

# Report of Development Application

## Pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979

### APPLICATION DETAILS

<b>Application No:</b>	DA23/0584
<b>Council File No:</b>	D/2023/0584
<b>Date of Lodgement:</b>	21/11/2023
<b>Applicant:</b>	The Scout Association Of Australia New South Wales Branch Suite 204, Level 2 165 Walker St NORTH SYDNEY NSW 2060
<b>Proposal:</b>	Upgrade to Existing Scout Camp Facility (Community Facility)
<b>Development Cost</b>	\$6,605,716.00
<b>Description of Modification:</b>	N/A
<b>Other Approvals:</b>	Bush Fire Safety Authority issued by the NSW Rural Fire Service under Section 100B of the Rural Fires Act 1997, dated 28 August 2024 (reference: DA20240611002351-Original-1)
<b>Determination Body &amp; Reason:</b>	Sothorn Region Planning Panel

Development for a community facility having an estimated development cost of more than \$5 million is regionally significant development (Clause 5, Schedule 7, State Environmental Planning Policy (Planning Systems) 2021)

<b>Assessment Officer:</b>	Cameron Collins
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### SITE DETAILS

<b>Subject Land:</b>	757-759 Oura Rd EUNANOREENYA NSW 2650 Lot 179 DP 751405, Lot 3 DP 751405, Lot 7004 DP 1069230
<b>Owner:</b>	The Scout Association Of Australia

## REPORT

Type of Application:	Development Application
Concurrence Required:	No
Referrals:	NSW Rural Fire Service Riverina Water
Adjoining Owners Notification:	13 - 27 June 2024
Advertising:	13 - 27 June 2024
Owner's Consent Provided:	Yes
Location:	On the northern side of Oura Road approximately 500 metres west of its intersection with Pattersons Road, Eunanoreenya.

### Description of Development

The proposed development is for the upgrade of the existing scout camp facility at the Site. The application describes the components of the upgrade as follows:

Demolition and removal of the following existing components:

- Existing aged activity structures
- 6 trees
- 2 aged halls
- 2 sheds
- Septic tanks
- 2 aged accommodation buildings
- 2 unused amenity structures

New buildings including;

- Accommodation wing - 116 new beds (totalling 128 for entire site capacity)
- Scouts hall
- South camp amenities buildings

New and refurbished facilities;

- Refurbish existing amenities buildings
- Internal refurbishment of existing 'Merrit Buildings' (3 existing accommodation buildings - 12 beds)

New ancillary recreational facilities including;

- Amphitheatre facility
- Archery course
- Tower / drone pad and zip Line
- Tree ropes course
- Parade ground / court

Other;

- 16 signs
- Four (4) new septic tanks
- Upgrade of existing vehicular access to Oura Road
- New vehicle access gate
- Refurbishment of existing internal carparking area
- Bus turning bay and parking/waiting area

- Reconfiguration of internal driveway/service road
- New pedestrian paths
- Landscaping throughout the site

The applicant proposes the continued use of the site as a scout camp facility (a community facility). Scouts NSW currently use the site to host groups of young people to develop and work on their skills whilst staying overnight. Whilst the site will be primarily used by groups in direct association with Scouts NSW, it is also proposed that other external parties use the site on a short term basis for the purpose of community activities, thereby improving the reach and community benefit brought about by the redevelopment. The applicant states that all existing and proposed buildings and components are ancillary development, as they will serve the primary use as a community facility. Further detail is contained within a submitted Operational Plan of Management prepared by Scouts NSW.

The facility will operate 24 hours, 7 days a week with a maximum number of visitors being 200. There will be a maximum overnight visitor capacity of 150 spread between the accommodation buildings (maximum 128 beds) and the allocated camping areas. One staff member will be present on site at all times with up to 10 staff members during typical programs or activities.

The proposal is Integrated Development under Division 4.8 of the Environmental Planning and Assessment Act 1979. The site is bushfire prone land and the proposal is a Special Fire Protection Purpose (SFPP) development under Section 6 of Planning for Bushfire Protection (2019). A Bushfire Safety Authority (BFSA) is required under Section 100B of the Rural Fires Act 1997. This is addressed later in this report.

The proposal is for Regionally Significant Development under State Environmental Planning Policy (Planning Systems) 2021. This is addressed later in this report.

### **The Site and Locality**

The Subject Site is identified as 757 - 759 Oura Road, Eunanoreenya and is located approximately 9 km northeast of Wagga Wagga. It is on the northern side of Oura Road approximately 500 metres west of its intersection with Pattersons Road. The site is located on Crown land containing the following land holdings totalling 14.01 hectares:

- Lot 3, DP751405 - 7.29 ha
- Lot 179, DP751405 - 0.81 ha
- Lot 7004, DP1069230 - 5.91 ha 089281



The site exhibits a rural character, located on land described as open bushland. The site is surrounded by rural farmland and is on the floodplain of the Murrumbidgee River which is located approximately 750 metres to the south. The site also adjoins the Kurrajong Lagoon which is located immediately to the south of the site.

The site is currently used for the purpose of a scout camp facility that is owned and operated by The Scout Association of Australia New South Wales Branch (Scouts NSW). The facility is referred to as Camp Kurrajong. There are a total of 11 buildings on Site that comprise the community facility or are ancillary to its purpose. The existing buildings include those used for accommodation, halls, maintenance and amenities. In addition, the site also contains ancillary components including 2 campgrounds, car parking and a driveway providing access from Oura Road. All camp facilities are located towards the western boundary of the site.

### Easements and Covenants

The subject land does not contain any easements or covenants that would be impacted by the development that would affect the development.

### MATTERS FOR CONSIDERATION PURSUANT TO SECTION 4.15(1)

**Section 4.15(a)(i)** - The provisions of any environmental planning instrument (EPI)

**Wagga Wagga Local Environmental Plan 2010**

## Part 2 Permitted or prohibited development Land Use

A “community facility” is defined under the LEP as:

*community facility means a building or place-*

*(a) owned or controlled by a public authority or non-profit community organisation, and*

*(b) used for the physical, social, cultural or intellectual development or welfare of the community,*

*but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.*

It is satisfied that the existing and proposed use of the site is a “community facility” as the facility will be used for the purposes outlined in part (b) of the definition above. In addition to this and with respect to part (a), it is also noted that The Scout Association of Australia, New South Wales Branch (Scouts NSW) is a registered charity with the Australian Charities and Not for-profits Commission.

Under the provisions of the WWLEP2010, the subject site is zoned part RU1 Primary Production and part RE1 Public Recreation. Community facilities are permitted with consent in both zones.

It is recommended that a condition of consent restrict the use of the site as a Community Facility and that all activities must remain ancillary to this purpose.

The objectives of the RU1 zone are:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *To minimise the fragmentation and alienation of resource lands.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To foster strong, sustainable rural community lifestyles.*
- *To maintain the rural landscape character of the land.*
- *To allow tourist and visitor accommodation only where it is in association with agricultural activities.*

Comment:

The development is for the redevelopment of an existing community facility located on the site. The development will continue to promote strong, sustainable rural community lifestyles through the facilities that it will offer and will ensure that the rural landscape character of the area is maintained. The development is consistent with the objectives of the RU1 Zone.

The objectives of the RE1 zone are:

- *To enable land to be used for public open space or recreational purposes.*

- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*
- *To protect and enhance the natural environment generally and to assist in ensuring that areas of high ecological, scientific, cultural or aesthetic values are maintained or improved.*

Comment:

The development will continue to allow this land to be used for a range of recreational activities associated with the programs run by Scout NSW. The development aims to enhance the natural environment for recreation through the new facilities proposed and will also ensure that the existing aesthetics of the site are improved. The development is consistent with the objectives of the RE1 Zone.

## **2.7 Demolition requires development consent**

The development proposes demolition as detailed earlier in this report. The demolition of a building or work may be carried out only with development consent under this clause.

## **Part 4 Principal development standards**

### **4.1 Minimum subdivision lot size**

Part of the site (the part zoned RU1) is subject to this clause and is subject to a minimum lot size of 200 hectares. The application does not propose any alteration to the configuration or size of the 3 allotments that form the subject site.

### **4.3 Height of buildings**

There is no maximum building height identified for this land on the Height of Buildings Map. Despite this, it is satisfied that the development meets the relevant objectives of the clause.

### **4.4 Floor space ratio**

There is no maximum floor space ratio identified for this land on the Floor Space Ratio Map. Despite this, it is satisfied that the development meets the relevant objectives of the clause.

## **Part 5 Miscellaneous provisions**

### **5.10 Heritage conservation**

The site is not located within the heritage conservation area. There are no listed heritage items located on the site or nearby.

The applicant has submitted a cultural heritage survey report which did not find any cultural sites or artefacts on the land. Despite this finding, a condition of consent has been recommended requiring an unexpected finds protocol to be in place during construction.



## 5.21 Flood planning

The development site is located on the floodplain of the Murrumbidgee River and is considered to be within the Flood Planning area for the purpose of this clause.

### Description of flooding

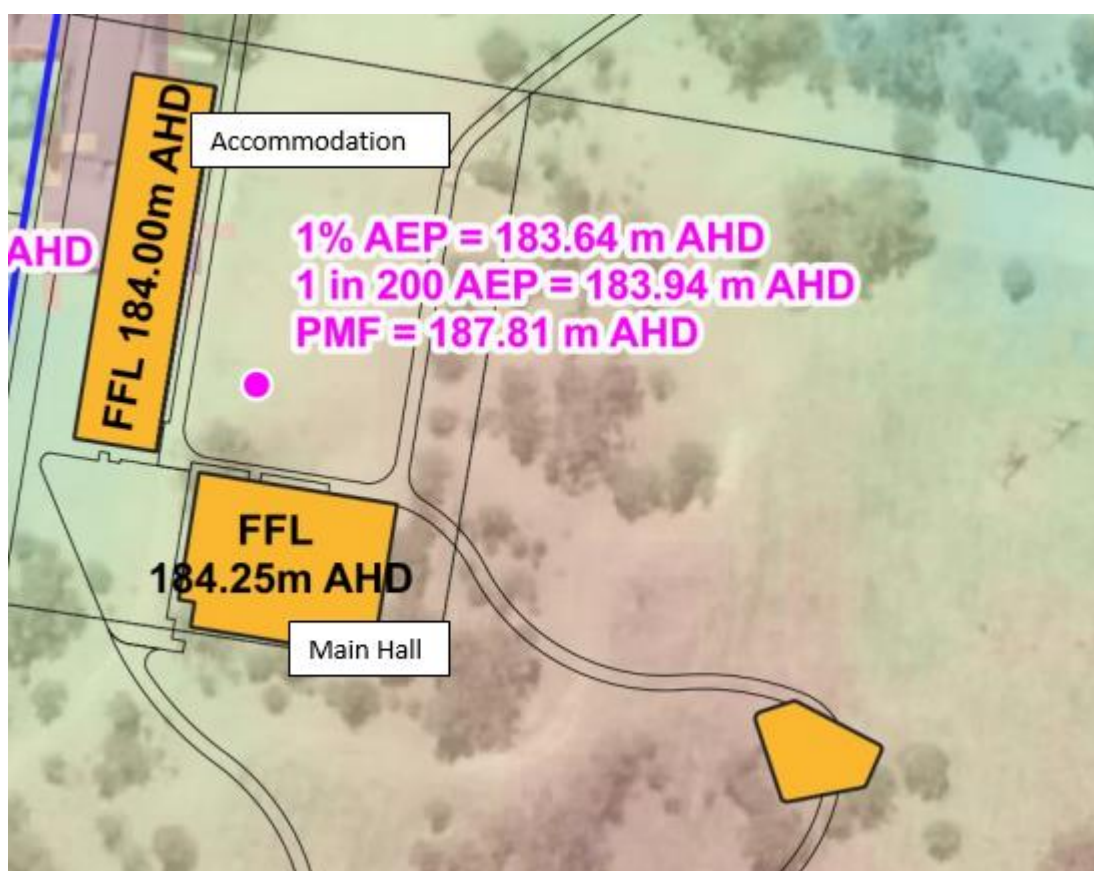
The applicant has prepared a flood impact and risk assessment report that addresses the provisions of this clause of the LEP.

The report identifies that ground elevations across the site range from approximately 182.5m AHD to 184m AHD and that ground levels at the main building site are approximately 183.0 AHD as depicted below.



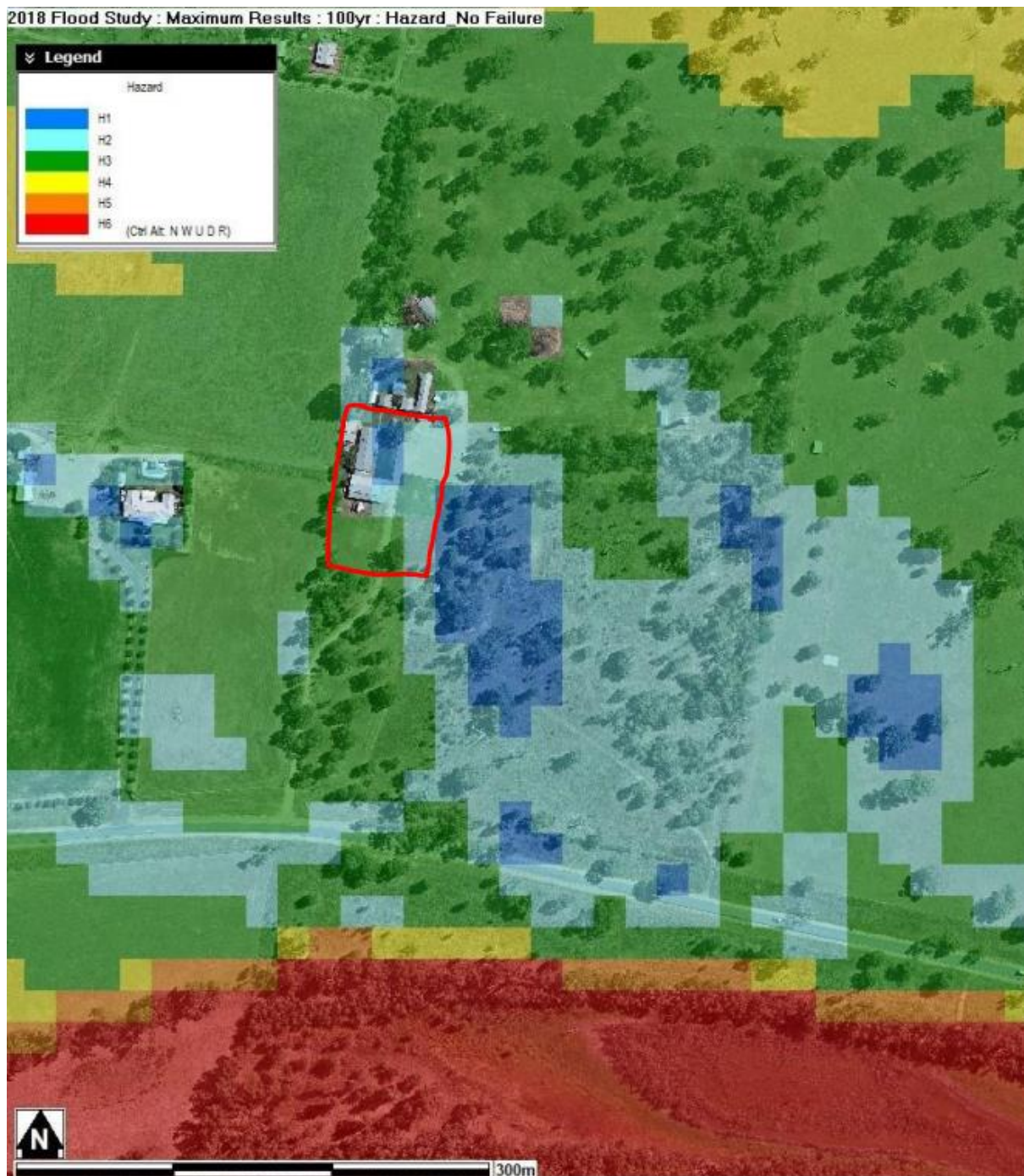
Flood event levels and proposed building freeboard levels at the main building site (the main hall and the accommodation building) are identified as follows. Further discussion on the proposed floor levels is provided in relation to the requirements of control C25 of Section 4.2 of the DCP 2010 later in this report.

Flood Event	Level (m AHD)	Depth (m)	Freeboard of Accommodation building (FFL - 184.00 AHD)	Freeboard of Main Hall building (FFL - 184.25 AHD)
10% AEP	Not flooded	N/A	N/A	N/A
5% AEP	183.11	0.05	0.89	1.14
1% AEP	183.64	0.56	0.36	0.61
1 in 200 AEP	183.94	0.86	0.06	0.31
PMF	187.81	4.73	-3.81	-3.56

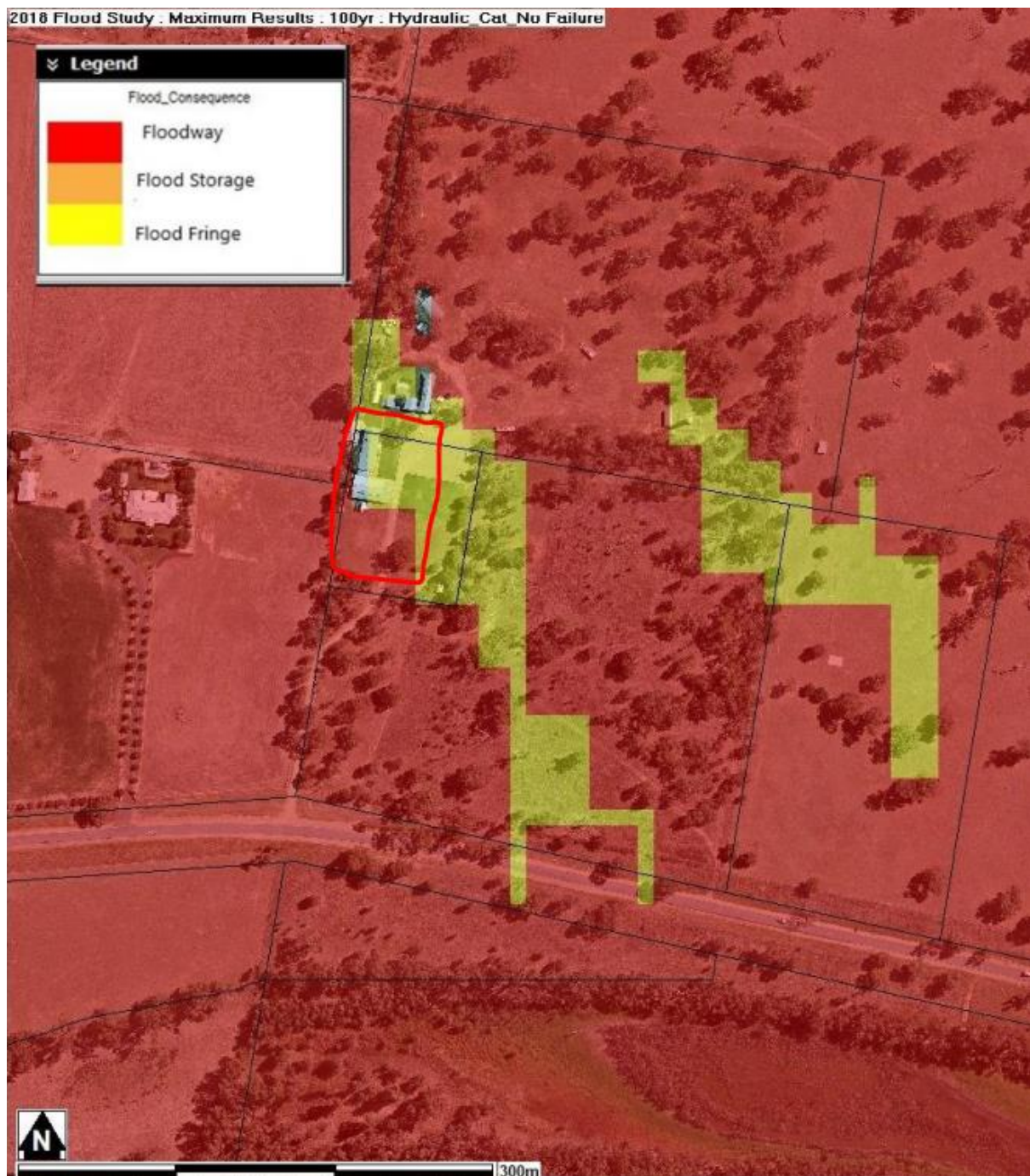




The 1% AEP hazard across the site, including the main building site, varies from H1 to H3 as detailed below:



The 1% hydraulic categories for the site include both flood fringe and floodway with the main building area being located partially in both categories.





In response to the existing flood conditions on the site, the report provides a comparative risk analysis with respect to the current circumstances and the intended development and mitigation measures. The identified risks and the intended mitigation measures are detailed in the table below.

Risk Item	Mitigation Measure
Illness due to contact with contaminated floodwater	This risk is noted as unlikely due to the centre being closed and evacuated prior to a flood event. Emergency response measures will act to mitigate this risk.
Risk to property - Structural damage	Through reconstruction of aging buildings, the likelihood of structural damage is expected to be reduced.
Risk to property - internal damage due to over floor flooding	New floor levels have been set above the 1% AEP plus 500mm in the hall and 1% AEP plus 360mm (above the 1 in 200 AEP) in the accommodation. These increases in floor level reduce the risk through reducing the likelihood
Risk to life - Loss of life	The likelihood of loss of life is expected to be reduced through implementation of a Flood Emergency Response Plan. Principles of any response plan centres around - awareness, preparation, and appropriate response. In this case the applicant will be occupying the development which means they have control over awareness and preparation. Furthermore, the site is located upstream of the Wagga Wagga gauge with greater than 24 hours warning time expected prior to a flood peak.

The following matrix examines the change in risk based on implementation of the mitigation measures identified above.

Likelihood	AEP Range (%)	Consequence				
		Insignificant	Minor	Moderate	Major	Catastrophic
Likely	>10					
Unlikely	1 to 10		Floodwater (E + D)	Internal damage (E)		
Rare to very rare	0.01 to 1			Internal damage (D)	Structural damage (E)	
Extremely rare	<0.01			Structural damage (D)	Loss of life (E + D)	

Note: Developed risk (D) Existing risk (E)

Risk: Very low  Low  Medium  High  Extreme

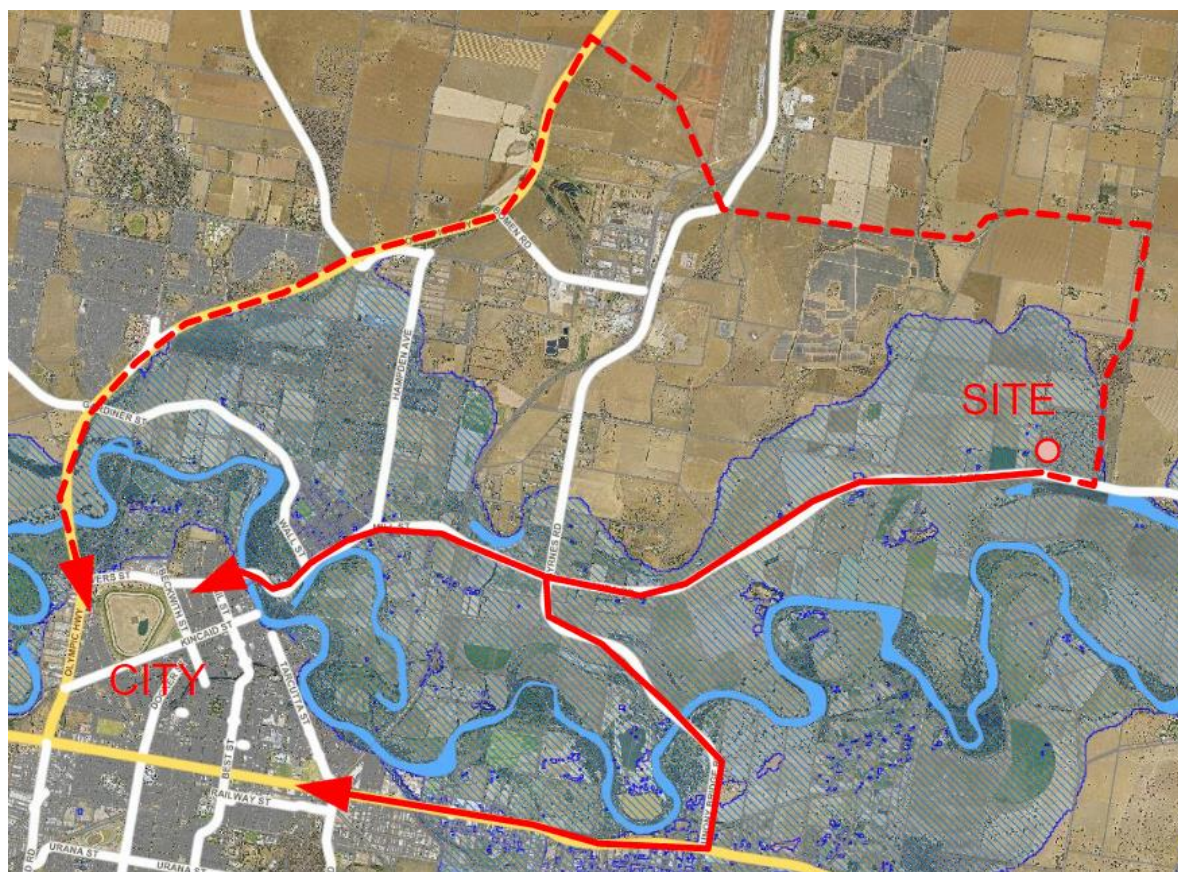
The report concludes that the post development risks (D) will all be low with the exception of the risk of internal damage to buildings which will be moderate.

With respect to the risks of illness and loss of life, the primary mitigation measure is the preparation and implementation of a Flood Emergency Response Plan. The plan will rely on early warning through services provided by organisations including the Bureau of Meteorology and the State Emergency Service. The flood impact and risk assessment report states that this will reduce the risk to life with regard to the current circumstance where there is no formal plan or procedure in place. The report identifies that the Flood Emergency Response Plan will adopt the following strategy:

- *Preparation - Nominate flood response personnel and understand the available warning products and triggers for response.*
- *Cancel Operations if Flooding Forecast - This eliminates the risk of people trying to access the site or attempting evacuation during extreme weather.*
- *Perform Early Evacuation if Site Occupied - Monitor weather warnings and if major flood expected at the Wagga Wagga gauge. Evacuate early to high ground.*
- *Follow Directions of Emergency Services Personnel - If emergency services attend site, follow their direction.*
- *Recovery - Inspect buildings and infrastructure and remediate, if required.*

Whilst the key elements of the strategy are sound, consideration needs to be given to the timing of early evacuation and the ability to do so based on flood activity within the surrounding area.

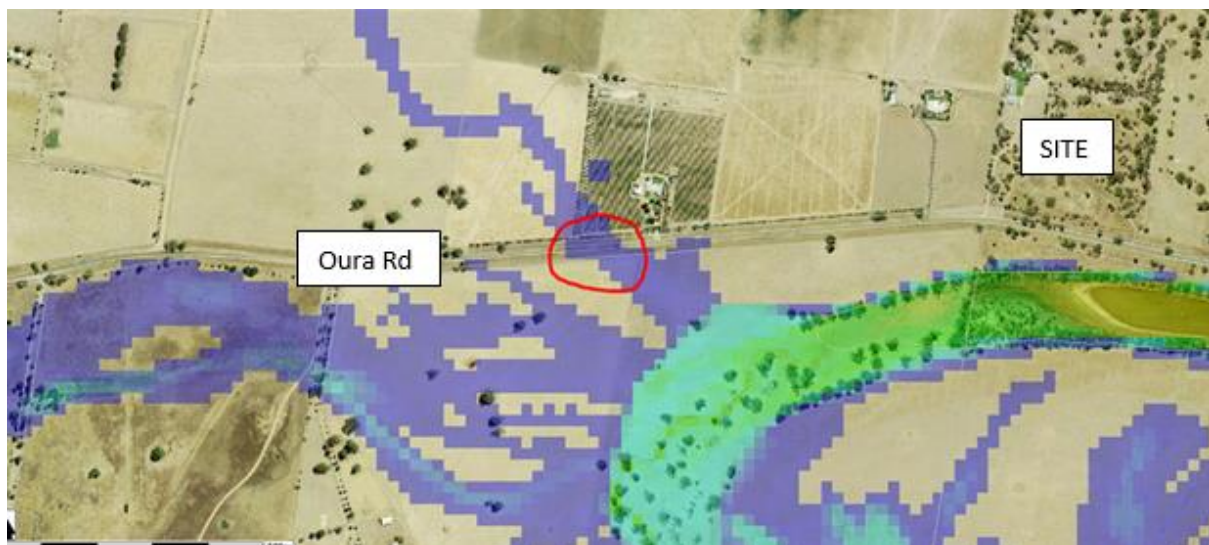
The following diagram identifies the primary evacuation route (identified as solid red lines) from the site leading back to the city. This route primarily follows Oura Road and is entirely located over land affected by the 1% AEP flood event. An alternate, predominantly flood free evacuation route is also identified (dashed red line) via Patterson Road, East Bomen Road and the Olympic Highway. Both the primary and alternate evacuation routes are discussed below.



### Primary Evacuation Route

Upon interrogation of Council's riverine flood model, it has been identified that the primary evacuation route to the city via Oura Road is initially restricted by rising flood waters at a location approximately 600 metres west of the existing access to the development site. This location is depicted in the image below.





The flood model identifies that the road is cut at this location when the river gauge height (at Hampden Bridge, Wagga) approaches 7.3m. A predicted river height reaching 7.3m at the Hampden Bridge gauge would trigger an official “minor flood warning” from the Bureau of Meteorology which ranges from a river height of 7.3m to 9.0m for this gauge.

As the primary access route to the city from the site is impacted as a result of “minor flooding”, it is recommended that a final approved Flood Emergency Response Plan contain a requirement that the plan be initiated and that the site be evacuated upon notification of an official “minor flood warning” for areas of Eunanoreenya, North Wagga Wagga or Oura. This has been addressed as a recommended condition of consent.

#### Alternate Evacuation Route

The alternate evacuation route identified earlier (via Pattersons Road, East Bomen Road and the Olympic Highway) would allow for a much later evacuation of the site. This route is affected by larger floods and is not cut by rising flood waters until much later in a flood cycle. However, Council’s engineering team have recommended that this option be avoided as there is concern that localised stormwater flooding may impact sections of the roads leading to the north and the west (e.g. East Bomen Road and Dunns Road). In addition to this, the alternate route will be less familiar to visitors of the site which may further exacerbate the associated risks of later evacuation. For these reasons, it has been recommended that the alternate route only be relied upon as a last resort and that early evacuation to the city occur via Oura Road as per the recommendation above.

#### Objectives of Clause 5.21(1)

The objectives of this clause are addressed below.

*(a) to minimise the flood risk to life and property associated with the use of land,*

As identified above, the risk to property will be managed by the removal of aging buildings that are currently subject to inundation and potential structural damage. New buildings will be developed with floor levels above the 1 in 200 AEP flood event and structural adequacy to withstand flood waters. Conditions of consent have been recommended with respect to

the structural adequacy of the buildings and the required floor levels.

Risk to life is proposed to be managed through the flood response strategy proposed. Whilst it is noted that there will be an intensification of use resulting from the improved facilities and the increased capacity, the introduction of a flood response strategy will result in improved protection given that there are currently no formalised procedures in place for the existing facility.

*(b) to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,*

The development proposes an upgrade to an existing scout camp facility operating from the site. Having regard to the flood function of the site as described in detail earlier, it is satisfied that the proposed mitigation measures will result in a development that is compatible.

*(c) to avoid adverse or cumulative impacts on flood behaviour and the environment,*

The development will result in the removal of existing building footprints and the replacement with new buildings. In addition, minimal earthworks and regrading of the site will be required to accommodate the development. Adverse cumulative impacts are not expected.

*(d) to enable the safe occupation and efficient evacuation of people in the event of a flood.*

Occupation of the site during flood events will be managed via a Flood Emergency Response Plan as discussed earlier. The plan will rely on the early initiation of the plan and early evacuation via the primary evacuation route to the city. Subject to the preparation, approval and implementation of this plan, it is satisfied that the safe occupation and efficient evacuation of the development can occur.

#### Consideration of matters under subclause 5.21(2)

*(a) is compatible with the flood function and behaviour on the land, and*

Flood function and behaviour have been addressed earlier. Having regard the mitigation measure proposed and noting that the development proposes an upgrade to an existing facility operating on the land, it is satisfied that the development will be compatible.

*(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and*

The development will result in the removal of existing building footprints and the replacement with new buildings. In addition, minimal earthworks and regrading of the site will be required to accommodate the development. Adverse cumulative impacts are not expected.

*(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and*

Occupation of the site during flood events will be managed via a Flood Emergency

Response Plan as discussed earlier. The plan will rely on the early initiation of the plan and early evacuation via the primary evacuation route to the city. Subject to the preparation, approval and implementation of this plan, it is satisfied that the safe occupation and efficient evacuation of the development can occur.

*(d) incorporates appropriate measures to manage risk to life in the event of a flood, and*

Risk to life is proposed to be managed through the flood response strategy proposed. Whilst it is noted that there will be an intensification of use resulting from the improved facilities and the increased capacity, the introduction of a flood response strategy will result in improved protection given that there are currently no formalised procedures in place for the existing facility.

Consideration of matters under subclause 5.21(3)

*(a) the impact of the development on projected changes to flood behaviour as a result of climate change,*

The submitted flood impact and risk assessment report identifies that the 1 in 200 AEP has been considered and that finished floor levels of the buildings has been set above this level. The report identifies that this flood event is commonly used as a proxy for climate change. Irrespective of flood behaviour across the site, the application proposes a Flood Emergency Response Plan that will require early initiation and evacuation. As discussed earlier, a condition of any consent has recommended that the evacuation occur upon notification of an official “minor flood warning”.

*(b) the intended design and scale of buildings resulting from the development,*

The development will result in the removal of existing building footprints and the replacement with new buildings. The new buildings will be structurally designed to withstand floodwaters and, whilst the new buildings will be slightly larger, it is not anticipated that this will result in any adverse flooding impact.

*(c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,*

Occupation of the site during flood events will be managed via a Flood Emergency Response Plan as discussed earlier. The plan will rely on the early initiation of the plan and early evacuation via the primary evacuation route to the city. Subject to the preparation, approval and implementation of this plan, it is satisfied that the development can cater for the safe evacuation of people in the event of a flood.

Refer to further discussion under Section 4.2 Flooding of the Wagga Wagga Development Control Plan 2010.

## **5.22 Special flood considerations**

For the purpose of this clause, the development (a community facility) is not declared to be “sensitive development”. However, the clause is applicable as in the event of a flood the land may cause risk to life and may require evacuation of people.

The objectives of this clause are:

- (a) to enable the safe occupation and evacuation of people subject to flooding,*
- (b) to ensure development on land is compatible with the land's flood behaviour in the event of a flood,*
- (c) to avoid adverse or cumulative impacts on flood behaviour,*
- (d) to protect the operational capacity of emergency response facilities and critical infrastructure during flood events,*
- (e) to avoid adverse effects of hazardous development on the environment during flood events.*

Having regard to the flood assessment provided under Clause 5.21 above and the assessment under Section 4.2 of DCP 2010 later in this report, it is satisfied that the proposed development is consistent with these objectives.

Under subclause (3), development consent must not be granted to development on land to which this clause applies unless the consent authority has considered whether the development:

- (a) will affect the safe occupation and efficient evacuation of people in the event of a flood, and*
- (b) incorporates appropriate measures to manage risk to life in the event of a flood, and*
- (c) will adversely affect the environment in the event of a flood.*

These matters have also been addressed under Clause 5.21 above and in the assessment under Section 4.2 of DCP 2010. Based on that assessment, it is satisfied that appropriate measures are in place to manage risk to life, including the safe evacuation of people in a flood and that the development will not result in adverse impact on the environment during flood events.

## Part 7 Additional Local Provisions

### 7.1A Earthworks

Having regard to the overall findings of this assessment report and having considered the matters required under subclause (3), it is satisfied that the earthworks proposed to enable the development will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

### 7.3 Biodiversity

This clause applies as the site contains land that is identified as “biodiversity” on the Terrestrial Biodiversity Map.

The applicant has prepared a flora and fauna assessment report which is discussed in detail later in this report. With respect to this clause, the report concludes:

*The proposed development will be sited to largely avoid impacts on native vegetation and threatened species or communities. The proposal will not have adverse effects on wildlife corridors, wetlands or overall biodiversity value. Where avoidance of native vegetation removal is not possible, revegetation works will be implemented to replace any lost vegetation or threatened species habitat, to ameliorate this impact. Key to the project design has been to utilise the existing facilities layout and avoid tree removal as much as possible. The majority of the proposal is sited outside of the Terrestrial Biodiversity mapped areas.*

Having regard to the findings of the flora and fauna assessment report and having considered the matters required under subclause (3), it is satisfied that the development has been appropriately sited and has been designed with effective measures to minimise adverse impact and to mitigate any residual impact. The development will also maintain and improve the diversity of the native vegetation including those matters identified in the objective of the clause.

## **7.5 Riparian lands and waterways**

This clause applies as the site contains land that is identified as “Water” on the Water Resource Map.

The applicant has prepared a flora and fauna assessment report which is discussed in detail later in this report. With respect to this clause, the report states:

*The Study Area does not contain an existing waterway and as such the development will not:*

- a. have any adverse effects on the listed entities*
- b. extract water from a waterway*

*The development is sited to ensure any runoff or natural water flow following rain is managed and directed in the appropriate manner. The development is sited to protect groundwater systems by not interacting with groundwater. Any potential adverse environmental impact will be managed to minimise or mitigate this impact.*

The report concludes that the study area does not contain an existing waterway as it focusses on the location of the development which is confined to the northern side of Oura Road. However, the site does extend to the southern side of Oura Road and is bounded along its southern boundary by the Kurrajong Lagoon which is mapped. No development is proposed in this area under this application.

Having regard to the findings of the flora and fauna assessment report and having considered the matters required under subclause (3), it is satisfied that the development has been appropriately sited and has been designed with effective measures to minimise adverse impact and to mitigate any residual impact. The development will protect those matters identified in the objective of the clause.

## **7.6 Groundwater vulnerability**

The objective of this clause is to protect and preserve groundwater sources and applies as



the site contains land that is identified as “groundwater” on the Water Resource Map. Despite this, the proposal (a community facility) is not a specified development type for the purposes of this clause. No further assessment is required.

## 7.9 Primacy of Zone E2

This clause states that development consent must not be granted to development on any land unless the consent authority is satisfied that the development maintains the primacy of Zone E2 Commercial Centre as the principal business, office and retail hub of Wagga Wagga. The proposal is for the redevelopment of an existing community facility on the site which is used as a Scout camp. Such a use is considered incompatible with the commercial center of the city and is therefore unlikely to significantly impact on the primacy of Zone E2 as the principal business, office and retail hub of Wagga Wagga.

## 7.11 Airspace operations

This clause applies where the consent authority is satisfied that the proposed development will penetrate the Obstacle Limitation Surface as shown on the Obstacle Limitation Surface Map for the Wagga Wagga Airport. The subject site is around 184m below the OLS and as such, Council can be satisfied that the development will not penetrate the OLS.

## State Environmental Planning Policies (SEPPs)

### State Environmental Planning Policy (Planning Systems) 2021

Clause 5 of Schedule 7 of this SEPP identifies that a community facility having an estimated development cost of more than \$5 million is regionally significant development.

The existing and proposed use of the site is a “community facility” as the facility will be used for the purposes outlined in part (b) of the definition under the LEP 2010 (see below). In addition to this and with respect to part (a) of the definition (see below), it is also noted that The Scout Association of Australia, New South Wales Branch (Scouts NSW) is a registered charity with the Australian Charities and Not for-profits Commission.

A “community facility” is defined under the LEP 2010 as:

*community facility means a building or place-*

*(a) owned or controlled by a public authority or non-profit community organisation, and*

*(b) used for the physical, social, cultural or intellectual development or welfare of the community,*

*but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.*

The development has a development cost of \$6,005,216.

The development is therefore regionally significant development and, in accordance with Section 2.15(a) of the Environmental Planning and Assessment Act 1979, the Southern Regional Planning Panel is the consent authority.

### **State Environmental Planning Policy (Resilience and Hazards) 2021**

Clause 4.6 of SEPP (Resilience and Hazards) 2021 requires that:

*(1) A consent authority must not consent to the carrying out of any development on land unless:*

- (a) it has considered whether the land is contaminated, and*
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

*(2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subclause (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.*

*(3) The applicant for development consent must carry out the investigation required by subclause (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.*

*(4) The land concerned is:*

- (a) land that is within an investigation area,*
- (b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,*
- (c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital-land:*
  - (i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and*
  - (ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).*

The proposal is for the redevelopment of the existing Scout camp at Kurrajong Reserve. The development will not involve any change of use.

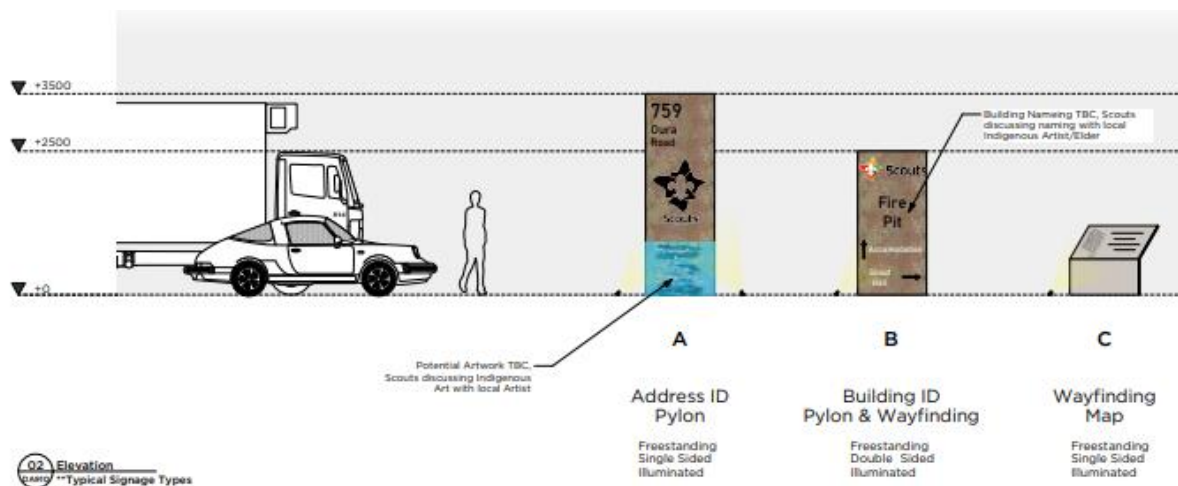
The site is Crown land and has historically been used as a scout camp and for recreational activities and camping. There is no known history of potentially contaminating land uses on the site, and the site is not listed on Council's Contaminated Land Register.

It is satisfied that the site is suitable for the proposed development.

### State Environmental Planning Policy (Industry and Employment) 2021

Chapter 3 of the SEPP deals with advertising and signage.

The application proposes 11 wayfinding and information signs (sign type B and C illustrated below) to support the activities occurring within the site. In addition to this, a single 3.5 metre high pylon identification sign (sign type A illustrated below) is also proposed at the entry to the site on Oura Road. The sign types are depicted in the image below.



### Part 3.2 Signage generally

#### Clause 3.6

Under Clause 3.6 of the SEPP:

*A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:*

- (a) that the signage is consistent with the objectives of this Policy as set out in clause 3.1(1)(a), and*
- (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.*

With regard to 3.6(a), the following assessment is provided:

*3.1(1)(a) to ensure that signage (including advertising):*

- (i) is compatible with the desired amenity and visual character of an area, and*
- (ii) provides effective communication in suitable locations, and*
- (iii) is of high quality design and finish, and*

All information and directional signs will be contained within the interior of the site and will not be visible from Oura Road or other surrounding properties. All information and directional signage will provide for effective communication and wayfinding within the site.

The height of the single site identification pylon sign will not protrude above the existing vegetation that will provide a backdrop at the front of the site and will therefore be compatible with the desired amenity of the area.

All signage is of high quality, design and finish. The material and heights of all signs will not detract from the existing bushland character of the camp ground or the wider rural landscape.

With regard to 3.6(b), the following assessment is provided with respect to the criteria under Schedule 5:

#### *1 Character of the area*

*As identified above, it is satisfied that all signage proposed will be compatible with the existing and desired character of the area.*

#### *2 Special areas*

The site is located within a rural setting. The signage will be of high quality and will be contained predominantly within the confines of the site. Any signage visible external to the site will not detract from the surrounding area.

#### *3 Views and vistas*

The maximum height of any signage proposed is 3.5m. The signage will not compromise important views and will not impact on the skyline.

#### *4 Streetscape, setting or landscape*

The site is located within a rural setting. The signage will be of high quality and will be contained predominantly within the confines of the site. Any signage visible external to the site will not detract from the surrounding area including views from Oura Road. The signage will not protrude above any building or impact on landscaping and will not be used to screen unsightliness.

#### *5 Site and building*

The proposed signs will be free standing and not attached to any buildings. The signage will not impact on any built form on the site.

#### *6 Associated devices and logos with advertisements and advertising structures*

The proposed signage will not incorporate any safety devices, platforms, lighting or logos containing advertisements.

#### *7 Illumination*

The proposed signage will not be illuminated.

#### *8 Safety*

The proposed signage is predominantly located within the site with the exception of the

identification pylon sign at the entrance. The signage will not reduce safety to users of Oura Road including any pedestrians or cyclists.

Council can be satisfied that the proposed signage “is consistent with the objectives of this Policy as set out in clause 3.1(1)(a)” and satisfies the assessment criteria under Schedule 5. Consequently, consent can be granted pursuant to Clause 3.6 of the SEPP.

#### **Section 4.15(1)(a)(ii) - Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority**

No relevant planning instrument under this clause is currently the subject of public exhibition or comment.

#### **Section 4.15(1)(a)(iii) - The provisions of any development control plan**

##### **Wagga Wagga Development Control Plan 2010**

Proposed development complies with the development standards of the Wagga Wagga Development Control Plan 2010 as follows:

##### **Section 1 - General**

###### **1.10 - Notification of a Development Application**

The application was notified to adjoining neighbours from 13 - 27 June 2024 in accordance with the provisions of the WWDGP 2010. One submission was received and has been addressed later in this report.

##### **Section 2 - Controls that Apply to All Development**

###### **2.1 Vehicle access and movements**

The proposal is consistent with the objectives of this clause and satisfies the relevant controls.

*C1 Access should be from an alternative secondary frontage or other non-arterial road where possible.*

Access to the site is restricted to Oura Road. The proposal will rely on the existing access driveway currently servicing the site. An earlier proposal to establish a second access to Oura Road has been amended to remove this component.

*C2 A Traffic Impact Study may be required where adverse local traffic impacts may result from the development. The traffic impact study is to include the suitability of the proposal in terms of the design and location of the proposed access, and the likely nature, volume or frequency of traffic to be generated by the development.*

A traffic impact study was not required for this development.



*C3 Vehicles are to enter and leave in a forward direction unless it can be demonstrated that site conditions prevent it.*

Provisions are available on site to allow for the turning of all vehicles. This includes a designated turning and parking area to cater for buses visiting the site.

*C4 Provide adequate areas for loading and unloading of goods on site. The loading space and facilities are to be appropriate to the scale of development.*

Adequate provisions are available on site for loading and unloading of goods.

*C5 Access driveways are to be located in accordance with the relevant Australian Standard at the time of lodgement of an application.*

*C6 Ensure adequate sight lines for proposed driveways.*

The site will rely on the existing access driveway from Oura Road. The driveway has been assessed by Council's development engineer who has recommended a condition of consent requiring the section of the driveway within the road reserve (between the property boundary and the road pavement) be constructed to have an appropriate seal so as to prevent sediment and debris from being tracked onto Oura Road.

The development engineer has not identified any concerns with regard to safe sight lines with respect to the driveway location. Despite this, the development engineer has recommended that the safe intersection sight distance be certified by an appropriately qualified person prior to release of the construction certificate. This has also been addressed as a recommended condition of consent.

## **2.2 Off-street Parking**

The development proposes the refurbishment of the existing on site carparking area on the site. The area is approximately 40m by 40m in dimension, however no plan has been provided to show the configuration of the area. Despite this, it is estimated to have sufficient area to accommodate two double sided aisles of car parking (two 6m wide aisles with 6m x 2.6m spaces on either side), allowing for each aisle to accommodate approximately 25 to 30 carparking spaces - a total of 50 to 60 spaces.

It is also noted that adequate areas exist on the site to cater for informal overflow parking on occasions when this is required without having an impact on access to the site and the continued safe operation of Oura Road.

It is recommended that a condition of any consent require a revised plan be submitted prior to the release of the construction certificate identifying the layout and marking of the spaces to meet the relevant Australian Standard and for the approval of Council. A condition has been recommended in this regard.

Subject to compliance with this requirement, it is satisfied that sufficient parking will be provided for the development to meet the requirements of this section of the DCP.

A proposed bus turning and parking area will also be provided to adequately cater for the movement and parking of busses on the site.

## 2.4 Landscaping

The application has submitted a detailed landscape plan which identifies the provision of a range of hard and soft landscaping features to accommodate various recreational and other activities across the site. The plan also proposes revegetation works incorporating native endemic species which is consistent with the recommendations contained in the Flora and Fauna Assessment report discussed later.

As a result of amendments made to the development involving the removal of a carparking area at the front of the site and also the reconfiguration of the proposed internal driveways, the submitted landscape plan is no longer entirely consistent with the approved site plan for the development. Whilst this does not alter the suitability of the landscape schemes adopted in the plan, it is recommended that a revised landscape plan be prepared that is entirely consistent with the approved site plan prior to the issue of a construction certificate.

## 2.5 Signage

The application proposes 11 wayfinding and information signs within the site and a single 3.5 metre high pylon identification sign at the entry to the site on Oura Road. The sign types are depicted in an image provided earlier in this report.

A review of this section of the DCP has identified that many of the objectives and controls are largely not applicable to the subject site, the development and the signs proposed. The application has been assessed against the following specific objectives and controls that are deemed relevant:

### Objectives

*O1 Complement the SEPP (Industry and Employment) 2021 - Chapter 3 and provide more detailed controls that reflect the environmental conditions and character of the local government area of Wagga Wagga.*

*O4 Ensure signs do not detract from the urban or rural landscape.*

### Controls (Pole or Pylon Signs (including monolith style signs))

*C43 Maximum height of a pole or pylon sign upon a site located within a rural zone is 4metres above ground level, provided the height of the sign does not protrude above the dominant skyline (including any buildings, structures or tree canopy).*

### Controls (Advertising signs in rural areas)

*C74 The siting and design of the signage on the property should ensure that amenity and visual impacts to adjoining properties are kept to a minimum.*

*C75 The siting and design of the signage on the property should be sympathetic to the existing character of the area and approved use on the site.*

An assessment of the signage against the provisions of Chapter 3 of the Industry and Employment SEPP has been provided earlier in this report.

All information and directional signs will be contained within the interior of the site and will not be visible from Oura Road or other surrounding properties.

The single site identification pylon sign will comply with the maximum height requirement of

4 metres in a rural area and will not protrude above the existing vegetation that will provide a backdrop at the front of the site.

The material and heights of all signs will not detract from the existing bushland character of the camp ground or the wider rural landscape.

Having regard to these matters, it is satisfied that the signs proposed will meet the intent of this section of the DCP.

## **2.6 Safety and Security**

A Crime Risk Assessment is not required for this development. The buildings, signage and facilities proposed will provide for good surveillance and legibility throughout the site. The proposal raises no concerns regarding safety and security.

## **2.7 Erosion and Sediment Controls Principles**

Standard conditions of consent will be attached to any consent to ensure compliance with these provisions.

## **Section 4 - Environmental Hazards and Management**

### **4.1 Bushfire**

The site is bushfire prone land and the proposal is a Special Fire Protection Purpose (SFPP) development under Section 6 of Planning for Bushfire Protection (2019). A Bushfire Safety Authority (BFSA) is required under Section 100B of the Rural Fires Act 1997.

The application is supported by a Bushfire Hazard Assessment report which was referred to NSW Rural Fire Service for assessment. The RFS have issued a BFSA including General Terms of Approval (GTAs) dated 28 August 2024 (reference: DA20240611002351-Original-1). The GTAs generally address the following matters:

- The establishment and maintenance of asset protection zones around both the main hall and the new accommodation building.
- Construction standards for the main hall and the new accommodation building and upgrades to the existing accommodation buildings to be refurbished.
- Standard for internal access roads.
- Standards for water and utility services including the requirement for a 10,000 litre static water supply.
- Standards for maintenance of landscaped areas.
- The requirement for the preparation of a Bush Fire Emergency Management and Evacuation Plan.

Subject to this assessment, it is satisfied that the development will satisfy the relevant provisions of Planning for Bush Fire Protection 2019 and Australian Standard: 3959 Construction of Buildings in Bush Fire Prone Areas. All GTAs have been included as recommended conditions of consent.

## 4.2 Flooding

### Controls - flood liable areas

#### Control C1

This control states that essential community services are not suitable for location in any of the flood risk precincts other than Central Wagga where they are to be above the Probable Maximum Flood (PMF) level. The control identifies essential community services to include Community, information and education facilities which may provide an important role in notifying the community of flood dangers or evacuation requirements during flood events.

Having regard to the development proposed, it is satisfied that whilst it is a community facility, it is not of a type that will be involved in the process of notifying the community of flood dangers and will not be relied upon for evacuation requirements during flood events.

#### Control C2

Not applicable - The development is not a critical utility.

### Development on the rural floodplain (High flood risk area)

The development has been assessed against the "Development on the rural floodplain (High flood risk area)" provisions. The high risk has been determined based on the majority of the site being classified as "floodway" with a small section of flood fringe around the existing development.

Controls C20 - C24 are not relevant to this development proposal.

#### Control C25

This control requires Development on the rural flood plain (high risk area) to comply with the provisions of Table 4.2.5. The development has been considered against the requirements of the table for residential development on the basis that the development proposes on site accommodation associated with the use of the site a community facility.

Table 4.2.5 - Floor Levels

The table requires development to have flood levels above the 1% AEP event plus freeboard. As identified earlier in this report, the floor level of the accommodation building has been set with 360mm of freeboard to the 1% AEP and is also above the 1 in 200 AEP flood level. The main hall has been set with freeboard exceeding 500mm to the 1% AEP and is also above the 1 in 200 AEP flood level.

Flood Event	Level (m AHD)	Depth (m)	Freeboard of Accommodation building (FFL - 184.00 AHD)	Freeboard of Main Hall building (FFL - 184.25 AHD)
1% AEP	183.64	0.56	0.36	0.61
1 in 200 AEP	183.94	0.86	0.06	0.31

Conditions of consent have been recommended requiring certification of the floor levels prior to occupation of the buildings.

#### Table 4.2.5 - Structural soundness

The submitted flood impact and risk assessment report identifies that velocities and depths in the 1% AEP event are reasonably low and that flood forces are expected to be accounted for using standard structural engineering practice. Despite this, a recommended condition of consent has been included requiring structural certification from a qualified structural/civil engineer stating that the building will not sustain structural damage from the force of flowing floodwaters or from impact of debris associated with the floodwaters in a 1:100 year flood event.

#### Table 4.2.5 - Flood affectation

The development will result in the removal of existing building footprints and the replacement with new buildings. In addition, minimal earthworks and regrading of the site will be required to accommodate the development. Adverse cumulative impacts are not expected.

#### Table 4.2.5 - Evacuation

The primary mitigation measure is the preparation and implementation of a Flood Emergency Response Plan which is discussed in detail earlier in this report (Clause 5.21 LEP 2010). The plan will predominantly rely on flood warning services so that the site can be evacuated early. Such services include those provided by the Bureau of Meteorology and the State Emergency Service which target a 24 hour warning providing sufficient time for the safe evacuation of the site.

A condition of consent has been recommended requiring the plan to be prepared in accordance with the strategies contained within the submitted flood impact and risk assessment report for approval by Council prior to occupation of the development. In addition to this, the condition will require early initiation of the plan based on the issue of a formal “minor flood warning” for areas of Eunanoreenya, North Wagga Wagga or Oura.

In addition to the Flood Emergency Response Plan and the evacuation strategy, the applicant also identifies that the site has an “overland escape route” in the 1% AEP, in the event that evacuation not be completed in time. The categorisation of the site as an area with an overland escape route is supported by the findings of Council’s Flood Risk Management Study and Plan (FRMSP) as illustrated in the following image. The concept of an overland escape as flood waters rise across the site is depicted by the red arrow.





In addition to this, in the event that evacuation is not completed in time with respect to the primary evacuation route along Oura Road to the city (discussed earlier in this assessment report), an alternated evacuation route to the north and west (Pattersons Road, Bomen East Road and the Olympic Highway) would be available if no other option was available.

Table 4.2.5 - Management and Design

This part of the table encourages the provision of a flood free area on the site. This is not feasible given the nature of flooding in this area. Despite this, appropriate measures have been recommended relating to the design and construction of the proposed buildings and to ensure the early evacuation of the site during certain flood events.

This part of the table also requires those parts of the buildings below the 1:100 year flood event, plus freeboard, to be constructed from flood compatible materials. The application identifies that this is achievable and a recommended condition of consent has been included in this regard.

Having regard to the comments above and the discussion under Clause 5.21 of the LEP 2010 earlier in this report, it is satisfied that the development is generally consistent with the flooding provisions under section 4.2 of the DCP 2010.

## Section 5 - Natural Resource and Landscape Management

### 5.2 Preservation of trees

The application includes the removal of 6 trees and also impacts on other native vegetation on the site. This has been addressed in a later section of this report dealing with flora and fauna impacts.

#### **5.4 Land subject to Clauses 7.3, 7.4, 7.5 and 7.6 of the Wagga Wagga Local Environmental Plan 2010**

The site contains land that is subject to Clauses 7.3, 7.5 and 7.6 of the LEP 2010. These matters have been addressed under those clauses earlier in this assessment report.

#### **Section 4.15(1)(a)(iia) - Planning Agreements**

There is no draft or current planning agreement applicable to this application under Section 7.4 of the Environmental Planning and Assessment Act 1979.

#### **Section 4.15(1)(a)(iv) - the regulations**

Matters prescribed by the regulations have been satisfied including the requirement for demolition works to be undertaken in accordance with AS2601 and the inclusion of prescribed conditions.

#### **Section 4.15(1)(b) - likely impacts of the development**

##### **Context and setting**

The site exhibits a rural character, located on land that can be described as open bushland. The site is currently used for the purpose of a scout camp facility and the proposed development will continue to occupy the area of the site containing the existing camp footprint. The development will result in the removal of existing buildings and the replacement with 2 main buildings in the same area. This will ensure that the development does not significantly alter the existing context and setting of the site.

The site is surrounded by rural farmland and is located on the floodplain of the Murrumbidgee River which is located approximately 750 metres to the south. The site also adjoins the Kurrajong Lagoon which is located immediately to the south of the site. The containment of the development to the existing camp footprint will ensure that there is minimal impact on the surrounding area.

##### **Public Domain**

There are no public domain impacts identified. The development will not impact on the continued operation and function of Oura Road. An additional area of Crown land exists to the east of the development that does not form part of the site managed by Scouts NSW. The proposed development will not impact on this land.

##### **Access, transport and traffic**

Access, transport and traffic impacts have been addressed earlier in this report - see sections 2.1 and 2.2 of DCP 2010.

##### **Services and utilities**

Subject to the comments provided below in relation to the proposed on site waste water management system, it is satisfied that the site is adequately serviced to cater for the intensification of use.

**Heritage**

Refer to Section 5.10 of LEP 2010 earlier in this assessment report.

**Natural Hazards**

Bushfire - refer to discussion under Section 4.1 of DCP 2010 earlier in this report.

Flooding - refer to discussion under Clauses 5.21 and 5.22 of the LEP 2010 and Section 4.2 of DCP 2010 earlier in this report.

**Human-Made Hazards**

Potential contamination is discussed in part (a)(i) of this assessment report (Resilience and Hazards SEPP).

**Economic and Social Impacts in the Locality**

The proposed redevelopment of the existing community facility will have a positive social impact in the region particularly in relation to the programs and services offered by Scouts NSW. The resulting development, including its construction phase, is also likely to result in positive economic impacts.

**Soils and soil erosion**

No impacts with respect to soils are anticipated. Standard conditions of consent have been included requiring the implementation of sediment and erosion control during construction.

**Water Quality & Stormwater**

On site disposal of stormwater will continue as part of the proposed redevelopment. Satisfactory on site disposal area is available to ensure impacts of stormwater generated from the buildings will not impact on surrounding properties including Oura Road and Kurrajong Lagoon.

Also refer to comments provided below in relation to the proposed on-site waste water management system.

**Pollution and off-site environmental effects**

No impacts are anticipated. Also refer to comments provided below in relation to the proposed on-site waste water management system.

**Waste Management**

The applicant has submitted a Soil and Site Assessment for Onsite Wastewater Disposal report to support their application. The report identifies that the current facility is serviced by on-site infrastructure described as follows:

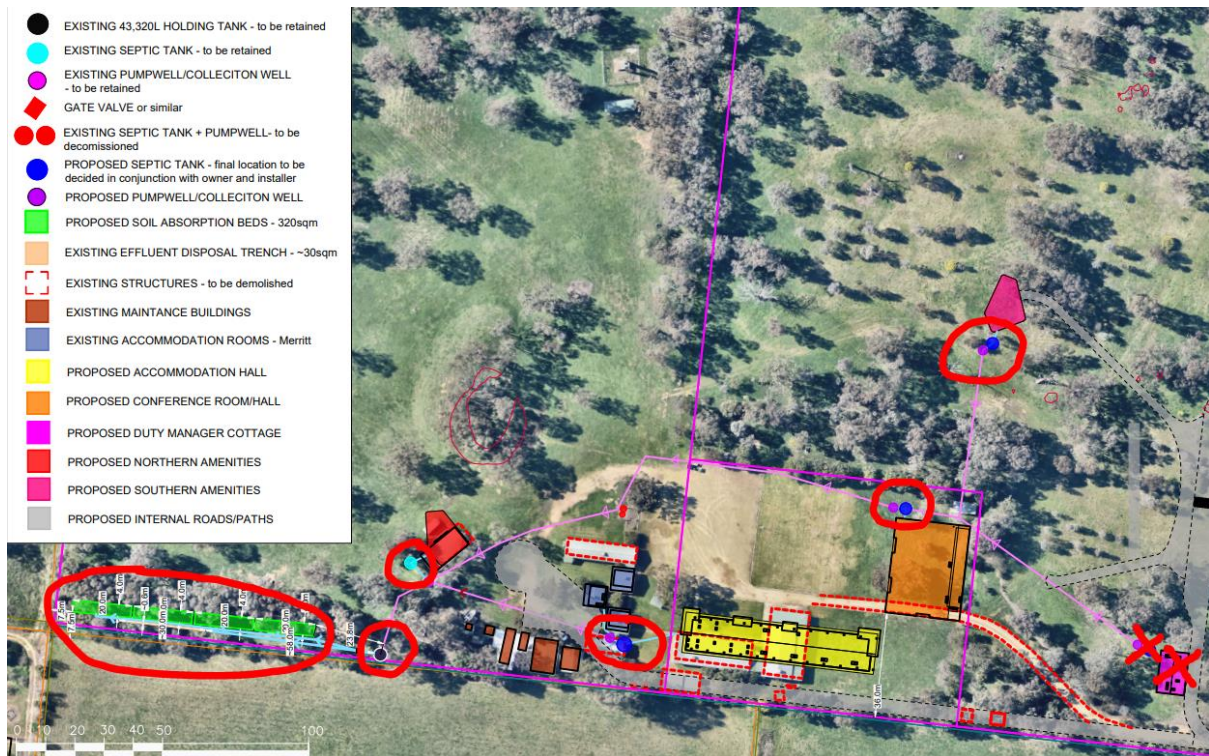
- 43,320L black holding tank located in the northwest of the property.
  - 1 septic tank and pumpwell located near the northern amenities.
  - 1 septic tank and pumpwell located near the existing accommodation building.
  - 1 septic tank and pumpwell located near the existing amenities and office building.
  - Existing 30m long absorption disposal bed north of the existing holding tank
- This system is currently operational, is licensed and is regularly inspected by Council (as



confirmed by Council's Environmental Health team).

The report proposes the following key upgrades:

- Retention of the existing septic tank and pumpwell located near the northern amenities (identified by an aqua dot on the following plan) and removal of the 2 other existing septic tanks as described above.
- The installation of 4 new septic tanks and pumpwells as shown in the plan below - blue/purple dots on following plan (Note - an amendment to the application has removed the bus driver accommodation building which has also removed the requirement for one of the tanks and pumpwells as indicated below).
- Retention of the existing 43,320L holding tank as a collection well for all treated effluent before disposal to absorption beds - black dot on following plan.
- Expansion of the existing absorption bed to 320m<sup>2</sup> - marked green on the following plan.



Council's Environmental Health Team have reviewed the report including the proposed system and are satisfied that the system will be capable of meeting the necessary standards for on-site wastewater treatment and disposal. The Environmental Health team have recommended conditions of consent requiring a formal application to be made for the system prior to issue of a construction certificate, allowing for a complete assessment of the proposal against relevant standards.

### Flora and fauna

The application is supported by a flora and fauna assessment report which addresses the requirements of Section 1.7 of the Environmental Planning and Assessment Act 1979 and the application of Part 7 of Biodiversity Conservation Act 2016 (Biodiversity assessment and approvals under Planning Act).

The report highlights that the layout of the development has been purposefully designed to reduce impact on existing vegetation by maximising the usage of the existing camp facilities footprint, with existing buildings to be removed and replaced. The report identifies the following residual vegetation impacts resulting from the development:

- A total of 0.713 ha of native vegetation associated with PCT 75 is assessed as impacted. (Note - this has now been reduced as a result of an amendment to the internal vehicle movement and parking areas).
- 14 trees are proposed for direct removal as they fall within the construction footprint. (Note - this has now been reduced to 6 trees (illustrated below) as a result of an amendment to the internal vehicle movement areas which has eliminated the roadway along the western boundary of the property).



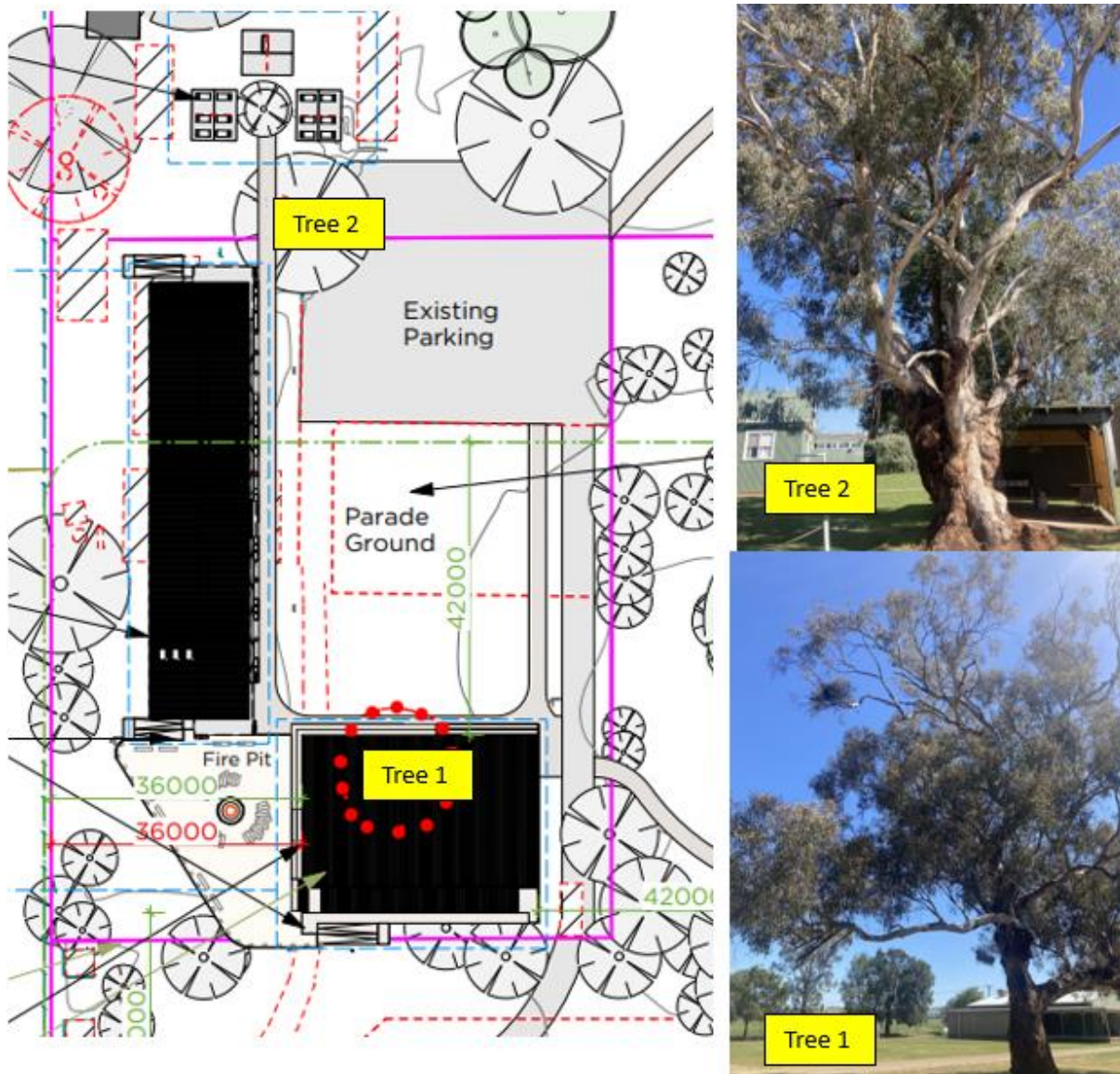


- 2 large eucalypts (habitat trees) are located within the proposed APZ as identified in the images below. The trees are identified as habitat trees. This is because the following features were recorded across both trees:
  - o 7 medium sized hollows
  - o 2 small sized hollows
  - o 1 bird nest

These trees are considered to potentially pose a risk to human safety, with large limbs that could drop onto cars or site users. The first tree (tree 1) will be removed as it conflicts with the siting of the proposed main hall building and cannot be retained as illustrated below.

The second tree (tree 2) can be maintained as it remains adjacent to the carparking area and accommodation buildings as illustrated below. It is recommended, however, that an Arborist be engaged to provide a safety assessment of this tree and to identify works to ensure dangerous limbs are removed as a first course of action.

Regardless of the outcome, both trees have been considered as being removed for the purpose of the overall findings of the flora and fauna assessment.



- An extension of the existing effluent system has been sited within planted eucalypts. It is unlikely that tree removal will be required, however, the area of the effluent system has been included within the impact assessment.
- Removal of planted acacias is required for the new parking lot in the south of the Study Area. (Note - the planted acacias will no longer be impacted as a result of an amendment to the internal vehicle movement areas which has eliminated the carparking area at the front of the site).
- A further 0.32 ha (approximate) of planted native vegetation is proposed for management of the planned bushfire Asset Protection Zones (APZs) and may require occasional tree thinning. These areas contain predominantly planted Kurrajongs in rows.

With regard to these impacts, the report adopts a conservative approach with the assumption that all vegetation identified above will be entirely removed, even though this will not be the case. On this basis, the report identifies a maximum impact of 0.71 ha of native

vegetation.  
Biodiversity Offset Scheme

The report identifies that the proposal does not trigger entrance into the Biodiversity Offset Scheme as:

- The proposed development will impact a maximum of 0.71 ha of native vegetation (see comments above). The impact to native vegetation is below the Biodiversity Offset Scheme entrance threshold of 1 ha for a minimum lot size of less than 200 ha.
- The proposed impact areas do not intersect any land overlain by the Biodiversity Values Mapping
- The Assessment of Significance undertaken for the proposal has not identified any significant impact on threatened species.

The report concludes that the proposed development is unlikely to have a significant effect on any listed communities or species or their habitat in accordance relevant legislation providing a series of recommendations contained in this report are adhered to. The recommendations are provided to minimise potential impacts to fauna and to threatened and non-threatened vegetation communities, that could result from the development. The key recommendations (including comments on how they will be addressed) are summarised below.

- *Landscaping should aim to use species endemic to the area - specifically species within the Box Gum Woodland assemblage.*
- *At least 14 Box Gum Woodland Euclayptus species or Brachychiton populneus are to be planted within the proposed landscaping areas to offset the proposed tree loss.*

Comment - As discussed earlier in this report, a condition of consent will require a revised landscape plan to be submitted for approval. Whilst these recommendations have generally been reflected in the submitted landscape plan, the requirement for an amended plan will also require that these specific recommendations be incorporated.

- *Only the vegetation within the 0.71 ha to be impacted, as outlined in this report is to be removed. Any further tree removal would require a secondary assessment.*

Comment - A condition of consent has been recommended restricting vegetation removal to the trees identified on the approved plans and the additional vegetation identified in the Flora and Fauna Assessment Report.

- *The single Habitat Bearing Tree to be removed shall be felled via a slow drop technique implemented by qualified arborists. Hollow limbs and the nest must be roped to the ground where they can be inspected by an ecologist and any residing fauna safely relocated. Habitat Bearing Tree felling is to be supervised by a suitably trained ecologist.*

Comment - This matter has been addressed in a recommended condition of consent. The second Habitat Bearing Tree discussed earlier will be required to be retained, including the requirement for an arborist assessment and any associated maintenance works to remove dangerous limbs.

*10 Nest Boxes or Artificial Hollows are to be installed to offset the hollows and nest loss at a ratio of 1:1.*



Comment - As discussed earlier in this report, a condition of consent will require a revised landscape plan to be submitted for approval. It is recommended that this recommendation be incorporated into the proposed landscaping works for the site and identified on the amended landscape plan.

- *Care must be taken when moving equipment near vegetation to be retained. If works appear to encroach on retained trees, advice from a qualified Arborist should be gained to infer appropriate tree protection measures including Tree Protection Zones (TPZs).*
- *Construction activities should be limited to normal construction hours to limit disturbance to nesting birds.*
- *Trees shall be felled into already disturbed areas to avoid damaging adjacent vegetation.*
- *Woody debris from felled trees should be relocated into the surrounding treed landscape to provide ground habitat.*
- *Adequate erosion and sediment control measures should be in place at all times during construction in accordance with best practice guidelines.*

Comment - These 5 matters have been addressed in a recommended condition of consent with respect to the requirement for a Construction Environmental Management Plan. Conditions of consent have also been included with respect standards for the removal of approved trees and for the establishment of TPZs.

## **Landscaping**

Refer to section 2.3 (Landscaping) of DCP 2010 earlier in this report.

## **Noise and Vibration**

As the facility provides for overnight accommodation, it will operate 24/7. However, no information is provided as to whether restriction will be placed on certain activities occurring within the main hall building or across the site generally. This is relevant when considering activities or events where larger numbers of people may congregate within the hall or at other parts of the site into the later hours of the evening.

It is recommended that the general use of the main hall as part of the community facility be restricted to 12 midnight throughout the week to minimise potential noise impacts on neighbouring properties, particularly the property adjoining to the west. It is also recommended that activities involving larger gatherings also at other parts of the site also be restriction to this time. This may include, for example, the proposed outdoor amphitheatre facility.

It is recommended that a final Operation Management Plan for the facility incorporate appropriate management processes to control noise generally. This should include restricted hours of activities for the main hall building and also across all facilities proposed for the site. A condition of consent has been recommended with respect to the preparation and approval of a final Operation Management Plan.

The applicant has advised that all facilities on the site will be used for purposes ancillary to the scout camp facility to ensure that the main hall does not become a function centre hired



out for non-related events. This has been addressed in a recommended condition of consent restricting the use to purposes ancillary to the approved community facility.

### **Energy Impacts**

No significant energy impacts are identified.

### **Site Design and internal design**

The development has been sited to coincide with the existing camp facilities so as to minimise impact on the site. The application originally proposed an additional parking area and internal driveways to cater for the development, however has since been amended to remove these components. The amendment will rely on an existing internal carparking area and will now only require a minor realignment of the internal driveway to the eastern side of the proposed main hall to provide continued access to this area. There are no further significant changes proposed with respect to the current layout and operation of the site.

### **Overlooking and overshadowing**

The development will not result in any overshadowing or solar impacts.

The redevelopment will not alter the separation of the facility to the existing dwelling located on the rural property immediately to the west. The development will retain a separation between the dwelling and the proposed accommodation building of approximately 110 metres. This separation and the existence of landscaping at the perimeter of the dwelling will ensure overlooking issues are minimised.

### **Safety, security and crime prevention**

Refer to section 2.6 (Safety and Security) of DCP 20-10 earlier in this report.

## **Section 4.15(C) - The Suitability of the site for the development**

The assessment contained in this report considers the overall impacts of the development. The impacts resulting from the development are considered to have been appropriately mitigated including the imposition of recommended conditions of consent. On this basis, the site is considered suitable for the development.

## **Section 4.15(d) - any submissions made in accordance with the Act or the regulation**

### **Notification**

The application was notified to adjoining neighbours from 13 - 27 June 2024 in accordance with the provisions of the WWDGP 2010.

### **Submissions from public authorities**

#### **Riverina Water**

Comments have been received from Riverina Water requesting that standard conditions of consent be applied relating to:

- The requirement for an application for a Certificate of Compliance for water supply to

- be made and issued prior to the Construction Certificate.
- The requirement for a Riverina Water Plumbing Certificate prior to Occupation Certificate.

These requests have been addressed in recommended conditions of consent.

#### Public Submissions

One public submission was received. Issues raised in the submission are summarised and discussed below.

- *The boundary fence of the site is currently in poor condition and not suitable for the intended development.*
- *Fence is very old, rusty and broken.*
- *Fence not suitable for large groups of young children, supervised or otherwise.*
- *Fence not suitable for adjacent farming of stock.*
- *Desire for a complete boundary fence replacement.*

A site inspection has not identified any significant issues with respect to boundary fencing in relation to the matters raised above. Irrespective of the fence condition, the issue remains a civil matter between the 2 landowners and should be the subject of a specific development consent requirement. However, it is considered reasonable that the applicant has an appropriate maintenance regime for all components of the facility to ensure that all facets of the development site are safe and suitable for their intended use. This would extend to fencing across the site with any required improvements to boundary fencing be negotiated with neighbouring landowners.

It is recommended that a final Operation Management Plan for the facility incorporate appropriate management processes in relation to maintenance and that this be included as a condition of any consent.

#### **Section 4.15(e) - the public interest**

The public interest is a broad consideration relating to many issues and is not limited to. Taking into account the full range of matters for consideration under Section 4.15 of the Environmental Planning and Assessment 1979 (as discussed within this report) it is considered that approval of the application is the public interest.

**Development Contributions - Section 7.11 and 7.12 Environmental Planning & Assessment Act 1979, Section 64 Local Government Act 1993 and Section 306 Water Management Act, 2000**

**Section 7.12**

The cost of the development in the Cost Summary Report is \$6,605,716. As per the Wagga Wagga Local Infrastructure Contribution Plan 2019 - 2034 the Section 7.12 levy is 1% of the cost of the development.

$$\begin{aligned}\text{Section 7.12} &= \$6,605,716 \times 1\% \\ &= \$66,057\end{aligned}$$

The current CPI rate is 132.7.

**Section 64**

The development is outside the DSP Sewer and DSP Stormwater areas. Therefore Section 64 contributions are not required.

**Referrals:**

- Building Surveyor - No concerns raised. Standard conditions of consent recommended.
- Development Engineer - Subject to comments discussed earlier, no additional concerns raised. Conditions of consent recommended.
- Environmental Health Officer - Subject to comments discussed earlier, no additional concerns raised. Conditions of consent recommended.
- Contributions Coordinator - Development contribution comments provided above. Conditions of consent recommended.

**Other Approvals:**

Bush Fire Safety Authority - Section 100B of the Rural Fires Act 1997

The site is bushfire prone land and the proposal is a Special Fire Protection Purpose (SFPP) development under Section 6 of Planning for Bushfire Protection (2019). A Bushfire Safety Authority (BFSA) is required under Section 100B of the Rural Fires Act 1997. The NSW Rural Fire Service has issued a BFSA including General Terms of Approval (GTAs) dated 28 August 2024 (reference: DA20240611002351-Original-1). All GTAs have been included as recommended conditions of consent.

**Conclusion:**

The application has been assessed in accordance with section 4.15 of the Environmental Planning and Assessment Act 1979. Having regard to this assessment, the application is recommended for approval for the following reasons:

- The application is compliant with relevant state policies including State Environmental Planning Policy (Planning Systems) 2021, State Environmental Planning Policy (Resilience and Hazards) 2021 and State Environmental Planning Policy (Industry and Employment) 2021.
- The proposed development is consistent with the and objectives provisions of the Wagga Wagga Local Environmental Plan 2010.
- The proposed development is generally consistent with the objectives and controls of

the Wagga Wagga Development Control Plan 2010.

- The impacts of the proposed development are acceptable subject to the inclusion of recommended conditions of consent.
- The site is considered suitable for the proposed development and is in the public interest.

### **Recommendation**

It is recommended that application number DA23/0584 for Upgrade to Existing Scout Camp Facility (Community Facility) be approved, subject to the following conditions:-

## CONDITIONS

### A. SCHEDULE A – Reasons for Conditions

The conditions of this consent have been imposed for the following reasons:

- A.1 To ensure compliance with the terms of the Environmental Planning and Assessment Act 1979 and Regulation 2000.
- A.2 Having regard to Council's duties of consideration under Section 4.15 and 4.17 of the Act.
- A.3 To ensure an appropriate level of provision of amenities and services occurs within the City and to occupants of sites.
- A.4 To improve the amenity, safety and environmental quality of the locality.
- A.5 Having regard to environmental quality, the circumstances of the case and the public interest.
- A.6 Having regard to the Wagga Wagga Development Control Plan 2010.
- A.7 To help retain and enhance streetscape quality.
- A.8 Ensure compatibility with adjoining and neighbouring land uses and built form.
- A.9 To protect public interest, the environment and existing amenity of the locality.
- A.10 To minimise health risk to neighbouring residents and workers.

### B. SCHEDULE B – Deferred Commencement Conditions

N/A

### C. SCHEDULE C – Conditions

#### Approved Plans and Documentation

- C.1 The development must be carried out in accordance with the approved plans and specifications as follows.

Plan/DocNo.	Plan/Doc Title	Prepared by	Issue	Date
DA001	Cover Page	PMDL	B	19/8/2024
DA010	View 1	PMDL	C	19/8/2024
DA011	View 2	PMDL	C	19/8/2024
DA012	View 3	PMDL	B	24/10/2023
DA013	View 4	PMDL	B	19/8/2024
DA014	View 5	PMDL	A	20/10/2023
DA100	Site Analysis and Demolition Plan	PMDL	A	20/10/2023
DA110	Masterplan	PMDL	D	19/8/2024
DA114	Hall Plans	PMDL	C	19/8/2024
DA115	Accommodation Wing Plans	PMDL	C	19/8/2024



DA116	Drivers and Amenities Plans	PMDL	B	19/8/2024
DA200	Hall Sections and Elevations	PMDL	B	24/10/2023
DA201	Accommodation Sections and Elevations	PMDL	B	24/10/2023
DA202	Amenities Sections and Elevations	PMDL	A	20/10/2023
DA900	Material Board	PMDL	B	26/10/2023
DA910	Signage Schedule	PMDL	A	24/10/2023
P001	Climbing Tower - Overview	Highgate	0	21/9/2021
P002	Climbing Tower - Cover Sheet	Highgate	0	21/9/2021
P101	Climbing Tower - Building Section A	Highgate	0	21/9/2021
P102	Climbing Tower - Building Sections	Highgate	0	21/9/2021
P201	Climbing Tower - Details	Highgate	0	21/9/2021
WTJ23-222	Statement of Environmental Effects	Willowtree Planning	1	27/10/2023
CR232133	Flood Impact and Risk Assessment	Northrop	A	9/5/2024
LE1804	Flora and Fauna Assessment	Lodge Environmental	1	31/10/2023

The Development Application has been determined by the granting of consent subject to and as amended by the conditions of development consent specified below.

NOTE: Any modifications to the proposal shall be the subject of an application under Section 4.55 of the Environmental Planning and Assessment Act, 1979.

### Requirements before a Construction Certificate can be issued

- C.2 The existing vehicular access to Oura Road shall comply with the required Safe InterSection Sight Distance (SISD) in either direction in accordance with the AUSTROADS Standards for the prevailing speed limit. Compliance with this requirement must be certified by an appropriately qualified person prior to the release of Construction Certificate.
- C.3 Pursuant to s7.12 of the Environmental Planning and Assessment Act 1979 and the Wagga Wagga Local Infrastructure Contributions Plan 2019-2034, a monetary contribution of \$66,057 must be paid to Council, prior to the issuing of the Construction Certificate. The monetary contribution payable under this condition will be indexed in accordance with Clause 3.2 of the Wagga Wagga Local Infrastructure

Contributions Plan 2019-2034 from the endorsed date of this Development Consent until the date of payment.

NOTE 1: Clause 3.2 of the Wagga Wagga Local Infrastructure Contributions Plan 2019-2034 provides for Section 7.12 contributions to be indexed in accordance with annual movements in the March quarter Consumer Price Index (CPI) (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.

NOTE 2: The monetary contribution identified above remains applicable if paid within the same financial year as the date of determination. If payment is to be made outside this period, you are advised to contact Council prior to payment being made to determine if CPI increases/decreases have occurred since the date of this consent. The applicable rate of CPI at the time of consent is 132.7.

NOTE 3: A copy of the Wagga Wagga Local Infrastructure Contributions Plan 2019-2034, is available for inspection at Council Chambers, corner Baylis and Morrow Streets, Wagga Wagga, or on Council's website.

C.4 Prior to the release of Construction Certificate a compliance certificate under s306 of the Water Management Act 2000 must be obtained in respect of the development relating to water management works that may be required in connection with the development.

NOTE1: 'Water management work' is defined in s283 of the Water Management Act to mean a 'water supply work', 'drainage work', 'sewage work' or 'flood work'. These terms are defined in that Act.

NOTE 2: Riverina Water is responsible for issuing compliance certificates and imposing requirements relating to water supply works for development in the Council's area. An application for a compliance certificate must be made with Riverina Water. Additional fees and charges may be incurred by the proposed development - please contact Riverina Water to ascertain compliance certificate water supply related requirements. A copy of such a compliance certificate is required prior to release of Construction Certificate.

NOTE 3: The Council is responsible for issuing compliance certificates and imposing requirements relating to sewerage, drainage and flood works for development in its area.

NOTE 4: Under s306 of the Water Management Act 2000, Riverina Water or the Council, as the case requires, may, as a precondition to the issuing of a compliance certificate, impose a requirement that a payment is made or works are carried out, or both, towards the provision of water supply, sewerage, drainage or flood works.

NOTE 5: The Section 64 Sewer base figure is NIL.

NOTE 6: The Section 64 Stormwater base figure is NIL.

C.5 A revised landscape plan shall be submitted to Council for approval. The plan shall address the following matters:

- The plan shall be consistent with the approved development layout as identified on plan titled DA110 Masterplan (Revision D) dated 19/8/2024
- Incorporation of following recommendations of the document titled “Flora and Fauna Assessment” prepared by Lodge Environmental (Project Code: LE1804) and dated 31/10/2023.
  - o Landscaping should aim to use species endemic to the area - specifically species within the Box Gum Woodland assemblage.
  - o At least 14 Box Gum Woodland Euclayptus species or Brachychiton populneus are to be planted within the proposed landscaping areas to offset the proposed tree loss.
  - o 10 Nest Boxes or Artificial Hollows are to be installed to offset the hollows and nest loss at a ratio of 1:1.

The plan shall be to the satisfaction of the General Manager, or their delegate, prior to the release of the construction certificate.

C.6 A plan depicting the intended refurbishment and layout of the existing carparking area and the proposed bus turning and parking area shall be submitted to Council for approval. The plan shall include details of aisle and parking space configurations and dimensions to meet Australian Standards AS2890.1.2004, AS2890.2 2002 and AS/NZS2890.6.2009. The plan shall be to the satisfaction of the General Manager, or their delegate, prior to the release of the construction certificate.

C.7 Prior to the release of the construction certificate, a Construction Environmental Management Plan shall be prepared and submitted for approval by the General Manager or delegate. The approved plan shall be implemented during all works associated with the approved development. The plan shall include, as a minimum:-

- Construction hours in accordance with the requirements of this consent.
- Site layout during construction including storage of materials, plant and equipment, site office and amenities, hoardings and fencing.
- Operational details of any proposed traffic control devices.
- Waste management plan including the type and location of waste storage containers onsite, proposed method of removal and disposal of all waste types.
- Dust Management, including control of dust from stockpiled sites.
- All recommendations relating to the construction phase of the development contained within the document titled “Flora and Fauna Assessment” prepared by Lodge Environmental (Project Code: LE1804) and dated 31/10/2023:

- Establishment of Tree Protection Zones in accordance with the requirements of this consent.
  - Unexpected finds protocols, in accordance with the requirements of this consent, with respect to any Aboriginal object, historic relic or human remains discovered and/or harmed.
  - Security and complaints handling procedures including details of relevant project manager and/or site foreman contact details.
- C.8 Prior to the release of the Construction Certificate, plans submitted with the Construction Certificate shall identify a minimum finished floor level for the proposed accommodation building of 184.00 AHD and for the proposed main hall building of 184.25 AHD.
- C.9 Prior to the issue of a Construction Certificate, engineer's certification shall be submitted to Council, to the satisfaction of the General Manager or delegate. The certification shall be from a qualified structural/civil engineer stating that the building if constructed in accordance with the plans and specifications to which the Construction Certificate relates, will not sustain structural damage from the force of flowing floodwaters or from impact of debris associated with the floodwaters in a 1:100 year flood event.
- C.10 Prior to issue of the Construction Certificate detailed plans and elevations of the food and drink preparation areas shall be submitted in accordance with the requirements of the Food Act 2003 and the Food Regulation 2015 and the Food Safety Standards Code. Plans shall include but not be limited to the floor, wall, ceiling covering, coving, exhaust canopy, personal and chemical storage areas.
- C.11 Prior to the issue of a Construction Certificate, a geotechnical study must be submitted with the "Application to Install an On-Site Sewage Management System" to determine the suitability of the site with respect to the on-site disposal of waste water. An On-Site Sewage Management System Application together with the geotechnical report shall be assessed and approved by Council prior to carrying out any works on the site.

This study must be carried out by an appropriately qualified geotechnical Soil Consultant, with associated testing being conducted by a NATA registered laboratory. Matters such as geology, stratigraphy (in particular, soil profile and permeability) must be addressed.

The study must also state whether or not the proposed waste water disposal area are located in a position and are of a design and capacity to ensure that all waste water generated from the activities carried out on site can be disposed of on the site without causing nuisance and/or pollution, both in the short and the long term.

NOTE 1: Alterations/modifications to the premise or replacement of disposal areas and or the On-site Sewage Management Systems require a geotechnical soil report to determine if the current system can manage additional loads and/or if the current disposal areas are adequately sized to effectively treat waste water generated by the activities on the premise.

NOTE 2: As a site investigation will need to be undertaken in order to determine the design of the floor slab and/or footings, it is suggested that the required geo-technical study with respect to on-site disposal of effluent be carried out at the same time. This should minimise investigation time and costs.

C.12 Prior to the issue of a Construction Certificate, it must be demonstrated that the On-Site Sewage Management System and its associated disposal area are situated more than 40m away from drainage channels, 100m away from rivers, lakes, water body, etc and 250m away from domestic ground water wells.

C.13 Prior to release of the Construction Certificate, an application to install an On-Site Sewage Management System must be submitted to and approved by Council. The On-site Sewage Management System tank(s) must be installed on the land and the premises connected thereto, in accordance with the provisions of the Local Government Act 1993 Part 1 Approvals and the Local Government (General) Regulation 2005.

NOTE: A Section 68 approval for sanitary plumbing and drainage works must be obtained in conjunction with the On-site Sewage Management System application.

### **Requirements before the commencement of any works**

C.14 Prior to works commencing on site, toilet facilities must be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:

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

NOTE 1: The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced and the toilet facility must not be removed without the prior written approval of Council.

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

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

C.15 A CONSTRUCTION CERTIFICATE must be obtained pursuant to Section 6.7 of the Environmental Planning and Assessment Act 1979, as amended from either Council or an accredited certifying authority certifying that the proposed works are in accordance with the Building Code of Australia PRIOR to any works commencing.



NOTE 1: No building, engineering, excavation work or food premises fitout must be carried out in relation to this development until the necessary Construction Certificate has been obtained.

NOTE 2: YOU MUST NOT COMMENCE WORK UNTIL YOU HAVE RECEIVED THE CONSTRUCTION CERTIFICATE, even if you made an application for a Construction Certificate at the same time as you lodged this Development Application.

NOTE 3: It is the responsibility of the applicant to ensure that the development complies with the provision of the Building Code of Australia in the case of building work and the applicable Council Engineering Standards in the case of subdivision works. This may entail alterations to the proposal so that it complies with these standards.

- C.16 Prior to works commencing a container must be erected on site for the enclosure of all building rubbish and debris, including that which can be wind blown. The enclosure shall be approved by Council and be retained on site at all times prior to the disposal of rubbish at a licenced Waste Management Centre.

Materials and sheds or machinery to be used in association with the construction of the building must not be stored or stacked on Council's footpath, nature strip, reserve or roadway.

NOTE 1: No building rubbish or debris must be placed, or be permitted to be placed on any adjoining public reserve, footway, road or private land.

NOTE 2: Weighbridge certificates, receipts or dockets that clearly identify where waste has been deposited must be retained. Documentation must include quantities and nature of the waste. This documentation must be provided to Council prior to application for an Occupation Certificate for the development.

NOTE 3: The suitable container for the storage of rubbish must be retained on site until an Occupation Certificate is issued for the development.

- C.17 Prior to the commencement of works erosion and sediment control measures are to be established and maintained to prevent silt and sediment escaping the site or producing erosion. This work must be carried out and maintained in accordance with Council's:-

- a) Development Control Plan 2010 (Section 2.6 and Appendix 2)
- b) Erosion and Sediment Control Guidelines for Building Sites; and
- c) Soils and Construction Volume 1, Managing Urban Stormwater

Prior to commencement of works, a plan illustrating these measures shall be submitted to, and approved by, Council.

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

- C.18 A Tree Protection Zone (TPZ) shall be constructed for all existing trees to be retained within proximity of the development works on the site in accordance with Australian Standards - AS 4970-2009 Protection of Trees on Development Sites.

Construction of Tree Protection Zones shall be completed and inspected by Council's Supervisor of Tree Planning and Management, prior to the commencement of any site works. Contact can be made by phoning 1300 292442 during normal business hours.

Tree Protection Zone fencing shall not be relocated or disrupted once established. TPZ fences shall remain in place until the end of construction.

- C.19 The Principal Certifying Authority shall receive documentation from a registered surveyor certifying that the finished floor level for the proposed accommodation building is a minimum of 184.00 AHD and that the finished floor level for the proposed main hall building is a minimum of 184.25 AHD.

NOTE: It is recommended that the certification be provided to the PC once construction of the suspended floor is completed and prior to continuation of further works. It is also recommended that prior to commencement of any works, a registered surveyor establish an appropriate benchmark on the site from which construction levels can be conveyed.

- C.20 A Section 68 Approval must be obtained from Council prior to any sewer or stormwater work being carried out on the site.

The licensed plumber must submit to Council, at least two (2) days prior to the commencement of any plumbing and drainage works on site a "Notice of Works".

NOTE: A copy of the Notice of Works form can be found on Council's website.

### **Requirements during construction or site works**

- C.21 The Builder must at all times maintain, on the job, a legible copy of the plans and specifications approved with the Construction Certificate.
- C.22 All excavation and backfilling associated with the erection/demolition of the building must be properly guarded and protected to prevent them from being dangerous to life or property.
- C.23 The demolition must be carried out in accordance with the provisions of Australian Standard AS2601-2001: The Demolition of Structures.

Within fourteen (14) days of completion of demolition, the following information shall be submitted to Council for assessment and approval:

- a) an asbestos clearance certificate prepared by a competent person; and
- b) a signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with any Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of actual weighbridge receipts for the recycling/disposal of all materials.

- NOTE 1: Developers are reminded that WorkCover requires that all plant and equipment used in demolition work must comply with the relevant Australian Standards and manufacturer specifications.
- NOTE 2: Demolition works involving the removal and disposal of asbestos cement must only be undertaken by contractors who hold a current WorkCover "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence".
- NOTE 3: Competent Person (as defined under Safe Removal of asbestos 2nd Edition [NOHSC: 2002 (2005)]) means a person possessing adequate qualifications, such as suitable training and sufficient knowledge, experience and skill, for the safe performance of the specific work.
- NOTE 4: A licence may be required for some of the tasks described in the document entitled Safe Removal of Asbestos 2nd Edition as requiring a competent person.

- C.24 The permitted construction hours are Monday to Friday 7.00am to 6.00pm and Saturday 7.00am to 5.00pm, excepting public holidays. All reasonable steps must be taken to minimise dust generation during the demolition and/or construction process. Demolition and construction noise is to be managed in accordance with the Office of Environment and Heritage Guidelines.
- C.25 During on site works, adequate fire precautions must be undertaken ensuring the provision of at least one fire extinguisher to suit Class A, B and C fires and electrical fires at all times in the construction area.
- C.26 If any Aboriginal object, historic relic or human remains are discovered and/or harmed in, on or under the land, all work must cease immediately, and the area secured so as to avoid further harm. The Office of Environment and Heritage shall be notified as soon as practicable on 131 555, providing any details of the object, relic or remains and its location, and no work shall recommence at the particular location unless authorised in writing by Office of Environment and Heritage.
- C.27 The developer is to maintain all adjoining public roads to the site in a clean and tidy state, free of excavated "spoil" material.
- C.28 The building must be designed and constructed in such a manner and of such materials as to minimise the likelihood of damage to the building in the event of flooding up to the 1:100 year event.
- C.29 The construction and finished area used for the manufacture, preparation, storage, packing, carriage or delivery of food for sale shall be constructed and maintained in accordance with the Food Act 2003 and Food Regulations 2015 and the Food Safety Standards Code.
- C.30 Subject to the conditions of this consent, only those trees/vegetation identified for removal within the approved documentation shall be removed.

The approved works shall be executed so as to comply with 'Safework NSW Tree work (arboriculture)'

Any works associated with tree removal shall be carried out in Accordance with Australian Standards - AS 4373-2007, Pruning of Amenity Trees.

All tree stumps shall be removed below ground level and the surface area reinstated

to prevent potential injury.

All waste material from the subject tree/s shall be removed from site in conjunction with clearing.

- C.31 The single Habitat Bearing Tree identified for removal in the location of the proposed main hall building, shall be removed in accordance with the recommendations of the report titled "Flora and Fauna Assessment" prepared by Lodge Environmental (Project Code: LE1804, dated 31/10/2023). The tree shall be felled via a slow drop technique implemented by qualified arborists. Hollow limbs and the nest must be roped to the ground where they can be inspected by an ecologist and any residing fauna safely relocated. The tree felling shall be supervised by a suitably trained ecologist.
- C.32 No approval is granted for the removal of the Habitat Bearing Tree identified in the report titled "Flora and Fauna Assessment" prepared by Lodge Environmental (Project Code: LE1804, dated 31/10/2023) and located at the north western corner of the existing carparking area. An Arborist shall be engaged to provide a tree safety assessment for this tree and to oversee works for the removal of any dangerous limbs.

**Requirements prior to issue of an Occupation Certificate or prior to operation**

- C.33 Prior to the issue of Occupation Certificate, the driveway from the property entrance of the development site to the edge of the carriageway shall be constructed with a 2 coat bituminous seal and maintained, having a minimum clear width of 4.0 metres.
- C.34 Prior to the release of the occupation certificate, certification from an accredited Bushfire Planning and Design Consultant (BPAD), shall be submitted to Council, to the satisfaction of the General Manager or delegate, certifying that the development complies with the conditions of approval of the Bush Fire Safety Authority (as provided in Schedule F of this consent) issued by the NSW Rural Fire Service, dated 28 August 2024 (reference: DA20240611002351-Original-1).
- C.35 Prior to the release of the occupation certificate, a revised Operational Management Plan shall be prepared and submitted for approval by the General Manager or delegate. The plan shall include, as a minimum:-
- The approved use of the site in accordance with the requirements of condition C46 of this consent
  - The requirements and implementation of the approved Flood Emergency Response Plan as required under condition C36 of this consent.
  - The requirements of the Bushfire Safety Authority issued by NSW Rural Fire Service including the implementation of the required Bush Fire Emergency Management and Evacuation Plan
  - Management processes to control noise in relation to activities within the main hall building and also across all facilities proposed for the site.
  - Management processes to requiring ongoing maintenance of all infrastructure on the site to ensure it remains safe and suitable for its intended use at all times. This may extend to carparking and vehicular movements areas, landscaping, build infrastructure, fencing, signage, stormwater and waste management systems.

- Complaints handling procedures including details of relevant site manager contact details.

- C.36 Prior to the issue of Occupation Certificate, a detailed Flood Emergency Response Plan for the development shall be submitted to Council. The plan shall be prepared in accordance with the content and recommendations contain in the document titled "Flood Impact and Risk Assessment" (CR232133, Revision A) prepared by Northrop and dated 9/5/2024.

To ensure that evacuation via Oura Road to Wagga Wagga is not restricted, the plan must stipulate that any required actions be initiated, including the full evacuation of the site, upon notification of an official "minor flood warning" for the areas of Eunanoreenya, North Wagga Wagga or Oura.

The plan shall be to the satisfaction of the General Manager or their delegate, prior to the issue of the occupation certificate.

Following its initial approval, the plan may be amended from time to time subject to the further written approval of the General Manager or their delegate.

- C.37 Prior to the issue of Occupation Certificate, the building must comply with the Fire Safety Schedule, attached.

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

- C.38 Prior to the issue of an Occupation Certificate, the owner must submit to Council a final Fire Safety Certificate stating that each essential fire safety measure specified in the current Fire Safety Schedule for the building to which the certificate relates:

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

Further, the assessment must be carried out within a period of three (3) months of the date on which the final Fire Safety certificate was issued. The owner of the building must forward a copy of the certificate to the New South Wales Fire Brigades and must prominently display a copy in the building.

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

- C.39 Prior to the issue of the Occupation Certificate and at a minimum two (2) days prior to the food business premises commencing trade, a health inspection must be conducted by Council's Environmental Health Officer in accordance with the Food Act 2003 and the Food Regulations 2015, Food Safety Standards Code. A satisfactory final fit out and construction approval must be obtained by Council's Environmental Health Officer prior to commencing trade.



- C.40 Prior to the release of the Occupation Certificate the Food Business Premise and the current Food Safety Supervisor must be notified to the appropriate regulatory authority.

- C.41 An Occupation Certificate, must be obtained pursuant to Section 6.9 of the Environmental Planning and Assessment Act 1979, from either Council or an accredited certifying authority, prior to occupation of the building.

In order to obtain this, the "Final Occupation Certificate" form must be completed and submitted to Council with all required attachments - failure to submit the completed Occupation Certificate Application form will result in an inability for Council to book and subsequently undertake Occupation Certificate inspection.

NOTE: The issuing of an Occupation Certificate does not necessarily indicate that all conditions of development consent have been complied with. The applicant is responsible for ensuring that all conditions of development consent are complied with.

- C.42 A final inspection must be carried out upon completion of plumbing and drainage work and prior to occupation of the development, prior to the issuing of a final plumbing certificate Council must be in possession of Notice of Works, Certificate of Compliance and Works as Executed Diagrams for the works. The works as Executed Diagram must be submitted in electronic format in either AutoCAD or PDF file in accordance with Council requirements.

All plumbing and drainage work must be carried out by a licensed plumber and drainer and to the requirements of the Plumbing and Drainage Act 2011.

NOTE: Additional fees for inspections at the Plumbing Interim Occupancy / Plumbing Occupation stage may apply. This will depend on the number of inspections completed at this stage of the work/s.

- C.43 Prior to the issue of an Occupation Certificate a Water Plumbing Certificate from Riverina Water County Council shall be submitted to Council.

NOTE 1: The applicant is to obtain a Plumbing Permit from Riverina Water County Council before any water supply/plumbing works commence and a Compliance Certificate upon completion of the works. Contact Riverina Water County Council's Plumbing Inspector on 6922 0618. Please be prepared to quote your Construction Certificate number.

### General requirements

- C.44 Any earthworks (including any structural support or other related structure for the purposes of the development):
- (a) must not cause a danger to life or property or damage to any adjoining building or structure on the lot or to any building or structure on any adjoining lot, and
  - (b) must not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property, and
  - (c) retained material must have a gradient of at least 5%, and
  - (d) must be constructed in accordance with the approved plans for such work(s).

- (e) must be wholly located within the subject site (including footings of any retaining structures)
- C.45 Should asbestos material be found, it is to be handled, transported and disposed of in accordance with the legislative requirements and standards determined by NSW WorkCover. All weighbridge receipts must be provided to Wagga Wagga City Council, within 14 days of the completion of the demolition/removal.
- NOTE 1: All asbestos material needs to be double wrapped in 200µm thick plastic and disposed of at an EPA licensed facility. In this regard it should be noted that Wagga Wagga City Council's Gregadoo Waste Facility is the only EPA licensed facility within the Local Government Area to accept asbestos material. Council's Waste Management Supervisor requires 24 hours notice prior to disposal of this material
- NOTE 2: Demolition works involving the removal and disposal of asbestos cement must only be undertaken by contractors who hold a current WorkCover — Demolition Licence and a current WorkCover — Class 2 (Restricted) Asbestos Licence.
- NOTE 3: Competent Person (as defined under Safe Removal of Asbestos 2nd Edition [NOHSC: 2002 (2005)]) means a person possessing adequate qualifications, such as suitable training and sufficient knowledge, experience and skill, for the safe performance of the specific work.
- NOTE 4: A licence may be required for some of the tasks described in the document entitled Safe Removal of Asbestos 2nd Edition as requiring a competent person.
- C.46 All activities and land uses occurring on the site shall be ancillary to the approved use of the site as a community facility (Scout camp).
- C.47 All uses of the main hall building shall cease by 12:00am.
- C.48 The Operational Management Plan approved under condition C35 of this consent and the Flood Emergency Response Plan approved under condition C36 of this consent, shall be maintained and implemented for the life of the development.
- C.49 The owner must submit to Council and the NSW Fire Brigade an Annual Fire Safety Statement, each 12 months, commencing within 12 months after the date on which the initial Interim/Final Fire Safety Certificate is issued or the use commencing, whichever is earlier.
- C.50 The car park and all associated facilities must be laid out in accordance with Australian Standards AS2890.1.2004 AS2890.2 2002 and AS/NZS2890.6.2009.
- C.51 Illumination of the car park must be in accordance with AS 1158.3.1.2005, as amended, lighting for roads and public spaces.

## **D. SCHEDULE D – Activity Approval Conditions (Section 68)**

N/A

## **E. SCHEDULE E – Prescribed Conditions**

Conditions under this schedule are prescribed conditions for the purposes of section 4.17 (11) of the Environmental Planning and assessment Act 1979.

- E1 Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989 (clause 69 EP&A Reg 2021)
- (1) It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia.
  - (2) It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act 1989, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences.
  - (3) It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with the Building Code of Australia, Volume 1, Part B1 and NSW Part I5.
  - (4) In subsection (1), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the relevant date.
  - (5) In subsection (3), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made.
  - (6) This section does not apply-
    - (a) to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or
    - (b) to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.
  - (7) In this section -  
  
relevant date has the same meaning as in the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, section 19.
- E2 Erection of signs (clause 70 EP&A Reg 2021)
- (1) This section applies to a development consent for development involving building work, subdivision work or demolition work.
  - (2) It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out-
    - (a) showing the name, address and telephone number of the principal certifier for the work, and
    - (b) showing the name of the principal contractor, if any, for the building work

and a telephone number on which the principal contractor may be contacted outside working hours, and

- (c) stating that unauthorised entry to the work site is prohibited.
- (3) The sign must be-
  - (a) maintained while the building work, subdivision work or demolition work is being carried out, and
  - (b) removed when the work has been completed.
- (4) This section does not apply in relation to-
  - (a) building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or
  - (b) Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

**E3 Notification of Home Building Act 1989 requirements (clause 71 EP&A Reg 2021)**

- (1) This section applies to a development consent for development involving residential building work if the principal certifier is not the council.
- (2) It is a condition of the development consent that residential building work must not be carried out unless the principal certifier for the development to which the work relates has given the council written notice of the following-
  - (a) for work that requires a principal contractor to be appointed-
    - i. the name and licence number of the principal contractor, and
    - ii. the name of the insurer of the work under the Home Building Act 1989, Part 6,
  - (b) for work to be carried out by an owner-builder-
    - i. the name of the owner-builder, and
    - ii. if the owner-builder is required to hold an owner-builder permit under the Home Building Act 1989-the number of the owner-builder permit.
- (3) If the information notified under subsection (2) is no longer correct, it is a condition of the development consent that further work must not be carried out unless the principal certifier has given the council written notice of the updated information.
- (4) This section does not apply in relation to Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

**E4 Entertainment venues (clause 72 EP&A Reg 2021)**

- (1) The requirements specified in this section are conditions of development consent for the use of a building as an entertainment venue.
- (2) During a stage performance at an entertainment venue, there must be at least 1 suitably trained person in attendance in the stage area at all times for the purpose of operating, if necessary, a proscenium safety curtain, drencher

system and smoke exhaust system.

- (3) If a proscenium safety curtain is installed at an entertainment venue, there must be no obstruction to the opening or closing of the curtain and the curtain must be operable at all times.
- (4) When a film is being screened at an entertainment venue, there must be at least 1 person in attendance at the entertainment venue who is trained in-
  - (a) the operation of the projectors being used, and
  - (b) the use of the fire fighting equipment in the room in which the projectors are installed (the projection room).
- (5) If the projection room is not fitted with automatic fire suppression equipment and a smoke detection system, in accordance with the Building Code of Australia, the person required by subsection (4) to be in attendance must be in the projection suite in which the projection room is located during the screening of a film.
- (6) A member of the public must not be present in the projection suite during the screening of a film.
- (7) An entertainment venue must not screen a nitrate film.
- (8) An emergency evacuation plan must be prepared, maintained and implemented for a building, other than a temporary structure, used as an entertainment venue.
- (9) The emergency evacuation plan must specify the following-
  - (a) the location of all exits, and fire protection and safety equipment, for the part of the building used as an entertainment venue,
  - (b) the number of fire safety officers that must be present during performances,
  - (c) how the audience will be evacuated from the building if there is a fire or other emergency.
- (10) A fire safety officer appointed to be present during a performance must have appropriate training in evacuating persons from the building if there is a fire or other emergency.
- (11) In this section-  
exit has the same meaning as in the Building Code of Australia.

#### E5 Maximum capacity signage (clause 73 EP&A Reg 2021)

- (1) This section applies to a development consent, including an existing development consent, for the following uses of a building, if the development consent contains a condition specifying the maximum number of persons permitted in the building-
  - (a) an entertainment venue,
  - (b) a function centre,
  - (c) a pub,
  - (d) a registered club,



- (e) a restaurant or cafe.
- (2) It is a condition of the development consent that a sign must be displayed in a prominent position in the building stating the maximum number of persons, as specified in the development consent, that are permitted in the building.
- E6 Shoring and adequacy of adjoining property (clause 74 EP&A Reg 2021)
- (1) This section applies to a development consent for development that involves excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, including a structure or work in a road or rail corridor.
- (2) It is a condition of the development consent that the person having the benefit of the development consent must, at the person's own expense-
- (a) protect and support the building, structure or work on adjoining land from possible damage from the excavation, and
- (b) if necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation.
- (3) This section does not apply if-
- (a) the person having the benefit of the development consent owns the adjoining land, or
- (b) the owner of the adjoining land gives written consent to the condition not applying.
- E7 Fulfilment of BASIX commitments (clause 75 EP&A Reg 2021)
- It is a condition of a development consent for the following that each commitment listed in a relevant BASIX certificate is fulfilled-
- (a) BASIX development,
- (b) BASIX optional development, if the development application was accompanied by a BASIX certificate.

## **F. SCHEDULE F – General Terms of Approval (Integrated Development)**

### **Bush Fire Safety Authority - Section 100B of the Rural Fires Act 1997**

#### **General Conditions**

- F.1 The development shall generally comply with the following plans/documents except where amended by the remaining conditions of these General Terms of Approval:
- The plan prepared by PMDL project 3174 revision D dated 19/8/2024.
  - The bush fire assessment prepared by Harris Environmental reference 6352BF dated 24/10/2023.

#### **Asset Protection Zones**

*The intent of measure is to provide suitable building design, construction and sufficient space to ensure that radiant heat levels do not exceed critical limits for firefighters and other emergency services personnel undertaking operations, including supporting or evacuating*

*occupants.*

- F.2 From the commencement of building works and in perpetuity, the property around the Scout Hall (refuge) must be maintained as an inner protection area to the following distances and aspect in accordance with Appendix 4.1.1 of Planning for Bush Fire Protection 2019:
- north for a distance of 42 metres;
  - east for a distance of 42 metres;
  - south for a distance of 34 metres; and
  - west for a distance of 36 metres.
- F.3 From the commencement of building works and in perpetuity, the property around the new accommodation building must be maintained as an inner protection area for the following distances:
- north for a distance of 26 metres;
  - east for a distance of 26 metres;
  - west to the property boundary
  - south for a distance of 21 metres
- F.4 Scout Hall (refuge building) construction must comply with section 3 and section 6 (BAL 19) Australian Standard AS3959-2018 Construction of buildings in bushfire-prone areas or the relevant requirements of the NASH Standard - Steel Framed Construction in Bushfire Areas (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of Planning for Bush Fire Protection 2019.
- F.5 Construction of the western, northern and southern elevations of the new accommodation building must comply with section 3 and section 6 (BAL 19) Australian Standard AS3959-2018 Construction of buildings in bushfire-prone areas or the relevant requirements of the NASH Standard - Steel Framed Construction in Bushfire Areas (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of Planning for Bush Fire Protection 2019
- F.6 Construction of the eastern elevation of the new accommodation building must comply with section 3 and section 5 (BAL 12.5) Australian Standard AS3959-2018 Construction of buildings in bushfire-prone areas or the relevant requirements of the NASH Standard - Steel Framed Construction in Bushfire Areas (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of Planning for Bush Fire Protection 2019.
- F.7 The existing accommodation buildings are required to be upgraded to improve ember protection by enclosing all openings (excluding roof tile spaces) or covering openings with a non-corrosive metal screen mesh with a maximum aperture of 2mm. Where applicable, this includes any subfloor areas (except where the underfloor area complies with 5.3.2.2 of AS3959:2018), openable windows, vents, weep holes and eaves. External doors are to be fitted with draft excluders.

### Access - Internal Roads

*The intent of measure is to provide safe operational access for emergency services personnel in suppressing a bush fire while residents are accessing or egressing an area.*

F.8 The access road to the parking area must comply with the following requirements of Table 6.8b of Planning for Bush Fire Protection 2019:

- access roads are two-wheel drive, all-weather roads;
- provide suitable turning areas in accordance with Appendix 3;
- minimum 5.5m carriageway width kerb to kerb;
- parking is provided outside of the carriageway width;
- curves of roads have a minimum inner radius of 6m; and
- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.

F.9 The provision of water, electricity and gas must comply with the following in accordance with Table 6.8c of Planning for Bush Fire Protection 2019:

- a 10,000 litre static water supply, tank, pool or the like, must be provided on-site,
- an outlet for firefighting purposes is located within the IPA or non-hazard side and away from the structure
- 65mm Storz connection with a ball valve is fitted to the outlet,
- the ball valve, pipes and tank penetration are adequate for the full 50mm inner diameter water flow through the Storz fitting and are constructed of a metal material,
- underground tanks have an access hole of 200mm to allow tankers to refill, direct from the tank,
- a hardened ground surface for truck access is supplied within 4m of the water outlet or access hole,
- above-ground tanks are manufactured from concrete or metal,
- raised tanks have their stands constructed from non combustible material or bush fire resisting timber. The bush fire-resisting timbers are Silvertop Ash, Blackbutt, Red or River Gum, Spotted Gum, Red Ironbark, Kwila (Merbau) or Turpentine,
- unobstructed access can be provided at all times,
- underground tanks are clearly marked,
- tanks on the hazard side of a building are provided with adequate shielding for the protection of firefighters,
- all exposed water pipes external to the building are metal, including any fittings,
- where pumps are provided, they are a minimum 5hp or 3kW petrol or diesel-powered pump, and are shielded against bush fire attack,
- any hose and reel for firefighting connected to the pump must be 19mm internal diameter,
- fire hose reels are constructed in accordance with AS/NZS 1221:1997, and installed in accordance with the relevant clauses of AS 2441:2005,
- A Static Water Supply (SWS) sign must be obtained from the local NSW Rural Fire Service (RFS) and positioned for ease of identification by RFS personnel and other users of the SWS. In this regard:
  - o Markers must be fixed in a suitable location to be highly visible, and

- o Markers should be positioned adjacent to the most appropriate access for the water supply.
- all exposed water pipes external to the building are metal, including any fittings;
- where pumps are provided, they are a minimum 5hp or 3kW petrol or diesel-powered pump, and are shielded against bush fire attack; any hose and reel for firefighting connected to the pump must be 19mm internal diameter;
- fire hose reels are constructed in accordance with AS/NZS 1221:1997, and installed in accordance with the relevant clauses of AS 2441:2005;
- where practicable, electrical transmission lines are underground;
- where overhead, electrical transmission lines are proposed as follows:
  - o lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and
  - o no part of a tree is closer to a power line than the distance set out in accordance with the specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines.
- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used;
- all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side;
- connections to and from gas cylinders are metal;
- polymer sheathed flexible gas supply lines are not used; and-
- above-ground gas service pipes are metal, including and up to any outlets.

### Landscaping Assessment

*The intent of measure is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.*

F.10 Landscaping within the required asset protection zone must comply with Appendix 4 of Planning for Bush Fire Protection 2019. In this regard, the following principles are to be incorporated:

- A minimum 1 metre wide area (or to the property boundary where the setbacks are less than 1 metre), suitable for pedestrian traffic, must be provided around the immediate curtilage of the building;
- Planting is limited in the immediate vicinity of the building;
- Planting does not provide a continuous canopy to the building (i.e. trees or shrubs are isolated or located in small clusters);
- Landscape species are chosen to ensure tree canopy cover is less than 15% (IPA), and less than 30% (OPA) at maturity and trees do not touch or overhang buildings;
- Avoid species with rough fibrous bark, or which retain/shed bark in long strips or retain dead material in their canopies;
- Use smooth bark species of trees species which generally do not carry a fire up the bark into the crown;
- Avoid planting of deciduous species that may increase fuel at surface/ ground level (i.e. leaf litter);
- Avoid climbing species to walls and pergolas;
- Locate combustible materials such as woodchips/mulch, flammable fuel stores away from the building;

- Locate combustible structures such as garden sheds, pergolas and materials such as timber garden furniture away from the building; and
- Low flammability vegetation species are used.

**Emergency and Evacuation Planning Assessment**

*The intent of measure is to provide suitable emergency and evacuation arrangements for occupants of SFPP developments.*

F.11 A Bush Fire Emergency Management and Evacuation Plan must be prepared in accordance with Table 6.8d of Planning for Bush Fire Protection 2019 and be consistent with the NSW RFS document: A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan. The plan must also include the following:

- procedures for ensuring that buildings other than the Scout Hall (refuge building) are not relied on for the protection of occupants if the property is directly impacted by bush fire;
- contact details for the local Rural Fire Service office; and
- procedures for coordinated evacuation of the site in consultation with local emergency services.

A copy of the Bush Fire Emergency Management and Evacuation Plan should be provided to the Local Emergency Management Committee for its information prior to the occupation of the development.

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