

JOINT REGIONAL PLANNING PANEL (Sydney West Region)

JRPP No	2014SYW056
DA Number	2014/269
Local Government Area	Camden
Proposed Development	Construction of a public school with a capacity of 780 students, car parking, landscaping and associated site works
Street Address	26 – 36 Springs Road, Spring Farm
Applicant/Owner	Public Works on the behalf of NSW Department of Education and Communities/Cornish Group Spring Farm Pty Ltd
Number of Submissions	8 submissions objecting to the proposal
Regional Development Criteria (Schedule 4A of the Act)	Capital investment value > \$5 million
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none"> • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy No 55 – Remediation of Land • State Environmental Planning Policy No 64 – Advertising and Signage • Deemed State Environmental Planning Policy No 20 – Hawkesbury-Nepean River • Deemed State Environmental Planning Policy No 9 – Extractive Industry (SEPP) • Camden Local Environmental Plan 2010 • Camden Development Control Plan 2011
List all documents submitted with this report for the panel's	<ul style="list-style-type: none"> • Assessment report and conditions • Statement of environment effects • Architectural plans • Stormwater management plan

consideration

- Landscaping plans
- Submissions

Recommendation

Approve with conditions

Report by

Stacey Houlison, Executive Planner

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 construction of a public school with a maximum capacity of 780 students, car parking, landscaping and associated site works at 26 – 36 Springs Road, Spring Farm.

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 \$12.3 million which exceeds the CIV threshold of \$5 million for Council to determine the DA.

SUMMARY OF RECOMMENDATION

That the Panel determine DA 269/2014 for the construction of a public school with a maximum capacity for 780 students, car parking, landscaping and associated site works pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting a Consent subject to the conditions contained in this report.

EXECUTIVE SUMMARY

Council is in receipt of a DA for the construction of a public school with a maximum capacity for 780 students, car parking, landscaping and associated site works at 26 – 36 Springs Road, Spring Farm.

This DA is classed as a Crown DA in that the applicant is the Office of Public Works on behalf of the NSW Department of Education and Communities who are a Crown authority.

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 for a period of 30 days in accordance with Camden Development Control Plan 2011. 8 submissions were received (objecting to the proposal). **Copies of the submissions are provided with the report supporting documents.**

The issues raised in the submissions relate to the safety of pedestrians and vehicle users along Macarthur and Springs Road, traffic congestion, noise impacts and concerns relating to the design and layout of the future school.

Pedestrian and road safety issues have been considered. Road's No 6 & 12 which will service the school site will have 1.2m footpaths to allow safe pedestrian movement to and from the site. In addition, these roads are also wide enough to accommodate two way movement and incorporate a 2m on street car parking lane.

To ensure that pedestrian conflict from Macarthur Road is minimised, Council staff have recommended that the pedestrian/cycle access from Ettlesdale Road be temporarily closed until such time as footpaths are constructed (as part of a future DA on land to the south of the site). Therefore school traffic will be streamlined away from Macarthur Road and Ettlesdale Road to Springs Road.

A Noise Impact Assessment has been provided by the applicant in support of the DA. Council staff initially raised a number of concerns in relation to the findings within the report, specifically in relation to the location of the readings undertaken to assess the noise impact. A further report was submitted to Council which addressed the outstanding noise impact matters. The noise report demonstrates the ability of the proposed school to fully comply with Council's Environmental Noise Policy subject to conditions.

In relation to the design and layout of the school, Council staff recommend that a condition be imposed requiring that the future school comply with the School Facilities standards which provides a best practice guide for the design and layout of new schools. The proposed plans are capable of meeting the School Facilities Standards.

A Traffic Assessment has been submitted as part of the development application addressing traffic implications on the surrounding area as a result of the proposed school. Council staff consider that appropriate traffic management measures can be implemented to mitigate any significant impacts on the traffic network. This includes the requirement of a roundabout to the north of Road No.6 as indicatively shown on the submitted plans (this roundabout is not proposed as part of this DA and is on land not owned by the school).

The applicant proposes a kiss and drop off zone on Road 12. Concerns were raised by Council staff regarding the location of this arrangement. Council officers preference was for the kiss and drop off zone to be provided on-site in accordance with Council's DCP. This was discussed at the Panel briefing meeting held on 18 July 2014. Following the briefing meeting, Council officers requested modifications to the proposal in order to address these concerns. A response was provided by the applicant, which noted that a kiss and drop off arrangement would not be provided within the school site.

In addition the school is providing thirty six (36) car parking spaces when Council's DCP requires the provision of forty four (44). A response was provided by the applicant, which noted that the School Facilities Standards prevail over any inconsistency between them and a provision of a development control plan. However the applicant has not been able to adequately demonstrate that the School facility standard specifies numbers of car parking spaces.

Council staff subsequently issued draft conditions to the applicant for comment. These conditions were formulated in order to address Council staffs concerns and also those raised in a number of the submissions. The applicant provided comments on these draft conditions and a number of minor changes were agreed to by both the applicant and Council staff.

However, there are two (2) specific conditions which have not been agreed to, which include the provision of an on-site kiss and drop arrangement to facilitate the drop off and pick up of students within the site (as indicatively shown by Council staff in Appendix 1) and the number of on-site car parking spaces to be provided for members of staff and visitors to the future school and the provision of forty four (44) on-site car parking spaces in accordance with the DCP.

A list of the outstanding conditions, the applicant's comments and a response from Council officers is provided as a separate supporting document to this report (Appendix 2).

AERIAL PHOTO



THE SITE

The site is commonly known as 26 – 36 Springs Road, Spring Farm and legally described as Lot 4, DP 1132985. The location of the proposed school is to be entirely within future lot 1, which was recently approved as part of a subdivision approval under DA 50/2013. This lot is yet to be registered.

The site has a frontage to Springs Road of approximately 185m, a maximum depth of 224m and an overall site area of 2.963 hectares. The site is largely vacant except for an electricity substation along the northern boundary of the site, fronting Springs Road. The site has previously undergone bulk earthworks in accordance with DA 914/2006. The site is located within the Spring Farm urban release area's West Village.

The surrounding properties are characterised by a mixture of rural, residential and agricultural uses.

To the north of the site on the opposite side of Springs Road, lies vacant land which is bound by the Camden Bypass and awaiting commencement of further subdivision works. To the east lies further vacant land, which has been approved for residential subdivision. Further to the east lies existing Riparian/bush corridor and Spring Farm developing north and east villages. To the south of the site lies undeveloped rural land which is bound by the Nepean River, whilst to the west lies the existing Ettlesdale Road residential properties, a turf farm and a sand/soil quarry.

HISTORY

The relevant development history of the site is summarised in the following table:

Date	Development
19 November 2007	Approval of DA 914/2006 for the bulk earthworks
20 August 2008	Approval of DA 1089/2009 for the subdivision of land to create 6 lots
25 March 2014	Approval of DA 50/2013 for subdivision to create 4 superlots and 20 residential lots and construction of roads, drainage, landscaping and associated site works
4 June 2014	Section 96 modification application approved for DA 50/2013

THE PROPOSAL

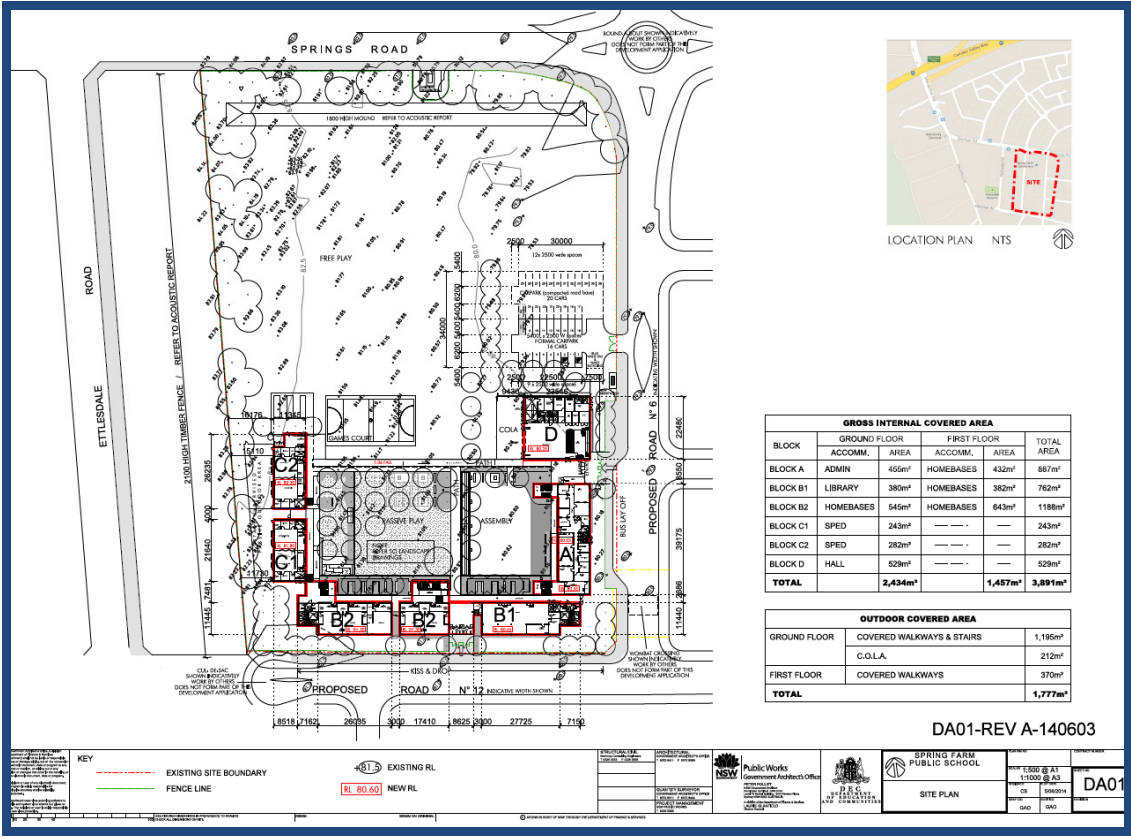
DA 269/2014 seeks approval for construction of a public school with a maximum capacity for 780 students, car parking, landscaping and associated site works. (It should be noted that all public utility infrastructure and roads providing access to the school site were recently approved under DA 50/2013 and are currently under construction).

Specifically, the proposed development comprises:

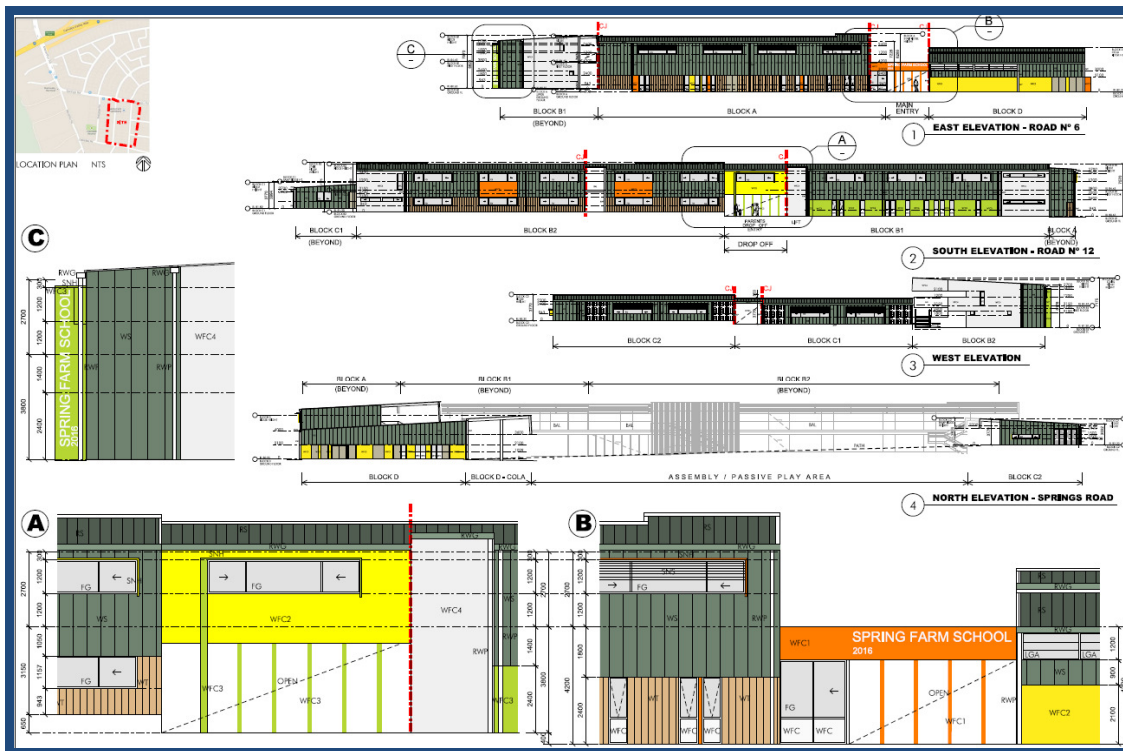
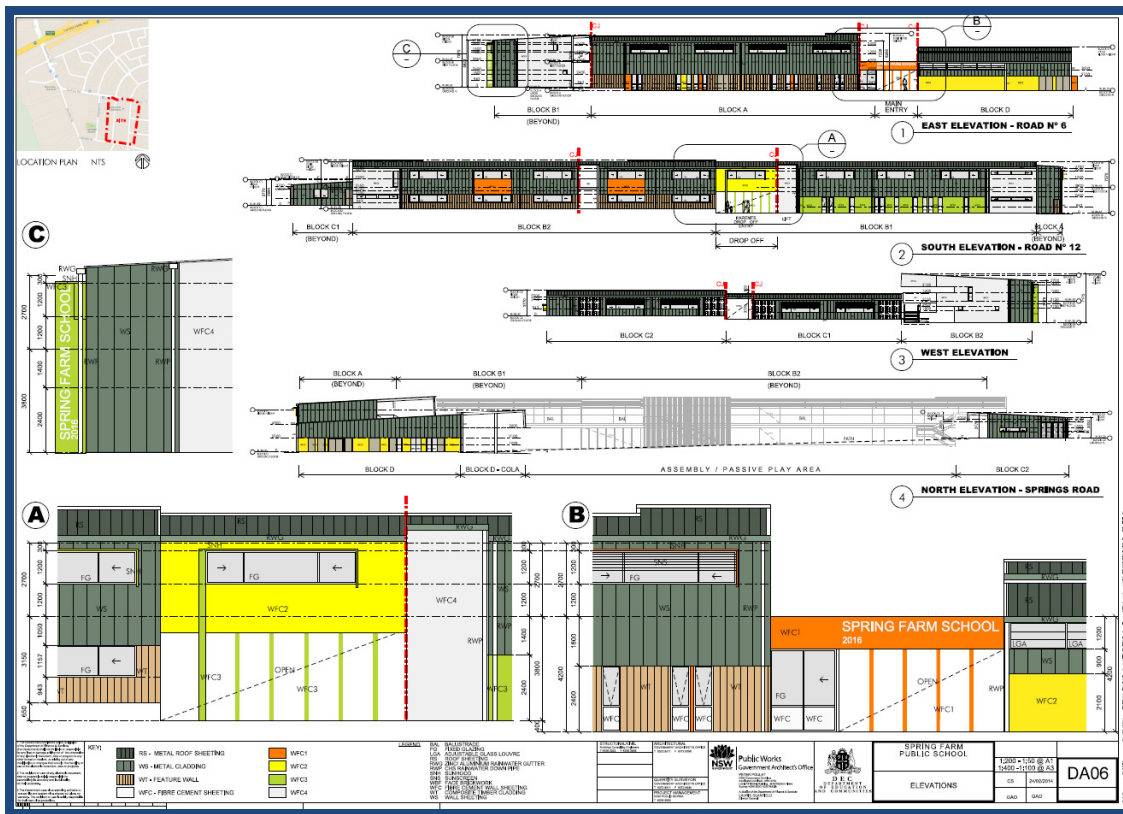
- a 780 student primary school (Kindergarten to Year 6) – comprising a part single/two storey development of 22 classrooms;
- additional facilities including library, special programs room with kitchenette, hall, kiln room, administration and staff facilities, canteen, garden storage facilities, paved assembly area, hard games court and outdoor seating areas;
- associated staff and visitor car parking, bicycle parking, kiss and drop arrangement along Road No.12, bus drop facilities along Road No's 6 & 12;
- provision of 2 identification wall signs, a 2.1m high perimeter fence and landscaping;
- school playing fields to the north of the site;
- earthworks, including a 1.8m mound along the northern boundary of the site fronting Springs Road;
- 36 members of staff employed at the school; and
- proposed hours of operation of 7am to 6pm Monday to Friday, with additional sporting events Saturdays and Sundays.

The capital investment value of the works is \$12.3 million.

PROPOSED SITE PLAN



PROPOSED ELEVATIONS



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 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 (Mining, Petroleum Production and Extractive Industries) 2007
- Deemed State Environmental Planning Policy No 9 – Extractive Industry (SEPP)
- State Environmental Planning Policy (Infrastructure) 2007
- Deemed State Environmental Planning Policy No 20 – Hawkesbury-Nepean River
- State Environmental Planning Policy No. 64 – Advertising and Signage
- 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 \$12.3 million. This exceeds the CIV threshold of \$5 million for Crown developments 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. The applicant has submitted a phase 2 contamination assessment and a remediation action plan (RAP) for the site in support of this DA. The contamination assessment identified levels of carcinogenic polycyclic aromatic hydrocarbons (PAH) and asbestos within the site. However the RAP provides a series of remediation actions that if implemented will fully denominated the site. Furthermore the contamination assessment and RAP have been independently reviewed by a NSW Environment Protection Authority (EPA) accredited Contaminated Sites Auditor, who has confirmed that validity of the findings and remediation measures.

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 (Mining Petroleum Production and Extractive Industries) 2007 (SEPP)

The aim of this policy is to provide for the proper management and development of mineral, petroleum and extractive material sources for the purpose of promoting the social and economic welfare of the State.

Clause 13 of the SEPP requires the proposed development to be assessed in terms of its compatibility with current and future mining, petroleum production and extractive industries.

Sand and soil extraction is currently taking place approximately 400m to the west of the proposed school site (the M. Collins and Sons site on Macarthur Road). It is considered that an adequate buffer distance exists between the extractive industry and the proposed development and that the existing conditions of consent for this industry will ensure that the school will not be adversely affected by noise, dust or reduced visual amenity from this industry, thereby satisfying the requirements of the SEPP.

State Environmental Planning Policy No 9 – Extractive Industry (SEPP)

The aim of this policy is to ensure consideration is given to the impact of encroaching development on the ability of extractive industries to realise their full potential.

The DA was referred to Department of Trade and Investment (DTI) in accordance with Clause 8 of the SEPP. DTI recommend that the DA be staged in such a way as to mitigate potential impacts (e.g. noise, dust and vibration) on the proposed development by use of buffer zones between remaining quarries and proposed development.

As aforementioned, sand and soil extraction is currently taking place approximately 400m to the west of the proposed residential lots. It is considered that an adequate buffer distance exists between the extractive industry and the proposed development and that it will not be adversely affected by noise, dust, vibration or reduced visual amenity, thereby satisfying the requirements of the SEPP.

State Environmental Planning Policy (Infrastructure) 2007 (SEPP)

The aim of the SEPP is to provide a consistent planning regime for infrastructure and the provision of services across NSW.

Permissibility

Pursuant to clause 28 of the SEPP, as the site is zoned R1 General Residential, development for an educational establishment is permitted with consent.

School Facilities Standards

The SEPP provides that before a DA for a school can be determined, the consent authority must take into consideration all relevant standards in the School Facilities Standards (for Landscape Standards, Design Standards and Specifications Standards). The SEPP also provides that the School Facilities Standards prevail over any inconsistency between them and a provision of a development control plan.

It is recommended that a condition of development consent be imposed requiring the development comply with the School Facilities Standards.

Traffic Generating Development

The proposed development is traffic generating development as defined by the SEPP and was referred to Roads and Maritime Services (RMS) for comment. Correspondence was subsequently received from the RMS on 15 May 2014. The RMS raised no objection to the proposed development and provided a number of advisory comments in relation to signage, school zones, location of bus bays, pavement markings, design of off-street parking, bicycle parking and pedestrian linkage. A condition of consent is recommended to ensure compliance with Roads and Maritime Services requirements.

Council staff also raise concern with the proposed on-street kiss and drop arrangement. Council staff consider the kiss and drop arrangements as proposed to be inadequate and unacceptable for a new school, particularly one proposed in a greenfield area.

Furthermore, Part B5.2 of Council's current DCP requires the provision of adequate drop off/pick up areas in off-street locations. This requirement was included in the DCP as a result of traffic impacts experienced at existing school arrangements across the Local Government Area.

It is considered that the kiss and drop arrangements as proposed should therefore be modified to improve the traffic management of the school site. Accordingly, it is recommended that the development be modified in accordance with the indicative layout plan attached to this report and referred to as Appendix 1 to provide an improved kiss and drop arrangement within the school site and this is a recommended condition.

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.

State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP)

The development proposes 2 school identification signs, which are to be attached to school building. Pursuant to Clause 4(1) of the SEPP, the proposed signs are considered to be "building identification signs", as opposed to advertisement signs in that they simply identify the educational establishment but do not include the general advertising of products, goods or services. The proposed signs have been assessed against Schedule 1 assessment criteria of the SEPP. The signs are considered acceptable on the basis that:

- they are deemed compatible with the existing and future character of the area, being reflective of typical educational establishment signage and complementary to the use of the site;
- the signs will not detract from any special areas such as residential or environmentally sensitive areas;
- the proposed signage is not considered to dominate the local skyline or unacceptably detract from views into, out of or through the area;
- the proposed signage is considered to be of an appropriate scale and form for the area and will not protrude above buildings or significant landscape features in the area;
- the scale and proportions of the signage is considered acceptable, having regard to their identification functions, the proposed school building, the surrounding landform and landscape features;
- the proposed signage will not be internally lit; and
- given the proposed location and design, it is not considered that the signs will reduce safety for passing pedestrians or motorists or that they will obscure any sight lines.

Overall it is considered that the proposed signs are consistent with the aims, objectives and Schedule 1 assessment criteria of the SEPP.

Camden Local Environmental Plan 2010 (LEP)

Permissibility

The site is zoned R1 General Residential 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 R1 General Residential zone are as follows:

- To provide for the housing needs of the community

Officer comment:

This objective is not relevant to the proposed development as the proposal is for an educational establishment. However, the proposed use, subject to conditions, will not detract from the provision of housing on adjacent lands.

- To provide for a variety of housing types and densities

Officer comment:

This objective is not relevant to the proposed development as the proposal is for an educational establishment. However, the proposed use, subject to conditions, will not detract from the provision of housing types and densities on adjacent lands.

- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

Officer comment:

The proposed development will provide day to day educational needs for school aged residents attending primary school.

- To allow for educational, recreational, community and religious activities that support the wellbeing of the community

Officer Comment

The development proposes the provision of a new primary school for 780 children. As such, the development is considered to support the educational needs of the existing and future community.

- To minimise conflict between land uses within the zone and land uses with adjoining zones

Officer Comment

The proposed development will not conflict with any land uses within this or any adjoining zones subject to conditions being imposed.

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values

Officer Comment

The proposed development will not adversely impact on any areas with high ecological, scientific, cultural or aesthetic values.

- To prevent development that could destroy, damage or otherwise have an adverse effect on those values

Officer Comment

The proposed development will not destroy, damage or have any adverse effects on any areas with high ecological, scientific, cultural or aesthetic values.

- To protect and enhance the ecology, hydrology and scenic views or waterways, riparian land, groundwater resources and dependent ecosystems.

Officer comment:

The proposed school will not adversely effect the ecology, hydrology or scenic views of any waterways, riparian land, groundwater resources or dependent ecosystems.

Relevant Clauses

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

Clause	Requirement	Provided	Compliance
4.3 Height of Buildings	Maximum height 9.5m	The maximum height of the proposed school buildings will not exceed 7.97m	Yes
5.10 Heritage Conservation	To conserve the environmental heritage of Camden	<p>The site is located adjacent to Ettlesdale Road Special Character Area. Given the scale, massing, design and separation distances proposed, the school is not considered to adversely affect the heritage nature of the character area.</p> <p>There are also a number of Heritage Items located within the vicinity of the site at 170, 172, 176, 196 and 214 Macarthur Road and 10 Springs Road.</p>	Yes
5.10 Heritage Conservation	To conserve the environmental heritage of Camden	The proposed school is considered to be sufficient distance from these heritage items to ensure that there no adverse impact	
6.1 Arrangements for Designated State Infrastructure	Satisfactory arrangements are to be made for the provision of designated State public infrastructure prior to the subdivision of land in an urban release area to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes	The applicant entered into a Voluntary Planning Agreement (VPA) with NSW Planning and Environment under DA 50/2013 who issued a "Satisfactory Arrangements Certificate" for this development which certifies that satisfactory arrangements have been made for the provision of State public infrastructure	Yes

6.2 Public Utility Infrastructure	Appropriate public utility infrastructure to service the development	<p>All public utility infrastructure to the site was approved under DA 50/2013.</p> <p>As such, it is recommended that the following conditions be imposed to ensure the provision of essential infrastructure prior to the occupation of the school:</p> <ul style="list-style-type: none"> • provision of all public utilities to the site • construction and operation of approved Road No.6 and approved Road No.12 under DA 50/2013 • construction and operation of a roundabout at the intersection of Springs Road and approved Road No.6 	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	<p>The majority of earthworks across the site have been completed under DA 914/2006; however the proposed development requires minor earthworks to form the playing fields, building pads, the staff car park and grassed swales</p> <p>Subject to the recommended conditions relating to sediment and erosion and storm water management, it is not considered that the proposed earthworks will not have any adverse impacts on any of the matters listed for</p>	Yes

		consideration listed by this clause	
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(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	Yes
B1.2 Earthworks	Building works should be designed to respond to the natural topography of the site	The majority of earthworks across the site have been completed under DA 914/2006 and DA50/2013; however the proposed development requires minor earthworks to form the playing field, building pads, the staff car park and grassed swales 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

Control	Requirement	Provided	Compliance
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 staff have reviewed the information submitted as part of the DA and consider 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
B1.5 Trees and Vegetation	Council must not grant consent unless it take taken into consideration the aesthetic, botanical, ecological, cultural and heritage importance of the tree	Tree and vegetation removal has been undertaken under DA914/2006 and DA50/2013. Some additional tree removal on the sites north western and south western boundaries is proposed, which is deemed to be acceptable	
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 has been recommended	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
B1.12 Contaminated and Potentially Contaminated Land	Contamination assessment and remediation (if required)	A contamination assessment and remediation action plan (RAP) has been provided. The findings identified a high level of carcinogenic PAH and asbestos within the site. Given the sensitive nature of the proposal, the phase 2 assessment and the RAP were independently reviewed by a NSW EPA accredited Site Auditor. The Auditor	Yes

Control	Requirement	Provided	Compliance
		has issued an interim advice letter confirming agreement with the findings of the contamination assessment and the RAP. Compliance with these documents is a recommended condition	
B1.13 Mine Subsidence	Mine Subsidence Board (MSB)	The site is located within a mine subsidence area. As such, authorisation is required from the MSB for any works. A condition is imposed to ensure the appropriate approvals are sought prior to works commencing	Yes
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
B2 Landscape Design	Landscape plan required	A landscaping plan has been submitted and is considered to be appropriate the site, the surrounding environment and overall character of the Spring Farm West Village	Yes
B3 Environmental Heritage	Provision of Heritage Impact Assessment	The site is located adjacent to Ettlesdale Road Special Character Area. Given the scale, massing, design and separation distances proposed, the proposed development is not considered to adversely impact the heritage nature of the area of special character	Yes

Control	Requirement	Provided	Compliance
		There are also a number of Heritage Items within the vicinity of the site at 170, 172, 176, 196 and 214 Macarthur Road and 10 Springs Road. It is considered that the school will be sufficient distance to ensure that there will be no heritage impact to these properties	
B4.1 General Requirements for Signs	To ensure all signage is in keeping with the land use and the character of the area	The DA proposes two identification wall signs, with the lettering "Spring Farm School" incorporated. The proposed signage is considered to be of a scale and design that will compliment the future school building and the visual appearance of the streetscape	Yes
B4.3 Signage in Residential, Rural and Environmental Zones	Only one business identification sign with a maximum area of 0.7m ² Illuminated signs are not permitted	The site is identified as an educational establishment. As such the signage requirements for business identification signs are not relevant to the development The signage is not proposed to be illuminated. As such, the signage is considered to be appropriate in relation to design of the overall building and the appearance of the streetscape	No – DCP Variation 1
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	Based on the number of staff and students proposed there will be a requirement to provide 44 on-site car parking spaces for the development	No – DCP Variation 2

Control	Requirement	Provided	Compliance
	year 12 (if applicable)	<p>The applicant has however noted that School Facilities Standards prevail over the DCP. As such, the plans indicate there will be 36 parking available for staff and visitors to the site.</p> <p>Council staff have reviewed the School Facilities Standards and do not consider that the standards provide car parking requirements. This variation is therefore not supported</p>	
B5.2 Car Parking Design Criteria	Drop off/set down areas should be provided in a convenient off-street location close to pedestrian entrances	The development proposes the provision of off-site kiss and drop arrangement along the southern boundary of the school site. Council staff consider that this will result in a poor design layout and unacceptable levels of traffic. It is therefore recommended that a condition be imposed requiring the development to be modified to provide on-site kiss and drop arrangement	No – DCP Variation 3
C7.1 Spring Farm Master plan	Development should be in accordance with the masterplan	The site is identified as a primary school on the Spring Farm Masterplan. The proposal is therefore in accordance with the requirements set out in the DCP	Yes
C7.3 Street Network and Design	Street layout to be consistent with the Spring Farm Master Plan (A copy of the Spring Farm Master	The proposed development is generally consistent with the Spring Farm Masterplan. Roads No.6 and Road No.12	Yes

Control	Requirement	Provided	Compliance
	Plan showing the location of the proposed development is provided as Attachment 2 of this report)	<p>were approved under DA 50/2013. It is recommended that a condition be imposed requiring the construction of these roads prior to the occupation of the school.</p> <p>As aforementioned, the viability of the school is dependent on the submission of a DA for a construction of a roundabout at the intersection of Springs Road and approved Road No.6. A further condition requiring the construction and operation of this road prior to the occupation of the school is included within the conditions of consent</p>	
C7.4 Pedestrian and Cycle Network	The pedestrian and cycle network is to comply with the Spring Farm Master Plan	<p>All pedestrian and cycle networks have been approved under DA 50/2013.</p> <p>To minimise any potential conflict between pedestrians and vehicles along Macarthur Road, it is recommended that the pedestrian/cycle access from Ettlesdale Road to the school site be temporarily closed until such time as footpaths are constructed as a part of a future subdivision DA to the south of the site</p>	Yes

DCP Variation 1 – Proposed area of signs

DCP Control

The DCP limits the area of signs in residential areas to a maximum of 0.7m² for residential land. The proposed signs have a maximum area of 8.2m².

Variation Request

The applicant has requested that Council support a variation to this DCP control on the basis that:

- the proposed signs are wall signs that will not detract from the surrounding area.

Council Staff Assessment

Council staff have reviewed this variation request and recommend that it be supported for the following reason:

- although non-compliant with the DCP control, the proposed signs in this location will not appear visually dominant or prominent in the surrounding streetscape; and
- the proposed signs will not be illuminated and will not adversely impact the surrounding street network. .

Consequently it is recommended that the Panel support this proposed variation to the DCP.

DCP Variation 2 – Car Parking Provision

DCP Control

The DCP requires the provision of 44 car parking spaces to facilitate the proposed development. The DA proposes the provision of 36 car parking spaces.

Variation Request

The applicant has requested that Council support a variation to this DCP control on the basis that:

- the School Facilities Standards prevail over any inconsistencies with the Camden DCP and therefore 36 car parking spaces are sufficient.

Council Staff Assessment

Council staff have reviewed this variation request and recommend that it not be supported for the following reason:

- the School Facilities Standards do not specify the number of car parking required;
- given, the number of children and staff proposed, 44 car parking spaces is considered to be essential to accommodate staff and visitors to the school; and
- insufficient car parking facilities will contribute to unacceptable levels of traffic congestion within the Spring Farm locality.

A draft condition of consent has been included that provides for 44 car parking spaces in accordance with Council's DCP.

DCP Variation 3 – Car Parking Design Criteria

DCP Control

The DCP requires that drop off/set down areas should be provided in a convenient off-street location close to pedestrian entrances. The DA proposes a kiss and drop within Road No.12.

Variation Request

The applicant has requested that Council support a variation to this DCP control on the basis that:

- a kiss and drop arrangement within the site would be inappropriate and would effectively wipe out a significant portion of the school;
- the use of kerbside parking directly in front of the school is similar to Narellan West and Currans Hill Primary schools; and
- the design of Road No's 6 & 12 were widened to accommodate on street car parking.

Council staff have reviewed this variation request and recommend that it be not supported for the following reason:

- given the size of the subject site, the inclusion of a kiss and drop arrangements is deemed to be feasible via the relocation of the proposed car park to the north of the site;
- given the surrounding residential developments it is considered that an internal kiss and drop arrangement will significantly reduce traffic congestion on Road No.6 and 12; and
- whilst Road No 6 and 12 are wide enough to accommodate parked cars, the trip generation as a result of the school is deemed to be high and it is not considered that on street car parking can accommodate this solely on its own.

A draft condition of consent has been included that provides for a kiss and drop off zone on-site (as shown indicatively in Appendix 1 by Council staff) in accordance with Council's DCP.

(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 application.

(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.

Kiss and Drop Arrangement

As aforementioned the kiss and drop arrangement as proposed is considered to be inadequate to facilitate the needs of the school. This relates to the on-street location and the capacity of the boundary road No's 6 and 12 to accommodate future school traffic. As such, the development as proposed is likely to have significant impact on traffic management and congestion in the Spring Farm locality. It is therefore recommended that the development be modified to provide an improved kiss and drop arrangement within the school site.

Car parking provision

As aforementioned, the applicant has proposed 36 car parking spaces on site. The DCP requires the provision of 44 car parking spaces and Council have recommended a condition requiring 44 car parking spaces on site. This is to ensure that staff along with visitors have sufficient car parking spaces available on site. This will reduce the need for on-street car parking and minimise conflicts that may occur between the school and adjacent residential development.

(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 in accordance with the DCP. A total of 8 submissions were received (3 letters from the same objector) during the notification period.

The following discussion addresses the issues and concerns raised in these submissions:

1. Location of the proposed school in close proximity to Mawarra Public School in Elderslie

Officer Comment

The siting of the proposed school meets the locational criteria for a primary school as identified in the Spring Farm Master Plan contained within the Camden Development Control Plan 2011. It is noted that an additional school is warranted in this area to cater for current and future population growth as Spring Farm expands.

2. Ensure the safe movement of heavy vehicles and pedestrians along local collector roads and intersections surrounding the school site.

Officer Comment

A Traffic Assessment has been submitted as part of the development application. Council staff consider that the movement of traffic in the surrounding locality will not be adversely impacted as a result of the school. The Roads and Maritime Service (RMS) have also provided a number of comments in relation to speed zones, signage, pavement marking, crossings and road marking to ensure the safety movement of pedestrians and vehicles. Subject to these comments being incorporated into the design of the school, the RMS raise no issues. Accordingly, a condition is recommended to ensure compliance with these requirements.

3. There are no formal footpaths proposed along Macarthur Road to ensure the safety of pedestrians and heavy vehicle users

Officer Comment

Footpaths along Macarthur Road and Ettlesdale Road are not proposed as part of the current DA. To minimise any potential conflict between traffic/pedestrians associated with the school and heavy vehicles using Macarthur Road, it is recommended that the pedestrian/cycle access from Ettlesdale Road be temporarily closed until such time as footpaths are constructed (as part of a future DA on land to the south of the site).

A condition of consent is therefore recommended to construct a fence to adjoining approved Road No. 12 to restrict pedestrian/cycle access. As a result all school traffic will be streamlined away from Macarthur Road and Ettlesdale Road to Springs Road.

In addition, it is anticipated that the majority of pedestrian movement will come from the north and east of the site along Springs Road. It is not anticipated that large volumes of pedestrian movement will be generated from Macarthur Road due to the location of Mawarra Public School located on Macarthur Road.

4. Excessive amount of traffic will result in unacceptable levels of traffic congestion

Officer Comment

A Traffic Assessment has been submitted as part of the development application addressing traffic implications on the surrounding area as a result of the proposed school. Council staff consider that appropriate traffic management measures will be implemented to mitigate any significant impacts on the traffic network. The relocation of the kiss and drop arrangement onsite will alleviate significant levels of traffic movement from the roads surrounding the school site.

In addition, a condition is recommended requiring the construction of a roundabout to the north of Road No.6 as indicatively shown on the submitted plans (this roundabout is not proposed as part of this DA and is on land not owned by the school).

Subject to the imposition of the aforementioned conditions, it is considered that traffic generated from the school can be appropriately managed.

5. Excessive noise impact from a school with 780 children

Officer Comment

A Noise Impact Assessment has been provided as part of the DA. Council staff initially raised a number of concerns in relation to the findings within the report, specifically in relation to the location of the readings undertaken to assess the noise impact. A further report was submitted to Council which addressed the outstanding noise impact matters. A condition is imposed requiring compliance with the findings and recommendations of this report.

6. The number of classrooms does not meet the standards of floor space ratio per student population

Officer Comment

Council staff recommend that a condition be imposed requiring that the future school comply with the School Facilities standards.

7. The setback from the classroom does not meet the relevant school standards.

Officer Comment

In relation the design and layout of the school, Council staff recommend that a condition be imposed requiring that the future school comply with the School Facilities standards which provides a best practice guide for the design and layout of new schools. The proposed plans are capable of meeting the School Facilities Standards and are deemed to be acceptable in terms of design and layout.

8. Would the residents of Ettlesdale Road be expected to pay for the fencing along the common boundary

Officer Comment

Any new fencing proposed along the common boundary with Ettlesdale Road will be provided by the applicant. The cost of this fence will be borne fully by the applicant.

9. Are residents of the Ettlesdale Road expected to pay to be connected to the sewer

Officer Comment

This matter is not relevant consideration as part of this current application.

10. The proposed treescape along the common boundary will block sunlight to the rear gardens

Officer Comment

Council staff have considered the impact of the trees on the rear gardens of the adjoining properties of Ettlesdale Road and consider that the acoustic and visual benefits associated with provisions of these trees is acceptable. It is not considered that the inclusion of these trees will adversely impact on solar access for the adjoining properties. These trees comprise of Cumberland Plain Woodland.

11. Concern in relation to the validity of the Geotechnical study

Officer Comment

Council staff have reviewed the Geotechnical Report and raise no issues with its findings. The Geotechnical Study has been undertaken in accordance with Councils Engineering Specification and is deemed to be acceptable.

(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

Department of Trade & Investment

The DA was referred to the Department of Trade and Industry (DTI) for assessment in accordance with clause 8 of State Environmental Planning Policy No. 9 – Extractive Industry.

The DTI raise no objection to the proposal and recommend that any DA be staged in such a way as to mitigate potential impacts (e.g. noise, dust and vibration) on any development by use of buffer zones between remaining quarries and the development. Adequate buffer distances exist between the existing sand and soil extraction site along Macarthur Road, thereby satisfying the requirements of the SEPP.

NSW Roads and Maritime Services (RMS)

The DA was referred to RMS for assessment as the development is defined as traffic generating development by State Environmental Planning Policy (Infrastructure) 2007.

RMS raise no objection to the development and have provided a number of advisory comments in relation to signage, school zones, pavements markings, design of off-street parking, bicycle parking and pedestrian linkage. Compliance with these comments is a recommended condition.

Camden Local Area Command (Police)

The DA was referred to Camden Local Area Command in relation to the suitability of the development with regard to Crime Prevention through Design (CPTED). Camden Local Area Command commented that site is identified as a low crime risk rating and provided a number of advisory comments in relation to the DA.

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 269/2014 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
57094 Sheet1	Detail & Contour Survey	Surveying and Spatial Information Services	29 August 2014
D01 Revision D	Site Plan	Government Architects Office	2 September 2014
D02	Ground Floor Plan	Government Architects Office	2 September 2014
D03	First Floor Plan	Government Architects Office	2 September 2014
D04	Roof Plan	Government Architects Office	2 September 2014
D05	Typical Sections	Government Architects Office	2 September 2014
D06	Elevations	Government Architects Office	2 September 2014
DL01	Landscape/Site Plan	Government Architects Office	24 February 2014
DL02	Landscape Plan	Government Architects Office	17 January 2013
DL03	Landscape Sections	Government Architects Office	20 December 2013

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) **Amendments to Approved Plans** - The amendments indicated and described below must be incorporated in the overall development and must be reflected in any plans prepared prior to works commencing:

- A Plan showing an on-site kiss and drop arrangement fully contained within the site must be provided to the Principal Certifying Authority (PCA) prior to works commencing. This will require access to the kiss and drop arrangement from approved road no.6 and the relocation of the proposed car park to the north of the site (as shown on the indicative layout plan referred to as Appendix 1 attached to this consent.)

- (3) **Pedestrian/cycle access from Ettlesdale Road** - Pedestrian/cycle access from Ettlesdale Road to the school site must be temporarily closed until such time as footpaths are constructed (as part of a future DA on land to the south of the site). A review of pedestrian/cycle access will then be undertaken at that time. Details of this must be provided the Principal Certifying Authority (PCA) assessment prior to works commencing.
- (4) **Children's Crossing** - A children's crossing with kerb returns must be provided on Road Number 6 to be upgraded to a wombat crossing (raised marked, signposted and illuminated) once RMS warrants are achieved, at no cost to Council. Appropriate sight distances must be provided and maintained.
- (5) **Street Lighting** - Appropriate Street lighting must be provided for the wombat crossing standard, in accordance with Australian Standard AS 1158.
- (6) **Public Bus Drop off/Pick Up** - School buses must only set down and pick up students at the designated bus bays at the school frontage to Road Number 6. The proposed kiss and drop along Road No.12 must be removed.
- (7) **Regulatory Signage** – Traffic regulatory signs, lines and devices must be submitted to Council's Local Traffic Committee for concurrence.
- (8) **Directional and safety signage, and Internal Road Markings** – Clear, legible and appropriately located signage and road markings be provided on site to ensure the safe circulation and parking of vehicles. Signage must include, but not be limited to the entry and exit being clearly signposted. Signs must also indicate truck/service vehicle access.
- (9) **Signage** - The two wall signs shown on drawing no. DA06 are approved as part of this consent. Any additional signage may require further consent.
- (10) **Separate Approval** – Community use of school facilities, child care, outside hours care or any other use not specified in this consent requires separate approval, as may be required under the Environmental Planning and Assessment Act, 1979.
- (11) **Heritage Protection** – The development must be constructed and operated in accordance with the *"Spring Farm Public School Heritage Impact Statement by NSW Public Works Government Architect's Office dated December 2013"*.
- (12) **Access** - All vehicles must be driven forward onto and away from the development and adequate space must be provided and maintained on the land to permit all vehicles to turn in accordance with Australian Standard 2890.1 Parking Facilities - Off Street Car Parking.
- (13) **Compliance with Roads and Maritime Services** – A letter from the NSW Roads and Maritime Services dated 15 May 2014 is attached to and forms part of this development consent. All requirements of this letter must be fully complied with.
- (14) **Safer by Design (CPTED) Requirements** – The Development must be designed in accordance with NSW Police Service, Camden Local Area Command, Safer by Design Crime Risk Evaluation Report applying to this development, dated 28 April 2014.

- (15) **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.

- (16) **Building Code of Australia** - All works must be carried out in accordance with the requirements of the *Building Code of Australia*.
- (17) **Landscaping Maintenance and Establishment Period** - Commencing from the Date of Practical Completion (DPC), the Applicant will have the establishment and maintenance responsibility for all hard and soft landscaping elements associated with this Consent.

The Date of Practical Completion (DPC) is taken to mean completion of all civil works, soil preparation and treatment and initial weed control, and completion of all planting, turf installation and mulching.

The 12 month maintenance and establishment period includes the Applicant's responsibility for the establishment of all plantings.

It is the Applicant's responsibility to arrange a site inspection with a accredited certifier, upon initial completion of the landscaping works, to determine and agree upon an appropriate DPC.

At the completion of the 12 month landscaping maintenance and establishment period, all landscaping must be in an undamaged, safe and functional condition and all plantings have signs of healthy and vigorous growth

- (18) **Noxious Weeds Management** – Noxious weeds management must be carried out in accordance with Section B1.8 of Camden Development Control Plan 2011.
- (19) **Salinity Management Plan** - All proposed works that includes earthworks, imported fill and landscaping, buildings, and associated infrastructure proposed to be constructed on the land must be carried out or constructed in accordance with report titled “Report: *Subject: Salinity Management Plan: Stage 3 Springs Road Spring Farm, Prepared by SMEC Testing Services Pty Ltd, Project 19296/3549C, Dated 4 October 2013*”.
- (20) **Canteen and Food Preparation Areas** – The design, construction, fit-out, use and ongoing operation of the food premises or food storage area shall comply with all applicable Acts, Regulations, codes and standards including:
- a) the *Food Act 2003*;
 - b) the *Food Regulation 2004*;

- c) Food Standards Australia and New Zealand – Food Standards Code 2003;
- d) Council's Food Premises Code;
- e) AS 1668.2 'The use of ventilation and air conditioning in buildings'; and
- f) the BCA.

Plans/documents demonstrating compliance with the requirements of these Acts, Regulations, codes and standards shall be submitted to the Certifying Authority.

- (21) **Site Identification Sign** – Immediately after the issue of a Development Consent of this school, a sign must be erected on site which notes the approval of a school. This sign must be publicly visible at all times and must remain in place until such time as the school is constructed and becomes operational.

2.0 - Prior to Works Commencing

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

- (1) **Mine Subsidence Board Approval** – Prior to works commencing, authorisation must be obtained from the Mine Subsidence Board pursuant to the Mine Subsidence Compensation Act 1961.
- (2) **Car Parking** – Prior to works commencing, a revised plan must be prepared that provides 44 on-site car parking spaces.
- (3) **Design and Construction Standards** – Prior to works commencing on the site, 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.
- (4) **Civil Engineering Plans** - Indicating drainage, internal roads, accessways, earthworks, pavement design, details of linemarking and traffic management details must be prepared strictly in accordance with the Camden Development Control Plan 2011 and Engineering Specifications prior to works commencing.
- (5) **Soil Erosion and Sediment Control Plans** - Soil erosion and sediment control plans must be designed and installed in accordance with Camden Council's engineering design and construction specifications.
- (6) **Water Quality Measures** - The proposed surface water collection and disposal systems from all onsite carpark areas must incorporate silt traps and oil arrestors. Only uncontaminated stormwater must be discharged to the drainage system. Details of the silt traps and oil arrestors must be shown on the engineering plans prior to works commencing.

- (7) **Public Risk Insurance Policy** - Prior to works commencing, the owner or contractor is to take out Public Risk Insurance Policy in accordance with Camden Council's current Engineering Design Specifications.
- (8) **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.
- (9) **Sydney Water Approval** – Prior to works commencing, the approved development plans must also be approved by Sydney Water
- (10) **Construction Waste Management Plan** – A suitable construction waste management plan will be required to be provided that demonstrates how waste materials will be collected and sorted for recycling prior to disposal to EPA licensed waste facilities.
- (11) **Dilapidation Survey** - A photographic dilapidation survey of existing public roads, kerbs, footpaths, drainage structures and any other existing public infrastructure within the immediate area of the development site must be submitted to the Council prior to works commencing. The survey must include descriptions of each photo and the date when each individual photo was taken.
- (12) **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 Plans and proposals must be approved by Council prior to works commencing.
- (13) **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.
- (14) **Erection of Signs** – Erection of signs must be undertaken in accordance with Clause 98A of the *Environmental Planning and Assessment Regulation 2000*.
- (15) **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*.

- (16) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site.

Soil erosion and sediment control measures must be maintained during construction works and must only be removed upon completion of the project when all landscaping and disturbed surfaces have been stabilised (for example, with site turfing, paving or re-vegetation).

Where a soil erosion and sediment control plan (or details on a specific plan) has been approved with the development consent, these measures must be implemented in accordance with the approved plans. In situations where no plans or details have been approved with the development consent, site soil erosion and sediment controls must still be implemented where there is a risk of pollution occurring.

Provide a stabilised entry/exit point. The access should be a minimum of 2.5m wide and extend from the kerb to the building line. The access should consist of aggregate at 30-40mm in size.

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

- (17) **Technical Provisions of the State's Building Laws** - Pursuant to Section 109R of the *Environmental Planning and Assessment Act 1979*, the work cannot be commenced to be carried out unless the work is certified by or on behalf of the Crown to comply with the technical provisions of the State's buildings laws.

- (18) **Damage to Public Infrastructure** – All public infrastructure that adjoins the development site on public land must be protected from damage during construction works.

Public infrastructure includes roadways, kerb and guttering, footpaths, service authority infrastructure (such as light poles, electricity pillar boxes, telecommunication pits, sewer and water infrastructure), street trees and drainage systems.

The applicant shall advise Council, in writing, of any existing damage to Council property before commencement of the development. Where existing damage is present, a dilapidation survey of Council's assets, including photographs (with evidence of date) and written record, must be prepared by a suitably qualified person and submitted to Council prior to the commencement of construction works.

The applicant must bear the cost of all restoration works to public property damaged during the course of this development. Any damage to public

infrastructure will be required to be reinstated to Council's satisfaction prior to the finalisation of the works.

- (19) **Environmental Site Management Plan** - An Environmental Site Management Plan must be submitted to the Consent Authority for approval. 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; and
 - (c) all other environmental matters associated with the site works such as noise control, dust suppression and the like.

3.0 - During Construction

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

- (1) **Hours of Work** – The hours for all construction and demolition work are restricted to between:
- (a) 7am and 6pm Monday to Friday (inclusive);
 - (b) 7am to 4pm Saturday (if construction noise is inaudible to adjoining residential properties), otherwise 8am to 4pm;
 - (c) work on Sunday and Public Holidays are prohibited.
- (2) **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) The delivery of material shall only be carried out between the hours of 7am - 6pm Monday to Friday, and between 8am - 4pm on Saturdays.
 - (b) 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.
 - (c) 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.
 - (d) 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.
 - (e) A waste control container shall be located on the development site.
- (3) **Excavation and Backfilling** – All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

- (4) **Remediation Works** - All works proposed as part of the Remediation Action Plan that includes: remediation, excavation, stockpiling, onsite and offsite disposal, cut, fill, backfilling, compaction, monitoring, validations, site management and security, health and safety of workers, must be undertaken on the site in accordance with the Remediation Action Plan titled "*Remedial Action Plan Proposed Spring Farm Public School: 26-36 Springs Road Spring Farm NSW, Prepared by Coffey, Dated 5 May 2014.*"

Any further variation or modification to the Remediation Action Plan in terms of compliance work beyond what is contained in the final approved RAP or conditions of this consent must be requested from the Consent Authority (Camden Council) in writing prior to variation. 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.

- (5) **Remediation Noise Levels** – Noise levels emitted during remediation works shall be restricted to comply with the construction noise control guidelines set out in Chapter 171 of the NSW EPA's Environmental Noise Control Manual. This manual recommends;

Construction period of 4 weeks and under:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 20 dB(A).

Construction period greater than 4 weeks:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 10 dB(A).

- (6) **Removal of Waste Materials** - Where there is a need to remove any identified materials from the site that contain fill / rubbish / asbestos, this material will need to be assessed in accordance with the NSW DECC Waste Classification Guidelines (April 2008) (refer www.environment.nsw.gov.au/waste/envguidlms/index.htm) Once assessed, the materials will be required to be disposed to a licensed waste facility suitable for the classification of the waste with copies of tipping dockets supplied to Council.
- (7) **Remediation Works Inspections** – A qualified environmental consultant or scientist will be required to frequently inspect the remediation works to confirm compliance with the RAP that includes all health and safety requirements.
- (8) **Unexpected findings Contingency** – Upon the identification of additional contamination or hazardous materials at any stage of the remediation or other construction processes all remediation / construction works in the vicinity of the findings shall cease and the affected area must be made secure from access by personnel. A qualified environmental consultant must assess the extent of the contamination / hazard in accordance with the NSW DEC Guidelines. The assessment results together with a suitable management plan must be provided to the Consent Authority (Camden Council) for written

approval prior to the removal or treatment of such findings contamination / hazardous materials.

- (9) **Off-Site Disposal of Contaminated Soil / Materials** – all contaminated materials proposed to be disposed off-site must be disposed to a Licensed Landfill Facility able to accept the classification of waste material.
- (10) **Workcover Authority** - All remediation work must comply with relevant requirements of NSW WorkCover Authority.
- (11) **Licenses** – It is the responsibility of the applicant / land owner / site operator to ensure that all relevant licenses are obtained from all appropriate authorities in accordance with relevant legislation requirements prior to the commencement of remediation works.
- (12) **Offensive Noise, Dust, Odour, Vibration** - Remediation work shall not give rise to offensive noise or give rise to dust, odour, vibration as defined in the Protection of the Environment Operations Act 1997 when measured at the property boundary.
- (13) **Sedimentation and Erosion Control** - Sedimentation and erosion control measures are to be installed prior to any soil remediation or excavation activity and maintained for the full period of works.
- (14) **Location of Stockpiles** - Stockpiles of soil should not be located on / near any drainage lines or easements, natural watercourses or water bodies, footpath or roadway without first providing suitable protective measures adequate to protect these water bodies. All stockpiles of contaminated materials shall be suitably covered to prevent dust and odour nuisance.
- (15) **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.

- (16) **Fencing and Signage of Contaminated Stockpiles** - All stockpiles of contaminated materials must be suitably fenced or cordoned off with suitable signage to be provided warning of any potential danger.
- (17) **Construction Requirements: Walls, Ceilings, Roofs, Windows and Doors** – For all school buildings, construction requirements that includes walls and ceiling and roof systems and external door and window treatments are to be consistent with “Section 5 – Recommended Acoustical Treatment” and “Table 5.4 – Schedule of Glazed Window and Door Constructions” contained within the “Road Traffic Noise Intrusion Report: Proposed Public School At Spring Farm NSW, Prepared by Day Design Pty Ltd, Report No 4213-1-2R, Dated 4 November 2013.”
- (18) **Delivery Register** - The applicant must maintain a register of deliveries which includes date, time, truck registration number, quantity of fill, origin of fill and type of fill delivered. This register must be made available to Camden Council officers on request and be submitted to the Council at the completion of the development.
- (19) **Location of Outdoor Condenser units** – Where units are required to provide fresh air or air conditioning to service buildings the location of these

units are to be on the opposite side (internal side) of the buildings away from residents.

- (20) **Acoustic Boundary Fence** - An acoustically rated solid fence at least 2.1 metres in height is required to be constructed along the western property boundary. The length and location of the acoustic fence is to consistent with plan known as "Appendix D (5213-1)" within the report *"Environmental Noise Impact: Proposed Public School at Spring Farm NSW, Prepared by Day Design Pty Ltd, Report No 5213-1-1R REV B, Dated 5 June 2014."* The fence must be of sufficient mass (min 10kg/m²) to prevent noise transmission and have no gaps between or underneath panels.
- (21) **Acoustic Boundary Mound** – a 1.8 metre high earth mound is required to be constructed along the northern boundary. The length and location of the acoustic mound is to consistent with plan known as "Appendix D (5213-1)" within the report *"Environmental Noise Impact: Proposed Public School at Spring Farm NSW, Prepared by Day Design Pty Ltd, Report No 5213-1-1R REV B, Dated 5 June 2014."*
- (22) **Disposal of Stormwater** - Water seeping into any site excavations is not to be pumped into the stormwater system unless it complies with relevant EPA and ANZECC standards for water quality discharge.

4.0 - Prior to the Occupation of the Building

The following conditions shall be complied with prior to the occupation of the building. The issue of an "interim" Occupation Certificate may occur if the accredited certifier is satisfied that outstanding matters will be completed within a reasonable time frame. Additional fees for the issue of interim Occupation Certificates may be applied by the PCA.

- (1) **Construction of Roads** – Roads No. 6 and Road No. 12 approved under DA50/2013 must be constructed and fully operational prior to the occupation of the development.

Note: The school is not required to construct the roads.

- (2) **Provision of Roundabout** – A roundabout at the intersection of Springs Road and approved Road No. 6 under DA 50/2013 must be constructed and operational prior to the occupation of the development.

Note: The school is not required to construct the roads.

- (3) **Services and Utilities** – All services and utilities must be installed prior to the occupation of the development in accordance in DA 50/2013.
- (4) **Structural Certification (Completed Building)** – Prior to the occupation of the development, a certificate prepared by a practicing structural engineer, certifying the structural adequacy of the building, must be submitted to the accredited certifier.
- (5) **Fire Safety Certificates** – A Fire Safety Certificate is to be submitted to the accredited certifier prior to the occupation of the development in accordance with the requirements of the Environmental Planning and Assessment

Regulation 2000. The Fire Safety Certificate is to certify that each fire safety measure specified in the current fire safety schedule for the building to which it relates:

- (a) has been assessed by a properly qualified person; and
- (b) was found, when it was assessed, to be capable of performing to at least the standard required by the current fire safety schedule for the building for which the certificate is issued.

As soon as practicable after the Final Fire Safety Certificate has been issued, the owner of the building to which it relates:

- (a) must cause a copy of the certificate (together with a copy of the current fire safety schedule) to be given to the Commissioner of Fire & Rescue New South Wales, and
 - (b) must cause a further copy of the certificate (together with a copy of the current fire safety schedule) to be prominently displayed in the building.
- (6) **Site Validation Report** – A validation report incorporating a notice of completion must be submitted to the Consent Authority in accordance with the requirements of clause 7.2.4 (a) - (d) and clause 9.1.1 of Council's adopted policy and clause 17 & 18 of SEPP 55 for the completed remediation works. The notice/s or report/s must confirm that all decontamination and remediation works have been carried out in accordance with the remediation plan and must be submitted to the Consent Authority within 30 days following the completion of the works.
- (7) **Registration and Notification** - Proprietor/s of a business are required to register the business with Camden Council and complete a Food Business Notification Form prior to the occupation of the development.

5.0 - Operational Conditions

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

- (1) **Approved Capacity** – The approved capacity of the school is 780 students and 36 staff at any one time.
- (2) **Hours of Operation** – The hours of operation for this development are limited to 7.00am and 9.00pm Monday to Friday. Deliveries and service vehicles are to be scheduled to access the site outside of peak am and pm pick up and drop off times to minimise conflict between different vehicle modes, pedestrians and car parking spaces.
- (3) **Windows And Doors Closed For Music Classes** – Where music classes are conducted within buildings identified as “block C1 and C2” located on the western boundary, windows and doors on the western façade of these buildings must be kept closed.

- (4) **Alternative Ventilation for Music Rooms** - For buildings identified as “block C1 and C2” located on the western boundary where windows and doors are to be kept closed the provision of alternative ventilation (possibly mechanical provided there is a fresh air intake) that meets the requirements of the Building Code of Australia (BCA) will need to be provided. Consultation with a mechanical engineer to ensure that BCA and AS1668 are achieved may be required.
- (5) **School Bell And Public Address System** – the school bell and public address system must be installed so that speakers face the internal courtyard of the School and away from residents. The maximum sound pressure level from any of the speakers used for the school bell or public address system shall not be greater than 80 dB(A) when measured at 3 meters from any speaker.
- (6) **Offensive Noise** - The use and occupation of the premises including all plant and equipment must not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act, 1997*.
- (7) **Plant Noise Restriction** - The level of total continuous noise emanating from operation of all the plant or processes in all buildings (LA_{eq}) (measured for at least 15 minutes) or in, the above premises must not exceed the relevant criteria contained within Councils “Environmental Noise Policy” when measured at any point on the boundary.
- (8) **Noise From External Play** – The noise levels from children participating in external play areas shall not exceed the following criteria when assessed within any existing or any future residential property boundary.

Location “B” and “E”

- LA_{eq} , 15min 50 dB(A) Day period 7am – 6pm

Location “C” and “F”

- LA_{eq} , 15min 53 dB(A) Day period 7am – 6pm

Location “D” and “G”

- LA_{eq} , 15min 56 dB(A) Day period 7am – 6pm

- (9) **Classroom Internal Noise Levels** – The School must be designed to achieve an internal noise level of LA_{eq} (1hr) 45 dB(A) for all classrooms with windows open and be compliant with the relevant internal noise criteria contained with Australian Standard 2107:2000 – Acoustics recommended design sound levels and reverberation times for building interiors. If windows are required to be closed to achieve the internal noise level then mechanical ventilation (air conditioning) will be required to be provided to the classrooms to ensure that adequate air ventilation is provided. Air ventilation for classrooms should meet the minimum standards prescribed by the Building Code of Australia.

- (10) **Administration Buildings Internal Noise Levels** – For administration buildings all internal noise levels must be compliant with the relevant internal noise criteria contained with “AS 2107:2000 – Acoustics Recommended design sound levels and reverberation times for building interiors”. If windows are required to be closed to achieve noise levels then mechanical ventilation (air conditioning) will be required to be provided to the classrooms to ensure that adequate air ventilation is provided. Air ventilation for classrooms should meet the minimum standards prescribed by the Building Code of Australia.
- (11) **School Hall Noise Levels** - The maximum sound pressure level from any speaker used in the school hall shall not be greater than 80 dB(A) when measured at 3 metres from the speaker.

Location “B” and “E”

- LAeq, 15min 50 dB(A) Day period 7am – 6pm,

Location “C” and “F”

- LAeq, 15min 53 dB(A) Day period 7am – 6pm,

Location “D” and “G”

- LAeq, 15min 56 dB(A) Day period 7am – 6pm,

- (12) **Plant Noise Restriction** - The level of total continuous noise emanating from operation of all the plant or processes on the site (LAeq) (measured for at least 15 minutes) must not exceed the background level by more than 5dB(A) when measured at any point on any residential boundary. The noise levels must also comply with relevant noise criteria within Council’s Environmental Noise Policy.
- (13) **External Play Area Noise Levels** – External play areas must be protected from the impact of road traffic noise to achieve a noise criteria of 55 dB(A) LAeq (15hr) and 55 dB(A) LAeq (1hr) from Collector and local roads as contained within DECCW’s Environmental Criteria for Road Traffic Noise booklet or equivalent.
- (14) **External Lighting Compliance** – All lights provided for schools, car parks, access paths and access roads must comply with AS 4282 – Control of Obtrusive Effects of Outdoor Lighting when assessed at the nearest light affected residential boundary.
- (15) **Mechanical Plant Noise** - Noise from the combined operation of all mechanical plant and equipment operating at the School must not exceed the following criteria when assessed within any existing or any future residential property boundary.

Location “B” and “E”

- LAeq, 15min 45 dB(A) Day period 7am – 6pm,

- LAeq, 15min 40 dB(A) for Evening period 6pm-10pm.

Location “C” and “F”

- LAeq, 15min 48 dB(A) Day period 7am – 6pm,
- LAeq, 15min 43 dB(A) for Evening period 6pm-10pm.

Location “D” and “G”

- LAeq, 15min 51 dB(A) Day period 7am – 6pm,
- LAeq, 15min 47 dB(A) for Evening period 6pm-10pm.

Selection of suitable mechanical plant for noise assessment and control must be undertaken with noise compliance to be demonstrated (if required) to the PCA prior works commencing.

RECOMMENDED

That the Panel approve DA 269/2014 for the construction of a public school with a capacity of 780 students, car parking, landscaping and associated site works at 26 – 36 Springs Road, Spring Farm subject to the conditions listed above.