

# LOCAL PLANING PANEL

27 JULY 2022

### **MEETING NOTICE**

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

The meeting of the Campbelltown City Council Local Planning Panel will be held via Microsoft Teams on **Wednesday**, **27 July 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

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4.1	Development Application for alterations and additions to dwelling for use as a 72-place centre-based child care facility - 66 Kittyhawk Crescent, Raby	5
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4.3	Development Application for bulk earthworks, retaining walls, drainage works and vehicular entry and exit points - 68 Blaxland Road, Campbelltown	299

### **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 alterations and additions to dwelling for use as a 72-place centre-based child care facility - 66 Kittyhawk Crescent, Raby

### Community Strategic Plan

Objective	Strategy
4 Outcome Four: A Successful City	4.3 - Responsibly manage growth and development, with respect for the environment, heritage and character of our city

### **Referral Criteria**

The original notification of this development application resulted in 24 unique submissions and a petition with 69 signatures therefore the development application is of a kind that meets the criteria for contentious development detailed in the Minister for Planning and Public Space's section 9.1 direction issued 30 June 2020 and must be reported to the Campbelltown Local Planning Panel (the Panel) for determination.

### **Executive Summary**

- This development application proposes alterations and additions to an existing dwelling for use as a 72-place centre based child care facility at 66 Kittyhawk Crescent, Raby.
- The subject site is zoned C4 Environmental Living under the provisions of the Campbelltown Local Environmental Plan 2015 (CLEP 2015) and the proposed centre-based child care facility is permitted with consent in the zone.
- In accordance with Council's Community Participation Plan, the development application was originally notified to adjoining owners from 20 October to 10 November 2020. A total of 24 unique submissions were received and a petition with 69 signatures.
- When further information was received on the 9 June 2021 and 16 June 2021, the application was renotified to adjoining owners from 2 August 2021 to 23 August 2021. A total of 13 submissions were received.
- The main concerns raised in submissions relate to noise impacts, vehicular safety accessing the site, unacceptable traffic generation and the development not being consistent with the character of the streetscape.
- Council's engineers have considered the safety of vehicle movements to and from the site and advised that sufficient sight distance is provided. The safety and adequacy of internal vehicle and pedestrian movements is also considered satisfactory as well as the traffic generated from the proposed development on the local traffic network.
- It is considered that the building form, scale and setbacks are compatible with the existing streetscape setting.

• Clause 4.6(2) of State Environmental Planning Policy (Resilience and Hazards) 2021 is satisfied subject to a recommended condition of consent for either a site audit statement or a certificate from a certified occupational hygienist to be issued demonstrating by way of a clearance certificate that all works involving the demolition of asbestos containing materials and/or lead paint have been completed and that all hazardous wastes generated and any existing lead paint have been satisfactorily disposed of prior to the release of the occupation certificate.

### Officer's Recommendation

That development application 3259/2020/DA-C for alterations and additions to an existing dwelling for use as a 72 place centre based child care facility at 66 Kittyhawk Crescent, Raby, be approved subject to the recommended conditions of consent in attachment 1.

### **Purpose**

To assist the Panel in its determination of the subject application in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

**Property Description** Lot 8 DP 259220 66 Kittyhawk Crescent, Raby

**Application No** 3259/2020/DA-C

**Applicant** Design Link Australia

**Owner** Mrs Madelene Seghabi and Mr Said Seghabi

**Provisions** State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Biodiversity and Conversation)

2021

State Environmental Planning Policy (Educational Establishments

and Child Care Facilities)

Education and Care Services National Regulations

Campbelltown Local Environmental Plan 2015

Campbelltown (Sustainable City) Development Control Plan 2015

**Date Received** 6 October 2020

### **Application History**

The application was lodged on 6 October 2020.

In accordance with Council's Community Participation Plan, the development application was originally notified to adjoining owners and all property owners with land within 100m of the site from 20 October to 10 November 2020.

A request for additional information was initially sent to the applicant on 19 April 2021 for clarification on a range of matters including provision of a waste management plan, provision of

a BCA report, provision of an evacuation plan, rainwater tank details, retaining wall details, general plan amendments including shadow diagrams and finished levels, clarification regarding boundary fencing details, clarification regarding acoustic barrier location and materials, arboriculture matters, outdoor play schedule matters, revised survey plan, stormwater details, internal delivery vehicle matters and associated swept paths, traffic plan amendments, side setback non-compliance matters, provision of a streetscape elevation plan.

In response, the applicant provided revised information on 9 June 2021 and 16 June 2021. The application was renotified to adjoining owners and all property owners with land within 100m of the site from 2 August 2021 to 23 August 2021. A total of 13 submissions were received. The following plan amendments formed part of the revised information:

- Relocation of 0-2 years outdoor play area from the front of the site to the rear;
- Reduced north eastern side setback for proposed activity room for ages 3-5 years;
- Changes to indoor and outdoor dedicated play area locations;
- Internal changes to cot room location;
- Changes to the location of the waste storage area and external store room;
- Inclusion of a loading zone in the parking area;
- Alterations to car parking; and
- Landscaping amendments.

A subsequent request for additional information was sent to the applicant on 19 October 2021 for clarification on matters relating to a streetscape elevation plan, swept paths issues in relation to encroachments within pedestrian areas, stormwater issues, waste management concerns, tree protection measures to be provided, inconsistency of the plans with the noise impact assessment report, cut and fill details required, and general plan amendments.

In response, the applicant provided revised information on 11 November 2021.

A further request for additional information letter was sent to the applicant on 14 March 2022 for clarification regarding driveway gradients and swept paths, finished floor levels, waste servicing arrangements, acoustic matters regarding whether the centre complies with the required criteria for the indoor play areas, outdoor play areas and sleeping areas, and details for the acoustic report to account for delivery vehicles accessing the designated internal, clarification regarding operational matters and plan amendments regarding natural outdoor play areas and cut and fill information.

In response, the applicant provided revised information on 28 April 2022.

### The Site and Surrounding Locality

The site, legally known as Lot 8 DP 259220, is a regular shaped allotment with a total area of 4051 m<sup>2</sup>. The site shares a south western property boundary with 64 Kittyhawk Crescent of 84.67 m, a north eastern property boundary with 14 Hurricane Drive of 88.48 m, a north western property boundary with 16 Hurricane Drive of 44.5 m and a 59.86 m frontage to Kittyhawk Crescent.

The site currently contains a single storey dwelling and is directly accessed via a single driveway from Kittyhawk Crescent. The site slopes from the rear property boundary to the front boundary by approximately 5 m.

Kittyhawk Crescent is a continuous through road, accessed from both Hurricane Drive and Spitfire Drive. Kittyhawk Crescent has a 50 km/h speed limit.

The development site is one of 16 allotments that are zoned C4 Environmental Living. The C4 Environmental Living zone is bound by Kittyhawk Crescent to the south east, Raby Road to the west, Mirage Avenue and Hurricane Drive to the north and north east and residential properties accessed from Curtiss Place to the north west.

In the broader context, the site is approximately 1.5 km from Eschol Park Public School and 2km from Robert Townson Public School. The site is also approximately 2 km from Eschol Park Sports Complex and 1.9 km from Raby Sports Complex. The subject site is also in close proximity to Raby Shopping Centre, located approximately 350 m from the site and 1.5km from Eagle Vale Marketplace.

The nearest bus stop (Stop ID: 2566188) is located 96 m from the site and is located on Hurricane Drive, opposite Kittyhawk Crescent. The site is located 450 m from a bus stop on Spitfire Drive (Stop ID: 2566168).

### **Proposal**

The development application proposes alterations and additions to an existing single storey dwelling, including an extension to the rear, for use as a 72 place child care facility with associated car parking, tree removal, acoustic fencing and landscaping works.

The following age and number of children are proposed:

Ages	No. of Children	
0-2	8(2 staff)	
2-3	34(7 staff)	
3-5	30(3)	
Total	72 children (12 staff required)	

The centre is single storey and includes the following internal areas:

- Entry foyer
- Office area with storage
- Staff room
- Laundry
- Kitchen
- Accessible bathroom
- Cot room
- Bottle prep area
- Nappy change area/children's bathroom facilities

- Storage rooms
- Indoor play area used exclusively for children aged 0-2 years
- Indoor play area used exclusively for 2-3 years
- Indoor play area used exclusively for 3-5 years

External works include the following:

### **Outdoor play areas**

- Outdoor area used exclusively for 0-2 years (8 children)
- Outdoor play area used exclusively for 2-5 years (64 children)
- Covered outdoor play area accessed from play area for 2-3 years and 3-5 years
- External storage area accessed through the outdoor play area for 2-5 years

### Car parking area

- 7 visitor car parking spaces (including 2 accessible car parking spaces)
- 12 staff car parking spaces (including one accessible car parking space)
- A turning bay is provided within both the visitor and staff car parking areas to facilitate forward in/forward out vehicle movements
- Waste area accessible from car parking area
- Pedestrian access ramp from Kittyhawk Crescent to the car parking area

### **Acoustic barriers**

- 1.8 m vertical acoustic barrier along the north western and south western perimeter of the outdoor play area.
- 2.4 m vertical acoustic barrier along the north eastern perimeter of the outdoor play area.

### **Boundary fencing**

• A 1.8 m high boundary fencing is proposed along a portion of the south western property adjoining the boundary. No changes to the existing fencing are proposed along the north eastern property boundary.

### **Operating Hours**

- Monday to Friday: 7 am to 6 pm
- Saturday and Sunday: Closed

### Staff

• 12 staff are proposed to operate the centre for compliant children/staff supervision ratios in accordance with the National Regulations. An additional staff member is also proposed for an in-house chef.

### Access

- Vehicular access is proposed via a 7 m wide combined ingress/egress from Kittyhawk Crescent.
- Pedestrian access to the facility is proposed via a ramp and footpath adjacent to the north eastern property boundary.

### **Landscaping Works and Tree Removal**

- 6 trees and 5 shrubs are proposed to be removed.
- Significant landscaping works are proposed within the front and side setbacks.

### Signage

Signage does not form part of the proposal.

### Report

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.

### 1. Vision

### Campbelltown 2027 Community Strategic Plan

Campbelltown 2027 is the Community Strategic Plan for the city of Campbelltown. The Strategic Plan addresses 4 key strategic outcomes that Council and other stakeholders will work to achieve over the next 10 years:

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

The proposal would provide employment and contribute towards providing community services within the suburb of Raby which is consistent with Strategy 3.1 of Outcome 3 and this outcome requires Council to support the resilience, growth and diversity of the local economy.

As such, it is considered that the proposal is consistent with the long term vision for the Campbelltown and Macarthur Region having regard to the proposed use, and the ability to support the local economy within the City of Campbelltown.

### 2. Planning Provisions

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

State Environmental Planning Policy (Resilience and Hazards) 2021 (SEPP Hazards) requires the consent authority to consider whether the subject land of any development application is contaminated. Clause 4.6(2) of the SEPP Hazards specifies that the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned, carried out in accordance with the contaminated land planning guidelines, for an application that would involve a change of use on any of the land specified in subclause (4) which includes childcare facilities.

The application proposes a change of use from a dwelling house to a centre based childcare facility. Accordingly, a Phase 1 Preliminary Site Investigation (PSI) report was provided prepared by ADE Consulting Group, dated 9 September 2020 (attachment 15).

Council's Senior Environmental Officer reviewed the PSI and advised that the following condition is recommended in order to satisfy clause 4.6(2) of SEPP Hazards:

- Prior to the issue of any occupation certificate under this consent, the appointed Principal Certifier (and Council if Council is not the appointed Principal Certifier) shall be provided with a clearance certificate for the land demonstrating that all works involving the demolition of asbestos containing materials and/or lead paint have been completed and that all hazardous wastes generated and any existing lead paint have been satisfactorily disposed of. The clearance certificate shall be either:
  - a) A certificate from a Certified Occupational Hygienist (accredited by the Australian Institute of Occupational Hygienists); or
  - b) A site audit statement issued under the Contaminated Land Management Act 1997.

Clause 4.6(2) of SEPP Hazards is satisfied by the inclusion of the above recommended condition of consent.

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

The development site is located within the Georges River Catchment, therefore the provisions of Chapter 11 of State Environmental Planning Policy (Biodiversity and Conservation) 2021 (SEPP Biodiversity) apply to the subject application.

### Clause 11.4 Aims and Objectives

The general aims and objectives of this policy are:

- (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 Chapter 11 and is considered satisfactory.

The proposal is also not anticipated to impact any of the general principles and specific planning principles in clauses 11.6 and 11.7 of the policy. Accordingly, the proposed development is unlikely to result in any impact to adjacent or downstream local government areas, or impact the Georges River, and is therefore considered acceptable.

# 2.3 State Environmental Planning Policy (Educational Establishments and Child Care Facilities)

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) (SEPP Child Care) applies to all development applications for child care facilities and educational establishments in NSW, lodged prior to the commencement of State Environmental Planning Policy (Transport and Infrastructure) 2021. SEPP Child Care seeks to facilitate the effective delivery of child care facilities throughout NSW through simplifying standards and improving regulatory certainty which in turn ensures consistency.

# Clause 22 Centre-based child care facility—concurrence of Regulatory Authority required for certain development

Clause 22(1) of SEPP Child Care requires concurrence from the Regulatory Authority if the proposed development does not comply with the unencumbered indoor and outdoor unencumbered space requires of the Education and Care Services National Regulations.

The proposed development complies with regulation 107 or regulation 108 as provided in the below table:

Clause 22(1)	Assessment Response	
(a) the floor area of the building or place does not comply with regulation 107 (indoor unencumbered space requirements) of the Education and Care Services National Regulations, or	Regulation 107 requires that a proposed development includes at least 3.25 m <sup>2</sup> of unencumbered indoor space for each child.	
del vices ivational regulations, of	0-2 years 8 children proposed. 8 x 3.25 m <sup>2</sup> = 26 m <sup>2</sup> required. 26.6m2 provided.	

2-3 years 34 children proposed.  $34 \times 3.25 \text{ m}^2 = 110.5 \text{ m}^2 \text{ required}$ 115 m<sup>2</sup> provided. 3-5 years 30 children proposed.  $30 \times 3.25 \text{ m}^2 = 97.5 \text{ m}^2 \text{ required}.$ 98.5 m<sup>2</sup> provided. Satisfactory Regulation 108 requires that a proposed (b) the outdoor space requirements for the building development includes at least 7.0 m<sup>2</sup> of or place do not comply with regulation 108 (outdoor unencumbered space requirements) of those unencumbered outdoor space for each child. Regulations. 0-2 years: 8 children proposed  $8 \times 7 \text{ m}^2 = 56 \text{ m}^2 \text{ required}$ 56.8m2 proposed. 2-5 years: 64 children proposed  $64 \times 7 = 448 \text{ m}^2 \text{ required}$ Two areas are proposed which are separated by access stairs and a retaining wall. The area directly accessible from the internal play areas is undercover and measures approximately 35 m<sup>2</sup>. The outdoor play area which is not undercover measures approximately 428 m<sup>2</sup>. Total unencumbered outdoor play area is 463 m<sup>2</sup>.

Accordingly, concurrence from the Regulatory Authority is not required prior to determination of the development application.

# Clause 23 Centre-based child care facility - matters for consideration by consent authorities

Clause 23 of SEPP Child Care provides that prior to determining a development application for the purpose of a centre-based child care facility, the consent authority must take into consideration any applicable provisions of the Child Care Planning Guideline, in relation to the proposed development.

The Child Care Planning Guideline (the Guideline), prepared by the NSW Planning and Environment Department in August 2017, establishes the assessment framework to deliver consistent planning outcomes and design quality for centre-based child care facilities in NSW.

An assessment against the Guideline is provided in attachment 2.

### Clause 25 Centre-based child care facility - non-discretionary development standards

Clause 25 of SEPP Child Care identifies development standards for particular matters relating to a centre-based child care facility that, if complied with, prevent the consent authority from requiring more onerous standards for those matters. An assessment of the identified development standards is provided below:

Requirement	Proposed	Assessment Comment		
(a) location				
the development may be located at any distance from an existing or proposed early education and care facility,	Existing facilities are located in the surrounding locality. Pebbles Early Learning Centre is located at Raby Shopping Centre approximately 500 m from the development site.	Noted.		
(b) indoor or outdoor space				
(i) for development to which regulation 107 (indoor unencumbered space requirements) or 108 (outdoor unencumbered space requirements) of the Education and Care Services National Regulations applies—the unencumbered area of indoor space and the unencumbered area of outdoor space for the development complies with the requirements of those regulations	Compliance achieved. See clause 22 above for assessment.	Satisfactory		
(c) site area and site dimensions				
the development may be located on a site of any size and have any length of street frontage or any allotment depth,	The site area complies with this requirement. Further, there is no minimum site requirement in CLEP 2015 for a centre-based child care facility on land zoned C4.	Satisfactory		
(d) colour of building materials or shade structures				
-the development may be of any colour or colour scheme unless it is a State or local heritage item or in a heritage conservation area.	The development proposes a suitable colour scheme. The site does not contain a heritage item and is not located within a heritage conservation area.	Noted		

### Clause 26 Centre-based child care facility-development control plans

Clause 26 of Part 3 of SEPP Child Care provides that where a development control plan (DCP) contains provisions for centre based child care centres and specifies requirements, standards or controls in relation to any of the matters listed in within this clause then the DCP does not apply in respect of those standards. The matters listed in the clause are:

- a) Operational or management plans or arrangements (including hours of operation)
- b) Demonstrated need or demand for child care services
- c) Proximity of the facility to other early education and care facilities
- d) Any matter relating to development for the purpose of a centre based child care facility contained in
  - I. The design principles set out in Part 2 of the Child Care Guideline, or
  - II. The matters for consideration set out in Part 3 or the regulatory requirements set out in Part 4 of that Guideline (other than those concerning building heights, side and rear setbacks or car parking rates)

Clause 26 of part 3 of SEPP Child Care is noted and has been considered throughout this report.

### 2.4 Education and Care Services National Regulations (National Regulation)

The physical environment of a child care facility must be safe, suitable and provide a rich and diverse range of experiences that promote children's learning and development. This fundamentally underpins the National Regulations covering education and care services, which need to be met before a child care facility can be given service approval to operate. Part 4.6 of the National Regulations describes the specific regulations which apply to the design of centre based child care centres. An assessment is provided in attachment 3. Compliance is achieved with all relevant provisions.

### 2.5 Campbelltown Local Environmental Plan 2015

The subject site is zoned C4 Environmental Living under the provisions of CLEP 2015. The proposed Centre-based child care facilities is permitted with consent in the C4 Environmental Living zone.

Centre-based child care facilities means:

- (a) a building or place used for the education and care of children that provides any one or more of the following:
  - (i) long day care,
  - (ii) occasional child care,
  - (iii) out-of-school-hours care (including vacation care),
  - (iv) preschool care, or

(b) an approved family day care venue (within the meaning of the Children (Education and Care Services) National Law (NSW)),

**Note**. An approved family day care venue is a place, other than a residence, where an approved family day care service (within the meaning of the Children (Education and Care Services) National Law(NSW)) is provided.

but does not include:

- (c) a building or place used for home-based child care or school-based child care, or
- (d) an office of a family day care service (within the meanings of the Children (Education and Care Services) National Law (NSW)), or
- (e) a babysitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or
- (f) a child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium) to care for children while the children's parents are using the facility, or
- (g) a service that is concerned primarily with providing lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or providing private tutoring, or
- (h) a child-minding service that is provided by or in a health services facility, but only if the service is established, registered or licensed as part of the institution operating in the facility

The proposed development is consistent with the above definition.

### **C4 Environmental Living**

Claus 2.3 of CLEP 2015 requires the consent authority to have regard for the objective of the zone in determining a development application. The objectives of the C4 Environmental Living zone are:

- To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.
- To ensure that residential development does not have an adverse effect on those values.
- To conserve the rural and bushland character of land that forms the scenic eastern edge of Campbelltown's urban area.
- To protect and enhance areas of scenic value and the visual amenity of prominent ridgelines.
- To maintain significant stands of native vegetation and wildlife and riparian corridors.
- To ensure the preservation and maintenance of environmentally significant and environmentally sensitive land.

The proposal does not conflict with any of the above objectives. The following matters are noted:

- The development site is not located within the scenic eastern edge of Campbelltown.
- The site also does not contain significant stands of native vegetation or wildlife or riparian corridors.
- The single storey development does not disrupt prominent ridgelines.
- The land is not mapped as being environmentally sensitive land.

### Clause 2.7 Demolition requires consent

Clause 2.7 provides that demolition of a building or work may be carried out only with development consent. Consent is sought for demolition works as part of the development application. A demolition plan is provided as part of the architectural plans. Conditions of consent have been recommended for demolition works to be carried out in accordance with the relevant standards.

### Clause 4.3 Height of Buildings

Clause 4.3 requires that the height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map. The maximum building height that is identified on the subject land is 9 m. The proposed development has maximum height of 4.6 m which is the height of the existing dwelling house. The height of the proposed extension is 3.6 m, measured from the existing ground level. The proposed development satisfies clause 4.3 of CLEP 2015.

### Clause 7.5 Preservation of the natural environment

Clause 7.5 applies to land in the E4 (C4) Environmental Living zone. In accordance with clause 7.5(3), development consent must not be granted to the removal of soil or bush rock from any land to which this clause applies. It is noted that subclause (3) does not prevent the relocation of soil or bush rock within the same site.

A condition of development consent has been recommended for all clean soil and bushrock to be retained on site and used as part of the proposed landscaping works. All other excess material is to be removed from site.

### Clause 7.10 Essential Services

Clause 7.10(a) states that development consent must not be granted to development unless the consent authority is satisfied that any of the services, listed in the table below, that are essential for the development are available or that adequate arrangements have been made to make them available when required:

Clause 7.10`	Assessment Response
(a) the supply of water	The application was referred to Sydney Water for comment.
	A response was received from Sydney Water on 24 February 2021 which provided the following:

via a 150 mm DICL water main on Kittyhawk Crescent.  - Amplifications, adjustments and extensions may be required.  Satisfactory - recommended condition of development consent for a Section 73 Certificate.  (b) the supply of electricity  The application was referred to Endeavour Energy for comment.  No objection to the development application was raised subject to recommendations that have been incorporated into the recommended conditions of consent.  (c) the disposal and management of sewage  The application was referred to Sydney Water for comment.  A response was received from Sydney Water on 24 February 2021 which provided the following:  - Wastewater servicing should be available via a 150 mm VC water main within the property boundary.  - Amplifications, adjustments and extensions may be required.  - This advise is not formal approval of the servicing requirements. Detailed requirements, including any potential extensions or amplifications, will be provided once the development is referred to Sydney Water for a Section 73 application.  Satisfactory - recommended condition of development consent for a Section 73 Certificate.  (d) stormwater drainage or on-site conservation  Satisfactory - subject to the inclusion of a recommended condition of development consent for a Section 73 Certificate.  Suitable road and vehicular access to the site is provided by Council's engineers.  (e) suitable road and vehicular access to the site is provided as assessed by Council's engineers.		T
(b) the supply of electricity  The application was referred to Endeavour Energy for comment.  No objection to the development application was raised subject to recommendations that have been incorporated into the recommended conditions of consent.  (c) the disposal and management of sewage  The application was referred to Sydney Water for comment.  A response was received from Sydney Water on 24 February 2021 which provided the following:  - Wastewater servicing should be available via a 150 mm VC water main within the property boundary.  - Amplifications, adjustments and extensions may be required.  - This advise is not formal approval of the servicing requirements. Detailed requirements, including any potential extensions or amplifications, will be provided once the development is referred to Sydney Water for a Section 73 application.  Satisfactory - recommended condition of development consent for a Section 73 Certificate.  (d) stormwater drainage or on-site conservation  Satisfactory - subject to the inclusion of a recommended condition of development consent provided by Council's engineers.  (e) suitable road and vehicular access  Suitable road and vehicular access to the site is provided as assessed by Council's engineers.  Satisfactory - subject to the inclusion of a recommended condition of development consent.		- Amplifications, adjustments and extensions may be required.  Satisfactory – recommended condition of
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(e) suitable road and vehicular access  Suitable road and vehicular access to the site is provided as assessed by Council's engineers.  (f) telecommunication services  Satisfactory - subject to the inclusion of a recommended condition of development consent.	(d) stormwater drainage or on-site conservation	Satisfactory – subject to the inclusion of a recommended condition of development consent provided by Council's engineers.
(f) telecommunication services  Satisfactory - subject to the inclusion of a recommended condition of development consent.	(e) suitable road and vehicular access	Suitable road and vehicular access to the site is
(g) the supply of natural gas N/A – not proposed.	(f) telecommunication services	Satisfactory - subject to the inclusion of a recommended condition of development
	(g) the supply of natural gas	N/A – not proposed.

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

Attachment 4 provides an assessment of the proposal in accordance with the relevant requirements of the SCDCP. Non-compliances are discussed below:

### Part 8.3.8(c)(iii) Additional Requirements - Rural and Environmental Protection Zones

Part 8.3.8 (c)(iii) requires child care facilities to be setback a minimum of 10 m from the side boundary in rural and environmental protection zones.

The proposed additions to the existing building are setback from the north eastern property boundary by a minimum of 10.29 m, which exceeds the minimum setback requirement. However, the existing residential dwelling is setback a minimum 4.6 m from the north eastern property boundary. This existing dwelling side setback is not proposed to be altered as part of the development proposal.

A minimum setback of 8.6 m is also proposed from the south western property boundary for the waste area and external store room.

In considering the variations, the relevant objectives of Part 8.3 of the SCDCP are as follows:

- Ensure that centre-based child care facilities are:
  - Appropriately located and designed to ensure high levels of safety, security, health and amenity for children and staff; and
  - o Functional through appropriate building design.
- Ensure that centre-based child care facilities within residential areas are designed to:
  - o Minimise the impact of centre-based child care facilities on the amenity of the existing neighbourhood by way of noise, traffic and loss of privacy; and
  - Maintain the characteristics of residential neighbourhood.

In response to the above objectives, the proposed side setback non-compliances are not considered to adversely impact the adjoining development in terms of privacy concerns or overshadowing. The north eastern side setback is existing which is considered to maintain the existing residential characteristic of the site. The south western side setback is not considered uncharacteristic of the existing reduced side setbacks of dwelling houses in the C4 Environmental Living zone nearby to the subject land.

### 2.7 Developer Contributions

Section 7.12 development contributions are applicable to the proposed development. Accordingly, a condition of consent has been recommended.

### 3. Planning Assessment

### 3.1 Impacts of the natural and built environment

Section 4.15(1)(b) of the EP&A Act requires the consent authority to assess the development's potential impacts on the natural and built environment.

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

- Noise Impact Assessment
- Traffic and Parking Matters
- Arboriculture Impacts
- Building Code of Australia and Access
- Waste Servicing
- Streetscape Character
- Environmental Health

### **Noise Impact Assessment**

An Environmental Noise Impact Assessment, prepared by Day Design Pty Ltd, dated 22 April 2022, was provided with the development application.

### Noise Management Plan

The report recommends that the facility implement a Noise Management Plan that includes, but is not limited to, the following matters:

- Ensuring all staff and parents are provided with a copy of the Noise Management Policy.
- Neighbours should be provided with the name and contact details of the Centre's Manager, and an invitation to contact that person at any time the Centre is operating.
- Other windows and doors to the indoor play rooms should be closed during noisy activities, such as when amplified music is being played.
- Crying children should be comforted as quickly as possible and moved indoors.
- Deliveries be scheduled outside morning and afternoon peak times.
- Waste collection will occur during the daytime, outside the morning and afternoon peak times.
- Vans will deliver to the loading bay.
- Small rigid vehicles will deliver to the kerbside.
- Garbage collection will be carried out by small rigid vehicles on the site at the designated waste area.

### **Maximum Outdoor Play Numbers**

The report also recommends limiting the number of children in the outdoor play area at any one time as follows:

- A maximum of 34 2-3 year old children and a maximum of 8 0-2 year old children; or
- A maximum of 24 3-5 year old children and a maximum of 8 0-2 year old children.

In order to demonstrate that the facility can achieve compliance with limiting the maximum number of children within the outdoor play area from an operational point of view, the applicant produced an outdoor play schedule contained within the proposed plan of management document (attachment 7).

Hours	0-2 years	2-3 years	3-5 years
Outdoor Play Area Maxim			· ·
7:00 am -7:30 am			
7:30 am -8:30 am	8		20
8:30 am -9:30 am		34	
9:30 am -10:30 am		34	
10:30 am-11:30 am	8		20
11:30 am -12:30pm	8		20
12:30 pm-1:30 pm	8		20
1:30 pm-2:30 pm		34	
2:30 pm-3:30 pm		34	
3:30 pm-4:30 pm	8		20
4:30 pm-5:30 pm		10	10
5:30 pm-6:00 pm			
Indoor play area maximu	m no. of children		
7:00 am-7:30 am	8	34	30
7:3 am0-8:30 am		34	10
8:30 am-9:30 am	8		30
9:30 am-10:30 am	8		30
10:30 am-11:30 am		34	10
11:30 am-12:30 pm		34	10
12:30 pm-1:30 pm		34	10
1:30 pm-2:30 pm	8		30
2:30 pm-3:30 pm	8		30
3:30 pm-4:30 pm		34	10
4:30 pm-5:30 pm	8	24	20
5:30 pm-6:00 pm	8	34	30

The schedule contained within the proposed plan of management, is considered to appropriately respond to the recommended maximum outdoor play numbers. However, the plan of management provided with the application is deficient in a number of areas and is required to be revised. A condition of development consent is recommended for the plan of management to include the following matters:

- Noise management procedures and recommendations as provided in the Environmental Noise Impact Assessment, prepared by Day Design, dated 22 April 2022.
- Waste management procedures as provided in the Waste Management Plan, prepared by Dickens Solutions, dated April 2022.

- Include waste collection times to be between peak morning and peak afternoon drop-off and pick-up times.
- Revised indoor play schedule to ensure that 10 children in the 3-5 years age group numbers are 10 between the hours of 3:30-4:30pm.
- Security measures.

### **Acoustic barriers**

The report also recommends that the following acoustic fencing is constructed along the perimeter of the outdoor play area:

- 1.8 m high barrier along the western perimeter of the outdoor play area.
- 1.8 m high barrier along the northern perimeter of the outdoor play area.
- 2.4 m high barrier along the eastern perimeter of the outdoor play area 1 m inside the property boundary.

The report also provides that the acoustic barrier walls may be constructed from masonry, lapped timber, glass or polycarbonate sheeting. The construction shall be free of visible air gaps to provide an impervious sound barrier.

Council's Senor Environment Officer reviewed the environmental noise impact assessment report and no objections were raised, subject to recommended conditions of consent which have been incorporated into attachment 1 which include compliance with the above recommendations provided in the Environmental Noise Impact Assessment, prepared by Day Design Pty Ltd, dated 22 April 2022.

Further, a condition of development consent has been recommended for a Plan of Management document to be provided prior to the issue of any occupation certificate to address the implementation of a noise management plan, vehicle delivery times and indoor and outdoor play schedule listed above.

### **Traffic and Parking Matters**

A Traffic and Parking Impact Assessment, prepared by Motion Traffic Engineers, dated May 2021, was provided with the development application.

The report recommends the following operational requirements:

- Staff arrivals and departures are staged/staggered to ensure that the staff-student ratio
  is maintained with all staff on site in the core 9 am to 5 pm hour with peak staff car
  parking demand in the core period and does not coincide with the main drop off and pick
  up periods.
- Delivery/loading zone within the parking area has been hatched and away from the pedestrian pathway.
- Vehicles can enter and leave in a forward direction. Median island has been provided to have a safe inbound and outbound movement into/from the facility.

The report also recommended a pedestrian crossing in front of the pedestrian access/egress point. However. Council's engineers advised that the development is unlikely to meet the warrants and they are providing parking on the site to comply with Council's SDCDCP. It is further advised that the use of Children's crossing flags for separate kindergarten and child care centre use is not supported.

The report concludes the following in terms of traffic impacts:

- The proposed childcare centre complies with Council's car parking requirements.
- The proposed childcare centre is a modest trip generator for the weekday AM and PM peak hours.
- The additional trips from the proposed child care centre can be accommodated at the nearby intersection and road network without noticeable affecting intersection performance, delays or queues.
- There are no traffic engineering reasons why a development consent for the proposed centre should be refused.

The proposed development and associated Traffic Impact Study was reviewed by Council's engineers who raised no concerns in relation to the traffic generation from the development and its impact on the surrounding network in terms of level of service. The proposed development is adding approximately one vehicle per minute at peak times and would be insignificant compared to existing volume and capacity of the road system.

Council's engineers were also satisfied of the following matters:

- Adequate sight distance for vehicles entering and existing the site for a speed of 50 km/h is achieved.
- Intersection related sight lines are satisfactory at the intersection of Kittyhawk Crescent and Hurricane Drive.
- There is no reported accident at the intersection of Kittyhawk Crescent and Hurricane Drive in the last five years of standard review time.
- The stopping sight distance on Hurricane Drive is satisfactory (related to crest on Hurricane Drive north of the intersection of Kittyhawk Crescent and Hurricane Drive).
- The proposed development generates around 3 per cent additional traffic at the local intersections of Kittyhawk Crescent and Hurricane Drive and Thunderbolt and Hurricane Drive. There is no change in level of service at these intersections (due to proposed development) with the intersections operating at LOS A.
- The traffic report has not modelled the intersection of Kittyhawk Crescent and Hurricane Drive but the associated traffic volume is lower than the above modelled intersections.
- All the approaches of the existing intersection of Raby Road and Spitfire Drive operate at level of service of A/B where there is existing problem with the right turn exit from Spitfire Drive onto Raby Road. The intersection of Raby Road and Spitfire Drive is being signalised and this turn movement is being removed meaning there should not be any problem associated with queuing on Spitfire Drive.

In addition, it is noted that whilst staff and visitor parking is not separately differentiated within the SCDCP, it is advised that the parking proposed on site has been designed to adequately accommodate all users associated with the child care centre. In accordance with the Australian

Children's Education and Care Quality Authority (ACECQA) regulations, the child care centre requires a minimum of 12 educators to cater for 72 children in the proposed age groups. In this regard, each full time staff employed by the child care centre is provided with a parking space on site, with the remaining spaces allocated for visitors.

### **Arboricultural Impacts**

Council's Environment Officer reviewed the Basic Tree Assessment prepared by Monaco Designs Pty Ltd (dated 31 May 2021) and provided the following response:

- No trees are proposed to be retained on the site.
- The landscape plan has been reviewed and is considered satisfactory. A satisfactory mix and number of native species are proposed.
- It is considered that the trees adjoining the development site will not be impacted given that they are now including an exclusion zone of 1.5 and temporary fencing down the north eastern boundary at the front of the lot adjacent to the neighbouring trees. The trees within the adjacent property to the rear are sufficiently distanced from any proposed works and should not be impacted.
- A condition of consent is recommended for tree protection measures to be in accordance with AS4970 - Protection of Trees on Development Sites for trees adjoining the development site in the area shown on the landscape concept plan.

The landscape plan is not consistent with the architectural plans in terms of the driveway width and vehicle aisle widths. A condition of development consent is recommended for the landscape plan to be amended to be consistent with the architectural plans concerning the 7 m driveway width and the vehicle aisle widths and to also incorporate screen planting adjoining the retaining walls within the front setback area.

### **Building Code of Australia and Access**

The following reports were provided in regards to the application:

- Building Code of Australia Assessment Report, prepared by Incode Solutions Pty Ltd, dated 28 June 2021; and
- Access Report, prepared by Accessible Public Domain, dated 14 September 2020.

The above reports were reviewed Council's registered certifier who considered the information acceptable and recommended the following conditions for inclusion as part of any development consent:

- All building work must be carried out in accordance with the current provisions of the Building Code of Australia (National Construction Code). 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.
- Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall demonstrate by way of detailed design, compliance with the relevant access requirements of the BCA and AS 1428 – Design for Access and Mobility.

### **Waste Servicing**

The application was accompanied by a Waste Management Plan prepared by Dickens Solutions (dated April 2022; ref- 21261) which was referred to Council's Waste Coordinator for assessment and comment. The following response was received:

- Private waste collection contractor is proposed to service this property twice weekly for both waste and recyclables. It is considered that this development is designed in a manner that allows for servicing by Council's waste collection vehicles, regardless of the intended servicing arrangement. The bin storage area is large enough to house double the amount of bins specified and weekly waste and fortnightly recycling collection could be made to the street kerb if required.
- A member of the private contractors collection team will remove all waste bins from the
  waste storage area and transport them to the rear of the vehicle stationed in the loading
  bay. On completion of servicing the waste, all waste bins will be returned to the waste
  storage area.
- The development applicant is compliant with the SCDCP.

The waste servicing of the site is considered satisfactory, subject to the inclusion of recommended conditions of consent concerning the construction requirements of the waste storage area and compliance with the waste management plan.

### **Streetscape Character**

Part 8.3.3 (a) of the SCDCP requires that 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 surrounding development, character and qualities of the desired streetscape. The development is not a new building, however it is appropriate to assess the proposed streetscape of the development as viewed from Kittyhawk Crescent.

Further, in terms of streetscape controls, the relevant objective of the Child Care Planning Guidelines is provided below:

Objective C5: To ensure that the child care facility is compatible with the local character and surrounding streetscape.

It is well established (Planning Principle: compatibility in the urban environment) that the most suitable meaning of compatible in an urban design context is capable of existing together in harmony. Compatibility is different from sameness. It is generally accepted that buildings can exist together in harmony without having the same density, scale or appearance, though as the difference in these attributes increases, harmony is harder to achieve. Accordingly, the development does not need to be the same as the residential development is the local area to compliment the character of the area.

In determining whether the design is compatible with the local character and qualities of the desired streetscape, the relationship of built form to surrounding space is required to be considered. This relationship is created by building height, setbacks, landscaping, architectural style and acoustic barriers each of which are responded to below:

### **Building Height**

The proposed height of the development is single storey, below the maximum height specified by clause 4.3 of CLEP 2015. The height of the proposed extension to the existing building is not higher than the existing dwelling height. The additional floor area is proposed to the rear of the existing dwelling and only a splayed side view of the proposed extension area would be visible from Kittyhawk Crescent.

### **Setbacks and Car Parking Area**

The minimum setback for a child care centre is 20 m as specified by Part 8.3.8 (c)(i) of the SCDCP. The development is setback a minimum of 32 m from the front property boundary which provides a compliant front building setback. The setback of the facility remains consistent with the existing dwelling on the site.

The scale of the car parking area, as viewed from the side elevations, is not considered to adversely impact the adjoining residential properties. The car parking area is set-in from the side property boundaries and the side setback area includes landscaping.

The car parking area does require retaining walls to be constructed to achieve the appropriate gradient. Retaining walls of a maximum height of 1.2 m would be visible from Kittyhawk Crescent, however within the cluster of residential properties, it is not uncommon for retaining walls to be visible from the public domain, for example no.

The front landscaped area between the front property boundary and the parking module 1 car parking area has a minimum setback of 12 m. Subject to the inclusion of a condition of consent for additional screen plantings along the retaining walls, the proposed landscaping, is considered sufficient to soften the appearance of the car parking area between the front property boundary and the car parking hardstand area. A similar setback treatment is provided by 14 Hurricane Drive, Raby, which has utilised vegetation and rock features to screen the outbuilding and hardstand area as viewed from Kittyhawk Crescent.

The proposed pedestrian ramp facilitates a safe pedestrian access to the site, separate from the vehicular driveway access. Given the frontage of the development site, the inclusion of the pedestrian ramp is not considered an overbearing visual element of the front setback area.

Internal to the site, a condition of development consent is recommended for a 1.2 m wide pedestrian path to be included at the front of the seven visitor spaces to facilitate safe access from the visitor car parking area to the entrance of the centre. The pedestrian path is to be separated from the designated loading zone by fixed bollards.

### **Architectural Style**

The proposed design of the development generally retains the front façade of the existing dwelling. The existing roof form is also not proposed to be altered as viewed from the street. The building form is consistent with the existing dwelling on the site which is considered to be consistent with the architectural elements of residential development within the local context, the context including the existing dwelling house on the site.

### **Acoustic Barriers**

In accordance with the recommendation of the Environmental Noise Impact Assessment, prepared by Day Design Pty Ltd, dated 22 April 2022, provided with the development application, acoustic barriers are required around the perimeter of the outdoor play area. The acoustic barrier heights and locations are recommended as follows:

- 1.8 m vertical acoustic barrier along the north western and south western perimeter of the outdoor play area.
- 2.1 m vertical acoustic barrier along the north eastern perimeter of the outdoor play area.

The proposed acoustic barriers are contained within the development site and not along the property boundaries. The acoustic barrier cannot be viewed from the street and would not impact the residential character of the locality.

A fence is also proposed along the south western property boundary adjoining the car parking area only. This fence is not for any acoustic purpose. A condition of development consent is recommended for revised plans to be provided which shows the 1.8 m high side property boundary fencing to be clearly shown on the south western property boundary adjoining the car parking area only. The fencing is not to extend beyond the bin storage area to the north-west and staff car parking space number one to the south west. For the part of the fence that is greater than 0.6 m in height, an open style fence is required except for the parts of the fence that are pillars or columns.

Overall, it is considered that the proposal is compatible with the existing streetscape character. The development is not deemed so different in terms of building form, scale and setbacks that harmony is not able to be achieved within the existing streetscape setting.

### **Environmental Health**

The application was referred to Council's Team Leader Environmental Health to review compliance of the application with the *Food Act 2003* and Food Regulation 2010, Food Standards Code Australia and New Zealand and AS 4674-2004. No issues were raised and standard conditions of development consent have been recommended.

### 3.2 Social and Economic Impacts

Section 4.15(1)(b) of EP&A Act requires the consent authority to assess social and economic impacts in the locality. It is anticipated that the centre-based child care facility would provide the surrounding residents with a child care facility which is considered to be a social benefit to the community. Economic impacts from construction and local employment are considered to be a positive impact.

### 3.3 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.

The principal matters for attention have been discussed, particularly in relation to safe vehicular ingress/egress, unacceptable traffic generation, vehicular internal manoeuvring

issues, acoustic impacts and compatibility of the development with the character of the local area. The development is considered satisfactory and suitable for the site.

### 4. Public Participation

Section 4.15(1)(d) of the EP&A Act requires the consent authority to consider submissions made in response to the proposal.

In accordance with Council's Community Participation Plan, the development application was originally notified to adjoining owners and all property owners with land within 100m of the site from 20 October to 10 November 2020. A total of 24 unique submissions were received and a petition with 69 signatures.

Further information was received on the 9 June 2021 and 16 June 2021. The application was renotified to adjoining owners and all property owners with land within 100m of the site from 2 August 2021 to 23 August 2021. A total of 13 submissions were received.

A summary of the issues raised in submissions and a response to the issues raised is provided in the table below:

Theme	Issue	Response
Traffic increase/congestion	Increase in traffic and hazards in and around Hurricane Drive and Kittyhawk Crescent.  Increased traffic leading to further accidents relating to vehicles and pedestrians.  Existing excessive speed in Kittyhawk Street, additional traffic could lead to further accidents.  Kittyhawk and Harrier Avenue are not designed to take all the through traffic that the development will add. Both streets are narrow, with bad corners and both exit into roads that are dangerous at times.  Existing concerns regarding exiting right from Kittyhawk into Spitfire Drive.  The traffic report has grossly underestimated the amount of traffic and congestion caused by a 72 place child care facility.	The traffic generation provided in the Traffic and Parking Impact Assessment, prepared by Motion Traffic Engineers, dated May 2021, has been reviewed by Council engineers.  The engineers advised that the proposed development generates around 3% additional traffic at the local intersections of Kittyhawk Crescent and Hurricane Dr and Thunderbolt and Hurricane Drive. There is no change in level of service at these intersections (due to proposed development) with the intersections operating at LOS A.
Unsafe enter/concerns	Texit Concerns raised for speeding cars in Kittyhawk Crescent and it being dangerous for cars entering and existing Kittyhawk Crescent.  Concerns in relation to an accident	The driveway design has been reviewed by Council's engineers and is satisfactory.  The speed limit for Kittyhawk Crescent is 50km/h. The

Theme	Issue	Response
	occurring at the proposed entry/exit driveway impacting residences opposite the development.	proposed development does not seek to increase the speed limit.
Sight lines	Concerns relating to poor sight distances at the intersection of Raby Road and Spitfire, Hurricane Drive and Spitfire and Kittyhawk Crescent.	Specific concerns in relation to the sights distances are not provided.  Council's engineers have assessed the sight lines as provided in section 3.1 of the report and are satisfied that sufficient sight distances are provided for the existing intersections.
Increase in road/traffic noise	Increase in noise from vehicles entering and exiting Kittyhawk Crescent.  Residents already tolerating noisy vehicles (including buses and trucks), especially in the afternoon in around school pick-up and drop-off times.  Significant increase in road noise potentially disturbing the direct neighbourhood, especially the residents that live next to or opposite the proposed facility.	External noise levels associated with the additional on-road traffic throughout the day have been calculated in the noise impact assessment report.  Council's Senor Environment Officer reviewed the noise impact assessment report and no objections were raised, subject to the recommendations provided in the report.
Noise/amenity impacts	Concerns in relation to noise impacts even with the recommended acoustic barriers impacting adjoining residential properties.  Concerns in relation to car doors slamming.  Elevated noise from children squealing and playing in a small space a few metres away from residential	Council's Senor Environment Officer reviewed the noise impact assessment report and no objections were raised, subject to the recommendations provided in the report.  The noise impact assessment report does take into consideration the sound power
	Impacts to adjoining residential properties. Inability to sleep until 9am or 10am impacting upon sleep quality.	level of several noise sources, including car park noise emissions and the closing of car doors.
Pollution	Concerns regarding pollution.	No specific details provided regarding what type of pollution concerns. However, noise pollution/impacts have been considered and assessed and are considered satisfactory subject to recommended conditions of development consent to comply with the

Theme	Issue	Response
		measures provided in the Environmental Noise Impact Assessment, prepared by Day Design Pty Ltd, dated 22 April 2022.
Monitoring noise impacts	Concerns regarding monitoring of noise impacts once the development is built.	Conditions of development consent are recommended for a register of noise complaints to be kept, for the noise management plan to be updated and for the development to specific comply with the noise management measures provided in the Environmental Noise Impact Assessment, prepared by Day Design Pty Ltd, dated 22 April 2022 which the development is required to achieve/satisfy during operation.
Insufficient outdoor play	Concerns raised that the outdoor play is limited to only 15 children outside playing with acoustic barriers erected.	Revised Noise Impact Assessment prepared by Day Design Pty Ltd, details that the outdoor play area should be limited to a maximum of 34 2-3 year old children and 8 0-2 year old children or a maximum of 24 3-5 year old children.
Acoustic barriers	Concerns raised that the acoustic report does not detail material for the acoustic barrier construction.	Revised Noise Impact Assessment prepared by Day Design Pty Ltd, provides details of the sound wall barrier construction to be either masonry, lapped timber, glass or polycarbonate sheeting. The construction shall be free of visible gaps to provide an impervious sound barrier.
Work from home amenity	The proposed development will impact the currently quiet enjoyed in the area and residential offices which will be severely impacted with the noise from the facility.	Noise Impact Assessment prepared by Day Design Pty Ltd, dated 22 April 2022, has been reviewed and is considered acceptable subject to the inclusion of the recommended conditions of consent, including the construction of acoustic barriers and provision of a plan of management.
Road Width	The road width of Kittyhawk Crescent is not fit for additional traffic.	No concerns raised from Council's engineers regarding road width.
Reduce child numbers	A reduction in proposed placements would help towards reducing the road	The assessment of this application has resulted in the

Theme	Issue	Response
	noise issue.	conclusion that the proposed number of children can be accommodated on the site with no unreasonable impacts.
Driveway location	Concerns regarding noise of the driveway location impacting residents.	The driveway location and gradient has been reviewed by Council's engineers and is considered satisfactory.
Internal pedestrian safety	Facility requires vehicles to reverse out of a car parking space to exit the site which may pose a risk to children/parent pedestrians. A one way driveway is recommended to mitigate this impact.	Sufficient aisle width provided. Pedestrian footpaths provided from the car park to the entrance and from Kittyhawk Crescent to the entrance of the facility.
Acoustic Report does not assess road noise	The acoustic report provided with the development application does not assess the extra road noise generated by the increased road traffic.	The Noise Impact Assessment provides an assessment of the additional traffic on existing local roads generated by the development.
Delivery vehicle noise	Concern raised in relation to deliveries between early morning and later afternoon.	A condition of development consent is recommended for delivery vehicles to only attend the site between 10 am and 1pm.
Scenic Protection	The proposed use is not in keeping with the intention of the environmental zone.	The proposed use is permitted with development consent in the zone.
	Concerns regarding approval of the development will deem that the area will no longer be a prestigious and unique area.	
	The zone should be protected as they are scarce and irreversible.	
Property value impacts	Concerns in relation to the potential for the proposed development to de-value the value of nearby residential properties.	Not a relevant planning consideration.
Existing child care facilities	Existing child care centres in close proximity to the site are not at capacity.	SEPP Child Care does not limit the proximity of one child care centre to another.
	Oversupply of child care facilities in Raby.	No concerns are raised in relation to the proximity of the proposed development to
	Raby is already well catered for young families by existing child care facilities.	existing child care facilities.
	Existing child care facility within proximity to the development is 50% capacity. It is not necessary to have another centre so close in the community.	

Theme	Issue	Response	
	Concerns raised as for the facility becoming unviable, neglected and rundown.		
Independent Approval required	The DA would be submitted to an independent approval panel that can meet with the local residents and listen to their concerns before approval is given.	The determining authority for this development application is the Campbelltown Local Planning Panel.	
Mental Health impacts	The development could affect mental wellbeing.  Noise, stress and additional traffic could be detrimental to health.	No evidence provided with the submission regarding how the development could lead to mental health/well-being impacts.	
Visual impacts	Construction of high fences will disrupt our peaceful way of living and not consistent with zoning.	The visual impact of the acoustic fence construction has been considered.	
		The proposed acoustic barriers are contained within the development site and not along the property boundaries. The acoustic barrier cannot be viewed from the street and would not impact the residential character of the locality.	
Construction impacts	Concerns raised regarding disruption during construction.	A condition of development consent is recommended for the preparation of a Construction Environmental Management Plan (CEMP).	
Commercial development	Concerns raised regarding the commercial development within a residential area and concerns for other similar commercial development to follow in the area.	Child care centre facilities are permitted with consent in the C4 Environmental Living zone.	
Character	Eroding peaceful lifestyle.  Proposed development including proposed driveway and hardstand area is not consistent with the character of the Environmental Living zone.	A character assessment has been undertaken in this report. It is considered that the proposal is compatible with the existing streetscape character. The development is not deemed so different in terms of building form, scale and setbacks that harmony is not able to be achieved within the existing streetscape setting.	
On-street parking	Concerns in relation to on-street parking in Kittyhawk Crescent due to lack of parking for the facility.	The proposed development application includes a compliant number of on-site car parking spaces required for	

Theme	Issue	Response		
		a 72 place child care centre.		
Lack of consultation	Concerns raised in relation to the developer not engaging with the community prior to the lodgement of the development application.	The development application has been notified in accordance with Council's Community Participation Plan.		
Insufficient notification	Concerns raised in relation to the notification period of the development application not affording sufficient time for independent reports to be provided.	The development application has been notified on two occasions being from 20 October to 10 November 2020 and from 2 August to 23 August 2021.		
Operating hours	Concerns raised that the development application has not considered staff arrivals prior to 7:00 am.	The noise impact assessment has assumed two staff members arriving at the facility between 6:30 am and 7:00 am which will enter the car parking staff spaces 1 and 2.		
Non-compliance with Scenic Protection Act	Concerns raised in relation to the by- laws of the Scenic Protection Act being null and void.	A search of legislation websites has not found any legislation with this name.		
Additional development	The area at the rear of the development site has been left vacant for future development.	Future development is not the subject of this development application.		
Overlooking	Overlooking concerns raised from the proposed facility to neighbouring properties leading to fear of safety and privacy impacts.	Overlooking for the car parking area to adjoining residential properties is not anticipated due to existing boundary fencing, acoustic walls, proposed boundary fencing, landscaped side setback areas and distance of the car parking area to residential properties on the southern side of Kittyhawk Crescent.		
Flawed impacts studies	Data appears flawed and seek the opportunity to conduct similar studies.	Specific information in relation to how the studies are flawed was not provided.		

### 4. Public Interest

Section 4.15(1)(e) of the EP&A Act requires the consent authority to consider the public interest. Public interest is separate to submissions and requires Council to consider the public interest at a broader level. Based on the assessment, the proposed centre-based child care facility is considered to be in the public interest in that it provides a service to the local community and the proposed development has been designed to be generally compliant with the guidelines and planning rules for a centre based child care facility.

### Conclusion

This application has been assessed against the provisions of Section 4.15 of the *Environmental Planning and Assessment Act 1979*. The proposed development is permissible with consent under the provisions of the Campbelltown Local Environmental Plan 2015 and does not contravene the objectives of the C4 Environmental Living zone.

The proposal includes a non-compliance relating to the side setback of the facility from the side property boundaries. The non-compliance has been considered and does not justify the refusal or amendment of the application.

Careful consideration has been given to the streetscape character. The design of the development and architectural features are not inconsistent with both the current and the desired future character of the neighbourhood in which the development is located. It is also considered that the scale of the car parking area does not adversely impact the residential character of the area and the area between the property boundary and the car parking area is appropriately landscaped subject to the inclusion of a condition of consent for additional landscaping adjoining the retaining walls.

The report has also considered the safety of vehicles movements to and from the site. Council's engineers have reviewed the application and advised that sufficient sight distance is provided. The safety and adequacy of internal vehicle and pedestrian movements is also considered satisfactory.

Overall, having regard to the matters of consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*, and relevant matters discussed within this report, it is recommended that the development for alterations and additions to an existing dwelling for use as a 72-place child care facility at 66 Kittyhawk Crescent, Raby, be approved subject to the recommended conditions of consent contained in attachment 1.

### **Attachments**

- 4.1.1 Recommended Conditions of Consent (contained within this report)
- 4.1.2 Child Care Planning Guidelines Compliance Table (contained within this report)
- 4.1.3 Education and Care Services National Regulation (contained within this report)
- 4.1.4 Campbelltown (Sustainable City) Development Control Plan 2015 (contained within this report)
- 4.1.5 Architectural Plans (contained within this report)
- 4.1.6 Landscape Plans (contained within this report)
- 4.1.7 Plan of Management (contained within this report)
- 4.1.8 Traffic and Parking Assessment (contained within this report)
- 4.1.9 Waste Management Plan (contained within this report)
- 4.1.10 Building Code of Australia Assessment Report (contained within this report)
- 4.1.11 Access Report (contained within this report)
- 4.1.12 Trees Assessment (contained within this report)
- 4.1.13 Survey Plan (contained within this report)
- 4.1.14 Request for additional information letters (contained within this report)
- 4.1.15 Preliminary site investigation due to size (134 pages) (distributed under separate cover)
- 4.1.16 Site and Floor Plans(due to confidentiality) (distributed under separate cover)
- 4.1.17 Noise Impact Assessment (due to confidentiality) (distributed under separate cover)

### **Reporting Officer**

**Executive Manager Urban Centres** 

# Attachment 1 - 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.

Drawing Title	Drawing/sheet No.	Issue	Prepared by	Date
Cover sheet	DA01	Е	Design Lir Australia Pt Ltd	у
Erosion and sediment control plan	DA04	E	Design Lir Australia Pt Ltd	
Site plan	DA05	E	Design Lir Australia Pt Ltd	
Site analysis/character plan	DA06	Е	Design Lir Australia Pt Ltd	
Ground floor plan	DA07	Е	Design Lir Australia Pt Ltd	
Existing ground floor plan	DA08	E	Design Lir Australia Pt Ltd	у
Roof plan	DA09	E	Design Lir Australia Pt Ltd	у
Elevations	DA10	E	Design Lir Australia Pt Ltd	у
Elevations	DA11	E	Design Lir Australia Pt Ltd	
Sections	DA12	Е	Design Lir Australia Pt Ltd	
Shadow Diagrams – plan form	DA13	Е	Design Lir Australia Pt Ltd	

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External details	DA15	E	Design Link Australia Pty Ltd	28/04/2022
Schedule of external colours and finishes	DA16	E	Design Link Australia Pty Ltd	28/04/2022
Cut and fill/retaining wall plan	DA17	E	Design Link Australia Pty Ltd	28/04/2022
DA landscape concept	1 of 1	D	Monaco Designs PL	20/04/2022

#### 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:

- a) A 1.2 metre wide pedestrian path is to be included at the front of the seven(7) visitor spaces to facilitate safe access from the visitor car parking area to the entrance of the centre. The pedestrian path is to be separated from the designated loading zone by fixed bollards.
- b) Fixed bollards are required to be provided on the pedestrian path adjacent to the south eastern elevation of the facility, adjoining the loading bay area.
- c) A 5,000L rainwater tank is required to be shown on the plans within the setback of the facility from the north eastern property boundary, behind the front building line of the child care facility.
- d) Location of the 1.8 metre high side property boundary fencing is to be clearly shown on the south western property boundary adjoining the car parking area only. The fencing is not to extend beyond the bin storage area to the north-west and staff car parking space no. 1 to the south west. For the part of the fence that is greater than 0.6 metres in height, an open style fence is required except for the parts of the fence that are pillars or columns. The maximum height of the fencing is to be measured from existing ground level.
- e) Landscape plan is required to include the following:
  - i. Driveway width on the Landscape plan to be amended to include a 7 metres driveway width.
  - ii. Aisle widths to be consistent with the architectural plans.
  - iii. Additional landscaping to be provided adjoining the retaining walls in the location shown on the stamped plans. The species selection is required to be a screen planting variety.

The amended plans and information form part of the development consent.

### 3. Building Code of Australia

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

## 4. Centre-based Child Care Centre Operator Approval

Prior to the commencement of the use of the centre-based child care facility, the applicant must obtain a Service Approval for the operation of a centre-based child care facility from the Regulatory Authority. The centre shall be operated in accordance with the Service Approval at all times.

#### 5. Placement Numbers

The centre-based child care facility is approved to cater for a maximum of 72 children within the following age groups:

	Total Number of Places
0-2	8
2-3	34
3-5	30
Total	72 places

#### 6. Tree Protection Measures

Tree protection measures for trees adjoining the development site must be implemented on site is accordance with Australian Standards AS4970 – Protection of Trees on Development Sites.

### 7. Landscaping

The provision and maintenance of landscaping shall be in accordance with the approved landscape plan containing Council's approved development stamp (as amended by condition No. 2) including the engagement of a suitably qualified landscape consultant/ contractor for landscaping works.

### 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. Waste Requirements

The development is to include the following on-going waste measures:

- (a) Waste collection must be undertaken regularly to prevent any issues with odour, litter, vermin and overflow of bins.
- (b) Used nappies must be handled, stored and disposed of in such a way that prevents the creation of any public health issues and in accordance with the requirements of the NSW EPA.
- (c) The bin storage area must be kept sufficiently clean and maintained at all times.
- (d) Between collection periods, all waste and recycling materials generated on-site is required to be securely enclosed in bins and stored in the designated storage area shown on the stamped approved plans.

- (e) Waste collection services are to be provided by a private licensed waste and recycling collection contractor from the designated loading/waste collection area within the site. The waste contractor is required to remove all waste bins from the bin storage area and returned after collection.
- (f) Green waste will not be stored on the site. All green waste removal will be provided by a private contractor.

## 10. Bin Storage Area

The bin storage area identified on the approved plans shall:

- (a) Be provided with a concrete floor, with concrete or cement rendered walls coved to the floor;
- (b) The floor is to be graded to an approved sewer connection incorporating a sump and galvanised grate cover or basket; and
- (c) Be provided with an adequate supply of hot and cold water mixed through a centralised mixing valve with hose cock.

# 11. 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.

## 12. 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).

The finishes of the paving surfaces are to be non-slip and plain concrete is not acceptable.

All driveways in excess of 20 metres in length shall be separated from the landscaped areas by the construction of a minimum 150mm high kerb, dwarf wall or barrier fencing.

#### 13. 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 as close as practicable to the centre and shall not obstruct adjoining residential driveway.
- Vans and small rigid waste collection vehicles are to service the site from the designated loading bay.
- All other small rigid vehicles or larger are to service the development from the Kittyhawk kerbside directly in front of the site.
- All deliveries to the premises shall be carried out outside of peak morning and afternoon pick-up/drop-off times being between 10.00am and 1:00pm.

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

## 14. Advertising Signs - Separate DA Required

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

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

### 15. 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.

### 16. 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 and the designated waste storage area.

#### 17. 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.

# 18. Unreasonable Noise, Dust and Vibration

The construction of 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.

## 19. Engineering Design Works

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

# 20. Playground Equipment

Playground equipment shall be installed and maintained in accordance with the relevant Australian Standard(s) and the manufacturer's recommendations.

### 21. Operating Hours

The use of the premises/business shall be limited to:

Monday to Friday 7:00 am – 6:00 pm

Saturday Closed Sunday Closed

## 22. Noise Management - Operation of the Development

- (a) All noise attenuation measures (including, without limitation, covers, silencers and mufflers) provided for mechanical plant items are to be maintained for the life of the development. These plant items shall not to be operated without these measures being properly fitted and closed. All mechanical plant items are to be maintained in a manner that ensures their noise emissions do not exceed the "as new" specifications of the manufacturer.
- (b) All external doors and windows are to be kept closed during ordinary operations. Suitable ventilation is to be maintained to allow for operation of the development with all external doors closed. Windows may only be open when all children are within the building and are engaged in quiet activities. Windows must be promptly closed if noise levels increase.
- (c) Mechanical plant and equipment associated with this development may only be operated on site between the hours of 6:30am and 6:30pm Monday to Friday (inclusive).
- (d) No climbable element of any play equipment associated with this development may have a height exceed 1.5m from ground level.
- (e) The acoustic walls and noise advisory signage required by this consent are to be maintained for the life of the development.
- (f) The maximum number of children occupying the outdoor play areas at one time shall be limited to the figures provided in the following table:

OUTDOOR			
Hours	0-2yrs	2-3yrs	3-5yrs
7-7:30am		İ	İ
7:30-8:30	8		20
8:30-9:30		34	
9:30-10:30		34	r,
10:30-11:30	8		20
11:30-12:30	8		20
12:30-1:30	8	0	20
1:30-2:30		34	
2:3-3:30		34	-
3:30-4:30	8		20
4:30-5:30		10	10
5:30-6pm			1 Pr - 12

- (g) A register for noise related complaints shall be maintained on site. Any noise complaints received shall be:
  - i. Forwarded to Council within 7 days,
  - ii. Investigated within 14 days,
  - iii. Rectified within 28 days if they result from any breach of the conditions of this consent,
  - iv. Rectified within 90 days if they do not result from a breach of the conditions of this consent but otherwise result in a breach of a noise policy that is inforce in the State of NSW.

In all cases Council and the complainant are to be notified of the outcome of the complaint within 90 days.

Council may advise the person having benefit of this consent that a person may be regarded as a vexatious complainant for a specific period under this condition. If Council provides this advice in writing then complaints from that complainant are not subject to the requirements of this condition for the period specified in the notice.

### 23. Car Parking Spaces

Nineteen (19) car parking spaces shall be designed, sealed, line marked in accordance with Australian Standards 2890.1 and 2 (as amended) and the stamped approved plans.

# 24. 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.

## 25. Waste Management Plan

The development is required to be carried out in accordance with the Waste Management Plan, prepared by Dickens Solutions (ref – 21261; dated April 2022). The waste vehicle servicing the site is required to use the designated loading bay and only service the site between 10am and 1pm.

## 26. 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:

- 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.

#### 27. Rain Water Tank

A 5000L rain water tank shall be installed on site for the collection and storage of stormwater for irrigation and reuse purposes (eg the flushing of toilets), in accordance condition 2.

### 28. Construction Certificate

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

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

# 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.

## 29. 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.

# 30. Geotechnical Report

A comprehensive and detailed geotechnical engineering report shall be prepared by a professional Geotechnical Engineer registered on the NER(or equivalent) to the satisfaction and approval of a registered certifier prior to issue of the Construction Certificate.

The report must include but not be limited to the following:

- a. geotechnical assessment of architectural and engineering plans; their suitability in relation to the site's geotechnical characteristics, and, compliance with geotechnical requirements outlined in the BCA, Campbelltown City Council's (Sustainable City) Development Control Plan, Engineering Design for Development, and other best practice guides.
- b. consideration of all findings, discussions, results, requirements, and further geotechnical input discussed or outlined in the approved plans outlined in Condition 1 of this consent
- c. Identification of land that will be subject to subsidence, slip, slope failure or erosion, where; excavation and/or filling exceeds 900mm in depth, or is identified as filled land.
- d. required demolition, excavation, retention, and stabilisation techniques.
- e. Testing and determination of suitability of excavated materials for use on site.
- f. construction methods to avoid problem areas associated with loose, weak foundation materials and groundwater seepage.
- g. requirements for surface and subsurface drainage including proposed method of collection and discharge in accordance with Council's requirements
- h. requirements and implementation of minimizing construction noise and vibration during all phases of construction.
- i. recommended treatment of unstable areas within the site subject of these works, and surrounding privately owned allotments.
- j. extent and stability of any existing and proposed embankments.
- k. impact of the installation of utility services, drainage lines, on the stability of the site and surrounding neighbouring properties, and specify recommendations on short term drainage methods, shoring requirements and other remedial measures that may be appropriate during construction.
- I. Analysis and assessment of foundation and footing requirements of the site, bearing pressures, pile design parameters, special techniques for expansive clays, saline soils and conditions impacting the development (vice versa), ground water management and drainage etc. Geotechnical report shall provide recommended engineering solutions and specifications in relation to the above items, for consideration of structural and civil engineers and other relevant persons during design, construction and post completion phases of the development.
- m. all required geotechnical testing requirements; prior, during and post construction. All tests must be conducted by a NATA accredited geotechnical laboratory.
- n. level of geotechnical supervision required for each phase of construction works as defined under AS3798 Guidelines on Earthworks for Commercial and Residential Developments.
- o. analysis and assessment of the level of risk to all existing adjacent structures/buildings, caused by use of vibratory rock breakers and other earthworks machines used anywhere

within the site the subject of these works. In the event that the proposed development, its construction, and use of vibratory rock breakers or other machinery could affect adjacent structures/buildings, high risk areas and method of mitigation must be identified on a plan and discussed in the report. This analysis shall include outlining the potential for possible damage to adjoining premises from excavation on the site, and specifying safe method(s) of underpinning or shoring the adjoining premises to prevent such damage.

p. a detailed dilapidation survey shall be included to determine condition of surrounding buildings and property, presence and type of underground/basement levels, foundation and footings, and zone of influence, for all neighbouring properties.

# 31. 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.

### 32. Stormwater Management Plan

A Stormwater Management and Drainage Plan (Plan) and associated engineering design report shall be prepared by a professional Civil Engineer with qualifications and experience in building and site stormwater management (or approved equivalent) registered on the NER and be submitted for assessment and approval of the appointed Principle Registered Certifier prior to issue of any construction certificate,

- (a) The proposed stormwater drainage system shall comply with Campbelltown (Sustainable City) Development Control Plan, and Engineering Design for Development guides (as amended), Australian Standard 3500, Australian Rainfall and Runoff and the NSW Floodplain Development Manual (current versions).
- (b) Stormwater drainage system layout shall generally be designed as per Site Stormwater Drainage Plans prepared by CEC Engineering Consultants, Drawing Number SWDP001, SWDP010, and SWDP011 &SWDP012/Rev D (dated 09/11/2021).
- (c) Proposed minor and major site stormwater systems shall safely discharge to the following approved point of discharge by gravity from a single site boundary pit:
  - Kittyhawk Crescent Kerb and Gutter
- (d) The Plan shall provide all engineering details and calculations relevant to site regrading and the collection and disposal of stormwater from the site, building/s and adjacent catchment to the approved point of discharge
- (e) Floor levels of all buildings shall meet Council and BCA requirements for freeboard.

### 33. 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 applicant's expense.

## 34. Retaining Walls

Prior to Council or an appointed Principal Certifier issuing a construction certificate, the applicant shall submit to the satisfaction of the certifying authority, engineering details of all the retaining walls prepared by a qualified practising structural engineer.

The retaining wall design shall comply with all relevant Australian Standards and be certified upon completion by the structural engineer.

The design of all retaining walls is required to be contained wholly within the property boundaries, including footings and drainage infrastructure.

# 35. Design for Access and Mobility

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

### 36. Dilapidation Report

Prior to Council or the appointed Principal Certifier issuing a construction certificate, the applicant shall submit a dilapidation report for all buildings on lands that adjoin the subject works.

#### 37. 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.

# 38. 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 <a href="www.sydneywater.com.au">www.sydneywater.com.au</a>.

### 39. Noise Management

Prior to Council or the appointed Principal Certifier issuing a construction certificate, the following requirements are to be satisfied for the building:

- (a) Includes measures that will provide satisfactory ventilation for the proposed use to operate when all external doors are closed; and
- (b) Includes only external wall glazing elements that have a minimum R<sub>w</sub> 30 glazing.

### 40. 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;
- (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);
- (I) 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, including;
- (g) Access and egress including wet weather provisions;
- (r) Location of amenities, site sheds etc.; and
- (s) Temporary water/electricity sources.

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

### 41. Bin Storage Area Construction Requirements

Prior to Council or an appointed Principal Certifier issuing a construction certificate, plans are required to demonstrate the following construction requirements for the waste storage area:

- (a) Concrete non-slip floor, with concrete or cement rendered walls coved to the floor;
- (b) The floor is to be graded to an approved sewer connection incorporating a sump and galvanised grate cover or basket; and
- (c) Be provided with an adequate supply of hot and cold water mixed through a centralised mixing valve with hose cock.

## 42. On-Site Detention Facility

Prior to Council or appointed Principal 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 Council's 'Engineering Design Guide for Development (as amended).

# 43. Section 7.12 Contributions

### Contribution

The developer must make a monetary contribution to Campbelltown City Council in the amount of **\$8,874.69** for the purposes of the Local Infrastructure identified in the Campbelltown Local Infrastructure Contributions Plan 2018 (the Plan).

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 is based on a proposed cost of carrying out the development of **\$822,900** indexed to the quarter immediately prior to the date of this consent. This cost (and consequently the monetary contribution) must be indexed between the date of this consent and the date of payment in accordance with the following formula:

Indexed development cost (\$)=	\$CC X CPI₽	
	CPIc	

# 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.

### Time for payment

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

### 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.

## 44. Dial Before You Dig

Prior to Council or an appointed Principal Certifier issuing a construction certificate, the applicant is required to obtain advise from Dial Before You Dig 1100 service in accordance with the requirements of the *Electricity Supply Act 1995 (NSW)* and associated Regulations.

# 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.

### 45. 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.

# 46. 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

 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.

#### 47. 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.

#### 48. Trade Waste

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

## 49. 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.

# 50. 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.

## 51. Footpath and Vehicular Crossing Levels

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

#### 52. 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 nonlicensed 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.

# 53. Fencing

Prior to the commencement of any works, an appropriate fence preventing public access to the site shall be erected for the during of construction works.

### 54. Geotechnical Reference

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

# 55. 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.

## 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.

## 56. Construction Work Hours

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

 $\begin{array}{ll} \mbox{Monday to Friday} & 7.00 \mbox{ am to } 6.00 \mbox{ pm} \\ \mbox{Saturday} & 8.00 \mbox{ am to } 5.00 \mbox{ pm} \end{array}$ 

Sunday and public holidays No Work.

### 57. 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.

#### 58. 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.

## 59. 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 quarded 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.

### 60. Fill Compaction Requirements

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

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

### 61. 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.

## 62. 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.

## 63. 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.

## 64. Certification of Levels of Building during Construction

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

#### 65. Excess Material

All clean soil and bush rock must be retained on site and used as part of the landscaping works in accordance with Clause 7.5 of the Campbelltown Local Environmental Plan 2015. All other excess material is to be removed from site.

### 66. 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.

## 67. 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)
- Council's Engineering Design for Developments Guide
- Campbelltown (Sustainable City) DCP Volumes 1 and 3 (as amended)
- Soils and Construction (2004) (Bluebook) and
- Relevant Australian standards and State Government publications.

### 68. Medium Density Driveway and Layback Crossing

The applicant shall provide a reinforced concrete driveway and layback crossing/s to Council's Medium Density Vehicle Crossing Specification.

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

### 69. 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.

### 70. Redundant Laybacks

All redundant layback/s shall be reinstated to conventional kerb and gutter to Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and with the design requirements of the Campbelltown (Sustainable City) DCP - Volumes 1 and 3 (as amended).

### 71. 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.

# 72. 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.

### 73. 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.

## 74. 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 <u>www.sydneywater.com.au</u> > 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.

# 75. 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.

### 76. 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, acoustic barriers, fencing and retaining walls to be completed to the satisfaction of the appointed Principal Certifier.

## 77. Waste Servicing Agreement

Prior to Council or an appointed Principal Certifier issuing an occupation certificate, the applicant must provide a letter to Campbelltown City Council's Waste Coordinator, from an appropriately licensed contractor confirming that the contractor has been engaged to service the development for the purpose of collecting general waste and recycling from the internal waste collection area with a maximum size SRV waste collection vehicle size.

#### 78. Evacuation Plan

Prior to appointed Principal Certifier issuing an occupation certificate, an evacuation plan complying with AS3745 Emergency Control Organization and Procedures for Buildings, Structures and Workplaces (as amended) must be prepared by a suitably qualified and experienced professional and be approved by the appointed Principal Certifier.

The emergency evacuation plan must consider the following:

- a) The mobility of children and how this is to be accommodated during an excavation;
- b) The location of a safe congregation area, away from the evacuated building, busy roads, other hazards and the evacuation points of other residents in surrounding buildings,
- c) The supervision of children during the evacuation and at the safe congregation area with regard to the capacity of the facility and the child/staff ratios;
- d) Facilities which accommodate children under 2 years of age are to have a large mobile cot (on wheels) so groups of babies can be quickly evacuated.

The childcare facility must be carried out in accordance with the Emergency Evacuation Plan.

## 79. Compliance Certificate

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

### 80. Final Inspection - Works as Executed Plans

Prior to the appointed Principal Certifier issuing an occupation certificate, the applicant shall submit to Council a copy of a work as executed plan, certified by a qualified surveyor, which has been prepared in accordance with the requirements detailed in Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and Engineering Design Guide for Development (as amended).

#### 81. 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.

### 82. 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.

### 83. Advance Warning Signage - Childcare Centre

Prior to the appointed Principal Certifier issuing an occupation certificate, approved "Childcare Centre" warning signs shall be erected along the approach roads to the proposed development. In this regard, the applicant shall liaise with Council's Traffic Engineer to determine the specific location and relevant signage types prior to the completion of a detailed signage and line marking plan. The final plan is to be submitted to Council and approval received from Council's Traffic Committee prior to the erection of any of the required signs. All approved signage is to be supplied and erected by Council at the applicant's expense. All fees and charges associated with the supply and erection of the approved signage will be in accordance with Council's current schedule of fees and charges.

### 84. Noise Management

- a. All mechanical plant items are to be specified (or otherwise acoustically treated) to ensure that they collectively do not exceed a sound power level of 75 dB(A). Certification of compliance with this condition by a suitably qualified acoustic consultant is to be provided to the appointed Principal Certifier issuing and occupation certificate for this development consent.
- b. The appointed Principal Certifier shall not issue any occupation certificate for this development unless it is satisfied that the building includes:
  - Measures that will provide satisfactory ventilation for the proposed use to operate when all external doors are closed;
  - ii. Only external wall glazing elements that have a minimum Rw 30 glazing; and
  - iii. Self closing mechanisms to all external doors.
- c. The appointed Principal Certifier shall not issue any occupation certificate for this development unless it is satisfied that acoustic walls have been provided in accordance with the specifications and plans provided in the Environmental Noise Impact Assessment prepared by Day Design Pty Ltd, no. 7046-1.1R Rev D, dated 22 April 2022.
- d. The appointed Principal Certifier shall not issue any occupation certificate for this development unless it is satisfied that noise advisory signage has been provided at the entry to the childcare centre in accordance with the following requirements:
  - i. Minimum dimensions of 20x30cm
  - ii. Contain the text "Please be considerate of our neighbours and keep noise to a minimum" in red on a white background
  - iii. All text to have a minimum height of 1.5cm and be in one of the following fonts:
    - Arial, Calibri, Helvetica, Tahoma, Veranda.
  - iv. Be clearly visible to persons entering the centre

## 85. Plan of Management

Prior to Council or an appointed Principal Certifier issuing an occupation certificate, a Plan of Management is required to be submitted to the Executive Manager of Urban Centres for written approval.

The Plan of Management must detail the following:

- a) Noise management procedures and recommendations as provided in the Environmental Noise Impact Assessment, prepared by Day Design, dated 22 April 2022;
- Waste management procedures as provided in the Waste Management Plan, prepared by Dickens Solutions, dated April 2022;
- Include waste collection times to be between peak morning and peak afternoon drop-off and pick-up times;
- d) Revised indoor play schedule to ensure that 10 children in the 3-5 years age group numbers are 10 between the hours of 3:30-4:30pm; and
- e) Security measures.

### 86. Contamination

Prior to the appointed Principal Certifier issuing any occupation certificate under this consent, the appointed Principal Certifier (and Council if Council is not the appointed Principal Certifier) shall be provided with a clearance certificate for the land demonstrating that all works involving the demolition of asbestos containing materials and/or lead paint have been completed and that all hazardous wastes generated and any existing lead paint have been satisfactorily disposed of. The clearance certificate shall consist of either:

- a) A certificate from a Certified Occupational Hygienist (accredited by the Australian Institute of Occupational Hygienists); or
- b) A site audit statement issued under the Contaminated Land Management Act 1997.

# 87. Playground Equipment

Prior to the appointed Principal Certifier issuing any occupation certificate, the playground equipment is required to be installed in accordance with the relevant Australian Standard(s) and the manufacturer's recommendations.

### 88. Positive Covenant

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

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

## 89. Landscaping Species Selection

Prior to the appointed Principal Certifier issuing an occupation certificate, a statement from a suitably qualified arborist is required to be provided, to the satisfaction of the certifier, which specifies that the selected landscaping species on the site, and any trees/vegetation adjoining the site which are deemed capable of impacting the outdoor play area are:

- a) are not toxic or dangerous (see Appendix 7 of SCDCP 2015); and
- do not impose a safety hazard such as personal injury from falling branches and seeds, poisoning and/or choking.

If adjoining species are deemed to not satisfy point (i) and (ii) above, a management plan is required to be put in place to ensure the health and safety of the children.

## 90. Food Premises Fit-Out Inspection

Prior to the appointed Principal certifier issuing a construction certificate, Council's Environmental Health Team Leader is to be contacted on (02) 4645 4604 to undertake an inspection of the premises to confirm compliance with this consent, the Food Act 2003, Food Regulation 2015, Food Standards Code Australia and New Zealand and AS 4674-2004.

### 91. 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.

## **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.

### 92. Construction

The construction, fit-out and finishes of the food premises must be constructed in accordance 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.

### 93. Registration

The premise is required to be registered with Council. Regular inspections will be carried out to ensure health standards are maintained. A business registration form is available on Council's website and must be completed and submitted to Council prior to the operation of the food business commencing (Food Safety Standard 3.2.2).

#### 94. Floor Waste

Floor wastes in food preparation and food service areas must be fitted with sump removable stainless steel baskets and grates (AS 4674-2004, Section 4.1.8).

### 95. Coving

Feather edge skirting and non-rebated coving is not permitted. Recessed coving must be provided at all intersections of the floor with the walls/plinths within all food preparation, service and storage areas. All coving must:

- a. Have a minimum concave radius of 25 mm; or
- b. Be tiled 50mm minimum in width and splayed at 45°.

The coving must be installed so as to be integral to the surface finish of both floor and wall in such a manner as to form a continuous, uninterrupted surface in accordance with Figure 3.1 and 3.2 of the Australian Standard (AS 4674-2004, Section 3.1.5).

### 96. Food Premises Fit-Out Inspection

Prior to the release of the occupation certificate, Council's Environmental Health Officer is to be contacted on (02) 4645 4604 to undertake an inspection of the premises to confirm compliance with this consent, the *Food Act 2003*, *Food Regulation 2015*, Food Standards Code Australia and New Zealand and AS 4674-2004.

#### 97. Floor Construction

The floor construction within the food preparation area/s must be finished to a smooth, even non-slip surface, graded and drained to a floor waste (AS 4674-2004, Section 3.1).

### 98. Penetrations/Service Lines

INTEGRAL PENETRATIONS/SERVICE LINES - All service pipes, conduits and electrical wiring must be concealed in the floor, walls, plinths or ceiling (AS 4674-2004, Section 3.2.9).

EXTERNAL PENETRATIONS/SERVICE LINES - External service pipes and electrical conduit must be fixed on brackets so to provide at least 25 mm clearance between the pipe and adjacent vertical surface and 100 mm between the pipe or conduit and adjacent horizontal surfaces. Service pipes and electrical wiring must not be placed in the recessed toe space of plinths or of any equipment (AS 4674-2004, Section 3.2.9).

### 99. Wall Requirements

Cavity walls are not permitted. All walls in the food premises, including all new and existing partition walls, must be of solid construction and finished to a smooth, impervious surface that can be easily cleaned, as specified in Table 3.2 of AS 4674-2004. The finishing materials of the wall surfaces must provide an even surface, free of fixing screws, open joint spaces, cracks or crevices (AS 4674-2004, Section 3.2).

### 100. Window Sills

Window sills located within a food preparation area or food service area must be located 450 mm above the top of any bench or sink and tiled at a splayed angle of 45°.

### 101. Ceiling Construction

Drop-in panel style ceilings are not permitted in food preparation areas or over areas where open food is displayed, handled or served. The ceiling in the food premises must be constructed with a rigid, non-absorbent, smooth faced material free from open joints, cracks and crevices and be painted with a light coloured washable paint. The intersection of the walls and ceiling must be tight-jointed, sealed and dust proofed (AS 4674-2004, Section 3.2).

### 102. Light Fittings

All fluorescent light fittings must be fitted with a smooth faced diffuser. The light fittings must be either:

- Recessed so that the diffuser is flush with ceiling
- b. Designed to ensure that no horizontal surface exists which would allow dust and grease to accumulate (AS 4674-2004, Section 2.6.2).

#### 103. Hand Wash Basins

Hand wash basins must be provided in all parts of the premises where open food is handled and in utensil/equipment washing areas. The hand wash basin is to be located and installed in such a way that they are not obstructed, are at bench height either permanently fixed to a wall, to a supporting frame or set in a bench top and is accessible from no further than 5 m away from any place where food handlers are handling open food (AS 4674-2004, Section 4.4).

The hand wash basin is to have a permanent supply of warm running potable water mixed to a temperature of at least  $40^{\circ}$ C and delivered through a single outlet. Disposable paper hand towels and soap must be provided and serviced from a dispenser adjacent to the hand wash basin. A waste receptacle for used towels must be provided (AS 4674-2004, Section 4.4).

## 104. Dishwashing Machines

The dishwashing/glass washing machine must be designed and able to operate in accordance with AS 4674-2004 and the Food Standards Code. All utensils and equipment must undergo a washing, sanitising and rinsing cycle. The sanitising rinse cycle must achieve a water temperature of 80 degrees Celsius for 2 minutes or 75 degree Celsius for 10 minutes (AS 4674-2004, Section 4.1.6).

Appropriate ventilation must be provided over the dishwashing system and be designed and installed in accordance with Australian Standard 1668.2-2012: The use of ventilation and air conditioning in buildings - Part 2: Mechanical ventilation in buildings.

## 105. Food Preparation Sink

A food preparation sink is required where foods are prepared by immersion in water including for cleaning fruit or vegetables. All food preparation sinks must be used only for the preparation

and cleaning of food. The sink is in addition to the hand basin and equipment wash sinks (AS 4674-2004, Section 4.1).

### 106. Bottle Preparation Sink

A designated bottle preparation sink must be provided to rooms within the childcare centre that bottle preparation occurs. The bottle preparation sink must be provided with hot and cold water through a single outlet.

The bottle preparation sink must be labelled accordingly and cannot be used for craft activities or handwashing. A separate hand wash sink must be provided to all bottle preparation areas.

## 107. Equipment Wash Sinks

A double bowl wash sink must be installed and serviced with hot and cold water through a single outlet (AS4674-2004 – Section 4.1). The double bowl sink is in addition to the hand wash basin.

or

A triple bowl sink must be installed and serviced with hot and cold water through a single outlet where rinsing is required before or after sanitising e.g. wash, rinse, sanitise procedure or wash, rinse/sanitise, rinse procedure (AS 4674-2004, Section 4.1).

#### 108. Cleaner's Sink

A cleaner's sink is to be installed in a location outside of the food preparation area and must be serviced with hot and cold water through taps fitted with hose connectors. (AS 4674-2004, Section 4.1.8).

# 109. Tap Fittings

Hot and cold wall mounted taps must be installed fitted with hose connectors and positioned at least 600 mm above the floor in a convenient and accessible location within the food preparation area and adjacent to the floor waste (AS 4674-2004, Section 4.1.8).

# 110. Fittings and Fixtures

All fixtures, fittings and equipment must be provided with smooth and impervious surfaces, free from cracks and crevices to enable easy cleaning (AS 4674-2004, Section 4).

All fittings and fixtures must be built into the wall and floor so to be free from joints, gaps and cavities to enable easy cleaning or alternatively, supported on one of the following in accordance with Table 4.5 of AS 4674-2004:

- Plinths must be an integral part of the floor, constructed of solid materials similar to the floor at least 75 mm in height and coved at the intersection with the floor. All plinths must have a smooth and impervious finish. All fittings and fixtures must be properly sealed to the plinth so to be free from gaps, cracks and cavities.
- Fittings and fixtures can be supported on wheels or castors. The wheels and castors must be capable of supporting and easily moving a full loaded fitting. All wheels and castors must be provided with a restraining device.

 Fittings and fixtures can be supported on legs but must be constructed of non-corrosive, smooth metal or moulded plastic. All legs must be free from cracks and crevices. All legs must have a clearance space between the floor and the underside of the fitting of at least 150 mm.

False bottoms under fittings are not permitted (AS 4674-2004, Sections 4.2 and 4.3).

### 111. Food Preparation Benches

All food preparation benches must be constructed of stainless steel. All food contact surfaces are to be smooth, continuous and flush so as to avoid any exposed screw fixtures.

#### 112. Mechanical Exhaust Ventilation

A food premises must be provided with a kitchen exhaust hood complying with Australian Standard 1668.2-2012: The use of ventilation and air conditioning in buildings - Part 2: Mechanical ventilation in buildings and where applicable, Australian Standard 1668.1-1998: The use of ventilation and air conditioning in buildings - Fire and smoke control in multi-compartment buildings, where:

- a. Any cooking apparatus has:
  - A total maximum electrical power input exceeding 8 kW
  - ii. A total gas power input exceeding 29 MJ/h
- b. The total maximum power input to more than one apparatus exceeds:
  - i. 0.5 kW electrical power
  - ii. 1.8 MJ gas per m2 of floor area of the room or enclosure; or
- c. Any deep fryer.

Documentation from a mechanical engineer certifying that the mechanical ventilation system, as installed, complies with the AS/NZS 1668.1:1998 and 1668.2-2012, must be provided to the certifying authority prior to the issue of an Occupational Certificate.

#### 113. Shelving

All shelving must be located at least 25 mm off the wall or alternatively, the intersection of the shelf and the wall is to be completely sealed. All shelving must be constructed at least 150 mm from the floor level (AS 4674-2004, Section 4.2).

### 114. Cool Room and Freezer Room

Where applicable, the cool room and/or freezer room floor must be finished with a smooth even surface and graded to the door. A sanitary floor waste must be located outside the cool room and freezer room adjacent to the door.

All metal work in the cool room and freezer room must be treated to resist corrosion.

Condensation from the refrigeration units/cool room/freezer room motors must be directed to a tundish, installed in accordance with Sydney Water requirements.

The cool room and freezer room must be provided with:

- a. A door which can at all times be opened internally without a key; and
- b. An approved alarm device located outside the room, but controllable only from the inside.

# 115. Storage Cabinets/Cupboards

All storage cabinets/cupboards (internal and external surfaces) must be finished in a smooth and non-absorbent material that is free of joints (AS 4674-2004, Section 4.2).

# 116. Waste and Recycling Storage, Collection and Disposal

The business operator must enter into a commercial waste contract agreement for regular waste and recycling collection and disposal with a suitably licensed contractor. A copy of the waste agreement must be available for inspection upon request by Council.

All waste and recycling generated from the business are 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.

Waste bins that are placed out on a public place for collection must only be placed out for collection on the day of the collection after 6.00pm and must be removed by 8.00am the following day. Any residual waste left on the public place as a result of bin placement must be removed within undue delay by the food business operator.

### 117. Food Storage

Any appliance used for the storage of hot and/or cold food must be provided with a numerically scaled indicating thermometer or recording thermometer accurate to the nearest degree Celsius or an alarm system for continuous monitoring of the temperature of the appliance.

#### 118. Store Room

Where a storeroom is required for food or food handling equipment, the construction must be in accordance with AS 4674-2004 by providing the following:

- a. A smooth, even and non-slip floor surface
- b. Walls must be provided with a smooth, even surface and painted with a light coloured washable paint to enable easy cleaning in accordance with Table 3.2 of AS 4674-2004
- c. The ceiling must be constructed with a rigid, non-absorbent, smooth faced material free from open joints, cracks and crevices and be painted with a light coloured washable paint. The intersections of the walls and ceiling must be tight-jointed, sealed and dustproof (AS 4674-2004, Section 3.2)
- d. Shelving or storage racks must be designed and constructed to enable easy cleaning
- e. Appropriate ventilation must be provided (ducted to the external air) within the store room to allow for the escape of heat and odour that can be produced from refrigeration and freezer motor units.

#### 119. Toilet Facilities and Hand Basins

A toilet for staff must be provided for the premises. The toilet cubicle must be separated from areas where open food is handled, displayed or stored by one of the following:

- a. An intervening ventilated space fitted with self-closing doors
- Self-closing doors and mechanical exhaust systems that operate when the sanitary compartment is in use for at least 30 seconds after the cubicle is vacated (AS 4674-2004, Section 5.2).

Toilets intended for customer use must not be accessed through areas where open food is handled, displayed or stored.

A hand basin must be located within the toilet cubicle. The basin must be freestanding, serviced with hot and cold water through a single outlet, able to be mixed to a temperature of at least 40°C and fitted with a hands-off type tap set (AS 4674-2004, Section 4.4). The basin must be provided with soap and disposable paper towels from a dispenser.

#### 120. Condensation Collection

Condensation from refrigeration units, freezer units and coffee machines must be directed to a tundish, installed in accordance with Sydney Water requirements (Food Standards Code 3.2.3).

### 121. Meter Box

Where applicable an approved non-absorbent, smooth faced cover must be provided over the meter box. The cover is to be splayed at an angle of  $45^{\circ}$  to the wall at the top and made tight fitting to the wall surfaces.

#### 122. Hot Water Service

The hot water service must be positioned at least 75 mm clear of the adjacent wall surfaces, and mounted at a minimum 150 mm above the floor level on a non-corrosive metal stand. The hot water system must be of adequate size to enable a sufficient amount of hot water to all washing facilities throughout the working day (AS 4674-2004, Section 4.3).

#### 123. Pest Protection

Flyscreens and/or other approved means of excluding the entry of pests must be provided to all window and door openings in accordance with Section 2.1.5 of AS 4674-2004.

Where pipe work, drains, cables and ducts penetrate walls, ceilings and roofs, holes must be sealed, filled and finished to prevent the entry of pests.

Spaces between adjoining structures, such as between cool room walls and premises walls, must be accessible for inspection and cleaning or sealed with a suitable compound so that they are inaccessible to pests. Spaces between the top surface of equipment or structures, such as cool rooms, must be accessible for inspection and cleaning or sealed/boxed in so that they are inaccessible to pests.

## 124. Locker Storage for Staff Belongings and Equipment

Sufficient lockers must be provided in the food preparation area or store room specifically for the storage of cleaning materials, employees' clothing and personal belongings (AS 4674-2004, Section 5.1).

### 125. Office Materials

Facilities for storing paperwork and other materials associated with the administration of the business must be in a designated room for office use or in an enclosed cupboard or drawer dedicated for that use (AS 4674-2004, Section 5.1.3).

#### 126. Grease Arrestors

Where required all grease arrestors must be located outside of where food and equipment is handled or stored. Access to grease arrestors for emptying must not be through an area where open food is handled or stored or where food contact equipment and packaging materials are handled or stored (AS 4674-2004, Section 2.3).

Documentation supplied by Sydney Water regarding evidence of the trade waste agreement must be provided to the certifying authority prior to issue of an Occupation Certificate.

Please contact Sydney Water for information and requirements for grease arrestors by calling 13 20 92.

### **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:

- 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. Smoke Free Environment Act

Nothing in this consent is to be taken to imply that the development meets the requirements of the *Smoke Free Environment Act* 2000 (SFEA2000) or the *Smoke Free Environment Regulations* 2007 (SFER2007). In the event that the occupier wishes to facilitate smoking within any enclosed public place of the premises (in accordance with clause 6 of the SFER2007), the occupier must first contact NSW Department of Health to ensure that the design and construction of the area proposed to facilitate smoking fully complies with the requirements of the SFEA2000 and the SFER2007.

#### Advice 4. Covenants

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

### Advice 5. Provision of Equitable Access

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

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

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

# Advice 6. Inspections – Civil Works

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 issuing the occupation certificate.

## Advice 7. Dial before you Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before you dig service, an amendment to the development

consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

### Advice 8. Asbestos Warning

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

www.environment.nsw.gov.au www.nsw.gov.au/fibro www.adfa.org.au www.workcover.nsw.gov.au

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

#### Advice 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.

## Advice 10. 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.

### **END OF CONDITIONS**

# Attachment 2 - Child Care Planning Guidelines Compliance Table

In accordance with clause 23 of the State Environmental Planning Policy (Educational Establishments and Child Care Facilities), prior to determining a development application for development for the purpose of a centre-based child care facility, the consent authority must take into consideration any applicable provisions of the *Child Care Planning Guideline*, in relation to the proposed development. A compliance table is provided below assessing the development against the provisions of the Child Care Planning Guideline.

Child Care Planning Guidelines				
Objective	Provision	Proposed	Compliance	
3.1 Site Selection and	Location			
To ensure that appropriate zone considerations are assessed when selecting a site.	C1 - For proposed developments in or adjacent to a residential zone, consider:  -the acoustic and privacy impacts of the proposed development on the residential properties  -the setbacks and siting of buildings within the residential context  -traffic and parking impacts of the proposal on residential amenity.	The development application has considered the acoustic and privacy impacts of the development which are considered satisfactory, subject to the recommendations contained within the Environmental Noise Impact Assessment, prepared by Day Design Pty Ltd, dated 22 April 2022.  The setbacks of the development, including the minor-non-compliance of the side setbacks is considered to satisfactorily respond to the residential setting and context of the locality.  The traffic and parking impacts are also considered satisfactory.  See section 3.1 of the report for further discussion.	Satisfactory	
To ensure that the site selected for a proposed child care facility is suitable for the use.	C2 - When selecting a site, ensure that:  • the location and surrounding uses are compatible with the proposed development or use	The required parking for the development is accommodated on the subject site.  The site in environmentally safe, with the inclusion of a	Satisfactory	

1

Child Care Planning Guidelines				
Objective	Provision	Proposed	Compliance	
	the site is environmentally safe including risks such as flooding, land slip, bushfires, coastal hazards  there are no potential environmental contaminants on the land, in the building or the general proximity, and whether hazardous materials remediation is needed  the characteristics of the site are suitable for the scale and type of development proposed having regard to:  size of street frontage, lot configuration, dimensions and overall size  number of shared boundaries with residential properties  the development will not have adverse environmental impacts on the surrounding area, particularly in sensitive environmental or cultural areas  where the proposal is to occupy or retrofit an existing premises, the interior and exterior spaces are suitable for the proposed use  there are suitable drop off and pick up areas, and off and on street parking  the type of adjoining road (for example classified, arterial, local road, cul-desac) is appropriate and safe for the proposed use  it is not located closely to incompatible social activities and uses such as restricted premises,	recommended condition for a site audit statement or a certificate from a certified occupations hygienist.  The site is suitable for the scale of the proposed development. The site has sufficient width to accommodate suitable vehicular and separate pedestrian access to the site.  The development is not considered to result in any adverse environmental impacts on surrounding residential allotments, subject to the inclusion of the recommended conditions of development consent concerns acoustic matters.  The site is not located closely to incompatible social activities and uses such as restricted premises, injecting rooms, drug clinics and the like, premises licensed for alcohol or gambling such as hotels, clubs, cellar door premises and sex services premises.  Access to and from Kittyhawk Crescent is considered appropriate and safe, specifically in relation to available sight lines.		

2

Child Care Planning Guidelines				
Objective	Provision	Proposed	Compliance	
		The site is located approximately 1.5km from Eschol Park Public School and 2km from Robert Townson Public School.  The site is 2km from Eschol Park Sports Complex and 1.9km from Raby Sports Complex.  The subject site is also in close proximity to Raby Shopping Centre, located approximately 350 metres from the site and 1.5 km from Eagle Vale Marketplace.	Satisfactory	
	community, businesses, shops, services and the like	The nearest bus stop (Stop ID: 2566188) is located 96m from the site and is located on Hurricane Drive, opposite Kittyhawk Crescent. The site is located 450m from a bus stop on Spitfire Drive (Stop ID: 2566168).		

Child Care Planning Guidelines				
Objective	Provision	Proposed	Compliance	
To ensure that sites for child care facilities do not incur risks from environmental, health or safety hazards.  3.2 Local Character, Str	C4 - A child care facility should be located to avoid risks to children, staff or visitors and adverse environmental conditions arising from:  • proximity to:  - heavy or hazardous industry, waste transfer depots or landfill sites  - LPG tanks or service stations  -water cooling and water warming systems  -odour (and other air pollutant) generating uses and sources or sites which, due to prevailing land use zoning, may in future accommodate noise or dour generating uses	The subject site is not located in close proximity to:  -heavy or hazardous industry waste transfer depots or landfill sites  -LPG tanks or service stations  -water cooling or water warming systems  -odour generating uses or odour sources or sites	Satisfactory	
To ensure that the child care facility is compatible with the local character and surrounding streetscape.	C5 - The proposed development should:  • contribute to the local area by being designed in character with the locality and existing streetscape  • reflect the predominant form of surrounding land uses, particularly in low density residential areas  • recognise predominant streetscape qualities, such as building form, scale, materials and colours  • include design and architectural treatments that respond to and integrate with the existing streetscape  • use landscaping to positively contribute to the	The proposed bulk and scale of the proposed building is considered to be of a similar scale to residential dwellings in the locality.  From the public domain, the development does not appear dominant in the streetscape.  The car parking is located within the front building setback, creating a setback to the physical building. The front setback of the building complies with the numerical provisions contained within Council's SCDCP and is considered to be compatible with the existing residential dwellings in the C4	Satisfactory	

4

Child Care Planning Guidelines			
Objective	Provision	Proposed	Compliance
	streetscape and neighbouring amenity	Environmental Living zone.	
	<ul> <li>integrate car parking into the building and site landscaping design in residential areas.</li> </ul>	The front building line is maintained as per the existing dwelling on the site.	
To ensure clear delineation between the child care facility and public spaces.	C6 - Create a threshold with a clear transition between public and private realms, including:  • fencing to ensure safety for children entering and leaving the facility	An appropriate transition between the public and private area is created through landscaping within the front setback.	Satisfactory
	windows facing from the facility towards the public domain to provide passive surveillance to the street as a safety measure and connection between the facility and the community		
	<ul> <li>integrating existing and proposed landscaping with fencing.</li> </ul>		
To ensure clear delineation between the child care facility and public spaces.	C7 - On sites with multiple buildings and/or entries, pedestrian entries and spaces associated with the child care facility should be differentiated to improve legibility for visitors and children by changes in materials, plant species and colours.	The design incorporates a clear pedestrian entrance both from within the car parking area and from Kittyhawk Crescent.	Satisfactory
To ensure clear delineation between the child care facility and public spaces.	C8 - Where development adjoins public parks, open space or bushland, the facility should provide an appealing streetscape frontage by adopting some of the following design solutions:	The subject site does not adjoin public parks, open space or bushland.	N/A
	<ul> <li>clearly defined street access, pedestrian paths and building entries</li> </ul>		
	low fences and planting which delineate communal/ private open space from adjoining public open space		

Child Care Planning Guidelines			
Objective	Provision	Proposed	Compliance
To ensure that front	minimal use of blank walls and high fences.  C9 - Front fences and walls	The subject site is not	Satisfactory
fences and retaining walls respond to and complement the context and character of the area and do not dominate the public domain.	within the front setback should be constructed of visually permeable materials and treatments.	listed as a heritage listed site or located adjacent to a heritage listed item or within a conservation area.  Front fencing is not	
		proposed on the property boundary or within the visitor car parking area setback.	
To ensure that front fences and retaining walls respond to and complement the context and character of the area and do not dominate the public domain.	C10 - High solid acoustic fencing may be used when shielding the facility from noise on classified roads. The walls should be setback from the property boundary with screen landscaping of a similar height between the wall and the boundary.	Front acoustic barrier fencing not proposed.	N/A
3.3 Building Orientation	, Envelope and Design		
To respond to the streetscape and site, while optimising solar access and opportunities for shade.	C11 - Orient a development on a site and design the building layout to:  • ensure visual privacy and minimise potential noise and overlooking impacts on neighbours by:	The orientation of the development is considered satisfactory and is consistent with the existing dwelling on the development site.  The outdoor play areas	Satisfactory
	- facing doors and windows away from private open space, living rooms and bedrooms in adjoining residential properties	are considered satisfactorily located with appropriate acoustic screening.	
	- placing play equipment away from common boundaries with residential properties	Solar access can be achieved to both the internal and external play areas.	
	- locating outdoor play areas away from residential dwellings and other sensitive uses	Overshadowing impacts to the adjoining properties is not considered significant.	
		The proposed building presents to the street,	

Child Care Planning Guidelines			
Objective	Provision	Proposed	Compliance
To ensure that the scale of the child care facility is compatible with adjoining development and the impact on adjoining buildings is minimised.	optimise solar access to internal and external play areas     avoid overshadowing of adjoining residential properties     minimise cut and fill     ensure buildings along the street frontage define the street by facing it     ensure that where a child care facility is located above ground level, outdoor play areas are protected from wind and other climatic conditions.  C12 - The following matters may be considered to minimise the impacts of the proposal on local character:     building height should be consistent with other buildings in the locality     building height should respond to the scale and character of the street     setbacks should allow for adequate privacy for neighbours and children at the proposed child care facility	proposed  providing a clear entrance.  Cut and fill for the proposed building is considered minimal. The car park does require fill to provide an at-grade car parking area which is considered satisfactory.  Both outdoor play area on the ground floor is considered satisfactorily protected from wind. Shade sales assist with protection from the sun.  Building height is consistent with other residential dwellings in the locality.  Building height is less than the maximum height of 9m prescribed by clause 4.3 of CLEP 2015.  Side setbacks provide for adequate access for building maintenance.  Setbacks to the street are considered	Satisfactory
	setbacks should provide adequate access for building maintenance     setbacks to the street should be consistent with the existing character.	satisfactory within the existing streetscape context. The development is not deemed so different in terms of building form and setbacks that harmony is not able to be achieved within the existing streetscape	
To ensure that setbacks from the boundary of a child care facility are consistent with the	C13 - Where there are no prevailing setback controls minimum setback to a classified road should be 10 metres. On other road	context.  Part 8.3.4(c)(i) of Council's SCDCP 2015 requires that child care facilities shall be setback a minimum of	Satisfactory

	Child Care Planning Guidelines			
Provision	Proposed	Compliance		
frontages where there are existing buildings within 50 metres, the setback should be the average of the two closest buildings. Where there are no buildings within 50 metres, the same setback is required for the predominant adjoining land use.	20 metres from the primary street boundary. The proposed setback of approximately 32m from the front property boundary complies with the DCP requirement.			
C14 - On land in a residential zone, side and rear boundary setbacks should observe the prevailing setbacks required for a dwelling house.	The development complies with the front and rear setbacks in accordance with Part 4.5.1(a) which require a rear setback of 10m and a primary street setback of 15m.  In accordance with Part 4.5.1(a), the side setbacks for a dwelling house is 10 metres. This side setback provision is also consistent with Part 8.3.8 (c)(ii) of the DCP for side setbacks in environmental living zones.  A non-compliant setback in environmental living zones.  A non-compliant setback of 4.6 metres is proposed to the rear ground floor play area (2-3 year olds), which is part of the existing building on the site.  8.6 metres is proposed from the south western property boundary relating to the waste area and external store room.  The non-compliant side setbacks are not considered to give rise to adverse environmental impacts and are considered satisfactory.	Non-compliance proposed. Satisfactory on merit. See section 2.6 of the planning report for discussion.		
	existing buildings within 50 metres, the setback should be the average of the two closest buildings. Where there are no buildings within 50 metres, the same setback is required for the predominant adjoining land use.  C14 - On land in a residential zone, side and rear boundary setbacks should observe the prevailing setbacks required	frontages where there are existing buildings within 50 metres, the setback should be the average of the two closest buildings. Where there are no buildings within 50 metres, the same setback is required for the predominant adjoining land use.  C14 - On land in a residential zone, side and rear boundary setbacks should observe the prevailing setbacks required for a dwelling house.  The development complies with the Front and rear setbacks in accordance with Part 4.5.1(a) which require a rear setback of 10m and a primary street setback of 15m.  In accordance with Part 4.5.1(a), the side setbacks for a dwelling house is 10 metres. This side setback provision is also consistent with Part 8.3.8 (c)(ii) of the DCP for side setbacks in environmental living zones.  A non-compliant setback of 4.6 metres is proposed to the rear ground floor play area (2-3 year olds), which is part of the existing building on the site.  8.6 metres is proposed from the south western property boundary relating to the waste area and external store room.  The non-compliant side setbacks are not considered to give rise to adverse environmental impacts and are considered		

Child Care Planning G Objective	Provision		
Objective	LIONIZIOII	Proposed	Compliance
		discussion regarding	
		the proposed non- compliance side	
		setbacks.	
To ensure that the	C15 - The built form of the	The proposed built form	Satisfactory
built form, articulation	development should	respects the privacy of	,
and scale of	contribute to the character	adjoining	
development relates	of the local area, including	developments.	
to its context and buildings are well	how it:	The site is not in	
designed to	respects and responds to	proximity to items of	
contribute to an area's	its physical context such as	heritage significance.	
character.	adjacent built form,		
	neighbourhood character,	The bulk and scale of	
	streetscape quality and	the built form is	
	heritage	considered to be of a similar scale to	
	contributes to the identity	residential dwellings in	
	of the place	the locality.	
	retains and reinforces	The front setback	
	existing built form and vegetation where significant	between the car parking area and the front	
	vegetation where significant	property boundary is	
	considers heritage within	sufficiently landscaped	
	the local neighbourhood	to soften the visual	
	including identified heritage	impact of the hardstand	
	items and conservation	area.	
	areas		
	<ul> <li>responds to its natural</li> </ul>		
	environment including local		
	landscape setting and		
	climate		
	contributes to the identity		
	of place		
To ensure that	C16 - Entry to the facility	The facility includes	Satisfactory
buildings are designed	should be limited to one	one identifiable entry	
to create safe	secure point	point which can be	
environments for all users.	which is:	accessed by pedestrians and site	
uəci ə.	located to allow ease of	users arriving by car.	
	access, particularly for	, , , , , , , , , , , , , , , , , , , ,	
	pedestrians	The entry is not	
	diameter 9.5 cm	accessed through an	
	directly accessible from the street where possible	outdoor play area.	
	street where possible	The entry could easily	
	directly visible from the	be monitored though	
	street frontage	camera surveillance.	
		The entry can be	
		naturally surveillanced	

Objective	Provision	Proposed	Compliance
	easily monitored through natural or camera surveillance     not accessed through an outdoor play area.     in a mixed-use development, clearly defined and separate from entrances to other uses in the building.	from the reception area as shown on the plans.	
To ensure that child care facilities are designed to be accessible by all potential users.	the building.  C17 - Accessible design can be achieved by:  • providing accessibility to and within the building in accordance with all relevant legislation  • linking all key areas of the site by level or ramped pathways that are accessible to prams and wheelchairs, including between all car parking areas and the main building entry  • providing a continuous path of travel to and within the building, including access between the street entry and car parking and main building entrance. Platform lifts should be avoided where possible  • minimising ramping by ensuring building entries and ground floors are well located relative to the level of the footpath.	A condition of development consent has been recommended for access and services for people with disabilities shall be provided to the building in accordance with the requirements of the Access to Premises Standard 2010 and the National Construction Code. Detailed plans, documentation and specification must accompany the application for a Construction Certification to the satisfaction of the Certifying Authority.  The facility is a single level and is considered satisfactory for access purposes.	Satisfactory
3.4 Landscaping To provide landscape design that contributes to the streetscape and amenity.	C18 - Appropriate planting should be provided along the boundary integrated with fencing. Screen planting should not be included in calculations of unencumbered outdoor space.	Satisfactory landscape design is proposed.	Satisfactory

Objective	Provision	Dropoed	Compliance
Objective	Provision	Proposed	Compliance
	Use the existing landscape		
	where feasible to provide a		
	high quality landscaped area		
	by:		
	• reflecting and reinforcing		
	the local context		
	<ul> <li>incorporating natural</li> </ul>		
	features of the site, such as		
	trees, rocky outcrops and		
	vegetation communities into		
	landscaping.		
To provide landscape	C19 - Incorporate car parking	Appropriate	Satisfactory
design that	into the landscape design of	landscaping is provided	
contributes to the	the	within the front setback	
streetscape and	site by:	between the property	
amenity.		boundary and the car	
•	• planting shade trees in	parking area.	
	large car parking areas to	'	
	create a cool outdoor		
	environment and reduce		
	summer heat radiating into		
	buildings		
	Dananigo		
	taking into account		
	streetscape, local character		
	and context when siting car		
	parking areas within the		
	front		
	setback		
	SCEDUCK		
	using low level landscaping		
	to soften and screen parking		
	areas.		
3.5 Visual and Acoustic	I .	1	1
Γο protect the privacy	C20 - Open balconies in	The proposed	N/A
and security of	mixed use developments	development is not	
children attending the	should not overlook facilities	mixed use.	
facility.	nor overhang outdoor play		
-	spaces.		
To protect the privacy	C21 - Minimise direct	Overlooking from public	Satisfactory
and security of	overlooking of indoor rooms	areas is not	
children attending the	and outdoor play spaces	anticipated.	
facility.	from public areas through:		
	• appropriate site and		
	building layout		
	• suitably locating pathways,		
	windows and doors		
	Williams and doors		
	• permanent screening and		
	landscape design.		

Child Care Planning Guidelines			
Objective	Provision	Proposed	Compliance
To minimise impacts on privacy of adjoining properties.	C22 - Minimise direct overlooking of main internal living areas and private open spaces in adjoining developments through:  • appropriate site and building layout  • suitable location of pathways, windows and doors  • landscape design and screening.	No privacy concerns in relation to direct overlooking of adjoining properties from the facility are anticipated.	Satisfactory
To minimise the impact of child care facilities on the acoustic privacy of neighbouring residential developments.	C23 - A new development, or development that includes alterations to more than 50 per cent of the existing floor area, and is located adjacent to residential accommodation should:  • provide an acoustic fence along any boundary where the adjoining property contains a residential use. (An acoustic fence is one that is a solid, gap free fence).  • ensure that mechanical plant or equipment is screened by solid, gap free material and constructed to reduce noise levels e.g. acoustic fence, building, or enclosure.	An Environmental Noise Impact Assessment, prepared by Day Design Pty Ltd, dated 22 April 2022 was submitted with the development application.  Acoustic barrier fencing is proposed around the perimeter of the outdoor play area in accordance with the report.  A condition of development consent requires that the mechanical plant associated with the development may only be operated on site between the hours of 6:30am and 6:30pm Monday to Friday (inclusive) and that the plant cannot exceed a sound power level of 75 dB(A).	Satisfactory – recommended conditions of development consent to comply with the recommendations of the Environmental Noise Impact Assessment, prepared by Day Design Pty Ltd, dated 22 April 2022.

Child Care Planning Guidelines			
Objective	Provision	Proposed	Compliance
To minimise the impact of child care facilities on the acoustic privacy of neighbouring residential developments.	C24 - A suitably qualified acoustic professional should prepare an acoustic report which will cover the following matters:  • identify an appropriate noise level for a child care facility located in residential and other zones  • determine an appropriate background noise level for outdoor play areas during times they are proposed to be in use  • determine the appropriate height of any acoustic fence to enable the noise criteria to be met.	A satisfactory Environmental Noise Impact Assessment, prepared by Day Design Pty Ltd, dated 22 April 2022 was provided with the development application.	Satisfactory - recommended conditions of development consent to comply with the recommendations of the Environmental Noise Impact Assessment, prepared by Day Design Pty Ltd, dated 22 April 2022.
3.6 Noise and Air Polluti To ensure that outside noise levels on the facility are minimised to acceptable levels.	C25 - Adopt design solutions to minimise the impacts of noise, such as:  • creating physical separation between buildings and the noise source  • orienting the facility perpendicular to the noise source and where possible buffered by other uses  • using landscaping to reduce the perception of noise  • limiting the number and size of openings facing noise sources  • using double or acoustic glazing, acoustic louvers or enclosed balconies (wintergardens)  • using materials with mass and/or sound insulation or absorption properties, such as solid balcony balustrades, external screens and softs	Internal noise levels are considered compliant with the noise criterion provided in the Environmental Noise Impact Assessment, prepared by Day Design, dated 22 April 2022.	Satisfactory - recommended conditions of development consent to comply with the recommendations of the Environmental Noise Impact Assessment, prepared by Day Design Pty Ltd, dated 22 April 2022.

Objective	Provision	Proposed	Compliance
	locating cot rooms, sleeping areas and play areas away from external noise sources.		
To ensure that outside noise levels on the facility are minimised to acceptable levels.	C26 - An acoustic report should identify appropriate noise levels for sleeping areas and other non-play areas and examine impacts and noise attenuation measures where a child care facility is proposed in any of the following locations:  • on industrial zoned land  • where the ANEF contour is between 20 and 25, consistent with AS 2021 -	Appropriate noise levels for the sleeping areas are achieved as provided in the Environmental Noise Impact Assessment, prepared by Day Design Pty Ltd, dated 22 April 2022.	Satisfactory
	along a railway or mass transit corridor, as defined by State Environmental Planning Policy (Infrastructure) 2007  on a major or busy road  other land that is impacted by substantial external		
To ensure air quality is acceptable where child care facilities are proposed close to external sources of air pollution such as major roads and industrial development.	noise.  C27 - Locate child care facilities on sites which avoid or minimise the potential impact of external sources of air pollution such as major roads and industrial development.	The site is located in a residential area. Air pollution is not considered to be an impact.	Satisfactory
To ensure air quality is acceptable where child care facilities are proposed close to external sources of air pollution such as major roads and industrial development.	C28 - A suitably qualified air quality professional should prepare an air quality assessment report to demonstrate that proposed child care facilities close to major roads or industrial developments can meet air quality standards in accordance with relevant legislation and guidelines.	The development site is not considered to be close to external sources of air pollution.	N/A

Child Care Planning Guidelines			
Objective	Provision	Proposed	Compliance
	The air quality assessment report should evaluate design considerations to minimise air pollution such as:		
	creating an appropriate separation distance between the facility and the pollution source. The location of play areas, sleeping areas and outdoor areas should be as far as practicable from the major source of air pollution		
	<ul> <li>using landscaping to act as a filter for air pollution generated by traffic and industry. Landscaping has the added benefit of improving aesthetics and minimising visual intrusion from an adjacent roadway</li> </ul>		
	incorporating ventilation design into the design of the facility.		
3.7 Hours of Operation To minimise the impact of the child care facility on the amenity of neighbouring residential developments.	C29 - Hours of operation within areas where the predominant land use is residential should be confined to the core hours of 7.00am to 7.00pm weekdays. The hours of operation of the proposed child care facility may be extended if it adjoins or is adjacent to non-residential land uses.	The hours of operations are proposed as 7.00am to 6.00pm Monday to Friday which is within the range of the specified core hours.	Satisfactory
To minimise the impact of the child care facility on the amenity of neighbouring residential developments.	C30 - Within mixed use areas or predominantly commercial areas, the hours of operation for each child care facility should be assessed with respect to its compatibility with adjoining and co-located land uses.	The development site is within a residential area.	N/A
3.8 Traffic, Parking and To provide parking that satisfies the needs of		Off-street car parking rates are contained	Satisfactory

Child Care Planning G	Child Care Planning Guidelines			
Objective	Provision	Proposed	Compliance	
users and demand generated by the centre.	Control Plan that applies to the land.	with Council's SCDCP as per Part 8.4.1(b) below:		
		A minimum of one (1) on site car parking space shall be provided for every four (4) children approved to attend the child care facility.		
		72 places / 4 = 18 car parking spaces.		
		19 car parking spaces provided (including three accessible parking space).		
To provide parking that satisfies the needs of users and demand generated by the centre.	C32 - In commercial or industrial zones and mixed use developments, on street parking may only be considered where there are no conflicts with adjoining uses, that is, no high levels of vehicle movement or potential conflicts with	The site is zoned C4 and is not located within a commercial, industrial or mixed use zone.	N/A	
To provide parking that satisfies the needs of users and demand generated by the centre.	trucks and large vehicles.  C33 - A Traffic and Parking Study should be prepared to support the proposal to quantify potential impacts on the surrounding land uses and demonstrate how impacts on amenity will be minimised. The study should also address any proposed variations to parking rates and demonstrate that:  • the amenity of the surrounding area will not be affected  • there will be no impacts on the safe operation of the surrounding road network.	A Traffic and Parking Impact Report, prepared by Motion Traffic Engineers, dated May 2021, was provided with the development application.  Council's City Infrastructure section advised that no concerns are raised regarding traffic impact due to the subject development.	Satisfactory	
To provide vehicle access from the street in a safe environment that does not disrupt traffic flows.	C34 - Alternate vehicular access should be provided where child care facilities are on sites fronting:  • a classified road	Alternate vehicle access is not required to be provided. Kittyhawk Crescent is not a classified road and is considered unlikely to carry fright traffic or transport	N/A	

Child Care Planning Guidelines			
Objective	Provision	Proposed	Compliance
	roads which carry freight traffic or transport dangerous goods or hazardous materials.	dangerous goods or hazardous materials.	
To provide vehicle access from the street in a safe environment that does not disrupt traffic flows.	C35 - Child care facilities proposed within cul-de-sacs or narrow lanes or roads should ensure that safe access can be provided to and from the site, and to and from the wider locality in times of emergency.	Council's City Infrastructure section advised that no concerns is raised regarding traffic impacts due to the subject development. Specifically, no concerns were raised in relation to the traffic generation from the proposed development and its impact on the surrounding network in terms of level of service.	Satisfactory
To provide a safe and connected environment for pedestrians both on and around the site.	C36 - The following design solutions may be incorporated into a development to help provide a safe pedestrian environment:  • separate pedestrian access from the car park to the facility  • defined pedestrian crossings included within large car parking areas  • separate pedestrian and vehicle entries from the street for parents, children and visitors  • pedestrian paths that enable two prams to pass each other  • delivery and loading areas located away from the main pedestrian access to the building and in clearly designated, separate facilities	A separate pedestrian path is provided from the front property boundary to the entrance of the facility.  A condition of development consent is also recommended for a pedestrian path to be included at the front of the seven (7) visitor/parent spaces to facilitate safe access from the visitor car parking area to the entrance of the facility.  Further, a condition of development is recommended for service delivery vehicles, including waste collection, to occur outside of the morning and afternoon peak drop off and pick up times.	Satisfactory

in commercial or industrial zones and mixed use developments, the path of travel from the car parking to the centre entrance physically separated from any truck circulation or parking areas     vehicles can enter and leave the site in a forward direction.     C37 - Mixed use developments should include:      driveway access, maneuvering areas and parking areas for the facility that are separate to parking	All vehicles, including an SRV waste vehicle can enter and exit the site in a forward direction.  Not a mixed use development.	N/A
zones and mixed use developments, the path of travel from the car parking to the centre entrance physically separated from any truck circulation or parking areas  • vehicles can enter and leave the site in a forward direction.  C37 - Mixed use developments should include:  •driveway access, maneuvering areas and parking areas for the facility	an SRV waste vehicle can enter and exit the site in a forward direction.	N/A
leave the site in a forward direction.  C37 - Mixed use developments should include:  •driveway access, maneuvering areas and parking areas for the facility		N/A
developments should include:  •driveway access, maneuvering areas and parking areas for the facility		N/A
and maneuvering areas used by trucks		
that are exclusively available for use during the facility's operating hours with spaces clearly marked accordingly, close to the main entrance and preferably at the same floor level. Alternatively, direct access should avoid crossing driveways or maneuvering areas used by vehicles accessing other parts of the site		
<ul> <li>parking that is separate from other uses, located and grouped together and conveniently located near the entrance or access point to the facility.</li> </ul>		
<ul> <li>include a child safe fence to separate car parking areas from the building entrance and play areas</li> </ul>	The car parking area is separated from the play areas. Accessible parking spaces are included in close proximity to the building entrance.	Satisfactory
	and maneuvering areas used by trucks  • drop of and pick up zones that are exclusively available for use during the facility's operating hours with spaces clearly marked accordingly, close to the main entrance and preferably at the same floor level. Alternatively, direct access should avoid crossing driveways or maneuvering areas used by vehicles accessing other parts of the site  • parking that is separate from other uses, located and grouped together and conveniently located near the entrance or access point to the facility.  C38 - Car parking design should:  • include a child safe fence to separate car parking areas from the building entrance	and maneuvering areas used by trucks  • drop of and pick up zones that are exclusively available for use during the facility's operating hours with spaces clearly marked accordingly, close to the main entrance and preferably at the same floor level. Alternatively, direct access should avoid crossing driveways or maneuvering areas used by vehicles accessing other parts of the site  • parking that is separate from other uses, located and grouped together and conveniently located near the entrance or access point to the facility.  C38 - Car parking design should:  • include a child safe fence to separate car parking areas from the building entrance and play areas  • provide clearly marked

Child Care Planning Guidelines			
Objective	Provision	Proposed	Compliance
	as possible to the primary entrance to the building in accordance with appropriate Australian Standards  • include wheelchair and pram accessible parking.		

Attachment 3 - Education and Care Services National Regulations (National Regulation)

Education and Care	Services National Regulations		
Regulation	Requirement	Proposed	Compliance
25. Additional information about proposed education and care service premises	Regulation 25 (d) requires one of the following— (i) a soil assessment for the site of the proposed education and care service premises; (ii) if a soil assessment for the site of the proposed education and care service premises has previously been undertaken, a statement to that effect, specifying when the soil assessment was undertaken; (iii) a statement made by the applicant that states that, to the best of the applicant's knowledge the site history does not indicate that the site is likely to be contaminated in a way that poses an unacceptable risk to the health of children;	A condition of development consent is recommended which satisfies clause 4.6(2) of SEPP 55.	Satisfactory
97. Emergency and evacuation procedures	<ul> <li>Regulation 97 sets out the detail for what those procedures must cover including:</li> <li>instructions for what must be done in the event of an emergency</li> <li>an emergency and evacuation floor plan, a copy of which is displayed in a prominent position near each exit</li> <li>a risk assessment to identify potential emergencies that are relevant to the service.</li> </ul>	A condition has been recommended that appropriate measures are provided prior to the issue of an occupation certificate.	Can be satisfied. Recommended condition of development consent.
104. Fencing or barrier that encloses outdoor spaces	Outdoor space that will be used by children will be enclosed by a fence or barrier that is of a height and design that children preschool age or under cannot go through, over or under it.  Note: This clause does not apply to a centre-based service primarily for children over preschool age or a family day care residence or venue for over preschool age children.	The outdoor space is proposed to be fenced appropriately by a lapped and capped acoustic barrier around the perimeter of the outdoor play area.	Satisfactory
106. Laundry and hygiene facilities	The proposed development includes laundry facilities or access to laundry facilities OR explains the other arrangements for dealing with soiled clothing, nappies and linen, including hygienic facilities for storage of soiled clothing, nappies and linen prior to their disposal or laundering.  Laundry/hygienic facilities are located where they do not pose a risk to children	The proposal includes provisions for an onsite laundry facility. Further, the laundry is located in an area that can be closed off via a door which would restrict access.	Satisfactory

Regulation	e Services National Regulations  Requirement	Proposed	Compliance
107. Unencumbered indoor space	The proposed development includes at least 3.25sqm of unencumbered indoor space for each child.	0-2 years 8 children proposed. 8 x 3.25sqm = 26sqm required. 26.6sqm provided.  2-3 years 34 children proposed. 34 x 3.25sqm = 110.5sqm required 115sqm provided.  3-5 years 30 children proposed. 30 x 3.25sqm = 97.5sqm required. 98.5sqm provided.	Satisfactory
108. Unencumbered outdoor space	The proposed development includes at least 7.0sqm of unencumbered outdoor space for each child.	0-2 years: 8 children proposed 8 x 7sqm = 56sqm required 56.8sqm proposed.  2-5 years: 64 children proposed 64 x 7 =448sqm required  Two areas are proposed which are separated by access stairs and a retaining wall.  The area directly accessible from the internal play areas is undercover and measures approximately 35sqm.  The outdoor play area which is not undercover measures approximately 428sqm.  Total unencumbered outdoor play area is	Satisfactory

Education and Care	Services National Regulations		
Regulation	Requirement	Proposed	Compliance
109. Toilet and hygiene facilities	The proposed development includes adequate, developmentally and age-appropriate toilet, washing and drying facilities for use by children being educated and cared for by the service.  The location and design of the toilet, washing and drying facilities enable safe and convenient use by the children.	Toilet, washing and drying facilities are proposed in a convenient location on both the ground floor and lower ground floor.	Satisfactory
110. Ventilation and natural light	The proposed development includes indoor spaces to be used by children that:  • will be well ventilated; and  • will have adequate natural light; and  • can be maintained at a temperature that ensures the safety and well-being of children.	Natural ventilation during quiet play is achieved. It is anticipated that natural light will be provided to the indoor play areas. A mechanical plant is proposed to be provided.	Satisfactory
111. Administrative space	The proposed development includes an adequate area or areas for the purposes of conducting the administrative functions of the service; and consulting with parents of children; and conducting private conversations.  Note: This space cannot be included in the calculation of unencumbered indoor space – see regulation 107	The proposed development has included sufficient space for administrative functions, with a designated admin room, meeting room, and staff room.	Satisfactory
112. Nappy change facilities	The proposed development includes an adequate area for construction of appropriate hygienic facilities for nappy changing including at least one properly constructed nappy changing bench and hand cleansing facilities for adults in the immediate vicinity of the nappy change area.  The proposed nappy change facilities can be designed and located in a way that prevents unsupervised access by children.	Sufficient nappy change facilities provided.	Satisfactory
113. Outdoor space— natural environment	The proposed development includes outdoor spaces that will allow children to explore and experience the natural environment.	A note is provided on the landscape plan which indicates that fruit trees, large rocks, nursery logs are to be utilised to engage children. The Regulatory Authority will require further details to be provided.	Satisfactory
114. Outdoor space— shade	The proposed development includes adequate shaded areas to protect	The proposal has included adequate shaded areas for both	Satisfactory

Regulation	re Services National Regulations  Requirement	Proposed	Compliance
•	children from overexposure to ultraviolet radiation from the sun.	designated outdoor play areas.	·
115. Premises designed to facilitate supervision	The proposed development (including toilets and nappy change facilities) are designed in a way that facilitates supervision of children at all times, having regard to the need to maintain the rights and dignity of the children.	The outdoor areas and indoor activity rooms have been designed in a manner that will facilitate supervision throughout the site for both age groups. Indoor rooms are open plan which restricts the potential for hidden corners.	Satisfactory
168. Education and care service must have policies and procedures	procedures for emergency and	A condition has been recommended that appropriate measures regarding emergency evacuation to be demonstrated prior to the issue of an occupation certificate.	Can comply Condition or development consent recommended.

## Attachment 4 – Campbelltown City Council (Sustainable City) Development Control Plan 2015 Compliance Table

The SCDCP 2015 is broken down into several volumes and parts which relate to specific localities and various developments. Volume 1, Part 2 relates to development controls for all types of development and Part 8 relating to centre-based child care facilities.

Part	Requirement	Proposed	Compliance
2. Requirements Apply	ing to All Types of Development		
2.3 Views and Vistas			
(a)	a) Development shall appropriately respond to Campbelltown's important views and vistas to and from public places.	The development would not impact views/vistas to/from public places.	Satisfactory
(b)	District views and existing significant view corridors as viewed to and from public places shall be protected	The development would not impact Campbelltown's district views and existing view corridors.	Satisfactory
2.4 Sustainable Buildin	g Design		
2.4.1 Rain Water Tanks			
(b)	A rain water tank shall be provided for all new buildings containing a roof area greater than 100sqm for all development not specified by BASIX. The rain water tank shall have a minimum capacity in accordance with Table 2.4.1. Table 2.4.1 specifies roof area between 201sqm and 1000sqm to include a 5000L capacity rainwater tank.	A new building is not proposed. However, a significant addition is proposed. Accordingly, a condition of consent is recommended for the development to incorporate a 5000L water tank within the side setback of the facility.	Can be satisfied – recommended condition of consent.
(f)	Above ground water tanks shall be located behind the primary or secondary dwelling.	Rainwater tank not shown on the plans. Recommended condition of development consent for the rainwater tank to be provided within the side setback of the facility.	Can be satisfied – recommended condition of consent.
2.4.3 Natural Ventilation	on .		
(a)	The design of new buildings shall be encouraged to maximise opportunities for cross flow ventilation, where practical, thus minimising the need for air conditioning.	The proposed development maximises opportunities for cross flow ventilation, when children are engaged in quiet activities i.e. when windows and doors to the indoor play rooms are open as per the noise management plan	Satisfactory

1

Part	Requirement	Proposed	Compliance
		recommendations of the Environmental Noise Impact Assessment, prepared by Day Design Pty Ltd, dated 22 April 2022.	
2.4.4 Light Pollution		I	I
(a)	Outdoor lighting shall be designed to minimise pollution from the unnecessary dispersion of light into the night sky and neighbouring properties.	Recommended condition of consent.	Can comply. Recommended condition of consent.
2.5 Landscaping			
(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 proposed landscaping between the front property boundary and the car park is considered satisfactory.	Satisfactory
(b)	Landscape design shall retain and enhance the existing native fora and fauna characteristics of a site wherever possible.	Satisfactory landscape plan provided with a number and variety of native species.	Satisfactory
(c)	Landscape design shall add value to the quality and character of the streetscape.	A landscape design is proposed as viewed from the street.	Satisfactory
(d)	A Landscape Concept Plan is required to be submitted with a development application for child care centres.	A satisfactory landscape plan provided as part of the development application documentation. Recommended condition of consent for the plan to be amended to be consistent with the architectural plans with regard to the driveway width and vehicle aisle widths.	Satisfactory
(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.	A satisfactory landscape plan was provided as part of the development application documentation.	Satisfactory
(f)	Landscaping shall maximise the use of locally indigenous and other drought tolerant native plants and avoid the use of invasive species.	The landscape plan provides a suitable number of native plants.	Satisfactory

Part	Requirement	Proposed	Compliance
2.7 Erosion and Sedime	ent Control		
(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.	Conditions of consent are imposed to ensure the proposed development would comply with Part 2.7 of the CSCDCP 2015.	Can comply – recommended condition of development consent.
2.8 Cut, Fill and Floor L	evels		
(a)	A Cut and Fill Management Plan (CFMP) shall be submitted with a development application where the development incorporates cut and/or fill operations.	A CFMP identifying the areas of cut and fill levels has been submitted.	Satisfactory
(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.	A dilapidation report has not been provided – recommended condition of development consent.	Satisfied through a recommended condition of development consent.
(e)	All fill shall be 'Virgin Excavated Natural Material' (VENM).	Details not provided. Condition of development consent recommended.	Can be satisfied – recommended condition of development consent.
(f)	No fill shall be deposited in the vicinity of native vegetation.	Native vegetation not proposed to be retained. However, native vegetation to be removed not considered significant. Adequate replacement planting is proposed.	Satisfactory
2.9 Demolition			
(a)	A development application involving demolition shall be considered having regard to the following information: i) a detailed work plan prepared by a suitably qualified person, in accordance with AS2601-2001-The Demolition of Structures (as amended); ii) details of the licensed demolition contractor engaged to carry out the work (including name, address and building licence number); iii) a hazardous materials report that lists details of methods to prevent	Plans provided indicate parts of the existing dwelling to be demolished. Recommended condition of consent for demolition to comply with 2.9(a).	Can be satisfied – recommended condition of development consent.

Part	Requirement	Proposed	Compliance
	air, noise and water pollution and the escape of hazardous substances into the public domain; iv) details of any asbestos or other hazardous substances to be removed from the site and/or damaged during demolition; and v) a dilapidation report where any demolition work is to be undertaken within the zone of influence of any other structure.		
2.10 Water Cycle Manag	gement		
2.10.2 Stormwater			
(a)	All stormwater systems shall be sized to accommodate the 100-year ARI event (refer to Section 4 of Council's Engineering Design Guide for Development available from Council's website at www.campbelltown.nsw.gov.au .	Stormwater concept provided and assessed. Development engineer provided conditions of consent for compliance with relevant design guides, AS 3500 and NSW Floodplain Development Manual.	Satisfactory
(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.	Stormwater concept plan provided and assessed. Development engineer provided conditions.	Satisfactory
(i)	All proposed drainage structures incorporated within new development shall be designed to maintain public safety at all times.	A stormwater and drainage plan was provided. Conditions of consent are imposed.	Satisfactory
(j)	Development shall not result in water run-off causing flooding or erosion on adjacent properties.	A stormwater and drainage plan was provided. Conditions of consent are imposed.	Satisfactory
(k)	Stormwater run-off shall be appropriately channelled into a stormwater drain in accordance	A stormwater and drainage plan was provided.	Satisfactory

Part	Requirement	Proposed	Compliance
	with Council's Engineering Design Guide for Development available from Council's website at www.campbelltown.nsw. gov.au.	Conditions of consent are imposed.	
(1)	Where applicable, the development shall incorporate the creation of an appropriate easement to manage stormwater in accordance with Council's Engineering Design Guide for Development available from Council's website at www.campbelltown.nsw.gov.au.	Drainage easement not required. The development is to discharge to Kittyhawk kerb and gutter by gravity.	N/A
2.10.3 Stormwater	Drainage		
(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 and drainage plan was provided and considered satisfactory by Council's Development Engineer. Conditions of development consent are recommended.	Satisfactory
(b)	The stormwater concept plan shall include the following information as a minimum: i) locations, layouts and sizes of stormwater pipes and pits; ii) minimum grades and capacity of stormwater pipes; and iii) existing and proposed easements, site contours and overland flow path/s.	A stormwater and drainage plan was provided and considered satisfactory by Council's Development Engineer. Conditions of development consent are recommended.	Satisfactory
2.12 Retaining Walls	s		
(b)	In the case of retaining walls constructed to support proposed fill of an allotment, the following design criteria shall apply:  (i) No filling shall be permitted within 2 metres of any property boundary unless sufficient details are submitted to Council illustrating how privacy, overshadowing stormwater management and access issues	Retaining walls supporting fill are located greater than 2 metres from the property boundaries.	Satisfactory

Part	Requirement	Proposed	Compliance
	have been addressed to Council's satisfaction.		
(c)	In the case of retaining walls constructed to support proposed cut on an allotment, the following design criteria shall apply:  (i) The retaining wall shall be setback a minimum 450mm from the rear and side boundary of the lot containing the cut.	Retaining walls proposed to support both cut and fill as demonstrated on drawing no. DA17. Retaining walls supporting cut are located more than 450mm from the adjoining property boundaries.	Satisfactory
(d)	Any retaining wall shall not adversely alter surface flows to adjoining private land.	The Development Engineer reviewed the proposed plans. No concerns were raised regarding the proposed retaining walls impacting adjoining private land.	Satisfactory
(e)	Any retaining wall and associated structures shall be designed to be located wholly within the property boundary, except where written or legal agreements have been reached between relevant parties to Council's satisfaction.	Proposed retaining walls are proposed to be located within the subject property. Adjoining owners consent or legal agreement not required to be provided.	Satisfactory
(f)	Any excavation within the zone of influence for any other structure or building requires a Structural Engineering Report demonstrating that adequate and appropriate measures are to be implemented to protect the integrity of any structure.	Structural Engineering Report not provided. Condition of development consent recommended.	Can be satisfied - recommended condition of development consent.
(i)	Retaining walls higher than 900mm shall be designed by a structural engineer and made from appropriate material.	Recommended conditions of consent for retaining walls to be designed and certified by a structural engineer.	Can be satisfied - recommended condition of development consent.
2.13 Security			
(a)	Development shall be designed to:  (i) maximise, where possible, casual surveillance opportunities to the street and surrounding public places;  (ii) minimise dead ends and other possible entrapment areas;  (iii) clearly identify and illuminate access points to	The development provides casual surveillance to the front car parking area from the entrance and reception area.  Vehicular and pedestrian entry points to the site are clear.  Front fencing is not proposed.  The proposed works clearly differentiate	Satisfactory

Part	Requirement	Proposed	Compliance
	buildings and designated public places; and	between private and public space.	
	(iv) clearly differentiate between private and public space.		
(b)	External lighting shall be designed to: (i) encourage the use of safe areas; (ii) define safe corridors for movement of people; and (iii) allow facial recognition of approaching pedestrians at 15 metres.	External lighting has not been proposed with the development application. Conditions of consent are recommended for lighting to be provided in accordance with AS4282 (as amended).	Can be satisfied – recommended condition of development consent.
(c)	Development shall incorporate appropriate landscaping, fencing and security devices to assist in crime prevention.	The development incorporates sufficient fencing around the perimeter of the proposed play areas.	Satisfactory
(d)	Commercial and industrial buildings that are not secured from public access after close of business shall have external finishes that are graffiti resistant.	Details are not provided with the development application. Condition of development consent recommended for the external finish of the building to include graffiti resistant finishes.	Can be satisfied – recommended condition of development consent.
2.14 Risk Management		I	
2.14.1 Contaminated Land	a) The requirements of Managing Land Contamination Planning Guidelines, SEPP 55 – Remediation of Land (EPA, DUAP, 1998) shall be satisfied on sites known to have, or may give Council reason to suspect, a potential for previous contamination.	PSI was provided with the application and reviewed by Council's Senior Environment Officer. Recommended conditions of consent are provided.	Can be satisfied – recommended conditions of development consent.
2.14.3 Bushfire	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 development is not located within land that is mapped as bushfire prone.	Not applicable
2.14.4 Subsidence	Any development on a site located within South Campbelltown Mine Subsidence District, or Appin Mine Subsidence District may be at risk of the effects of subsidence from past and/or future underground mining. An	The development is not located within a mine subsidence district.	Not applicable

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ing services are able, subject to dard conditions.	Satisfactory
development would be ected to existing ces.	Satisfactory
ıd	
ss within the public are proposed. A ition of consent for s to be approved by	Can be satisfied – recommended condition of development consent.
	lition of consent for as to be approved by noil in the public area.

Part	Requirement	Proposed	Compliance
(a)	In order to operate a Centre- based Child Care Facility in Campbelltown, the applicant needs to obtain: i) a development consent from Council under the EP&A Act; and ii) a licence to operate from the NSW Department of Family and Community Services.	A licence was not provided with the development application. Recommended condition of development consent for a license to operate to be obtained.	Can be satisfied – recommended condition of development consent.
8.3.1 Locality Requirem	nents		
(a)(i)	Child care centres shall not be located on an allotment that is accessed from a State road (refer to Table 8.3.1 for a list of State roads in Campbelltown LGA).	The site is not accessed from a state road.	Satisfactory
(a)(ii)	Child care centres shall not be located on an allotment that is within 100 metres of the intersection of a State road.	The subject site is not located within 100m of an intersection of a State road.	Satisfactory
(a)(iii)	Child care centres shall not be located on an allotment that is within a no through road.	The subject site is not located on a no-through road. Kittyhawk Crescent is a through road.	Satisfactory
(a)(iv)	Child care centres shall not be located on an allotment that has vehicular access to a road where the carriageway is less than 6.5 metres in width.	The width of Kittyhawk Crescent carriageway is >6.5m.	Satisfactory
(a)(v)	Child care centres shall not be located on an allotment that has a building erected upon it that is constructed of materials that contain asbestos or lead paint.	A condition of development consent is recommended for a clearance certificate be provided to detail that all hazardous wastes generated and any existing lead paint to be satisfactory disposed of.	Satisfactory

Part	Requirement	Proposed	Compliance
(a)(vi)	Child care centres shall not be located on an allotment that is adjacent to a:  -potentially hazardous industry, hazardous industry, potentially offensive industry, offensive industry, agricultural produce industries, livestock processing industries, heavy industrial storage establishments; or waste or resource management facility.	The site adjoins residential development.	Satisfactory
(a)(vii)	Child care centres shall not be located on an allotment that is within a 150 metre radius of a sex restricted premises; sex services premises or home occupation (sex services);	The subject site is not located within 150m radius of a known sex restricted premises, sex services premises or home occupation (sex services).	Satisfactory
(a)(viii)	Child care centres shall not be located on an allotment that presents a potential safety hazard for vehicle and pedestrian traffic, unless it can be demonstrated to Council's satisfaction that there would be no vehicular/ pedestrian conflict (refer to Figure 8.3.1);	Site considered safe for vehicle and pedestrian access.	Satisfactory
(b)	Child care centres shall not be located within a basement of a building (excluding storage rooms and offices ancillary to the child care centre).	The proposed development would not be contained within a basement of a building. The development would consist of one level.	Satisfactory

Part	Requirement	Proposed	Compliance
(c)(i)	Child care centres shall not be permitted on a local street, unless it can be demonstrated to Council's satisfaction that the proposed child care centre will not impact negatively on the local traffic network.	The application was referred to Council's City Delivery section which advised that the proposed development generates around 3% additional traffic at the local intersections of Kittyhawk Crescent & Hurricane Dr and Thunderbolt & Hurricane Drive. There is no change in level of service at these intersections (due to proposed development) with the intersections operating at LOS A.	Satisfactory
(c)(ii)	Child care centres shall not be permitted on a local street, unless it can be demonstrated to Council's satisfaction that the proposed child care centre has adequate on-site parking and manoeuvring/ turning spaces.	Council's Senior Development Engineer reviewed the swept paths provided. No concerns raised.	Satisfactory
(c)(iii)	Child care centres shall not be permitted on a local street, unless it can be demonstrated to Council's satisfaction that the amenity of the surrounding properties is maintained.	The acoustic amenity of the residential area is maintained. See section 3.1 of the report for discussion.	Satisfactory
(d)(i)	Where a child care centre is proposed to be located in a building on land within Business zones, the child care centre (excluding storage rooms and offices) shall be directly accessible by car.	The proposed facility is not located within a business zone. The site is directly accessible by car.	N/A
(d)(ii)	Where a child care centre is proposed to be located in a building on land within Business zones, the child care centre (excluding storage rooms and offices) shall not occupy more than one (1) storey.	The proposed facility is located within an environmental living zone (C4 Environmental Living).	N/A

Part	Requirement	Proposed	Compliance
(d)(iii)	Where a child care centre is proposed to be located in a building on land within Business zones, the child care centre (excluding storage rooms and offices) shall be located no higher than the first floor to ensure the easy evacuation of children in case of emergency.	The proposed facility is located within an environmental living zone (C4 Environmental Living).	N/A
8.3.2 Site Requirement	rs .		
(a)	Child care centres shall only be developed on an allotment having a minimum width of 20 metres.	Subject site provides an allotment width is greater than 20 metres (approximately 50 metres).	Satisfactory
(b)	Despite clause 8.3.2 a) Council may consider a proposal for a child care centre within an existing building on sites within areas zoned B3, B4 or B5 that do not necessarily meet the site width requirement.	The proposed centre is located within an environmental living zone (C4 Environmental Living).	N/A
8.3.3 Streetscape			,
(a)	The design of new purpose built buildings (including facade treatments, building massing, roof design and entrance features, setbacks and landscaping) shall complement the scale of surrounding development, character and qualities of the desired streetscape.	The scale of the proposed built form of the development, as viewed from the street is compatible with the scale of the adjoining residential development.	Satisfactory
(ь)	Notwithstanding Clause 8.3.1a) viii) new buildings on corner sites shall incorporate facade treatments that address both street frontages and achieve positive articulation in building design.	The proposed development is not be located on a corner site.	N/A
(c)	Clothes lines and air conditioning units shall be screened and not visible by the public when viewed from a public area.	Recommended condition of consent for air conditioning units to be screened and not visible from the street.	Satisfactory

Part	Requirement	Proposed	Compliance
(d)	The built form, design and layout of all outdoor play areas shall relate to the natural land form and setting to ensure that the amenity (visual and acoustic privacy) of adjoining properties is protected.	The child care facility building and the outdoor play area generally relates to the natural land form.  The level of fill proposed for the car parking area does not create amenity concerns for the adjoining residential development.	Satisfactory
8.3.4 Fencing			
(a)(i)	Fencing along the primary and secondary street boundaries shall not be constructed of bonded sheet metal.	Bonded sheet metal fencing is not proposed.	N/A
(a)(ii)	Fencing along the primary and secondary street boundaries shall not be higher than 1.2 metres.	The site does not include a secondary street.	N/A
(a)(iii)	Fencing along the primary and secondary street boundaries shall be articulated, incorporate landscape treatments and complement the design and finish of the development.	Fencing is not proposed along the primary street boundary.	N/A
(b)(i)	Fencing to the rear and side boundaries shall be located behind the primary and secondary street setbacks.	The proposed acoustic fencing around the outdoor play area is located behind the front building line.	Satisfactory

Part	Requirement	Proposed	Compliance
(b)(ii)	Fencing to the rear and side boundaries shall be a maximum of 2.1 metres in height	Boundary fencing is proposed along the south western property adjoining the boundary – 1.8m high which is considered appropriate considering there is currently no boundary fence. Fencing is not proposed along the north eastern property boundary.  The following acoustic barriers are proposed:	Satisfactory
(5)(11)	(excluding retaining walls).	- 1.8 metre vertical acoustic fence along the north western and south western perimeter of the outdoor play area.	catisfactory
		- 2.4 metre vertical acoustic fence along the north eastern perimeter of the outdoor play area.  See section 3.1 of the	
		report for discussion.	
(c)(i)	Bonded sheet metal fencing shall only be permitted where all of the following criteria have been met the fence is located behind a 1.5 metre wide landscaped buffer.	Bonded sheet metal fencing is not proposed. South western side boundary fencing is proposed to be located behind a landscaped buffer.	N/A
(c)(ii)	Bonded sheet metal fencing shall only be permitted where all of the following criteria have been met the fence is located behind the building line of all street frontages.	Bonded sheet metal fencing is not proposed. South western side boundary fencing is proposed to be located behind a landscaped buffer.	N/A

Part	Requirement	Proposed	Compliance
(a)	In residential and rural areas, the hours and days of operation shall be limited to:  i) 7:00 am to 7:00 pm Monday to Friday;  ii) 7:00 am to 6:00 pm on Saturdays; and  iii) no operation on Sundays or public holidays.	The proposed hours of operation are 7am to 6pm Monday to Friday.	Satisfactory
8.3.6 Visual and Acous	tic Privacy		
(a)	An acoustic report prepared by a suitably qualified person shall be submitted with all child care centre development applications demonstrating:  i) that the noise levels generated from the child care centre, when measured over a 15 minute period, does not exceed the background noise by more than 5 dBA;  ii) that the noise levels comply with the requirement of the Protection of The Environment Operations Act 1997; and iii)illustrating ways to minimise the impacts of noise on adjoining properties.	An Environmental Noise Impact Assessment has been provided with the development application, prepared by Day Design Pty Ltd, dated 22 April 2022.  In accordance with the recommendations of the acoustic report, a 1.8 metre vertical acoustic barrier along the north western perimeter of the outdoor play area and a 2.4 metre vertical acoustic barrier along the north eastern perimeter of the outdoor play area is required.  The acoustic barriers are provided on the plans and are discussed further in section 3.1 of the report.	Satisfactory – recommended conditions of development consent to comply with the recommendations of the Environmental Noise Impact Assessment, prepared by Day Design Pty Ltd, dated 22 April 2022.
(b)(i)	Direct views to and from neighbouring and surrounding properties shall be minimised through appropriate building design and location of outdoor play areas; and	Outdoor play areas are appropriately located at the rear of the facility. Acoustic barriers around the perimeter of the outdoor play area also act as a privacy screen.	Satisfactory

Part	Requirement	Proposed	Compliance
		Overlooking is not anticipated to or from the outdoor play area.	
(b)(ii)	Direct views to and from neighbouring and surrounding properties shall be minimised	The proposed acoustic barriers significantly limit any potential overlooking from the adjoining properties into and out of the outdoor play area.	Satisfactory
	through the use of fencing and landscaping buffers.	A side boundary fence is also proposed on the south western car park area for extending the length of the vehicle parking area and the waste storage area.	
		Overlooking is not anticipated.	
8.3.7 Waste Manageme	nt		
(a)	Waste storage, collection areas and service/ delivery areas shall be screened from public view and located to minimise adverse impacts on adjoining properties.	Satisfactory location within the car parking area and is considered to be satisfactorily screened.	Satisfactory
(b)	The waste collection area shall be located and designed to minimise safety hazards for any person within the site or within the adjacent private/public areas.	Waste bins to be collected from within the site from the designated loading/waste collection point.	Satisfactory
(c)	A waste management plan shall be submitted for all child care centre developments including information with regard to the storage and disposal of used nappies, general waste and recycling.	A Waste Management Plan was provided and reviewed by Council's Waste Coordinator and is considered satisfactory.	Satisfactory
8.3.8 Additional Requir	ements – Rural and Environmenta	   Protection Zones	
	A maximum of 50 children shall	72 children proposed.	
(a)	occupy a child care centre on any single allotment.	Further, clause 26 of SEPP Child Care states that the number of children cannot be limited within a DCP.	Satisfactory
(b)	The child care centre shall be wholly located on the ground floor of the building.	The child care facility is proposed on the ground floor.	Satisfactory

Part	Requirement	Proposed	Compliance
(c)(i)	Child care centres shall be setback a minimum of  -20 metres from the primary street boundary;	Minimum setback 32m from street boundary to the existing dwelling which is proposed to be retained.	Satisfactory
(c)(ii)	Child care centres shall be setback a minimum of  - 10 metres from the rear boundary.	Greater than 10 metres setback from the rear boundary.	Satisfactory
(c)(iii)	Child care centres shall be setback a minimum of: -10 metres from the side boundary; and	4.6 metres proposed to the rear setback ground floor play area (2-3 year olds), which is part of the existing building on the site.  8.6 metres setback proposed from the south western property boundary relating to the waste area and external store room.  The non-compliant side setbacks are not considered to give rise to adverse environmental impacts and are considered satisfactory.  See section 2.6 of the planning report for discussion of the non-	Non-compliance. See section 2.6 of the planning report for discussion.
(c)(iv)	Child care centres shall be setback a minimum of:  20 metres from any secondary street boundary.	The site does not have access to a secondary street.	N/A
8.4 Car Parking and Ac	cess	1	ı
8.4.1 Car Parking			
(a)	Car parking areas shall be setback a minimum of 3 metres from the front boundary and any secondary boundary.	12.7m setback provided from the front boundary.	Satisfactory

Part	Requirement	Proposed	Compliance
(b)	A minimum of one (1) on site car parking space shall be provided for every four (4) children approved to attend the child care centre.	72/4 = 18  18 provided (including three accessible space).	Satisfactory
(c)	Off street parking and loading shall be designed in accordance with Australian Standards 2890.1 and 2 (as amended), except as otherwise provided by this Plan.	Proposed car parking layout has been reviewed by Council's Senior Development Engineer. No issues raised subject to recommended conditions of consent regarding compliance with AS2890.1 and 2 (as amended).	Satisfactory
(d)	No required car parking space shall be designed in a stacked configuration.	The development does not propose car parking spaces to be designed in a stacked configuration.	Satisfactory
(e)	Parking spaces that are stacked will not be considered for the purpose of parking calculations.	The development does not propose car parking spaces to be designed in a stacked configuration.	N/A
(f)	Pedestrian access shall be separated from vehicular access with clearly defined paths to and from the building.	Pedestrian access from Kittyhawk Crescent to the building entrance is provided, which is separated from vehicular access.	Can be satisfied. Recommended condition of consent.
(g)	Each site shall have a maximum of one ingress and one egress driveway.	7m wide combined egress/ingress proposed, separated by a concrete strip.	Satisfactory
(h)	The minimum width of a driveway shall be:  i) three (3) metres for one way traffic movement; and  ii) 6 metres for two way traffic movement.	The proposed two way traffic movement driveway is 7m.	Satisfactory
(i)	Driveways shall be located a minimum distance of six(6) metres from the tangent point of any unsignalled intersection.	The proposed driveway combined ingress/egress is located more than 6m from the tangent point of an unsignalled intersection.	Satisfactory

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Part	Requirement	Proposed	Compliance
(j)	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.	Swept paths reviewed by Development Engineer. No concerns raised.	Satisfactory
(k)	All car parking spaces shall be line marked and delineated with appropriate signage and pavement marking.	Recommended condition of development consent for the car parking spaces to be line-marked in accordance with AS 2890.1 and 2 (as amended).	Can comply. Recommended condition of development consent.
(1)	Development applications child care centres catering for 20 or more children shall include a Traffic Impact Statement, prepared by a suitably qualified person addressing the following criteria:  i) the existing traffic environment;  ii) anticipated traffic generation from the proposed development;  iii) the potential cumulative impact on the locality;  iv) the need for local traffic improvements in the locality;  v) traffic egress/ingress; and  vi) sight distance and other relevant safety issues including vehicular/pedestrian movements.	A Traffic and Parking Impact Assessment, prepared by Motion Traffic Engineers, dated May 2021, was provided with the development application.  Please see Section 3.1 for discussion relation to the traffic and paring matters for the proposed development.	Satisfactory

8.4.2 Access for People with Disabilities

Part	Requirement	Proposed	Compliance
(a)	Child care centres shall comply with the minimum access requirements contained within the BCA, the Disability (Access to Premises — Buildings) Standards 2010 and Australian Standard 14 28 – Design for Access and Mobility (as amended).	Council's registered certifier reviewed the BCA and Access Report provided with the development application who considered the reports to be acceptable subject to the recommendation of standard conditions of consent for compliance with the BCA and AS 1428 – Design for Access and Mobility.	Can be satisfied – recommended condition of development consent to comply.
8.4.3 Emergency Evac	uation		
(a)	Development applications for child care centres catering for 20 or more children shall include an Emergency Evacuation Plan prepared by a suitably qualified person in accordance with Australian Standard 3745 Emergency Control Organization and Procedures for Buildings, Structures and Workplaces (as amended).	A condition of development consent is recommended to ensure that an emergency evacuation plan is provided prior to the issue of an occupation certificate and to comply with AS 3745.	Can be satisfied - recommended condition of development consent.
8.5 Landscaping			
(a)	Landscaping shall be provided to a minimum of a:  (i) 3 metre wide strip along the primary and secondary street frontage (other than vehicle driveways); and  (ii) 1.5 metre wide strip along the full length of side and rear setbacks.	(i) The landscaped setback is separated by a driveway and pedestrian access ramp.  (ii) A minimum of 1.5 landscape strip is provided along the full length of the side and rear setbacks.	Satisfactory
(b)	Native mature trees on site shall be retained.	All trees are proposed to be removed. Satisfactory replacement planting is provided as demonstrated on the landscape plan.	Satisfactory

Part	Requirement	Proposed	Compliance
(c)	Development applications for child care centres shall include a Landscape Plan and report, prepared by a suitably qualified person addressing the following:  (i) species, location and mature height of proposed planting;  (ii) location of play equipment;  (iii) separation from car parking spaces and driveway areas;  (iv) fencing height and materials; and  (v) surfaces (sand, grass or the like).	Landscape plan provided which includes notation regarding the outdoor play areas. Landscape plan is required to be amended to be consistent with the driveway and aisle widths provided on the architectural plans as listed in condition 1.	Can be satisfied – recommended condition of development consent.
(d)	All existing vegetation on the site and on adjoining sites shall be assessed to ensure that the plants:  (i) are not toxic or dangerous (refer to Appendix 7 for a list of Unsuitable Plant Species); and  (ii) do not impose a safety hazard such as personal injury from falling branches and seeds, poisoning and/or choking.	Information not provided with the development application. Information required to be provided prior to the issue of any occupation certificate.	Can be satisfied – recommended condition of development consent.
8.6 Play Areas			
(a)(i)	Child care centre play areas shall comply with the Children (Education and Care Services) Supplementary Provisions Regulation 2004 (as amended);	Compliance table provided in Attachment 3.	Satisfactory

Part	Requirement	Proposed	Compliance
(a)(ii)	Child care centre play areas shall be appropriately designed and located to minimise noise impacts to adjoining properties; and	Location of the play areas considered satisfactory, subject to compliance with the recommendations of the Environmental Noise Impact Assessment, prepared by Day Design Pty Ltd, dated 22 April 2022.	Satisfactory – recommended conditions of development consent to comply with the recommendations of the Environmental Noise Impact Assessment, prepared by Day Design Pty Ltd, dated 22 April 2022.
(a)(iii)	Child care centre play areas shall be naturally lit and ventilated.	The facility is considered to have natural light and ventilation opportunities.	Satisfactory
(b)	The siting of outdoor play areas shall:  (i) be located on a predominantly flat gradient;  (ii) allow direct supervision from within the centre; and  (iii) provide adequate fencing.	i) Both play areas are located on predominantly flat gradients. ii) Direct supervision is capable of taking place. iii) Adequate fencing around the perimeter of the outdoor play areas is provided.	Satisfactory
(c)	Where a child care centre is proposed to be located on the first floor of a building (in the case of a child care centre proposed within a comprehensive centre zone), the designated play areas shall:  (i) be provided on the same level and directly accessible from the child care centre;  (ii) have a minimum ceiling height of 2.7 metres; and  (iii) be physically separated from the indoor space area.	Development is not within a comprehensive centre zone.  The proposed child care facility is not to be located within the first floor of a building.	N/A
8.7 Advertising Signs			

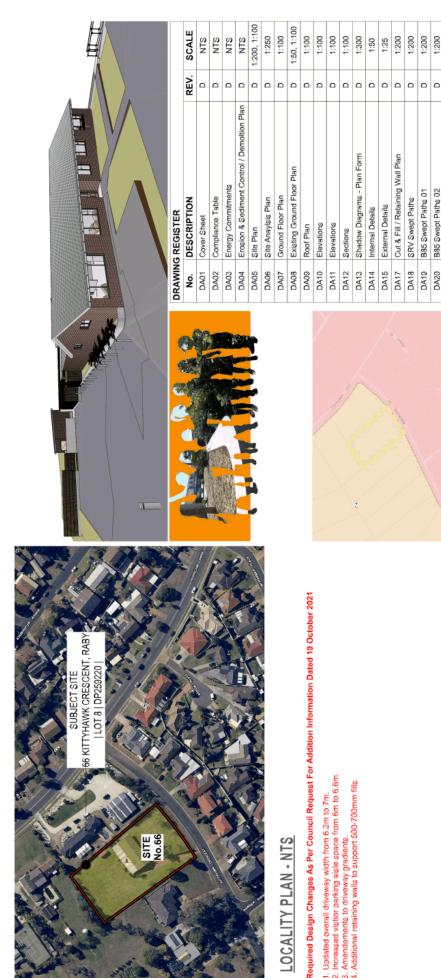
Part	Requirement	Proposed	Compliance	
(a)	a) Despite any other provision of this Plan, a Centre-based Child Care Facility shall have a limit of one (1) business identification sign in accordance with the following: i) not an illuminated sign; ii) the sign shall be located at the building or mounted within the front landscaped area no higher than 1 metre from the natural ground level of the landscaped area; iii) the sign shall only include the name of the centre and business related information such as opening hours, type of Centre-based Child Care Facility and the owners of the centre and any other accreditation relevant to the Centre-based Child Care Facility. iv) the sign shall not exceed 1.0 square metres in area.	Signage not proposed.	N/A	
(b)	An advanced warning sign that is approved by Council shall be provided on each road approach, warning motorists that they are approaching a child care facility. The sign shall be provided and erected by Council at the applicant's expense.	Details not provided. Condition of development consent recommended for a child care warning sign to be erected along the approach roads to the development prior to the issue of an occupation certificate.	Can comply. Recommended condition of development consent.	
Part 11 Vegetation and	Wildlife Management			
Part 11.2.1 Management	Part 11.2.1 Management of Native Vegetation and Wildlife Habitat			
(a)(i)	For sites containing native vegetation and/or fauna habitat the development shall be sited, designed and managed to avoid any negative impact on biodiversity where possible.	No trees are proposed to be retained on the site.  The landscape plan has been reviewed and is considered satisfactory with a high proportion of native species proposed.	Satisfactory – subject to recommended conditions for a revised landscape plan to be consistent with architectural plans in terms of driveway width and aisle width.	

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PROPOSED EARLY LEARNING CENTRE 66 KITTY HAWK CRES, RABY

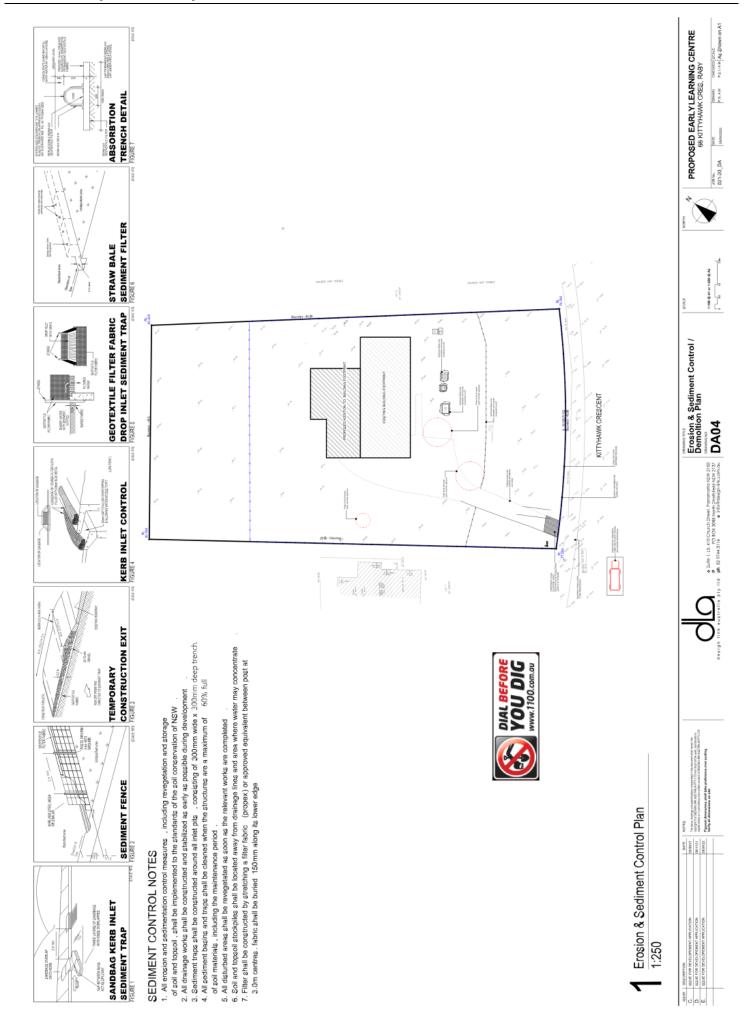
# **APPLICATION** DEVELOPMENT

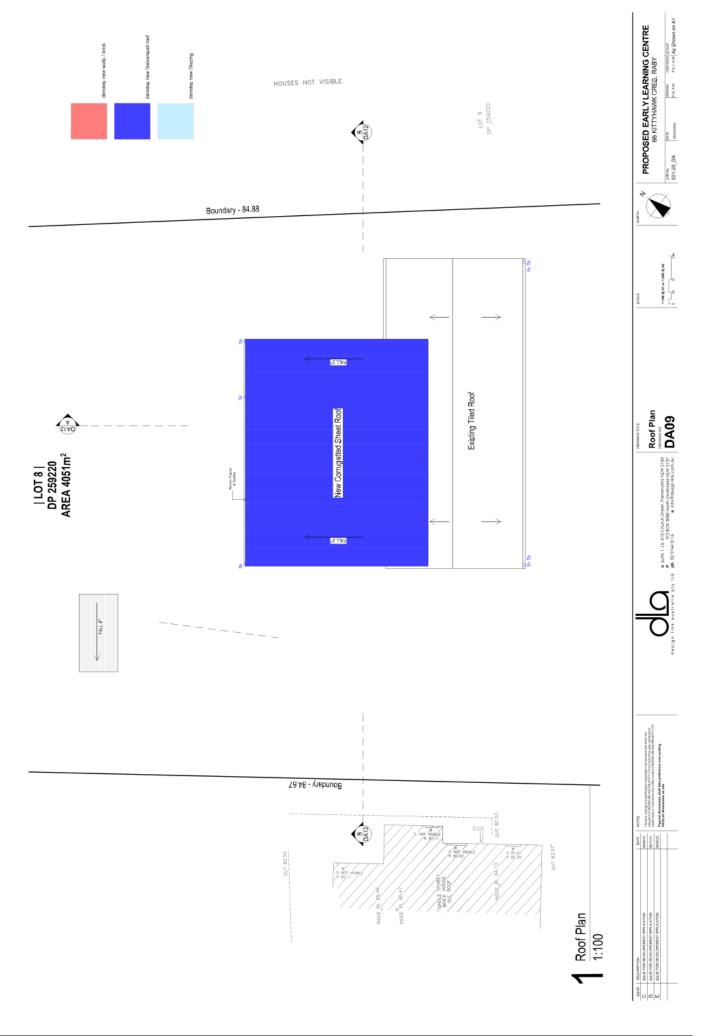
66 KITTYHAWK CRESCENT, RABY LOT 8 | D.P 259220
PREPARED FOR THE CITY OF CAMPELLTOWN COUNCIL PROPOSED CHILD CARE DEVELOPMENT

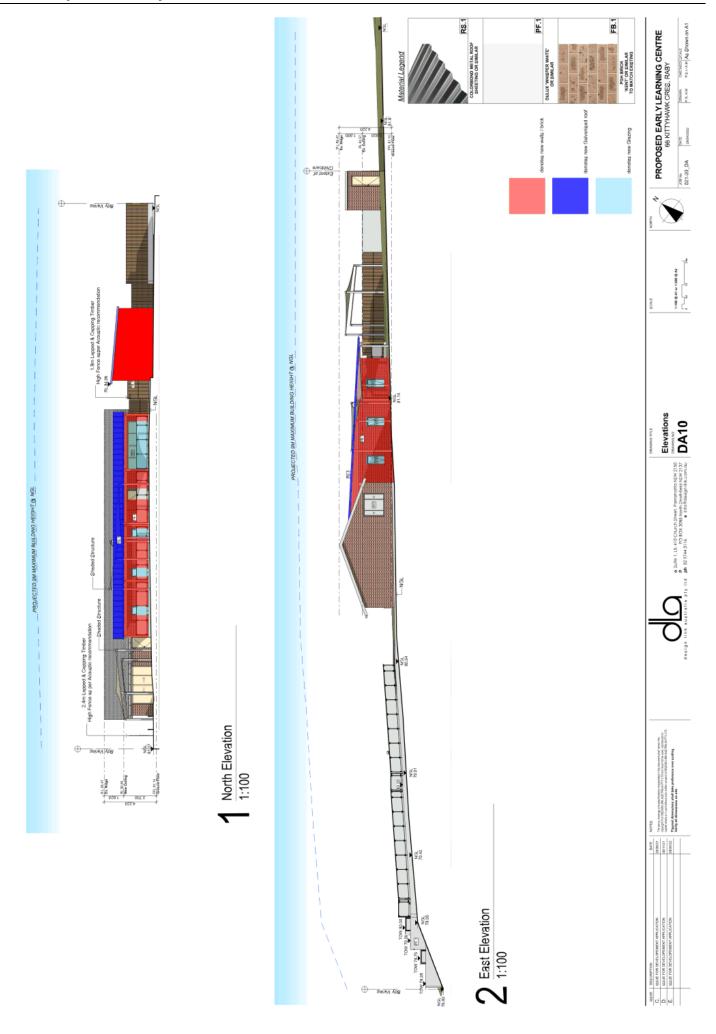


Cover Sheet

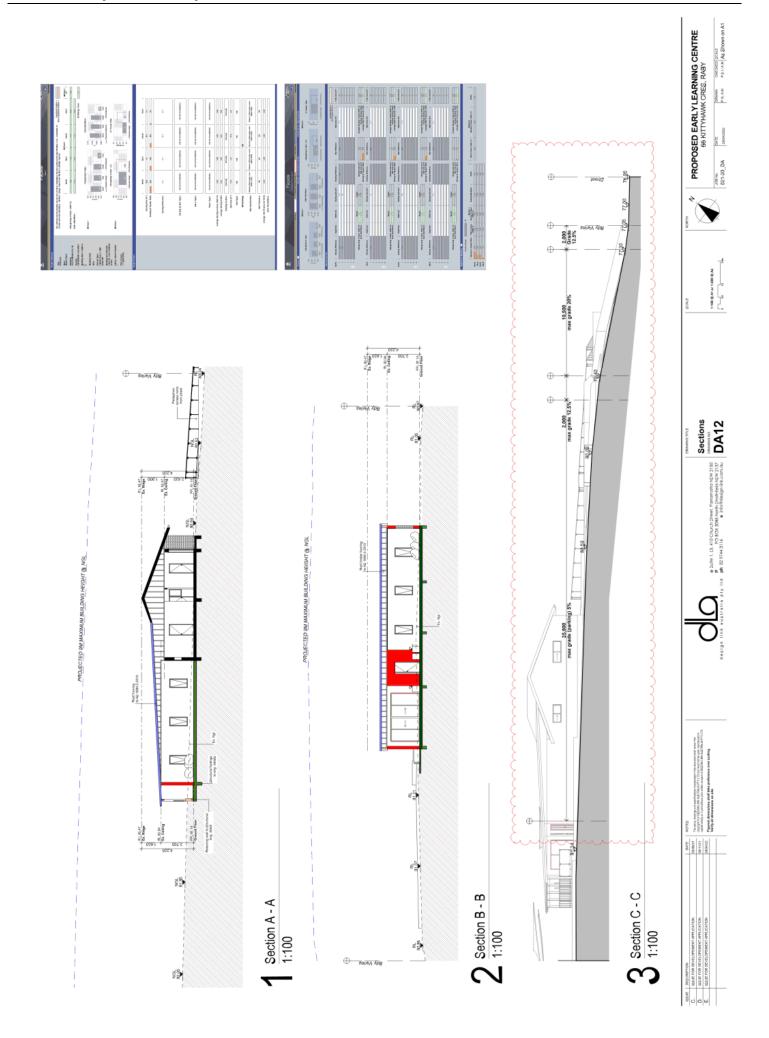
Item 4.1 - Attachment 5

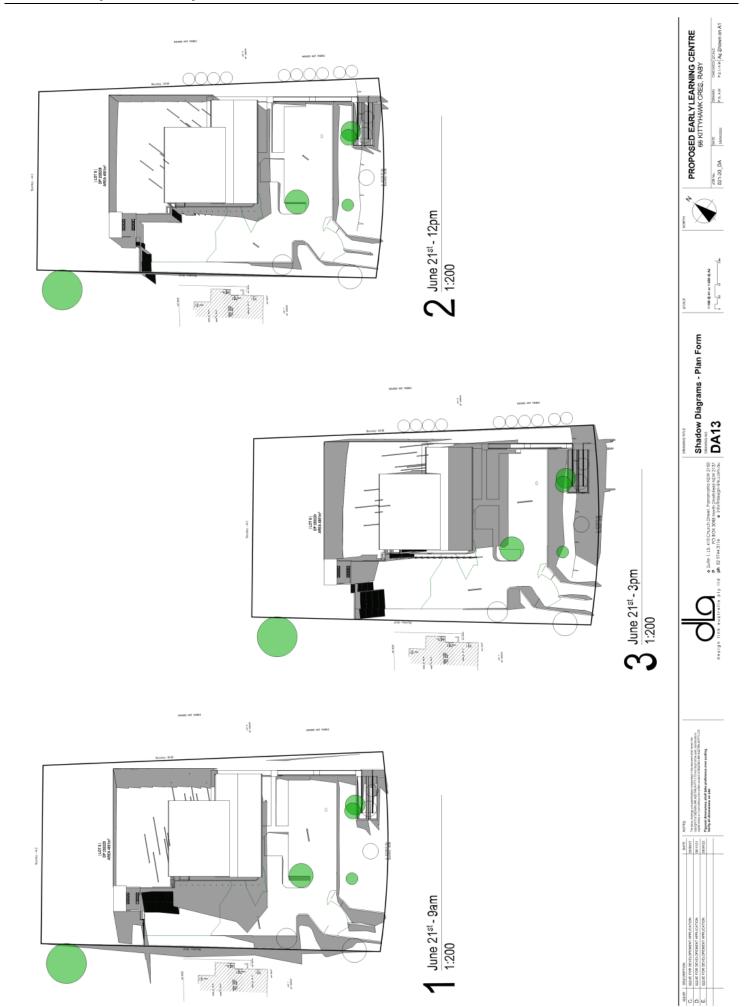


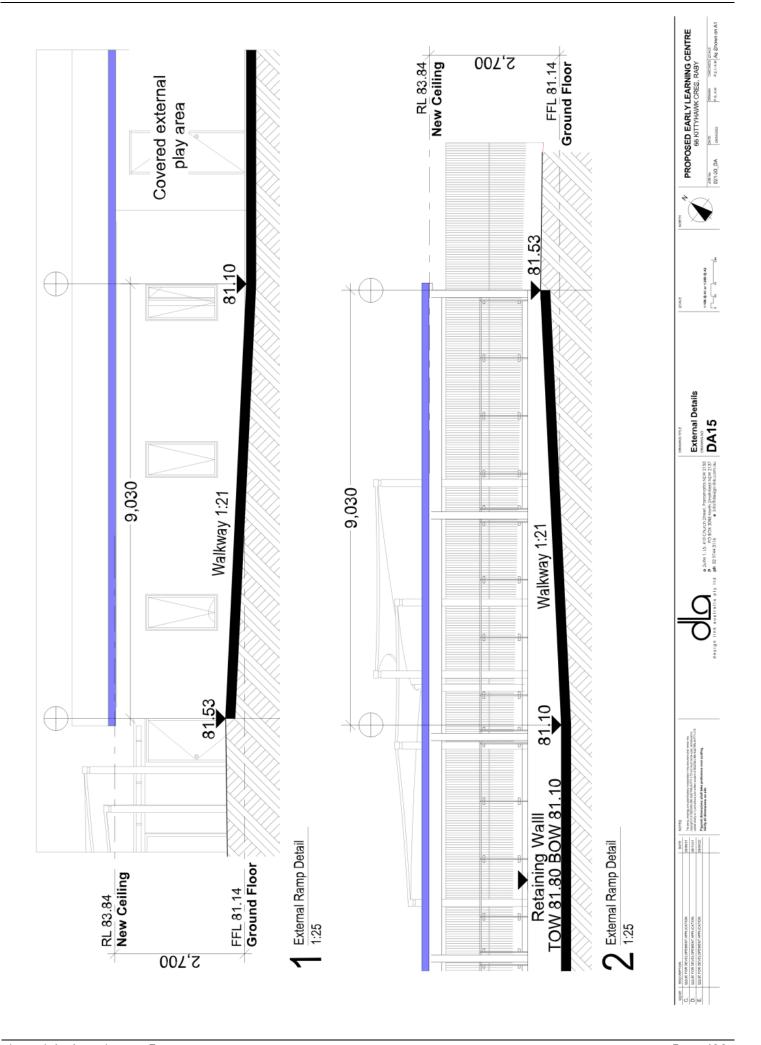


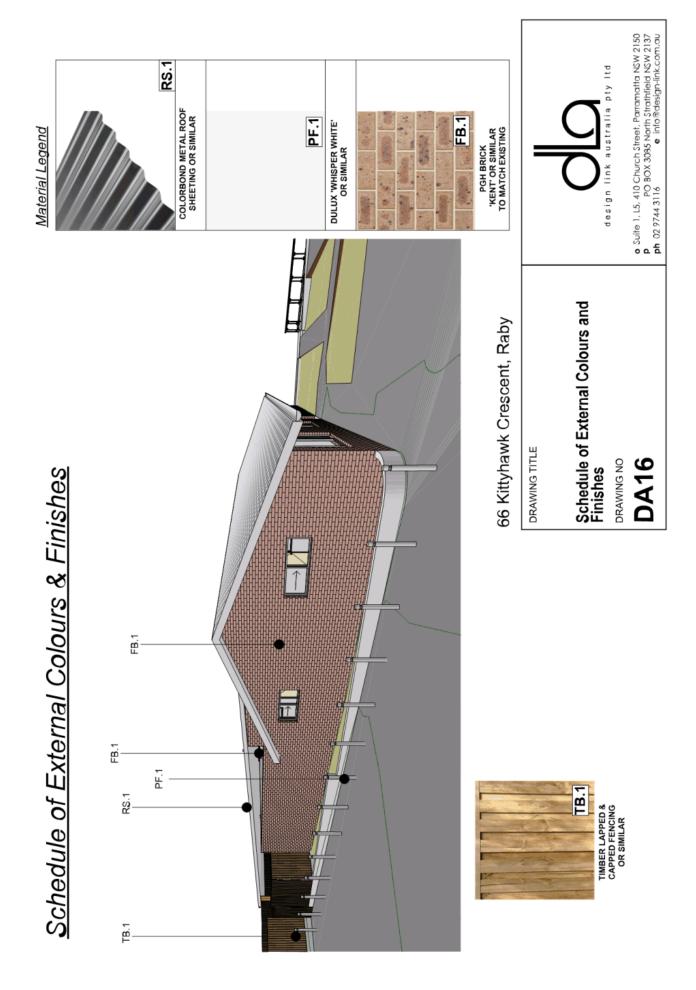




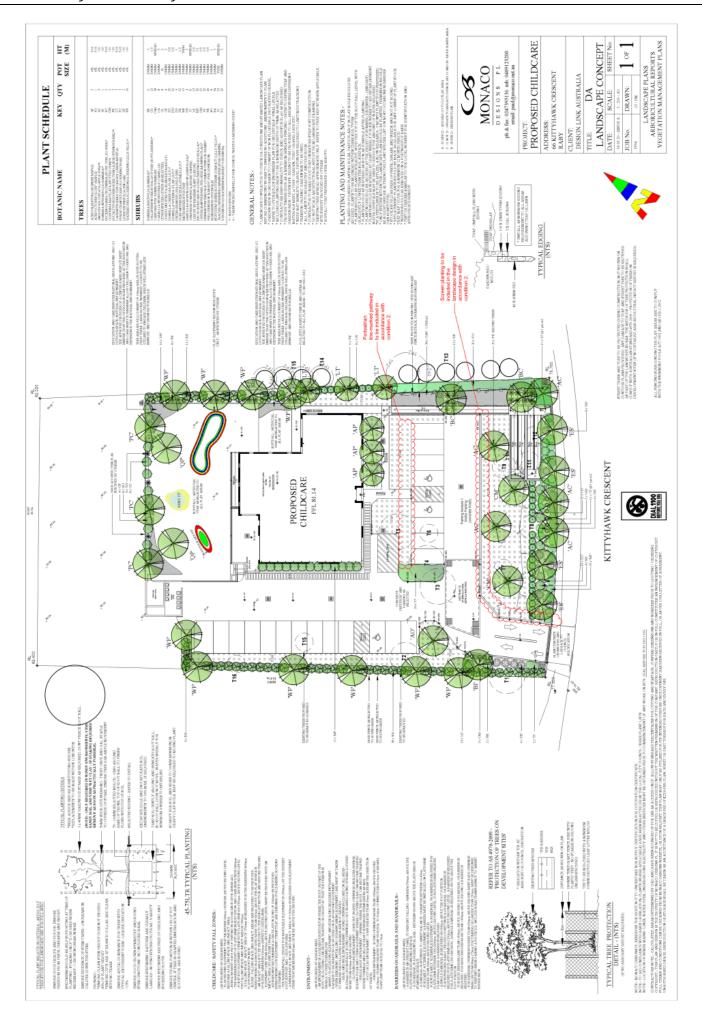


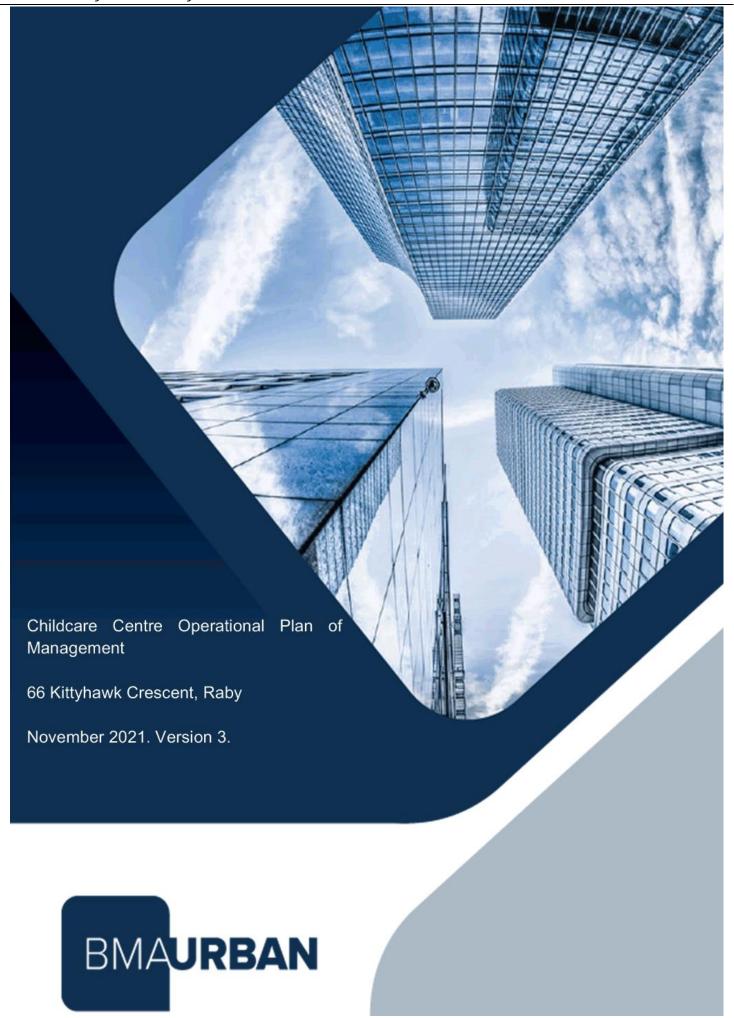












# Introduction

This Plan of Management provides guidelines and controls for the operation and management of the proposed child care centre at 66 Kittyhawk Crescent, Raby.

This Plan sets out objectives, procedures, guidelines and standards relevant to the ongoing management and operation of the centre to ensure the safety and wellbeing of its children and staff and to ensure that the activities of the centre have minimal impact on adjoining residents. The Plan of Management will set out controls for:

- · Hours of operation, staff levels and child levels
- Noise control
- Car parking and traffic
- · Delivery of goods and services
- · Collection of garbage and recycling
- · Cleaning and maintenance of the centre
- · Complaints procedure
- Evacuation and emergency procedure
- Annual review of Plan of Management.

All staff at the centre will be familiar with the Plan of Management and will conduct their work within the guidelines.



# Hours of Operation, Staff and Child Numbers

### AIM OF POLICY

To ensure the child care centre is run correctly and without issue.

# **IMPLEMENTATION**

- The hours of operation of the child care centre are: Monday Friday: 7am 6pm Saturday/Sunday: Closed
- ii. The child care centre is only to be used during the aforementioned approved hours of operation as stipulated in the Conditions of Consent (DAxx/xxxx).
- iii. The proposed numbers of children for the child care centre are:

0-2 years: 8 children (1 staff per 4 children aged 0-2yrs)
2-3 years 34 children (1 staff per 5 children aged 2-3yrs)
3-6 years 30 children (1 staff per 10 children aged 3-5yrs)
Total 72 children

The staff to children ratio is as per the Education and Care Services National Regulations.

iv. The proposed number of staff for the Child Care Centre is:

Part Time: One (1) - Chef

Full time: Twelve (12) - Childcare staff/Director

Total: Thirteen (13)



# Noise Control

# AIM OF POLICY

To implement strategies in order to limit noise emitted from the operation of the child care centre.

# **IMPLEMENTATION**

- i. The children's outdoor play area shall be managed and designed in accordance with the recommendations of the Acoustic Report prepared by Day Design (Dated 9 November 2021) and approved as part of development consent (DAxxxx/xxxx).
- ii. Signs reminding staff and visitors to minimise noise at all times shall be installed at ingress/egress points from the child care centre.
- iii. The staff will be trained in managing behaviour to ensure that they do not need to raise their voices to children or other staff.
- All gates and doors will have appropriate soft closing mechanisms so they do not slam ensuring noise from doors, upon entering and exiting the centre, is kept to a minimum;
- v. Any external windows and doors will be closed when the children are indoors;
- vi. Management is to ensure children are supervised at all times to minimise noise generated by the children whenever practical and possible.
- vii. A contact phone number shall be installed at the front of the child care centre so that any complaints regarding centre operation can be made.
- viii. Property maintenance shall be undertaken at times and in a manner so as to not cause an "offensive noise" as defined by the Protection of the Environment Operations Act 1997. Maintenance activities shall also satisfy relevant provisions of the Protection of the Environment Operations (Noise Control) Regulation 2008 at all times.

The following requirements, as set out in Part 6.0 of the Environmental Noise Impact Assessment, shall be adhered to at all times:



- Ensuring all staff and parents are provided with a copy of the Centre's Noise Management Plan and its implications for them during their time at the Centre.
- Neighbours should be provided with the name and contact details of the Centre's Manager, and an invitation to contact that person at any time the Centre is operating.
- Facilitating children's small group play when outside, and encouraging educators to engage in children's play and facilitate friendships between children.
- Crying children should be comforted as quickly as possible and moved indoors.
- Other windows and doors to the indoor play rooms should be closed during noisy
  activities, such as when amplified music is being played.

# 6.2 Limit Children Outside

- The outdoor play area should be limited to a maximum of 34 x 2-3 yr old children and a
  maximum of 8, 0-2 yr old children; OR a maximum of 24 x 3-5 yr old children and a
  maximum of 8, 0-2 yr old children.
- The remaining children are to stay inside with the doors to the outdoor play area closed.

The following outdoor play schedule must be followed during operation of the centre:

OUTDOOR			
Hours	0-2yrs	2-3yrs	3-5yrs
7-7:30am			
7:30-8:30	8		20
8:30-9:30		34	
9:30-10:30		34	
10:30-11:30	8		20
11:30-12:30	8		20
12:30-1:30	8		20
1:30-2:30		34	
2:3-3:30		34	
3:30-4:30	8		20
4:30-5:30		10	10
5:30-6pm			



INDOOR			
Hours	0-2yrs	2-3yrs	3-5yrs
7-7:30am	8	34	30
7:30-8:30		34	10
8:30-9:30	8		30
9:30-10:30	8		30
10:30-11:30		34	10
11:30-12:30		34	10
12:30-1:30		34	10
1:30-2:30	8		30
2:3-3:30	8		30
3:30-4:30		34	
4:30-5:30	8	24	20
5:30-6pm	8	34	30

# Car Parking and Traffic

# AIM OF POLICY

To minimise impacts of traffic movements and car parking associated with the child care centre on the surrounding neighbourhood and road network.

# **IMPLEMENTATION**

- Car parking spaces are to be allocated for use by staff and parents as outlined in the development consent issued by Campbelltown Council.
- ii. Staff and parents are encouraged to car pool, use public transport or use other means such as bicycles to reduce dependence of car spaces.
- iii. When conducting tours of the centre prior to and at the time of enrolment parents and carers will be shown the appropriate parking areas and the etiquette and care required when dropping of and picking up children from the centre.
- iv. Upon enrolment and interview process with each family, the operator must enquire on the parent's needs according to work, study schedules and family commitments for their preferred drop off and pick up times of their child. From the parents given requirements, the centre must organise staggered pick up and drop off times, with priority given to working parents. The centre shall also offer drop off and pick up services of children from their homes each morning and afternoon, which will also assist with reducing any parking concerns that may arise.



# Delivery of Goods and Services

# AIM OF POLICY

To minimise impact of delivery vehicles on the surrounding neighbourhood and to ensure deliveries are received with ease.

# **IMPLEMENTATION**

- i. All deliveries are to be carried out between 10:00am and 1:00pm. All deliveries are to take place by prior arrangement only. Centre Management will be responsible for the preparation of a delivery schedule detailing the exact time, day and staff responsibility for each delivery.
- Delivery vehicles will park in nominated loading zone. Delivery drivers will then report to the reception desk at ground level for further instruction from relevant staff members.

# Kitchen

# AIM OF POLICY

To ensure that the proposed kitchen facilities are constructed, and operated in a manner, in accordance with the following:

- Food Act 2004
- Food Regulation 2010
- FSANZ Food Standards Code
- AS 4674:2004 Design, Construction, and Fitout of Food Premises

# **IMPLEMENTATION**

i. The Centre will employ a cook (permanent part-time) who has completed a recognised Food Handling Course and who will prepare food menus which have been reviewed by an Early Childhood Nutritionist and endorsed as consistent with recognised nutritional guidelines for children in childcare centres.



# **Laundry Services**

### AIM OF POLICY

To ensure the child care centre is adequately serviced in terms of laundry management.

# **IMPLEMENTATION**

 External services will be utilised for the servicing of large quantities of laundry. All laundry services are to be carried out between 10:00am and 1:00pm.

# Collection of Garbage and Recycling

# AIM OF POLICY

To ensure the child care centre is adequately serviced and high health and hygiene levels are maintained.

# **IMPLEMENTATION**

- The child care centre will attempt to minimise waste wherever possible and will encourage the use of recyclable products and recycling.
- All waste shall be managed in accordance with the Waste Management Plan prepared by Dickens Solutions dated November 2021.



# Cleaning and Maintenance of the Centre

# AIM OF POLICY

To implement policies that allow the child care centre to be maintained to a high standard.

# IMPLEMENTATION

- Daily cleaning of the child care centre will be conducted in-house within the operating hours of the centre. Minor end of day cleaning will occur within 30-60 minutes from the closing time of the centre.
- ii. Occasional extra cleaning may occur as required on a weekend or after hours. This will occur on a 3 monthly basis (or longer), where the centre is closed for public holidays for example – at Easter and Christmas each year.
- iii. Maintenance of the grounds including lawn mowing, gardening and other general outdoor maintenance will occur within daylight hours as required to ensure safe and visually acceptable operation of the child care centre.

# Complaints Procedure

# AIM OF POLICY

To ensure there are adequate systems in place to handle and respond to complaints.

# **IMPLEMENTATION**

- i. The child care centre will install a complaints phone number which is to be manned during open hours and will be capable of receiving and recording complaints at all other times.
- ii. All valid complaints shall be investigated and resolved to the best of the child care centre's abilities as soon as possible.
- iii. The owner/operator must maintain a "Complaints Book" recording details of any Incident that occurs including the time of the Incident, a description of the Incident and any actions taken by the management of the Centre in response to the Incident. All complaints must include the details of the person reporting the incident including a contact phone number so that management may follow up any complaint. The option will be given to a complainant as to whether a complaint is confidential or non-confidential.
- iv. An "Incident" includes:



- any breach of this Plan; or
- · any complaint by any person about the operation of the Child Care Centre.

The Complaints Book must be updated within 24 hours of any Incident. The owner/operator must review and initial and date all entries made in the Complaints Book in his absence whenever he/she is next on the Premises.

- The Complaints Book must be made available to Council officers for inspection upon request.
- vi. Complaints must remain in the Complaints Book for a minimum period of two years from the date of reporting.
- vii. The owner/operator will investigate any incident within 5 working days and the complainant will receive a response within 10 working days detailing what action has been taken (if any action is deemed required) addressing the complaint or concern.
- viii. If an Incident relates to noise, the owner/operator must:
  - take all reasonable steps to stop or reduce the source of the noise to prevent future occurrences.
  - · attempt to rectify the situation immediately.
  - contact the individual who reported the Incident to verify that the problem has been addressed.
- ix. The owner/operator must review the Complaints Book regularly and where appropriate amend this Plan so as to eliminate the possibility of the Incident recurring or to minimise the impacts of the incident should it recur.
- x. Contact Details for the registering of complaints are as follows:

TBA once operational



# Annual Review of Plan of Management

# **AIM OF POLICY**

To ensure the Plan of Management is comprehensive and up-to-date.

# **IMPLEMENTATION**

- It is a centre policy and a requirement under the National Quality Standards for all policies and procedures of the centre to be reviewed on an annual basis. Management undertakes to ensure that the Plan of Management is reviewed on an annual basis in consideration of feedback from all interested parties.
- ii. Further, we invite the Department of Health and all other interested neighbours to put any concerns or issues or suggested improvements to policy or procedure in writing and we will endeavour to consider all feedback provided in developing and implementing centre policies practices and procedures which impact on the surrounding properties.





# TRAFFIC AND PARKING IMPACT ASSESSMENT OF A PROPOSED CHILDCARE CENTRE

66 Kittyhawk Crescent in Raby

Traffic and Parking Impact Report

Prepared for: Design Link Australia Pty Ltd

N206432A (version 1b)

May 2021

Motion Traffic Engineers Pty Ltd Telephone: 940 33588 sydney@motiontraffic.com.au

ACN 600201583



# 1. INTRODUCTION

Motion Traffic Engineers was commissioned by Design Link Australia Pty Ltd to undertake a traffic and parking impact assessment of a proposed Childcare Centre at 66 Kittyhawk Crescent in Raby. The site is currently a single dwelling. Site has frontage to Kittyhawk Crescent.

This traffic report focuses on the proposed childcare centre and changes in car usage and car park utilisation and additional trips from the proposed childcare centre.

In the course of preparing this assessment, the subject site and its environs have been inspected, plans of the development examined, and all relevant traffic and parking data collected and analysed.

# 2. BACKGROUND AND EXISTING CONDITIONS OF THE PROPOSED LOCATION

### 2.1 Location and Land Use

The proposed Childcare Centre is located in an *Environmental living zone (E4)* with some education facilities such as Eschol Public School, National Gap Training & Assessment Centre, Hands Can Talk special education school within 3 km. Minto Train Station is located east of the site.

Figures 1 and 2 show the location of the childcare site from the aerial and street map perspective respectively.

Figure 3 shows photographs of the site.

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Figure 1: Location of the Subject Site on Aerial

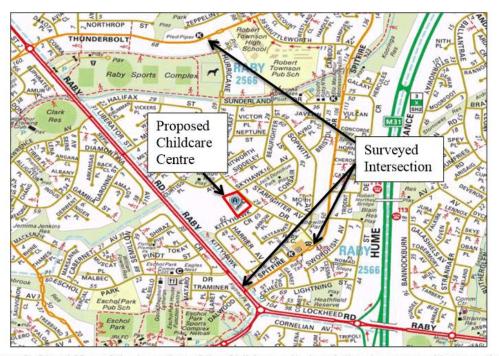


Figure 2: Street Map of the Location of the Childcare site in relation to surveyed intersections

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Figure 3: Photo of site from Kittyhawk Crescent

# 2.2 Road Network

This section describes the roads near the proposed childcare centre.

Kittyhawk Crescent is a local road and has one lane each way. The default speed limit is 50km/hr. Time unlimited on-street parking is permitted on both sides of the street. Figure 4a shows a photograph of Kittyhawk Crescent.

Hurricane Drive is a local road with one lane of traffic each way. The sign-posted speed limit of this road is 50km/hr. Time unlimited on street parking is permitted on both sides of the road. Figure 4b shows a photograph of Hurricane Drive.

Spitfire Drive is a collector road with one lane of traffic each way. Bicycle lanes are provided on both sides of the road and which can also be used as unlimited parking lanes. Double barrier centre lines are located on this road. The default speed limit of this road is 50km/hr. Figure 4c shows a photograph of Spitfire Drive.

Raby Road is a sub-arterial road with two lanes of traffic each way. The sign-posted speed limit of this road is 60km/hr. No street parking is permitted on either side of the road. Figure 4d shows a photograph of Raby Road.

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Figure 4a: Kittyhawk Crescent looking west from Childcare Site



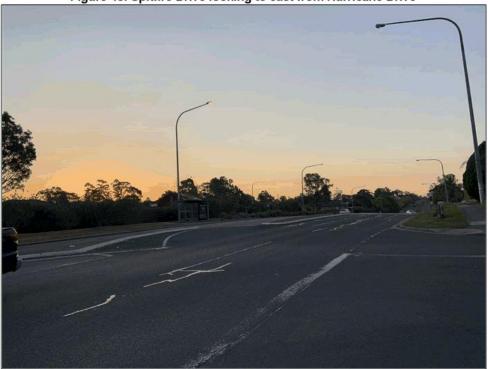
Figure 4b: Hurricane Drive looking north from Kittyhawk Crescent

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Figure 4c: Spitfire Drive looking to east from Hurricane Drive



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Figure 4d: Raby Road looking to north from Spitfire Drive

# 2.3 Public Parking Opportunities

The childcare site is located in a residential area with some education facilities at surrounding areas. Site investigations show that Kittyhawk Crescent and Hurricane Drive have vacant car spaces. Many of the residential dwellings also have on-site parking and the tenants do not necessarily need to park on street.

# 2.4 Intersection Description

As part of the traffic assessment, three intersections are assessed:

- The stop control intersection of Spitfire Drive with Hurricane Drive
- The stop control intersection of Raby Road with Spitfire Drive
- The stop control intersection of Thunderbolt Drive with Hurricane Drive

External traffic travelling to and from the childcare site will most likely need to travel through the above intersections.

The stop control intersection of Spitfire Drive with Hurricane Drive is a three-leg intersection with all turn movements permitted. Drivers on Hurricane Drive must stop and then give way to vehicles on Spitfire Drive. Figure 5 presents the layout of this intersection using SIDRA (9) – an industry standard intersection assessment software.

The stop control intersection of Raby Road with Spitfire Drive is a three-leg intersection with all turn movements permitted. Drivers on Spitfire Drive must stop and then give way to vehicles on Raby Road. Figure 6 presents the layout of this intersection using SIDRA (9).

The stop control intersection of Thunderbolt Drive with Hurricane Drive is a three-leg intersection with all turn movements permitted. Drivers on Hurricane Drive must stop and give way to traffic on Thunderbolt Drive. Figure 7 presents the layout of this intersection using SIDRA (9).

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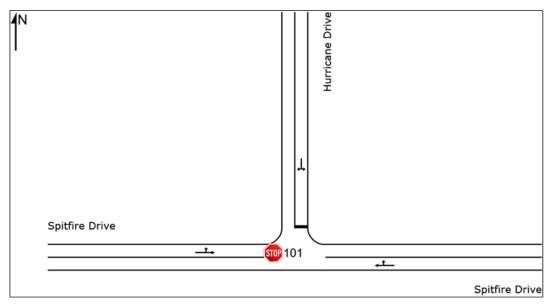


Figure 5: Stop control intersection of Spitfire Drive with Hurricane Drive (SIDRA)

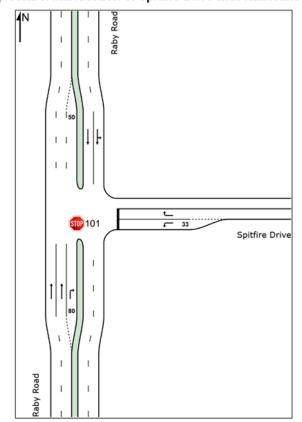


Figure 6: Stop control intersection of Raby Road with Spitfire Drive (SIDRA)

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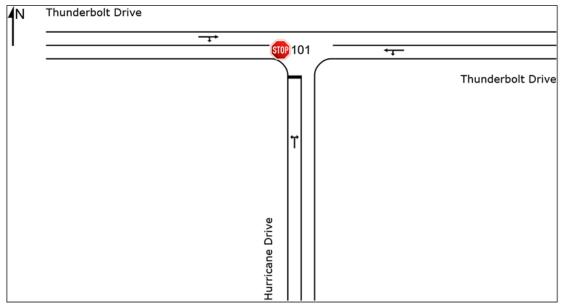


Figure 7: Stop control intersection of Thunderbolt Drive with Hurricane Drive (SIDRA)

### 2.5 Existing Traffic Volumes

As part of the traffic assessment, traffic counts have been undertaken at the intersection for the weekday AM and PM period. The AM and PM peak hour were 8am to 9am and 5pm to 6pm respectively. The traffic surveys were undertaken on a weekday in September 2020.

The following Figures present the traffic volumes in vehicles for the weekday peak hours.

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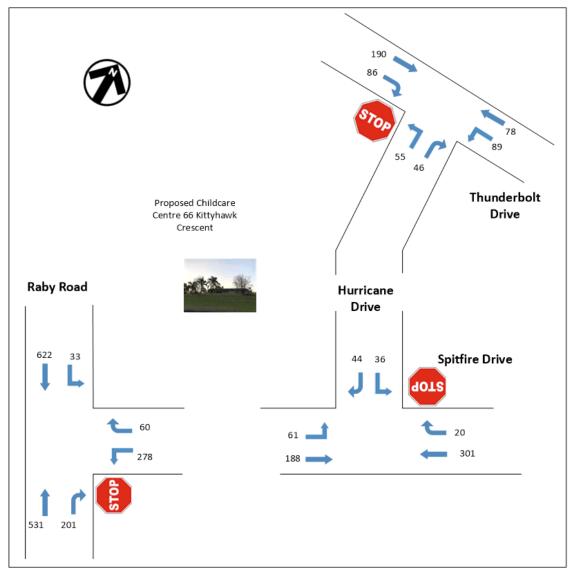


Figure 9: Existing Weekday Traffic Volumes AM Peak Hour

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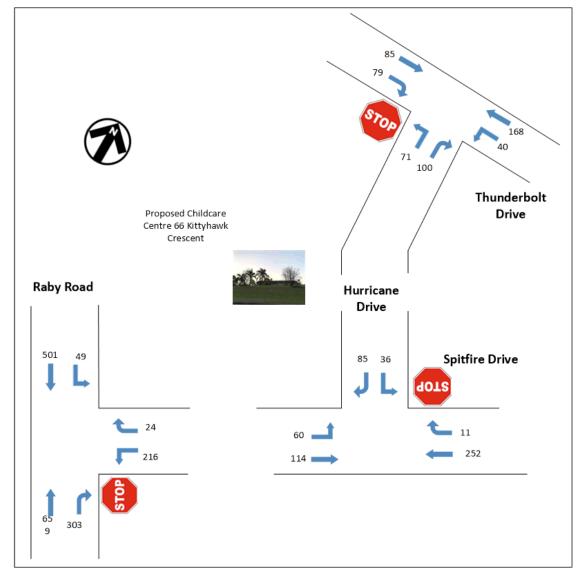


Figure 10: Existing Weekday Traffic Volumes PM Peak Hour

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#### 2.6 Intersection Assessment

An intersection assessment has been undertaken for:

- The Stop control intersection of Spitfire Drive with Hurricane Drive
- The Priority intersection of Raby Road with Spitfire Drive
- The stop control intersection of Thunderbolt Drive with Hurricane Drive

The existing intersection operating performance was assessed using the SIDRA software package (version 9) to determine the Degree of Saturation (DS), Average Delay (AVD in seconds) and Level of Service (LoS) at each intersection. The SIDRA program provides Level of Service Criteria Tables for various intersection types. The key indicator of intersection performance is Level of Service, where results are placed on a continuum from 'A' to 'F', as shown in Table 1.

LoS	Traffic Signal / Roundabout	Give Way / Stop Sign / T-Junction control
A	Good operation	Good operation
В	Good with acceptable delays and spare capacity	Acceptable delays and spare capacity
С	Satisfactory	Satisfactory, but accident study required
D	Operating near capacity	Near capacity & accident study required
Е	At capacity, at signals incidents will cause excessive delays.	At capacity, requires other control mode
F	Unsatisfactory and requires additional capacity, Roundabouts require other control mode	At capacity, requires other control mode

Table 1: Intersection Level of Service

The Average Vehicle Delay (AVD) provides a measure of the operational performance of an intersection as indicated below, which relates AVD to LOS. The AVD's should be taken as a guide only as longer delays could be tolerated in some locations (i.e. inner-city conditions) and on some roads (i.e. minor side street intersecting with a major arterial route). For traffic signals, the average delay over all movements should be taken. For roundabouts and priority control intersections (sign control) the critical movement for level of service assessment should be that movement with the highest average delay.

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LoS	Average Delay per Vehicles (seconds/vehicle)
A	Less than 14
В	15 to 28
C	29 to 42
D	43 to 56
Е	57 to 70
F	>70

Table 2: Intersection Average Delay (AVD)

The degree of saturation (DS) is another measure of the operational performance of individual intersections. For intersections controlled by traffic signals both queue length and delay increase rapidly as DS approaches 1. It is usual to attempt to keep DS to less than 0.9. Degrees of Saturation in the order of 0.7 generally represent satisfactory intersection operation. When DS exceed 0.9 queues can be anticipated.

The results of the intersection analysis are as follows:

### Stop control intersection of Spitfire Drive with Hurricane Drive

- All turn movements have LoS A or B for both peak hours.
- There is spare capacity at this intersection

### Stop control intersection of Raby Road with Spitfire Drive

- All turn movements have LoS A or B for both peak hours. Except for the right turn from Spitfire Drive and has a poor LoS
- There is spare capacity at this intersection

#### Stop control intersection of Thunderbolt Drive with Hurricane Drive

- All turn movements have LoS A or B for both peak hours.
- · There is spare capacity at this intersection

The full Sidra results are presented in Appendix A.

### 2.7 Public Transport

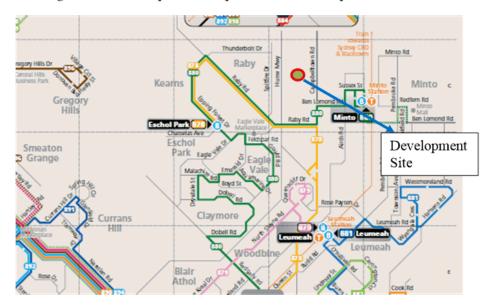
The nearest bus stop to the childcare site is 100 metres away on Hurricane Drive. This stop is serviced by the 874 bus route. This service provides transport to Minto Station and Minto Mall. Minto Station is serviced by T8 which provides transport to Macarthur, airport and city circle.

Overall, the site has access to public transport.

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Figure 9 shows the public transport near the development site.



### 2.8 Conclusions on the Existing Conditions

The proposed childcare centre is located in a residential area with unlimited onstreet parking on both sides of Kittyhawk Crescent and Hurricane Drive.

The nearby intersection has spare capacity to accommodate additional traffic.

The site has access to public transport.

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### 3. PROPOSED CHILDCARE

The proposed childcare will accommodate 72 children along with 12 teachers.

The car parking area is on ground floor with vehicle access and egress from Kittyhawk Crescent

Eighteen on site car spaces will be provided on the ground floor carparks, including 2 accessible parking spaces

The details of number of children and staffs are as follows:

8 children up to 2 years-old
34 children between 2-3 years-old
30 children between 3-6 years old

#### Total of 72 children

A full scaled plan of the proposed childcare centre is provided as part of the Development Application. Scaled measurements should use these plans.

### 3.1 Local Area Traffic Movements

Council has requested discussion on potential traffic improvements of the nearby road network.

The following is recommended and subject to Council Approval:

 Pedestrian crossing signs near the childcare centre for both travel directions on Kittyhawk Crescent

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### 4. CAR PARKING CONSIDERATIONS

### 4.1 Campbelltown Planning Scheme

The car parking requirements for a childcare are presented in *Campbelltown Council's Development Control Plan 2015* with the car parking rates as follows as it applies to the proposed childcare centre:

### Childcare

• 1 car space per 4 children

The proposed childcare will accommodate 72 children. Table 3 summarises the car parking requirements for the proposed childcare. The proposed childcare centre has provided enough space to accommodate the parking demand as per requirements of Campbelltown Council.

Proposed Child Care												
	Number	Car parking rate	Car Spaces Required	Car Spaces Provided								
Children	72	1 per 4 children	18	21								
	-	Total	18	21								

Table 3: Summary of car parking requirements

### 4.2 Traffic Management Plan

A traffic management plan will be implemented to encourage staff to use public bus services, car share, cycle or walk.

### 4.3 Staff Car Parking demand

Staff arrivals and departures are staged/staggered to ensure that the staff-student ratio is maintained with all staff on site in the core 9am to 5pm hour with peak staff car parking demand in the core period and does not coincide with the main drop off and pick up periods.

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### 5. VEHICLE TRAFFIC IMPACT CONSIDERATIONS

This section discusses the vehicle traffic impacts of the proposed childcare centre.

### 5.1 Traffic Generation

The NSW RTA Guide to Traffic Generating Development document publishes trip generation rates for "long day care" for childcare centres as follows:

- 0.8 trips per child between 7am and 9am
- 0.3 trips per child between 2:30pm and 4pm
- 0.7 trips per child between 4pm and 6pm

Staff will arrive and leave before the drop off period (7am to 9am) and the pickup period (4pm to 6pm) respectively. Table 4 presents the estimated peak period trips.

Peak Hour	Number of Children	Trip Generation Rate	Trips Generated
AM Peak Hour	72	0.8 trips per child	58
PM Peak Hour	12	0.7 trips per child	50

Table 4: Trips Generated by the Childcare Centre in the Weekday Peak Hour

Table 5 presents the peak hour trips and trip distribution. The generated trips in the peak hour are modest.

	Origin	Destination	Total
AM Peak Hour	29	29	58
PM Peak Hour	25	25	50

Table 5: Trips Generated by the Childcare Centre in the Weekday Peak Hour

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### 5.2 Traffic Volumes

The additional development trips are assigned onto the local traffic network. The following figures present the existing with the development trips (in red for origin trips and blue for destination trips) for the weekday AM and PM peak hours.

The additional development trips represent a small proportion of the existing traffic volumes.



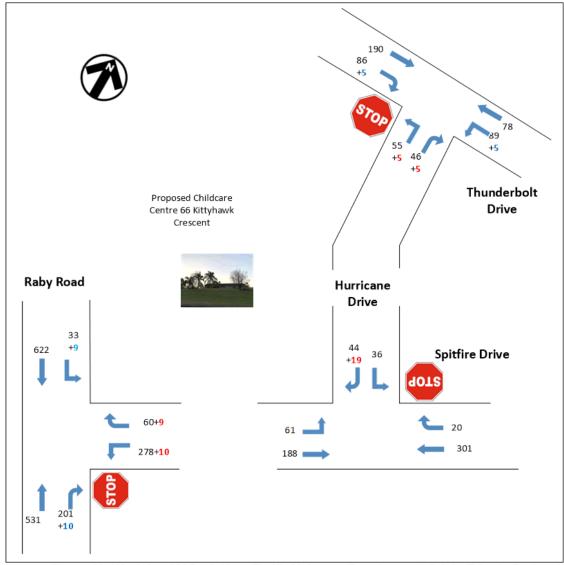


Figure 12: Weekday AM Peak Hour Traffic Volumes (Development Origin Trips in Red and Destination Trips in Blue)

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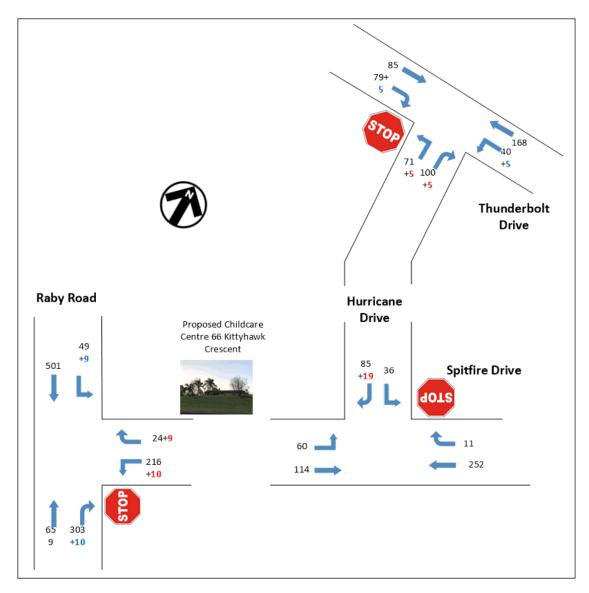


Figure 13: Weekday PM Peak Hour Traffic Volumes (Development Origin Trips in Red and Destination Trips in Blue)

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#### 5.3 Intersection Assessment

An intersection assessment has been undertaken for the two nearby intersections.

The results of the intersection analysis are as follows for the AM and PM peak hours:

### Stop control intersection of Spitfire Drive with Hurricane Drive

- All turn movements have LoS A or B for both peak hours.
- The additional trips do not change the LoS of any turn movement

### Stop control intersection of Raby Road with Spitfire Drive

- All turn movements have LoS A or B for both peak hours. Except for the right turn from Spitfire Drive and has a poor LoS
- The additional trips do not change the LoS of any turn movement

### Stop control intersection of Thunderbolt Drive with Hurricane Drive

- All turn movements have LoS A or B for both peak hours.
- The additional trips do not change the LoS of any turn movement

The full Sidra results with the childcare traffic are presented in Appendix B.

The existing conditions are presented in Appendix A.

### 6. TRAFFIC MANAGMENT

The proposed childcare is a medium size childcare with only 72 children. The intersection assessment results clearly depict that all critical surveyed intersections in the vicinity of the site have good level of service (Level of Service A or B) for the turn or either through movements for both peak hours. It should be noted that, the site's frontage road (Kittyhawk Crescent) is a local road with low traffic volume during morning and evening peak hours and in addition; commercial vehicle movements turnover along this road are relatively low due to the immediate land-uses of the site and the site's surrounding land-uses.

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Site access from the frontage road to the site is important to ensure safety. At the same time, a safe pedestrian movement is essential within the site and on the frontage road. The amended architectural plan demonstrates the following safety measures;

- Pedestrian's access and egress from the car park to the facility are separated.
- Parents, children and visitors have a separate pedestrian and vehicle entries.
- Pedestrian paths within the childcare facility are enable to pass two prams simultaneously.
- Delivery/loading zone within the parking area has been hatched and away
  from the pedestrian pathway and swept path analysis demonstrates that the
  service/delivery vehicle can enter the site, park on the dedicated loading
  zone and egress the site in a forward direction with maximum three-point
  turn movement without encroaching pedestrian pathway.
- Vehicles can enter and leave the site in a forward direction. Median island
  has been provided to have a safe inbound and outbound movement
  into/from the facility.
- 1.5 metres safety fence has been provided along the northern edge of the parking area to separate building play area from the car parking.

Some safety measures can be considered and be implemented to ensure that children and parents are able to cross the frontage road safely.

Marked foot crossing or pedestrian crossing in front of the pedestrian access/egress point on frontage road. in this regard; "children's crossing" sign shall be installed on either side of the road to warn the drivers to reduce their speed on the road when approaching the pedestrians crossing.

Supervisor of childcare facility should ensure that pedestrians and children are able to cross the road without safety hazard. Children crossing flags (two orange flags) should be placed on either side of the pedestrian crossing during the children crossing period (typically 8am-9:30am and 2:30pm-4pm weekdays).

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### 7. CONCLUSIONS

Based on the considerations presented in this report, it is considered that:

### Parking

The proposed childcare centre complies with Council's car parking requirements

### Traffic

- The proposed childcare centre is a modest trip generator for the weekday AM and PM peak hours.
- The additional trips from the proposed childcare centre can be accommodated at the nearby intersections and road network without noticeably affecting intersection performance, delays or queues.
- There are no traffic engineering reasons why a development consent for the proposed childcare at 11 Abigail Street in Seven Hills, should be refused.

Proposed Childcare Centre in Raby N206432A Report 1b



### APPENDIX A

# SIDRA Intersection Results for Existing Traffic Conditions

New Site Site Category: (None) Stop (Two-Way) Vehicle Movement Performance DEMAND FLOWS HV] [Veh East: Spitfire Drive 5 T1 301 0.0 317 0.0 0.178 0.1 LOS A 0.2 1.3 0.06 0.04 0.06 59.3 0.04 6 R2 20 0.0 21 0.0 0.178 6.5 LOS A 0.2 1.3 0.06 0.06 57.2 Approach 321 0.0 338 0.0 0.178 0.5 0.2 1.3 0.06 0.04 0.06 59.2 North: Hurricane Drive L2 36 0.0 38 0.0 0.106 8.8 LOS A 0.4 2.6 0.38 0.92 0.38 50.8 9 R2 44 0.0 46 0.0 0.106 10.9 LOS A 0.4 2.6 0.38 0.92 0.38 49.3 80 10.0 LOS A 0.4 2.6 0.38 0.92 0.38 50.0 Approach 0.0 84 0.106 West: Spitfire Drive 10 L2 0.0 64 0.0 0.136 5.6 LOS A 0.0 0.0 0.00 0.15 0.00 56.7 11 T1 188 0.0 198 0.0 0.136 0.0 LOS A 0.0 0.0 0.00 0.15 0.00 58.5 0.136 0.0 0.0 0.00 0.15 0.00 58.0 Approach 249 0.0 262 1.4 NΑ ΑII 650 0.0 684 0.0 0.178 2.0 NA 0.4 2.6 0.08 0.19 0.08 57.4 Vehicles

Table A1: Weekday stop control intersection of Spitfire Drive with Hurricane Drive AM

Peak Hour

Proposed Childcare Centre in Raby N206432A Report 1b



0106	otop (The Tray)													
Vehic	Vehicle Movement Performance													
Mov	Turn	INP VOLU	IMES	DEMAND FLOWS		Deg. Satn	Aver. Delav	Level of Service	95% BA QUE	UE	Prop. Que	Effective Stop	Aver. No.	Aver. Speed
		[ Total	HV]	[ Total	HV]			Service	[ Veh.	Dist ]		Rate	Cycles	
		veh/h	veh/h	veh/h	%	v/c	sec		veh	m				km/h_
South	: Raby	/ Road												
2	T1	531	0	559	0.0	0.144	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	59.9
3	R2	201	0	212	0.0	0.309	9.5	LOS A	1.4	10.1	0.63	0.87	0.74	41.7
Appro	ach	732	0	771	0.0	0.309	2.6	NA	1.4	10.1	0.17	0.24	0.20	53.5
East:	Spitfire	e Drive												
4	L2	278	0	293	0.0	0.343	9.9	LOS A	1.6	11.5	0.48	0.95	0.52	42.2
6	R2	60	0	63	0.0	0.600	55.4	LOS D	2.0	14.2	0.95	1.11	1.37	28.7
Appro	ach	338	0	356	0.0	0.600	18.0	LOS B	2.0	14.2	0.56	0.98	0.67	38.0
North:	Raby	Road												
7	L2	33	0	35	0.0	0.177	5.5	LOS A	0.0	0.0	0.00	0.06	0.00	56.8
8	T1	622	0	655	0.0	0.177	0.0	LOS A	0.0	0.0	0.00	0.03	0.00	59.1
Appro	ach	655	0	689	0.0	0.177	0.3	NA	0.0	0.0	0.00	0.03	0.00	59.0
All Vehic	les	1725	0	1816	0.0	0.600	4.7	NA	2.0	14.2	0.18	0.30	0.22	51.0

Table A2: Weekday stop control intersection of Raby Road with Spitfire Drive AM Peak Hour

Vehi	cle Mo	ovement	Perforr	nance										
Mov ID	Turn	INPU VOLUI		DEMA FLOV		Deg. Satn I	Dolou	Level of	95% BA QUE		Prop. Que	Effective Stop	Aver. No.,	Aver. Speed
		[ Total	HV]	[ Total	HV]	Saur	Delay	Service	[ Veh.	Dist ]	Que	Rate	Cycles`	opecu
		veh/h	%	veh/h	%	v/c	sec		veh	m				km/h
South	n: Hurri	icane Driv	e											
1	L2	55	0.0	58	0.0	0.108	7.8	LOS A	0.4	2.8	0.21	0.92	0.21	44.6
3	R2	46	0.0	48	0.0	0.108	9.3	LOS A	0.4	2.8	0.21	0.92	0.21	44.2
Appr	oach	101	0.0	106	0.0	0.108	8.5	LOS A	0.4	2.8	0.21	0.92	0.21	44.5
East:	Thund	lerbolt Dri	ve											
4	L2	89	0.0	94	0.0	0.093	5.6	LOS A	0.0	0.0	0.00	0.31	0.00	55.7
5	T1	78	0.0	82	0.0	0.093	0.0	LOS A	0.0	0.0	0.00	0.31	0.00	57.2
Appr	oach	167	0.0	176	0.0	0.093	3.0	NA	0.0	0.0	0.00	0.31	0.00	56.4
West	: Thun	derbolt Dr	ive											
11	T1	190	0.0	200	0.0	0.163	0.3	LOS A	0.6	4.2	0.20	0.18	0.20	48.5
12	R2	86	0.0	91	0.0	0.163	5.2	LOS A	0.6	4.2	0.20	0.18	0.20	47.6
Appr	oach	276	0.0	291	0.0	0.163	1.8	NA	0.6	4.2	0.20	0.18	0.20	48.2
All Vehic	cles	544	0.0	573	0.0	0.163	3.4	NA	0.6	4.2	0.14	0.36	0.14	49.7

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Table A3: Weekday stop control intersection of Thunderbolt Drive with Hurricane Drive AM Peak Hour

Proposed Childcare Centre in Raby N206432A Report 1b



	Vehicle Movement Performance													
Vehic	cle Mo	vement	Perforr	nance										
Mov ID	Turn	INPL VOLUI	MES	DEMAND FLOWS		Deg.	D-1	Level of	95% BA QUE	UE	Prop. Que	Effective Stop	Aver. No.	Aver. Speed
		[ Total	HV]	[ Total	HV]	Jaur	Delay	Service	[ Veh.	Dist ]	Que	Rate	Cycles <sub>[</sub>	эрсси
		veh/h		veh/h		v/c	sec		veh					km/h
East: Spitfire Drive														
5	T1	252	0.0	265	0.0	0.144	0.0	LOS A	0.1	0.6	0.03	0.03	0.03	59.6
6	R2	11	0.0	12	0.0	0.144	6.1	LOS A	0.1	0.6	0.03	0.03	0.03	57.4
Appro	ach	263	0.0	277	0.0	0.144	0.3	NA	0.1	0.6	0.03	0.03	0.03	59.5
North	: Hurrio	cane Drive	е											
7	L2	36	0.0	38	0.0	0.150	8.5	LOS A	0.5	3.8	0.33	0.93	0.33	51.1
9	R2	85	0.0	89	0.0	0.150	9.9	LOS A	0.5	3.8	0.33	0.93	0.33	49.6
Appro	ach	121	0.0	127	0.0	0.150	9.5	LOS A	0.5	3.8	0.33	0.93	0.33	50.1
West:	Spitfir	e Drive												
10	L2	60	0.0	63	0.0	0.096	5.6	LOS A	0.0	0.0	0.00	0.20	0.00	56.2
11	T1	114	0.0	120	0.0	0.096	0.0	LOS A	0.0	0.0	0.00	0.20	0.00	57.9
Appro	ach	174	0.0	183	0.0	0.096	1.9	NA	0.0	0.0	0.00	0.20	0.00	57.3
All Vehic	les	558	0.0	587	0.0	0.150	2.8	NA	0.5	3.8	0.09	0.28	0.09	56.4

Table A4: Weekday stop control intersection of Spitfire Drive with Hurricane Drive PM Peak Hour

Proposed Childcare Centre in Raby N206432A Report 1b



Vehic	le Mo	vement	: Perforn	nance										
Mov ID	Turn	INP VOLU [Total		DEMA FLOV [Total		Deg. Satn	Aver. Delay	Level of Service	95% BA QUE [ Veh.	UE	Prop. Que	Effective Stop Rate	Aver. No. c Cycles	Aver. Speed
		veh/h	veh/h	veh/h	пv ј %	v/c	sec	Service	veh	Dist] m		rtate	Cycles	km/h
South	: Raby	Road												
2	T1	659	0	694	0.0	0.179	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	59.9
3	R2	303	0	319	0.0	0.406	9.2	LOS A	2.3	16.2	0.63	0.90	0.83	41.9
Appro	ach	962	0	1013	0.0	0.406	2.9	NA	2.3	16.2	0.20	0.28	0.26	52.8
East:	Spitfire	e Drive												
4	L2	216	0	227	0.0	0.244	8.9	LOS A	1.0	7.1	0.39	0.90	0.39	42.7
6	R2	24	0	25	0.0	0.518	110.5	LOS F	1.6	11.1	0.97	1.06	1.20	20.0
Appro	ach	240	0	253	0.0	0.518	19.1	LOS B	1.6	11.1	0.45	0.92	0.47	37.0
North:	Raby	Road												
7	L2	49	0	52	0.0	0.149	5.4	LOS A	0.0	0.0	0.00	0.11	0.00	55.7
8	T1	501	0	527	0.0	0.149	0.0	LOS A	0.0	0.0	0.00	0.05	0.00	58.7
Appro	ach	550	0	579	0.0	0.149	0.5	NA	0.0	0.0	0.00	0.05	0.00	58.3
All Vehic		1752	0	1844	0.0	0.518	4.4	NA	2.3	16.2	0.17	0.30	0.21	51.3

Table A5: Weekday stop control intersection of Raby Road with Spitfire Drive PM Peak Hour

Proposed Childcare Centre in Raby N206432A Report 1b



	(100													
Vehic	cle Mo	vement	Perforr	nance										
Mov	Turn	INPL VOLUI		DEMAND FLOWS		Deg.	Dolov	Level of	95% BA QUE		Prop. Que	Effective Stop	Aver. No. ,	Aver. Speed
		[ Total	HV]	[ Total	HV]	Jaur	Delay	Service	[ Veh.	Dist ]	Que	Rate	Cycles`	эрсси
		veh/h	%	veh/h		v/c	sec		veh					km/h
South	: Hurri	cane Driv	е											
1	L2	71	0.0	75	0.0	0.193	8.2	LOS A	0.7	5.2	0.36	0.91	0.36	44.6
3	R2	100	0.0	105	0.0	0.193	9.1	LOS A	0.7	5.2	0.36	0.91	0.36	44.2
Appro	ach	171	0.0	180	0.0	0.193	8.7	LOS A	0.7	5.2	0.36	0.91	0.36	44.4
East:	Thund	erbolt Driv	ve											
4	L2	40	0.0	42	0.0	0.113	5.6	LOS A	0.0	0.0	0.00	0.11	0.00	57.3
5	T1	168	0.0	177	0.0	0.113	0.0	LOS A	0.0	0.0	0.00	0.11	0.00	58.9
Appro	ach	208	0.0	219	0.0	0.113	1.1	NA	0.0	0.0	0.00	0.11	0.00	58.6
West:	Thund	derbolt Dri	ive											
11	T1	85	0.0	89	0.0	0.103	0.5	LOS A	0.5	3.3	0.29	0.27	0.29	47.8
12	R2	79	0.0	83	0.0	0.103	5.3	LOS A	0.5	3.3	0.29	0.27	0.29	46.9
Appro	ach	164	0.0	173	0.0	0.103	2.8	NA	0.5	3.3	0.29	0.27	0.29	47.4
All Vehic	les	543	0.0	572	0.0	0.193	4.0	NA	0.7	5.2	0.20	0.41	0.20	50.0

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Table A6: Weekday stop control intersection of Thunderbolt Drive with Hurricane Drive PM Peak Hour

Proposed Childcare Centre in Raby N206432A Report 1b



### **APPENDIX B**

# SIDRA Intersection Results for Existing with Childcare Traffic Conditions

New Site Site Category: (None) Stop (Two-Way) Vehicle Movement Performance INPUT VOLUMES DEMAND FLOWS Prop. Que East: Spitfire Drive 5 T1 301 0.0 317 0.0 0.178 0.1 LOS A 0.2 1.3 0.06 0.04 0.06 59.3 6 R2 20 0.0 21 0.0 0.178 6.5 LOS A 0.2 1.3 0.06 0.04 0.06 57.2 338 0.2 1.3 0.04 59.2 Approach 321 0.0 0.0 0.178 0.5 NA 0.06 0.06 North: Hurricane Drive L2 36 0.0 38 0.0 0.137 8.8 LOS A 0.5 3.4 0.40 0.94 0.40 50.7 R2 9 63 0.94 0.40 0.0 66 0.0 0.13711.0 LOS A 0.5 3.4 0.40 49.1 0.137 10.2 LOS A 0.5 3.4 0.40 0.94 0.40 49.7 Approach 0.0 104 West: Spitfire Drive 10 L2 61 0.0 64 0.0 0.136 5.6 LOS A 0.0 0.0 0.00 0.15 0.00 56.7 T1 0.0 0.00 11 188 0.0 198 0.0 0.136 0.0 LOS A 0.0 0.15 0.00 58.5 Approach 249 0.0 262 0.136 1.4 0.0 0.0 0.00 0.15 0.00 58.0 704 0.5 0.09 0.09 669 0.0 0.0 0.178 2.3 NA 3.4 0.21 57.1 Vehicles

Table B1: Weekday stop control intersection of Spitfire Drive with Hurricane Drive AM

Peak Hour with childcare traffic

Proposed Childcare Centre in Raby N206432A Report 1b



	100		D (											
veni	cie Mo	ovemen	t Perforn	nance										
Mov ID	Turn	INP VOLL	IMES	DEMAND FLOWS		Deg. Satn	Aver. Delay	Level of	95% BA QUE	UE	Prop. Que	Effective Stop	Aver. No.	Aver. Speed
		[ Total	HV]	[ Total	HV]	Cuu	Delay	Service	[ Veh.	Dist ]	200	Rate	Cycles`	эроса
		veh/h	veh/h	veh/h		v/c	sec		veh					km/h
South	i: Raby	y Road												
2	T1	531	0	559	0.0	0.144	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	59.9
3	R2	211	0	222	0.0	0.329	9.7	LOS A	1.6	11.0	0.64	0.88	0.77	41.6
Appro	ach	742	0	781	0.0	0.329	2.8	NA	1.6	11.0	0.18	0.25	0.22	53.2
East:	Spitfire	e Drive												
4	L2	288	0	303	0.0	0.353	9.9	LOS A	1.7	12.2	0.48	0.95	0.53	42.1
6	R2	69	0	73	0.0	0.713	65.7	LOS E	2.6	18.4	0.96	1.17	1.60	26.6
Appro	ach	357	0	376	0.0	0.713	20.7	LOS B	2.6	18.4	0.57	0.99	0.73	36.7
North	: Raby	Road												
7	L2	42	0	44	0.0	0.180	5.4	LOS A	0.0	0.0	0.00	0.07	0.00	56.4
8	T1	622	0	655	0.0	0.180	0.0	LOS A	0.0	0.0	0.00	0.03	0.00	59.0
Appro	ach	664	0	699	0.0	0.180	0.4	NA	0.0	0.0	0.00	0.04	0.00	58.7
All Vehic	les	1763	0	1856	0.0	0.713	5.5	NA	2.6	18.4	0.19	0.32	0.24	50.2

Table B2: Weekday stop control intersection of Raby Road with Spitfire Drive AM Peak Hour with childcare traffic

New Site Site Category: (None) Stop (Two-Way)

Stop	( I WO-	vvay,												
Vehi	cle Mo	vement	Perfori	mance										
Mov ID	Turn	INPL VOLUI	MES	DEMAND FLOWS		Deg. Satn	Aver. Delay	Level of	95% BA QUE	UE	Prop. Que	Effective Stop	Aver. No.	Aver. Speed
		[ Total	HV]	[ Total	HV]	- Caur	Doidy	Service	[ Veh.	Dist ]	200	Rate	Cycles`	эроос
		veh/h	%	veh/h	%	v/c	sec		veh	m				km/h
South	n: Hurri	cane Driv	е											
1	L2	60	0.0	63	0.0	0.120	7.8	LOS A	0.4	3.1	0.21	0.92	0.21	44.6
3	R2	51	0.0	54	0.0	0.120	9.4	LOS A	0.4	3.1	0.21	0.92	0.21	44.2
Appro	oach	111	0.0	117	0.0	0.120	8.5	LOS A	0.4	3.1	0.21	0.92	0.21	44.4
East:	Thund	erbolt Dri	ve											
4	L2	94	0.0	99	0.0	0.095	5.6	LOS A	0.0	0.0	0.00	0.32	0.00	55.6
5	T1	78	0.0	82	0.0	0.095	0.0	LOS A	0.0	0.0	0.00	0.32	0.00	57.1
Appro	oach	172	0.0	181	0.0	0.095	3.0	NA	0.0	0.0	0.00	0.32	0.00	56.3
West:	Thund	derbolt Dr	ive											
11	T1	190	0.0	200	0.0	0.167	0.3	LOS A	0.6	4.5	0.21	0.18	0.21	48.5
12	R2	91	0.0	96	0.0	0.167	5.2	LOS A	0.6	4.5	0.21	0.18	0.21	47.5
Appro	ach	281	0.0	296	0.0	0.167	1.9	NA	0.6	4.5	0.21	0.18	0.21	48.2
All Vehic	les	564	0.0	594	0.0	0.167	3.6	NA	0.6	4.5	0.15	0.37	0.15	49.5

Table B3: Weekday stop control intersection of Thunderbolt Drive with Hurricane Drive AM Peak Hour with childcare traffic

Proposed Childcare Centre in Raby N206432A Report 1b



Vehic	cle Mo	vement	Perform	nance										
Mari		INPL VOLUI [ Total veh/h	JT	DEMA FLOV [ Total veh/h		Deg. Satn	Aver. Delay sec	Level of Service	95% BA QUE [ Veh. veh		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed km/h
East:	Spitfire	e Drive	,,,	VC11/11	,,,	7/10	300		VCII					KITETT
5 6 Appro	T1 R2	301 20 321	0.0 0.0 0.0	317 21 338	0.0 0.0	0.178 0.178 0.178	0.1 6.5 0.5	LOS A LOS A NA	0.2 0.2 0.2	1.3 1.3 1.3	0.06 0.06 0.06	0.04 0.04 0.04	0.06 0.06 0.06	59.3 57.2 59.2
		cane Drive	e 0.0	38	0.0	0.137	8.8	LOS A	0.5	3.4	0.40	0.94	0.40	50.7
9	R2	63	0.0	66	0.0	0.137	11.0		0.5	3.4	0.40	0.94	0.40	49.1
Appro	ach	99	0.0	104	0.0	0.137	10.2	LOS A	0.5	3.4	0.40	0.94	0.40	49.7
West:	Spitfir	e Drive												
10	L2	61	0.0	64	0.0	0.136	5.6	LOS A	0.0	0.0	0.00	0.15	0.00	56.7
11	T1	188	0.0	198	0.0	0.136	0.0	LOS A	0.0	0.0	0.00	0.15	0.00	58.5
Appro	ach	249	0.0	262	0.0	0.136	1.4	NA	0.0	0.0	0.00	0.15	0.00	58.0
All Vehic		669	0.0	704	0.0	0.178	2.3	NA	0.5	3.4	0.09	0.21	0.09	57.1

Table B4: Weekday stop control intersection of Spitfire Drive with Hurricane Drive PM Peak Hour with childcare traffic

Proposed Childcare Centre in Raby N206432A Report 1b



	(													
veni	cie Mo	ovemen	t Perforn	nance										
Mov ID	Turn	INP VOLL	IMES	DEMA FLOV	VS	Deg. Satn	Aver. Delav	Level of Service	95% BA QUE	UE	Prop. Que	Effective Stop	Aver. No.	Aver. Speed
		[ Total	HV]	[ Total	HV]	Cuu	Delay	Service	[ Veh.	Dist ]	200	Rate	Cycles	Specu
		veh/h	veh/h	veh/h		v/c	sec		veh					km/h
South	South: Raby Road													
2	T1	659	0	694	0.0	0.179	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	59.9
3	R2	313	0	329	0.0	0.420	9.3	LOS A	2.5	17.2	0.63	0.91	0.85	41.9
Appro	ach	972	0	1023	0.0	0.420	3.0	NA	2.5	17.2	0.20	0.29	0.27	52.6
East:	Spitfire	e Drive												
4	L2	226	0	238	0.0	0.255	8.9	LOS A	1.1	7.5	0.39	0.90	0.39	42.7
6	R2	33	0	35	0.0	0.726	145.3	LOS F	2.5	17.4	0.98	1.13	1.47	16.8
Appro	ach	259	0	273	0.0	0.726	26.3	LOS B	2.5	17.4	0.47	0.93	0.53	33.8
North	: Raby	Road												
7	L2	49	0	52	0.0	0.149	5.4	LOS A	0.0	0.0	0.00	0.11	0.00	55.7
8	T1	501	0	527	0.0	0.149	0.0	LOS A	0.0	0.0	0.00	0.05	0.00	58.7
Appro	ach	550	0	579	0.0	0.149	0.5	NA	0.0	0.0	0.00	0.05	0.00	58.3
All Vehic	les	1781	0	1875	0.0	0.726	5.6	NA	2.5	17.4	0.18	0.31	0.23	49.9

Table B5: Weekday stop control intersection of Raby Road with Spitfire Drive PM Peak Hour with childcare traffic

New Site Site Category: (None) Stop (Two-Way)

Stop	( I WO-	vvay)												
Vehi	cle Mo	vement	Perforr	nance										
Mov ID	Turn	INPl VOLUI [Total		DEMA FLOV [Total		Deg. Satn	Aver. Delay	Level of Service	95% BA QUE [ Veh.		Prop. Que	Effective Stop Rate	Aver. No. <sub>C</sub> Cycles	Aver. Speed
		veh/h		veh/h			sec		veh					km/h
South	h: Hurri	cane Driv	e											
1	L2	76	0.0	80	0.0	0.205	8.2	LOS A	0.8	5.6	0.36	0.91	0.36	44.6
3	R2	105	0.0	111	0.0	0.205	9.2	LOS A	0.8	5.6	0.36	0.91	0.36	44.2
Appr	oach	181	0.0	191	0.0	0.205	8.8	LOS A	8.0	5.6	0.36	0.91	0.36	44.4
East:	Thund	erbolt Dri	ve											
4	L2	45	0.0	47	0.0	0.116	5.6	LOS A	0.0	0.0	0.00	0.13	0.00	57.2
5	T1	168	0.0	177	0.0	0.116	0.0	LOS A	0.0	0.0	0.00	0.13	0.00	58.8
Appr	oach	213	0.0	224	0.0	0.116	1.2	NA	0.0	0.0	0.00	0.13	0.00	58.5
West	: Thund	derbolt Dr	ive											
11	T1	85	0.0	89	0.0	0.107	0.6	LOS A	0.5	3.5	0.30	0.28	0.30	47.8
12	R2	84	0.0	88	0.0	0.107	5.3	LOS A	0.5	3.5	0.30	0.28	0.30	46.9
Appr	oach	169	0.0	178	0.0	0.107	2.9	NA	0.5	3.5	0.30	0.28	0.30	47.3
All Vehic	cles	563	0.0	593	0.0	0.205	4.2	NA	0.8	5.6	0.21	0.43	0.21	49.9

Table B6: Weekday stop control intersection of Thunderbolt Drive with Hurricane Drive PM Peak Hour with childcare traffic

Proposed Childcare Centre in Raby N206432A Report 1b

# DICKENS SOLUTIONS

(REF - 21261)

# AMENDED WASTE MANAGEMENT PLAN

# <u>(MR ED SEGABI)</u>

# PROPOSED CHILD CARE CENTRE @ 66 KITTYHAWK CRESCENT RABY

# **APRIL 2022**

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### PART 1 – OVERVIEW AND PROPOSAL

### 1.1 INTRODUCTION

This Waste Management Plan (WMP) describes in detail the manner in which all waste and other materials resulting from the construction and on-going operational use of the building on the site, are to be dealt with.

The aims and objectives of this WMP are to: -

- 1. Satisfy all State and Local Government regulatory controls regarding waste management and minimisation practices,
- 2. Promote the use of recyclable materials in the excavation, construction, and on-going operation of the building,
- 3. Maximise waste reduction, material separation, and resource recovery in all stages of the development,
- 4. Ensure the design of waste and recycling storage facilities are of an adequate size, appropriate for the intended use of the building, hygienic with safe and manoeuvrable access, and.
- Ensure that the provision of waste and recycling services to the completed buildings are carried out in an efficient manner, which will not impact negatively on the health, safety, and convenience of all stakeholders.

The land on which the development is proposed is located within the Campbelltown City LGA.

This WMP is prepared in accordance with: -

- Campbelltown Local Environment Plan 2015,
- Campbelltown (Sustainable City) DCP 2015,
- All Conditions of Consent to be issued under the approved DA for the project,
- All relative requirements of SEPP Educational Establishments and Child Care Facilities) 2017, as they apply to the provision of waste management facilities and services.
- Current industry standards and practices for the storage and collection of waste within Commercial Developments, specifically for Child Care Centres, and,
- The objective of ensuring that all waste management facilities and collection services will provide an outcome that will be effective and efficient, as well as promote the principles of health, safety, and convenience.

This Waste Management Plan has been prepared for a Development Application to be submitted to Camden Council, for the refurbishment of an existing single storey building for its conversion into a Care Centre, at 66 Kittyhawk Crescent, Raby. The centre will provide day care services for 72 children.

This WMP is dated 10 November 2021.

### 1.2 HISTORY

This WMP is dated 12 April 2022 and has been prepared to address a Request For Further Information (RFI) from Council dated 14 March 2022.

These issues are detailed below in **BOLD TYPE TEXT** with specific responses following each item.

### RFI 5 (a) Servicing Requirements

A SRV is unable to access the site. Accordingly, waste collection is required to occur from the kerb. Kerb side collection does not require a specific vehicle size. The WMP indicates that the site would require servicing twice weekly for each stream. Given the required frequency of servicing proposed, Council is unable to accommodate this service level. A contractor is required to provide this arrangement. The WMP is required to be updated to reflect kerb side waste collection.

<u>RESPONSE</u> – As detailed in this WMP, it is proposed to have all services provided by a licensed private waste and recycling collection contractor using a rear loading collection point from a loading area on-site adjacent to the waste storage area.

As Council would appreciate, child care centres operate as a commercial entity, and are not subject to residential waste charges.

Providing the service from within the site is the most practical option, and with an increase in collection frequencies, reduces the number of bins required for storage.

Based on information provided by the Applicants traffic consultant, it is now understood that a SRV is able to access the site without any difficulty.

### RFI 6 (a) Storage and Disposal of Used Nappies (Sanitary Waste)

The submitted WMP indicates that all general waste and recycling will be removed from the centre at the end of each day, and deposited into the appropriate bins in the Waste Storage Area (pg. 14). However, no information is provided in relation to how used nappies will be handled and disposed of within the centre (for example, disposed of in dedicated lined nappy disposal bins, which are emptied at the end of each day). Further information is required in this regard.

RESPONSE - Refer to Part 4.6 on pages 20-21 of this WMP

### RFI 7 (a) Waste and Recycling Generation Rates

The submitted WMP indicates that waste generation estimates are based on the EPA's Better Practice Guide (April 2019), however, this does not appear to be the case. Provision has been made for 5L each of general waste and recycling per child/day (page 14 of WMP), however, the EPA Guide provides a figure of 20L of general waste and 5L of recycling per child/day. This causes discrepancy in the calculations for estimated waste generation for this centre.

<u>RESPONSE</u> – As detailed on in Part 4.4 on page 17, all waste and recycling generation rates have been calculated from information provided in the Better Practice Guide for Resource Recovery in Residential Buildings, published by the NSW EPA

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(April 2019). In this regard, it is understood that guide was amended in 2021 and the waste generation rates for child care centres was revised down from 20-litres to 5-litres per child per day.

### RFI 7 (a) Waste and Recycling Generation Rates

It is indicated that nappies will be stored and handled separately to the general waste bins, and collected by a separate contractor (page 18). However, there are no details provided as to how many bins are proposed for this purpose, and no provision for their storage in the Waste Storage Area marked on the architectural plans. In this regard, the EPA's Waste Classification Guidelines indicate that disposable nappies are classified as 'general solid waste (putrescible)', and so can be handled as general waste. On this basis, and given the discrepancy described above in calculating expected generation of general waste, provisions for additional general waste bins must be included in the WMP and the storage location marked on the architectural plans.

RESPONSE - Refer to Part 4.6 on pages 20-21 of this WMP

### 1.3 PROJECT & PROPERTY DESCRIPTION

This Waste Management Plan (WMP) has been specifically designed for the development described below: -

DESCRIPTION	Child Care Centre (72 Children)
DETAILS	Single storey building, comprising:  - Three (3) x Activity Rooms,  - One (1) x Outdoor Play Area,  - Cot Rooms and Nappy Change,  - Kitchen, staff amenities, offices, and storerooms,  - At grade ground floor level car parking,  - Associated site works, drainage,
	landscaping and ancillary facilities; and, - The provision of waste storage facilities.
PROPERTY	The development is to be constructed over one (1)
DESCRIPTION	existing Torrens Title allotment at Lot 8 in DP259220, No 66 Kittyhawk Crescent, Raby
LOCATION	66 Kittyhawk Crescent, Raby
DIMENSIONS	Refer to Site Plan and Survey.
AREA	4,051sqm (Survey)
LGA	Campbelltown City Council
ZONING	Zone E4 – Environmental Living
PLANNING	Campbelltown LEP
INSTRUMENTS	Campbeltown (Sustainable City) DCP

The site is located over one (1) large Torrens Title allotment on north-western side of Kittyhawk Crescent, Raby, with Hurricane Street to the north-east and Raby Road to the south-west. It is situated approximately 200m west of the Hume Motorway, at the junction of Raby Road, with the Minto town centre a further 200m east of the site.

The land on which the development is proposed is occupied by a single storey dwelling which will be refurbished and added to and incorporated into the development.

The immediate surrounding development is all located within the Sydney Growth Region Centre with low-density development proposed in the remainder of the precinct.

### 1.4 APPLICANTS DETAILS

APPLICANT	Mr Ed Seghabi
ADDRESS	3 Jackson Place, Kellyville. NSW.
TELEPHONE	Mb 040 860 5775
E-MAIL	edseghabi@bigpond.com

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### 1.5 PROPOSAL

The proposal involves the refurbishment of an existing single storey building for its conversion into a Care Centre. The centre will provide day care services for 72 children.

Egress from the site is onto Kittyhawk Crescent on to the southern frontage of the site.

Waste storage facilities are located in a designated Waste Storage Area (WSA) located at ground level in the western corner of the site adjacent to the car park as indicated on the Architectural Drawings.

As the development is commercial in nature, all waste and recycling services will be provided by a licensed private waste and recycling collection contractor. All collections will take place from a loading area adjacent to the WSA.

Existing buildings and structures on the site include a single storey brick and tile dwelling, which will be added to and refurbished to be incorporated into the development.

The project consists of: -

Item 4.1 - Attachment 9

- 1. The refurbishment of and additions to the existing building,
- 2. The provision of landscaping, off street-car park, driveways, concrete pathways and other elements associated with the development, and,
- 3. The on-going use of the building.

Campbelltown City Council require a Waste Management Plan to be submitted describing how all excavated, construction and operational waste will be stored, disposed of, and managed.

This Waste Management Plan has been developed not only to satisfy Council's requirements, but also to ensure that all waste management activities associated with the development are carried out and conducted in accordance with best practice industry standards.

### **PART 2 – DEMOLITION**

### 2.1 DEMOLITION - GENERALLY

There is no demolition component to this WMP.

All works in relation to the refurbishment of the existing building, the removal of trees, vegetation, fences, exiting structures excess to construction works will be dealt with in Part 3 – Construction on pages 9 to 13 of this document.

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### PART 3 – CONSTRUCTION

### 3.1 CONSTRUCTION - GENERALLY

Upon completion of all demolition works, construction of the building will commence with the excavation of the site for the basement levels of the building. All materials sourced from these activities will be disposed of in accordance with the information provided in Part 3.2 on pages 9, 10, 11, 12, 13 and 14 of this WMP.

Additionally, all materials used in the construction of the building that are not required to be incorporated into it, shall be recycled, reused or disposed of in accordance with these provisions, and the requirements of the Protection of the Environment Operations Act (1997). It will be the developer's overall responsibility to ensure compliance in this regard.

Mobile Bins of an appropriate size will be located on site for the collection of food scraps, beverage containers, and other waste generated on site by workers.

### 3.2 CONSTRUCTION - RECYCLING, REUSE & DISPOSAL DETAILS

The following details prescribe the manner in which all materials surplus to the construction of the building will be dealt with, and includes: -

- a) An estimate of the types and volumes of waste and recyclables to be generated;
- b) A site plan showing sorting and storage areas for construction waste and vehicle access to these areas (see Part 3.3 of this Plan);
- How excavated and other materials surplus to construction will be reused or recycled and where residual wastes will be disposed (see below); and,
- d) The total percentage of waste surplus to construction to be reused or recycled.

### 1. Excavated Materials

Volume / Weight	6,500 cubic metres / 11,050 Tonnes
On Site Reuse	Yes. Keep and reuse topsoil for landscaping. Shore on site. Use some for support of retaining walls (Excavated Materials are only to be used if the material is not contaminated or has been remediated in accordance with any requirements specified by any Environmental Consultancy engaged to carry out any contamination assessment of excavated material).
Percentage Reused or Recycled	To be determined (see above comments)
Off Site Destination	Jacks Gully Waste Management Centre, Richardson Road, Narellan (Tel 1300 651 116) or,
	Lucas Heights Waste Management Centre, New Illawarra Road, Lucas Heights. (Tel 1300 651 116), or,
	Suez Eastern Creek Resource Recovery Park, Wallgrove Road, Eastern Creek. Tel 8887 6112
	or, Bingo Industries, 3-5 Duck Street, Auburn (Tel 1300 424 646).

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### 2. Green Waste

Volume / Weight	350 cubic metres / 52.50 Tonne
On Site Reuse	To be separated. Chipped and stored on site for re-use in landscaping.
Percentage Reused or Recycled	90%
Off Site Destination	Bingo Industries, 3-5 Duck Street, Auburn (Tel 1300 424 646) or, Australian Native Landscapes, Lot 22, Martin Road, Badgerys Creek (Tel 02 4774 8484) or, Jacks Gully Waste Management Centre, Richardson Road, Narellan (Tel 1300 651 116)

### 3. Bricks

Volume / Weight	5 cubic metres / 5 Tonnes
On Site Reuse	Clean and remove lime mortar from bricks. Re-use in new footings. Broken bricks for internal walls. Crush and reuse as drainage backfill. Crushed and used as aggregate.
Percentage Reused or Recycle	75% - 90%
Off Site Destination	Jacks Gully Waste Management Centre, Richardson Road, Narellan (Tel 1300 651 116) or, Suez Eastern Creel Resource Recovery Park, Wallgrove Road, Eastern Creek. Tel 8887 6112 or, Bingo Industries, 3-5 Duck Street, Auburn (Tel 1300 424 646). or, Other approved Facility.

### 4. Concrete

Volume / Weight	10 cubic metres / 24 Tonnes
On Site Reuse	Existing driveway to be retained during construction. Crushed and used as aggregate, drainage backfill.
Percentage Reused or Recycled	60% - 75%
Off Site Destination	Jacks Gully Waste Management Centre, Richardson Road, Narellan (Tel 1300 651 116) or.
	Suez Eastern Creek Resource Recovery Park, Wallgrove Road, Eastern Creek. Tel 8887 6112.

# 5. Timber

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Volume / Weight	5 cubic metres / 2 Tonnes
On Site Reuse	Re-use for formwork and studwork, and for landscaping
Percentage Reused or Recycled	65% - 90%
Off Site Destination	Jacks Gully Waste Management Centre, Richardson Road, Narellan (Tel 1300 651 116) or.
	Lucas Heights Waste Management Centre, New Illawarra Road, Lucas Heights. (Tel 1300 651 116),
	or, Suez Eastern Creel Resource Recovery Park, Wallgrove Road, Eastern Creek. Tel 8887 6112
	or, Bingo Industries, 3-5 Duck Street, Auburn (Tel 1300 424 646).
	or, Other approved Facility.

### 6. Plasterboard & Fibro

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Volume / Weight	9 cubic metres / 2.5 Tonnes
On Site Reuse	Nil – All to be processed off-site
Percentage Reused or Recycled	To be determined
Off Site Destination	Jacks Gully Waste Management Centre, Richardson Road, Narellan (Tel 1300 651 116)
	or, Ecocycle, 155 Newtown Road, Wetherill Park (Tel 02 0757 2999)
	or, Suez Eastern Creel Resource Recovery Park, Wallgrove Road, Eastern Creek. Tel 8887 6112 or.
	Blacktown Waste Services, 920 Richmond Road, Marsden Park. Tel 9835 4544
	or, Bingo Industries, 3-5 Duck Street, Auburn (Tel 1300 424 646).

7. Metals / Steel / Guttering & Downpipes

Volume / Weight	15 cubic metres / 3.75 Tonnes
On Site Reuse	No
Percentage Reused or Recycled	60 – 90%
Off Site Destination	Sydney Wide Scrap Metal, 4/18 Alfred Street, Chipping Norton (Tel 9738 9771) or, Boral Recycling, 3 Thackeray Street, Camelia
	(Tel 9529 4424)
	or, Hallinan's Recycling Centre, 37 Lee Holm Road, St. Marys (Tel 02 9833 0883)

### 8. Roof Tiles / Tiles

Volume / Weight	8 cubic metres / 6 Tonnes
On Site Reuse	Broken up and used as fill.
Percentage Reused or Recycled	80% - 90%
Off Site Destination	Jacks Gully Waste Management Centre, Richardson Road, Narellan (Tel 1300 651 116) or.
	Obsolete Tiles, 3 South Street, Rydalmere. (Tel 02 9684 6333)
	or, Hallinan's Recycling Centre, 37 Lee Holm Road, St. Marys (Tel 02 9833 0883)

### 9. Plastics

Volume / Weight	3 cubic metres / 0.5 Tonne
On Site Reuse	Nil
Percentage Reused or Recycled	80% - 95%
Off Site Destination	Ecocycle, 155 Newtown Road, Wetherill Park (Tel 02 0757 2999)
	or, Suez Eastern Creel Resource Recovery Park, Wallgrove Road, Eastern Creek. Tel 8887 6112
	or, Blacktown Waste Services, 920 Richmond Road, Marsden Park. Tel 9835 4544
	or, Bingo Industries, 3-5 Duck Street, Auburn (Tel 1300 424 646).
	or, Recycle Works, 45 Parramatta Road, Annandale (Tel 02 9517 2711)

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10. Glass, Electrical & Light Fittings, PC items

On Site Reuse N	No
on one rease	
Percentage Reused or Recycled	70% - 90%
N or Li R or S R or B	Jacks Gully Waste Management Centre, Richardson Road, Narellan (Tel 1300 651 116) or, Lucas Heights Waste Management Centre, New Illawarra Road, Lucas Heights. (Tel 1300 651 116), or, Suez Eastern Creel Resource Recovery Park, Wallgrove Road, Eastern Creek. Tel 8887 6112 or, Bingo Industries, 3-5 Duck Street, Auburn (Tel 1300 424 646). or, Other approved Facility.

11. Fixture & Fittings (Doors Fittings, Other Fixtures, etc.)

11. Fixture & Fittings (Doors Fittings, Other Fixtures, etc.)				
Volume	5 cubic metres / 1 Tonne			
On Site Reuse	Broken up and used as fill.			
Percentage Reused or Recycle	80% - 90%			
Off Site Destination	Jacks Gully Waste Management Centre, Richardson Road, Narellan (Tel 1300 651 116)			
	or, Recycle Works, 45 Parramatta Road, Annandale			
	(Tel 02 9517 2711)			

### 12. Pallets

Volume / Weight	10 cubic metres / 3 Tonne
On Site Reuse	No
Percentage Reused or Recycle	90% - 100%
Off Site Destination	Jacks Gully Waste Management Centre, Richardson Road, Narellan (Tel 1300 651 116) or, To an approved agency, or agencies, for reuse and resale.

### 13. Residual Waste

Volume / Weight	700 cubic metres / 700 Tonnes
On Site Reuse	No
Off Site Destination	Jacks Gully Waste Management Centre, Richardson Road, Narellan (Tel 1300 651 116) or, Lucas Heights Waste Management Centre, New Illawarra Road, Lucas Heights. (Tel 1300 651 116), or, Suez Eastern Creel Resource Recovery Park, Wallgrove Road, Eastern Creek. Tel 8887 6112 or, Bingo Industries, 3-5 Duck Street, Auburn (Tel 1300 424 646). or, Other approved Facility.
Notes on calculation of volume of residual waste	··

It is noted that the quantities of materials detailed in this section (Part 3.2) are estimates only, based on current industry standards and quantity analysis, and may vary due to the prevailing nature of construction constraints, weather conditions, and any other unforeseeable activities associated with the construction of the buildings, which are beyond the control of the developer, including but not being limited to theft, accidents, and other acts of misadventure.

Notwithstanding any of the above, the developer will provide Council with all details in relation to any major variations in this regard.

The developer will keep a record of all documentation associated with the transportation, disposal and processing of all materials surplus to construction.

Should any of the facilities nominated above, for any reason be unable to accommodate the receipt of these materials, the developer will be responsible for making alternative arrangements that will ensure that all materials excess to construction requirements, that are removed from the site are disposed of, or processed, appropriately.

Additionally, during the construction of the building, every effort will be made to reduce and minimise the amount of building materials excess to its construction.

### 3.3 CONSTRUCTION – ON SITE STORAGE OF MATERIALS

During the construction of the buildings, an area will be set aside on the site as a compound for the on-site storage of materials prior to their removal from the site. This compound will provide for: -

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- Material sorting;
- Segregation of materials that may be hazardous and which will be required to be disposed of;
- Recovery equipment, such as concrete crushers, chippers, and skip bins;
- Material storage; and,
- Access for transport equipment.

Appropriate vehicular access will be provided on and off site, and to the compound, to enable the efficient removal of reusable, recyclables, and waste materials.

Prior to the commencement of construction works, the developer will provide Council with a <u>'Site Plan for the On-Site Storage of Materials at Construction'.</u> This plan will show in detail the location of each area within the compound, set aside for the segregated storage of all materials involved in the demolition of all buildings on the site.

### 3.4 CONSTRUCTION – EXCAVATED MATERIAL

All excavated material removed from the site, as a result of any activities associated with the construction of the building, must be classified in accordance with the Department of Environment, Climate Change and Water NSW Waste Classification Guidelines prior to removal, transportation and disposal to an approved waste management facility.

All relevant details must be reported to the PCA.

### PART 4 – ON GOING USE

### 4.1 OBJECTIVES

- 1. To ensure that the storage, amenity and management of waste is sufficient to meet the needs of the development.
- 2. To ensure that all waste management activities are carried out effectively and efficiently, and in a manner, that will promote the principles of health, safety and, convenience.
- 3. To promote waste minimisation practices.

### 4.2 ASSUMPTIONS

In preparing this Plan, the following assumptions have been made: -

- 1. The proposal involves the refurbishment of an existing single storey building for its conversion into a Child Care Centre.
- 2. The centre will provide day care services for 72 children.
- 3. A dedicated Waste Storage Area (WSA) will be provided to house all mobile waste bins and recycling bins for the proposed development.
- 4. Waste storage facilities are located in a designated Waste Storage Area (WSA) located at ground level in the western corner of the site adjacent to the car park as indicated on the Architectural Drawings.
- 5. All mobile waste and recycling bins required for the on-going operation of the development will be stored within the confines of the WSA at all times.
- All waste and recycling generation rates have been calculated from information provided in the Better Practice Guide for Resource Recovery in Residential Buildings, published by the NSW EPA (April 2019).
- 7. All waste will be stored in 4 x 240-litre mobile bins.
- 8. All recycling material will be stored in 4 x 240- litre mobile bins.
- 9. Waste Services will be provided at least two (2) days per week.
- 10. Recycling services will be provided at least two (2) days per week.
- 11. As the centre is a commercial operation, a licensed private waste collection contractor will provide all waste and recycling services to the building.
- 12. All collections will take place from a loading area adjacent to the WSA.
- 13. The Proprietor of the Centre will be responsible for ensuring that all waste management activities are provided in accordance with this WMP.

### 4.3 WASTE HANDLING & MANAGEMENT

The proprietors of the Child Care Centre will be responsible for depositing their waste and recycling material into the appropriate bins. All waste is to be placed in the red lidded waste bins. All recyclable material is to be placed in the yellow lidded recycling bins.

All waste and recyclable material is to be removed from the centre at the conclusion of each days' operations and is to be deposited in the appropriate bins provided in the Waste Storage Area (WSA).

Appropriate signage will be erected in a prominent place within the building to assist employees of the Centre to ensure that all waste and recyclable material is placed into the appropriate bins.

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### 4.4 WASTE & RECYCLING – SERVICE REQUIREMENTS

The Child Care Centre is a commercial enterprise, and due to the nature of its use, will generate both waste and recyclable material.

Due to its commercial nature, the provision of residential waste and recycling services to the development do not apply. Accordingly, commercial waste and recycling services will be provided to the Centre.

No formal green waste service will be provided to the building. All green waste will be disposed of privately by a contractor to be appointed by the Proprietor.

It will be the responsibility of the Proprietors of the Child Care Centre to ensure that all green waste is removed from the complex in an appropriate manner.

All waste and recycling generation rates have been calculated from information provided in the Better Practice Guide for Resource Recovery in Residential Buildings, published by the NSW EPA (April 2019).

The number and size of bins have been calculated using this guide. which is summarised in the following table (Table 1).

TABLE 1 – FORMULA FOR CALCULATION WASTE & RECYCLING GENERATION RATES FOR CHILD CARE CENTRES

SERVICE	WASTE & RECYCLING GENERATION RATES	
Waste	5.0 litres of space per child per day	
Recycling	5.0 litres of space per child per day.	

The following table (Table 2) specifies the criteria for waste and recycling generation rates based on the above formula.

TABLE 2 - CHILD CARE WASTE & RECYCLING GENERATION RATES

## SERVICE REQUIREMENTS

SERVICE TYPE	WASTE GENERATION RATES Litres of Space / Child / Day		TOTAL SPACE	BIN SIZE	SERVICES PER	BINS REQUIRED	BINS PROVIDED	
	Litres	Places	Days	REQUIRED		WEEK		
Waste	5	72	5	1,800	240	2	3.75	4
Recycling	5	72	5	1,800	240	2	3.75	4

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Item 4.1 - Attachment 9

### 4.5 PROVISION OF WASTE & RECYCLING SERVICES

### 4.5.1 Waste and Recycling Collection Service Provider Details

All commercial waste services and recycling services will be provided by a licensed private waste collection contractor.

The Proprietors of the Child Care Centre will enter into a Service Level Agreement with the waste and recycling contractor in relation to the provision of both waste and recycling services to the development, and the manner in which they will be provided.

### 4.5.2 Details of Mobile Containers

In relation to the size and design of the waste and recycling mobile bins, the following technical information is provided: -

CONTAINER TYPE	HEIGHT	DEPTH	WIDTH
	(metres)	(metres)	(metres)
240-litre mobile container	1.080	0.735	0.585

### 4.5.3 Waste & Recycling Requirements

Waste and recycling requirements are provided in the table below.

SERVICE NUMBER OF CONTAINERS		COLLECTION FREQUENCY
Waste Service	4 x 240-litre mobile containers	Two (2) Services per Week
Recycling Service	4 x 240-litre mobile containers	Two (2) Services per Week

### 4.5.4 Location, Design, and Construction of Waste Storage Area (WSA)

The WSA is a rectangular shaped structure located in the western corner of the site as indicated on the Architectural Drawings. It measures  $5.54m \times 3.25m$  and has an area of approximately 18sqm, and will provide storage space for  $4 \times 240$ -litre mobile waste bins and  $4 \times 240$ -litre mobile recycling bins.

All mobile waste bins required for the on-going operation of the development will be stored within the confines of this WSA at all times.

### 4.5.5 Waste Collection Details

All waste and recycling collections will take place from area located on the driveway in front of the WSA, where the bins will be removed and presented for servicing to a waiting collection vehicle.

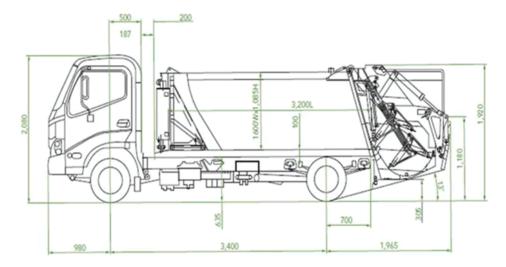
Due to site constraints, it is not possible for collection vehicle larger than a SRV to access the basement. All waste and recycling services to the development will be provided by a licensed private waste and recycling collection vehicle using a rear loading SRV collection vehicle.

All services will take place between 5.00am and 7.00am on each collection day, when the car parking area will be vacant and there will be no pedestrian or vehicular activity on the site. The vehicle will enter and exit the site in a forward direction, but will reverse into the loading area, using the vacant car spaces, so that the rear of the vehicle is facing the WSA. All reversing movements will be carried out in accordance with the swept path plans prepared by the Traffic Management Consultant and attached to the DA package.

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Based on industry sources, it is understood that there are a number of private waste and recycling collection contractors who have resources, including SRV's, and who would be willing to provide these services to the development.

An example of a typical SRV is provided below.



### 4.5.6 Servicing Arrangements - Waste Collections

All waste services will be provided by a licensed private waste contractor.

The servicing of all waste bins will take place from loading bay as detailed in Part 4.5.5 on page 16 and above.

Upon the vehicle's arrival on site, a member of the contractor's collection team will remove all waste bins from the WSA and transport them to the rear of the vehicle stationed in the loading bay, and deposit the contents of each bin, via the lifting device, into the body of the collection vehicle.

On completion of servicing the Contractor's representative will return all waste bins to the WSA.

The waste bins will be serviced two (2) day per week, on days to be determined.

All 4 x 240-litre mobile waste bins will be serviced on each collection day.

### 4.5.7 Servicing Arrangements – Recycling Collections

All recycling services will be provided by a licensed private waste contractor.

The servicing of all recycling bins will take place from loading bay as detailed in Part 4.5.5 on page 16 and above.

Upon the vehicle's arrival on site, a member of the contractor's collection team will remove all recycling bins from the WSA and transport them to the rear of the vehicle stationed in the loading bay, and deposit the contents of each bin, via the lifting device, into the body of the collection vehicle.

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On completion of servicing the Contractor's representative will return all recycling bins to the WSA.

The recycling bins will be serviced two (2) days per week, on days to be determined.

All 4 x 240-litre mobile recycling bins will be serviced on each collection day.

### **4.6 SANITARY WASTE**

Sanitary waste includes disposable nappy and incontinence waste product waste and is to be disposed of in accordance with the requirements of the NSW EPA.

According to EPA standards sanitary waste is not classified as clinical waste, as such it does not need to be treated and can be disposed of directly to landfill through supervised burial.

All sanitary waste will be stored in an appropriate number of receptacles and be disposed of separately to the general waste bins by a licensed contractor authorized to do so.

Given the number of children attending the centre on a daily basis will be 72, a minimum of 5 x 45-litre nappy bins will be provided to store all sanitary (nappy and toilet) waste. Based on research carried out by Dickens Solutions, it is understood that these bins are  $600 \text{mm} \times 300 \text{m}$  and will hold approximately 50 to 60 soiled nappies, which will account for approximately 4 x episodes per child per day of sanitary waste – it is therefore anticipated that 5 x 45-litre nappy bins will hold up to 1,200 soiled nappies. As such it is recommended that they be serviced a minimum of three (3) days per week – on the Monday, Wednesday and Friday of each week.

All sanitary waste will be stored in the 70-litre nappy bins in the Nappy Change Room on the ground floor. The bins will be stored in a small area of approximately 1.5 m x 0.5 m. The area is to be cleaned and maintained twice per day.an appropriate number of receptacles and be disposed of separately to the general waste bins by a licensed contractor authorized to do so.



Example 45-litre Nappy Bin

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Many diseases are spread by faeces, urine or other body fluids. Educators and children in care are at about twice the usual risk of diarrhoeal infections and increased risk of hepatitis A, due to changing and handling of soiled nappies.

Efficient changing and disposal of soiled nappies, significantly reduces the risk and spread of diseases transmitted by faeces and body fluids.

In order to minimise the risk and spread of infectious diseases that are transmitted by faeces and other body fluids through changing nappies, the following resources will be provided in an appropriate location within the facility:

- Stable Nappy Change table or bench,
- A mat or surface of change table that is impervious (non-penetrable),
- Hand washing facilities,
- Sanitary facilities for storage of wet and soiled nappies,
- Storage area for clean nappies,
- Gloves, and,
- Paper towels, wipes, soap, and detergent and warm water

The proprietor of the facility will abide by their obligations under the current Education and Care Services National Regulations and the relevant National Quality Standard in relation to nappy changing and nappy changing practices with children.

Any nappy changing bench or mat must be cleaned after each use

Nappy changing facilities must be designed, located and maintained so as to prevent unsupervised access by children (this relates to children not being able to climb on high change tables nor access unsafe products).

Nappy changing facilities must be separate from food preparation facilities.

The dignity and need for privacy of each child is respected during Nappy Changing, incorporating the following procedures:

- Children be closely attended on the nappy change table (if applicable),
- Liaise with families to establish and maintain Nappy Change routines with each child that are workable at home and in the Day Care setting,
- Provision of information about each child's Nappy Changing to their family each day via methods that suit the home environment and family,
- Support Nappy Changing as being a relaxed and positive experience, and,
- Consider and accommodate the specific health and hygiene needs of older children in care, giving consideration to protecting their dignity and respecting their right to privacy.

### **4.7 GREEN WASTE**

No formal green waste service will be provided to the development.

It will be the responsibility of the Proprietors of the centre to ensure that all green waste generated from the on-going use of the development is disposed of appropriately.

The proprietor will employ a professional landscape contractor who will be responsible for the maintenance of all landscaped and green space areas, and will also ensure that all green waste generated from these activities is transported to nan approved disposal or processing facility.

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# 4.8 ON GOING OPERATION, USE & MAINTENANCE OF WASTE MANAGEMENT FACILITIES

All waste management facilities will be maintained in a clean and hygienic condition that will promote the principles of health, safety, and convenience.

In order to achieve these objectives, the following requirements will apply: -

- The walls and floor of the WSA will be constructed of smooth faced masonry or concrete.
- 2. The WSA is to be washed and cleaned on a regular basis.
- 3. All mobile bins will be washed and cleaned on a regular basis.
- 4. Any electrical equipment, including the provision of lighting, will be installed in accordance with the relevant Australian Standards.
- Appropriate signage will be displayed in a prominent position within the Centre identifying the location of the WSA as well as providing instruction to employees on how to use waste and recycling facilities, including what is and what is not recyclable.
- 6. The proprietor of the centre will be responsible for ensuring that all waste and recyclable matter and materials are placed and stored within the appropriate containers provided.

### PART 5 – SUMMARY

### 5.1 SUMMARY

In summarising this proposal, the following information is provided:

- This Waste Management Plan has been developed and documented in accordance with Council requirements and appropriate waste management practices.
- All waste and recycling generation rates have been calculated from information provided in the Better Practice Guide for Resource Recovery in Residential Buildings, published by the NSW EPA (April 2019).
- 3. All waste and recycling services will be provided by a licensed private waste and recycling collection contractor.
- 4. The proprietor of the Child Care Centre will be responsible for ensuring that all on-going waste management activities are carried out in accordance with the provisions of this Waste Management Plan.
- 5. The WMP aims to promote the use of recyclable materials in the excavation, demolition, construction, and on-going operation of the building.
- The WMP aims to ensure the design of waste and recycling storage facilities are of an adequate size, appropriate for the intended use of the building, hygienic with safe and manoeuvrable access.
- 7. The WMP aims to ensure that the provision of waste and recycling services to the completed buildings are carried out in an efficient manner, which will promote the principles of health, safety, and convenience.

The measures set out in this WMP aim to demonstrate that all such activities will be carried out effectively and efficiently, in a healthy, safe, and convenient manner, to acceptable community standards, and to the requirements of Campbelltown City Council.



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# Building Code of Australia Assessment Report

Design Link Australia 66 Kittyhawk Crescent, Raby

28 June 2021

**INCODE SOLUTIONS PTY LTD** 



Our reference #: 2021088 Report number: 02

Report date: 28 June 2021

Project details: 66 Kittyhawk Crescent, Raby

Contact details: Andre Moussa

andre@design-link.com.au

### **Revision History**

Report number	Comments	Report date
01	Draft issued	11 June 2021
02	Final issued	28 June 2021

The following report, documents the development and issue of this and each subsequent report(s) undertaken by InCode Solutions Pty Ltd.

Any technical and intellectual content contained in the report remain the property of InCode Solutions Pty Ltd and have been prepared, and may only be used, for the development / buildings the subject of this report.

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### **Building Code of Australia Assessment Report**

### 1. Introduction

### 1.1. General

This report presents the findings of an assessment of the proposed development at 66 Kittyhawk Crescent, Raby, assessed against the provisions of Volume 1 of the Building Code of Australia, Amendment 1 of the 2019 Edition (**BCA**).

### 1.2. Report Basis, Limitations & Assumptions

The purpose of this report is to provide an assessment of the development against the current requirements of the BCA.

It is conveyed that this report should not be construed to infer that an assessment for compliance with the following has been undertaken:

(a) (b)

- (i) The existing building (except as noted otherwise);
- (ii) Clauses 93, 94 and 143 of the Environmental Planning and Assessment Regulation 2000;
- (iii) Access and Facilities for People with a Disability and Energy Efficiency provisions of the BCA;
- (iv) Work Health & Safety Act and Regulations;
- (v) SafeWork NSW requirements;
- (vi) Structural and Services Design Documentation;
- (vii) The individual requirements of service authorities (i.e. Telecommunication Carriers, Sydney Water, Energy Providers);
- (viii) The Disability Discrimination Act (DDA) 1992;
- (ix) The requirements of the Australian Standards (AS);
- (ix) Consideration of any structural elements or geotechnical matters relating to the building;
- (x) Consideration of any fire services operations (including hydraulic, electrical or other systems);
- (xi) Assessment of plumbing and drainage installations, including stormwater;
- (xii) Assessment of mechanical plant operations, electrical systems or security systems;
- (xiii) Determining full compliance with the deemed-to-satisfy provisions of the BCA;
- (xiv) Reporting of any hazardous materials or site contamination;
- (xv) Consideration of energy or water authority requirements;
- (xvi) Consideration of the local Council's local planning policies;
- (c) (xvii) Assessment of any development applications or the approval of any local authority requirements;
  - (xviii) Energy efficiency, including NAThers requirements;
  - (xix) Any performance solutions relating to the building; and

The following assumptions have been made in the assessment:

- (i) The accessible toilet has been allocated to employees;
- (ii) The cot room has not been treated as a playroom or the like; and
- (iii) Exits from the building are the external doors leading from the entry foyer at the front and sliding door leading from the activity room / age 3-5 years at the rear

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### 1.3. Regulatory Framework

The following legislation has been considered in the formulation of this report:

- (i) Environmental Planning & Assessment Act 1979; and
- (ii) Environmental Planning & Assessment Regulation 2000.

### 1.4. Information Sources

(a) The following information has been used in the formulation of this report:

Architectural plans prepared by Design Link Australia received on 8 June 2021.

### 2. Development Description

### (a) 2.1. General

In accordance with the BCA, the assessment undertaken relates to the alterations and additions to an existing building for use as a childcare centre.

### (a) 2.2. Building Description

Table 1 below outlines key classification criteria for the building in accordance with the BCA.

(a)	BCA clause		Description of requirement
	Schedule 3	Effective Height	N/A
	A6	Classification	Class 9b (childcare centre)
	C1.1	Type of Construction	Type C Construction
	C1.2	Rise in Storeys	Rise in storeys of 1

Table 1 - DTS criteria

### 3. BCA Assessment Summary

### (a) 3.1. General

The following table summarises the compliance status of the design in terms of each applicable prescriptive provision of the BCA and indicates a capability for compliance with the BCA.

For those instances of 'compliance required', commentary and resolutions are provided within Part 4.

### 3.2. Section B - Structure

BCA C	ause	Status	
B1.1	Resistance to actions	Refer to Part 4	
B1.2	Determination of individual actions	Refer to Part 4	
B1.4	Materials and form of construction	Refer to Part 4	

### 3.3. Section C - Fire Resistance

BCA CI	ause	Status	
C1.10	Fire hazard properties	Refer to Part 4	
C2.2	General floor area and volume limitations	Complies	
C3.2	Protection of openings in external walls	Complies	

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### 3.4. Section D - Access and Egress

BCA Cla	use	Status
D1.2	Number of exits required	Complies
D1.4	Exit travel distances	Complies
D1.5	Distance between alternative exits	Complies
D1.6	Dimensions of exits and paths of travel to exits	Complies
D1.10	Discharge from exits	Refer to Part 4
D2.7	Installations in exits and paths of travel	Refer to Part 4
D2.13	Goings and risers	Refer to Part 4
D2.14	Landings	Refer to Part 4
D2.15	Thresholds	Refer to Part 4
D2.16	Barriers to prevent falls	Refer to Part 4
D2.17	Handrails	Refer to Part 4
D2.19	Doorways and doors	Refer to Part 4
D2.20	Swinging doors	Complies
D2.21	Operation of latch	Refer to Part 4

### 3.5. Section E – Services and Equipment

BCA C	lause	Status
E1.6	Portable fire extinguishers	Refer to Parts 4 and 6
E2.2	Smoke hazard management – general requirements	Refer to Parts 4 and 6
E4.2	Emergency lighting requirements	Refer to Parts 4 and 6
E4.4	Design and operation of emergency lighting	Refer to Part 6
E4.5	Exit signs	Refer to Parts 4 and 6
E4.6	Direction signs	Refer to Parts 4 and 6
E4.8	Design and operation of exit signs	Refer to Part 6

### 3.6. Section F – Health and Amenity

BCA CI	ause	Status
F1.0	Weatherproofing	Refer to Part 4
F1.1	Stormwater drainage	Refer to Part 4
F1.6	Sarking	Refer to Part 4
F1.7	Waterproofing of wet areas in buildings	Refer to Part 4
F1.9	Damp-proofing	Refer to Part 4
F1.10	Damp-proofing of floors on the ground	Refer to Part 4
F2.3	Facilities in class 3-9 buildings	Refer to Part 4
F2.5	Construction of sanitary compartments	Refer to Part 4
F3.1	Height of rooms and other spaces	Refer to Part 4
F4.1	Provision of natural light	Complies
F4.2	Methods and extent of natural light	Refer to Part 4
F4.4	Artificial lighting	Refer to Part 4
F4.5	Ventilation of rooms	Refer to Part 4
F4.8	Restriction on location of sanitary compartments	Refer to Part 4

### 3.7. Section G - Ancillary Provisions

BCA C	lause	Status	
G1.3	Outdoor play areas	Refer to Part 4	

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### 4. **BCA Issues Requiring Resolution**

### 4.1. General

With reference to the 'BCA Assessment Summary' contained within Part 3, the following commentary and resolutions are provided.

This commentary and resolutions are formulated for demonstrating compliance with the relevant provisions of the BCA.

### 4.2. Section B - Structure

(b)

The resistance of a building or structure is to be greater than the most critical action effect determined by B1.2, AS/NZS 1170.0-2002 and B1.4.

The structural design of the building is to be determined in accordance with the varying "actions" considerations contained within this clause (i.e. permanent actions, imposed actions, wind / snow / earthquake actions).

The structural resistance of materials and forms of construction must be determined in accordance with the following:

Masonry - AS 3700-2018;

Piling - AS2159-2009;

(a)

Concrete - AS 3600-2018;

(b) (c) (d)

Steel - AS4100-1998 or AS/NZS4600-2018;

Timber construction - AS1720.1-2010;

(e)

(f)

(g)

(h) 0

Glazed assemblies within an external wall - AS2047-2014;

Glazing assemblies not within an external wall - AS1288-2006;

Termite risk management - AS3660.1-2014;

Metal roofing - AS1562.1-2018.

### 4.3. Section C - Fire Resistance

C1.10 The fire hazard properties for materials must be as follows:

Floor linings and floor coverings

(b)

- A critical radiant flux not less than 2.2kW/m<sup>2</sup> for any floor materials;
- A maximum smoke development rate of 750 percent-minutes; and
- Group 1 or Group 2 material for any portion of the floor covering that continues more than 150mm up a wall.

(c)

Wall linings and ceiling linings

- Be a Group 1 material in public corridors;
- Be a Group 1 or Group 2 or Group 3 material in other areas; and
- Have a smoke growth rate index of not more than 100 or average specific extinction area less than 250m<sup>2</sup>/kg.

Air-handling ductwork

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 Rigid and flexible ductwork complying with the fire hazard properties set out in AS4254-2012.

Other materials

- (i) Sarking-type materials are to have a Flammability Index not more than5: and
- (ii) Other materials are to have a Spread-of-Flame Index of not more than 9 and a Smoke-Developed Index of not more than 8 if the Spread-of-Flame Index is more than 5.

### 4.4. Section D - Access and Egress

D1.6

(d)

The path of travel to an exit and any required exit must have:

An unobstructed height throughout of not less than 2m (except a doorway, which can be 1980mm); and

(a)

An unobstructed width not less than 1m (except a doorway, which can be 750mm in an area not required to be accessible and 850mm in an area required to be accessible).

D1.10

The path of travel from the discharge points of the exits to the road must have an unobstructed width of 1m and be via a stairway, ramp or other incline having a gradient of no steeper than 1:8 or complying with AS1428.1-2009 (where required to be accessible).

Any gates in the above paths of travel must have a clear opening width of 1m.

(<del>3</del>2.7

(b)

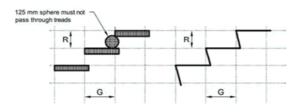
Gas or other fuel services are not permitted to be installed within the required exits: and

Any services or equipment (being electrical meters, distribution boards or the like) are to be enclosed by non-combustible construction or a fire-protective covering (i.e. 1 layer of 13mm fire-protective grade plasterboard) with doorway(s) or opening(s) suitably sealed against smoke spreading from the enclosure.

(a)

D2.13

The going, riser and steepness dimension of the stairway must be within the following range:



Rise	er ®	Goin	g (G)	Slope Re	lationship
				(2R	+G)
Max	Min	Max	Min	Max	Min
190	115	355	250 (public)	700	550

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The risers and goings must be constant throughout the flight except variations of no greater than 5mm are permitted between adjacent risers or goings and no greater than 10mm are permitted between the smallest and largest goings or risers in a flight; and

The stair treads must have a surface or nosing strip achieving a slip-resistance classification of P3 or R10 in dry or P4 or R11 in wet tested in accordance with AS4586-2013.

D2.14 In a stairway:

Landings are to be a minimum of 750mm long with a gradient not steeper than 1:50; and

Have a:

(a)

(b)

- A surface with a slip-resistance classification of not less than P3 or R10 in dry or P4 or R11 in wet when tested in accordance with AS4586-2013; or
- (ii) A strip at the edge of the landing with a slip-resistance classification of not less than P3 or R10 in dry or P4 or R11 in wet when tested in accordance with AS4586-2013, where the edge does not lead to a stairway flight below.

D2.15 (a)

(b)

The threshold of a doorway is not permitted to incorporate a step or ramp at any point closer to the doorway than the width of the door leaf.

That is unless the doorway opens to a road or open space (i.e. open to the sky) and:

- In a building required to be accessible, is provided with a threshold or step ramp in accordance with AS1428.1-2009; or
- In all other cases, the door sill is not more than 190mm above the finished surface of the ground.

D2.17

(a)

Handrails must be installed along one side of each stairway flight or ramp where less than 2m wide, unless required to assist people with a disability; and handrails must be located along each side if the total width of the stairway or ramp is 2m or more.

The handrails must be fixed at a height of not less than 865mm measured above the nosings of the stair treads or floor surface of the ramp and be continuous such that no obstruction on or above them will tend to break a hand hold.

D2.19

The sliding door serving as the exit must be able to be opened manually under a force of not more than 110N.

D2.21

Any door in a required exit, forming part of a required exit or in the path of travel to a required exit (including gates in the path of travel to the road) must be readily operable without a key from the side that faces a person seeking egress and:

By a single hand pushing or downward action on a single device located between 900mm and 1100mm from the floor:

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(i) Be such that the hand of a person who cannot grip will not slip from the handle during the operation of the latch; and

 (ii) Have a clearance between the handle and the back plate or door face at the centre grip section of the handle of not less than 35mm nor more than 45mm; or

A single hand pushing action on a single device which is located between 900mm and 1.2m above the floor.

The requirements of (a) or (b) do not apply to a door that can be immediately unlocked by hand by a person or persons, specifically nominated by the owner, properly instructed as to the duties and responsibilities involved and available always when the building is lawfully occupied so that persons in the building or part may immediately escape if there is a fire.

(b) (c)

E1.6

E4.2

(b)

(c)

(d)

### 4.5. Section E – Services and Equipment

Portable fire extinguishers complying with AS2444-2001 are required as follows:

To cover Class A fire risks;

To cover Class B fire risks (if more than 50L excluding vehicle fuel tanks is stored); and

To cover Class F fire risks involving cooking fats and oils in kitchens.

Any air-handling system (other than non-ducted individual room units with a capacity of not more than 1000L/s and miscellaneous exhaust air systems installed in accordance with sections 5 & 6 of AS1668.1-2015) installed within the building must automatically shut down on the activation of smoke detectors complying with Clause 6 of Specification E2.2a.

The system is to be designed and certified by a accredited practioner (fire safety).

Emergency lighting complying with AS/NZS2293.1-2018 is to be installed throughout the building:

in every passageway, corridor, hallway, or the like, that is part of the path of travel to an exit;

in any room having a floor area more than 100m<sup>2</sup> that does not open to a corridor or space that has emergency lighting or to a road or open space;

in any room having a floor area more than 300m2; and

any point on the floor of that storey is more than 20 m from the nearest doorway leading directly to a road or open space

Exit signage complying with AS/NZS2293.1-2018 is to be installed above or adjacent the doorways serving as required exits from the building.

If an exit is not clear to persons occupying or visiting the building, then exit signs complying with AS/NZS2293.1-2018 are to be installed in appropriate positions in corridors, hallways, lobbies and the like, indicating the direction to a required exit.

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### 4.6. Section F – Health and Amenity

- F1.0 FP1.4 for the prevention of penetration of water through external walls must be complied with. In this regard, compliance should be demonstrated via a professional facade engineer.
- F1.1 Stormwater drainage must comply with AS/NZS 3500.3-2018.
- F1.6 Sarking type materials used for weatherproofing of roofs and walls must comply with AS/NZS4200-2017.
- F1.7 Building elements in wet areas must be water-resistant or waterproof in accordance with Table F1.7 and comply AS3740-2010.
- F1.9 Damp-proof courses must consist of a material complying with AS/NZS2904-1995 or an impervious termite shield complying with AS3660.1-2014.
- F1.10 A floor laid directly onto ground or fill must be provided with a vapour barrier complying with AS2870-2011.

### F2.3 The building requires:

Kitchen

(a)

(b)

(i) Door or gate with child proof latches to the kitchen to prevent unsupervised access by children younger than 5 years old; and

(ii) The ability to facilitate the supervision of children from the kitchen younger than 2 years old.

### **Facilities**

- Adequate means for disposal for sanitary products within the accessible toilet:
- (ii) One bath, shower or shower bath;
- (iii) A bench type baby bath, which is within 1m of the nappy change bench;
- (iv) A nappy changing bench, which:
  - (A) Is within 1m of separate adult hand washing facilities and bench type baby bath;
  - (B) Must be not less than 0.9m² in area and at a height of between 850mm to 900mm above the finished floor level;
  - (C) Must have a space not less than 800mm high, 500mm wide and 800mm deep for the storage of step; and
  - (D) Is positioned to permit a staff member changing a nappy to have visibility of the play area at all times.

F2.5 Facilities for use by children must have each sanitary compartment screened by a partition which, except for the doorway, is opaque for a height of at least 900mm but not more than 1200 mm above the floor level.

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- F3.1 The height of rooms and other spaces must be not less than:
  - 2.4m; and
  - 2.1m to a bathroom, storeroom, laundry, corridor, passageway or the like.
- F4.2 The sills of 50% of the windows in the activity room / age 2-3 years and activity room / age 3-5 years are to be located not more than 500mm above the floor level.
- Where compliant natural light is not available to other than playrooms, artificial lighting complying with AS/NZS1680.0-2009 is required to the bathrooms, laundries and other spaces used in common by the occupants of the building.
- F4.5 A bathroom, laundry and any other room occupied by a person for any purpose must have:
  - (a) Natural ventilation (i.e. windows having an openable area of 5% of the room being served); or
  - (b) Mechanical ventilation complying with AS1668.2-2012.

### 4.7. Section G - Ancillary Provisions

G1.3 The outdoor play areas must be enclosed on all sides with a barrier complying with AS1926.1-2012.

The barrier is required to restrict children from exiting the premises without the knowledge of employees in the centre.

### 5. Fire Safety Measures

(a)

(a)

The fire safety measures below are to be installed within the building to the recommendations contained in Parts 3 and 4.

	Fire Safety Measures	Minimum Standard or Standard of Installation
1.	Emergency lighting	E4.2, E4.3 and E4.4 of the BCA, AS/NZS2293.1-2018
2.	Exit signs	E4.5, E4.6 and E4.8 of the BCA, AS/NZS2293.1-2018
3.	Mechanical air handling system (automatic shutdown) (if installed)	NSW E2.2 of the BCA
4.	Portable fire extinguishers	E1.6 of the BCA, AS2444-2001

### 6. Conclusion

### 6.1. General

Having regard to the above commentary, compliance with the BCA can be achieved, subject to compliance with Parts 3, 4, 5 and 6.

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If you require any further assistance or have any additional queries, please do not hesitate in contacting us directly.



Director (BSU (BDC1750))
InCode Solutions Pty Ltd

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# 66 Kittyhawk Crescent, Raby

Proposed Early Learning Centre

Campbelltown City Council

Access Report

Accessible Public Domain

14 September 2020

66 Kittyhawk Crescent, Raby – Proposed Early Learning Centre

Compliance Required

Access Audit of DA Drawings, 14.9.20

Description

Feature

Item

	Compliance Required					Compliance Required	
	Description	<ul> <li>Building Code of Australia 2019</li> <li>Disability (Access to Premises – Buildings) Standards, 2010</li> <li>Commonwealth Disability Discrimination Act, 1992</li> <li>City of Campbelltown Council DCP 2015, Part 8</li> </ul>	DA 01, Cover Sheet	DA 05, Site Plan	DA 07, Ground Floor Plan	Description	Construction of a Single Level Early Learning Centre, with on-site parking for 10 staff vehicles, including one Accessible Space with an adjoining Shared Area; and 8 Visitor parking spaces, including one Accessible Space with an adjoining Shared Area.
	Consultation	Australian Standards and other criteria consulted in the preparation of this Access Report	Drawings			Proposal	Development
	1.00	1.01	1.02			2.00	2.01

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66 Kittyhawk Crescent, Raby – Proposed Early Learning Centre

	Class of Building	An Early Learning Centre is a Class 9b building,	BCA Table D3.1, 'Requirements for Access for
			People with a Disability', requires –
			Access to be provided for a Class 9b building- "To and within all areas normally used by the occupants".
			This includes pedestrian access from the property boundary.
		The carpark is Class 7a building.	The carpark is a Class 7a building. Access is required to and within any level containing accessible parking spaces.
3.00	Access to Ground Floor	Description	Compliance Required
3.01	Access to Main Entry	At-grade pedestrian entry will be provided to the property from the public footway of Kittyhawk Crescent, by the provision of:	Complies
		• A switch-back ramp, with a maximum gradient of 1:14; and	
		A low-rise platform lift	

3

66 Kitiyhawk Crescent, Raby – Proposed Early Learning Centre

Complies																									
The ramps will have the following features:	Maximum gradients of 1:14	<ul> <li>Handrails on both sides, to comply with</li> </ul>	AS1428.1 (2009), Section 12	<ul> <li>Handrail diameter of 30-50 mm</li> </ul>	1000 mm between handrails	<ul> <li>Minimum clearance of 50 mm between</li> </ul>	the handrails and any walls	<ul> <li>Handrails will extend horizontally for</li> </ul>	300 mm beyond the base and top of the	ramps	<ul> <li>Maximum crossfall will be 1:40</li> </ul>	<ul> <li>The surface of the ramp will be non-slip</li> </ul>	in wet and dry conditions.	<ul> <li>The surface at the base of the ramp will</li> </ul>	be level for a minimum distance of	1200 mm	<ul> <li>Landings at the top of the ramps will be</li> </ul>	at least 1500 mm X 1500 mm	<ul> <li>For the switch-back ramp, the landing</li> </ul>	will be 1540 mm deep and	approximately 2150 mm wide	<ul> <li>Intermediate landings in straight sections</li> </ul>	of the ramp will be at least 1200 mm	long	

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66 Kittyhawk Crescent, Raby – Proposed Early Learning Centre

Complies	Complies	To be confirmed at CC Stage	Complies	Complies	Complies
Pedestrian paths of travel through the Shared Area of the on-site carpark will have maximum cross falls of 1:40, in all directions.	The landing in front of the outward-opening swing doors will be level for a distance of at least 1450 mm.	If a key pad or intercom is provided at the Main Entry, it is to be located between 900 mm and 1100 mm above the surface, 500 mm from an internal corner, and clear of the swing doors.	The Entry Foyer is shown to be level.	A section of the sign-in desk will have a table height of 850 +/- 20 mm; and clearance below of 820 +/- 20 mm – for the benefit of a person who uses a wheelchair.	The pedestrian pathway along the side and front of the building will have the following features:  • Minimum width 1000 mm  • Maximum gradient 1:20  • Maximum cross fall 1:40
Paths of Pedestrian Travel through Parking Areas	Main Entry	Security Entry	Entry Foyer	Sign-in Desk	External Pedestrian Pathway
3.02	3.03	3.04	3.05	3.06	3.07

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66 Kittyhawk Crescent, Raby – Proposed Early Learning Centre

3.08	Drainage Grates	If drainage grates are located within a pedestrian path of travel, slots are to be laid transverse to the path of travel; and have a maximum width of 13 mm. or maximum diameter circular openings	To be confirmed at CC Stage
		of 13 mm.	
4.00	Ground Floor	Description	Compliance Required
4.01	Doors	All doorways will provide a minimum clear opening of 850 mm, when the doors are fully open.	Complies
		Glazed doors and panels will have a transom located 900 mm to 1100 mm above ffl.	
		The transom is to provide a minimum luminance contrast of at least 30% with the surroundings, when viewed from inside or outside the door, in	To be confirmed
		Doors to the 'Kids Toilets' are to have internal latch-side circulation of 530 mm minimum.	NOTE: Transfers or art work might be applied to the lower section of some glazed doors and panels, for the protection of children.
4.02	Administration Office	Door circulation complies	Complies
4.03	Corridors	Corridors are at least 1000 mm wide	Complies
		The corridor in front of the Accessible Toilet is 1550 mm wide.	Complies

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66 Kittyhawk Crescent, Raby – Proposed Early Learning Centre

		The corridor that leads to the 0-2 years Activity Room is to be at least 1360 mm wide.	To be confirmed at CC Stage
		The corridor to the Cot Room and the Nappy Change Room / Children's Toilets is to be at least 1360 mm wide	To be confirmed at CC Stage
4.04	Kitchen	The corridor in front of the Kitchen is to be at least 1240 mm wide	To be confirmed at CC Stage
4.05	Staff Room	At least one table in the Staff Room is to have—  • A table height of 850 +/- 20 mm; and  • Clearance below of 820 +/- 20 mm.	To be confirmed at OC Stage
4.06	Wet Areas	The Kitchen, toilets and any exposed surfaces are to be non-slip in wet and dry conditions.	To be confirmed by Suppliers
4.07	Bottle Preparation Room	The Bottle Preparation Room has compliant access.	Complies
4.08	Accessible Toilet/Shower	The accessible toilet / shower facility is to have minimum dimensions of 2650 mm length, and 2300 mm width.	All to be confirmed at CC Stage
		The operative components of fittings (soap dispenser; hand dryer, etc.) are to be located between 900 mm and 1100 mm above the finished floor level: and at least 500 mm from	
		an internal corner.	

66 Kittyhawk Crescent, Raby – Proposed Early Learning Centre

						Complies
The colour of the toilet seat is to have a 30% luminance contrast with the pan, walls and floor – for the benefit of a person who has low vision.	The colour of the door or door surrounds is to provide a luminance contrast of at least 30% to the adjacent walls, on the inside and outside of the door.	The colour of the walls is to provide a luminance contrast of at least 30% to the colour of the floor; with the change in colour occurring where the walls meet the floor.	All fittings are to comply with AS1428.1 (2009).	The walls surrounding the toilet pan are to be reinforced to withstand a load of 1100 Newtons applied to the grabrails and toilet backrest.	Signage on the door of the Accessible Toilet is to indicate that the facility provides for left-hand or right-hand transfer from a wheelchair to the toilet pan, depending on its final location.	The doors will provide a minimum clearance of 850 mm, when one leaf is open.
						Sliding Doors to Covered Terrace
						4.09

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66 Kittyhawk Crescent, Raby – Proposed Early Learning Centre

5.00	Outdoor Areas	Description	Compliance Required
5.01	Covered Transitional Play Area	The maximum difference in level between the Ground Floor and the surface of the Covered Area will be 35 mm, so that a Standard threshold ramp can be provided, if necessary.	To be confirmed at CC Stage
5.02	External Stairs	The two External Stairways are to have the following features:	To be confirmed at CC Stage
		<ul> <li>Equal height risers</li> <li>Level landings at the top and base</li> <li>Compliant handrails on both sides, with the lower rail for children</li> <li>Handrails that do not encroach into circulation spaces</li> <li>Handrail diameter 30-50 mm</li> <li>Minimum clearance of 50 mm behind the handrails</li> <li>Contrast nosings for the full width of the steps</li> <li>Non-slip surfaces in wet and dry conditions</li> <li>Tactile Ground Surface Indicators at the top and base of each flight.</li> </ul>	

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66 Kittyhawk Crescent, Raby – Proposed Early Learning Centre

6.01       Accessible       One Accessible Parking Space is provided with an adjacent Shared Area for Staff.       Complies         One Accessible parking Space is provided with an adjacent Shared Area for visitors.       A bollard is shown in the middle of the Shared Area, to comply with AS/NZS 2890.6 (2009).       Complies         Crossfall within the Accessible Parking Spaces and adjacent Shared Area s is to be 1:40, in all directions       To be confirmed	90.9	Parking	Description	Compliance Required
	6.01	Accessible Parking Spaces		Complies
			One Accessible parking Space is provided with an adjacent Shared Area for visitors.	Complies
			A bollard is shown in the middle of the Shared Area, to comply with AS/NZS 2890.6 (2009).	Complies
			Crossfall within the Accessible Parking Spaces and adjacent Shared Area s is to be 1:40, in all directions	To be confirmed

# 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 recommendations in this Access Report, with some Items to be confirmed at CC Stage.



John Evernden, Accredited Access Consultant, 14.9.20

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### BASIC TREE ASSESSMENT

### For:

C/o- Design Link Australia (Mr Peter Gebrael)

### Site Address:

66 Kittyhawk Cr., Raby

### Site Inspection Date:

25th May 2021

### **Report Issue Date:**

31st May 2021 03rd November 2021 – Council RFI dated 19th October 2021

Job No:

5594

### 1. Introduction

- 1.1 This basic tree assessment has been commissioned by Mr Peter Gebrael to assess the health, condition and impact of the subject trees, as per point 26 of Campbelltown City Council (CCC) RFI dated 19th April 2021.
- 1.2 Councils further RFI dated 19<sup>th</sup> October 2021 has been considered. Point 14(b) will NOT be entertained. The author suggests that to address this request from Council (as a mutually exclusive event) would preclude life continuing as we know it. Everything is deadly / dangerous out of context, ie water for example. It could cause drowning / choking or similar, however we accept this as part of life and do not dispense water to children in an eye dropper.
- 1.3 The development proposal is for a Childcare Centre.
- 1.4 This report was not written with the intention of being used in a court of law.

mb: 0409123200

email: paul@monaco.net.au abn: 69078380168

TREE REPORTS LANDSCAPE PLANS VEGETATION MANAGEMENT PLANS

03rd November 2021

### 2. Method

- 2.1 Observations and recordings of the trees were made using the Visual Tree Assessment (VTA) at ground level. Access was available to the property.
- 2.2 Survey was provided as a stripped dwg. file this identified tree locations.
- 2.3 Architecturals prepared by Design Link Australia stripped dwg file, was provided for reference.
- 2.4 Photographs included within this report were taken at time of initial inspection, unless noted otherwise.
- 2.5 Crown spreads are taken as an average of the radii, unless the crown is severely distorted or the issue requires more accurate dimensioning.

### 3. The Site

3.1 The site currently supports a single storey brick residence, with predominately large expanses of lawn.

### 4. Tree Assessment

					Т	REE	ASSE	SSME	NT					
No	Scientific Name	Age Class	Health	Condition	Height (m)	Spread (m)	D BH (mm)	(On / Off Site)	Disease	Retention Value	Proposed to be removed or retained	TPZ - AS 4970 (rad. m)	SRZ – AS4970 (rad. m)	Encroach TPZ / SRZ
1	Syzygium australe	М	G	G	5	6	300	Bdy	-	Mod	Removed	-	-	No
2	Cinnamomum camphora	М	G	G	7	12	400	On	-	Low	Removed	-	-	-
3	Syagrus romanzoffianum	М	G	G	5:	5m Trunk				Low	Removed	-	-	-
4	Syagrus romanzoffianum	М	G	G	6:	6m Trunk				Low	Removed	-	-	-
5	Syagrus romanzoffianum	М	G	G	7m Trunk				Low	Removed	-	-	-	
6	Dead Tree (Salix species)													
7	Not existing													
8- 12	Dead shrubs													
13	Cupressocyparis 'Leighton Green'	s	G	G	5	-	300 app	Off	-	High	Retained	3.6	-	No
14	Archontophoenix species	s	G	G	Approx 3m av.		Off	-	High	Retained	2	-	No	
15- 16	Exempt shrubs	av.						N	lot as	sessed	1			

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#### 5. Discussion

- 5.1 Tree 1 is a healthy and well formed specimen. It appears to be located wholly within the subject property. Advice was offered from the owners via Mr Gebrael that tree has 'damaged and blocked the existing sewer line', hence removal is requested.
- 5.2 Tree 2 is typically an exempt specimen as per CCC 'Exempt Tree Species List' dated 26<sup>th</sup> May 2020.
- 5.3 Trees 3-5 exempt specimen as per CCC 'Exempt Tree Species List' dated 26th May 2020.
- 5.4 Tree 6 is a *Salix species* that has suffered complete structural failure.
- 5.5 Specimens 8 12 are dead shrubs. They appeared to be over mature *Grevillea species*.
- 5.6 Tree group 13 is a neighbouring screen row. Trunk diameters were not able to be determined, however at 5 metres in height the trees are considered semi mature and a DBH would not be anticipated greater than 300mm. The Author is satisfied the site fencing on boundary during construction works will adequately protect trees, however to appease Councils RFI point 13, the site boundary fence (incorporating TPB) has been relocated as per Tree Protection Plan in Section 9. Specimens have a high retention value by virtue of being located off site.
- 5.7 Tree group 14 are a clump of Bangalow Palms (likely). AS4970-2009 requires a maximum 2000mm TPZ for palms specimens. As any potential encroachment is less than 10%, site fencing on boundary during construction works will adequately protect trees. Specimens have a high retention value by virtue of being located off site.
- 5.8 Specimens 15 and 16 were not assessed in the rear setback, as they appeared exempt on the survey.

### 6. Tree Protection / Management

6.1 Site boundary fence located as per Section 9 will be adequate. No works (including civil) will be required within this area.

Regards Paul Monaco

Paul Monaco, Bach. Hort. Sc. (AQF 7), Arboriculture (AQF 5), Bushland Regeneration. Landscape and Horticultural Consultant, Consulting Arborist. Quantified Tree Risk Assessment (QTRA) - 3923

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# 7. Limitation of Liability

7.1 This report has been prepared by the arborist and must be accepted on the basis that all reasonable attempts have been made to identify factors and features relevant to the tree(s) specified. Unless otherwise stated, observations have been made by eye from ground level (VTA). No Resistographs, root mapping or other diagnostic tools / methods used unless noted otherwise.

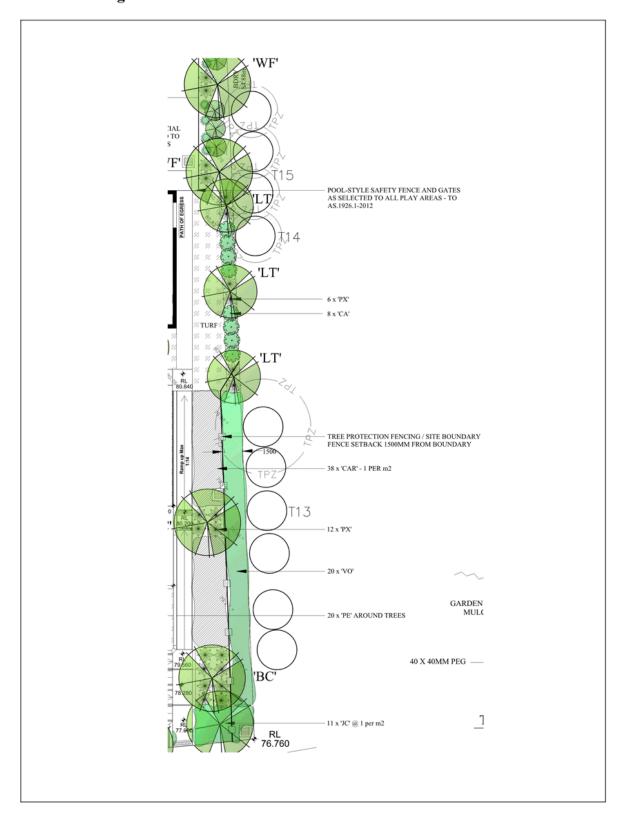
# 8. References / Bibliography

- 8.1 Australian Standard AS 4970-2009 'Protection of Trees on Development Sites'.
- 8.2 Harris, R.W. et al (2004) 'Arboriculture 4th Ed.', Prentice Hall.
- 8.3 Mattheck, C., et al (2015) 'The Body Language of Trees Encyclopaedia of Visual Tee Assessment', Karlsruhe Institute of Technology Campus North.
- 8.4 Raven, P.H., et al, (1986) 'Biology of Plants 4th Ed.', Worth Publishers.
- 8.5 Roberts, J., Jackson, N., and Smith, M., (2013) 'Tree Roots in the Built Environment', Arboricultural Association Research for Amenity Trees No. 8.
- 8.6 Shigo, A. (1997) 'A New Tree Biology', Shigo and Trees Associates.
- 8.7 Shigo, A. (2008) 'Modern Arboriculture', Shigo and Trees Associates.

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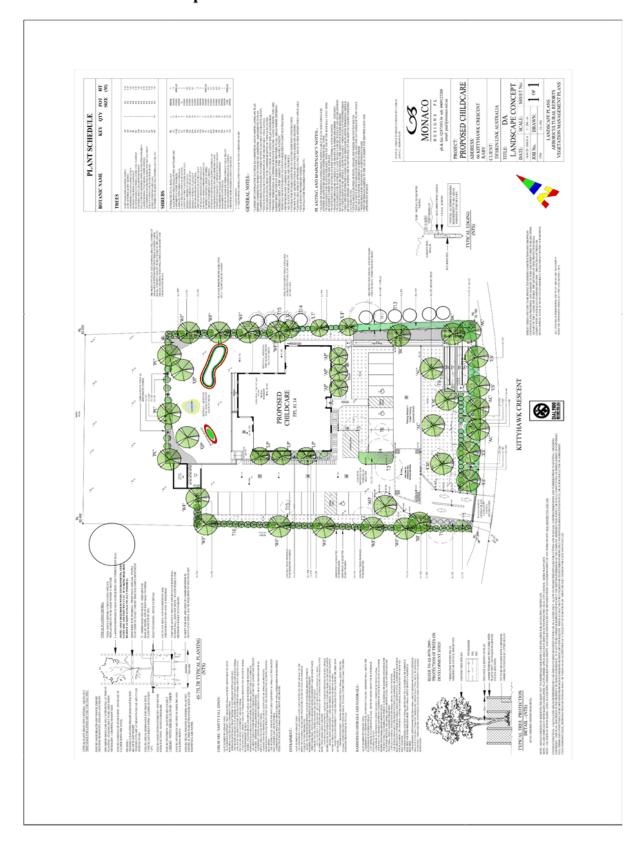
# 9. Site Fencing Location



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# 10. Site Plan / Landscape Plan – NTS



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# 11. Photos





Plate 1 - T1 Plate 2 - T2





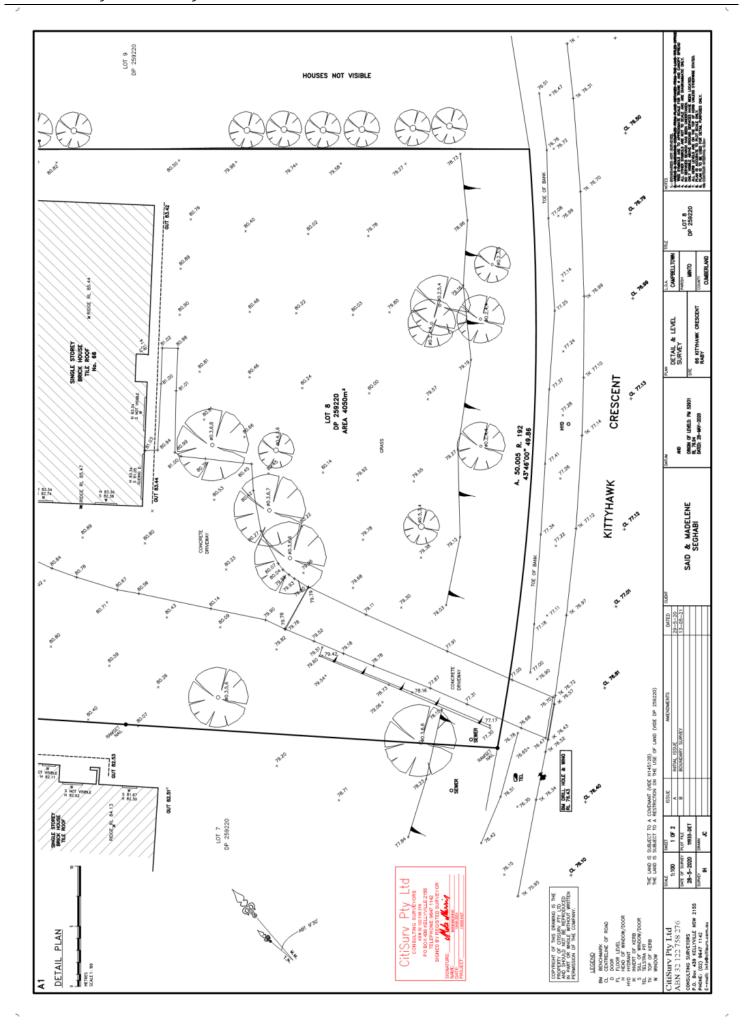
Plate 4 – T3-T6 Plate 5 – T8-T12

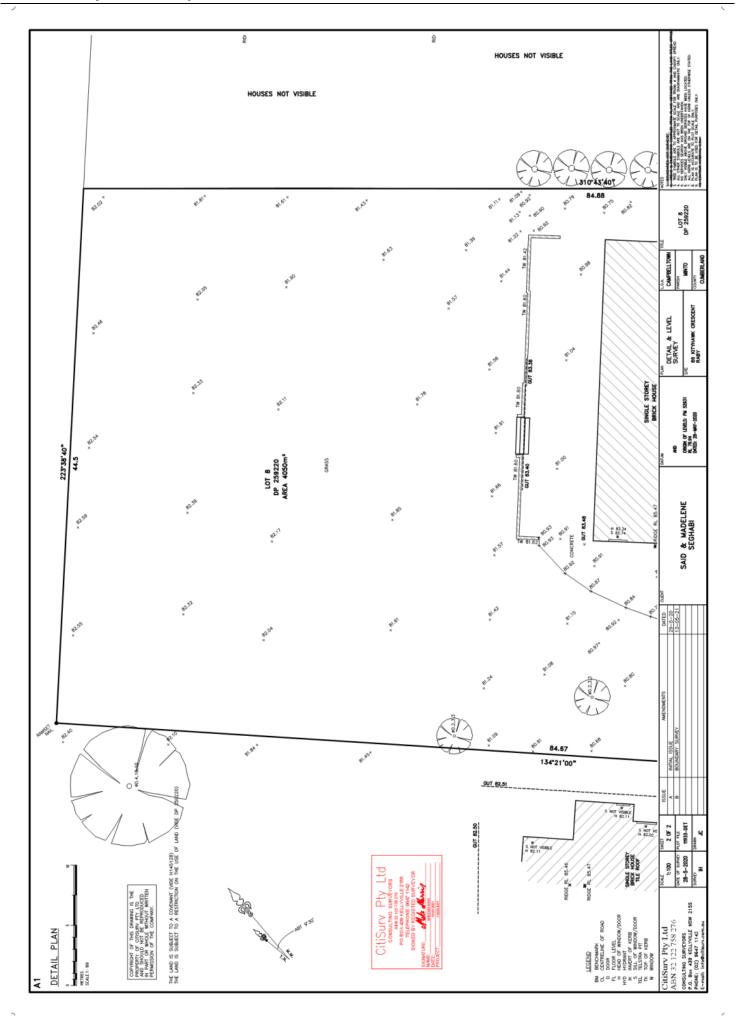


Plate 6 – T13

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19 April 2021

Design Link Australia PO Box 3085 NORTH STRATHFIELD NSW 2137

#### REQUEST FOR ADDITIONAL INFORMATION

Environmental Planning and Assessment Regulation 2000 - Clause 54

**Development Application No:** 3259/2020/DA-C

**Property:** Lot 8 DP 259220, 66 Kittyhawk Crescent, RABY

**Development:** Alteration of an existing dwelling and construction of a single storey 72

place childcare centre

An initial assessment of your application has been undertaken. The following information is considered necessary to be submitted to Council to allow the further consideration of your application:

# Streetscape Elevation Plan

- The streetscape elevation plan provided (DA11), does not show the proposed development as viewed from the street. Provide a revised streetscape elevation plan which includes a view of the development from the street in a similar manner a pedestrian would view the development. The streetscape elevation plan is to specifically detail the scale of the pedestrian access from the street.
- 2. The Statement of Environmental Effects states that the outdoor play area at the front of the building will be suitably fenced and treated. The elevation plan (DA11) shows solid fencing facing Kittyhawk Crescent which is not considered to be a suitable streetscape treatment. A revised design/treatment is required to be provided which appropriately responds to the existing streetscape.
- 3. Provide details of the material/finishes of the pedestrian path wall which faces Kittyhawk Crescent.

## **Cut and Fill**

4. Provide a cut and fill plan. Ensure the amount of cut/fill is annotated on the plans (elevation and section) and includes the car parking, outdoor play areas and pedestrian pathways/ramps.

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#### Setbacks

5. The proposed development does not comply with the side access requirements of Part 8.3.8 of SCDCP 2015. No justification is provided and the non-compliance is not supported.

# **Car Parking and Access**

- 6. Car space dimensions and aisle widths are required to be designed in accordance with user class 3A as specified in AS2890.1.
- 7. The swept paths as shown, encroach adjoining parking spaces and/or pedestrian crossing. The 300mm clear line shall be maintained and must not touch the fence lines.
- 8. The applicant is required to demonstrate that there is no conflict during manoeuvring of vehicles and the pedestrian crossings.
- 9. The driveway access from Kittyhawk Crescent shall be realigned to be at right-angles at the line of intersection. A detail access plan demonstrating this is required to be submitted.
- 10. The access driveway shall have two-way traffic lane, each 3m wide, delineated by a minimum 300mm wide traffic divider.
- 11. A driveway long-section is required to be provided along the critical section of the driveway. The gradient on the verge must be in compliance with Council's Engineering Design for Development and driveway gradients and change of gradients shall be in accordance with AS2890.1.
- 12. A loading zone shall be provided in accordance with AS2890.2.
- 13. Based on the National Regulation, 12 staff parking spaces are required. The Plan of Management provides that 13 staff in total will be required at the site. However, the car parking plan only provides for 10 staff spaces. Accordingly, an additional car parking space is required to be designed and provided, in addition to the required 18 spaces, to account for the full-time chef.
- 14. In accordance with Part 8.4.1(j) of SCDCP 2015, advise how vehicles entering parking module 1 and parking module 2 are to exit in no more than a three point turn, and exit is a forward direction, if all car parking spaces are occupied on approach without the provision of a dedicated turning bay.

# **Traffic Impact Report**

- 15. The Traffic Report provides that a 'traffic management plan' will be implemented. This plan is required to be provided with the development application documentation.
- 16. Traffic Impact Report failed to address following:
  - a. the need for local traffic improvements in the locality;
  - b. traffic egress/ingress; and
  - c. other relevant safety issues including vehicular/pedestrian movements.

An amended report addressing above shall be submitted.

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# **Delivery Vehicles**

17. Delivery vehicles are proposed to enter the site and park in parking spots allocated to parents. The POM states that the largest vehicle entering/existing the site is a van or SRV. Demonstrate via swept paths that the delivery vehicles can enter and exit the site in a forward direction.

#### Stormwater

18. Provide a revised stormwater plan showing two stormwater discharge points on the either side of the crest point on Kittyhawk Crescent based on the existing catchment areas. Maximum size of kerb outlet shall be 150 x 50 RHS in accordance with Engineering Design Guide.

# Survey Plan

19. The survey plan includes a note that the boundaries have not been surveyed and that the areas and dimensions for the plan have been compiled from plans obtained from the land titles office. Provide a land survey plan, prepared by a registered survey, which includes the registration number, which surveys the boundaries of the site.

#### **Waste Management**

- 20. A Waste Management Plan is required to be submitted, prepared by a suitably qualified professional addressing the following matters:
  - Specific details in relation to the system for storage and disposal of used nappies;
  - Confirmation of the proposed bin configuration and servicing arrangements (including the collection frequencies proposed);
  - Details in relation to the proposed bin travel path for presenting bins to the kerbside, demonstrating that the maximum gradient of 1:8 can be achieved; and
  - Details in relation to the proposed arrangements for the management of garden organics generated on the site.

#### BCA

21. Please provide a BCA report referencing all sections of the BCA, in particular Sections B, C, D and E.

#### **Emergency Plan**

22. Provide an Emergency Evacuation Plan in accordance with Part 8.4.3 of SCDCP 2015.

#### Plan of Management

- 23. The Plan of Management states that the childcare centre is located at 63 Kittyhawk Crescent, Raby. Revise the property details contained in the POM.
- 24. The acoustic report recommends that outdoor play area OPA2 should be limited to a maximum of 34 2-3 year olds or a maximum of 15 3-5 year olds and the remaining children are to stay inside with the doors to OPA2 closed. Provide an outdoor play schedule that would be practically undertaken at the centre to adhere to the outdoor play restrictions.

Page 3 of 6

25. The POM provides that parents are only permitted to park within the allocated nine (9) short term spaces only. However, the plans indicate that there are only 8 visitor space are available. Clarification is required.

#### **Arborist Report**

- 26. Provide an Arborist Report identifying the proposed trees to be removed and tree protection measures for the trees to be retained on the site and adjoining sites. Additionally, all existing vegetation on the site and on adjoining sites shall be assessed to ensure that the plants:
  - i) are not toxic or dangerous (refer to Appendix 7 for a list of Unsuitable Plant Species); and
  - ii) do not impose a safety hazard such as personal injury from falling branches and seeds, poisoning and/or choking.

#### Landscaping

27. In accordance with Regulation 113, the proposed development is to include outdoor spaces that will allow children to explore and experience the natural environment. Provide details of the outdoor play area for 0-2 which would allow children to explore and experience that natural environment.

#### **Acoustic Fencing**

- 28. Part 6.3.1 of the acoustic report states that a 1.8m high barrier is to be provided along the rear southern boundary of the outdoor play area (OPA2). Notate this fence location on the plans.
- 29. Part 6.3.1 states that a 2.4m high barrier along the rear northern boundary of the outdoor play area (OPA2). However, the plan provided in the acoustic report incorrectly labels the 2.4m fence as a 1.8m high acoustic fence. Amend accordingly.
- 30. Provide an assessment of how the proposed acoustic fencing is viewed from adjoining residential properties.
- 31. Provide revised elevation plans which include the cantilevered portion of the proposed acoustic fencing.
- 32. Details the material proposed to be used for the acoustic fencing.

### **Boundary Fencing**

33. Advise if the property boundary fencing is proposed to be changed/included in the development application.

#### Outdoor unencumbered play area

- 34. Detail how children move from the outdoor covered transitional play area to the dedicated outdoor unencumbered external play area for 2-5 year olds.
- 35. There appears to be a retaining wall on the south-western side of the access stairs that lead to the rear outdoor play area. Advise how the retaining wall is safely incorporated into the outdoor play area.

Page 4 of 6

- 36. Advise what area has been included in the 410.09sqm of dedicated outdoor unencumbered external play area.
- 37. Advise how the minimum area requirement notated as 504sqm on the plans has been calculated.

#### Outdoor Play Area 0-2 years

38. In accordance with Regulation 114, the proposed development is to include adequate shaded areas to protect children from overexposure to ultraviolet radiation from the sun. The outdoor play area for 0-2 years does not include any shading devices. Provide a revised design to include shading devices for this play area.

# **Elevation/Section Plans**

- 39. The elevation and section plans are to be revised to annotate the natural ground level, and the amount of cut/fill proposed.
- 40. The elevation plans are to be revised to include the height of the proposed fencing.

### **Shadow Diagrams**

- 41. Provide revised shadow diagrams which include all existing boundary fencing.
- 42. Provide shadow diagrams which demonstrate that solar access is received to both internal and external play areas between 9am and 3pm in response to C11 of the CCPG.

#### **Finished Levels**

43. Provide the finished levels of the outdoor play area.

#### **Retaining Walls**

44. Address Part 2.12 of SCDCP 2015. Ensure the BOW and TOW details are provided on the plans and the type of material.

#### Rainwater Tank

45. A rainwater tank is required to be provided in accordance with Part 2.4.1(b) of SCDCP 2015.

#### **Maintenance**

46. There does not appear to be any access provided to the rear of the site. Advise how maintenance is achieved to the large area at the rear of the site.

#### **Submissions**

47. It is recommended that a response is provided in relation to the submissions lodged as part of the notification of the development application.

In addressing the above matters, the following information is required to be submitted to Council to enable the further consideration of your application:

Page 5 of 6

- a. A covering letter stating how the revised information you are supplying to Council satisfies each point listed above.
- Electronic copies of all amended plans and documentation shall be submitted to the NSW Planning Portal.
- c. Where plans are amended, plans shall be clouded or coloured to clearly illustrate any amendments.

Your response to this matter is requested within 28 days from the date of this letter. I advise that the statutory time for this application has been deferred pending receipt of this information.

If you require any further information, please don't hesitate to contact me on (02) 4645 4608.

Yours sincerely

Emma Page

Senior Development Planner

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19 October 2021

Design Link Australia PO Box 3085 NORTH STRATHFIELD NSW 2137

#### REQUEST FOR ADDITIONAL INFORMATION

Environmental Planning and Assessment Regulation 2000 - Clause 54

**Development Application No:** 3259/2020/DA-C

**Property:** Lot 8 DP 259220, 66 Kittyhawk Crescent, RABY

**Development:** Alteration of an existing dwelling and construction of a single storey 72

place childcare centre

An assessment of the revised information has been undertaken. The following information is required to be submitted to allow the further consideration of your application:

#### Streetscape

 Provide a street elevation plan which includes the proposed landscaping as shown on the landscape plan. It is unclear how the proposed landscaping would be viewed from the street, noting that the landscaping proposed on the architectural plans is not consistent with the landscape plan.

# Car parking and access

The following matters are required to be addressed:

- 2. The swept path shown for visitor parking 8 encroaches into parking 7 and 'no parking zone'. The egress from the site hasn't been shown, which appears to be more critical. Parking into staff parking 13 hasn't been completed; the car hasn't parked within the stipulated parking area. Further, egress from the site is not shown and is required to be demonstrated.
- 3. To demonstrate that there is no conflict during manoeuvring of vehicles and the pedestrian crossings, please show ingress and egress from staff parking 4 10 (inclusive), where there is an adjoining pedestrian crossing.
- 4. In accordance with Part 8.4.1(j) of SCDCP 2015, advise how vehicles entering parking module 1 and parking module 2 are to exit in no more than a three point turn, and exit is a forward direction, if all car parking spaces are occupied on approach without the provision of a dedicated turning bay.

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#### Stormwater

Provide a revised stormwater plan responding to the following matters:

- 5. All outlets shall be of maximum 150x50 RHS; for access flow, two outlets shall be provided.
- 6. Some pits surface levels are about .6m above/below the adjoining ground levels; after cut/fill new ground level shall be shown.
- 7. Charged lines shall be annotated and of sewer grade.
- 8. Conflicting information has been provided on the plan and section of OSD in terms of TWL; orifice diameter shall be 240 mm in accordance with information provided.

# **Traffic report**

- 9. Council is of the understanding that a pedestrian crossing warrant will not be met however, should the crossing be pursued, the applicant is required to:
  - Demonstrate by a pedestrian / vehicle count assessment that a warrant for a crossing is met as per criteria highlighted in the Transport for NSW, Supplements to Australian Standards Manual of Uniform Traffic Control Devices AS 1742 Part 10.
  - Undertake an assessment of vehicles speeds in the street and line of sight requirement for the crossing site.
  - Undertake a pedestrian crossing design that include kerb side concrete blisters, pram ramps and crossing flood lighting design.
  - Undertake resident consultation affected by the crossing seeking their concurrence for the design.
- 10. As per TfNSW supplements Council does not support the use of Children's crossing flags for separate kindergarten and child care centre use.

#### Waste management

- 11. The amended Waste Management Plan (WMP) is almost identical to the original document, with a few minor amendments. The document does not appear to be prepared by a suitably qualified professional, which has been previously requested, and provides no details of the individual or company the document was prepared by.
- 12. The WMP is required to be prepared by a suitably qualified professional and be a separate standalone document not associated with the construction waste. The WMP must address the previously requested matters:
  - a. Provide specific details in relation to the system for storage and disposal of used nappies;
  - The previous request required confirmation of the proposed bin configuration and servicing arrangements (including the collection frequencies proposed). While the bin configuration and waste generation rates have been updated in the amended WMP, the document does not confirm the proposed servicing arrangements, indicating that bins will be serviced by Council or a private contractor. If the intention is to have bins serviced by Council (as indicated in the Plan of Management), the bin configuration and servicing frequency must be updated to accurately reflect this. In any event, the proposed arrangements must be confirmed. This requirement remains outstanding.
  - c. The previous request requested details in relation to the proposed bin travel path for presenting bins to the kerbside, demonstrating that the maximum gradient of 1:8 can be

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- achieved. The bin travel path is annotated on DA05 SITE PLAN, however, no information is provided that demonstrates that the maximum gradient of 1:8 has been achieved. Further, the bin travel path exceeds the maximum 25 metres allowed by clause 2.15.3(e) of Council's DCP. This requirement remains outstanding.
- d. The previous request required details in relation to the proposed arrangements for the management of garden organics generated on the site. The amended WMP indicates that 2 x 240L garden organics bins will be provided and serviced by Council or private contractor. The proposed arrangements for servicing must be confirmed.

# **Arborist report**

- 13. The arborist is required to provide a tree protection plan in accordance with Protection of Trees on Development Sites (AS 4970-2009). It is not considered that the existing fence will sufficiently protect the neighbouring trees.
- 14. The project arborist is also requested to provide comment on the site vegetation to be retained/proposed and on adjoining sites to ensure that the plants:
  - a. are not toxic or dangerous (refer to Appendix 7 for a list of Unsuitable Plant Species); and
  - b. do not impose a safety hazard such as personal injury from falling branches and seeds, poisoning and/or choking.

# Noise assessment report

- 15. The architectural plans are not consistent with the noise barrier recommendations.
- 16. The environmental noise assessment report includes architectural plan drawings in an attachment which are Revision B drawings, which are outdated as the current drawings are Revision C.
- 17. Clarification is required as to whether the maximum number of children (34 x 2-3 years OR a maximum of 24 x 3-5 years) in the outdoor play area for 2-5 years also includes the maximum number of 8 children in the 0-2 years area. For example, can 34 x 2-3 year aged children be in the designed outdoor play area for 2-5 year olds as well as the 8 x 0-2 year aged children in the designated outdoor area for 0-2 year aged at the same time.
- 18. Part 6.3.1 of the environmental noise assessment report provides the required sound barrier wall locations and heights. However, the notes on the plans included in Appendix C of the noise assessment includes notes that are not consistent with the recommendations in the noise assessment (Part 6.3.1). Ensure all re-lodged information is consistent.
- 19. The acoustic notes provided on the ground floor plan are not consistent with the latest environmental noise assessment (dated 10 June 2021). Please amend the plans to be consistent with the noise report.
- 20. The elevation plans showing the acoustic fencing are to be revised to include a cantilevered top portion which is consistent with the environmental noise impact assessment recommendations (dated 10 June 2021).
- 21. Ensure revised north, eastern and western elevation plans are provided which provides acoustic barriers which are consistent with the environmental noise impact assessment (dated 10 June

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2021). Currently, the architectural plans are not consistent with the environmental noise report recommendations.

#### Plan of management

- 22. The environmental noise assessment report stipulates a maximum of 24 children aged 3 5 years to be in the outdoor play area. However, the application is seeking 30 places for children aged 3-5 years. It does not appear to be practical for 6 children to not be included in the outdoor play area. Advise how the management of the 30 places for the 3-5 years would be managed, with only a maximum of 24 children aged between 3-5 years in the outdoor play area at any one time.
- 23. The plan of management is to be amended to be consistent with the revised environmental noise management recommendations provided in the report (dated 10 June 2021).
- 24. The plan indicates that vehicular/pedestrian entry gates will remain open during the operation hours. The plans do not detail any vehicular/pedestrian gates.
- 25. The plan is to be revised to identify how the eight (8) visitor spaces will be managed, i.e. staggered start times for particular age groups, so not all children are being dropped off at the same time.

# **Outdoor play areas**

26. It is assumed that the structure identified in yellow highlight below for the 0-2 years play area is a shade structure. Ensure that all proposed shading structures are clear and are included in the elevation plans.



- 27. The dedicated outdoor play area for 2-5 year old children does not contain any shade devices. Refer to Regulation 114 of the Education and Care services National Regulation.
- 28. In accordance with Regulation 113, the proposed development is to include outdoor spaces that will allow children to explore and experience the natural environment. The most practical plan to demonstrate this on is the landscape plan. Ensure the plan provides sufficient detail to distinguish the natural elements on the plans.
- 29. The cover letter details that access from the outdoor covered transitional play area to the dedicated outdoor unencumbered external play area is via a graded walkway. Provide an elevation plan detailing this walkway/retaining wall detail.

### Cut and fill

30. The level of proposed cut/fill is not clear. Annotate the NGL on the section and elevation plans. It would be beneficial for a site plan to be included which shows the cut/fill areas indicating the level of cut/fill proposed.

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#### Plan amendments

- 31. The following plan amendments are required:
  - a. Several important details on the site plan are covered by landscaping and large numbers and are cut-off. Ensure that all notes provided on the site plan, and all plans, are clear and legible.
  - b. Provide a site plan that shows the proposed internal configuration of the development.
  - c. Identify the below areas highlighted in yellow on the landscape plan:



- d. The east elevation includes what appears to be the waste storage area. The elevation is to be revised to include the waste storage area on the western elevation plan.
- e. Provide finished levels for the 0-2 years play area.
- f. Ground floor plan is difficult to read and the internals and the annotations appear cloudy. Ensure the plan is clear and that all colours and annotations are clear.
- g. Streetscape elevation (DA 11) does not show the gate access to the western side of the bin storage area.
- h. The southern elevation plan appears to include a significant amount of cut within the front setback area. Provide an amended elevation that is consistent with what is proposed.
- i. Provide the finished level of the bin room/storage room.
- j. The south elevation plan appears to include a significant amount of cut in the front setback area which is not consistent with what is proposed.
- k. Provide a separate clear plan showing the location and heights of the proposed retaining walls.

#### Statement of Environmental Effects

32. Ensure a revised SEE is provided which includes all proposal amendments.

# Response to submissions

33. It is advised that providing a response to the submissions of objection in relation to te notification of the amended information would be beneficial.

In addressing the above matters, the following information is required to be submitted to the NSW Planning Portal:

- a. A covering letter stating how the revised information you are supplying to Council satisfies each point listed above.
- b. Where plans are amended, plans shall be clouded or coloured to clearly illustrate any amendments.

Your response to this matter is requested within 28 days from the date of this letter. I advise that the statutory time for this application has been deferred pending receipt of this information.

If you require any further information, please don't hesitate to contact me on (02) 4645 4608.

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Yours sincerely

Emma Page **Senior Development Planner** 

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Page 235 Item 4.1 - Attachment 14



14 March 2022

Design Link Australia PO Box 3085 NORTH STRATHFIELD NSW 2137

#### REQUEST FOR ADDITIONAL INFORMATION

Environmental Planning and Assessment Regulation 2000 - Clause 54

**Development Application No:** 3259/2020/DA-C

**Property:** Lot 8 DP 259220, 66 Kittyhawk Crescent, RABY

**Development:** Alteration of an existing dwelling and construction of a single storey 72

place childcare centre

A response to Council's Request for Further Information dated 19 October 2021 was responded to on 11 November 2021. An assessment of the information received has been completed. The following information is required to be submitted to complete the assessment:

#### **Driveway Gradients and Swept Paths**

- The swept paths provided indicate that an SRV cannot safely access the site. The driveway
  gradients also do not comply with AS 2890.2:2018; and Table 3.2. Accordingly, waste collection
  vehicles, and all SRVs, are prohibited from entering the site and waste collection is required to
  occur from the kerb.
- 2. In accordance with AS2890.1:2004, the maximum grade of an access driveway for B85 vehicles shall be 1:20 (5%) for at least 6.0m from the property boundary leading to the carpark. Further, the maximum rates of change of grades for ramps should comply with fig 2.1 of AS2890.1:2004. The maximum ramp grades are required to be revised to comply with Cl 2.5.3 of AS2890.1 (20% maximum).
- 3. The reversing movement into the parking spaces for the B85 vehicles is not acceptable. The proposed aisle widths are not sufficient for a Class 3A vehicle. Aisle widths are required to be revised to comply with the following in accordance with AS2890.1:2004:
  - i. Parking bay length = 5.4m;
  - ii. Parking space width = 2.6m; and
  - iii. Required Aisle width = 6.6m for Class 3A vehicle type to comply with fig 2.2 of AS2890.1:2004.

**Campbelltown City Council** 91 Queen Street, Campbelltown PO Box 57, Campbelltown NSW 2560 campbelltown.nsw.gov.au T 02 4645 4000 E council@campbelltown.nsw.gov.au

ABN: 31 459 914 087



#### **Finished Floor Levels**

4. Finished floor levels of the proposed child care centre are required to be a minimum of 150mm above the adjacent finished site levels. Please ensure this requirement is shown on the revised plans.

#### Waste

- 5. Waste servicing vehicle
  - a. A SRV is unable to access the site. Accordingly, waste collection is required to occur from the kerb. Kerb side collection does not require a specific vehicle size. The WMP indicates that the site would require servicing twice weekly for each stream. Given the required frequency of servicing proposed, Council is unable to accommodate this service level. A contractor is required to provide this arrangement. The WMP is required to be updated to reflect kerb side waste collection.
- 6. Specific details in relation to the system for storage and disposal of used nappies
  - a. The submitted WMP indicates that all general waste and recycling will be removed from the centre at the end of each day, and deposited into the appropriate bins in the Waste Storage Area (pg. 14). However, no information is provided in relation to how used nappies will be handled and disposed of within the centre (for example, disposed of in dedicated lined nappy disposal bins, which are emptied at the end of each day). Further information is required in this regard.
- 7. <u>Confirmation of the proposed bin configuration and servicing arrangements (including the collection frequencies proposed)</u>
  - a. The submitted WMP indicates that waste generation estimates are based on the EPA's Better Practice Guide (April 2019), however, this does not appear to be the case. Provision has been made for 5L each of general waste and recycling per child/day (pg 14 of WMP), however, the EPA Guide provides a figure of 20L of general waste and 5L of recycling per child/day. This causes discrepancy in the calculations for estimated waste generation for this centre.
  - b. It is indicated that nappies will be stored and handled separately to the general waste bins, and collected by a separate contractor (page 18). However, there are no details provided as to how many bins are proposed for this purpose, and no provision for their storage in the Waste Storage Area marked on the architectural plans. In this regard, the EPA's Waste Classification Guidelines indicate that disposable nappies are classified as 'general solid waste (putrescible)', and so can be handled as general waste. On this basis, and given the discrepancy described above in calculating expected generation of general waste, provisions for additional general waste bins must be included in the WMP and the storage location marked on the architectural plans.

#### **Acoustic Matters**

8. Detail whether the indoor play areas, outdoor play areas and sleeping areas comply with the assessment criteria provided in Table 3 of the acoustic report.

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9. Detail whether the acoustic report accounts for delivery vehicles accessing the designated loading/unloading zone during operation of the centre. Additionally, advise whether the acoustic report takes into account the collection of waste from the kerb, twice weekly.

#### **Additional Plan Amendments**

- 10. 500-700mm of fill is proposed in the area of the proposed staff parking area. However, retaining walls are not detailed on the plans in the area of the proposed fill. All retaining walls, where required, are to be shown on the site plan and elevation plans. Ensure BOW and TOW details are detailed on the revised plans.
- 12. In accordance with Regulation 113, the proposed development is to include outdoor spaces that will allow children to explore and experience the natural environment. The most practical plan to demonstrate this on is the landscape plan. Ensure the plan provides sufficient detail to distinguish the natural elements on the plans for the 0-2 year outdoor play area.

# **Operational Matters**

- 13. At any time, a maximum of 24 3-5 year old children and a maximum of 8 0-2 year old children are permitted in the outdoor play area. The application proposed a total number of 30 3-5 year old. Advise how the maximum number of 3-5 year olds would be selected to play in the outdoor area i.e. are three groups of 10 children on an outdoor play rotation etc.
- 14. Advise whether ensuring that only a selection of the 3-5 years old playing in the outdoor area is practically possible from an operational perspective. The Plan of Management provided with the amended information does not provide this level of detail and will need to be amended to be more prescriptive.

In addressing the above matters, the following information is required to be submitted to Council to enable the further consideration of your application:

- A covering letter stating how the revised information you are supplying to Council satisfies each point listed above.
- Electronic copies of all amended plans and documentation is required to be uploaded to the NSW Planning Portal.
- c. Where plans are amended, plans shall be clouded or coloured to clearly illustrate any amendments.

Your response to this matter is requested within 28 days from the date of this letter. I advise that the statutory time for this application has been deferred pending receipt of this information.

If you require any further information, please don't hesitate to contact me on (02) 4645 4608.

Yours sincerely

Emma Page

Senior Development Planner

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# 15 CAMPBELLTOWN CITY COUNCIL

#### 4.2 Development Application for alterations and additions to existing McDonalds restaurant - 64 Harold Street, Macquarie Fields

# **Community Strategic Plan**

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.4 - Retain and expand existing businesses and attract new enterprises to Campbelltown, offering opportunities for a diverse workforce including professional, technology and knowledge based skills and creative capacity

# **Referral Criteria**

In accordance with section 4.8 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and the Local planning Panel's direction, this development application is to be determined by the Campbelltown Local Planning Panel as prescribed in Schedule 1 of that direction due to the proposed development occurring on land owned by Council.

# **Executive Summary**

- A development application was lodged on 17 January 2022 for alterations and additions to the existing McDonalds restaurant at No.64 Harold Street, Macquarie Fields.
- The subject site is zoned B2 Local Centre under the provisions of Campbelltown Local Environmental Plan 2015. Commercial premises are permissible with consent in the zone.
- The application was publicly notified between 20 January 2022 and 10 February 2022. No submissions were received.
- An assessment under Section 4.15 of the Environmental Planning and Assessment Act 1979 Act has been undertaken and it is recommended that the application be approved subject to conditions of consent listed in attachment 1.

# Officer's Recommendation

That development application 3/2022/DA-C for alterations and additions to the existing McDonald's restaurant at No.64 Harold Street, Macquarie Fields be approved subject to the conditions shown in attachment 1.

# **Purpose**

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

**Property Description** Lot 14 DP 846665 No.64 Harold Street, Macquarie Fields

**Application No** 3/2022/DA/C

ApplicantMcDonald's Australia LimitedOwnerCampbelltown City Council

**Provisions** State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Transport and Infrastructure)

2021

State Environmental Planning Policy (Biodiversity and Conservation)

2021

State Environmental Planning Policy (Industry and Employment) 2021

State Environmental Planning Policy (Precincts - Western Parkland

City) 2021

Campbelltown Local Environmental Plan 2015

Campbelltown (Sustainable City) Development Control Plan 2015

**Other Provisions** Campbelltown 2027

**Date Received** 17 January 2022

# **History**

The following is a summary of the previous development applications for the site:

- 189/1994: Erection of a McDonald's Family Restaurant.
- 3295/2006/DA-C: Construction of a customer order display unit for McDonald's restaurant.
- 1977/2008/DA-C: Construction of internal fit out and alterations to an existing coffee shop.
- 243/2011/DA-C: Construction of a second order display unit in an existing drive-thru.
- 3630/2016/DA-A: Construction of 5 advertising signs.

#### The Site

The site is identified as No.64 Harold Street, Macquarie Fields. The site has an area of approximately 1861 m<sup>2</sup> with a primary street frontage of 40.7 m to Harold Street. The site currently contains one building containing an existing McDonald's restaurant with associated

car parking. Access is provided via a rear service road that provides access to and from Harold Street and Victoria Road.

The surrounding site consists of a Caltex service station, BP service station, Oporto, Aldi, Glenquarie Tavern and Glenquarie Shopping Centre. The site does not contain a heritage item or is within a heritage conservation area.

An aerial photo is shown below.



Source: Google Maps

# The Proposal

The proposed development is for the construction of alterations and additions to the existing McDonald's restaurant. The proposal consists of the following:

- Construction of an additional drive-thru lane to create a dual lane facility including canopies, gantries and associated signage
- New customer display order islands and digital menu boards
- Regrade and relocate existing stormwater as required along the south-western portion of the site
- New line marking and accessible spaces upgrade in the car park area
- Enlargement of the cashier booth window
- Internal upgrade to the sales and services areas to reflect the new store standard

- Relocation of 4 existing internal kiosks and construction of 4 new kiosks;
- Reconfiguration of seating to increase the dining capacity from 80 seats to 86 seats
- Construction of a new playland area
- Replacement of the existing tiling to the terrace
- Other internal minor works

There are no changes to the number of existing car parking spaces with the proposal also incorporating an upgrade to the line marking of the car park area.

Operational practices such as deliveries, waste management, operational hours and staff numbers are not proposed to change as a result of the development with trading to continue during construction where possible.

The external building facades will be upgraded to provide an integrated external design in line with the colours and branding of McDonald's. An external colours and finishes schedule has been submitted with the proposal.

The proposal also includes the relocation of existing signage and installation of new regulatory signage, digital menu boards (DMB), drive-thru information, directional signs and a hanging PlayPlace sign as detailed on the architectural plans. All other signage will remain unchanged.

The existing landscaping located on the island near the drive through will be removed as well as the landscaping adjacent to the side of the building in the drive through area. All existing landscaping around the perimeter of the site will be retained.

# Report

# 1. Vision

Campbelltown 2027 is the Community Strategic Plan (CSP) for the city of Campbelltown and addresses four key strategic outcomes that Council and other stakeholders will work to achieve over the next 10 years. These outcomes are:

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

Outcome 3 is the most relevant to the proposed development.

The strategy relevant to this application is as follows:

3.4 - Retain and expand existing businesses and attract new enterprises to Campbelltown, offering opportunities for a diverse workplace including professional, technology and knowledge based skills and creative space.

The proposed development will retain an existing business in Macquarie Fields that would provide opportunities for a diverse workplace.

# 2. Planning Provisions

The proposed development has been assessed in accordance with the matters for consideration under section 4.15 of the EP&A Act, and having regard to those matters, the following issues have been identified for further considerations.

2.1 Section 4.15(1)(a)(i) The provisions of any environmental planning instrument

# 2.1.1 State Environmental Planning Policy (Transport and Infrastructure) 2021

State Environmental Planning Policy (Transport and Infrastructure) 2021 aims to facilitate the effective delivery of infrastructure across the State.

Clause 2.48 Determination of development applications—other development

- (1) This clause applies to a development application (or an application for modification of a consent) for development comprising or involving any of the following—
  - (b) development carried out-
    - (i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or
    - (ii) immediately adjacent to an electricity substation, or
    - (iii) (iii) within 5 m of an exposed overhead electricity power line,
  - (d) development involving or requiring the placement of power lines underground, unless an agreement with respect to the placement underground of power lines is in force between the electricity supply authority and the council for the land concerned
- (2) Before determining a development application (or an application for modification of a consent for development to which this clause applies, the consent authority must—
  - (a) give written notice to the electricity supply authority for the area in which the development is to be carried out, inviting comments about potential safety risks, and
  - (b) take into consideration any response to the notice that is received within 21 days after the notice is given

The proposal does not include underground or relocation of existing electricity infrastructure.

Clause 2.121 Traffic-generating development

(1) This clause applies to development specified in Column 1 of the Table to Schedule 3.

The proposed development does not meet the requirements of development specified in Schedule 3 and is therefore not traffic generating development. Referral to Transport for NSW (TfNSW) is not required.

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

State Environmental Planning Policy (Resilience and Hazards) 2021 (RH SEPP) 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 RH SEPP requires the consent authority to consider whether the subject land of any development application is contaminated. An assessment of Clause 4.6 of RH SEPP is provided in table below.

State Environmental Planning Policy 55 - Remediation of Land

Requirement	Action	Response
Clause 4.6(1)  1. Is the development for a change of use to a sensitive land use or for residential subdivision?	a. Check if the DA proposes a new childcare centre, residential accommodation or residential subdivision.	The proposed development is not for a childcare centre, residential accommodation or residential subdivision.
Sensitive land use include residential, educational, recreational, child care purposes or hospital.	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.	Not applicable.
Clause 4.6(1)  2. Is Council aware of any previous investigation or orders about contamination on the land?	a. Is there any property information for any evidence of contamination information?	A search of Council's records for evidence of potentially contaminating activities was undertaken. No evidence was found of contaminating land activities having occurred on the land.
	<ul> <li>b. Check for contamination information and planning certificates linked to the property.</li> </ul>	A search was undertaken where no information was available in regards to contamination on the land.
Clause 4.6(1) 3. Do existing records held by Council show that a contaminating land activity has occurred on the land?	a. Check the approval for any potentially contaminating uses have been approved on the site.	No previous information has been found to suggest there was a contaminating land activity on the land as McDonald's has been operating since at least 1994.
Clause 4.6(1) 4. Has the land previously been zoned for potentially contaminating uses?	a. Check if the land is currently zoned, or was zoned under the previous LEP, Rural, Industrial or Special Purposes for a contaminating use.  NB: if the proposal is industrial then you should answer no to this question.	The site has not been previously zoned as rural, industrial or special purposes for a contaminating use.
used for a potentially	a. Conduct site inspection to check for any obvious signs on the site or adjoining land of an industrial use, underground storage tanks, land	A site inspection was conducted where there were no signs of a potentially contaminating use on the site.

any evidence of a potentially	filling, agriculture, chemical storage,	
contaminating use on site?	dumping or unregulated building	
	demolition (especially fibro	
	material).	

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

# 2.1.3 State Environmental Planning Policy (Industry and Employment) 2021

Chapter 3 – Advertising and Signage of State Environmental Planning Policy (Industry and Employment) 2021 (IE SEPP) applies to the proposed signage. Under the IE SEPP, the proposed signage is defined as a business identification sign as follows:

'Business identification sign means a sign -

- (a) That indicates -
  - (i) The name of the person or business, and
  - (ii) The nature of the business carried on by the person at the premises or place at which the sign is displayed, and
- (b) That may include the address of the premises or place and a logo or other symbol that identifies the business.

But that does not contain any advertising relating to a person who does not carry on business at the premises or place.

**Note**. Business identification signs are a type of signage – see the definition of that term in this Dictionary.'

The proposed signage includes the name and logos of the business and therefore identifies the nature of the business conducted on the premises.

# Clause 3.1 Aims and Objectives

The aims and objectives of this policy are:

- (a) to ensure that signage (including advertising)-
  - (i) is compatible with the desired amenity and visual character of an area,

and

- (ii) provides effective communication in suitable locations, and
- (iii) is of high quality design and finish, and
- (b) to regulate signage (but not content) under Part 4 of the Act, and
- (c) to provide time limited consents for the display of certain advertisements, and
- (d) to regulate the display of advertisements in transport corridors, and

(e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.

The proposed signage is consistent with these aims and objectives.

#### Part 3.3 Advertisements

# Clause 3.7

Clause 3.7 of the IE SEPP states the following:

# 9. Advertisements to which this Part applies

This Part applies to all signage to which this Chapter applies, other than the following:

- (a) business identification signs,
- (b) building identification signs,
- (c) signage that, or the display of which, is exempt development under an environmental planning instrument that applies to it,
- (d) signage on vehicles.

As the proposed signage is defined as business identification signs, Part 3.3 of the IE SEPP does not apply.

# **Schedule 5 Assessment Criteria**

# 1. Character of the area

- Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?
- Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?

The proposed signage is generally compatible with the existing use of the site and desired future character of the area as well as being consistent with similar signage for other food premises within the locality.

# 2. Special areas

• Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?

The proposed signage will not detract from the existing amenity of the area.

#### 3. Views and vistas

- Does the proposal obscure or compromise important views?
- Does the proposal dominate the skyline and reduce the quality of vistas?
- Does the proposal respect the viewing rights of other advertisers?

The proposed signage does not obscure or compromise important views and would not dominate the skyline. There are no other businesses on the site that would require advertising and therefore the proposed signage does not impact upon the viewing rights of others.

# 4. Streetscape, setting or landscape

Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?

- Does the proposal contribute to the visual interest of the streetscape, setting or landscape?
- Does the proposal reduce clutter by rationalising and simplifying existing advertising?
- Does the proposal screen unsightliness?
- Does the proposal protrude above buildings, structures or tree canopies in the area or locality?
- Does the proposal require ongoing vegetation management?

The proposed signage is in proportion to the streetscape and contributes to the visual interest of the streetscape. The proposed signage does not protrude above the building and existing trees and reduces clutter by simplifying signage. The proposal does not require ongoing vegetation management.

# 5. Site and building

- Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?
- Does the proposal respect important features of the site or building, or both?
- Does the proposal show innovation and imagination in its relationship to the site or building, or both?

The proposal signage is compatible with the scale, proportion and other characteristics of the site and respects important features of the site and building. The proposed pylon shows innovation with internal illumination proposed.

# 6. Associated devices and logos with advertisements and advertising structures

• Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?

There are no safety devices, platforms or lighting devices proposed as the illumination is all internal.

#### 7. Illumination

- Would illumination result in unacceptable glare?
- Would illumination affect safety for pedestrians, vehicles or aircraft?
- Would illumination detract from the amenity of any residence or other form of accommodation?
- Can the intensity of the illumination be adjusted, if necessary?
- Is the illumination subject to a curfew?

The illumination of the signs would all be from internal sources and would not result in an unacceptable glare or affect the safety of pedestrians, vehicles or aircraft. The signage is setback a considerable distance from Harold Street so will not have any light cast on the roads that would affect the safety of vehicles. The illumination of the lights can be adjusted where required.

# 8. Safety

- Would the proposal reduce the safety for any public road?
- Would the proposal reduce the safety for pedestrians or bicyclists?
- Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?

The proposed signage will not obscure sight lines and will not reduce safety for any road, pedestrians or cyclists.

# 2.1.4 State Environmental Planning Policy (Precincts - Western Parkland City) 2021

The Western Parkland City SEPP was amended on 6 December 2019 to include the Greater Macarthur Growth Area as a designated growth centre. The subject site is located within the boundaries of the Greater Macarthur Growth Area, and is therefore subject to the provisions of the SEPP. Clauses 3.21 and 3.22 of the SEPP are relevant to the application and are discussed below.

# Clause 3.21 - Development applications in growth centres - matters for consideration until finalisation of precinct planning for land

Clause 3.21 of the SEPP states:

- (1) Until provisions have been specified in a Precinct Plan or in clause 3.11 with respect to the development of the land, consent is not to be granted to the carrying out of development on land within a growth centre unless the consent authority has taken into consideration the following—
  - (a) whether the proposed development will preclude the future urban and employment development land uses identified in the relevant growth centre structure plan,
  - (b) whether the extent of the investment in, and the operational and economic life of, the proposed development will result in the effective alienation of the land from those future land uses,
  - (c) whether the proposed development will result in further fragmentation of land holdings,
  - (e) whether the proposed development is incompatible with desired land uses in any draft environmental planning instrument that proposes to specify provisions in a Precinct Plan or in clause 3.11.
  - (e) whether the proposed development is consistent with the precinct planning strategies and principles set out in any publicly exhibited document that is relevant to the development,
  - (f) whether the proposed development will hinder the orderly and co-ordinated provision of infrastructure that is planned for the growth centre,
  - (g) in the case of transitional land—whether (in addition) the proposed development will protect areas of aboriginal heritage, ecological diversity or biological diversity as well as protecting the scenic amenity of the land.

The SEPP does not include a precinct plan for the Greater Macarthur Growth Area, and therefore the above criteria requires consideration. In this regard, the following should be noted:

- The Macquarie Fields Precinct Plan released under the Glenfield to Macarthur Corridor Strategy (which is not a Precinct Plan for the purposes of the SEPP but is rather a structure plan), indicates that the subject site would be "Commercial/Retail Core". This implies that a future land use zoning of B3 Commercial Core would apply with the proposed development consistent with the relevant precinct planning strategy.
- The cost and scale of the proposed development is relatively minor and as such there would be no adverse impacts if the land were to be rezoned to reflect the land uses identified under the Corridor Strategy.

Therefore, the proposed development is considered to be satisfactory with regard to clause 3.21 of the SEPP.

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

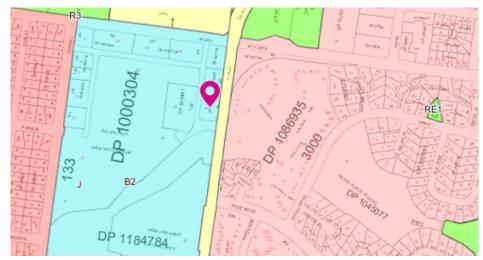
The proposal is within the Georges River Catchment and thus this policy applies. The general aims and objectives of this plan are as follows:

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

The proposal does not conflict with any of the relevant provisions of the BC SEPP, and is therefore considered acceptable in this regard.

# 2.1.6 Campbelltown Local Environmental Plan

The subject site is zoned B2 Local Centre under the provisions of Campbelltown Local Environmental Plan 2015.



Source: SSA

The objectives of the B2 Local Centre zone are:

- To provide a range of retail, business, entertainment and community uses that serve the needs of the people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To achieve an accessible, attractive and safe public domain.
- To provide for appropriate residential development in the form of shop top housing to support the vitality of the local area.
- To provide healthy, attractive, vibrant and safe local centres.

It is a requirement of clause 2.3 of the CLEP 2015 that the consent authority must have regard to the zone objectives when determining a development application. It is considered that the proposed development and propose signage would provide a business use that serves the needs of people who live, work and travel to the local area an encourages employment opportunities in an accessible location.

The proposed development is defined as food and drink premises and business identification signs. These definitions are shown below:

**Food and drink premises** means premises that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises, and includes any of the following—

- (a) a restaurant or cafe,
- (b) take away food and drink premises,
- (c) a pub,
- (d) a small bar.

Note-

Food and drink premises are a type of retail premises—see the definition of that term in this Dictionary.

#### Business identification sign means a sign -

- (a) That indicates -
  - (i) The name of the person or business, and
  - (ii) The nature of the business carried on by the person at the premises or place at which the sign is displayed, and
- (b) That may include the address of the premises or place and a logo or other symbol that identifies the business,

But that does not contain any advertising relating to a person who does not carry on business at the premises or place.

Note. Business identification signs are a type of signage – see the definition of that term in this Dictionary.'

Retail premises are defined as commercial and as such food and drink premises and business identification signs are both permissible with development consent within the zone.

#### 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 alterations does not involve a change to the height of the existing building and does not include any changes to the roof features. Therefore, this clause does not apply.

#### 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. 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 the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or if any impact that cannot be reasonably avoided will be managed to minimise that impact or will be managed to mitigate that impact.

The proposed development has been designed to minimise the disturbance of the existing ground levels, where possible. Additionally, a condition has been recommended that the design and construction of any structures within the ground shall be in accordance with any geotechnical requirements.

#### 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 building and available for the proposed development.

# 2.2 Section 4.15(1)(a)(iii) The provisions of any development control plan

# 2.2.1 Campbelltown (Sustainable City) Development Control Plan 2015

Campbelltown (Sustainable City) Development Control Plan 2015 (SCDCP) applies to the subject land. The aims of the SCDCP are:

- Ensure that the aims and objectives of the CLEP are complemented by the Plan;
- Ensure that the principles of ecological sustainability are incorporated into the design, construction and ongoing operation of development;
- Facilitate innovative development of high quality design and construction in the City of Campbelltown;
- Ensure that new development maintains or enhances the character and quality of the natural and built environment;
- Ensure that new development takes place on land that is capable of supporting development;
- Encourage the creation of safe, secure and liveable environments;
- Ensure that new development minimises the consumption of energy and other finite resources, to conserve environmental assets and to reduce greenhouse gas emissions; and
- Provide for the design requirements for a variety of housing within the City of Campbelltown.

It is considered that the development is consistent with the relevant aims of the SCDCP as it would facilitate development on land that is capable of supporting the development.

# 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:

**Site Analysis Plan** – A site analysis plan was submitted and was considered to be satisfactory.

**Views and Vistas** - The proposed development would not impact upon views and vistas from public places of significance.

**Sustainable Building Design** – The proposed development does not require any sustainable building measures due to the proposal being for alterations and signage only.

**Landscaping** - A landscape plan is not required to be submitted.

Weed Management - Not applicable

**Erosion and Sediment Control** - An erosion and sediment control plan was not submitted however will be conditioned.

**Cut, Fill and Floor Levels** - A cut and fill plan is not required to be submitted.

**Demolition** – A demolition plan was submitted detailing the internal demolition as indicated on the demolition plan. Appropriate conditions of consent are recommended to ensure that the demolition works will be carried out in accordance with the relevant Australian Standards.

Water Cycle Management - Not applicable.

**Heritage Conservation** – Subject site does not contain a heritage item and is not within a heritage conservation area.

**Retaining Walls** - No retaining walls are proposed.

**Security** - The site provides appropriate security features in accordance with CPTED.

**Risk Management** - The site is not affected by bushfire, mine subsidence, contamination or salinity.

**Waste Management** - A Waste Management Plan was submitted and considered to be satisfactory.

**Provision of Services** - The site has access to suitable water, electricity and sewage services.

Work On, Over or Near Public Land - No work is required on, over or near public land.

Work on Land Adjacent to the Upper Canal Corridor - Not applicable.

**Development Near or on Electricity Easements** - Not applicable.

Development on Land Adjacent to, or Affected by a Gas Easement - Not applicable.

# Part 6 - Commercial Development

Part 6 - Commercial Development sets out the requirements for commercial development within the City of Campbelltown. Below is an assessment against the relevant development standards:

		Campbelltown (Sustainable City) Development C 2015	Control Plan
Control	Proposed	Requirement	Complies
Building Form and Character	All external works on the façades of the building are architecturally treated	All facades visible from a public place or adjacent to residential areas, shall be architecturally treated	
	Vertical and horizontal offsets have been provided	Provision of vertical and/or horizontal offsets  Articulation by use of colour, arrangement of façade elements, or by varying types of materials	
	Varied external colours and finishes are proposed	Maximising interior and exterior interactions at the ground level	
	Interior and exterior interactions are maximised	Main entry to be easily identifiable  Large expansive blank walls on ground floor levels not permitted	
	No change to location of existing main entry	Roof mounted plant rooms, air conditioning units and other services and equipment shall be screened	
	No large expansive blank walls  No roof mounted plant or air conditioning proposed  No solid opaque roller doors/shutters proposed  No highly reflective glass proposed to be used  Schedule of external finishes and colours provided	Solid opaque roller doors/shutters over windows and doors shall not be permitted	
		Buildings shall not have highly reflective glass Schedule of external colours and finishes	Yes
		required  Development on corner sites shall incorporate	
		splays, curves, entries and architectural elements to reinforce the corner	
		No outdoor display and/or storage  Designed to address primary and secondary street frontages	
		Established setbacks maintained	
	All facades fronting a street are architecturally designed		
	No outdoor display/storage		
	Existing setbacks maintained		

		Campbelltown (Sustainable City) Development C 2015	ontrol Plan
Control	Proposed	Requirement	Complies
Car Parking	There is no change to the existing gross floor area, therefore	Off street parking and loading shall be designed in accordance with Australian Standards 25890.1 and 2	
	additional car parking spaces are not required	1.5 spaces per 20 m <sup>2</sup> GFA	
	Existing 23 car parking spaces are being retained	Parking spaces shall not be locked off, obstructed, reserved or separately allocated to any individual use at any time	
	No spaces are locked off, obstructed or	All vehicles shall enter and exit in a forward direction	
res All exi dire No loa loa pro The dev cau	reserved  All vehicles enter and exit in a forward direction	The area for manoeuvring of delivery and service vehicles is separate from vehicle parking areas and preferably accessed via a rear lane	
	No change to existing loading dock and loading/unloading processes	Shall cause minimal interference to the flow of traffic within the surrounding road network	
		Provide safe and convenient access for pedestrians	
	The proposed development does not cause interference to the flow of traffic	A Traffic Impact Assessment report shall be prepared by a suitably qualified person if the threshold exceeds the requirements of the Infrastructure SEPP	Yes
	Access to the building	One ingress and one egress for heavy vehicles	
	is maintained as existing	No stacked spaces	
	A Traffic Impact Assessment report is not required	No car parking space shall be created as a separate Strata or Torrens title allotment	
	No heavy vehicle access provided		
	No stacked car parking spaces		
	No car parking spaces created as a separate Strata or Torrens title allotment		

		Campbelltown (Sustainable City) Development C 2015	ontrol Plan
Control	Proposed	Requirement	Complies
Loading and	Existing loading bay retained	Loading bays to be separated from parking and pedestrian access	
Unloading	All loading and unloading will take	Loading and unloading to take place wholly on site	
	place within the loading dock area	No loading/unloading to be carried out across parking spaces, landscaped areas or on	Yes
	Loading and unloading will not be carried out across car parking spaces, landscaped areas or on roadways	roadways Small rigid access to be provided	
Access for People with Disabilities	Building will comply with access requirements contained within the BCA Existing disabled space	Must comply with minimum access requirements contained within the BCA one space for disabled access designed in accordance with Australian Standards	Yes
	provided		
Commercia I Waste Manageme nt	Existing waste management collection and disposal is retained Waste management	Provision for an enclosed waste and recycling facility  Waste management plan required	Yes
	plan has been submitted for the proposed development		

# Part 16 - Advertising and Signage

Part 16 – Advertising and Signage sets out the requirements for advertising and signage development within the City of Campbelltown. The proposal incorporates a new wall sign for the play area as well as a new 'M' sign fixed to a blade wall. All other signage is directional signage with the other existing signage being retained and in some cases, relocated. Below is an assessment of the new play area sign and 'M' sign against the relevant development standards:

		Campbelltown (Sustainable City) Development Control Plan 2015	
Control	Proposed	Requirement	Complies
Industry and Employment SEPP	Signage complies with the IE SEPP	All forms of signage shall comply with SEPP 64	Yes

		Campbelltown (Sustainable City) Dev Control Plan 2015	elopment
Control	Proposed	Requirement	Complies
Exempt and Complying SEPP	Proposed signage is not exempt or complying development	This part only applies to signs and advertisements that are not considered to be exempt or complying development	Yes
Transport Corridor Outdoor Advertising and Signage Guidelines	Proposed signage is not located on land identified as Transport Corridor Land	The Guideline is required to be considered where signage is proposed to be located on Transport Corridor Land	N/A
Australian Standards	Will be conditioned to comply with the relevant Australian Standards	Must comply with relevant Australian Standards	Yes
Restrictions  Proposed signage is permissible within the Campbelltown LGA  Above awning signs, banner or flag signs in zones other than business and industrial zones, inflatable signs portable or movable signs, moving signs, A frame signs, roof or sky signs, posters on poles or other structures in public places, flashing signs, dynamic electronic displays and billboard signs are not permissible within the Campbelltown LGA		Yes	

		Campbelltown (Sustainable City) Dev Control Plan 2015	elopment
Control	Proposed	Requirement	Complies
Design and Location	Proposed signage is designed, located, scales and sized having regard to the existing building  Proposed signage does not dominate the landscape and public domain areas  No freestanding signs proposed  Proposed signage does not protrude above any parapet or eaves  A condition of consent will apply regarding graffiti  Proposed signage is of high quality and durable materials  Proposed signage does not contain reflective materials, colours and finishes  The internal illumination of the signs will not impact upon nearby occupants, glare or light spillage	Signs attached to the building shall be designed, located, scaled and sized having regard to the architectural style, features and design of the façade buildings  Signage shall not dominate landscaped and public domain areas  Free standing signage shall have regard to the size, height and scale of nearby buildings and architectural elements  Signage shall not protrude above any parapet or eaves  All signage must be designed to minimise opportunities for graffiti artists  Sings shall be constructed of a material that is of high quality and durable  Signage shall not contain reflective materials, colours and finishes  Signage shall not cause any nuisance to nearby occupants as a result of glare or light spillage	Yes
Public Safety	The proposed signage will be erected in a structurally sound manner and maintain pedestrian and traffic safety  The proposed signage will not compromise driver and pedestrian safety, not obscure a road hazard, oncoming vehicles or pedestrians and avoid advertising messages that may distract motorists	Signs and their supporting structures shall be structurally sound and constructed in a manner to maintain pedestrian and traffic safety  Signs shall be designed and erected so as to not compromise driver and pedestrian safety, avoid confusion with road traffic signs and signals, not obscure a road hazard, oncoming vehicles or pedestrians and avoid advertising messages, designs or bright lighting that may distract motorists	Yes
Contents	Signage only contains English wording	Signs that contain wording in a language other than English shall have an English translation of that wording to a minimum font size of 50% of the non-English words	Yes

		Campbelltown (Sustainable City) Dev Control Plan 2015	elopment
Control	Proposed	Requirement	Complies
Maintenance of Signs	Will be required to be maintained to a high standard by way of a recommended condition of consent	All signs shall be maintained to a high standard including any advertising surface, structure and finish	Yes
illuminated and would not be animated, flashing or moving lllu		Means of illumination must be concealed or integrated within the frame of the sign  Illuminated signs must not be animated, flashing or moving	Yes
Development Elevation plans provided in ar		Development applications must include photomontages of the sign and its relationship to the adjacent road environment	Yes
Number of Signs Total number of signs per building elevation is 6 or less Total number of signs per building elevation shall not exceed 6		Total number of signs per building elevation shall not exceed 6	Yes
Identification Signs  of the signage is compatible to the existing and desired future character of the area and will not detract from the appearance of the building and its surroundings  associated with b identification shapermitted where to authority is satisfication		Corporate colour schemes associated with business identification shall only be permitted where the consent authority is satisfied that the colour scheme is compatible with the desired future character of the area and will not detract from the appearance of the building and its surroundings.	Yes

The proposed development and signage complies with the relevant requirements of the Sustainable City Development Control Plan 2015.

# 3. Planning Assessment

# 3.1 Impacts on the natural and built environment

Section 4.15(1)(b) of the EP&A Act requires the consent authority to assess the development's potential impacts on the natural and built environment.

The key matter for consideration when considering the development's impact on the natural and built environment in relation to the proposed development is car parking.

# **Car Parking**

The subject premises includes twenty three car parking spaces located along the Harold Street frontage of the site and along the side boundary. The proposed development does not alter the

number of car parking spaces on the site and will retain all twenty three spaces. Even though the number of internal seats are increasing due to a reconfiguration of the internal floor layout, the gross floor area does not increase, therefore additional car parking spaces are not required.

Furthermore, new line marking of the car parking area is proposed to ensure a formal car parking layout for the use.

# 3.2 Social, economic and environmental impacts

Section 4.15(1)(b) of the EP&A Act requires the consent authority to assess the development's likely impacts of the development, including social and economic impacts in the locality. The social, economic and environmental impacts associated with the proposed are discussed below.

# **Crime Prevention Through Environmental Design**

The proposed development addresses the key requirements of Crime Prevention Through Environmental Design (CPTED) specifically in regards to access, surveillance, territorial enforcement, landscaping and lighting. All existing access, surveillance, lighting and landscaping is being retained and therefore CPTED measures are being retained.

# **Economic Impacts**

The proposed development will have a positive impact on the local area as it would provide for an opportunity to provide local jobs for those in the community, and it is expected to have a positive impact on the potential for increased trade within the Glenquarie locality.

# 3.3 Suitability of the Site

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

The proposed development is permissible within the zone and is considered to be accessible by various modes of public transport as well as providing sufficient vehicular access and is in proximity to other similar commercial development within the locality. It is considered that the subject site is suitable for the proposed development subject to operational conditions of consent.

## 3.4 Public Interest

The public interest is a comprehensive requirement that requires the consent authority to consider impacts of the development and the suitability of the proposal in local and wider context and would not lead to or result in a detrimental impact on the locality. The existing use has been operating a number of years without serious issues.

Council has adopted an economic development strategy that promotes the creation of local jobs. The Western City District Plan strategic directions for Campbelltown City Centre encourages new lifestyle uses to activate streets and grow the economy. The proposed use is considered consistent with this as the use will generate jobs for the local community and an opportunity to increase patronage for other establishments within the locality.

# 4. Public Participation

Section 4.15(1)(d) of the EP&A Act requires the Panel to consider submissions. The development application was notified to adjoining and nearby properties from 20 January 2022 until 10 February 2022. No submissions were received.

### Conclusion

The application has been assessed against the provisions of Section 4.15 of the *Environmental Planning and Assessment Act 1979*. The proposed development is permissible with consent under the provisions of Campbelltown Local Environmental Plan 2015 and is consistent with the objectives of the B2 Local Centre Zone.

Having regard to the matters for consideration under Section 4.15 of the *Environmental Planning* and Assessment Act 1979, it is considered that the proposed development is suitable for the site subject to the conditions discussed in this report.

# **Attachments**

- 4.2.1 Recommended conditions of consent (contained within this report)
- 4.2.2 Architectural Plans (contained within this report)

# **Reporting Officer**

Executive Manager Urban Centres

# **ATTACHMENT 1**

### **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.

# 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	Version	Prepared by	Date
Cover Page	A000	А	i2c Consultants	21 December 2021
Site Plan Existing / Demolition Plan	A061-1	А	i2c Consultants	21 December 2021
Site Plan Proposed	A061-2	А	i2c Consultants	21 December 2021
Accessible Parking Space Delineation	A071	А	i2c Consultants	21 December 2021
COD Unit Details	A082	А	i2c Consultants	21 December 2021
Floor Plan Existing / Demolition Plan	A101-1	А	i2c Consultants	21 December 2021
Floor Plan Proposed	A101-2	А	i2c Consultants	21 December 2021
Eastern Elevation	A201	А	i2c Consultants	21 December 2021
Northern Elevation	A202	А	i2c Consultants	21 December 2021
Western Elevation	A203	А	i2c Consultants	21 December 2021
Southern Elevation	A204	А	i2c Consultants	21 December 2021
External Finishes	A205	А	i2c Consultants	21 December 2021
Front & Side Building Signage Elevations	A802	А	i2c Consultants	21 December 2021
Drive Thru & Rear Building Signage Elevations	A803	А	i2c Consultants	21 December 2021
Signage Details	A806	А	i2c Consultants	21 December 2021
Signage Details	A807	А	i2c Consultants	21 December 2021

Sediment & Erosion Control Plan	SED1 A	i2c Consultants	21 December 2021	
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Waste Management Plan prepared by SLR Consulting Australia Pty Ltd.

### 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. 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.

### 4. Garbage Room

The garbage storage room identified on the approved plans shall:

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

### 5. 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.

#### 6. Advertising Sign

- a. All signage is to be erected/supported in a safe and secure manner.
- b. At no time shall the intensity, period of intermittency and hours of illumination of the signage adversely impact the amenity of the neighbourhood.
- c. No signage on site shall flash, move or display emergency messages.
- d. The advertising structure shall be maintained in a condition so as to not become unsightly so as to adversely affect the amenity of the surrounding area.

- e. Signage shall be constructed in accordance with the provisions of the Australian Standards relating to the construction and external illumination devices.
- f. Signs and their supporting structures shall be structurally sound and constructed so to:
  - . Not to compromise driver and pedestrian safety;
  - ii. Avoid confusion with road traffic signs and signals;
  - iii. Not obscure a road hazard, oncoming vehicles, pedestrians; and
  - iv. Avoid advertising messages, designs or bright lighting that may distract motorists.
- g. Signage shall be constructed of durable and high quality materials that do contain reflective materials, colours and finishes and shall be maintained to a high standard, including any advertising surface, structure and finish.
- h. Illuminated signs shall have its means of illumination, including any associated cables, concealed or integrated within the frame of the sign in accordance with the manufactures specifications.

# 7. 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.

# 8. 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.

#### 9. 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.

### 10. 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.

# 11. Engineering Design Works

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

# 12. Car Parking Spaces

Twenty three 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).

### 13. 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.

#### 14. 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.

# 15. Pollution Control

The following conditions have been applied to ensure that all activities involving the operation of the premises are carried out in a manner which will prevent undue air, land, water pollution, noise pollution and waste management practices in accordance with the Protection of the Environment Operations Act 1997 Protection of the Environment Operations (Waste) Regulation 2014, Protection of the Environment Operations (Noise) Regulation 2017, Local Government Act 1993, Local Government Regulation 2005 and associated technical standards:

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

OFFENSIVE NOISE – The development must be 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:

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

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

Should the development not achieve compliance with the applicable guidelines and standards, amendments to the development are required to be made (with the consent of Council), which may

include, but are not limited to, changes to hours of operation, installation of further treatment, modification of operational procedures, etc.

Health and Public Nuisance - The use of the premises shall not give rise to an environmental health nuisance to the adjoining or nearby premises and environment. There are to be no emissions or discharges from the premises, which will give rise to a public nuisance or result in an offence under the *Protection of the Environment Operations Act 1997* and Regulations. The use of the premises and the operation of plant and equipment shall not give rise to the transmission of a vibration nuisance or damage other premises

### 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. 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.

# 18. Stormwater Management Plan

Prior to Council or appointed Principal certifier issuing a construction certificate, a plan indicating all engineering details and calculations relevant to site regrading and the collection and disposal of stormwater from the site, building/s and adjacent catchment, shall be submitted for approval.

Floor levels of all buildings shall be a minimum of 150mm above the adjacent finished site levels and stormwater shall be conveyed from the site to the Council Stormwater Pipe. All proposals shall comply with Council's 'Engineering Design Guide for Development' (as amended) and the applicable development control plan.

## 19. Design for Access and Mobility

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

### 20. 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.

#### 21. Section 7.12 Contributions

#### Section 7.12 Contributions

# Contribution

The developer must make a monetary contribution to Campbelltown City Council in the amount of **\$10,196.41** for the purposes of the Local Infrastructure identified in the Campbelltown Local Infrastructure Contributions Plan 2018 (the Plan).

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 is based on a proposed cost of carrying out the development of \$1,019,641.98 indexed to the quarter immediately prior to the date of this consent (\$976,779.10 indexed to Mar 2022). This cost (and consequently the monetary contribution) must be indexed between the date of this consent and the date of payment in accordance with the following formula:

Indexed development sect (\$)=	\$C <sub>o</sub> X Current CPI
Indexed development cost (\$)=	Base CPI

#### Where:

- \$C<sub>0</sub> is the original development cost estimate as indexed to time of determination.
- Current CPI is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics at the time of the quarter immediately prior to the date of payment.
- Base CPI is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics at the quarter ending immediately prior to the date of lodgment of the development application.

## Time for payment

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

### 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.

#### 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.

### 22. 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.

### 23. 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.

### 24. 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.

### 25. 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.

### 26. 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.

# 27. 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.

### 28. 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 the appointed Principal Certifier 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.
- 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.

# 29. Footpath and Vehicular Crossing Levels

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

# 30. Hoarding / Fence

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

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

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

### DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION

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

#### 31. 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.

### 32. 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.

### 33. 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.

### 34. 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.

## 35. 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.

# 36. Revegetation

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

# 37. Public Safety

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

#### 38. Public Reserve Treatment

A barrier fence as per Councils specifications shall be erected on the boundaries of all proposed public reserve areas where they adjoin public roads. A lockable access point for Council maintenance vehicles shall be provided where required by Council.

#### 39. 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.

#### 40. 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.

# 41. 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 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.

# 42. 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.

### 43. 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.

# 44. 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.

### **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.

#### 45. Construction

The construction, fit-out and finishes of the food premises must be constructed in accordance with the *Food Act 2003*, *Food Regulation 2010*, Food Standards Code Australia and New Zealand and Australian Standard 4674-2004 Design, construction and fit-out of food premises.

### 46. Registration

The premise is required to be registered with Council. Regular inspections will be carried out to ensure health standards are maintained. A business registration form is available on Council's website and must be completed and submitted to Council prior to the operation of the food business commencing (Food Safety Standard 3.2.2).

### 47. Floor Construction

The floor construction within the food preparation area/s must be finished to a smooth, even non-slip surface, graded and drained to a floor waste (AS 4674-2004, Section 3.1).

# 48. Floor Waste

Floor wastes in food preparation and food service areas must be fitted with sump removable stainless steel baskets and grates (AS 4674-2004, Section 4.1.8).

## 49. Coving

Feather edge skirting and non-rebated coving is not permitted. Recessed coving must be provided at all intersections of the floor with the walls/plinths within all food preparation, service and storage areas. All coving must:

- a. Have a minimum concave radius of 25 mm; or
- b. Be tiled 50mm minimum in width and splayed at 45°.

The coving must be installed so as to be integral to the surface finish of both floor and wall in such a manner as to form a continuous, uninterrupted surface in accordance with Figure 3.1 and 3.2 of the Australian Standard (AS 4674-2004, Section 3.1.5).

# 50. Penetrations/Service Lines

INTEGRAL PENETRATIONS/SERVICE LINES - All service pipes, conduits and electrical wiring must be concealed in the floor, walls, plinths or ceiling (AS 4674-2004, Section 3.2.9).

EXTERNAL PENETRATIONS/SERVICE LINES - External service pipes and electrical conduit must be fixed on brackets so to provide at least 25 mm clearance between the pipe and adjacent vertical

surface and 100 mm between the pipe or conduit and adjacent horizontal surfaces. Service pipes and electrical wiring must not be placed in the recessed toe space of plinths or of any equipment (AS 4674-2004, Section 3.2.9).

### 51. Wall Requirements

Cavity walls are not permitted. All walls in the food premises, including all new and existing partition walls, must be of solid construction and finished to a smooth, impervious surface that can be easily cleaned, as specified in Table 3.2 of AS 4674-2004. The finishing materials of the wall surfaces must provide an even surface, free of fixing screws, open joint spaces, cracks or crevices (AS 4674-2004, Section 3.2).

### 52. Ceiling Construction

Drop-in panel style ceilings are not permitted in food preparation areas or over areas where open food is displayed, handled or served. The ceiling in the food premises must be constructed with a rigid, non-absorbent, smooth faced material free from open joints, cracks and crevices and be painted with a light coloured washable paint. The intersection of the walls and ceiling must be tight-jointed, sealed and dust proofed (AS 4674-2004, Section 3.2).

# 53. Light Fittings

All fluorescent light fittings must be fitted with a smooth faced diffuser. The light fittings must be either:

- Recessed so that the diffuser is flush with ceiling
- b. Designed to ensure that no horizontal surface exists which would allow dust and grease to accumulate (AS 4674-2004, Section 2.6.2).

# 54. Hand Wash Basins

Hand wash basins must be provided in all parts of the premises where open food is handled and in utensil/equipment washing areas. The hand wash basin is to be located and installed in such a way that they are not obstructed, are at bench height either permanently fixed to a wall, to a supporting frame or set in a bench top and is accessible from no further than 5 m away from any place where food handlers are handling open food (AS 4674-2004, Section 4.4).

The hand wash basin is to have a permanent supply of warm running potable water mixed to a temperature of at least  $40^{\circ}$ C and delivered through a single outlet. Disposable paper hand towels and soap must be provided and serviced from a dispenser adjacent to the hand wash basin. A waste receptacle for used towels must be provided (AS 4674-2004, Section 4.4).

## 55. Dishwashing Machines

The dishwashing/glass washing machine must be designed and able to operate in accordance with AS 4674-2004 and the Food Standards Code. All utensils and equipment must undergo a washing, sanitising and rinsing cycle. The sanitising rinse cycle must achieve a water temperature of 80°C for 2 minutes or 75°C for 10 minutes (AS 4674-2004, Section 4.1.6).

Appropriate ventilation must be provided over the dishwashing system and be designed and installed in accordance with Australian Standard 1668.2-2012: The use of ventilation and air conditioning in buildings - Part 2: Mechanical ventilation in buildings.

### 56. Equipment Wash Sinks

A double bowl wash sink must be installed and serviced with hot and cold water through a single outlet (AS4674-2004 – Section 4.1). The double bowl sink is in addition to the hand wash basin.

or

A triple bowl sink must be installed and serviced with hot and cold water through a single outlet where rinsing is required before or after sanitising e.g. wash, rinse, sanitise procedure or wash, rinse/sanitise, rinse procedure (AS 4674-2004, Section 4.1).

### 57. Cleaner's Sink

A cleaner's sink is to be installed in a location outside of the food preparation area and must be serviced with hot and cold water through taps fitted with hose connectors. (AS 4674-2004, Section 4.1.8).

# 58. Tap Fittings

Hot and cold wall mounted taps must be installed fitted with hose connectors and positioned at least 600 mm above the floor in a convenient and accessible location within the food preparation area and adjacent to the floor waste (AS 4674-2004, Section 4.1.8).

# 59. Fittings and Fixtures

All fixtures, fittings and equipment must be provided with smooth and impervious surfaces, free from cracks and crevices to enable easy cleaning (AS 4674-2004, Section 4).

All fittings and fixtures must be built into the wall and floor so to be free from joints, gaps and cavities to enable easy cleaning or alternatively, supported on one of the following in accordance with Table 4.5 of AS 4674-2004:

- Plinths must be an integral part of the floor, constructed of solid materials similar to the floor at least 75 mm in height and coved at the intersection with the floor. All plinths must have a smooth and impervious finish. All fittings and fixtures must be properly sealed to the plinth so to be free from gaps, cracks and cavities.
- Fittings and fixtures can be supported on wheels or castors. The wheels and castors must be capable of supporting and easily moving a full loaded fitting. All wheels and castors must be provided with a restraining device.
- Fittings and fixtures can be supported on legs but must be constructed of non-corrosive, smooth
  metal or moulded plastic. All legs must be free from cracks and crevices. All legs must have a
  clearance space between the floor and the underside of the fitting of at least 150 mm.

False bottoms under fittings are not permitted (AS 4674-2004, Sections 4.2 and 4.3).

## 60. Food Preparation Benches

All food preparation benches must be constructed of stainless steel. All food contact surfaces are to be smooth, continuous and flush so as to avoid any exposed screw fixtures.

# 61. Benches

The top and exposed edges of all benches and counters must be finished in a smooth and non-absorbent material, free of joints, cracks and crevices (AS 4674-2004, Section 4.2).

### 62. Storage Cabinets/Cupboards

All storage cabinets/cupboards (internal and external surfaces) must be finished in a smooth and non-absorbent material that is free of joints (AS 4674-2004, Section 4.2).

# 63. Shelving

All shelving must be located at least 25 mm off the wall or alternatively, the intersection of the shelf and the wall is to be completely sealed. All shelving must be constructed at least 150 mm from the floor level (AS 4674–2004, Section 4.2).

### 64. Food Storage

Any appliance used for the storage of hot and/or cold food must be provided with a numerically scaled indicating thermometer or recording thermometer accurate to the nearest degree Celsius or an alarm system for continuous monitoring of the temperature of the appliance.

### 65. Cool Room and Freezer Room

The cool room and/or freezer room floor must be finished with a smooth even surface and graded to the door. A sanitary floor waste must be located outside the cool room and freezer room adjacent to the door.

All metal work in the cool room and freezer room must be treated to resist corrosion.

Condensation from the refrigeration units/cool room/freezer room motors must be directed to a tundish, installed in accordance with Sydney Water requirements.

The cool room and freezer room must be provided with:

- a. A door which can at all times be opened internally without a key; and
- b. An approved alarm device located outside the room, but controllable only from the inside.

#### 66. Condensation Collection

Condensation from refrigeration units, freezer units and coffee machines must be directed to a tundish, installed in accordance with Sydney Water requirements (Food Standards Code 3.2.3).

### 67. Mechanical Exhaust Ventilation

A food premises must be provided with a kitchen exhaust hood complying with Australian Standard 1668.2-2012: The use of ventilation and air conditioning in buildings - Part 2: Mechanical ventilation in buildings and where applicable, Australian Standard 1668.1-1998: The use of ventilation and air conditioning in buildings - Fire and smoke control in multi-compartment buildings, where:

- a. Any cooking apparatus has:
  - A total maximum electrical power input exceeding 8 kW
  - ii. A total gas power input exceeding 29 MJ/h
- b. The total maximum power input to more than one apparatus exceeds:
  - i. 0.5 kW electrical power
  - ii. 1.8 MJ gas per m2 of floor area of the room or enclosure; or
- c. Any deep fryer.

Documentation from a mechanical engineer certifying that the mechanical ventilation system, as installed, complies with the AS/NZS 1668.1:1998 and 1668.2-2012, must be provided to the certifying authority prior to the issue of an Occupational Certificate.

### 68. Pest Protection

Flyscreens and/or other approved means of excluding the entry of pests must be provided to all window and door openings in accordance with Section 2.1.5 of AS 4674-2004.

Where pipe work, drains, cables and ducts penetrate walls, ceilings and roofs, holes must be sealed, filled and finished to prevent the entry of pests.

Spaces between adjoining structures, such as between cool room walls and premises walls, must be accessible for inspection and cleaning or sealed with a suitable compound so that they are inaccessible to pests. Spaces between the top surface of equipment or structures, such as cool rooms, must be accessible for inspection and cleaning or sealed/boxed in so that they are inaccessible to pests.

#### 69. Toilet Facilities and Hand Basins

A toilet for staff must be provided for the premises. The toilet cubicle must be separated from areas where open food is handled, displayed or stored by one of the following:

- a. An intervening ventilated space fitted with self-closing doors
- b. Self-closing doors and mechanical exhaust systems that operate when the sanitary compartment is in use for at least 30 seconds after the cubicle is vacated (AS 4674-2004, Section 5.2).

Toilets intended for customer use must not be accessed through areas where open food is handled, displayed or stored.

A hand basin must be located within the toilet cubicle. The basin must be freestanding, serviced with hot and cold water through a single outlet, able to be mixed to a temperature of at least  $40^{\circ}$ C and fitted with a hands-off type tap set (AS 4674-2004, Section 4.4). The basin must be provided with soap and disposable paper towels from a dispenser.

# 70. Locker Storage for Staff Belongings and Equipment

Sufficient lockers must be provided in the food preparation area or store room specifically for the storage of cleaning materials, employees' clothing and personal belongings (AS 4674-2004, Section 5.1).

### 71. Roller Door

The drum of a roller door situated in the food preparation area must be enclosed in a frame, sheeted with compressed cement with a smooth and sealed finish. The enclosure must be accessible for pest control inspection and maintenance (AS 4674-2004, Section 2.1.5).

### 72. Hot Water Service

The hot water service must be positioned at least 75 mm clear of the adjacent wall surfaces, and mounted at a minimum 150 mm above the floor level on a non-corrosive metal stand. The hot water system must be of adequate size to enable a sufficient amount of hot water to all washing facilities throughout the working day (AS 4674-2004, Section 4.3).

#### 73. Office Materials

Facilities for storing paperwork and other materials associated with the administration of the business must be in a designated room for office use or in an enclosed cupboard or drawer dedicated for that use (AS 4674-2004, Section 5.1.3).

## 74. Construction of the Waste Storage Areas and Rooms

The waste storage area/room must be provided with smooth and impervious surfaces (walls and floors) and coved at the intersection of the floor and walls. Floor areas must be graded and drained to a floor waste gully connected to the sewer. Waste storage rooms must be well ventilated and proofed against pests. The area or room must be provided with water service hose connectors to enable easy cleaning.

Open waste storage areas must be appropriately covered and bunded to avoid stormwater entering the sewer. The ground areas must be paved with impervious material and must be graded and drained to a waste water disposal system according to Sydney Water's requirements. A hose tap connected to a water supply must be provided (AS 4674-2004, Section 2.4).

# 75. Waste and Recycling Storage, Collection and Disposal

The business operator must enter into a commercial waste contract agreement for regular waste and recycling collection and disposal with a suitably licensed contractor. A copy of the waste agreement must be available for inspection upon request by Council.

All waste and recycling generated from the business are 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.

Waste bins that are placed out on a public place for collection must only be placed out for collection on the day of the collection after 6.00 pm and must be removed by 8.00 am the following day. Any residual waste left on the public place as a result of bin placement must be removed within undue delay by the food business operator.

# 76. Grease Arrestors

All grease arrestors must be located outside of where food and equipment is handled or stored. Access to grease arrestors for emptying must not be through an area where open food is handled or stored or where food contact equipment and packaging materials are handled or stored (AS 4674-2004, Section 2.3).

Documentation supplied by Sydney Water regarding evidence of the trade waste agreement must be provided to the certifying authority prior to issue of an Occupation Certificate.

Please contact Sydney Water for information and requirements for grease arrestors by calling 13 20 92.

### 77. Food Safety Supervisor

Food businesses selling ready-to-eat potentially hazardous foods are required by law to appoint a Food Safety Supervisor that has undertaken food safety training at a registered training organisation approved by the NSW Food Authority.

# 78. Food Preparation Sink

A food preparation sink is required where foods are prepared by immersion in water including for cleaning fruit or vegetables. All food preparation sinks must be used only for the preparation and cleaning of food. The sink is in addition to the hand basin and equipment wash sinks (AS 4674-2004, Section 4.1).

#### 79. Store Room

The storeroom must be constructed in accordance with AS 4674-2004 by providing the following:

- a. A smooth, even and non-slip floor surface
- b. Walls must be provided with a smooth, even surface and painted with a light coloured washable paint to enable easy cleaning in accordance with Table 3.2 of AS 4674-2004
- c. The ceiling must be constructed with a rigid, non-absorbent, smooth faced material free from open joints, cracks and crevices and be painted with a light coloured washable paint. The intersections of the walls and ceiling must be tight-jointed, sealed and dustproof (AS 4674-2004, Section 3.2)
- d. Shelving or storage racks must be designed and constructed to enable easy cleaning
- e. Appropriate ventilation must be provided (ducted to the external air) within the store room to allow for the escape of heat and odour that can be produced from refrigeration and freezer motor units.

### 80. Odour and Noise Control

No odour nuisance, to the public or any adjoining premises, shall be created by the operation of any plant or equipment or any procedures carried out at the premises.

No noise nuisances shall be caused through the operation of any plant or equipment at the premises. Noise generated from the premises must not exceed the limits as specified in the NSW Industrial Noise Policy.

# 81. Ongoing Use

The ongoing operation of the food premises in relation to the fitout, fixtures, equipment installed and construction must be maintained in a manner to ensure compliance with the Food Act 2003, Food Regulations 2015, Food Standards Code Australia and New Zealand and Australian Standard 4674-2004: Design, construction and fitout of food premises.

# **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 1.1. 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 2 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. Provision of Equitable Access

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

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

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

#### Advice 4. Covenants

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

## Advice 5. Asbestos Warning

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

www.environment.nsw.gov.au www.nsw.gov.au/fibro www.adfa.org.au www.workcover.nsw.gov.au

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

#### Advice 6. Smoke Free Environment Act

Nothing in this consent is to be taken to imply that the development meets the requirements of the *Smoke Free Environment Act* 2000 (SFEA2000) or the *Smoke Free Environment Regulations* 2007 (SFER2007). In the event that the occupier wishes to facilitate smoking within any enclosed public place of the premises (in accordance with clause 6 of the SFER2007), the occupier must first contact NSW Department of Health to ensure that the design and construction of the area proposed to facilitate smoking fully complies with the requirements of the SFEA2000 and the SFER2007.

### Advice 7. Bonds and Bank Guarantees

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

# Advice 8. Dial before you Dig

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

### Advice 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.

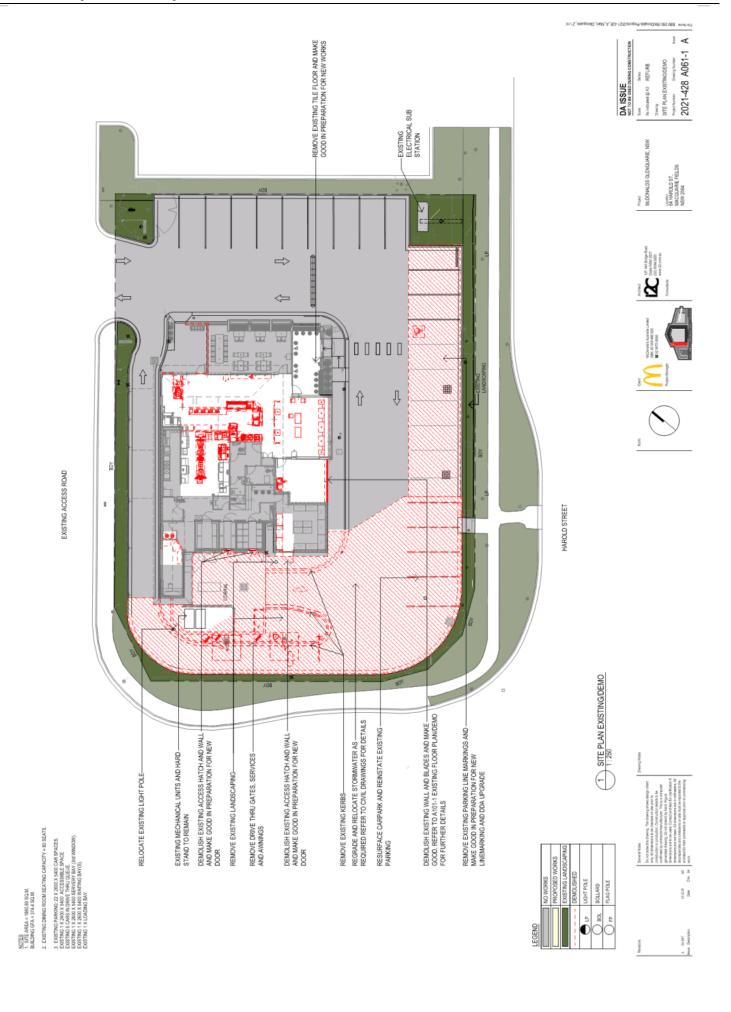
Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity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

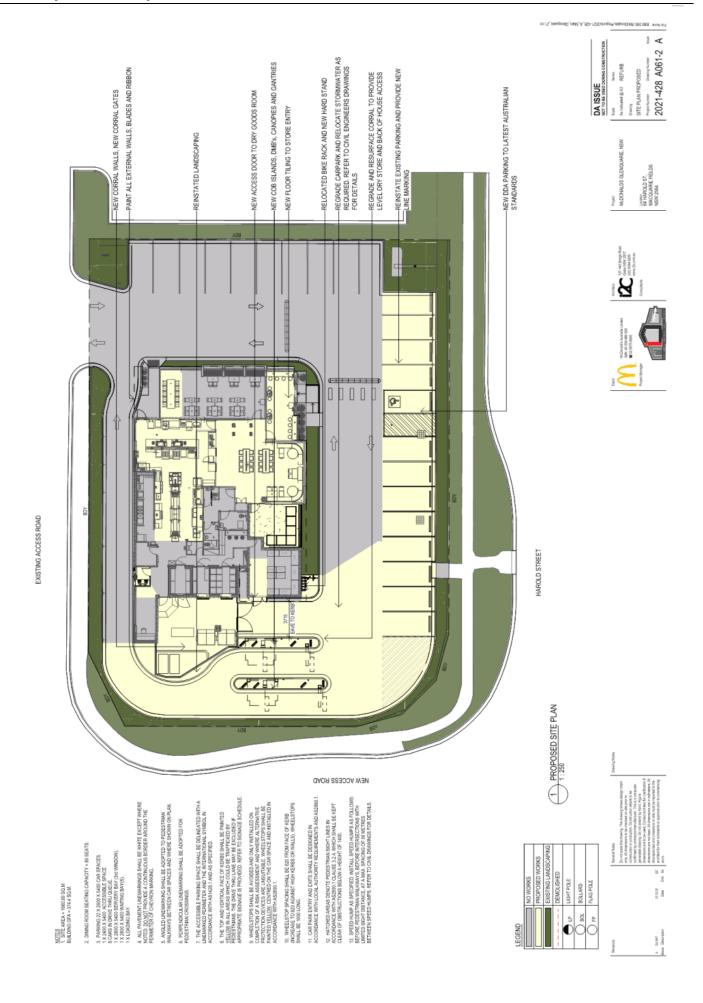
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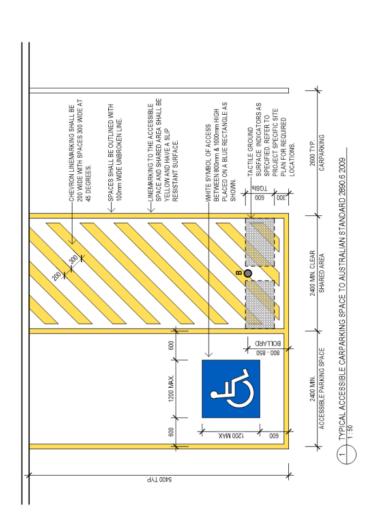


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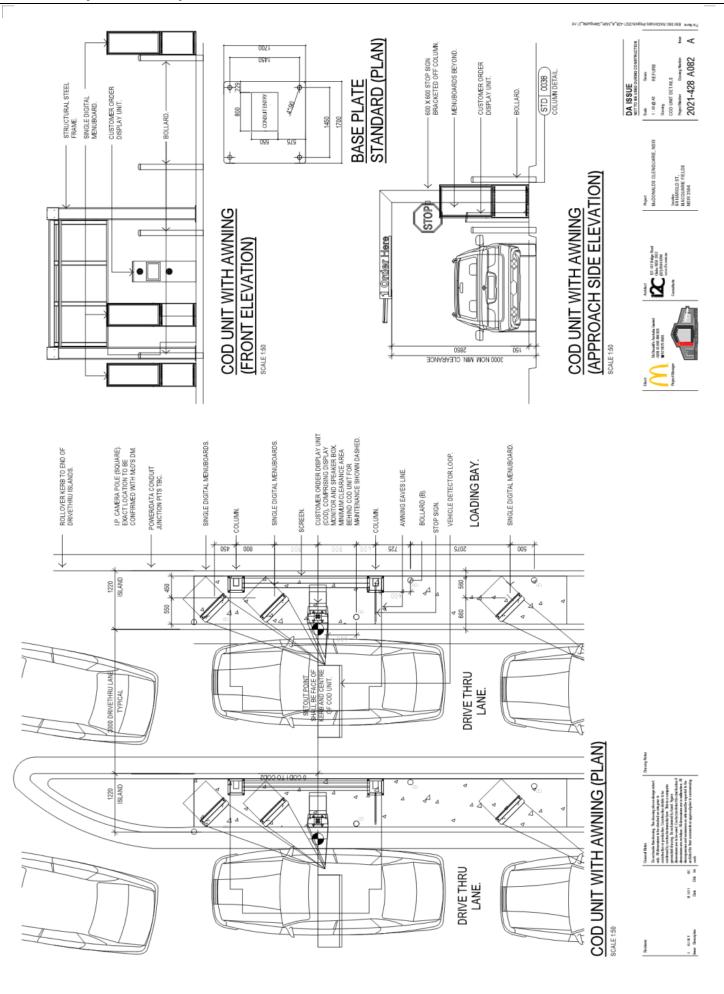




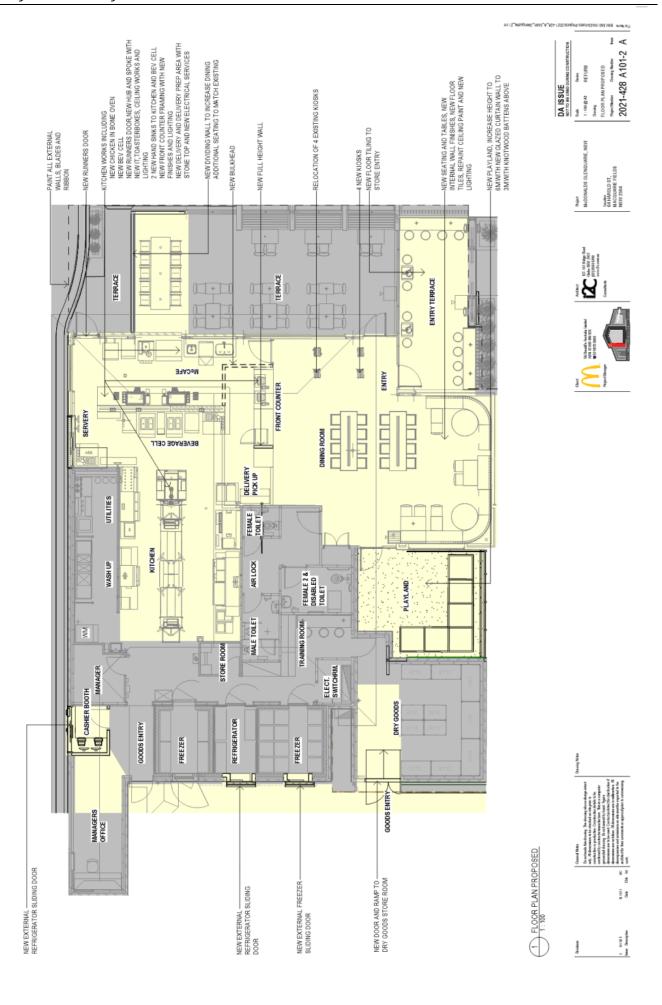


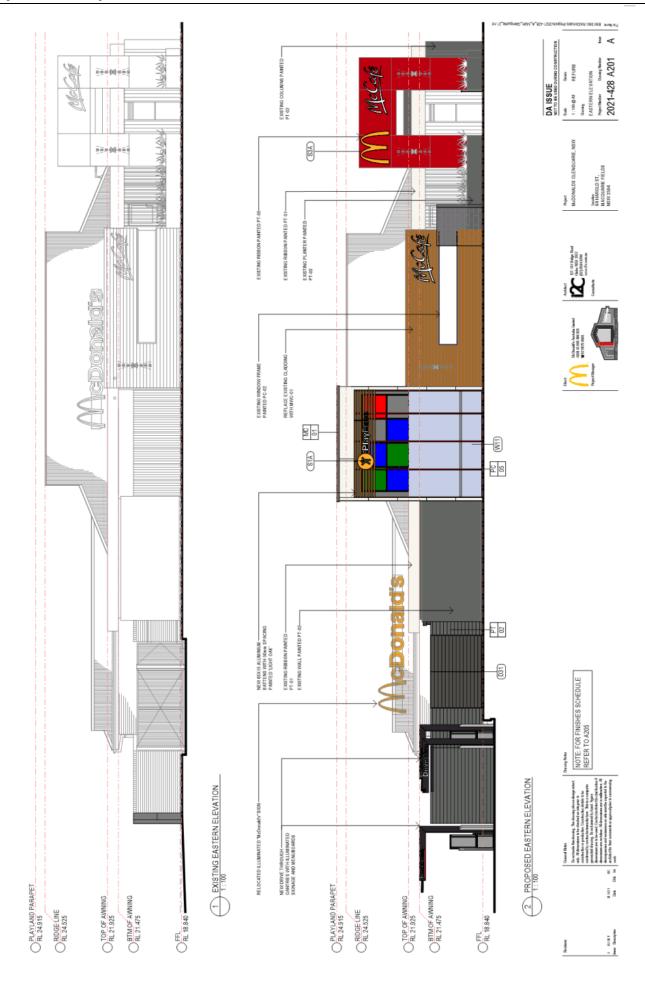
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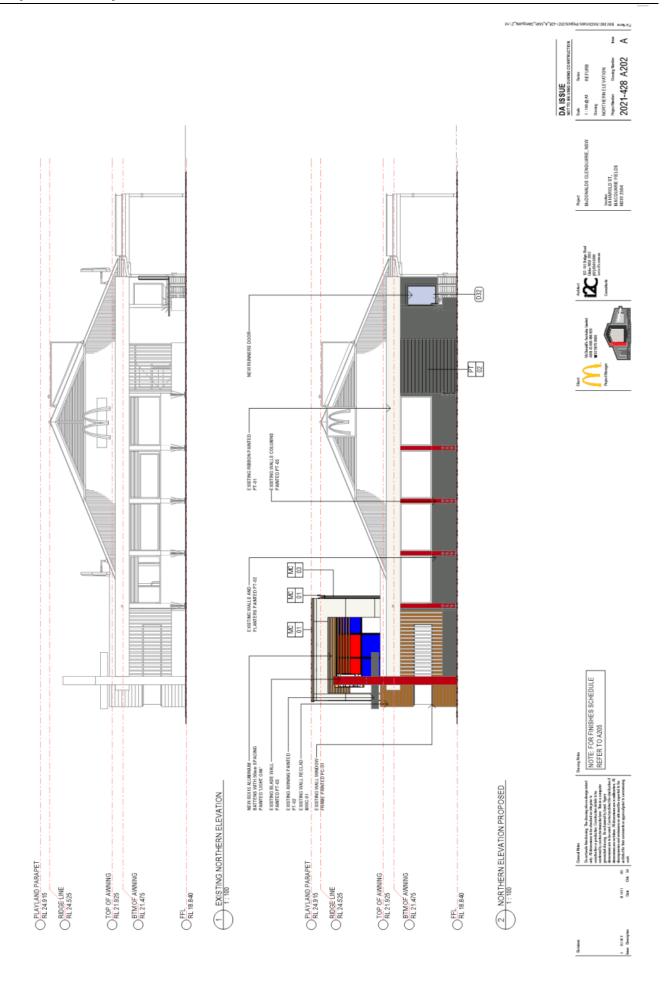


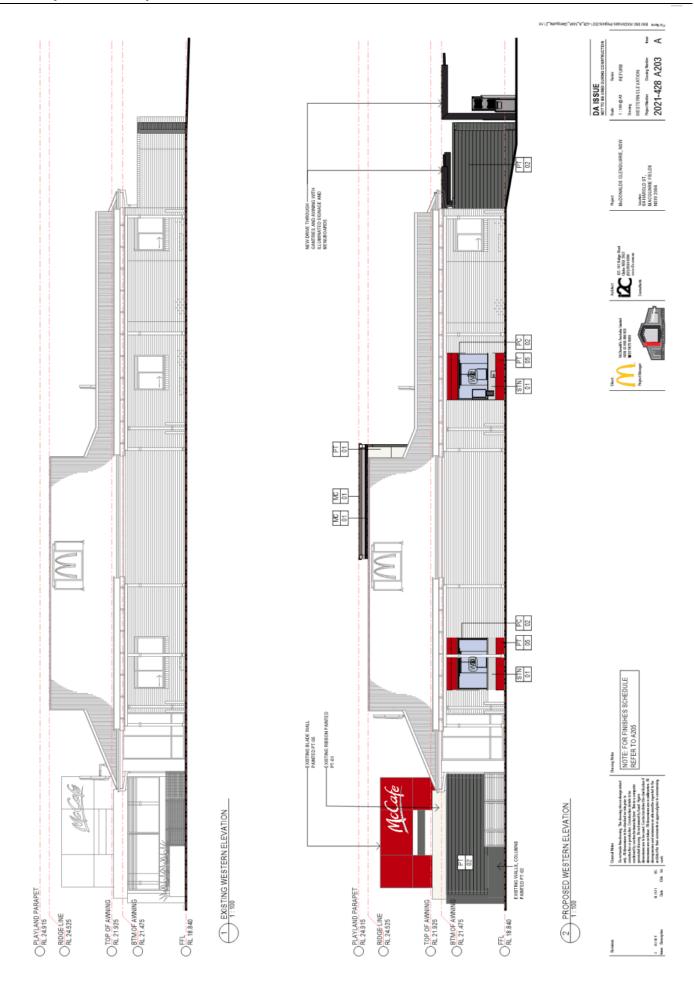












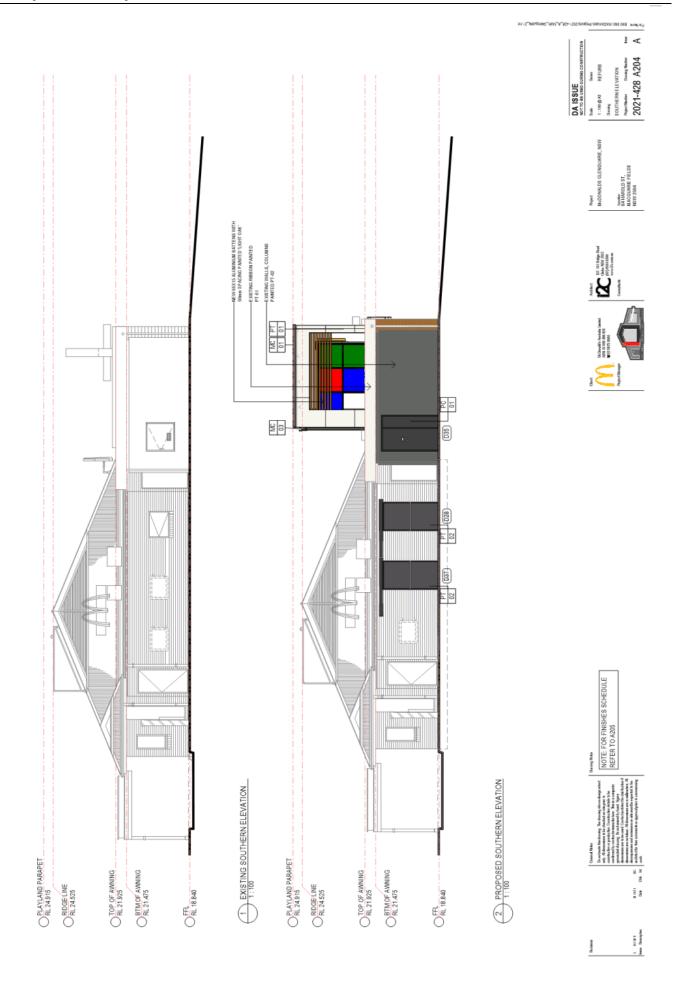
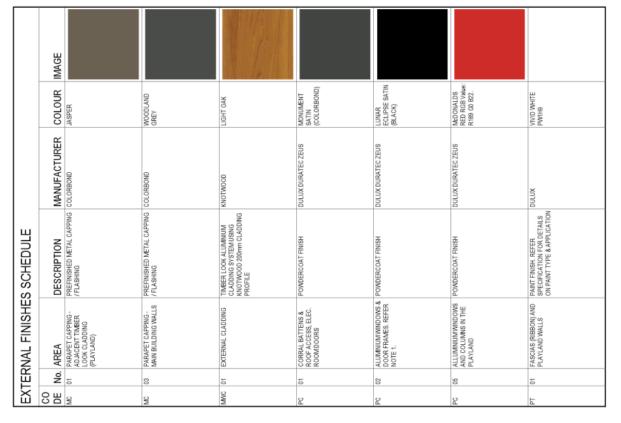


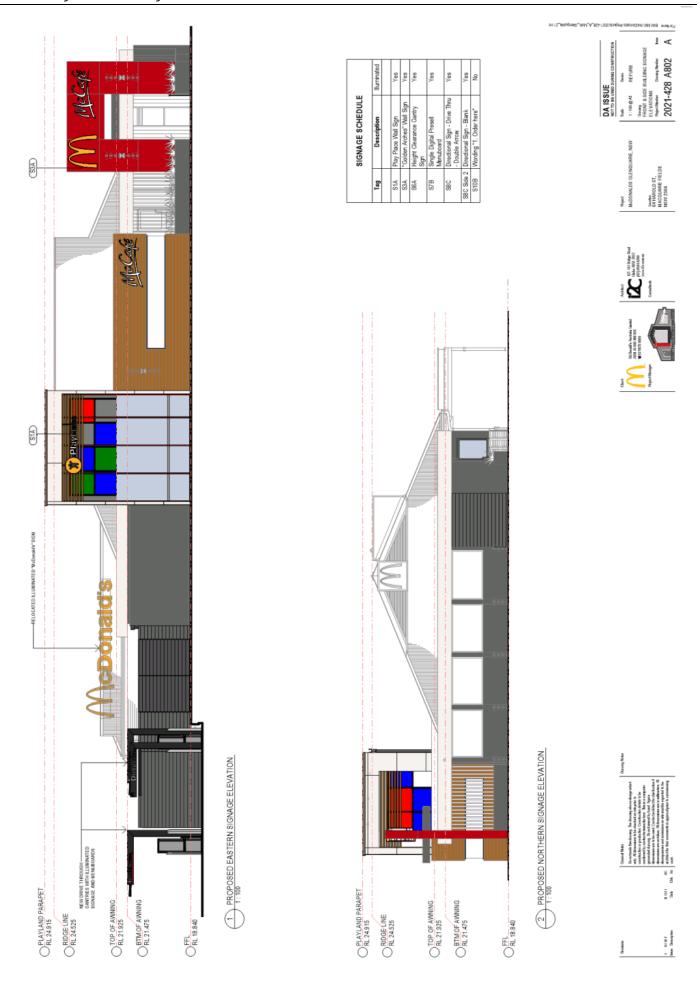
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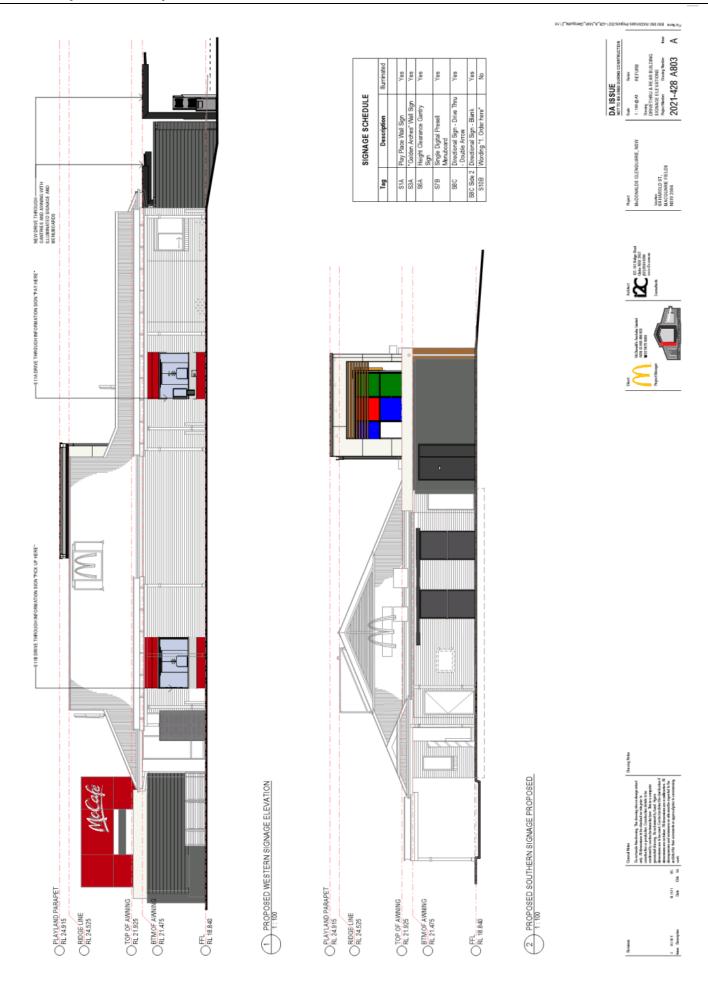


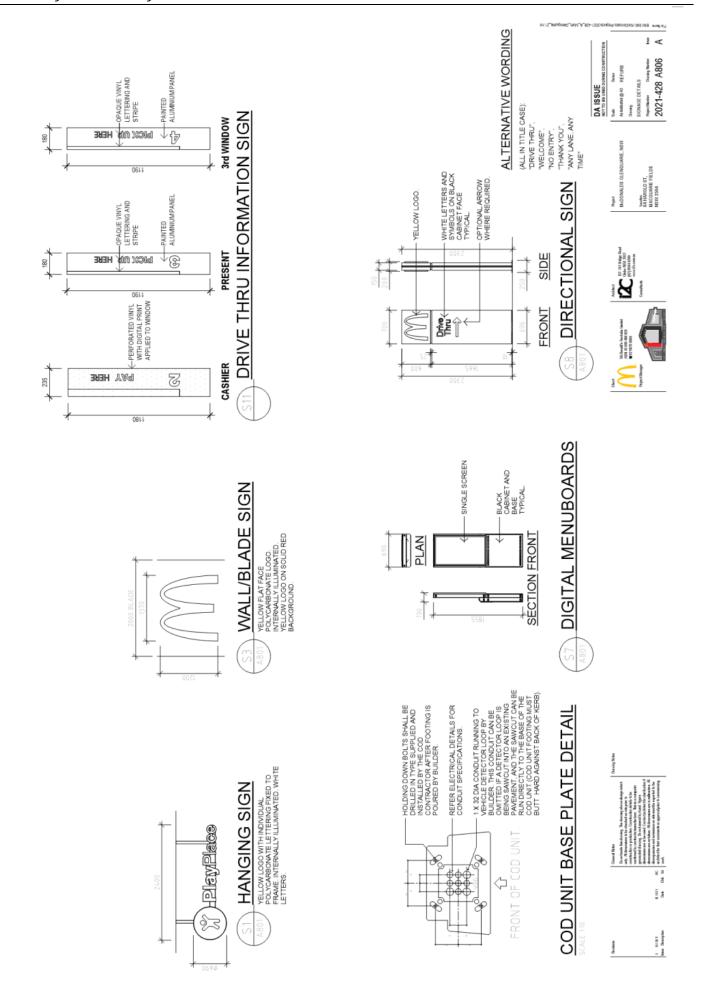


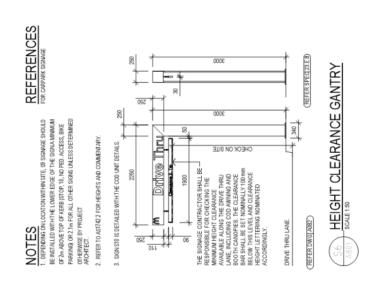


Item 4.2 - Attachment 2

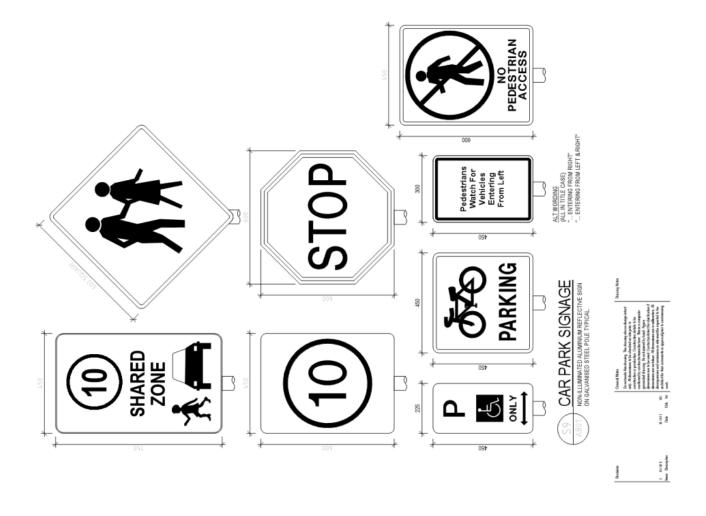


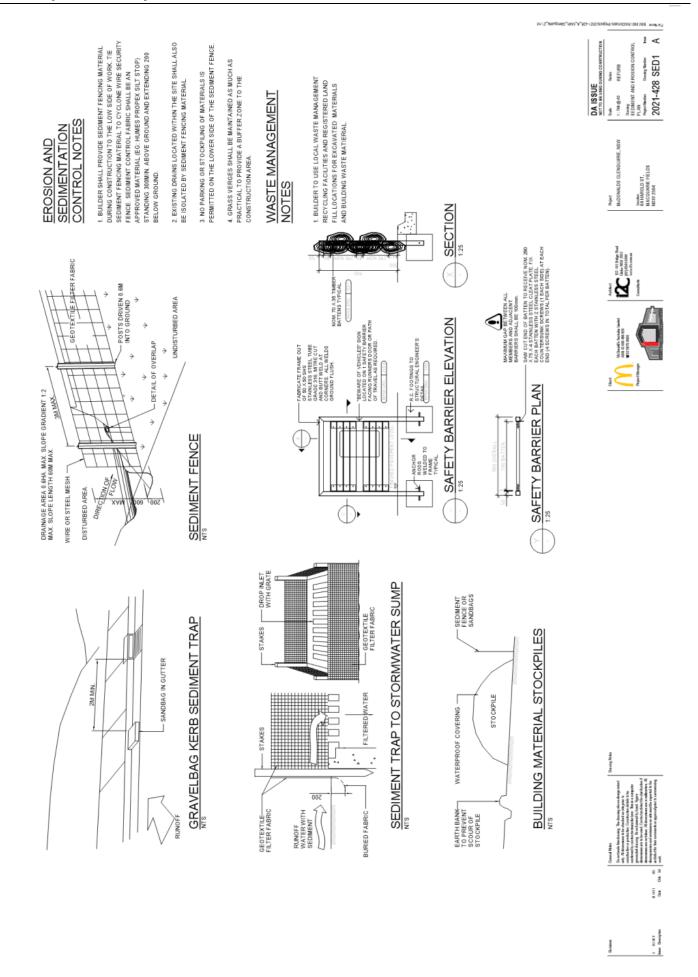














# 4.3 Development Application for bulk earthworks, retaining walls, drainage works and vehicular entry and exit points - 68 Blaxland Road, Campbelltown

# **Community Strategic Plan**

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.2 - Ensure that service provision supports the community to achieve and meets their needs

### Referral criteria

In accordance with section 4.8 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the Local planning Panel's direction, this development application is to be determined by the Campbelltown Local Planning Panel as prescribed in Schedule 1 of that direction due to the proposed development occurring on land owned by Council.

# **Executive Summary**

- The Development Application (DA) subject of this report, seeks development consent for the carrying out of bulk earthworks and the construction of retaining walls, drainage works and associated vehicular access points.
- The DA relates to land legally described as Lot 2412 in Deposited Plan 1252979, known as 68 Blaxland Road, Campbelltown (the Site).
- The Site is owned by Campbelltown City Council.
- The Applicant is Premise NSW Pty Ltd.
- The Site is zoned IN2 Light Industrial Zone under the provisions of the Campbelltown Local Environmental Plan 2015 (CLEP 2015).
- The DA was publicly notified and exhibited between 3 March, 2022 and 1 April, 2022. No submissions were received.
- An assessment under Section 4.15 of the *Environmental Planning and Assessment Act,* 1979 has been undertaken and it is recommended that the DA be approved subject to the conditions of consent listed in attachment 1.

# Officer's Recommendation

That Development Application 3467/2021/DA-CW for the carrying out of bulk earthworks and the construction of retaining walls, drainage works and associated vehicular access points at 68 Blaxland Road, Campbelltown (Lot 2412 in DP 1252979) be approved subject to the conditions in attachment 1.

# **Purpose**

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

**Property Description** Lot 2412 in DP 1252979, 68 Blaxland Road, Campbelltown

**Application No** 3467/2021/DA-CW

**Applicant** Premise NSW Pty Ltd

**Owner** Campbelltown City Council

**Provisions** State Environmental Planning Policy (Resilience & Hazards) 2021

State Environmental Planning Policy (Transport and

Infrastructure) 2021

State Environmental Planning Policy Precincts - Western

Parkland City)(SEPP WPC) 2021

State Environmental Planning Policy (Biodiversity and

Conservation) 2021

Campbelltown Local Environmental Plan 2015

Campbelltown (Sustainable City) Development Control Plan 2015

Campbelltown 2027

**Date Received** 17 December 2021

# **History**

### 2321/2018/DA-S

The Development Application for subdivision that created the subject land was approved by Campbelltown Local Planning Panel at its meeting on 28 November 2018. The approved subdivision also identifies a right of carriageway to access an existing Council waste collection point and service access to the Bow Bowing drainage canal.

# 2147/2021/PL-DA

A Pre DA meeting application (2147/2021/PL-DA) was lodged with regard to the proposed development. A meeting was held on 4 August 2021, with the Applicant being provided comments on the Proposal.

### Site and Surrounds

The land subject of this Development Application (DA) is legally described as Lot 2412 in Deposited Plan 1252979, and is known as 68 Blaxland Road, Campbelltown (the Site).

The Site is currently vacant and is owned by Campbelltown City Council.

The Site is triangular in shape with a north-east (side) boundary measuring 117.945 m, southwest (side) boundary measuring 153.415 m and north-west (front) boundary measuring 94.285 m.

The Site has an area of 6330 m<sup>2</sup> and falls towards the rear in a southerly direction.

The Site is located between a concrete batching plant to its North-East, and the Council owned 'Bunnings' site to its South-West. A service station is in operation on the opposite side of Blaxland Road.

The wider locality includes the Blaxland Road commercial/industrial corridor, Farrow Road carpark to Campbelltown Station and Blair Athol residential subdivision.

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



Figure 1: Locality map

# **Proposal**

The DA subject of this report, seeks development consent for the carrying out of bulk earthworks and the construction of retaining walls, drainage works and associated vehicular access points (the Proposal).

The Proposal includes the following works:

- Bulk earthworks;
- Construction of a retaining wall with a maximum height of 1.76 m;
- Stormwater management works comprising a swale, piped outlet and headwall to Bow Bowing Creek;
- Partial width reconstruction of Blaxland Road including construction of a 2.5 m wide shared pathway to complete the existing share pathway to the north and south; and
- Construction of entry and exit points to the Site from Blaxland Road.

# Report

The report provides an assessment of the application against the relative legislative requirements.

# 1. Vision - Campbelltown 2027

Campbelltown 2027 is the Community Strategic Plan for the City of Campbelltown. The Strategic Plan addresses 4 key strategic outcomes that Council and other stakeholders will work to achieve over the next 10 years:

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

Outcome 3 is considered most relevant, and the Proposal would assist in achieving Outcome 3.

The strategies most relevant to this application are as follows:

- 3.2 Ensure that service provision supports the community to achieve and meets their needs.
- 3.4 Retain and expand existing businesses and attract new enterprises to Campbelltown, offering opportunities for a diverse workplace including professional, technology and knowledge based skills and creative space.

The Proposal is consistent with these strategies.

# 2. Planning Provisions

# Clause 4.14 Environmental Planning and Assessment Act 1979

The Site is identified as Vegetation Category 3 on the bushfire prone land map. However as the Proposal only relates to civil works and driveway crossovers, a bushfire risk assessment report is not considered to be required for the proposed development.

### Clause 4.46 Environmental Planning and Assessment Act 1979

The proposed works are located within 40 m of the Bow Bowing Creek to the South-East of the Site. Therefore, the application is considered to be "Integrated Development" pursuant to section 4.46 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), with approval required under the *Water Management Act 2000* (WM Act) as it involves works within 40 m of an existing watercourse, was publicly exhibited for more than 28 days and was referred to the Department of Planning and Environment on 8 June 2022.

### Clausen 4.15 Environmental Planning and Assessment Act, 1979

The Proposal 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.

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

# State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Resilience and Hazards) (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 land that is the subject of any development application is contaminated. An assessment of Clause 4.6 of SEPP RH is provided in table below.

# State Environmental Planning Policy (Resilience and Hazards) 2021

Requirement	Action	Response
Clause 4.6(1)  1. Is the development for a change of use to a sensitive land use or for residential subdivision?	a. Check if the DA proposes a new childcare centre, residential accommodation or residential subdivision.	The Proposal is primarily for civil works to enable future development of the Site.
Sensitive land use include residential, educational, recreational, child care purposes or hospital.	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 Site was created under a subdivision approved in 2018.
Clause 4.6(1)  2. Is Council aware of any previous investigation or orders about contamination on the land?	a. Is there any property information for any evidence of contamination information?	A search of Council's records for evidence of potentially contaminating activities was undertaken. No evidence was found of contaminating land activities having occurred on the land.  The applicant has submitted a report in relation to soil storage

# State Environmental Planning Policy (Resilience and Hazards) 2021

Requirement	Action	Response
		on the Site.
	b. Check for contamination information and planning certificates linked to the property.	A search of planning certificates linked to the property was undertaken. No evidence was found of contaminating land activities having occurred on the land.
Clause 4.6(1) 3. Do existing records held by Council show that a contaminating land activity has occurred on the land?	a. Check the approval for any potentially contaminating uses have been approved on the site.	A search of previous contaminated land uses approved on the Site was undertaken. No evidence was found of approved contaminated land activities having occurred on the land.
Clause 4.6(1) 4. Has the land previously been zoned for potentially contaminating uses?	a. Check if the land is currently zoned, or was zoned under the previous LEP, Rural, Industrial or Special Purposes for a contaminating use.  NB: if the proposal is industrial then you should answer no to this question.	The Campbelltown (Urban Area) Local Environmental Plan 2002 was the previous EPI that applied to the Site which was previously zoned 4(b)—Industry B.
Clause 4.6(1) 5. Is the land currently being used for a potentially contaminating use or is there any evidence of a potentially contaminating use on site?	a. Conduct site inspection to check for any obvious signs on the site or adjoining land of an industrial use, underground storage tanks, land filling, agriculture, chemical storage, dumping or unregulated building demolition (especially fibro material).	No evidence or signs of potentially contaminated materials were found during an inspection of the site.

The soil validation report submitted concludes the following with regard to the current soil surface:

Based on the assessment in the accessible part of the site, the in-situ surface soil (fill materials) on the site is considered unlikely to present a risk of harm to human health and/or the environment under a "commercial/industrial" for of development, and is therefore it is our opinion, the site is not impacted due to the temporary storage of soil stockpiles as a part of construction works of Bunnings Warehouse development in the adjoining western property.

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 (Transport and Infrastructure) 2021

The aim of chapter 2 of State Environmental Planning Policy (Transport and Infrastructure) 2021 (SEPP TI) is to facilitate the effective delivery of infrastructure across the State.

Clause 2.48 of SEPP TI relates to electricity and states:

### 2.48 Determination of development applications—other development

- (1) This clause applies to a development application (or an application for modification of a consent) for development comprising or involving any of the following—
  - (a) the penetration of ground within 2 m of an underground electricity power line or an electricity distribution pole or within 10 m of any part of an electricity tower,
  - (b) development carried out-
    - (i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or
    - (ii) immediately adjacent to an electricity substation, or
    - (iii) within 5 m of an exposed overhead electricity power line,
  - (c) installation of a swimming pool any part of which is—
    - (i) within 30 m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or
    - (ii) within 5 m of an overhead electricity power line, measured vertically upwards from the top of the pool,
  - (d) development involving or requiring the placement of power lines underground, unless an agreement with respect to the placement underground of power lines is in force between the electricity supply authority and the council for the land concerned.
- (2) Before determining a development application (or an application for modification of a consent) for development to which this clause applies, the consent authority must—
  - (a) give written notice to the electricity supply authority for the area in which the development is to be carried out, inviting comments about potential safety risks, and
  - (b) take into consideration any response to the notice that is received within 21 days after the notice is given.

There is no need for any undergrounding or relocation of existing electricity infrastructure. However, the Proposal includes ground level changes under existing overhead power lines, within the Site. A referral was undertaken to Endeavour Energy, and conditions of consent have been recommended in accordance the response from Endeavour Energy.

### State Environmental Planning Policy (Precincts - Western Parkland City) (SEPP WPC) 2021

The aims of Chapter 3 of this plan are to co-ordinate the release of land for residential, employment and other urban development uses across the North-West Growth Centre, the South-West Growth Centre, the Wilton Growth Area and the Greater Macarthur Growth Area.

The Site is located within the boundaries of the Greater Macarthur Growth Area, and is therefore subject to the provisions of SEPP WPC. Clauses 3.21 and 3.22 of SEPP WPC are relevant to the application and are discussed below.

SEPP WPC does not include a precinct plan for the Greater Macarthur Growth Area, and therefore Clause 3.21 of SEPP WPC is to be considered. In this regard, the Campbelltown Precinct Plan released under the Glenfield to Macarthur Urban Renewal Corridor Strategy (which is not a Precinct Plan for the purposes of the SEPP WPC but is rather a structure plan) indicates that the Site would be used for Employment. This implies that a future land use zoning of IN2 or B5 would apply. As the proposed development is for civil works, the proposed development would be consistent with the relevant precinct planning strategy.

Therefore, the Proposal is considered to be satisfactory with regard to Clause 3.21 of the SEPP WPC.

# State Environmental Planning Policy (Biodiversity and Conservation) 2021

The site on which the development is proposed is within the Georges River Catchment and thus this policy applies. The general aims and objectives of this plan are as follows:

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

### Campbelltown Local Environmental Plan 2015

The Site is zoned IN2 - Light Industrial under the CLEP 2015.

It is a requirement of clause 2.3 of the CLEP 2015 that the consent authority must have regard to the zone objectives when determining a development application.

The objectives for the IN2 Light Industrial zone are:

- a. To provide a wide range of light industrial, warehouse and related land uses.
- b. To encourage employment opportunities and to support the viability of centres.
- c. To minimise any adverse effect of industry on other land uses.
- d. To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- e. To support and protect industrial land for industrial uses.
- f. To enable non-industrial land uses that are compatible with and do not detract from industrial and warehouse uses or impact on the viability of existing centres.
- g. To ensure that any commercial, retail or other non-industrial development is not likely to adversely affect employment generating activities or opportunities.
- h. To facilitate diverse and sustainable means of access and movement.
- i. To maximise public transport patronage and encourage walking and cycling.

The Proposal is considered to be not inconsistent with these objectives.

# Clause 5.21 Flood Planning

This clause aims to minimise the flood risk to life and property associated with the use of land, allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change, avoid adverse or cumulative impacts on flood behaviour and the environment and enable the safe occupation and efficient evacuation of people in the event of a flood.

The consent authority must not grant consent unless it is satisfied that the development:

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

The Proposal has been designed to not have any adverse impacts on flood hazards and as such is considered to be satisfactory. Further assessment will be required in subsequent development applications for building works on the site.

### 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.

- (3) In deciding whether to grant development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters—
- (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,
- (b) the effect of the development on the likely future use or redevelopment of the land,
- (c) the quality of the fill or the soil to be excavated, or both,
- (d) the effect of the development on the existing and likely amenity of adjoining properties,
- (e) the source of any fill material and the destination of any excavated material,
- (f) he likelihood of disturbing relics,
- (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,
- (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

The Proposal seeks to provide a level building platform for future development and vehicular access from Blaxland Road. The proposed retaining walls to the south of the Site are considered to be acceptable and the scale of the proposed earthworks is not considered to detrimentally affect the ongoing and orderly use of adjoining properties. The Proposal is therefore supported subject to the draft conditions of consent being applied as outlined in attachment 1.

### 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.

This Proposal is primarily seeking approval for civil works that will prepare the site for a future development. In this regard, it is considered that essential services are not required at this stage, but will be a requirement of any future development of the Site.

As such, this clause is deemed satisfied.

# 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 following table summarises the relevant requirements and reports on the compliance of the Proposal with those requirements.

		Campbelltown (Sustainable Cit Control Plan 201	•
Part	Requirement	Proposed	Compliance
Part 2 Requireme	ents Applying to all Types of Developn	nent	
2.7 Erosion and	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 was submitted in support of the Proposal.	Yes
Sediment Control - Design Requirements	b) Site activities shall be planned and managed to minimise soil disturbance.	Proposed filling will be appropriately managed to minimised air pollution.	Yes, condition recommended
rioquii ememe	c) Catch drains or diversion banks shall be designed and constructed to divert water around any area of soil disturbance.	An Erosion and Sediment Control Plan was submitted in support of the Proposal.	Yes
	a) A Cut and Fill Management Plan (CFMP) shall be submitted with a development application where the development incorporates cut and/or fill operations.	A CFMP was provided for assessment.	Yes
2.8 Cut, Fill and Floor Levels	d) Development incorporating any cut or fill shall comply with the following requirements:  i) minimum cross fall of 1% to any adjoining waterway; and ii) batters to be no steeper than i2H:1V ('H' stands for the term 'horizontal distance' and 'V' stands for the term 'Vertical distance'; iii) batters to be no steeper than 6H:1V for public areas.	The grades of the batters are acceptable.	Yes
	e) All fill shall be 'Virgin Excavated Natural Material'	Fill to be conditioned.	Yes, condition

		Campbelltown (Sustainable Cit Control Plan 201	•
Part	Requirement	Proposed	Compliance
	(VENM).		recommended
	f) No fill shall be deposited in the vicinity of native vegetation.	No native vegetation on the Site.	N/A
2.10.2 Stormwater – Design requirements	a) A stormwater Drainage Concept Plan shall be prepared by a suitably qualified person, and submitted with all development applications, involving construction (except for internal alterations/fitouts), demonstrating to Council how the stormwater will be collected and discharged from the Site.	A stormwater management plan was provided with the application. The stormwater design was reviewed by Council's Development Engineer and relevant conditions of consent are recommended at attachment 1.	Yes
	b) The design and certification of any stormwater system shall be undertaken by a suitably qualified person.	Relevant conditions of consent have been recommended with regard to the proposed stormwater system.	Yes, condition recommended
	h) Stormwater collected on a development site shall be disposed of (under gravity) directly to the street or to another Council drainage system/ device.	A swale will be constructed on the Site to dispose of stormwater via a head wall to the concrete drainage channel at the rear of the Site.	Yes
	k) Stormwater run-off shall be appropriately channelled into a stormwater drain in accordance with Council's Engineering Design Guide for Development available from Council's website at www.campbelltown.nsw.gov.au.	Stormwater is directed into Council's stormwater system.	Yes
2.10.3 Stormwater Drainage – Design requirements	b) The stormwater concept plan shall include the following information as a minimum:  i) locations, layouts and sizes of stormwater pipes and pits; ii) minimum grades and capacity of stormwater pipes; and iii) existing and proposed easements, site contours and overland flow path/s.	The stormwater concept plan was reviewed by Council's Senior Development Engineer. Relevant conditions of consent have been recommended in attachment 1.	Yes, condition recommended
2.12 Retaining Walls	a) Any retaining wall that is not complying or exempt development	The Proposal includes retaining walls.	Yes

		Campbelltown (Sustainable Cit Control Plan 201	-
Part	Requirement	Proposed	Compliance
- Design requirements	as specified in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 shall be designed by a suitably qualified person.		
	b) In the case of retaining walls constructed to support proposed fill on an allotment, the following design criteria shall apply: i) No filling shall be permitted within 2 metres of any property boundary unless sufficient details are submitted to Council illustrating how privacy, overshadowing, stormwater management and access issues have been addressed to Council's satisfaction.	The proposed retaining walls on the boundary will support fill on the Site, however the Site is located in the industrial zone and therefore the retaining walls will not affect privacy, overshadowing or stormwater management.	Yes
	d) Any retaining wall shall not adversely alter surface flows to adjoining private land.	The proposed retaining wall will not affect adjoining land.	Yes
	e) Any retaining wall and associated structures shall be designed to be located wholly within the property boundary,	Retaining walls will be conditioned to be located wholly within the boundary.	Yes, condition recommended
	i) Retaining walls higher than 900mm shall be designed by a structural engineer and made from appropriate material.	A conditions of consent is recommended to address retaining wall design in attachment 1.	Yes, condition recommended
2.15.1 Waste Management Plan – Design requirements	a) A detailed 'Waste Management Plan' (WMP) shall accompany development applications for certain types of development/land uses, as detailed in Table 2.15.1 and for any other development that in the opinion of Council a WMP is required.	A WMP was not provided with the development application. However a condition of consent has been recommended in attachment 1 to require WMP to be prepared and submitted to the PCA for approval prior to the issue of a Construction Certificate.	Yes, condition recommended

# Part 7 - Industrial Development

Part 7 of the SCDCP aims to reduce the resultant environmental impacts of industrial development proposed within the Campbelltown Local Government Area.

		Campbelltown (Sustainable City Control Plan 2015	) Development
Part	Requirement	Proposed	Compliance
Part 7 Industri	al Development		
7.3 Car Parking & Access	k) Each site shall have a: i) Maximum of one ingress and one egress for heavy vehicles (combined or separated). ii) Each site may have an additional ingress/egress for cars (and other light vehicles).	The Proposal includes the construction of a driveway access and egress.	Yes
7.7.4 Stormwater and Drainage	a) All activities with the potential to pollute the stormwater system from a system failure shall be carried out within a covered and bunded area sited, designed and constructed to Council's satisfaction.	A swale will be constructed on the Site and stormwater connection will be provided to the concrete lined channel at the rear of the Site.	Yes
	c) Development shall not result in water run-off causing flooding or erosion on adjacent properties.	The proposed works are not expected to result in flooding to adjoining properties.	Yes
	d) Stormwater run-off shall be appropriately channelled into a stormwater drain in accordance with Council's Engineering Design Guide for Development available at Council's website at www.campbeltown.nsw.gov.au	The Site will have appropriate stormwater measures in place.	Yes

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

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

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

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

# Section 4.15(1)(b) The likely impacts of the development

Section 4.15(1)(b) of the EP&A Act requires Council to assess the Proposal'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 Proposal's potential impact on the natural and built environment is as follows:

- Access and transport and traffic
- Utilities
- Construction

# Access and transport and traffic

The Site has access via Blaxland Road, the Proposal also includes the construction of the kerb and gutter to Blaxland Road. Beyond the construction works, the Proposal would have no direct impact on Blaxland Road. However, future use and development of the Site could potentially have an impact and would need to be considered as part of any future Development Application.

### **Utilities**

The Site has existing electrical poles and wires along the eastern side boundary. The Proposal was referred to Endeavor Energy for comment with a response received on 13 April 2022, and conditions of consent have been recommended.

### Construction

The construction phase of the Proposal 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.

# Social, economic and environmental impacts

Having regard to social and economic impacts generated by the development, the Proposal facilitates and removes barriers to the further development of the site and in so doing potentially lead to the earlier delivery of increased employment opportunities in Campbelltown.

# 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 civil works would not impact upon the adjoining properties and will facilitate future development on the site.

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

# Section 4.15(1)(d) Any submissions

Section 4.15(1)(d) of the EP&A Act requires Council to consider submissions. The Site is identified as being Nominated Integrated Development pursuant to Clause 91 of the Water

Management Act 2000 and as such is required to be publicly exhibited for at least 28 days under the Regulations and notified to adjoining neighbours.

Public Exhibition of the development application was from 3 March 2022 to 1 April 2022 and no submissions were received.

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

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

In addressing the above, Council is satisfied that the Proposal is in the interest of the public.

### 5. Developer Contributions

The Proposal was referred to Councils Contribution Officer for comment, and a relevant condition of consent has been recommended in attachment 1.

### Conclusion

Development Application 3467/2021/DA-CW, which seeks approval for the carrying out of bulk earthworks and the construction of retaining walls, drainage works and associated vehicular access points at 68 Blaxland Road, Campbelltown (Lot 2412 in DP 1252979) has been assessed under the heads of section 4.15 of the *Environmental Planning and Assessment Act 1979*.

The assessment has found that the Proposal is consistent with the general intent of Campbelltown 2027 which outlines the long term vision for the Campbelltown and Macarthur Region. The proposed civil works are consistent with facilitating development on the Site, and those works are permissible within the IN2 Light Industrial zoning, those works are considered to generally support the objectives of the zone.

The Development Application has been assessed against the development standards of all relevant environmental planning instruments, the objectives outlined in the Campbelltown Local Environmental Plan 2015 and the relevant development controls of the Campbelltown (Sustainable City) Development Control Plan 2015. The DA has been found to be consistent with all of the relevant planning policies and standards, and as such the DA can be granted consent subject to the inclusion of the recommended conditions listed in attachment 1.

# **Attachments**

- 4.3.1 Recommended Conditions of Consent (contained within this report)
- 4.3.2 Plans (contained within this report)
- 4.3.3 Contour and Detail Survey (contained within this report)
- 4.3.4 CAA Exemption Letter (contained within this report)
- 4.3.5 Endeavour Energy (contained within this report)
- 4.3.6 Soil Validation Report due to size (125 pages) (distributed under separate cover)

# **Reporting Officer**

Executive Manager Urban Centres

# ATTACHMENT 1 3467/2021/DA-CW 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.

### Approved Development

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

Plan Detail	Job Number	Revision	Prepared by	Date
C001 Title Sheet and Site Locality	318062	2	Campbelltown City Council	11.11.21
C003 Existing Site Layout and Survey Control Lot	318062	2	Campbelltown City Council	11.11.21
C010 Retaining Wall Details	318062	2	Campbelltown City Council	11.11.21
C100 Site Regrading Plan	318062	2	Campbelltown City Council	11.11.21
C110 Bulk Earthworks Plan	318062	2	Campbelltown City Council	/ 11.11.21
C120 Site Sections	318062	2	Campbelltown City Council	/ 11.11.21
C200 Civil Works Plan	318062	2	Campbelltown City Council	11.11.21
C350 Driveway Longitudinal Sections	318062	2	Campbelltown City Council	/ 11.11.21
C351 Blaxland Road Kerb Longitudinal Section	318062	2	Campbelltown City Council	/ 11.11.21
C360 Driveways Typical Cross Section	318062	2	Campbelltown City	/ 11.11.21
C600 Stormwater Drainage Catchment Plan	318062	2	Campbelltown City Council	/ 11.11.21
C610 Stormwater Drainage Layout Plan	318062	2	Campbelltown City Council	/ 11.11.21
C620 Strowmater Drainage Long Sections	318062	2	Campbelltown City	/ 11.11.21
C630 Stormwater Pit Schedule	318062	2	Campbelltown City Council	/ 11.11.21
C900 Erosion and Sediment Control Plan	318062	2	Campbelltown City Council	/ 11.11.21
C950 Erosion and Sediment Control Figures	318062	2	Campbelltown City Council	/ 11.11.21

C1000	Transm	nission	318062	2	Campbelltown	City	11.11.21
Layout	Plan	and			Council		
Longitudir	nal Section	1					

Soil Validation ref. 20002/1-AA prepared by Geotechnique Pty Ltd.

# 2. Importation of Fill

a) All fill material imported to the site shall meet one of the definitions detailed the table below:

Defining Instrument	Definition	Where the material may be used
Protection of the Environment Operations Act, 1997	Virgin Excavated Natural Material	Any part of the site
Protection of the Environment Operations (Waste) Regulation 2014	The following resource recovery exemptions: Excavated natural material Foundry sand Recovered fines (provided no samples have a benzo(a)pyrene concentration exceeding 3 mg/kg 'dry weight')	Any part of the site
Protection of the Environment Operations (Waste) Regulation 2014	Special exemptions in relation to road projects	Only those parts of the site that are public road under the Roads Act, 1993.
N/A	Non-waste engineered construction materials	Any part of the site

- All fill material imported to the site is to be logged along with validation reports and chain of custody documentation. This information is to be made available to the EPA on request during works and the complete log and supporting information is to be provided to Council's Executive Manager Urban Centres prior to any further development of the site. In the case of non-waste engineered materials-receipts are to be retained in place of validation reports.
- c) At all times during land filling works the site is to be secured with construction fencing. All access points and road frontages are to be video monitored and recorded with records being maintained for the duration of works and at least 2 years after the completion of filling works.
- d) In the event of unauthorised dumping on the site or delivery of a contaminated load all works are to cease and the EPA is to be advised. Work may not resume until the contaminated material is removed to the satisfaction of a suitably qualified contaminated land consultant and written confirmation of this satisfaction is issued under this condition.
- e) The site is to be surveyed prior to commencing filling works and at the conclusion of these works. If the filling operation takes more than 6 months to complete then the site is to be surveyed every 6 months during works. The survey must be undertaken by a registered surveyor and provided to Council's Executive Manager Urban Centres within 28 days of the survey being due.

- f) All filling works are to be undertaken in accordance with an environmental management plan including (without limitation):
  - 1. Security Arrangements
  - 2. Illegal dumping and contaminated load management
  - 3. On site testing and quality control
  - 4. Site surveying
  - 5. Traffic control
  - 6. Operating hours
  - 7. Communication with neighbours and affected residents
  - 8. Reporting to Council
- g) An Environmental Management Plan shall be prepared in accordance with condition 2(f) and submitted to Council's Executive Manger – Urban Centres for written approval prior to the issue of a Construction Certificate.

In this condition 'Suitably qualified contaminated land consultant' means a person who possesses one or more of the following accreditations:

- o Certified Environmental Practitioner (Site Contamination) with the Environment Institute of Australia and New Zealand (CEnvP (SC)); and
- A Certified Professional Soil Scientist with specialist certification in Contaminated Site Assessment and Management with Soil Science Australia (CPSS CSAM); and
- An EPA Accredited Site Auditor under the Contaminated Land Management Act 1997.

### 3. 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).

### 4. 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.

### 5. Engineering Design Works

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

### 6. 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:

- 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.
- Shall not damage the structural integrity of Council's Assets including the drainage channel.

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.

### 7. Construction Certificate

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

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

### 8. Retaining Wall on Boundary

All retaining walls must be located wholly within the property, including footings and agricultural drainage lines. Construction of retaining walls or associated drainage work along common boundaries must not compromise the structural integrity of any existing structures within the site and on adjoining properties.

### 9. Protected Works

Electricity infrastructure without an easement is deemed to be lawful for all purposes under Section 53 'Protection of certain electricity works' of the Electricity Supply Act 1995 (NSW).

### 10. Safety Clearances

Any building or structure must comply with the minimum safe distances / clearances for the applicable voltage/s of the overhead power lines.

# 11. Vegetation Management

Landscaping must not interfere with electricity infrastructure.

### 12. Electrical Supply

To ensure an adequate connection, the applicant is required to engage an Accredited Service Provider (ASP) of an appropriate level and class of accreditation to assess the electricity load and the proposed method of supply for the development.

Depending on the intended future use of the site, an extension and / or augmentation of the existing local network may be required. Whilst there are a few existing distribution substations in the area which are likely to have some spare capacity, it is not unlimited and may not be sufficient to supply future development.

The minimum required safety clearances and controls for buildings and structures and working near overhead power lines must be maintained at all times. If there is any doubt whatsoever regarding the safety clearances to the overhead power lines, the applicant will need to have the safety clearances assessed by a suitably qualified electrical engineer / Accredited Service Provider (ASP).

Even if there is no issue with the safety clearances to the building and structures, consideration must be given to WorkCover (now SafeWork NSW) Work Near Overhead Power Lines Code of Practice 2006' eg. ordinary persons must maintain a minimum safe approach distance of 3.0 metres to all voltages up to and including 132,000 volts / 132 kV.

### 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.

### 13. 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.

### 14. Waste Management Plan

Prior to Council or the appointed Principal Certifier issuing a construction certificate, a Waste Management Plan shall be prepared in accordance with Volume 1 of the Campbelltown (Sustainable City) Development control plan to the satisfaction of the Principal Certifying Authority.

# 15. 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 to the appointed Principal Certifying Authority for approval.

The SWMP must clearly identify site features, constraints and soil types together with the nature of the proposed land disturbing activities and also specifies the type and location of erosion and sediment control measures. In addition rehabilitation techniques that are necessary to deal with such activities should be referred to.

The SWMP must take into account the requirements of Landcom's publication Managing Urban Stormwater - Soils and Construction (2004) thus ensuring the following objectives are achieved, namely:

- a. minimise the area of soils exposed at any one time,
- b. conserve topsoil for reuse on site,
- c. identify and protect proposed stockpile locations,
- d. preserve existing vegetation and identify revegetation techniques and materials.
- e. control surface water flows through the development construction site on a manner that:
  - i. diverts clean run-off around disturbed areas.
  - ii. minimises slope gradient and flow distance within disturbed areas.
  - iii. ensures surface run-off occurs at non-erodible velocities.
  - ensures disturbed areas are promptly rehabilitated.
- f. trap sediment on site to prevent off site damage. Hay bales are not to be used as sediment control devices. To ensure regular monitoring and maintenance of erosion and sediment control measures and rehabilitation works until the site is stabilized (includes landscaping).
- g. specifies measures to control dust generated as a result of construction activities on site.
- h. temporary sediment ponds must be fenced where the batter slope exceeds 1 vertical to 5 horizontal,
- i. design scour protection for the 10 year ARI event at all inlet and outlet structures.
- j. including measures to prevent the tracking of sediment off the site

# 16. Stormwater Management Plan

Prior to Council or appointed Principal certifier issuing a construction certificate, a plan indicating all engineering details and calculations relevant to site regrading and the collection and disposal of stormwater from the site, building/s and adjacent catchment, shall be submitted for approval.

### 17. Telecommunications Infrastructure

- 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.

### 18. 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.

### 19. Section 7.12 Contributions

### Contribution

The developer must make a monetary contribution to Campbelltown City Council in the amount of **\$6,509.95** for the purposes of the Local Infrastructure identified in the Campbelltown Local Infrastructure Contributions Plan 2018 (the Plan).

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 is based on a proposed cost of carrying out the development of \$650,995.01 indexed to the quarter immediately prior to the date of this consent (\$643,500.00 indexed to Dec 2021). This cost (and consequently the monetary contribution) must be indexed between the date of this consent and the date of payment in accordance with the following formula:

Indexed development cost (\$)=	\$C <sub>0</sub> X Current CPI		
indexed development cost (\$)=	Base CPI		

### Where:

- \$C<sub>0</sub> is the original development cost estimate as indexed to time of determination.
- Current CPI is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics at the time of the quarter immediately prior to the date of payment.
- Base CPI is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics at the quarter ending immediately prior to the date of lodgment of the development application.

### Time for payment

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

### 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.

# 20. Civil Works under S138 Roads Act

Prior to Council or appointed Principal certifier issuing any construction certificate, a S138 Roads Act application, including payment of plan assessment and inspection fees shall be lodged with Campbelltown City Council for construction of stormwater drainage system, vehicle crossings in Blaxland Road.

A 1.2m wide concrete footpath must be constructed along the road frontage of Lot 2412 DP 1252979, connecting two existing council footpaths. This work must be carried out at the developer's expense, including all alterations of public infrastructure where necessary.

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,
- b. traffic management plan,
- c. provision of public risk insurance and,
- details of timing and length of works.

### 21. Retaining Wall Structural Engineer

Where a retaining wall exceeds 800mm in height, the wall must be designed by a practising structural engineer and a Construction Certificate must be obtained prior to the commencement of work on the retaining wall.

All retaining walls must be located wholly within the property, including footings and agricultural drainage lines. Construction of retaining walls or associated drainage work along common boundaries must not compromise the structural integrity of any existing structures.

# 22. Engineer Laybacks and Crossings

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 by Council or a Council approved contractor at the Developer's expense, including all alteration to public infrastructure where necessary.

### 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.

### 23. 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.

### 24. 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
- 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.

### 25. 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.

### 26. Trade Waste

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

### 27. 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.

## 28. 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.

## 29. Structural Engineer Details

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

# 30. 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.

All adequate and/or approved erosion and sediment control measures shall be fully installed/implemented.

# 31. Dilapidation Report

It is the applicant's responsibility to notify Council of any existing damage to public areas in the vicinity of the development site through the submission of a Dilapidation Report. The report must be supported with suitable photographic records. This information must be submitted to Council prior to the commencement of work.

# 32. 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 Principal 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,

- 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.

## 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.

## 33. 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.

#### 34. 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 will be issued for any non-compliance with this requirement without any further notification or warning.

#### 35. 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.

#### 36. 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.

## 37. 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.

## 38. 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.

## 39. Revegetation

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

## 40. 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 as amended
- Soils and Construction (2004) (Bluebook) and
- Relevant Australian standards and State Government publications.

# 41. Industrial / Commercial Driveway and Layback Crossing

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

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

## 42. 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.

# 43. Maintenance of Soil and Water Management Plan (SWMP)

The soil and water management controls must be maintained at all times during each stage of the development and checked for adequacy daily. The controls must not be removed until the development is completed and the disturbed areas have been stabilised.

Maintenance must include but is not limited to ensuring:

- all sediment fences, sediment traps and socks are properly placed and are working effectively and,
- b. drains, gutters and roads are maintained clear of sediment at all times.

Note: It is an offence under the *Protection of the Environment Operations Act* 1997 to allow soil or other pollutants to fall or be washed into any waters or be placed where it is likely to fall or be washed into any waters. Substantial penalties may be issued for any offence.

### 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.

# 44. 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.

# 45. CCTV footage verifying integrity of all new pipes and existing pipes

Prior to Council or an accredited certifier issuing an Occupation 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.

## 46. Stormwater Drainage

Works As Executed plans must be submitted to the appointed Principal Certifying Authority by a registered surveyor certifying compliance with the approved design plans in relation to all drainage works. The Works As Executed dimensions and levels must be shown in red on a copy of the approved Construction Certificate plans. The plans must verify surface level of constructed paved areas, surface and invert levels on all pits, invert levels and sizes of all pipelines. All levels must relate to Australian Height Datum.

#### **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.
- 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. Dial before you Dig

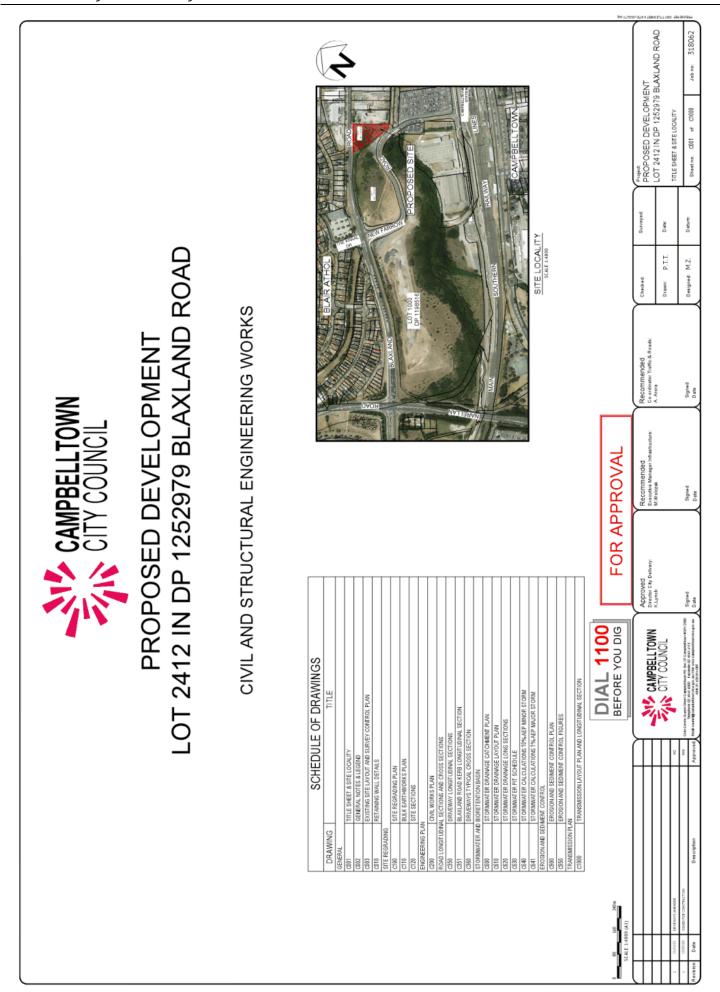
Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law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

# Advice 4. Telecommunications Act 1997 (Commonwealth)

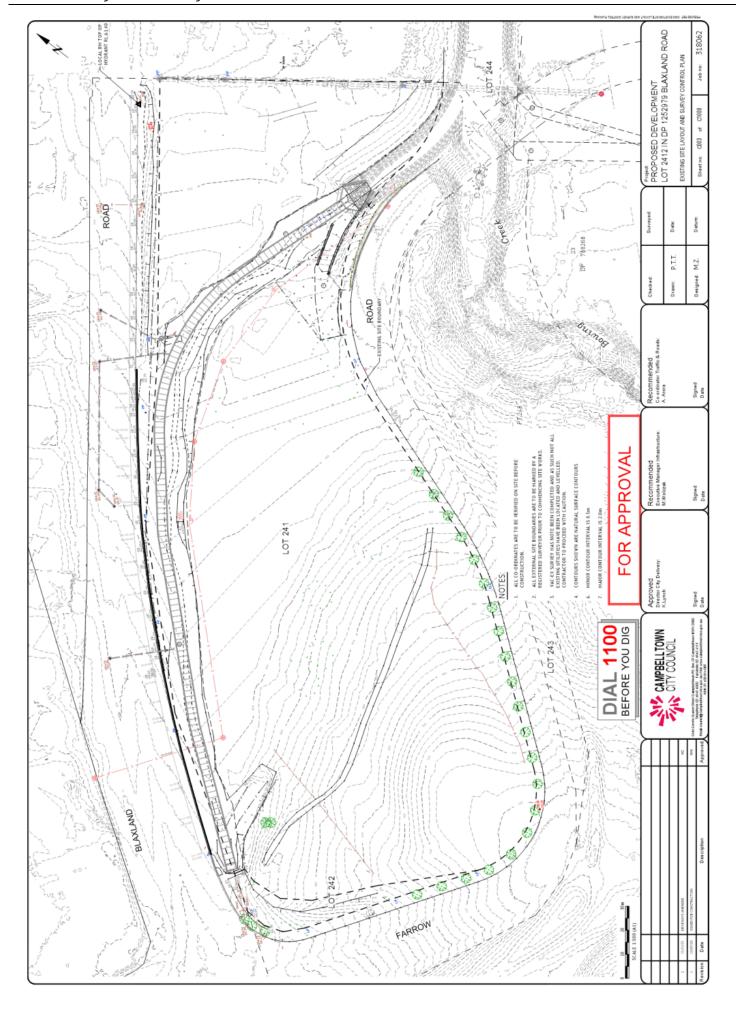
Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any persons interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution.

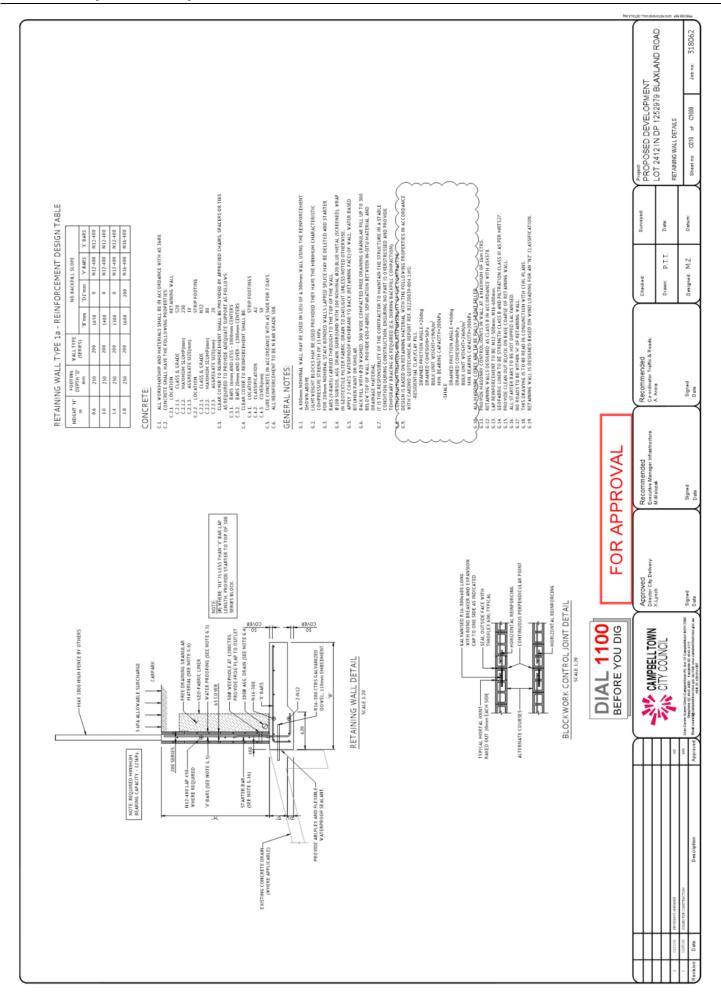
Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity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

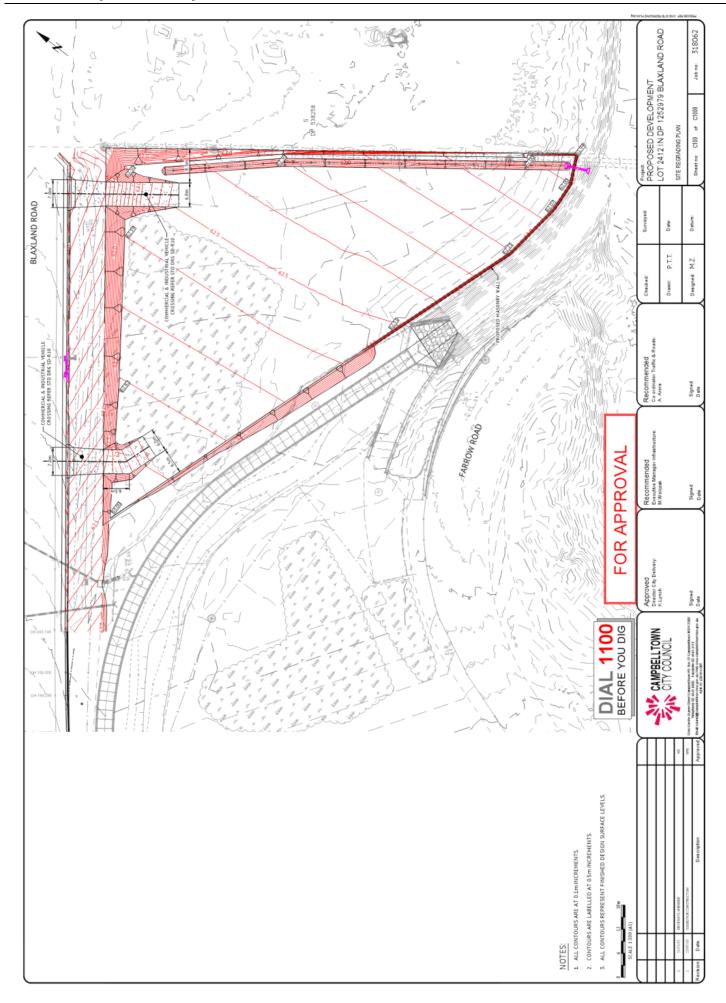
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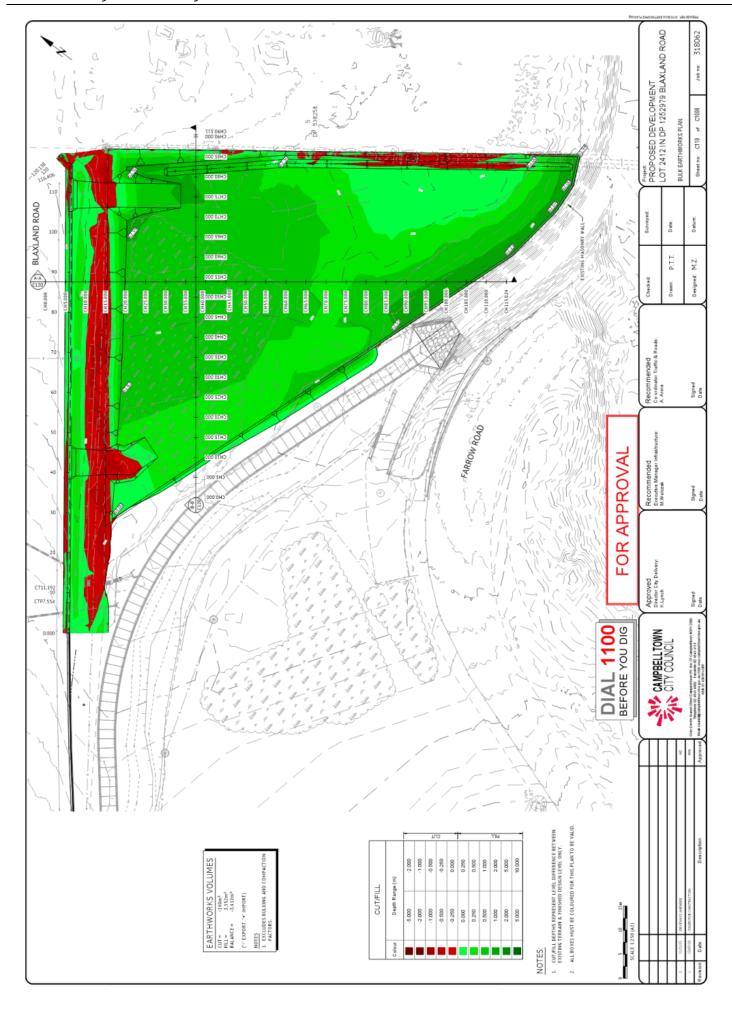


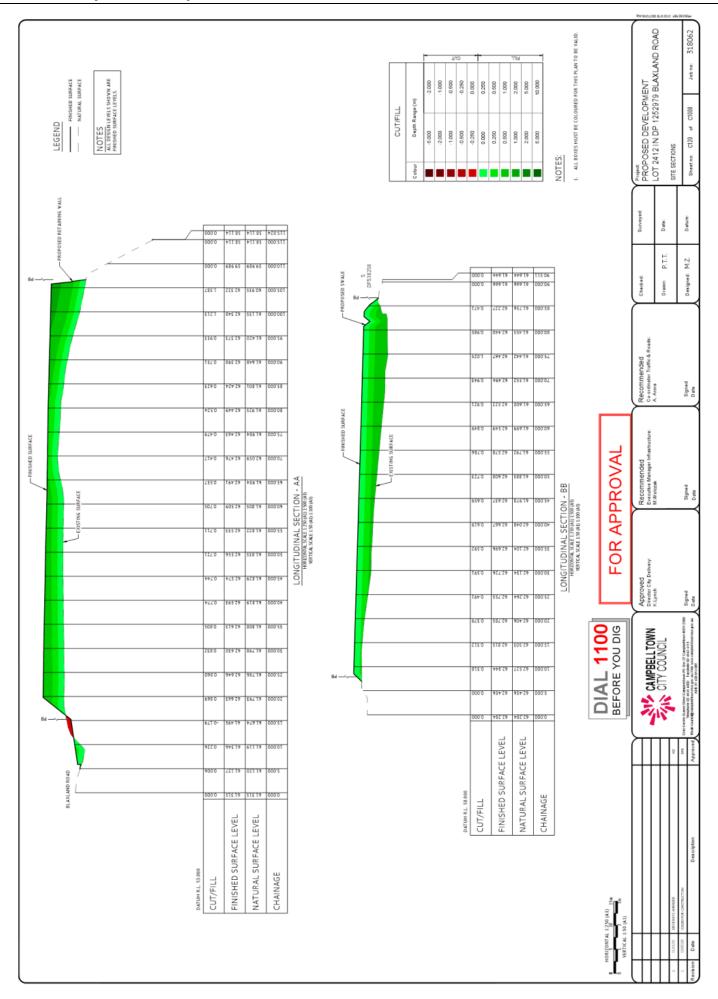
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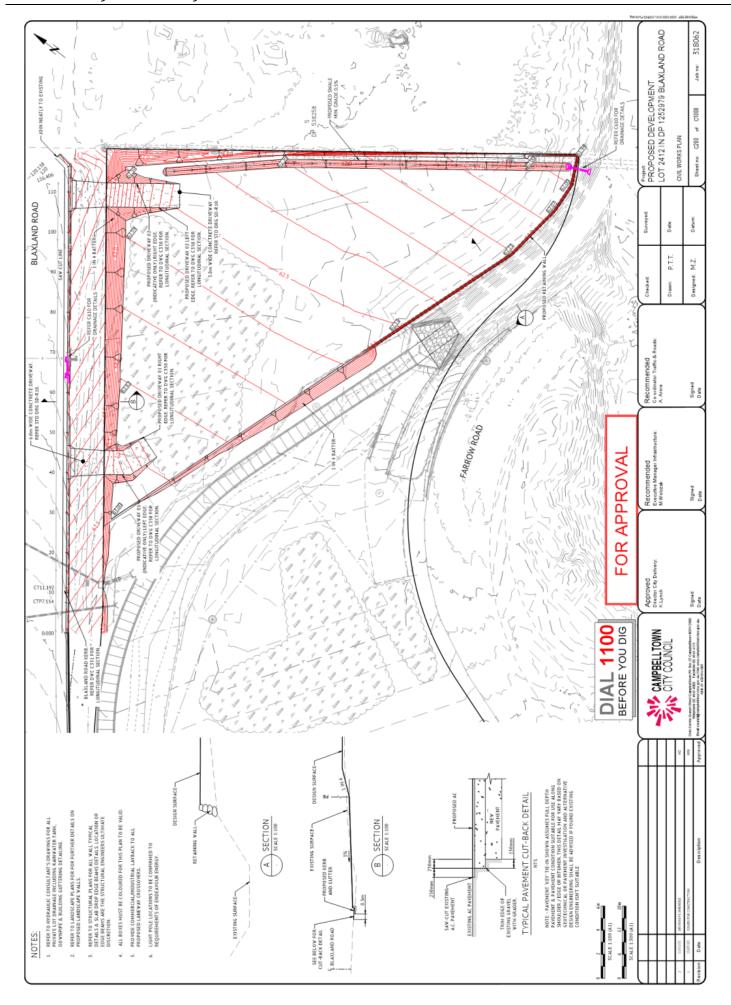


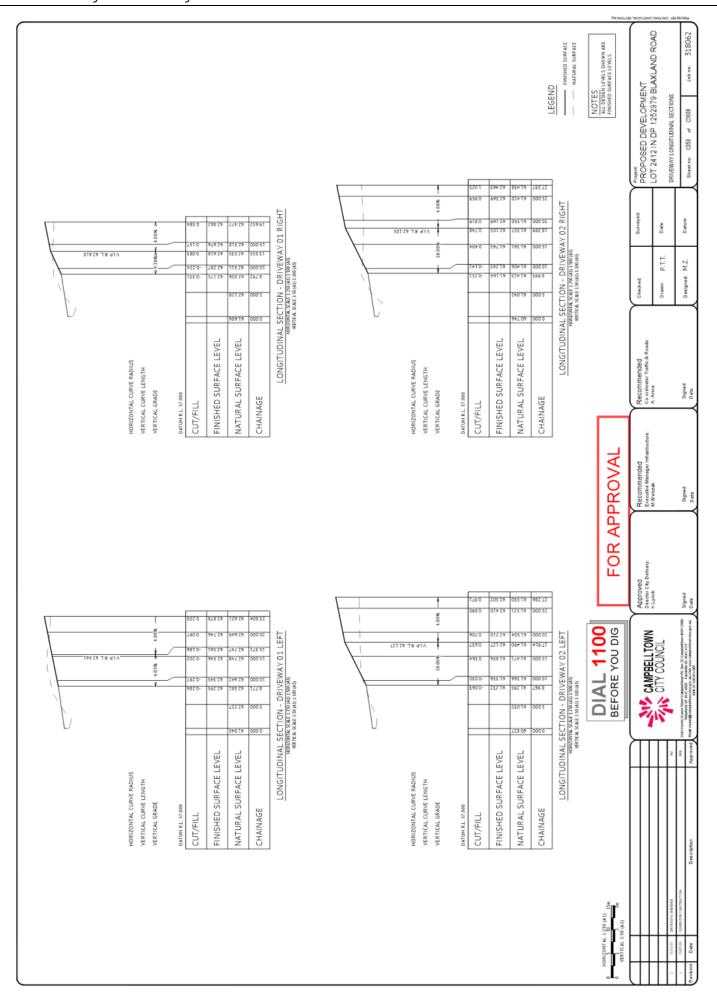


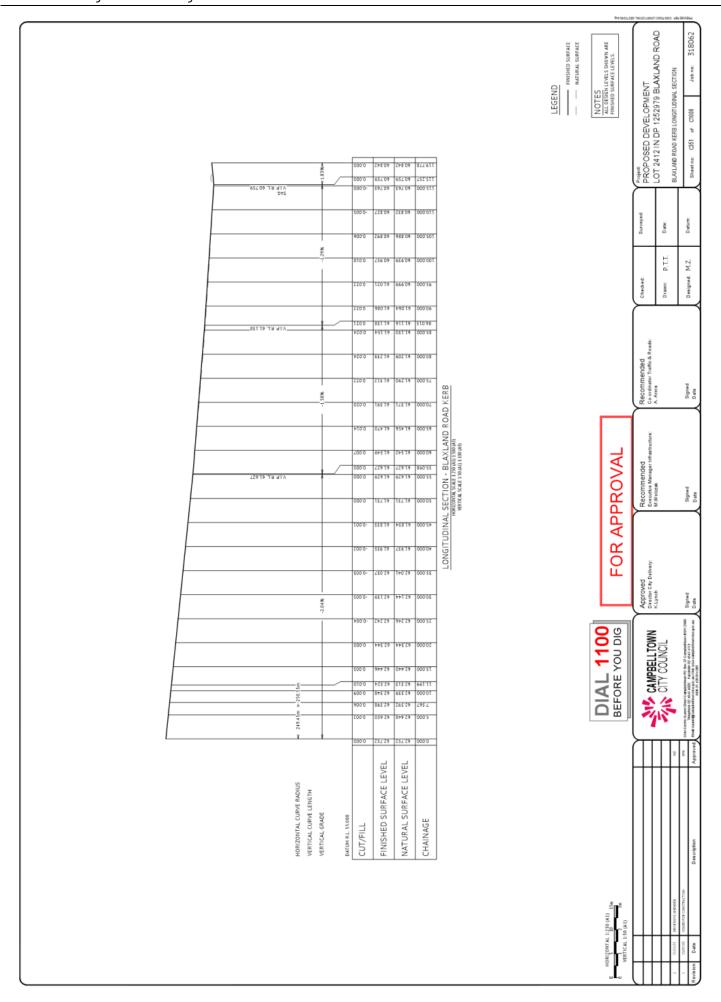


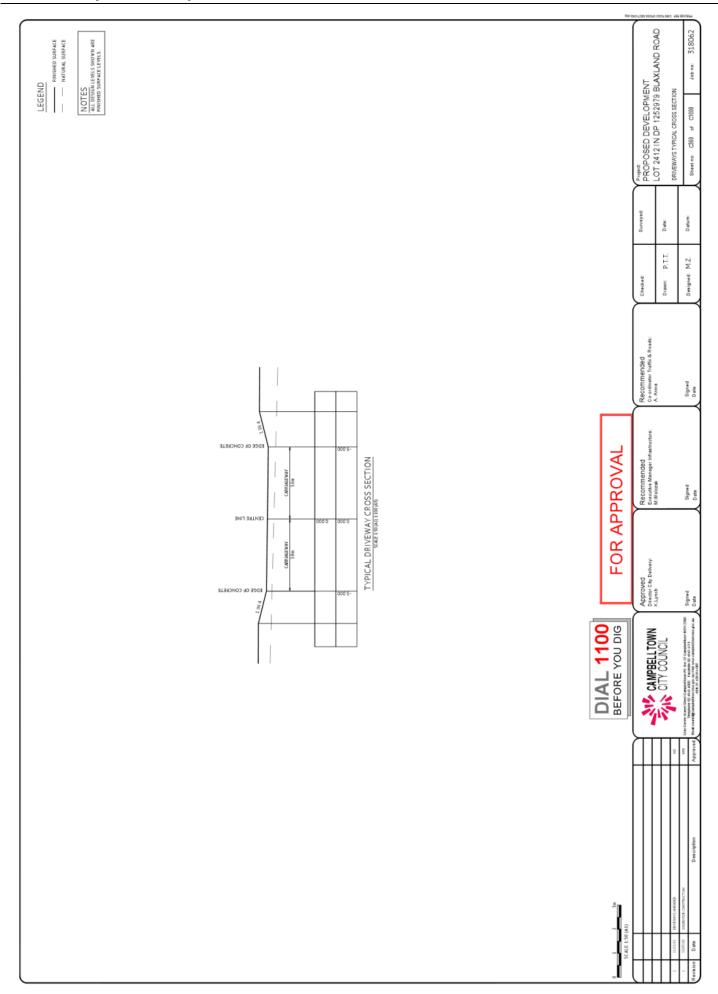


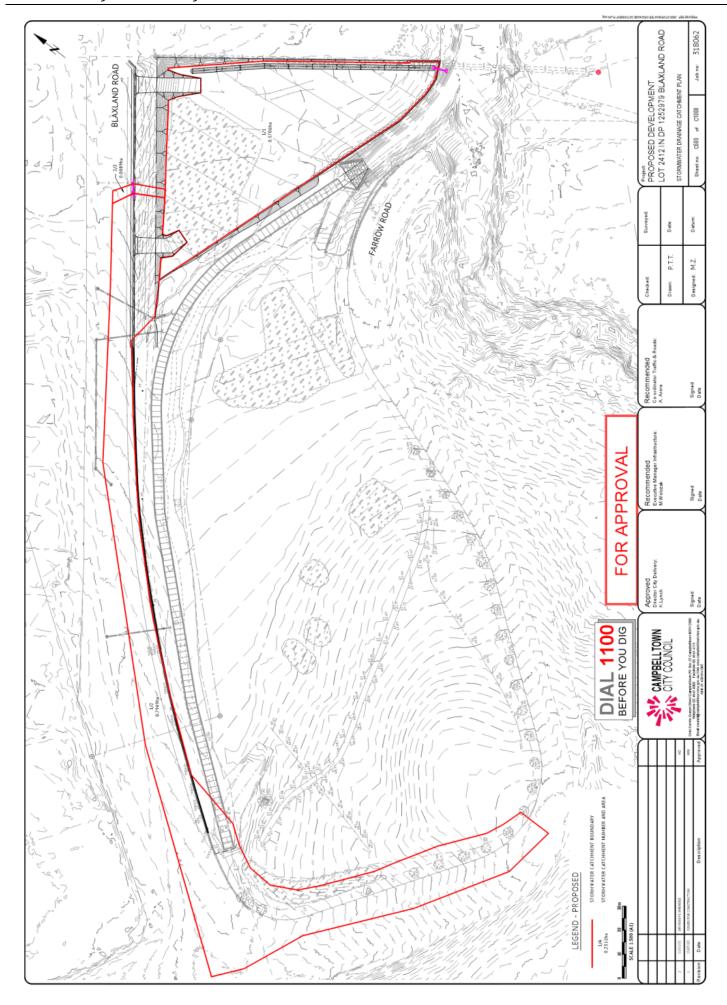


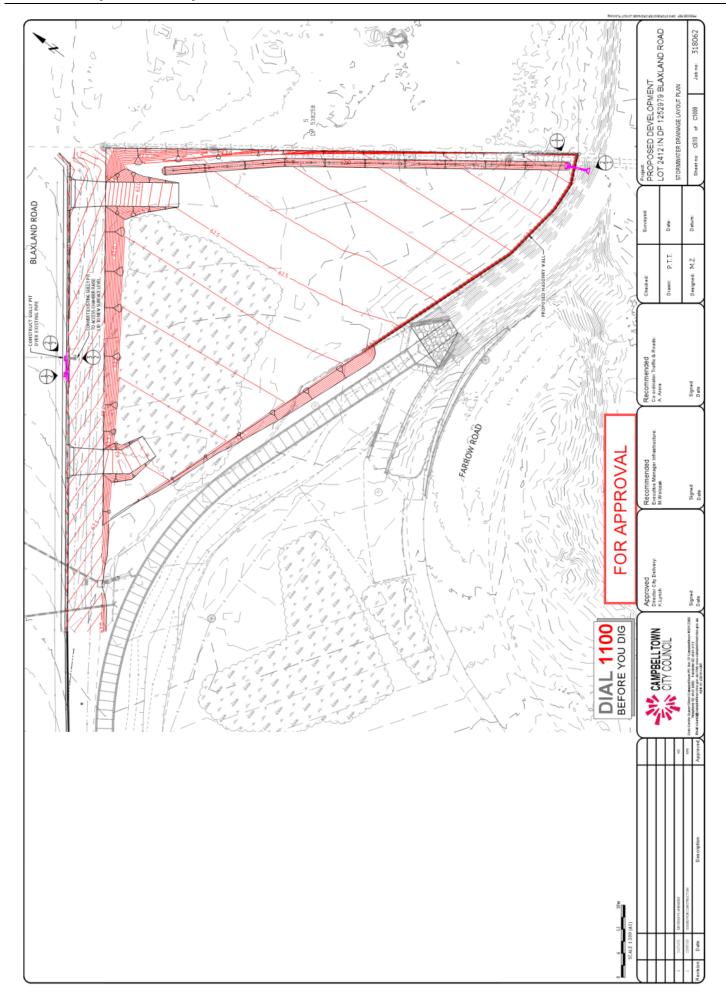


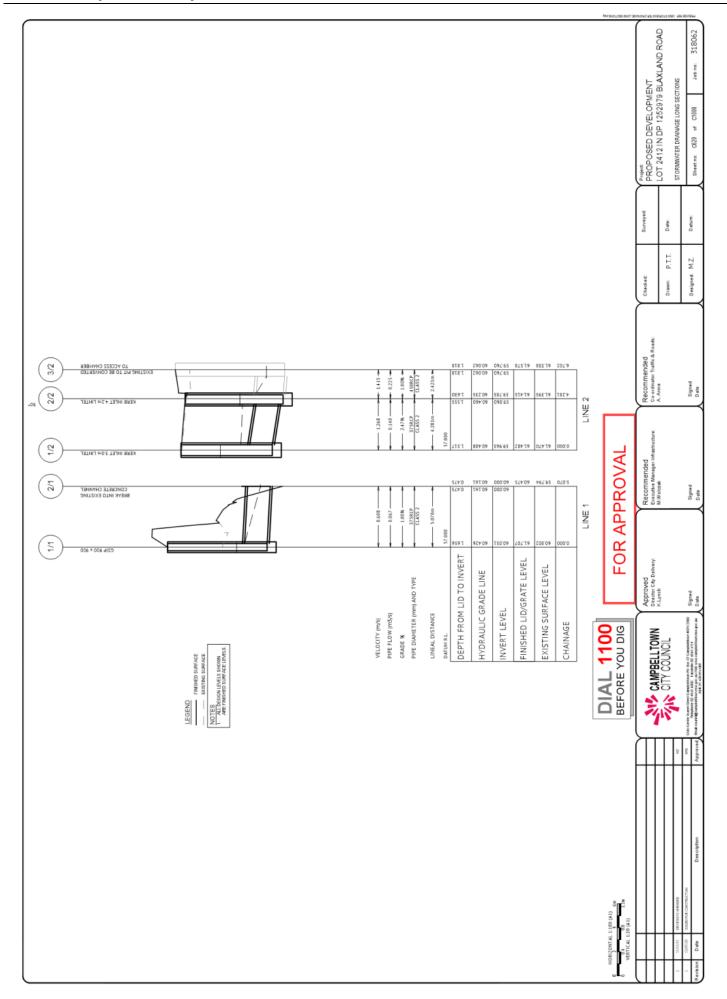


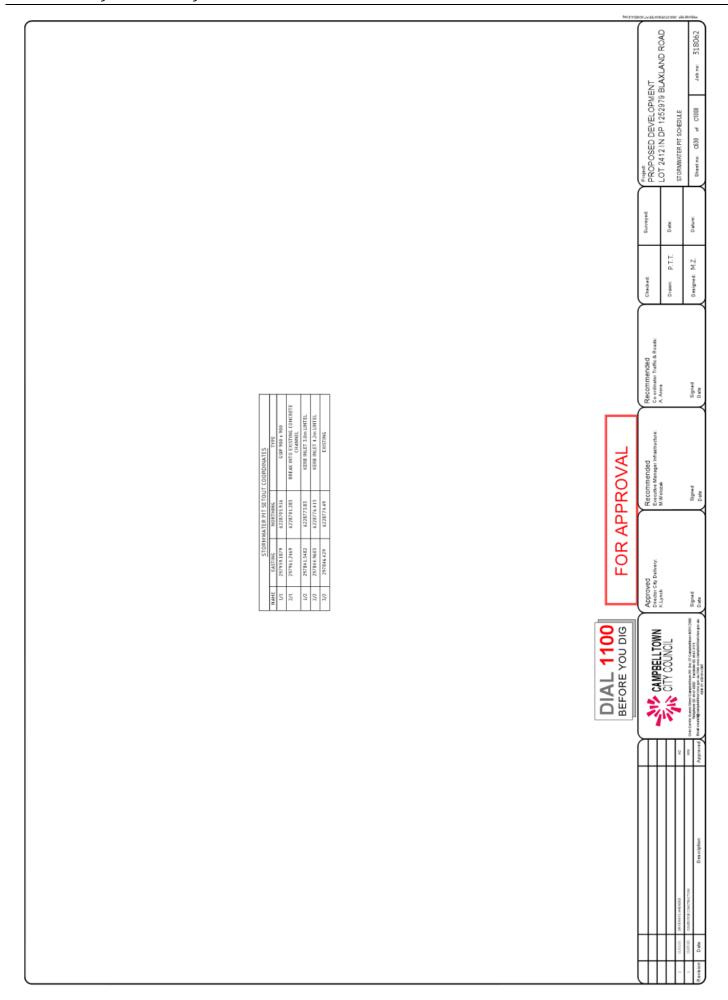


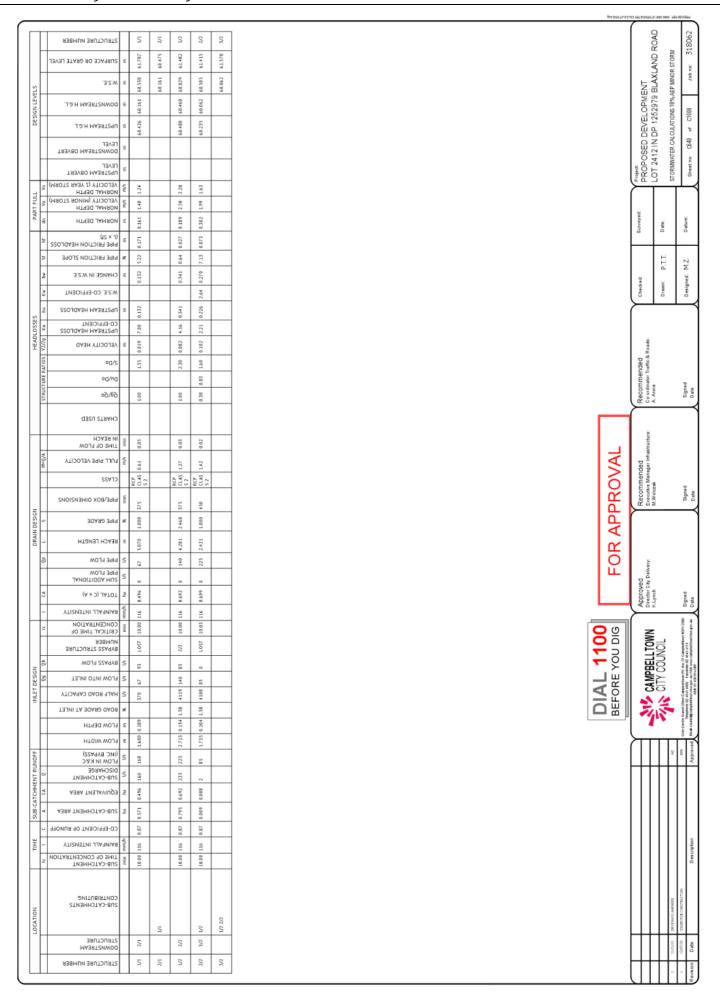


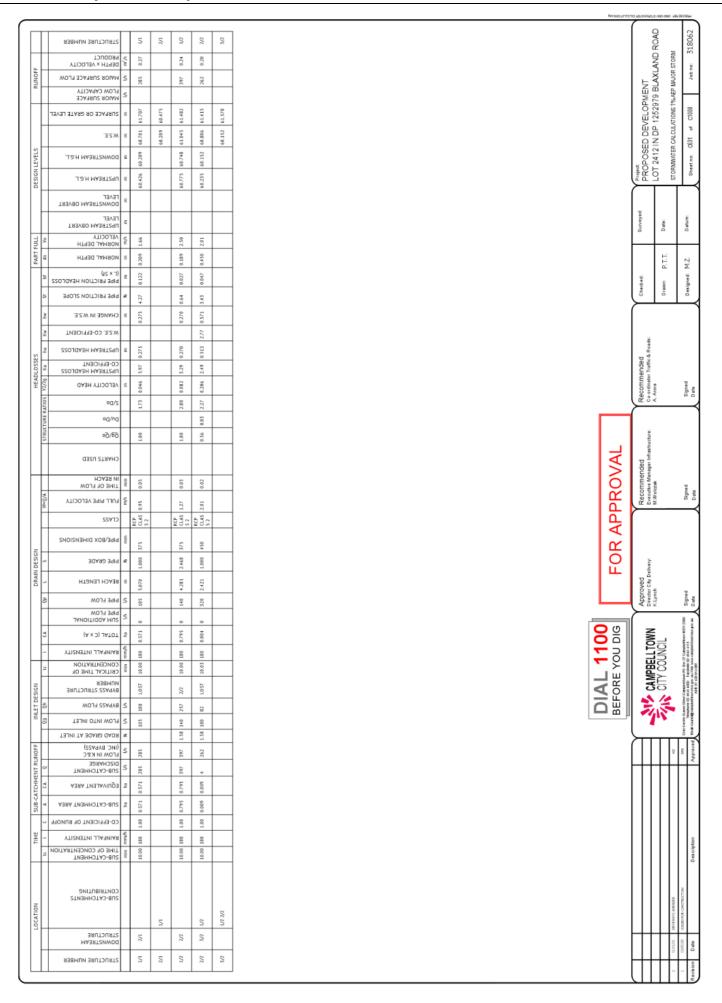


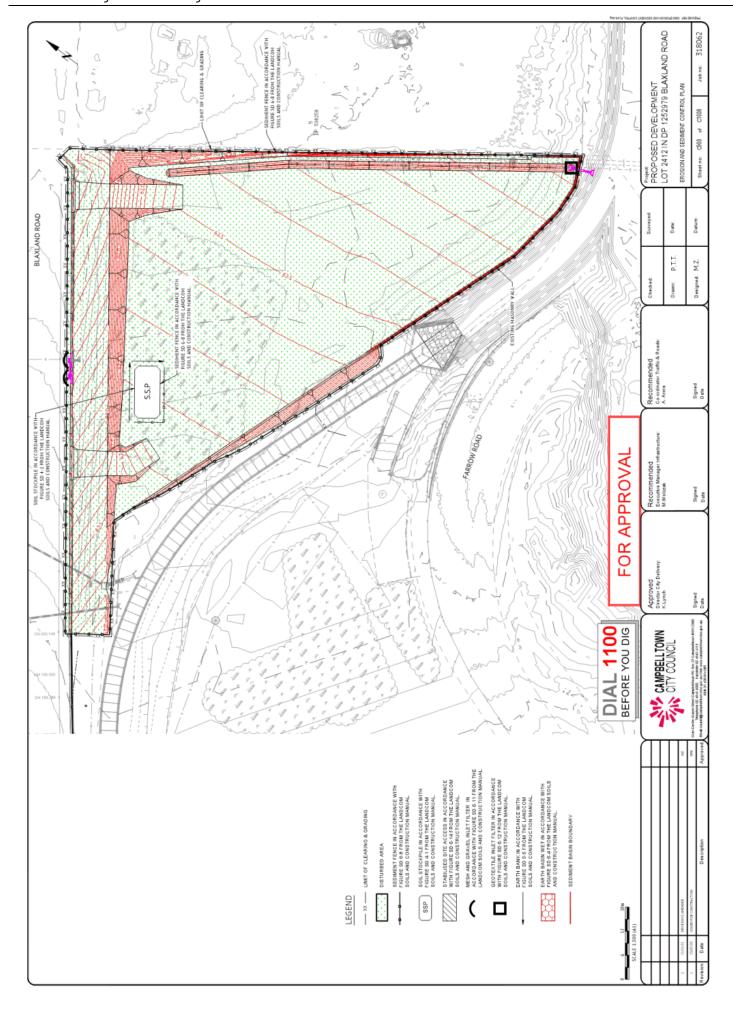


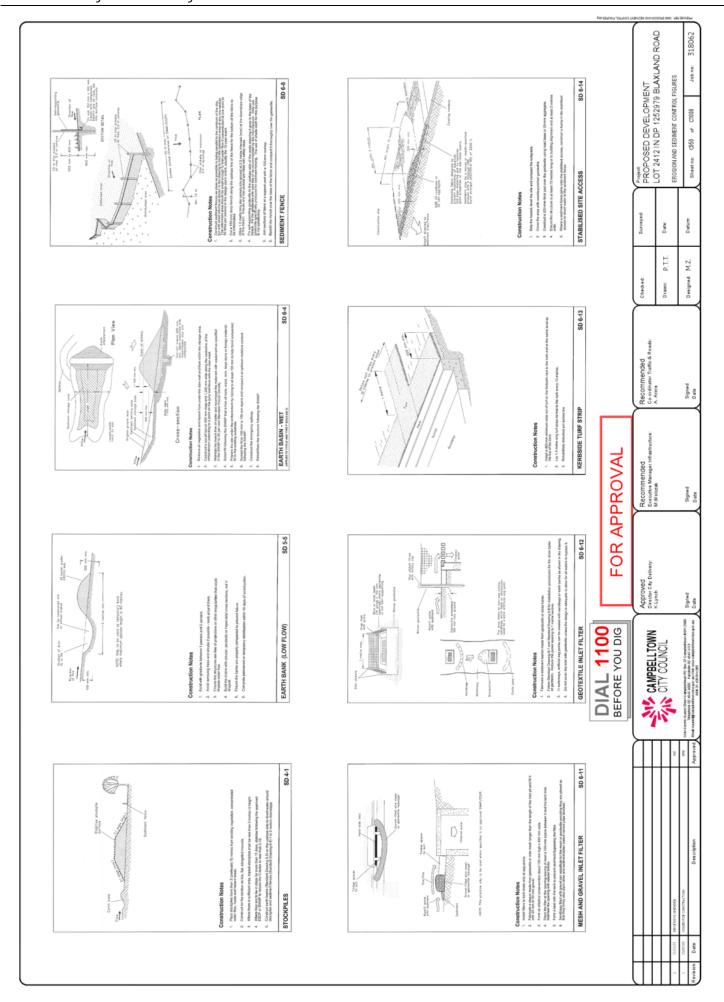


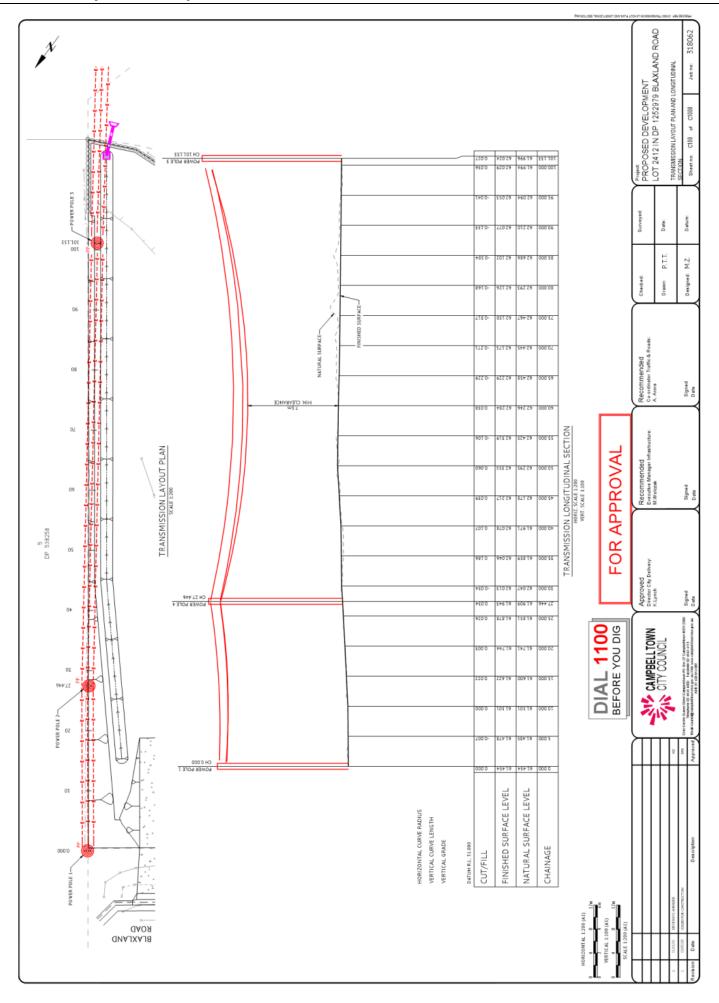


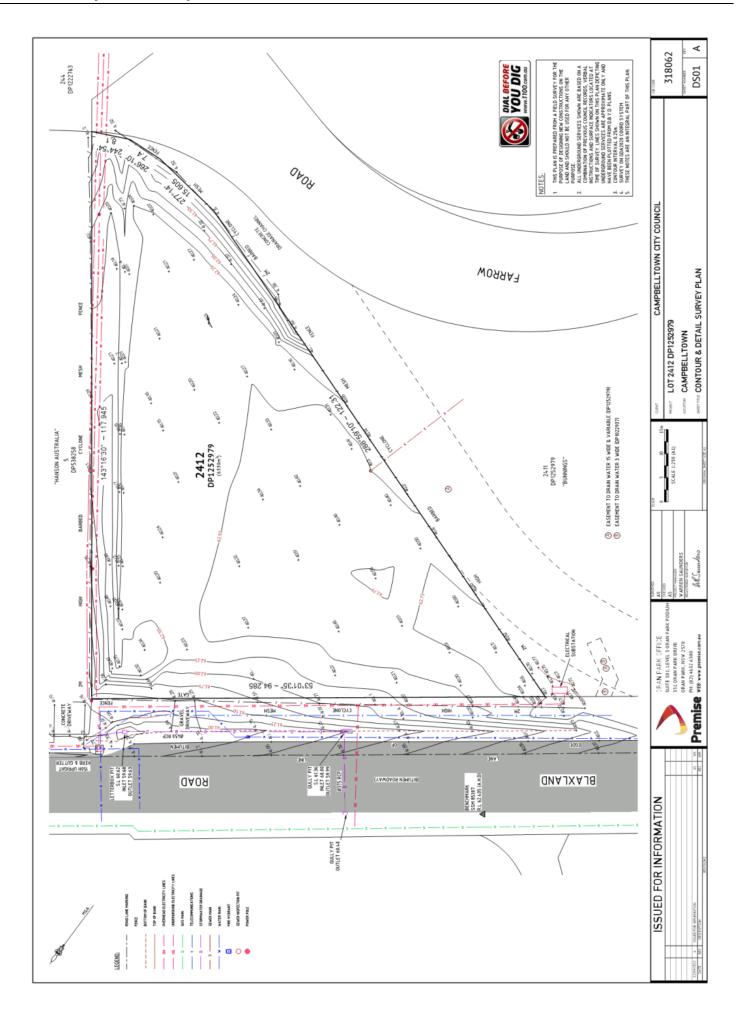












# Department of Planning and Environment



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

> Our ref: IDAS-2022-10261 Your ref: 3467/2021/DA-CW

> > 8 June 2022

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

Attention: CNR Team

Uploaded to the ePlanning Portal

Dear Sir/Madam

Re: IDAS-2022-10261 - Controlled Activity Approval Exemption

Dev Ref: 3467/2021/DA-CW

Description: Bulk Earthworks, construction of a retaining wall, stormwater

management works including swale, piped outlet and headwall

Location: FARROW ROAD CAMPBELLTOWN 2560

The Department of Planning and Environment—Water has reviewed documents for the above development application and considers that, for the purposes of the Water Management Act 2000 (WM Act), the proposed works are exempt from the need to obtain a controlled activity approval and no further assessment by this agency is necessary.

## Exemption

Water Management Act (General) Regulation Schedule 4, 28 - Activities on waterfront land if the river is fully concrete lined or piped

If you have any questions regarding this correspondence, please use NRAR Assist to obtain further information or make an enquiry:

https://www.nrar.nsw.gov.au/nrar-assist

Yours Sincerely	
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For

**Bryson Lashbrook** 

Manager

Licensing and Approvals

Department of Planning and Environment—Water

4 Parramatta Square, 12 Darcy Street, Parramatta NSW 2150 LOCKED BAG 5022, Parramatta, NSW 2124

www.dpie.nsw.gov.au

Template Version 3.0 - April 2022

# Development Application and Planning Proposal Review NSW Planning Portal Concurrence and Referral



Authority	Authority's Reference	Agency Concurrence and Referral	Authority Contact	Authority Notification	Submission Due	Submission Made
Campbelltown City Council	3467/2021/DA -CW	CNR-37282	Ellise Mangion	25/03/2022	15/04/2022	13/04/2022

Address	Land Title
FARROW ROAD CAMPBELLTOWN 2560	Lot 2412 DP 1252979

## Scope of Development Application or Planning Proposal

Bulk Earthworks, construction of a retaining wall, stormwater management works including swale, piped outlet and headwall, partial width reconstruction of Blaxland Road, construction of vehicular entry and exit points to Blaxland Road.

# As shown in the below site plan from Endeavour Energy's G/Net master facility model:

#### There are:

- No easements benefitting Endeavour Energy (active easements are indicated by red hatching).
- 11,000 volt / 11 kilovolt (kV) (constructed at 22,000 volts / 22 kV) high voltage overhead power lines (including two poles) traversing the site. Whilst not held under easement these are regarded as protected works under Section 53 'Protection of certain electricity works' of the *Electricity Supply Act* 1995 (NSW) and may be managed as if an easement is in place.
- The 11 kV (constructed at 22 kV) high voltage overhead power lines exit the site to an underground to overhead (UGOH) pole, with 11 kV high voltage underground cables to the Blaxland Road road verge / roadway.

51 Huntingwood Drive, Huntingwood, NSW 2148 PO Box 811, Seven Hills, NSW 1730 T: 133 718 endeavourenergy.com.au

ABN 11 247 365 823

Relevant / applicable clause numbers from Endeavour Energy's standard conditions for Development Application and Planning Proposal Review indicated by  $^{\boxtimes}$  .

Cond- ition	Advice	Clause No.	Issue	Detail
		1	Adjoining Sites	Adjoining or nearby development / use should be compatible with the use of Endeavour Energy's sites.
		2	Asbestos	Area identified or suspected of having asbestos or asbestos containing materials (ACM) present in the electricity network.
		3	Asset Planning	Applicants should not assume adequate supply is immediately available to facilitate their proposed development.
		4	Asset Relocation	Application must be made for an asset relocation / removal to determine possible solutions to the developer's requirements.
		5	Bush Fire	Risk needs to be managed to maintain the safety of customers and the communities served by the network.
		6	Construction Management	Integrity of electricity infrastructure must be maintained and not impacted by vehicle / plant operation, excessive loads, vibration, dust or moisture penetration.
	$\boxtimes$	7	Contamination	Remediation may be required of soils or surfaces impacted by various forms of electricity infrastructure.
		8	Demolition	All electricity infrastructure shall be regarded as live and care must be taken to not interfere with any part of the electricity network.
		9	Dial Before You Dig	Before commencing any underground activity the applicant must obtain advice from the Dial Before You Dig 1100 service.
		10	Dispensation	If a proposal is not compliant with Endeavour Energy's engineering documents or standards, the applicant must request a dispensation.
		11	Driveways	For public / road safety and to reduce the risk of vehicle impact, the distance of driveways from electricity infrastructure should be maximised.
		12	Earthing	The construction of any building or structure connected to or in close proximity to the electrical network must be properly earthed.
		13	Easement Management	Preference is for no activities to occur in easements and they must adhere to minimum safety requirements.
		14	Easement Release	No easement is redundant or obsolete until it is released having regard to risks to its network, commercial and community interests.
		15	Easement Subdivision	The incorporation of easements into to multiple / privately owned lots is generally not supported.
		16	Emergency Contact	Endeavour Energy's emergency contact number 131 003 should be included in any relevant risk and safety management plan.
		17	Excavation	The integrity of the nearby electricity infrastructure shall not be placed at risk by the carrying out of excavation work.
	$\boxtimes$	18	Flooding	Electricity infrastructure should not be subject to flood inundation or stormwater runoff.

Cond- ition	Advice	Clause No.	Issue	Detail
		19	Hazardous Environment	Electricity infrastructure can be susceptible to hazard sources or in some situations be regarded as a hazardous source.
		20	Modifications	Amendments can impact on electricity load and the contestable works required to facilitate the proposed development.
$\boxtimes$		21	Network Access	Access to the electricity infrastructure may be required at any time particularly in the event of an emergency.
		22	Network Asset Design	Design electricity infrastructure for safety and environmental compliance consistent with safe design lifecycle principles.
		23	Network Connection	Applicants will need to submit an appropriate application based on the maximum demand for electricity for connection of load.
		24	Protected Works	Electricity infrastructure without an easement is deemed to be lawful for all purposes under Section 53 'Protection of certain electricity works' of the <i>Electricity Supply Act 1995</i> (NSW).
		25	Prudent Avoidance	Development should avert the possible risk to health from exposure to emissions form electricity infrastructure such as electric and magnetic fields (EMF) and noise.
		26	Public Safety	Public safety training resources are available to help general public / workers understand the risk and how to work safely near electricity infrastructure.
		27	Removal of Electricity	Permission is required to remove service / metering and must be performed by an Accredited Service Provider.
		28	Safety Clearances	Any building or structure must comply with the minimum safe distances / clearances for the applicable voltage/s of the overhead power lines.
		29	Security / Climb Points	Minimum buffers appropriate to the electricity infrastructure being protected need to be provided to avoid the creation of climb points.
		30	Service Conductors	Low voltage service conductors and customer connection points must comply with the 'Service and Installation Rules of NSW'
		31	Solar / Generation	Need to assess the performance of the generation system and its effects on the network and other connected customers.
		32	Streetlighting	Streetlighting should be reviewed and if necessary upgraded to suit any increase in both vehicular and pedestrian traffic.
		33	Sustainability	Reducing greenhouse gas emissions and helping customers save on their energy consumption and costs through new initiatives and projects to adopt sustainable energy technologies.
		34	Swimming Pools	Whenever water and electricity are in close proximity, extra care and awareness is required.
		35	Telecommunications	Address the risks associated with poor communications services to support the vital electricity supply network Infrastructure.
		36	Vegetation Management	Landscaping that interferes with electricity infrastructure is a potential safety risk and result in the interruption of supply.

Cond-	Advice	Clause	Issue	Detail
ition		No.		
			Other	

Endeavour Energy					
Completed by:	Decision				
Cornelis Duba	Object				

#### Reason(s) for Conditions / Objection (If applicable)

 The Statement of Environmental Effects mentions but does not address in detail the overhead power lines traversing the site.

# 1.1 PRE-DA Meeting

A PRE-DA meeting was held with Campbelltown Council on the 29<sup>th</sup> of July 2021. The following is a summation of council's commentary on the proposal.

#### **Engineering Comments**

- Concurrence from Endeavour Energy for works underneath the transmission lines will need to be provided - although there is no easement for Powerlines, but Council will still require concurrence.
- The 11 kV (constructed at 22 kV) high voltage overhead power lines which are protected works may be
  managed as if an easement is in place. Endeavour Energy's Mains Design Instruction MDI 0044
  'Easements and Property Tenure Rights', Table 1 'Minimum easement widths', requires a 9 metre
  minimum easement width ie. 4.5 metres to both sides of the centre line of the poles / conductors.
- Padmount substation no. 55034 located on adjoining south western Lot 2411 DP 1252979 (Bunnings Warehouse) will in due course have an easement and restriction for fire rating benefitting Endeavour Energy registered on the title in accordance with the requirements of Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'.
- All encroachments and /or activities (works) within an easement or affecting protected works (other than
  those approved / certified by Endeavour Energy's Customer Network Solutions Branch as part of an
  enquiry / application for load or asset relocation project and even if not part of the Development
  Application) need to be referred to Endeavour Energy's Easement Officer for assessment and possible
  approval if they meet the minimum safety requirements and controls. However please note that this
  does not constitute or imply the granting of approval by Endeavour Energy to any or all of the proposed
  encroachments and / or activities within the easement.

Please note Endeavour Energy's Easement Officers do not have access to the NSW Planning Portal. To resolve the easement management matters direct contact with the Easement Officer should be made.

- It is apparent the earthworks and the stormwater management works) comprising a swale, piped outlet and headwall to Bow Bowing Creek) (as well as some of the existing activities on the site shown in the below extracts of google Maps Street View) are proposed in the 'notional' easement area. Whilst not necessarily opposed to the Development Application, given the nature of the proposed works, Endeavour Energy objects to the Development Application. Subject to the satisfactory resolution of the foregoing Endeavour Energy will have no further objection to the Development Application.
- The Statement of Environmental Effects does not appear to address in detail whether the available electricity services are adequate for the proposed development.

## 5.3 Servicing

The site is adequately serviced, with services provided to the site under the subdivision DA 2321/2018/DA-S.

- The Site Plan from Endeavour Energy's G/Net Master Facility Model indicates there is no existing customer connection point / low voltage service conductor to the site.
- To ensure an adequate connection, the applicant may need to engage an Accredited Service Provider (ASP) of an appropriate level and class of accreditation to assess the electricity load and the proposed method of supply for the development.
- Depending on the intended future use of the site, an extension and / or augmentation of the existing local network may be required. Whilst there are a few existing distribution substations in the area which are likely to have some spare capacity, it is not unlimited and may not be sufficient to supply the proposed development.
  - Other factors such as the size and rating / load on the conductors and voltage drop (which can affect the quality of supply particularly with long conductor runs) etc. need to be assessed. However the extent of any works required will not be determined until the final load assessment is completed.
- The minimum required safety clearances and controls for buildings and structures and working near
  overhead power lines must be maintained at all times. If there is any doubt whatsoever regarding the
  safety clearances to the overhead power lines, the applicant will need to have the safety clearances
  assessed by a suitably qualified electrical engineer / Accredited Service Provider (ASP).
  - Even if there is no issue with the safety clearances to the building and structures, consideration must be given to WorkCover (now SafeWork NSW) 'Work Near Overhead Power Lines Code of Practice 2006' eg. ordinary persons must maintain a minimum safe approach distance of 3.0 metres to all voltages up to and including 132,000 volts / 132 kV.
- Existing trees which are of low ecological significance in proximity of overhead power lines should be removed and if necessary replaced by an alternative smaller planting. Any planting near electricity infrastructure needs to ensure they achieve Endeavour Energy's vegetation management requirements.
- Please note Endeavour Energy can only assess the Development Application based on the information provided by the applicant and Council. Due to time and resource constraints it is not possible to refer all development application notifications to the relevant internal stakeholders for review and advice or to request additional information from the applicant or Council. Applicants should be providing proper detailed plans of the electricity infrastructure / easements on or near the site and address the potential impacts of the proposed development thereon in the Statement of Environmental Effects. The provision of inadequate detail may result in Endeavour Energy objecting to the Development Application.
- Not all the conditions / advice marked may be directly or immediately relevant or significant to the
  Development Application ie. a distribution substation may not be required on the site. However,
  Endeavour Energy's preference is to alert proponents / applicants of the potential matters that may arise
  should development within closer proximity of the existing and/or required electricity infrastructure
  needed to facilitate the proposed development on or in the vicinity of the site occur.

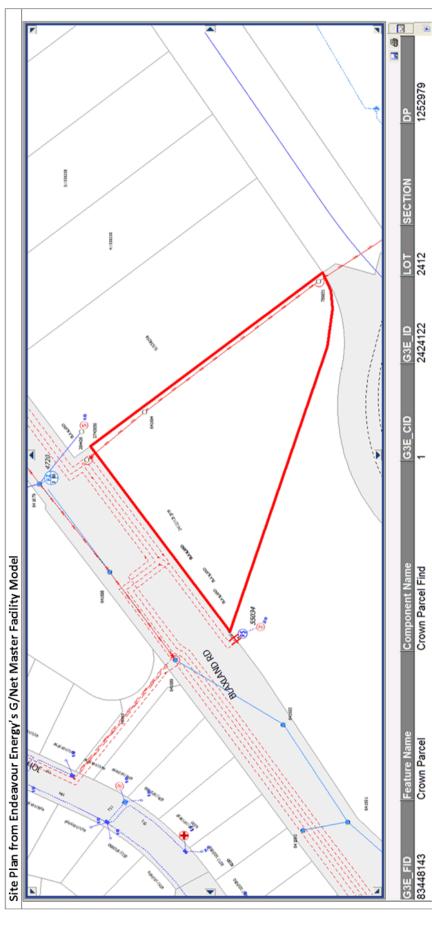
Yours faithfully Cornelis Duba Development Application Specialist Sustainability & Environment

M: 0455 250 981

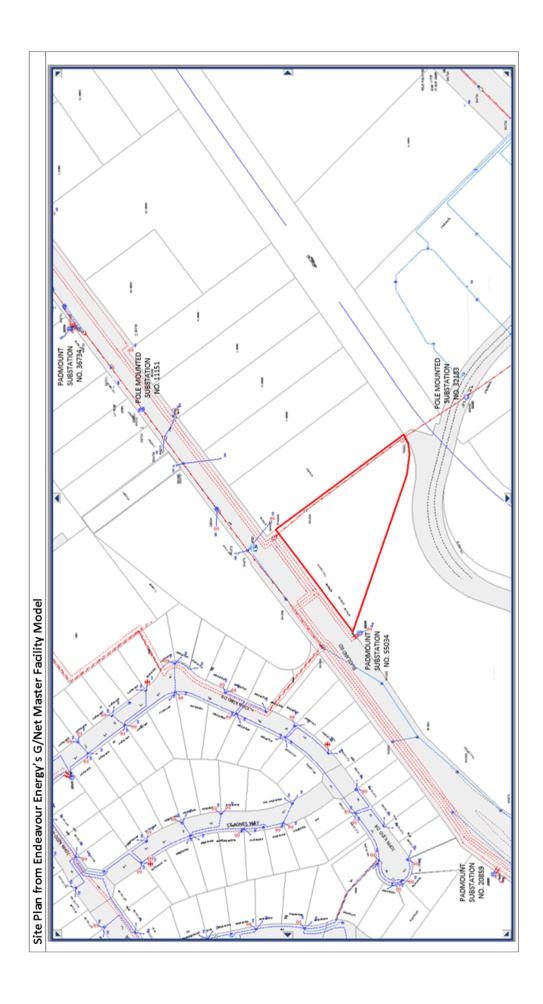
E: <a href="mailto:cornelis.duba@endeavourenergy.com.au">cornelis.duba@endeavourenergy.com.au</a>
51 Huntingwood Drive, Huntingwood NSW 2148

www.endeavourenergy.com.au





Please note the location, extent and type of any electricity infrastructure, boundaries etc. shown on the plan is indicative only. In addition it must be recognised that exceeding 132,000 volts / 132 kV) by red lines (these lines can appear as solid or dashed and where there are multiple lines / cables only the higher voltage may be capture in the model. Easements benefitting Endeavour Energy are indicated by red hatching. Generally (depending on the scale and/or features selected), low voltage (normally not exceeding 1,000 volts) is indicated by blue lines and high voltage (normally exceeding 1,000 volts but for Endeavour Energy's network not the electricity network is constantly extended, augmented and modified and there is a delay from the completion and commissioning of these works until their electrical equipment beyond the customer connection point / point of supply to the property. This plan is not a 'Dial Before You Dig' plan under the of Part SE shown). This plan only shows the Endeavour Energy network and does not show electricity infrastructure belonging to other authorities or customers owned 'Protection of underground electricity power lines' of the Electricity Supply Act 1995 (NSW).



	Padmount substation	Indoor substation	Ground substation	Kiosk substation	Cottage substation	Pole mounted substation	High voltage customer substation	Metering unit	Switch station	Indoor switch station	Customer connection point	Low voltage pillar	Streetlight column	Life support customer	Tower	Pole	Pole with streetlight	Customer owned / private pole	Cable pit	Subject site	
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