

JOINT REGIONAL PLANNING PANEL (Sydney West Region)

JRPP No	2014SYW014
DA Number	1024/2013
Local Government Area	Camden
Proposed Development	Relocation of existing playing fields , decommissioning of Sewage Treatment Plant and basins, construction of new roads, earthworks and associated works
Street Address	St. Gregory's College, 650B Camden Valley Way, Gregory Hills
Applicant / Owner	Development Planning Strategies/Marist Brothers Province of Australia
Number of Submissions	1 submission (objection withdrawn following detailed discussions with Council staff)
Recommendation	Approve with conditions
Report By	Stacey Houlison, Executive Planner – Development Assessment East

PURPOSE OF REPORT

The purpose of this report is to seek the Joint Regional Planning Panel's (the Panel) determination of a development application (DA) for the relocation of existing playing fields, decommissioning of Sewage Treatment Plant (STP) and basins, construction of roads, earthworks and associated site works at St Gregory's College, 650B Camden Valley Way, Gregory Hills.

The Panel is the determining authority for this DA as, pursuant to Part 4 of State Environmental Planning Policy (State and Regional Development) 2011 and Schedule 4A of the *Environmental Planning and Assessment Act 1979*, the capital investment value (CIV) of the proposed development is \$8.9 million which exceeds the CIV threshold of \$5 million for Council to determine the DA.

SUMMARY OF RECOMMENDATION

That the Panel determine DA 1024/2013 for the relocation of existing playing fields, decommissioning of STP and basins, construction of roads, earthworks and associated site works pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions contained in this report.

EXECUTIVE SUMMARY

Council is in receipt of a DA for the relocation of existing playing fields, decommissioning of STP and basins, construction of new roads, earthworks and associated site works at St Gregory's College, 650B Camden Valley Way, Gregory Hills.

The DA has been assessed against the *Environmental Planning and Assessment Act 1979*, the Environmental Planning and Assessment Regulation 2000, relevant Environmental Planning Instruments, Development Control Plans and policies. The outcome of this assessment is detailed further in this report.

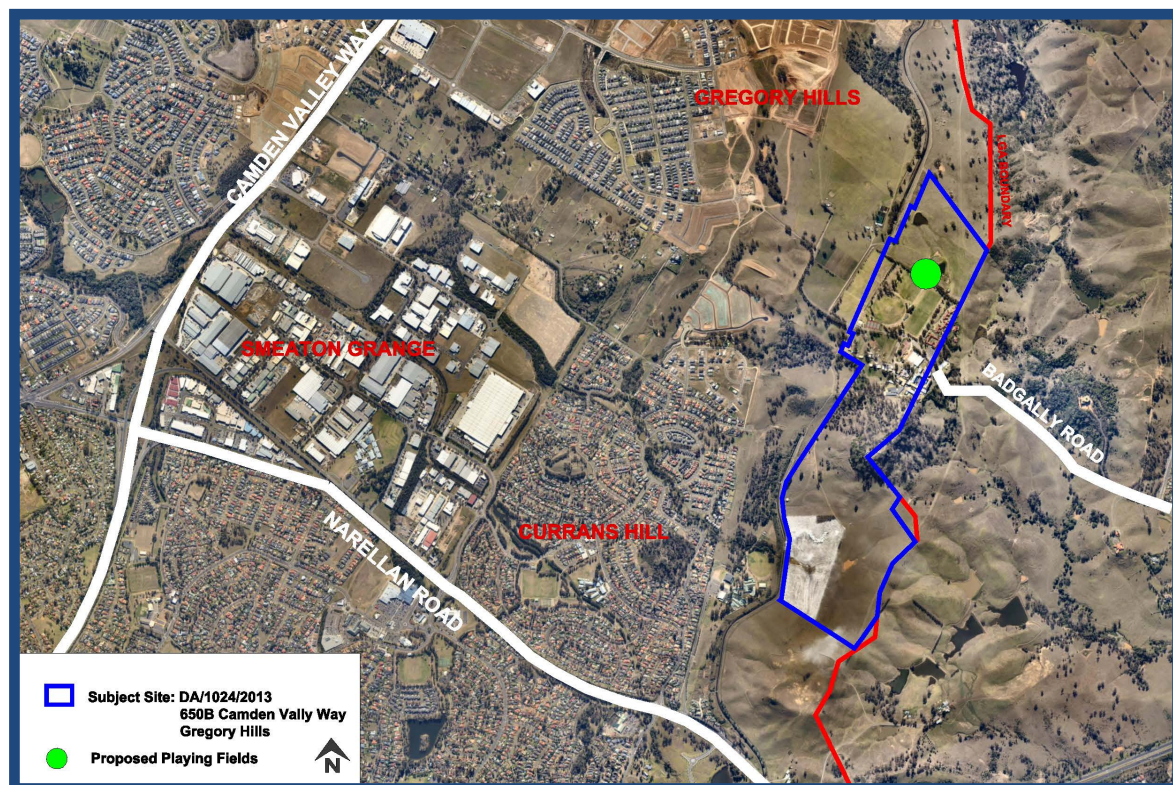
The DA was publicly exhibited (on 2 separate occasions) in accordance with Camden Development Control Plan 2011. One submission was received which raised two issues relating to the proposed internal road and its connection to Gregory Hills Drive and the provision of landscaping between the proposed playing fields and Gregory Hills Drive. Following a number of discussions with the submitter, the issues raised have now been fully resolved and the submission formally withdrawn.

This site is currently unsewered and is reliant upon an existing on-site STP system for the management of wastewater collection and disposal. When originally lodged, this DA proposed the relocation of the existing STP system to facilitate the relocation of playing fields. However, following detailed discussions with Council staff and Sydney Water, the existing STP system and associated basins are now proposed to be decommissioned and the site connected to sewer by December 2015. A condition is recommended which states that until such time as the sewer connection is available by Sydney Water, the decommissioning of the STP system and associated infrastructure must not occur. This condition has been discussed with and agreed to by the applicant.

Council staff have also worked with the applicant to address a number of additional issues relating to road design, land contamination and salinity. All issues have now been resolved subject to the conditions contained in this report.

Based on the assessment, it is recommended that the DA be approved subject to the conditions contained in this report.

AERIAL PHOTO



THE SITE

The site is commonly known as 650B Camden Valley Way, Gregory Hills and legally described as Lot 93, DP 1137298.

The site is irregular in shape and has an overall area of 94.1ha. The site contains St. Gregory's College which is a catholic day and boarding school for years 7 -12. The school comprises a number of multi storey classrooms, boarding and ancillary facility buildings, playing fields and car parking. The existing playing fields that are proposed to be relocated are located along the north western boundary of the site.

The school straddles the Camden/Campbelltown LGA boundary however most of the site is located within the Camden LGA. The site is accessed from the Campbelltown LGA via Badgally Road. Parts of the site are mapped as bush fire prone land and part of the southern boundary is mapped as environmentally sensitive land.

The Sydney Catchment Authority upper canal lies to the west with the Currans Hill and Gregory Hills residential suburbs to the south west and north west respectively. To the north lies the Gledeswood, El Caballo Blanco and Lakeside urban release areas. To the east lies the Campbelltown residential suburbs of Eaglevale, Claymore and Blairmount whilst to the south is the Mount Annan Christian College and C3 church Mount Annan.

HISTORY

St. Gregory's College began operating on this site on 3 February 1926. The site has since been subject to a number of development approvals for new school buildings and alterations to existing structures. The most recent development approval was for the construction of an extension and alterations to an existing multi purpose hall which was approved by the Joint Regional Planning Panel (Sydney West Region) on 23 December 2013.

THE PROPOSAL

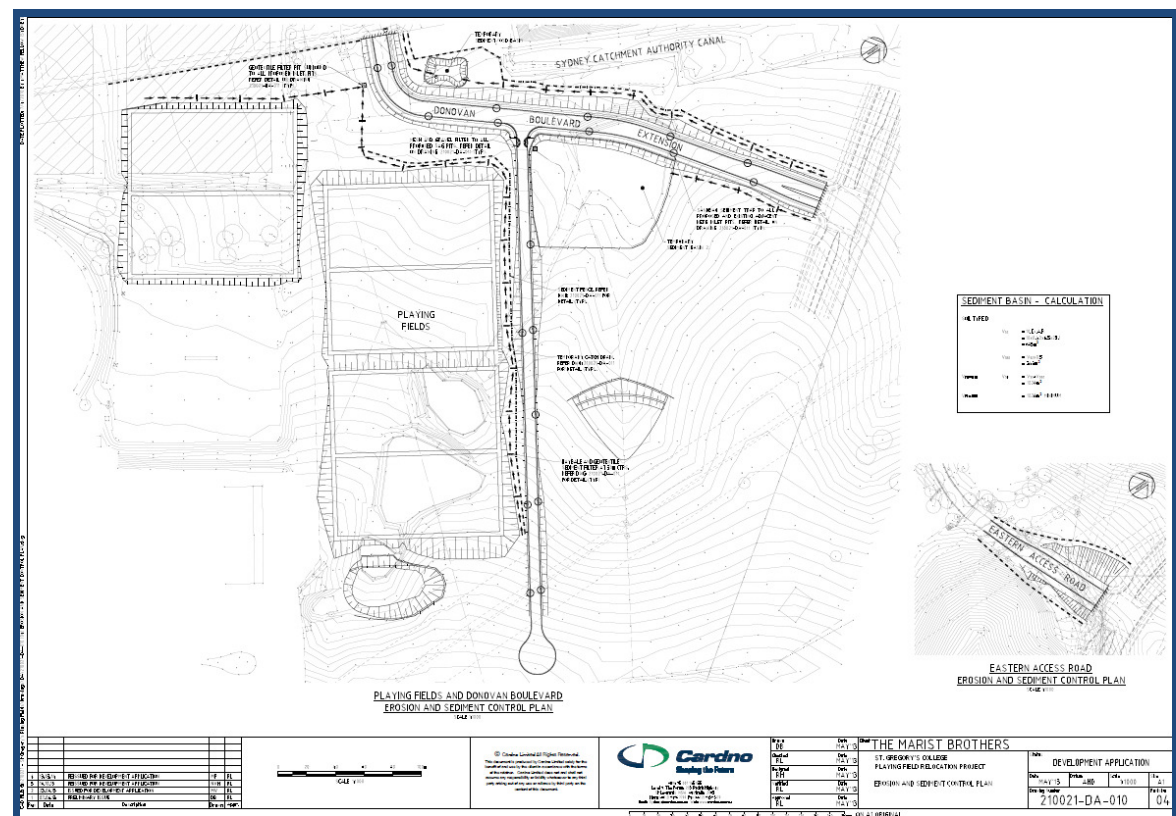
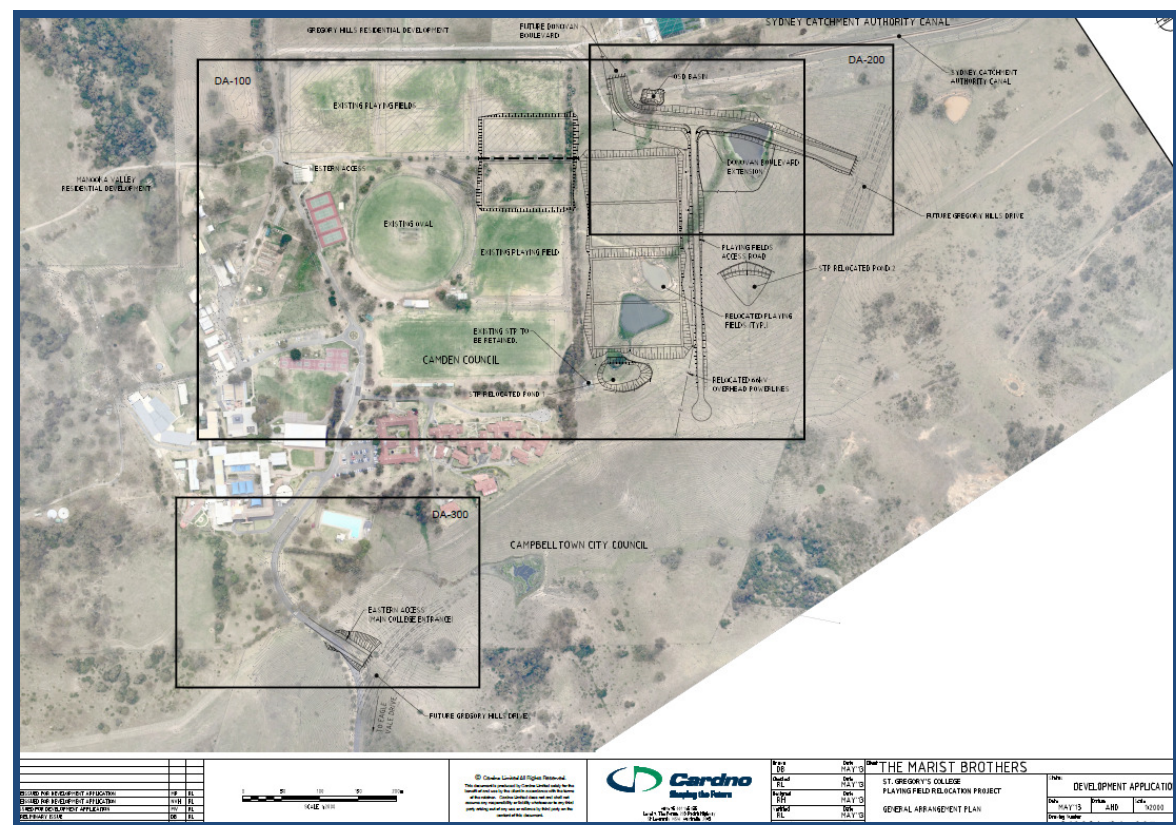
DA 1024/2013 seeks approval for the relocation of existing playing fields, decommissioning of STP and basins, construction of new roads, earthworks and associated site works.

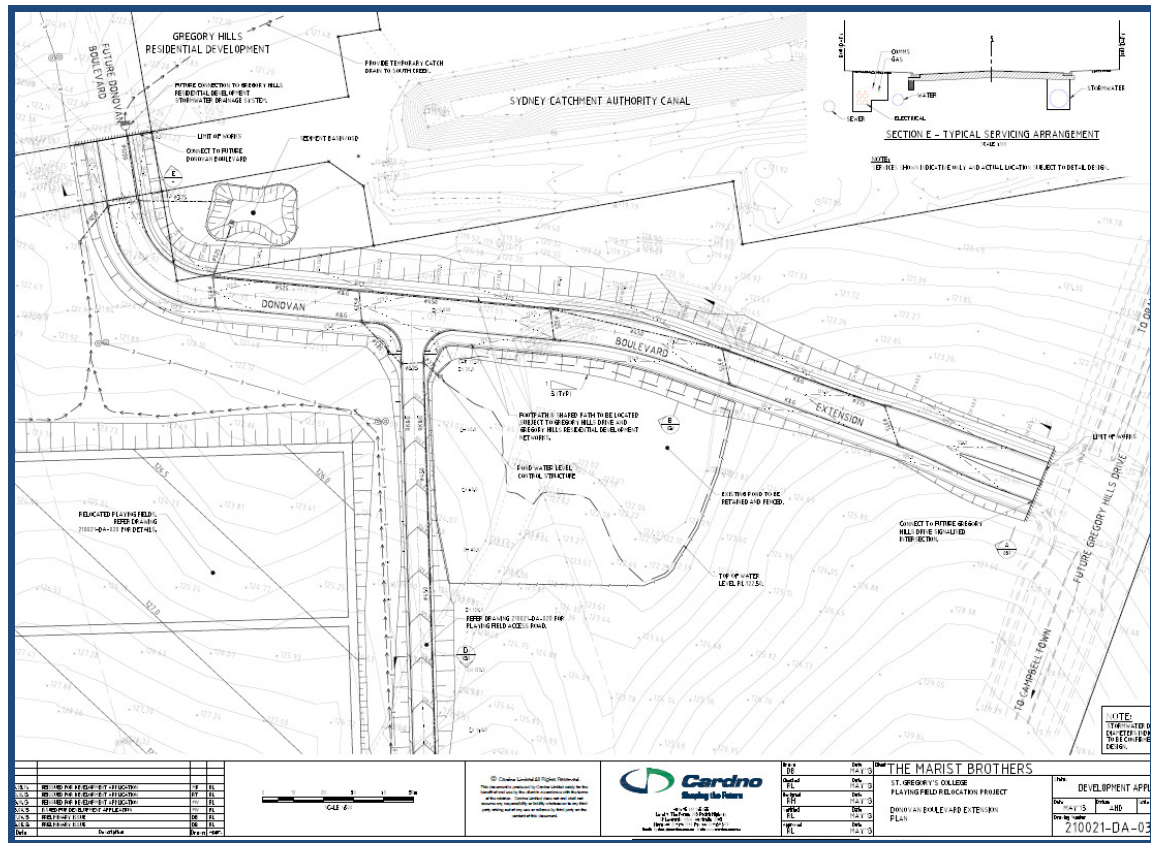
Specifically, the proposed development involves:

- relocation of six playing fields to the north of the site as the land no longer forms part of St. Gregory's College operational land;
- the six new playing fields will comprise of three double sports fields to accommodate rugby league, soccer and cricket games associated with the College;
- earthworks associated with the construction of the relocated playing fields;
- removal of approximately 25 existing trees within the proposed bulk earthworks area;
- construction of two new internal roads to provide an access road from Donovan Boulevard to the future Gregory Hills Drive extension and a private access road extending from the Donovan Boulevard link road to the east of the relocated playing fields to provide access to a future informal parking area;
- decommissioning of the existing STP and associated basins; and
- realignment of a 66kV power line.

The DA proposes no increase in the number of school staff or students as part of this development. The operating hours of the playing fields will be consistent with the normal operating hours of the rest of the school.

The capital investment value of the works is \$8.17 million.





ASSESSMENT

Environmental Planning and Assessment Act 1979 – Section 79(C)(1)

In determining a DA, the consent authority is to take into consideration the following matters as are of relevance in the assessment of the DA on the subject property:

(a)(i) The Provisions of any Environmental Planning Instrument

The Environmental Planning Instruments that relate to the proposed development are:

- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy No 55 – Remediation of Land
- State Environmental Planning Policy (Infrastructure) 2007
- Deemed State Environmental Planning Policy No 20 – Hawkesbury-Nepean River
- Camden Local Environmental Plan 2010

An assessment of the proposed development against these Environmental Planning Instruments is detailed below.

State Environmental Planning Policy (State and Regional Development) 2011 (SEPP)

Pursuant to Clauses 20 and 21 of the SEPP, the proposed development is included in Schedule 4A of the *Environmental Planning and Assessment Act 1979* and has a

CIV of \$8,17 million. This exceeds the CIV threshold of \$5 million for Council to determine the DA and therefore it is referred to the Panel for determination.

State Environmental Planning Policy No 55 – Remediation of Land (SEPP)

The SEPP requires Council to be satisfied that the site is suitable for its intended use (in terms of contamination) prior to granting consent. This applicant has submitted a phase 2 contamination assessment and a remediation plan (RAP) for the site in support of this DA. The contamination assessment identified surface and subsurface Asbestos Containing Material (drainage pipes) as well as microbial impacted soft sediments within the four STP sediment ponds; however the RAP provides a series of remediation actions that is implemented will fully denominate the site.

It is a recommended condition that the site be fully decontaminated in accordance with the submitted RAP. Subject to this occurring, the site will be made suitable for its intended use.

State Environmental Planning Policy (Infrastructure) 2007 (SEPP)

Pursuant to clause 28 of the SEPP, as the site is zoned RU2 Rural Landscape, development for an educational establishment is permitted with consent.

Pursuant to Clause 32 of the SEPP, the relevant school facilities standards (landscape, design and specification standards) have been considered and the proposed development is not inconsistent with them. A condition is recommended to ensure compliance with them.

Pursuant to Clause 45 of the SEPP, the DA was referred to TransGrid for comment in that works are proposed within an existing TransGrid transmission line easement. Following a number of attempts to obtain comments from TransGrid in relation to the relocation of the 66kV power line, no final response has yet been received. To ensure the requirements of the SEPP are met and the DA is determined in a timely manner, Council staff have recommended a condition specifying that any TransGrid assets requiring relocation must be done so in accordance with TransGrid Easement Guidelines prior to the issue of a Construction Certificate.

Deemed State Environmental Planning Policy No 20 – Hawkesbury-Nepean River (SEPP)

The proposed development is consistent with the aim of the SEPP (to protect the environment of the Hawkesbury-Nepean River system) and all of its planning controls.

There will be no detrimental impacts upon the Hawkesbury-Nepean River system as a result of the proposed development. Appropriate erosion and sediment control measures have been proposed and a condition has also been included to ensure to compliance with Council's Engineering Specifications.

Camden Local Environmental Plan 2010 (LEP)

Permissibility

The site is zoned RU2 Rural Landscape under the provisions of the LEP. The proposed development is defined as an "educational establishment" by the LEP which is a permissible land use in this zone.

Zone Objectives

The objectives of the RU2 Rural Landscape zone are as follows:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base

Officer comment:

The proposed development is not inconsistent with this objective as the site contains an existing school and the proposal will not detract from the natural resource base.

- To maintain the rural character of the land

Officer comment:

The proposed development proposes the relocation of playing fields, construction of internal roads and associated site works. Given the nature of the works proposed, the character of the existing land will not be adversely affected.

- To provide for a range of compatible land uses, including extensive agriculture

Officer comment:

It is considered that the proposed development is compatible with the zone and the site given its context as an existing school.

- To protect and enhance areas of scenic value by minimizing development and providing visual contrast to nearby urban development.

Officer comment:

This DA proposes the relocation of existing playing fields and the construction of new internal roads. Given the nature of the works proposed, the scenic value of the area will not be unduly impacted and as such consistent with the objective.

- To maintain the visual amenity of prominent ridgelines

Officer comment:

Given the nature and setting of the proposed development, it is not considered that it adversely impact on any prominent ridgelines.

- To permit non-agricultural uses which support the primary production purposes of the zone.

Officer comment:

The proposed development is not inconsistent with this objective in that it will not detract from primary production opportunities within the zone given that it is located in the existing school site.

Relevant Clauses

The DA was assessed against the following relevant clauses of the LEP.

Clause	Requirement	Provided	Compliance
5.9 & 5.9AAA Trees or vegetation	Preserve amenity of area through the preservation of trees and other vegetation	The DA proposes the removal of a number of trees within the site boundary. These trees are not mapped as significant vegetation and their removal will not have an adverse impact on the amenity of the area No additional landscaping is proposed as part of the DA	Yes
5.10 Heritage Conservation	To conserve the environmental heritage of Camden	The proposal comprises the construction of a road (Donovan Boulevard extension) which traverses the Sydney Upper Canal System. The Upper Canal is listed on the State Heritage Register as a state heritage item. NSW Heritage Council raise no objection to the proposal and have issued General Terms of Approval	Yes
7.4 Earthworks	Consider the effects of earthworks on existing drainage patterns, future uses/redevelopment, quality of fill, amenity impacts, the source of the fill, relic disturbance and potential impacts on watercourses, drinking water catchments or environmentally sensitive areas	The proposal includes a range of earthworks, primarily associated with the relocation of the playing fields.. Council staff have reviewed the information submitted as part of the DA and note that the proposed earthworks will not have a detrimental impact on any of the matters listed for consideration listed by this clause	Yes

(a)(ii) The Provisions of any Draft Environmental Planning Instrument (that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)).

There is no draft Environmental Planning Instrument applicable to the proposed development.

(a)(iii) The Provisions of any Development Control Plan

Camden Development Control Plan 2011 (DCP)

The following is an assessment of the proposed development's compliance with the controls in the DCP.

Control	Requirement	Provided	Compliance
B1.1 Erosion and Sedimentation	Erosion and sediment control measures	Appropriate erosion and sedimentation controls measures have been proposed. Dust suppression is also a recommended condition	Yes
B1.2 Earthworks	Building works should be designed to respond to the natural topography of the site	The proposal includes a range of earthworks, primarily associated with the relocation of the playing fields. Council. Council staff have reviewed the information submitted as part of the DA and note that the proposed earthworks will not have a detrimental impact on any of the matters listed for consideration listed by this clause	Yes
B1.3 Salinity Management	Salinity resistant construction	The proposed development will be constructed to be salinity resistant	Yes
B1.4 Water Management	Reference must be made to Camden Council's Engineering Specifications for controls relating to detention, drainage and water sensitive urban design	Council's engineer has reviewed the information submitted as part of the DA and considers the development to be acceptable in relation to water management. It is recommended that the DA be conditioned to comply with the requirements of Council's Engineering Specifications	Yes

Control	Requirement	Provided	Compliance
B1.5 Trees and Vegetation	Protection of trees and vegetation that contribute to the ecological, botanical, cultural and heritage aesthetic of the Camden LGA	As noted, the DA proposes the removal of a number of trees along the north western boundary of the site to facilitate the relocation of the playing fields. Given the location and type of vegetation to be removed, it is considered to be acceptable	Yes
B1.8 Environmental and Declared Noxious Weeds	To prevent the establishment of new weeds and the spread of existing noxious weeds	A condition of consent requiring noxious weed management will be included in any future development consent	Yes
B1.9 Waste Management Plan	Waste management plan	A waste management plan has been provided and complies with the requirements of this control	Yes
B1.10 Bushfire Risk Management	A bushfire protection attack report must be provided for all development applications on land identified as bush fire prone land	The DA was referred to NSW RFS for comment as part of the assessment. The RFS raised no objection to the proposed development and granted a bush fire safety authority without any specific conditions attached	Yes
B1.12 Contaminated and Potentially Contaminated Land	Contamination assessment and remediation (if required)	A contamination assessment and remediation action plan has been provided. Compliance with these is a recommended condition	Yes
B1.14 Development adjoining Sydney Catchment Authority Controlled Areas- the Upper Canal	Development proposals adjacent to or bordering the Water Supply Canal should be prepared in liaison with the Sydney Catchment	The development proposal has been prepared in liaison with the SCA. A letter of support was submitted as part of the DA.	Yes

Control	Requirement	Provided	Compliance
	Authority prior to lodging a DA	Furthermore, the SCA have reviewed the revised documentation and provided a range of conditions to be included as part of any consent issued for the proposal	
B1.16 Acoustic Amenity	Compliance with Council's Environmental Noise Policy	The development will comply with Council's Environmental Noise Policy and conditions are recommended to ensure no nuisance is created to adjacent properties as a result of the use	Yes
B3 Environmental Heritage	Provision of Heritage Impact Assessment	The proposal comprises the construction of a road (Donovan Boulevard extension) which traverses the Sydney Upper Canal System. The Upper Canal is listed on the State Heritage Register as a state heritage item. NSW Heritage Council raise no objection to the proposal and have issued General Terms of Approval	Yes
B5.1 Off-street Car Parking Rates and Requirements	1 car parking space per full time staff member plus 1 car parking space per 100 students plus 1 car parking space per 5 students in year 12 (if applicable)	As the DA does not propose an increase in the number of students or staff attending the College, it is considered that there is sufficient car parking spaces provided on site to cater for the proposed development	Yes

(a)(iia) The Provision of any Planning Agreement that has been entered into under Section 94F, or any draft Planning Agreement that a developer has offered to enter into under Section 93F

No relevant agreement exists or has been proposed as part of this DA.

(a)(iv) The Regulations

The Regulations prescribe several matters that are addressed in the conditions contained in this report.

(b) The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality

As demonstrated by the above assessment, the proposed development is unlikely to have a significant impact on both the natural and built environments, and the social and economic conditions of the locality.

Protection of the Sydney Catchment Authority (SCA) Upper Canal

The proposed development has been assessed with consideration to the impact of relocated playing fields on the water quality of the Upper Canal. At present, surface runoff from surrounding land and activities does not run into the canal. All contributing catchments are diverted through, around and over the canal by a series of existing management measures, including channels, bridges and berms. This ensures that there is no cross contamination from surrounding land uses.

The proposal to relocate the existing playing fields closer to the canal will retain the existing arrangements in relation to storm water management measures. This will ensure that surface runoff and any pollutants from chemical applications will not impact the water quality of the canal. As such, Council staff are satisfied that proposal will not adversely impact the canal.

Furthermore, the SCA letter dated 7 February 2014 includes conditions relating to the protection of water quality of the canal to ensure that the detailed design of the development is undertaken in a manner that prevents pollutants entering the canal waters.

Wastewater Collection and Disposal

As noted, this site is currently unsewered and is reliant upon an existing on-site STP system for the management of wastewater collection and disposal. When originally lodged, this DA proposed the relocation of the existing STP system to facilitate the relocation of playing fields. However, following discussions with Council staff and Sydney Water, the existing STP system and associated basins are now proposed to be decommissioned and the site connected to sewer by December 2015. A condition is recommended which states that until such time as the sewer connection is available by Sydney Water, the decommissioning of the STP system and associated infrastructure must not occur. This condition has been discussed with and agreed to by the applicant.

(c) The suitability of the site

As demonstrated by the above assessment, the site is considered to be suitable for the proposed development.

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

The DA was publicly exhibited for a period of 30 days in accordance with the DCP. The exhibition period was from 19 December 2013 to 31 January 2014. No submissions were received.

The submission of the phase 2 contamination report and RAP required the DA to be renotified for a further 30 day period in accordance with the requirements of the DCP. The exhibition period was from 5 June 2014 to 4 July 2014. One submission was received which raised two issues relating to the proposed internal road and its connection to Gregory Hills Drive and the provision of landscaping between the proposed playing fields and Gregory Hills Drive. Following a number of discussions with the submitter, the issues raised have now been resolved and the submission formally withdrawn.

(e) *The public interest*

The public interest is served through the detailed assessment of this DA under the *Environmental Planning and Assessment Act 1979*, the Environmental Planning and Assessment Regulation 2000, Environmental Planning Instruments, Development Control Plans and policies. Based on the above assessment, the proposed development is consistent with the public interest.

EXTERNAL REFERRALS

Office of Environment and Heritage (OEH)

The DA was referred to OEH for assessment as the development proposes the construction of a road crossing through the adjoining Sydney Catchment Authority, Sydney Upper Canal system, which is listed on the State Heritage Register and therefore requires approval from Heritage Branch under Clause 58 of the Heritage Act 1977. The proposed development is therefore classed as Integrated Development.

NSW Heritage Council raise no objection to the proposed development subject to General Terms of Approval relating to the detailed design, the disturbance of archaeological objects, site protection and works and compliance under section 60 of the NSW Heritage Act 1977. Compliance with these General Terms of Approval is a recommended condition.

Sydney Catchment Authority (SCA)

The proposed development involves works within the Sydney Catchment Authority Upper Canal and accordingly, the DA was referred to SCA for comment.

The SCA raise no objection to the proposed development, subject to the inclusion of a number of conditions in relation to water quality protection and stormwater management, protection of SCA infrastructure, security and public safety, vehicular access points into SCA land, operation and maintenance of the Upper Canal, decommissioning of the existing playing field and incident notification and entry into Sydney Catchment Authority land. Compliance with these conditions is a recommended condition.

NSW Rural Fire Service (RFS)

The DA was referred to the RFS as the development proposes works within land that is identified as a special bush fire purpose (an educational establishment) and therefore requires a bush fire safety authority pursuant to Section 100B of the Rural Fire Act 1997. The proposed development is therefore classed as Integrated Development.

The RFS raised no objection to the proposed development and granted a bush fire safety authority without any specific conditions attached.

Transgrid

Pursuant to Clause 45 of the SEPP, the DA was referred to TransGrid for comment in that works are proposed within an existing TransGrid transmission line easement. Following a number of attempts to obtain comments from TransGrid in relation to the relocation of the 66kV power line, no final response has yet been received. To ensure the requirements of the SEPP are met and the DA is determined in a timely manner, Council staff have recommended a condition specifying that any TransGrid assets requiring relocation must be done so in accordance with TransGrid Easement Guidelines prior to the issue of a Construction Certificate.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The DA has been assessed in accordance with Section 79C(1) of the *Environmental Planning and Assessment Act 1979* and all relevant instruments, plans and policies. Accordingly, DA 1024/2013 is recommended for approval subject to the conditions contained in this report.

CONDITIONS

1.0 - General Requirements

- (1) **Development in Accordance with Plans** – The development is to be in accordance with plans and documents listed below, except as otherwise provided by the conditions of this consent:

Plan Development No. /	Description	Prepared by	Dated
210021-DA-000 Revision 4	Cover Sheet	Cardno	13 March 2014
210021-DA-005 Revision 5	General Arrangement Plan	Cardno	13 March 2014
210021-DA-010 Revision 4	Erosion and Sediment Control Plan	Cardno	13 March 2014
210021-DA-015 Revision 5	Cut and Fill Plan	Cardno	13 March 2014
210021-DA-020 Revision 5	Playing Fields Plan	Cardno	13 March 2014
210021-DA-027 Revision 3	Playing Fields Access Road Longitudinal Section	Cardno	13 March 2014
210021-DA-030	Donovan	Cardno	13 March

	Boulevard Extension Plan		2014
210021-DA-031 Revision 4	Donovan Boulevard Extension Sections	Cardno	13 March 2014
210021-DA-045 Revision 4	Turning Path Plan	Cardno	13 March 2014
YN210021	Engineering Assessment Report	Cardno	October 2013
1662-002/1	Report on Geotechnical Investigation	Cardno	May 2013
YN210021	Traffic Impact Assessment	Cardno	June 2013
YN210021	Phase 2 Contamination & Salinity Assessment	Cardno	3 April 2014
YN210021	Remediation Action Plan	Cardno	5 May 2014

Where there is an inconsistency between the approved plans/documentation and the conditions of this consent, the conditions of this consent override the approved plans/documentation to the extent of the inconsistency.

- (2) **Building Code of Australia** - All works must be carried out in accordance with the requirements of the *Building Code of Australia*.
- (3) **NSW Heritage Council General Terms of Approval** – General Terms of Approval from NSW Heritage Council dated 14 July 2014 is attached and forms part of this development consent. All requirements of the General Terms of Approval issued by the NSW Heritage Council must be fully complied with.
- (4) **Bush Fire Safety Authority** – A Bush Fire Safety Authority from the Rural Fire Service dated 11 October 2013 is attached to and forms part of this development consent. All requirements of this Bush Fire Safety Authority must be fully complied with.
- (5) **Noxious Weeds Management** – Noxious weeds management must be carried out in accordance with Section B1.8 of Camden Development Control Plan 2011.
- (6) **School Facilities Standards** – The development must be designed and constructed consistent with, as a minimum, the:
 - School Facilities Standards (Landscape Standard Version 22 March 2002);

- Schools Facilities Standards (Design Standard Version 1/09/2006);
- Schools Facilities Standards (Specification Standard Version 01/11/2008);

If there is an inconsistency between a standard referred to in the School Facilities Standards as outlined above and a provision of the BCA, the BCA prevails to the extent of the inconsistency.

- (7) **Compliance with Salinity Management Plan** - All proposed works that includes earthworks, imported fill, landscaping, buildings, roads, drainage, and associated infrastructure proposed to be constructed on the development site must be carried out or constructed in accordance with the salinity management requirements of the report titled "*Phase 2 Contamination and Salinity Assessment – St Gregory's College*", prepared by Cardno (NSW/ACT) Pty Ltd, project number YN210021, dated 3 April 2014.
- (8) **Access to Gregory Hills Drive** – No access is authorised from the Donovan Boulevard extension road on to Gregory Hills Drive until such time as the extension of Gregory Hills Drive is constructed and fully operational.
- (9) **Remediation Works** – All wastewater ponds, spillways and land application areas must be remediated in accordance with the Remedial Action Plan prepared by Cardno (NSW/ACT) Pty Ltd, project number YN210021, revision 002, dated 5 May 2014.

Any proposed variation or modification to the Remedial Action Plan must be requested and approved in writing from the Consent Authority (Camden Council) prior to works being undertaken and validation.

2.0 - Construction Certificate Requirements

The following conditions of consent shall be complied with prior to the issue of a Construction Certificate.

- (1) **Design and Construction Standards** - All proposed civil and structural engineering work associated with the development must be designed and constructed strictly in accordance with: -
 - (a) Camden Council's current Engineering Specifications, and
 - (b) Camden Council's Development Control Plan 2011

It should be noted that designs for line marking and regulatory signage associated with any proposed public road within this subdivision MUST be submitted to and approved by the Roads and Maritime Services, Camden Council prior to the issue of any Construction Certificate.

- (2) **Civil Engineering Plans** - Indicating drainage, roads, accessways, earthworks, pavement design, details of line marking and traffic management details must be prepared strictly in accordance with the relevant Development Control Plan and Engineering Specifications and are to be submitted For Approval To The Certifying Authority Prior To The Engineering Construction Certificate Being Issued.
- (a) under the *Roads Act 1993*, only the Council can issue a Construction Certificate for works within an existing road reserve.
- (b) under section 109E of the *Environmental Planning and Assessment Act 1997*, Council must be nominated as the Principal Certifying Authority for subdivision work and has the option of undertaking inspection of physical construction works.
- (3) **Protection of Upper Canal** – The design of the development must be carried out in accordance with Sydney Catchment Authorities correspondence dated 7 February 2014 and 3 June 2014. The correspondence is attached and forms part of this development consent. All requirements must be fully complied with prior to the issue of a construction certificate.
- (4) **TransGrid** – Any TransGrid assets requiring relocation must be done so in accordance with Transgrid terms and conditions for the relocation of their assets. This must be completed prior to the issue of a Construction Certificate.
- (5) **Performance Bond** - Prior to the issue of the Construction Certificate, a performance bond of \$10,000 must be lodged with Camden Council in accordance with Camden Council's Engineering Construction Specifications.
- (6) **Environmental Site Management Plan** - An Environmental Site Management Plan must be submitted to the Certifying Authority for approval and inclusion in any application for a Construction Certificate. The plan must be prepared by a suitably qualified person in accordance with AS/NZ ISO 14000 – 2005 and must address, but not be limited to, the following:
- (a) all matters associated with Council's Erosion and Sediment Control Policy.
- (b) all matters associated with Occupational Health and Safety.
- (c) all matters associated with Traffic Management/Control.
- (d) all other environmental matters associated with the site works such as noise control, dust suppression and the like.

- (7) **Public Risk Insurance Policy** - Prior to the issue of the Construction Certificate, the owner or contractor is to take out Public Risk Insurance Policy in accordance with Camden Council's current Engineering Design Specifications.
- (8) **Traffic Management Procedure** - Traffic management procedures and systems must be introduced during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems. Such procedures and systems must be in accordance with AS 1742.3 1985 and to the requirements and approval of Council [and the Roads and Maritime Services]. Plans and proposals must be approved by Council [and the Roads and Maritime Services] prior to the Construction Certificate being issued.
- (9) **Drainage Design** - A stormwater management plan is to be prepared prior to the issue of a Construction Certificate to ensure that the final stormwater flow rate off the site is no greater than the maximum flow rate currently leaving the development site for all storm events. This Plan must be submitted and approved by the Principal Certifying Authority. Such designs must cater for future developments of land adjoining the site and overland flow from adjoining properties.

3.0 - Prior To Works Commencing

The following conditions of consent shall be complied with prior to any works commencing on the development site.

- (1) **Soil Erosion and Sediment Control Plans** - Soil erosion and sediment control plans must be designed and installed in accordance with Camden Council's current Engineering Design Specifications.
- (2) **Stabilised Access Point** - A Stabilised Access Point (SAP) incorporating a truck shaker must be installed and maintained at the construction ingress/egress location prior to the commencement of any work. The provision of the SAP is to prevent dust, dirt and mud from being transported by vehicles from the site. Ingress and egress of the site must be limited to this single access point.
- (3) **Erection of Signs** – Signs shall be erected in accordance with Clause 98A of the Environmental Planning and Assessment Regulation 2000.
- (4) **Toilet Facilities** - Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one toilet for every 20 persons employed at the site.

Each toilet must:

- (a) be a standard flushing toilet connected to a public sewer, or

- (b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
 - (c) be a temporary chemical closet approved under the *Local Government Act 1993*.
- (5) **Site Security** - The site shall be secured to ensure against unauthorised access by means of an appropriate fence.
- (6) **Notice of Commencement of Work and Appointment of Principal Certifying Authority** – Notice in the manner required by Section 81A of the *Environmental Planning and Assessment Act 1979* and Clauses 103 and 104 of the Environmental Planning and Assessment Regulation 2000 shall be lodged with Camden Council at least two (2) days prior to commencing works. The notice shall include details relating to any Construction Certificate issued by a certifying authority, the appointed Principal Certifying Authority (PCA), and the nominated 'principal contractor' for the building or subdivision works.
- (7) **Confirmation of Connection to SWC Sewer** – Prior to commencement of works, written confirmation of the connection of the whole of the St. Gregory's College complex to Sydney Water Corporation reticulated sewer must be provided to the Consent Authority (Camden Council).
- (8) **Certificate of Compliance** – Prior to commencement of works, a compliance certificate must be submitted to the Consent Authority (Camden Council) from an appointed licenced plumber for the connection of the St. Gregory's College complex to Sydney Water reticulated sewer.
- (9) **Decommissioning of existing Sewage Treatment Plant** – Prior to the commencement of works, the Applicant must submit to Consent Authority (Camden Council) a management plan for decommissioning of the existing sewage treatment plant. The plan must include, but not be limited to the method of disposal of both liquid and solid wastes from the plant, decontamination of the plant and removal of infrastructure.
- (10) **Removal of Asbestos Piping** – Areas impacted by asbestos piping (as detailed in Figure 3 of the Remediation Action Plan prepared by Cardno, project number YN210021, dated 5 May 2014) must be remediated and validated before the commencement of site works.
- (11) **Sydney Water Approval** – Prior to works commencing, the approved development plans must also be approved by Sydney Water.

4.0 - During Construction

The following conditions of consent shall be complied with during the construction phase of the development.

- (1) **Protection of Upper Canal** – The construction of the development must be carried out strictly in accordance with Sydney Catchment Authority correspondence dated 7 February 2014 and 3 June 2014. The correspondence is attached and forms part of this development consent.
- (2) **Vehicles Leaving the Site** - The contractor/demolisher/construction supervisor must ensure that:
 - (a) all vehicles transporting material from the site, cover such material so as to minimise sediment transfer;
 - (b) the wheels of vehicles leaving the site:
 - (i) do not track soil and other waste material onto any public road adjoining the site,
 - (ii) fully traverse the Stabilised Access Point (SAP).
- (3) **Fill Material** - Importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be submitted to and approved by the Principal Certifying Authority.

The validation report and associated sampling location plan must:

- (a) be prepared by a person with experience in the geotechnical aspects of earthworks, and
- (b) be endorsed by a practising engineer with Specific Area of Practice in Subdivisional Geotechnics, and
- (c) be prepared in accordance with:

For Virgin Excavated Natural Material (VENM):

- (i) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity", and
 - (ii) the Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW".
- (d) confirm that the fill material:
- (i) provides no unacceptable risk to human health and the environment;
 - (ii) is free of contaminants;
 - (iii) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and

- steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity");
- (iv) is suitable for its intended purpose and land use; and
- (v) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

- (e) less than 6000m³ - 3 sampling locations,
- (f) greater than 6000m³ - 3 sampling locations with 1 extra location for each additional 2000m³ or part thereof.

For (e) and (f) a minimum of 1 sample from each sampling location must be provided for assessment.

Sampling of VENM for Contamination and Salinity should be undertaken in accordance with the following table:

Classification of Fill Material	No of Samples Per Volume	Volume of Fill (m ³)
Virgin Excavated Natural Material	1 (see Note 1)	1000 or part thereof

Note 1: Where the volume of each fill classification is less than that required above, a minimum of 2 separate samples from different locations must be taken.

- (4) **Hours of Work** – The hours for all construction and demolition work are restricted to between:
 - (a) 7.00am and 6.00pm, Monday to Friday (inclusive);
 - (b) 7.00am to 4.00pm on Saturday (if construction noise is inaudible to adjoining residential properties), otherwise 8.00am to 4.00pm;
 - (c) work on Sunday and Public Holidays is prohibited.
- (5) **Remediation Hours of Operation** - All remedial work shall be conducted within the following hours:

Construction works Shall Be Restricted to within the hours of 7.00am to 5.00pm Monday to Friday and on Saturday within the hours of 8.00am to 4.00pm inclusive, with No Work on Sundays and Public Holidays.

Demolition and excavation works Shall Be Restricted to within the hours of 8.00am to 5.00pm Monday to Friday Only. (Excavation work includes the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site).

The site supervisor and excavator shall display, on-site, their twenty-four (24) hour contact telephone number which is to be clearly visible and legible from any public place adjoining the site.

- (6) **Site Management (No Nuisance Creation)** - The developer must carry out work at all times in a manner which will not cause a nuisance by the generation of unreasonable noise dust or other activity, to owners and occupiers of adjacent properties.

- (7) **Site Management** – To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period, the following practices are to be implemented:

- (a) stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off the site;
- (b) builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner;
- (c) waste must not be burnt or buried on site, nor should wind-blown rubbish be allowed to leave the site. All waste must be disposed of at an approved Waste Disposal Depot;
- (d) a waste control container shall be located on the development site.

- (8) **Protection of Public Places** – If the work involved in the erection or demolition of a building:

- (a) is likely to cause pedestrian or vehicular traffic in a public 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.

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. 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.

- (9) **Unexpected Finds Contingency (General)** - Should any further suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material etc) be

encountered during any stage of earthworks/site preparation/construction, then such works must cease immediately until a qualified Environmental Consultant has been contacted and has conducted a thorough assessment. In the event that contamination has been identified as a result of this assessment and remediation is required, site works must cease in the vicinity of the contamination and the Consent Authority must be notified immediately.

- (10) **Soil And Water Management** - All remedial works shall be conducted in accordance with a soil and water management plan. A copy of the plan shall be kept on-site and made available to Council officers on request. All erosion and sediment measures must be maintained in a functional condition throughout the remediation works. Erosion and sediment controls shall be implemented in accordance with the "Managing Urban Stormwater Soils and Construction Manual and Councils policy".
- (11) **Noise** – Noise Levels emitted during construction works must be restricted to comply with the *DECCW's Interim Noise Construction Guidelines* dated July 2009.
- (12) **Air Quality (Dust and Odours)** - Dust emissions must be confined within the site boundary.
- (13) **Remediation Works** - All works proposed as part of the Remediation Action Plan that includes: remediation, excavation, stockpiling, on site and off site disposal, storage, cut, fill, backfilling, compaction, monitoring, validations, site management and security must be undertaken in accordance with the Remedial Action Plan prepared by Cardno (NSW/ACT) Pty Ltd, job number YN210021, revision 002 dated 5 May 2014.

Any variation or modification to the Remedial Action Plan in terms of compliance work must be requested from the Consent Authority (Camden Council) in writing prior to validation. With regard to remediation work, any proposed variation of works must be approved by the Consent Authority (Camden Council) in writing prior to the works being undertaken.

- (14) **Asbestos Remediation and Validation Requirement** – Where Asbestos Containing Material (ACM) is identified as not being in good condition the following validation requirements must be complied with:
 - 1. Careful excavation of the trench backfill and stockpiling adjacent to the trench.
 - 2. Surrounding pipe backfill in contact with the ACM must be treated as contaminated and must be stockpiled separately from the overlying trench backfill (overburden).

3. Collection of a 3 part composite sample (from base and each side wall) from the trench at the rate of one sample per 10m length of excavated trench.
4. Collection of one sample per 10 metre length of overburden stockpile of uncontaminated soil.

The Remediation Acceptance Criteria for the ACM not in good condition is <0.001%w/w for asbestos fibres (i.e. no detectable asbestos fibres) and no visible asbestos at the surface.

(15) **Remediation Scheduling** – Remediation works must be undertaken in accordance with the following schedule:

1. All remediation activities must only be undertaken after decommissioning of the STP;
2. Removal of ACM piping must occur prior to bulk earthworks; and
3. Remediation of pond sediment may be undertaken prior to or in conjunction with existing site works.

5.0 – Prior to the Finalisation to Works

The following conditions of consent must be complied with prior to the finalisation works.

- (1) **Site Validation Report** - A validation report incorporating a certificate of completion must be submitted to Council in accordance with the requirements of clause 7.2.4 (a) - (d) and clause 9.1.1 of Council's Management of Contaminated Lands Policy and clause 17 & 18 of SEPP 55. The certificate/report confirming that all decontamination and remediation works have been carried out in accordance with the remediation plan must be submitted to the Principal Certifying Authority within 30 days following completion of the works.
- (2) **Works As Executed Plan** - A works as executed plan that identifies the areas requiring remediation and the extent of the works undertaken (that includes any encapsulation work) must be prepared by a registered surveyor and be submitted to the Consent Authority (Camden Council) with the final Site Validation Report.
- (3) **Sydney Water Clearance** – Prior to the finalisation of works a section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water and submitted to the Principal Certifying Authority.

6.0 - Operational Conditions

The following conditions of consent are operational conditions applying to the development.

- (1) **Dust Control** – Potential dust sources on-site must be minimised through the maintenance of vegetation cover and the use of water sprays to suppress dust from exposed areas during periods of dry and/or windy weather.
- (2) **Offensive Noise** - The use and occupation of the playing fields including any plant and equipment associated with the development must not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act 1997*.
- (3) **Waste Management** – A suitable waste contractor(s) must be engaged for the removal of wastes generated during the ongoing use of the fields.

All bins and waste storage facilities at the premises are to be sealed and emptied on a regular basis to prevent odour, vermin and fire hazards from occurring.

- (4) **Relocation of playing fields** – The approved playing fields must only be used ancillary to and associated with the operations of St. Gregory's College at all times.

RECOMMENDED

That the Panel approve DA 1024/2013 for the relocation of existing playing fields , decommissioning of Sewage Treatment Plant and basins, construction of new roads, earthworks and associated works.