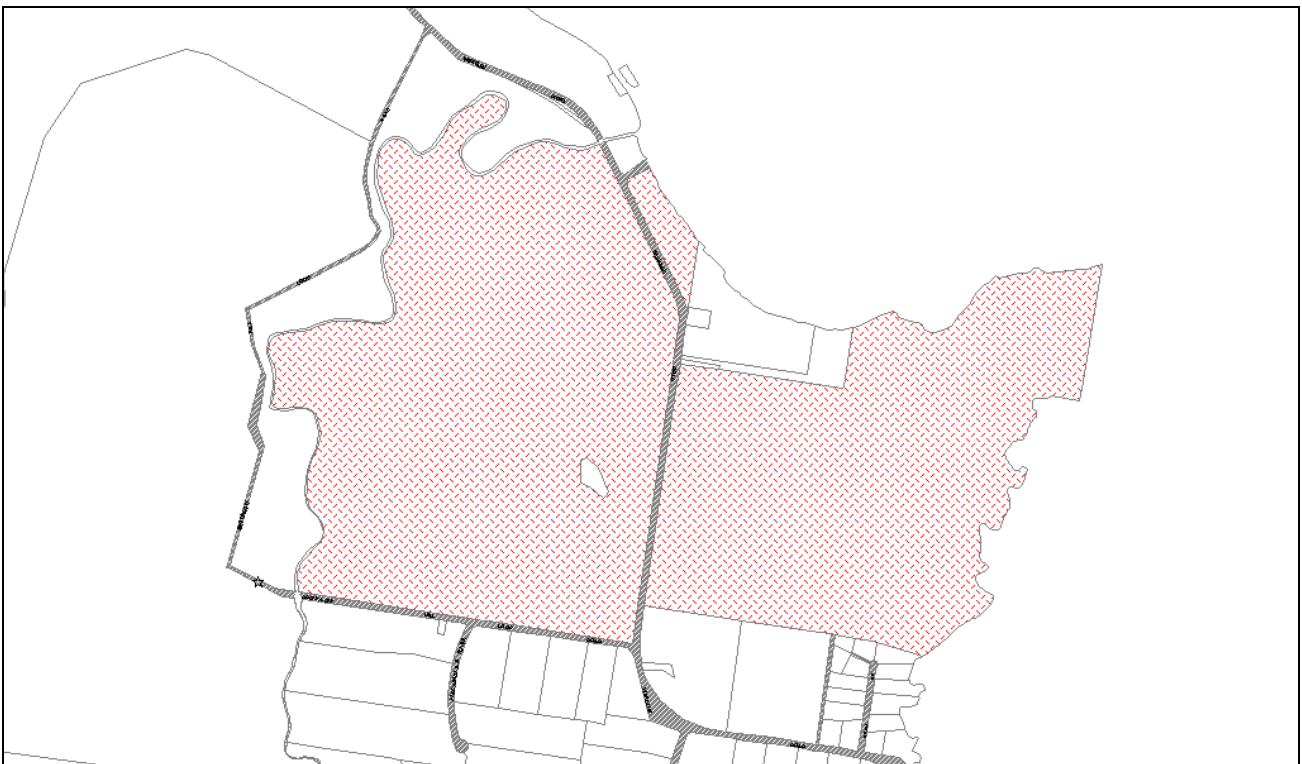


JRPP No.	2011SYW072
DA No.	DD010.2011.00000273.001
Site	Lot 104, DP 866109, No. 345 Werombi Road, Werombi
Proposal	Construction of a new three (3) storey building for teaching and research for the centre for Carbon Water and Food, including associated car parking, access road and landscaping
Applicant	The University of Sydney

Assessment Report and Recommendation

MAPS OF THE SUBJECT LAND



Map showing the subject land

EXECUTIVE SUMMARY

This report concerns Development Application No. 010.2011.00000273.001 for a proposed three (3) storey building for teaching and research, at Lot 104, DP 866109, No. 345 Werombi Road, Werombi.

The application is reported to the Joint Regional Planning Panel as the proposal is development by a Crown Authority with an estimated cost of development in excess of \$5 million.

The subject application was notified to adjoining land owners in accordance with Council's Development Control Plan 2010. No (0) 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 of consent.

CONSULTATION

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

External Parties	Outcome
NSW Police	No objections subject to conditions
Internal Parties	Outcome
Development Engineer	No objections subject to conditions
Building Surveyor	No objections subject to conditions
Health Officer	No objections subject to conditions
Disabilities Access Adviser	No objections subject to conditions
Council's Flood Engineer	No objections subject to conditions

A meeting was held on Thursday 14 July, 2011 between Council Staff and members of the Joint Regional Planning Panel, where the Panel were briefed by Council on the proposal. The key outcomes of the meeting were that the following additional details were required to complete a thorough assessment of the application:

- Number of employees/occupants of the building on the site at one time
- Wastewater details, particularly the level of effluent to be generated by the proposed facility and where this will be disposed to.
- Further justification that the 40 car parking spaces proposed would be adequate for the development, having particular regard to the amount of office space provided within the proposed building and the number of employees/people that this could result in being on the site at any one time.

Advice was provided from the applicant that satisfactorily addresses each of the above points and these are discussed at relevant stages throughout the report.

1.1 Description of site and surrounding area

The site is a large rural allotment known as lot 104 DP 866109, No 345 Werombi Road located in the suburb of Brownlow Hill. The site is a total of 264 hectares and currently contains buildings, car parking and other infrastructure which form a part of the University of Sydney's Brownlow Hill Campus. The site is severed by Werombi Road and consequently contains an eastern and a western portion to Werombi Road. The proposed development will occur wholly to the eastern side of Werombi Road.

The part of the site where building is proposed is cleared land which slopes steadily from west to east. The surrounding lands consist mainly of large rural allotments which are used for residential and agricultural purposes.

1.2 Description of Development

The proposal consists of the following components:

- New three (3) storey building housing laboratories, offices and meeting facilities for the University of Sydney's Centre for Carbon, Water and Food;
- New 40 space car park plus 2 new accessible car spaces at the proposed entry;
- New access road;
- New landscaping.

Proposed Building

The proposed building will be used for teaching and research by the University of Sydney's Centre for Carbon Water and Food.

A description of the key elements of the proposed building is provided by the applicant as follows:

"The building is designed with three pods that step down the site to clearly express the three key elements of the Universities department being Carbon, water and food.

The three pods are further emphasised by the external materials palette. The first pod, expressing Carbon has a dark grey zinc sheet cladding. The second pod expresses 'water' which is clad in copper which will develop a greeny blue patina to reflect this.

The third pod expressing food is clad in 'corten steel' which will develop a rusty brown patina to reflect the earth.

The building terminates in a large shade house made from an expressed galvanised steel frame. The shade house will house full height tree growing experiments.

The base level of the building contains the plant (tree) growth facility and store room, both located at the eastern end of the proposed building. The growing area is covered by a large shade house.

Level 1 of the proposed building provides floor space typically used for research. This level of the building includes an initial preparation room, biogeochemistry laboratory, plant preparation laboratory, soil preparation laboratory, incubator room, store room, two (2) cold rooms and two (2) freezer rooms. This level also includes a dry laboratory, wet laboratory, analytical laboratories, image analysis and microscope room, plant physiology laboratory, balance room and bulk storage.

Level 2 of the building contains office floor space and amenities. A total of thirty two (32) academic offices are provided on the second floor level. This level of the building also allows

for an open office plan, which incorporates a total of 45 desks. These 45 desks are broken down into three stations which are separated evenly along the southern side of the building. A small meeting room is also provided at this level.

Level three (3) of the building contains an accessible concrete roof, and an open roof area of 230m² at the eastern end of the building. The western end of the building at level three would be used to provide general services such as male and female amenities, staff kitchen, Information Technology services room and store room. A conference room (121m² in area) is also provided. This eastern end of level 3 also serves as the main entry to the building, for those accessing the facility directly off Werombi Road. A large foyer area off-sets the main entry point.

The building provides access to all levels of the building through three separate sets of stairways, spaced along each “pod” of the building. A lift which services all three levels of the building is also provided at the eastern end of the building for disabled access. The proposed days and hours of operation for the building are 7:00am to 7:00pm Monday to Friday. The application also states that at times minor access would be required as per normal offices for weekend and after hours work.

Access and Car Parking

Access to the site will utilise the existing access track which was approved as part of a previous development application relating to the site (development application No. 010.2009.00000482.001). This track currently leads to the controlled environment facility which was also approved as part of this past application.

The proposal includes a sealed car parking area catering for a total of forty (40) car parking spaces and a total of two (2) disabled car parking spaces at the proposed entry. The proposal also includes sealed loading areas to the building.

Number of employees/occupants of the building

The applicant estimates that there will be a maximum of 37 occupants at one time (excluding additional people who may use the conference room on a rare basis). The estimated maximum number of occupants as provided by the applicant is based on the following:

“there is one person per individual office (32 offices in total). It must be noted that this facility, like any other academic facility does not have a 100% occupancy rate, particularly this one as the users are often outside the building carrying out field work.

There are also 45 hotdesks in the open plan office space on Level 2 provided for PHD students, however, they will attend the building on a sporadic basis. The conference room is used mainly by those academics who are housed in the offices with outside guests using the conference space on a rare basis. The laboratories on level 1 are only occupied and used by those who occupy offices on the upper levels.

If we apply the realistic formula of 90% occupation in the offices and 30% occupation at the hotdesks, we arrive at a figure of 37 occupants at one time (this doesn’t take into account the extra people who may use the conference room on a rare basis).”

ASSESSMENT OF PROPOSAL

2.1 Section 79C Assessment – Matters for Consideration

2.1.1 Provisions of Relevant Environmental Planning Instruments

Provisions of the Environmental Planning and Assessment Act, 1979

Section 116C – Development by the Crown

The proposal is development by a crown authority and the concurrence of the applicant will be required prior to any condition of consent being imposed.

State Environmental Planning Policy 33 – Hazardous and Offensive Development

The use of the building is primarily for a research facility and levels of hazardous chemicals are kept to a minimum.

The chemicals contained within the building are as follows:

Inert/Non toxic gas	Number of G size cylinders	Turnover/Changeover of cylinders
Nitrogen Gas (N ₂)	4	Every 8 weeks
Helium (He)	6	Every 6 weeks
Argon (Ar)	1	Once a year
Air	4	Every 6 weeks
Hazardous gas	Number of G Size cylinders	Turnover/Changeover of cylinders
CO ₂	3	Once a year
CO	1	Once a year
H ₂	2	Once a year
O ₂	1	Once a year

The SEPP states that a Preliminary Hazard Analysis shall be carried out in accordance with current circulars or guidelines published by the Department of Planning and submitted with a development application, when a potentially hazardous industry is proposed.

The chemicals being contained within the proposed building are low in quantity. The proposal would also not meet the definition of a potentially hazardous industry or hazardous storage establishment as defined by the SEPP, and a Preliminary Hazard Analysis is therefore not considered to be required as part of the proposal. A condition of consent is recommended requiring the turnover of the containers to be carried out in accordance with the details provided.

State Environmental Planning Policy No. 55 – Remediation of Land

Question	YES	NO
1. Is the proposal for residential subdivision or a listed purpose (the list provided in Table 1 of the contaminated land assessment guidelines)?	Proceed to Question 3	Proceed to Question 2
2. Does the proposal result in a change of use (that is the establishment of a new use)?	Proceed to Question 3	Assessment under SEPP 55 and DCP 46 not required.
3. Does the application proposed a new: <ul style="list-style-type: none"> Child care facility Educational use Recreational use 	Proceed to Question 5	Proceed to Question 4

Question	YES		NO	
<ul style="list-style-type: none"> Health care use Place of public worship Residential use in a commercial or industrial zone 				
4. Review the property file and conduct a site inspection of the site and surrounding lands. Is there any evidence that the land has been used for a listed purpose?		Proceed to Question 5		Proposal satisfactory under SEPP 55 and DCP 46.
5. Is the proposed land use likely to have any exposure path to contaminants that might be present in soil or groundwater?		Request contaminated site assessment	X	Proposal satisfactory under SEPP 55 and DCP 46.

Comments: Council's property file contains a brief documented history of the site. The property file was searched as part of this application and did not indicate that the site has been previously used for a purpose which would cause land contamination, or for a listed purpose. The requirements of SEPP 55 are sufficient in this regard.

Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River

Relevant Provisions	Comment
3. Aims of the Plan	<p>The aim of the plan is:</p> <p><i>"to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context."</i></p> <p>The river adjoins the boundary of the site to the north. The area of the proposed works are located in excess of 500m from the top of bank of the river at its closest point, and despite the level of works proposed, the development is not expected to impact on the integrity of the river subject to conditions.</p>
6. Planning Policies and Recommended Strategies	
(3) Water quality	<p>Water quality impacts from the development could potentially arise during earthworks and construction and also from an increase in hard surfaces on the site.</p> <p>Any water quality impacts during earthworks and construction could be controlled through sediment and erosion controls, this would include devices being installed prior to any construction activity on the site, all disturbed areas being stabilised by turfing, mulching, paving or otherwise suitably stabilised within 30 days of completion of works and vehicle access being controlled so as to prevent tracking of sediment onto adjoining roadways.</p> <p>In order to minimise the impact of water</p>

Relevant Provisions	Comment
	quality from hard surfaces on the site a condition is recommended requiring the person having the benefit of this consent to incorporate adequate dissolved pollutant, silt, grass and oil pollutant controls to the stormwater management system.
(4) Water quantity	The proposal would result in a substantial increase in roof areas and other hard surfaces (footpaths, car parks etc) on the site. The stormwater drainage plans submitted by the applicant which demonstrate flow paths and general stormwater controls proposed have been assessed by Council's Development Engineers and deemed satisfactory subject to conditions.

Wollondilly Local Environmental Plan, 2011

Characterisation: "Research Station"

A research station is defined under Council's LEP as follows:

"research station means a building or place operated by a public authority for the principal purpose of agricultural, environmental, fisheries, forestry, minerals or soil conservation research, and includes any associated facility for education, training, administration or accommodation."

Zone of land: SP1 Special Activities
Permissibility: Permissible with consent
Zone objectives:

Objective	Comment
SP1	
• To provide for special land uses that is not provided for in other zones.	The site is currently used for teaching and research purposes by the University of Sydney, a use which is not permitted in many other zones.
• To provide for sites with special natural characteristics that is not provided for in other zones.	The site is considered to be suitable for the development. The site contains natural characteristics appropriate for the proposed use.
• To facilitate development that is in keeping with the special characteristics of the site or its existing or intended special use, and that minimises any adverse impacts on surrounding land.	The proposal is considered to be consistent with this zone objective as it is ancillary to the university on the site and no adverse impacts on surrounding lands are anticipated subject to conditions.

LEP Clauses

Clause	Comment
Part 4 Principal development standards	
4.3 Height of buildings	The height of buildings map contained in the LEP does not prescribe a maximum building height for the site.
Part 5 Miscellaneous provisions	
5.9 Preservation of trees or	The application does not require or propose the

Clause	Comment
vegetation	removal of any vegetation other than grass cover on the site.
5.10 Heritage conservation	There are no items of environmental heritage on the site. The site adjoins a heritage item to the west, known as the Brownlow Hill Estate. Several items on the site are listed under Schedule 5 of Council's LEP 2011. The proposed development would occur in excess of 1 kilometre from the property boundary and in excess of 1.3km from the actual heritage items on the site. The proposed development would not be visible from the heritage property and due to the separation distance, impacts are expected to be minimal.
5.11 Bush fire hazard reduction	The site is partly bushfire prone land (along the northern site boundary some 350 metres from the Development site). The proposal is not included as a listed purpose under Section 100B of the NSW Rural Fires Act, 1997 and as such, Section 91 of the Environmental Planning and Assessment Act does not apply. Therefore a Bushfire Safety Authority is not required for the development. It is considered that the proposal meets the aims of Planning for Bushfire Protection 2006.
Part 7 Additional local provisions	
7.1 Essential services	<p>Wastewater from the building will be directed to an existing sewage treatment plant on the site. The sewage treatment plant is currently being upgraded as part of a separate project by the university.</p> <p>The augmentation to the existing system is required to meet the existing demand as well as projected future loads to 2030.</p> <p>The predicted flow rates when only the laboratories and offices are in use is 1665L per day discharging to sewer (based on a maximum of 37 occupants).</p> <p>The predicted flow rates when the large conference room is in use in addition to the laboratories and offices are 2880L per day discharging to sewer (based on a maximum of 37 occupants plus 54 people attending an all day seminar).</p> <p>The predicted loads from the building have been assessed by Council's Environmental Health Officer and no objections were raised subject to conditions.</p> <p>Advice was also received from the applicant who stated that <i>the university has tendered a specialist contractor to undertake the replacement of the STP in early 2012. These works will include the full scope of works therefore allowing sufficient capacity for the forecast growth of the university until at least 2030 and possibly beyond. It is planned that this STP will be upgraded 6 months prior to occupation and operation of the new</i></p>

Clause	Comment
	<p><i>CCWF facility.</i></p> <p>It is therefore recommended that a condition be placed on the development consent which requires the STP upgrade outlined in the application to be completed prior to the issue of any Occupation Certificate for the building.</p>
7.2 Biodiversity protection	<p>This clause states that the consent authority must consider any adverse impact of development on:</p> <p><i>(a) native ecological communities,</i></p> <p><i>(b) habitat of any threatened species, populations or ecological community,</i></p> <p><i>(c) flora and fauna habitat,</i></p> <p><i>(d) regionally significant species of habitat elements providing connectivity, and</i></p> <p><i>(e) water quality within drinking water catchments.</i></p> <p>The proposal (including car parks and access ways) would occur in a cleared area of the site. The proposal would therefore not require removal of any native vegetation on the site, meaning that any impacts on the above would be minimal.</p>
7.3 Water protection	<p>This clause requires Council to consider any adverse impact of the development on:</p> <p><i>(a) the water quality of receiving waters,</i></p> <p><i>(b) natural flow regime,</i></p> <p><i>(c) natural flow paths of waterways,</i></p> <p><i>(d) stability of the bed, shore and banks of waterways and</i></p> <p><i>(e) flows, capacity and quality of groundwater systems.</i></p> <p>The impact of the development on the quality of receiving waters is expected to be satisfactory subject to conditions. Conditions of consent are recommended to ensure that sediment and erosion controls are implemented during the course of works and also post works where necessary. Stabilisation of the disturbed areas through turfing, mulching, paving etc is also required to ensure that water quality of receiving waters is retained.</p> <p>Conditions of consent are recommended which require the proposed access road and car parking areas to be sealed so as to prevent tracking of sediment from vehicles off site and also to prevent runoff of silt and other pollutants. The predicted runoff from increase in hard surfaces could be controlled through conditions of consent.</p>

Clause	Comment
	The proposal would result in a substantial increase in roof areas and other hard surfaces (footpaths, car parks etc) on the site. The stormwater drainage plan submitted with the application includes a number of treatment devices such as water tanks, grass swales, energy dissipators etc, designed to control the increased flow from the additional hard surfaces and retain the natural flow paths of nearby waterways and also ensure that stability of the bed, shore and banks of waterways are retained.
7.4 Flood planning	The property has been identified as within the 1% AEP flood in the Nepean River. This flood has been adopted for the purpose of controlling development. Advice from Council's Flood Engineer states that the minimum floor level shall be 67.9m AHD. The basement level of the building is proposed to be constructed to RL 78.55, which demonstrates that the minimum floor level to be adopted is able to be complied with.
7.5 Earthworks	<p>The proposal does not involve the use of any imported fill from off the site. The site slopes steadily from west to east and the building would be "stepped down" the existing slope so as to minimise the level of cut and fill occurring, however, a moderate level of earthworks is still required.</p> <p>The level of cut and fill proposed has been assessed and is deemed satisfactory. A condition of consent is recommended requiring all filling on the site to be compacted to not less than 95% Standard Compaction to ensure compliance with the appropriate standards.</p> <p>A condition is also recommended ensuring that all excess material is removed from the site and that spreading or stockpiling of excess material on the site is not permitted so as to negate any risk of pollutant laden runoff travelling down slope and causing downstream impact.</p>

Any Draft Environmental Planning Instrument

N/A

Any Voluntary Planning Agreement

N/A

Any Development Control Plan

DCP Volume	Relevance
Volume 1 – General	X

DCP Volume	Relevance
Volume 2 – Primary agricultural and Rural uses	
Volume 3 – Residential and Tourist uses	
Volume 4 – Commercial and Community uses	
Volume 5 – Industrial and Infrastructure uses	
Volume 6 – Camden Park	
Volume 7 – Wilton	

Volume 1 – General

Relevant Provisions	Comment
1.2 Aims of Plan	The proposed development is consistent with the aims of the plan.
2.1 Advertising and Notification of Development Proposals	The proposal was notified to adjoining landowners in accordance with the plan. No (0) submissions were received concerning the proposal.
2.2 Heritage Conservation	There are no items of environmental heritage on the site. The site adjoins a heritage item to the west, known as the Brownlow Hill Estate and impacts of the proposal on this heritage item are satisfactory as described above.
2.3 Tree and vegetation provisions	The proposal would occur in a cleared area of the site and vegetation clearing is therefore restricted to grass cover.
2.4 Landscaping	A landscape plan has been submitted with the application which includes detailed landscaping with mature trees along the proposed access way, and lower height plantings within car parks and across the southern side of the building. The proposed areas of paving around the exterior of the building would adequately soften the impact of the proposed building.
2.5 Biodiversity	The proposal (including car parks and access ways) would occur in a cleared area of the site. The proposal would therefore not require removal of any native vegetation on the site, meaning that any impacts on biodiversity would be minimal.
2.5 Water	Water quality impacts as discussed above would be satisfactory subject to conditions.
2.7 Flood affected land	A condition of consent is required ensuring that the minimum floor level shall be 67.9m AHD.
2.8 Bushfire prone land	The proposal is not included as a listed purpose under Section 100B of the NSW Rural Fires Act, 1997 and therefore a Bushfire Safety Authority is not required. It is considered that the proposal meets the aims of Planning for Bushfire Protection 2006.
2.9 Contaminated land and Land filling	The proposal does not include the use of any imported fill. The property history and site have been evaluated and no evidence of previous uses that would have led to site contamination exist.
2.12 Site waste minimisation and management	A waste management plan has been submitted with the application which satisfactorily demonstrates compliance with this control. 250m ³ of excavation material will be kept on site for re-use during landscaping, it shall be conditioned that remaining excavation material be taken off site and no stockpiling occur.

The Likely Impacts of That Development

Head of Consideration	Comment
Natural Environment	The natural environment impacts would be satisfactory. Any adverse impacts on water quality or other impact from proposed earthworks on the site could be ameliorated by conditions of consent. No vegetation removal is proposed as the proposal would occur within a cleared area of the site. No adverse impacts from noise or odour are anticipated.
Built Environment	<p>The impact of the proposal on the built environment would be satisfactory subject to conditions. Any visual impact from Werombi Road associated with the height of the building has been addressed in the proposal, as the building has been designed to travel down the natural slope and also be “stepped down” the slope. In this instance when viewed from the street, the building would be much lower than its actual maximum height.</p> <p>The materials and colours schedule submitted with the application demonstrates that the proposal would use appropriate colours and materials which are earthy tones and will compliment existing buildings on the site and the surrounding landscape.</p> <p>The proposal has satisfactorily demonstrated that the proposed building and internal layout comply with the Disability (Access to Premises – Buildings) Standards 2010 in respect of accessibility for people with a disability. Conditions of consent are recommended ensuring that all amenities and car parking facilities also comply with the standards.</p>
Social Impacts	No adverse social impacts anticipated
Economic Impacts	No adverse economic impacts anticipated

The Suitability of the Site for the Development;

The site is considered to be suitable for the development. Although the site slopes steadily from west to east, the proposed building is stepped down the site so as to minimise any cut and fill works required. The proposal will extend and use an existing access way which was constructed as part of the Controlled Environment Facility on the site. The development consent for the Controlled Environment Facility required the access road to be constructed to an all weather gravel standard. The road has not been constructed in accordance with this requirement and it is recommended that a condition be imposed as part of this consent requiring the road and car parking areas to be sealed, so as to control pollutants and assist the vehicle movements within the site.

Services to the site are available and the existing Sewage Treatment Plant on the site is capable of supporting the building subject to conditions. The part of the site where development is proposed is cleared and slope is not considered to be restrictive. The style of the development would compliment existing development on surrounding lands.

Any Submissions Made in Accordance With This Act or the Regulations;

Form of Exhibition: Notified
Submissions Received: None (0)

Consideration of submissions:

Submitter Comment	Assessor Comment
N/A	N/A

Section 94 and 94A Assessment

Date of Lodgement	12 May, 2011
Relevant Contributions Plan	2010 Plan

Section 94A Contributions

Cost of Development	\$8.7 Million
----------------------------	---------------

Description	Levy	Applicable	Condition Required
<i>Development:</i> <i>a) for the purpose of disabled access,</i> <i>b) for the sole purpose of affordable housing,</i> <i>c) for the purpose of reducing the consumption of mains-supplied potable water, or reducing the energy consumption of a building,</i> <i>d) for the sole purpose of the adaptive reuse of an item of environmental heritage, or</i> <i>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.”</i>	NONE		
Non-residential development with proposed cost between \$100,001 and \$200,000.	0.5%		
Non-residential development with proposed cost exceeding \$200,000.	1.0%	X	X

The Public Interest

It is considered that the development would not have any detrimental impact to the public interest nor the interest of any government agency representative of the public interest.

NSW Roads and Traffic Authority Guide for Traffic Generating Developments

The guidelines do not contain any specific criteria for the calculation of car parking spaces for teaching or research buildings. The applicant has provided a car parking calculation based on Council's Development Control Plan No. 7 – Off Street Car Parking (which has been superseded) as follows:

- ☐ 1 space per 35m² of nett floor area, plus 1 space for Manager/Caretaker
- ☐ 1 space per 10 seats or 1 space per 9m² of nett floor area, whichever is the greater

Calculation:

Office Space – 1st floor total area 1019m²

1019/35 – 29.1

Theatre area (excluding lobby and facilities) – 115m²

115/9 = 12.7

Total parking provisions:

29.1 + 12.7 = **41.8**

Rounded to 42 car parking spaces

40 of the car parking spaces would be within the main car park, while two accessible spaces are also provided in the street at entry level.

Although DCP 7 was repealed in February, 2011, it is considered that the above provides an accurate reflection of the number of car parking spaces that would be required as part of the proposal.

Based on an estimated maximum occupancy rate of 37 employees, the above number of car parking spaces proposed is considered to be sufficient.

As described previously, there would be occasions when the conference room is in use which would push the maximum occupancy rate of the building above 37 persons. However, it is considered that existing car parking spaces on the site, located on the western side of Werombi road could cater for this number. The main entry point to the building is within close proximity to the existing car parks located on site to the western side of the Werombi Road.

Crime Prevention through Environmental Design

The proposal was referred to the NSW Police under the Guidelines as a development that represents potential crime risk. The NSW Police carried out a comprehensive assessment under the guidelines and raised no objections to the development subject to the following conditions:

1. The facility shall incorporate warning alarm systems that comply with AS2220-1989 "Emergency Warning and Intercommunication System for Buildings".
2. Doors to the roof shall be locked at all times and access made to authorised personnel only.
3. Any external lighting shall be installed in accordance with the Australian and New Zealand Standard 1158 – Car Parks.

RECOMMENDATION

That the development application No. 010.2011.00000273.001 be approved subject to the following conditions:

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 the construction and use of a three (3) storey Building for teaching and research and associated car parking, access and landscaping at Lot: 104 DP: 866109, No. 345 Werombi Road BROWNLOW HILL.

- (2) Development shall take place in accordance with the endorsed plans prepared by Suturs with Plan Reference No. 13130 and submitted in respect of Development Application No. 010.2009.00000482.001 dated 9/5/2011, except where varied by the following conditions:
- (3) Development shall take place in accordance with the recommendations of the following reports:
 - *Review of Access for People with a Disability prepared by Access Associates Sydney dated March, 2011 and submitted in respect of Development Application No. 010.2011.00000273.001.*
 - *BCA Section J Assessment prepared by Nicholson Jones Pty Ltd Consulting Engineers with reference No. 20100342, dated March, 2011 and submitted in respect of Development Application No. 010.2011.00000273.001.*
 - *Design Brief and Scope of works for Camden STP Upgrade Project, prepared by the University of Sydney, dated April, 2011 and submitted in respect of Development Application No. 010.2011.00000273.001.*
 - *Technical Specification for Sewage Wastewater Treatment Plant Upgrade prepared by ACOR Consultants Pty Ltd dated March, 2011.*
- (4) In the event of an inconsistency of detail between the relevant plans and *elevations* the details shown in the *elevations* shall take precedent.
- (5) All building work must be carried out in accordance with the provisions 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 Regulations, 2000, subject to the terms of any condition or requirement referred to in Clause 187(6) or 188(4).
- (6) Unless permitted by another condition of this consent, there shall be no tree clearing unless the vegetation is:
 - (a) Within the footprint of an approved building, access driveway or other structure; or
 - (b) Within three (3) metres of the footprint of an approved building; or
 - (c) Preventing the achievement of the minimum asset protection zone requirements under the relevant planning for bushfire protection guidelines.

In this condition **Tree Clearing** has meaning as described in clause 5.9(3) of Wollondilly Local Environmental Plan 2011.

2. BUILDING DESIGN

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

- (1) The design details of the proposed building façade, including all external finishes, glazing and colours, must be in accordance with the approved "Proposed External Finishes" sample board prepared by Suturs with reference No. 13130 and submitted in respect of Development Application No. 010.2011.00000273.001.
- (2) Any above ground water storage tanks shall be coloured or painted in earthy tones to blend with the natural environment or building immediately adjoining the water tank to reduce their visual impact.
- (3) Sanitary and other facilities must be provided in accordance with the deem-to-satisfy provisions of the Building Code of Australia.
- (4) The building shall comply with Disability (Access to Premises – Buildings) Standards 2010 in respect of accessibility for people with a disability.

- (5) The amenities shall comply with Disability (Access to Premises – Buildings) Standards 2010 prior to the release of the Occupation Certificate.
- (6) The facility shall incorporate warning alarm systems that comply with AS2220-1989 “Emergency Warning and Intercommunication System for Buildings”.
- (7) Doors to the roof shall be locked at all times and access made to authorised personnel only.
- (8) Any external lighting shall be installed in accordance with the Australian and New Zealand Standard 1158 – Car Parks.
- (9) Fire Hydrants shall be provided on-site in accordance with the approved hydraulic design Site Plan prepared by Jones Nicholson Pty Ltd with Plan reference No. 100342 H02F, dated February, 2011 and submitted in respect of Development Application No. 010.2011.00000273.001.
- (10) An Essential Services Plan which details all essential fire safety measures inside the proposed building in accordance with the building code of Australia shall be submitted to Council for approval prior to commencement of construction works.

3. 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) Any damage to the Council footway, road or other land shall be restored in accordance with Council's specifications prior to the occupation of the building.
- (5) An appropriate fence preventing public access to the site shall be erected for the duration of construction works.
- (6) All excavation and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

- (7) If the soil conditions require it:
 - (1) Retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must be provided; and
 - (2) Adequate provision must be made for drainage.

(8) **PROTECTION OF PUBLIC PLACES**

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

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

- (2) 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.
- (3) 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.

4. 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) Engineering design plans, for all access off Werombi Road, and accessible parking spaces, shall be submitted to Council. The plans must be approved prior to commencement of any works associated with this development. All levels are to be reduced to Australian Height Datum. Road design parameters shall comply with the requirements of Council's Design Specifications.
- (3) 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 submitted to Council. The measures shall be in accordance with Council's Construction

specification and the Department of Housing's "Blue Book". The plan is to be approved by Council with the Engineering Plans.

- (4) A "Traffic Management Plan" that details suitable safety measures that will be implemented whenever work is being undertaken in the public road reserve shall be submitted to Principal Certifying Authority. The safety precautions are to be in accordance with the requirements of the RTA's "Traffic Control at Work Sites" manual. The plan is to be prepared and endorsed by a person with current RTA certification and provided to the Principal Certifying Authority prior to commencement of any works associated with this development.
- (5) Engineer's Certification shall be provided to the Principal Certifying Authority for all civil works carried out within the private property prior to any occupation of the building.

5. 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) The applicant shall provide a sealed access road generally as shown on the concept plan by Suturs dated 9 May 2011 and Johns Nicholson Pty Ltd ref sheet Nos. C08A dated Feb 2011 that will facilitate vehicular access from Werombi Road to the new carpark. The access road shall be generally in accordance with Council's Standard Category G1 and the entry way from Werombi Road shall be minimum 6.0m wide.
 - (2) A total of 40 sealed car parking spaces and access thereto shall be provided for the proposed development in accordance with the approved site plan prepared by Suturs with Project No. 13130, Drawing No. DA100 Issue 1, dated 9/5/2011 and submitted in respect of Development Application No. 010.2011.00000273.001. 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. The proposed pavement wearing surface, asphalt overlay shall be 40mm AC10.
 - (3) 2 sealed car parking spaces shall be reserved for people with mobility impairment in accordance with Australian Standard AS2890.6. These spaces shall have dimensions as required by AS2890.1 and shall be appropriately signposted and marked on the pavement. The proposed pavement wearing surface, asphalt overlay shall be 40mm AC10.

6. PUBLIC ROADS

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

- (1) Provision of Vehicular Access to the site through the construction of layback gutter crossings/concrete footpath crossings in accordance with Council's Construction Specifications. All obsolete vehicular crossings must be reconstructed as kerb.

Note: Any adjustment to services shall be at the expense of the applicant and is additional to the contributions required by Council. Prior to the construction of the crossing, approval shall be obtained from Council's Technical Services and Operations Division.

- (2) In accordance with Section 138 of the Roads Act a 138 Consent Certificate must be obtained from Council's Infrastructure Planning Section a minimum 7 days prior to

commencement of Werombi Road carpark work. A fee is payable for issue of this Consent Certificate.

7. FLOOD PRONE AREAS

These conditions have been imposed to reduce the risk and implications of flooding for development works that are carried out in flood affected areas within the Shire.

- (1) The property has been identified as within 1% AEP flood in the Nepean River. This flood has been adopted for the purpose of controlling development. The appropriate 1% AEP flood level is 67.4m AHD. The minimum floor level shall be 67.9m AHD.

8. 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) A drainage system shall be provided that ensures appropriate management of stormwater on all newly constructed roads. A drainage system shall be provided to collect and convey runoff from storms up to the 10% AEP to a point suitable for integration with a suitable natural or constructed stormwater drainage system. Defined overland flow paths shall be provided to safely convey runoff from storm events up to the 1% AEP.
- (3) The applicant shall provide stormwater drainage generally as shown on the concept drainage plan by Johns Nicholson Pty Ltd ref sheet Nos. C01A – C07A dated 08 March 2011.
- (4) The person who has the benefit of this consent shall incorporate adequate dissolved pollutant as well as silt, grass and oil pollutant controls to the stormwater management system. The pollution control devices shall be located within the property and shall be regularly maintained at the applicant's cost. Details of the stormwater pollution control system shall be shown on the engineering plans approved by Council.
- (5) 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 (Approvals) Regulation, 1999.

9. 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) All excess material shall be removed from the site. The spreading or stocking piling of excess material on site is not permitted (other than that specified for re-use during landscaping in the approved waste management plan submitted with the application).

10. EARTH FILL

These conditions have been imposed to ensure the safe disposal of fill:

- (1) All filling on the site, including footpath areas, shall be compacted to not less than 95% Standard Compaction. A report on the site filling is to be submitted in accordance with Wollondilly Shire Council's Construction Specification by an appropriately qualified Geotechnical Engineer or Soil Scientist. Such a report shall be supported by a survey plan of the site indicating the areas filled and depth of fill in relation to the lot boundaries.
- (2) Surface stormwater shall be controlled in such a manner that no significant alterations to existing flows onto adjoining properties occur.
- (3) Only fill characterised as VENM or ENM under the guidelines of the NSW Environmental Protection Authority may be used in this development. Copies of validation reports for all fill used shall be retained and presented to Council on request.
- (4) Fill batters shall be limited to a maximum slope of 1 in 2 for batters greater than 0.6 metres in height unless supported by a geotechnical report prepared to the satisfaction of Council. In the case of batters less than 0.6 metres in height the maximum slope shall be 1 in 4 unless supported by a geotechnical report prepared to the satisfaction of Council.

11. SERVICES

These conditions have been imposed to ensure that an adequate level of services is 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 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 the Principal Certifying Authority prior to the commencement of works.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the occupation or use of the building.

- (2) Wastewater generated by the development shall be disposed of via an on-site sewage management system. This system will be subject to an Approval to Install and Approval to Operate under Section 68 of the Local Government Act, 1993. The system shall be designed, installed and operated in accordance with the endorsed Wastewater Management Plan submitted in respect of this development application. No Occupation or use of the building shall occur prior to the Principal Certifying Authority being satisfied that the system has been installed.

- (3) Written Certification shall be provided to the Principal Certifying Authority indicating that the development has been satisfactorily connected to the on-site sewage management system prior to the occupation or use of the building.
- (4) Wastewater from the development shall be managed and disposed of in accordance with the Design Brief and Scope of works for Camden STP Upgrade Project, prepared by the University of Sydney, dated April, 2011 and submitted in respect of Development Application No. 010.2011.00000273.001. All relevant upgrades to the existing system shall be carried out prior to the occupation or use of the building.
- (5) The building shall not be occupied or used prior to being connected to an accredited 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*.

12. WASTE MANAGEMENT

These conditions have been imposed to ensure that wastes are correctly stored, disposed of and controlled at all times to prevent accidents and to maintain clean and tidy premises:

- (1) Disposal of construction and building waste material shall be undertaken in accordance with the Waste Management Plan submitted with the Development Application.
- (2) During the construction stage all waste streams are to be stored separately and to include:
 1. Material to be recycled.
 2. Material to be transferred to Landfill.
 3. Material to be reused on the site.

13. LANDSCAPING

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

- (1) Landscaping shall be provided in accordance with the approved Plant Schedule (Parts A and B) with drawing No. CD-1028-01 and CD-1028-02, dated 15.03.2011 and submitted in respect of Development Application No. 010.2011.00000273.001.

14. OCCUPATION & USE

These conditions have been imposed to ensure the development and associated operation is acceptable in terms of the amenity of the neighbourhood and the public interest whilst maintaining its functional operation:

- (1) The disturbed areas surrounding the building work shall be reinstated to Council's satisfaction upon completion of the work.
- (2) The premises shall be maintained in a clean and tidy state at all times.
- (3) The footpaths shall be kept clear of signs, fixtures and goods at all times.

- (4) The premises shall be constructed and operated in such a manner so as not to interfere with the amenity of the neighbourhood by reason of the emission of discharge of noise, fumes, vapour, steam, soot, ash, dust, waste water, waste water products, grit, oil or other harmful products of the industry.
- (5) The premises shall be conducted between the hours of 7:00am and 7:00pm Mondays to Fridays inclusive. The premises shall not be conducted on Sundays and Public Holidays.
- (6) The proposed kitchen area on level 3 shall be used only by occupants of the building and shall not be used as a commercial kitchen.
- (7) Turnover of gases shall occur in accordance with the timeframes specified in the development application No. 010.2011.00000273.001.

15. SECTION 94 CONTRIBUTIONS

These conditions have been imposed to ensure the adequate provision of public facilities required as a result of the development.

- (1) A contribution of \$87,000 shall be paid to Council. This contribution is calculated from Wollondilly Section 94 Contributions Plan, 2005 based on a levy of 1% of a construction cost of \$8,700,000.

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 the commencement of works.

16. 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
 - (1) 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:
 - (a) Showing the name, address and telephone number of the Principal Certifying Authority for the work; and
 - (b) 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
 - (c) Stating that unauthorised entry to the work site is prohibited.
 - (2) 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.
 - (3) 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.

17. 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) 1 800 768 396
 - Integral Energy (electricity) 131 002
 - AGL (gas) 131 245
 - Sydney Water (water & sewer) 132 092
- (3) The land is subject to the provisions of Wollondilly Tree Preservation Order, 2008. Under this order consent may be required for tree clearing beyond the limits set by this consent. If you intend to remove any vegetation you should make yourself familiar with the provisions of this order. The order may be viewed on Council's website at www.wollondilly.nsw.gov.au or at Council's offices at 62-64 Menangle Street, Picton.
- (4) 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.
- (5) A Road Opening Permit must be obtained from Council before trenching or other excavation work is undertaken within the public road reserve. It is the responsibility of each contractor and/or subcontractor to obtain such a permit. The permit must be held on site and produced when requested by a Council Officer.
- (6) 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.