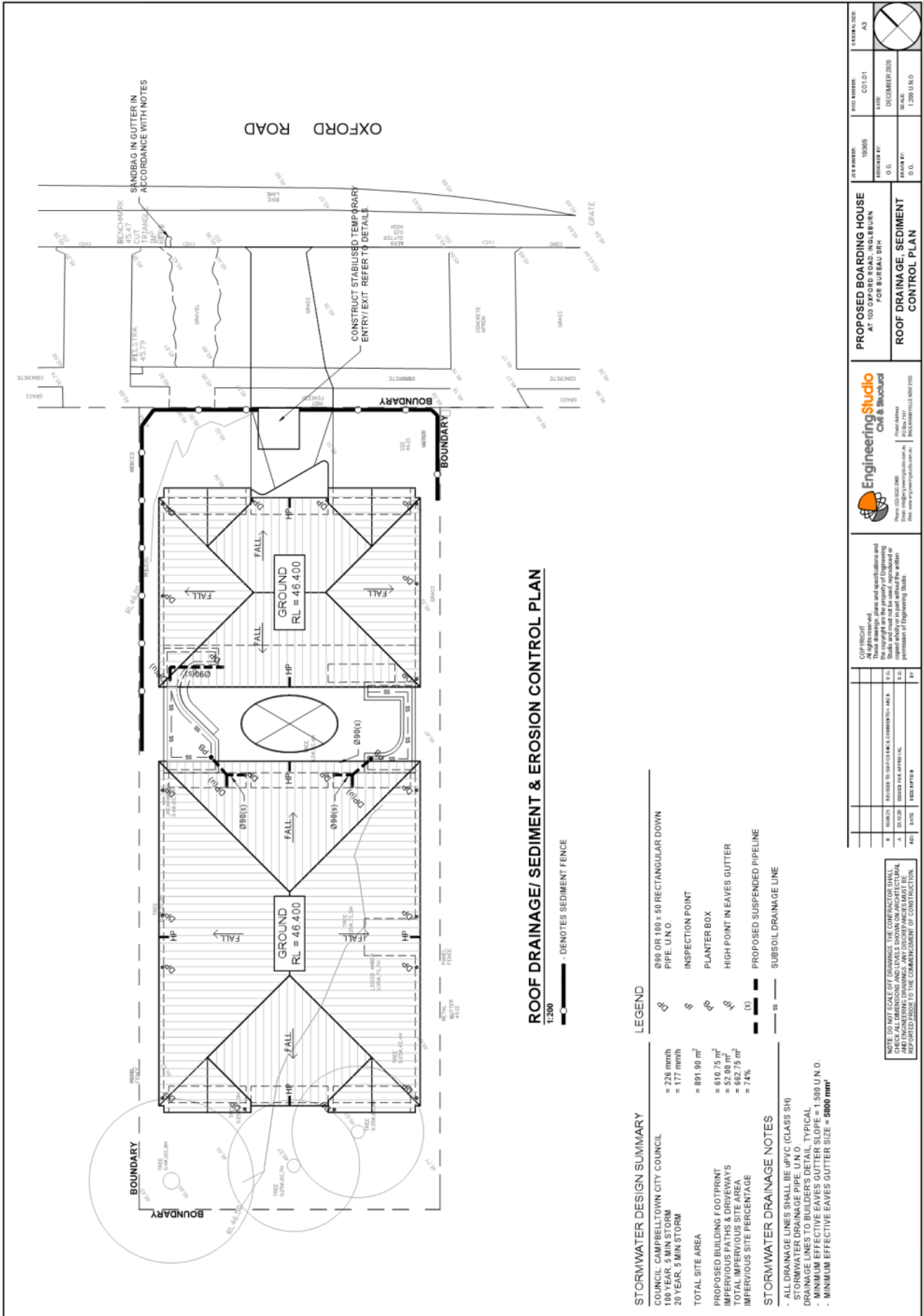
PROPOSED BOARDING HOUSE AT 103 OXFORD ROAD, INGLEBURN GENERAL NOTES table with 2 columns: NO., DESCRIPTION.

Engineering Studio Civil & Structural logo and contact information.

PROPOSED BOARDING HOUSE AT 103 OXFORD ROAD, INGLEBURN GENERAL NOTES table with 2 columns: NO., DESCRIPTION.

Engineering Studio Civil & Structural logo and contact information.





**ROOF DRAINAGE/ SEDIMENT & EROSION CONTROL PLAN**

1:200  
 - DENOTES SEDIMENT FENCE

**STORMWATER DESIGN SUMMARY**

COUNCIL: CAMPBELLTOWN CITY COUNCIL  
 100 YEAR, 5 MIN STORM  
 20 YEAR, 5 MIN STORM

TOTAL SITE AREA  
 = 891.90 m<sup>2</sup>

PROPOSED BUILDING FOOTPRINT  
 = 610.75 m<sup>2</sup>

IMPERVIOUS PATIOS, COVERWAYS  
 = 63.00 m<sup>2</sup>

TOTAL IMPERVIOUS SITE AREA  
 = 673.75 m<sup>2</sup>

IMPERVIOUS SITE PERCENTAGE  
 = 74%

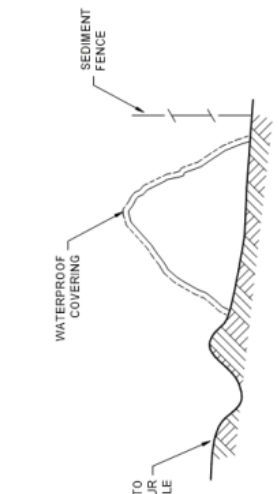
**STORMWATER DRAINAGE NOTES**

- ALL DRAINAGE LINES SHALL BE uPVC (CLASS SH) STORMWATER DRAINAGE PIPE, U.N.O.
- DRAINAGE LINES TO BUILDER'S DETAIL, TYPICAL
- MINIMUM EFFECTIVE EAVES GUTTER SLOPE = 1:500 U.N.O.
- MINIMUM EFFECTIVE EAVES GUTTER SIZE = 5000 mm<sup>2</sup>

**LEGEND**

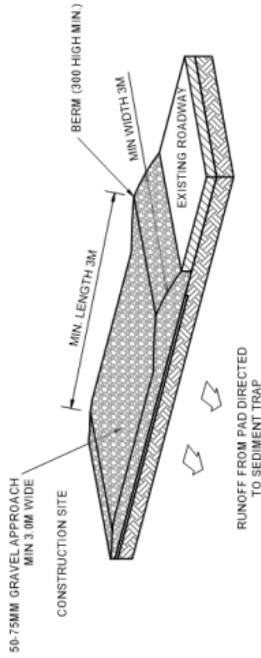
- Ø 90 OR 100 x 50 RECTANGULAR DOWN PIPE, U.N.O.
- INSPECTION POINT
- PLANTER BOX
- HIGH POINT IN EAVES GUTTER
- PROPOSED SUSPENDED PIPELINE
- SUBSOIL DRAINAGE LINE

<p><b>EngineeringStudio</b>                  Civil &amp; Structural</p> <p>14141 Main Street                  Phone: (03) 922 2660                  Email: info@engineeringstudio.co.nz                  Web: www.engineeringstudio.co.nz</p>		<p>PROPOSED BOARDING HOUSE                  AT 102 OXFORD ROAD, INGLEBURN                  FOR SURFACE WATER                  ROOF DRAINAGE, SEDIMENT                  CONTROL PLAN</p>	<p>PROJECT NUMBER: 10095                  O.G.                  DRAWING NO.: 1/200 U.N.O.</p>	<p>DATE: DECEMBER 2022                  SCALE: 1:200 U.N.O.</p>	<p>PROJECT NUMBER: C01.01                  O.G.                  DATE: 1/200 U.N.O.</p>	<p>SCALE: A3</p>																	
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NO.	DATE	DESCRIPTION																					
1	25/12/22	ISSUED FOR APPROVAL																					
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1																							
<p>NOTE: DO NOT SCALE OFF DRAWINGS. THE CONTRACTOR SHALL CHECK ALL DIMENSIONS AND LEVELS SHOWN ON ARCHITECTURAL AND STRUCTURAL DRAWINGS. ANY DISCREPANCIES MUST BE REPORTED IMMEDIATELY TO THE CONSULTANT OF RECORD.</p>																							

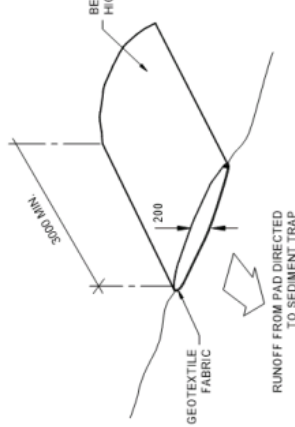


**BUILDING MATERIAL STOCKPILES**

**NTS**  
ALL STOCKPILES OF BUILDING MATERIAL SUCH AS SAND AND SOIL MUST BE PROTECTED TO PREVENT SCOUR AND EROSION. THEY SHOULD NEVER BE PLACED IN THE STREET GUTTER WHERE THEY WILL WASH AWAY WITH THE FIRST RAINSTORM.



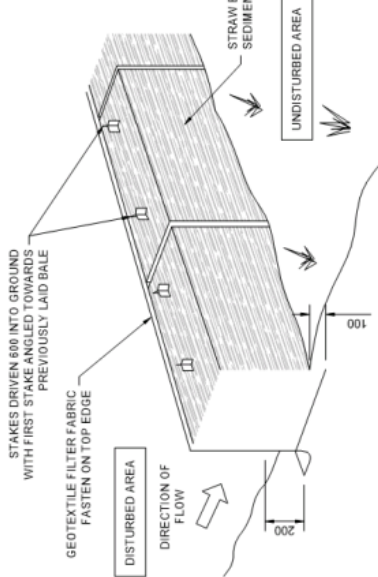
OPTION 2 - DRIVEWAY TO BE RENEWED



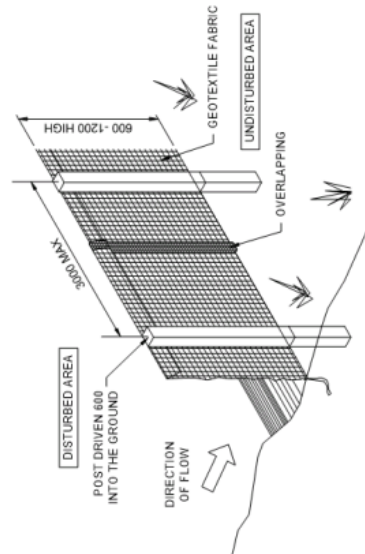
OPTION 1 - EXISTING DRIVEWAY TO REMAIN

**VEHICLE ACCESS TO SITE**

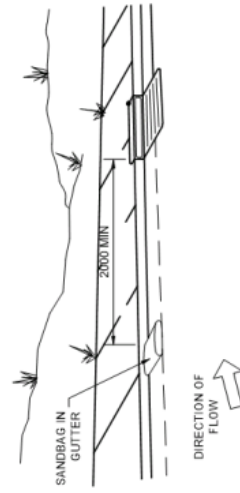
**NTS**  
VEHICLE ACCESS TO THE BUILDING SITE SHOULD BE RESTRICTED TO A SINGLE POINT SO AS TO REDUCE THE AMOUNT OF SOIL DEPOSITED ON THE STREET PAVEMENT.



**STRAW BALE DETAIL**  
NTS



**SEDIMENT AND EROSION FENCE DETAIL**  
NTS



**SANDBAG KERB SEDIMENT TRAP**  
NTS  
IN CERTAIN CIRCUMSTANCES EXTRA SEDIMENT TRAPPING MAY BE NEEDED IN THE STREET GUTTER

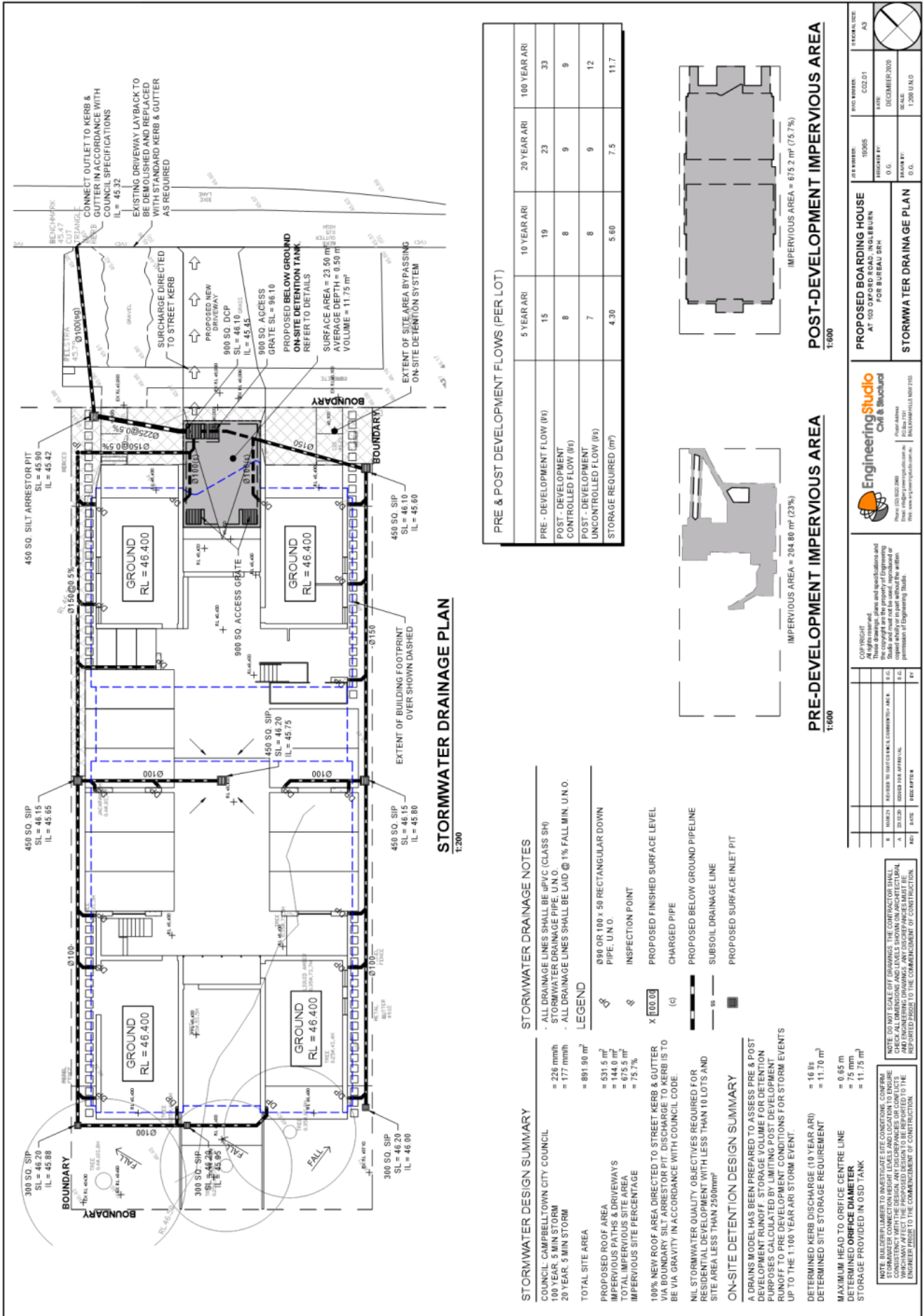
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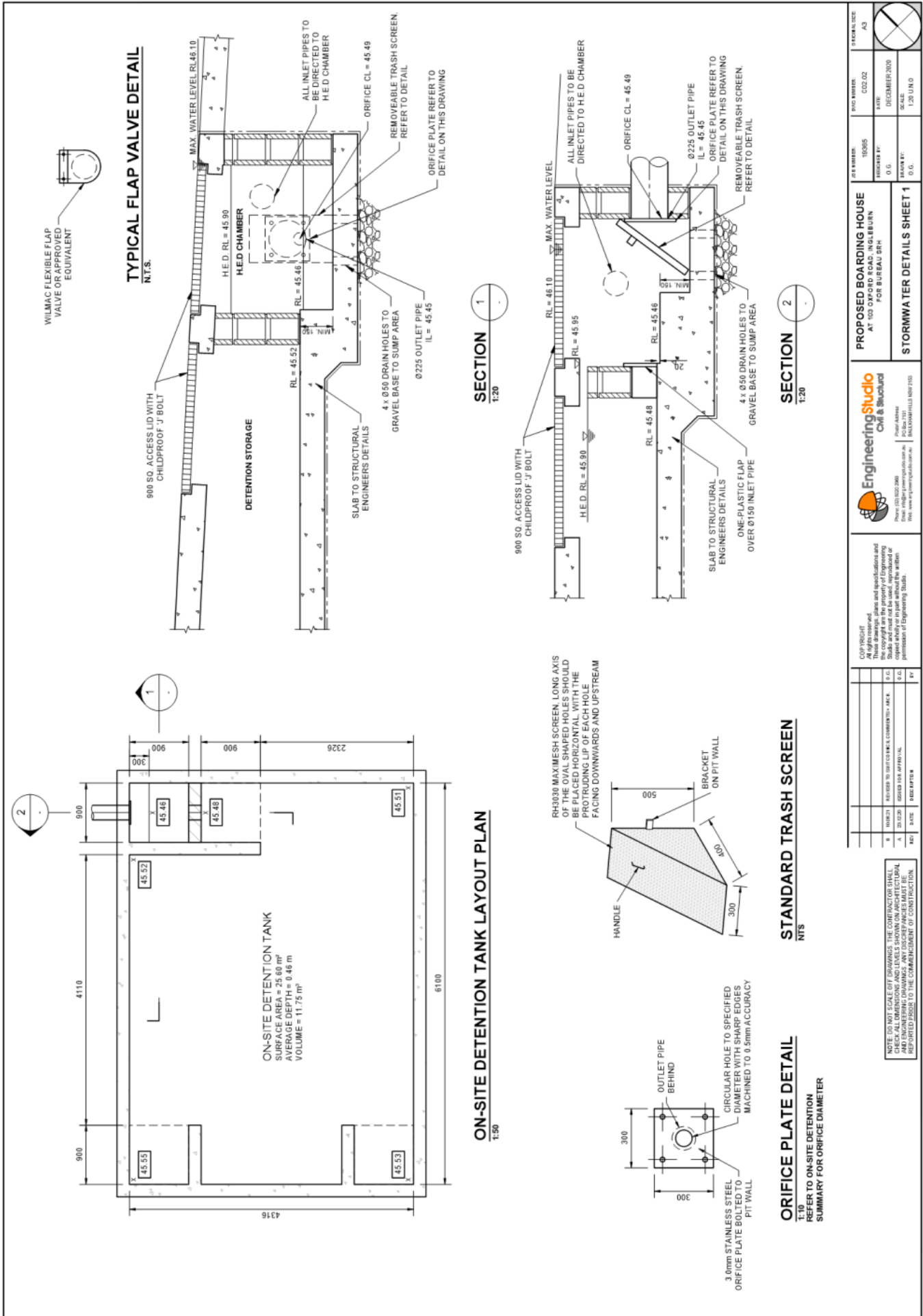
NO	DATE	DESCRIPTION	BY
1	10/03/21	REVISED TO SATISFY M.C.L. COMMENTS - M.C.K.	R.G.
2	25/02/21	REVISED FOR APPROVAL	R.G.

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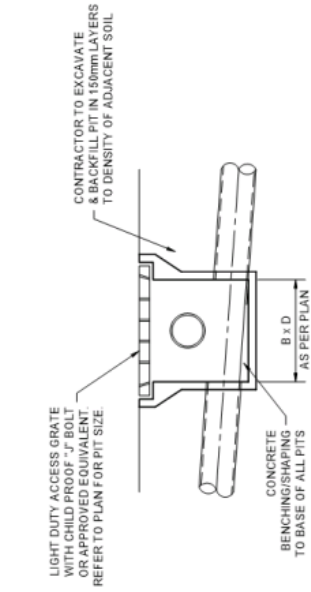
PROPOSED BOARDING HOUSE AT 102 OXFORD ROAD, INGLEBURN FOR 8 BUNGALOWS	DTA NUMBER: 10085	DTA NUMBER: 10085	DTA NUMBER: 10085
SEDIMENT & EROSION CONTROL DETAILS	PROJECT NO: 01/02	DATE: 01/02	SCALE: 1:20 UNDO
	ISSUE NO: 01	DATE: 01/02/2022	BY: [Signature]

**Engineering Studio**  
Civil & Structural  
14/12/2022  
Phone: 021 522 2660  
Email: info@engineeringstudio.co.nz  
100 BROADWAY, AUCKLAND

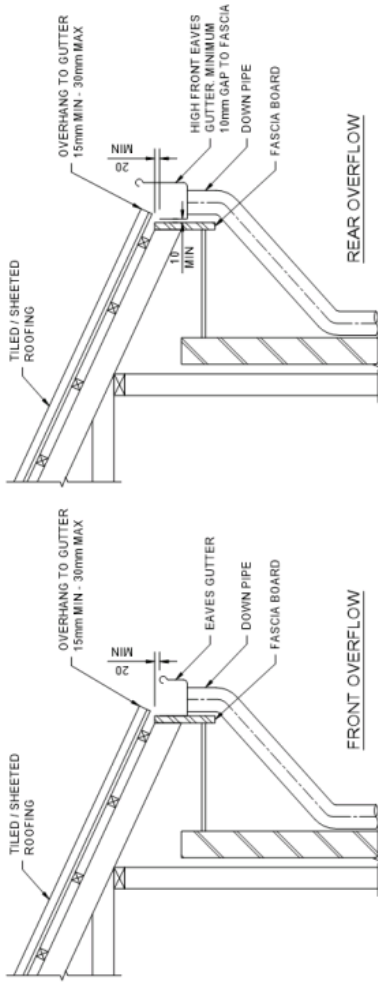




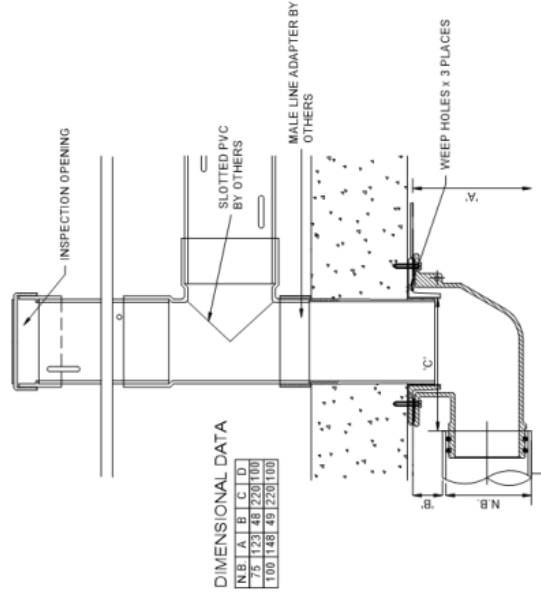
<p><b>EngineeringStudio</b> Civil &amp; Structural</p> <p>14/12/2022 Phone: (03) 922 2960 Email: info@engineeringstudio.co.nz www.engineeringstudio.co.nz</p>		<p>PROPOSED BOARDING HOUSE AT 100 OXFORD ROAD, INGLEBURN FOR 8 SUITES 8/19/1</p>	<p>DATE: 12/01/2022 DRAWN BY: [ ] CHECKED BY: [ ] SCALE: 1:20 UNDO</p>	<p>PROJECT NUMBER: 100895 O.G. REVISION NUMBER: 002.02 DATE: DECEMBER 2022</p>	<p>SCALE: 1:20 UNDO</p>
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**TYPICAL SURFACE INLET PIT DETAIL**  
1:20

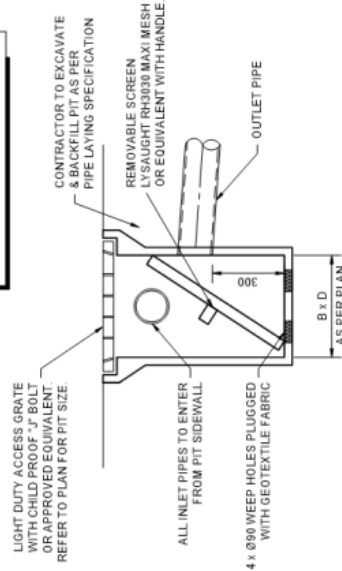


**TYPICAL EAVES GUTTER DETAIL**  
1:20




**TYPICAL 100 SQ. PLANTER BOX DRAIN**  
1:5  
SPECIFICATION CODE:  
C100/90 A 100mm SIDE OUTLET

NOTE: A SIGN STATING "THIS SILT ARRESTOR PIT SHALL BE REGULARLY INSPECTED AND CLEANED" MUST BE INSTALLED ADJACENT TO THE PIT



**TYPICAL SILT ARRESTOR PIT DETAIL**  
1:20

 <p>EngineeringStudio Civil &amp; Structural</p> <p>1000 HILLVIEW DRIVE MOUNTAIN VIEW, NJ 07093 Phone: (201) 522-2660 Fax: (201) 522-2661 www.EngineeringStudio.com</p>		<p>PROPOSED BOARDING HOUSE AT 100 DUNDAS ROAD, INGLESBURN FOR 8 SUITES 9TH</p>	<p>DATE: 12/01/2022 SCALE: 1:20 UNDO</p>
<p>PROJECT NO: 100905 O.G. REVISED BY: O.G.</p>	<p>DATE: 02/03 DECEMBER 2008</p>	<p>PROJECT NO: 100905 O.G. REVISED BY: O.G.</p>	<p>SCALE: 1:20 UNDO</p>
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# Plan of Management

103 OXFORD ROAD, INGLEBURN

19 AUGUST 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. 103 Oxford Road, Ingleburn.

The boarding house is to accommodate a total of 13 rooms/suites (including on site manager), each with full bathroom, kitchenette and living area. The boarding house will accommodate a total of 26 lodgers based on the room size and configuration-noting 24 boarders would be the maximum plus the manager.

The development proposal also includes a communal living room and outdoor communal open space, 10 car parking space including an accessible car parking space, 3 motorcycle parking spaces and 3 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) (i) 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 24 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.

#### **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 ground floor waste room and waste collection is to occur from the street frontage.

The on-site manager will move the bins to the street and return them after collection by Councils waste service.







## **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





## 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 devise 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.

*Parking of Vehicles and Vehicular Access Arrangements  
Entry and Exit of Cars and Turning Area*

The development has 10 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 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.

*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 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.





***103 Oxford Road, Ingleburn***

***Proposed Boarding House***

***Access Report on DA Drawings***

***Accessible Public Domain***

***2 December 2020***

**Access Report on DA Drawings, 2.12.20**

Item	Feature	Description	Compliance Required
1.00	Consultation		
1.01	Australian Standards and other criteria consulted in the preparation of this Access Report	<ul style="list-style-type: none"> <li>• Building Code of Australia 2019</li> <li>• Disability (Access to Premises – Buildings) Standards, 2010</li> <li>• Commonwealth Disability Discrimination Act, 1992</li> <li>• Campbelltown (Sustainable City) DCP 2015</li> <li>• SEPP (Affordable Rental Housing) 2009</li> </ul>	
1.02	Drawings	Project 18174  DA2100 - Ground Floor Plan, Revision 01 DA2101 - First Floor Plan DA2102 - Roof Plan DA3100 - Elevations DA3101 - Elevations DA8000 - Material Board	

<p>1.03</p>	<p>Proposal</p>	<p>Two Storey Boarding House:</p> <ul style="list-style-type: none"> <li>• 12 Boarding Rooms</li> <li>• Including 2 Accessible Boarding Rooms on the Ground Floor</li> <li>• Manager’s Room</li> <li>• Communal Living Room on the Ground Floor</li> <li>• On-site parking for ten vehicles, including one Accessible Space with adjoining Shared Area</li> <li>• Parking for bicycles and motorbikes</li> </ul>	
<p>1.04</p>	<p>NCC 2019 Classifications</p>	<p>The Boarding House is a BCA Class 3 building.</p> <p>The Parking Area is BCA Class 7.</p>	<p>For a Class 3 building, the Disability (Access to Premises – Buildings) Standards, 2010, require access to be provided:</p> <ul style="list-style-type: none"> <li>• From the allotment boundary to and within the Accessible Units, and</li> <li>• From the Accessible Unit, to and within any Common Area.</li> </ul> <p>For a Class 7 building, access is required:</p> <ul style="list-style-type: none"> <li>• To and within any level containing accessible carparking spaces</li> </ul>

2.00	Access to Building	Description	Compliance Required
2.01	Access from Public Footway of Oxford Road	<p>At-grade pedestrian entry is provided at the allotment boundary of Oxford Road.</p> <p>The walkway which leads from the property boundary to the Main Entry will have the following features:</p> <ul style="list-style-type: none"> <li>• Maximum gradient 1:20</li> <li>• The surface on each side of the walkway will be level with the walkway for a horizontal distance of at least 600 mm</li> <li>• A level surface at least 1450 mm long on the outside of the entry.</li> </ul>	Complies
2.02	Main Entry	<p>The entry doorway will have a clear width of at least 850 mm, when the door is fully open.</p> <p>The door is to have the following features:</p> <ul style="list-style-type: none"> <li>• Door hardware to comply with <b>AS1428.1 (2009), Clause 13.5.</b></li> <li>• Door closer to allow the door to be easily opened and held open, with a maximum force of 20 Newtons.</li> <li>• The colour of the door, or door surrounds, will provide a luminance contrast of at least 30% with the adjacent walls, inside and outside of the door.</li> </ul>	<p>Complies</p> <p>All to be confirmed at CC Stage</p>

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*103 Oxford Road, Ingleburn – Proposed Boarding House*

		<p>If the door or side panel is glazed it will have the following features:</p> <ul style="list-style-type: none"> <li>• A contrast strip 900 mm - 1100 mm above the surface</li> <li>• The strip is to be at least 75 mm wide, for the full width of the door and panel.</li> <li>• The strip is to provide a luminance contrast of at least 30 % with its surroundings.</li> </ul> <p>If a secure entry is provided, the key pad or other control will be located 900 mm to 1100 mm above the surface; and at least 500 mm from an internal corner.</p>	<p>All to be confirmed at CC Stage</p>
<p><b>2.03</b></p>	<p><b>Shared Way</b></p>	<p>The Shared Way is level throughout, and provides access to Boarding Rooms 1 and 2; the Communal Room; the Manager’s Room; the Bin Store; Motorcycle and Bicycle parking spaces; and ten vehicle parking spaces.</p> <p>Bollards along the Shared Way protect residents from vehicles as they approach Accessible Boarding Rooms 1 and 2, and the Communal Room.</p> <p>The bollards are to have a colour that provides a luminance contrast of at least 30% with the pavement.</p>	<p><b>Complies</b></p> <p>To be confirmed at CC Stage</p>

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2.04	<b>Paving</b>	All paving, including the Shared Way, is to be non-slip in wet and dry conditions.	To be confirmed at CC Stage
2.05	<b>Drainage Grates</b>	Any drainage grate within a path are to have – <ul style="list-style-type: none"> <li>• Slots of maximum width 13 mm; or circular openings of maximum 13 mm diameter.</li> <li>• Slots laid perpendicular to the path of travel</li> </ul>	All to be confirmed at CC Stage
2.06	<b>Letterboxes</b>	Letterboxes for the Accessible Boarding Rooms will be located: <ul style="list-style-type: none"> <li>• Adjacent to an accessible path of travel</li> <li>• On a hard stand area</li> <li>• With circulation space of 1500 mm in front of the boxes</li> <li>• 900 mm-1100 mm above the surface</li> <li>• At least 500 mm from an internal corner.</li> </ul>	<b>Complies</b>
3.00	<b>Internal Access</b>	<b>Description</b>	<b>Compliance Required</b>
3.01	<b>Accessible Boarding Rooms</b>	Where a Boarding House provides for 11-40 Residents, the Disability (Access to Premises – Buildings) Standards, 2010, require two Boarding Rooms to be fully accessible, at OC Stage.	<b>Complies</b> Two Accessible Boarding Rooms will be provided

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<p><b>3.02</b></p>	<p><b>Access to Communal Room</b></p>	<p>The path of travel from Boarding Rooms 1 and 2 to the Bin Area and Communal Room is level throughout.</p>	<p><b>Complies</b></p>
<p><b>3.03</b></p>	<p><b>Communal Room</b></p>	<p>The doorway will have the following circulation features:</p> <ul style="list-style-type: none"> <li>• Minimum clear width of 850 mm, when the door is fully open</li> <li>• 1450 mm external clear width in front of the door</li> <li>• External hinge-side clearance of 560 mm</li> <li>• External latch-side clearance of 340 mm</li> <li>• Internal hinge-side clearance 110 mm</li> <li>• Internal latch-side clearance 530 mm</li> <li>• 1450 mm internal clear width in front of the door provides a clear width of at least 850 mm, when the door is fully open.</li> </ul> <p>Sliding doors to the Communal Open Space will provide a clear opening of at least 850 mm when one leaf is open.</p> <p>The tracks for the sliding doors will be recessed into the floor slab, to avoid a trip hazard.</p>	<p><b>Complies</b></p>

	<p>Door hardware to comply with <b>AS1428.1 (2009), Clause 13.5.</b></p> <p>Door closers are to allow the door to be easily opened and held open, with a maximum force of 20 Newtons.</p> <p>The colour of the doors, or door surrounds, is to provide a luminance contrast of at least 30% with the adjacent walls, inside and outside of the doors.</p> <p>Glazed doors are to have a contrast strip between 900 mm and 1100 mm above the floor. The strip is to be at least 75 mm wide, for the full width of the doors.</p> <p>The strip is to provide a luminance contrast of at least 30 % with its surroundings.</p> <p>At least one table is to have –</p> <ul style="list-style-type: none"> <li>• Table top height of 850 +/- 20 mm</li> <li>• Clearance below of 820 +/- 20 mm</li> </ul> <p>Some seating at the table is to have arm rests and backrests.</p> <p>The Kitchen area is a wet area and is to have a non-slip surface, when wet or dry.</p>	<p>All to be confirmed at CC Stage</p>
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<b>3.04</b>	<b>Bin Area</b>	Clearance in front of bins will be 1550 mm.	<b>Complies</b>
<b>3.05</b>	<b>External Communal Open Space</b>	The external Deck from the Communal Room is level with the Ground Floor of the Communal Room.  The Communal Open Space, and any facilities on the Deck or in the communal Open Space, are to be fully accessible.  Any difference in levels between the Deck and Open Space will require a ramp.	To be confirmed at CC Stage  To be confirmed at CC Stage
<b>4.00</b>	<b>Accessible Rooms</b>	<b>Description</b>	<b>Compliance Required</b>
<b>4.01</b>	<b>Rooms</b>	Accessible Boarding Rooms 1 and 2 are located on the Ground Floor.  Accessible Boarding Room 2, with a left-hand transfer Bathroom, is the mirror-reverse design of Accessible Boarding Room 1, with a right-hand transfer Bathroom.	<b>Complies</b>
<b>4.02</b>	<b>Doors</b>	The Entry Doors and Bathroom Doors are to have the features listed in <b>Item 3.03</b> .	All to be confirmed at CC Stage
<b>4.03</b>	<b>Corridors</b>	Corridors are to be at least 1000 mm wide, between skirtings.	To be confirmed at CC Stage

<p><b>4.04</b></p>	<p><b>Bedrooms</b></p>	<p>The Bedrooms provide ample circulation space for a Queen bed, and side and toe of bed clearances. Wardrobes are provided, external to Bedroom circulation requirements. Wardrobe shelves are to have a maximum depth of 600 mm.</p>	<p><b>Complies</b>  <b>Complies</b>  To be confirmed at CC Stage</p>
<p><b>4.05</b></p>	<p><b>Bathrooms</b></p>	<p>Bathroom dimensions are 2350 mm X 2950 mm, to comply with <b>AS1428.1 (2009)</b>. The set-out of fittings is to comply with <b>AS1428.1 (2009)</b> A compliant toilet suite is to be provided, with the front of the pan 800 +/- 10 mm from the rear wall; and the centre of the pan 450 – 460 mm from the side wall. The colour of the toilet seat is to provide a luminance contrast of at least 30% to the colours of the walls and floor. The height of the washbasin is to be 800-840 mm above the finished floor level. There is to be no hob in the shower recess.</p>	<p><b>Complies</b>  All to be confirmed at CC Stage</p>

	<p>The walls in the shower recesses and the walls surrounding the WC pan are to be reinforced to withstand a load of 1100 N applied to:</p> <ul style="list-style-type: none"> <li>• Grabrails</li> <li>• Shower seat</li> <li>• Toilet seat backrest</li> </ul> <p>The colour of the walls is to provide a luminance contrast of at least 30% to the colour of the walls.</p> <p>The change in colour is to occur where the walls meet the floor, for the benefit of a residents who have vision impairment</p> <p>CC Drawings are to show the dimensions and location of fittings, in plan and elevation.</p>	<p>All to be confirmed at CC Stage</p>
<p><b>4.06</b></p>	<p><b>Kitchens</b></p> <p>The Kitchen provides ample circulation space. 1550 mm clearance shown on drawings.</p> <p>The refrigerator is to be installed adjacent to a work bench.</p> <p>The basin and work bench are to be wheelchair accessible.</p> <p>Tap sets are to have lever handles, and are to be set within 300 mm from front of sink.</p>	<p><b>Complies</b></p> <p>All to be confirmed at CC Stage</p>

*Access Report on DA Drawings, 2.12.20*

*103 Oxford Road, Ingleburn – Proposed Boarding House*

		CC Drawings are to show the dimensions and location of fittings, in plan and elevation.	
<b>4.07</b>	<b>Laundries</b>	Washing machines, with dryers mounted above, or combined washer/dryer, will be provided.  The clearance in front of the washing facilities is to be at least 1500 mm.	<b>Complies</b>  To be confirmed at CC Stage
<b>4.08</b>	<b>Wet Areas</b>	Kitchens, bathrooms and decks are wet areas and are to have non-slip surfaces in wet and dry conditions.	To be confirmed at CC Stage
<b>4.09</b>	<b>Illumination</b>	Minimum illumination in the unit is to be at least 300 lux,	To be confirmed
<b>4.10</b>	<b>GPOs</b>	Light switches are to be located between 900 mm and 1100 mm above floor level.  GPOs and TV point are to be provided.	To be confirmed at CC Stage
<b>4.11</b>	<b>Private Open Spaces</b>	Private Open Spaces are shown to have the same level as the Ground Floor.  Glazed sliding doors to the external decks are to have the circulation clearances and other features, as listed in <b>Item 3.03</b> .  Tracks are to be recessed into the floor slab, to avoid a trip hazard.	All to be confirmed at CC Stage

*Access Report on DA Drawings, 2.12.20*

*103 Oxford Road, Ingleburn – Proposed Boarding House*

5.00	Parking	Description	Compliance Required
5.01	Accessible Parking	<p>One parking space, with an adjacent Shared Area, is provided on the Ground Floor.</p> <p>The Accessible Parking Space and adjacent Shared Area will comply with <b>AS/NZS 2890.6 2009</b>.</p> <p>The vertical clearance along the vehicle path of travel from the building entry to the Accessible Parking Space is to be at least 2200 mm.</p> <p>The vertical clearance within the Accessible Parking Space and adjacent Shared Area is to be at least 2500 mm, clear of any underhanging beam or services.</p>	<p><b>Complies</b></p> <p>All to be confirmed at CC Stage</p>
6.00	Management Plan	Description	Compliance Required
6.01		Campbelltown (Sustainable City) DCP 2015, Part 17, Item 17.6 requires a Management Plan to be developed for the building.	<p>The Plan is to include the provision of emergency access for residents who have a disability.</p> <p>To be confirmed at CC Stage.</p>

**Conclusion:**

It is my opinion that the proposed Development has the potential to comply with the criteria listed in Item 1.01, the drawings listed in Item 1.02, and with the provisions of this Access Report.

Signed,

John Evernden,  
B. Sc. (Tech.) Civil Engineering; B. App. Sc. Ecotourism,  
Accredited Access Consultant (No.199)

## 4.2 Development Application for Telecommunications Facility - Fourth Avenue, Macquarie Fields

### Community Strategic Plan

Objective	Strategy
3 Enriched Natural Environment	3.1.2 Ensure urban development is considerate of the natural environment

### Delivery Program

Principal Activity
2.2.3.1 Advocate for improved digital connectivity in Campbelltown

### 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 (the Panel) as the land owner is Campbelltown City Council.

### Executive Summary

- An application was lodged on 26 September 2020 for the construction of a telecommunications facility at Macquarie Fields Park, Fourth Avenue, Macquarie Fields.
- The subject site is within the RE1 Public Recreation zone.
- The application was initially publicly exhibited and notified to nearby neighbours between 10 November 2020 and 12 December 2020 and one submission was received. The application was amended and was again notified to nearby neighbours between 16 March 2022 and 11 April 2022. The application was amended again with the location of the proposed tower and associated infrastructure relocated from Lot 32 Section 31 DP 1391 to Lot 16 Section 31 DP 1391 and the application was again notified to nearby land owners between 8 August 2022 and 9 September 2022. One submission was received.
- It is recommended to the panel that the application be approved, subject to the recommended conditions in attachment 1.

### Officer's Recommendation

That development application 3720/2020/DA-0 for construction of a telecommunications facility at Macquarie Fields Park, Fourth Avenue, Macquarie Fields be approved subject to the 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.

<b>Property Description</b>	Lot 16, Sec 31 DP 1391, Macquarie Fields Park, Fourth Avenue, Macquarie Fields
<b>Application No</b>	3720/2020/DA-0
<b>Applicant</b>	Service Stream Network Consultant
<b>Owner</b>	Campbelltown City Council
<b>Provisions</b>	Biodiversity Conservation Act, 2016 No. 63 State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 Campbelltown 2032 Community Strategic Plan Campbelltown Local Environmental Plan 2015 Campbelltown (Sustainable City) Development Control Plan 2015
<b>Date Received</b>	26 October 2020

## History

Telstra obtained development consent DA 1575/2013/DA-0 for the removal of an existing telecommunications facility and for the erection of a new telecommunications facility and ancillary equipment at Lot 22 and 23, Section 31 in DP 1391 at Fourth Avenue, Macquarie Fields.

The development consent was not acted upon and as a result the consent has since lapsed.

A new development application was submitted to Council by Service Stream on 26 October 2020 for the development of a new monopole telecommunications facility again to be located within Macquarie Fields Park.

An initial assessment of the current application deemed that the initially proposed location caused adverse impacts to significant vegetation and threatened species.

Subsequently, Council requested a new location be proposed to ensure that the development would not impact significant vegetation and biodiversity located in the vicinity of the site.

An amended location has been nominated by the applicant and is subject to the assessment under this report.



## **The Land and Surrounding Locality**

The subject land is known as Macquarie Fields Park, Fourth Avenue, Macquarie Fields and is legally defined as Lot 16, Sec 31 DP 1391. Macquarie Fields Park is used for public recreation including playing fields.

A tributary of the Bunbury Curran Creek adjoins the subject site and in accordance Section 4.46 of the EP&A Act the proposal is considered Integrated Development. Under the provisions of Section 91 of the *Water Management Act 2000*, controlled activities require approval.

The subject lot is currently vacant. The north western corner and southern rear portion of the site is mapped as containing vegetation of significance.

## **Report**

### **1. Vision**

#### **Campbelltown 2032 Community Strategic Plan**

Campbelltown 2032 is the Community Strategic Plan (CSP) for the city of Campbelltown. Campbelltown 2032 addresses five key strategic outcomes that Council and other stakeholders will work to achieve over the next 10 years:

- Outcome 1: Community and belonging
- Outcome 2: Places for people
- Outcome 3: Enriched natural environment
- Outcome 4: Economic prosperity
- Outcome 5: Strong leadership

Outcome 3 is considered to be most relevant outcomes for the proposed development.

Specifically, outcome 3, Strategy 3.1.2 ensures urban development is considerate of the natural environment. The application proposes a telecommunications tower on land where the north western corner and southern rear portion of the site is mapped as containing vegetation of significance. The application since lodgement has been amended to avoid impacts on native vegetation, as such the proposal as amended is considered consistent with Outcome 3, Strategy 3.1.2 of the CSP.

### **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 issues have been identified for further consideration.

#### **2.1 Biodiversity Conservation Act 2016 No 63**

Part 7 of the Biodiversity Conservation Act 2016 No 63 applies to development applications that relate to an activity likely to significantly affect the environment if it is likely to significantly affect threatened species. If there are considered impacts, the development application is required to be accompanied by a species impact statement.

A flora and fauna report by Lesryk (dated 16 June 2022) and the Addendum report prepared by Lenoco Pty. Ltd. (dated 16 June 2022) and Arboricultural Impact Assessment (AIA) report prepared by Allied Tree Consultancy (amended November 2022) has been submitted in support of the application

The Arboricultural Impact Assessment (AIA) report prepared by Allied Tree Consultancy (amended November 2022) notes Trees no. 3, 6 and 9 will not be impacted by the proposed works and Trees no. 4, 5, 7 and 8 whilst are not directly located in the footprint of the proposal will be subject to minor encroachment. Recommended conditions of consent can be applied to ensure no further impacts will result. Trees no. 1 and 2 in the AIA report are subject to major encroachment from the proposed trenching and could present excessive root removal that would unlikely sustain the tree. The AIA recommends mitigation measures to remove any adverse impact on these trees.

Those mitigation measures include the following:

1. The entry and exit pits must be located outside the designated Tree Protection Zones, refer to Table 1, Section 5.0 of the AIA.
2. The under bore should traverse the Tree Protection Zone at a greater depth of 400mm below the existing grade.
3. No machine or excavation shall occur within the Tree Protection Zone.

The application was referred to Council's Environmental officer to review and comment. Proposed mitigation measures are acceptable, subject to recommended conditions if approved. The application as amended, is not considered to significantly affect threatened species that adjoins the land and the relevant provisions of the Biodiversity Conservation Act 2016 No 63 have been satisfied.

## **2.2 State Environmental Planning Policy (Biodiversity and Conservation) 2021**

### **Koala Habitat**

The subject land is located within a core Koala habitat zone and Chapter 4 (Koala habitat protection) of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 applies to the land. Pursuant to clause 4.16 in Chapter 4 of Part 4.4 existing development applications, 'a development application made in relation to land, but not finally determined before this Chapter applied to the land, must be determined as if this Chapter had not commenced in its application to the land.

The application was lodged in September 2018 prior to the commencement of this Chapter of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 and additionally, prior to the commencement of the former SEPP Koala habitat protection 2021.

In addition, the Campbelltown City Council Comprehensive Koala Plan of Management (KPoM) was adopted in June 2020. In line with Part 6 of this plan, Development applications that may impact core koala habitat, require a Vegetation Assessment Report (VAR) to be submitted for assessment. As stated above, the application was referred to Council's Environmental officer to review and comment. The applicant proposes mitigation measures and these measures are acceptable, subject to recommended conditions if approved. The application as amended, is

not considered to significantly affect core koala habitat that adjoins the land and the relevant provisions of the KPoM have been satisfied.

### Georges River Catchment

The subject land is located within the Georges River Catchment and as such Chapter 11 (Georges Rivers Catchment) of State Environmental Planning Policy (Biodiversity and Conservation) 2021 applies to the application. Chapter 11 (Georges Rivers Catchment) of State Environmental Planning Policy (Biodiversity and Conservation) 2021 generally aims to maintain and improve the water quality and river flows of the Georges River and its tributaries.

When a consent authority determines an application, the planning principles listed in clauses 11.6 and 11.7 are to be applied. The development is consistent with these principles particularly noting the small surface area impacted by the proposal and the ability to impose standard conditions of consent relating to sediment control should the application be approved. The proposal does not conflict with any of the relevant provisions of the SEPP and is unlikely to have a negative impact on the environmental quality of the Georges River Catchment.

### 2.3 State Environmental Planning Policy (Resilience and Hazards) 2021

SEPP Resilience and Hazards requires the consent authority to consider whether the subject land of any development application is contaminated. An assessment of Chapter 4, Clause 4.6 of the SEPP is provided in table below.

Requirement	Action	Response
Clause 7(2): 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, childcare purposes or hospital.	a. Check if the DA proposes a new childcare centre, residential accommodation or residential subdivision.  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 development application does not propose for uses pertaining to childcare centres, residential accommodation or residential subdivision.  The development proposal is not seeking consent for a residential use.
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?  b. Check for contamination information and planning certificates linked to the property.	A search of Council's records for evidence of potentially contaminating activities was undertaken on 10 June 2021. No evidence was found of contaminating land activities having occurred on the land.  A search of planning certificates linked to the property was undertaken on 10 June 2021. 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

contaminating land activity has occurred on the land?		undertaken on 10 June 2021. 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 land was not previously zoned for any 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).	Based on Council's site inspection, no evidence of potential contamination was found.

There is no known history of contamination applicable to the site, which has historically been used for public recreation purposes. The proposed development is not a sensitive land use which would require further assessment.

#### **2.4 State Environmental Planning Policy (Transport and Infrastructure) 2021**

On 1 March 2022, the provisions of Schedule 12 of State Environmental Planning Policy (Transport and Infrastructure) 2021 (SEPP T and I) commenced containing transferred provisions from the previous SEPP Infrastructure.

##### **Clause 2.141 Development permitted without consent**

The proposed development does not satisfy the requirements for development permitted without consent as prescribed by sub-clause 2.141(1) as the development is not proposed to be carried out by a public authority and accordingly will require development consent.

##### **Clause 2.143 Development permitted with consent**

Clause 2.143 provides that development for the purpose of telecommunications facilities, may be carried out with development consent.

Sub-clause 2.143(2) requires consideration to be given to any guidelines concerning, site selection, design, construction or operating principles for telecommunications facilities, that are issued by the Director-General for the purposes of this clause.

The NSW Telecommunications Facilities Guideline including Broadband (July 2010), were issued by the Director-General.

The Guideline requires that consideration be given to the Principles listed in the below table. The purpose of the Principles is to encourage the provision of telecommunications facilities with minimal impact on the amenity of an area.

Principles	Proposed	Compliance
<b>Principle 1: A telecommunications facility is to be designed and sited to minimise visual impact</b>		
(a) As far as practical, a telecommunications facility that is to be mounted on an existing building or structure should be integrated with the design and appearance of the building or structure.	The proposed telecommunications facility is a new free standing monopole.	N/A
(b) The visual impact on telecommunications facilities should be minimised, visual clutter is to be reduced particularly on tops of buildings, and their physical dimension (including support mounts) should be sympathetic to the scale and height of the building to which it is to be attached, and sympathetic to adjacent buildings.	The monopole and attached carrier equipment are located towards the lower end of the subject site and is positioned along the edge of the lot alongside existing mature vegetation to minimise visual prominence from Fourth Avenue and Third Avenue.	Yes
(c) Where telecommunications facilities protrude from a building or structure and are predominately backgrounded against the sky, the facility and their support mounts should be either the same as the prevailing colour of the host building or structure, or a neutral colour such as grey should be used.	The telecommunications tower is a free standing monopole and is not attached to an existing building or structure.	N/A
(d) Ancillary facilities associated with the telecommunications facility should be screened or housed, using the same colour as the prevailing background to reduce its visibility, including the use of existing vegetation where available, or new landscaping where possible and practical.	The proposed development relies upon the existing native vegetation to provide screening.	Yes
(e) A telecommunications facility should be located and designed to respond appropriately to its rural landscape setting.	The subject site is zoned RE1 Public Recreation. The location of the tower, relative to the site, responds to the landscape setting of the site as it proposes to be located in close proximity to mature trees to minimise visual prominence.  A satisfactory landscape plan also accompanies the	Yes

Principles	Proposed	Compliance
	development application.	
(f) A telecommunications facility located on, or adjacent to, a State or local heritage item or within a heritage conservation area, should be sited and designed with external colours, finishes and scale sympathetic to those of the heritage item or conservation area.	The subject site is not a listed State or local heritage item and is not located within a heritage conservation area.	N/A
(g) A telecommunications facility should be located so as to minimise or avoid the obstruction of a significant view of a heritage item or place, a landmark, a streetscape, vista or a panorama, whether viewed from public or private land.	The proposed location of the telecommunications tower would be not be visually prominent within the streetscape when viewed from private land and the public road as it relies on existing vegetation located along the subject site's western boundary and on Fourth Avenue to provide screening.	Yes
(h) The relevant local government authority must be consulted where the pruning, lopping, or removal of any tree or other vegetation would contravene a Tree Preservation Order applying to the land or where a permit or development consent is required.	No trees are proposed to be removed, lopped or pruned as a result of the works. Associated trenching for the installation of the Telstra fibre cabling is required via under boring to minimise impacts to the TPZ and will not have an impact a number of trees on site or the vicinity of the works.	Yes
(i) A telecommunications facility that is no longer required is to be removed and the site restored, to a condition that is similar to its condition before the facility was constructed.	Where required the land can be reinstated.	Yes
(j) The siting and design of telecommunications facilities should be in accordance with any relevant Industry Design Guides.	The proposed telecommunications facility is considered to be compliant with the relevant public exposure limits permitted by Australian Radiation Protection and Nuclear Safety Agency.	Yes
<b>Principle 2: Telecommunications facilities should be co-located wherever practical.</b>		
(a) Telecommunications lines are to be located, as far as practical, underground or within an existing underground conduit or duct.	The proposed telecommunications facility proposes fibre and power network connections to be taken from the nearest available points underground to the facility.	Yes
(b) Overhead lines, antennas and ancillary telecommunications facilities should, where practical, be	The applicant has submitted that there is no opportunity for co-location on another facility as there are no facilities or structures located within close proximity of the proposed location that would offer	N/A

<b>Principles</b>	<b>Proposed</b>	<b>Compliance</b>
co-located or attached to existing structures such as buildings, public utility structures, poles, towers or other radio communications equipment to minimise the proliferation of telecommunication facilities and unnecessary clutter.	suitable attachment whilst providing the desired coverage.	
(c) Towers may be extended for the purposes of co-location.	The proposal does not use an existing tower.	N/A
(d) The extension of an existing tower must be considered as a practical co-location solution prior to building new towers.	The proposal does not use an existing tower.	N/A
(e) If a facility is proposed not to be co-located the proponent must demonstrate that co-location is not practical.	The Statement of Environmental Effects stated co location is not possible.	N/A
(f) If the development is for a co-location purpose, then any new telecommunications facility must be designed, installed and operated so that the resultant cumulative levels of radio frequency emissions of the co-located telecommunications facilities are within the maximum human exposure levels set out in the Radiation Protection Standard.	No co-location is proposed as part of the development proposal.	N/A
<b>Principle 3: Health standards for exposure to radio emissions will be met</b>		
(a) A telecommunications facility must be designed, installed and operated so that the maximum human exposure levels to radiofrequency emissions comply with Radiation Protection Standard. Refer to also Appendix D	The installation will comply with AMCA regulations.	Yes
(b) An EME Environmental Report shall be produced by the proponent of development to which the Mobile Phone Network Code applies in terms of design, siting of facilities and notifications.	An Environmental EME Report, dated 2 February 2022, has been submitted with the application stating that the proposal satisfies the relevant public exposure limits permitted by Australian Radiation Protection and Nuclear Safety Agency.	Yes

Principles	Proposed	Compliance
<p>The Report is to be in the format required by the Australian Radiation Protection Nuclear Safety Agency. It is to show the predicted levels of electromagnetic energy surrounding the development comply with the safety limits imposed by the Australian Communications and Media Authority and the Electromagnetic Radiation Standard, and demonstrate compliance with the Mobile Phone Networks Code.</p>	<p>The application has been accompanied by a report detailing the maximum projected electromagnetic energy (EME) levels at 49m from the location. In this regard, it is stated that the maximum EME for the site would be 11.22% of the public exposure limit permitted by Australian Radiation Protection and Nuclear Safety Agency (ARPANSA).</p>	
<b>Principle 4: Minimise disturbance and risk, and maximise compliance</b>		
<p>(a) The siting and height of any telecommunications facility must comply with any relevant site and height requirements specified by the Civil Aviation Regulation 1988 and the Airports (Protection of Airspace) Regulations 1996 of the Commonwealth. It must not penetrate any obstacle limitation surface shown on any relevant Obstacle Limitation Surface Plan that has been prepared by the operator of an aerodrome or airport operating within 30 km of the proposed development reported to the Civil Aviation Safety Authority Australia.</p>	<p>The site is located within 26 km of Wedderburn Aerodrome, which is a private sports airfield.</p> <p>The site is located within 28.2 km of Camden Airport. The applicant has stated they have received email correspondence from Sydney Metro Airport stating the proposal would not impede the safe operation of the airport.</p>	Yes
<p>(b) The telecommunications facility is not to cause adverse radio frequency interference with any airport, port of Commonwealth Defence navigational or communications equipment, including the Morundah Communication Facility, Riverina.</p>	<p>All operating antennas will use the frequencies assigned to Telstra designed to create no electrical interference problems with other radio based systems and complies with the requirements of relevant Australian standards.</p> <p>A condition can be imposed if development is approved.</p>	Yes, via condition
<p>(c) The telecommunications facility and ancillary facilities are to be carried out in accordance with the applicable specifications (if any) of the manufacturers for</p>	<p>The proposed facility would be installed by licensed carriers in accordance with manufacturer specifications, thereby minimising disturbance and risk associated with the facility.</p> <p>A condition can be imposed if development is approved.</p>	Yes, via condition



<b>Principles</b>	<b>Proposed</b>	<b>Compliance</b>
the installation of such equipment.		
(d) The telecommunications facility is not to affect the structural integrity of any building on which it is erected.	The telecommunications facility is free standing and is not proposed to be attached to an existing structure.	N/A
(e) The telecommunications facility is to be erected wholly within the boundaries of a property where the landowner has agreed to the facility being located on the land.	The telecommunications facility and all supporting equipment is proposed entirely within the site boundaries.	Yes
(f) The carrying out of construction of the telecommunications facilities must be in accordance with all relevant regulations of the Blue Book - 'Managing Urban Stormwater: Soils and Construction' (Landcom 2004), or its replacement.	The proposed development could, in the event of an approval be conditioned to comply with this requirement.	Yes
(g) Obstruction or risks to pedestrians or vehicles caused by the location of the facility, construction activity or materials used in construction are to be mitigated.	The proposed telecommunication facility is situated appropriately and does not cause obstruction or risks to pedestrians or vehicles.	Yes
(h) Where practical, work is to be carried out during times that cause minimum disruption to adjoining properties and public access. Hours of work are to be restricted to between 7.00 am and 5.00 pm, Mondays to Saturdays, with no work on Sundays and public holidays.	The proposed development could, in the event of an approval be conditioned to comply with this requirement.	Yes
(i) Traffic control measures are to be taken during construction in accordance with Australian Standard AS1742.3-2002 Manual of uniform traffic control devices - Traffic control devices on road.	The proposed development could, in the event of an approval be conditioned to comply with this requirement.	Yes
(j) Open trenching should be guarded in accordance with Australian Standard Section 93.080 - Road Engineering AS1165 - 1982 - Traffic hazard warning lamps.	The proposed development could, in the event of an approval be conditioned to comply with this requirement.	Yes

<b>Principles</b>	<b>Proposed</b>	<b>Compliance</b>
(k) Disturbance to flora and fauna should be minimised and the land is to be restored to a condition that is similar to its condition before the work was carried out.	No native trees are proposed to be removed, lopped or pruned as a result of the works. Associated trenching for the installation of the Telstra fibre cabling is required via under boring to minimise impacts to the TPZ and will not have an impact a number of trees on site or the vicinity of the works.	Yes
(l) The likelihood of impacting on threatened species and communities should be identified in consultation with relevant state or local government authorities and disturbance to identified species and communities avoided wherever possible.	No native trees are proposed to be removed, lopped or pruned as a result of the works. Associated trenching for the installation of the Telstra fibre cabling is required via under boring to minimise impacts to the TPZ and will not have an impact a number of trees on site or the vicinity of the works.	Yes
(m) The likelihood of harming an Aboriginal Place and/or Aboriginal object should be identified. Approvals from the Department of Environment, Climate Change and Water (DECCW) must be obtained where impact is likely, or Aboriginal objects are found.	A search of the AHIMS data base has indicated that no items of Aboriginal archaeological heritage are known to be located on or near the site.	Yes
(n) Street furniture, paving or other existing facilities removed or damaged during construction should be reinstated (at the telecommunications carrier's expense) to at least the same condition as that which existed prior to the telecommunications facility being installed.	The site does not contain existing facilities that would be removed or damaged during the construction of the telecommunications facility.	N/A

In light of the above, it is considered that the proposal satisfies Clause 2.143 of the SEPP as the proposed development has sought to mitigate the impacts on flora and fauna.

## **2.5 Campbelltown Local Environmental Plan 2015**

The subject site is zoned RE1 Public Recreation in accordance with the Campbelltown Local Environmental Plan 2015 (CLEP 2015). The proposed development is defined as a telecommunications facility as follows:

telecommunications facility means:

- a) any part of the infrastructure of a telecommunications network,

- b) any line, cable, optical fibre, fibre access node, interconnect point equipment, apparatus, tower, mast, antenna, dish, tunnel, duct, hole, pit, pole or other structure in connection with a telecommunications network, or
- c) any other thing used in or in connection with a telecommunications network.

The proposed development is prohibited within the RE1 Public Recreation. However, the provisions of Clause 2.143 of the State Environmental Planning Policy (Transport and Infrastructure) 2021 facilitate the permissibility of telecommunication facilities in the zone.

Clause 2.3 of CLEP 2015 provides that the consent authority must have regard for the objectives of the zone in determining a development application. The objectives of the RE1 Public Recreation zone are as follows:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To provide for land uses compatible with the ecological, scientific, cultural or aesthetic values of land in the zone.
- To facilitate the multiple use of certain open space areas.
- To facilitate development that is ancillary or incidental to the special land uses provided for in this zone.
- To provide for the sufficient and equitable distribution of public open space to meet the needs of the local community.
- To preserve and rehabilitate bushland, wildlife corridors and natural habitat, including waterways and riparian lands, and facilitate public enjoyment of these areas.
- To provide for the retention and creation of view corridors.
- To protect and enhance areas of scenic value and the visual amenity of prominent ridgelines.
- To preserve land that is required for public open space or recreational purposes.
- To maximise public transport patronage and encourage walking and cycling.

The proposed development is not inconsistent with the objectives of the RE1 zone as the land continues to be able to be used for recreational purposes.

An assessment against the relevant provisions and development standards of the CLEP 2015 is provided below.

**Clause 4.3 Height of Building**

No maximum height of building is prescribed for the subject site.

**Clause 7.1 Earth Works**

The proposed development includes earthworks including under boring for trenches to prepare the site. The proposed works are considered minor and if the application is approved conditions of consent can be recommended to ensure the objectives of this Clause is achieved.

**Clause 7.5 Preservation of the Natural Environment**

In the event of an approval, conditions of consent can be applied to ensure compliance with this clause.

**Clause 7.17 Development in Zone RE1**

The assessment report has considered the necessity of the proposed development, its impacts to the existing and future land and the possible need for retention of land for future use.

The proposed development has satisfied the objectives and conditions of consent can be imposed to ensure the objectives of this clause is met. The installation of the telecommunications tower does not adversely impact the overall use of the land and the land can continue to be used as a recreational lands.

**2.6 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 the CLEP 2015.

Pursuant to Clause 4.15 (1)(a) (iii), Council is required to consider the relevant provisions of the applicable development control plan of the Campbelltown Local Government Area (LGA), being SCDCP 2015.

**Part 2 - Requirements Applying to All Types of Development**

The general provisions of Part 2 of the Plan apply to all types of development. Compliance with the relevant provisions of Part 2 of the Plan is discussed as follows:

<b>Provision</b>	<b>Comment</b>	<b>Compliance</b>
<b>2.2 Site Analysis</b>		
a) The development application for all development involving the construction of a building and the Torrens title subdivision of land.	The site analysis plan submitted to Council is considered to be compliant with the requirements for a Site Analysis plan in accordance with Section 2.2 of the SCDCP.	Yes
<b>2.3 Views and Vistas</b>		
a) Development shall appropriately respond to Campbelltown's important views and vistas to and from public places. These include views and vistas to and from:	The application will not impede on important scenic corridors from public places.	Yes

<p>i) the Scenic Hills;  ii) rural/semi-rural landscape areas;  iii) the Georges and Nepean River corridors;  iv) areas of significant public open space (formal and informal); and  v) heritage items  b) District views and existing significant view corridors as viewed to and from public places shall be protected.  c) The opportunity to create new view/vista corridors shall be taken wherever possible and appropriate.</p>		
<b>2.5 Landscaping</b>		
<p>a) Landscape design shall enhance the visual character of the development and complement the design/use of spaces within and adjacent to the site.  b) Landscape design shall retain and enhance the existing native flora and fauna characteristics of a site wherever possible.  c) Landscape design shall add value to the quality and character of the streetscape.</p>	<p>The proposal seeks to enhance the landscape character of the area by providing adequate landscaping around the proposed telecommunications tower to complement the design where possible.</p> <p>The proposed development includes additional landscaping to mitigate the visual impact of the proposed development.</p>	<p>Yes</p> <p>Yes</p>
<b>2.7 Erosion and Sediment Control</b>		
<p>a) 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. For requirements relating to the preparation of an ESCP, refer to Appendix 5 of Volume 1 and Council's Engineering Design Guide for Development  b) Site activities shall be planned and managed to minimise soil disturbance.  c) Catch drains or diversion banks shall be designed and constructed to divert water around any area of soil disturbance.  d) All stockpiles shall be located within the sediment control zone and shall not be located within an overland flow path.</p>	<p>Erosion and sediment control provisions can be conditioned where required.</p>	<p>Yes</p>

<b>2.15 Waste Management</b>		
2.15.1 Waste Management Plan 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 development application and is considered satisfactory.	Yes
2.15.2 Waste Management during demolition and construction a) All waste and recyclable streams shall be stored separately on site. 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. c) Where material cannot be reused or recycled, it shall be disposed of at an appropriately licensed waste management facility. Details of disposal arrangements shall be specified in the WMP. d) Convenient and safe vehicular access to waste and recycling material storage areas shall be provided.	A waste management plan was submitted with the development application and is considered satisfactory.	Yes
<b>2.17 Work on, Over or Near Public Land</b>		
2.17.1 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.	A condition of consent can be imposed to ensure compliance is achieved with this development control.	Yes
2.17.2 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 b) Where a hoarding fence is required to be erected upon public land, including any road, road related area, footpath or nature strip, prior written approval shall be obtained	Conditions of consent can be imposed to ensure compliance is achieved with this control.	Yes

from Council. c) Where the site work is likely to be hazardous to persons on a public place, the work site shall be kept lit between the sunset and sunrise		
2.17.3a) Any proposal that includes excavation works adjacent to a State Road shall be accompanied by detailed geotechnical report relating to the proposed excavation of the site and support structures to RMS's satisfaction.	The subject site is not adjacent to a State Road.	Yes

### Part 11 – Vegetation and Wildlife Management

The general provisions of Part 11 of the Plan apply to development that includes vegetation and wildlife management. Compliance with the relevant provisions of Part 11 of the Plan is discussed as follows:

Provision	Comment	Compliance
<b>11.2 Management of Native Vegetation and Wildlife Habitat</b>		
11.2.1 Management of Native Vegetation and Wildlife Habitat		
a) For sites containing native vegetation and/or fauna habitat:		
i) the development shall be sited, designed and managed to avoid any negative impact on biodiversity where possible;	The development has been sited with construction measures proposed to avoid impacts on biodiversity.	Yes
ii) where an impact on biodiversity cannot be avoided and no reasonable alternative is available the proposed development shall be sited, designed, constructed and managed in a manner that minimises the impact on native biodiversity and maintains habitat connectivity as much as practicable;	As above.	Yes
iii) any impact on biodiversity shall be essential for the development and limited to the extent necessary to facilitate the safe and orderly use of the land for the purpose of the development;	Proposed impact has been minimised to through use of under boring for the installation of the trenches	Yes
iv) arrangements must be put into place to ensure that the biodiversity values on site will be proactively managed to mitigate the impacts.	If the application is approved, conditions of consent can be imposed.	Yes
v) in circumstances where impacts on biodiversity cannot be avoided, a Biodiversity Statement shall be prepared and submitted with the DA to demonstrate how Clause 11.2.1 a) ii) and iv) above have	Major impacts to biodiversity has been avoided.	Yes

<p>been addressed.</p> <p>b) A Native Flora and Native Fauna Assessment Report prepared in accordance with the Office of Environment and Heritage's Threatened Species Survey and Assessment Guidelines and Field Survey Methods is required to be lodged with the development application where one or more of the following criteria is met:</p> <p>i) the site contains:</p> <ul style="list-style-type: none"> <li>- native vegetation; and</li> <li>- sensitive environmental areas likely to contain important habitat resources for native fauna (although these may not be vegetated) such as riparian areas, rivers, creeks, wetlands or swamps, rocky outcrops, caves and cliffs;</li> </ul> <p>ii) there are proposed direct or indirect impacts on native vegetation or other native fauna habitats;</p> <p>iii) there is a potential impact on threatened species, populations ecological communities or their habitats either directly or indirectly.</p> <p>c) As part of the Native Flora and Native Fauna Assessment, an Assessment of Significance shall be undertaken for each threatened species, population and ecological community which is likely to be directly or indirectly impacted, by the proposal. All Assessments of Significance must be undertaken in accordance with the Threatened Species Guidelines - The Assessment of Significance (DECC 2007). These guidelines are available on the Office of Environment and Heritage's website.</p> <p>d) Koala Habitat assessments undertaken as part of 11.2.1 b) above shall meet the requirements of SEPP 44 and Council's Guidelines for Koala Habitat Assessments.</p>	<p>A flora and fauna report by Lesryk (dated 16 June 2022) and the Addendum report prepared by Lenoco Pty. Ltd. (dated 16 June 2022) and Arboricultural Impact Assessment (AIA) report prepared by Allied Tree Consultancy (amended November 2022) has been submitted in support of the application. These reports have been referred to Council's Environmental Specialist and are considered satisfactory.</p> <p>As above.</p> <p>The application has addressed the relevant requirements of the Comprehensive Koala Management Plan endorsed by the Council and is satisfactory in this regard.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>11.2.2 Protection of Hollow-bearing Trees and Hollow Logs</p> <p>a) All hollow-bearing trees shall be retained, where practical</p>	<p>No hollow bearing trees are identified for removal.</p>	<p>Yes</p>
<p>11.3 Permits and Development Applications for Vegetation Management</p> <p>b) A development application shall be</p>	<p>No tree removal is proposed as</p>	<p>Yes</p>



<p>required for the cutting down or removal of :</p> <ul style="list-style-type: none"> <li>i) Five trees or more; or</li> <li>ii) other vegetation; or</li> <li>iii) a tree(s) that is listed on Council's Significant Tree Register;</li> <li>iv) a tree and/or other vegetation located on land identified as containing an item of heritage significance or within a curtilage of a heritage item;</li> <li>v) a tree or other vegetation that is contained upon any land identified within a Heritage Conservation Area.</li> </ul> <p>c) Where a permit was approved by Council for the removal of 4 trees or less in the last 5 years on a certain site, any consecutive applications for the removal of any additional trees on the same site, shall be by means of a development application where:</p> <ul style="list-style-type: none"> <li>i) the total number of trees that are the subject of the new proposal; plus</li> <li>ii) the number of trees that were the subject of the previous permit exceeds 4 trees.</li> </ul>	<p>part of the development application.</p> <p>There is no recent application for tree removal.</p>	<p>Yes</p>
<p>11.3.5.2 Matters for Consideration when Determining Development applications for vegetation management</p> <p>a) Council shall consider (but not be limited to) the following matters when determining an application for a development application for Vegetation management under this Plan:</p> <ul style="list-style-type: none"> <li>i) Matter listed under Section 11.3.4.2 of this Part of the Plan;</li> <li>ii) The potential impact on the amenity of the surrounding built and natural environments by considering;</li> <li>iii) whether the application will have significant impacts upon threatened, species, populations or ecological communities;</li> <li>iv) whether the application involved the removal of hollow bearing trees;</li> <li>v) if the tree(s) have/has implications for biodiversity including the outcomes of any native flora and native fauna assessments and Assessments of Significance; <ul style="list-style-type: none"> <li>- whether the vegetation forms part of threatened species, population or ecological community;</li> <li>- whether the vegetation is listed on Council's Register of Significant Trees; and</li> <li>- whether the vegetation is within a curtilage of a heritage item that is listed under Campbelltown LEPs.</li> </ul> </li> </ul>	<p>The assessment of the application has considered the proposed development and if/any significant impacts upon threatened, species, populations or ecological communities.</p> <p>The site and adjoining lands contain mapped native vegetation and core koala habitat.</p> <p>As a result, the application has been amended a number of times to relocate the siting of the tower and also the construction methods for the associated trenching to ensure any impacts to the native vegetation and core koala habitat are minimised.</p> <p>The application as amended results in a minimal impact to on native vegetation and core koala habitat and is considered acceptable.</p>	<p>Yes</p>
<p>11.3.6 Tree Replacement</p> <p>a) Council, depending on the circumstances</p>	<p>No tree removal is proposed as</p>	<p>Yes</p>

<p>of the vegetation management application, shall require the applicant to:</p> <p>i) pay a certain fee to enable Council to plant a replacement tree in an appropriate location in lieu of the removed tree; or</p> <p>ii) plant a replacement tree on site that is:</p> <ul style="list-style-type: none"> <li>- of appropriate species;</li> <li>- of certain size/height at time of planting; and</li> <li>- at the cost of the applicant.</li> </ul> <p>b) The species, size and height of the replacement tree shall be provided to applicants in writing as part of the condition of the development consent or permit.</p>	<p>part of the development application.</p>	
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## Part 12 – Telecommunications Facilities

The general provisions of Part 12 of the Plan apply to telecommunication facilities. Compliance with the relevant provisions of Part 12 of the Plan is discussed as follows:

Provision	Comment	Compliance
<b>12.3 General Requirements</b>		
<p>a) A network masterplan shall be provided by the applicant showing the proposal in the context of all other similar infrastructure types in order to identify opportunities for co-location or sharing of facilities.</p>	<p>A network masterplan has been provided by the applicant demonstrating co-location is not possible.</p>	<p>Yes</p>
<p>b) The applicant shall demonstrate that co-location opportunities have been adequately pursued where new stand-alone telecommunication facilities are proposed. This shall include information to demonstrate:</p> <p>i) The possibility of sharing equipment, via the use of combiners or similar technology;</p> <p>ii) Existing towers and poles or other appropriate structures should be investigated for appropriateness for the sharing of antennas.</p>	<p>The applicant has stated other sites were scoped as part of the site selection process. The applicant has stated that nearby facilities are not viable options for co-location.</p>	<p>Yes</p>
<p>c) Transmitting roof top antennas and towers should preferably be located in industrial or business zones, rather than residential zones or areas that include dwellings.</p>	<p>The proposed development is located on land zoned RE1 and is surrounded by residential zones as therefore considered acceptable.</p>	<p>Yes</p>
<p>d) Telecommunication facilities are to be sited to avoid locations which are visually prominent in the landscape, particularly when viewed from the public domain.</p>	<p>The proposed location will not be visually prominent in the landscape when viewed from the public domain.</p>	<p>Yes</p>
<p>e) For new towers a photomontage of the proposal must be submitted to assist with the assessment of visual impact.</p>	<p>The applicant has submitted photomontages of the proposed tower.</p>	<p>Yes</p>
<p>f) The applicant must demonstrate that all reasonable measures to reduce the visual</p>	<p>The applicant has demonstrated that:</p>	<p>Yes</p>

<p>impact of the proposal have been examined, including:</p> <p>i) Co-location and use of existing structures;</p> <p>ii) Innovative design to harmonise with the existing setting;</p> <p>iii) Use of vegetation for screening;</p> <p>iv) Use of materials and finishes consistent with surroundings; and</p> <p>v) Compact and slim line construction techniques.</p>	<p>i) co-location and use of the existing structures is not possible</p> <p>ii) The applicant has used innovative design to harmonise with the existing setting through nominating the finish of the equipment shelter structure to be pale eucalypt or colour or a neutral colour nominated by Council.</p>	
<p>g) No advertising signs shall be permitted on any telecommunication facilities in:</p> <p>i) Industrial areas;</p> <p>ii) Rural areas; and</p> <p>iii) Low-use open space.</p>	<p>The plans submitted to Council do not include signage.</p>	N/A
<b>12.4 Electromagnetic Radiation</b>		
<p>a) The applicant in selecting a site for telecommunication facilities, shall demonstrate to Council that a precautionary approach has been adopted with respect to minimising electromagnetic radiation (EMR) exposures to sensitive land uses such as residential areas, schools, child care centres, hospitals, aged care accommodation or areas regularly frequented by groups of children.</p>	<p>The site is located near sensitive land uses such as residential areas, schools and areas that regularly frequented by groups of children.</p> <p>A precautionary approach has been undertaken with respect to minimising electromagnetic radiation (EMR) through an assessment of the guidelines under the Deployment Codes.</p>	Yes
<p>b) Where possible, EMR emitting telecommunication facilities, including mobile base stations, shall be located in the following land use areas:</p> <p>i) Industrial areas;</p> <p>ii) Rural areas; and</p> <p>iii) Low-use open space.</p>	<p>The site is located on land zoned RE1 Public Recreation on a part of the site that due to its configuration is of low use. The subject land has been previously granted an approval for a telecommunications tower.</p>	Yes
<p>c) Where telecommunication facilities are proposed within 300 m of a sensitive land use, the applicant shall demonstrate that no viable alternative sites are available.</p>	<p>A child care centre is located within 300m of the proposal.</p> <p>The applicant has noted care has been taken to locate the proposal in an area well screened from most residential perspectives by mature natural vegetation.</p>	Yes
<p>d) For all EMR emitting telecommunication facilities, documentary evidence is required from a suitably qualified person which analyses the cumulative effect of the proposal and demonstrates compliance with the relevant Australian exposure standard.</p>	<p>An EME report has been provided for the proposed development.</p>	Yes
<p>e) Development applications for telecommunication facilities shall include measures to restrict public access. Approaches to the facility must contain appropriate signs warning of EMR and provide contact details for the site owner</p>	<p>Public access is restricted to the tower location via a secured fence surrounding the compound.</p>	Satisfactory

and / or site manager.		
<b>12.5 Landscaping</b>		
a) For stand-alone telecommunication facilities, a landscape plan must be submitted to Council that provides plantings of a suitable scale to reduce the visual impact of the proposal, and where possible screen the facility from public view.	A landscape plan has been provided and is considered satisfactory as it provides plantings of a suitable scale to reduce visual impact of the proposal.	Yes
<b>12.6 Heritage</b>		
a) No telecommunication facilities shall be permitted where the heritage significance of a heritage item may be adversely impacted.	The site is not located within close proximity to a heritage item.	Yes
b) Where a telecommunication facility is proposed on a site occupied by or in the vicinity of a listed heritage item, a Heritage Impact Statement shall be prepared and submitted to Council.	The site is not located within close proximity to a heritage item.	Yes

## 2.7 Campbelltown Local Infrastructure Contributions Plan 2018

The Campbelltown Local Infrastructure Contributions Plan 2018 applies to the subject site. In accordance with Clause 2.7 of the Plan, development contributions are not applicable to the proposed development as the development is a Class 10 structure.

## 3. Planning Assessment

### Impacts on the natural and built environment

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:

- Flora and fauna
- Electro Magnetic Emissions
- Views and Vistas
- Construction

### Flora and Fauna

The subject site and adjacent to the site is mapped on the Biodiversity Values map (BVM) Core Koala Habitat. Accordingly, any direct and indirect impacts of the proposal are to be taken into consideration (section 8 of the BAM 2020). The BV mapped area is River Flat Eucalypt Forest (RFEF) which is an Endangered Ecological Community (EEC).

An Arboricultural Impact Assessment (AIA) report prepared by Allied Tree Consultancy (amended November 2022) has been submitted in support of the application.

The AIA report notes Trees no. 3, 6 and 9 will not be impacted by the proposed works and Trees no. 4, 5, 7 and 8 whilst are not directly located in the footprint of the proposal will be subject to minor encroachment. Trees no. 1 and 2 in the AIA report are subject to major encroachment from the proposed trenching and could present excessive root removal that would unlikely sustain the tree. The AIA recommends mitigation measures to remove any adverse impact on these trees. Those mitigation measures include the following:

- The entry and exit pits must be located outside the designated Tree Protection Zones, refer to Table 1, Section 5.0 of the AIA.
- The under bore should traverse the Tree Protection Zone at a greater depth of 400mm below the existing grade.
- No machine or excavation shall occur within the Tree Protection Zone.

The application was referred to Council's Environmental officer to review and comment. Proposed mitigation measures are acceptable, subject to recommended conditions if approved.

### **Electromagnetic Energy Levels**

The application is accompanied by a report detailing the estimated radiofrequency electromagnetic energy levels generated by the facility.

The report provides calculated estimations on the expected cumulative radiofrequency electromagnetic energy levels generated by the proposal, and concludes that the maximum electromagnetic energy levels at 59 m from the location is estimated to be only 11.22 per cent of the public exposure limits permitted by Australian Radiation Protection and Nuclear Safety Agency.

### **Views and vistas**

The proposed telecommunications facility would comprise a 30 metre monopole and is located on the site's north western corner where mature trees line the subject site's northern and western boundary. This strategic location assists in minimising visual prominence when viewed from a public space. The proposed location and visual prominence of the structure is considered to be acceptable and would be not inconsistent with similar structures that have been approved in the locality in the past.

### **Construction**

The construction phase of the development has the potential to generate short term environmental impacts through the generation of dust, noise and vibration. Should the Panel seek to grant development consent, conditions would be required to manage construction works, including the installation of erosion and sediment control measures prior to works commencing on site.

### **3.2 Social, economic and environmental impacts**

Section 4.15(1)(b) of the EP&A Act requires the consent authority to assess the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

Having regard to social and economic impacts generated by the development, the proposed telecommunications facility would improve internet services within the Macquarie Fields and potentially provide future increased mobile phone reception with future co-location opportunities for other carriers.

#### **1. Site Suitability**

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.

Having regard the development proposal's location, it considered that the development is suitable as it respects the existing vegetation and will not cause adverse impacts. The development is considered to be positioned to complement the existing vegetation on site which will assist in minimising visual prominence from Fourth Avenue (primary frontage) and Third Avenue (secondary frontage).

#### **2. Referrals**

The application was referred to the following external agencies for approval.

##### **Department of Planning and Environment (DPE) – Water**

The application was referred to the DPE Water and General terms of approval (GTA) were issued on 14 October 2022. No objections raised, subject to recommended conditions if the application is approved. A copy of the GTA's is attached to this report.

##### **Endeavour Energy – Essential services**

The application was referred to Endeavour Energy under clause 7.10 essential services of the Campbelltown LEP 2015. Referral response was received 11 July 2022, no objections were raised subject to recommended conditions if the applications is approved.

#### **4. Public Participation**

In accordance with Council's Community Participation Plan, the proposal was notified and placed on public exhibition. The application was initially publicly exhibited and notified to nearby neighbours between 10 November 2020 and 12 December 2020 and one submission was received. The application was amended and was again publicly exhibited and re-notified between 16 March 2022 and 11 April 2022. The application was amended again and then re-exhibited and re-notified between 8 August 2022 and 9 September 2022 due to the location of the proposed tower and associated infrastructure being relocated from Lot 32 Section 31 DP 1391 to Lot 16 Section 31 DP 1391. One submission was received objecting to the proposal.

**Issue:** Concern is raised regarding the development causing disturbance and harm to users of the lot.

**Response:** This facility is to be operated in compliance with the mandatory standard for human exposure to EME – currently the Radio communications (Electromagnetic Radiation Human Exposure) Standard 2014. The EME Report associated with this site is attached in Appendix E. The report shows that the maximum predicted EME will equate to 11.22 per cent of the maximum exposure limit (where 100 per cent of the limit is still considered to be safe).

Moreover, the 4G & 5G network equipment has the following features, all of which help to minimise the amounts of energy used and emitted:

- Base station transmitters operating at maximum power (no automatic power reduction) facility.
- Simultaneous telephone calls on all channels; and
- An unobstructed line of sight view to the antennas.

Therefore, it is considered the proposed levels of Electromagnetic emissions from the proposed facility are considered to be in accordance with industry standards.

**Issue:** Close proximity to residents

**Response:** The proposed telecommunications facility is located within the vicinity of residential neighbourhoods and other points of interests such as child care centres and local primary schools. However, the application has provided an Environmental EME report predicting the maximum emissions for each affected site will not exceed 11.22 per cent (out of 100 per cent) which is the maximum public exposure limit. As such, the proposal complies with industry standards with regards to exposure to electromagnetic emissions (EME).

## Conclusion

Development application 3720/2020/DA-0 proposes the construction of a telecommunications facility at Macquarie Fields Park, Fourth Avenue, Macquarie Fields. The proposal has been assessed under Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

The application was notified to surrounding properties and publicly exhibited. Council received 1 submission objecting to the proposal. The issues raised in the submission have been addressed in this report. As Council is the land owner the application is referred to the Local Planning Panel for determination.

The proposed development is considered suitable for the subject site as the proposal does not disturb significant vegetation communities, threatened species populations and their habitats and is within the public interest. The development also satisfies the matters for consideration of Section 4.15 of the *Environmental Planning and Assessment Act 1979* resulting in the application being recommended for approval to the Local Planning Panel.

## Attachments

4.2.1 Recommended Conditions of Consent (contained within this report)

4.2.2 Design Drawing (contained within this report)

- 4.2.3 Landscape Plan (contained within this report)
- 4.2.4 Department of Planning and Environment Water Response (contained within this report)
- 4.2.5 Arborist Report (contained within this report)
- 4.2.6 Flora and Fauna Report (contained within this report)
- 4.2.7 Addendum to Flora and Fauna Report (contained within this report)
- 4.2.8 EME Report (contained within this report)

### **Reporting Officer**

Executive Manager Urban Centres



**ATTACHMENT 1**  
**3720/2020/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 Access, Issue 3	N109612	Service Stream	15.06.2022
Site Layout, Issue 3	N109612	Service Stream	15.06.2022
Antenna Layout At EI 30.0m, Issue 3	N109612	Service Stream	15.06.2022
West Elevation	N109612	Service Stream	15.06.2022
Site plan and Lease Plan, Issue 3	N109612	Service Stream	15.06.2022
Site Detail Survey, Boundary Plan, Issue 3	N109612	Service Stream	15.06.2022
Tree Detail Plan			
Cover sheet, Key Plan and Specification notes, Issue B	1090-CD001	Citicene	23.09.2021
Landscape Plan, Issue B	1090-CD600	Citicene	23.09.2021
Landscape Details, Issue B	1090-CD800	Citicene	23.09.2021

**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. Design and Construction**

The telecommunications facility is to be designed and constructed in such a manner that enables other nearby telecommunications carriers to co-locate existing or new infrastructure should the need arise.

**4. Electromagnetic Emissions**

The telecommunications facility must adhere to the safety limits imposed by the Australian Communications and Media Authority and the Electromagnetic Radiation Standard and comply with the Australian Communications Industry Forum Industry Code entitled CIF C564:2004 *Deployment of Mobile Phone Network Infrastructure*.

**5. Traffic Control Measures**

Traffic control measures must be carried out in accordance with AS174.3-2002.

**6. Open Trenching**

Any open trenching must be carried out in accordance with AS 93.080 – Road Engineering AS1165 – 1982 – Traffic hazard warning lamps.

**7. Removal of Facility if Facility Becomes Redundant**

Should the facility become redundant, the telecommunications facility (tower and associated infrastructure) must be removed within thirty (30 days) after the cessation of the use.

**8. 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.

The surface of the monopole is to be finished with a non-reflective surface and is to be designed as to recede (not be dominant) into the surrounding landscape. The applicant is to provide the Council with a proposed colour (e.g. light grey) and surface finish chart, and obtain its approval prior to the erection of the monopole.

**9. Signage**

Signage is to be appropriately erected at the base of the monopole and displayed at all times, warning the public to the electromagnetic radiation hazard and providing contact details of the site manager.

**10. 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.

**11. 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.

**12. 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.

**13. 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.

In the event of a noise related issue arising during construction, the person in charge of the premises shall when instructed by Council, cause to be carried out an acoustic investigation by an appropriate acoustical 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.

**14. Tree Retention**

The trees numbered 1 – 9 in the Arboricultural Impact Assessment by Allied Tree Consulting dated November 2022, shall be retained.

**15. Construction Certificate**

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

- a. The applicant shall appoint a Principal Certifier;
- a. The applicant shall obtain a construction certificate for the particular works; and
- b. 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.

**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.

**16. 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.

#### **17. Controlled Activity Approval**

A Construction Certificate shall not be issued over any part of the site requiring a Controlled Activity Approval until a copy of the Controlled Activity Approval, issued by the NSW Office of Water has been provided to Council, or a letter from NSW Office of Water stating that a Controlled Activity Approval is not required for the development, has been provided to Council.

Before commencing any proposed controlled activity on waterfront land, an application must be submitted to Department of Planning and Environment–Water, and obtained, for a controlled activity approval under the Water Management Act 2000.

General Terms of Approval (GTA) only applies to the proposed controlled activity described in the plans and associated documents relating to Development Application 3720/2020/DA-O provided by Council to Department of Planning and Environment–Water.

Any amendments or modifications to the proposed controlled activity may render the GTA invalid. If the proposed controlled activity is amended or modified, Department of Planning and Environment–Water, must be notified in writing to determine if any variations to the GTA will be required.

#### **18. Biodiversity Compliance Documentation**

Prior to the issuing of a construction certificate a project arborist is required to be nominated and the stages and related certification or similar documentation as referenced in table 2 (section 7.4.1) of the Aboricultural Impact Assessment prepared by Allied Tree Consulting dated November 2022 shall be submitted to Council for approval of Council's Executive Manager Urban Centres.

A tree protection plan in accordance with Section 7.3.2 of the Aboricultural Impact Assessment by Allied Tree Consulting dated November 2022 shall be prepared. Tree protection plan shall be submitted to Council for approval of Council's Executive Manager Urban Centres prior to the issuing of a construction certificate.

#### **19. 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.

#### **20. 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.

#### **21. Endeavour Energy Approval**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall liaise with Council's Property Section and obtain written approval from Endeavour Energy for the

development and any associated works. The written approval must be submitted to Council's Director City Development.

## **22. Electromagnetic Emissions**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit the following information prepared by a suitably qualified person to Council:

- A report in the format required by the Australian Radiation Protection Nuclear Safety Agency that shows the predicted levels of electromagnetic energy surrounding the development comply with the safety limits imposed by the Australian Communications and Media Authority and the Electromagnetic Radiation Standard and;
- A report showing compliance with the Australian Communications Industry Forum Industry Code entitled CIF C584:2004 *Deployment of Mobile Phone Network Infrastructure*.

## **23. Obstacle Lighting**

Obstacle Warning Lighting must be installed on the approved tower to warn pilots of the presence of the tower in accordance with the standards specified in the section 9.4 of the Manual of Standards Part 139 – Aerodromes.

Council or an accredited certifier must not issue a Construction Certificate for design plans unless those plans include the installation of compliant aircraft Obstacle Warning Lighting on the approved tower.

The opening operation of the Obstacle Warning Lighting must comply with the relevant standards for Obstacle Warning Lighting at all times.

Confirmation of the compliant installation and activation of the Obstacle Warning Lighting must be provided to the Council's Director City Development within 28 days of the activation of the lighting.

## **24. 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
- b. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.

## **25. Airspace**

Prior to Council or an accredited certifier issuing a Construction Certificate, the applicant must provide separate notification in writing to the operator of Campbelltown Hospital Helicopter Landing Site (HLS) as well as Airservices Australia (vod@airservices.com), of the proposal to erect the approved tower.

The notification is to include an appropriate level of detail that clearly provides an understanding of the proposed timeframes for the erection of the tower, and is to include the design, finishes,

physical location and dimensions of the approved tower, as well as the maximum height of the tower above finished ground level.

Prior to Council or an accredited certifier issuing a Construction Certificate, the applicant is to obtain a written response from the operator of the HLS confirming that the operator is aware of the proposal to erect the approved tower and that the erection of the proposed tower will not cause an adverse impact on the operation of the HLPS.

The applicant is to provide the operator of the HLS and Airservices Australia with information relating to the tower as and when requested. Where the operator of the HLS requires the installation of additional aviation safety devices on the tower, the applicant shall immediately inform Council's Director City Development of the requirement, where a decision will be made as to whether the installation of the device will require separate assessment and approval.

Prior to Council or an accredited certifier issuing a Construction Certificate, the applicant must provide a qualified report to Council's Director City Development confirming the following:

- a. Compliance with any relevant site and height requirements specified by the *Civil Aviation Regulation 1988 and the Airports (Protection of Airspace) Regulations 1996* of the Commonwealth, and
- b. That the development does not penetrate any obstacle limitation surface shown on any relevant Obstacle Limitation Surface Plan that has been prepared by the operator of an aerodrome or airport operating within 30 kilometres of the proposed development and reported to the Civil Aviation Safety Authority Australia.

Note: See the Advisory Circular 139-09(0) entitled Reporting of Tall Structures issued by the Civil Aviation Safety Authority Australia on 5 April 2005 concerning these conditions.

## **26. 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](http://www.sydneywater.com.au).

### **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.

## **27. Consultation with NSW WorkCover Authority**

Prior to the commencement of any works on the site, it is the responsibility of the owner to contact NSW WorkCover Authority in writing in respect to any demolition or use of any crane, hoist, plant or scaffolding.

**28. Dial Before You Dig**

Underground assets may exist in the area that is subject to your application. Prior to the commencement of any works on the land, please contact Dial Before You Dig at [qqq.1100.com.au](http://qqq.1100.com.au) or telephone on 1100 before excavating or erecting structures (This is the law in NSW).

**29. 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.

**30. 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.

**31. 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.

**32. 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.

**33. 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.

**34. 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.

**35. Sydney Water**

Prior to works commencing, 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 works commencing.

The Sydney Water Tap In service can be accessed at [www.sydneywater.com.au](http://www.sydneywater.com.au)

**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.

**36. 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.



### **37. Managing Urban Stormwater**

Construction of the development must be in accordance with all relevant regulations of the Blue Book – ‘Managing Urban Stormwater: Soils and Construction’.

### **38. Biodiversity Compliance Documentation**

During construction the nominated project arborist is required to provide related certification or similar documentation as referenced in table 2 (section 7.4.1) of the Aboricultural Impact Assessment prepared by Allied Tree Consulting dated November 2022. Certification or similar documentation shall be submitted to Council for approval of Council’s Executive Manager Urban Centres.

During construction, no trees are to be cut down, lopped, destroyed or removed without the separate written approval of Council.

Physical Tree Protection measures as outlined in Sections 7.3, 7.4 and 8 of the Aboricultural Impact Assessment by Allied Tree Consulting dated November 2022 are required to be implemented for the nine (9) trees nominated for retention. Physical Tree Protection measures are to be installed before initiation of site works (including demolition/excavation) and retained until the landscaping works are required unless otherwise specified.

All workers related to the construction process and before entering the site must be briefed about the requirements/conditions outlined in this report relative to the zone of protection, measures, and specifications before the initiation of work.

The installation of the cabling via under boring shall be carried out as per recommendations in the Aboricultural Impact Assessment by Allied Tree Consulting dated November 2022 and includes:

- The entry and exit pits for the cabling must be located outside the designated Tree Protection Zones (see Table 1, Section 5.0 of the Aboricultural Impact Assessment by Allied Tree Consulting dated November 2022).
- The under bore should traverse the Tree Protection Zone at a greater depth of 400mm below the existing grade.
- No machine or excavation shall occur within the Tree Protection Zone.

### **39. 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.**

**40. 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.

**41. 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.

**42. 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.

**43. 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.

**44. 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.

**45. 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.

**46. 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.

#### **47. 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 1.2m 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.

#### **48. Compliance with Council Specification**

All design and construction work shall be in accordance with:

- Council's specification for Construction of Subdivisional Road and Drainage Works (as amended)
- Campbelltown (Sustainable City) DCP - Volumes 1 and 3 as amended
- Soils and Construction (2004) (Bluebook) and
- Relevant Australian standards and State Government publications.

#### **49. 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.

#### **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: For the purpose of this development consent, any reference to "occupation certificate" shall also be taken to mean "interim occupation certificate".

**50. 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.

**51. Airservices Australia**

Prior to the principal certifying authority issuing an occupation certificate, the applicant must notify Airservices Australia (vod@airservices.com) to confirm that finishes height and location to allow for entry into the Aeronautical Information Package (AIP).

**52. Electromagnetic Emissions**

Prior to Council or an accredited certifier issuing an occupation certificate, the applicant shall provide a report, prepared by a suitably qualified person, stating that the operation of the telecommunications facility would comply with the following:

- Compliance with the safety limits for the predicted levels of electromagnetic energy surrounding the development imposed by the Australian Communications and Media Authority and the Electromagnetic Radiation Standard; and
- Compliance with the Australian Communications Industry Forum Industry Code entitled CIF C564:2004 *Deployment of Mobile Phone Network Infrastructure*.

A copy of the above information must be submitted to Council's Director City Development.

**53. Restoration of Public Roads**

Prior to the principal certifying authority 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.

**54. 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.

**55. 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. Inspection within Public Areas**

All works within public areas are required to be inspected at all stages of construction and approved by Council prior to the principal certifying authority releasing the Occupation Certificate.

**Advice 5. 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 6. 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](http://www.environment.nsw.gov.au)  
[www.nsw.gov.au/fibro](http://www.nsw.gov.au/fibro)  
[www.adfa.org.au](http://www.adfa.org.au)  
[www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au)

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

**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](http://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.

**Advice 9. 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**







<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>																															
<p><b>SITE SPECIFIC NOTES</b></p> <p><b>EQUIPMENT SHELTER</b> TYPE: PROPOSED TELSTRA ICS IM5.1 EQUIPMENT SHELTER COLOUR: PALE EUCALYPT FEEDER ENTRY WINDOW: RIGHT SIDE AIR CONDITIONING CAGE: YES REFERENCE DRAWING: SHEET E1, H1 AND TEL-IM51-B1 DRGS: A001, A002, A101 &amp; A102</p> <p><b>STRUCTURE</b> TYPE: PROPOSED TELSTRA 30.0m HIGH CONCRETE MONOPOLE MODEL NO.: SR2.5-H30-540-BTF COLOUR: NATURAL PRODUCT COLOUR REFERENCE DRAWING: N/A</p> <p><b>HEADFRAME</b> TYPE: PROPOSED TELSTRA TRIANGULAR HEADFRAME MODEL NO.: TO SUIT POLE TYPE COLOUR: GALVANISED FINISH REFERENCE DRAWING: 017866P105 SHEETS 14 &amp; 16 TO 19</p> <p><b>ANTENNA ACCESS</b> TELSTRA: ELEVATED WORK PLATFORM OTHERS: ELEVATED WORK PLATFORM</p> <p><b>ANTENNA MOUNTS</b> TYPE: PROPOSED TELSTRA STEEL PIPES COLOUR: GALVANISED FINISH REFERENCE DRAWING: 017866P105 SHEETS 14 &amp; 16 TO 19</p> <p><b>EARTHING DETAIL</b> REFERENCE DRAWING: 017866P204 SHEET 7 FOR SITE ELECTRODE DETAIL 4 x 2.88m REFER TO 017866a07 EARTHING STANDARDS MANUAL.</p> <p><b>ENVIRONMENTAL ISSUES</b> REFER TO ENVIRONMENTAL RISK ASSESSMENT PROCEDURE DOCUMENT NUMBER: 018502</p>	<p><b>POWER SUPPLY</b> PROPOSED TELSTRA POWER SUPPLY (3 PHASE / 50 AMPS) REFER TO SHEETS E0 &amp; E2 FOR DETAILS. DIAL 1100 BEFORE YOU DIG.</p> <p><b>PROPERTY SIGNAGE</b> PROPOSED PROPERTY SIGNAGE AS PER DOCUMENT 017866A12. PROPERTY SIGN INCLUDES RFNSA SITE NUMBER, SITE NAME: BRANDED SITE IDENTIFICATION REGULAR (BS), TELSTRA S/I NUMBER 187/00629, JABAC PART NUMBER TFN6523-M</p> <p><b>SITE ACCESS</b> VIA NEAR 31 WILLIAMS DRIVE, NARRABRI, NSW 2390. REFER TO SHEET S1 FOR DETAILS.</p> <p><b>SITE SIGNAGE</b> ALL EIVE SIGNAGE IS REFERENCED ON SHEETS S1-1, S1-2 &amp; S3. REFER TO DOCUMENT 005486 FOR DETAILS.</p> <p><b>GPS RECEIVER SYSTEM</b> GPS ANTENNA INC. BRACKET PART NO.: KRE1012082/1 SURGE ARRESTOR DEVICE PART NO.: NGC90145 GPS RECEIVER UNIT PART NO.: NCD90141/1 ACTIVE SPLITTER 1 x 4 PART NO.: KRY1011946/1 SIGNAL CABLE 2m PART NO.: RPIW1061272000 RF JUMPER 1.5m-N(m) TO SMA(m) TYPE: TSR951357/1500</p>	<p><b>GENERAL NOTES</b></p> <ol style="list-style-type: none"> <li>ALL DIMENSIONS ARE IN MILLIMETRES UNLESS SPECIFIED OTHERWISE</li> <li>CABLES AND ALL ACCESS POINTS ON THE STRUCTURE MUST BE BIRD PROOFED IN ACCORDANCE WITH THE METHODS SPECIFIED IN DOCUMENT NO. 003615</li> <li>EXTERNAL PLANT STANDARDS FOR MOBILE BASE STATIONS, SECTION 6.3.3</li> <li>SERVICES, WHERE SHOWN ARE INDICATIVELY ONLY. LOCATION OF ALL RELEVANT EXISTING SERVICES SHALL BE IDENTIFIED AND CONFIRMED PRIOR TO COMMENCING WORK. THE CONTRACTOR TO LIAISE WITH RELEVANT AUTHORITIES FOR DIRECTIONS AND PERMITS REQUIRED.</li> <li>DIAL 1100 BEFORE YOU DIG AND LOCATE ALL UNDERGROUND SERVICES PRIOR TO ANY EXCAVATION WORK</li> <li>FEEDER CONNECTION DETAILS, ELECTRICAL AND MECHANICAL TILTS ARE TO BE OBTAINED FROM CANRA REPORTS.</li> <li>CONSTRUCTORS ARE TO BE AWARE OF TELSTRA DOCUMENT 007336-C8-11 AND IN PARTICULAR CLAUSE 7.3 &amp; 10.3 WHICH DESCRIBES REQUIREMENTS PERSONNEL MUST UNDERTAKE IN RESPECT TO ASBESTOS MANAGEMENT AT TELSTRA FACILITIES.</li> <li>THE LOCATION AND DEPTH OF ANY EXISTING UNDERGROUND SERVICES SHALL BE PHYSICALLY VERIFIED ON SITE PRIOR TO COMMENCING EXCAVATION (e.g. BY POT-HOLING).</li> </ol>	<p><b>GENERAL NOTES</b></p> <ol style="list-style-type: none"> <li>ALL DIMENSIONS ARE IN MILLIMETRES UNLESS SPECIFIED OTHERWISE</li> <li>CABLES AND ALL ACCESS POINTS ON THE STRUCTURE MUST BE BIRD PROOFED IN ACCORDANCE WITH THE METHODS SPECIFIED IN DOCUMENT NO. 003615</li> <li>EXTERNAL PLANT STANDARDS FOR MOBILE BASE STATIONS, SECTION 6.3.3</li> <li>SERVICES, WHERE SHOWN ARE INDICATIVELY ONLY. 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<p><b>ServiceStream</b> Level 10, 8 West Street, North Sydney, NSW 2060 T +61 3 9877 8888   www.servicestream.com.au</p> <p style="text-align: right;">NOTE: THIS DRAWING TO BE READ IN CONJUNCTION WITH SHEET S0-1</p> <p style="text-align: right;">SITE DESIGN BRIEF NR850 / LTE700 / LTE1800 / LTE2100 / LTE2600 / NR3500 / NR4423.02 ISSUE 01 DATED 02/12/2020</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>ORDER</th> <th>DRAWN</th> <th>CHKD</th> <th>AMENDMENT</th> <th>EXAM</th> <th>APPD</th> <th>DATE</th> <th>ISS</th> </tr> <tr> <td>NR44232</td> <td>AK</td> <td>TM</td> <td>FC-3620200403030K-NB191 / LTEM / LTEM / LTEM / LTEM / LTEM / NR3500</td> <td>BC</td> <td>AA</td> <td>15.06.22</td> <td>1</td> </tr> </table> <p style="text-align: right;">Telstra Corporation Limited ABN 33 051 775 556 All rights reserved.</p>						ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS	NR44232	AK	TM	FC-3620200403030K-NB191 / LTEM / LTEM / LTEM / LTEM / LTEM / NR3500	BC	AA	15.06.22	1															
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NR44232	AK	TM	FC-3620200403030K-NB191 / LTEM / LTEM / LTEM / LTEM / LTEM / NR3500	BC	AA	15.06.22	1																													
DO NOT SCALE					6																															
F					A3																															

EQUIPMENT NOTES - PROJECT NO. NA04423.02							
ITEM	EQUIPMENT	EQUIPMENT DETAILS	EXISTING	PROPOSED	TOTAL	REFERENCE DWG	
1	AIR CONDITIONER	L600P 6kW RAC UNIT	0	X	X	SHEET E1	
2	COOLING FAN	L350A AC FAN WITH DC/AC INVERTER	0	X	X	SHEET E1	
3	BATTERY ENERGY SP36 (PSU)	600 x 600 x 2200mm (W,D,H)	0	X	X	SHEETS E1 & E4	
4	BATTERY ENERGY SP36 RECTIFIERS	BERM3048 HE 3KW	0	X	X	SHEET E4	
5	BATTERY ENERGY SP36 DC-DC CONVERTER	CM1860-48 DC/DC CONVERTERS	0	X	X	SHEET E4	
6	BATTERY ENERGY SP36 BATTERY STRINGS	SBS190F EON BATTERY STRINGS RESERVE CAPACITY X HRS	0	X	X	SHEET E4	
7	LOAD RESTRICTION LABEL - RECTIFIER	TE/L1004-V 80 x 40mm VINYL	0	X	X	SHEET E4	
8	LOAD RESTRICTION LABEL - DB	TE/L1005-V 160 x 80mm VINYL	0	X	X	SHEET E4	
9	VERTIV EXTERNAL SURGE PROTECTION DEVICE (12.3 WAY)	600 x 200 x 600mm (W,D,H) WALL MOUNTED	0	X	X	SHEET E1	
10	45RU PATHFINDER RACK	530 x 600 x 2200mm (W,D,H)	0	1	1	SHEETS E1 & E5	
11	RBS6601	483 x 271 x 177mm (W,D,H) COLOUR NATURAL	0	1	1	SHEET E5	
12	BB6630	TO BE INSTALLED IN 45RU PATHFINDER RACK	0	3	3	SHEET E5	
13	ERICSSON RADIO 2217 (B28) (LTE700)	342 x 149 x 420mm (W,D,H)	0	6	6	SHEET E5	
14	ERICSSON RADIO 2212 (B5) (NR850)	342 x 149 x 420mm (W,D,H)	0	3	3	SHEET E5	
15	R503 DIGITAL UNIT	TO BE INSTALLED IN RBS6601	0	2	2	SHEET E5	
16	BBF0020F01V2-1E FILTERS	TO BE INSTALLED IN 45RU PATHFINDER RACK	0	3	3	SHEET E5	
17	DBC0086 COMBINERS	TO BE INSTALLED IN 45RU PATHFINDER RACK	0	6	6	SHEET E5	
18	TOWER MOUNTED AMPLIFIER (LTE700 / NR850)	TMA2158F01V2-1E	0	6	6	SHEETS S1-2 & S3	
19	ERICSSON RADIO 4480 (B1 B3) (LTE1800 / LTE2100)	553 x 398 x 151mm (W,D,H) NATURAL PRODUCT COLOUR	0	3	3	SHEETS S1-2 & S3	
20	ERICSSON RADIO 4415 (B7) (LTE2600)	342 x 149 x 420mm (W,D,H) NATURAL PRODUCT COLOUR	0	3	3	SHEETS S1-2 & S3	
21	5G RRU INTERFACE JUNCTION BOX (8P24F)	W&B TC4039 MOBILE 08	0	3	3	SHEETS S1-2 & S3	
22	LCF78-50JA	50m	0	12	12	-	
23	7/8" HYBRID CABLE (8P24F)	W&B 50m	0	3	3	-	
24	GPS ANTENNA	KRE 101 2082/1 OMNI Ø68 x 96mm	0	1	1	SHEETS S1-2 & S3	
25	GPS RECEIVER UNIT	TO BE INSTALLED IN 45RU PATHFINDER RACK	0	1	1	SHEET E5	
26	GPS SPLITTER UNIT	TO BE INSTALLED IN 45RU PATHFINDER RACK	0	1	1	SHEET E5	
27	AIR-CONDITIONING CAGE LOCKS	N/A	-	-	-	-	
28	EQUIPMENT SHELTER KEY NO.	KABA QUATTRO UW7096MC	0	1	1	-	
29	MAINS POWER METER BOX LOCK TYPE.	N/A	-	-	-	-	
30	SECURITY COMPOUND GATE KEY NO.	KABA QUATTRO UW7096MC	0	1	1	-	
31	STRUCTURE KEY NO.	KABA QUATTRO UW7096MC	0	1	1	-	

UNAPPROVED  
DRAWING

COMPLIANCE BOX

COMPLETED AS PER DESIGN

ALTERATIONS IN RED

NAME (PRINT) \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

NOTE: THIS DRAWING TO BE READ IN CONJUNCTION WITH SHEET S0

FOR CONSTRUCTION

DO NOT SCALE

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
NA04423.02	AK	TM	FC-3002438W043489NC-NR850/LTE700/LTE1800/LTE2100/LTE2600/NR300	BC	AA	15.06.22	1



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MOBILE NETWORK SITE 255241  
MACQUARIE FIELDS FOURTH AVE

SITE SPECIFIC NOTES - SHEET 2 OF 2  
LOT 16 SECTION 31 DP1391 FOURTH AVENUE, MACQUARIE FIELDS, NSW 2564

DWG NO. N109612 SHT NO. S0-1

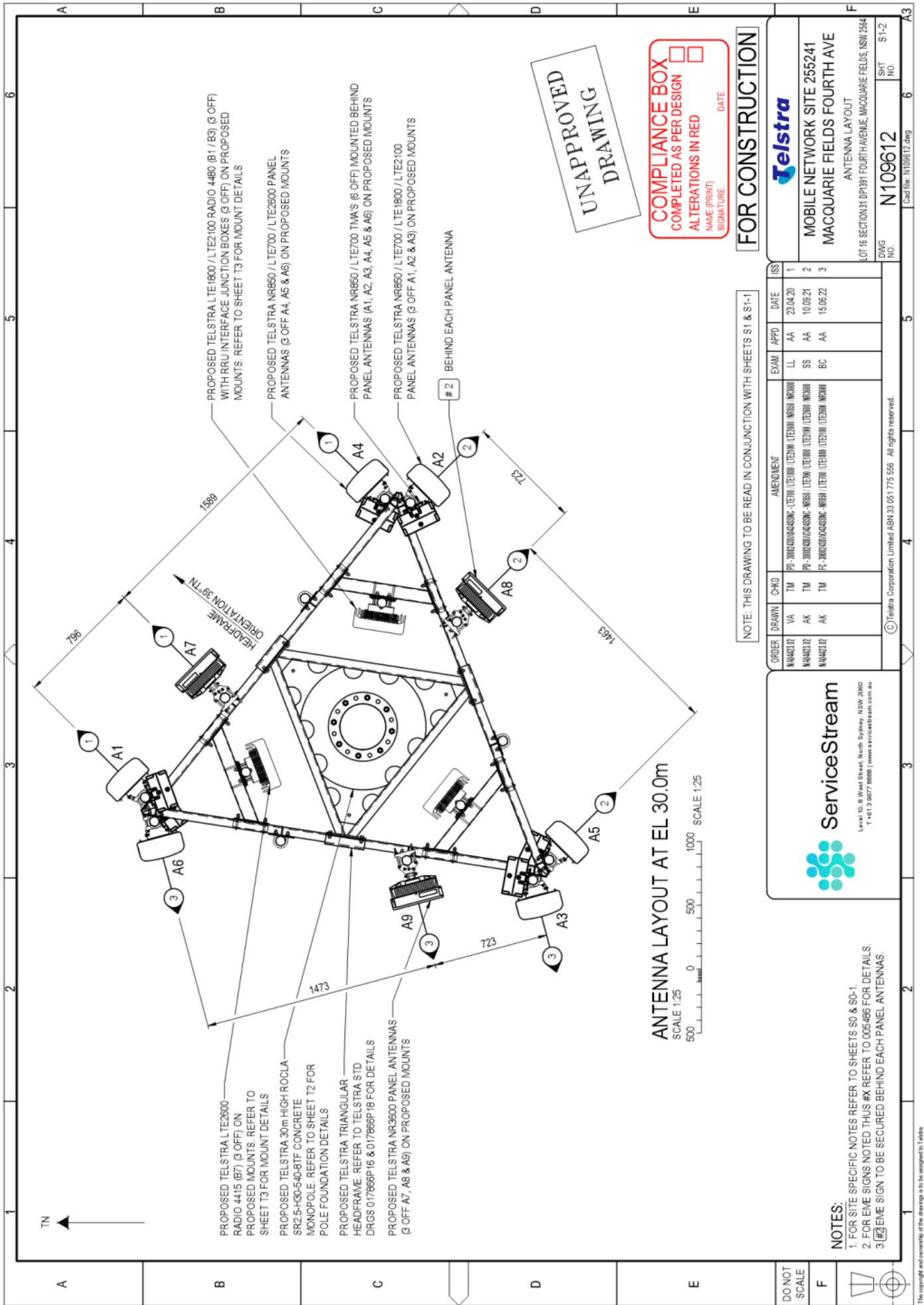
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Cad file: N109612.dwg 6 A3V







UNAPPROVED DRAWING

COMPLIANCE BOX  
 COMPLETED AS PER DESIGN   
 ALTERATIONS IN RED   
 NAME (PRINT) \_\_\_\_\_  
 SIGNATURE \_\_\_\_\_  
 DATE \_\_\_\_\_

**FOR CONSTRUCTION**

NOTE: THIS DRAWING TO BE READ IN CONJUNCTION WITH SHEETS S1 & S1-1

<b>Telstra</b>	
MOBILE NETWORK SITE 255241 MACQUARIE FIELDS FOURTH AVE ANTENNA LAYOUT	
LOT 16 SECTION 31 DP1391 FOURTH AVENUE, MACQUARIE FIELDS, NSW 2564	SHT NO. S1-2
DWG NO. N109612	6

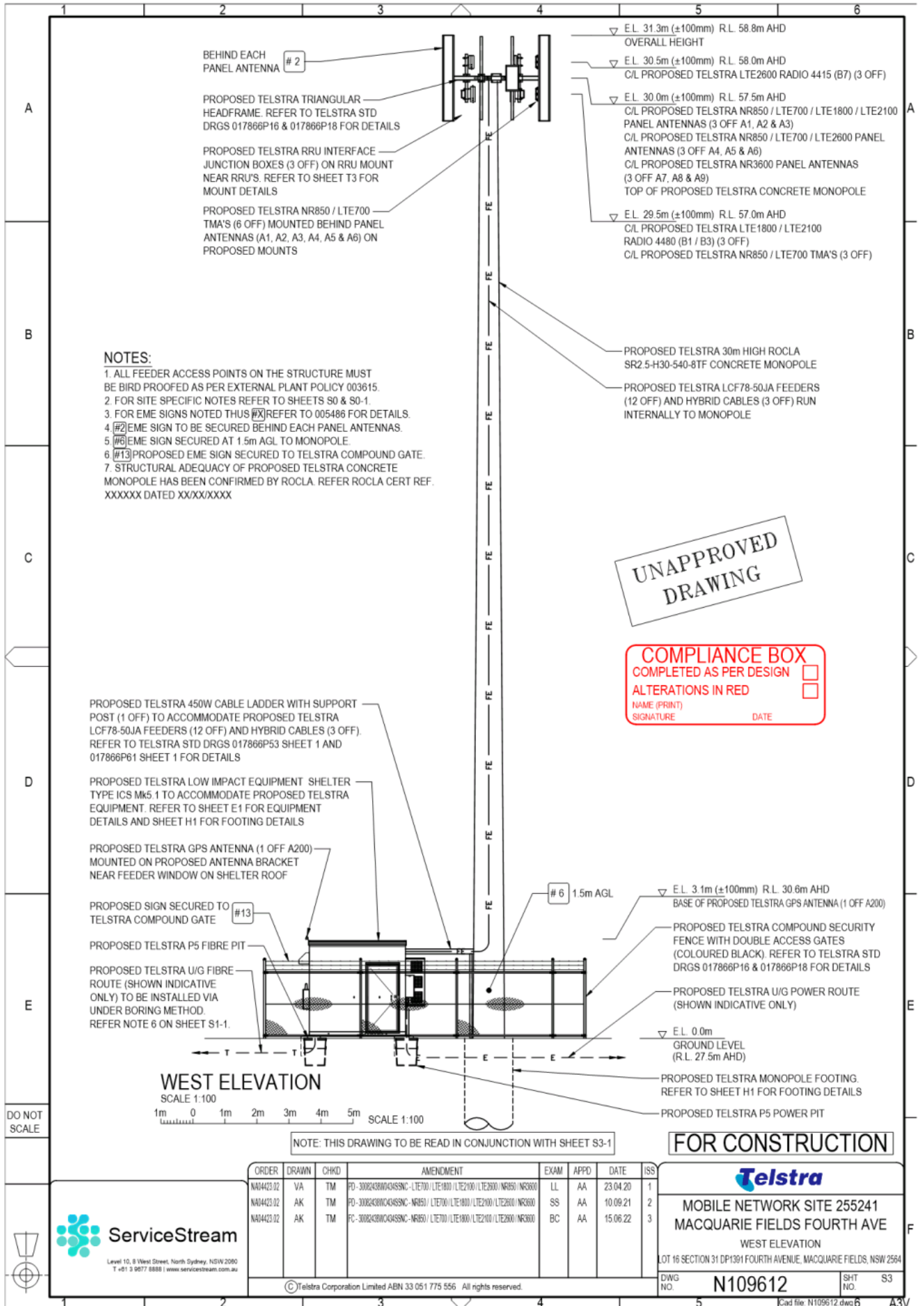
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NM44212	AK	TM	PO-3862004GSSG-NR360011ETM11ETM11ETM11ETM11NR3600NR3600NR3600NR3600	SS	AA	10.09.21	2
NM44212	AK	TM	PO-3862004GSSG-NR360011ETM11ETM11ETM11ETM11NR3600NR3600NR3600NR3600	BC	AA	15.06.22	3

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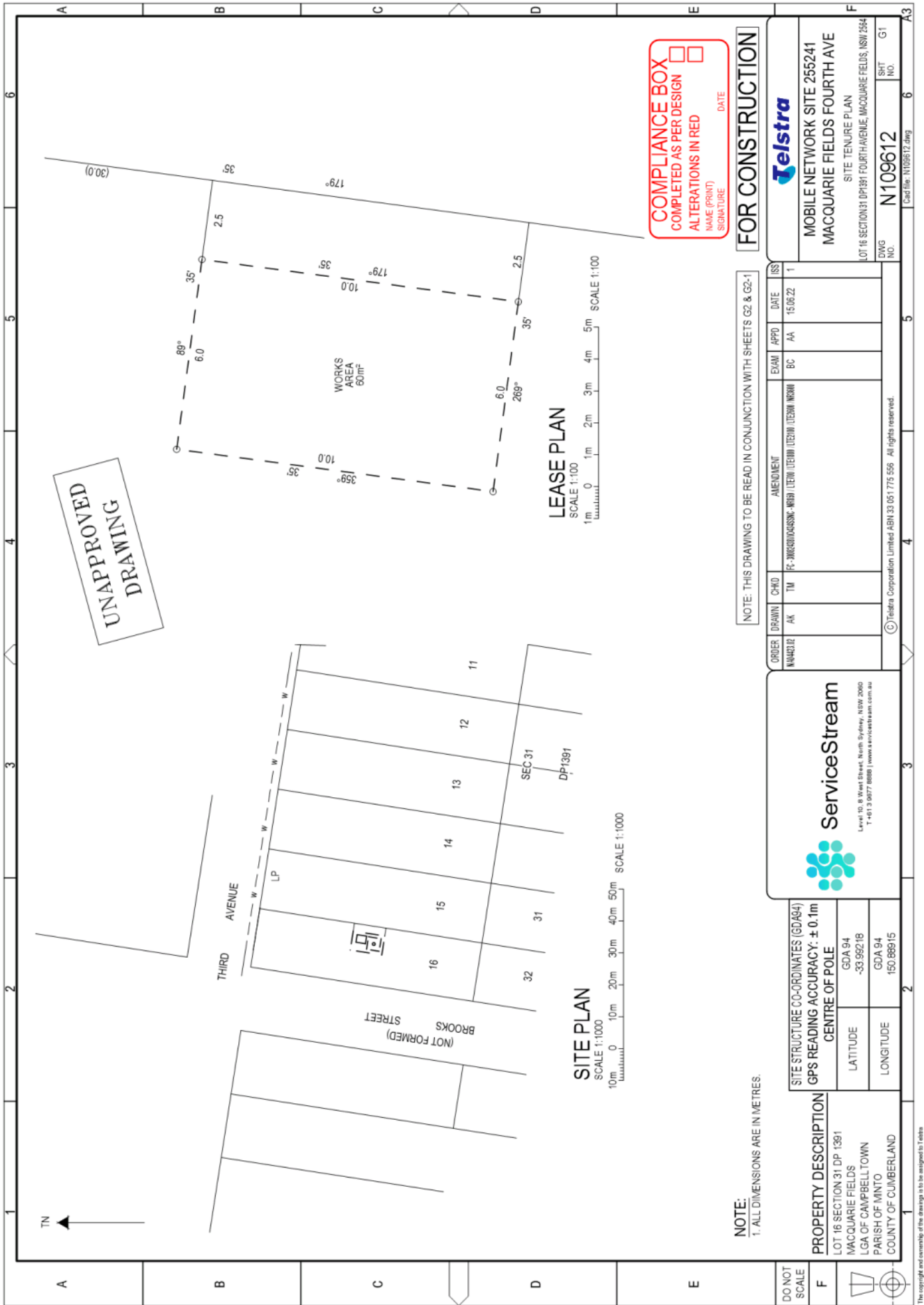
DO NOT SCALE	5
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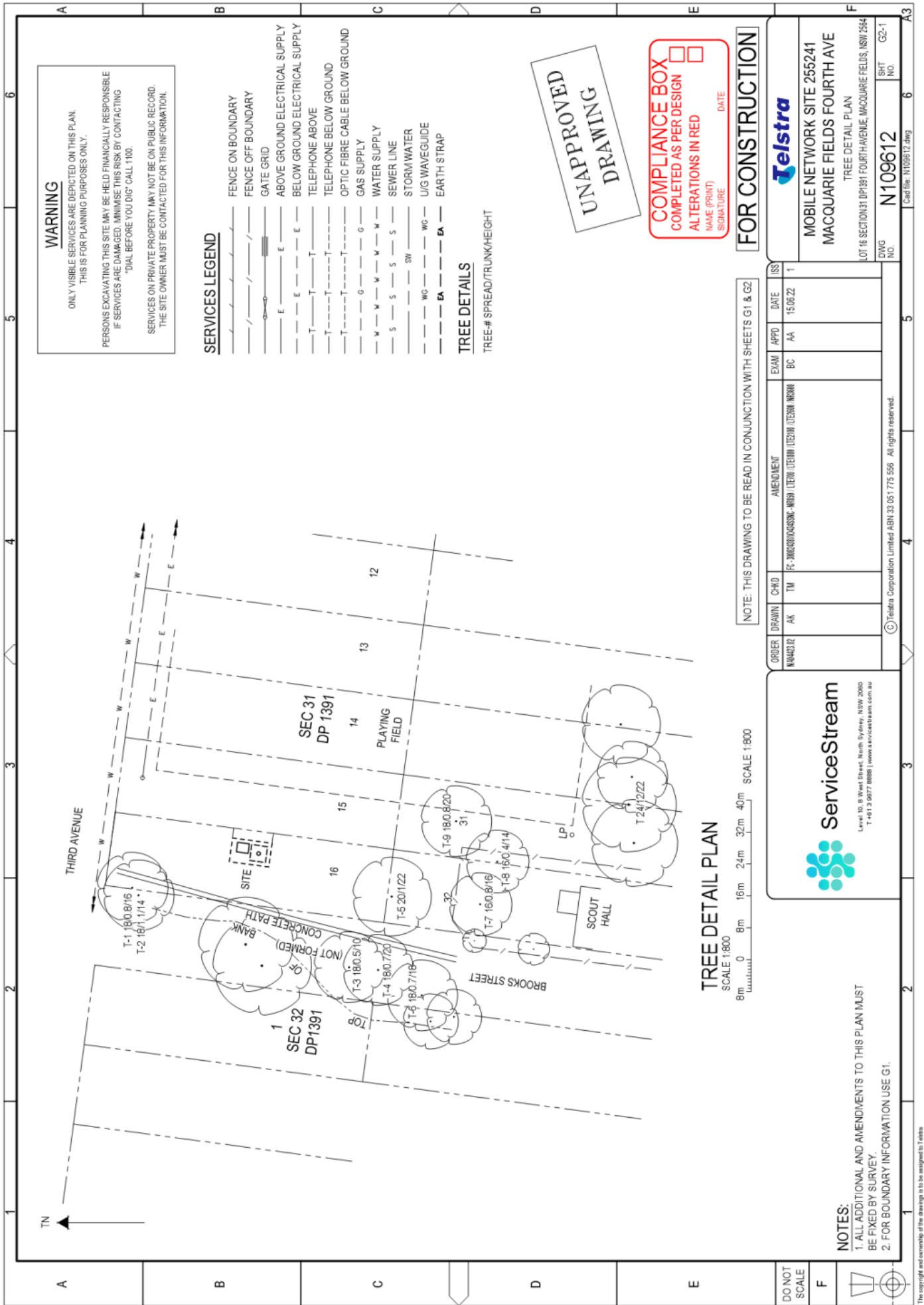












**WARNING**  
 ONLY VISIBLE SERVICES ARE DEPICTED ON THIS PLAN. THIS IS FOR PLANNING PURPOSES ONLY.  
 PERSONS EXCAVATING THIS SITE MAY BE HELD FINANCIALLY RESPONSIBLE IF SERVICES ARE DAMAGED. MINIMISE THIS RISK BY CONTACTING "DIAL BEFORE YOU DIG" CALL 1100.  
 SERVICES ON PRIVATE PROPERTY MAY NOT BE ON PUBLIC RECORD. THE SITE OWNER MUST BE CONTACTED FOR THIS INFORMATION.

- SERVICES LEGEND**
- FENCE ON BOUNDARY
  - FENCE OFF BOUNDARY
  - GATE GRID
  - ABOVE GROUND ELECTRICAL SUPPLY
  - BELOW GROUND ELECTRICAL SUPPLY
  - TELEPHONE ABOVE
  - TELEPHONE BELOW GROUND
  - OPTIC FIBRE CABLE BELOW GROUND
  - GAS SUPPLY
  - WATER SUPPLY
  - SEWER LINE
  - STORM WATER
  - U/G WAVEGUIDE
  - EA --- EARTH STRAP

**TREE DETAILS**  
 TREE# SPREAD/TRUNK/HEIGHT

UNAPPROVED DRAWING

COMPLIANCE BOX  
 COMPLETED AS PER DESIGN   
 ALTERATIONS IN RED   
 NAME (PRINT) \_\_\_\_\_  
 SIGNATURE \_\_\_\_\_  
 DATE \_\_\_\_\_

FOR CONSTRUCTION

<b>Telstra</b>	
MOBILE NETWORK SITE 255241 MACQUARIE FIELDS FOURTH AVE	
TREE DETAIL PLAN LOT 16 SECTION 31 DP1391 FOURTH AVENUE, MACQUARIE FIELDS, NSW 2564	
DWG NO.	SHT NO.
N109612	G2-1
Cad file: N109612.dwg	

NOTE: THIS DRAWING TO BE READ IN CONJUNCTION WITH SHEETS G1 & G2

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
N1042312	AK	TM	FC-MACQUARIEFIELDS-MOBILE NETWORK TREE DETAIL PLAN	BC	AA	15.06.22	1

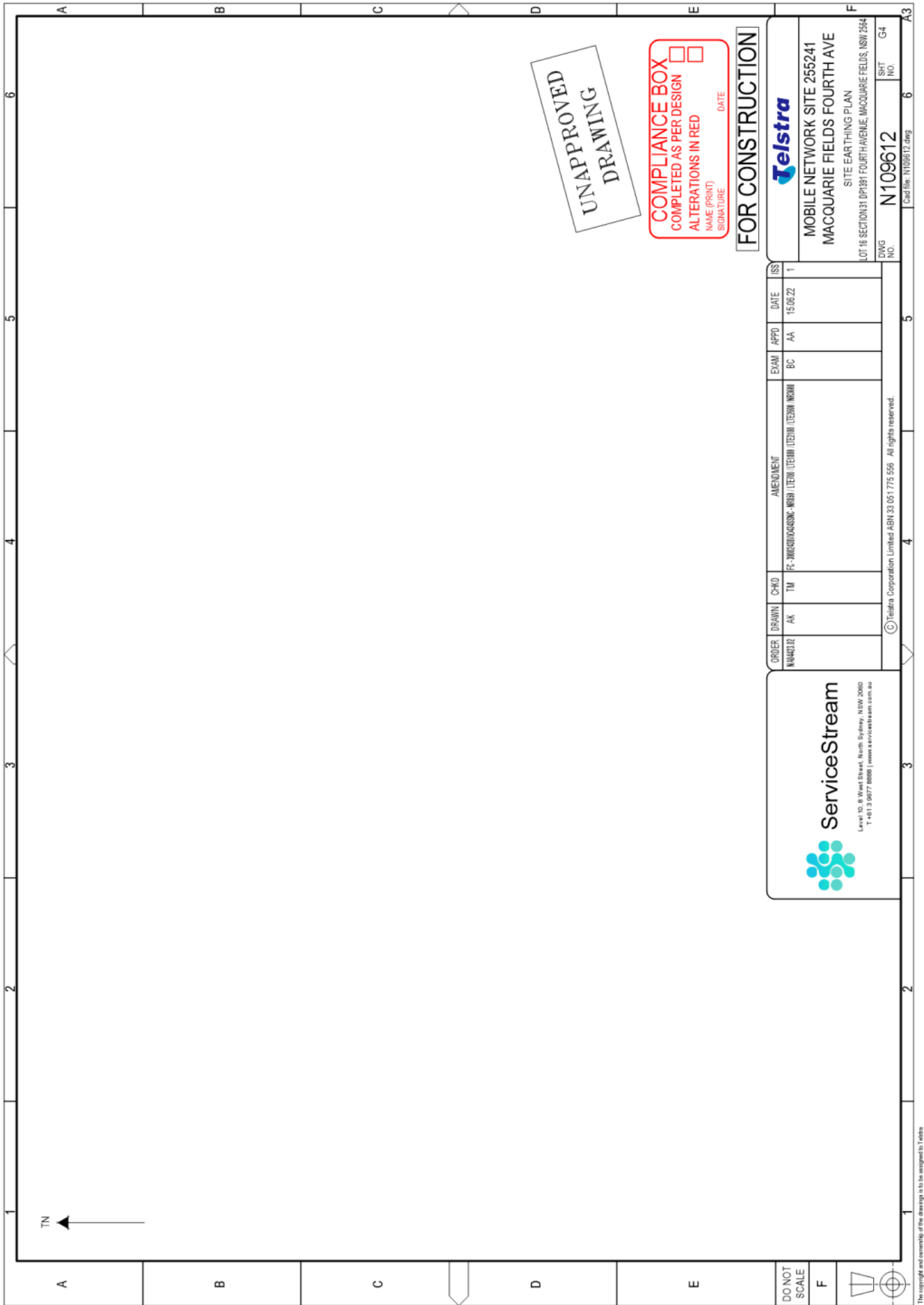
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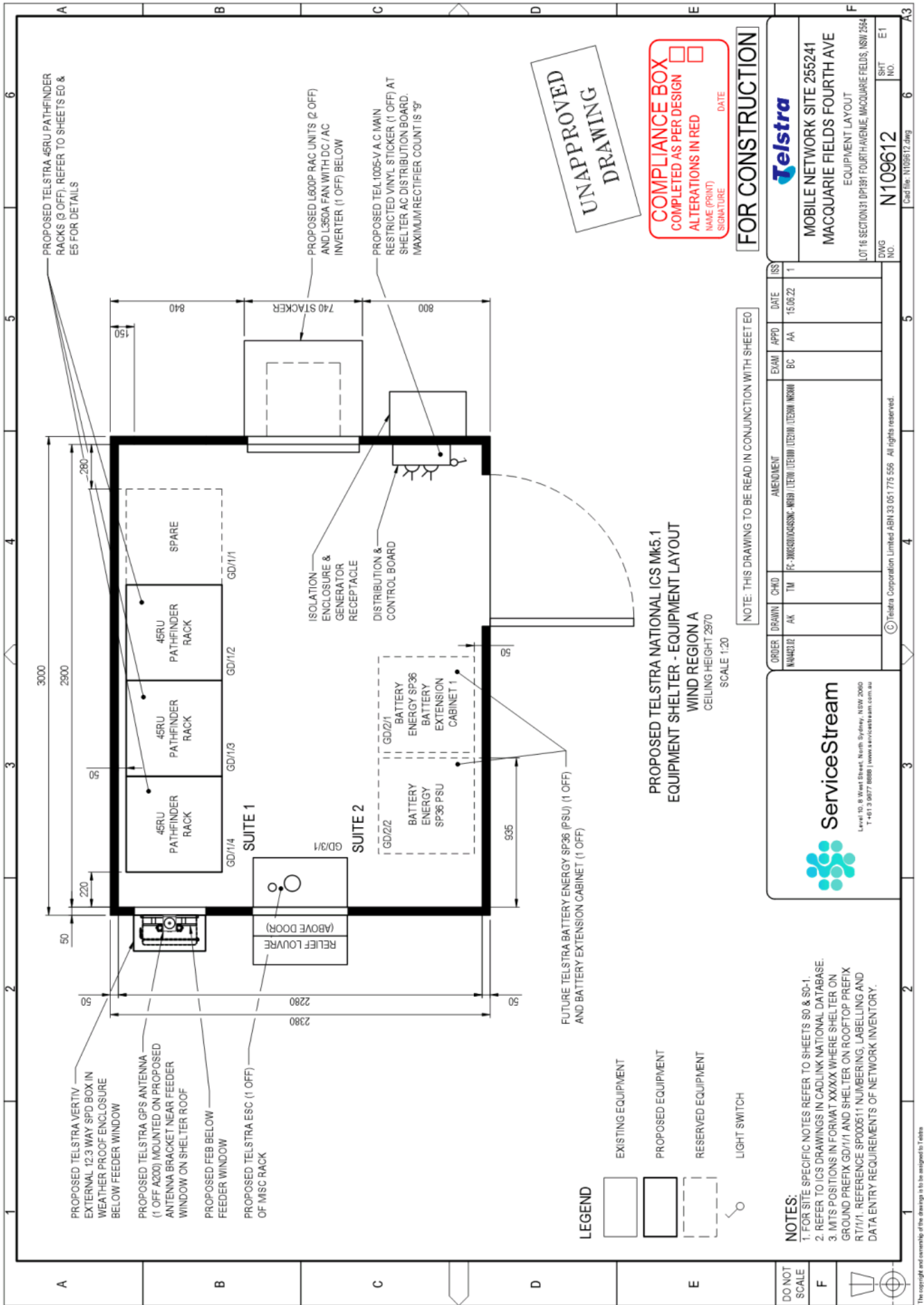
**NOTES:**  
 1. ALL ADDITIONAL AND AMENDMENTS TO THIS PLAN MUST BE FIXED BY SURVEY.  
 2. FOR BOUNDARY INFORMATION USE G1.



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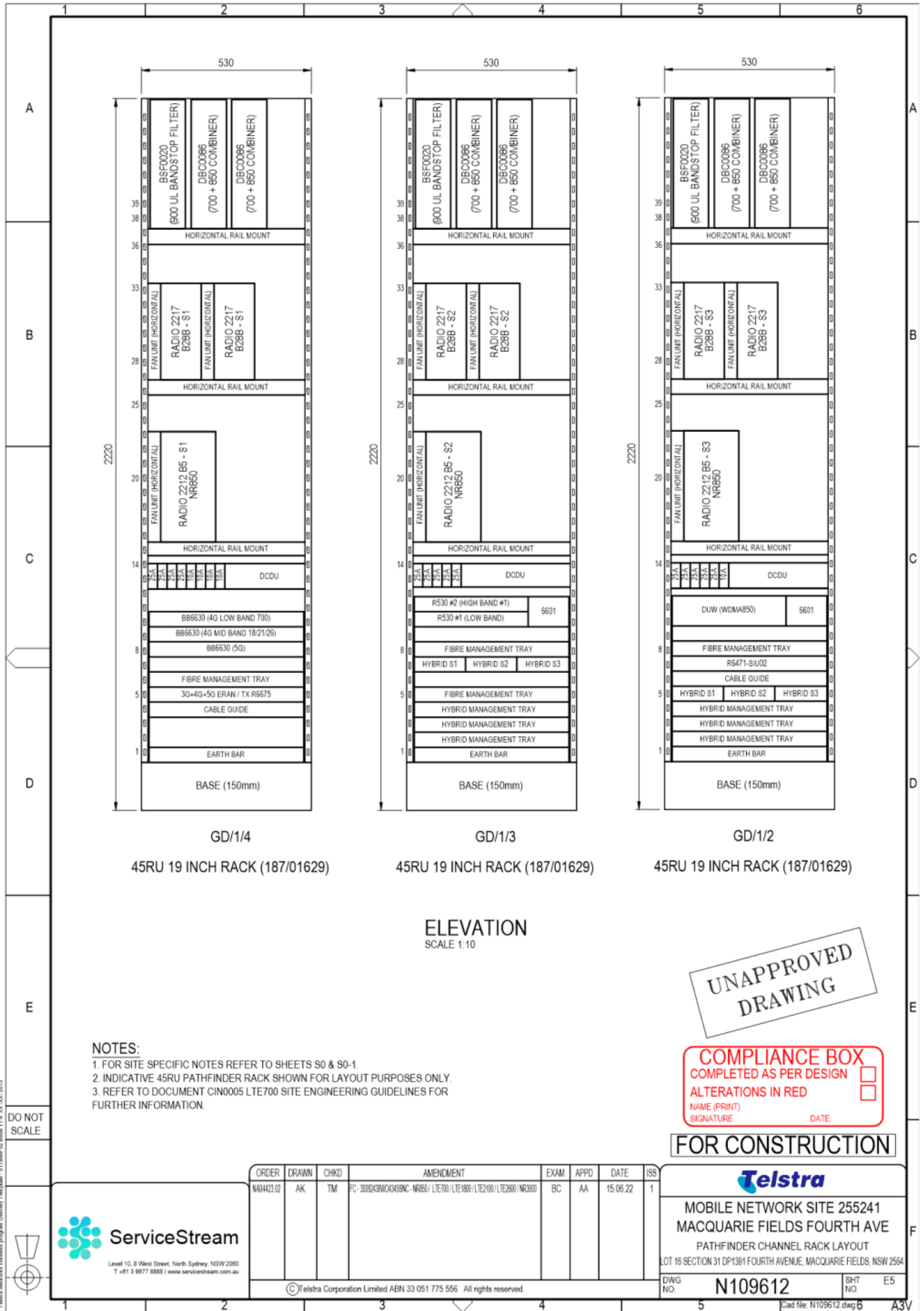
A	B	C	D	E	F															
1	2	3	4	5	6															
<p style="font-size: 2em; font-weight: bold; transform: rotate(-15deg); display: inline-block;">UNAPPROVED DRAWING</p>					<p style="font-size: 0.8em; font-weight: bold; border: 1px solid red; padding: 2px; display: inline-block;"> <b>COMPLIANCE BOX</b>          COMPLETED AS PER DESIGN <input type="checkbox"/>          ALTERATIONS IN RED <input type="checkbox"/>  <small>NAME (PRINT) SIGNATURE DATE</small> </p>															
<p style="font-size: 1.5em; font-weight: bold; border: 1px solid black; padding: 5px; display: inline-block;">FOR CONSTRUCTION</p>					<p style="font-size: 1.5em; font-weight: bold; color: blue;">Telstra</p> <p style="font-size: 0.8em; font-weight: bold;">MOBILE NETWORK SITE 255241 MACQUARIE FIELDS FOURTH AVE AC POWER - CONNECTION LOT 16 SECTION 31 DP1391 FOURTH AVENUE, MACQUARIE FIELDS, NSW 2564</p>															
<p style="font-size: 1.5em; font-weight: bold;">ServiceStream</p> <p style="font-size: 0.7em;">Level 10, 8 West Street, North Sydney, NSW 2060 T +61 3 9877 8888   www.servicestream.com.au</p>			<table border="1" style="width:100%; border-collapse: collapse; font-size: 0.7em;"> <tr> <th>ORDER</th> <th>DRAWN</th> <th>CHKD</th> <th>AMENDMENT</th> <th>EXAM</th> <th>APPD</th> <th>DATE</th> <th>ISS</th> </tr> <tr> <td>NM42312</td> <td>AK</td> <td>TM</td> <td>FC-WR020304SSNK-MW91-TECHN-TECHN-TECHN-NORM</td> <td>BC</td> <td>AA</td> <td>15.06.22</td> <td>1</td> </tr> </table>		ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS	NM42312	AK	TM	FC-WR020304SSNK-MW91-TECHN-TECHN-TECHN-NORM	BC	AA	15.06.22	1
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NM42312	AK	TM	FC-WR020304SSNK-MW91-TECHN-TECHN-TECHN-NORM	BC	AA	15.06.22	1													
<p style="font-size: 0.6em;">© Telstra Corporation Limited ABN 33 051 775 556 All rights reserved.</p>					<table border="1" style="width:100%; border-collapse: collapse; font-size: 0.7em;"> <tr> <td>DWG NO.</td> <td>SHT NO.</td> </tr> <tr> <td>N109612</td> <td>E2</td> </tr> </table>	DWG NO.	SHT NO.	N109612	E2											
DWG NO.	SHT NO.																			
N109612	E2																			
<p style="font-size: 0.6em;">DO NOT SCALE</p>																				

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**NOTES:**  
 1. FOR SITE SPECIFIC NOTES REFER TO SHEETS S0 & S0-1.  
 2. INDICATIVE 45RU PATHFINDER RACK SHOWN FOR LAYOUT PURPOSES ONLY.  
 3. REFER TO DOCUMENT CIN0005 LTE700 SITE ENGINEERING GUIDELINES FOR FURTHER INFORMATION.

**UNAPPROVED DRAWING**

**COMPLIANCE BOX**  
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 ALTERATIONS IN RED   
 NAME (PRINT) \_\_\_\_\_  
 SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

**FOR CONSTRUCTION**

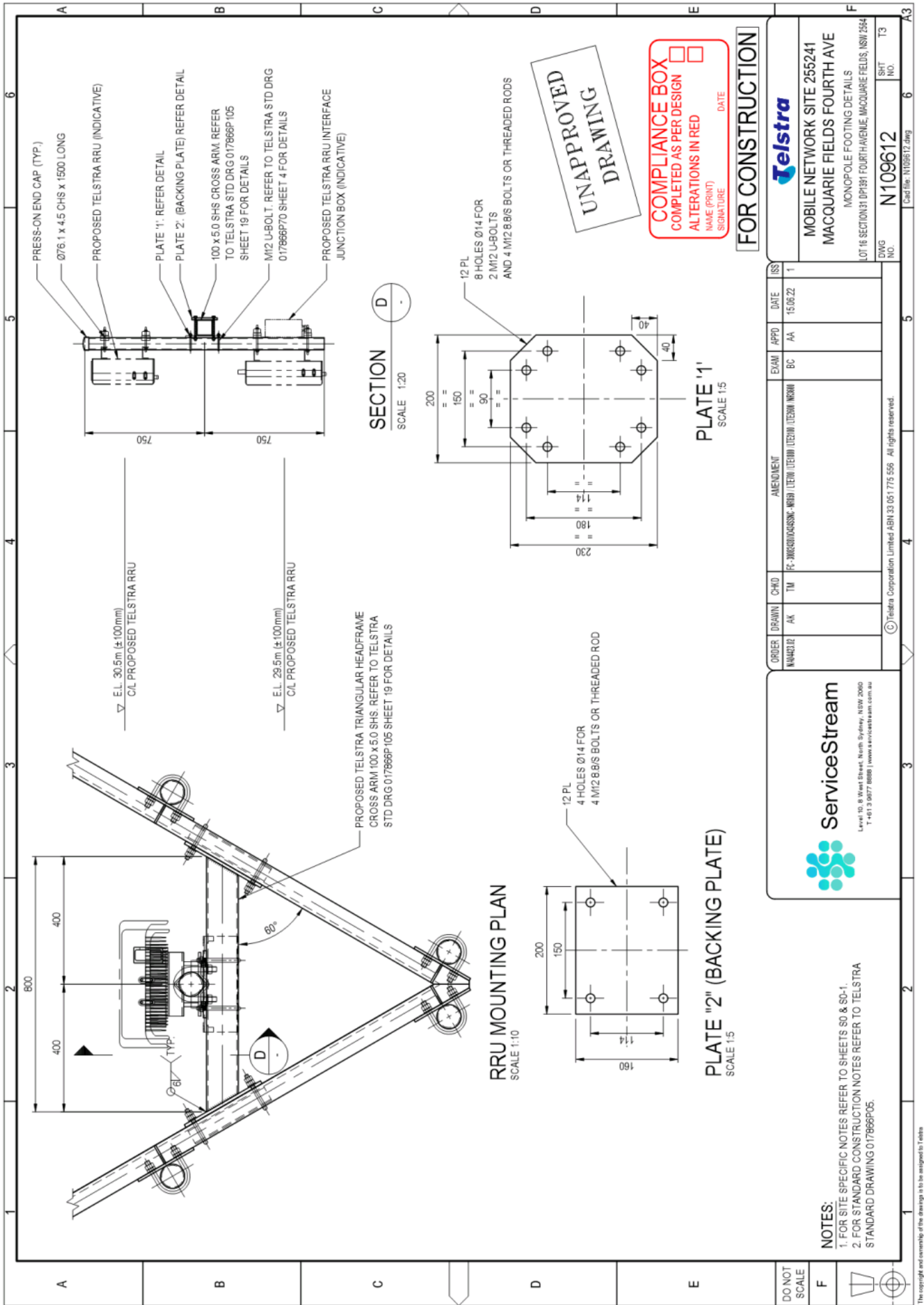
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NA04423.02	AK	TM	FC - 3002438W043489NC - NR850 / LTE700 / LTE800 / LTE1200 / LTE2600 / NR300	BC	AA	15.06.22	1



**Telstra**  
 MOBILE NETWORK SITE 255241  
 MACQUARIE FIELDS FOURTH AVE  
 PATHFINDER CHANNEL RACK LAYOUT  
 LOT 16 SECTION 31 DP1391 FOURTH AVENUE, MACQUARIE FIELDS, NSW 2564  
 DWG NO. **N109612** SHT NO. E5









LEGEND

- PROPOSED TREE
- EXISTING TREE TO BE RETAINED
- EXISTING TREE TO BE REMOVED
- SHRUBS & GROUNDCOVERS
- ORGANIC MULCH TYPE 1
- GARDEN EDGE TYPE 1
- EXTENT OF WORK
- EXISTING CONTOUR

GENERAL NOTES:

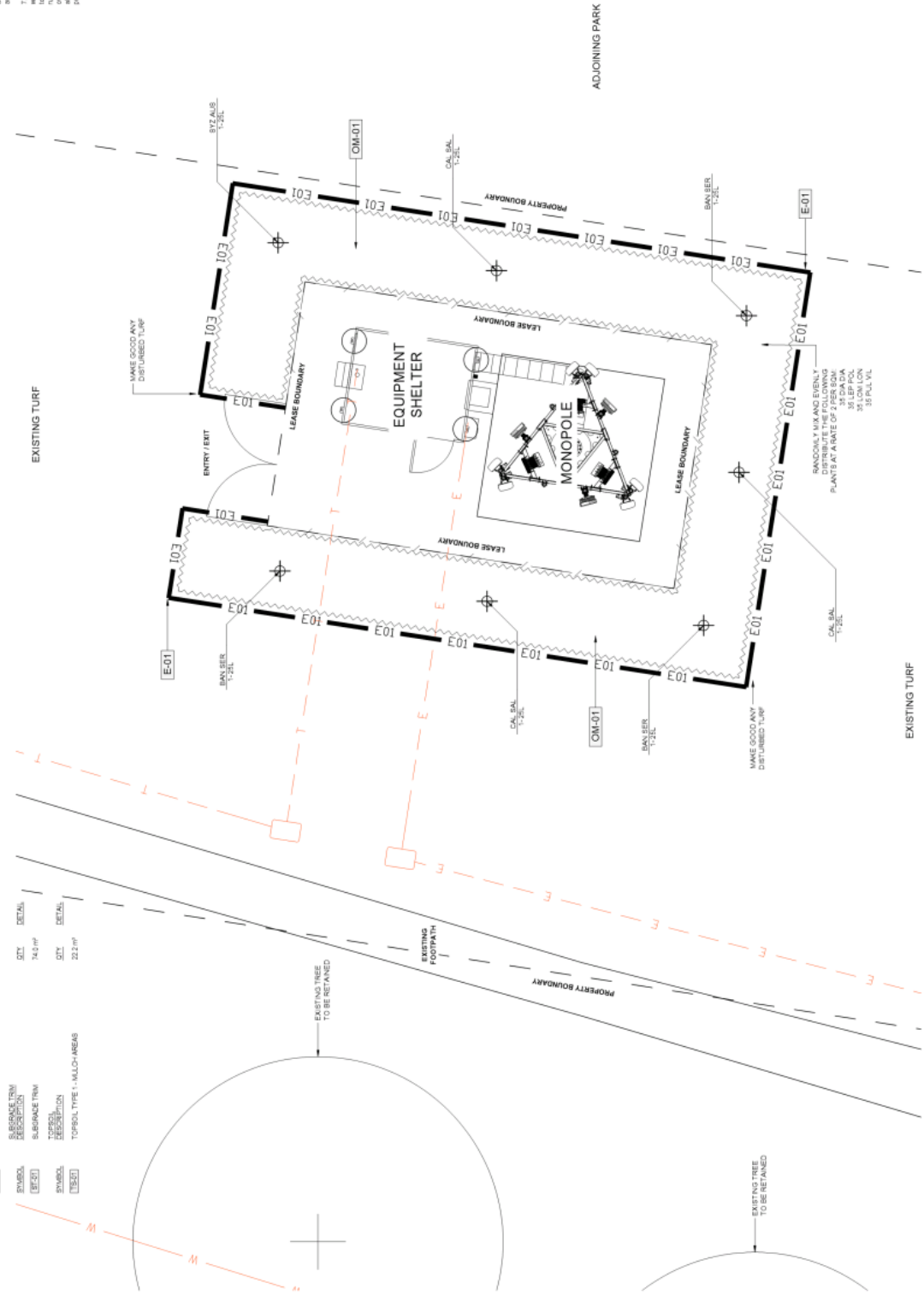
1. All trees to be retained shall be marked with a 1m diameter white plastic flag.
2. All large trees shall be marked with a 200mm diameter white plastic flag.
3. Refer to relevant Local Authority requirements with regards to tree retention. No street trees to be planted within 7m of any overhead streetlight.
4. Refer to service drawings for underground services.
5. These drawings are to be used in conjunction with the landscape architectural plan.
6. Landscape works to be completed in accordance with the relevant Australian Standards and industry practices.
7. Garden beds to be prepared in accordance with Specification prior to placement of mulch. Mulch shall be applied to a depth of 100mm, which includes building up any areas over 25mm diameter, tree roots, clay pans and other obstructions. All areas to be treated as proposed correctly will be rejected.

PLANT SCHEDULE

PLANT	COMMON NAME	SIZE	QTY
CAL. BAL.	CALLISTEMON BALSAMIFOLIOS WHITE SCOTTLERUSH	20L	3
BYZ. AUS.	BYZANTINE LILLY PILLI	20L	1
BYZ. AUS.	BYZANTINE LILLY PILLI	20L	1
LEP. POL.	LEPTOSPERMUM POLYCHROMUM TEA TREE	40MM	55
LOW. LON.	LOWNONG LONGICOLA WAT. BUSH	40MM	55
PUL. VIL.	PULLENBIA VILLOSA TEA TREE	40MM	55

REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	QTY	DETAILS
(E-01)	CULTIVATION	74.5 m <sup>2</sup>	
(E-01)	EDGE TYPE 1 - CONCRETE	91.1 m	7/1090-CD800
(O-01)	ORGANIC MULCH	5.5 m <sup>2</sup>	6/1090-CD800
(E-01)	SITE ESTABLISHMENT	74.5 m <sup>2</sup>	
(E-01)	SUBSTRATE TRIM	74.5 m <sup>2</sup>	
(E-01)	TOPSOIL	22.2 m <sup>2</sup>	
(E-01)	TOPSOIL TYPE 1 - MULCH AREAS		



**citicene**  
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 Macquarie NSW 2109  
 Australia  
 Phone: +61 2 9311 5022  
 Fax: +61 2 9311 5023  
 Email: info@citicene.com.au  
 Web: www.citicene.com.au

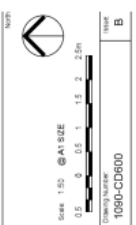
**Autodesk Institute of Landscape Architects**

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Project: **Telstra Tower Development**  
 Lot 16 / Section 31 / DP 1391  
 Fourth Ave, Macquarie Fields NSW 2564

Drawn By: [Name]  
 Checked By: [Name]  
 Date: [Date]

Service Stream



FOR APPROVAL



## Department of Planning and Environment



Contact: Department of Planning and Environment—Water  
Phone: 1800 633 362  
Email: [waterlicensing.servicedesk@dpie.nsw.gov.au](mailto:waterlicensing.servicedesk@dpie.nsw.gov.au)

Our ref: IDAS-2022-10435  
Your ref: 3720/2020/DA-O

14 October 2022

The General Manager  
Campbelltown City Council  
PO Box 57  
CAMPBELLTOWN NSW 2560

Attention: Andrew MacGee

Uploaded to the ePlanning Portal

Dear Sir/Madam

**Re: IDAS-2022-10435 - Controlled Activity Approval**  
**Dev Ref: 3720/2020/DA-O**  
**Description: Construction of new mobile base station**  
**Location: Lot 16 Sec 31 DP 1391, Fourth Avenue MACQUARIE FIELDS 2564**

I refer to your recent referral regarding an integrated Development Application (DA) proposed for the above location. Attached, please find Department of Planning and Environment—Water's General Terms of Approval (GTA) for part of the proposed development requiring a Controlled Activity approval under the *Water Management Act 2000* (WM Act), as detailed in the subject DA.

Please note Council's statutory obligations under section 4.46 of the *Environmental Planning and Assessment Act 1979* (EPA Act) which requires consent, granted by a consent authority, to be consistent with the general terms of any approval proposed to be granted by the approval body.

If the proposed development is approved by Council, Department of Planning and Environment—Water requests these GTA be included (in their entirety) in Council's development consent. Please also note the department requests notification:

- if any plans or documents are amended and these amendments significantly change the proposed development or result in additional works or activities (i) in the bed of any river, lake or estuary; (ii) on the banks of any river lake or estuary, (iii) on land within 40 metres of the highest bank of a river lake or estuary; or (iv) any excavation which interferes with an aquifer.

Department of Planning and Environment—Water will ascertain from the notification if the amended plans require review of or variation/s to the GTA. This requirement applies even if the amendment is part of Council's proposed consent conditions and do not appear in the original documentation.

- if Council receives an application under s4.46 of the EPA Act to modify the development



consent and the modifications change the proposed work or activities described in the original DA.

- of any legal challenge to the consent.

As the proposed work or activity cannot commence before the applicant applies for and obtains an approval, the department recommends the following condition be included in the development consent:

**The attached GTA issued by Department of Planning and Environment—Water do not constitute an approval under the *Water Management Act 2000*. The development consent holder must apply to the department for a Controlled Activity approval after consent has been issued by Council and before the commencement of any work or activity.**

A completed application must be submitted to the department together with any required plans, documents, application fee and proof of Council's development consent. Finalisation of an approval can take up to eight (8) weeks from the date the application and all required supporting documentation is received.

Applications for controlled activity approval should be made to the department, by lodgement of a Controlled Activity Approval – New approval application on the NSW Planning Portal at: <https://www.planningportal.nsw.gov.au/>

Department of Planning and Environment—Water requests that Council provide a copy of this letter to the development consent holder.

Department of Planning and Environment—Water also requests a copy of the determination for this development application be provided by Council as required under section 4.47(6) the EPA Act.

Yours Sincerely

**For**  
**Jeremy Morice**  
**Manager**  
**Licensing and Approvals**  
**Department of Planning and Environment—Water**



## General Terms of Approval

for proposed development requiring approval under s89, 90 or 91 of the Water Management Act 2000

<b>Reference Number:</b>	IDAS-2022-10435
<b>Issue date of GTA:</b>	14 October 2022
<b>Type of Approval:</b>	Controlled Activity
<b>Location of work/activity:</b>	Lot 16 Sec 31 DP 1391, Fourth Avenue MACQUARIE FIELDS 2564
<b>Waterfront Land:</b>	Tributary to Bunbury Curran Creek
<b>DA Number:</b>	3720/2020/DA-O
<b>LGA:</b>	Campbelltown City Council

**The GTA issued by Department of Planning and Environment—Water do not constitute an approval under the Water Management Act 2000.** The development consent holder must apply to the Department of Planning and Environment—Water for the relevant approval **after development consent** has been issued by Council **and before** the commencement of any work or activity.

Condition Number	Details
TC-G001	Before commencing any proposed controlled activity on waterfront land, an application must be submitted to Department of Planning and Environment—Water, and obtained, for a controlled activity approval under the Water Management Act 2000.
TC-G002	<p>A. This General Terms of Approval (GTA) only applies to the proposed controlled activity described in the plans and associated documents relating to Development Application 3720/2020/DA-O provided by Council to Department of Planning and Environment—Water.</p> <p>B. Any amendments or modifications to the proposed controlled activity may render the GTA invalid. If the proposed controlled activity is amended or modified, Department of Planning and Environment—Water, must be notified in writing to determine if any variations to the GTA will be required.</p>



## Arboricultural Impact Assessment Report

For the site address

Lot 16, Section 31 (DP 1184778)  
Fourth Avenue  
MACQUARIE FIELDS, NSW

Prepared for

Service Stream Mobil  
Communications Pty. Ltd.

### **AUTHOR**

Warwick Varley and Geoff Beisler

### **STATUS**

Draft	January 2022
Final	January 2022
Amended	November 2022

**REFERENCE** D4734

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## 1.0 Introduction

**1.1** Tree Consultancy (ATC) have been commissioned by *Service Stream Communications Pty. Ltd.* to prepare an Arboricultural Impact Assessment, based upon a response from Campbelltown City Council, via the document, titled 'Additional information required'<sup>1</sup>. The development proposal includes the construction of mobile network infrastructure (mobile tower), at Lot 16, section 31 (DP 1184778) Fourth Avenue, Macquarie Fields. This report has included nine trees located on and adjacent to the lot, and discusses the impact on the trees based on the proposed works.

**1.2** This report will address for these trees, the:

- species' identification, location, dimensions, and condition;
- SULE (Safe Useful Life Expectancy) and STARS (Significance of a Tree Assessment Rating System) rating;
- discussion and impact of the proposed works on each tree;
- tree protection zones and protection specifications for trees recommended for retention.

**1.3** The subject site resides within Macquarie Fields; for this reason, Campbelltown City Council is the consenting authority for any tree works recommended in this report.

## 2.0 Standards

**2.1** Allied Tree Consultancy provides an ethical and unbiased approach to all assignments, possessing no association with private utility arboriculture or organisations that may reflect a conflict of interest.

**2.2** This report must be made available to all contractors during the tendering process so that any cost associated with the required works for the protection of trees can be accommodated.

**2.3** **It is the responsibility of the project manager to provide the requirements outlined in this report relative to the Protection Zones, Measures (Section 7.0) and Specifications (Section 8.0) to all contractors associated with the project before the initiation of work.**

**2.4** All tree-related work outlined in this report is to be conducted in accordance with the:

- Australian Standard – AS4373; Pruning of Amenity Trees.

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<sup>1</sup> See Section 4.4.3

- Guide to Managing Risks of Tree Trimming and Removal Work<sup>2</sup>.
- All tree works must be carried out at a tertiary level (minimum Certificate-level 3) qualified and experienced (minimum five years) arboriculturist.
- For any works in the vicinity of electrical lines, the arboriculturist must possess the ISSC26 endorsement (Interim guide for operating cranes and plant in proximity to overhead powerlines).

**2.5** As a minimum requirement, all trees recommended for retention in this report must have removed all dead, diseased, and crossing limbs and branch stubs to be pruned to the branch collar. This work must comply with the local government tree policy (Campbelltown City Council) and Section 2.4.

**2.6** Any tree stock subject to conditions for works carried out in this report must be supplied by a registered Nursery that adheres to the AS 2303; 2015<sup>3</sup>.

- All tree stock must be of at least 'Advanced' size (minimum 75lt) unless otherwise requested.
- All tree stock requested must be planted with adequate protection. This may include tree guards (protect stem and crown) and if planted in a lawn area, a suitable barrier (planter ring) of an area, at least, 1m<sup>2</sup> to prevent grass from growing within the area adjacent to the stem.

### **3.0 Disclosure Statement**

Trees are living organisms and, for this reason, possess natural variability. This cannot be controlled. However, risks associated with trees can be managed. An arborist cannot guarantee that a tree will be safe under all circumstances, nor predict the time when a tree will fail. To live or work near a tree involves some degree of risk, and this evaluation does not preclude all the possibilities of failure.

### **4.0 Methodology**

**4.1** The following tree assessment was undertaken using criteria based on the guidelines laid down by the International Society of Arboriculture.

**4.2** The format of the report is summarised below;

**4.2.1 Plan 1;** Tree Location Relative to Site: This is an unscaled plan reproduced from the Survey Plan as referenced in Section 4.4.1, depicting the area of assessment.

<sup>2</sup> Safe Work Australia; July 2016; Guide to Managing Risks of Tree Trimming and Removal Work, Australia

<sup>3</sup> Australian Standard; 2015, AS2303, Tree stock for landscape use, Australia

**4.2.2 Table 1;** This table compiles the tree species, dimensions, brief assessment (history, structure, pest, disease or any other variables subject to the tree), significance, allocation of the zones of protection (i.e., Tree Protection Zone<sup>4</sup> ;TPZ and Structural Root Zone; SRZ) for each tree illustrated in Plan 1, Section 5.0. All measurements are in metres.

**4.2.3 Discussion relating to the site assessment and proposed works regarding the trees.**

**4.2.4 Protection Specification;** Section 8.0 details the requirements for that area designated as the Tree Protection Zone (TPZ), for those trees recommended for retention.

**4.3** The opinions expressed in this report, and the material, upon which they are based, were obtained from the following process and data supplied:

**4.3.1** Site assessment on the 6<sup>th</sup> December 2021 using the method of the Visual Tree Assessment<sup>5</sup>. This has included a Level 2 risk assessment, being a *Basic Assessment*<sup>6</sup>. The assessment has been conducted by Geoff Beisler<sup>7</sup> on behalf of *Allied Tree Consultancy*.

**4.3.2** Trees included in this report are those that conform to the description of a prescribed tree by the local government policy.

**4.3.3** All measurements, unless specified otherwise are taken from the tree centre.

**4.3.4** Raw data from the preliminary assessment including the specimen's dimensions was compiled by the use of a diameter tape, height clinometer, angle finder, compass, steel probes, Teflon hammer, binoculars and recording instruments.

#### **4.4 Documentation provided**

The following documentation has been provided to Allied Tree Consultancy and utilised within the report.

---

<sup>4</sup> Australian Standard, 4970; 2009 – Protection of Trees on Development Sites, Australia

<sup>5</sup> Mattheck, C. Breloer, H.,1994, The Body Language of Trees – A handbook for failure analysis  
The Stationary Office, London

<sup>6</sup> Dunster J.A., 2013, Tree Risk Assessment Manual, International Society of Arboriculture, 2013, USA

<sup>7</sup> Consulting Arborist, Diploma of Arboriculture (level 5)

**4.4.1 Design**

Drawn by *Service Stream P/L*

Date: 10 September 2021

Reference: N109612.dwg

Drawing No: N109612, sheet No. S1

Note 1: See Section 4.5.1

**4.4.2 Survey**

Drawn by *Sureline Geomatics*

Date: 17 December 2021

Reference: SG21580

Drawing No: N109612, sheet No. G2 index

Note 1: See Section 4.5.1

**4.4.3 Document**

Letter requesting Additional Information

Author: *Campbelltown City Council*

Date: 26 October 2021

Reference: 3720/2020/DA-0

**4.4.4 Document**

Flora and Fauna Report

Author: *Lesryk Environmental Pty. Ltd.*

Date: 21 January 2022

Reference: draft V1

**4.5 Limitations of the assessment/discussion process**

**4.5.1** The tree icons illustrated on this drawing are indicative only, that is, the icons do not correspond with the actual location of the trees included, or the measurements obtained from site landmarks, for the trees included.

**4.5.2** Because the tree locations on the drawing do not appear consistent with those on-site, each tree has been measured from the concrete path. That is allowing for the concrete path to serve as a suitable survey point for tree location, and the area of encroachment, being the trench required for the fibre installation. ATC are not surveyors, therefore discrepancies may exist that can impact on the calculations for encroachment.



- 4.5.3** The assessment has considered only those target zones that are apparent to the author and the visually apparent tree conditions, during the time of assessment.
- 4.5.4** Any tree regardless of apparent defects would fail if the forces applied to exceed the strength of the tree or its parts, for example, extreme storm conditions.
- 4.5.5** The assessment has been limited to that part of the tree which is visible, existing from the ground level to the crown. Root decay can exist and in some circumstances provide no symptoms of the presence. This assessment responds to all the symptoms provided by a tree, however, cannot provide a conclusive recommendation regarding any tree that may have extensive root decay that leads to windthrow without the appropriate symptoms.

**5.0 Plan 1; Area of assessment illustrating tree location**



Not to scale.  
The orange line is an approximation of the existing footpath.  
Source: Adapted from *Sureline Geomatics*, see Section 4.4.2

**6.0 Table 1 – Tree Species Data**

Terminology/references provided in Appendix A.

Tree No.	Botanical Name Common Name	Height (m)	DBH (m)	Crown Spread (m)	Age	Crown Class	Crown Aspect	Vitality	SULE Rating	STARS Rating	TPZ	SRZ
1	<i>Eucalyptus tereticornis</i> Forest Red Gum	15	0.77	15 x 13	M	C	Sym.	A	A2/D2 <sup>ce</sup>	High	9.24	2.97
<p><b>Assessment</b> This tree appears to be remnant, and is typical of the species. Aged wounding is present on the lower stem, and some associated swelling is evident- this suggests a possible internal<sup>8</sup> issue however would require level 3 assessment; internal diagnostics to provide further details on the suspected issue and thereby retention values. Some minor borer infestation is evident in the wounds on the lower stem. This tree (and all others of the same species included), have an association with the endangered ecological community (EEC); <i>River-Flat Eucalypt Forest</i> (RFEF)<sup>9</sup>, and as such the significance of any such tree is elevated.</p> <p><b>Proposed works;</b> See Section 7.1.3</p>												
2	<i>Eucalyptus tereticornis</i> Forest Red Gum	15	0.60 0.60 <sup>c</sup>	12 x 13	M	C	S	A	A2 <sup>c</sup>	High	10.20	3.09
<p><b>Assessment</b> This apparently remnant tree is codominant at the base and appears typical of the species, however the assessment is significantly reduced by surrounding vegetation and the adjacent riparian zone; the lower third has received very limited assessment. Wounding is apparent on the lower stem; minor borer infestation is evident. A fractured branch stub is present at 10m, centre of tree.</p> <p><b>Proposed works;</b> See Section 7.1.3</p>												
3	<i>Angophora floribunda</i> Rough Braked Apple	11	0.53	9 x 9	M	I	Sym.	A	B1	High	6.36	2.53
<p><b>Assessment</b> This tree presents as typical of the species, however has been subjected to past crown lift pruning. A deadwood hanger is present at 6m, centre of tree- this appears to be well caught and as such appears to present low risk. A small stub cut branch is located at 4m, eastern side. This tree is possibly remnant. This tree (and all others of the same species included), have an association with the endangered ecological community (EEC); <i>River-Flat Eucalypt Forest</i> (RFEF)<sup>10</sup>, and as such the significance of any such tree is elevated.</p> <p><b>Proposed works;</b> See Section 7.1.1</p>												

<sup>8</sup> ISA TRAQ training course, 2018.

<sup>9</sup> <https://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10787>

<sup>10</sup> <https://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10787>

ALLIED TREE CONSULTANCY

November 2022

Lot 16 Fourth Avenue, MACQUARIE FIELDS

Tree No.	Botanical Name Common Name	Height (m)	DBH (m)	Crown Spread (m)	Age	Crown Class	Crown Aspect	Vitality	SULE Rating	STARS Rating	TPZ	SRZ
4	<i>Eucalyptus tereticornis</i> Forest Red Gum	21	0.67 0.23	12 x 13	M	D	Sym.	A	B1	High	8.52	2.87
<p><b>Assessment</b> This remnant tree presents as typical of the species, however has been subjected to past crown lift pruning. A fractured branch stub is located at 1.1m, southern side.</p> <p><b>Proposed works;</b> See Section 7.1.2</p>												
5	<i>Eucalyptus tereticornis</i> Forest Red Gum	27	0.87	16 x 18	M	D	Sym.	A	A2 <sup>CE</sup>	High	10.44	3.12
<p><b>Assessment</b> This remnant tree presents as typical of the species. Codominant at 10m, an aged deadwood stub is present in the union as is significant mechanical wounding inflicted by native parrots; this would require level 3 assessment; aerial assessment to provide further details on the observed issue and thereby retention values. The lowest 1<sup>st</sup> order branch (3m, northern side) is absent, removed by a poor pruning (lopping) event that has apparently involved a top-cut only, and as such a bark tear/ fracture is present below the open, jagged wound that has resulted from the poor works- this lopping event is recent. Further wounding is present at 6m, eastern side.</p> <p><b>Proposed works;</b> See Section 7.1.2</p>												
6	<i>Eucalyptus tereticornis</i> Forest Red Gum	21	0.65	10 x 12	M	C	NE	A	B1	High	7.80	2.76
<p><b>Assessment</b> This remnant tree presents as typical of the species. Minor wounding is present on the stem at 5m, northern side and 9m, southern side. Codominant at 6m, the union appears to be sound, however the union is acute and the bark is included.</p> <p><b>Proposed works;</b> See Section 7.1.1</p>												
7	<i>Eucalyptus tereticornis</i> Forest Red Gum	12	0.27 0.09 <sup>c</sup>	4 x 5	M	I	Sym.	A	B1 <sup>c</sup>	High	3.36	1.94
<p><b>Assessment</b> This tree presents as typical of the species, however the assessment is limited by lack of access (fences), and owner ship of this tree is unknown. The bark is included in the union of the 1<sup>st</sup> order branch at 1n, and this appears to be focal point for possible failure during loading events.</p> <p><b>Proposed works;</b> See Section 7.1.2</p>												
8	<i>Grevillia robusta</i> Silky Oak	13	0.28 <sup>c</sup>	7 x 7	M	D	Sym.	A	A2 <sup>c</sup>	Medium	3.36	1.94
<p><b>Assessment</b> This tree presents as typical of the species, however the assessment is limited by lack of access (fences), and owner ship of this tree is unknown. This tree appears to be a deliberate planting.</p>												

ALLIED TREE CONSULTANCY

November 2022

Lot 16 Fourth Avenue, MACQUARIE FIELDS

Tree No.	Botanical Name Common Name	Height (m)	DBH (m)	Crown Spread (m)	Age	Crown Class	Crown Aspect	Vitality	SULE Rating	STARS Rating	TPZ	SRZ
Proposed works; See Section 7.1.1.2												
9	<i>Eucalyptus tereticornis</i> Forest Red Gum	14	0.65 <sup>c</sup> 0.47	14 x 14	M	D	Sym.	A	B1 <sup>c</sup>	High	9.60	3.01
<b>Assessment</b> This tree presents as typical of the species, however the assessment is greatly limited by lack of access (fences), and ownership of this tree is unknown. Several aged, fractured branch stubs are present in the mid and lower crown.												
<b>Proposed works;</b> See Section 7.1.1.1												

- A. Incomplete identification of species due to insufficiently available plant material
- B. Diameter taken below 1.4m due to low stem bifurcation
- C. Estimate due to the overgrown area and/or limited access
- D. Deciduous species, void of foliage at the time of assessment
- E. Level 3 assessment required to determine the accurate rating

## 7.0 Site Assessment

The area of assessment comprises the western portion of the sporting fields (Ingleburn Eagles Soccer Club) located between Third and Fourth Avenue, Macquarie Fields. This area appears to have been modified to accommodate the maintained lawn sports fields and immediate surrounds, however, the area of assessment has a slight to moderate gradient with a westerly aspect. A concrete footpath transverses the area of assessment, north-south.

A riparian zone is located west of the area of assessment, this appears to represent an area of advantageous root development for trees located nearby. The surrounding area contains multiple, mature native trees that have not been included, as these appear to be removed from the proposal/ outside the scope of works. Exempt species are present on the site.

Extensive yet isolated sandstone outcrops are evident within the area of assessment. It is unknown if these are individual rock 'floaters' or exposed portions of a larger rock shelf. If this consists of a rock shelf, then a shallow root mass will exist as will a potential for asymmetrical root zones that will not conform to the symmetrical pattern generically proposed via the calculations extracted from the Australian Standard (AS 4970).

The species assembly of the site trees and the location, indicate an association with an Endangered Ecological Community (EEC); RFEF<sup>11</sup>; this elevates the significance of any tree included within the EEC. The Flora and Fauna Report<sup>12</sup> supplied advises fragments of both RFEF and Cumberland Shale Plains Woodland are located within the surrounds.

## 7.1 Proposed development

The proposed development consists of the construction of a mobile tower; infrastructure for the mobile network including trenching for the fibres servicing the aerial.

The calculations included in the following discussion has not considered;

- subsurface utilities that have not been included in the design,
- Work methods related to subsurface utilities, for example concrete encasing or replacement of existing lines
- or work methods related to construction (stockpiling, site sheds, scaffolding) unless otherwise specified.

These may also increase the encroachment and tree impact and therefore the opportunity for tree retention.

<sup>11</sup> <https://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10787>

<sup>12</sup> See section 4.4.4.

Assumption 1: (Trenching) The excavation required for the Telstra fibre path is indicated as being 500mm deep x 400mm wide, as illustrated by drawing No. N109612, sheet No. S1. This is assumed to generate a trench greater than 400mm wide due to the natural attrition of portions of the trench wall due to disturbance and gravity. The calculations for the encroachments, have been calculated to be at least 450mm wide.

Assumption 2: the area of encroachment is limited to the trenching required for the installation of the fibres servicing the aerial. The aerial and related infrastructure does not impact on any tree. The trenching extends parallel and adjacent with the concrete pathway. Because the tree locations do not appear accurate (see Section 4.5.2), the following calculations have been based on the tree location measured from the concrete pathway by ATC.

This report discusses the impact of the proposed design on the trees. Nine (9) trees have been listed within this report based upon the vicinity of the proposed works. This has included any tree where any part of the zones of protection; Tree Protection Zone (TPZ) and Structural Root Zone (SRZ), encroach into the area proposed for work. Recommendations based on the tree significance and condition, together with the impact on these trees regarding the proposed development (based on the documents contained in Section 4.4) and mitigation where available follow.

#### **7.1.1 Trees and zones of protection (TPZ/SRZ) outside of the proposed design**

##### Trees No. 3, 6 and 9

None of the proposed works conflict with the location of these trees or respective zones of protection. These trees can be retained without impact by the proposed design.

#### **7.1.2 Trees subject to a minor encroachment**

##### Trees No. 4, 5, 7 and 8

These trees are not directly located in the footprint of the proposed design, however, are subject to a *minor encroachment*. That is, the proportion (<10%) of encroachment provided by design will not adversely impact on the tree. These trees could be retained relative to the design.

#### **7.1.3 Trees subject to a major encroachment**

##### Trees No. 1 and 2

These trees are not directly located in the footprint of the proposed design, however, are located close and adjacent to the design footprint and subject to a *major encroachment*, that is, in excess of 10% of the TPZ.

The extent and type of encroachment for each tree are discussed and the relative implications.

Tree No. 1: Encroachment: approximately 28%; based on drawing N109612, sheet No. S1. The encroachment consists of excavation for the Telstra fibre trench<sup>13</sup>. This could present excessive root removal (TPZ and SRZ) that would unlikely sustain the tree. Mitigation, see Section 7.1.4

Tree No. 2: Encroachment: approximately 21%; based on drawing N109612, sheet No. S1. The encroachment consists of excavation for the Telstra fibre trench<sup>14</sup>. This will present excessive root removal (TPZ and SRZ) that would unlikely to sustain the tree. Mitigation, see Section 7.1.4.

#### **7.1.4 Mitigation**

The installation of the lines via under boring will remove any adverse impact on these trees. The following conditions are required to retain any adverse impact for this process.

1. The entry and exit pits must be located outside the designated Tree Protection Zones, see Table 1, Section 5.0.
2. The under bore should traverse the Tree Protection Zone at a greater depth of 400mm below the existing grade.
3. No machine or excavation shall occur within the Tree Protection Zone.

#### **7.2 Sub-surface utilities**

No drawings have been provided for the proposed route of sub-surface utilities other than those included on the drawings (see Section 4.4). Any trenching, other than what has been allowed for should be avoided within the area of the TPZ. Any proposed route shall be re-routed outside of the TPZ. Under boring may be required if a limitation for the route of a service is restricted to an area that falls within the TPZ. Any excavation in the area of a TPZ must be authorised and conditioned by the project arborist.

#### **7.3 Protection measures**

The following protection measures are required to be implemented for the following trees before initiation of site works (including demolition/excavation) and retained until completion of works are required unless otherwise specified. The examples of the protection measures are contained in Appendix B and will require a tree protection plan to be designed by the nominated project arborist before work proceeds. The tree protection plan will form part of the requirement for the construction certificate.

---

<sup>13</sup> See Section 7.1; Assumption 1

<sup>14</sup> See Section 7.1; Assumption 1



### 7.3.1 Ground protection

Pending the work methodology, ground protection may be required. This must be installed prior to the commencement of any construction works and shall be maintained throughout the entire construction phase of the development, and until completion.

### 7.3.2 Protective fence: Trees No. 1-9

A protective fence is required to be installed to protect the TPZ from all site-related work and are recommended to be located in accordance with the requirements of the AS 4970, listed in Appendix B. The fence is required to be secured to the ground with pegs to avoid movement during construction. This must be installed prior to the commencement of any demolition, excavation or construction works and shall be maintained throughout the entire construction phase of the development, and until landscaping works and installation of the drive/cross-overs is required.

### 7.3.3 Conditions for compliance

The following conditions are required before any works proceed on site.

Site induction; All workers related to the construction process and before entering the site must be briefed about the requirements/conditions outlined in this report relative to the zone of protection, measures, and specifications before the initiation of work. This is required as part of the site induction process.

Project Arborist; A project arborist who conforms to the requirements of the AS 4970 is required to be nominated immediately after a *Notice of Determination* is issued, and they are to be provided with all related site documents.

## 7.4 Compliance Documentation

The following stages will require assessment and documentation (report, letter, certification) by the project arborist or person responsible for the specific work type, and the related documentation is to be issued to the principal certifying agent.

### 7.4.1 Table 2; Assessment/Certification stages

Hold Points	Work type	Document required
Pre-construction	Tree Protection Plan	Certificate
Pre-construction	Installation of the protection measures, Section 7.3	Certificate
During construction	Any <u>further works</u> required within the area of the TPZ, or decline related to the trees that	Report Brief

	have not been covered by this report.	
During construction	Any crown modification including pruning or root disturbance.	Report Brief

**Construction** refers to the time between the initiation of demolition and until an occupation certificate is issued.

**Project Arborist** person nominated as responsible for the provision of the tree assessment, arborist report, consultation with stakeholders, and certification for the development project. This person will be adequately experienced and qualified with a minimum of a level 5 (AQF); Diploma in Horticulture (Arboriculture)<sup>15</sup>.

**8.0 Protection Specification**

The retention and protection of these trees requires the remaining Tree Protection Zone (TPZ) not subject to encroachment to conform to the conditions outlined below. These conditions provide the limitations of work permitted within the area of the Tree Protection Zone (TPZ) and must be adhered to unless otherwise stated.

1. Soil levels within the TPZ must remain the same. Any excavation within the TPZ must have been previously specified and allowed for by the project arborist:
  - a) So it does not alter the drainage to the tree.
  - b) Under specified circumstances,
    - o Added fill soil does not exceed 100mm in depth over the natural grade. Construction methodologies exist that can allow grade increases in excess of 100mm, via the use of an impervious cover, an approved permeable material or permanent aeration system or other approved methods.
    - o Excavation cannot exceed a depth of more than 50mm within the area of the TPZ, not including the SRZ. The grade within the SRZ cannot be reduced without the consent from a project arborist.
2. No form of material or structure, solid or liquid, is to be stored or disposed of within the TPZ.
3. No lighting of fires is permitted within the TPZ.

<sup>15</sup> Based upon the definition of a ‘consulting arborist’ from the AS 4970; Protection of trees on development sites; 2009, Section 1.4.4, p 6.

4. All drainage runoff, sediment, concrete, mortar slurry, paints, washings, toilet effluent, petroleum products, and any other toxic wastes must be prevented from entering the TPZ.
5. No activity that will cause excessive soil compaction is permitted within the TPZ. That is, machinery, excavators, etc. must refrain from entering the area of the TPZ unless measures have been taken, in consultation with the project arborist.
6. No site sheds, amenities or similar site structures are permitted to be located or extend into the area of the TPZ unless the project arborist provides prior consent.
7. No form of construction work or related activity such as the mixing of concrete, cutting, grinding, generator storage or cleaning of tools is permitted within the TPZ.
8. No part of any tree may be used as an anchorage point, nor should any noticeboard, telephone cable, rope, guy, framework, etc. be attached to any part of a tree.
9.
  - (a) All excavation work within the TPZ will utilise methods to preserve root systems intact and undamaged. Examples of methods permitted are by hand tools, hydraulic, or pneumatic air excavation technology.
  - (b) Any root unearthed which is less than 50mm in diameter must be cleanly cut and dusted with a fungicide, and not allowed to dry out, with minimum exposure to the air as possible.
  - (c) Any root unearthed which is greater than 50mm in diameter must be located regarding their directional spread and potential impact. A project arborist will be required to assess the situation and determine future action regarding retaining the tree in a healthy state.

## 9.0 Summary of tree impact by design

Based on the design supplied, the following summary provides the impacts imposed on the trees included in this report.

### 9.1 Trees No. 3-9

These trees are not adversely impacted by the design, that is, they conform to a minor encroachment or less and the nominated zones of protection (TPZ, SRZ) based on the requirements of the Protection Specification, Section 8.0. The proposed design does not adversely affect these trees.

### 9.2 Trees No. 1 and 2

These trees are subject to a major encroachment, although could be retained pending the following mitigation. That is, the lines servicing the facility must be installed via under boring and based on the following conditions;

1. The entry and exit pits must be located outside the designated Tree Protection Zones, see Table 1, Section 5.0.
2. The under bore should traverse the Tree Protection Zone at a greater depth of 400mm below the existing grade.
3. No machine or excavation shall occur within the Tree Protection Zone.

### 9.3 Sub-surface utilities

No drawings have been provided for the proposed route of sub-surface utilities other than those included on the drawings (see Section 4.4). Any trenching, other than what has been allowed for should be avoided within the area of the TPZ. Any proposed route shall be re-routed outside of the TPZ. Under boring may be required if a limitation for the route of a service is restricted to an area that falls within the TPZ. Any excavation in the area of a TPZ must be authorised and conditioned by the project arborist.

### 9.4 Protection measures

Protection measures (outlined in Section 7.3 and 7.4) are required to be implemented for the trees nominated for retention (referenced in Section 9.1) and installed before initiation of site works (including demolition/excavation) and retained until the landscaping works are required unless otherwise specified.

All workers related to the construction process and before entering the site must be briefed about the requirements/conditions outlined in this report relative to the zone of protection, measures, and specifications before the initiation of work.

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A project arborist is required to be nominated, and the stages and related certification or similar documentation is to be issued to the principal certifying agent.

**The opinions expressed in this report by the author have been provided within the capacity of a Consulting Arborist. Any further explanation or details can be provided by contacting the author.**

Assessed and Prepared by Geoff Beisler

Consulting Arborist  
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## 10.0 Appendix A- Terminology Defined

### Height

Is a measure of the vertical distance from the average ground level around the root crown to the top surface of the crown, and on palms - to the apical growth point.

### DBH

Diameter at Breast Height – being the stem diameter in meters, measured at 1.4m from ground level, including the thickness of the bark.; Mult. refers to multiple stems, that is in excess of 4 stems.

### Crown Spread

A two-dimension linear measurement (in metres) of the crown plan. The first figure is the north-south span, the second being the east-west measurement.

### Age

Is the estimate of the specimen's age based upon the expected lifespan of the species. This is divided into three stages.

Young (Y)	Trees less than 20% of life expectancy.
Mature (M)	Trees aged between 20% to 80% life expectancy.
Over-mature (O)	Trees aged over 80% of life expectancy with probable symptoms of senescence.

### Crown Aspect

In relation to the root crown, this refers to the aspect the majority of the crown resides in. This will be either termed Symmetrical (Sym.) where the centre of the crown resides over the root crown or the cardinal direction the centre of the crown is biased towards, being either North (N), South (S), East (E) or West (W).

### Vitality Rating

Is a rating of the health of the tree, irrespective and independent of the structural integrity, and defined by the 'ability for a tree to sustain its life processes' ((Draper, Richards, 2009). This is divided between three variables, and based on the assessment of symptoms including, but not limited to; leaf size, colour, crown density, woundwood development, adaptive growth formation, and epicormic growth.

**A:** Normal vitality, typical for the species

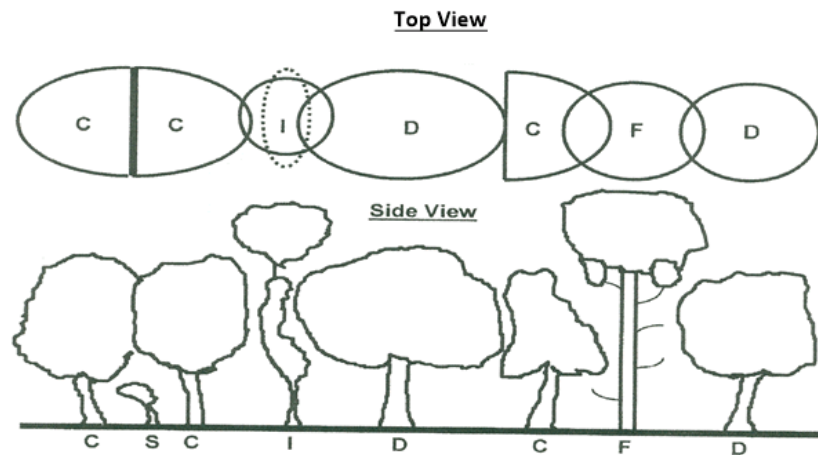
**B:** Below average vitality, possibly temporary loss of health, partial symptoms.

**C:** Poor vitality; obvious decline, potentially irreversible

### Crown Class

Is the differing crown habits as influenced by the external variables within the surrounding environment. They are:

<b>D</b> – <i>Dominant</i>	Crown is receiving uninterrupted light from above and sides, also known as emergent.
<b>C</b> – <i>Codominant</i>	Crown is receiving light from above and one side of the crown.
<b>I</b> – <i>Intermediate</i>	Crown is receiving light from above but not the sides of the crown.
<b>S</b> – <i>Suppressed</i>	Crown has been shadowed by the surrounding elements and receives no light from above or sides.
<b>F</b> – <i>Forest</i>	Characterised by an erect, straight stem (usually excurrent) with little stem taper and virtually no branching over the majority of the stem except for the top of the tree which has a small concentrated branch structure making up the crown.



D C, I & S, and side view, after (Matheny, N. & Clark, J. R. 1998, *Trees Development*, Published by International Society of Arboriculture, P.O. Box 3129, Champaign IL 61826-3129 USA, p.20, adapted from the Hazard Tree Assessment Program, Recreation and Park Department, City of San Francisco, California).

#### **Levels of assessment**

**Level 1: Limited visual:** a visual tree assessment to manage large populations of trees within a limited period and in order to identify obvious faults which would be considered imminent.

**Level 2: Basic assessment:** a standard performed assessment providing for a detailed visual assessment including all parts of the tree and surrounding environment and via the use of simple tools.

**Level 3: Advanced assessment:** specific type assessments conducted by either arborist who specialise with specific areas of assessment or via the use of specialised equipment. For example, aerial assessment by use of an EWP or rope/harness, or decay detection equipment.

#### **TPZ; Tree Protection Zone**

Is an area of protection required for maintaining the trees vitality and long-term viability. Measured in meters as a radius from the trees centre. The requirements of this zone are outlined within the Protection Specification, Section 8.0, and are to be adhered to unless otherwise stated.

The size of the Tree Protection Zone (TPZ) has been calculated from the *Australian Standard, 4970; 2009 – Protection of Trees on Development Sites*

The TPZ does not provide the limit of root extension, however, offers an area of the root zone that requires predominate protection from development works. The allocated TPZ can be modified by some circumstances; however will require compensation equivalent to the area loss, elsewhere and adjacent to the TPZ.

#### **SRZ; Structural Root Zone**

Is the area around the tree containing the woody roots necessary for stability. Measured in meters as a radius from the trees centre. The requirements of this zone are outlined within the Protection Specification, Section 8.0, and are to be adhered to unless otherwise stated.

#### **Protection Measures**

These are required for the protection of trees during demolition/construction activities.

Protective barriers are required to be installed before the initiation of demolition and/or construction and are to be maintained up to the time of landscaping. Samples of the recommended protection measures are illustrated in Appendix B.

#### **All other definitions are referenced from;**

Draper D.B., Richards P.A., 2009, *Dictionary for Managing Trees in Urban Environments* CSIRO Pub., Australia

**Significance Rating**, Significance of a Tree Assessment Rating System (S.T.A.R.S), IACA, 2010<sup>16</sup>

Tree Significance – Assessment Criteria

**1. High Significance in landscape**

- The tree is in good condition and good vitality;
- The tree has a form typical for the species;
- The tree is a remnant or is a planted locally indigenous specimen and/or is rare or uncommon in the local area or of botanical interest or of substantial age;
- The tree is listed as a Heritage Item, Threatened Species or part of an Endangered ecological community or listed on Councils significant Tree Register;
- The tree is visually prominent and visible from a considerable distance when viewed from most directions within the landscape due to its size and scale and makes a positive contribution to the local amenity;
- The tree supports social and cultural sentiments or spiritual associations, reflected by the broader population or community group or has commemorative values;
- The tree's growth is unrestricted by above and below ground influences, supporting its ability to reach dimensions typical for the taxa in situ – tree is appropriate to the site conditions.

**2. Medium Significance in landscape**

- The tree is in fair-good condition and good or low vitality;
- The tree has form typical or atypical of the species;
- The tree is a planted locally indigenous or a common species with its taxa commonly planted in the local area
- The tree is visible from surrounding properties, although not visually prominent as partially obstructed by other vegetation or buildings when viewed from the street,
- The tree provides a fair contribution to the visual character and amenity of the local area,
- The tree's growth is moderately restricted by above or below ground influences, reducing its ability to reach dimensions typical for the taxa in situ.

**3. Low Significance in landscape**

- The tree is in fair-poor condition and good or low vitality;
- The tree has form atypical of the species;
- The tree is not visible or is partly visible from surrounding properties as obstructed by other vegetation or buildings,
- The tree provides a minor contribution or has a negative impact on the visual character and amenity of the local area,
- The tree is a young specimen which may or may not have reached dimension to be protected by local Tree Preservation orders or similar protection mechanisms and can easily be replaced with a suitable specimen,
- The tree's growth is severely restricted by above or below ground influences,

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<sup>16</sup> IACA, 2010, IACA Significance of a Tree, Assessment Rating System (STARS), Institute of Australian Consulting Arboriculturists, Australia, [www.iaca.org.au](http://www.iaca.org.au)



unlikely to reach dimensions typical for the taxa in situ – tree is inappropriate to the site conditions,

- The tree is listed as exempt under the provisions of the local Council Tree Preservation Order or similar protection mechanisms,
  - The tree has a wound or defect that has potential to become structurally unsound.
- Environmental Pest / Noxious Weed Species
- The tree is an Environmental Pest Species due to its invasiveness or poisonous/ allergenic properties,
  - The tree is a declared noxious weed by legislation.
- Hazardous/Irreversible Decline
- The tree is structurally unsound and/or unstable and is considered potentially dangerous, - The tree is dead, or is in irreversible decline, or has the potential to fail or collapse in full or part in the immediate to short-term.

**The tree is to have a minimum of three (3) criteria in a category to be classified in that group.**

Note: The assessment criteria are for individual trees only, however, can be applied to a monocultural stand in its entirety e.g.

**Table 3; Tree Retention Value – Priority Matrix.**

		Significance				
		1. High	2. Medium	3. Low		
		Significance in Landscape	Significance in Landscape	Significance in Landscape	Environmental Pest / Noxious Weed Species	Hazardous / Irreversible Decline
Estimated Life Expectancy	1. Long >40 years					
	2. Medium 15-40 Years					
	3. Short <1-15 Years					
	Dead					
<p>Legend for Matrix Assessment</p>						
	<p><b>Priority for Retention (High)</b> - These trees are considered important for retention and should be retained and protected. Design modification or re-location of building/s should be considered to accommodate the setbacks as prescribed by the Australian Standard AS4970 <i>Protection of trees on development sites</i>. Tree sensitive construction measures must be implemented e.g. pier and beam etc if works are to proceed within the Tree Protection Zone.</p>					
	<p><b>Consider for Retention (Medium)</b> - These trees may be retained and protected. These are considered less critical, however their retention should remain priority with removal considered only if adversely affecting the proposed building/works and all other alternatives have been considered and exhausted.</p>					
	<p><b>Consider for Removal (Low)</b> - These trees are not considered important for retention, nor require special works or design modification to be implemented for their retention.</p>					
	<p><b>Priority for Removal</b> - These trees are considered hazardous, or in irreversible decline, or weeds and should be removed irrespective of development.</p>					

**Safe Useful Life Expectancy – S.U.L.E (Barell 1995)**

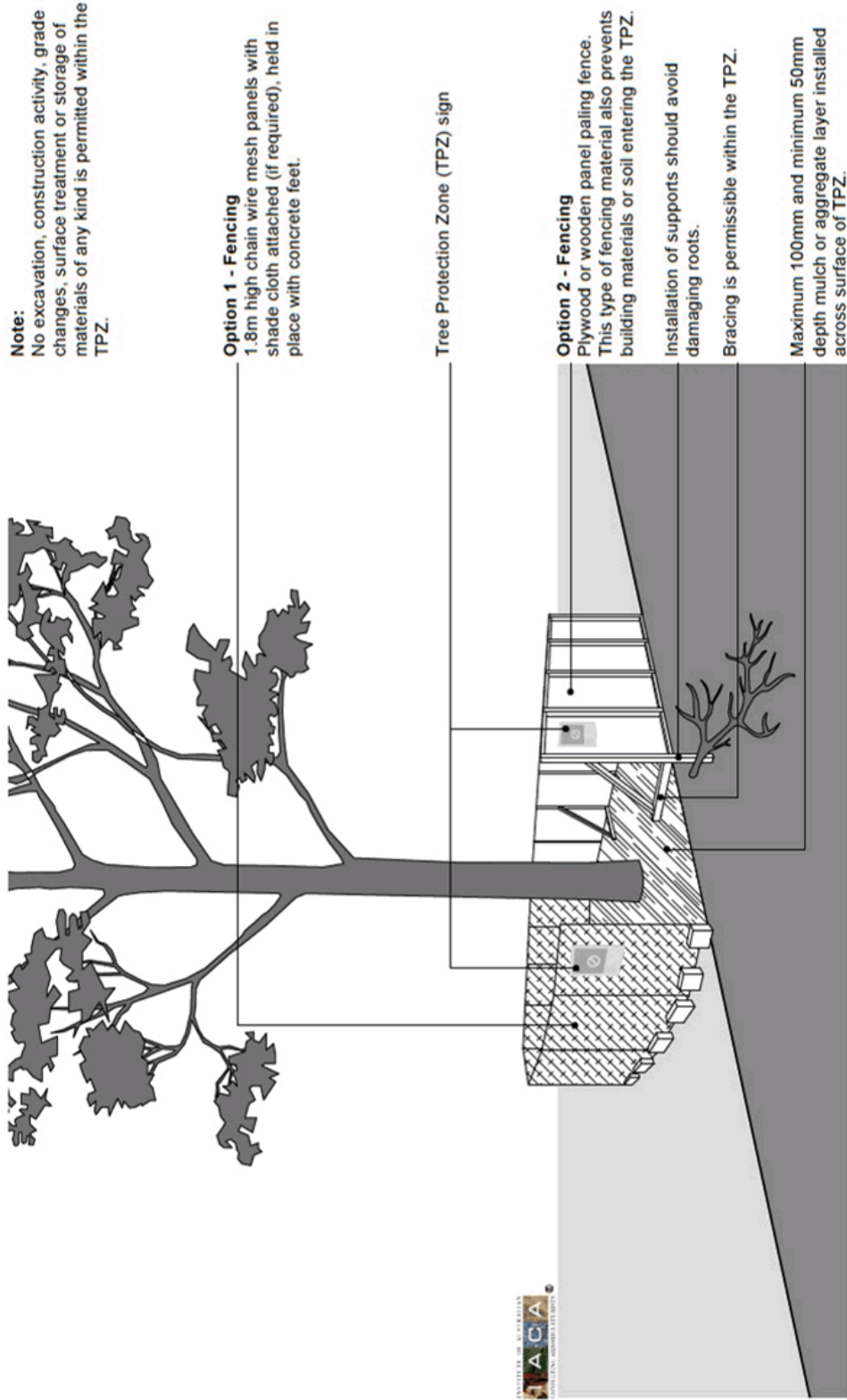
	<b>1. Long</b>	<b>2. Medium</b>	<b>3. Short</b>	<b>4. Removal</b>	<b>5. Moved or Replaced</b>
	Trees that appeared to be retainable at the time of assessment for more than 40 years with an acceptable level of risk.	Trees that appeared to be retainable at the time of assessment for 15 – 40 years with an acceptable level of risk.	Trees that appeared to be retainable at the time of assessment for 5 – 15 years with an acceptable level of risk.	Trees that should be removed within the next 5 years.	Trees which can be reliably moved or replaced.
<b>A</b>	Structurally sound trees located in positions that can accommodate future growth.	Trees that may only live between 15 and 40 years.	Trees that may only live between 5 and 15 more years.	Dead, dying, suppressed or declining trees through disease or inhospitable conditions.	Small trees less than 5m in height.
<b>B</b>	Trees that could be made suitable for retention in the long term by remedial tree care.	Trees that may live for more than 40 years but would be removed for safety or nuisance reasons.	Trees that may live for more than 15 years but would be removed for safety or nuisance reasons.	Dangerous trees through instability on recent loss of adjacent trees.	Young trees less than 15 years old but over 5m in heights
<b>C</b>	Trees of special significance for historical, commemorative or rarity reasons that would warrant extraordinary efforts to secure their long term retention.	Trees that may live for more than 40 years but would be removed to prevent interference with more suitable individuals or to provide space for new planting.	Trees that may live for more than 15 years but should be removed to prevent interference with more suitable individuals or to provide space for new planting.	Damaged trees through structural defects including cavities, decay, included bark, wounds or poor form.	Trees that have been pruned to artificially control growth.
<b>D</b>		Trees that could be made suitable for retention in the medium term by remedial tree care.	Trees that require substantial remedial tree care and are only suitable for retention in the short term.	Damaged trees that are clearly not safe to retain.	
<b>E</b>				Trees that may live for more than 5 years but should be removed to prevent interference with more suitable individuals or to provide space for new plantings.	
<b>F</b>				Trees that are damaging or may cause damage to existing structures within 5 years.	
<b>G</b>				Trees that will become dangerous after removal of other trees for reasons given in (A) to (F).	

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**Appendix B- Protection measures;  
Protective fence**

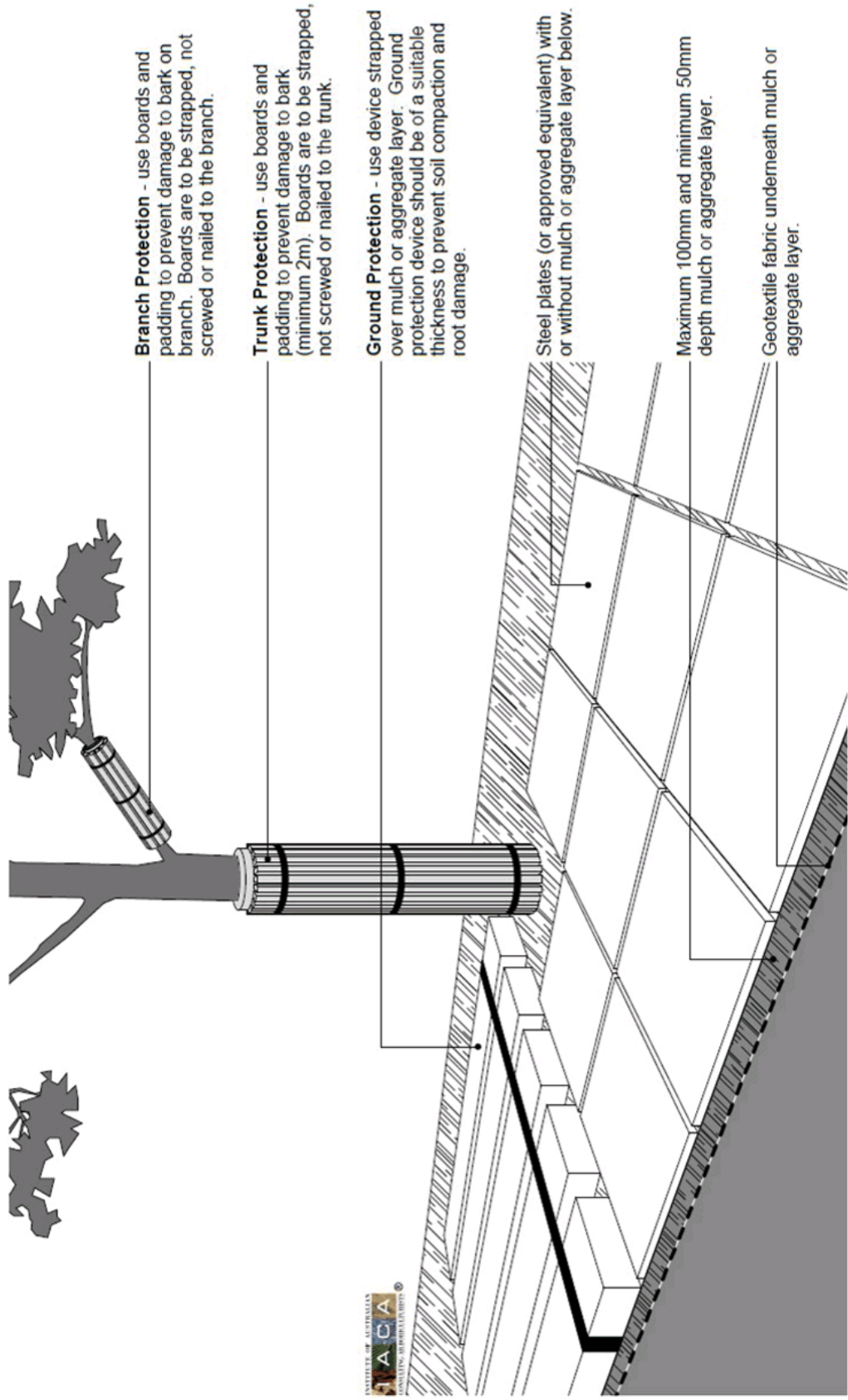


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### Stem and Ground protection



**Branch Protection** - use boards and padding to prevent damage to bark on branch. Boards are to be strapped, not screwed or nailed to the branch.

**Trunk Protection** - use boards and padding to prevent damage to bark (minimum 2m). Boards are to be strapped, not screwed or nailed to the trunk.

**Ground Protection** - use device strapped over mulch or aggregate layer. Ground protection device should be of a suitable thickness to prevent soil compaction and root damage.

Steel plates (or approved equivalent) with or without mulch or aggregate layer below.

Maximum 100mm and minimum 50mm depth mulch or aggregate layer.

Geotextile fabric underneath mulch or aggregate layer.



# FLORA and FAUNA

## survey and assessment

Proposed telecommunication facility,  
Fourth Avenue  
Macquarie Fields, NSW

June 2022



Cover photograph:

Character of proposed telecommunications tower site.

Report produced at the request of:

Service Stream Mobile Communications

on behalf of Telstra

by

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#### Disclaimer

This document has been prepared in accordance with the information provided by Service Stream Mobile Communications ('the client'). This investigation has relied upon information collected during the course of a field investigation, and as available in current known literature and data sources. All findings, conclusions or recommendations contained within this document are based upon the abovementioned circumstances. The study has been prepared for use by the client, and no responsibility for its use by other parties is accepted by Lesryk Environmental Pty Ltd.

Please note that, given the dynamic nature of the relevant pieces of environmental legislation considered in this report, the authors consider that this report only has a 'shelf life' of six months. If a development application, review of environmental factors or statement of environmental effect is not submitted to a determining authority for consideration within this time frame, it is recommended that this report be reviewed and revised where required in light of any relevant legislative listings or changes.

This report is prepared in accordance with both the 6<sup>th</sup> Edition of the Commonwealth of Australia (2002) Style Manual.

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### Glossary of terms

Definitions	
Areas of outstanding biodiversity	<p>An area of outstanding biodiversity value is:</p> <ul style="list-style-type: none"> <li>○ An area important at a State, national or global scale</li> <li>○ An area that makes a significant contribution to the persistence of at least one of the following:               <ul style="list-style-type: none"> <li>i. Multiple species or at least one threatened species or ecological community</li> <li>ii. Irreplaceable biological distinctiveness</li> <li>iii. Ecological processes or ecological integrity</li> <li>iv. Outstanding ecological value for education or scientific research.</li> </ul> </li> <li>○ The declaration of an area may relate, but is not limited, to protecting threatened species or ecological communities, connectivity, climate refuges and migratory species (BC Act 2016).</li> </ul>
Cumulative impact	<p>The impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions. Cumulative impact can result from individually minor but collectively significant actions taking place over a period of time. Refer to Clause 228(2) of the EP&amp;A Regulation 2000 for cumulative impact assessment requirements.</p>
Direct impact	<p>Are those that directly affect the habitat of species and ecological communities and of individuals using the study area. They include, but are not limited to, death through predation, trampling, poisoning of the animal/plant itself and the removal of suitable habitat (OEH 2018).</p>
Habitat	<p>An area or areas occupied, or periodically or occasionally occupied, by a species, population or ecological community, including any biotic or abiotic component (OEH 2018).</p>
Important population	<p>Is a population that is necessary for a species' long-term survival and recovery; this may include populations identified as such in recovery plans, and/or that are:</p> <ul style="list-style-type: none"> <li>○ Key source populations either for breeding or dispersal</li> <li>○ Populations that are necessary for maintaining genetic diversity</li> <li>○ Populations that are near the limit of the species range (DE 2013).</li> </ul>
Indirect impact	<p>Occur when project-related activities affect species or ecological communities in a manner other than direct loss within the subject site. Indirect impacts may sterilise or reduce the habitability of adjacent or connected habitats. Indirect impacts can include loss of individuals through starvation, exposure, predation by domestic and/or feral animals, loss of breeding opportunities, loss of shade/shelter, reduction in viability of adjacent habitat due to edge effects, deleterious hydrological changes, increased soil salinity, erosion, inhibition of nitrogen fixation, weed invasion, noise, light spill, fertiliser drift, or increased human activity within or directly adjacent to sensitive habitat areas (OEH 2018).</p>
Invasive species	<p>Is an introduced species, including an introduced (translocated) native species, which out-competes native species for space and resources, or which is a predator of native species. Introducing an invasive species into an area may result in that species becoming established. An invasive species may harm listed threatened species or ecological communities by direct competition, modification of habitat or predation.</p>
Local population (in regards to a threatened species)	<p>Comprises those individuals known or likely to occur in the study area, as well as any individuals occurring in adjoining areas (contiguous or otherwise) that are known or likely to utilise habitats in the study area (DECC 2007).</p>



Definitions	
Mitigation	Action to reduce the severity of an impact.
Mitigation measure	Any measure that facilitates the safe movement of wildlife and/or prevents wildlife mortality.
Population	All the individuals that interbreed within a given area.
Proposal area/ Proposal site	Is considered to include 'all activities likely to be undertaken within the subject site to achieve the objective of the proposed development' (DECC 2007).
Study area	Means the subject site and any additional areas which are likely to be affected by the proposal, either directly or indirectly (OEH 2018).
Study region	Is considered to 'include the lands that surround the subject site for a distance of 10 km' (DECC 2007).
Subject site	Means the area directly affected by the proposal. The subject site includes the footprint of the proposal and any ancillary works, facilities, accesses or hazard reduction zones that support the construction or operation of the development or activity (OEH 2018).

Abbreviations	
°C	Degrees Celsius
AOBV	Areas of Outstanding Biodiversity Value
ASL	Above Sea Level
BC Act	NSW <i>Biodiversity Conservation Act 2016</i>
CEEC	Critically Endangered Ecological Community
DAWE	Commonwealth Department of Agriculture, Water and the Environment
DE	Commonwealth Department of the Environment (now known as the Commonwealth Department of Agriculture, Water and the Environment)
DEC	NSW Department of Environment and Conservation (now known as the NSW Department of Planning and Environment)
DECC	NSW Department of Environment and Climate Change (now known as the NSW Department of Planning and Environment)
DEE	Commonwealth Department of the Environment and Energy (now known as Commonwealth Department of Agriculture, Water and the Environment)
DPI	Department of Primary Industries
DPE	NSW Department of Planning and Environment
EEC	Endangered ecological community
EIS	Environmental Impact Statement
EPA Act	NSW <i>Environmental Planning and Assessment Act 1979</i>
EPBC Act	Commonwealth <i>Environmental Protection and Biodiversity Conservation Act 1999</i>
GPS	Global Positioning System <sup>1</sup>
ha	Hectare
KTP	Key Threatening Process
LEP	Local Environment Plan
LGA	Local Government Area
mm/cm/m/m <sup>2</sup> /km	Millimetres, centimetres, metres, square metres, kilometres
MNES	Matters of National Environmental Significance

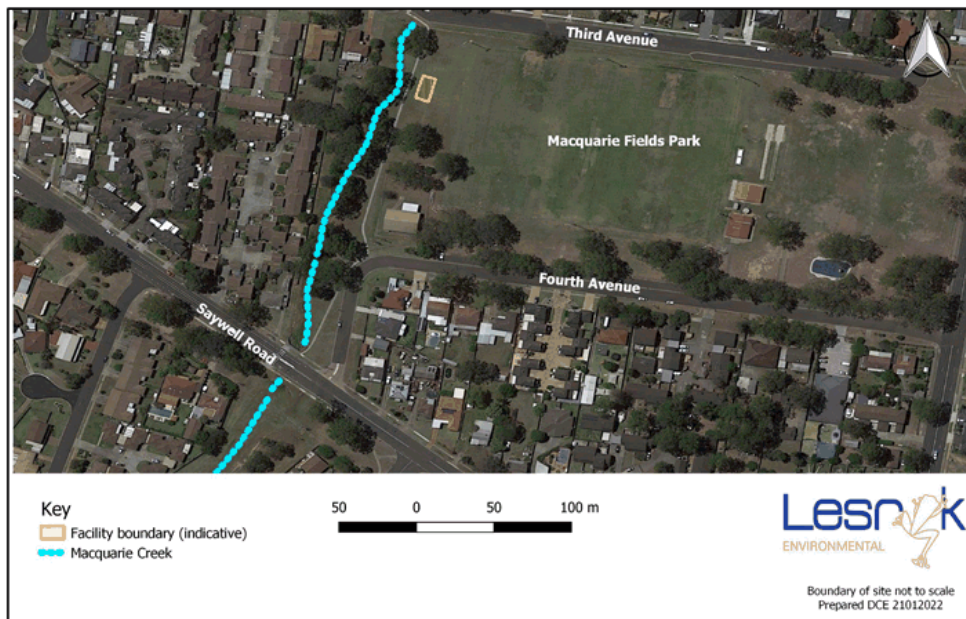
<sup>1</sup> Coordinate system used: WGS84 ± 5 m to 10 m depending on density of canopy cover within the rainforest.

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Abbreviations	
NPW Act	NSW <i>National Parks and Wildlife Act 1974</i>
NSW	New South Wales
OEH	Office of Environment and Heritage
PCT	Plant Community Type
PMST	Protected Matters Search Tool
RoTAP	Rare of Threatened Australian Plant
SEPP	State Environmental Planning Policy
SIS	Species Impact Statement
TECs	Threatened Ecological Communities
TSC Act	NSW <i>Threatened Species Conservation Act 1995</i> (now repealed by the BC Act)
TSPD	Threatened Species Profile Database
WoNS	Weeds of National Significance

## 1. Introduction

At the request of Service Stream Mobile Communications, on behalf of Telstra, a flora and fauna investigation has been carried out within a portion of Lot 16 / Section 31 / DP1391 Fourth Avenue Macquarie Fields, NSW (Figure 1). The ecological investigation has been conducted as Telstra is proposing to establish a telecommunications facility within a cleared and regularly maintained exotic lawn, the structure being about 30 m south of Third Avenue (Figure 1).



Source: QGIS™ (2020)

**Figure 1.** Subject site and study area

The proposal (Figure 2) would involve the:

- installation of a 30 metre (m) high concrete monopole with a 4 m x 4 m (indicative) concrete footing
- installation of ancillary equipment (i.e. panel antennas, feeders) and associated infrastructure on the proposed structure and/or within the compound
- installation of a 3 m x 2.5 m pre-fabricated equipment shelter
- installation of a Telstra stock security fence with 3 m wide access gates

To provide power to the facility, an underground conduit will be established. This will connect to the existing power grid.

The telecommunications facility will be located in an area devoid of canopy or shrub vegetation. The establishment of the facility will require the clearing of a regularly maintained exotic lawn.

The extent of disturbance likely to be associated with the proposal would be about 6 m by 10 m in size (total disturbance area 60 square metres).

The assessment of possible impacts associated with the proposed telecommunications facility is based on a field investigation of the subject site, a literature review of previous studies undertaken in both the region and this portion of the Campbelltown City Council LGA, a review of standard databases and a consideration of the objectives of the EPBC Act, EPA Act, BC Act, and any relevant SEPP



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## 2. Legislative requirements

A number of Commonwealth, State and local Acts, policies and documents are relevant to the proposal and its possible impact on the ecology of both the subject site and its locality. The most relevant of these are listed in Table 1.

## 3. Environmental setting

The subject site is located within the Campbelltown City LGA, about 30 m south of Third Avenue (Figure 1). The proposed facility would be constructed within a cleared and regularly maintained exotic lawn, this the result of landform modification to permit the construction of the proximate playing fields. Within, and close to, the facility, no native vegetation occurs.

The subject site would be accessed from Third Avenue.

For reference, a photographic record of the area investigated has been provided (Appendix 1).

The area investigated is located immediately on the western edge of regularly maintained playing fields, east of a pedestrian footpath (Figure 1). The site surveyed has been cleared and is currently dominated by a Kikuyu (*Cenchrus clandestinus*) lawn. Macquarie Creek is located west of the pedestrian footpath, this drainage line flowing in a northerly direction, eventually discharging into Bunbury Curran Creek about 1 km north-east of the subject site.

Macquarie Creek is an open storm water channel, this (south of Saywell Road) being an essentially cleared and highly modified drainage swale. Near the subject site, Macquarie Creek is lined by isolated eucalypts and native understorey species such as Sweet Pittosporum (*Pittosporum undulatum*). Portions of the bank of Macquarie Creek near the area investigated are slashed and cleared, other areas supporting a high-density layer of exotic grasses.

Macquarie Fields Park (Figure 1), this being the nearest 'protected area', covers an area of about 5 ha, and is one of a series of public reserves (for example James Meehan Park to the north and Klensendorffe Reserve to the south-east) that are present near the subject site. All these Council maintained parklands support native trees over a cleared and maintained grassland.

Natural elevations within the study area are about 30 m ASL. The site is located within a landscape that is characterised by relatively flat land. According to monthly rainfall figures the mean annual rainfall experienced by the study region is about 998.6 mm, with the greatest falls being experienced in March (Bureau of Meteorology 2022). January has the mean maximum summer temperature of 26.0°C, whilst July is the coldest month with a mean minimum of 6.6°C (Bureau of Meteorology 2022).

The soils present within the area investigated have been mapped as being those composed of the Blacktown soil landscape (DECC 2008). On lower slopes, and in areas of poor drainage it is characterised by Yellow Podzolic Soils and Soloths. Underlying geology is Wianamatta Group Ashfield Shale consisting of laminite and dark grey siltstone.

Through reference to the listings provided under the EPBC and BC Acts, it is noted that no gazetted areas of critical habitat (EPBC Act) or AOBV (BC Act) occur in the study area.

**Table 1. Summary of legislative and policy requirements**

Level	Relevant Legislation/Policy	Relevance to study area
Commonwealth	<i>Environment Protection and Biodiversity Conservation Act 1999</i>	Under this Act an action will require approval from the Minister if the action has, will have, or is likely to have, a significant impact on a matter of national environmental significance. Matters of national environmental significance include listed threatened species and ecological communities, and those migratory species protected under international agreements. Where found, the assessment criteria relevant to this Act will be drawn upon to determine whether there would be a significant effect on these species and communities and hence whether referral to the Federal Environment Minister is required.
	<i>Telecommunications Act 1997 and Telecommunications (Environment Impact Information) Regulations</i>	No ecological communities or species listed under this Act were recorded within the study area. Schedule 3, Part 1, Division 4, Clause 15 of this Act provides conditions specified in a Ministerial Code of Practice. A Code of Practice may require carriers to undertake assessments, or further assessments, of the environmental impact of the activity concerned.
	<i>NSW Environmental Planning and Assessment Act 1979</i>	Schedule 3, Division 6, Clause 27 of the Act also requires a consideration of the environmental impact of the proposal by addressing the matters provided under point 7 of Clause 27.
	<i>NSW Biodiversity Conservation Act 2016</i>	The regulations to the Act require that a statement addressing environmental impact assessment of the facility must include a description of the species of flora and fauna that occur and, in particular, threatened species and endangered ecological communities.
	<i>NSW Biosecurity Act 2015</i>	Part 1.7 of this Act has effect subject to the provisions of Part 7 of the <i>Biodiversity Conservation Act 2016</i> and Part 7A of the <i>Fisheries Management Act 1994</i> that relate to the operation of this Act in connection with the terrestrial and aquatic environment.
State	<i>NSW State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>	The purpose of this Act is to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development. This Act defines those species listed as protected in NSW.
	<i>NSW State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>	Part 7.2 of this Act requires assessment of whether a development or activity "likely to significantly affect threatened species."
	<i>NSW State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>	Part 3, Clause 22 of this Act states 'any person who deals with biosecurity matter or a carrier and who knows, or ought reasonably to know, the biosecurity risk posed or likely to be posed by the biosecurity matter, carrier or dealing has a biosecurity duty to ensure that, so far as is reasonably practicable, the biosecurity risk is prevented, eliminated or minimised'.
	<i>NSW State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>	This includes pest animal and plants species as defined under Clause 15 of the Act and anything declared by the regulations to be a pest for the purposes of this Act.
	<i>NSW State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>	Chapter 4 of this SEPP requires consideration of whether a proposal will affect core koala habitat as defined in the SEPP. If so, a plan of management for the Koala must be prepared in accordance with Part 3 of the SEPP.
	<i>NSW State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>	The area investigated, including the proximate areas of vegetation, would not constitute Core Koala habitat.

Level	Relevant Legislation/Policy	Relevance to study area
Local	Campbelltown Local Environmental Plan 2015	<p>This plan aims to make local environmental planning provisions for land in Campbelltown in accordance with the relevant standard environmental planning instrument under Section 3.20 of the EPA Act.</p> <p>The particular aims of this Plan relevant to the proposal are as follows:</p> <ul style="list-style-type: none"> <li>(a) to provide a comprehensive planning framework for the sustainable development of all land in Campbelltown,</li> <li>(b) to encourage high-quality, well-designed development, that is of an appropriate design and scale to complement its setting and that enhances and encourages a safe and healthy environment.</li> <li>(c) to ensure the adequate provision of infrastructure and services to support both existing and future development.</li> <li>(d) to ensure high quality development that is sustainable and does not unreasonably increase the demand for public facilities, amenities and services,</li> <li>(e) to identify, conserve and protect the Aboriginal, cultural and natural heritage of Campbelltown and to minimise any adverse impacts of development on heritage items and conservation areas,</li> <li>(f) to facilitate diverse economic growth and employment opportunities,</li> <li>(g) to conserve and enhance the environmental, scenic and landscape values of land in Campbelltown,</li> <li>(h) (m) to maintain, protect and improve the natural environment including biodiversity and water resources,</li> <li>(i) (n) to minimise land use conflict and the impact of development on adjoining land and on land subject to environmental hazards, particularly bush fire, flooding and salinity,</li> <li>(j) (o) to achieve development outcomes that are commensurate with the capability and suitability of the land,</li> <li>(k) (p) to provide for the social, cultural and recreational needs of existing and future communities.</li> </ul> <p>The site is zoned as RE1 (Public Reserve)</p> <p>In accordance with the aims and objectives of applicable Koala SEPPs and the approved NSW Koala Recovery Plan, the overall vision of this Plan is to: "provide for the long-term maintenance of a viable, free-ranging koala population in the Campbelltown LGA."</p> <p>This vision is to be realised by way of the following aims:</p> <ul style="list-style-type: none"> <li>a) To the maximum extent possible, enable persistence of a Koala population of at least 300 koalas over the life of the Plan</li> <li>b) To support the harmonious co-existence of the community with koalas</li> <li>c) To provide regulatory and non-regulatory mechanisms to safeguard the future of the Campbelltown koala population.</li> </ul> <p>Within, and in proximity to, the limits of the proposed telecommunications facility no habitat that would be occupied by a resident population of Koalas is present. Given the urban setting of the locality, the lack of bushland connectivity and the degrade condition of the vegetation that lines Macquarie Creek, it is unlikely that this would be used by Koalas during any of their dispersal periods.</p>

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## 4. Literature review and field guides

Prior to undertaking any fieldwork, previous studies conducted in the surrounding region and known databases were reviewed to identify the diversity of ecological communities, flora and fauna species known for, or potentially occurring in, the study region. The identification of those known or potentially occurring native species and communities within this portion of the Campbelltown LGA, particularly those listed under the Schedules to the EPBC and/or BC Acts, thereby permits the tailoring of the field survey strategies to the detection of these plants, animals and vegetation associations, or their necessary habitat requirements. By identifying likely species, particularly any threatened plants and animals, the most appropriate species-specific survey techniques can be selected should their associated vegetation communities/habitat requirements be present. The undertaking of a literature search also ensures that the results from surveys conducted during different climatic, seasonal and date periods are considered and drawn upon as required. This approach therefore increases the probability of considering the presence of, and possible impacts on, all known and likely native species, particularly any plants and animals that are of regional, State and/or national conservation concern. This approach also avoids issues inherent with a one off 'snap-shot' study.

The studies, reports and databases referred to include:

- the DAWE PMST (DAWE 2021a)
- the DPE BioNet database [Atlas of NSW Wildlife] (DPE 2021)
- the OEH Threatened Species website (OEH 2021a)
- the BioNet vegetation classification database (OEH 2021b).

Other reports and documents referred to are provided within the bibliography section of this report.

When accessing the DAWE and DPE databases, the search area specified was a 10 km buffer around the study area. The data searches were carried out on 03/11/2021.

All these databases and reports were reviewed and drawn upon where relevant. Whilst reviewing these documents, particular attention was paid to identifying relevant ecological matters listed under the Schedules of the EPBC and/or BC Acts, plants, animals and ecological communities that have been recorded in the region and which may occur within, or in the vicinity of, the study area.

Field guides and standard texts used include:

- PlantNet (Royal Botanic Gardens and Domain Trust undated) (used for the identification of plants)
- Cogger (2014) (reptiles and frogs)
- Simpson and Day (2008) (birds)
- Van Dyck and Strahan (2008) (mammals)
- Triggs (1996) (identification of scats, tracks and markings).

Nomenclature follows that presented in these texts, or within the EPBC and BC Acts.

The conservation significance of those ecological communities, plants and animals recorded is made with reference to:

- the RoTAP publication (Briggs and Leigh 1996)
- the EPBC and BC Acts
- vegetation mapping of the study region (OEH 2016a).



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## 5. Results of the literature review

### 5.1. Threatened flora

A review of the DAWE and DPE databases (DAWE 2021a, DPE 2021) identified 19 threatened plants and one population listed under the EPBC and/or BC Acts that have been previously recorded, or are considered to have habitat, in the study region (Appendix 2). The habitat requirements of these threatened plants, and a consideration of their 'likelihood of occurrence', are provided in Appendix 2.

For reference, those threatened plant previously recorded in proximity to the subject site are identified on Figure 4.

During the site investigations, consideration was given to the presence of these species.

### 5.2. Vegetation mapping

Vegetation mapping of the region has been prepared by OEH (OEH 2016a) (Figure 3).

The vegetation mapping indicates the subject site is cleared (Figure 3), the field investigation confirming that this is the case.

Adjacent to Macquarie Creek stands of Cumberland Riverflat Forest are present, this plant community type being a component of the BC Act listed EEC River-Flat Eucalypt Forest on Coastal Floodplains<sup>2</sup>.

Considering the position of the proposed telecommunications tower and the lack of any native vegetation within, or close to this facility, it is not considered that the scope of works to establish and operate (including on-going maintenance) this facility would have a direct or indirect impact on the River-Flat Eucalypt Forest on Coastal Floodplains. As such, it is not considered that the undertaking of assessments that draw on applicable State and Federal assessment criteria that consider the impact of the proposal on the long-term viability of this community are required.

### 5.3. Threatened fauna

A review of the DAWE and OEH databases (DAWE 2020a, OEH 2020a) identified 34 fauna species listed under the EPBC and BC Acts that have been previously recorded, or are considered to have habitat, in the study region (Appendix 2).

Based on a consideration of the habitat needs of these threatened species (as provided in standard texts – refer to the Bibliography section for those used), combined with the identification of those habitats within the study area, there is the potential for some of the species listed in Appendix 2 to occur within, or in the vicinity of, the subject site. As such, during the field investigation, targeted surveys for these species, or their necessary habitats, were undertaken.

It is acknowledged that numerous species listed in Appendix 2 may occasionally forage in the study area (e.g. Grey-headed Flying Fox [*Pteropus poliocephalus*], insectivorous bats). Nevertheless, none of these animals would be considered to rely solely upon the resources provided by the subject site, such that the proposed construction of the telecommunications facility would have a significant impact on local populations of these species, or their habitats.

For reference, those threatened animals previously recorded in proximity to the subject site are identified on Figure 5.

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<sup>2</sup> of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions



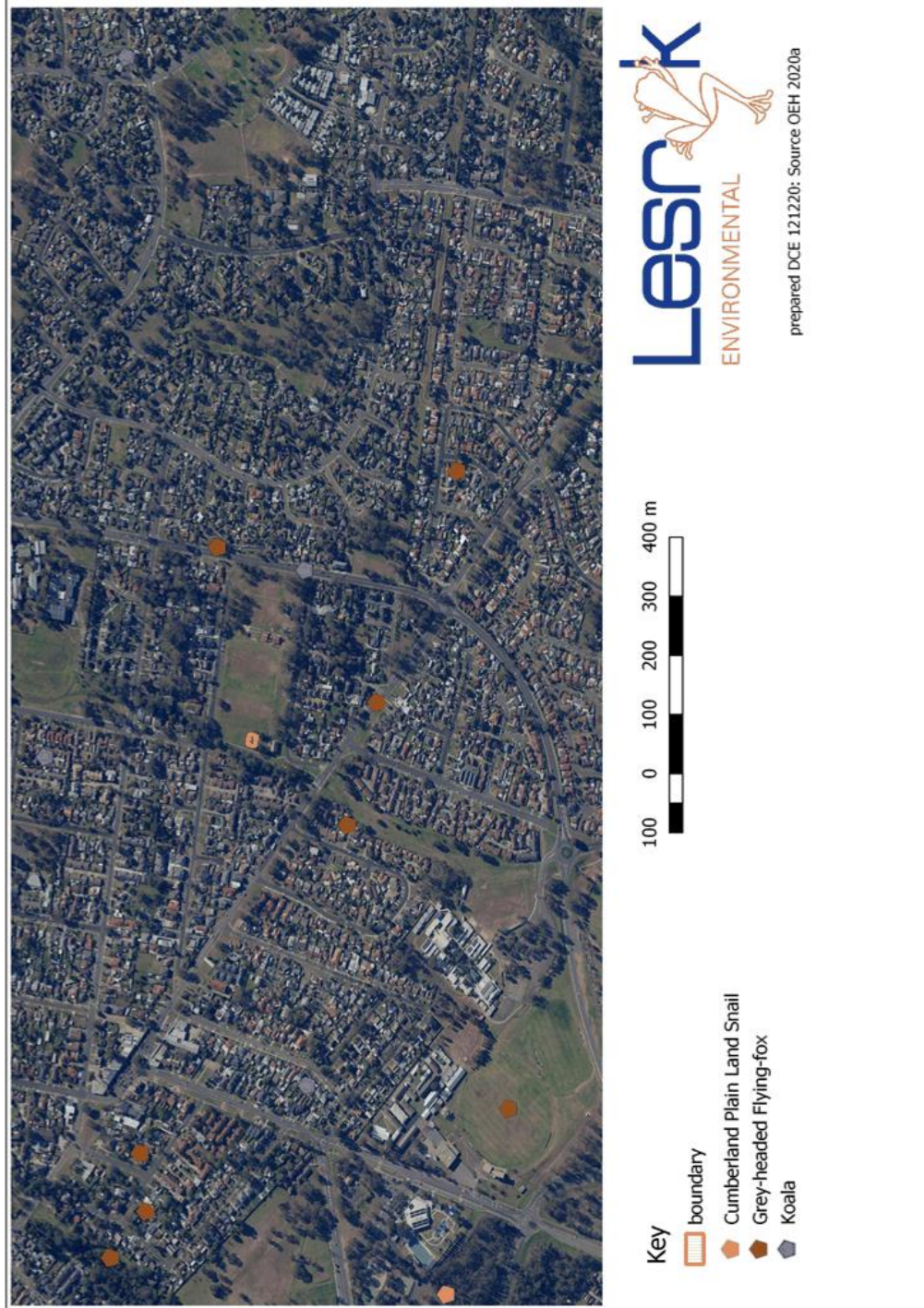
Source: CEH (2016a)

Figure 3. Vegetation communities mapped as being present in study locality



Source: OEH (2020a)

**Figure 4.** Threatened plants previously recorded in study locality



Source: OEH (2020a)

Figure 5. Threatened animals previously recorded in surrounding region

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## 6. Field survey methods

An investigation of the proposed telecommunications site, its likely access road and the area adjacent to this (for a distance of about 30 m) was carried out by Deryk Engel (B.Env.Sc Hons) on 4 November 2021 between the hours of 4.30 pm and 5.00 pm. For reference, the weather conditions experienced during the site investigation were moderate temperatures (19 °C), overcast skies (100% cloud cover) and light breezes.

The field investigation follows on from a previous survey undertaken at this site by Lesryk personnel, this being conducted on 15 December 2020 between the hours of 9.00 am and 10.30 am. During that survey, an investigation of a similar telecommunications facility that was proposed to be located to the north of the proximate Scout Hall was conducted. Where applicable, the findings of that investigation have been referred to and drawn upon.

The purpose of the current and previous field investigation was to identify any plants, animals, fauna habitats or vegetation communities that are of regional, State and/or national conservation significance as listed under the Schedules to the EPBC and/or BC Acts.

The survey methods employed during the both surveys were:

- The identification of the dominant plants within, or occurring in proximity to, the area of likely disturbance, including both direct and indirect impacts.
- The identification of the structure of vegetation communities and fauna habitats present.
- The direct observation of any fauna species within, or adjacent to, the subject site.
- Diurnal call identifications of fauna species, with all calls being identified in the field.
- Targeted searches for species of State and national conservation concern, or their likely habitat areas, that were identified during the literature review stage of the project.
- The identification of any indirect evidence such as tracks/scratchings that would suggest the presence of a particular fauna species.
- Litter and ground debris, leaf litter and tree bark searches for sheltering reptiles, frogs and the State listed Cumberland Plain Land Snail (*Meridolum corneovirens*)<sup>3</sup>.

When conducting the botanical investigation, the 'Random Meander Method' (as per Cropper 1993) was employed. This method is suitable for covering large areas and for locating any rare species (and their associated vegetation communities/habitat types) that may occur within a particular site.

The 'Random Meander Method' is consistent with the stratified random sampling design as specified in section 5.1 (Stratification, sampling and replication) of the publication titled Threatened biodiversity survey and assessment: Guidelines for development and activities (DEC 2004). This method is also mentioned under Sections 5.2.1 (Sampling techniques) and 5.2.7 (Targeting threatened plants) of that publication.

The 'Random Meander Method' is employed until no new species have been recorded for at least 30 minutes.

To determine the presence of the Cumberland Plain Land Snail, any leaf litter accumulations were raked, particularly those that were present at the base of any trees. In addition, any occurrences of urban or natural ground debris (e.g. fallen timber) were inspected. In total, 20 minutes was accumulated surveying for this species.

Whilst conducting the site investigation, efforts were made to document the diversity, structure and value of those habitats currently present within, and adjacent to, the subject site. This involved assessing the structure of the vegetation communities and fauna habitats present, and determining their significance for native species, particularly any that are of State and/or national conservation concern. Whilst conducting the habitat assessments, efforts were made to identify features such as known vegetation associations, geological features, feed trees,

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<sup>3</sup> This being the only invertebrate targeted.

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mature trees with hollows, connectivity of fauna corridors, aquatic environments and other habitat features important to the life-cycle needs of those threatened plants and animals previously recorded in the study region (as listed in Appendix 2).

The survey methods employed, and level of effort required, were generally based on the descriptions provided in:

- The OEH survey guidelines for threatened plants (OEH 2016b)
- The DEC 2004 publication
- The DEWHA survey guidelines for Australia's threatened bats, bird and frogs (DEWHA 2010a, DEWHA 2010b, DEWHA 2010c)
- The DSEWPC survey guidelines for Australia's threatened mammals and reptiles (DSEWPC 2011a, DSEWPC 2011b).

By the completion of the field investigation, about 30 minutes of active searching had been accumulated. Given the cleared and highly disturbed nature of the site, this level of survey effort was excessive.

During the field survey no limitations to the overall objectives of the site investigation, such as adverse climatic conditions or reduced site visibility, were encountered.

Given the observations made during the field investigation it was not considered that the conducting of any nocturnal work (including spotlighting, call playbacks, echolocation and so forth) was required. Within the areas of direct and indirect impact, no unique habitat features for those nocturnal species known to occur within this portion of the Campbelltown LGA, particularly those listed under the EPBC or BC Acts, were observed.

## **7. Results**

### **7.1. Flora species recorded**

The site investigation confirmed that the proposed telecommunication tower site is cleared and devoid of any overstorey or understorey vegetation. The area to be disturbed is dominated by a regularly maintained lawn of Kikuyu.

For reference, those plants observed within proximity of the proposed telecommunication facility are listed in Table 2.

#### **7.1.1. Threatened species**

Whilst their presence was considered and targeted investigations undertaken, none of the threatened plants listed in Appendix 2 (nor any species being considered for inclusion on the EPBC and/or BC Acts) were recorded within, or close to, the subject site.

Similarly, no RoTAP species were recorded.

### **7.2. Vegetation communities/fauna habitats recorded**

The proposed telecommunication facility would be established within an area dominated by an exotic and regularly maintained grassland. This site has been highly disturbed and part of the construction of the playing field, with the area being contoured, mounded and levelled.

Within the proposed development area, no trees, shrubs or other native species are present.

Within the area investigated, no natural ground debris occurs.

**Table 2:** Plant species recorded in proximity to the subject site**Key**

\* - denotes introduced species

<b>FAMILY</b>	<b>Scientific Name</b>	<b>Common Name</b>
<b>MAGNOLIOPSIDA - DICOTYLEDONS</b>		
Apiaceae	<i>Foeniculum vulgare</i> *	Fennel
Magnoliaceae	<i>Magnolia figo</i> *	Port Wine Magnolia
Fabaceae: Mimosoideae	<i>Acacia parramettensis</i>	Parramatta Green Wattle
Myrtaceae	<i>Angophora floribunda</i>	Rough-barked Apple
	<i>Eucalyptus moluccana</i>	Grey Box
Oleaceae	<i>Ligustrum lucidum</i> *	Large-leaved Privett
	<i>Olea europaea</i> subsp. <i>cuspidata</i> *	African Olive
Pittosporaceae	<i>Pittosporum undulatum</i>	Sweet Pittosporum
Proteaceae	<i>Grevillea robusta</i> *	Silky Oak
Polygonaceae	<i>Acetosa sagittata</i> *	Turkey Rhubarb
Sapindaceae	<i>Acer negundo</i> *	Boxelder Maple
<b>MAGNOLIOPSIDA - MONOCOTYLEDONS</b>		
	<i>Cenchrus clandestinus</i> *	Kikuyu Grass
	<i>Cynodon dactylon</i>	Couch

The vegetation within, the development footprint is not of conservation value. It does not qualify as an EEC or CEEC listed under the EPBC or BC Acts. As the vegetation is not of conservation value, no further considerations in regards to the relevant State and Federal guidelines are required. Whilst nearby vegetation characterised by a canopy of Grey Box and Rough-barked Apple maybe a degraded form of the BC Act listed EEC River-Flat Eucalypt Forest on Coastal Floodplains, this vegetation would not be affected by the proposal.

As would be expected for an essentially cleared and highly modified site, few native animals were recorded. Those that were detected were the Sulphur-crested Cockatoo (*Cacatua galerita*), Rainbow Lorikeet (*Trichoglossus haematodus*) and Musk Lorikeet (*Glossopsitta concinna*) [all observed flying over the study area] and Magpie-lark (*Grallina cyanoleuca*) [seen foraging on proximate playing field] .The introduced Rock Dove (*Columbia livia*) and Common Myna (*Acridotheres tristis*) were also recorded.

In addition to these species, during the course of the previous investigation, the Pacific Black Duck (*Anas superciliosa*) was flushed whilst walking in proximity to Macquarie Creek.

The subject site is not present within an important dispersal or movement corridor. Connectivity, primarily for flying animals or highly tolerant ground-traversing species, along Macquarie Creek is possible, though connectivity south of Saywell Road is limited to non-existent (Figure 1). Given its location within a cleared portion of a sports field, establishment of the proposed telecommunication facility would not present a barrier to fauna movement, nor would it fragment or isolate any of their habitat areas.

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## 8. Legislative considerations

### 8.1. Commonwealth - *Environment Protection and Biodiversity Conservation Act 1999*

No species or vegetation communities listed, or currently being considered for listing, are present within the subject site. The proposed construction of a telecommunications facility within a cleared and regularly maintained exotic grassland will not require the referral of the matter to the Federal Minister for the Environment for further consideration or approval.

### 8.2 Commonwealth - *Telecommunications Act 1997*

Under Section 2.16 subsection 4 of the Telecommunications Code of Practice 2018 prepared under the *Telecommunications Act 1997* a carrier must notify the Federal Environment Secretary if the activity:

*(a) is, or is likely to be, inconsistent with Australia's obligations under a listed international agreement; or*

The proposal is not inconsistent with any listed international agreement.

*(b) could threaten with extinction, or significantly impede the recovery of, a threatened species; or*

No resources for a threatened species are present within or close to, the area that will be disturbed/developed. Given the small scale of the development, the proposed telecommunications facility would not threaten with extinction, or impede the recovery, of any threatened species.

*(c) could put a species of flora or fauna at risk of becoming a threatened species; or*

The proposed action would only disturb a limited area of exotic and regularly maintained lawn. This will not place any species not currently listed as threatened at risk of becoming threatened.

*(d) could have an adverse effect on a threatened species of flora or fauna; or*

The proposed action would not have an adverse effect on a threatened species of flora or fauna. No resources for those threatened flora and fauna previously recorded in the surrounding region are present within the area that will be disturbed.

*(e) could damage the whole or a part of a habitat of a threatened species of flora or fauna; or*

See (d) above.

*(f) could damage the whole or a part of a place, or an ecological community, essential to the continuing existence of a threatened species of flora or fauna; or*

See (d) above.

*(g) could threaten with extinction, or significantly impede the recovery of, an endangered ecological community; or*

No threatened ecological communities occur at the site.



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*(h) could have a significant impact on the value of the National Heritage List place or a World Heritage List property; or*

The subject site is not on the National Heritage List nor is it a World Heritage List property.

*(i) could have an adverse effect on an endangered ecological community; or*

No threatened ecological communities occur at the site.

*(j) could damage the whole or a part of the habitat of an endangered ecological community.*

No threatened ecological communities occur at the site.

Under subsection 5, the carrier must notify the Environment Secretary if the carrier proposes to engage in the activity at any of the following places:

*(a) a declared World Heritage property (as identified in the Environment Protection and Biodiversity Conservation Act 1999);*

*(b) a place that Australia is required to protect by the terms of a listed international agreement;*

*(c) an area that, under a law of the Commonwealth, is reserved wholly or principally for nature conservation purposes (however described);*

*(d) an area that, under a law of the Commonwealth, is protected from significant environmental disturbance.*

None of these provisions apply to the subject site.

Given the above, there is no need to notify the Environment Secretary in relation to the construction of the facility.

### **8.3. State – NSW Biodiversity Conservation Act 2016**

No species or vegetation communities listed, or currently being considered for listing under the BC Act, are present within the subject site. The proposed construction of a telecommunications facility within a cleared and regularly maintained exotic grassland will not have a significant effect on any threatened species or habitats. The works will not isolate or fragment any areas of habitat, or cause the local extinction of any animals. The works proposed are not a Key Threatening Process listed under the BC Act.

The undertaking of the proposal will not trigger the need to prepare a Species Impact Statement.

### **8.4. State Environmental Planning Policy (Biodiversity and Conservation) 2021**

No eucalypts, particularly those known to be fed upon by Koalas in the Campbelltown LGA, are present within the subject site. The works will not present any additional barriers to the movement or interbreeding needs of any Koalas that occasionally traverse this area.

The area in which the proposed telecommunications facility will be established is not potential or core koala habitat. Preparation of a Plan of management in regards to the Koala is not required.

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## 8.5. Campbelltown Comprehensive Koala Plan of Management 2018

Reference to Figure 5.1 of this Plan indicates that the proposed telecommunications facility is present in proximity to an area mapped as Core Koala Habitat (i.e. the vegetation that lines Macquarie Creek).

Reference to Figure 5.3 of the Plan the vegetation that lines Macquarie Creek is not identified as a strategic linkage area.

As per Section 5.2 (page 27) of the Plan, the term core koala habitat means 'any parcel of land that is either wholly or partly identified under SEPP44 to contain a resident population of koalas, evidenced by attributes such as breeding females (that is females with young) and recent sightings of and historical records of a population'.

Consultation of the BioNet database notes that there are recent records for individual Koala sightings in proximity to the proposed telecommunications facility, including along Canterbury Road to the east and Saywell road to the west (Figure 5).

Being present within a cleared and regularly maintained playing field, the land that would be occupied by the proposed telecommunications facility itself would not be considered Koala habitat.

The area in which the proposed telecommunications facility is located is composed of an exotic Kikuyu (*Cenchrus clandestinus*) grassland that is regularly maintained and about 30 mm in height.

As no trees, shrubs or native plant are present within the areas that would be directly or indirectly affected by the proposed telecommunications facility, preparation of a Vegetation Assessment Report is problematic.

Establishment of the proposed telecommunications facility, including the erection of security fencing would not present any barriers to the movement patterns of Koalas. The proposal would not affect the movement opportunities available along Macquarie Creek. The proposal would not isolate or further fragment any areas of Koala habitat.

Establishment of the proposed telecommunications facility will not compromise the long-term Koala management objectives of the Plan.

Considering the flow chart provide on page 35 of the Plan:

- 1) Is all of part of the subject site located within the Campbelltown LGA?
  - a. Answer: Yes
- 2) Does the DA: Apply to an area (either singly or in the same ownership) that has an area of <1 hectare and/or b) require no removal of vegetation?
  - a. Answer: Yes. The proposed facility would be 60 square metres in size and would not clear any vegetation (Lesryk assumes exotic grasses that are regularly maintained are not considered vegetation as per the Plan).

Following the Flow chart, the resultant outcomes is: *The applicant is to demonstrate consideration of design requirements contained within Section 11.4 ('design requirements for developments in Koala habitat') of Council's DCP (updated 2022), and outline how threats to koalas and their habitat will be mitigated on site.*

With regard to the matters listed under Section 11.4 of Council's DCP, specifically matter 5 being 'implement site-specific koala protection measures on the development site to mitigate construction impacts on Koalas', it is recommended that the security fencing that is erected be designed to preclude Koala entering the facility. As such, the facility should include floppy top wiring or similar.

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As no Koala habitat is being cleared or lost, there is no need for compensatory planting.

## 9. Conclusion

A flora and fauna survey has been carried out within a portion of Lot 16 / Section 31 / DP1391 Fourth Avenue Macquarie Fields, NSW. By the completion of the site investigation, no ecological communities or threatened species listed, or currently being considered for listing under the EPBC or BC Acts, were recorded. Similarly, none were considered likely to occur or rely upon the habitat to be disturbed/removed for any of their necessary lifecycle requirements.

Giving consideration to the assessments criteria provided in the EPBC Act's Significant Impact Guidelines and under Section 7.3 of the BC Act; it is considered that the proposal would not have a significant impact on any threatened species, endangered ecological communities, the viability of their local populations or habitats. As such, referral of the matter to the Federal Minister for the Environment nor the preparation of a SIS is required.

The carrying out of the proposal can proceed as planned without the preparation of a SIS. Similarly, referral of the proposal to the Federal Minister for the Environment for approval is not required.

By the completion of the field investigation, no limitations to the proposal proceeding as planned were identified.

## 10. Recommendations

Based on the principles of Ecologically Sustainable Development, as identified in Part 3 of the Environmental Planning and Assessment Regulation, the following recommendations are provided:

- It is recommended that the security fencing that is erected be designed to preclude Koala entering the facility. As such, the facility should include floppy top wiring or similar.
- The works should be confined to the eastern side of the existing concrete footpath. Areas west of this should not be directly or indirectly affected.
- The limits of the work should clearly be identified on site through the erection of temporary bunting/fencing. Vehicles, machinery and personnel should not be permitted to enter those areas identified as 'no-go' zones (e.g. the vegetation that lines Macquarie Creek).
- Erosion and sedimentation control devices should be erected prior to the commencement of works, particularly between the proposal area and Macquarie Creek. These devices should be regularly checked and maintained where necessary, particularly after periods of heavy rainfall.
- Newly exposed surfaces should be stabilised as soon as possible in order to reduce the potential for soil erosion.

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**Appendix 1.** Photographic record of the study area

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**Plate 1.** Looking west across the subject site towards Macquarie Creek.



**Plate 2.** Subject site. Photograph taken looking south towards Fourth Avenue. Vegetation in vicinity of Scout Hall will not be affected.



**Plate 3.** Subject site. Photograph taken looking south towards Fourth Avenue. Vegetation in vicinity of Scout Hall will not be affected. Note nature of existing footpath.



**Plate 4.** Character of Macquarie Creek, photograph taken looking south towards Fourth Avenue.



**Plate 5:** Character of the subject site.



## Appendix 2. Threatened flora and fauna species previously recorded in the study region and their likelihood of occurrence

### Key

V – Vulnerable      E – Endangered      CE – Critically Endangered      M – Migratory

A State or nationally listed threatened species is considered to have a:

**High** likelihood of occurrence if it has been recorded within 10 km of the subject site and there is either suitable habitat present or the potential for the animal to fly over the site (whilst animal may fly over, it is acknowledged that for some species no suitable habitat will be present within the subject site).

**Moderate** likelihood of occurrence if they have a predicted occurrence (via the EPBC Act Protected Matters Search Tool or OEH geographic search) and there is either suitable habitat present or the potential for the animal to fly over the site (whilst animal may fly over, it is acknowledged that for some species no suitable habitat will be present within the subject site).

**Low** likelihood of occurrence if suitable habitat for a species is not present regardless of whether they have been recorded within 10 km or have a predicted occurrence.

Note: No pelagic or marine species have been included in the following table as their habitats are not present.

\* - habitat requirements were generally extracted from OEH (2020b), Frith (2007), Churchill (2008), Cogger (2014), Harden (1992-2002) and Van Dyck and Strahan (2008) with other references used being identified in the references.

Common Name	Status		Primary habitat requirements	Likelihood of Occurrence <sup>4</sup>
	EPBC Act	BC Act		
<b>PLANTS</b>				
Bynoe's Wattle <i>Acacia bynoeana</i>	V	E	Occurs in heath or dry sclerophyll forest on sandy soils.	Low. No suitable habitat present.
Downy Wattle <i>Acacia pubescens</i>	V	V	Occurs in open woodland and forest, in a variety of plant communities. Recorded in Shale Gravel Transition Forest in the reserve some 250 m west. Grows in dry sclerophyll forest on the coast and adjacent ranges.	Low. No suitable habitat present.
Netted Bottle Brush <i>Callistemon linearifolius</i>		V		Low. No suitable habitat present.

<sup>4</sup> For the site to support, and be important for the lifecycle requirements of, a locally viable population of this species.

Common Name	Status		Primary habitat requirements	Likelihood of Occurrence <sup>4</sup>
	EPBC Act	BC Act		
Small-flower Grevillea <i>Grevillea parviflora</i> subsp. <i>parviflora</i>	V	V	Grows in sandy or light clay soils usually over thin shales, often with lateritic ironstone gravels and nodules. Sydney region occurrences are usually on Tertiary sands and alluvium, and soils derived from the Mittagong Formation. Soil landscapes include Lucas Heights or Berkshire Park. Recorded 35 m south of entrance track.	Low. No suitable habitat present.
<i>Gyrostelema thesioides</i>		E	Grows on hillsides and riverbanks and may be restricted to fine sandy soils. Not recorded locally for 30 years.	No suitable habitat present.
<i>Hibbertia</i> sp. Bankstown	CE	CE	Currently known to occur in only one population at Bankstown Airport where it occurs in Castlereagh Ironbark Forest/Castlereagh Scribbly Gum Woodland	Low. No suitable habitat present.
Woronora Beard-heath <i>Leucopogon exolasius</i>	V	V	Woronora Beard-heath grows in woodland on sandstone in the upper Georges River area and in Heathcote National Park	Low.
<i>Leucopogon fletcheri</i> subsp. <i>fletcheri</i>		V	Dry eucalypt woodland or in shrubland on clayey lateritic soils, generally on flat to gently sloping terrain along ridges and spurs.	No suitable habitat present.
<i>Marsdenia viridiflora</i> subsp. <i>viridiflora</i> in the Bankstown, Blacktown, Camden, Campbelltown, Fairfield, Holroyd, Liverpool and Penrith local government areas		E	Vine thickets and open shale woodland	Low. No suitable habitat present.
Deane's Melaleuca <i>Melaleuca deanei</i>	V	V	Occurs in two distinct areas, in the Ku-ring-gai/Berowra and Holsworthy/Wedderburn areas. Occurs mostly in ridgetop woodland, with only 5% of sites in heath on sandstone.	Low. No suitable habitat present.
Hairy Geebung <i>Persoonia hirsuta</i>	E	E	Found in sandy soils in dry sclerophyll open forest, woodland and heath on sandstone.	Low. No suitable habitat present.
<i>Persoonia nutans</i>	E	E	Restricted to western and south-western Sydney. Occurs in Castlereagh Scribbly Gum Woodland and Cooks River / Castlereagh Ironbark Forest..	Low. No suitable habitat present.
Spiked Rice-flower <i>Pimelea spicata</i>	E	E	Found on well-structured clay soils. In the coastal Illawarra it occurs commonly in Coast Banksia open woodland with a better developed shrub and grass understorey. Coastal headlands and hilltops are the favoured sites.	Low. No suitable habitat present.

Common Name	Status		Primary habitat requirements	Likelihood of Occurrence <sup>4</sup>
	EPBC Act	BC Act		
Rufous Pomaderris <i>Pomaderris brunnea</i>	E	V	Found in a very limited area around the Colo, Nepean and Hawkesbury Rivers, including the Bargo area and near Camden. Inhabits moist woodland or forest on clay and alluvial soils of flood plains and creek lines	Low. No suitable habitat present.
Dark Greenhood <i>Pterostylis nigricans</i>		V	Coastal heathland with Heath Banksia ( <i>Banksia ericifolia</i> ), and lower-growing heath with lichen-encrusted and relatively undisturbed soil surfaces, on sandy soils.	Low. No suitable habitat present.
Sydney Plains Greenhood <i>Pterostylis saxicola</i>	E	E	Most commonly found growing in small pockets of shallow soil in depressions on sandstone rock shelves above cliff lines.	Low. No suitable habitat present.
Matted Bush-pea <i>Pultenaea pedunculata</i>		E	On the Cumberland Plain the species favours sites in clay or sandy-clay soils (Blacktown Soil Landscape) on Wianamatta Shale-derived soils, usually close to patches of Tertiary Alluvium (Liverpool area)	Low. No suitable habitat present.
Magenta Lilly Pilly <i>Syzygium paniculatum</i>	V	E	Found only in NSW, in a narrow, linear coastal strip from Upper Lansdowne to Conjola State Forest. On the south coast the Magenta Lilly Pilly occurs on grey soils over sandstone, restricted mainly to remnant stands of littoral (coastal) rainforest.	Low. No suitable habitat present.
<b>MAMMALS</b>				
Koala <i>Phascolarctos cinereus</i>	V	V	Open eucalypt forest and woodland, containing a variety of 'preferred' food tree species.	Low. No suitable habitat present.
Squirrel Glider <i>Petaurus norfolcensis</i>		V	Inhabits mature or old growth Box, Box-Ironbark woodlands and River Red Gum forest west of the Great Dividing Range and Blackbutt-Bloodwood forest with heath understorey in coastal areas. Prefers mixed species stands with a shrub or Acacia midstorey.	Low. No suitable habitat present.
Grey-headed Flying-fox <i>Pteropus poliocephalus</i>	V	V	Occur in subtropical and temperate rainforests, tall sclerophyll forests and woodlands, heaths and swamps as well as urban gardens and cultivated fruit crops.	Low. No suitable habitat present.
Yellow-bellied Sheath-tail bat <i>Saccolaimus flaviventris</i>		V	Roosts singly or in groups of up to six, in tree hollows and buildings; in treeless areas they are known to utilise mammal burrows. Forages in most habitats across its very wide range, with and without trees; appears to defend an aerial territory.	Low. No suitable habitat present.
Large-eared Pied Bat <i>Chalinolobus dwyeri</i>	V	V	Cave-roosting bat that forages in timbered woodland and dry sclerophyll forest.	Low. No suitable habitat present.
Eastern False Pipistrelle <i>Falstittrellus tasmaniensis</i>		V	Prefers moist habitats, with trees taller than 20 m. Generally roosts in hollow-bearing trees (eucalypts), but has also been found under loose	Low. No suitable habitat present.

Common Name	Status		Primary habitat requirements	Likelihood of Occurrence <sup>4</sup>
	EPBC Act	BC Act		
Southern Myotis <i>Myotis macropus</i>		V	bark on trees or in buildings. Generally, roost in groups of 10 - 15 close to water in caves, mine shafts, hollow-bearing trees, storm water channels, buildings, under bridges and in dense foliage. Forage over streams and pools catching insects and small fish by raking their feet across the water surface.	Low. No suitable habitat present.
Greater Broad-nosed Bat <i>Scoteanax rueppellii</i>		V	Utilises a variety of habitats from woodland through to moist and dry eucalypt forest and rainforest, though it is most commonly found in tall wet forest. Usually roosts in tree hollows but also in buildings.	Low. No suitable habitat present.
Little Bent-winged Bat <i>Miniopterus australis</i>		V	Generally found in well-timbered areas. Roost in caves, tunnels, tree hollows, abandoned mines, stormwater drains, culverts, bridges and sometimes buildings during the day.	Low. No suitable habitat present.
Large Bent-winged Bat <i>Miniopterus orianae oceanensis</i>		V	Caves are the primary roosting habitat, but also use derelict mines, storm-water tunnels, buildings and other man-made structures.	Low. No suitable habitat present.
Eastern Freetail Bat <i>Mormopterus norfolkensis</i>		V	Occur in dry sclerophyll forest, woodland, swamp forests and mangrove forests east of the Great Dividing Range. Roost mainly in tree hollows but will also roost under bark or in man-made structures.	Low. No suitable habitat present.
<b>BIRDS</b>				
White-throated Needletail <i>Hirundapus caudacutus</i>	V, M		Almost exclusively aerial. Takes insects on wing over a range of habitat types. Recorded most often above wooded areas, including open forest and rainforest.	Low. No suitable habitat present.
Square-tailed Kite <i>Lophoictinia isura</i>		V	The Square-tailed Kite's primary habitat includes coastal and sub-coastal open forests and woodlands. In south-eastern Australia it is a spring-summer breeding migrant, probably wintering in the tropics. Estimates of home ranges for breeding pairs varies depending on geographical location but appear to be in the order of 5 - 10 km. A specialised raptor of the tree canopy, the Square-tailed Kite appears to only feed on small birds, their eggs and nestlings. This Kite is normally found hunting over vegetation communities, such as open eucalypt forests, woodlands and mallees, that are rich in passerines (small birds).	Low. No suitable habitat present.
White-bellied Sea-eagle <i>Haliaeetus leucogaster</i>		V	Found in coastal habitats (especially those close to the seashore) and around terrestrial wetlands in tropical and temperate regions of mainland Australia.	Low. No suitable habitat present.

Common Name	Status		Primary habitat requirements	Likelihood of Occurrence <sup>4</sup>
	EPBC Act	BC Act		
Little Eagle <i>Hieraetus morphnoides</i>		V	Occupies open eucalypt forest, woodland or open woodland. Sheoak or <i>Acacia</i> woodlands and riparian woodlands of interior NSW are also used.	Low.
Bush-stone Curlew <i>Burhinus grallarius</i>		E	Inhabits open forests and woodlands with a sparse grassy groundlayer and fallen timber.	No suitable habitat present. Low.
Gang-gang Cockatoo <i>Callocephalon fimbriatum</i>		V	Prefers tall montane forests and woodlands, particularly in heavily timbered and mature wet sclerophyll forests during summer, these being at higher altitudes. In winter, occurs at lower altitudes in drier, more open eucalypt forests and woodlands, or in dry forest in coastal areas.	No suitable habitat present. Low.
Glossy Black-cockatoo <i>Calyptorhynchus lathami</i>		V	Inhabits eucalypt woodland and feeds almost exclusively on <i>Casuarina</i> fruits.	Low. No suitable habitat present.
Little Lorikeet <i>Glossopsitta pusilla</i>		V	Forages primarily in the open Eucalypt forest and woodland canopies, particularly along water courses; occasionally in <i>Angophoras</i> , <i>Melaleucas</i> and other tree species; also riparian habitats are used.	Low. No suitable habitat present.
Turquoise Parrot <i>Neophema pulchella</i>		V	Lives on the edges of eucalypt woodland adjoining clearings, timbered ridges and creeks in farmland.	Low. No suitable habitat present.
Swift Parrot <i>Lathamus discolor</i>	CE	E	Eucalypt forests. When over-wintering on the mainland, this species is dependent on winter-flowering eucalypt species.	Low. No suitable habitat present.
Powerful Owl <i>Ninox strenua</i>		V	Inhabits a range of vegetation types, from woodland and open sclerophyll forest to tall open wet forest and rainforest.	Low. No suitable habitat present.
Masked Owl <i>Tyto novaehollandiae</i>		V	Lives in dry eucalypt forests and woodlands from sea level to 1100 m.	Low. No suitable habitat present.
Regent Honeyeater <i>Anthochaera phrygia</i>	CE	CE	Inhabits dry open forest and woodland. These woodlands have significantly large numbers of mature trees, high canopy cover and abundance of mistletoes.	Low. No suitable habitat present.
Black-chinned Honeyeater <i>Meliphreptus gularis gularis</i>		V	Occupies mostly upper levels of drier open forests or woodlands dominated by box and ironbark eucalypts, especially Mugga Ironbark ( <i>Eucalyptus sideroxylon</i> ), White Box ( <i>E. albens</i> ), Inland Grey Box ( <i>E. microcarpa</i> ), Yellow Box ( <i>E. melliodora</i> ), Blakely's Red Gum ( <i>E. blakelyi</i> ) and Forest Red Gum ( <i>E. tereticornis</i> ).	Low. No suitable habitat present.
White-fronted Chat <i>Epthianura albifrons</i>		V	Found across the southern half of Australia. Lives mostly in temperate to arid climates, occupying foothills and lowlands up to 1000 m above sea level. In the southern half of NSW it occupies damp open habitats along the coast and near waterways. Regularly observed in the saltmarsh	Low. No suitable habitat present.

Common Name	Status		Primary habitat requirements	Likelihood of Occurrence <sup>4</sup>
	EPBC Act	BC Act		
White-fronted Chat population in the Sydney Metro CMA <i>Epthianura albifrons</i>		V	vegetation of Newington Nature Reserve on the Parramatta River, and in the saltmarsh and on the sandy shoreline at Towra Point Nature Reserve in Botany Bay. Forages on bare or grassy ground in wetland areas. This bird feeds mainly on flies and beetles. Regularly observed in the saltmarsh of Newington Nature Reserve (with occasional sightings from other parts of Sydney Olympic Park and in grassland on the northern bank of the Parramatta River). Current estimates suggest this population consists of 8 individuals. Regularly observed in the saltmarsh and on the sandy shoreline of a small island of Towra Point Nature Reserve. This population is estimated to comprise 19-50 individuals. The Newington and Towra Point populations are thought to be disjunct from each other (and from the nearest populations outside Sydney Metropolitan CMA).	Low. No suitable habitat present.
Varied Sittella <i>Daphoenositta chrysoptera</i>		V	Inhabits eucalypt forests and woodlands, especially those containing rough-barked species and mature smooth-barked gums with dead branches, mallee and <i>Acacia</i> woodland.	Low. No suitable habitat present.
Dusky Woodswallow <i>Artamus cyanopterus cyanopterus</i>		V	Primarily inhabit dry, open eucalypt forests and woodlands, including mallee associations, with an open or sparse understorey of eucalypt saplings, acacias and other shrubs, and groundcover of grasses or sedges and fallen woody debris.	Low. No suitable habitat present.
Scarlet Robin <i>Petroica boodang</i>		V	Forests and temperate woodlands, often on ridges and slopes, within an open understorey of shrubs and grasses and sometimes in open areas.	Low. No suitable habitat present.
Flame Robin <i>Petroica phoenicea</i>		V	Breeds spring to late summer in upland tall moist eucalypt forests and woodlands, often on ridges and slopes. In winter, birds migrate to drier more open habitats in the lowlands.	Low. No suitable habitat present.
Diamond Firetail <i>Stagonopleura guttata</i>		V	This species occupies open eucalypt woodlands and fringing mallee where a grassy understorey is present. Must drink frequently throughout the day therefore requires a permanent water supply. Feeds almost exclusively on seeds (both native and exotic plants are consumed), though occasionally the green vegetation of leaves and shoots will also be consumed. Unable to persist in areas which lack remnants of native vegetation larger than 200 ha in size.	Low. No suitable habitat present.

Common Name	Status		Primary habitat requirements	Likelihood of Occurrence <sup>4</sup>
	EPBC Act	BC Act		
<b>REPTILES</b> Rosenberg's Goanna <i>Varanus rosenbergi</i>		V	The preferred habitat of this species includes wet and dry sclerophyll forests, woodlands and heath lands particular those that occur on sandy or calcareous soils. This species is known to move over large home range areas, travelling many kilometres in a few days. The Heath Monitor is mostly a terrestrial species, shelter in burrows, hollow logs and rock crevices. The Heath Monitor forages on insects, smaller reptiles and their eggs, spiders, small mammals, bird eggs and chicks.	Low. No suitable habitat present.
<b>AMPHIBIANS</b> Red-crowned Toadlet <i>Pseudophryne australis</i>		V	Occurs along and near clean ephemeral drainage lines in heaths, woodlands and open forests, mostly on Hawkesbury Sandstone.	Low. No suitable habitat present.
Green and Golden Bell Frog <i>Litoria aurea</i>	V	E	Inhabits a variety of environments, including disturbed sites, ephemeral ponds, wetlands, marshes, dams and stream-sides, particularly those that contain one or more of the following aquatic plants: bullrush ( <i>Typha</i> spp.), spikerush ( <i>Eleocharis</i> spp.), <i>Juncus kraussii</i> , <i>Schoenoplectus littoralis</i> and <i>Sporobolus virginicus</i> .	Low. No suitable habitat present.
<b>INVERTEBRATE</b> Cumberland Plain Land Snail <i>Meridolum carneovirens</i>		E	Lives in small areas on the Cumberland Plain west of Sydney, from Richmond and Windsor south to Picton and from Liverpool west to the Hawkesbury and Nepean Rivers at the base of the Blue Mountains. Primarily inhabits Cumberland Plain Woodland; lives under litter of bark, leaves and logs, or shelters in loose soil around grass clumps. Occasionally shelters under rubbish.	Targeted, not recorded, Low. No suitable habitat present.



**16 June 2022**

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<b>To</b>	Davidzo Foto
<b>Copy to</b>	Deryk Engle
<b>From</b>	Peter Monsted, Principal Consultant, Leneco    Tel. 0437 685 224 Email. Peter@leneco.net.au
<b>Subject</b>	Addendum ecological report for Proposed telecommunication facility, Fourth Avenue Macquarie Fields, NSW

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## 1. Introduction

On behalf of Telstra Pty Ltd, Service Stream is seeking development approval to install a new telecommunications facility at Macquarie Fields Park, Fourth Avenue, which will form an integral part of their 4G/5G network.

Service Stream lodged a development application with Campbelltown City Council, the consent authority, on 9 October 2021. On the 26 October 2021 a request for information (RFI) was received requesting additional information including a Flora and Flora Report prepared by Lesryk Environmental (dated 27/01/22) which was provided on the 4 February 2022.

On the 29 April 2022, a second RFI was issued by Campbelltown City Council raising a number of matters with the Flora and Fauna Report including:

- Assessment against Campbelltown City Council (CCC) Comprehensive Koala Plan of Management (CKPoM)
- Potential direct and indirect impacts to an area on the Biodiversity Values map
- Assessment of significance for the Endangered Ecological Community (EEC) River Flat Eucalypt Forest (RFEF) (the BV mapped area).

This memo has been prepared as an addendum to the revised Flora and Flora Report prepared by Lesryk Environmental (2022) (Updated Final, 15 June 2022) to address these ecological matters and determine if the Biodiversity Offsets Scheme (BOS) is triggered by the development.

The revised Flora and Flora Report has addressed the development in respect of the CKPoM (Section 8.5) and therefore this matter is not addressed further in this Addendum.

## 2. Assessment method

A site inspection was completed on the 4 June 2022 by Peter Monsted, to assess the potential impacts of the proposal on the BV mapped areas. This inspection included a survey of the species composition and condition of the BV mapped area (RFEF).

### Personnel

This addendum report has been prepared by Peter Monsted, an accredited BAM Assessor (BAAS22011) and Certified Erosion and Sediment Control Professional (CPESC 9758) (IECA).





### 3. Application of the Biodiversity Offset Scheme

The Biodiversity Offset Scheme (BOS) applies to development requiring consent under Part 4 of the EP&A Act that are likely to significantly affect threatened species or ecological communities, or their habitats. A proposal is 'likely to significantly affect threatened species, ecological communities or their habitats' if it:

- it is carried out in a declared area of outstanding biodiversity value (AOBV), or
- it involves clearing of native vegetation or a prescribed impact on land included in the Biodiversity Values Map, or
- it involves clearing of native vegetation that exceeds the relevant area clearing threshold, or
- it is likely to significantly affect threatened species, ecological communities or their habitats according to the Test of Significance.

The site is not located in a declared AOBV.

The site includes and is adjacent to a BV mapped area, as such direct and indirect impacts of the proposal have been addressed further in Section 4 and 5.

An assessment of the relevant area clearing threshold has been made using the Biodiversity Values Map and Threshold Tool. The proposal does not exceed the relevant area clearing threshold.

A Test of Significance is used for determining whether proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats. Section 7.3 of the BC Act outline the matters to be addressed to determine if the potential impacts of a proposal will be significant to threatened species, ecological communities or their habitats. As the site includes, and is adjacent to, an endangered ecological community, a Test of Significance has been prepared in Section 6.

### 4. Biodiversity Values map areas

The BV Map identifies land with high biodiversity value that is particularly sensitive to impacts from development and clearing. The BV Map is relevant for local developments (development under Part 4 of the EP&A Act which is not state significant development or complying development) (DPIE, 2019).

The BOS will apply to a development proposal if one of the following impacts is proposed in an area on the Biodiversity Values Map:

- clearing native vegetation<sup>1</sup>
- an impact prescribed under clause 6.1 of the Biodiversity Conservation Regulation.

An extract of the Biodiversity Values map at the subject site is provided in Figure 2-1 below. This illustrates that the subject site, and adjacent to the site, is mapped on the BV map. The layout of the proposal has been superimposed on this map for reference as per the design drawing N109612 SHT No. S1 (extract in Figure 2-2).

<sup>1</sup> Clearing of native vegetation for the purposes of development is defined in section 60C of the *Local Land Service Act 2013* as follows.

Clearing native vegetation means any one or more of the following—

- (a) cutting down, felling, uprooting, thinning or otherwise removing native vegetation,
- (b) killing, destroying, poisoning, ringbarking or burning native vegetation.

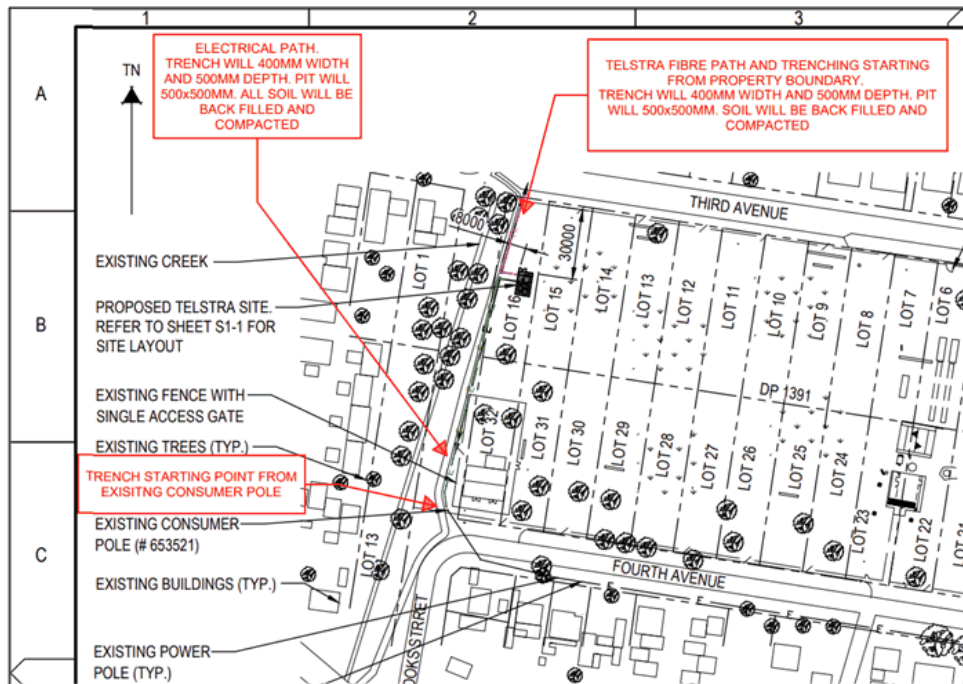


Figure 2-2 Proposed alignment of the electrical and fibre paths (from Drawing N109612 SHT No. S1)



The BV Mapped area at the subject site was formed of scattered remnant canopy trees consisting of *Eucalyptus tereticornis* and *Angophora floribunda*. The shrub stratum was absent within the subject site and dominated by weed species along Macquarie Creek. The ground cover within the subject site consisted of a maintained / mown turf consisting of kikuyu, couch and Panic Veldtgrass (*Ehrharta erecta*). Along the Macquarie Creek the ground cover was dominated by a broad range of weeds species. Only highly disturbance tolerant species were recorded amongst the weeds (*Microlaena stipoides* and *Dichondra repens* and *Persicaria hydropiper*). A full species list is provide in Attachment A.

The compound and the fibre path are not located within the BV Mapped area. The electrical path that connects the compound to the existing consumer pole to the south at Fourth Street will however traverse the BV Mapped area. Construction of these utility connections will require excavation of a trench 400mm wide and 500mm deep along the proposed alignment path.

As illustrated in Photo 1, the proposed alignment is located within the maintained / mown turf area. No trees or shrubs will require removal or lopping (including significant roots). Trenching in the turf is not considered clearing native vegetation. As such the proposal is not considered likely to significantly affect threatened species, ecological communities or their habitats based on the BV Mapped areas.



**Photo 1** Electrical path (indicated in red) within BV Mapped Area



**5. Stormwater runoff**

Indirect impacts to the BV Mapped Area associated with changes to stormwater runoff during construction and operation of the site are likely to be negligible and managed with standard environmental controls.

During construction, the requirement to prepare an Erosion and Sediment Control Plan in accordance with the *Managing Urban Stormwater, Soils and Construction Vol.1* (Landcom, 2004) is recommended. The construction footprint would be small standard erosion and sediment controls would be suitable to manage construction impacts (e.g. sediment fences downslope of the site).

During operation, the footprint would be fully stabilised with landscaping and no specific stormwater management would be required. The runoff from the site would be minor in consideration of the runoff from the Macquarie Fields Park towards the RFEF.

Additionally, the existing receiving environment (RFEF) was highly degraded with a ground and shrub layers that are dominated by weeds and low native diversity. The weed dominance and poor condition of the waterway indicated that the receiving environment is already subject to pollutants and elevated nutrient levels.

**6. Test of Significance**

The vegetation mapping is described in Section 5.2 of the Flora and Fauna Report (Lesryk Environmental, 2022). The vegetation in the subject site is predominantly cleared, however the remnant canopy trees form part of a patch of Cumberland Riverflat Forest which is a component of the BC Act listed Endangered Ecological Community (EEC), River-Flat Eucalypt Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions.

Given the proximity of the subject site adjacent to and within the mapped areas of the EEC, the following Test of Significance has been completed to assess if the proposal is likely to significantly affect the ecological communities or its habitats.

**Table 1 Test of Significance**

Criteria (BC Act Section 7(1))	Response for the proposal
(a) in the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction	Not applicable to assessment for an EEC.
(b) in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity:	



Criteria (BC Act Section 7(1))	Response for the proposal
(i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or	The proposed activity will not reduce the extent of the EEC within the subject site. Impacts within the EEC are limited to the installation of the underground electrical connection over a distance of 16 linear metres. This activity will involve excavation of a 400mm wide trench, installation of the cables and backfilling. None of the trees that form the EEC will be impacted by these works. The groundcover is not consistent with the EEC and will be reinstated to an equivalent modified turf groundcover.
(ii) is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction	The works are unlikely to modify the species composition. The trees that form the remnant of the EEC will not be removed and the ground cover consists of a maintained (exotic) turf.
(c) in relation to the habitat of a threatened species or ecological community	
(i) the extent to which habitat is likely to be removed or modified as a result of the proposed development or activity, and	The extent of the impact within the mapped area is limited to 16 linear metres. However, the development will not require the removal any habitat for the EEC. The disturbed area will not impact the EEC and will be reinstated to an equivalent maintained turf following construction.
(ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and	The activity will not fragment the existing patch of EEC.
(iii) the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species or ecological community in the locality	The area that will be disturbed for the construction of the proposal is of low importance to the survival of the EEC.
(d) whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly)	The subject site is not located within or near a declared area of outstanding biodiversity value.
(e) whether the proposed development or activity is or is part of a key threatening process or is likely to increase the impact of a key threatening process	The activity will not involve any part of a key threatening processes listed in Schedule 4 to the BC Act.

#### Test of Significance Conclusion

Based on the Test of Significance prepared to address the matters in the BC Act Section 7(1), the proposed activity is not considered likely to result in a significant impact on the River-Flat Eucalypt Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions.

## 7. Conclusion

This addendum to the Flora and Fauna Report for the proposed telecommunication facility, Fourth Avenue Macquarie Fields (Lesryk Environmental, 2022) has been prepared to address matters raised by Council in the RFI dated 29 April 2022. These matters related to the nature of the impacts within an area of the subject site on the Biodiversity Values map consisting of BC Act listed



Endangered Ecological Community (EEC) River-Flat Eucalypt Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions.

For developments under Part 4 of the EP&A Act, the Biodiversity Offset Scheme applies where a proposal is 'likely to significantly affect threatened species, ecological communities or their habitats'. Relevant to this project was if impacts in the BV Mapped area were considered 'clearing of native vegetation', or were the impacts likely to significantly affect the EEC or its habitats according to the Test of Significance.

Based on the outcomes of this assessment, the works are not considered to involve clearing of native vegetation as defined in the LLS Act, or a prescribed activity. As such the BV Map threshold is not exceeded. Further, the Test of Significance concluded the activity was not likely to result in a significant impact to the EEC. As such, the proposal is not likely to significantly affect threatened species, ecological communities or their habitats, therefore the BOS is not triggered and a BDAR is not required to be prepared for the proposal.

### **Referenced**

DPIE. (2019). Guidance for local government on applying the Biodiversity Offset Scheme threshold. Sydney

Landcom. (2004). Managing Urban Stormwater, Soils and Construction Vol.1

Lesryk Environmental. (2022). Flora and Fauna Survey and Assessment: Proposed telecommunication facility Fourth Avenue Macquarie Fields, NSW (June 2022).



## Attachment A – Flora species list from the RFEF

GF Code	Family	Species	N, E, HTW	BC Act	EPBC Act
(FG)	Convolvulaceae	<i>Dichondra repens</i>	N	0	0
(TG)	Myrtaceae	<i>Angophora floribunda</i>	N	0	0
(TG)	Myrtaceae	<i>Eucalyptus tereticornis</i>	N	0	0
(SG)	Pittosporaceae	<i>Pittosporum undulatum</i>	N	0	0
(GG)	Poaceae	<i>Cynodon dactylon</i>	N	0	0
(GG)	Poaceae	<i>Microlaena stipoides</i>	N	0	0
(FG)	Polygonaceae	<i>Persicaria hydropiper</i>	N	0	0
	<b>Weeds</b>				
<b>Weeds</b>	Alstroemeriaceae	<i>Alstroemeria pulchella</i>	E	0	0
#N/A	Apocynaceae	<i>Araujia sericifera</i>	HTW	0	0
#N/A	Asparagaceae	<i>Asparagus aethiopicus</i>	HTW	0	0
#N/A	Asparagaceae	<i>Asparagus plumosus</i>	HTW	0	0
#N/A	Asteraceae	<i>Bidens pilosa</i>	E	0	0
#N/A	Fabaceae (Caesalpinioideae)	<i>Senna pendula</i> var. <i>glabrata</i>	E	0	0
#N/A	Lauraceae	<i>Cinnamomum camphora</i>	HTW	0	0
#N/A	Malvaceae	<i>Sida rhombifolia</i>	E	0	0
#N/A	Nyctaginaceae	<i>Mirabilis jalapa</i>	E	0	0
#N/A	Oleaceae	<i>Ligustrum lucidum</i>	HTW	0	0
#N/A	Oleaceae	<i>Olea europaea</i> subsp. <i>europaea</i>	E	0	0
#N/A	Plantaginaceae	<i>Plantago lanceolata</i>	E	0	0
#N/A	Poaceae	<i>Cenchrus clandestinus</i>	E	0	0
#N/A	Poaceae	<i>Chloris gayana</i>	HTW	0	0
#N/A	Poaceae	<i>Ehrharta erecta</i>	HTW	0	0
#N/A	Poaceae	<i>Poa annua</i>	E	0	0
#N/A	Polygonaceae	<i>Acetosa sagittata</i>	HTW	0	0
#N/A	Polygonaceae	<i>Rumex obtusifolius</i>	E	0	0
#N/A	Sapindaceae	<i>Acer negundo</i>	HTW	0	0
#N/A	Solanaceae	<i>Solanum nigrum</i>	E	0	0
#N/A	Verbenaceae	<i>Verbena bonariensis</i>	E	0	0

# Environmental EME Report

<b>Location</b>	Macquarie Fields Park, Fourth Ave, MACQUARIE FIELDS NSW 2564		
<b>Date</b>	02/02/2022	<b>RFNSA No.</b>	2564006

## How does this report work?

This report provides a summary of levels of radiofrequency (RF) electromagnetic energy (EME) around the wireless base station at Macquarie Fields Park, Fourth Ave, MACQUARIE FIELDS NSW 2564. These levels have been calculated by Telstra using methodology developed by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA). A document describing how to interpret this report is available at ARPANSA’s website:

[A Guide to the Environmental Report.](#)

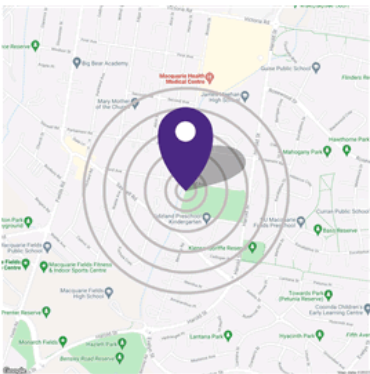
## A snapshot of calculated EME levels at this site

There are currently no existing radio systems for this site.

The maximum EME level calculated for the **proposed** changes at this site is

# 11.22%

out of 100% of the public exposure limit, 49 m from the location.



**EME levels with the proposed changes**

Distance from the site	Percentage of the public exposure limit
0-50 m	11.22%
50-100 m	9.07%
100-200 m	3.27%
200-300 m	1.00%
300-400 m	0.48%
400-500 m	0.28%

For additional information please refer to the EME ARPANSA Report annexure for this site which can be found at <http://www.rfnsa.com.au/2564006>.

## Radio systems at the site

This base station currently has equipment for transmitting the services listed under the existing configuration. The proposal would modify the base station to include all the services listed under the proposed configuration.

Carrier	Existing		Proposed	
	Systems	Configuration	Systems	Configuration
Telstra			4G, 5G	LTE700 (proposed), LTE1800 (proposed), LTE2100 (proposed), LTE2600 (proposed), NR3500 (proposed), NR850 (proposed)



## An in-depth look at calculated EME levels at this site

This table provides calculations of RF EME at different distances from the base station for emissions from existing equipment alone and for emissions from existing equipment and proposed equipment combined. All EME levels are relative to 1.5 m above ground and all distances from the site are in 360° circular bands.

Distance from the site	Existing configuration			Proposed configuration		
	Electric field (V/m)	Power density (mW/m <sup>2</sup> )	Percentage of the public exposure limit	Electric field (V/m)	Power density (mW/m <sup>2</sup> )	Percentage of the public exposure limit
0-50m				14.53	560.11	11.22%
50-100m				13.43	478.55	9.07%
100-200m				8.21	178.87	3.27%
200-300m				5.28	73.97	1.00%
300-400m				3.96	41.60	0.48%
400-500m				3.00	23.90	0.28%

## Calculated EME levels at other areas of interest

This table contains calculations of the maximum EME levels at selected areas of interest, identified through consultation requirements of the [Communications Alliance Ltd Deployment Code C564:2020](#) or other means. Calculations are performed over the indicated height range and include all existing and any proposed radio systems for this site.

### Maximum cumulative EME level for the proposed configuration

Location	Height range	Electric field (V/m)	Power density (mW/m <sup>2</sup> )	Percentage of the public exposure limit
Residence 1 North on Third Avenue	0-6 m	6.03	96.35	1.17%
Kidzland Preschool	0-3 m	5.93	93.22	1.07%
Kinder Kare Early Childhood Centre	0-3 m	4.12	44.96	0.52%
Kids Kinder Childcare Centre	0-3 m	3.65	35.40	0.41%
Macquarie Fields High School	0-3 m	1.55	6.34	0.07%
KU Macquarie Fields Preschool	0-3 m	1.83	8.89	0.10%
Curan Public School	0-3 m	1.16	3.57	0.04%

### 4.3 Development Application for 3 lot subdivision - Camden Road and Hurley Street, Campbelltown

#### Community Strategic Plan

Objective	Strategy
4 Economic Prosperity	4.2.2 Attract investment to the area

#### Delivery Program

Principal Activity
4.2.1.1 Develop a range of partnerships to strengthen opportunities for the local economy

#### Referral Criteria

The site that is the subject of this development application is owned by Campbelltown City Council. Therefore, the determining authority under Section 4.8 of the *Environmental Planning and Assessment Act, 1979* (EP&A Act) is the Campbelltown Local Planning Panel (the Panel).

#### Executive Summary

- Development application 4557/2022/DA-S has been lodged by Campbelltown City Council and proposes the subdivision of two existing allotments in Camden Road and Hurley Street, Campbelltown and re-subdivision into 2 allotments. One of the existing lots contains the HJ Daley library.
- The development application is fully compliant with the provisions of the Campbelltown Local Environmental Plan 2015 (CLEP 2015) and Campbelltown Sustainable City Development Control Plan 2015.
- The subdivision of the land may allow for the provision of a separate ground lease of the land, subject to future commercial agreements being reached and development consent being granted.
- The application is recommended for approval, subject to the attached conditions.

#### Officer's Recommendation

That development application 4557/2022/DA-S for consolidation and re-subdivision into three allotments at Lot 1002 in DP 873452, Lot 1 in DP 1003625, Camden Road and Hurley Street, Campbelltown be approved subject to the conditions of consent detailed in attachment 1 to this report.

## Purpose

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

<b>Property Description</b>	Lot 1002 in DP 873452, Lot 1 in DP 1003625 Camden Road and Hurley Street, Campbelltown
<b>Application No</b>	4557/2022/DA-S
<b>Applicant</b>	Campbelltown City Council
<b>Owner</b>	Campbelltown City Council
<b>Provisions</b>	<i>Environmental Planning and Assessment Act 1979</i> <i>Biodiversity Conservation Act 2016</i> State Environmental Planning Policy (Resilience and Hazards 2021) Campbelltown Local Environmental Plan 2015 Campbelltown (Sustainable City) Development Control Plan
<b>Date Received</b>	16 November 2022

## Report

This application proposes the subdivision of 2 existing lots to create 3 Torrens titled allotments. The subdivision of land may permit long-term leasing of the land, subject to future commercial agreements and development consents being granted.

Land adjoining the site (legally described as Lot 1 in DP 883417) is currently being developed in accordance with a separate development consent for a health services facility, issued by the Sydney Western City Planning Panel in December 2021.

The subject site is comprised of 2 Torrens titled allotments and presently contains the Council's H J Daley Library and a child care facility, as well as associated car parking. Lawns and some scattered vegetation along the former Camden Road verge and existing main southern railway corridor feature in the undeveloped southern and western portions. Remnant parts of the former Camden Road asphalt surface are also present on the land. A large water main is also located under the former Camden Road and is protected via an easement on the land. There are some significant trees on the land, mainly near the railway line.

The site's total area is approximately 25,700 m<sup>2</sup>, or just over 2.5 hectares.

The subject allotments have the following approximate areas:

- Lot 1002 in DP 873452 - 22,100 m<sup>2</sup>
- Lot 1 in DP 1003625 - 3,600 m<sup>2</sup>

The existing allotments have public road frontage to Kellicar Road, Camden Road and Hurley Street. An aerial image is provided overleaf. Lot 1 in DP 1003625 was formerly a public road. The public road was closed and the land converted to a Torrens titled lot 28 July, 1999.

The site is within the Campbelltown-Macarthur commercial district and has been identified as a site that is part of the 'culture and leisure precinct' in the Campbelltown Precinct Plan in the Department of Planning, Industry and Environment's 'Glenfield to Macarthur Urban Renewal Corridor Strategy'. More recently, Council has reaffirmed that land use preference position in its 'Reimagining Campbelltown City Centre Master Plan'.

The application proposes to subdivide the existing 2 allotments into 3 Torrens titled allotments, with the following areas:

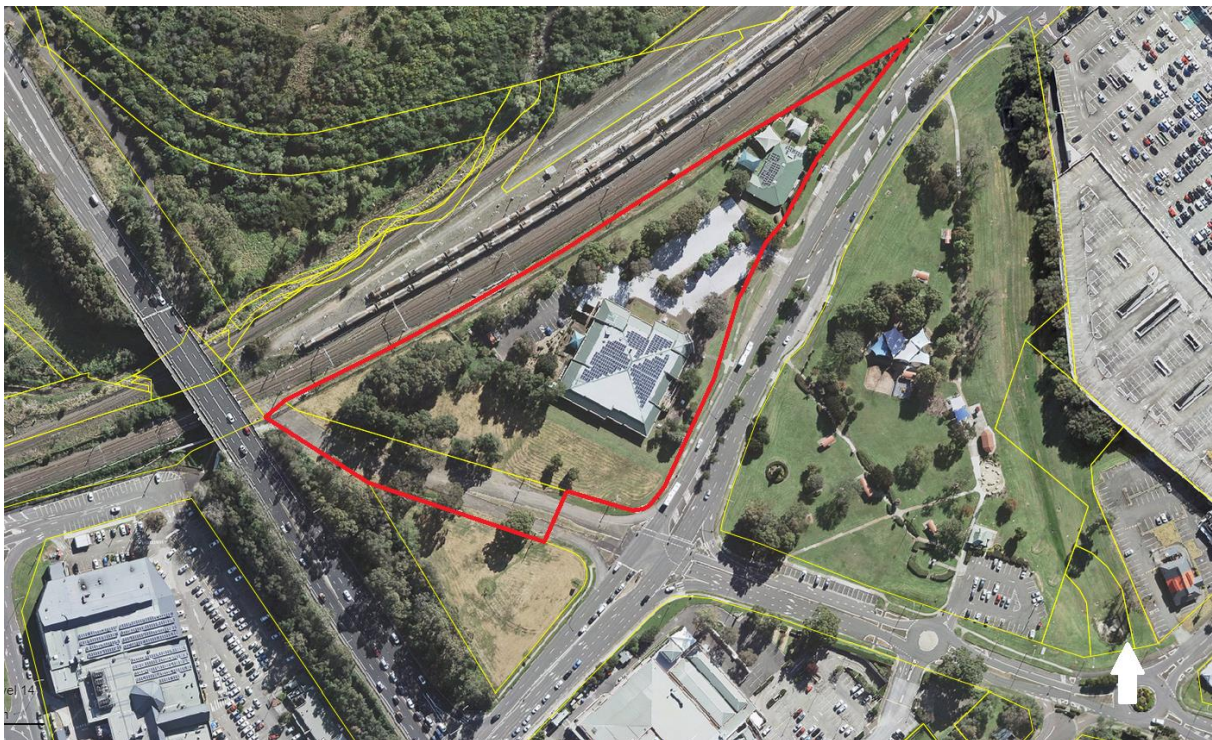
Proposed Lot 2 - 2,872 m<sup>2</sup>

Proposed Lot 3 - 7,443 m<sup>2</sup>

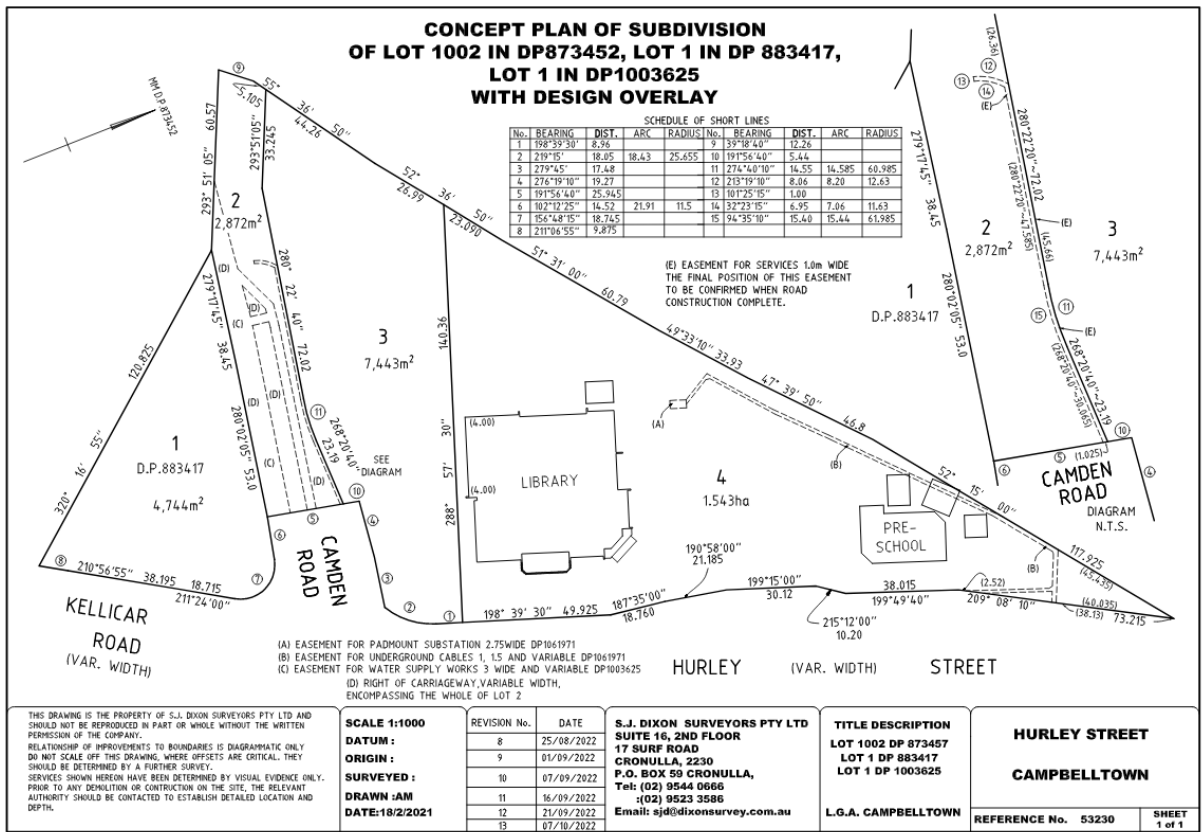
Proposed Lot 4 - 15,430 m<sup>2</sup>

Proposed Lot 4 would contain the existing library building, child care centre and car parking, while proposed Lots 2 and 3 would be vacant. Existing easements for water supply, electricity transmission and an electrical substation would be carried over to the new allotments. In addition, a right of carriageway (identified by (D) on the proposed subdivision plan) has been provided over proposed Lot 2 in order to accommodate lawful public road access to the health services facility presently under construction on the adjoining land.

In addition, the boundary between proposed Lots 3 and 4 has been set to accommodate the deemed-to-satisfy fire separation distance to the existing library building, per the National Construction Code Volume 1.



An image of the proposed subdivision is overlaid. A larger version can be found in attachment 2 of this report.



**1. Campbelltown Community Strategic Plan 2032**

This document establishes a set of strategic directions to guide decision making and development outcomes. These directions are broad in nature and form a prelude to a new statutory town plan for the City.

The Community Strategic Plan is a vision statement of broad town planning intent for the longer term future of the City of Campbelltown that contributes to the objectives of:

- Community and belonging
- Places for people
- Enriched natural environment
- Economic prosperity
- Strong leadership

The development application has been assessed with regard to the desired outcomes and objectives identified within Campbelltown 2032. It is considered that the proposed development is generally consistent with the long term vision for Campbelltown.

**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 issues have been identified for further consideration.

## 2.1 Biodiversity Conservation Act 2016

Sections 7.7 and subsequently Sections 7.2 and 7.3 of the *Biodiversity Conservation Act 2016* (BC Act) require the consent authority to consider the potential impacts of development for which consent is being sought under Part 4 of the EP&A Act in areas with biodiversity significance.

In this case, the consent authority is required to determine if the proposed development is likely to significantly affect threatened species or ecological communities or their habitats. In relation to subdivisions, an extract from a bulletin prepared by the Department of Planning, Industry and Environment in November 2019 provides:

When determining whether a proposed subdivision exceeds the biodiversity offsets scheme threshold, a subdivision development application considers the clearing of native vegetation that, in the opinion of the consent authority, is required or likely to be required for the purposes for which the land is to be subdivided.

This means that council considers the clearing of native vegetation required for the subdivision development application as well as the clearing of native vegetation required or likely to be required for the ultimate purpose of the subdivision. This includes, but is not limited to, building envelopes, bushfire asset protection zones, access roads, driveways, services, effluent disposal areas, ancillary buildings, and new boundary fence lines.

In this case, the purpose of the land's subdivision is not entirely clear, having regard to its non-descript nature, the land's zoning and the range of permissible uses therein and also the fact that no physical works are proposed.

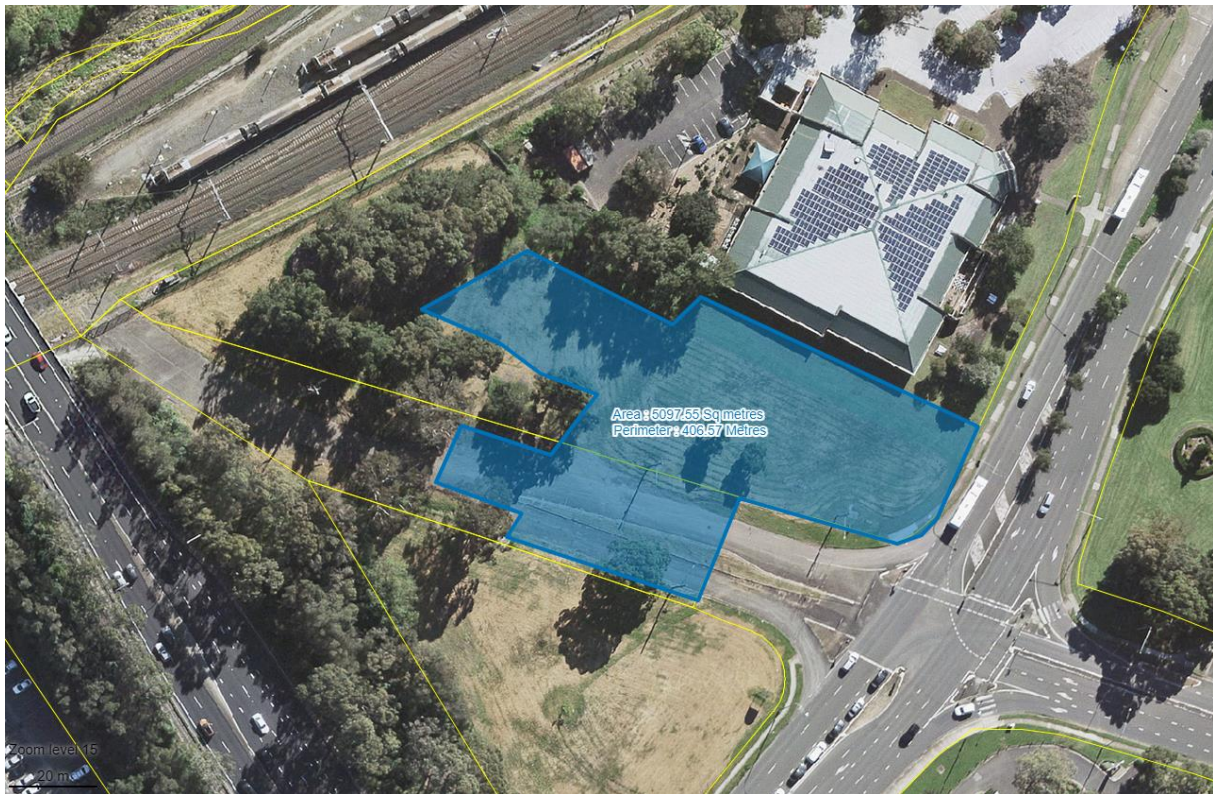
Proposed Lot 4 that contains the existing library, child care centre and car parking is not considered to have any effect on biodiversity, noting the development already existing.

Proposed Lot 3 would contain two stands of trees, which contain native vegetation but are not included as being significant on the BC Act's 'biodiversity values map'. The proposed Lot contains large areas that do not contain vegetation and would enable construction of buildings and ancillary civil works without necessarily interfering with existing trees.

The development does not require the provision of a 'Biodiversity Development Assessment Report' as it does not meet thresholds set in Sections 7.2 and 7.3 of the BC Act.

The subdivision is therefore not considered likely to significantly affect threatened species or ecological communities or their habitats.

For reference (and not subject to or intended to be part of any determination), a building envelope showing protection of almost all vegetation on the site has been prepared. The envelope overlay shows that there is over 5,000 square metres of space available for development without significant disruption of connected trees. A larger resolution copy is available in attachment 3.



Future development application(s) at the site would be required to consider the impact on the vegetation as part of that assessment. Accordingly, and upon consideration of the subject application's nil work and demonstration of potential building envelope, the application is not considered to be inconsistent with the requirements and intent of the BC Act as it relates to subdivisions.

## 2.2 State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Resilience and Hazards) 2021 (the Hazards SEPP) applies to the land. The SEPP includes the controls formerly contained in SEPP No. 55, which relates to the remediation of land. The Hazards SEPP requires the consent authority to consider whether the land is contaminated as part of its assessment of an application to carry any development.

In this case:

- Council's records do not detail that the land is contaminated or previously contained development that is potentially contaminating
- The application does not propose physical work
- Future development of the land will require further consent, at which time depending on the scope of works, appropriate investigation and response can be incorporated into a consent that provides for physical works on the land

Accordingly, the Resilience and Hazards SEPP and its relevant requirements are satisfied.

## **2.3 Campbelltown Local Environmental Plan 2015**

### **Subdivision**

Clause 2.6 of the CLEP 2015 provides that the subject land may be subdivided, but only with development consent. Development consent for subdivision is sought under this application and therefore the application satisfies the provisions of this clause.

### **Zone objectives**

Clause 2.3 of the CLEP 2015 provides that the consent authority must have regard to the zone objectives in determining a development application. The entire site is zoned B4 Mixed Use under the provisions of CLEP 2015. The objectives of the B4 zone are as follows:

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To encourage the timely renewal and revitalisation of centres that are undergoing growth or change.
- To create vibrant, active and safe communities and economically sustainable employment centres.
- To provide a focal point for commercial investment, employment opportunities and centre-based living.
- To encourage the development of mixed-use buildings that accommodate a range of uses, including residential uses, and that have high residential amenity and active street frontages.
- To facilitate diverse and vibrant centres and neighbourhoods.
- To achieve an accessible, attractive and safe public domain.

The proposed development is consistent with these objectives. The lot sizes and shapes are suitable to facilitate future development that accords with the objectives.

### **Minimum lot size**

Clause 4.1 of the CLEP 2015 requires that allotments created by a new subdivision are greater than the minimum area specified in the accompanying 'Lot Size Map'. In this case, there is no minimum area specified on the map for the subject land, therefore the application satisfies Clause 4.1.

### **Development on land intended to be acquired**

Clause 5.1A of the CLEP 2015 applies to the development site. Pursuant to the Clause and its accompanying map, portions of the site are nominated as Zone B4, "Classified Road". The acquisition area includes part of the former Camden Road, now closed as a public road and the land that returns around the corner of Camden Road and Hurley Street. Under Clause 5.1 of the CLEP 2015, the acquisition authority is Transport for NSW (TfNSW).

Having regard to Clause 5.1A and its accompanying table, the development is permissible on the land. For further context, Council and TfNSW are in the early stages of negotiations regarding the usefulness (or otherwise) of the subject acquisition areas with a view to remove it from the



acquisition map. Notwithstanding, the subject proposal does not unreasonably interfere with the intent of the acquisition areas, nor is it considered likely to make acquisition more difficult in the future should it be required.

### **Essential services**

In accordance with clause 7.10 of the CLEP 2015, development consent must not be granted 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

The site has adequate road and vehicular access as well as adequate stormwater drainage. Utility services are already provided to the library and child care centre. In terms of the availability of utilities as required by this clause, a recommended condition of consent requires the applicant to demonstrate that utilities are available to the proposed allotments prior to the issue of a subdivision certificate.

## **2.4 Campbelltown (Sustainable City) Development Control Plan 2015**

### **Part 2 - Requirements Applying to All Types of Development**

The general provisions of Part 2 of the Plan apply to all types of development. Compliance with the provisions of Part 2 of the Plan that it states relate to Torrens title subdivision is discussed as follows:

**Site analysis** – this is a subdivision of land without works. There will be no change to the site should consent be granted.

**Views and vistas**– this is a subdivision of land without works. There will be no change to views and vistas should consent be granted.

**Landscaping** – this is a subdivision of land without works. There will be no change to the existing landscaping should consent be granted.

**Stormwater Management** - Both of the proposed allotments are able to drain their stormwater independently, and therefore no easements for stormwater drainage are required or proposed.

## **3. Public Participation**

The application was not required to be publicly notified under Council's Community Participation Plan.

**Conclusion**

Having regard to the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*, the application is considered to be generally consistent with the relevant planning legislation. The proposed subdivision is considered to be appropriate having regard to the land's zoning, the allotment sizes and the nil impact on the built and natural environment that would result from its consent. The subdivision would provide for an improved size and layout of allotments to facilitate future development.

There are suitable cleared areas of the site where a future development can be undertaken without the need for clearing.

Accordingly, development consent is recommended to be granted, subject to the conditions in attachment 1.

**Attachments**

- 4.3.1 Recommended Conditions of Consent (contained within this report)
- 4.3.2 Plan of Proposed Subdivision (contained within this report)
- 4.3.3 Indicative Possible Building Envelope Plan (contained within this report)

**Reporting Officer**

Executive Manager Urban Centres

## **Attachment 1**

### **4557/2022/DA-S**

#### **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 plan, except as modified by any conditions within.

Approved plan: Plan of subdivision of Lot 1002 in DP 873457 and Lot 1 in DP 1003625, prepared by S J Dixon, Ref. 53230, Revision 13, dated 7 October 2022.

##### **PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE**

The following conditions of consent must be complied with prior to the issue of a subdivision 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 a subdivision certificate.

#### **2. Section 73 Certificate – Subdivision Only**

Prior to the principal certifying authority issuing a subdivision 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](http://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 Council prior to the release of the subdivision certificate.

#### **3. Public Utilities**

Prior to the issue of a subdivision certificate, the applicant shall provide written evidence that access to electricity and telecommunications services will be available at the site.

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.

**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. Subdivision Certificate Application and Plan Copies**

As part of a subdivision certificate application, the following documents shall be submitted electronically for Council's assessment:

- A cover letter that details how each condition relevant to issue of a subdivision certificate has been addressed,
- A copy of each required service authority certificate,
- A draft plan administration sheet (including subdivision certificate),
- A draft deposited plan drawing, and
- A Section 88B instrument (where required).

Upon Council's direction, the applicant must supply seven final hard copy documents for affixing of signatures and stamps.

Note: the administration sheet is required to include a schedule of lots and addresses in accordance with Section 60(c) of the SSI Regulation 2012.

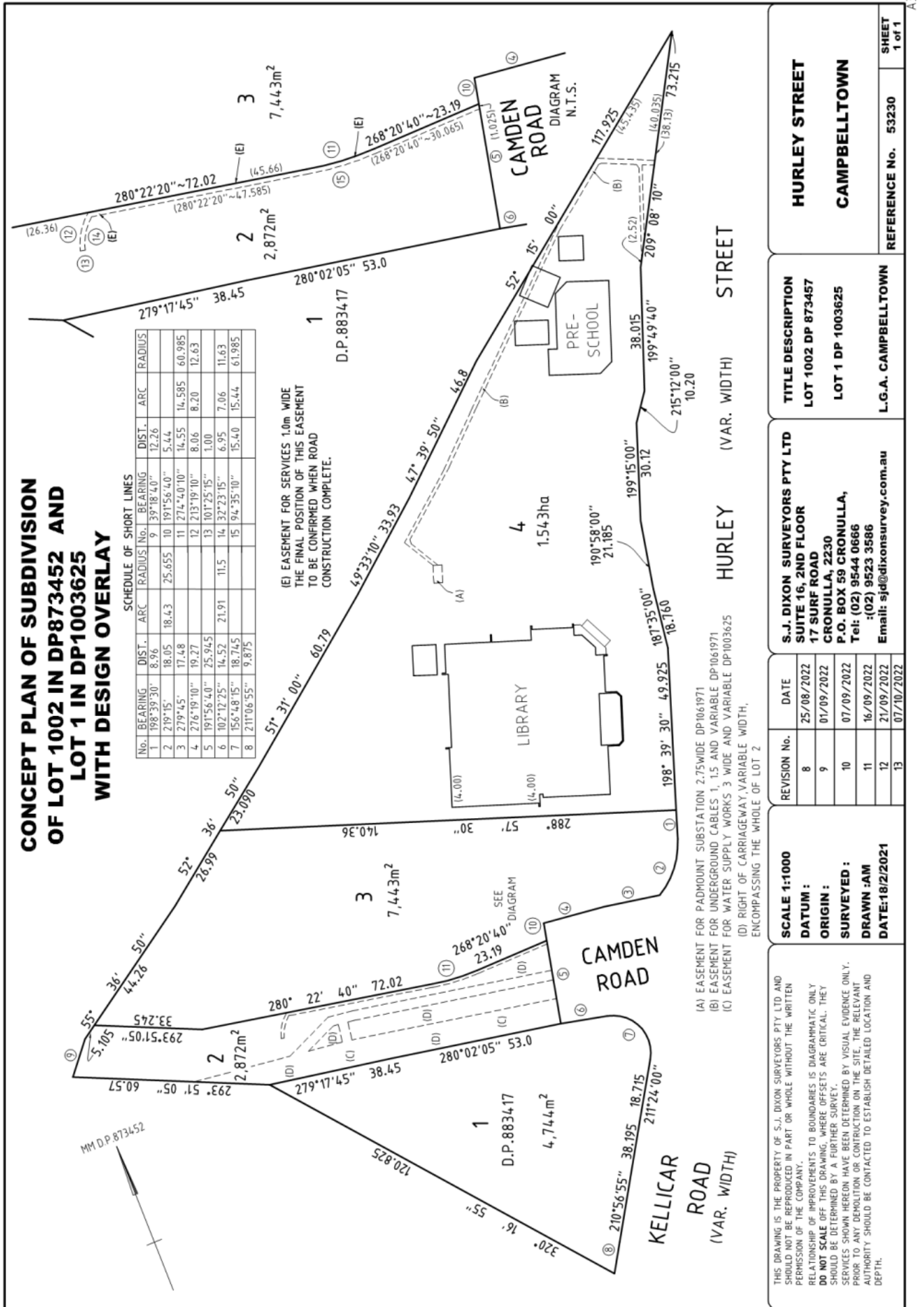
**Advice 2. Linen Plan Checking Fee**

A linen plan checking fee is payable on submission of the original plan of subdivision to Council. The exact amount will be calculated at the rate applicable at the time of release of the linen plans for each lot of the subdivision.

**Advice 3. Dial Before You Dig**

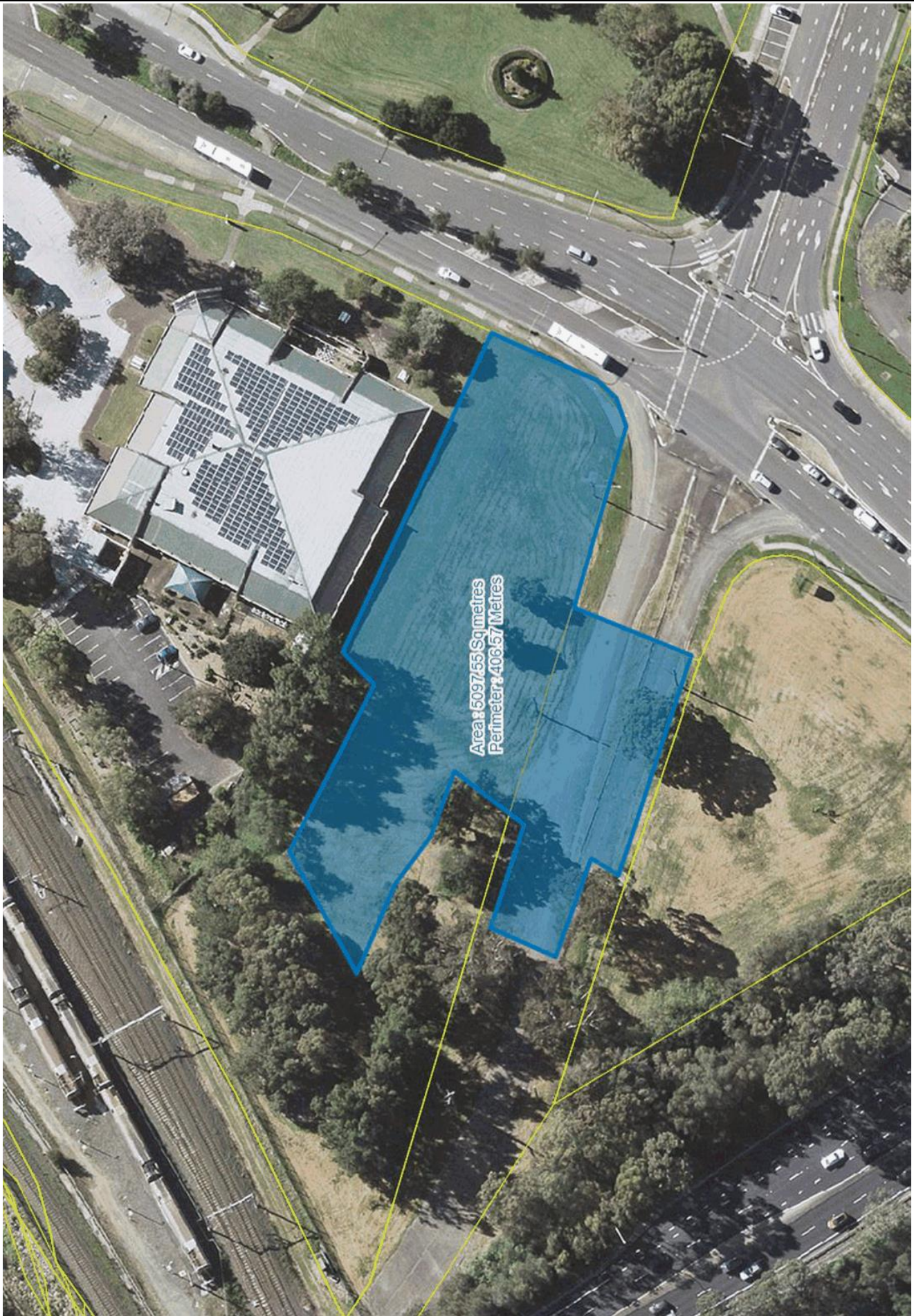
Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures.

**END OF CONDITIONS**



<b>SCALE 1:1000</b>	<b>REVISION No.</b>	<b>DATE</b>	<b>TITLE DESCRIPTION</b>
<b>DATUM :</b>	8	25/08/2022	LOT 1002 DP 873457
<b>ORIGIN :</b>	9	01/09/2022	LOT 1 DP 1003625
<b>SURVEYED :</b>	10	07/09/2022	L.G.A. CAMPBELLTOWN
<b>DRAWN :AM</b>	11	16/09/2022	
<b>DATE:18/12/2021</b>	12	21/09/2022	
	13	07/10/2022	

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