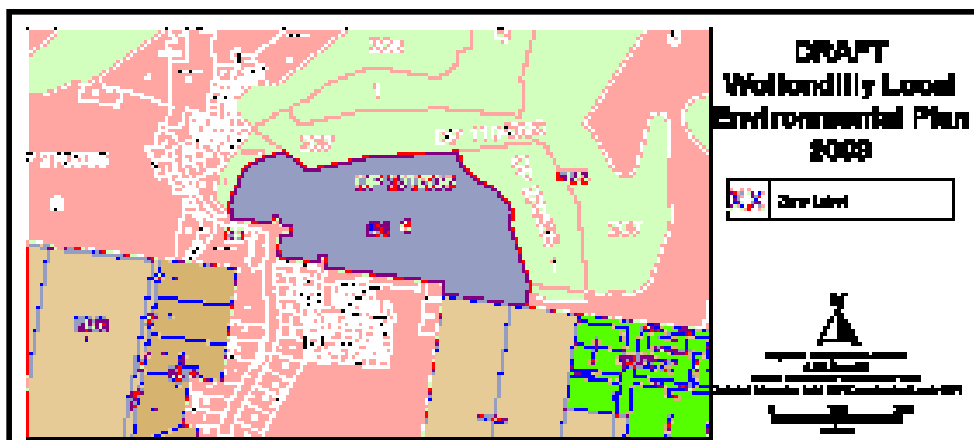
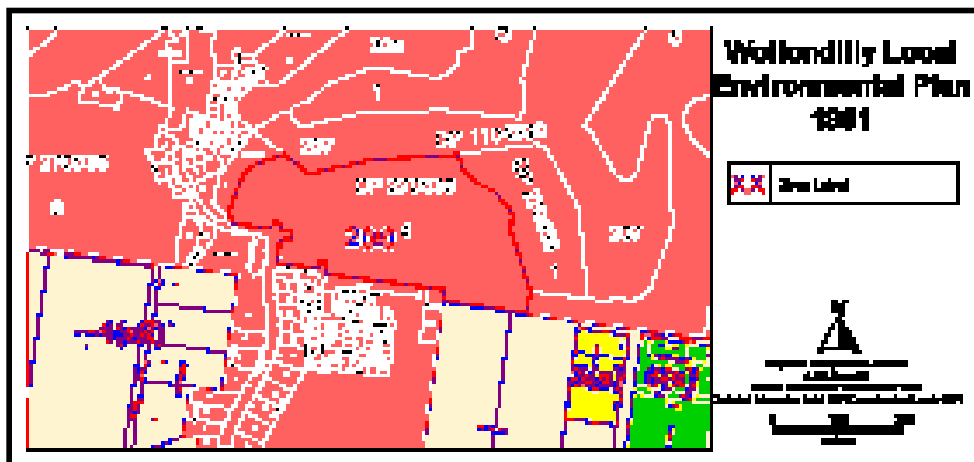
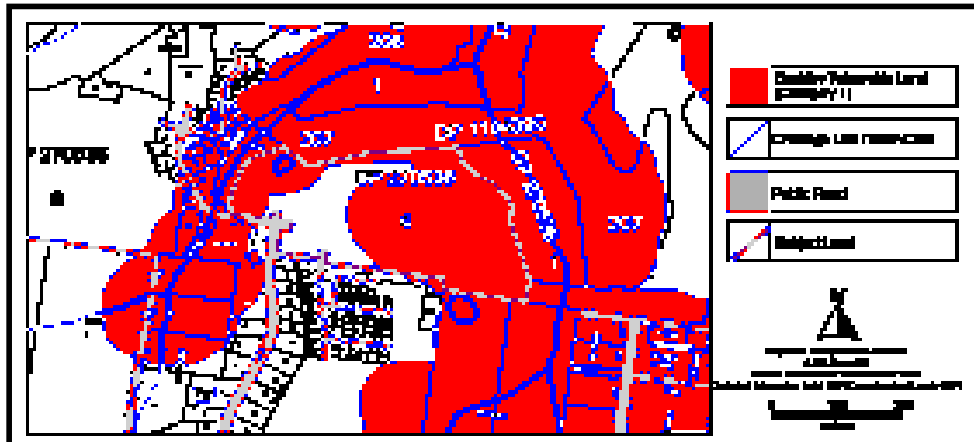


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|-----------------------|---|
| JRPP No.              | Item 1 - 2009SYW021   |
| DA No.                | 010.2009.00000458.001   |
| Proposed Development: | Construction of a new primary school - Pembroke Parade, Wilton Park Lot 4 DP 270536 |
| Applicant:            | NSW Department of Education and Training  |
| Report by:            | Grant Rokobauer, Senior Development Assessment Planner – Wollondilly Shire Council  |

#### MAPS OF THE SUBJECT LAND



# Assessment Report and Recommendation

## EXECUTIVE SUMMARY

This report concerns Development Application No. 010.2009.00000458.001 for a proposed new primary school at Lot 4 DP 270536, Pembroke Parade, Wilton.

The application is reported to the Joint Regional Planning Panel because it is development on behalf of the crown with a capital value exceeding \$5,000,000. Had the development not been subject to this provision of the Environmental Planning and Assessment Act, 1979, it would have been determined under delegated authority by a Council Officer.

The subject application was notified to adjoining and nearby land owners and advertised in accordance with Council's Development Control Plan for the notification and advertising of development proposals. No submissions were received.

There have not been any disclosures of political donations made in regard to this application.

It is recommended that the application be approved subject to conditions.

## CONSULTATION

The subject Development Application has been referred to the following external and internal parties for comment/approval:

Mine Subsidence Board – The concurrence of the Mine Subsidence Board has been received by Council.

NSW Rural Fire Service – Issued a Bushfire Safety Authority under Section 100B of the Rural Fires Act, subject to conditions.

NSW Roads and Traffic Authority – Responded with concerns regarding the lack of information provided with respect to road infrastructure. It is noted that a separate development application has been submitted in respect provisioning infrastructure. The Roads and Traffic Authority of NSW has been provided with details of this application and discussions are continuing to ensure a satisfactory road safety outcome. Conditions are recommended to ensure the school does not open prior to this provision.

NSW Police Service – No concerns, subject to conditions.

NSW Department of Planning – Provided advice that the matter can only be referred to the Minister on resolution of the JRPP.

Cubbitch Barta Native Title Claimants – No response received.

Tharawal Lands Council – No response received.

Council's Development Engineer – No concerns, subject to conditions.

Council's Environmental Health Officer – No concerns, subject to conditions.

Council's Environmental Management Officer – No concerns, subject to conditions.

Council's Disabilities Access Adviser – No concerns, subject to conditions.

## PROPOSAL

### **1.1 Description of site and surrounding area**

The subject allotment is a development “super” lot within the Wilton Park Urban Release Area (the estate). This land forms the commercial and civil precinct within the master plan for the estate. The allotment the subject of this application has an area of approximately 20 hectares (the allotment). The development would not occupy this whole area but would occupy approximately 3 hectares (the site).

The subdivision of the allotment to create a separate title for the site has previously been approved by Council. At the time of writing this report there had not been any subdivision certificate application received.

The allotment has not yet undergone development except for some temporary roads that have been constructed. There has not yet been any development of the site, though it was temporarily used for the storage of fill material prior to it being deposited elsewhere in the estate.

The site is not yet serviced by road infrastructure or reticulated sewer. Power and water are available and, under the conditions of the subdivision consent, will need to be provided to the site prior to its registration as a lot.

The site slopes gently downward to the north and northwest. It contains a number of trees in a windrow that runs in a northwest to southeast direction. The site also contains additional scattered trees. A large area of the site has been cleared of virtually all vegetation as a result of the stockpiling and then removal of fill material.

### **1.2 Description of Development**

It is proposed to construct a new primary school consisting of ten (10) buildings the details for which are tabulated below:

| Label                    | Details   |
|--------------------------|---|
| Block A – Administration | Administration building including: <ul style="list-style-type: none"><li>▪ Principal’s Office</li><li>▪ Deputy Principal’s Office</li><li>▪ Two (2) Interview Rooms</li><li>▪ Staff Room</li><li>▪ Sanitary Facilities for Staff</li><li>▪ Secure Store Room</li><li>▪ General Office Space and Printing Room</li><li>▪ Reception Area</li><li>▪ Sick Bay</li><li>▪ Accessible bathroom (including shower).</li></ul> |
| Block B – Home Bases     | Building containing two (2) classrooms, accessible bathroom (including shower) and a changing/laundry area.   |
| Block C – Ablutions      | A small building containing sanitary facilities for students.   |
| Block D – Home Bases     | Building containing four (4) classrooms.  |
| Block E – Library        | Building containing a library including office space, store rooms and specialised learning areas.   |
| Block F – Ablutions      | A small building containing sanitary facilities for students.   |
| Block G – Home Bases     | Building containing four (4) classrooms.  |

| Label             | Details  |
|-------------------|--|
| Block H – Hall    | Building containing a hall with dimensions approximately 14.5 metres by 22.5 metres. The hall would include a raised stage that would be serviced by an accessible path for wheelchair users. In addition the building would contain male and female ablutions and a variety of store rooms. |
| Block I – Canteen | A small building containing a canteen and store room.  |
| COLA              | A covered outdoor learning area (a detached awning in building terms). This structure would be connected to the proposed hall building. Additional awnings are proposed to link the various buildings.   |

The proposal also includes a car parking area of 26 spaces (and one (1) additional accessible space) to be used by staff.

Other proposed infrastructure includes a service bay, electrical substation and a multipurpose games court. Landscaping is also proposed. No playing fields are proposed to be constructed, though the site contains significant amounts of largely flat and clear land that could be used for such purposes on an informal basis.

## ASSESSMENT OF PROPOSAL

### 2.1 Section 79C Assessment – Matters for Consideration

#### 2.1.1 Provisions of Relevant Environmental Planning Instruments

##### **State Environmental Planning Policy (Infrastructure), 2007**

Clause 104 of this plan provides that the consent authority must refer this application to the Roads and Traffic Authority of NSW and must have regard for their comments. The application was referred to the RTA who raised concerns regarding the lack of information provided with respect to road infrastructure. It is noted that a separate development application has been submitted in respect provisioning infrastructure. The Roads and Traffic Authority of NSW has been provided with details of this application and discussions are continuing to ensure a satisfactory road safety outcome. Conditions are recommended to ensure the school does not open prior to this provision.

##### **State Environmental Planning Policy No. 55 – Remediation of Land**

The subject development proposed a new school on land that has previously been used for agriculture. The contaminated land assessment guidelines of the NSW Environmental Protection Authority and established under the Contaminated Lands Management Act, 2008, specify that agriculture is a potentially contaminating activity.

For this reason the applicant was required to provide a preliminary investigation of the site in accordance with the contaminated land assessment guidelines. The report provided satisfactorily demonstrated that previous uses of the subject land were unlikely to have contaminated the site. The report was concerned, however, that the stockpiles of fill may have been contaminated. On this basis the report recommended that the foot print of the former stockpiles be validated prior to the development proceeding.

The recommendation of the report is accepted and conditions are recommended in this regard.

## **Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (1997, No. 2)**

This plan does not prescribe any development standards relevant to this development nor does it prescribe any consultation requirements. It does not prohibit this development. The plan contains the following objectives relevant to this application. Assessment comments are provided in regard to each objective.

### (2) Environmentally sensitive areas

*Policy: The environmental quality of environmentally sensitive areas must be protected and enhanced through careful control of future land use changes and through management and (where necessary) remediation of existing uses.*

Comment: The site is located in the vicinity of environmentally sensitive land as identified in Wollondilly Local Environmental Plan, 1991. The development does not, however, propose any works within the environmentally sensitive lands. The applicant is further proposing to operate the development only once reticulated sewer is available. This being the case it is considered that the only probable impacts that could be anticipated from this development would be stormwater runoff and dust.

Conditions are recommended to ensure that stormwater from this development is collected, conveyed and treated in accordance with relevant engineering and environmental guidelines. It is anticipated that the school will connect into the stormwater treatment system that will service the estate. No adverse impacts from stormwater are anticipated.

The applicant is proposing to seal all car parking and manoeuvring areas. The most heavily trafficked pedestrian routes within the school are also proposed to be sealed or otherwise constructed as decks or similar. No adverse impacts from dust are anticipated once construction has been completed.

### (3) Water quality

*Policy: Future development must not prejudice the achievement of the goals of use of the river for primary contact recreation (being recreational activities involving direct water contact, such as swimming) and aquatic ecosystem protection in the river system. If the quality of the receiving waters does not currently allow these uses, the current water quality must be maintained, or improved, so as not to jeopardise the achievement of the goals in the future. When water quality goals are set by the Government these are to be the goals to be achieved under this policy.*

Comment: Conditions are recommended to require the treatment of stormwater generated from this development and it is anticipated that this will be achieved by connecting the development to the stormwater reticulation and treatment system that will service the estate.

### (4) Water quantity

*Policy: Aquatic ecosystems must not be adversely affected by development which changes the flow characteristics of surface or groundwater in the catchment.*

Comment: Conditions are recommended to require the management of stormwater generated from this development and it is anticipated that this will be achieved by connecting the development to the stormwater reticulation and treatment system that will service the estate.

### (10) Urban development

*Policy: All potential adverse environmental impacts of urban development must be assessed and controlled.*

Comment: The most probable adverse environmental impacts from a development of this kind are considered in the table below:

| Potential Impact                | Assessment  |
|---------------------------------|---|
| Stormwater quantity and quality | Conditions are recommended to require the treatment and management of stormwater generated from this development and it is anticipated that this will be achieved by connecting the development to the stormwater reticulation and treatment system that will service the estate. |
| Dust and aeolian erosion        | Conditions are recommended to ensure landscaping is undertaken and managed to minimise this potential adverse environmental and health impact.  |

#### **Wollondilly Local Environmental Plan, 1991**

The subject land is located wholly within Zone No. 2(e) Residential (Comprehensive Development) Zone. The proposed development is characterised as an **Educational Establishment** under this plan. Development for this purpose is permissible within the subject zone with development consent.

Clause 10 of this plan provides that

*"Except as otherwise provided by this plan, the council shall not grant consent to the carrying out of development on land to which this plan applies unless the council is of the opinion that the carrying out of the development is consistent with the objectives of the zone within which the development is proposed to be carried out."*

The objectives of the subject zone are considered below:

*"(a) to provide for the comprehensive development of land for primarily residential and recreational purposes in a way that is environmentally sensitive and complements the natural environment,"*

Comment: The site comprises approximately 3 hectares of the 449 hectare 2(e) Zone. This represents less than 1% of the zone and will leave ample land to ensure that the land is primarily development for residential purposes. The proposal has been designed to minimise the removal of vegetation and is considered to be satisfactorily responsive to its environment.

*"(b) to permit a range of retail, commercial, recreational, community, employment and education uses to meet the needs of residents of the locality,"*

Comment: The proposal is for an educational facility to meet the needs of the locality. It is considered to be consistent with this objective.

*"(c) to enable the appropriate location within the zone of gas drainage infrastructure required for underground coal mining, having regard to the impact on the amenity of residential areas, and to ensure that such infrastructure is designed in accordance with industry best practice guidelines, where existing,"*

Comment: The subject site is approximately 150 metres from the nearest bore location as identified in the master plan development application for the estate. It is considered that this will be an adequate setback for this development.

*"(d) to ensure that development has regard to any applicable mine subsidence requirements of the Mine Subsidence Board,"*

Comment: The concurrence of the Mine Subsidence Board was submitted with the application.

*"(e) to encourage development that meets sustainable development principles, including integrated water cycle management and high quality, water sensitive, urban design practices,"*

Comment: The proposal will have access to the stormwater management and treatment system servicing the estate. The proposed buildings are considered satisfactory with regard to urban design.

*"(f) to encourage development that demonstrates a high quality of urban design and building design, including optimisation of passive solar design and energy efficiency,"*

Comment: The proposal complies with this objective.

*"(g) to provide for pedestrian and bicycle access to and within development,"*

Comment: Conditions are recommended to ensure that suitable road and pedestrian access is provided to the site prior to the commencement of the use of the school.

*"(h) to encourage local employment by facilitating home-based business and employment opportunities."*

Comment: This objective is not relevant to the subject application.

#### Clause 7 – Adoption of Model Provisions

This clause adopts the Environmental Planning and Assessment Model Provisions, 1980, for the purposes of the Plan. The relevant clauses of these provisions are considered below:

#### Model Provisions Clause 5 – Various Considerations

This clause provides that:

*"(1) The consent authority shall, in respect of an application under the Act for its consent or approval to the development of land within view of any waterway or adjacent to any main or arterial road, railway, public reserve or land zoned as open space, take into consideration the probable aesthetic appearance of the proposed building or work or that land when used for the proposed purpose and viewed from that waterway, main or arterial road, railway, public reserve or land zoned for open space."*

Comment: The site is within view of an unnamed creek. The buildings are considered satisfactory with regard to this clause on account of architectural design and bulk and scale.

#### Clause 20 - Development within proclaimed mine subsidence district

The subject land lies within a proclaimed Mine Subsidence District. Under this clause the panel must be satisfied that the proposal is satisfactory with regard to potential mining within the lease area. The concurrence of the Mine Subsidence Board has been submitted by the applicant and is considered sufficient in this regard.

#### Clause 36 - Land subject to bushfire hazards

This clause requires Council to make an assessment of:

*"(a) whether adequate provision has been made for access to the land for fire fighting vehicles, fire breaks, reserves and fire radiation zones,"*

*"(b) in the case of a subdivision of land, whether the depth of any allotments to be created by the subdivision which would adjoin a perimeter road is adequate,"*

*"(c) the design of any proposed dwelling-house in relation to bushfire hazard."*

Comment: The proposal has been issued a Bushfire Safety Authority by the NSW Rural Fire Service. On this basis the proposal is considered satisfactory with regard to the provisions of this clause.

#### Clause 45 - Development of unsewered land

This clause provides that

*"The council must not consent to the carrying out of development on unsewered land unless the applicant demonstrates that the land is capable of supporting the development having regard to the capability of the soil for effluent disposal and buffer distances to watercourses and drainage depressions."*

Comment: As part of the master plan for the estate the developer is to provide a sewerage treatment plant and infrastructure for reticulation of waste water. It is proposed to impose a consent condition that would require this to be operational prior to occupation of the proposed school.

#### Clause 48 - Limitations on development within Zone No 2 (e)

This clause provides that *"a development control plan relating to land within Zone No 2 (e) may recommend restrictions on specific types of development allowed with consent on the land."* The relevant Development Control Plan is Development Control Plan No. 56 – Wilton Park Residential Release Area. The provisions of this plan are considered later in this report.

#### Clause 50 & Schedule 8 – Development at Wilton Park

##### 1 Land to which Schedule applies

*The provisions of this Schedule apply to Lot 101, DP 1045369, and Lot 6, DP 836296, near Wilton, as shown edged heavy black on the map marked "Wollondilly Local Environmental Plan 1991 (Amendment No 56)".*

Comment: The schedule applies to the subject land.

##### 2 Development control plan for the land

*(1) Consent must not be granted to a development application relating to the land to which this Schedule applies unless a development control plan for the land has been approved by the consent authority.*

*(2) If the consent authority has not approved a development control plan for the land within 60 days after the date of publication in the Gazette of Wollondilly Local Environmental Plan 1991 (Amendment No 56), the consent authority must determine any development application made in respect of the land after the expiration of that period even though no development control plan has been approved by the consent authority.*

Comment: Development Control Plan No. 56 – Wilton Park Residential Release Area has been adopted in accordance with the Act and has effect in accordance with this clause.

##### 3 Residential development

*(1) Consent must not be granted to a subdivision that creates an allotment if the consent authority is of the opinion that the allotment will be used for residential purposes unless the consent authority is satisfied that:*



*(a) the allotment is capable of being serviced by a reticulated sewerage system that allows treated water to be supplied to residences for watering gardens and to any golf course within the land to which this Schedule applies for the purpose of its irrigation, and*

*(b) the allotment will be supplied by an adequate water supply and serviced by an adequate reticulated sewerage system of the kind referred to in paragraph (a), and*

*(c) if the allotment includes land the surface of which is or, after any proposed filling has been carried out, will be below the 1 percent annual event probability post-mining flood level, appropriate flood control measures can be taken or imposed to ensure that any residential building on the allotment will not be detrimentally affected by flooding.*

Comment: The proposal would not create a new residential allotment. This clause is, therefore, not relevant to the subject application.

*(2) Consent must not be granted to residential development:*

*(a) on land the surface of which is or, or after any proposed filling has been carried out, will be below the 1 percent annual event probability post-mining flood level, or*

*(b) if the floor level of any habitable part of a residential building resulting from the carrying out of the development will be less than the height above that flood level that is considered by the consent authority as adequate to avoid any adverse effect from flooding.*

Comment: The proposal does not propose residential development. This clause is, therefore, not relevant to the subject application.

*(3) Consent must not be granted to a subdivision for the purpose of residential development in the vicinity of a sewage treatment plant unless the consent authority:*

*(a) has considered an odour impact study:*

*(i) that identifies the land potentially affected by offensive odour from the plant, and*

*(ii) that is prepared in accordance with such relevant requirements of the consent authority, the Department of Environment and Conservation and Sydney Water Corporation, as have been notified to, and are available from, the council, and*

*(b) is satisfied that the development will be located at an appropriate distance away from the plant and in accordance with any guidelines adopted by the consent authority for the location of dwelling-houses in proximity to sewage treatment plants.*

Comment: The proposal would not create a new residential allotment. This clause is, therefore, not relevant to the subject application.

*(4) Consent must not be granted to residential development unless the consent authority:*

*(a) has considered the likely impact on the proposed development of authorised underground coal mining operations in the vicinity, and*

*(b) has considered a report prepared by a suitably qualified and experienced coal geologist that examines the risk relating to geological anomaly within the coal resource under the land the subject of the proposed development, and*

*(c) is satisfied, after consultation with the Department of Primary Industries, that the proposed development is not likely to unduly constrain underground coal mining.*

Comment: The proposal does not propose residential development. This clause is, therefore, not relevant to the subject application.

*(5) Consent must not be granted to a subdivision for the purpose of residential development unless:*

*(a) the consent authority has considered any guidelines adopted by the consent authority for the location of dwelling-houses in proximity to gas drainage boreholes (being guidelines prepared by the consent authority after consultation with the Department of Primary Industries, the Department of Planning and the Department of Environment and Conservation), and*

*(b) the consent authority has considered, in consultation with the Department of Primary Industries, whether any exploration:*

*(i) that is required in the vicinity in connection with authorised underground coal mining operations, and*

*(ii) that the consent authority considers is likely to have an impact on or be impacted on, by the proposed development,*

*has been completed and, if not completed, the scheduled, and the likely, time for its completion, and*

*(c) the consent authority has considered, in consultation with the Department of Primary Industries, whether the proposed development is likely to unduly constrain the continuation or expansion of authorised underground coal mining operations in the vicinity, and*

*(d) the consent authority has identified, in consultation with the Department of Primary Industries, appropriate sites for air vent shafts and gas drainage boreholes, in connection with authorised underground coal mining operations, in approved locations on or in the vicinity of the land the subject of the proposed development.*

Comment: The proposal does not propose residential development. This clause is, therefore, not relevant to the subject application.

*(6) Consent must not be granted to development for the purpose of gas drainage infrastructure required in connection with authorised underground coal mining operations unless the consent authority is satisfied:*

*(a) that the infrastructure is or will be designed in accordance with industry best practice guidelines, where existing, and*

*(b) the infrastructure will be located in an approved location.*

Comment: The proposal does not propose gas drainage infrastructure. This clause is, therefore, not relevant to the subject application.

#### 4 Further restriction on subdivision for purpose of residential development

*(1) Consent must not be granted to a subdivision for the purpose of residential development that will create a lot with an area of less than 40 hectares unless:*

*(a) the Director-General has certified in writing to the council that satisfactory arrangements have been made for contributions to the provision of regional transport infrastructure and services in relation to the land comprising that lot, and*

*(b) the provisions of any agreement for those or any other contributions relating to the proposed development have been complied with.*

Comment: The proposal would not create a new residential allotment. This clause is, therefore, not relevant to the subject application.

(2) *The object of contributions referred to in subclause (1) (a) is to require assistance towards the provision of regional transport infrastructure and services to satisfy needs that will arise from intensive urban development of land to which this Schedule applies.*

(3) *The reference in subclause (1) to a lot of less than 40 hectares does not include a reference to any such lot:*

- (a) that is identified in the certificate of the Director-General as a residue lot, or*
- (b) that is proposed in the development application to be reserved or dedicated for public open space, public roads, public utilities, educational facilities or any other public purpose.*

(4) *This clause does not apply to a subdivision of land for the purpose of rectifying an encroachment on any existing allotment.*

(5) *State Environmental Planning Policy No 1—Development Standards does not apply to development to which this clause applies.*

(6) *This clause has effect despite any other provisions of this plan.*

Comment: The proposal would not create a new residential allotment. This clause is, therefore, not relevant to the subject application.

#### 5 Development in vicinity of heritage items

(1) *Consent must not be granted to the erection of a building or the carrying out of a work within 250 metres of a heritage item unless the consent authority has considered a conservation management plan for the item.*

(2) *Subclause (1) operates in addition to, and does not derogate from, any other provision of this plan relating to heritage items.*

Comment: The site is located within 250 metres of five (5) significant Aboriginal sites. Council previously considered an Aboriginal Cultural Heritage Management Plan which was ultimately endorsed by Council, the Tharawal Local Aboriginal Lands Council and the Cubbitch Barta Native Title Claimants. Further to this, and on account of the proximity of these items, the applicant provided a further assessment report. This report identified that an item would need to be relocated to permit this development to proceed. The subject report was referred to the Tharawal Local Aboriginal Lands Council and the Cubbitch Barta Native Title Claimants. Neither group raised any objection. Conditions are, therefore, recommended to ensure that any relocation of the item complies with the relevant provisions of the National Parks and Wildlife Act, 1974.

It should be noted that the approval process under the National Parks and Wildlife Act, 1974, is a form of integrated development under the Environmental Planning and Assessment Act, 1979. The applicant, however, has elected to submit the application as being integrated only in regard to a Bushfire Safety Authority under the Rural Fires Act, 1997. Accordingly the consent authority can only approve the proposal if it is subject to a deferred commencement condition requiring acquisition of the required licence under the National Parks and Wildlife Act, 1974. A condition is recommended in this regard.

### **2.1.2 Provisions of Relevant Draft Environmental Planning Instruments**

#### **Draft Wollondilly Local Environmental Plan, 2009**

The subject land would be situated within Zone No. B4 Mixed Use Zone under the provisions of this plan. The proposal would be characterised as a ***school***, which is a subset of the broader land use definition ***educational establishment***. Under this plan all educational establishments, including schools, would be permissible with development consent. The plan proposed a number of controls that are identical to the controls contained in the 1991 Local

Environmental Plan. The only new development standard is a height restriction with which the proposal complies.

### 2.1.3 Provisions of Relevant Development Control Plans

#### **Development Control Plan for the Notification and Advertising of Development Proposals**

This plan provides that the subject development is **advertised development** within the meaning of the Environmental Planning and Assessment Act, 1979. The application was advertised and notified accordingly and no submissions were received.

#### **Development Control Plan No. 7 – Off Street Car Parking**

This plan provides that off street car parking must be provided at the rate of *1 space per classroom plus parking for students based on the characteristics of the development*. As the proposal is for a primary school it is clear that no student parking will be required. The proposal includes construction of ten (10) classrooms. The proposal includes 27 car parking spaces which is in excess of the requirements of this plan. The plan also contains minimum dimensions for parking and manoeuvring areas and the proposal complies in this regard.

#### **Development Control Plan No. 46 – Management of Contaminated Land**

This plan seeks to provide further guidance to the assessment of contaminated land matters beyond that contained in State Environmental Planning Policy No. 55 – Remediation of Land. As previously discussed in the assessment of this proposal under this SEPP it has been concluded that previous uses of the subject land are unlikely to have contaminated the site but that the recent stockpiling of fill constitutes a risk that will need to be addressed prior to the commencement of works.

#### **Development Control Plan No. 56 – Wilton Park**

The subject land is located within precinct number 9 under the provisions of this plan. The plan provides the following objectives for all development:

##### ***Land Capability***

- *identify land suitable for development by determining land capabilities prior to subdivision;*

Comment: The subject site was previously identified as a school location during the master planning of the subject estate.

- *remediate any contaminated land prior to development;*

Comment: Conditions are recommended on the in accordance with the preliminary investigation provided by the applicant.

- *subdivision and building works to be responsive to, and minimise impacts on environmentally significant land, topography, riparian areas and drainage patterns, vegetation and other pre-development site features;*

Comment: The proposal has been designed in accordance with these requirements.

- *subdivision and development to be compatible with the constraints imposed by existing and potential nearby land uses including rural residential use, Hume Highway, Maldon Dombarton railway land, and environmentally significant land and the natural gas and ethane pipelines.*

Comment:

| Land Use                         | Comment   |
|----------------------------------|---|
| Rural residential                | The proposal would establish a school within the urban precinct of Wilton Park which would be able to service the needs for such facilities of the surrounding rural residential areas.                                   |
| The Hume Highway                 | The site is set back approximately 1 kilometre from the Hume Highway and will not directly access this main road. This is considered to be satisfactory and no adverse impacts between the two land uses are anticipated. |
| The Maldon Dombarton Railway     | The site is set back approximately 800 metres from the land reserved for the Maldon Dombarton Railway. This is considered to be satisfactory and no adverse impacts between the two land uses are anticipated.            |
| Environmentally significant land | The proposal incorporates adequate setbacks and drainage to ensure minimal impact on the nearby environmentally significant land.   |
| Natural gas and ethane pipelines | The school site was deliberately chosen to provide an adequate setback from the subject pipelines. No adverse impacts between the two land uses are anticipated.  |

### **Urban Design**

- *integration with the existing Wilton township through an urban layout respectful of existing Wilton township and existing features of the locality;*

Comment: The proposal has been designed in accordance with these requirements.

- *enhance the streetscape and minimise the impact on the character and amenity of adjoining properties;*

Comment: The proposal would make a satisfactory contribution to the streetscape in this commercial precinct.

- *promote a mix of lot sizes which respond to the features of the site and minimise the impacts on the scenic qualities of the rural landscape;*

Comment: Not applicable to this development.

- *facilitate provision of land required for open space, business, community and special uses;*

Comment: The proposal is consistent with this objective as it will provide for community and educational uses in the locality.

- *a safe environment for all members of the community with opportunities for surveillance, obvious ownership and use of space and a well maintained environment;*

Comment: The proposal was assessed by the NSW Police Service who recommended conditions of consent to aid in the achieving of this objective. The Police concluded that the proposal would be satisfactory.

- *maximise potential for ecologically sustainable development and promote energy efficient and energy saving design; and*

Comment: The proposal has been designed in accordance with these requirements.

- *optimise stormwater and wastewater re-use.*

Comment: Conditions are recommended to ensure a stormwater and recycled water supply are provided to this development in a manner that is safe and efficient.

***Water Cycle Management***

- *development protects and enhances and does not have a negative effect on rivers, creeks and riparian areas and drainage patterns;*
- *maintain post development water quality at pre-development standards or better;*
- *limit the quantity and frequency of post-development discharges to pre-development levels;*
- *minimise stormwater impacts on downstream properties and the wider catchment; and*
- *encourage best practice waste water management, stormwater re-use and water sensitive urban design.*

Comment: Conditions are recommended to require the management of stormwater generated from this development and it is anticipated that this will be achieved by connecting the development to the stormwater reticulation and treatment system that will service the estate. Conditions are recommended to ensure a stormwater and recycled water supply are provided to this development in a manner that is safe and efficient.

***Residential Development***

- *a wide choice of residential development which is environmentally sensitive and complements the natural environment;*
- *encourage the principles of ecologically sustainable development and innovation in good housing design;*
- *optimise opportunities for design and construction to incorporate passive solar principles and efficient use of energy and resources.*

Comment: Not applicable to this development.

***Employment & Services***

- *a range of land uses to meet the needs of the residents of the locality;*

Comment: The proposal is consistent with this objective as it will provide for community and educational uses in the locality.

- *land uses compatible with the character and amenity of adjoining and nearby land uses;*

Comment: This assessment is tabulated earlier in this report.

- *a positive, self-help, community-based approach to economic development;*

Comment: Not applicable to this development.

- *environmentally, socially and economically sustainable;*

Comment: The proposal has been designed in accordance with these principles.

- *supported by high quality infrastructure and facilities;*

Comment: Conditions are recommended to ensure that adequate infrastructure is provided to service this development.

- *provide diversity of employment generation;*

Comment: The proposal will provide for the employment of teachers and support staff in accordance with this objective.

- *energy and resource efficient development and land use activities.*

Comment: Conditions are recommended to ensure the development complies with this requirement.

**Conservation of Flora, Fauna and Habitats**

- *protect and manage environmentally significant lands;*
- *support biodiversity and environmental quality by preserving and protecting existing native vegetation and local indigenous wildlife and their habitats and creating opportunities to enhance and add to native vegetation;*
- *manage the remnant vegetation and optimise the preservation, creation and integrity of reserves and linkages.*
- *Implement and maintain plans for the management of weeds and pest animals.*

Comment: The proposal would not encroach on any environmentally significant land. The land is already subject to pest and weed management requirements under the conditions of the master plan Development Application for the estate.

**Conservation of Aboriginal Heritage**

- *conserve items and places of Aboriginal heritage and protect significant Aboriginal archaeology including the Wilton Art Cluster;*
- *avoid inadvertent impacts on Aboriginal heritage;*
- *consider Aboriginal heritage at all stages of development;*
- *preserve the context and setting of items of Aboriginal heritage through a Conservation Management Plan.*

Comment: The proposal would result in the need to relocate one (1) Aboriginal artefact. Conditions are recommended to ensure this is undertaken in an appropriate manner in accordance with these objectives.

**Transport & Accessibility**

- *a hierarchy and network of publicly accessible roads, shared pathways and trails within the site and linking the site with existing Wilton village;*
- *an access network for public transport;*
- *safe and efficient movement of vehicles, pedestrians and other transport modes within, to and from the area including access for waste servicing vehicles and vehicles servicing non-residential land uses;*
- *promote permeability and connectivity and create opportunities for movement other than by private motor vehicles.*
- *All road crossings of watercourses are to be bridges.*

Comment: The provision of road infrastructure to this development is currently being assessed by Council under a separate development application which proposed roads for the school and a proposed commercial centre. It is considered appropriate to separate the two applications and, accordingly, conditions are recommended to prevent the commencement of the use of the proposed school until after adequate road infrastructure is provided.

**Scenic Quality**

- *minimise the impact of development on the scenic qualities of the rural landscape;*
- *open space areas with high quality visual, recreational and ecological values;*
- *optimise the successful retention of existing mature trees; and*
- *identify and protect special features of the site with appropriate landscaping, tree planting and control of building works.*

Comment: The proposal has been designed in accordance with these requirements.

**Facilities and Infrastructure**

- *appropriate street tree planting and landscaping of open space and parklands; and*

Comment: Appropriate landscaping has been proposed.

- *where site constraints allow all publicly accessible facilities are to be accessible for people with a disability and accessible to all members of the public in terms of costs, physical barriers, hours and days of access at least consistent with public facilities under the care, control and ownership of Council;*

Comment: The proposal has been designed in accordance with these requirements.

- *maximise opportunities for installation of energy and resource efficient facilities and infrastructure.*

Comment: Conditions are recommended in this regard.

**Bushfire**

- *minimise the risk to life and property from the threat of bushfire;*
- *encourage sound management of bushfire-prone areas in a manner compatible with the provisions for environmentally significant land.*

Comment: The NSW Rural Fire Service have issued a Bushfire Safety Authority under Section 100B of the Rural Fires Act. The proposal is, therefore, considered to be satisfactory in regard to this objective.

**Mining and Mine Subsidence**

- *provide the opportunity to complete mine exploration work prior to residential development;*
- *minimise the risk to life, property and amenity as the result of potential installation and operation of gas extraction wells with wells being located, designed and operated in accordance with relevant Australian Standards and industry best practice guidelines and planning guidelines where these exist;*
- *rehabilitation of land upon completion of mining-related works.*

Comment: Not relevant to this application.

**Noise**

- *mitigate the impacts of noise from the Hume Highway and Picton Road and other significant noise sources in accordance with current standards.*

Comment: The site is not located in proximity to any significant noise sources.

The plan provides the following controls specific to the provision of a future school in the estate:

**5.4.2 The school site shall:**

- *Be serviced by all available utilities;*

Comment: Conditions are recommended to ensure provision of all relevant utilities prior to occupation of the development.

- *Have at least one frontage to a public road which is within the nominated public transport route;*

Comment: The provision of road infrastructure to this development is currently being assessed by Council under a separate development application which proposed roads for the school and a proposed commercial centre. It is considered appropriate to separate the



two applications and, accordingly, conditions are recommended to prevent the commencement of the use of the proposed school until after adequate road infrastructure is provided in accordance with this requirement.

- *Have a shared pathway along at least one boundary which has a continuous link to the shared pathways in Section 6.11.3 of this DCP.*

Comment: The provision of pedestrian infrastructure to this development is currently being assessed by Council under a separate development application which proposed access paths and share ways for the school and a proposed commercial centre. It is considered appropriate to separate the two applications and, accordingly, conditions are recommended to prevent the commencement of the use of the proposed school until after adequate infrastructure is provided in accordance with this requirement.

- *Be clear of the investigation area for the gas pipeline easement.*

Comment: The site is not located in proximity to the investigation area for the subject easement.

- *Have provision for an off carriageway bus bay and a separate off carriageway pick up / drop off area for cars.*

Comment: The provision of road infrastructure to this development is currently being assessed by Council under a separate development application which proposed roads for the school and a proposed commercial centre. It is considered appropriate to separate the two applications and, accordingly, conditions are recommended to prevent the commencement of the use of the proposed school until after adequate road infrastructure is provided in accordance with this requirement.

The plan also contains the following controls relating to all non-residential development.

#### 8.1 Non-Residential - General

The subject development is located in Precinct 9 under this plan. This section of the plan provides that education uses may be established in this precinct.

This section of the plan provides a number of controls which are tabulated below:

| <b>Control</b>   | <b>Comment</b>   |
|--|--|
| <i>All development on corner allotments shall be designed to address both public road frontages.</i>                                   | The subject site would have three (3) street frontages. Each frontage would have at least one building presenting an entry towards the road.   |
| <i>Wall and roof form are to be articulated and modulated to provide visual interest.</i>  | The application proposes to construct a series of classroom and other buildings rather than proposed one large and visually obtrusive one. The outcome is a streetscape contribution that will create visual interest. |
| <i>All non-residential development is to be serviced by all available utilities and dual water reticulation service.</i>               | Conditions are recommended in this regard.   |
| <i>All publically available space ... shall comply with the relevant Australian Standards for access for people with a disability.</i> | The plans for this development have been assessed by Council's Accessibility Access Adviser who is satisfied that the proposal will comply with the relevant standards, subject to conditions of consent.              |

| <b>Control</b>  | <b>Comment</b>  |
|---|---|
| <i>All garbage storage shall be provided in a secure place, screened from view from a public place.</i>                             | Conditions are recommended in this regard.  |
| <i>Loading and delivery bays ... are to be provided in accordance with current NSW Roads and Traffic Authority guidelines.</i>      | The proposal complies in this regard.   |
| <i>Access, egress, onsite parking and vehicle manoeuvring ... shall all be provided within the site.</i>                            | The proposal complies in this regard.   |
| <i>No advertising signs shall be visible from the Hume Highway (or) from Picton Road.</i>   | The proposal complies in this regard.   |
| <i>Any development ... shall demonstrate how water is to be used on the site to maximise the efficient use and re-use of water.</i> | Conditions are recommended in this regard.  |
| <i>All ... development shall incorporate natural ventilation in the design.</i>   | The proposal complies in this regard.   |
| <i>Internal and external lighting ... shall be selected and installed for energy efficient design and operation.</i>                | The proposal complies in this regard.   |
| <i>All applications ... shall identify the potential for activities to have impacts by:</i>   |   |
| <i>Noise</i>  | The proposal is unlikely to result in adverse noise impacts as it is located within a commercial precinct and will be primarily operated only during standard school hours. The provisions of the Protection of the Environment Operations Act, 1997, will provide adequate control over the use of the site on occasions if and when the facility will be used outside of these hours. |
| <i>Overlooking</i>  | The proposed buildings are all single storey and are not located within a residential precinct. No adverse impacts are anticipated.   |
| <i>Overshadowing</i>  | The proposed building will only overshadow on the school site and adjoining roads.  |
| <i>Traffic generation</i>   | The site was selected for this purpose because it is in a location where adequate road infrastructure can be provided.  |

## 8.2 Environmentally Significant Land

No adverse impacts on the Environmentally Significant Land are anticipated from this development.

## 8.3 Village

The relevant subsections of this section of the DCP are considered below:

| <b>Subsection</b>   | <b>Comment</b>  |
|---|---|
| <i>The development shall meet the needs of residents of the Wilton Community.</i> | The proposal would provide for school facilities that, it is understood from the applicant, will service the estate and the existing village of Wilton.   |
| <i>Traffic Access and Safety</i>  | The provision of road infrastructure to this development is currently being assessed by Council under a separate development application which proposed roads for the school and a proposed commercial centre. It is considered appropriate to separate the two applications and, accordingly, conditions are recommended to prevent the commencement of the use of the proposed school until after adequate road infrastructure is provided in accordance with this requirement. |
| <i>Staff Facilities</i>   | The proposal complies in this regard.   |
| <i>Setbacks</i>   | The proposal complies in this regard.   |
| <i>Public Facilities</i>  | The proposal would include a hall which could be used as a community facility. Adequate pedestrian and other access are subject to the separate application currently being assessed by Council.  |

## **2.1.4 Provisions of Relevant Voluntary Planning Agreements**

### **Bingara Gorge (Wilton Parklands) Development Planning Agreement, 2007**

This agreement generally concerns itself with contributions under Section 94 of the Environmental Planning and Assessment Act, 1979. This proposal, however, is for non-residential development and is subject to Section 94A of that Act. The agreement provides the following in regard to this situation:

### **10.3 Section 94A Contributions**

*Where a Development Consent:*

- (a) *is issued in relation to the Development; and*
- (b) *relates to Non-Residential Development that has a proposed cost of development of \$50,000 or more,*

*the Council may under Section 94A of the Act impose as a condition of the Development Consent a requirement that the Developer pay a levy to the Council of the proposed cost of carrying out the Non-Residential Development, at an amount equivalent to 1% of the proposed cost of carrying out that Non-Residential Development.*

Comment: A condition to require payment of a contribution in accordance with this clause is recommended. A detailed assessment in this regard is provided later in this report.

## **2.1.5 Impact of Development**

### **Natural Environment**

As detailed throughout this report, it is considered that all potential adverse impacts on the natural environment can be mitigated through the imposition of appropriate conditions of consent.

### **Built Environment**

The proposed buildings are satisfactory with regard to the locality in which they are proposed. No adverse impacts on the built environment or streetscape are anticipated

### **Social and Economic Impacts**

The proposed school would be appropriately located to minimise any potential adverse social or economic impacts.

### 2.1.6 Suitability of the Site

The relevant constraints of the site are considered below:

| Constraint                   | Comment  |
|------------------------------|--|
| Bushfire Hazard              | The application has been supported by the NSW Rural Fire Service, subject to conditions of consent.  |
| Potential Soil Contamination | Conditions are recommended to ensure the site is appropriately tested and, if necessary remediated, to ensure this hazard is mitigated.  |
| Aboriginal Artefacts         | Conditions are recommended to ensure that the relocation of the subject artefact is undertaken in an appropriate manner.   |
| Road and Pedestrian Access   | This matter is presently being assessed by Council under a separate application. Conditions are recommended to prevent operation of the school before adequate infrastructure is provided. |

### 2.1.7 Submissions

The subject application was notified to adjoining and nearby land owners and advertised in accordance with Council's Development Control Plan for the notification and advertising of development proposals. No submissions were received.

### 2.1.8 The Public Interest

Having assessed the application under the relevant provisions of the Environmental Planning and Assessment Act, 1979, no evidence has been found to suggest the proposal lies outside the public interest.

## **2.2 Section 89 Assessment – Determination of Crown Development Applications**

This Section relevantly provides that the panel may not impose a condition on a crown authority without either the concurrence of that authority or the Minister for Planning. The NSW Department of Education and Training is a Crown Authority for the purposes of this section. The concurrence of the applicant has been received and is attached to this report. The concurrence includes all proposed conditions except for Proposed Condition 17(1). In this regard Council sought direction from the Minister for Planning. The NSW Department of Planning subsequently provided advice that the matter would only be referred to the Minister if that course of action were resolved by the JRPP. This report recommends, therefore, that the matter be resolved with the inclusion of Condition 17(1) subject to the concurrence of the NSW Minister for Planning.

## **2.3 Section 91 Assessment – Integrated Development**

### **2.3.1 Section 12 – Mine Subsidence Compensation Act, 1961**

The concurrence of the Mine Subsidence Board has been received.

### **2.3.2 Section 100B – Rural Fires Act, 1997**

The NSW Rural Fire Service have issued a Bushfire Safety Authority under this section of the Rural Fires Act, 1997.

## **2.4 Section 94A Assessment – Developer Contribution Requirements**

Section 94A of the Environmental Planning and Assessment Act, 1979 provides:

### **Section 94A Fixed development consent levies**

*(1) A consent authority may impose, as a condition of development consent, a requirement that the applicant pay a levy of the percentage, authorised by a contributions plan, of the proposed cost of carrying out the development ....*

Comment: The Wollondilly Development Contribution Plan, 2005, authorises the levying of non-residential development at a rate of 1% of the proposed cost of the development. The

proposed development constitutes non-residential development and is subject to this requirement.

#### **Section 94A Fixed development consent levies**

*(4) A condition imposed under this section is not invalid by the reason only that there is no connection between the development the subject of the development consent and the object of expenditure of any money required to be paid by the condition.*

Comment: Section 94A contributions are exempt from the nexus requirements of Section 94. Accordingly, the panel does not need to be satisfied that the development will give rise to the need for provision of additional or improved services. This is not a consideration under the Act.

Section 94E of the Environmental Planning and Assessment Act, 1979 states:

#### **Section 94E Directions by Minister**

*(1) The Minister may, generally or in any particular case or class of cases, direct a consent authority as to: ....*

*(d) the type or area of development in respect of which a condition under section 94A may be imposed and the maximum percentage of the levy, ...*

Comment: The direction by the Minister dated 10 November 2009 concerning Section 94A sets the maximum percentage levy at 1%, and states:

*A levy under Section 94A of the Act cannot be imposed on development:*

- a) for the purpose of disabled access,*
- b) for the sole purpose of affordable housing,*
- c) for the purpose of reducing the consumption of mains-supplied potable water, or reducing the energy consumption of a building,*
- d) for the sole purpose of the adaptive reuse of an item of environmental heritage, or*
- e) other than the subdivision of land, where a condition under Section 94 of the Act has been imposed under a previous development consent relating to the subdivision of the land on which the development is proposed to be carried out.*

Comment: The direction does not exclude Department of Education Public Schools from the requirement to pay the contribution. It is considered that if the Minister intended for this type of development to be excluded from Section 94A contributions then he would have included it in the Section 94E direction. It is not considered appropriate to excuse this development from a Section 94A levy without such a direction. Accordingly, a condition requiring payment of a contribution is recommended for inclusion in the consent.

#### **ATTACHMENTS**

1. Plans
2. Concurrence from the NSW Department of Education and Training
3. Bushfire Safety Authority issued by NSW Rural Fire Service
4. Comments from the Roads and Traffic Authority of NSW

## RECOMMENDATION

1. That Development Application No. 010.2009.00000458.001 be determined by the granting of deferred commencement development consent and subject to the following conditions subject to the agreement of the NSW Minister for Planning to the imposition of Proposed Condition 17(1):

‘Deferred Commencement’ consent has been granted to the Application in accordance with the provisions of Section 80(3) of the Environmental Planning and Assessment Act 1979 (As Amended). This consent will become valid and may be acted upon subject to the meeting of the following requirements:

(i) The applicant providing Council with a copy of an approval under Section 90 of the National Parks and Wildlife Act, 1974, for the relocation of the Aboriginal Artefact known as BG 1A 1.

### NOTE:

1. Nothing in this Deferred Commencement consent permits the commencement of any works or development as proposed in this application until the receipt of a valid development consent from Council.
2. This deferred commencement consent will lapse if the above requirement has not been satisfied within five (5) years of the date of the deferred commencement consent.
3. Following compliance with the above conditions of Deferred Commencement Consent, written confirmation of Consent will be forwarded to you from Council.
4. Once the consent is valid, the development will also be subject to the following conditions outlined below.

## 1. COMPLIANCE

**These conditions are imposed to ensure that the development is carried out in accordance with the conditions of consent and the approved plans to Council's satisfaction.**

(1) Development Consent is granted for a new primary school at Lot: 4 DP: 270536, No. 30 Pembroke Parade Wilton.

(2) Development shall take place in accordance with the endorsed plans prepared by the NSW Government Architect's Office and submitted in respect of Development Application No. 010.2009.00000458.001 dated 17 July 2009, except where varied by the following conditions:

(3) In the event of an inconsistency of detail between the relevant plans and *elevations* the details shown in the *elevations* shall take precedent.

## 2. INTEGRATED DEVELOPMENT

**These conditions have been imposed to ensure that the development is carried out in accordance with the requirements of other Approval Authorities:**

(1) The conditions of the attached Bushfire Safety Authority issued by the NSW Rural Fire Service are included as conditions of this Consent.

(2) The Aboriginal Artefact known as BG 1A 1 shall be relocated in accordance with the conditions of the Section 90 Approval issued by NSW Department of Environment, Climate Change and Water as required by the deferred commencement condition of this consent.

### 3. BUILDING DESIGN

**These conditions have been imposed to ensure that the appearance/construction of building works complies with the aims and objectives of Council's relevant Development Control Plans, Policies and relevant Statutory Regulations.**

- (1) The facility shall comply with AS1428.1 2001, "Design for Access and Mobility".
- (2) The facility shall have visual alarms installed in accordance with AS2220.1, "Design for Access and Mobility". The alarm shall be arranged to flash in conjunction with the audible alarm.

### 4. CONSTRUCTION GENERAL

**These conditions have been imposed to ensure that all construction work is undertaken to an approved standard and related approvals.**

- (1) All construction and building work shall be restricted to between 7:00am and 5:00pm Mondays to Saturdays (inclusive) and prohibited on Sundays and Public Holidays unless written approval to vary the hours of work is granted by Council.
- (2) Excavated area/s adjacent to the building shall be retained and drained to prevent the subsidence of the excavation and/or entry of surface water to the building. Where the retaining wall exceeds 600mm in height, plans and specifications of the retaining wall shall be submitted and approved before construction commences, and where the height exceeds 1m in height, a certificate prepared by a suitably qualified Structural Engineer shall be submitted with the plans and specifications.
- (3) 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 of 20 persons employed at the site. These facilities are to be provided prior to the commencement of any works and:
- (a) Must be a standard flushing toilet; and
  - (b) Must be connected:
    - (i) to a public sewer, or
    - (ii) if connection to a public sewer is not practicable, to an accredited sewage management facility approved by the Council, or if connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.

In this condition:

**Accredited sewage management facility** means a sewage management facility to which Division 4 of Part 2 of the *Local Government (General) Regulation 2005* applies, being a sewage management facility that is installed or constructed to a design or plan the subject of a certificate of accreditation referred to in clause 41 of the Regulation.

**Approved by the Council** means the subject of an approval in force under Division 4 of Part 2 of the *Local Government (General) Regulation 2005*.

**Sewage Management Facility** has the same meaning as it has in the *Local Government (General) Regulation 2005*.

- (4) All trees outside a radius of 3m from the building shall be preserved unless prior approval in writing for their removal or lopping is obtained from the Council.

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

(6) PROTECTION OF PUBLIC PLACES

- (a) If the work involved in the erection or demolition of a building:
- (i) Is likely to cause pedestrian or vehicular traffic in a place to be obstructed or rendered inconvenient, or
  - (ii) Building involves the enclosure of a public place;

A hoarding or fence must be erected between the work site and the public place.

(b) If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

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

Any such hoarding, fence or awning is to be removed when the work has been completed.

(7) Council records indicate that the site may have previously undergone land filling. The site soil type shall be classified by a suitably qualified engineer. The footing system shall be designed accordingly.

**5. MANAGEMENT OF LAND CONTAMINATION**

**These conditions have been imposed to ensure the development is undertaken in a manner that is safe with regard to contaminants that might be present in soil and groundwater.**

(1) Prior to the commencement of any works the applicant shall provide Council with a copy of a site audit statement prepared by an EPA accredited site auditor certifying that the land will be suitable for the proposed use.

**6. ENGINEERING & CONSTRUCTION SPECIFICATIONS**

**These conditions have been imposed to ensure that developments within the Shire are of a standard which is both safe and acceptable to Council and members of the public:-**

(1) All works are to be designed and carried out in accordance with Wollondilly Shire Council's adopted Design and Construction Specification.

(2) Road design parameters (including circulation spaces and stormwater management) shall comply with the requirements of Council's Design Specifications.

(3) Where Council's Construction Specification require that density tests, beam tests or CBR tests be undertaken, the results shall be forwarded to Council within 7 days. A NATA registered laboratory shall carry out the tests. When testing for density, the Standard Compaction testing method is to be used.

(4) A certified "Works as Executed" plan from a Chartered Professional Engineer or Registered Surveyor is to be submitted to Council before occupation of the development.

(5) A "Soil and Water Management Plan" (SWMP) that outlines the measures that will be taken to limit and contain sediment laden runoff during construction shall be prepared. The measures shall be in accordance with Council's Construction specification and the



Department of Housing's "Blue Book". All works shall be undertaken in accordance with the provisions of this plan.

## **7. DRAINAGE/STORMWATER**

**These conditions have been imposed to ensure drainage/stormwater is appropriately managed.**

- (1) Stormwater runoff from and through the property is to be appropriately managed so as to control nuisance, damage and hazard during storm events.
- (2) Stormwater runoff from all impervious surfaces on the property shall be collected and conveyed to a point suitable for integration with either the natural or constructed stormwater drainage system. A piped drainage system shall be provided to convey runoff from storms up to the 10% AEP. Defined overland flow paths shall be provided to safely convey runoff from storm events up to the 1% AEP.
- (3) The applicant shall provide drainage, generally as shown on the concept plan by NSW Department of Commerce ref sheet No. HDA01 to HDA04 16 July 2009.
- (4) Roof water from the development shall be collected and conveyed to a water tank or water tanks with a total capacity not less than 80,000 litres. The overflow from the tanks shall be connected to the stormwater reticulation system within the site. This water shall be reserved for irrigation only and shall not be readily accessible to the public or to the students of the school.

## **8. CARPARKING/LOADING/ACCESS**

**These conditions have been imposed to:**

- (a) **Ensure that adequate provision is made for off street parking, appropriate to the volume and turnover of traffic generated by the development.**
  - (b) **Ensure that adequate manoeuvring space is provided for parking areas, loading bays and entry to facilities.**
- (1) In accordance with the provisions of Development Control Plan No.7 – Off Street Carparking – **twenty-seven (27)** sealed car parking spaces and access thereto shall be provided for the proposed development. Such spaces are to measure not less than 2.6m x 5.5m and are to be marked on the pavement in white line marking paint.
  - (2) **One (1)** of the required car parking spaces shall be for people with mobility impairment in accordance Australian Standard AS2890.1. This space shall have dimensions as required by AS2890.1 and shall be appropriately signposted and marked on the pavement.

## **9. PUBLIC ROADS**

**These conditions have been imposed to ensure all public road works required by the development are provided to an adequate standard.**

- (1) The school shall be provided with road infrastructure in accordance with the requirements of Development Control Plan No. 56 - Wilton Park Release Area, Wollondilly Shire Council and the Roads and Traffic Authority of NSW. Where necessary the vehicular access point associated with the proposed staff parking and the staff parking itself shall be relocated to allow for the provision of such road infrastructure.

**NOTE: This consent does not grant consent or imply Council's satisfaction with the road network as presented on the approved plans. The provision of public road**

**infrastructure was not proposed as part of the subject application and a separate application for development consent will be required in this regard.**

(2) No part of the development may be occupied prior to the receipt of written notification that adequate road infrastructure has been provided to the satisfaction of

- (a) Wollondilly Shire Council; and
- (b) The Roads and Traffic Authority of NSW.

## **10. EROSION AND SEDIMENT CONTROL**

**These conditions have been imposed to minimise the impact of the Development on the environment and on adjoining properties.**

(1) All disturbed areas are to be stabilised by turfing, mulching, paving or otherwise suitably stabilised within 30 days of completion.

(2) Vehicle access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site has been affected by wet weather.

(3) Erosion and sediment control devices are to be installed prior to any construction activity on the site. These devices are to be maintained for the full period of construction and beyond this period where necessary.

(4) Topsoil stripped from the construction site is to be stockpiled and protected from erosion until re-used during landscaping.

## **11. SERVICES**

**These conditions have been imposed to ensure that an adequate level of services are provided for the development:**

(1) A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained.

Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site [www.sydneywater.com.au](http://www.sydneywater.com.au) then refer to "Water Servicing Co-ordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

A copy of Sydney Water's Notice of Requirements must be submitted to Council prior to the commencement of construction works.

The Section 73 Certificate must be submitted to Council prior to any Occupation of the development.

(2) All power and services within the site shall be underground.

(3) No part of the development may be occupied prior to the development being connected to a reticulated sewerage management system to the satisfaction of Wollondilly Shire Council. In this regard written confirmation of Council's satisfaction of this condition is required prior to occupation of this development.

(4) All plumbing and drainage works shall be carried out in accordance with the New

South Wales Plumbing & Drainage Code of Practice and Australian Standard AS3500 except where otherwise provided in the Local Government Act 1993 and the Local Government (General) Regulation, 2005.

(5) In relation to water supply work from any recycled water system, including any plumbing works associated with the system under Section 68 of the Local Government Act, 1993, the following works shall be inspected by **Wollondilly Shire Council or their nominated agent, prior to backfilling, covering or lining:**

- Ball valve connection before backfilling;
- Front run (from meter area to dwelling or building) before backfilling;
- Rough-in before lining;
- Meter connection and final prior to occupation or use.

(6) Recycled water pipework shall be coloured lilac by lagging or approved identification tape as required and hose taps are to be of an approved recycled water type. A warning sign **WARNING – NOT FOR DRINKING** shall be installed above any tap. All such taps shall be provided in a manner that prevents student and the public from having ready access to this supply.

(7) The recycled water system shall not be connected into the potable water supply.

*Note: Recycled water is defined as water derived from wastewater that has been treated to a standard which is satisfactory for its intended re-use application.*

(8) Provision shall be made for a screened garbage collection and storage area which shall be provided with a tap or taps drawing water from either the recycled water or roof water supply or both. This area shall be located in the vicinity of the proposed service bay.

## **12. FOOD PREMISES**

**These conditions have been imposed to ensure the development is undertaken in a safe manner with respect to public health.**

(1) The canteen building (including all food preparation and food storage areas) shall comply with Australian Standard 4674-2004 Design, construction and fit-out of food premises and the Building Code of Australia.

(2) The canteen shall comply with the requirements of the Food Act 2003 and the Food Standards Code, particularly Food Safety Standards 3.1.1, 3.2.2 and 3.2.3 produced by Food Standards Australia New Zealand ([www.foodstandards.gov.au](http://www.foodstandards.gov.au)).

(3) Details of the canteen shall be notified to the NSW Food Authority prior to occupation of the building. These details can be notified on the NSW Food Authority's website free of charge ([www.foodnotify.nsw.gov.au](http://www.foodnotify.nsw.gov.au)) or through Council for a charge of \$55.

## **13. SECURITY AND SAFETY**

**These conditions are imposed to ensure that the development is compliant with the Safer by Design principles.**

(1) The school shall be fenced for the whole perimeter of the site prior to the occupation of the development. The fencing shall comply with the Fencing Standards of the NSW Department of Education and Training.

(2) All school buildings shall be fitted with back to base monitored alarm systems prior to the occupation of the development and monitoring shall be maintained for the life of the development.

(3) A security lighting plan shall be prepared to the satisfaction of the NSW Police Service prior to the commencement of building works. All lighting required by this plan shall be installed prior to occupation of the development.

#### **14. SIGNS**

**These conditions have been imposed to ensure that signs are properly designed, located and maintained so as not to impact upon the existing streetscape.**

(1) An application under the provisions of the Environmental Planning & Assessment Act and State Environmental Planning Policy No.64 – Advertising and Signage, shall be submitted to and approved by Council prior to the erection and/or display of any advertising signs unless the sign is exempt development.

#### **15. LANDSCAPING**

**These conditions have been imposed to reduce the impact of any development activity on the landscape/scenic quality through vegetation works and maintenance.**

(1) Landscaping is to be installed in accordance with the approved Plan prior to occupation of the development. The landscaping must be maintained in accordance with the details provided on that Plan at all times.

(2) All trees that are to be retained are to be protected by fencing maintained for the duration of the works. The area within the fencing must not be used for stockpiling of any material, nor for vehicle or pedestrian convenience.

#### **16. HEALTHY WATERWAYS**

**These conditions have been imposed in response to the adoption by Council of the Shire-Wide Stormwater Management Plan and current industry best practice.**

(1) Stormwater runoff from the site for storm events up to the 1 year ARI are to be treated to the water quality standards as identified in the *“Australian Runoff Quality – A guide to Water Sensitive Urban Design”* published by Engineers Australia. Litter and sediment pollution is to be treated to *Upper Nepean River Catchment Management Plan 1999* standards. Evidence that the proposed stormwater treatment system will achieve these guidelines is to be provided prior to the issue of the Construction Certificate. In this regard, and subject to these requirements, the development may be provided with a new treatment system or connected to the Bingara Gorge Stormwater Treatment System.

#### **17. SECTION 94A CONTRIBUTIONS**

**These conditions have been imposed in accordance with Section 94A of the Environmental Planning and Assessment Act, 1979.**

(1) A contribution of \$94,000 shall be paid to Council. This contribution is calculated from Wollondilly Section 94 Contributions Plan, 2005 based on a 1% levy of an estimated construction cost of \$9,400,000 in accordance with the Current Ministerial Direction under Section 94E.

The amount to be paid is to be adjusted at the time of actual payment, in accordance with the provisions of the Wollondilly Development Contributions Plan 2005. The contribution is to be paid prior to commencement of construction works.

#### **18. PRESCRIBED CONDITIONS UNDER THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979.**

**These conditions are imposed as they are mandatory under the Act.**

(1) SIGNS TO BE ERECTED ON BUILDING, SUBDIVISION AND DEMOLITION SITES

(a) In accordance with Section 80A (11) of the Environmental Planning & Assessment Act, 1979, a sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- (i) Showing the name, address and telephone number of the Principal Certifying Authority for the work; and
- (ii) 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; and
- (iii) Stating that unauthorised entry to the work site is prohibited.

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

(c) This Clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

(2) For the purpose of Section 80A (11) of the Act, the following conditions are prescribed in relation to a Development Consent for development that involves any building work that the work must be carried out in accordance with the requirements of the Building Code of Australia.

This condition does not apply to the extent to which an exemption is in force under Clause 187 or 188 of the Environmental Planning & Assessment Regulation 2000, subject to the terms of any condition or requirement referred to in Clause 187(6) or 188(4) or to the erection of a temporary building.

**19. ADVICES**

(1) During the course of construction, care must be taken to prevent damage to any public utility or other service and the applicant will be held responsible for any damage caused by him or his agents, either directly or indirectly. Any mains, services, poles, surface fittings etc., that require alterations shall be altered at the applicants expense and to the satisfaction of Council and the authority concerned.

(2) The following service providers should be contacted before commencement of construction to establish their requirements:

- Telstra (telephone)
- Integral Energy (electricity)
- AGL (gas)
- Sydney Water (water & sewer)

(3) At all times work is being undertaken within the public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site with a minimum of disruption.

(4) The developer and any contractor or sub-contractor used to carry out any work authorised by or out of this approval on Council owned or controlled land, is to carry the following insurance, copies of which are to be produced to Council upon request:

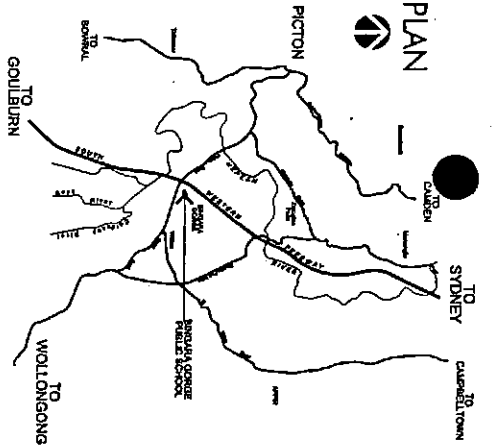
- Motor Vehicle Insurance (comprehensive or property damage) for all self propelled plant, as well as valid registration or RTA permit (Including CTP insurance). Primary producer's registration is not registration for use on Public Road construction work.

- Workers Compensation Insurance.
- Ten Million Dollar Public Liability Insurance.

(5) The premises shall be included in Council's Food Surveillance Program whereby regular inspections will be undertaken to ensure compliance with the requirements of the Food Act 2003 and the Food Standards Code.

# LOCATION PLAN

N.T.S.



## BINGARA GORGE PUBLIC SCHOOL MAIN STREET MILTON PARK NSW 2571

### DEVELOPMENT APPLICATION

### DRAWING LIST

Sheet This

### ARCHITECTURAL

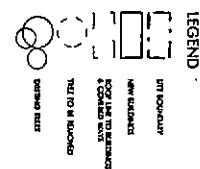
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|-------|---|----------------|
| ADA00 | DRAWING LIST, LOCATION PLAN & SITE PLAN         | N.T.S., 1:1000 |
| ADA01 | PART SITE PLAN                                  | 1:500          |
| ADA02 | BLOCK A ADMINISTRATION FLOOR PLAN & ELEVATIONS  | 1:100          |
| ADA03 | BLOCK B HOMEBASE & C TOILETS PLANS & ELEVATIONS | 1:100          |
| ADA04 | BLOCK D HOMEBASE PLAN & ELEVATIONS              | 1:100          |
| ADA05 | BLOCK E LIBRARY PLAN & ELEVATIONS               | 1:100          |
| ADA06 | BLOCK G HOMEBASE PLAN & ELEVATIONS              | 1:100          |
| ADA07 | BLOCK H COMMUNAL HALL PLAN & ELEVATIONS         | 1:100          |
| ADA08 | BLOCK F & I PLANS & ELEVATIONS                  | 1:100          |

### LANDSCAPE

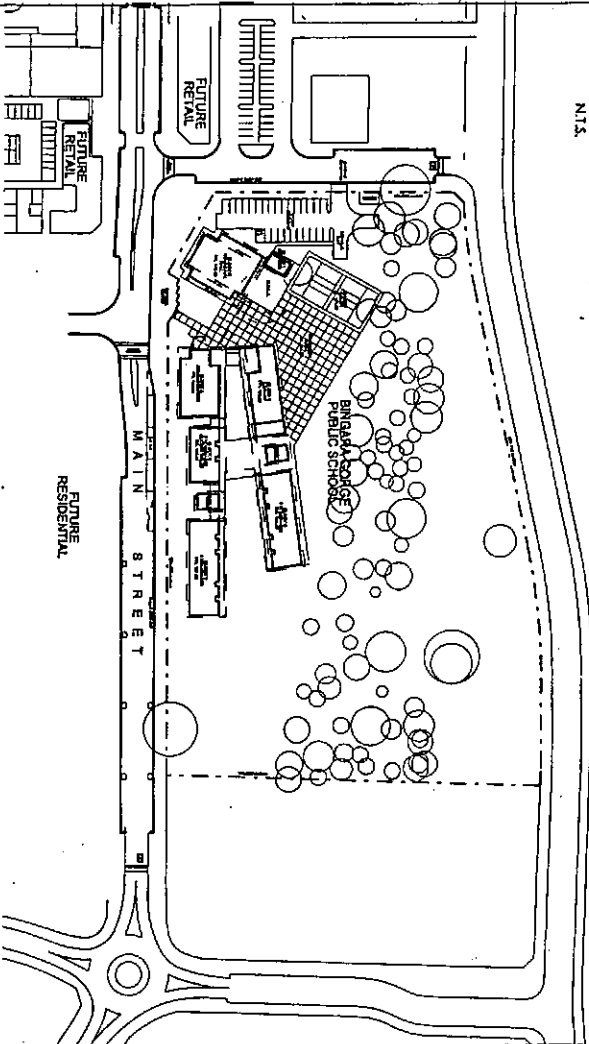
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| LDA01 | LANDSCAPE PLAN | 1:500 |
|-------|----------------|-------|

### HYDRAULIC SERVICES

|       |  |       |
|-------|--|-------|
| HDA01 | STORMWATER MANAGEMENT CONCEPT SITE PLAN, LEGEND, NOTES & DETAILS | 1:500 |
| HDA02 | STORMWATER MANAGEMENT CONCEPT PART SITE PLAN                     | 1:200 |
| HDA03 | STORMWATER MANAGEMENT CONCEPT PART SITE PLAN                     | 1:200 |
| HDA04 | SEDIMENT & EROSION CONTROL PLAN                                  | 1:500 |



NOTES:  
1. ALL DIMENSIONS ARE IN METRES.  
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.  
3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.  
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9. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.  
10. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.



### SITE PLAN

FUTURE  
RESIDENTIAL

Government Architect's Office  
Architect Office  
100/101 Macquarie Street  
Sydney NSW 2000  
Tel: (02) 9221 1111  
Fax: (02) 9221 1112  
Email: info@ga.gov.au

**BINGARA GORGE PUBLIC SCHOOL**  
DEVELOPMENT APPLICATION  
LOCATION PLAN & OVERALL SITE PLAN

Scale: 1:1000  
Date: 17/07/2008  
Sheet: ADA00

FUTURE  
RESIDENTIAL

BINGARA GORGE  
PUBLIC SCHOOL

MAIN STREET

FUTURE  
RESIDENTIAL

FUTURE  
RETAIL

FUTURE  
RETAIL

NOTES:  
1. ALL DIMENSIONS ARE IN METERS.  
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.  
3. ALL DIMENSIONS ARE TO BE VERIFIED BY THE SURVEYOR.  
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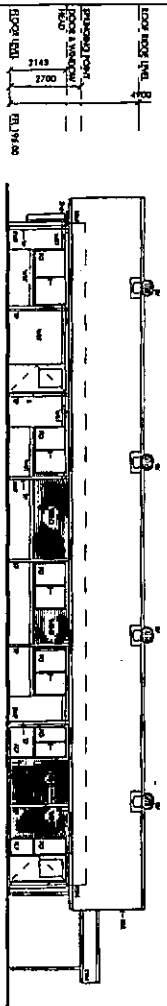
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| <p><b>DATE</b><br/>1/1/2000</p>  | <p><b>PROJECT</b><br/>BINGARA GORGE PUBLIC SCHOOL<br/>BINGARA GORGE PUBLIC SCHOOL<br/>BINGARA GORGE PUBLIC SCHOOL</p> |
| <p><b>SCALE</b><br/>1:300</p>  | <p><b>PROJECT</b><br/>BINGARA GORGE PUBLIC SCHOOL<br/>BINGARA GORGE PUBLIC SCHOOL<br/>BINGARA GORGE PUBLIC SCHOOL</p> |
| <p><b>DATE</b><br/>1/1/2000</p>  | <p><b>PROJECT</b><br/>BINGARA GORGE PUBLIC SCHOOL<br/>BINGARA GORGE PUBLIC SCHOOL<br/>BINGARA GORGE PUBLIC SCHOOL</p> |



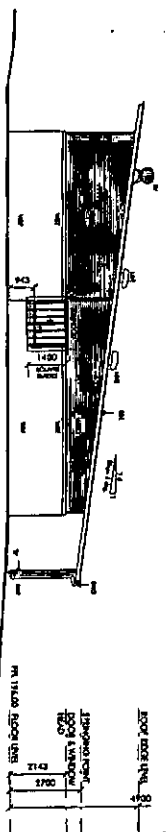
**BINGARA GORGE  
PUBLIC SCHOOL  
REDEVELOPMENT APPLICATION  
SITE PLAN**

|  |   |
|--|---|
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| <p><b>DATE</b><br/>1/1/2000</p>  | <p><b>PROJECT</b><br/>BINGARA GORGE PUBLIC SCHOOL<br/>BINGARA GORGE PUBLIC SCHOOL<br/>BINGARA GORGE PUBLIC SCHOOL</p> |
| <p><b>SCALE</b><br/>1:300</p>  | <p><b>PROJECT</b><br/>BINGARA GORGE PUBLIC SCHOOL<br/>BINGARA GORGE PUBLIC SCHOOL<br/>BINGARA GORGE PUBLIC SCHOOL</p> |
| <p><b>DATE</b><br/>1/1/2000</p>  | <p><b>PROJECT</b><br/>BINGARA GORGE PUBLIC SCHOOL<br/>BINGARA GORGE PUBLIC SCHOOL<br/>BINGARA GORGE PUBLIC SCHOOL</p> |

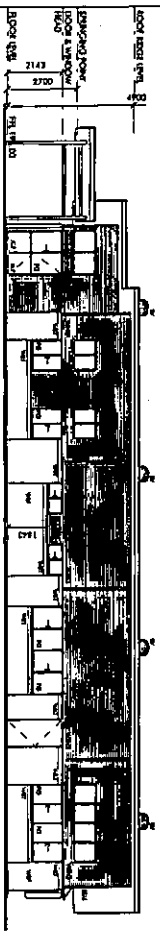




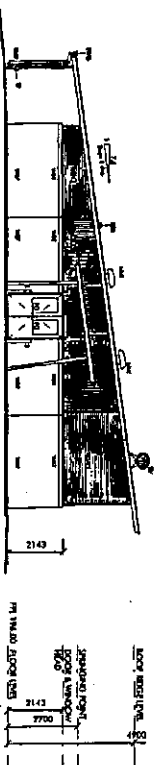
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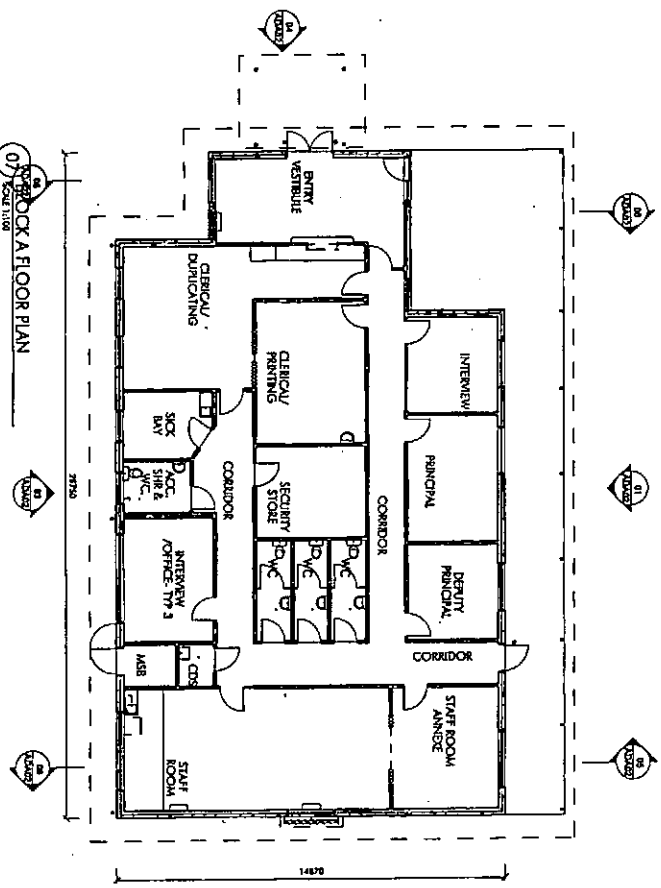
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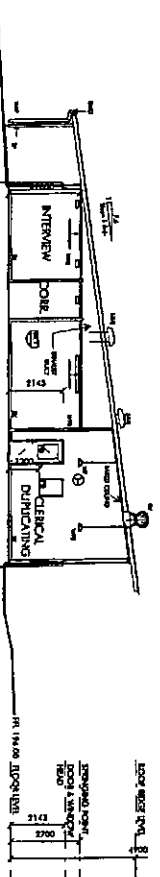
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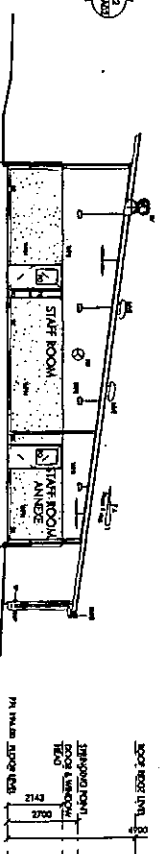
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SCALE 1/16"



07 BLOCK A FLOOR PLAN  
SCALE 1/16"



05 SECTION  
SCALE 1/16"



06 SECTION  
SCALE 1/16"

1. ALL DIMENSIONS ARE IN FEET AND INCHES.  
2. FINISHES ARE AS NOTED.  
3. MATERIALS AND METHODS OF CONSTRUCTION ARE AS NOTED.  
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.  
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES.  
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ACCESS TO ALL ADJACENT PROPERTIES.  
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DISPOSING OF ALL DEBRIS.  
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING ALL AREAS TO ORIGINAL CONDITION.  
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE.  
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY BONDS.

| <b>PROJECT NAME</b><br>BINGARA GORGE PUBLIC SCHOOL<br><b>CLIENT</b><br>Government of Western Australia<br><b>ARCHITECT</b><br>Architects Office<br><b>DATE</b><br>1/1/2000 | <b>REVISIONS</b><br><table><tr><th>NO.</th><th>DESCRIPTION</th><th>DATE</th></tr><tr><td>1</td><td>ISSUED FOR PERMIT</td><td>1/1/2000</td></tr><tr><td>2</td><td>ISSUED FOR TENDER</td><td>1/1/2000</td></tr></table> | NO.      | DESCRIPTION | DATE | 1 | ISSUED FOR PERMIT | 1/1/2000 | 2 | ISSUED FOR TENDER | 1/1/2000 |
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| NO.  | DESCRIPTION   | DATE     |             |      |   |                   |          |   |                   |          |
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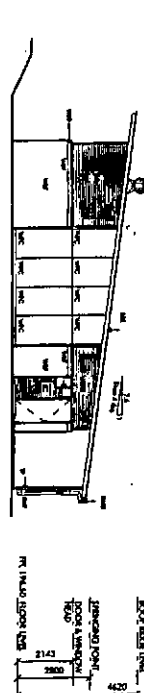
**BINGARA GORGE PUBLIC SCHOOL**  
DEVELOPMENT/RECONSTRUCTION  
BLOCK A PLAN  
ELEVATIONS & SECTIONS

1:100 @ A1  
DATE 1/1/2000  
BY  
TS

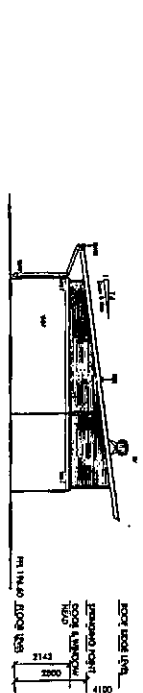
**ADA02**

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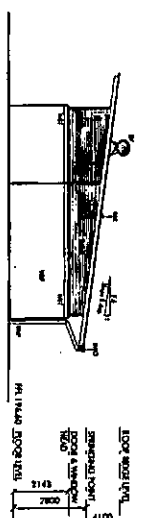
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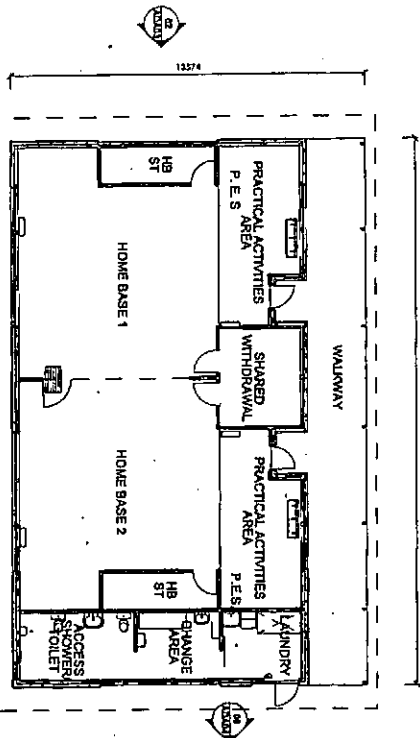
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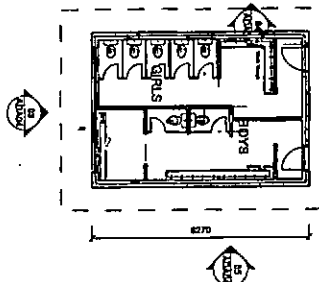
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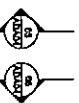
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SCALE 1:100



08 BLOCK C FLOOR PLAN  
SCALE 1/160



08 BLOCK C FLOOR PLAN  
SCALE 1/160



**BINGARA GORGE  
PUBLIC SCHOOL  
DEVELOPMENT APPLICATION  
BLOCK B & C PLANS  
& ELEVATIONS**

James E. McHugh  
Architect's Office

[illegible]

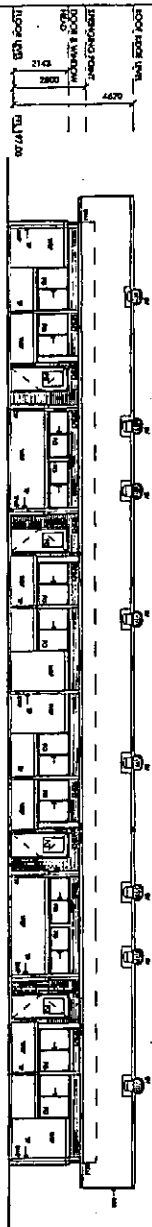
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|-----------|--------|-----------------------------|---------------------------------|
| 18-29     | Male   | ~65                         | ~35                             |
|           | Female | ~75                         | ~25                             |
| 30-49     | Male   | ~70                         | ~30                             |
|           | Female | ~80                         | ~20                             |
| 50-69     | Male   | ~75                         | ~25                             |
|           | Female | ~85                         | ~15                             |
| 70+       | Male   | ~80                         | ~20                             |
|           | Female | ~90                         | ~10                             |

[illegible][illegible]

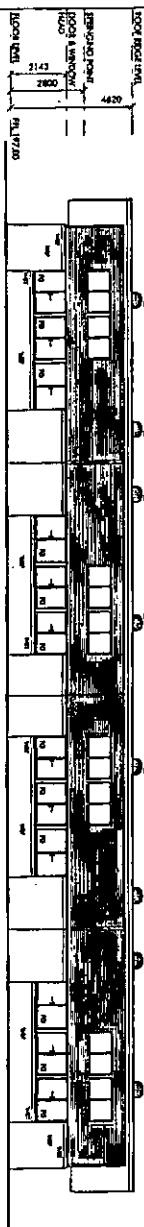
**STUDY PATIENTS**

Patients were recruited from the following sources:

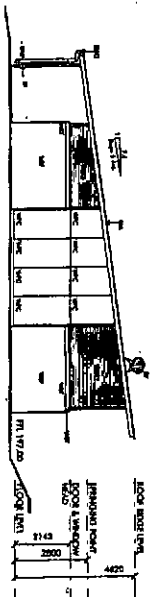
- 1. Patients referred to the clinic by their general practitioner (GP) or hospital consultant.
- 2. Patients referred to the clinic by their GP or hospital consultant who had been diagnosed with a psychiatric disorder.
- 3. Patients referred to the clinic by their GP or hospital consultant who had been diagnosed with a physical disorder.
- 4. Patients referred to the clinic by their GP or hospital consultant who had been diagnosed with a physical disorder and a psychiatric disorder.
- 5. Patients referred to the clinic by their GP or hospital consultant who had been diagnosed with a physical disorder and a psychiatric disorder and who had been referred to the clinic by their GP or hospital consultant.



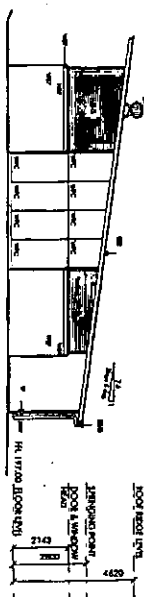
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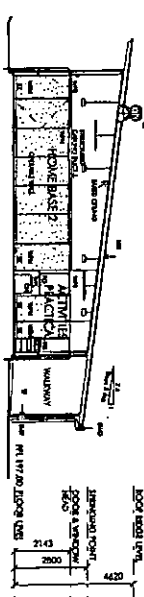
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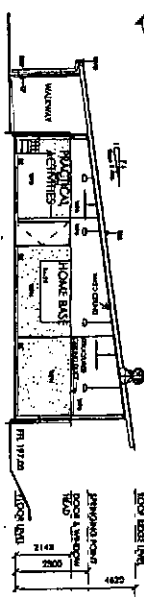
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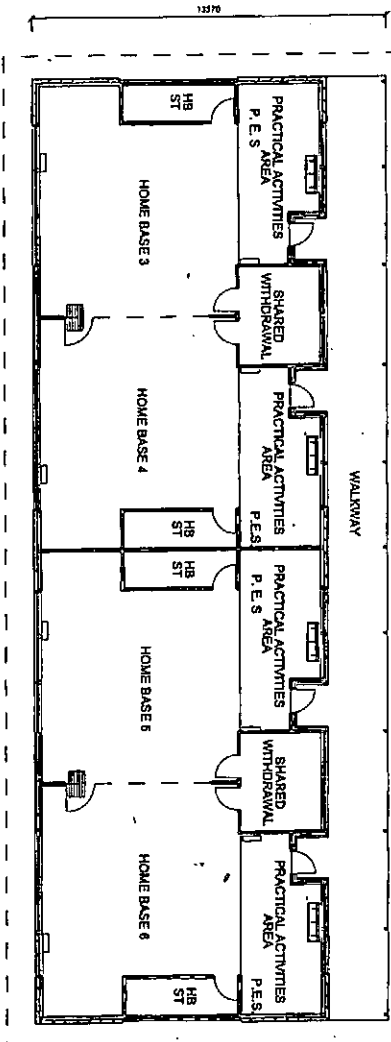
04 EAST ELEVATION  
SCALE 1/160



05 SECTION  
SCALE 1/160



06 SECTION  
SCALE 1/160



07 FLOOR PLAN  
SCALE 1/160

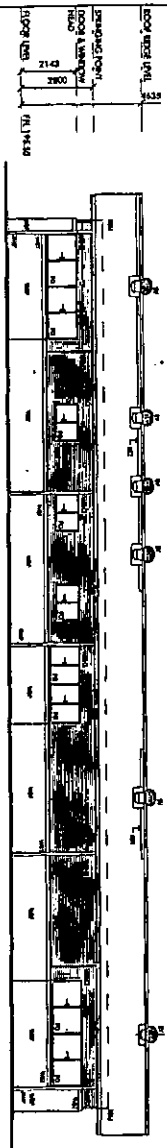
1. ALL DIMENSIONS ARE IN FEET AND INCHES.  
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.  
4. ALL DIMENSIONS ARE TO OUTLINE UNLESS OTHERWISE NOTED.  
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8. ALL DIMENSIONS ARE TO OUTLINE UNLESS OTHERWISE NOTED.  
9. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.  
10. ALL DIMENSIONS ARE TO OUTLINE UNLESS OTHERWISE NOTED.

|              |                             |
|--------------|-----------------------------|
| PROJECT NAME | BINGARA GORGE PUBLIC SCHOOL |
| CLIENT       | BINGARA GORGE PUBLIC SCHOOL |
| DESIGNER     | ARCHITECTS                  |
| DATE         | 11/11/2008                  |
| SCALE        | 1/160                       |
| PROJECT NO.  | ADA04                       |

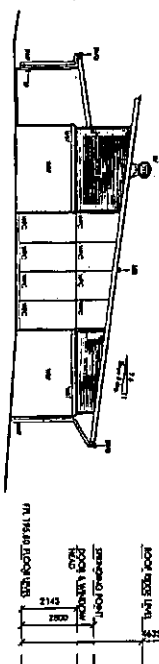


**BINGARA GORGE PUBLIC SCHOOL**  
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BINGARA GORGE PUBLIC SCHOOL  
BINGARA GORGE PUBLIC SCHOOL  
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BINGARA GORGE PUBLIC SCHOOL

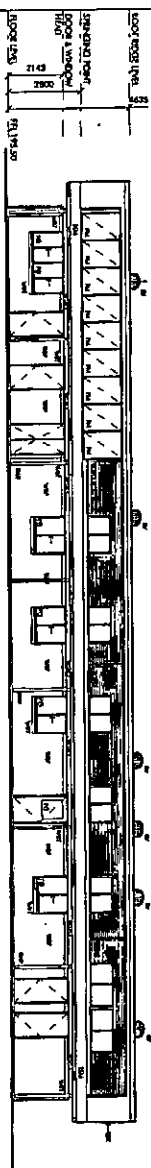
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| CLIENT       | BINGARA GORGE PUBLIC SCHOOL |
| DESIGNER     | ARCHITECTS                  |
| DATE         | 11/11/2008                  |
| SCALE        | 1/160                       |
| PROJECT NO.  | ADA04                       |



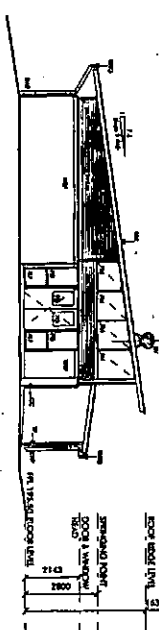
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SCALE 1/160



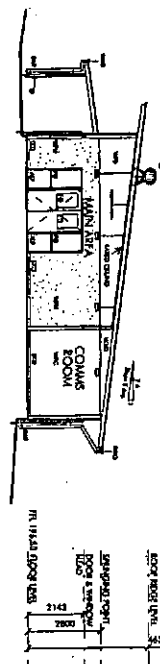
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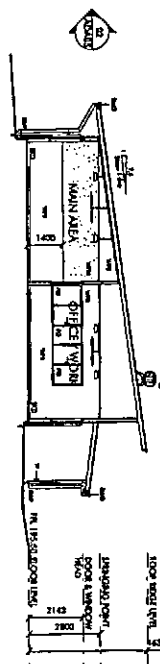
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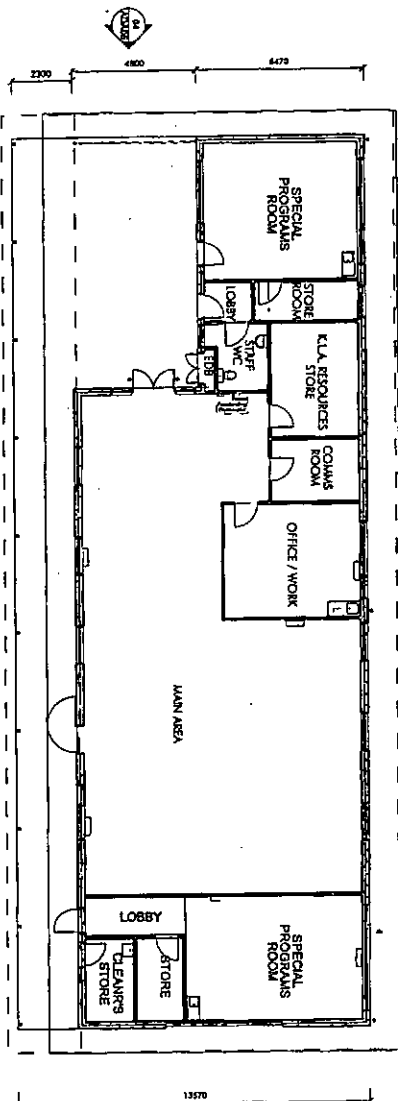
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SECTION  
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**SECTION**  
SCALE 1:100  
**06**



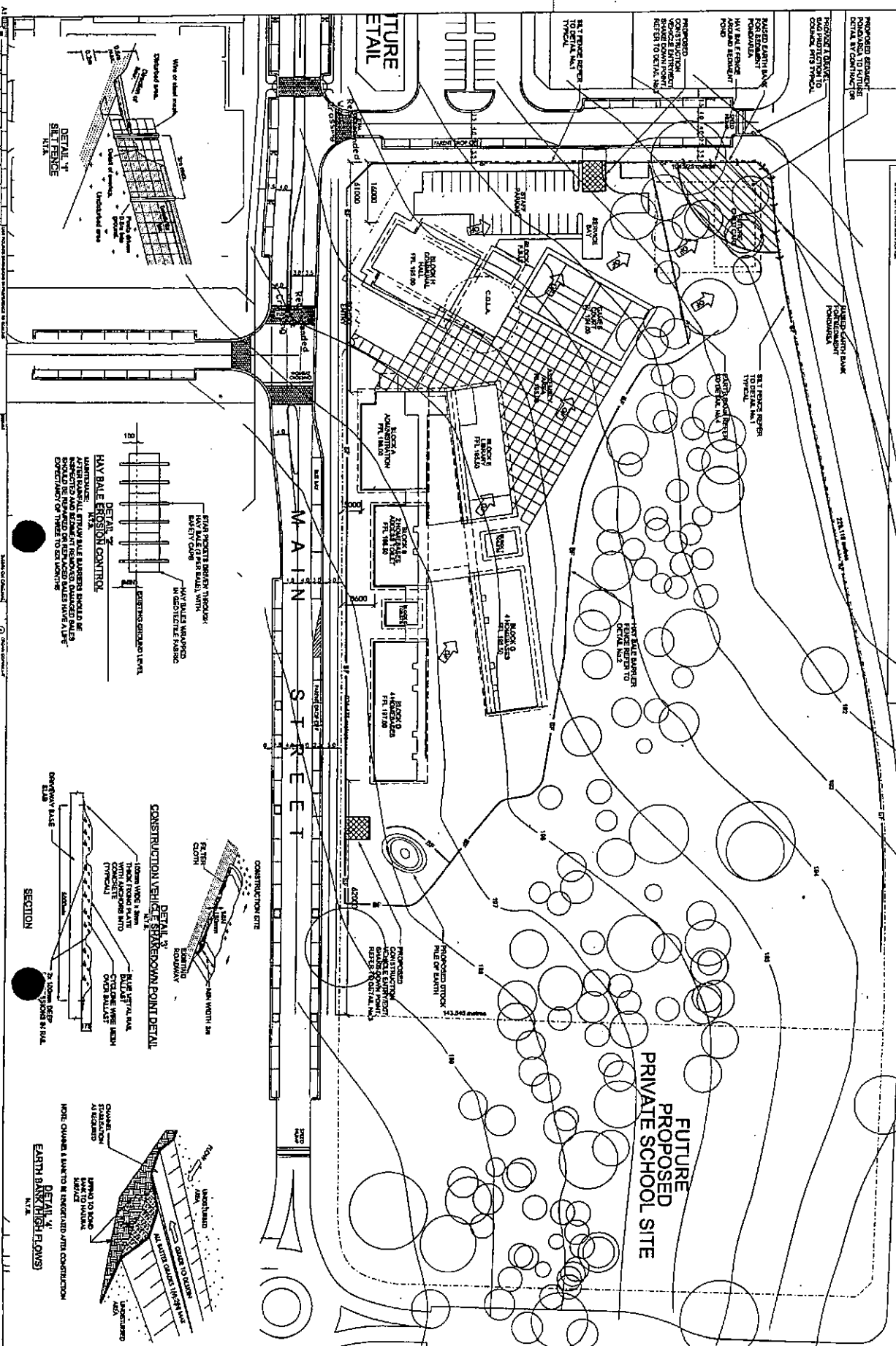
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SCALE 1:100

[illegible][illegible]

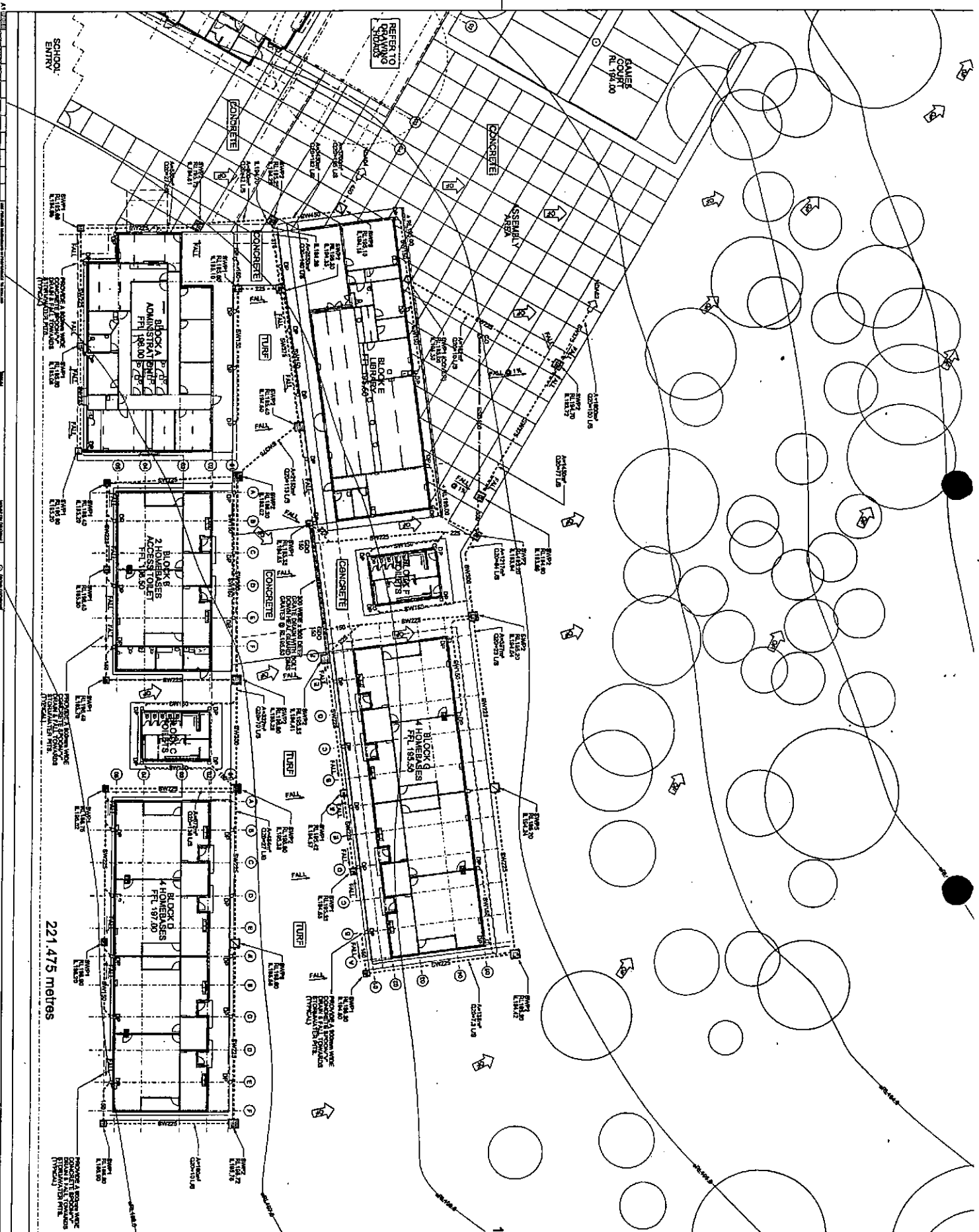
# FUTURE RESIDENTIAL

- ## LEGEND
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  - 12" — 12" PIPE
  - 18" — 18" PIPE
  - 24" — 24" PIPE
  - 30" — 30" PIPE
  - 36" — 36" PIPE
  - 42" — 42" PIPE
  - 48" — 48" PIPE
  - 54" — 54" PIPE
  - 60" — 60" PIPE
  - 66" — 66" PIPE
  - 72" — 72" PIPE
  - 78" — 78" PIPE
  - 84" — 84" PIPE
  - 90" — 90" PIPE
  - 96" — 96" PIPE
  - 102" — 102" PIPE
  - 108" — 108" PIPE
  - 114" — 114" PIPE
  - 120" — 120" PIPE
  - 126" — 126" PIPE
  - 132" — 132" PIPE
  - 138" — 138" PIPE
  - 144" — 144" PIPE
  - 150" — 150" PIPE
  - 156" — 156" PIPE
  - 162" — 162" PIPE
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- ## NOTES
1. ALL WORK SHALL BE COMPLETED WITHIN A REASONABLE TIME FRAME.
  2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY.
  3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.
  4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND LANDSCAPE.
  5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING ROADS AND HIGHWAYS.
  6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING BUILDINGS AND STRUCTURES.
  7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING POWER LINES AND CABLES.
  8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING WATER LINES AND SEWERS.
  9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TELEPHONE LINES AND CABLES.
  10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING GAS LINES AND CABLES.
  11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING RAILROADS AND TRAMWAYS.
  12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING AIRCRAFT AND HELICOPTER LANDING AREAS.
  13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING MARINE AND BOATING AREAS.
  14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING HISTORIC AND CULTURAL SITES.
  15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING NATURAL AND SCIENTIFIC RESOURCES.
  16. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING ANTHROPOLOGICAL AND ARCHAEOLOGICAL SITES.
  17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING PREHISTORIC AND HISTORIC MONUMENTS AND STRUCTURES.
  18. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING NATIONAL AND STATE MONUMENTS AND STRUCTURES.
  19. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING FEDERAL AND INTERNATIONAL MONUMENTS AND STRUCTURES.
  20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING NATIONAL AND INTERNATIONAL HISTORIC AND CULTURAL SITES.



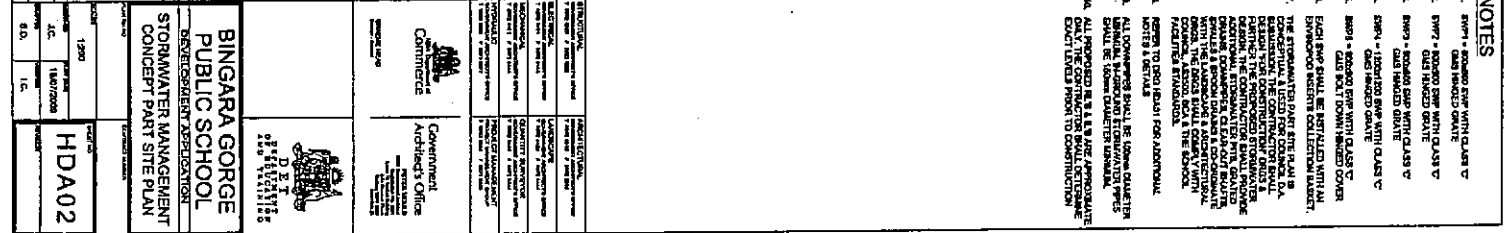
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|---|--|---|
| <b>BINGARA GORGE PUBLIC SCHOOL</b><br>SEDIMENT & EROSION CONTROL PLAN                           |  | PROJECT NO. HD A04<br>DATE: 1/1/2008<br>DRAWN BY: J.C.<br>CHECKED BY: J.C.<br>APPROVED BY: J.C. |
| PROJECT NO. HD A04<br>DATE: 1/1/2008<br>DRAWN BY: J.C.<br>CHECKED BY: J.C.<br>APPROVED BY: J.C. |  | PROJECT NO. HD A04<br>DATE: 1/1/2008<br>DRAWN BY: J.C.<br>CHECKED BY: J.C.<br>APPROVED BY: J.C. |



**BINGARA GORGE PUBLIC SCHOOL**  
**STORMWATER MANAGEMENT CONCEPT PART SITE PLAN**

**DATE:** 12/1/2020  
**BY:** HDA03

1. SWP1 - 10000 SWP WITH CLASS 7 DRAINAGE BASIN
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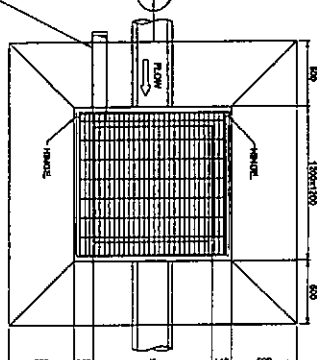
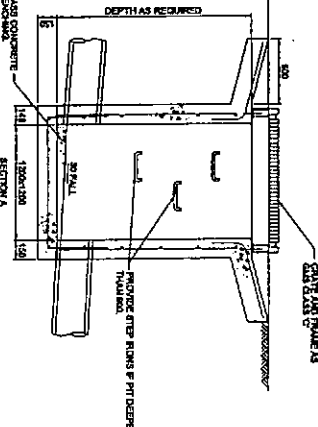


**FUTURE  
RESIDENTIAL**

## NOTES

- 

**FUTURE  
PROPOSED  
PRIVATE SCHOOL SITE**

[illegible]BINGARA GORGE  
PUBLIC SCHOOL  
DEVELOPMENT APPLICATION

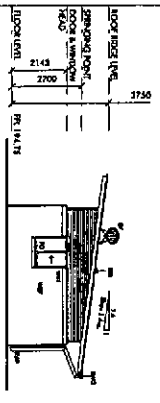
STORMWATER MANAGE  
CONCEPT SITE PLAN,  
LEGEND, NOTES & DETAIL

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|------|------------|------------|-------|
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| HDAD |            | 15/07/2008 |       |

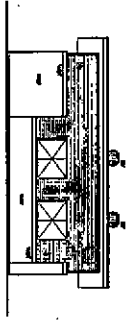
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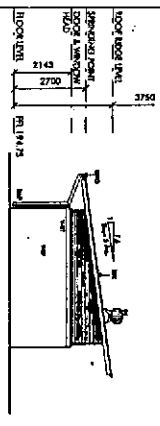




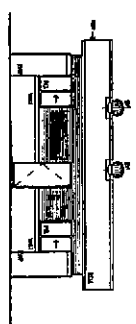
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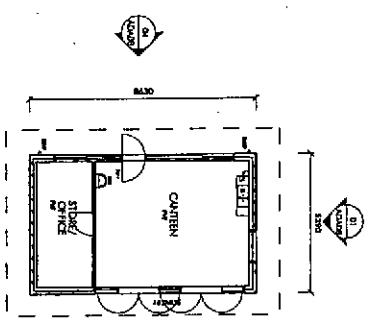
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SCALE 1/160



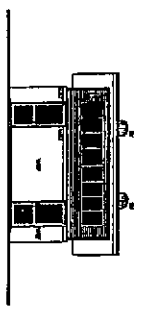
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SCALE 1/160



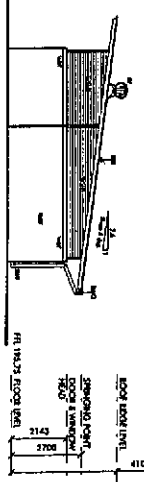
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SCALE 1/160



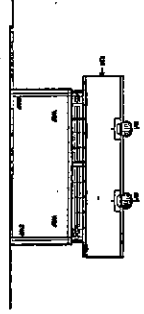
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SCALE 1/160



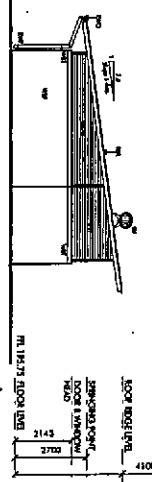
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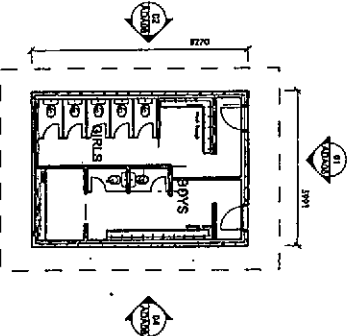
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SCALE 1/160



03 SOUTH ELEVATION  
SCALE 1/160



04 WEST ELEVATION  
SCALE 1/160

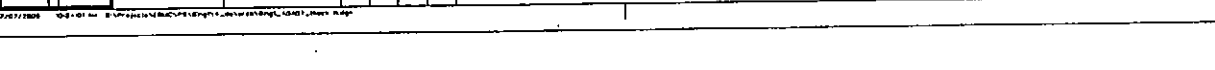


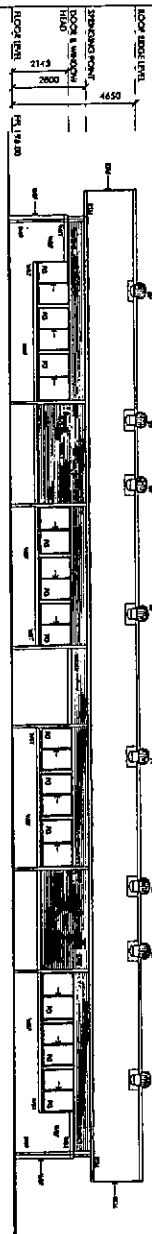
05 BLOCK F FLOOR PLAN  
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**NOTES:**

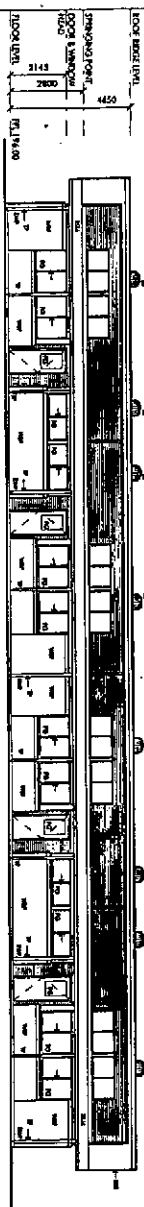
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
2. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE AND BONDS.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY UTILITIES AND SERVICES.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY MATERIALS AND LABOR.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY EQUIPMENT AND TOOLS.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY TRANSPORTATION.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY STORAGE AND WAREHOUSING.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY OFFICE AND FIELD STATIONERY.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY COMMUNICATIONS.

|  |  |                                   |                                |   |                                     |
|--|--|-----------------------------------|--------------------------------|---|-------------------------------------|
| <p><b>CLIENT:</b><br/>BINGARA GORGE<br/>PUBLIC SCHOOL<br/>DEVELOPMENT APPLICATION<br/>BLOCK F &amp; I PLANS<br/>&amp; ELEVATIONS</p> | <p><b>DESIGNER:</b><br/>COMMITTEE<br/>ARCHITECT'S OFFICE<br/>1000 10TH AVENUE<br/>S.W.<br/>VANCOUVER, B.C. V6H 3K9<br/>TEL: 604-271-1111<br/>FAX: 604-271-1112<br/>WWW.COMMITTEEARCHITECTS.COM</p> | <p><b>DATE:</b><br/>1/10/2008</p> | <p><b>SCALE:</b><br/>1/160</p> | <p><b>PROJECT:</b><br/>BLOCK F &amp; I PLANS<br/>&amp; ELEVATIONS</p> | <p><b>ADDITIONAL:</b><br/>ADA08</p> |
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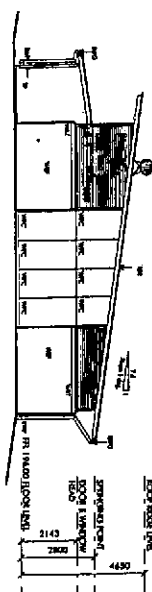




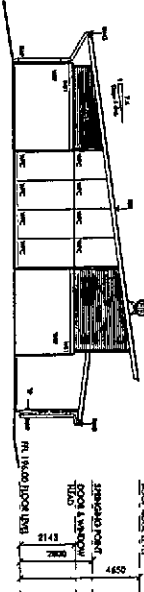
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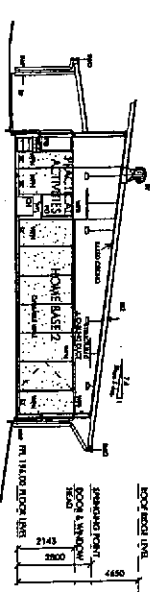
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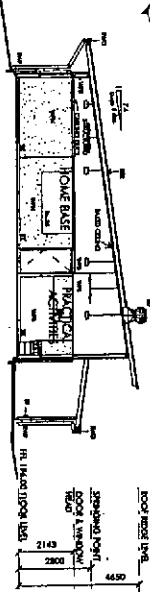
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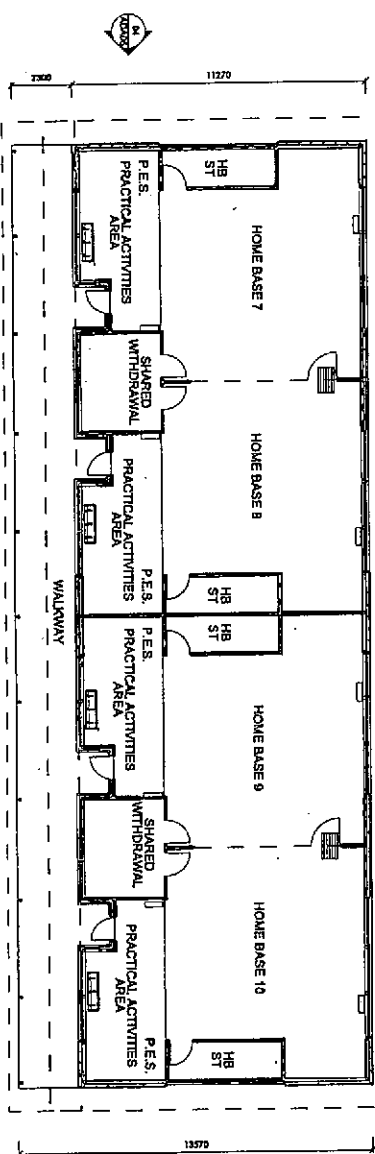
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SCALE 1:100



05 SECTION  
SCALE 1:100



06 SECTION  
SCALE 1:100



07 FLOOR PLAN  
SCALE 1:100

PROJECT LOCATION  
BINGARA GORGE  
PUBLIC SCHOOL  
DEVELOPMENT APPLICATION  
BLOCK G PLAN  
ELEVATIONS & SECTIONS  
DATE: 11/07/2008  
DRAWN BY: TS  
CHECKED BY: TS

**BINGARA GORGE PUBLIC SCHOOL**  
DEVELOPMENT APPLICATION  
BLOCK G PLAN  
ELEVATIONS & SECTIONS

DATE: 11/07/2008  
DRAWN BY: TS  
CHECKED BY: TS

**ADAO6**

1:100 @ A1

11/07/2008

TS

**Government of Western Australia**  
Department of Education  
Bingara Gorge Public School  
Architects Office

**Government of Western Australia**  
Department of Education  
Bingara Gorge Public School  
Architects Office



General Manager  
Wollondilly Shire Council  
PO Box 21  
PICTON NSW 2571

Telephone: 9561 1913  
Facsimile: 9561 8505  
Our Reference: DOC09/78451  
Your Reference:  
010.2009.458.001

**Proposed New School at Bingara Gorge Wilton**

**Attention: Mr Grant Rokobauer**

Dear Mr Rokobauer,

I refer to the Draft Conditions of Consent for DA No. 010.0000458.001 and our recent telephone conversations and e-mail correspondence.

Since discussing this issue with you, I have received further advice that as this is a Crown development the Dept Education and Training does not pay Section 94A contributions as the Crown is providing 'social infrastructure' to the community.

I confirm that as previously advised, Dept Education and Training as applicant concur with the proposed draft conditions of consent, however, now with the exception of Condition No 17 – Section 94A Contributions.

It remains DET's intention to work cooperatively with Council to ensure that this important infrastructure project is completed satisfactorily and I look forward to a satisfactory outcome to the determination by South West Sydney Regional Planning Panel.

Yours sincerely

David Whiting  
Senior Project Director  
Asset Management Directorate  
24 December 2009.

All communications to be addressed to:

Headquarters  
15 Carter Street  
Homebush Bay NSW 2127

Headquarters  
Locked Bag 17  
Granville NSW 2142

Telephone: 8741 5175

Facsimile: 8741 5433

e-mail: development.assessment@rfs.nsw.gov.au



The General Manager  
Wollondilly Shire Council  
PO Box 21  
Picton NSW 2571

|                           |              |
|---------------------------|--------------|
| WOLLONDILLY SHIRE COUNCIL |              |
| DATE RECEIVED             |              |
| 21 SEP 2009               |              |
| TRIM NO.                  | 0409154 25P2 |
| ASSIGNED TO: Grant        |              |

Your Ref: 010.2009.00000458.00

Our Ref: D09/1440

DA09090262832 DC

**ATTENTION:** G S Rokobauer

18 September 2009

Dear Mr Rokobauer

#### **Integrated Development for Lot 4 Dp 270536 30 Pembroke Parade Wilton**

I refer to your letter dated 28 August 2009 seeking general terms of approval for the above Integrated Development in accordance with Section 91 of the 'Environmental Planning and Assessment Act 1979'.

This response is to be deemed a bush fire safety authority as required under section 100B of the 'Rural Fires Act 1997' and is issued subject to the following numbered conditions:

#### **General Conditions**

1. The development proposal is to comply with the subdivision layout identified on the drawing prepared by NSW Government Architects Office numbered ADA00 to ADA08, dated 17 July 2009.

#### **Asset Protection Zones**

The intent of measures is to provide sufficient space for fire fighters and other emergency services personnel, ensuring radiant heat levels permit operations under critical conditions of radiant heat, smoke and embers, while supporting or evacuating occupants.

2. At the commencement of building works and in perpetuity the entire property shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

### **Water and Utilities**

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.

3. Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of 'Planning for Bush Fire Protection 2006'.

### **Access**

The intent of measures for property access is to provide safe access to/from the public road system for fire fighters providing property protection during a bush fire and for occupants faced with evacuation.

4. Property access roads for the proposed development shall comply with section 4.1.3(2) and 4.2.7 of 'Planning for Bush Fire Protection 2006'.

### **Evacuation and Emergency Management**

The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments.

5. Arrangements for emergency and evacuation are to comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.
  - An Emergency /Evacuation Plan is to be prepared consistent with the NSW Rural Fire Service document 'Guidelines for the Preparation of Emergency/Evacuation plan'.

### **Landscaping**

6. Landscaping and site maintenance shall comply with requirements of Appendix 5 of 'Planning for Bush Fire Protection 2006' and the Rural Fire Service 'Standards for asset protection zones'.
7. Landscaping and site maintenance shall comply with requirements of Appendix 5 of 'Planning for Bush Fire Protection 2006' and the Rural Fire Service 'Standards for asset protection zones'.

For any queries regarding this correspondence please contact Daniel Copland on 8741 5175.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Delany', with a large, stylized loop at the end.

John Delany

**Acting Team Leader, Development Assessment & Planning**

The RFS has made getting information easier. For general information on 'Planning for Bush Fire Protection, 2006', visit the RFS web page at [www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au) and search under 'Planning for Bush Fire Protection, 2006'.



Our Ref: 496DA30-8 (09/1848a) STH08/00894  
Contact: Tim Webster 4221 2769  
Your Ref: 010.2009.00000458.001



The General Manager  
Wollondilly Shire Council  
PO Box 21  
Picton NSW 2571

Attention: Grant Rokobauer

|                           |             |
|---------------------------|-------------|
| WOLLONDILLY SHIRE COUNCIL |             |
| DATE RECEIVED             |             |
| 21 JAN 2010               |             |
| TRIM NO.                  | DA09/542501 |
| ASSIGNED TO:              | Grant       |

**WOLLONDILLY SHIRE COUNCIL – DA 010.2009.00000458.001 - PROPOSED PUBLIC SCHOOL, BINGARRA GORGE, 30 PEMBROKE PARADE, WILTON PARK**

Dear Sir

Reference is made to your letters dated 24 November and 14 December 2009, and RTA's responses dated 8 December and 17 December regarding the subject development application forwarded to the Roads and Traffic Authority (RTA) for consideration.

The RTA has raised concerns with Council regarding the time period with which the RTA was given to assess and respond to the subject application which is considered insufficient and not in accordance with State Environmental Planning Policy (Infrastructure) 2007 Clause 104 (3). Notwithstanding the above the RTA considers it necessary to advise Council of its issues with the application. The RTA would be willing to work with Council and the Department of Education and Training in the pre development stage in order to achieve the best road safety and traffic efficiency outcomes for the proposed new school, the children that attend and the surrounding land uses. However the RTA will not be held responsible for, required to contribute to or required to fix any road safety or traffic efficiency issues that arise as a result of this development, in particular any issues that are not addressed as a result of Council's decision to determine the application prior to receiving and taking into account the RTA's comments as required under SEPP (Infrastructure) 2007. In this regard the following comments are provided for your consideration:

- The RTA has concerns with the proposed location of the sole pedestrian school access which directs school children straight into nearby intersections where traffic conflicts are increased. Ideally, the schools pedestrian access at a location that does not increase road safety issues. If the proposed access is maintained appropriate safety fencing should be provided to direct children to safe crossing locations.
- The RTA has concerns with the road safety and traffic efficiency implications of the proposed location of pedestrian crossings immediately adjacent to intersections. This is a particular concern due to the vulnerability of primary school aged pedestrians. With respect to the issue of pedestrian crossings the RTA considers that a more consistent approach is appropriate for young children to use these facilities appropriately. A combination of zebra crossings, wombat crossings and pedestrian refuges all in close proximity is likely to create confusion for young children.
- Clarification is sought as to the locations of pedestrian crossings. Some plans shows pedestrian crossings on all legs of intersections while others show pedestrian crossings on two legs of the

Roads and Traffic Authority

Level 4, 90 George Street, Sydney, NSW 2000  
PO Box 177 Wollongong NSW 2500  
www.rta.nsw.gov.au | 13 17 82

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western intersection and one leg of the eastern intersection. The former layout is likely to result in excessive vehicle delays during school peak hours if pedestrians are given full priority at intersections.

- As indicated in previous correspondence, details of the bus and parent parking accumulation studies should be provided to determine their appropriateness for application for the subject application.
- Further details should be provided regarding the traffic flow assumptions on roads adjacent to the school and turning movements at adjacent intersections. This analysis should give consideration to the cumulative impact of the future proposed private school, commercial, residential and retail areas with regard to pedestrian movements and volumes, parking demand and the increased traffic expected in the vicinity. It is considered that the intersection of the southern frontage road and the connecting road to the south between future residential and retail precincts may require traffic signal control due to the volumes of traffic and pedestrians expected in the area.

If you have any questions please contact Tim Webster 4221 2769.

Yours faithfully



18 JAN 2010

Rob Reynolds  
Manager, Road Safety and Traffic Management  
Southern Operations and Engineering Services