



**CAMPBELLTOWN
CITY COUNCIL**

LOCAL PLANNING PANEL

24 MAY 2023

MEETING NOTICE

Campbelltown City Council Local Planning Panel

The meeting of the Campbelltown City Council Local Planning Panel will be held via Microsoft Teams on **Wednesday, 24 May 2023 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

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General Information

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

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

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

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

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

Recommendations of the Panel

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

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

Information

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

The following report is referred to the Local Planning Panel for its consideration and recommendation.

Lindy Deitz
General Manager

4. REPORTS

4.1 Development Application for community building and open space area - 22-32 Queen Street, Campbelltown

Community Strategic Plan

Objective	Strategy
1 Community and Belonging	1.2.2 Improve wellbeing and quality of life

Delivery Program

Principal Activity
2.1.2.1 Maintain and create multi-use, attractive, safe and well shaded open spaces that set our city apart from others

Referral Criteria

In accordance with section 4.8 of *Environmental Planning and Assessment Act, 1979* (EP&A Act) and the Minister's for Planning and Public Spaces Local Planning Panels Direction, this application is to be determined by the Campbelltown Local Planning Panel (the Panel) as it involves a proposed contravention of a development standard (maximum building height) by a magnitude of more than 10 per cent.

Executive Summary

- This application proposes the construction of a community building and communal open space area for a mixed use residential/commercial development that is proposed on the same site.
- The proposed community building and open space area will not be publicly owned; the facilities will be owned collectively by the future owner's corporation formed by the owners of the apartments within the mixed use development.
- The application involves a proposed exceedance of the maximum building height that applies to the part of the site that the proposed works would be located within. A written request from the applicant that seeks to justify the contravention of the maximum building height development standard was provided with the application.
- Apart from the proposed variation to maximum building height, the proposed development is fully compliant with the provisions of the State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP), Campbelltown Local Environmental Plan 2015 (CLEP 2015) and the Campbelltown Sustainable City Development Control Plan 2015 (SCDCP).

- The application was notified to nearby and adjoining residents for a period of 28 days. No submissions were received.
- Based on an assessment of the application against section 4.15 of EP&A Act, the application has been found to be satisfactory and is recommended for approval.

Officer's Recommendation

That Development Application 3858/2022/DA-C for the construction of a community building and open space area for a mixed use residential/commercial development at Lot 1 DP 1154928< Lot X DP 409704 and Lot 15 DP 14782, 22-32 Queen Street, Campbelltown 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 1 DP 1154928, Lot X DP 409704 and Lot 15 DP 14782, 22-32 Queen Street, Campbelltown
Application No	3858/2022/DA-C
Applicant	Campbelltown 88 Pty Ltd
Owner	Supa 88 Pty Limited
Provisions	State Environmental Planning Policy (Resilience and Hazards) 2021 Campbelltown Local Environmental Plan 2015 Campbelltown (Sustainable City) Development Control Plan 2015
Date Received	28 September 2022

History

In 2016, a development application (DA) was lodged on the site proposing refurbishment and additions to existing commercial building, and construction of a mixed use commercial/residential development comprising 594 apartments within 7 towers. The application was ultimately withdrawn due to excessive building height and strong objections by Heritage NSW in relation to impacts upon adjoining heritage items.

In 2018, a Planning Proposal Request was lodged with Council seeking to increase the site's maximum building height and implement a maximum floor space ratio for the site. This Planning Proposal was refined over time resulting in a change to the maximum building height from 26 m to a range of maximum building heights up to 52 m including an area with a 1.5 m maximum building height intended to be used as public/communal open space in proximity to the adjoining heritage item and imposing a maximum floor space ratio of 4.2:1. As part of the planning proposal a site-specific clause (clause 7.25) was also inserted into CLEP 2015 that requires the

concurrence of the Department of Planning and Environment in relation to designated state public infrastructure as well as a site specific clause (clause 7.26) relating to building heights in the open space area. The site is also the subject of a site-specific DCP. The amendment to the CLEP 2015 was finalised in June 2021.

In 2019, a concept development application was lodged for the site, which included:

- Concept building footprints and massing envelopes for the future redevelopment of the site across 3 key buildings in 5 tower forms with a maximum height of 26 m
- Conceptual identification including location of public open space and communal gardens
- Vehicular access arrangements and egress points to/from the site and proposed basement car park.

This concept application was approved by the Sydney Western City Planning Panel in November 2020.

In March 2021, Council approved a development application for the demolition of all existing structures on the site.

In June 2022, a DA was lodged for 22-32 Queen Street Campbelltown (2278/2022/DA-RA), proposing the construction of a mixed use development incorporating:

- 5 towers across podiums containing 558 apartments
- Ground floor commercial premises
- 5 levels of basement car parking
- Internal access roads

Development Application 2278/2022/DA-RA remains under assessment.

The Site

The subject site is located within the Campbelltown City Centre at the far northern end of Queen Street. It has an area of 20,465 m², consisting of three separate allotments, which are collectively known as 22-32 Queen Street, Campbelltown. The site currently contains 2 disused buildings; a former bowling centre and a former multi-storey direct factory outlet clothing centre. The site is adjoined to the southeast by Campbelltown Performing Arts High School, to the northeast by 2 state-listed heritage items (Warby's Barn and Warby's Stables) and an associated motel, to the southwest by a single-storey commercial complex, and to the northwest across Queen Street by the Main South Rail Line. The surrounding area is currently in transition from a low density residential/low-rise commercial area to a mixed use precinct.



Locality Plan

Proposal

The application the subject of this report proposes the construction of a community building and open space area at the subject site. These are required elements of the residential component of the mixed use development proposed under 2278/2022/DA-RA. The communal open space proposed under this Development Application contributes towards compliance with the minimum communal open space requirements under the Apartment Design Guide, and the proposed community building allows the development to achieve compliance with the requirement within the SCDCP for residential flat buildings to have an indoor recreation room sized at a minimum of one square metre per apartment.

The components of the application are outlined below:

Lower ground level

- Open function area
- 4 meeting rooms
- Auditorium and associated storage
- Kitchenette and bathrooms adjacent to the service areas

Ground level

- Reception and display area
- Kiosk and bathrooms
- Waste room

External

- Picnic/ BBQ area
- Water play area
- Several nature trails
- Drainage/ WSUD area

- Elevated walkway/ deck around the community building
- Central activation space and outdoor stage
- Walking track
- Children's playground and nature play area
- Paved area with lawn areas and public art

Report

1. Vision

Campbelltown 2032 is the Community Strategic Plan (CSP) for the City of Campbelltown. The CSP addresses 5 key strategic outcomes that Council and other stakeholders will work to achieve over the next 10 years:

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

The proposal is generally consistent with the long term vision for Campbelltown.

2. Planning Provisions

2.1 State Environmental Planning Policy (Resilience and Hazards) 2021

Clause 4.6(1) of the Resilience and Hazards SEPP requires that a consent authority must not consent to the carrying out of any development on land unless:

- (a) it has considered whether the land is contaminated, and
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

A Detailed Site Investigation report was submitted under the main DA for the site (2278/2022/DA-RA), which concluded that the site is suitable for the proposed development and land use, provided that the recommendations of the report are undertaken, which are:

- Following removal of the asbestos containing materials identified, an asbestos clearance inspection and certificate should be completed by a suitably qualified professional (SafeWork NSW Licensed Asbestos Assessor).
- Following demolition and removal of associated wastes, an inspection of the exposed soil surfaces should be performed by a suitably qualified environmental consultant to ensure there are no unexpected finds.

- Any material being removed from the site (including surplus soil and potential virgin excavated natural materials (VENM)) requires classification for off-site disposal in accordance with the EPA (2014) Waste Classification Guidelines.
- Any material being imported to the site (i.e. for landscaping purposes) should be assessed for potential contamination in accordance with NSW EPA guidelines as being suitable for the intended use or be classified as VENM.

A recommended condition of consent requires compliance with these recommendations. These conditions are similar to conditions placed on other consents for the site. In this regard, subject to the imposition of and compliance with these recommendations, the site is considered to be suitable for the proposed development pursuant to clause 4.6(1) of the Hazards and Resilience SEPP.

2.2 Campbelltown Local Environmental Plan 2015

Permissibility

The subject site is zoned MU1 Mixed Use under the provisions of Campbelltown Local Environmental Plan 2015. The proposed development is defined as shop top housing (being works ancillary to the shop top housing proposed under 2278/2022/DA-RA) and is permissible with Council's development consent within the zone.

Zone objectives

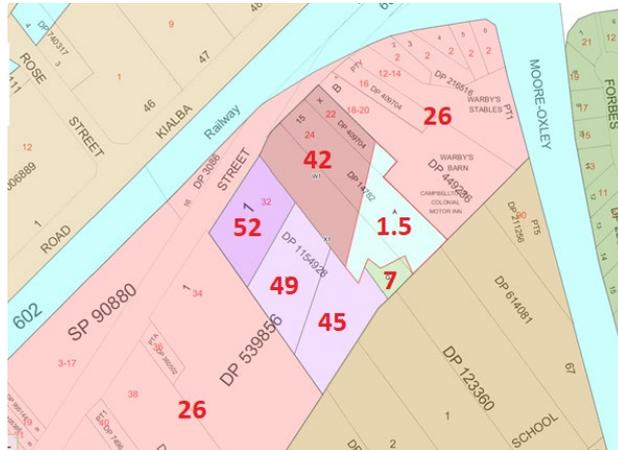
The proposal is consistent with the objectives of the MU1 Mixed Use zone, which are listed below:

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To encourage the timely renewal and revitalisation of centres that are undergoing growth or change.
- To create vibrant, active and safe communities and economically sustainable employment centres.
- To provide a focal point for commercial investment, employment opportunities and centre-based living.
- To encourage the development of mixed-use buildings that accommodate a range of uses, including residential uses, and that have high residential amenity and active street frontages.
- To facilitate diverse and vibrant centres and neighbourhoods.
- To achieve an accessible, attractive and safe public domain.
- To provide healthy, attractive, vibrant and safe mixed use areas.

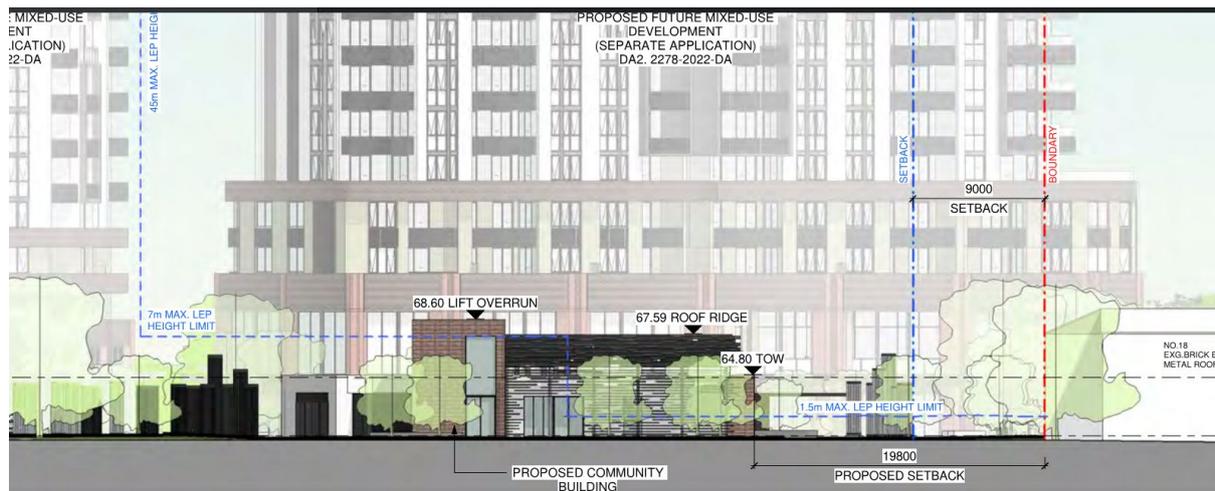
Building height

The part of the subject site to which the proposed development relates has a maximum building height of 1.5 m and 7 m under the CLEP 2015. This is shown below on an excerpt of the CLEP's maximum building height map. The height of the proposed building ranges from 4.57 m to 8.37 m above natural ground level. The proposed exceedance within the 7 m maximum building height

zone is 1.37 m (20 per cent), and the proposed exceedance within the 1.5 m maximum building height zone is 5.74 m (382 per cent). The extent of the proposed exceedances of the maximum building heights is shown diagrammatically below.



Excerpt of CLEP 2015 Maximum Building Height Map



Eastern Elevation Showing the Proposed Building with the Maximum Building Height Lines Overlaid

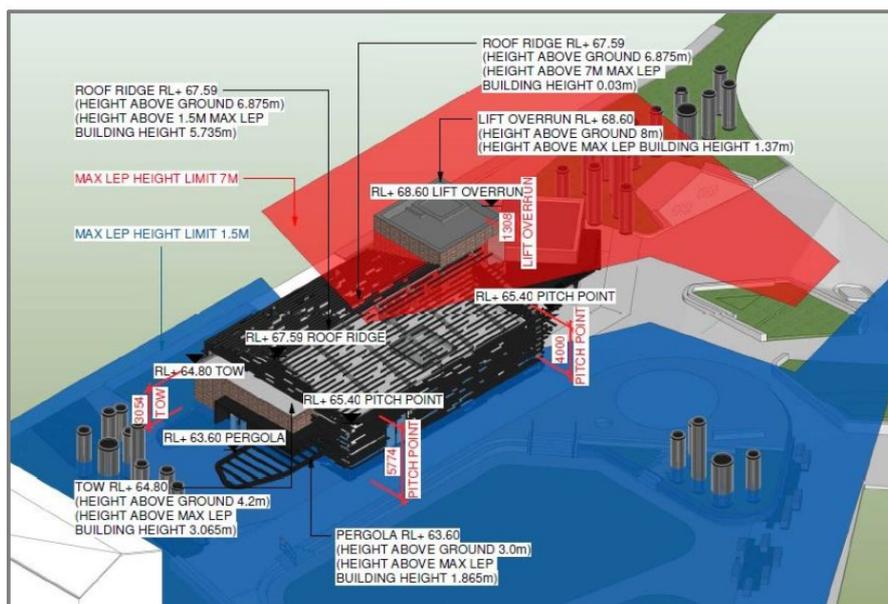


Diagram showing the Maximum Building Height Plane Overlaid on the Proposed Building

Exception to maximum height of buildings—22, 24 and 32 Queen Street (Clause 7.25)

Despite clause 4.3(2), development consent may be granted to development on land identified as "Area A" on the Height of Buildings Map that exceeds the relevant maximum height if the development—

- (a) is for the purposes of a recreation area or shade structure, and
- (b) does not comprise or include an enclosed building, and
- (c) does not exceed 3 m in height above the existing ground level of the land on which heritage item no 100497, Warby's Stables and barn, is located.

The proposed buildings and structures that exceed the maximum building height identified within "Area A" would not fall under the provisions of this clause, as they are not shade structures or recreation areas, and exceed 3 m in height above the existing ground level on which Warby's Stables and barn are located. Accordingly, an objection pursuant to clause 4.6 of the CLEP 2015 is required.

Floor space ratio

The subject site has a floor space ratio of 4.2:1 under CLEP 2015. The mixed use development proposed under 2278/2022/DA-RA has a floor space ratio of 3.04:1. This application proposes 539sqm of floor space, equating to a floor space ratio of 0.026:1. Combined with the development proposed under 2278/2022/DA-RA, the floor space ratio of the overall development on the site would be 3.066:1, which therefore complies with this standard.

Mixed use development in Zone E2 and Zone MU1

- (1) The objective of this clause is to promote employment opportunities and mixed use development in Zone E2 Commercial Centre and Zone MU1 Mixed Use.

The ground floor of the main development (the mixed use development) would consist entirely of employment-generating land uses, and provides a mix of land uses. The building proposed under this DA is a communal building to serve the residents of the main development, and does not need to generate employment.

(2) This clause applies to land in Zone E2 Commercial Centre and Zone MU1 Mixed Use.

The subject site has a zoning of MU1 Mixed Use under the CLEP 2015.

(3) Development consent must not be granted to the erection of a building that will contain a residential component, or a change of use of a building, on land to which this clause applies unless the consent authority is satisfied that:

(a) the building will have an active street frontage after its erection or change of use (**active street frontage**, of a building, means that all premises on the ground floor of the building facing the street are used for the purposes of business premises or retail premises), and

The proposed building would not contain a residential component, and therefore this sub clause does not apply to the application. However, its ground level would have an active frontage to the rest of the development site.

(b) the ground floor will only accommodate non-residential land uses (**non-residential land uses** includes uses for the purposes of commercial premises, medical centres, recreation facilities (indoor) and other similar uses but does not include car parking), and

The proposed building would not contain a residential component, and therefore this sub clause does not apply to the application. The ground floor will only accommodate non-residential land uses.

(c) if the land is in Zone E2 Commercial Centre—the building will have at least one additional level of floor space, immediately above the required non-residential ground floor, that is also set aside for non-residential land uses.

The subject site is not within Zone E2 Commercial Centre, so this subclause does not apply.

(4) Despite subclause (3), an active street frontage is not required for any part of a building that is used for any of the following:

(a) entrances and lobbies (including as part of mixed use development),
(b) access for fire services,
(c) vehicular access.

These elements do not prevent the proposed building from having an active frontage to the rest of the development site.

Design Excellence

Pursuant to clause 7.13 of the CLEP 2015, development consent must not be granted to development involving the erection of a building in the MU1 Mixed Use zone unless the consent

authority considers that the development exhibits design excellence. In considering whether development to which this clause applies exhibits design excellence, the consent authority must have regard to the following matters:

- (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,
- (b) whether the form and external appearance of the development will improve the quality and amenity of the public domain,
- (c) whether the development detrimentally impacts on view corridors,
- (d) how the development addresses the following matters:
 - (i) the suitability of the land for development,
 - (ii) existing and proposed uses,
 - (iii) heritage issues and streetscape constraints,
 - (iv) bulk, massing and modulation of buildings,
 - (v) street frontage heights,
 - (vi) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,
 - (vii) the achievement of the principles of ecologically sustainable development,
 - (viii) pedestrian, cycle, vehicular and service access, circulation and requirements,
 - (ix) the impact on, and any proposed improvements to, the public domain,
 - (x) the interface with the public domain,
 - (xi) the quality and integration of landscape design.

The proposed development is considered to be satisfactory with regard to the matters outlined above and is therefore considered to exhibit design excellence.

Heritage Conservation

Under clause 5.10(5) of the CLEP 2015, the consent authority may, before granting consent to any development—

- (a) on land on which a heritage item is located, or
- (b) on land that is within a heritage conservation area, or
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),

require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

The site is located nearby 2 state heritage items; Warby's Barn and Warby's Stables, and therefore this clause applies to the application. In this regard, A Heritage Peer Review of the proposed development was submitted with the application. As the heritage items that would be affected by the proposed development are state-listed, the application was referred to Heritage NSW for assessment. The Heritage Council of NSW is not a referral body or consent authority for this application and their role is therefore advisory. Council has largely deferred to Heritage NSW in terms of assessment of the potential heritage impacts of the proposed development.

Heritage NSW reviewed the application and requested information and clarification concerning landscaping buffers between the subject site and the adjoining heritage items, which the applicant responded to. Heritage NSW did not endorse the application (as it is not a referral body or consent authority), however it is notable that Heritage NSW did not object to the proposal. Heritage NSW recommended that a condition in relation to unexpected finds be imposed, and this has been included within the recommended conditions of consent.

Accordingly, the heritage impact of the proposed development is deemed by Council to be acceptable. It is worth noting that part of the rationale of reducing the maximum building height in the eastern corner of the site was to significantly limit potential impacts upon the adjoining heritage items, and in this regard the proposed development achieves that outcome.

Clause 4.6 - Exceptions to development standards

Clause 4.6 of the CLEP 2015 states that development consent may be granted for development even though the development would contravene a development standard imposed by the CLEP or any other environmental planning instrument.

Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

- (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
- (b) that there are sufficient environmental planning grounds to justify contravening the development standard.

A written request from the applicant that seeks to justify the contravention of the maximum building height development standard was provided with the application, which is attached to this report. The applicant's first argument in support of the proposed building height variation is that compliance is unreasonable or unnecessary in the circumstances of the case, because the underlying objectives of the control and the objectives of the zone are achieved despite the non-compliance with the numerical development standard.

The applicant has provided an assessment of the proposed development against the objectives of the maximum building height standard, which is outlined below:

- (a) to nominate a range of building heights that will provide a transition in built form and land use intensity across all zones,

"The site is subject to a range of LEP controls for Height of Building with the open space area being allocated 7 m and 1.5 m. Notably, the Concept DA approved a 9 m community building, and this two-storey form is still adopted. The heritage consultant was supportive of the location and scale of the proposed building, particularly in terms of its height transition down to the north.

Furthermore, the site FSR for the overall development site is well below the permissible amount. This shows that the desired "land use intensity" is achieved notwithstanding the height breaches of the community building and some recreational structures (which are permissible breaches, per Clause 7.26 of the LEP). This objective is supported."

- (b) to ensure that the heights of buildings reflect the intended scale of development appropriate to the locality and the proximity to business centres and transport facilities,

“The proposed height of two-storeys and 9 m was approved within the concept DA and this building was always envisaged to be at this approximate location. This objective is supported.”

- (c) to provide for built form that is compatible with the hierarchy and role of centres,

“The form and scale of the community building and recreational structures is consistent with the masterplan and concept approval for the site. It was an area designated to provide for a transition zone between the towers, with one modest community building within this precinct. The variation is the result of design resolution to ensure compatibility and appropriate transition. This objective is supported.”

- (d) to assist in the minimisation of opportunities for undesirable visual impact, disruption to views, loss of privacy and loss of solar access to existing and future development and to the public domain

“Considerable work has been done in this regard by the heritage consultant and the CPTED consultant. This impact and overall juxtaposition with heritage lands has also been peer reviewed. The input from both consultants has resulted in the building being relocated slightly towards the north and the east. This aims to minimise unusable and somewhat-concealed area between the east-side of the community building and the swale drain adjoining the school playing fields. This will create more usable space towards the western of the building. The location improves solar access to the community building, reducing the shadow impact from Tower B.”

The applicant’s second argument in support of the proposed building height variation is that the underlying objective or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable. The applicant states:

“The underlying purposes of the objective relates to the timely renewal and revitalisation of the city centre, and providing a focal point for investment and centre-based living. In this case, the proposed building footprint and massing on the site has been configured having regard to the heritage site to the north.

The proposed community building height is consistent with the approved concept DA for the site and the roof pitch reflects the character of the heritage buildings. Strict compliance with the height would serve no purpose or bring any public benefit. The presence of a two-story community building with uses complementary to the open space is a good planning outcome for the site.

In this case, strict compliance would thwart the achievement of the underlying purpose of certain zone objectives.”

The applicant’s third argument in support of the proposed building height variation is that there are sufficient environmental planning grounds to justify contravening the development standard. In this regard, the applicant contends that:

1. "The variation is relatively minor and primarily relates to roof structure and lift overrun, as noted on the plans and height plane diagram. Other installations in the open space include basement carpark vents which exceed the 1.5 m height. Such installations and play equipment were always going to break this height control, and as such, are permissible breaches within Clause 7.26 of the LEP.
2. The FSR is well below the allowance, and the proposed community building is the same height as the approved concept DA.
3. Relocating the community building more to the north-east improves solar access away from Tower B afternoon shadows and improves sight lines throughout the site, towards the heritage buildings.

A development proposal that was forced to be compliant with the standard fails to recognise that:

- The 2 storey community building was always anticipated in the established concept plan for the site;
- The general size of the building remains as envisioned and is less than the approved footprint in the Concept DA; and
- There are no significant environmental benefits that would result from strict compliance; indeed there are advantages in supporting the relocation to the north-east."

Development consent must not be granted for development that contravenes a development standard unless:

- (a) the consent authority is satisfied that:
 - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and
 - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
- (b) the concurrence of the Secretary has been obtained

With regard to subclause (a)(i), the Panel must be satisfied that the applicant's written request has adequately addressed how the development standard is unreasonable and unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard. In this regard, in the opinion of Council staff, the applicant's written request does correctly identify that the proposed development does satisfy the objectives of the maximum building height standard and the objectives of the MU1 Mixed Use zone, and would have a notably distinct absence of adverse planning impacts upon surrounding properties and the public domain. In this regard, the applicant's written request has adequately addressed how the development standard is unreasonable and unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.

With regard to subclause (a)(ii), the proposed development is consistent with the objectives of the maximum building height standard and the objectives of the MU1 Mixed Use zone, and is considered to be in the public interest.

With regard to subclause (b), in deciding whether to grant concurrence, the Secretary must consider:

- (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and
- (b) the public benefit of maintaining the development standard, and
- (c) any other matters required to be taken into consideration by the Secretary before granting concurrence.

In May 2020, Planning Circular 20-002 (Variations to development standards) advised consent authorities that all consent authorities may assume the Secretary's concurrence under clause 4.6 of a local environmental plan that adopts the Standard Instrument. Accordingly, the Panel must consider points (a), (b) and (c) above. In this regard, the following is noted:

- Contravention of the development standard raises no matters of significance for State or regional environmental planning.
- Given the absence of adverse planning outcomes arising from the proposed variation, a greater public benefit would be achieved by varying the development standard in question. This is because the additional building height would facilitate the positive planning outcome of the orderly construction of a high-quality building.
- No other matters requiring consideration have been identified.

Concurrence of Planning Secretary – 22, 24 and 32 Queen Street (Clause 7.25)

(1) This clause applies to development on the following land in Campbelltown—

- (a) Lot X, DP 409704, 22 Queen Street,
- (b) Lot 15, DP 14782, 24 Queen Street,
- (c) Lot 1, DP 1154928, 32 Queen Street.

This development application is proposed upon the allotments to which this clause relates and therefore this clause applies to this application.

(2) Development consent to development to which this clause applies must not be granted unless—

- (a) a development control plan that provides for the matters specified in subclause (5) has been prepared for the land, and
- (b) for development that is the erection of a multi storey building—the consent authority has obtained the concurrence of the Planning Secretary.

A Development Control Plan for the site has been adopted, which is now known as Volume 2 Part 14 of the Campbelltown Sustainable City DCP 2015. The Development Control Plan provides for all of the matters specified in subclause (5).

Whilst the proposed building does have two storeys, it is important to note that one of these storeys would be below the level of the ground, and the building would therefore not present as a

multi-storey building. This subclause was designed so that it would require consideration of the impact on state public infrastructure of the main residential/commercial development on the site, but not ancillary development such as that proposed under this application, which would have no direct impact on state public infrastructure. Accordingly, for the purposes of this clause, the proposed development is not considered to be a multi-storey building and therefore does not require concurrence from the Planning Secretary.

- (3) In deciding whether to grant concurrence, the Planning Secretary must consider the following—
- (a) the impact of the development on—
 - (i) existing designated State public infrastructure, and
 - (ii) the need for additional designated State public infrastructure,
 - (b) the cumulative impact of the development with other development that has, or is likely to be, carried out in surrounding areas on—
 - (i) existing designated State public infrastructure, and
 - (ii) the need for additional designated State public infrastructure,
 - (c) the steps taken to address those impacts, including whether a planning agreement has been, or will be, entered into contributing to designated State public infrastructure.

As outlined above, the concurrence of the Planning Secretary is not considered to be required.

- (4) In deciding whether to grant concurrence, the Planning Secretary must also consult the public authorities that the Planning Secretary considers relevant to the development.

As outlined above, the concurrence of the Planning Secretary is not considered to be required.

- (5) The development control plan is to provide for the following—
- (a) pedestrian connectivity,
 - (b) the relationship of buildings on the land to neighbouring sites in terms of separation and setbacks,
 - (c) the interface of development with the adjacent State heritage item and school,
 - (d) active street frontages,
 - (e) sufficient building setbacks to Queen Street,
 - (f) adequate solar access to common open spaces and surrounding sites through building orientation and layout,
 - (g) landscaping that incorporates deep soil planting, including trees, to enhance the public domain,
 - (h) street patterns, including the orientation of the development with the central access street and impact on intersections with Queen Street.

A Development Control Plan for the site has been adopted, which is now known as Volume 2 Part 14 of the SDCDP. The Development Control Plan provides for all of the matters specified in subclause (5).

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

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:

Sustainable building design – The proposed building would benefit from passive solar design, and a recommended condition of consent would require the provision of a rainwater tank.

Landscaping – The proposed development includes a significant amount of landscaping within the proposed public spaces. The landscape plan includes a variety of native species of trees and plants. Council's Landscape Architect is satisfied with the proposed landscaping concept, subject to the examination of more detailed landscaping plans at the construction certificate stage of the development, including the preparation of a public art strategy, which a recommended condition of consent requires to be completed prior to the issue of a construction certificate.

Cut, fill and floor levels – The application involves negligible reconstitution of ground levels.

Stormwater – The application proposes that the proposed building would drain into the stormwater system accompanying the mixed use development on the site proposed under 2278/2022/DA-RA. Council's Development Engineer has reviewed the application and advised that the proposed development is satisfactory from a stormwater drainage perspective, subject to the imposition of conditions of consent.

Acoustic privacy – An acoustic report was submitted with the application, which demonstrated that the proposed development would comply with the relevant acoustic standards, subject to recommended measures being implemented. Conditions requiring compliance with these recommended measures have been recommended.

Volume 1: Part 6 – Commercial Development

Part 6 of the SCDCP sets out development standards for commercial development within the City of Campbelltown. An assessment of the proposed development against the relevant development standards is detailed below:

Standard	Required	Proposed	Compliance
Building Form and Character	All building façades, including rear and side elevations visible from a public place or adjacent to residential areas, shall be architecturally treated to enhance the quality of the streetscape.	All building façades would be architecturally treated.	Yes
	Large buildings shall incorporate the following elements to assist in achieving a	The proposed building satisfies all of the specified architectural criteria.	Yes

	<p>high quality architectural outcome:</p> <ul style="list-style-type: none"> - the provision of vertical and/or horizontal offsets in the wall surfaces at regular intervals, including columns, projections, and recesses; variation to the height of the building so that the building appears to be divided into distinct massing elements; - articulation of the different parts of a building's façade by use of colour, arrangement of façade elements, or by varying the types of materials used; and - maximising the interior and exterior interactions at the ground level. <p>The main entry to the building shall be easily identifiable from the street and directly accessible through the front of the building.</p> <p>Large expansive blank walls on ground floor levels or side and rear boundaries shall not be permitted unless abutting a building on an adjoining allotment.</p> <p>Roof mounted plant rooms, air conditioning units and other services and equipment shall be effectively screened from view using integrated roof structures and architectural elements.</p>	<p>The main entry to the building is easily identifiable from the communal open space area and accessible through the front of the building.</p> <p>No large expansive blank walls are proposed.</p> <p>No roof mounted elements of this nature are proposed, and a recommended condition of consent requires additional consent to be sought for such structures.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
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	<p>Solid opaque roller doors/shutters over windows and entry doors shall not be permitted on any building that has frontages to a street or a public place.</p> <p>Buildings shall not incorporate highly reflective glass.</p>	<p>No roller shutters are proposed.</p> <p>A recommended condition of consent requires that all glass has a low reflectivity index.</p>	<p>Yes</p> <p>Yes</p>
Public Domain	A public domain plan incorporating street furniture, paving, landscaping and public art shall be submitted as part of any development application for new development having a gross floor area greater than 5,000 m ² .	Public domain detail is shown on the landscape plans, and greater detail in this regard will be provided prior to the issue of a construction certificate and reviewed by Council's landscape architect.	Yes
Landscaping	A detailed landscape plan and report shall be prepared by a suitably qualified person and submitted with all development applications for commercial development involving the construction of a new development.	A detailed landscape plan has been provided.	Yes
Commercial Waste Management	Commercial development shall make provision for an enclosed onsite waste and recycling facility that has adequate storage area to accommodate the waste generated from the development.	The proposed development has an enclosed onsite waste and recycling facility that has adequate storage area to accommodate the waste generated from the development.	Yes

As the table above shows, the proposed development is fully compliant with the provisions of Part 6 of the SDCDP.

Volume 2: Part 14 - 22-32 Queen Street, Campbelltown

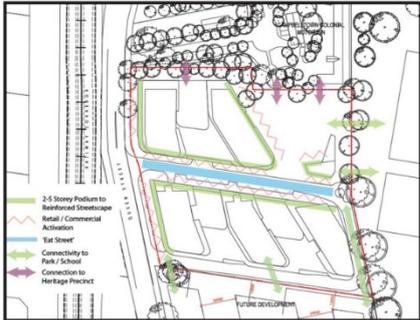
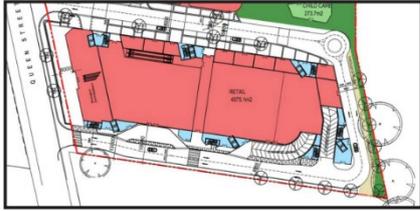
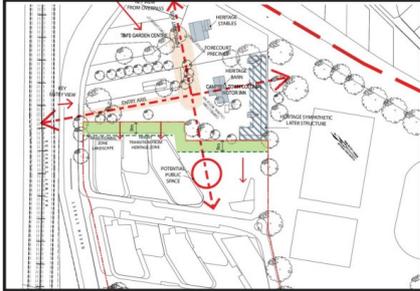
This section of the SCDCP applies to the subject site and was adopted in association with the recently gazetted amendment to the CLEP 2015, which increased the site’s maximum building height from 26 m to a range of maximum building heights up to 52 m (and reduced the maximum building height to 1.5-7 m in the eastern corner of the site; which is the part of the site to which this application relates).



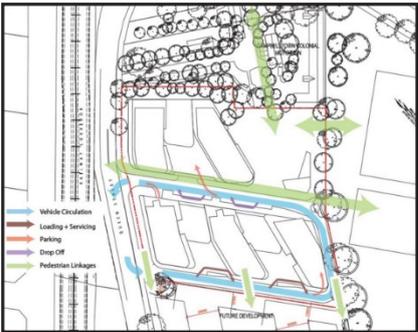
An assessment of the proposed development against this section of the DCP is detailed below:

Standard	Required	Proposed	Compliance
<p>Master Plan Consistency</p>  <p>Figure 14.2 - 22-32 Queen Street Masterplan</p>	<p>Development is to generally comply with the concept masterplan for the site shown at Figure 14.2.</p> <ul style="list-style-type: none"> • Minimum 9 m setback where future development interfaces with the boundary to the state listed heritage item, Warby’s barn and stables. • Stepping of massing away from the heritage items to minimise impacts. • Suitable heritage curtilage. • Providing a heritage interface zone and addressing the 	<p>The application is generally compliant with the master plan.</p> <p>9 m setback to heritage sites provided.</p> <p>Massing is stepped away from heritage items.</p> <p>Suitable heritage curtilage provided.</p> <p>The proposed building interfaces appropriately with</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

	<p>development towards the precinct.</p> <ul style="list-style-type: none"> • Maximising greenspace for resident and visitor amenity. • Maximising solar amenity through proper alignment of buildings. • Minimising overshadowing through alignment of buildings. • Provide a central 'Eat Street' activated main road along the former Warby estate heritage item access road alignment. • Proposed civic space aligned with and connecting to heritage precinct. • Ensure ADG building separations and setbacks. 	<p>the heritage precinct.</p> <p>A significant amount of green space is proposed.</p> <p>The building's alignment would provide solar amenity.</p> <p>The building's alignment would minimise overshadowing.</p> <p>The works proposed under this application contribute to the activation of the main road.</p> <p>Proposed communal/ civic space aligns with heritage precinct.</p> <p>ADG separations and setbacks would be complied with.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>Building Orientation and Layout</p>  <p>Figure 14.3 - 22-32 Building orientation and layout</p>	<p>Building footprints, open space and roads and pedestrian areas are to be provided in accordance with Figure 14.3.</p> <p>The orientation of the built form is to maximise solar access to the open space/civic plaza on 21st June.</p>	<p>Building footprints, open space, roads and pedestrian areas are generally as per Figure 14.3.</p> <p>The orientation of the proposed building allows for ample solar access to the open space/civic plaza on 21st of June.</p>	<p>Yes</p> <p>Yes</p>
<p>Building Separation and Setbacks</p>	<p>Heritage interface up to level 8 – 9 m</p> <p>School grounds setback – 9 m</p>	<p>9 m</p> <p>6 m</p>	<p>Yes</p> <p>No</p>

Streetscape and Site Connectivity			
 <p>Figure 14.7 - Streetscape and Site connectivity</p>  <p>Figure 14.8 - Possible site connections to the south</p>	<p>New streets and pedestrian connections are to be activated where possible through design and active uses.</p> <p>Public awnings for weather protection and public amenity are to be included.</p> <p>Blank walls to the public domain are to be minimised and only permitted in exceptional circumstances, and in such cases should be treated with appropriate levels of design detail and visual articulation to create visual interest.</p> <p>Pedestrian movement is to be prioritised by appropriate crossings, footpath designs, street furniture, parking layouts etc.</p>	<p>The proposed building and play areas would help to activate pedestrian routes.</p> <p>Awnings would be provided over internal pedestrian paths.</p> <p>No blank walls are proposed.</p> <p>Council's landscape architect has reviewed the application and advised that it is satisfactory in this regard subject to the imposition of relevant conditions of consent.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>Heritage Interface</p>  <p>Figure 14.9 - Heritage Interface</p>	<p>Respond to the axes of the Warby site (the configuration of the buildings and the entry drive).</p> <p>Respond to the alignment of the historic entry drive to the west and interpret this early drive in the internal road alignments/ access ways in the Project site.</p> <p>Introduce a lower scale and open space along</p>	<p>The development responds to the axes of the Warby site.</p> <p>The development responds adequately to the alignment of the historic entry drive.</p> <p>Open space and a single storey</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

	<p>the Warby site property boundary.</p> <p>Integrate pedestrian access and landscaping into the heritage transition zone/ setback.</p> <p>Avoid visually overwhelming the Warby site by stepping away the massing of the new development from the shared property boundary.</p> <p>Avoid locating “back of house” services and carpark entries within the transition zone between the Warby site and the Project site.</p>	<p>building are proposed along the Warby site boundary.</p> <p>Pedestrian access and landscaping are provided within the heritage transition zone.</p> <p>Buildings adjoining the Warby site would be stepped.</p> <p>No back of house services would be located within the transition zone.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>Landscaping and Public Open Space</p>  <p>Figure 14.10 - Open Space</p>	<p>Public open space is to be provided as identified by Figure 14.10 to a minimum of 4,000 m².</p> <p>A public domain plan is to be prepared and submitted to Council with a development application for the construction of public open space that illustrates the context, role and purpose of open space elements.</p> <p>50% of the civic plaza is to receive a minimum of 3 hour direct solar access between 9 am and 2pm on 21 June.</p>	<p>Public open space generally in accordance with Figure 14.10 is proposed, exceeding 4,000 m².</p> <p>Public domain detail is shown on the landscape plans, and greater detail in this regard will be provided prior to the issue of a construction certificate and reviewed by Council’s landscape architect.</p> <p>The civic plaza would receive in excess of 3 hours of direct solar access between</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

	<p>Public art should be incorporated into the design of the open space adjacent to the Warby barn and stables site that reinforces the significance of the heritage landscape.</p> <p>Maintain public access to the civic plaza.</p> <p>To ensure the civic/ social infrastructure building is designed to respond to the public open space ensuring that the building does not undermine the integrity of the space and public access.</p> <p>Should social infrastructure uses such as child care be included, the design and interface is to be carefully considered to ensure the safety and protection of children and public access and usability of the open space.</p>	<p>9am and 2pm on 21 June.</p> <p>A detailed public art proposal will be provided prior to the issue of a construction certificate and reviewed by Council's landscape architect.</p> <p>Public access to the civic plaza would be available.</p> <p>The building is designed to respond to the public open space and would not undermine the integrity of the space and public access.</p> <p>Compliance with this standard would need to be demonstrated when a DA for a child care centre is lodged, however the conceptual layout appears capable of compliance.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>Circulation and Access</p>  <p>Figure 14.11 - Circulation and Access</p>	<p>Pedestrian linkages are to be secured and enhanced between Queen Street and the current high school grounds (future open space under the Campbelltown Precinct Plan); between the new civic plaza space and the heritage listed Warby's barn and stables; and between</p>	<p>Space would be available on both sides of the proposed building (at both ends of the communal open space area) for a future connection to the open space to the east of the site.</p>	<p>Yes</p>

	the civic plaza and the high school.		
Crime Prevention Through Environmental Design (CPTED)	Development Applications are to address the CPTED principles: Natural Surveillance Access Control Territoriality Maintenance	A CPTED report has been provided that addresses these matters and makes several recommendations. Recommended conditions of consent require compliance with these recommendations.	Yes

As the table above shows, the proposed development is generally compliant with the provisions of the SCDCP, with the exception of the setback to the school grounds, which is discussed below.

Setback to school grounds

Whilst the proposed building has a setback to Campbelltown Performing Arts High School of only 6 m, which is less than the DCP standard of 9 m, the proposed development satisfies the objectives of the setback standards outlined within the site-specific DCP, which are:

- To reinforce street edges and the public domain.
- To create a sense of visual distinction and separation between the podium and tower levels.
- To ensure compliance with the Apartment Design Guide.

The applicant has advised that the purpose of the reduced setback is to promote safety and minimise the concealed areas between the proposed building and the swale drain adjacent to the school playing fields.

The reduced setback is unlikely to have any impacts upon the grounds of Campbelltown Performing Arts High School, and is therefore considered to be acceptable.

3. Environmental Planning Assessment

- A Qualitative Environmental Wind Assessment report was submitted with the application, which concluded that most ground levels wind speeds within public access areas surrounding the development should remain at their present levels or be reduced with the addition of the proposed development and its wind mitigation treatments. A recommended condition of consent requires compliance with the Environmental Wind Assessment report.
- An arboricultural impact assessment report was submitted with the application, assessing the impact of the proposed development on 4 trees on adjoining land (there are no existing trees on the subject site that would be affected by the proposal). The report states that these trees will be retained and protected, and makes numerous recommendations to ensure that this is the case. A recommended condition of consent requires compliance with the recommendations of the arborist's report.

- A condition of consent is likely to be imposed under 2278/2022/DA-RA requiring that the works proposed under this DA are completed prior to the issue of an occupation certificate.
- An offer was made to Council by the developer for Council to take ownership of the community facilities proposed under this application and offset the applicable developer contributions. This offer was rejected by Council on the basis that the site's location and the location of the facilities within the site would not be conducive to a high level of public accessibility. In addition, the proposed community building and communal open space contribute towards the mixed use development's compliance with the provisions of the Apartment Design Guide and Council's Development Control Plan, and public ownership of these facilities would cause non-compliance in this regard.
- Council's Environment Officer raised the issue of potential pollution and odour problems arising from the proximity of the basement ventilation stacks to the proposed playground. In response, the applicant provided a response from their mechanical engineer, advising that the proposed design of the basement mechanical ventilation system would be compliant with the relevant Australian Standards, noting that exhaust points must be 6 m away from the boundary of the site and any intakes or natural ventilation devices and 3 m above finished floor level (to be out of the breathing zone), which the design complies with.

4. Public Participation

The application was notified to nearby and adjoining residents for a period of 28 days. No submissions were received.

Conclusion

Having regard to the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979* and the issues raised above, it is considered that the application is consistent with the relevant planning legislation.

Attachments

- 4.1.1 Recommended Conditions (contained within this report)
- 4.1.2 Architectural Plans (contained within this report)
- 4.1.3 Landscape Plans (contained within this report)
- 4.1.4 Clause 4.6 Objection (contained within this report)

Reporting Officer

Executive Manager Urban Centres

ATTACHMENT 1
3858/2022/DA-C
Recommended Conditions of Consent

GENERAL CONDITIONS

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

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

1. Approved Development

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

Plan Detail	Job Number	Prepared by	Date
D00.01-04 – Site Plan	201902	Sketch Design Group	26/08/2022
D00.01-05 – Staging Plan	201902	Sketch Design Group	26/08/2022
D01.01-01 – Site – Lower Ground Floor Plan	201902	Sketch Design Group	26/08/2022
D01.01-02 – Site – Ground Floor Plan	201902	Sketch Design Group	26/08/2022
D01.01-03 – Site – Roof Plan	201902	Sketch Design Group	26/08/2022
D01.02-01 – Community Building Lower Ground Floor Plan	201902	Sketch Design Group	26/08/2022
D01.02-02 – Community Building Ground Floor Plan	201902	Sketch Design Group	26/08/2022
D01.02-03 – Community Building Roof Plan	201902	Sketch Design Group	26/08/2022
D01.02-04 – Community Building Roof Plan	201902	Sketch Design Group	26/08/2022
D02.01-01 – Site Elevation East & West	201902	Sketch Design Group	26/08/2022
D02.01-02 – Site Elevation North & South	201902	Sketch Design Group	26/08/2022
D02.02-01 – Community Building East & West Elevations	201902	Sketch Design Group	26/08/2022
D02.02-02 – Community Building North & South Elevations	201902	Sketch Design Group	26/08/2022
D02.03-01 – Site Section North-East	201902	Sketch Design Group	26/08/2022
D02.03-02 – Site Section North-West	201902	Sketch Design Group	26/08/2022
D02.04-01 – Community Building Sections	201902	Sketch Design Group	26/08/2022
D05.01-01 – Community Building External Finishes Schedule	201902	Sketch Design Group	26/08/2022
D06.01-01 – 3D Views	201902	Sketch Design Group	26/08/2022

		Group	
D06.01-02 – CGI Image	201902	Sketch Design Group	26/08/2022
DA1-2211-02 – Overall Site Plan		Stuart Associates	08.09.2022
DA1-2211-03 – Queen Street Connection		Stuart Associates	06.03.2023
DA1-2211-04 – Public Open Space and Community Building		Stuart Associates	06.03.2023
DA1-2211-05 – Precedent Images - Materials		Stuart Associates	08.09.2022
DA1-2211-06 – Precedent Images – Play Elements		Stuart Associates	08.09.2022
DA1-2211-07 - Sections		Stuart Associates	08.09.2022
DA1-2211-08 – Tree Schedule & Images		Stuart Associates	08.09.2022
DA1-2211-09 – Plant Schedule & Images		Stuart Associates	08.09.2022
DA1-2211-10 – Landscape Treatment		Stuart Associates	08.09.2022
SW200 – Lower Ground Floor	20210072	SGC	23/08/2022
SW201 – Ground Floor Plan	20210072	SGC	23/08/2022
SW202 – Site Plan	20210072	SGC	23/08/2022
SW203 – Roof Plan	20210072	SGC	23/08/2022
SW400 – Erosion & Sediment Control Plan & Details	20210072	SGC	23/08/2022
Qualitative Environmental Wind Assessment	610.30327-R04	SLR	September 2022
Arboricultural Impact Assessment	6847.4	Redgum Horticultural	16 September 2022
DA Noise Impact Assessment	20220417.1 Revision 2	Acoustic Logic	19 September 2022
Crime Prevention Through Environmental Design (CPTED) Report	22.005 Revision C	The Design Partnership	19 September 2022
Operational Waste Management Plan	DA1 SO1049 Revision D	EF Consulting	16 September 2022
Fencing Details - D07.02 – 02 and D07.02 - 03	201902	Sketch Design Group	21 February 2023

Separate consent shall be sought from Council in relation to any additional roof mounted plant rooms, air conditioning units and other services and equipment, unless these are completely screened from view using integrated roof structures or architectural elements.

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 5,000 litre rainwater tank shall be provided for the building.

3. Building Code of Australia

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

4. Landscaping

The provision and maintenance of landscaping shall be in accordance with the approved landscape plan containing Council's approved development stamp including the engagement of a suitably qualified landscape consultant/ contractor for landscaping works. The landscape design shall incorporate a significant portion of native, low water demand plants.

5. 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.

All glass used in the building shall have a low reflectivity index.

6. 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.

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. 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.

9. 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.

10. Shoring and Adequacy of Adjoining Property

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

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

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

11. Rain Water Tank(s)

Rain water tank/s shall be installed on site for the collection and storage of stormwater for irrigation and reuse purposes (eg the flushing of toilets), in accordance with the approved plans.

12. 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.

13. Pollution and Waste Management Conditions

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

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

OFFENSIVE NOISE – The development must be 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.

Noise and vibration levels within the premises shall not exceed the relevant criteria detailed in the Noise Impact Assessment prepared by Acoustic Logic Pty Ltd on 19 September 2022.

NSW INDUSTRIAL NOISE POLICY –The use of the premises must not exceed the noise criteria outlined in the NSW Industrial Noise Policy.

ACOUSTIC AND VIBRATION COMPLIANCE CERTIFICATION - An Overall Acoustic and Vibration Compliance Report shall be prepared within 90 days after the

completion of construction and commencement of operations of the premise. This report is to confirm the noise and vibration projections made in Noise Impact Assessment prepared by Acoustic Logic Pty Ltd on 19 September 2022 are compliant with the operating development and to address any resulting issues.

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.

WASTE MANAGEMENT - Open waste storage areas must be appropriately covered and bunded to avoid stormwater entering the sewer.

The business operator must enter into a commercial waste contract agreement for regular waste & 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.

14. Mechanical Ventilation System

In the event a mechanical ventilation system is installed, the system must comply 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*.

In addition to the above the carpark mechanical ventilation system inclusive of the exhaust stacks must be compliant with AS 1668.2-2012.

15. Unexpected Finds

The applicant must ensure that if substantial intact archaeological deposits, local or State significant relics or any other buried fabric such as works are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. To address this discovery, you need to lodge a s146 notification to the Heritage Council of NSW. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery. Advice would be provided in response to the lodged s146 notification.

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 authority's water or sewer infrastructure.

17. Geotechnical Report

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

18. 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.

19. Stormwater Management Plan

Prior to Council or an accredited certifier issuing a construction certificate, a plan indicating all engineering details and calculations relevant to the site regrading and the collection and disposal of stormwater from the site, building/s and adjacent catchment, shall be submitted for approval.

Stormwater shall be conveyed from the site to the future system proposed in development application 2278/2022/DA-RA. The design shall be generally in accordance with the drainage concept plan prepared by SGC Consulting Engineers dated 22/8/22 Revision A and as amended by the conditions in this development consent.

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 a legal point of discharge within the site.

Site surface levels are to be designed so that surface stormwater is deflected away from the buildings.

Ground surfaces are to be designed to have a continuous fall of minimum 1% to the receiving drainage system.

All proposals shall comply with the requirements detailed in Council's *Engineering Design Guide for Development (as amended)*.

20. 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.

21. 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.

22. 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.

23. Section 7.12 Contributions

Contribution

The developer must make a monetary contribution to Campbelltown City Council in the amount of **\$24,035.75** 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 \$2,276,785 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 (\$) =	$\$CC \times \frac{CPI_P}{CPI_C}$

Where:

- \$CC is the contribution amount shown in this certificate expressed in dollars
- CPI_P is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Statistician at the time of the payment of the contribution.
- CPI_C is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Statistician which applied at the time of the issue of this certificate – **130.9 - Dec 2022**.

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.

24. Acoustic Measures on Construction Certificate Plans

Prior to the issue of a construction certificate, all of the recommended measures within the acoustic report prepared by Acoustic Logic (20220417.1/1909A/R2/GC) dated 19 September 2022 shall be shown on the construction certificate plans.

25. Crime Prevention through Environmental Design

Prior to the issue of a construction certificate, all of the recommendations within the Crime Prevention through Environmental Design report prepared by The Design Partnership dated September 2022 shall be shown on the construction certificate plans.

26. Detailed Review of Landscape Plans by Council

Prior to issue of a Construction Certificate, the applicant must submit detailed Landscape Plans (including the details, material schedule, costing and specifications) to Council for review and approval. The written endorsement of Council's Open Space Executive Manager shall be obtained prior to issue of a Construction Certificate. In this regard, the following information shall be submitted:

- a. Landscape that include the following information:
 - i. The location, level, height, dimensions, material, specification and construction details of all landscape elements including but not limited to:
 - Hardworks such as pavements, ramps, steps, fencing, handrails, walls;
 - Softworks such as soil, plantings, mulch, tree guards, fertiliser, turf;
 - Civil infrastructure such as kerb and gutter, pram ramps;
 - Street furniture such as DDA compliant seating, waste receptacles;
 - Pedestrian and vehicular lighting.
 - Boundary fencing and internal fencing
 - ii. Pavement, ramps, fencing, steps, handrails, walls, plantings, kerb and gutter, pram ramps, DDA compliant street furniture, pedestrian and vehicular lighting;
 - iii. The location, level, height, dimensions, material, specification and construction details of all raised/containerised planting beds. All raised/containerised planting beds must be appropriately drained and irrigated and contain an appropriate depth of soil to sustain plant life long-term. Computations of the basement roof structure where impacted must be submitted to demonstrate load-bearing capacity;
 - iv. All tree management and protection measures as per the relevant Australian Standards and recommendations made by the Arborist Report: Arboricultural Impact Assessment, 22 – 32 Queen Street Campbelltown, Reference 6847.4 (2645), (Redgum Horticultural 16 September 2022).
 - v. Clear indication of the alignment and extent of all awnings/architectural canopies. Awnings/architectural canopies must not extend beyond the kerb line and into the road carriageway, or over proposed tree planting areas.
- b. A certificate of design compliance that the playspace and all associated play elements has been designed to meet the requirements of the relevant Australian Standards including:
 - i. Playground Surfacing: To AS/NZS 4422:2016
 - ii. Playgrounds and Playground Equipment – Development, installation, inspection, maintenance and operation: To AS/NZS 4486.1:1997
 - iii. Play Equipment Safety Set: To AS 4685 (set) 2017
- c. An Open Space Asset Maintenance and Management Plan. On-going maintenance and liability of the assets located in the Open Space area including planting areas and playspaces remains the responsibility of the applicant. The applicant must ensure that Open Space is cleaned, free of hazards and fully operational. Planting areas must receive the

appropriate level of ongoing maintenance and care to ensure that the plant material continues to thrive. Playspaces must be maintained to meet the requirements of the relevant Australian Standards.

- d. A Public Art Strategy and Design Proposal that reinforces the significance of the heritage landscape.

27. Stormwater design compatibility

Prior to the issue of a construction certificate, 2278/2022/DA-RA is required to be approved with a stormwater drainage configuration that is compatible with the stormwater drainage configuration approved under this development consent. Evidence of this shall be provided to the Principal Certifier.

28. Basement Pump-out

Prior to the issue of a Construction Certificate, the basement pump-out design shall be amended to be discharged to sewer via a trade waste agreement with Sydney Water.

29. Construction Management Plan

Prior to Council or the appointed Principal Certifier issuing a construction certificate, detailed Construction Management Plan (CMP) prepared by a suitability qualified person shall be submitted to Council. The CMP must be prepared in consultation with the adjoining owners and must include (but not limited to) the following details:

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

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

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

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

PRIOR TO THE COMMENCEMENT OF ANY WORKS

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

30. 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.

31. 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.

32. 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.

33. 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.

34. 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.

35. 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.

36. 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 hoarding or fence shall remain in place for the duration of the works.

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.

37. 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.

38. 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.

39. 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.

40. Excavation and Backfilling

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

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

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

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

41. 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.

42. Fill Contamination

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

43. 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.

44. 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.

45. Compliance with Council Specification

All design and construction work shall be in accordance with:

- a. Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)*;
- b. Council's *Engineering Design Guide for Development (as amended)*;
- c. *Soils and Construction (2004) (Bluebook)*; and
- d. Relevant Australian Standards and State Government publications.

46. 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.

47. 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.

48. Tree Protection Measures

Prior to and during construction, the recommendations of the Arboricultural Impact Assessment report (Ref: 6847.4) prepared by Redgum Horticultural dated 16 September 2022 shall be implemented in full.

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.

49. Section 73 Certificate

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

Application must be made through an authorised Water Servicing Coordinator.

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

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

50. 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.

51. 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.

52. Works as Executed Plans

Prior to the principal certifying authority 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).

53. 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.

54. Public Utilities

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

55. Service Authorities

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

- a. Energy supplier – A Notice of Arrangement for the provision of distribution of electricity from Endeavour Energy to service the proposed development
- b. Telecommunications – Evidence demonstrating that satisfactory arrangements have been made with a telecommunications carrier to service the proposed development
- c. Gas supplier (if relevant)- Evidence demonstrating that satisfactory arrangements have been made with a gas supplier to service the proposed development; and
- d. Water supplier – A Section 73 Compliance Certificate demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.

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

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

56. 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.

57. Consolidation of Allotment

Prior to Council or an appointed certifier issuing any occupation certificate, the applicant shall provide evidence that the allotments that are the subject of the application have been consolidated. The registered plan of consolidation as endorsed by the Registrar General shall be submitted to Council for information. Should the allotments be affected by easements, restrictions, or covenants, for which Council is the relevant authority to release, vary or modify, then the plan of consolidation must be endorsed by Council prior to lodgement with Land and Property Information NSW.

58. Compliance with Detailed Site Investigation Recommendations

Prior to the issue of an occupation certificate, the recommendations of the Detailed Site Investigation (prepared by EI Australia dated 4 November 2022) shall be complied with. In this regard:

- Following removal of the asbestos containing materials identified, an asbestos clearance inspection and certificate should be completed by a suitably qualified professional (SafeWork NSW Licensed Asbestos Assessor).
- Following demolition and removal of associated wastes, an inspection of the exposed soil surfaces should be performed by a suitably qualified environmental consultant to ensure there are no unexpected finds.
- Any material being removed from the site (including surplus soil and potential virgin excavated natural materials (VENM)) requires classification for off-site disposal in accordance with the EPA (2014) Waste Classification Guidelines.
- Any material being imported to the site (i.e. for landscaping purposes) should be assessed for potential contamination in accordance with NSW EPA guidelines as being suitable for the intended use or be classified as VENM.

59. Crime Prevention through Environmental Design

Prior to the issue of an occupation certificate, all of the recommendations within the Crime Prevention through Environmental Design report prepared by The Design Partnership dated September 2022 shall be implemented.

60. Acoustic Validation

Prior to the issue of an occupation certificate, all of the recommended measures within the acoustic report prepared by Acoustic Logic (20220417.1/1909A/R2/GC) dated 19 September 2022 shall be implemented, and certification of this by a qualified acoustic engineer shall be submitted to the Principle Certifier.

61. 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.

62. 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.

63. 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).

64. 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).

65. 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).

66. 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).

67. 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).

68. 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).

69. 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°.

70. 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).

71. Light Fittings

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

- a. 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).

72. 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°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).

73. 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 1688.2-2012: The use of ventilation and air conditioning in buildings - Part 2: Mechanical ventilation in buildings.

74. 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).

75. 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).

76. 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).

77. 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).

78. 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.

79. 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).

80. 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).

81. 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).

82. Food Display Units

All food display units must be enclosed to prevent the possibility of contamination by customer's breath, handling, or from flies, dust, etc (Food Standards Code 3.2.2).

83. Self-Service Appliances

Self-service food appliances must be constructed so as to comply with the, 'National code for the construction and fit-out of food premises' as published by the Australian Institute of Environmental Health.

84. 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.

85. 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.

86. 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).

87. 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:
 - i. 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.

88. 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.

89. 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°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.

90. 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).

91. 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).

92. Smoke Free Areas

Any enclosed eating area must be smoke free. Smoking is not permitted in all outdoor eating areas. "No Smoking" signs must be displayed within the eating areas to ensure all patrons comply with this requirement (*Smoke Free Environment Act 2000*). Please refer to NSW Health website for further information <http://www.health.nsw.gov.au>

93. 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).

94. 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 banded 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).

95. 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.

96. 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.

97. Food Premises Fit-Out Pre-Construction Meeting and Inspection

Prior to any construction work commencing on the fit-out of the food premises, the applicant/builder/private certifier must contact Council's Environmental Health Officers on (02) 4645 4604 to arrange an onsite meeting to discuss the requirements of the fit out under this Consent.

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 2010*, Food Standards Code Australia and New Zealand and AS 4674-2004.

98. 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.

99. 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).

100. 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.

101. 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.

102. Market Stalls

This condition has been applied to ensure that the use of the premise is carried out in such a manner that is consistent with the *Food Act 2003*, *Food Regulation 2010*, *Local Government Act 1993* and associated technical standards.

a. Food Safety Supervisor

The applicant/event organiser must appoint a certified food safety supervisor, trained in the NSW Food Authority's safe food handling course. The food safety supervisor will be responsible for overseeing the operation of all temporary food stalls and ensuring they are operating in compliance with the conditions of this Consent and NSW Food Safety Laws.

b. Food Stall Requirements

The applicant/event organiser is to ensure that all food stalls operating within the market comply with the provisions of the *Food Act 2003*, *Food Regulation 2010*, *Australia New Zealand Food Safety Standards Code* and Council's Requirements for the Operation of One Day Food Stalls which is available on Council's website.

c. Food Stall Inspections

Council reserves the right to inspect all food stalls operating within the markets. The applicant/event organiser will be responsible for the payment of all associated food inspection fees, which are reviewed annually and published in Council's adopted schedule of fees and charges.

Food stalls shall be conducted in accordance with Council's requirements for the operation of one day food stalls. Council reserves the right to revoke approval for any food stall operator to trade in the event the stall/operator fails to comply with Council's requirements.

d. Ventilation

The applicant/event organiser is responsible for providing appropriate ventilation during the operation of the markets to eliminate any smoke or odour nuisances from the use of all cooking appliances. Gas and electrical appliances are only permitted for food preparation.

The applicant is responsible for ensuring that all smoke and odour dispersing from the use of all cooking appliances during the operations of the markets does not affect the safety of users of the site and the amenity of the area.

e. Unreasonable Noise

All generators used for any appliances within the food stalls must be silent to reduce any noise impacts to nearby residents, other stalls and the public attending the market. Any direction by Police or suitably authorised officer (e.g. authorised Council officer) to reduce or mitigate noise disturbances shall be responded to immediately.

f. Waste

The applicant/event organiser 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 food stalls are to be kept within appropriate storage receptacles 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.

103. Mobile Food Vehicle

In the event a mobile food vehicle operates at the premises (this includes during construction), the food business must comply with the following:

- [State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008 – Subdivision 27A Mobile Food and drink outlets](#)
- Food Act 2003
- Food Regulation 2015
- NSW Food Authority's – Guidelines for mobile food vending vehicles
- Australia New Zealand Food Safety Standards Code,
- and where applicable, AS4674:2004 - Design, construction and fit-out of food premises.

REGISTRATION – The mobile food vehicle is required to be registered with Council. A mobile food vehicle 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.

MOBILE FOOD VEHICLE INSPECTIONS - Council reserves the right to inspect the mobile food vehicle operating at premises to ensure health standards are maintained. The food operator will be responsible for the payment of all associated food inspection fees, which are reviewed annually and published in Council's adopted schedule of fees and charges.

Council reserves the right to revoke the approval of the mobile food vehicle operating/trading at the premises if the operator fails to comply with Council's consent.

WASTE - All waste and recycling generated from the mobile food vehicles are to be kept within appropriate storage receptacles 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, vermin, odour or health nuisance.

WASTEWATER – The mobile food vehicle must have appropriate measures to prevent wastewater from the vehicle entering the stormwater system. All waste water must enter the sewerage system.

104. 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.

105. Regulated System/s Conditions

In the event a regulated system is installed, the following conditions have been applied to ensure that the use of the building is carried out in such a manner that is consistent with the Public Health Act 2010, Public Health Regulation 2022, Local Government Act 1993 and associated technical standards.

CONSTRUCTION - Any regulated system on the premises must be designed and installed in accordance with the *Public Health Act 2010*, Public Health Regulation 2022 and AS/NZS 3666.1:2011 Air-handling and water systems of buildings—Microbial control—Design, installation and commissioning.

SAFE ACCESS - There must be safe and easy access to the regulated system for the purpose of cleaning, inspection and maintenance. Safe access must comply with Section 2.1.2 of AS/NZS 3666.1:2011 Air-handling and water systems of buildings—Microbial control—Design, installation and commissioning.

WASTEWATER DISCHARGE - The regulated system must have appropriate measures to prevent wastewater from the system entering the stormwater system. All waste water must enter the sewerage system.

TRADE WASTE AGREEMENT - A trade waste agreement must be provided in accordance with the local water authority if the regulated system discharges more than 500 litres per day. Please contact Sydney Water on 132092 for further information.

COMPLIANCE CERTIFICATE -Provide a compliance certificate to certify that the regulated system/s is constructed and installed in accordance with the above requirements.

OPERATION - Any regulated system on the premises must comply and operate in accordance with the *Public Health Act 2010* and Public Health Regulation 2022.

INSPECTION - Prior to the release of the occupation certificate, Council's Environmental Health Officer is to be contacted (Phone 4645 4604) to undertake for an inspection of the premises. An inspection fee will be charged in accordance with Council's current schedule of fees and charges

REGISTRATION - The regulated system is required to be registered with Council so that regular inspections can be carried out to ensure health standards are maintained. A business registration form is available on Council's website which must be completed and submitted to Council prior to the release of the occupation certificate.

106. Public Swimming Pool/Spa/Water Park Condition/Water Play

In the event a public swimming pool/spa/water park is constructed, the following conditions have been applied to ensure that the use of the development is carried out in such a manner that is consistent with the Public Health Act 2010 and Public Health Regulation 2022.

CONSTRUCTION - Any public swimming pool/spa/water park on the premises must be designed and constructed in accordance with the *Public Health Act 2010* and Public Health Regulation 2022.

WASTEWATER DISCHARGE - The public swimming pool/spa/water park must have appropriate measures to prevent wastewater entering the stormwater system. All waste water must enter the sewerage system.

TRADE WASTE AGREEMENT – If applicable, a trade waste agreement must be provided in accordance with the local water authority. Please contact Sydney Water on 132092 for further information.

COMPLIANCE CERTIFICATE -Provide a compliance certificate to certify that the public swimming pool/spa/water park is constructed and installed in accordance with the above requirements.

OPERATION - Any public swimming pool/spa/water park on the premises must comply and operate in accordance with the *Public Health Act 2010* and Public Health Regulation 2022.

INSPECTION - Prior to the release of the occupation certificate, Council's Environmental Health Officer is to be contacted (Phone 4645 4604) to undertake for an inspection of the premises. An inspection fee will be charged in accordance with Council's current schedule of fees and charges

REGISTRATION - The public swimming pool/spa/water park is required to be registered with Council so that regular inspections can be carried out to ensure health standards are maintained. A registration form is available on Council's website which must be completed and submitted to Council prior to the release of the occupation certificate.

ADVISORY NOTES

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

Advice 1. Environmental Planning and Assessment Act 1979 Requirements

The Environmental Planning and Assessment Act 1979 requires you to:

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

Advice 2. 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 3. Buried Waste

Should buried materials/wastes or the like be uncovered during the excavation of footings or trenches on site works, Council is to be contacted immediately for advice on the treatment/removal methods required to be implemented.

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. Adjustment to Public Utilities

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

Advice 6. Salinity

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

Advice 7. 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 8. Waste-Derived Material

The application of waste-derived material to land is an activity that may require a licence under the *Protection of the Environment Operations Act 1997* (POEO Act). However, a licence is not required by the occupier of land if the only material applied to land is virgin excavated natural material or waste-derived material that is the subject of a resource recovery exemption under clause 51A of the *Protection of the Environment Operations (Waste) Regulation 2005*.

Resource recover exemptions are available on Department of Environment and Climate Change's website at <http://www.environment.nsw.gov.au/waste/>

Definition of 'virgin excavated natural material' within the meaning of the POEO Act:

Natural material (such as clay, gravel, sand, soil or rock fines) that has been excavated or quarried from areas that are not contaminated with manufactured chemicals, or with process residues (as a result of industrial, commercial, mining or agricultural activities), and that does not contain any sulfidic ores or soils or any other waste.

Definition of 'waste' within the meaning of the POEO (Waste) Regulation:

See Part 1, Clause 3B.

Advice 9. Bonds and Bank Guarantees

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

Advice 10. Dial before you Dig

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

Advice 11. Telecommunications Act 1997 (Commonwealth)

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

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

END OF CONDITIONS

REFERENCES

ANY VARIATIONS OF BEHAVIOUR FROM APPROVED CONSTRUCTION NORMATIVE CITY FUND AUTHORITY...
DRAWINGS TO BE MADE IN CONFORMANCE WITH BUT NOT LIMITED TO...
ALL SITE AND SITE DEVELOPMENT DETAILS, EXCEPT FOR...
MECHANICAL, ELECTRICAL AND CIVIL ENGINEERING AND...
REPORTS

NOTES

NEEDS TO DOCUMENT BASIS REPORT FOR ADDITIONAL REQUIREMENTS...
TO OTHER NOTECOR PLANS

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Client

CAMPBELLTOWN 08 DEVELOPMENT PTY LTD

ABN: 46 649 535 530

- Structural: MANCE ASTRAL
Stormwater: SCC
Mechanical: STATTEC
Electrical: STATTEC
Hydraulic: STATTEC
Landscape: START NISSE & ASSOCIATES



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w: www.sketchidesign.com.au

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information. sketchi design group Pty Ltd. ABN: 46 649 535 530

Project: PROPOSED COMMUNITY BUILDING & OPEN SPACE
22-23 OBERIN STREET, CAMPBELLTOWN NSW 2062

Drawing Title: SITE PLAN

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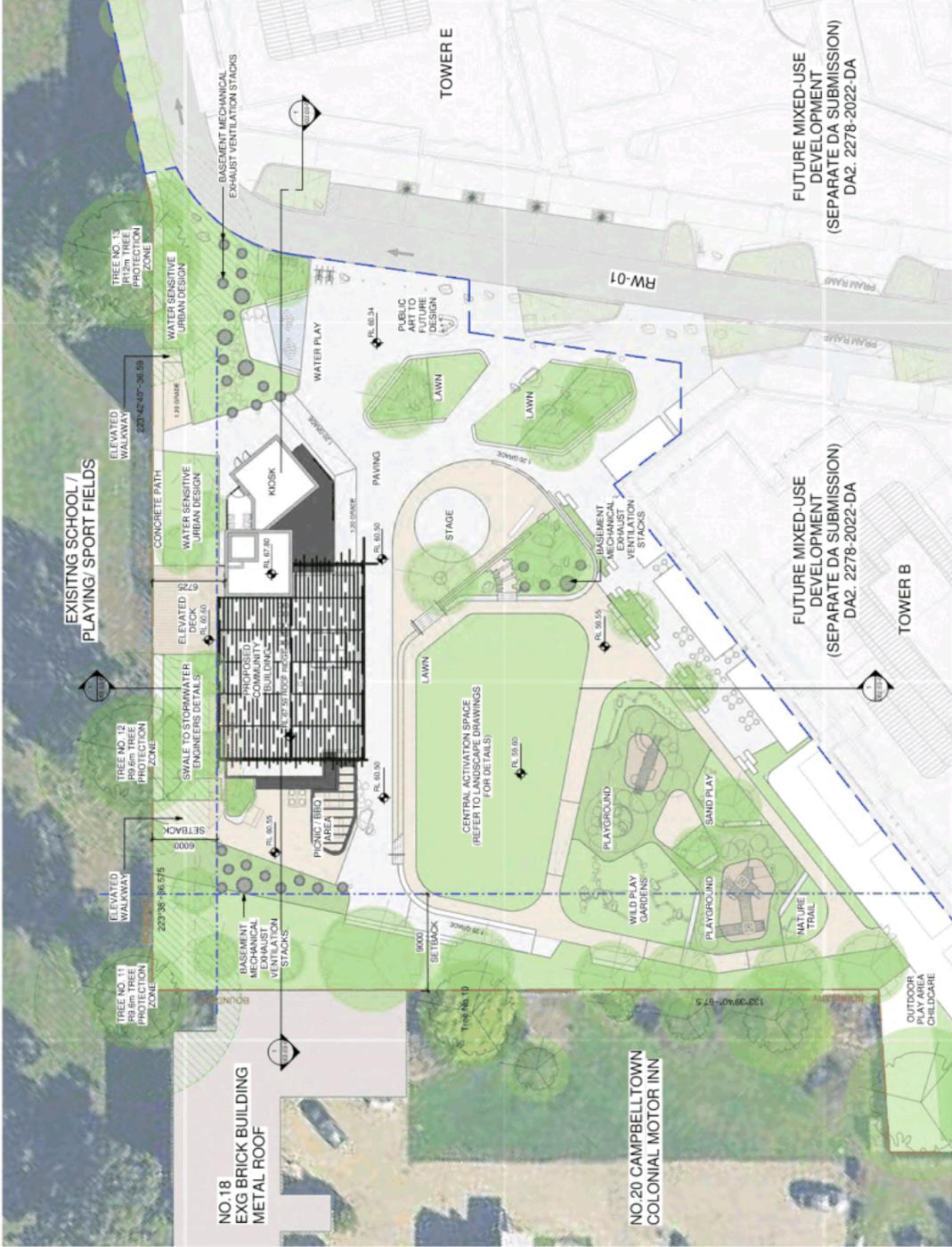
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REFERENCES
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TO OTHER PROFESSIONALS
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CLIENT
 CAMPBELLTOWN 08 DEVELOPMENT PTY LTD
 ABN: 46 648 505 583

STRUCTURAL MANCE ARCHITECTURE
DOMESTIC SEC
MECHANICAL STANTEC
ELECTRICAL STANTEC
PLUMBING STANTEC
LANDSCAPE STANTNOR & ASSOCIATES

sketchi design group

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PROPOSED COMMUNITY BUILDING & OPEN SPACE
 2278-2022-DA

DEVELOPMENT APPLICATION PLAN
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DEVELOPMENT APPLICATION
 2018/22
 2018/22
 2018/22

DATE
 11 AUG 2022

SCALE
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1 SITE - ROOF PLAN
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REFERENCES
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NO.	DATE	DESCRIPTION	BY	APP. BY

CAMPBELLTOWN 08 DEVELOPMENT
PTY LTD
 ABN: 46 649 505 503

sketchi
 design group

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PROPOSED COMMUNITY BUILDING & OPEN SPACE
 22/22 QUEEN STREET, CAMPBELLTOWN NSW 2138

SITE - ROOF PLAN
 Scale: 1:300 @ A1
 Date: 11/08/2021

DEVELOPMENT APPLICATION
 DA2. 2278-2022-DA

NO. 18 EXG BRICK BUILDING METAL ROOF
NO. 20 CAMPBELLTOWN COLONIAL MOTOR INN
NO. 34 METAL WAREHOUSE
NO. 34 CEMENT & BRICK MEDICAL CENTRE

TOWER A
TOWER B
TOWER C
TOWER D
TOWER E

PROPOSED FUTURE MIXED-USE DEVELOPMENT (SEPARATE APPLICATION) DA2. 2278-2022-DA

EXISTING SCHOOL PLAYING FIELDS
PROPOSED COMMUNITY BUILDING
PROPOSED OPEN SPACE

BASEMENT MECHANICAL EXHAUST VENTILATION STACKS
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WATER PLAY
PUBLIC ART TO FUTURE DESIGN
STAGE
PLAYGROUND
OUTDOOR PLAY AREA CHILDCARE

NEIGHBOUR GRASSED AREA
NEIGHBOUR GRASSED AREA
NEIGHBOUR GRASSED AREA
NEIGHBOUR GRASSED AREA

BOUNDARY
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1 SITE - ROOF PLAN
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Stormwater SSC
Mechanical STANTEC
Electrical STANTEC
Hydraulic STANTEC
Landscaping STANTNOR & ASSOCIATES

PROPOSED COMMUNITY BUILDING & OPEN SPACE
 22/22 QUEEN STREET, CAMPBELLTOWN NSW 2138

SITE - ROOF PLAN
 Scale: 1:300 @ A1
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 NORMATIVE OFFICE PRACTICE AUTHORITY APPROVED BY CDA
 DRAWINGS FOR THE USE IN CONJUNCTION WITH THE LIMITED TO
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NOTES
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 ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE STATED.

REFERENCES

ANY VARIATIONS OF BEHAVIOUR FROM APPROVED CONSTRUCTION NORMATIVE OFFER AND AUTHORITY APPROVED BY CDA
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 NOTES TO BE DOCUMENTED IN REPORT FOR ADDITIONAL REQUIREMENTS TO BE MET
 ALL DIMENSIONS AND DISTANCES ARE TO BE NOTED ON SITE AND ALL DIMENSIONS ARE TO BE TAKEN FROM THE FACE UNLESS OTHERWISE SPECIFIED
 ALL DIMENSIONS ARE TO BE TAKEN FROM THE FACE UNLESS OTHERWISE SPECIFIED

NO.	DATE	BY	DESCRIPTION

**CAMPBELL TOWN 08 DEVELOPMENT
 PTY LTD**

ABN: 46 649 503 503
 Architects: MANCE STRAUJ
 Structural: SSC
 Mechanical: STANTEC
 Electrical: STANTEC
 Hydraulic: STANTEC
 Landscape: STANTNOR & ASSOCIATES



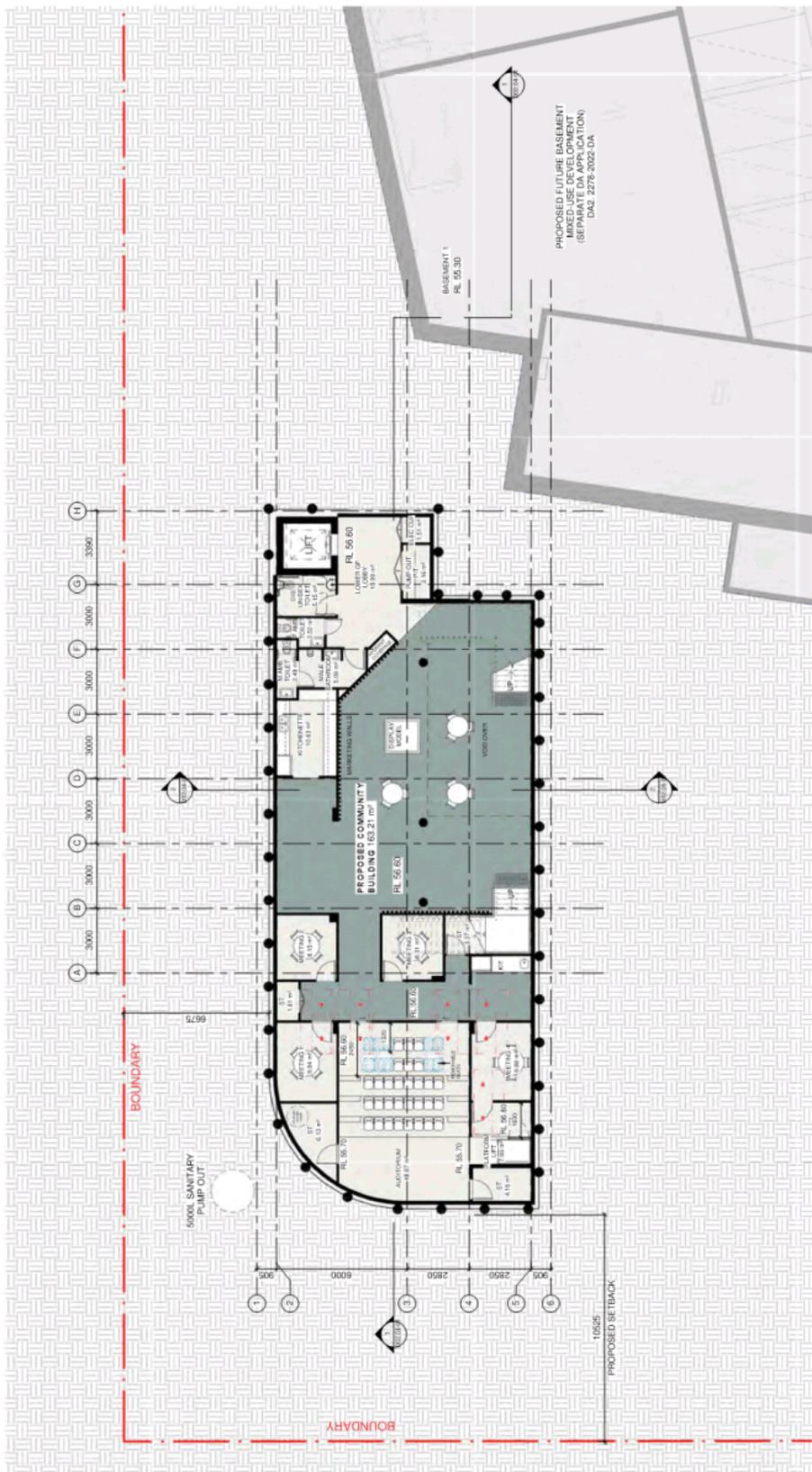
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 South Shields NSW, 2138
 P: 02 8076 3510
 W: www.sketchidesign.com.au

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PROPOSED COMMUNITY BUILDING & OPEN SPACE

COMMUNITY BUILDING LOWER GROUND FLOOR PLAN

Scale Bar	1:100@A1
North	DEVELOPMENT APPLICATION
Date	20/08/22
Drawn By	DS/126-01
Checked By	PC/MC
Project No	JY
Issue Date	AUG 2022



① COMMUNITY BUILDING - LOWER GROUND FLOOR PLAN
 1 : 100

REFERENCES
 ANY VARIATIONS OF BEHAVIOUR FROM APPROVED CONSTRUCTION NORMATIVE CODE PRACTICE AUTHORITY APPROVED BY DA/PA
 DRAWINGS TO BE MADE IN CONFORMANCE WITH THE FOLLOWING TOOLS AND STANDARDS:
 ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING TOOLS AND STANDARDS:
 MECHANICAL, ELECTRICAL, PLUMBING AND SANITATION (MEP) REPORTS
 REPORTS TO BE PROVIDED TO THE DEVELOPER AND APPROVED BY DA/PA
 REPORTS TO BE PROVIDED TO THE DEVELOPER AND APPROVED BY DA/PA
 REPORTS TO BE PROVIDED TO THE DEVELOPER AND APPROVED BY DA/PA

NOTES
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 ALL DIMENSIONS SHALL BE TO THE FACE UNLESS OTHERWISE SPECIFIED
 ALL DIMENSIONS SHALL BE TO THE FACE UNLESS OTHERWISE SPECIFIED

NO.	DATE	DESCRIPTION	BY	CHECKED

CAMPBELL TOWN 18 DEVELOPMENT
PTY LTD
 ABN: 46 549 330 330

Structural: MANCE ATTRAJ
 Stormwater: SCC
 Mechanical: STANTEC
 Electrical: STANTEC
 Hydraulic: STANTEC
 Landscape: STANTNOR & ASSOCIATES



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 South Shields, NSW, 2138
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PROPOSED COMMUNITY BUILDING & OPEN SPACE
 22-22 OBERIN STREET, CAMPBELL TOWN NSW 2586

Project:
 Drawing Title:
 Scale:
 1: 200 @ A1

DATE	DESCRIPTION
20/18/22	DATE 01/01
20/18/22	DATE 01/01
20/18/22	DATE 01/01
20/18/22	DATE 01/01
20/18/22	DATE 01/01
20/18/22	DATE 01/01
20/18/22	DATE 01/01
20/18/22	DATE 01/01
20/18/22	DATE 01/01



1 SITE ELEVATION EAST
 1: 200



2 SITE ELEVATION WEST
 1: 200

REFERENCES
 ANY VARIATIONS OF BEHAVIOUR FROM APPROVED CONSTRUCTION NORMATIVE CODES AND AUTHORITY
 DRAWINGS TO BE MADE IN CONFORMANCE WITH BUT NOT LIMITED TO ALL RELEVANT STATUTORY INSTRUMENTS, PARTICULARLY THE BUILDING ACT 1993 AND THE BUILDING REGULATIONS 2006. TECHNICAL SPECIFICATIONS AND CONSULTANTS' AND REPORTS
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 ALL DIMENSIONS ARE TO BE MEASURED FROM THE FINISHED FLOOR LEVEL UNLESS OTHERWISE STATED.

NO.	DATE	BY	DESCRIPTION

CAMPBELL TOWN 18 DEVELOPMENT
 PTY LTD
 ABN: 46 549 535 583

Structural: MANCI ATRAJ
 Stormwater: SCC
 Mechanical: STANTEC
 Electrical: STANTEC
 Hydraulic: STANTEC
 Landscape: STANTNOR & ASSOCIATES



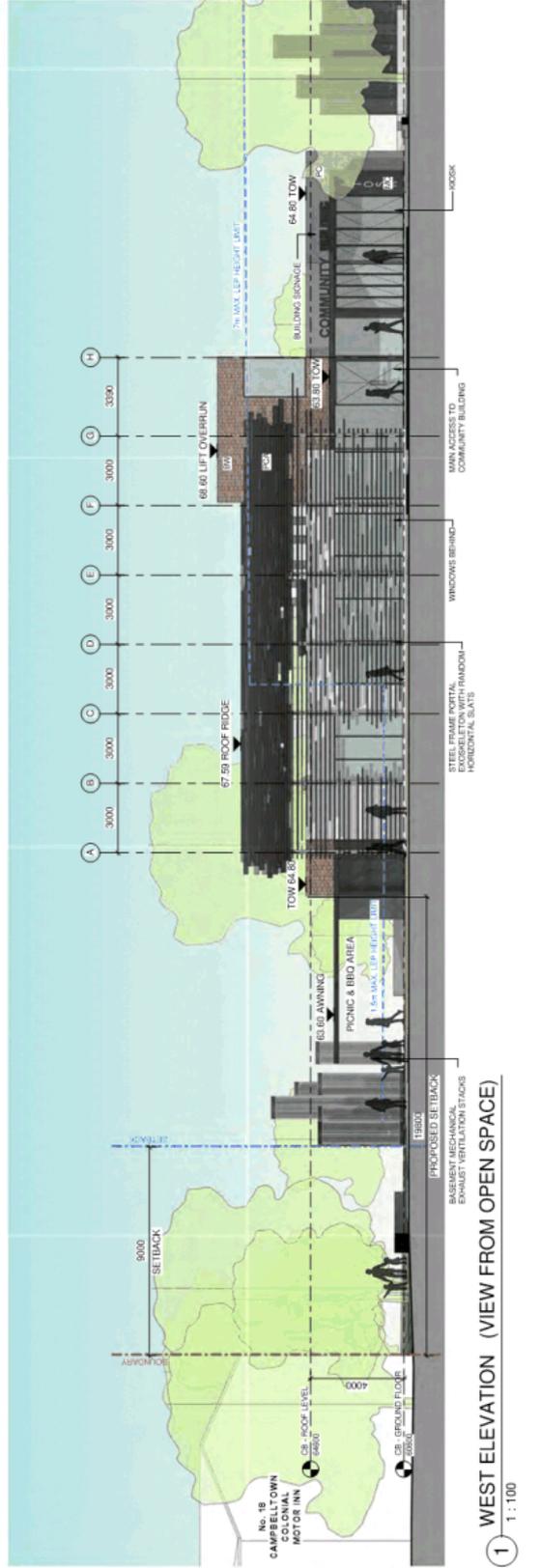
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 South Shields NSW 2138
 P: 02 8076 3510
 W: www.sketchidesign.com.au

Project:
 22-23 GERRA STREET, CAMPBELL TOWN NSW 2566

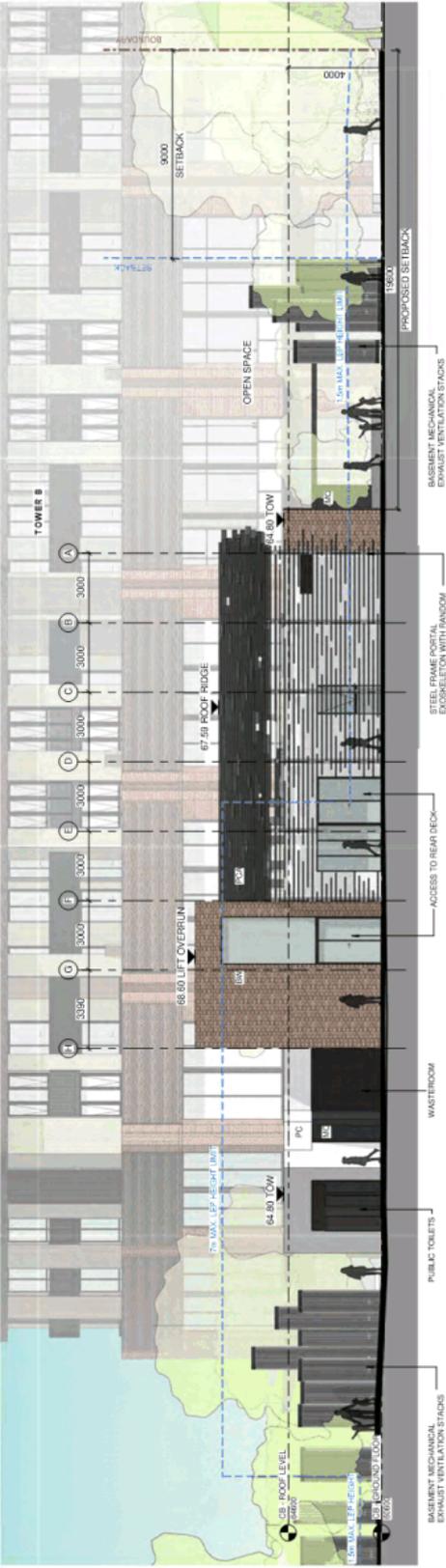
PROPOSED COMMUNITY BUILDING & OPEN SPACE ELEVATION

Drawing Title:
COMMUNITY BUILDING EAST & WEST ELEVATION
 A/E: ALB INDRAGIS@A1

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DATE: 2023.05.10	DATE: 2023.06.01	BY: A
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DATE: 2023.06.01	DATE: 2023.06.01	BY: A
DATE: 2023.06.01	DATE: 2023.06.01	BY: A



1 WEST ELEVATION (VIEW FROM OPEN SPACE)
 1 : 100



2 EAST ELEVATION (VIEW FROM SCHOOL PLAYING/SPORT FIELDS)
 1 : 100

CODE	ITEM DESCRIPTION	COLOR
PC	PRECAST CONCRETE FINISH	GREY OFF FORM
PCA	POWDER COATED ALUMINIUM EXTRUSIONS/PROFILES	DULL GLOSS BLACK
MC	METAL CLADDING	DULL GLOSS COLOURED MONUMENT
BW	BRICK WORK	BRICK PATTERN MOSS VALLE

REFERENCES
 ANY VARIATIONS OF BEHAVIOUR FROM APPROVED CONSTRUCTION NORMATIVE OFFICE PRACTICE AUTHORITY APPROVED BY CDA
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 REVISIONS TO BE MADE TO THE DRAWINGS AS AND WHEN REQUIRED BY THE ARCHITECTURE AND ENGINEERING PROFESSIONAL BODIES AND ANY OTHER RELEVANT AUTHORITIES.
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NO.	DATE	DESCRIPTION	BY	CHECKED BY
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9	20/05/2023	ISSUE FOR SUBMISSION	SK	SK
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CAMPBELL TOWN 08 DEVELOPMENT
PTY LTD
 ABN: 46 649 303 383

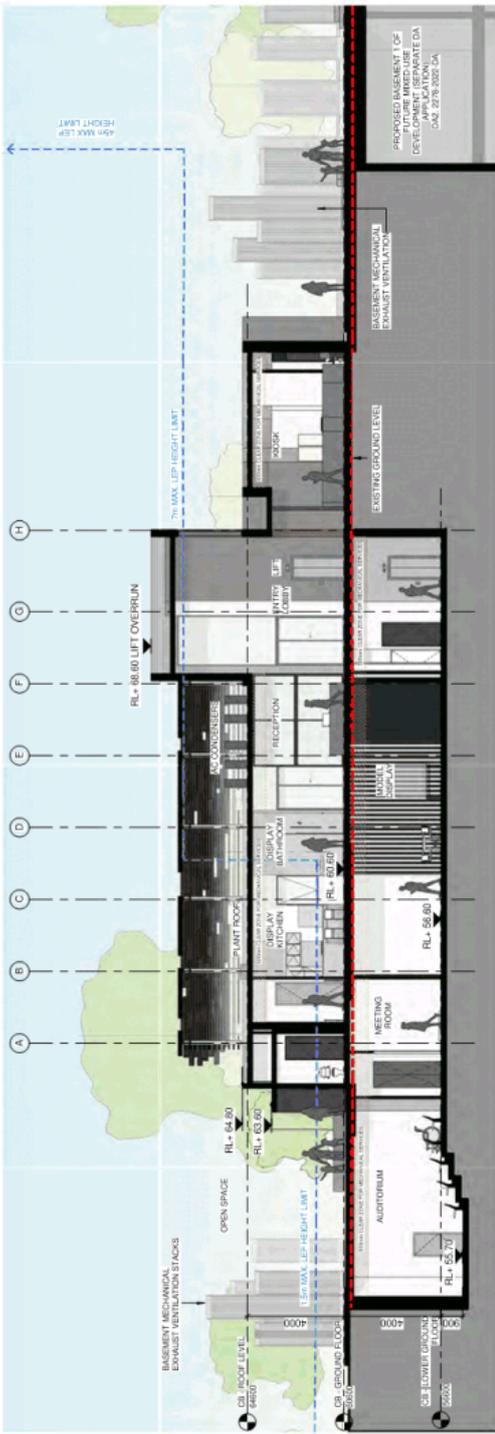
Structural: MANICE ARCHITECTS
 Stormwater: SCC
 Mechanical: STANTEC
 Electrical: STANTEC
 Fire: STANTEC
 Hydraulic: STANTEC
 Landscape: STANTNOR & ASSOCIATES



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PROPOSED COMMUNITY BUILDING & OPEN SPACE
 22/02 GERRARD STREET, CAMPBELL TOWN NSW 2060

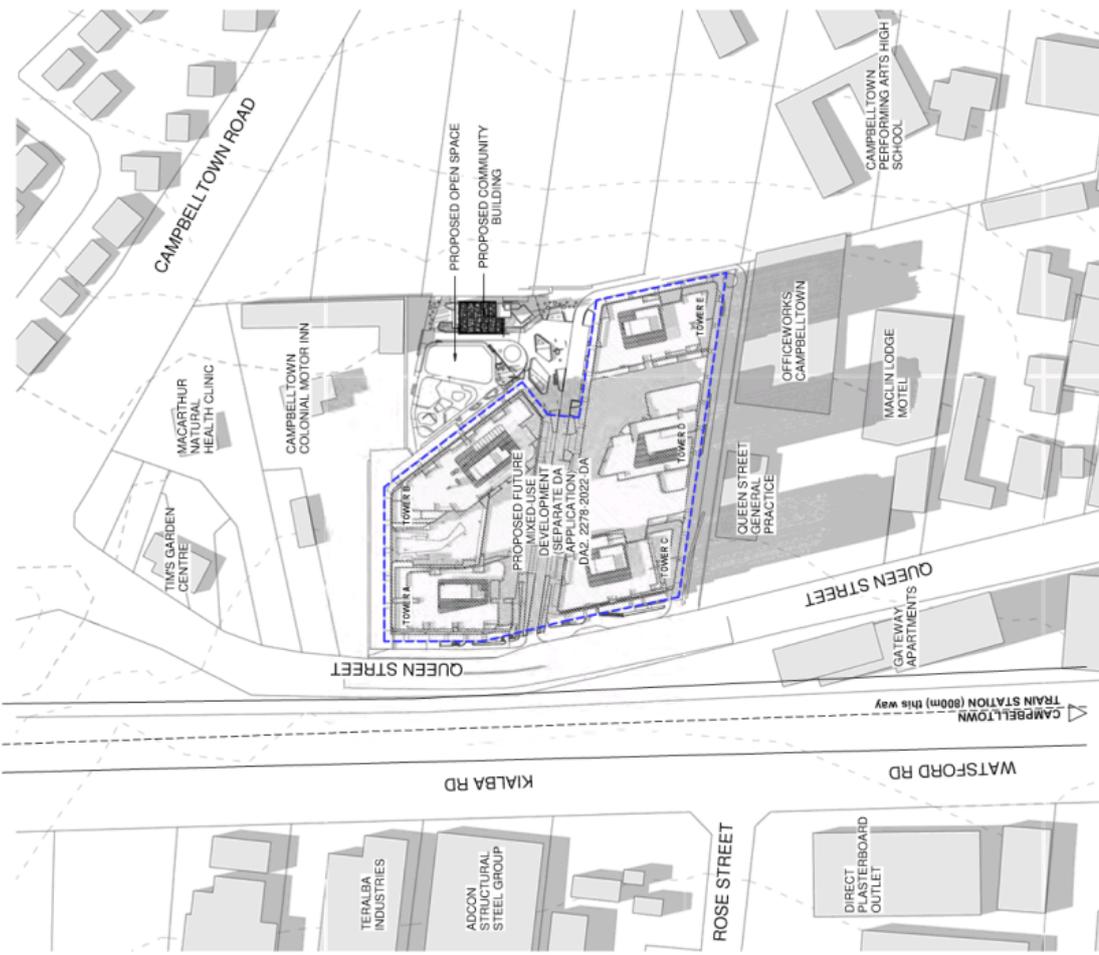
Drawing Title: COMMUNITY BUILDING SECTIONS
 Scale: 1:100@A1
 Status: DEVELOPMENT APPLICATION
 Date: 20/05/2023
 Drawing No: D02/04-01
 City: Campbelltown
 Project No: AUG 2022



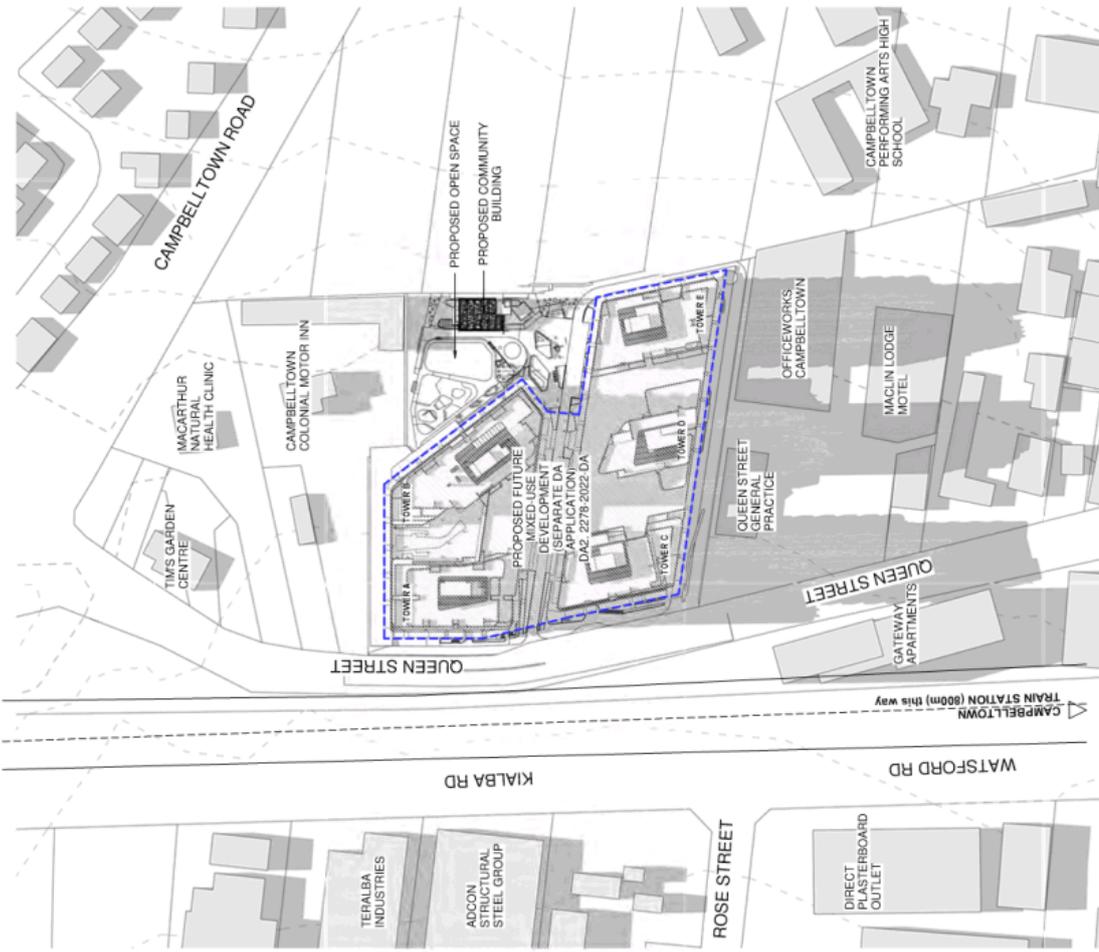
① COMMUNITY BUILDING SECTION AA
 1:100



② COMMUNITY BUILDING SECTION BB
 1:100



2 COMMUNITY BUILDING & OPEN SPACE JUNE 10 00AM



1 COMMUNITY BUILDING & OPEN SPACE JUNE 09 00AM

REFERENCES
 AS 1546-2012 Structural Steel Design
 AS 1547-2013 Structural Steel Connections
 AS 1548-2013 Structural Steel Decking
 AS 1549-2013 Structural Steel Joists
 AS 1550-2013 Structural Steel Beams
 AS 1551-2013 Structural Steel Columns
 AS 1552-2013 Structural Steel Girders
 AS 1553-2013 Structural Steel Trusses
 AS 1554-2013 Structural Steel Bracing
 AS 1555-2013 Structural Steel Fabrication
 AS 1556-2013 Structural Steel Erection
 AS 1557-2013 Structural Steel Maintenance
 AS 1558-2013 Structural Steel Painting
 AS 1559-2013 Structural Steel Welding
 AS 1560-2013 Structural Steel Bolting
 AS 1561-2013 Structural Steel Nuts and Washers
 AS 1562-2013 Structural Steel Rivets
 AS 1563-2013 Structural Steel Screws
 AS 1564-2013 Structural Steel Anchors
 AS 1565-2013 Structural Steel Studs
 AS 1566-2013 Structural Steel Channels
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 AS 1600-2013 Structural Steel Castings

NOTES
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 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
 3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.
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 5. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.
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 9. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.
 10. ALL DIMENSIONS ARE TO SURFACE UNLESS OTHERWISE SPECIFIED.

Client
 CAMPBELLTOWN 88 DEVELOPMENT
 PTY LTD
 ABN: 45 449 035 390

Architect
sketch!
 design group
 10 Gould St.
 South Brisbane, NSW, 2158
 p: 02 8076 2610
 w: www.sketchdesign.net.au

Consultants
 Structural: MANICE APRAU
 Stormwater: SDC
 Mechanical: STANTEC
 Electrical: STANTEC
 Hydraulic: STANTEC
 Landscape: STURT NIBLE ASSOCIATES

Project
 22 23 QUEEN STREET
 CAMPBELLTOWN NSW 2560
 Drawing Title:
 SHADOW ANALYSIS - 21 JUNE
 Scale:
 @A1

Scale Bar
 DEVELOPMENT APPLICATION
 Status:
 Scale Bar

Drawn By: RCM/C
Checked By: JY
Date: AUG 2022
Rev: A
Sheet No: D04.01.01
Project No: 201902

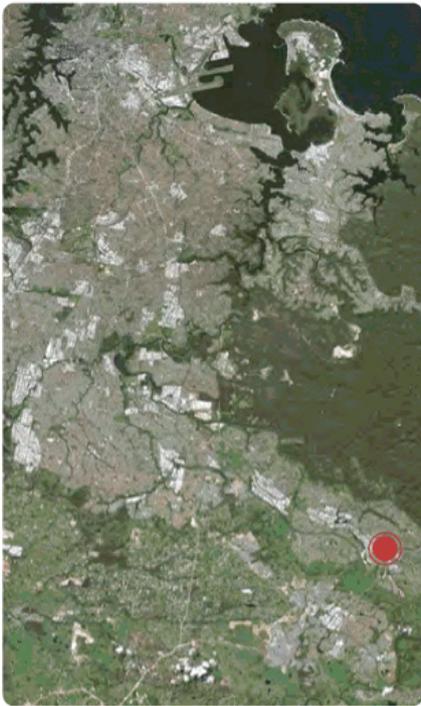


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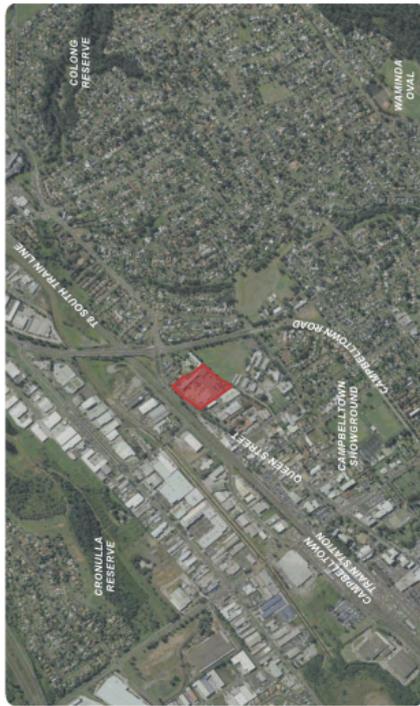
<p>22-32 QUEEN STREET, CAMPBELLTOWN DA1 - OPEN SPACE LANDSCAPE ARCHITECTURAL DEVELOPMENT APPLICATION Set Issue: D Date: 06.04.2023</p>	<p>FOR: Campbelltown 88 Development Pty Ltd</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------



LOCATION AND CONTEXT PLAN



CITY CONTEXT



LOCAL CONTEXT

The site is in Campbelltown. On the south side of Queen St just under a kilometre northeast of Campbelltown Train Station. And about 1 kilometre southwest of Leumeah Train Station.

The primary public domain open space component is to the east of the proposed development with the Campbelltown Performing Arts School oval adjoining further to the east.

The site is approximately 4070m² with the main entry facing west onto Queen St.

Beyond Queen St to the west is the State Rail line. There are some nearby heritage listed sandstone building located in the adjoining property further to the north. All planting and facilities have been laid out with consideration of these adjoining features and maintaining open site lines to them.

Among other elements (Refer Landscape Statement) the proposed design will include green lawn open space and gardens, casual seating, shade tree plantings, dedicated play areas outdoor dining, public art installations and a community centre.



22 - 32 QUEEN STREET, CAMPBELLTOWN

Stuart Noble
ASSOCIATES

146-152, 145-155a Pitt Street
Glebe NSW 2037
T: 02 9211 3744
www.stuartnoble.com.au
landscape architecture
interior architecture
environmental & urban design

PROJECT: 22-32 QUEEN STREET, CAMPBELLTOWN

CLIENT: Campbelltown 88 Development Pty Ltd

DRAWING: LOCATION AND CONTEXT PLAN

DATE: 08.09.2022

SCALE: 1:500

DATE: 08.09.2022

BY: JF

CHECKED BY: JF

SCALE: 1:500

DATE: 08.09.2022

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OVERALL SITE PLAN



LEGEND

- - - Site boundary
- - - DA1 Extents

- Existing trees to be retained
- Existing trees to be removed

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 Gbibe NSW 2037
 T: 02 9211 3744
 www.sturt-noble.com.au
 landscape architecture
 environmental & urban design
Sturt Noble
 ASSOCIATES

PROJECT: 22-32 QUEEN STREET, CAMPBELLTOWN
 CLIENT: Campbelltown 88 Development Pty Ltd
 DRAWING: OVERALL SITE PLAN

DRAWN BY: JF
 CHECKED BY: JF
 DATE: 08.08.2022
 SCALE: 1:500
 REF TO SCALE: G4.1

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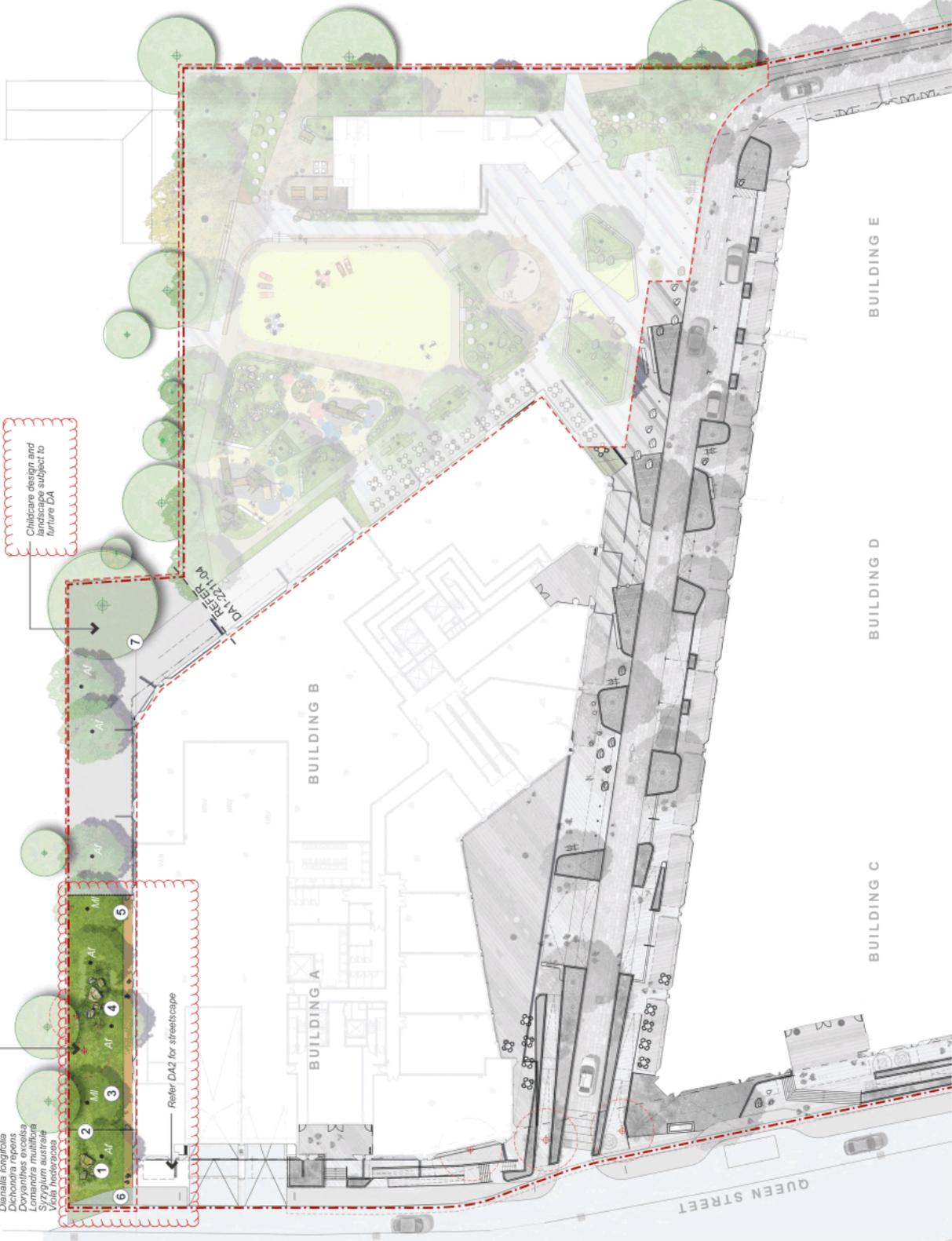
SITE PLAN



QUEEN STREET CONNECTION

- Adiantum athyroides*
- Banksia spinulosa*
- Callistemon citrinus*
- Dianella caerulea*
- Dianella longifolia*
- Dryanthis excelsa*
- Lomandra multiflora*
- Syzygium australe*
- Viola hederifolia*

Childcare design and landscape subject to future DA



NOTES

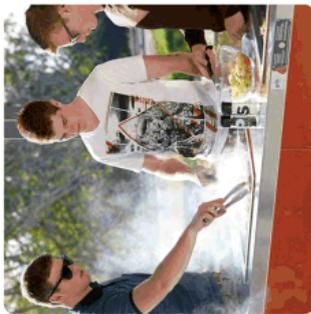
1. Low maintenance native planter to Queen Street
2. Security fence and maintenance gate set into layered planters
3. Dense layered native planting and shade trees
4. Utilise oversized ornamental stone arrangement
5. Maintenance to childcare facility
6. Cycleway to Queen Street
7. Childcare layout and design is subject to a future DA from childcare provider

LEGEND

- - - Site boundary
- - - Extent of works
- Proposed trees. Refer to planting schedule on DA1-2211-03 for species
- All indigenous or low water usage planting to be grouped together and not mixed with other planting

Sturt Noble Associates
 146-150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

PRECEDENT IMAGES - MATERIALS



Community BBQ facilities



Moveable cafe seating



Fixed concrete stools



Climber to grow cables



Island planter



Boulders to planting



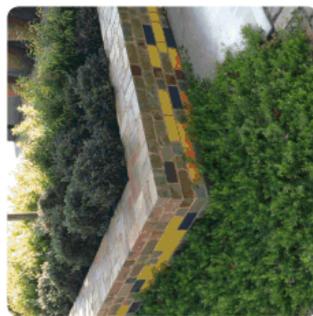
Glazed brick tiles



Recycled brick paving



Swale planting



Brick seating wall



Island planter



Stepped nature trail



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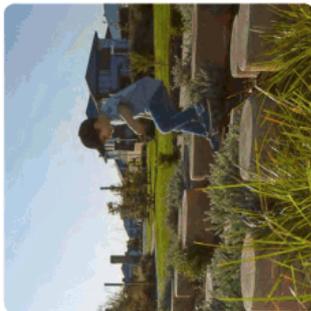
PROJECT: 22-32 QUEEN STREET, CAMPBELLTOWN
CLIENT: Campbelltown 88 Development Pty Ltd
DRAWING: PRECEDENT IMAGES - MATERIALS
DRAWING NO: DA1-2211-05
SCALE: B
DESIGN: JF
DATE: 08.09.2022

NO: 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

PRECEDENT IMAGES - PLAY ELEMENTS



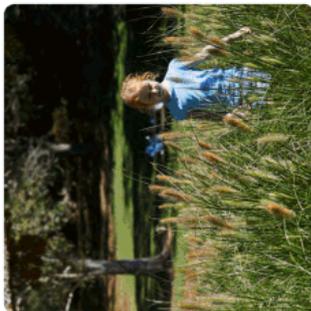
Nature play elements



Play logs through low native planting



Timber log forest



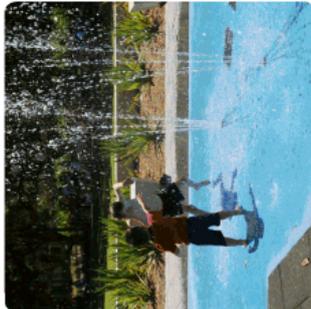
Meadow grasses



Coloured rubber softfall



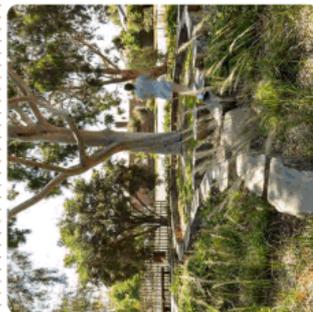
Spinner



Water play element



Climbing structure



Natural play elements



Signage to cycle loop path



Large boulders through nature play



Large open lawn area



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PROJECT: 22-32 QUEEN STREET, CAMPBELLTOWN
CLIENT: Campbelltown 88 Development Pty Ltd
DRAWING: PRECEDENT IMAGES - PLAY ELEMENTS
DRAWN BY: JCS
CHECKED BY: B
DATE: 08.09.2022

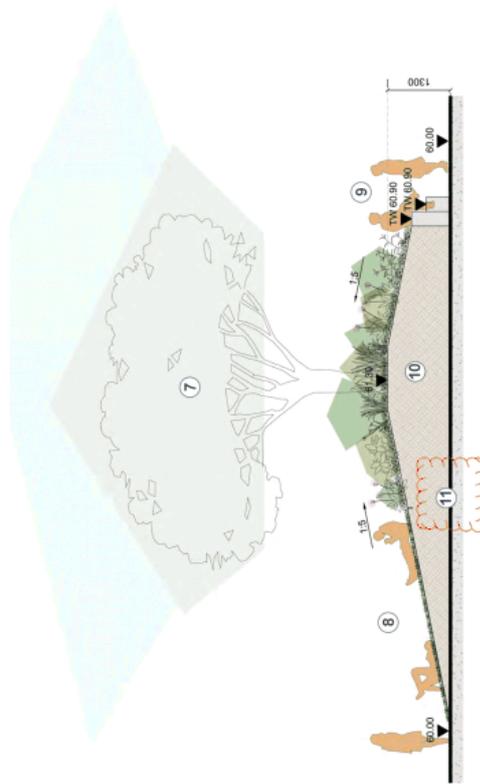
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APPROVED BY STUART NOBLE ASSOCIATES IS NOT APPROVED BY US.

SECTIONS



SECTION 01

CENTRAL LAWN UTILITY AND CONNECTION TO SURROUNDS



SECTION 02

TYPICAL GRADED PLANTER

NOTES

1. Feature planting to community building face
2. Terrace seating
3. Little kids trike / cycle path
4. Main lawn
5. Public Art element extension incorporated with vent setback
6. Breakout dining
7. General proposed trees
8. Secondary lawn to graded planter
9. Seat edges to gardens and raised planters
10. All tree and general planting soil depths and volumes are calculated to meet Campbelltown City Council standard requirements
11. All raised planter beds will be adequately drained and appropriately irrigated


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PROJECT
 22-32 QUEEN STREET, CAMPBELLTOWN

CLIENT
 Campbelltown 88 Development Pty Ltd

DRAWING
 SECTIONS

DATE
 DA1-2211-07 B

DATE
 08.09.2022

Scale: 1:100 (PLAN), 1:50 (SECTION)

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 DRAWINGS AND SPECIFICATIONS. THE DESIGNER ACCEPTS NO LIABILITY FOR
 THE USE OF THIS DRAWING IN ANY OTHER PROJECT UNLESS SPECIFICALLY
 STATED OTHERWISE BY THE CLIENT.

TREE SCHEDULE

CODE	BOTANICAL NAME	COMMON NAME	POT SIZE	SPACING
TREES				
As	<i>Acmena smithii</i>	Lilly Pilly	100L	A.S.
Ae	<i>Alphitonia excelsa</i>	Red Ash	100L	A.S.
Af	<i>Angophora floribunda</i>	Rough-barked apple	100L	A.S.
Bs	<i>Banksia serrata</i>	Old Man Banksia	100L	A.S.
Ml	<i>Melaleuca leucadendra</i>	Weeping paperbark	100L	A.S.
Qp	<i>Quercus palustris</i>	Pin Oak	400L	A.S.

NOTE: ALL SPECIES PROCUREMENT MUST MATCH SCHEDULE SPECIES EXACTLY. THIS SCHEDULE IS SUBJECT TO PROJECT LANDSCAPE ARCHITECT APPROVAL

PRECEDENT TREE IMAGES



Acmena smithii



Alphitonia excelsa



Angophora floribunda



Banksia serrata



Melaleuca leucadendra



Quercus palustris

Stuart Noble
ASSOCIATES

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PROJECT: 22-32 QUEEN STREET, CAMPBELLTOWN
CLIENT: Campbelltown 88 Development Pty Ltd
DRAWING: TREE SCHEDULE & IMAGES
DRAWN BY: JF
DATE: 08.09.2022

AKS: 100 100 100 100 100 100 100 100 100 100
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DRAWINGS AND SPECIFICATIONS. ANY CHANGES TO THIS DRAWING
OR THIS DRAWING IS VOID UNLESS APPROVED BY STUART NOBLE ASSOCIATES PTY LTD

PRECEDENT PLANT IMAGES



Banksia spinulosa



Dichondra repens



Hardenbergia violacea



Thysanotus multiflorus



Aloe 'Pink Fairy'



Clematis aristata



Eriostemon australis



Pandorea pandorana



Aloe 'Moon Glow'



Bauera rubioides



Doryanthes excelsa



Kniphofia 'Royal Standard'

PLANT SCHEDULE

BOTANICAL NAME	COMMON NAME	POT SIZE	SPACING
SHRUBS & GROUNDCOVERS			
<i>Acclinotus hellebrandii</i>	Flannel Flower	150mm	0.4m
<i>Adiantum aethiopicum</i>	Maidenhair Fern	150mm	0.4m
Aloe 'Pink Fairy'	Aloe Fairy Pink	5L	0.4m
Aloe 'Moon Glow'	Aloe Moon Glow	5L	0.4m
<i>Aristida ramosa</i>	Three-awn Speargrass	150mm	0.3m
<i>Bauera spp.</i>	Twig Rush	150mm	0.3m
<i>Banksia spinulosa</i>	Hairpin Banksia	5L	0.8m
<i>Banksia robur</i>	Swamp Banksia	25L	0.8m
<i>Blancifloria spp.</i>	Christmas Bell	150mm	0.3m
<i>Callistemon citrinus</i>	Callistemon Bottlebrush	5L	1m
<i>Callistemon subulatus</i>	Dwarf Bottlebrush	5L	1m
<i>Carex appressa</i>	Tall Sedge	150mm	0.5m
<i>Clematis aristata</i>	Old Man's Beard	5L	1m
<i>Dianella caerulea</i>	Blue Flax Lily	150mm	0.4m
<i>Dianella longifolia</i>	Smooth Flax Lily	150mm	0.3m
<i>Dianella revoluta</i>	Spreading Flax Lily	150mm	0.5m
<i>Dichondra repens</i>	Kidney Weed	150mm	0.25m
<i>Doryanthes excelsa</i>	Gymea Lily	45L	1m
<i>Eriostemon australis</i>	Pink Wax Flower	5L	0.8m
<i>Gahnia sieberiana</i>	Red-Fruit Saw Sedge	150mm	0.8m
<i>Glycine tabacina</i>	Love Creeper	150mm	0.25
<i>Grevillea 'Bronze Rambler'</i>	Grevillea Bronze Rambler	5L	0.7m
<i>Grevillea juniperina</i>	Prickly Spider Flower	5L	1m
<i>Hardenbergia violacea</i>	Purple Coral Pea	5L	0.8m
<i>Hibbertia diffusa</i>	Guinea Flower	5L	0.5m
<i>Kennedia rubicunda</i>	Dusky Coral Pea	150mm	0.8m
<i>Kniphofia 'Royal Standard'</i>	Red Hot Poker	5L	0.6m
<i>Leptospermum polygalifolium</i>	Tamtoon	25L	1.5m
<i>Lomandra filiformis</i>	Wattle Mat-Rush	5L	0.5m
<i>Lomandra longifolia</i>	Spiny-Headed Mat Rush	5L	0.6m
<i>Lomandra multiflora</i>	Many-Flowered Mat-Rush	150mm	0.3m
<i>Pandorea pandorana</i>	Wonga-Wonga Vine	5L	A.S.
<i>Paterosmia spp.</i>	Native Iris	150mm	0.3m
<i>Pinus laevis</i>	Slender Rice Flower	5L	0.6m
<i>Stypantra glauca</i>	Nodding Blue Lily	150mm	0.3m
<i>Syrzygium australe</i>	Lilly Pilly	25L	1.5m
<i>Themeda australis</i>	Kangaroo Grass	150mm	0.4m
<i>Thysanotus multiflorus</i>	Fringe Lily	150mm	0.3m
<i>Viola hederacea</i>	Australian Native Violet	150mm	0.25m

NOTE: ALL SPECIES PROCUREMENT MUST MATCH SCHEDULE SPECIES EXACTLY. SUBSTITUTION MUST BE TO PROJECT LANDSCAPE ARCHITECT APPROVAL

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 Landscape Architecture
 environmental & urban design

PROJECT: 22-32 QUEEN STREET, CAMPBELLTOWN
 CLIENT: Campbelltown 88 Development Pty Ltd
 DRAWING: PLANT SCHEDULE & IMAGES
 DRAWN BY: DA1-2211-09 B
 CHECKED BY: JC
 DATE: 08.09.2022

NO. 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200
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LANDSCAPE STATEMENT

GENERAL INTRODUCTION

This 4070m² site is in a prime position to benefit from morning sun and be sheltered from hot late afternoon sun. A select palette of high quality finishes and durable materials are proposed to provide a wide range of attractive and low maintenance facilities for different user groups.

AREA SET OUT AND ACCESS

The sites primary pedestrian access is from the pedestrian areas adjoining the central share way from Queen Street and from the multiple outdoor dining areas adjoining the east ground floor of the north building. There is additional access to the public domain and play areas from the day care facilities. There is then managed access for the public further to the east beyond the Community Centre via 3 walkways over the proposed swale. In addition, the site is designed to accommodate a further side link to the northern property in the future to local authority determination.

Within the site there are multiple opportunity paths laid out such as a site circuit path. A series of movement spaces between planted islands and stair access provided to seating edge level changes. The entire site is set out to accommodate equal access with level to 1:20 grades to all major zones.

FACILITIES

Moving clockwise around the site from the northwest you can see there is a multi-age child play facility accommodating a junior 2-5-year play, wild / nature play and a 5-12 year old facility. A low 1200mm buffer fence is provided to the whole perimeter except where the playgrounds cross to the main lawn areas. The entire north boundary is mass planted as a flowering native meadow and to the east the open space lawn. Moving further to the east is the 'Legacy Tree', a proposed large feature tree. Then a series of custom designed vents are laid out to form one of 4 groups of art installations. Looking directly onto this is the community building open space courtyard. Moving south through the community building you come out to a public toilet facility to the east of the centrally located 'stige' area adjoining a garden access to the lawn and the 2nd art installation. To the south is the 3rd large art installation and children's water play areas. Sweeping west from here across the bottom of the site you will see the primary art installation that is designed to be visible from Queen Street. A series of sculptural graded raised planters allowing shade trees, layered planting, and graded lawn access up from the adjoining paving.

MATERIALITY AND SUSTAINABLE DESIGN

A rich but simple and robust organic palette of recycled brick, sandstone logs and large natural stones are blended throughout the site with a fine paving that ties to the central site access. Selected use of concrete planter and bench edges in high wear locations.

PLANTING

A near entirely locally native planting palette is utilised to reflect the local natural heritage and grow in a healthy manner commensurate with the local conditions. Planting is generally set out as up to 1m from the ground and then trees that will grow with a higher lifted canopy. Thus, creating a rich mosaic ground plane and shady canopy all outside of the central eye line across the entire site. This providing best passive site surveillance and site lines to surrounding parkland and heritage elements.

PUBLIC ART

A generous integrated public art programme is intended for the site incorporating stand alone elements with other proposed site features. With a vision to interpretation of the locally native Fringe Lily form and reflection of materials from artworks to general finishes.



Thysanotus multiflorus (Fringe Lily)



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environmental & urban design

PROJECT
22-32 QUEEN STREET, CAMPBELLTOWN

CLIENT
Campbelltown 88 Development Pty Ltd

DRAWING
LANDSCAPE STATEMENT

DATE
DA1-2211-10 B

DESIGNER
JC

DATE
08.09.2022

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**Clause 4.6 Exception to Development Standard
Height of Building**

**Development Application
22-32 QUEEN STREET, CAMPBELLTOWN, NSW 2560**

Open Space and Community Building

Prepared for Campbelltown 88 Development Pty Ltd

Submitted to Campbelltown City Council
September 2022

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Clause 4.6 - Height – Open Space & Community Building DA – 22-32 Queen Street, Campbelltown

Clause 4.6 – Exceptions to Development Standards

1 Introduction

1.1 The variation being requested

Summary of Proposed Variation	
Address:	22-32 Queen Street, Campbelltown
Proposal:	Open Space and Community Building
EPI applicable:	Campbelltown Local Environmental Plan 2015
Zoning:	B4 Mixed Use
Standard(s) being varied:	Height of buildings: Clause 4.3
Numeric measure of variation	<p>Maximum allowed: 7m for Community Building & 1.5m for open space area (noting that Clause 7.26 does provide for permissible breaches on this site.)</p> <p><u>Breach within 7m area:</u> Lift overrun: 1.37m variation Ridge line: 30mm variation</p> <p><u>Breach within 1.5m area:</u> Ridge line: 5.735m variation</p> <p>Height breaches and locations are shown in the height plane diagram at Appendix 1 of this report.</p>
Total maximum variation on site	<p><u>Breach within 7m area:</u> 1.37m or 19.57%</p> <p><u>Breach within 1.5m area:</u> 5.735m or 382.3%</p>

Table 1: Request overview

Clause 4.6 - Height – Open Space & Community Building DA – 22-32 Queen Street, Campbelltown

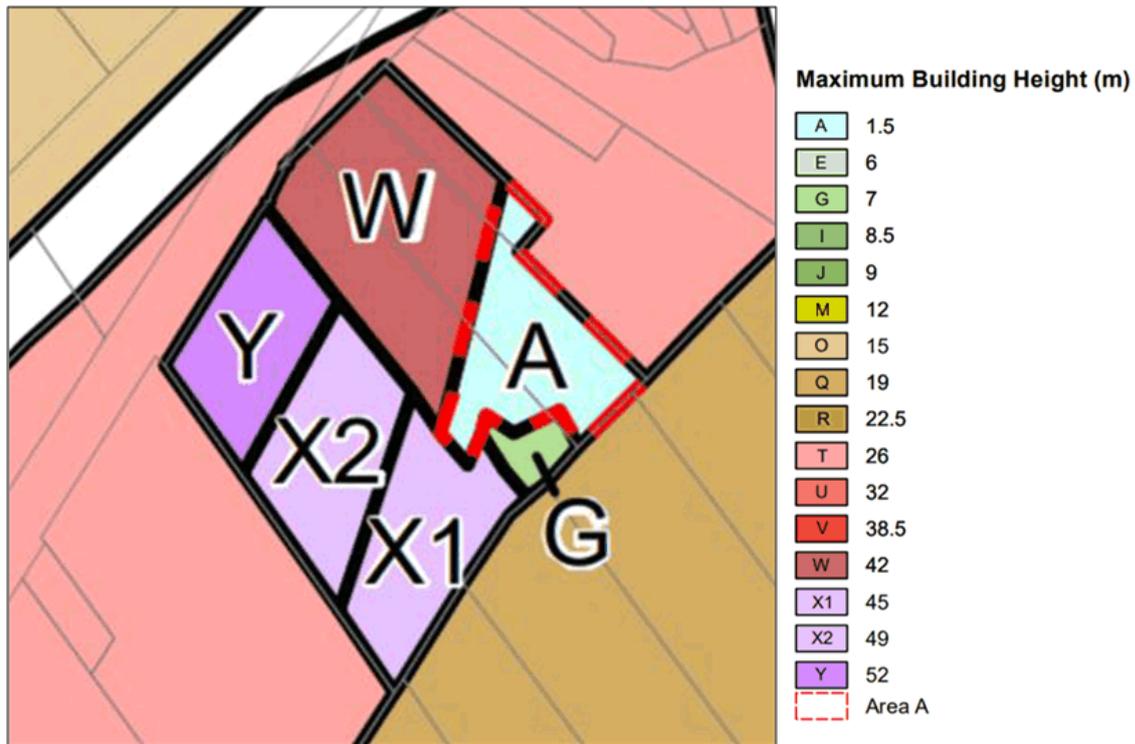


Figure 1 – Height of Building Map (Council LEP)

1.2 Executive Summary

This submission demonstrates that the proposed community building has been slightly relocated from where the original LEP mapping envisaged it would be located. This means that the building is partly located in an area with a 1.5m height limit. This is a highly technical issue, arising from the resolution of the overall site design. It is also noted that the concept Development Application approval for the site has the community building at two-storeys with a 9-metre building height.

The proposed building footprint is smaller than the approved concept DA and would easily be contained within the 7.0m LEP height zone, had it not been shifted. This is illustrated in Figure 2 below. The confirms that the proposed footprint has not been enlarged from the general concept approval for the site. Indeed, it is considerably small as can be seen in Figure 2.

Approved building footprint – 456.11m² (DA No. 308/2019/DA-CD)

Proposed building footprint – 424.67m²

Area of 7m Height of Building zone – 768.31m²



Clause 4.6 - Height – Open Space & Community Building DA – 22-32 Queen Street, Campbelltown

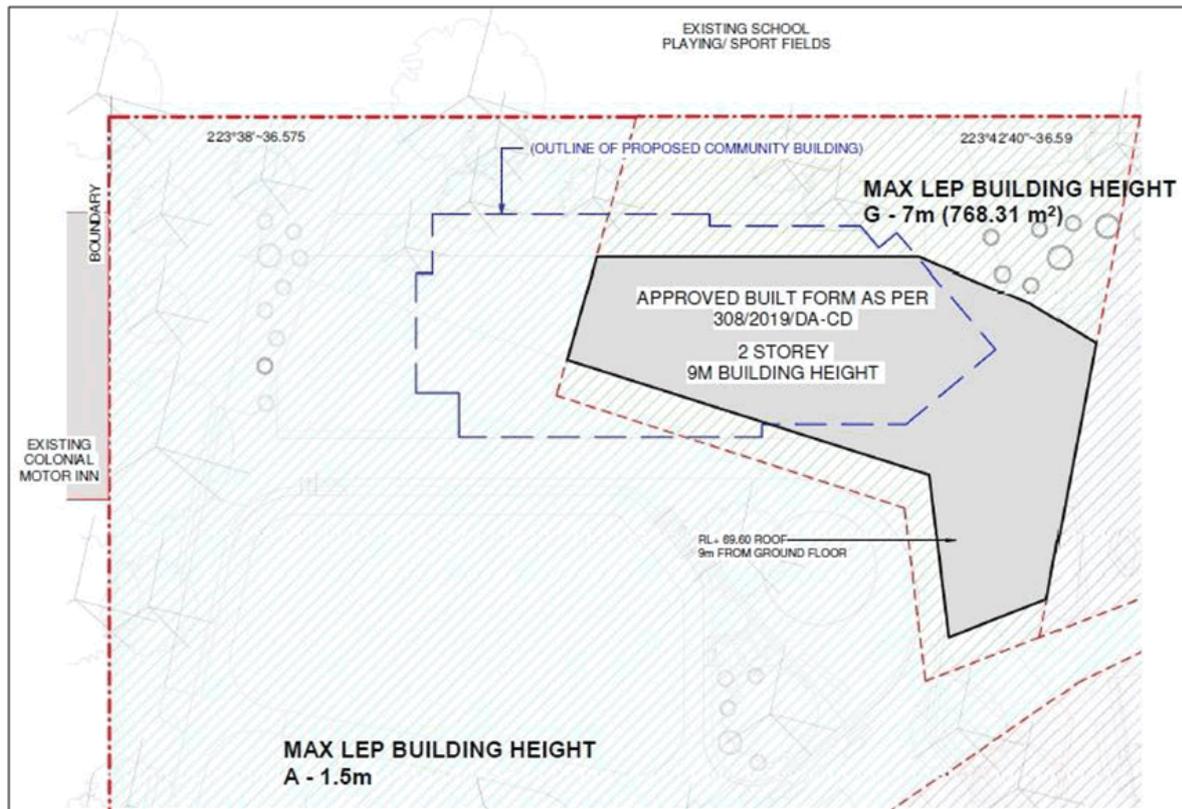


Figure 2 – Diagram of approved and proposed building envelope with the LEP Height zone.

The location of the building has been moved north and east for the following reasons:

- Moving more to the north improves solar access away from afternoon shadows from Tower B;
- Moving it towards the north-east improves sight lines throughout the site, towards the heritage buildings;
- The location was suggested after consultation with the CPTED consultants in terms of setbacks and separation from the road and reducing the setback area between the swale drain and the community building;
- The proposed location creates a better separation from the towers to the south, creating a more appropriate transition of building scale towards the heritage buildings to the north;

Strict compliance is not necessary, now that the overall design resolution for the site has been completed. The heritage consultant's report attached to the application notes that the location of the proposed building and the vents from the basement car park are appropriate in their location and do not detract from the heritage character of the adjoining buildings.

This justification steps through exactly *how* this proposed development ensures that the objectives supporting 'intended scale' and urban 'compatibility' are achieved, notwithstanding the non-compliance. It shows that compliance with the zone and LEP objectives is maintained and how this supports the attainment of the objectives for height.

Clause 4.6 - Height – Open Space & Community Building DA – 22-32 Queen Street, Campbelltown

The impact assessment within the Statement of Environmental Effects (SEE) confirms that this proposal is appropriate and generally complies with the approved concept approval for the site.

The justification has been prepared in accordance with the NSW Department of Planning and Environment guidelines and directly addresses the relevant preconditions, principles and tests identified in relevant Land and Environment Court decisions.

Strict compliance with the standard is unreasonable and unnecessary in this instance.

1.3 Clause 4.6 Operation and relevant case law

The following principles have been considered in preparing this cl 4.6 request:

- The consent authority must “*be satisfied that*:
 - The written request adequately demonstrates that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case (cl 4.6(3)(a) and cl 4.6(4)(a)(i)),
 - The written request adequately establishes sufficient environmental planning grounds to justify contravening the development standard (cl 4.6(3)(b) and cl 4.6(4)(a)(i)),
 - The proposed development will be consistent with the objectives of the zone (cl 4.6(4)(a)(ii)), and
 - The proposed development will be consistent with the objectives of the standard in question (cl 4.6(4)(a)(ii)).”
 - (*SJD DB2 Pty Ltd v Woollahra Municipal Council* [2020] NSWLEC 1112 at [31], citing *Initial Action Pty Ltd v Woollahra Municipal Council* (2008) 236 LGERA 256).
- The consent authority must “in fact” be satisfied of the matters in the first two dot points above, in reliance only on matters set out in the relevant cl 4.6 request (*SJD DB2* at [32], citing *RebelMH Neutral Bay Pty Ltd v North Sydney Council* [2019] NSWCA 130), but may satisfy itself as to the public interest matters in the last two dot points (*SJD DB2* at [34]).
- Cl 4.6(4)(b) requires the consent authority to be satisfied that the concurrence of the Planning Secretary has been obtained, which concurrence may be assumed pursuant to a written notice dated 21 February 2018 attached to Planning Circular PS18-003 (*SJD DB2* at [34] citing *Initial Action*).
- “*Development standards are not ends in themselves but means of achieving ends*” (*Wehbe v Pittwater Council* (2007) 156 LGERA 446 at [43])
- The common ways to demonstrate that compliance with a development standard is unreasonable or unnecessary are:
 - (a) the objectives of the development standard are achieved notwithstanding non-compliance with the standard;
 - (b) the underlying objective or purpose of the development standard is not relevant to the development, so that compliance is unnecessary;
 - (c) the underlying objective or purpose would be defeated or thwarted if compliance was required, so that compliance is unreasonable;
 - (d) the development standard has been abandoned by the council;

Clause 4.6 - Height – Open Space & Community Building DA – 22-32 Queen Street, Campbelltown

- (e) the zoning of the site was unreasonable or inappropriate so that the development standard was also unreasonable or unnecessary (note this is a limited way of establishing that compliance is not necessary as it is not a way to effect general planning changes as an alternative to strategic planning powers). (*SJD DB2* at [35], citing *Initial Action*)
- The five ways to demonstrate compliance is unreasonable/unnecessary are not exhaustive, and it may be sufficient to establish only one way (*SJD DB2* at [35] citing *Initial Action*).
 - Consistent means compatible or capable of existing together in harmony, or not antipathetic (*Moskovich v Waverley Council* [2016] NSWLEC 1015 at [53]).
 - A proposed development does not have to have zero impact or less impact, but rather achieve the intent of the relevant objective (*Initial Action* at [87]).

Clause 4.6 - Height – Open Space & Community Building DA – 22-32 Queen Street, Campbelltown

2 Is compliance with the development standard unreasonable or unnecessary in the circumstances of the case? (Clause 4.6(3)(a))

The five common methods of establishing that strict compliance are unreasonable or unnecessary, were outlined in Section 1.3. This justification relies on method 1 and method 3, specifically asserting that; (1) the standard's objectives are achieved despite the variation and (3) that one of the zone objectives would be thwarted if strict compliance was required.

2.1 The objectives of the standard are achieved notwithstanding non-compliance with the standard

The objectives of Clause 4.3 are:

- (a) *to nominate a range of building heights that will provide a transition in built form and land use intensity across all zones,*
- (b) *to ensure that the heights of buildings reflect the intended scale of development appropriate to the locality and the proximity to business centres and transport facilities,*
- (c) *to provide for built form that is compatible with the hierarchy and role of centres,*
- (d) *to assist in the minimisation of opportunities for undesirable visual impact, disruption to views, loss of privacy and loss of solar access to existing and future development and to the public domain.*

The context for assessment:

While dealing with a different development standard, Baron Corporation Pty Limited v Council of the City of Sydney [2019] NSWLEC 61 noted that the objective of the FSR control was to “*regulate the density of development*” (among other things). In this Campbelltown case, the underlying driver behind the building height objectives is similar, in that it intends to regulate development *intensity* by ensuring appropriate built-form, suitable scale and compatible hierarchy. The principles are therefore, transferrable.

The Court held (at [49]) that the regulation of density, or the achievement of a planned density, in this case, is not and should not be treated as, an end in itself. Regulation of density, or setting a planned density to be achieved, is what the clause does, however this is not the “end” that the clause intends to achieve. Rather, it is a *means* to achieve other goals.

In Baron, it was held that those goals were the other expressed-objectives of the control. Essentially, Baron found there was work required to locate the specific goals that the objective of “planned density” intends to achieve.

In this case, the four height objectives also lack tangible detail (other than a maximum height), meaning there is still work to be done to determine exactly what the specific goals are to “regulate” an appropriate building-form, suitable scale and desirable development intensity. This justification must be understood within this context and legal framework.

Clause 4.6 - Height – Open Space & Community Building DA – 22-32 Queen Street, Campbelltown

The height objectives actually do provide clear performance-based objectives which must be achieved in order to demonstrate that the objectives of the height control have been achieved. Such performance cannot solely rely on a single numeric control, but it must also include design, massing, scale and setbacks.

In Campbelltown, the height objectives speak to development intensity, building scale and form, meaning they regulate *how* the desired density for the zone is expressed on the subject site. In this way, the objectives for the development standard and the zone cannot be separated, in terms of how they seek to express an appropriate density and building form.

Detailed Justification:

The consistency of the proposed development with the zone objectives is discussed in Section 4. It will be demonstrated that the proposed development is consistent with, and in fact achieves, the objectives of the zone, in respect to the open space and community area.

Accordingly, as determined in Baron, consistency with zone objectives further demonstrates the satisfactory achievement of the underlying objectives of the building height control.

Firstly, here is a review the building height objectives.

- (a) *to nominate a range of building heights that will provide a transition in built form and land use intensity across all zones,*

The site is subject to a range of LEP controls for Height of Building with the open space area being allocated 7m and 1.5m. Notably, the Concept DA approved a 9m community building, and this two-storey form is still adopted. The heritage consultant was supportive of the location and scale of the proposed building, particularly in terms of its height transition down to the north.

Furthermore, the site FSR for the overall development site is well below the permissible amount. This shows that the desired “*land use intensity*” is achieved notwithstanding the height breaches of the community building and some recreational structures (which are permissible breaches, per Clause 7.26 of the LEP). This objective is supported.

- (b) *to ensure that the heights of buildings reflect the intended scale of development appropriate to the locality and the proximity to business centres and transport facilities,*

The proposed height of two-storeys and 9m was approved within the concept DA and this building was always envisaged to be at this approximate location. This objective is supported.

- (c) *to provide for built form that is compatible with the hierarchy and role of centres,*

The form and scale of the community building and recreational structures is consistent with the masterplan and concept approval for the site. It was an area designated to provide for a transition zone between the towers, with one modest community building within this precinct. The variation is the result of design resolution to ensure compatibility and appropriate transition. This objective is supported.

Clause 4.6 - Height – Open Space & Community Building DA – 22-32 Queen Street, Campbelltown

- (d) *to assist in the minimisation of opportunities for undesirable visual impact, disruption to views, loss of privacy and loss of solar access to existing and future development and to the public domain.*

Considerable work has been done in this regard by the heritage consultant and the CPTED consultant. This impact and overall juxtaposition with heritage lands has also been peer reviewed. The input from both consultants has resulted in the building being relocated slightly towards the north and the east. This aims to minimize unusable and somewhat-concealed area between the east-side of the community building and the swale drain adjoining the school playing fields. This will create more usable space towards the western of the building.

The location improves solar access to the community building, reducing the shadow impact from Tower B.

On the basis of the justification above (and the justification provided in Section 4), the objectives of the development standard have been satisfactorily achieved by this proposal.

2.2 The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary.

The standard's purpose and objectives remain relevant.

2.3 The underlying objective or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable.

The underlying purposes of the objective relates to the timely renewal and revitalisation of the city centre, and providing a focal point for investment and centre-based living. In this case, the proposed building footprint and massing on the site has been configured having regard to the heritage site to the north.

The proposed community building height is consistent with the approved concept DA for the site and the roof pitch reflects the character of the heritage buildings. Strict compliance with the height would serve no purpose or bring any public benefit. The presence of a two-story community building with uses complementary to the open space is a good planning outcome for the site.

In this case, strict compliance would thwart the achievement of the underlying purpose of certain zone objectives (discussed in Section 4.2).

2.4 The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable.

The standard has not been abandoned

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2.5 The underlying objective or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable.

The zoning is appropriate.



Clause 4.6 - Height – Open Space & Community Building DA – 22-32 Queen Street, Campbelltown

3 Are there sufficient environmental grounds to justify contravening the development standard? (Clause 4.6(3)(b))

3.1 The nature of the variation of the control

Specific details are shown below:

Breach within 7m area:

Lift overrun: 1.37m variation or 19.57%

Ridge line: 30mm variation

Breach within 1.5m area:

Ridge line: 5.735m variation or 382.3%

Height breaches and locations are shown in the height plane diagram at Appendix 1 of this report.

3.2 The environmental context

The site is within an emerging regional centre. Heritage lands to the north of the site have their own character, meaning that this overall development acts as a northern gateway to Campbelltown City Centre.

The subject site is within this much larger development site, and this application relates purely to a designated area of open space and community building.

Heritage lands adjoin to the north and school playing fields adjoin to the east, while proposed mixed use towers are proposed to the west and south (subject to a separation development application). The larger buildings are proposed within a primary development application for the overall site.

3.3 Justification

Sufficient environmental grounds exist to justify contravening the development standard, in this case. In relation to the extent of non-compliance and the form of development it is noted that:

1. The variation is relatively minor and primarily relates to roof structure and lift overrun, as noted on the plans and height plane diagram. Other installations in the open space include basement carpark vents which exceed the 1.5m height. Such installations and play equipment were always going to break this height control, and as such, are permissible breaches within Clause 7.26 of the LEP.
2. The FSR is well below the allowance, and the proposed community building is the same height as the approved concept DA.
3. Relocating the community building more to the north-east improves solar access away from Tower B afternoon shadows and improves sight lines throughout the site, towards the heritage buildings.

Clause 4.6 - Height – Open Space & Community Building DA – 22-32 Queen Street, Campbelltown

A development proposal that was forced to be compliant with the standard fails to recognise that:

- The two storey community building was always anticipated in the established concept plan for the site;
- The general size of the building remains as envisioned and is less than the approved footprint in the Concept DA; and
- There are no significant environmental benefits that would result from strict compliance; indeed there are advantages in supporting the relocation to the north-east (as discussed).

3.3 Consistency with the Act

The Environmental Planning Grounds must, by their nature, be grounds that relate to the subject matter, scope and purpose of the Environmental Planning and Assessment Act 1979 (NSW) (EPA Act) (including section 1.3 of the EPA Act);

As set out in Section 1.3, the objectives of the Act are: -

"(a) to encourage:

- (i) *the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
- (ii) *the promotion and co-ordination of the orderly and economic use and development of land,*
- (iii) *the protection, provision and co-ordination of communication and utility services,*
- (iv) *the provision of land for public purposes,*
- (v) *the provision and co-ordination of community services and facilities, and*
- (vi) *the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*
- (vii) *ecologically sustainable development, and*
- (viii) *the provision and maintenance of affordable housing, and..."*

The proposed variation satisfies the above stated objectives of the Act:

- It is an orderly and economic use of the site. It is an appropriate community building in an open space setting.
- It is very close to transport and supports the revitalisation of the centre and makes contribution to open space provision in the CBD.

This proposed variation to the standard will not hinder the objects of the Act.

The 'grounds' put forward as justification for the requested variation are within the subject matter, scope and purpose of the Act.

Clause 4.6 - Height – Open Space & Community Building DA – 22-32 Queen Street, Campbelltown

4 The proposed development be in the public interest

As set out in *Gejo Pty Ltd v Canterbury-Bankstown Council* [2017] NSWLEC 1712, the proposed development will be in the public interest if it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

4.1 Objectives of the standard

Discussed in detail, in Section 2.1 of this report.

4.2 Meeting the Objectives of the zone

The objectives of the B4 zone are:

- *To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*
- *To encourage the timely renewal and revitalisation of centres that are undergoing growth or change.*
- *To create vibrant, active and safe communities and economically sustainable employment centres.*
- *To provide a focal point for commercial investment, employment opportunities and centre-based living.*
- *To encourage the development of mixed-use buildings that accommodate a range of uses, including residential uses, and that have high residential amenity and active street frontages.*
- *To facilitate diverse and vibrant centres and neighbourhoods.*
- *To achieve an accessible, attractive and safe public domain.*
- *To provide healthy, attractive, vibrant and safe mixed use areas.*

Comments:

- **To provide a mixture of compatible land uses.**

Achieved. Community uses and recreational space are compatible with the mixed-use buildings also proposed on site.

- **To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.**

Achieved. The site has good pedestrian linkages to public transport and to other complementary uses within Campbelltown City. The open space has a children's bike track and the open space will attract walkers in the town centre who are interested in the adjoining heritage buildings.

- **To encourage the timely renewal and revitalisation of centres that are undergoing growth or change.**

Clause 4.6 - Height – Open Space & Community Building DA – 22-32 Queen Street, Campbelltown

This proposal is a part of a larger, significant development proposal at the northern edge of Campbelltown City Centre, and is designed to be sympathetic to the heritage lands to the north. In concert with the broader rezoning study taking place for Campbelltown, this proposal will be a catalyst for the City's revitalisation. The open space will enhance the community appreciation of the adjoining heritage property.

- **To create vibrant, active and safe communities and economically sustainable employment centres.**

The open space and community building contributes to vibrant and active communities, within a safe environment.

- **To provide a focal point for commercial investment, employment opportunities and centre-based living.**

While this proposal doesn't propose these uses, the open space adjoins these uses providing a strong sense of place and contributing positively to the adjoining commercial uses, in terms of setting and visual quality.

- **To encourage the development of mixed-use buildings that accommodate a range of uses, including residential uses, and that have high residential amenity and active street frontages.**

This is primarily achieved through the primary DA for the overall site, more-so than this application.

- **To facilitate diverse and vibrant centres and neighbourhoods.**

Achieved. Communal facilities and picnic/ BBQ areas provide facilities which are heavily utilised by many cultures with strong family/ community values.

- **To achieve an accessible, attractive and safe public domain.**

Achieved. The design and setbacks have been slightly modified to ensure community safety principles are upheld and concealed areas are minimised. This adds to the size of the available open space to the west of the community building, and improves sight-lines from the south towards the heritage buildings.

- **To provide healthy, attractive, vibrant and safe mixed-use areas**

Refer to above comments. The presence of a large common open space area at the north-east of the site encourage passive and active recreation and enable residents and visitors to have exposure to sunlight. The proposed uses and the easy access to the city centre provide for a vibrant experience for residents and visitors.

The zone objectives are supported by this proposed variation.

4.3 Meeting the Objectives of the LEP

The objectives of the LEP are:

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- (aa) *to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,*
- (a) *to provide a comprehensive planning framework for the sustainable development of all land in Campbelltown,*
- (b) *to facilitate Campbelltown's development as the compact, vibrant primary business centre for the Macarthur Region, with distinct limits to urban growth and a clearly defined separation between urban and non-urban areas,*
- (c) *to protect rural land, its agricultural potential and prevent its fragmentation,*
- (d) *to ensure that diverse housing opportunities are provided, including those that accord with urban consolidation principles for all existing and future residents of Campbelltown in all stages of their lives,*
- (e) *to reinforce a hierarchy of centres and strengthen the role of the Campbelltown-Macarthur Regional City Centre as the primary business centre for the Macarthur Region,*
- (f) *to optimise the integration of land use and transport and encourage safe, diverse and efficient means of transport throughout Campbelltown,*
- (g) *to encourage high-quality, well-designed development, that is of an appropriate design and scale to complement its setting and that enhances and encourages a safe and healthy environment,*
- (h) *to ensure the adequate provision of infrastructure and services to support both existing and future development,*
- (i) *to ensure high quality development that is sustainable and does not unreasonably increase the demand for public facilities, amenities and services,*
- (j) *to identify, conserve and protect the Aboriginal, cultural and natural heritage of Campbelltown and to minimise any adverse impacts of development on heritage items and conservation areas,*
- (k) *to facilitate diverse economic growth and employment opportunities,*
- (l) *to conserve and enhance the environmental, scenic and landscape values of land in Campbelltown,*
- (m) *to maintain, protect and improve the natural environment including biodiversity and water resources,*
- (n) *to minimise land use conflict and the impact of development on adjoining land and on land subject to environmental hazards, particularly bush fire, flooding and salinity,*
- (o) *to achieve development outcomes that are commensurate with the capability and suitability of the land,*
- (p) *to provide for the social, cultural and recreational needs of existing and future communities,*
- (q) *to foster environmental, economic, social and physical well-being so that Campbelltown develops as an integrated, balanced and sustainable city,*
- (r) *to protect and promote the health and well-being of current and future residents of Campbelltown.*

Comments:

This justification has been underpinned by detailed evidence that also support the objectives of the LEP. Given the amount of overlap, and to avoid repetition, this justification is only briefly summarised below:

- It provides for the recreational needs of the new residents that will live on the overall development site.
- The open space supports ground level commercial opportunities which serve residents on site and the contribute to the revitalisation of Campbelltown, supporting its vibrancy and cultural diversity.

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- The minor variation will not result in any impact to the heritage context and allows for appropriate sight lines to be provided towards the north.
- The overall FSR on the total development site is less than the allowance.
- The variation will not result in any impact on the natural environment or bring undue environmental impact.
- The envisaged character and amenity of the open space is supported by this proposal. The variation in height is primarily the result of relocating the building towards the north, which does not compromise the intent of the planning controls.

This proposal supports the objectives of the LEP.

Clause 4.6 - Height – Open Space & Community Building DA – 22-32 Queen Street, Campbelltown

5 Other Concurrence Considerations

Clause 4.6(4)(b) requires that the concurrence of the Secretary be obtained, and sub-clause (5) outlines the required considerations.

5.1 Whether contravention of the development standard raises any matter of significance for State or regional environmental planning?

The contravention of the development standard in this case will not raise an issue of State or regional planning significance as it relates to local and contextual conditions.

5.2 Is there public benefit in maintaining the development standard?

There is no benefit in maintaining strict compliance with the standard.

This justification has demonstrated that it is consistent with the envisioned character of the open space and community facility. It also demonstrated that it will create an appropriate juxtaposition with the heritage precinct to the north, which is an appropriate planning outcome. This is supported by the heritage report attached to the application.

As also noted in Section 3.3, there are no compelling environmental reasons or matters of public benefit to warrant strict compliance.

Clause 4.6 - Height – Open Space & Community Building DA – 22-32 Queen Street, Campbelltown

6 Conclusion

Clause 4.6(4) establishes preconditions that a Consent Authority must be satisfied of, before it can grant a variation to a development standard. This written request has addressed all of these required matters:

1. Compliance with the development standard is unreasonable or unnecessary in the circumstances; and
2. Sufficient environmental planning grounds to justify contravening the development standard; and
3. The proposed development will be in the public interest because it is consistent with the objectives of the development standard and the zone;

This submission has addressed each precondition for considering any variation. It has been structured so that all relevant tests established by Land & Environment Court judgments have been addressed and the application can be determined.

The objectives of clause 4.6 are —

- (a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
- (b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

The proposal supports Objective (b) by providing a two-storey community building at a slightly relocated area in order to improve sight-lines and improve community safety through design. This amended is supported by the two independent reports relating to CPTED and heritage.

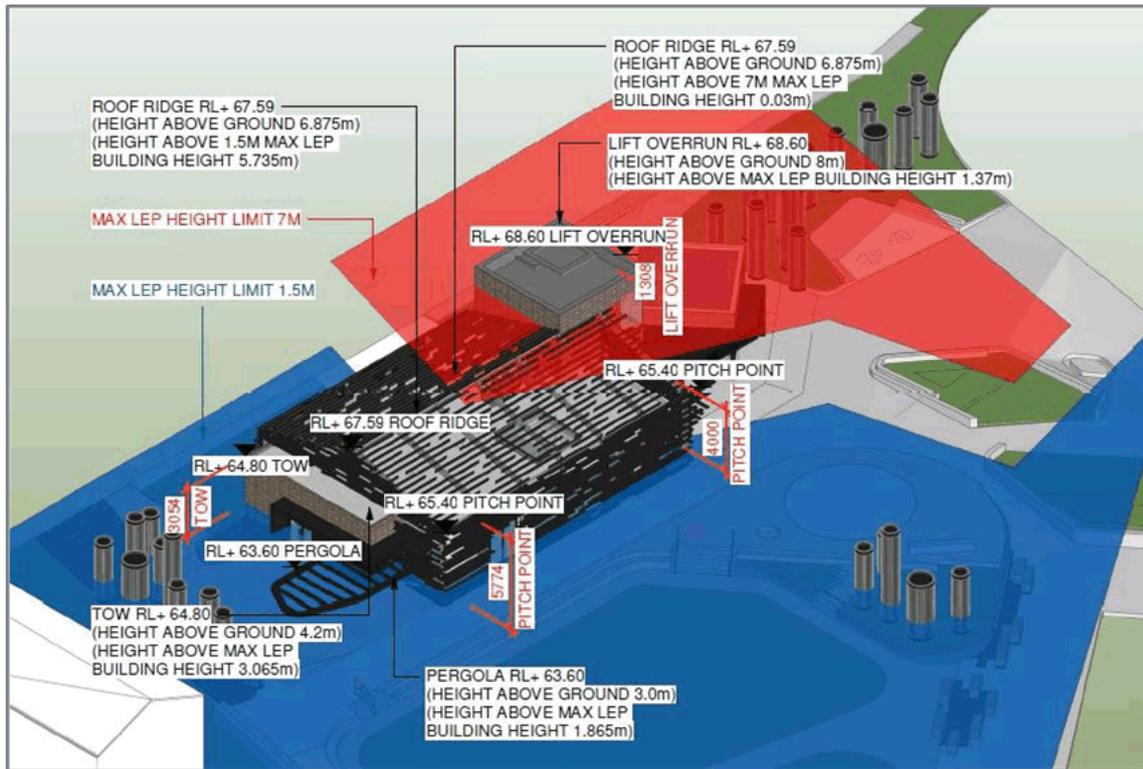
The proposed building footprint is less than the approved concept DA and less than the area of the 7m height zone. The variation is the result of design resolution rather than an expanded development.

This justification has demonstrated *how* this proposed development has jumped the necessary hurdles required to ensure “achievement” of the heigh objectives and compliance with the zone and LEP objectives.

Strict compliance with the development standard is unreasonable and unnecessary in this instance and it would thwart the “better outcomes” noted in support Objective (b) of Clause 4.6 (noted above).

The use of the flexibility provided by the objectives of Clause 4.6 is available to the consent authority in this instance.

Appendix A – Height plane



5. CONFIDENTIAL ITEMS

5.1 Planning Proposal - Amendment of Clause 4.4 'Floor Space Ratio' - Campbelltown Local Environment Plan 2015

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(f) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

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details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property.

5.2 Planning Proposal - Rosalind Park

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(f) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

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details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property.

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