

JOINT REGIONAL PLANNING PANEL (Southern Region)

JRPP No	2012STH022
DA Number	DA12/0436
Local Government Area	Wagga Wagga City Council
Proposed Development	152 Unit Student Accommodation
Street Address	286 Pine Gully Road, Lot 167 DP 46875, CHARLES STURT UNIVERSITY NSW 2678
Applicant/Owner	Division of Student Services Charles Sturt University
Number of Submissions	0
Recommendation	Approval with Conditions
Report by	Adriaan Stander, Senior Town Plannere
Report Date	16 November 2012

Assessment Report and Recommendation



Report of Development Application

Pursuant to Section 79C of the Environmental Planning and Assessment Act 1979

APPLICATION DETAILS

Type of Application	Development Application
Application No.	DA12/0436
Modification No.	Not applicable
Council File No.	D/2012/0436
Date of Lodgement	24/09/2012
Applicant	Blueprint Planning & Development 1035 Table Top Road TABLE TOP NSW 2640
Proposal	152 Unit Student Accommodation
Description of Modification	Not applicable
BCA Classification	3, 5 & 9b
Development Cost	\$14578000
Other Approvals	This approval is for an Integrated Development in accordance with Section 91 of the <i>Environmental Planning and Assessment Act 1979</i> . The New South Wales Fire Services has issued a bush fire safety authority under Section 100B of the <i>Rural Fires Act 1997</i> .
Concurrence Required	Nil
Referrals	New South Wales Roads and Maritime Services New South Wales Rural Fire Services
Determination Body	Southern Joint Regional Planning Panel
Reason	This Development Application will be referred to the Southern Region Joint Regional Planning Panel for determination in accordance with Clause 5 of Schedule 4A

of the *Environmental Planning and Assessment Act 1979*, which requires the Panel to exercise planning functions of the Council as a consent authority under Part 2A of the Environmental Planning and Assessment Act for Crown development that has a capital investment value of more than \$5 million.

Meeting Date 3 December 2012

Assessment Officer: Adriaan Stander

SITE DETAILS

Subject Land	286 Pine Gully Rd CHARLES STURT UNIVERSITY NSW 2678 Lot 167 DP 46875
Owner	Division of Student Services Charles Sturt University
Owner's Consent Provided	24 September 2012
Location	The subject site is located on part Lot 167 DP 46875 in the central north-western area of the Charles Sturt University, Wagga Wagga.

STATUTORY CLASSIFICATION

Pursuant to Part 4 (Division 1)

Environmental Planning Instrument	Wagga Wagga Local Environmental Plan 2010
Zoning	
Land Use Definition	Educational Establishment
Statement of Permissibility	Permissible with consent

REPORT

DESCRIPTION OF DEVELOPMENT

The proposal is for student accommodation at the Charles Sturt University. The development will consist of the following:

- Construction of six two-storey student accommodation buildings providing for 152 undergraduate and post graduate rooms with ensuite facilities.
- Construction of a one-storey administration and common facilities building. The building will include a lobby, seminar room, storage area, entertainment rooms, communal and private study areas, offices, meeting rooms, kitchen and toilet facilities.

- Renovation of an existing residential building for the use as a student laundry, bicycle store (providing for 38 bicycle spaces) and cleaner's store.
- Construction of six car parking areas providing for 165 parking spaces, including two car parking spaces for persons with disabilities, 3 loading bays and a service bay.

The proposed buildings have flat (skillion) roof forms and include high degrees of articulation and variation in colour schemes, materials and finishes. The buildings will be served by common landscaped courtyard areas, car parking areas, pathways, and vehicular access connecting to the rest of the university.

THE SITE & LOCALITY

The subject site is zoned SP2- Infrastructure and located on part Lot 167 DP 46875 in the central north-western area of the Charles Sturt University, Wagga Wagga.

The development site currently comprises open parkland with trees, pedestrian walkways, cycle ways and an existing residential building on the south-western corner. The site has a relatively even slope of approximately 7.1% and has a north-westerly aspect. Drainage influences are also to the northwest. Access to the development site is via Valder Way, a private university road off Pine Gully Road.

The surrounding area is dominated by educational uses, with a number of buildings and structures associated with the university.

SUMMARY OF MAIN ISSUES

1. The application is for integrated development
2. The application is for a crown development
3. Compatibility with the existing environment

MATTERS FOR CONSIDERATION UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

PART 4 - DEVELOPMENT ASSESSMENT

For the purpose of reviewing this determination, the following matters pursuant to the provisions of *Section 79(C)1 of the Environmental Planning and Assessment Act 1979*, have been taken into consideration.

(a)(i) - The provisions of any environmental planning instrument (EPI)

Wagga Wagga Local Environmental Plan 2010 (WWLEP2010)

Part 2 - Permitted or prohibited development

2.3 Zone objectives and Land Use Table

Under the provisions of the WWLEP2010, the subject site is zoned SP2 - Infrastructure Zone.

The objectives of the SP2 - Infrastructure Zone are as follows:

- *To provide for infrastructure and related uses.*
- *To prevent development that is not compatible with or that may detract from the provision of infrastructure.*

Land uses that are for “the purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose” are permissible in the zone. The site is reserved for “educational establishment”.

educational establishment means a building or place used for education (including teaching), being:

- (a) a school, or
- (b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.

Student accommodation is considered to be ordinarily incidental to educational establishments and is therefore permissible in the SP2 – Infrastructure Zone.

Part 5 - Miscellaneous provisions

5.10 Heritage conservation

The development site is located within proximity of a heritage item.

1) Objectives

The objectives of this clause are as follows:

- (a) *to conserve the environmental heritage of Wagga Wagga,*
- (b) *to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- (c) *to conserve archaeological sites,*
- (d) *to conserve Aboriginal objects and Aboriginal places of heritage significance.*

The site is not in a heritage conservation area, but is located within proximity of a heritage item (Item I35 - ‘Experiment Farm Manager’s Residence’). The proposed development is located more than 80m away from the heritage item. Mature and dense landscaping exists between the two sites and given the orientation, outlook and prevailing views, the proposed development is not considered to have any impact on the heritage item.

4) *Effect of proposed development on heritage significance*

The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

As Council is required to consider the effect of the proposed development on the heritage significance of the heritage item, and it is considered that the proposal will not negatively impact on the heritage significance of the heritage item, the proposal is assessed as being consistent with the WWLEP2010 heritage provisions.

5) *Heritage assessment*

The consent authority may, before granting consent to any development:

- (a) on land on which a heritage item is located, or*
- (b) on land that is within a heritage conservation area, or*
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),*
require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

Consideration has been given to these provisions. It is determined that the proposal meets with the objectives of the clause, has met the requirements for consent in submitting the application and in principal, does not detrimentally affect the heritage significance of the heritage item.

Part 7 - Additional Local Provisions

7.3 - Environmentally sensitive Land - Biodiversity

The subject site is identified as environmentally sensitive land on which the impacts of the development on biodiversity should be considered.

- (1) The objectives of this clause are to protect, maintain or improve the diversity of the native vegetation, including:*
 - (a) protecting biological diversity of native flora and fauna, and*
 - (b) protecting the ecological processes necessary for their continued existence, and*
 - (c) encouraging the recovery of threatened species, communities or populations and their habitats.*

- (2) *This clause applies to development on land that is identified as a “Sensitive Area-Biodiversity” on the Natural Resources Sensitivity Map.*
- (3) *Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered the following matters:*
 - (a) *any potential adverse impact of the proposed development on any of the following:*
 - (i) *a native vegetation community,*
 - (ii) *the habitat of any threatened species, population or ecological community,*
 - (iii) *a regionally significant species of plant, animal or habitat,*
 - (iv) *a habitat corridor,*
 - (v) *a wetland,*
 - (vi) *the biodiversity values within a reserve, including a road reserve or a stock route,*
 - (b) *any proposed measures to be undertaken to ameliorate any such potential adverse impact.*
- (4) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development is consistent with the objectives of this clause and:*
 - (a) *the development is designed, sited and managed to avoid any potential adverse environmental impact, or*
 - (b) *if a potential adverse impact cannot be avoided, the development:*
 - (i) *is designed and sited so as to have minimum adverse impact, and*
 - (ii) *incorporates effective measures so as to have minimal adverse impact, and*
 - (iii) *mitigates any residual adverse impact through the restoration of any existing disturbed or modified area on the site.*

Although areas within the lot on which the development is proposed are mapped as “Sensitive Area - Biodiversity”, the development site is not identified as being sensitive or significant environmental importance. However, Council's Tree Management Officer has noted that there are (ten) 10 remnant Eucalyptus melliodora trees within the proposed development of significance. It is a condition of approval that offset plantings be carried out within close proximity to the development to compensate the removal of the ten (10) Eucalyptus melliodora trees.

There are no other provisions of the WWLEP2010 relevant to this application.

State Environmental Planning Policies

State Environmental Planning Policy (Infrastructure) 2007

Pursuant to Clause 104 of *State Environmental Planning Policy (Infrastructure) 2007* the development is considered to be 'Traffic Generating Development' and as such was referred to the Roads and Maritime Services for comment. The department advised that they supported the application but raised concern with regards to recent developments on the university campus resulting in increased use of Pine Gully Road and the intersection of Old Narrandera Road with the Olympic Highway. For road safety reasons it is recommended that *"options to provide for ease of vehicular access within the site to Boorooma Street and the intersection of Boorooma Street and Olympic Highway which is a 'grade separated' intersection be developed and implemented."* This comment has been taken in consideration and will form part of discussions with the university in relation to future developments on the university grounds. Clause 104 of policy also requires that the Council consider:

- (ii) *the accessibility of the site concerned, including:*
 - (A) *the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and*
 - (B) *the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and*
- (iii) *any potential traffic safety, road congestion or parking implications of the development.*

With regards to these matters, it is considered that clustering educational uses and associated accommodation facilities at a single location helps maximise multi-purpose trips. Further, a regular bus service serves the university presenting opportunities to minimise car travel.

(a)(ii) - The provisions of any draft environmental planning instrument

Draft local environmental plans

There are no draft local environmental plans relevant to this application.

Draft state environmental planning instruments

There are no draft state environmental planning instruments relevant to this application.

(a)(iii) - Any development control plan

Wagga Wagga Development Control Plan 2010 (WWDCP2010)

The following section of this report details the development with reference to the Guiding Principles, Objectives and Controls of the *Wagga Wagga Development Control Plan 2010*.

Section 1 - General

1.10 Notification of Development Application

Pursuant to this provision, notification and advertising of the application is required. Notification was conducted to properties surrounding the development and an advertisement was placed on the site and in the local newspaper. See later in this report under S79C(1)(d) for further discussion of this matter.

Section 2 - Controls that apply to all development

2.1 Site analysis

Objectives

- O1 Encourage development that is responsive to site constraints and opportunities, and the surrounding context.*
- O2 Complement and reinforce Councils Development Application Preparation and Lodgement Guide (the Guide) and Checklists.*

The site analysis plan submitted with the application demonstrates the impacts of the proposed development on the existing natural and urban environment. The development is consistent with the scale of surrounding developments and will not result in an outcome which is significantly different from what has already been approved in the locality. The proposal has incorporated design features which are responsive to the visual amenity of the surrounding area. Construction is not anticipated to result in adverse affects on the natural environment and has been conditioned to ensure the integrity of surrounding built and natural environment.

2.2 Vehicle access and movements

Objectives

- O1 Ensure the safety and efficiency of urban and rural roads.*
- O2 Limit new access points to arterial roads or ensure alternative access is utilised where practical.*

The proposed development makes provision for suitable access to existing movement systems. On-site parking and movement systems are integrated with the site layout, accommodates all modes of transport, provides non discriminatory accessibility, safe and efficient loading and unloading of goods, allows for vehicle queuing and visitor set down and pick up facilities. Footpaths and cycle paths are provided within the subject site providing a high standard of connectivity.

2.3 Off-street parking

Objectives

- O1 *Ensure adequate provision is made for safe and efficient movement of vehicles and pedestrians.*
- O2 *Ensure the provision of safe and efficient parking for all modes of transport to meet anticipated demands.*
- O3 *Minimise disruptions to existing levels of service and safety as a result of insufficient parking being provided on site.*
- O4 *Soften the impacts of larger car parking areas through the use of landscaping.*
- O5 *Provide both shade and solar access to car park users by means of purpose designed tree planting.*

Parking requirements for 'Educational establishments' are not listed within the chapter and therefore the application should be assessed on its own merits. Construction of 6 car parking areas providing for 165 parking spaces, including 2 car parking spaces for persons with disabilities, 3 loading bays and 1 service bay are proposed. The proposed parking equates 1 parking space per room and roughly to 1 visitor parking space per 10 rooms. Therefore the parking proposed is considered to be sufficient for the development and satisfies the outcomes sought under this clause.

2.4 Landscaping

Objectives

- O1 *Promote designed landscapes as part of a fully integrated approach to site development within residential, industrial and commercial areas.*
- O2 *Retain and protect existing vegetation, particularly large and medium trees, and conserve significant natural features of the site.*
- O3 *Encourage landscape that responds to existing site conditions, local character and creates and enhances living and working environments whilst discouraging the opportunities for crime and vandalism.*
- O4 *Ensure the landscape adequately complements the proposed built forms and minimises the impacts of scale, mass and bulk of the development on the existing area and surrounding streetscapes, view sheds and neighbourhood amenity.*
- O5 *Promote the use of indigenous and other low maintenance plant material suitable to the climatic extremes of the local area, particularly the use of plant material with low water requirements.*
- O6 *Encourage landscape that can be effectively maintained to a high standard for the life of the development.*
- O7 *Enhance and define entry areas and to frame views from and into the development via the use of landscaping.*

The layout plan submitted with the application provides details of landscaping in accordance with the requirements of this clause. The proposed landscaping is considered appropriate as it will compliment the proposed development by providing shade and greenery that soften the appearance of the buildings and parking areas. It is a condition of approval

that offset plantings be carried out within close proximity to the development to compensate the removal of the ten trees.

2.5 Signage

No signage is proposed as part of this application..

2.6 Safety and Security

Objectives

- O1 *Incorporate crime prevention strategies in new developments.*
- O2 *Encourage active, pedestrian oriented environments where developments are designed to integrate into the public domain.*
- O3 *Maximise opportunities for natural surveillance of public spaces and building or site entrances.*

The design and the layout of the proposed buildings incorporate the principles of *Crime Prevention Through Environmental Design* as it allows for good natural surveillance. Relevant design features include, lighting of car parking areas, pedestrian footpaths and access ways and roads in accordance with *Australian Standards for Lighting for Road and Public Spaces*.

2.7 Changing the land form - cut and fill

Objectives

- O1 *Encourage site responsive development and protect the amenity of adjoining land.*
- O2 *Avoid excessive earthworks and minimise changes to the natural landform.*
- O3 *Encourage site layout and building design that is appropriate to the site conditions, including use of split levels, pier foundation or suspended floor house designs.*
- O4 *Avoid adverse impacts on salinity by minimising the potential for surface water to enter the groundwater in recharge areas.*
- O5 *Avoid inappropriate fill being introduced to sites.*
- O6 *Ensure adequate provision for drainage in relation to cut and fill practices.*

The development requires cut-and-fill and batter earthworks over the building and carpark construction areas. The extent of the proposed cut-and-fill or batter work has not been demonstrated as part of this development application. Any excavation or filling will be required to comply with the requirements of the relevant controls.

2.8 Erosion and Sediment Control Principles

Objectives

- O1 *Protect the environment against soil erosion and loss of soil from*

- construction sites.*
- O2 *Prevent the degradation of drainage systems, waterways and aquatic environments from deposition of soil and foreign material from construction sites.*
 - O3 *Prevent flood damage of individual properties caused by sediment reducing the flow capacity of the stormwater drainage system.*
 - O4 *Promote the implementation of erosion and sediment control measures by persons undertaking construction and earthworks activities to prevent the loss of soil from the site.*
 - O5 *Ensure that construction works adhere to the principles of Ecologically Sustainable Development.*

Temporary sediment and erosion control measures will be implemented during construction. Conditions of approval are imposed in this regard.

2.9 Development adjoining open space

The proposed development is not adjacent to a public open space.

Section 3 - Heritage Conservation

3.2.4 Development in the vicinity of a heritage item.

Development in the vicinity of a heritage item can have an impact upon the heritage significance of the item, in particular through an impact its setting. Determining whether a property is within the setting of a heritage item is a necessary component of the site analysis for proposal. Advice from Council's heritage advisor may be required to determine this. The analysis should consider historical property boundaries, significant vegetation and landscaping, archeologically features and significant views.

Objectives

- O1 *Encourage development in the vicinity of a heritage item to be designed and sited to protect the significance of the heritage item.*

The development site is located within proximity of a heritage item (Item I35 - 'Experiment Farm Manager's Residence'. The impacts of the proposed development on the heritage item have been discussed elsewhere in the report. It is determined that the proposal meets with the objectives of the clause.

Section 4 - Environmental Hazards and Management

4.1 Bushfire

Objectives

- O1 *Minimise risk to life, property and the environment from bush fire.*
- O2 *Ensure compliance with statutory obligations for development in bush fire prone areas.*

Part of the lot on which the development is proposed is mapped as bushfire prone land, but the development site itself is not identified as bush fire prone land. Nonetheless, in accordance with Section 91 of the *Environmental Planning and Assessment Act 1979* and Section 100B(1)(b) of the *Rural Fires Act 1997*, and Clause 44 of the *Rural Fire Regulation 2008*, a Bush Fire Management Report has been prepared and submitted with the application.

The application was referred to the New South Wales Rural Fire Services who advised that they had no concerns regarding the development. The department supports the application, subject to conditions.

Section 9 - Residential Development

The following controls under Section 9 are applicable to this development.

9.2.1 Site layout

Development should be individually tailored for the site, taking advantage of orientation, locating buildings to minimise cut and fill on sloping sites, and integrating landscaping and built form.

The principles of passive solar design are fundamental, and are best achieved by orienting living areas to the north, and designing for natural cross ventilation.

Orient dwellings to maximise passive solar design opportunities with their long axis generally east-west

Objectives

- O1 *Encourage site responsive development that is compatible with existing or desired built form.*
- O2 *Facilitate sustainable development through passive solar design.*
- O3 *Integrate landscaping and built form.*
- O4 *Discourage use of predetermined design concepts.*

Controls

- C1 *Use site characteristics such as trees, changes in level or rock outcrops as features within the site layout.*

The development has been designed around the site constraints and the design of the buildings is considered to meet all relevant planning intent and provisions. The proposed development will result in a quality architectural design that is appropriate in scale and form and will not result in any significant adverse impacts on the surrounding environment. Ten trees will be removed as a result of this development; however it is considered that the impacts will not be significant. It is a condition of consent that offset plantings be carried out within close proximity to the development to compensate the removal of the trees.

- C2 *Integrate access, landscaping and services in the site layout,*

avoiding “left over” or wasted spaces.

The development is well integrated with the surrounding developments on the university grounds. Footpaths and cycle paths are provided within the subject site providing a high standard of connectivity. It is considered that there is no “left over” or wasted spaces.

C3 Orient dwellings so that living areas face north with direct connection to private open space.

The design of the development does not allow for all living areas to face the north. The buildings have been orientated around central courtyards.

C4 Facilitate natural cross ventilation within dwellings through the location of windows and doors.

The buildings have been designed to make best use of energy efficiency where possible.

C5 Maximise natural surveillance of common areas by orienting living areas with views over common spaces.

The proposed will result in more pedestrian traffic in this location of the university grounds that will allow for greater passive surveillance, especially at night.

9.4.2 Materials and finishes

Cladding materials should be environmentally responsive and should contribute to a quality streetscape.

Objectives

- O1 Encourage the use of external materials and finishes that are suited to their location and support consistent quality streetscapes.*
- O2 Encourage use of materials that have good thermal performance.*
- O3 Promote the use of materials that are climate responsive and contribute to innovative building design.*
- O4 Discourage corporate colours in building facades.*

Controls

- C1 Select materials for their environmental performance, durability, detail and appearance to achieve quality appearance.*

The proposed materials have been chosen for the qualities listed above. The majority of the products are now common in newly constructed buildings.

C2 Avoid large unbroken expanses of any single material.

The design has incorporated the use of different materials to avoid monotonous elevations.

C3 Minimise use of highly reflective or glossy materials on building exteriors.

The materials proposed will not be highly reflective or glossy.

C4 Use contrasting materials in combination with design elements for features such as corner elements.

It is considered that the materials proposed achieve this.

C5 For larger developments, use recessive colours for the upper levels to help minimise building bulk.

The proposed development will result in a quality architectural design and include high degrees of articulation and variation in colour schemes, materials and finishes. The development is appropriate in scale and form and considered compatible with existing developments on the university grounds.

C6 For non-residential developments, corporate colours are not to dominate the building facade.

Corporate colours are not proposed.

No other provisions of this section are considered relevant to the proposed development.

(a)(iia) - any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and

There are no planning agreements in place for this proposal.

(a)(iv) - any matters prescribed by the regulations

Matters prescribed by the *Environmental Planning and Assessment Regulation 2000* have been satisfied.

(b) - The likely impacts of the development

Context and setting

The proposed development has been designed to have an attractive, functional appearance and will be constructed of materials and finishes compatible with existing developments within the university grounds. The buildings themselves will be set well back in the university campus from any public roads and will therefore have minimal impacts on streetscape. The development is integrated with the physical attributes of the site,

including appropriate provision for access to natural light and ventilation, privacy, noise attenuation, drainage, landscaping, outlook and off-street parking.

Access, transport and traffic

Matters regarding traffic generation and parking have been discussed elsewhere in this report. It is considered that the proposed development will not have any adverse traffic implications in terms of road network capacity and that the parking supply exceeds Council's off-street parking requirements and will satisfy the parking demands generated by the proposed development.

Services

The proposed development has access to the reticulated water and sewerage network. The site has direct access to a road reserve and is required to provide electricity and telecommunication connection as conditions of the approval. The impact of the proposed development on the current sewer infrastructure network system is of concern. It is a condition of approval that the future loadings for the development, proposed design intent, and a solution to address the future sewer loading requirements be provided to Council. Depending on the future modelling outcome, the developer may need to negotiate with Council to undertake the design and delivery of the required sewer upgrade. The required works will be in accordance with Council's Engineering Guidelines and at full cost of the developer.

Heritage

This has been discussed through the heritage provisions of the *Wagga Wagga Local Environmental Plan 2010* and *Wagga Wagga Development Control Plan 2010*.

Natural Hazards

Part of the lot on which the proposed development is proposed is shown on Council's maps as falling within bushfire prone land. The development site is not affected by this mapping. The application was referred to the New South Wales Rural Fire Services who advised that they had no concerns regarding the development.

Man-Made Hazards

The site is not identified to be effected by man-made hazards.

Economic and Social Impact

The proposed development is likely to have a positive economic impact through the generation of employment during both construction and its ongoing operation. The proposed development will improve the accommodation facilities at the university. The university is considered to have a broader social and economic benefit by broadening the community's knowledge base.

Other Land Resources

The proposal will have no impact on land resources.

Pollution and off-site environmental effects

The development is not considered to cause pollution and off-site environmental effects.

Flora and fauna

Some trees will be removed as a result of this development, however, it is considered that the impacts on flora and fauna will not be significant. It is a condition of consent that offset plantings shall be carried out within close proximity to the development to compensate the removal of the trees. The application will therefore not result in any irreversible environmental damage.

Noise and Vibration

Noise in the locality will increase during construction of the proposed development. However, this can be managed with the imposition of appropriate conditions. During operation of the premises it is not considered that the use is of the type that is likely to result in any significant noise impacts.

Site Design and internal design

Overall the design of the development is considered acceptable. The development sits within a cluster of existing buildings in the campus thus maximizing the opportunities to walk between buildings and to minimise vehicle trips.

The Principles of Ecologically Sustainable Development

The following are principles of ecological sustainability:

1 The precautionary principle

Where there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

In the application of the precautionary principle, public and private decisions should be guided by:

- (a) careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and*
- (b) an assessment of the risk-weighted consequences of various options.*

The principle requires decision-making to give the environment the benefit of the doubt.

The proposal is considered to comply with the principles of Ecologically Sustainable Development such as inter-generational equality and conservation of biological diversity and ecological integrity.

2 Intergenerational equity

The present generation should ensure that the health, diversity and productivity of the

environment are maintained or enhanced for the benefit of future generations (that is, a partnership among all of the generations that may use or expect to benefit from the nation's resources).

Intergenerational equity is expected to be protected as a result of the development proposal.

3 Conservation of biological diversity and ecological integrity

Conservation of biological diversity and ecological integrity should be a fundamental consideration.

The proposed development is not expected to further impact on biological diversity and ecological integrity.

4 Improved valuation, pricing and incentive mechanisms

Environmental factors should be included in the valuation of assets and services:

- (a) polluter pays (that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement), and*
- (b) the users of goods and services should pay prices based on the full cycle costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste, and*
- (c) environmental goals having been established should be pursued in the most cost-effective way by establishing incentive structures, including market mechanisms which enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.*

The proposal is not expected to impact on valuation, pricing and incentive mechanisms.

(c) - The suitability of the site for the development

The site currently possesses an existing educational establishment and locating further educational related developments within this precinct is considered acceptable. This assessment report has demonstrated that the development is compatible with adjoining uses and that there are no site constraints that would render the site unsuitable for the proposed development. The proposed development is consistent with the zoning of the site. An assessment of the development against the applicable codes of the *Wagga Wagga Development Control Plan 2010* demonstrates that the proposed development will not cause significant adverse impacts on the existing built environment, or local character and amenity.

(d) - Any submissions made in accordance with this Act or the Regulations

Referrals

Standard internal Council referrals of the application occurred as well as external referrals to New South Wales Rural Fire Services and Roads and Maritime Services. The application is supported, subject to conditions.

Notification

In accordance with the Council's advertising and notification provisions outlined in Section 1.10 of the *Wagga Wagga Development Control Plan 2010* the application was notified for 30 days between 27 September 2012 and 2 November 2012.

Advertising

In accordance with the Council's advertising and notification provisions outlined in Section 1.10 of the *Wagga Wagga Development Control Plan 2010* the application was advertised for 30 days between 27 September 2012 and 2 November 2012.

Public Submissions and those from public authorities

New South Wales Rural Fire Services and Roads and Maritime Services have indicated their support of the application.

(e) - The public interest

Federal, state and local government interests and general community interests

The provision of research and educational facilities and ancillary uses such as the proposed accommodation units are considered to be in the public interest by increasing the community's knowledge base and by providing further tertiary training options for the local community.

Other Legislative Requirements

Division 4 - Crown Developments

For the purpose of reviewing this determination, the following matters pursuant to the provisions of *Section 89 of the Environmental Planning and Assessment Act 1979*, have been taken into consideration.

Section 89 of the Act states that:

- (1) *A consent authority (other than the Minister) must not:*
 - (a) *refuse its consent to a Crown development application, except with the approval of the Minister, or*
 - (b) *impose a condition on its consent to a Crown development application, except with the approval of the applicant or the Minister.*

Section 88 of the *Environmental Planning and Assessment Act 1979* states that:

"Crown development application" means a development application made by or on behalf of the Crown.

- (2) *A reference in this Division to the Crown:*
 - (a) *includes a reference to a person who is prescribed by the regulations to be the Crown for the purposes of this Division, and*
 - (b) *does not include a reference to:*
 - (i) *a capacity of the Crown that is prescribed by the regulations not to be the Crown for the purposes of this Division, or*

- (ii) *a person who is prescribed by the regulations not to be the Crown for the purposes of this Division.*

Clause 226(1)(c) of the *Environmental Planning and Assessment Regulations 2000* states:

- (1) *The following persons are prescribed for the purposes of Division 4 of Part 4 of (as referred to in section 88 (2) (a) of the Act):*
 - (a) *a public authority (not being a council),*
 - (b) *a public utility,*
 - (c) *an Australian university within the meaning of the Higher Education Act 2001*
 - (d) *a TAFE establishment within the meaning of the Technical and Further Education Commission Act .*

The application was lodged by Blue Print Planning on behalf of the Chares Sturt University and in terms of Section 88(2)(a) of the *Environmental Planning and Assessment Act 1979* and Clause 226(1)(c) of the *Environmental Planning and Assessment Regulations 2000*, the proposal is therefore considered Crown Development. Matters in relation to the assessment of and the imposition of conditions will be followed in accordance with Section 89 of the *Environmental Planning and Assessment Act 1979*. Prior to the finalisation of the development application, draft conditions will be sent to the applicant for their approval.

Division 5 - Special Procedure for Integrated Development

The proposal is identified as “integrated development” pursuant to Section 91 of the *Environmental Planning and Assessment Act 1979* as a ‘bush fire safety’ is required for the proposal under Section 100B of the *Rural Fires Act 1997*. The New South Wales Rural Fire Service has assessed the Bushfire Management Plan submitted with the application and has indicated its support of the development, subject to conditions.

Schedule 4A - Development for which regional panels may be authorised to exercise consent authority functions of councils

This Development Application will be referred to the Southern Region Joint Regional Planning Panel for determination in accordance with Clause 5 of Schedule 4A of the *Environmental Planning and Assessment Act 1979*, which requires the Panel to exercise planning functions of the Council as a consent authority under Part 2A of the *Environmental Planning and Assessment Act* for Crown development that has a capital investment value of more than \$5 million.

Section 5A ("Seven Part Test" - Threatened Species)

The following factors must be taken into account in making a determination under this section:

- (a) *in the case of a threatened species, whether the action proposed is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction,*
- (b) *in the case of an endangered population, whether the action proposed is likely to*

- have an adverse effect on the life cycle of the species that constitutes the endangered population such that a viable local population of the species is likely to be placed at risk of extinction,*
- (c) *in the case of an endangered ecological community or critically endangered ecological community, whether the action proposed:*
- (i) *is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or*
 - (ii) *is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction,*
- (d) *in relation to the habitat of a threatened species, population or ecological community:*
- (i) *the extent to which habitat is likely to be removed or modified as a result of the action proposed, and*
 - (ii) *whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed action, and*
 - (iii) *the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species, population or ecological community in the locality,*
- (e) *whether the action proposed is likely to have an adverse effect on critical habitat (either directly or indirectly),*
- (f) *whether the action proposed is consistent with the objectives or actions of a recovery plan or threat abatement plan,*
- (g) *whether the action proposed constitutes or is part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process.*

As the site is located within an established urban area no issues are raised under this section of the report. No further assessment is required under this section.

Section 79B(3)

Owing to the modified nature of the site, and its proximity to other buildings, it is considered that the proposal will not negatively impact upon the matters detailed in Section 5A and 79B(3) of the *Environmental Planning and Assessment Act 1979*.

Council Policies

Not applicable.

Comments by Council's Officers and/or Development Assessment Team

Council's other relevant officers have reviewed the application in accordance with Council's processing procedures and are in support of the application, subject to conditions.

Development Contributions - Section 94/94A & Section 64 Local Government Act,

1993 and Section 306 Water Management Act, 2000

A section 94A levy is applicable:

\$14,578,000.00 (development cost) x 1% =

\$145,578.00

A section 64 contribution for sewer is applicable:

152 (beds) x \$1,910 (adopted development charge) x 0.5 x 179.9/155.8 (CPI) =

\$167,614.15

The proposed development is not within a Development Servicing Plan - Stormwater area. Therefore, no drainage contribution is required.

The above contributions have been included by way of conditions of consent.

Other Approvals

Not required.

Conclusion

The development is considered to be satisfactory based on the foregoing assessment as it complies with the requirements of the *Environmental Planning and Assessment Act 1979* and will not compromise the outcomes sought for the *Wagga Wagga Local Environmental Plan 2010*. An assessment of the application against the relevant sections of the *Wagga Wagga Development Control Plan 2010* demonstrates that the proposed development will not cause any significant adverse impacts on the surrounding natural environment, built environment, infrastructure, community facilities or local character and amenity.

The application is subsequently recommended for approval, subject to conditions.

RECOMMENDATION

It is recommended that the Southern Joint Regional Planning Panel approve Development Application DA12/0436 for 152 Unit Student Accommodation, 286 Pine Gully Rd CHARLES STURT UNIVERSITY NSW 2678, Lot 167 DP 46875 in accordance with the following conditions:-

CONDITIONS

Approved Plans and Documentation

- 1. The development must be carried out in accordance with the approved plans, subject to the following conditions**

Plan/Doc. No.	Plan/Doc. Title	Prepared by	Issue	Date
DA02	Proposed Site Plan	Leffler Simes Architects	P16	20 September 2012
DA03	Ground Floor - Building A	Leffler Simes Architects	P5	18 September 2012
DA04	Ground Floor and First Floor - Buildings B & G	Leffler Simes Architects	P3	11 September 2012
DA05	Ground Floor and First Floor - Buildings C & F	Leffler Simes Architects	P4	18 September 2012
DA06	Ground Floor and First Floor -Building D	Leffler Simes Architects	P4	18 September 2012
DA07	Ground Floor and First Floor - Building E	Leffler Simes Architects	P4	18 September 2012
DA08	Sections	Leffler Simes Architects	P4	21 September 2012
DA09	Elevations	Leffler Simes Architects	P6	18 September 2012
DA10	Perspectives	Leffler Simes Architects	P6	18 September 2012
-	Landscape Plan	Enviro Culture Services	P3	13 September 2012
12460-DA-C000	Cover Sheet, Drawing Schedule & Locality Sketch	Leffler Simes Architects	01	11 September 2012
-	Bush Fire Assessment Report	Blue Print Planning	-	September 2012

Note: Any modifications to the proposal shall be the subject of an application under Section 96 of the *Environmental Planning and Assessment Act, 1979*.

REASON: It is in the public interest that work is carried out in accordance with the approved plans. Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

Prior to Commencement of Works

2. Pursuant to s94A of the *Environmental Planning and Assessment Act 1979* and City of Wagga Wagga Section 94A Levy Contributions Plan 2006, prior to the issue of the commencement of works, the applicant must pay to Council a levy in the amount of \$145,578.00 towards the cost of one or more of the public facilities specified in the Works Schedule to that Plan. This amount must be indexed in accordance with clause 25J(4) of the Environmental Planning and Assessment Regulation 2000 and clause 11 of the City of Wagga Wagga Section 94A Levy Contributions Plan 2006. A copy of the City

of Wagga Wagga Section 94A Levy Contributions Plan 2006, is available for inspection at Council Chambers, corner Baylis and Morrow Streets, Wagga Wagga.

REASON: Having considered the development in accordance with Section 94 A of the *Environmental Planning and Assessment Act 1979*, as amended, Council is satisfied that the development will require the provision of, or increase the demand for, public infrastructure, public amenities or services within the area. Section 80A(1)(h) of the *Environmental Planning and Assessment Act 1979*, as amended.

3. **Pursuant to s64 of the *Local Government Act 1993*, and Part 2 of Chapter 6 of the *Water Management Act 2000*, prior to the commencement of works must be obtained for water management works (as defined in s283 of the *Water Management Act 2000*) relating to the development.**

Alternatively, this condition is satisfied by virtue of payment of the figure nominated within this condition. Evidence of payment receipt shall be provided to Council prior to commencement of works.

DSP Sewer contribution: \$167,614.15

REASON: It is in the public interest that Council maintain the ability to provide adequate water and sewer reticulation services. Section 79C(1)(c) and (e) of the *Environmental Planning and Assessment Act 1979*, as amended).

4. **Prior to the commencement of hydraulic works, the applicant will provide Council the current operating capacity flow rate of the sewer system, the future loadings for the development, proposed design intent, and a solution to address the future sewer loading requirements. Depending on the future modelling outcome, the applicant shall undertake the design and delivery of the required sewer upgrade before the occupation of the design in accordance with Council's Engineering Guidelines and at full cost of the Developer.**

REASON: It is in the public interest that plumbing and drainage work is carried out in accordance with appropriate standards and relevant provisions of the Plumbing Code of Australia. Section 79C (1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

5. **Prior to the commencement of works, approval under Section 68 of the *Local Government Act 1993* must be obtained from Council.**

The applicant shall submit detailed sewer layout plans including pre-treatment equipment to allow for the discharge of liquid trade waste to sewer.

The developer is required to check with Council's Trade Waste section on 1300 292 442 to determine if an approval is required.

REASON: To prevent damage to the Council's Sewage Treatment System and subsequent pollution of the Murrumbidgee River and comply with the Local Government (General) Regulation 2005, and Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

6. **Prior to the commencement of hydraulic works the applicant must supply all associated sewer and or stormwater plans to Council. The plans must indicate that pipe and pit sizing meets the requirements of AS3500 and the Plumbing Code of Australia.**

REASON: It is in the public interest that plumbing and drainage work is carried out

in accordance with AS/NZS 3500 and the relevant provisions of the Plumbing Code of Australia. Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

- 7. Prior to the commencement of electrical and telecommunications works satisfactory arrangements for Country Energy and the relevant telecommunications authority, for both the provision of electrical power and telephone lines respectively, to fully service the development, shall be made.**

REASON: To ensure electrical power and telephone lines are available to service the development. Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

- 8. Prior to works commencing on site, toilet facilities must 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. Each toilet provided must be:**

- a) a standard flushing toilet connected to a public sewer, or
- b) if that is not practicable, an accredited sewage management facility, or
- c) if that is not practicable, any other sewage management facility.

NOTE 1: The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced and the toilet facility must not be removed prior to the completion of all works.

NOTE 2: “Vicinity” in this condition is defined to mean within 50 metres of the subject building site.

NOTE 3: The toilet facilities are to comply with all WORK COVER NSW requirements.

REASON: To provide adequate sanitary facilities during the construction phase. Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

- 9. Prior to works commencing a container must be erected on site for the enclosure of all building rubbish and debris, including that which can be windblown.**

REASON: To ensure that the building site and adjoining public places are maintained in a clean and tidy condition so as not to interfere with the amenity of the area. Section 79C (1)(b) and (e) of the *Environmental Planning and Assessment Act 1979*, as amended.

- 10. Prior to the commencement of works erosion and sediment control measures are to be established and maintained to prevent silt and sediment escaping the site or producing erosion. This work must be carried out and maintained in accordance with Council's:-**

- a) Development Control Plan 2010 (Section 2.8 and Appendix 2)
- b) Erosion and Sediment Control Guidelines for Building Sites; and
- c) Soils and Construction Volume 1, Managing Urban Stormwater

NOTE: All erosion and sediment control measures must be in place prior to

earthworks commencing.

REASON: To ensure the impact of the work on the environment in terms of soil erosion and sedimentation is minimised. Section 79C (1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

- 11. The existing tree/s to be retained situated within the property of the proposed development shall be protected from all construction works.**

All care must be taken to protect existing trees from damage, including street trees and trees located adjacent to the proposed development. The developer shall identify all trees to be retained prior to commencement of construction works.

A Tree Protection Zone (TPZ) shall be constructed for all existing trees to be retained within the development in accordance with Australian Standards - AS 4970-2009 Protection of Trees on Development Sites.

Copies of AS 4970-2009 Protection of Trees on Development Sites can be obtained of Australian Standards web site.

Removal, relocation or disruption of the Tree Protection Zone fencing will be considered as a breach of this consent. TPZ fences shall remain in place until the end of construction.

If damage of any sort should occur to any protected trees / vegetation within the development, contact shall be made with Council's Tree Management Officer to determine what remedial action should be taken.

An Arboricultural company with membership of a professional association as the National Arborists Association of Australia should be engaged to carry out any works associated with the protected trees in Accordance with Australian Standards - AS 4373-2007, Pruning of Amenity Trees.

Throughout the construction period regular inspections of protected trees shall be carried out to ensure trees retained are of good health and vigour.

REASON: Because it is in the public interest that the subject trees are protected. Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

- 12. Prior to works commencing, a sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:**

- a) stating that unauthorised entry to the site is prohibited, and**
- b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside work hours**
- c) the development consent or complying development consent number, the name and contact details of the developer.**

Any sign must be removed when the work has been completed.

NOTE: This condition does not apply to:

- a) building work carried out inside an existing building, or**

- b) building work carried out on premises that must be occupied continuously (both during and outside work hours) while the work is being carried out.**

REASON: It is in the public interest that adequate safety measures are provided. Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

During works

13. If soil conditions require it:

- a) retaining walls associated with the erection/demolition of a building or other approved methods of preventing movement of soil must be provided, and**
- b) adequate provision must be made for drainage.**

NOTE 1: Retaining walls in excess of 600mm in height require Council approval under the provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

NOTE 2: Retaining walls which exceed 1000 mm in height must be designed by a Practising Structural Engineer.

NOTE 3: Any proposed cut and fill of the site must be undertaken in accordance with the terms and conditions of Council's Cut and Fill Policy.

REASON: It is in the public interest that all building elements are able to withstand the combination of loads and other actions to which it may be subjected. Section 79C(1)(b) and (e) of the *Environmental Planning and Assessment Act 1979*, as amended.

14. The Builder must at all times maintain, on the job, a legible copy of the plan and specifications.

REASON: It is in the public interest that a copy of the plans are available, and Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

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

Excavations must be undertaken in accordance with the terms and conditions of Section 2.7 of the Wagga Wagga Development Control Plan 2010.

REASON: It is in the public interest that all building elements are able to withstand the combination of loads and other actions to which it may be subjected. Section 79C(1)(b) and (e) of the *Environmental Planning and Assessment Act 1979*, as amended.

16. The applicant must take all reasonable steps to minimise dust and noise generation during the demolition and/or construction process. No offensive noise must be emitted during either process. Such activities must only be undertaken Monday to Friday 7.00am to 6.00pm and Saturday 7.00am to 5.00pm, excepting public holidays.

REASON: To ensure building works do not have adverse effects on the amenity of

the area. Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

- 17. The ground surrounding the building must be graded and drained to ensure that all surface and seepage water is diverted clear of buildings on the site and clear of adjoining properties. Permanent surface or subsoil drains or a combination of both must be provided to all excavated areas, hard standing areas and depressions. The invert of such drains must be a minimum of 200 mm below the finished floor level and must have a minimum grade of 1:100 to the approved storm water disposal location. This work must be carried out within fourteen (14) days of the installation of the roof gutter downpipes.**

REASON: A drainage system for the disposal of stormwater must convey the water to an appropriate outfall, avoid the entry of water into a building, avoid water damaging the building and avoid the likelihood of damage or nuisance to any other property. Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

- 18. Landscape areas shall be constructed generally in accordance with the submitted landscape plan and legend, Landscape Drawing, drawn by Enviro Culture Services, dated 13 September 2012. The applicant will be responsible for the construction and ongoing maintenance of all landscaping proposed to the satisfaction of the Director of Planning, or their delegate.**

REASON: To ensure that adequate landscaping is provided and maintained on the subject land. Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

Prior to Operation

- 19. Prior to Occupation, the paving of all vehicular movement areas must be either hotmix sealed or 150mm of reinforced concrete as a minimum.**

REASON: To provide all weather vehicular movement and to minimise nuisances to adjoining development from noise and dust. Section 79C(1)(b) and (c) of the *Environmental Planning and Assessment Act 1979*, as amended.

- 20. Prior to Occupation, the building must comply with the Fire Safety Schedule, attached.**

NOTE: The Fire Safety Schedule supersedes any earlier Fire Safety Schedule and will cease to have effect when any subsequent Fire Safety Schedule is issued.

REASON: It is in the public interest that the building provides an adequate level of fire protection. Section 79C (1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

- 21. Prior to Occupation, the owner must submit to Council a final Fire Safety Certificate stating that each essential fire safety measure specified in the current Fire Safety Schedule for the building to which the certificate relates:**

- a) has been assessed by a properly qualified person; and**
- b) was found, when it was assessed, to be capable of performing to a standard not less than that required by the current Fire Safety Schedule for the building.**

Further, the assessment must be carried out within a period of three (3)

months of the date on which the final Fire Safety certificate was issued. The owner of the building must forward a copy of the certificate to the New South Wales Fire Brigades and must prominently display a copy in the building.

NOTE: A final Fire Safety Certificate must be provided before a final Occupation Certificate can be issued for the building and must be provided if a Fire Safety Order is made in relation to the building premises.

REASON: To ensure the development complies with the requirements imposed under clause 153 of the Environmental Planning and Assessment Regulation 2000, as amended. Section 80A(11) of the *Environmental Planning and Assessment Act 1979*, as amended.

- 22. Prior to Occupation, the building shall be suitably protected from a fire by the installation of a fire hydrant and fire hose reel system.**

NOTE: A fire hydrant and fire hose reel system is required to be installed to protect the proposed premises. The details of the system must be compiled by a suitably qualified person and must be sufficient to demonstrate that the installation of the fire hydrant and fire hose reel system has been thoroughly investigated. These details may include the results of flow rate and pressure tests, any assumptions made or concessions applied from Australian Standard 2419.1. 200 and a scaled drawing of the proposed system. The drawing may include the type and diameter/s of all pipes, the location of the proposed system on the site and the type of water meter installed or to be installed.

REASON: It is in the public interest that the building is provided an adequate level of fire protection. Section 79C (1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

- 23. Offset plantings shall be carried out within close proximity to the development to compensate the removal of the ten (10) Eucalyptus melliodora trees. A ratio of 20 to 1 of local native tree species shall be planted totalling 200 trees.**

REASON: Because it is in the public interest that where significant trees are removed, it be replaced on or in proximity to the subject. Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

General

- 24. The owner must submit to Council an Annual Fire Safety Statement, each 12 months after Occupation.**

REASON: It is in the public interest that the development provides an Annual Fire Safety Statement. Section 79C (1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

- 25. All plumbing and drainage work must be carried out by a Licensed Plumber and Drainer and to the requirements of AS/NZS 3500.2003 and Plumbing Code of Australia.**

REASON: To ensure that all plumbing and drainage work is carried out in accordance with the requirements of the Local Government (Approvals) Regulation, 1999. Section 78A(4) of the *Environmental Planning and Assessment Act 1979*, as amended.

- 26. The car park and all associated facilities must be laid out in accordance with Australian Standards AS2890.1.2004, AS2890.2 2002 and AS/NZS2890.6.2009.**
REASON: To adequately provide for the parking of vehicles within the development. Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.
- 27. Illumination of the car park must be in accordance with AS 1158.3.1.2005, as amended, lighting for roads and public spaces.**
REASON: To provide opportunities for natural surveillance and reduce the likelihood of crime on the subject land. Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*.
- 28. Wagga Wagga City Councils Engineering Guidelines for Subdivisions and Development shall be referred to for the design of engineering requirements. Any aspect of the design which is not covered in Councils document should reference relevant specifications selected from other sources.**
Reason: So that Council may ensure that the design and construction is in accordance with Councils requirements and for the information of the emergency services. Section 79c (l) (e) of the *Environmental Planning and Assessment Act 1979*, as amended.

General Terms of Approval

This approval is for an Integrated Development in accordance with Section 91 of the *Environmental Planning and Assessment Act 1979*. The bush fire safety authority has imposed the following conditions in terms of the Section 100B of the *Rural Fires Act 1997*:

Asset Protection Zones

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

1. At the commencement of building works and in perpetuity the property around the building shall be managed as follows 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':
 - north for a distance of 10 metres as an asset protection zone;
 - east for a distance of 40 metres as an asset protection zone;
 - south for a distance of 40 metres as an asset protection zone; and
 - west for a distance of 10 metres as an asset protection zone (APZ).

(Note: in forested areas a portion of the APZ may be maintained as an outer protection zone as specified in Table A2.7 of 'Planning for Bush Fire Protection 2006'.)

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. To achieve this, the following conditions shall apply:

2. 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 internal roads is to provide safe operational access for emergency services personnel in suppressing a bush fire, while residents are accessing or egressing an area. To achieve this, the following conditions shall apply:

3. Internal roads shall comply with section 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. To achieve this, the following conditions shall apply:

4. Arrangements for emergency and evacuation are to comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.

Report by: <hr/> Adriaan Stander Senior Town Planner Date:	Report Approved by: <hr/> Date:
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