DETERMINATION AND STATEMENT OF REASONS

SOUTHERN REGIONAL PLANNING PANEL

DATE OF DETERMINATION	7 August 2026
DATE OF PANEL DECISION	6 August 2026
DATE OF PANEL BRIEFING	4 August 2026
PANEL MEMBERS	Chris Wilson (Chair), Juliet Grant, Grant Christmas, Luciano Casmiri, Peter Wilkins
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 27 July 2026.

MATTER DETERMINED

PPSSTH-573 – SHOALHAVEN - DA2026/1070 at 17 Croobyar Road Milton NSW 2538 (Lot 200 DP 1192140) – Demolition of structures, refurbishment and upgrade of the decommissioned Shoalhaven Anglican School site for public education (as described in Schedule 1).

The facility will provide shared educational infrastructure on an as-needed basis for Milton Public School, Ulladulla Public School, Ulladulla High School, and Budawang School, which already operates on the site. The site will operate as a satellite campus approximately 8 days a month, supporting up to 184 students and 13 staff across indoor sports courts, a VET kitchen, general learning spaces, and outdoor playing fields.

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at briefings listed at item 8 in Schedule 1.

Development application

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to approve the application for the reasons outlined in the Council Assessment Report.

- The development application had been considered in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and Regulations.
- A thorough assessment in terms of section 4.15 of the *Environmental Planning and Assessment Act 1979* had been undertaken.
- The preconditions to the grant of consent had been satisfied.
- The proposal is unlikely to result in any unacceptable amenity, environmental or land use safety impacts, subject to the imposition of the conditions of consent.
- Adequate arrangements will be in place to ensure safe vehicular and pedestrian access to and from the site.
- The proposal is considered appropriate, having regard to the zoning of the site, the provisions of the Shoalhaven LEP 2014, and other applicable environmental planning instruments.
- The development will utilise a disused former school site for much-needed public education and sporting facilities.

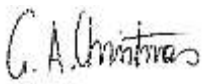
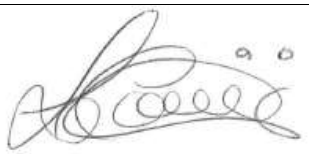
- Given the above, the proposal is in the public interest.

CONDITIONS

The Development Application was approved subject to the conditions recommended by the Council which are attached as Appendix 2. The Crown applicant agreed to the imposition of these draft conditions of consent.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition and the Panel notes that the issue raised in the submission regarding the construction of a footpath on the northern side of Croobyar Road will be delivered as a condition of consent.

PANEL MEMBERS	
 Christoper Wilson (Chair)	 Juliet Grant
 Grant Christmas	 Luciano Casmiri

SCHEDULE 1		
1	**PANEL REF – LGA – DA NO.**	PPSSTH-573 – SHOALHAVEN - DA2026/1070
2	**PROPOSED DEVELOPMENT**	Demolition of structures, refurbishment and upgrade of the decommissioned Shoalhaven Anglican School site for public education
3	**STREET ADDRESS**	17 Croobyar Road MILTON NSW 2538 (Lot 200 DP 1192140)
4	**APPLICANT/OWNER**	Vince Marino / Department of Education
5	**TYPE OF REGIONAL DEVELOPMENT**	Crown development over $5 million

6	**RELEVANT MANDATORY CONSIDERATIONS**	• Environmental planning instruments:
		  ○ State Environmental Planning Policy (Planning System) 2021
		  ○ State Environmental Planning Policy (Resilience and Hazards) 2021
		  ○ State Environmental Planning Policy (Sustainable Buildings) 2022
		  ○ State Environmental Planning Policy (Transport & Infrastructure) 2021
		  ○ State Environmental Planning Policy (Biodiversity and Conservation) 2021
		  ○ Shoalhaven Local Environmental Plan 2014
		• Draft environmental planning instruments: Nil
		• Development control plans:
		  ○ Shoalhaven Development Control Plan 2014
		• Planning agreements: Nil
		• Relevant provisions of the *Environmental Planning and Assessment Regulation 2021*
		• Coastal zone management plan: Nil
		• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality
		• The suitability of the site for the development
		• Any submissions made in accordance with the *Environmental Planning and Assessment Act 1979* or regulations
		• The public interest, including the principles of ecologically sustainable development

7	**MATERIAL CONSIDERED BY THE PANEL**	• Council Assessment Report: 27 July 2026 • Written submissions during public exhibition: 1 • Total number of unique submissions received by way of objection: 0

8	**MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL**	• Final briefing to discuss council's recommendation**:** 4 August 2026
		  ○ Panel members: Chris Wilson (Chair), Juliet Grant, Grant Christmas, Luciano Casmiri, Peter Wilkins
		  ○ Council assessment staff: Peter Johnston
		  ○ Applicant representatives: Vince Marino (DET), Martin Meade (DET), Jodi Gleeson (DET), Alistair Smith (Mecone)
		  ○ DPHI: Amanda Moylan, Tracey Gillett, Victoria Hamilton

9	**COUNCIL RECOMMENDATION**	Approval
10	**DRAFT CONDITIONS**	Attached to the Council Assessment Report

SCHEDULE 2: Panel Approved Condition of Consent

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

GENERAL CONDITIONS

CONDITIONS		REASON
1.	**Approved plans and supporting documentation** Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.	To ensure compliance with the approved plans and documents.

Approved Plans

Plan Number	Revision Number	Plan Title	Drawn by	Date of Plan
DA00		Site Analysis	Edmiston Jones	02/04/2026
DA01	B	Site Plan	Edmiston Jones	19/03/2026
DA02	A	Part Site Plan	Edmiston Jones	19/03/2026
DA03	A	Part Site Plan 2	Edmiston Jones	19/03/2026
DA04	A	Block A – Floor Plan & Roof Plan	Edmiston Jones	19/03/2026
DA05	A	Block A – Elevations & Sections	Edmiston Jones	19/03/2026
DA06	A	Block V – Floor Plan, Roof Plan, Elevations & Sections	Edmiston Jones	19/03/2026
DA07	A	Block H – Floor Plan, Elevations & Se	Edmiston Jones	19/03/2026
DA08	A	Block I – Floor Plan, Elevations & Se	Edmiston Jones	19/03/2026
DA09	A	Block I – Elevations	Edmiston Jones	19/03/2026
DA10	A	Block I – Elevations	Edmiston Jones	19/03/2026
DA-L/1 DA-L/2	B	Landscape Concept Plan	Edmiston Jones	26/05/2026

DA-L/3 DA-L/4				
	A	Survey (3 sheets)	Land Team	15/07/2024

Approved Documents			
Document title	**Version number**	**Prepared by**	**Date of document**
Statement of Environmental Effects	Revision 3	Mecone	17/12/2025
Waste management Plan	1	MRA Consulting Group	12/12/2025
Accessibility Capability Statement		DC Partnership	12/01/2026
BCA Performance Requirements Compliance		DC Partnership	15/12/2025
Bushfire Protection Assessment	2	ecological	10/12/2025
Flora & Fauna Assessment		Water Technology	16/12/2025
Crime Prevention through Environmental Design	25-0026	Edmiston Jones	10/12/2025
Detailed Site Investigation	1	Stantec Australia Pty Ltd	26/03/2026
Noise and Vibration Impact Assessment	001	Stantec Australia Pty Ltd	12/12/2025
Aboricultural Impact Assessment	2	Ecological	16/12/2025
Geotechnical Investigation	1	Stantec Australia Pty Ltd	10/11/2025
Transport Access Impact Assessment	2	SCT Consulting	5/12/2025
Hazardous Building Materials Report	1	Douglas Partners	4/4/2025

In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.

2.	**Existing Infrastructure** Any required alterations or damage to infrastructure will be at the developer's expense. *Note: It is recommended prior to the commencement of work, all infrastructure, existing and proposed, is to be shown accurately on construction plans with clearances clearly labelled confirming that the proposed works do not affect any existing infrastructure. This will reduce the potential for unexpected costs and expenses.*	To ensure existing infrastructure is accounted for and any damage to infrastructure is suitably repaired.
3.	**Prescribed Conditions** The development must comply with Part 4, Division 2, Subdivision 1, of the *Environmental Planning and Assessment Regulation 2021*, as applicable.	To ensure compliance with prescribed conditions.
4.	**Concurrence and Referral – NSW Rural Fire Service** The General Terms of Approval issued by the NSW Rural Fire Service, Reference No: CNR-92057 dated 23 March 2026 are included as conditions of this consent and must be complied with. Refer **Attachment A.**	To ensure compliance with external concurrence and referral advice.
5.	**Acoustic Compliance** The development shall be carried out generally in accordance with the Amended Noise and Vibration Impact Assessment, prepared by Stantec, and shall ensure that operational and construction noise and vibration impacts comply with all applicable NSW EPA guidelines and criteria.	To protect the acoustic amenity of nearby sensitive receivers.
6.	**Site Contamination Management** The development shall be carried out generally in accordance with the Detailed Site Investigation prepared by Stantec dated 26 March 2026 ref 305001663 and shall implement all of the report's recommendations.	To ensure the site does not pollute the environment or present a risk to health
DEMOLITION WORK **Before Demolition Work Commences**		
CONDITIONS		REASON

7.	**Erosion and Sediment Controls - Erosion and Sediment Control Plan** Before the commencement of works, an Erosion and Sediment Control Plan (ESCP) and specifications must be prepared in accordance with Landcom's publication Managing Urban Stormwater - Soils and Construction (2004) by a suitably qualified person, (as defined in the National Construction Code) to the satisfaction of the Certifier. All plans must include: a) Site access location and stabilisation details and restrictions; b) Erosion control locations and types; c) Sediment control locations and types; d) Soil, water and drainage management plans; e) Site rehabilitation details; f) Inspection and maintenance details; g) Identification of existing vegetation and site revegetation to have 70% cover established before plan is decommissioned; h) Existing and final contours (clearly distinguished and adequately annotated); i) Standard construction drawings for proposed soil, water and drainage management measures. j) All implemented measures must ensure that a pollution incident must not occur as defined by the Protection of the Environment Operations Act (POEO). k) All implemented measures must: l) not cause water pollution as defined by the Protection of the Environment Operations Act (POEO). m) be maintained at all times. n) not be decommissioned until at least 70% revegetation cover has been established.	To ensure ongoing compliance.
8.	**Biodiversity - Tree and Vegetation Protection** Before the commencement of any clearing works the following requirements must be met: a) The developer must identify and physically mark environmental features to be retained as shown on the approved plans. b) The developer must identify the extent of clearing work as shown on the approved plans. c) The existing vegetation including the dripline of trees to the west of the development must be fenced with temporary barrier fencing to protect the vegetated riparian area,	To minimise biodiversity impacts.

	threatened plant species (*Syzigium paniculatum*) and potential Threatened Ecological Communities on site. d) A Project Arborist (minimum AQF 5) must be engaged. *e)* The dripline/Notional Root Zone of all trees to be retained must be clearly identified and protected with temporary barrier fencing or other tree protection measures in accordance with *AS 4970: Protection of trees on development sites.* Project arborist to certify compliance with all protection and mitigation measures specified in the Arborist Report (EcoLogical, 16/12/25). f) Where trees have been identified for retention within an Asset Protection Zone, these trees must be physically marked to be retained in accordance with the development consent. Evidence of compliance with the above requirements must be provided to Council prior to the commencement of any clearing works.	
9.	**Biodiversity – Pre-clearance Survey** Before the commencement of any on site work, the project ecologist must complete pre-clearing surveys and inspections: a) On the day/s before clearing commences the project ecologist thorough pre-clearance survey of vegetation and buildings to be removed to determine the presence of fauna within habitat features to be impacted, including, but not limited to, terrestrial habitat features such as fallen logs, large rocks, hollows and nests or dreys. b) Vegetation removal or building demolition must not commence if any fauna are confirmed to be nesting (such as hollow inspection, collection of nesting material) or showing signs of breeding activity. Subsequent pre-clearance surveys are to be undertaken following the completion of the nesting/breeding event, until it is confirmed that the site is clear of nesting/breeding activity.	To minimise biodiversity impacts
10.	**Biodiversity – Habitat Modification and Vegetation Removal** The removal and/or disturbance of native vegetation and habitat on the property, including canopy trees, understorey, and groundcover vegetation must be undertaken strictly in accordance with the approved plans. Vegetation removal must be undertaken in accordance with the following: a) Trees approved for removal must be felled into the development area carefully so as not to damage trees to be retained in or beyond the development footprint. b) Any hollow-bearing trees approved for removal must be felled carefully in sections utilising handheld tools to allow the rescue of native fauna. Hollow-bearing sections must	To protect biodiversity values.

	be carefully lowered to the ground so as not to injure native fauna. c) Pruning or trimming of any trees to be retained must be undertaken in accordance with *AS 4373 Pruning of amenity trees.* d) Trees and vegetation must be retained within the APZ where it complies with the prescriptions for Planning for Bushfire Protection APZ requirements. e) The removal or disturbance of native vegetation on the property including but not limited to canopy trees, understorey and groundcover vegetation beyond that approved within this consent is not permitted. f) If any wildlife is discovered during site works and is disoriented or injured, works must stop immediately. A suitably qualified wildlife handler is to be contacted to responsibly rescue and relocate the animal(s).	
11.	**Biodiversity – Fauna Rescue and Vegetation Removal Protocol** During works, in order to protect wildlife the following vegetation removal protocol is to be adhered to: a) Before starting each morning, all vehicles and mechanical plant must be inspected for wildlife prior to operation. b) All vegetation to be removed must be inspected for wildlife prior to removal. c) Buildings to be demolished may provide habitat for microbats and other native wildlife and must be inspected prior to removal. d) All trenches must be inspected for wildlife prior to backfilling. e) Vegetation is to be removed using a staged approach to allow wildlife to naturally flee the area: f) Stage 1 - All ground and shrub layer vegetation is to be removed in accordance with the approved plans. g) Stage 2 - On a subsequent day, canopy trees can then be removed. h) Any wombat burrows located in proximity to the approved development footprint must be managed as follows: I. Avoid burrows wherever possible. II. For burrows that cannot be avoided a qualified ecologist must supervise the following process: III. Set up a motion detector camera on each burrow to monitor use and confirm activity. IV. Block passage to any inactive burrows. V. For active burrows, install a gate at the entrances (frame with a one way exit and no re-entry) with follow up camera footage to ensure wombat has not re-entered the burrow.	To minimise biodiversity impacts.

	i) If any native wildlife is identified as breeding on site, clearing works must stop immediately and must not recommence until the Director – City Development (or delegate) of Shoalhaven City Council has confirmed in writing that clearing works may recommence *j)* If any wildlife is disoriented or injured during clearing works, works must stop immediately, and any injured wildlife must be referred to a local Veterinary Clinic or into the care of Wildlife Rescue South Coast (0418 427 214). k) Within 10 days of completing clearing work, the engaged ecologist must provide to Council written evidence of any fauna detected during clearing.	
12.	**Hazardous Building Materials Survey** Prior to demolition or refurbishment of any existing structures, a Hazardous Building Materials Survey (including assessment for asbestos-containing materials and lead-based paint) shall be carried out by a suitably qualified person. Any identified hazardous materials shall be handled and disposed of in accordance with applicable legislation.	To protect human health and ensure safe demolition practices.
DEMOLITION WORK **During Demolition Work**		
CONDITIONS		REASON
13.	**Demolition - Completion of Works** **Demolition work, once commenced, must be completed within three (3) months.**	To ensure demolition works are completed within an acceptable timeframe.
14.	**Demolition – Standards** Demolition work must be carried out in accordance with all applicable Australian Standards and SafeWork Code of Practice.	To ensure demolition works are carried out appropriately.
15.	**Demolition - Asbestos Removal** Asbestos removal must be carried out in accordance with *AS2601-2* SafeWork NSW – Code of Practice, Demolition Work [ISBN 978-0-642-78415-5] and as applicable, by a person holding the relevant licence issued by SafeWork NSW. A licence is not required to remove less than $10m^2$ of non-friable asbestos, provided that the total amount of non-friable asbestos removed from the lot does not exceed $10m^2$.	To ensure demolition works are carried out appropriately.

	Asbestos must be taken for disposal to the licensed Waste Management Facility identified in the approved Waste Management Plan. Post asbestos removal and before further work on the site, the following must be submitted to the Certifier: a) A clearance certificate issued by a licensed asbestos assessor or competent person as required by the *Work, Health and Safety Regulation 2017* for the specific type of asbestos removal work confirming that the area has been cleaned satisfactorily and is safe to be re-occupied for normal use. b) A clearance certificate is required if the removal work involved any quantity of friable asbestos, or if it involved removal of more than a total of 10 square metres of non-friable asbestos from the lot. c) Documentary evidence of the legitimate disposal of all asbestos in the form of tip receipts from an approved waste management facility. Seven (7) days before the commencement of any demolition works involving asbestos, all immediate neighbours must be notified in writing of the intention to carry out asbestos demolition works. Copies of these written notifications should be retained and submitted to Council.	

BUILDING WORK

Before Building Work Commences

CONDITIONS		REASON
16.	**Crown Subdivision, Building, Demolition and Incidental Work – Certification** Crown building work cannot be commenced unless the Crown building work is certified by or on behalf of the Crown to comply with the ***National Construction Code*** in force as at— a) the date of the invitation for tenders to carry out the Crown building work, or b) in the absence of tenders, the date on which the Crown building work commences, except as provided by this section.	To ensure ongoing compliance
17.	**Access for People with a Disability** Before the commencement of building work, plans and specifications must be provided to the satisfaction of the Crown, detailing how the approved development will comply with Access for People with a	To ensure appropriate disabled access is provided.

	Disability in the National Construction Code (NCC) in force at the time and Disability (Access to Premises – Buildings) Standards 2010. Noting that as per Part 6 of the EP&A Act- building work means any physical activity involved in the erection of a building.	
18.	**Dilapidation Report (Minor)** Before the commencement of work, the developer must engage a competent person to prepare a dilapidation report in respect of the neighbouring premises and adjacent public infrastructure, including adjacent kerbs, gutters, footpaths (formed or unformed), driveways (formed or unformed), carriageway, reserves and the like to document evidence of any existing damage. The dilapidation report must consider the impact of any excavation work that extends below the level of the base of the footings of any structure within 900mm of the shared boundary. Before works commence, a copy of the dilapidation report must be provided to Council. The dilapidation report will be the benchmark for necessary repairs to damage caused during the development works. All repairs must be completed by the developer at the developer's cost. Not less than seven (7) days before works commence, the developer must notify the owner of any affected property of the intention to carry out approved works. The developer must also furnish the owner with details of the approved work. However, if the occupier or owner of any neighbouring dwelling does not permit reasonable access for the purposes for the preparation of the dilapidation report, written evidence of the efforts taken to secure access may be submitted to the Principal Certifier and the Principal Certifier may waive the requirement in relation to the relevant property. *Note: A dilapidation report can comprise of video footage and photos of adjacent public infrastructure and relevant structures on adjoining properties.*	To ensure a suitable dilapidation report is prepared and the status of existing infrastructure and adjoining structures is recorded prior to the commencement of work.
19.	**Erosion and Sediment Controls – Implementation** Before any site work commences, the Crown must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any disturbed areas have been restabilised in accordance with Landcom's publication Managing Urban Stormwater - Soils and Construction (2004) and approved plans (as amended from time to time).	To ensure appropriate erosion and sediment control measures are in place.
20.	**Notice of Commencement** Notice must be given to Council at least two (2) days before the commencement of building work.	To ensure appropriate notice is given to Council.

	Noting (as above) that as per Part 6 of the EP&A Act - building work means any physical activity involved in the erection of a building.	
21.	**Retaining Walls – Design Standards** Prior to the commencement of works for approved retaining walls exceeding 600mm in height above ground level (existing) and/or within 1m of a property boundary, detailed design plans must be prepared and submitted to the Certifier for approval. The retaining walls must satisfy the following: a) For retaining walls exceeding 600mm in height above natural ground level (existing) a professional engineer has certified the retaining walls as structurally sound, including in relation to (but not limited to) the ability to withstand the forces of lateral soil load; and b) For retaining walls less than 600mm in height above natural ground level (existing) the Certifier must be satisfied that the retaining walls are structurally sound, including in relation to (but not limited to) the ability to withstand the forces of lateral soil load. c) Retaining walls, footings and drainage must be contained wholly within the development site. d) Construction within a registered easement is prohibited. Retaining walls not shown on the approved plan must meet the criteria for Exempt retaining walls and comply with the relevant criteria listed in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* or be approved by way of Complying Development before construction and comply with the relevant criteria listed in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*	To ensure retaining walls are appropriately designed.
22.	**Toilet Facilities – Temporary** Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site. Each toilet must: a) be a standard flushing toilet connected to a public sewer, or b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or c) be a temporary chemical closet approved under the *Local Government Act 1993*.	To ensure suitable toilet facilities are provided.
23.	**Section 68 Application – Water Supply, Sewerage and Stormwater Drainage / Sewage Management Facility**	To ensure relevant approvals are obtained.

	Prior to connection to water supply, sewerage and stormwater drainage must be approved under section 68 of the *Local Government Act 1993*.	
24.	**Shared Path - Design Standards** Before the commencement of works in the public domain, certified engineering design plans must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by Council's Development Services Manager (or their delegate). The cycleway and footpath design must comply with the following: a) Councils Engineering Design Specifications Section D8 – Cycleway and Footpath Design. b) A 2m wide concrete shared user path along the northern side of Croobyar Road, extending east from the intersection with Drury Lane. This will need to transition down to a 1.2m width to align with the existing footpath further east along Croobyar Road. c) A 1.2m wide concrete footpath along the southern side of Croobyar Road, extending from the eastern property boundary to the intersection with the Princes Highway. d) The footpath design must also demonstrate the following: e) 3% cross fall across the new pathway where possible. f) Match existing footpath levels of adjoining property frontages and be a uniform grade over the length of the development site frontage, or where this cannot be achieved, a longitudinal section must be designed. g) Kerb ramps at intersections in accordance with Council's Engineering Design Specifications.	To ensure road and pavement infrastructure is appropriately designed.
25.	**Public Infrastructure – Design Standards – Pedestrian Crossing** Before works commence in the public domain, certified engineering design plans must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by Council's Development Services Manager (or their delegate). The public infrastructure design must comply with the following: a) A raised pedestrian crossing on Croobyar Road, located immediately east of the intersection with Drury Lane. b) The raised pedestrian crossing, alongside associated signage and line marking, is to be designed in accordance with AS1742.10:2024. c) Any impacted roadside assets or infrastructure, including stormwater, existing kerb and gutter, and service utilities, will need to be demonstrated in the design. The design must make any necessary modifications or adjustments to these assets to accommodate the raised pedestrian crossing.	To ensure proposed public infrastructure is appropriately designed.

	d) The raised pedestrian crossing is to be supported by a lighting design compliant with AS/NZS 1158.4:2015	
26.	**Local Transport Forum** Before works commence in the public domain, details of proposed traffic management and traffic control devices must be submitted to the satisfaction of Council for referral and endorsement of the Shoalhaven Local Transport Forum. These plans must be provided with sufficient detail, including all relevant dimensions (such as road widths, travel lane widths, typical sections with dimensions of proposed traffic control devices, positioning and locations of signage, lengths and offsets for line marking) and a matrix of all signage, line marking and traffic control devices, to demonstrate compliance to relevant Australian Standards. **Note: This process can take six to eight weeks.**	To ensure proposed traffic management and traffic control devices are endorsed by the Shoalhaven Local Transport Forum.
27.	**Car Parking Design Standards** Prior to the commencement of civil works within the site, certified engineering design plans and specifications must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and verified via the Crown Work Certification (CWC) process and submitted to Council's Development Services Manager (or their delegate) for further assessment. The car parking and access design must comply with the following: a) AS2890.1 and AS2890.6 where relevant. b) Generally, in accordance with the approved concept plans; subject to the following: i. Provide swept paths for a 14.5m long bus, demonstrating adequate manoeuvrability within the access road and into the designated bus parking bays. Swept paths will also be required for a 14.5m long bus, demonstrating adequate manoeuvrability to and from Croobyar Road, alongside any required public infrastructure under this approval. c) Constructed in accordance with the following: i. for light vehicular loading ii. with a concrete pavement designed and constructed for a minimum traffic loading of 1 x 106 ESA; or iii. with an asphaltic concrete (AC) flexible pavement designed and constructed for a minimum traffic loading of 1 x 106 ESA. d) Bordered in accordance with Council's Standard Drawings by:	To ensure carparking has been appropriately designed.

	i. concrete kerbing, except where surface runoff is concentrated, in which case concrete integral kerb and gutter must be constructed. ii. a concrete edge strip (min 150mm wide and 300mm deep).	
28.	**Stormwater - Alteration to Existing System Design Standards** Before the commencement of stormwater works, stormwater plans must be prepared by a professional engineer, (as defined in the National Construction Code), and verified via the Crown Work Certification (CWC) process and submitted to Council's Development Services Manager (or their delegate) for further assessment. Drainage must be designed and constructed in accordance with: a) Generally, in accordance with the approved plans b) the National Construction Code c) Council's Engineering Design Specifications d) Development Control Plan G2 Design plans must demonstrate that: a) any existing component of the stormwater system to be relied upon has been checked and certified to be in good condition and operating satisfactorily. b) any component of the existing system not in good condition and /or not operating satisfactorily, will be upgraded and discharged by gravity to the kerb and gutter of a public road or registered drainage easement, as appropriate for the site conditions. Stormwater from proposed new or altered roof areas may be discharged to the existing site drainage system. Disposal of stormwater from minor roof or paved areas that cannot reasonably be drained by gravity to a public road or registered drainage easement may occur on on-site, subject to ensuring no concentration of flows or nuisance to other properties.	To ensure stormwater infrastructure is designed appropriately.
29.	**Stormwater - On-Site Detention Design Standards** Before the commencement of stormwater works, details of on-site detention must be provided on the Construction Plans and verified via the Crown Work Certification (CWC) process and submitted to Council's Development Services Manager (or their delegate) for further assessment. On-site detention must be provided as per certified engineering design plans and specifications prepared by a professional engineer, (as defined in the National Construction Code) or surveyor. The on-site stormwater detention (OSD) design must be designed such that	To ensure stormwater infrastructure is designed appropriately.

	stormwater runoff from the site for design storm events up to and including the 1% AEP does not exceed the pre-developed conditions.	
30.	**Water Sensitive Urban Design – Private Devices** Before the commencement of stormwater works, detailed design of permanent stormwater quality improvement devices must be certified by a professional engineer, (as defined in the National Construction Code) demonstrating the appropriateness of the proposed design for the site in accordance with Council's Engineering Design and Construction Specifications and verified via the Crown Work Certification (CWC) process and submitted to Council's Development Services Manager (or their delegate) for further assessment. The drainage design must also not include any uncoated metal (i.e. Copper etc.) surfaces such as roofs, facades and/or downpipes.	To ensure stormwater infrastructure is designed appropriately.
31.	**Water Sensitive Urban Design - Water Quality, Retention and Reuse** Before the commencement of stormwater works, a detailed design of permanent water quality, retention and reuse devices must be certified by a professional engineer, (as defined in the National Construction Code) who can demonstrate the appropriateness of the proposed design for the site in accordance with Council's Engineering Design and Construction Specifications and is to be verified via the Crown Work Certification (CWC) process and submitted to Council's Development Services Manager (or their delegate) for further assessment. The stormwater treatment, retention and reuse design must comply with the following: a) No stormwater infrastructure is permitted in land zoned as Environmental Conservation without Council approval. b) Rainwater tanks in accordance with BASIX requirements. c) The WSUD strategy must be able to remove 80% of Total Suspended Solids (TSS), 45% of Total Nitrogen (TN) and 45% of Total Phosphorus (TP) for the total site area as demonstrated using MUSIC software. The detailed MUSIC model must be provided to Council for acceptance.	To ensure stormwater infrastructure is designed appropriately.
32.	**Water Sensitive Urban Design - Operation and Maintenance Manual** Adopted WSUD Management, Operation, Maintenance and Monitoring Manual/s for the permanent water quality facilities must be verified via the Crown Work Certification (CWC) process and submitted to Council's Development Services Manager (or their delegate) for further assessment. The manuals must be prepared by a suitably qualified professional in accordance with the objectives and criteria identified in the approved Integrated Water Cycle Management Plan.	To ensure stormwater infrastructure is designed appropriately.

33.	**Construction Traffic Management Plan** Before the commencement of works, a Construction Traffic Management Plan (CMTP) detailing the proposed method of dealing with construction traffic and parking must be submitted to Council for review. Following council's review any amendments required to the CTMP will be implemented within 14 days of receipt and a final updated CTMP will be provided to Council. Details must include, but are not limited to: a) Stabilised site construction access location b) Proposed haulage routes for delivery of materials to the site c) Proposed haulage routes for spoil disposal from the site d) Traffic control planning for each of the various phases of construction and/or vehicle movements associated with construction e) Parking arrangements for construction employees and contractors f) Proposed maintenance of the haulage routes and access locations g) Name of the person responsible for such maintenance h) Loading / unloading areas i) Requirements for construction or work zones j) Pedestrian and cyclist safety k) Speed zone restrictions.	To ensure ongoing compliance.
34.	**Works within the Road Reserve – Submissions to Council** Before undertaking any works within an existing road reserve, the developer must obtain the consent of Council under section 138 of the *Roads Act 1993*. The following details must be submitted to Council as part of the application: a) Any civil works design required by this consent. b) Evidence of the contractor's Public Liability Insurance to an amount of $20 million. c) Name and contact information of the person responsible for all relevant works. d) A Traffic Control Plan prepared, signed, and certified by a person holding the appropriate Transport for NSW (TfNSW) accreditation. e) Where the Traffic Control Plan requires a reduction of the speed limit, a 'Application for Speed Zone Authorisation' must be obtained from the relevant road authority.	To ensure relevant approvals are obtained.
35.	**Biodiversity – Vegetation Management Plan**	To ensure a Vegetation Management

	A Vegetation Management Plan (VMP) must be prepared by a suitably qualified ecologist for the restoration of the vegetated area west of the development site and Asset Protection Zone including the core riparian zone (Sensitive area, Category 3 watercourse, Shoalhaven Development Control Plan, Chapter G2, P12). The plan must address as a minimum: a) Be prepared for the current and future landowners using plain language. b) Include a site description. c) Survey map the watercourse and core riparian zone. d) Identify links to legislation, approvals, other plans, and documents. e) Identify proposed management zones on the subject site including the rehabilitation of habitats within and adjacent to the waterbodies and ongoing conservation of threatened species habitats. f) Determine aims, quantifiable objectives, activities to meet objectives and the performance criteria of the plan. g) Detail management actions for each zone including weed control, revegetation, etc. h) Detail the ongoing works required (maintenance weeding, watering, etc). i) Detail fence and access gate requirements including permanent fencing of the eastern boundary of the VMP area and delineation of each management zone on the ground. j) Prepare a project work plan, schedule, and budget. k) Define monitoring and reporting methods for the proposed management zones. The Vegetation Management Plan is to be submitted to the Director – City Development (or delegate) of Shoalhaven City Council for approval in writing within 6 months of the commencement of use.	Plan is prepared and approved.
36.	**Waste - Storage Room** Before the commencement of the relevant fit-out works for the waste storage area, detailed plans must be verified via the Crown Work Certification (CWC) process that demonstrate that the waste storage area has been designed to be constructed in accordance with the Educational Facilities Standards and Guidelines (EFSG) and the approved Operational Waste Management Plan. Details are to be submitted to Council's Development Services Manager (or their delegate) prior to commencement of the use.	To ensure waste management infrastructure is appropriately designed.
37.	**Noise – Mechanical Plant** Prior to the commencement of new building works, a detailed mechanical plant acoustic assessment shall be prepared by a suitably qualified acoustic consultant. The assessment shall demonstrate compliance with the NSW Noise Policy for Industry (NPI) at the nearest sensitive receivers.	To ensure mechanical plant noise does not adversely impact

38.	**Construction Environmental Management Plan** A Construction and Environmental Management Plan (CEMP) must be prepared to minimise potential risks to human health and the environment during the future construction work. An appropriate Unexpected Finds Protocol (UFP) should also be incorporated into the CEMP and implemented during ground disturbance in the unlikely event of encountering impacted materials.	To minimise the risk to human health
39.	**Carparking - Lighting Design** Before the commencement of civil works, lighting design plans are to be submitted to Council. Lighting is to be provided to the internal car parking area in accordance with AS/NZS 1158.3.1 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.	To ensure carpark lighting is appropriately designed.
BUILDING WORK **During Building Work**		
CONDITIONS		REASON
40.	**Acid Sulfate Soils - Unexpected Finds** If acid sulfate soils are encountered during excavation and/or construction works, all work must cease, and Shoalhaven City Council notified immediately. The extent of acid sulfate soil must be evaluated by a qualified environmental consultant with experience in the assessment of acid sulfate soils and a preliminary assessment provided to Council. Council will determine an appropriate response, including if an Acid Sulfate Soils Management Plan is required to be prepared and implemented, before works can recommence.	To ensure acid sulfate soils are appropriately managed.
41.	**Discovery of relics and Aboriginal objects** While site work is being carried out, if a person reasonably suspects a relic or Aboriginal object is discovered: a) the work in the area of the discovery must cease immediately. b) the following must be notified for a relic – the Heritage Council; or c) for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85. d) Site work may recommence at a time confirmed in writing by: e) for a relic – the Heritage Council; or for an Aboriginal object – the person who is the authority for the protection of Aboriginal	To ensure the protection of objects of potential significance during works.

	objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.	
42.	**Potentially Contaminated Land - Unexpected Finds** If unexpected, contaminated soil and/or groundwater is encountered during any works: a) all work must cease, and the situation must be promptly evaluated by an appropriately qualified environmental consultant. b) the contaminated soil and/or groundwater must be managed under the supervision of the environmental consultant, in accordance with relevant NSW Environment Protection Authority (EPA) Guidelines. If unexpected, contaminated soil, or groundwater is treated and/or managed on-site an appropriately qualified environmental consultant must verify that the situation was appropriately managed in accordance with relevant NSW EPA guidelines before recommencement of works. The verification documentation must be provided to the satisfaction of the Certifier before the recommencement of any works. If contaminated soil or groundwater is to be removed from the site, it must be transported to an appropriately licensed waste facility by an NSW EPA licensed waste contractor in accordance with relevant NSW EPA guidelines including the Waste Classification Guidelines (2014). ***Note:*** *An appropriately qualified environmental consultant will have qualifications equivalent to CEnvP "Site Contamination" (SC) Specialist - by Certified Environmental Practitioner or 'Certified Professional Soil Scientist' (CPSS CSAM) by Soil Science Australia (SSA).*	To ensure any detected contaminants are appropriately managed.
43.	**Excavated Material Management** Any excavated material that does not meet the criteria for on-site reuse shall be: a) Classified in accordance with relevant waste and resource recovery guidelines, and b) Transported to a facility lawfully permitted to receive that material. c) Materials possessing contaminant concentrations that exceed the ecological criteria shall not be used as a growing medium or within the root zone where ecological features exist, such as plantings or garden beds. d) Records of classification and disposal shall be retained and made available to Council upon request.	To ensure excavated materials are appropriately managed and disposed of.
44.	**Site Management - Hours for Construction**	To ensure site work occurs within

	Construction may only be carried out between 7.00am and 5.00pm on Monday to Saturday and no construction is to be carried out at any time on a Sunday or a public holiday. Proposed changes to hours of construction must be approved by Council in writing. **Note:** Council will respond to requests for proposed changes to construction hours within three (3) business days from the date of request.	appropriate construction hours.
45.	**Site Management - Maintenance of Site and Surrounds** During works, the following maintenance requirements must be complied with: a) All materials and equipment must be stored and delivered wholly within the work site unless an approval to store them elsewhere is held. b) Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility. c) Where tree or vegetation protection measures are in place, the protected area must be kept clear of materials and / or machinery. d) The developer must maintain the approved soil water management / erosion and sediment control measures to the satisfaction of the Certifier for the life of the construction period and until runoff catchments are stabilised. e) During construction: f) all vehicles entering or leaving the site must have their loads covered, and g) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads. h) At the completion of the works, the work site must be left clear of waste and debris.	To ensure the site is maintained in a safe and secure manner.
46.	**Site Management - Noise** Prior to the commencement of any work, the developer must submit to the Certifier a Construction Noise and Vibration Management Sub-Plan (CNVMP) for the development prepared by a Professional Engineer with measures to minimise environmental impacts and harm during construction of the development arising from construction noise and vibration, including, at a minimum, the following information: (a) identification of noise sources and Sensitive Receivers; (b) quantification of the rating background noise level (RBL) for Sensitive Receivers; (c) prediction and assessment of potential noise, ground-borne noise (as relevant) and vibration levels from the proposed construction methods expected at Sensitive Receiver premises	To protect the amenity of neighbouring properties.

	against the objectives identified in the ICNG, EPA's Assessing Vibration: Technical Guideline and relevant standards; (d) noise mitigation measures that can be implemented to reduce construction noise and vibration impacts, including: (i) installation of acoustic barriers/enclosures; (ii) alternative demolition and excavation methods; (e) describe the measures to be implemented to manage any high noise generating works (as defined in the ICNG), in close proximity to sensitive receivers; (f) measures to identify nonconformances with the requirements of the CNVMP, and procedures to implement corrective and preventative action and to respond to complaints; (g) procedures for notifying sensitive receivers of construction activities that are likely to affect their noise and vibration amenity; (h) include strategies that have been developed in consultation with the directly adjoining properties for managing vibration such as any alternative construction methods with lower source vibration levels and provision for respite periods; (j) include a complaints management system that would be implemented for the duration of the development.	
47.	**Stormwater - Overland Flow, Redirecting and/or Concentrating Stormwater** All excavation, backfilling and landscaping works must not result in: a) any change to the overland stormwater flow path on your property and or a neighbouring property. If any change to the overland flow path occurs on a property, the stormwater runoff must be collected and directed to a legal point of discharge. b) the redirection and/or concentration of stormwater flows onto neighbouring properties.	To ensure ongoing compliance.
48.	**Earthworks - Cut, Fill and Grading** The maximum grading of cut or fill must be 2H:1V where there is no retaining wall or no other method of stabilising cut or fill during construction. Earthworks and retaining walls must be constructed as per the approved plans.	To ensure earthworks are appropriately retained.
BUILDING WORK **Prior to occupation or use**		
CONDITIONS		REASON

49.	**Colours and Materials** The development must be constructed in accordance with the approved schedule of colours and building materials and finishes.	To ensure colours and materials are appropriate.
50.	**Completion of landscape and tree works** All landscape and tree-works are to be completed in accordance with approved plans and documents and any relevant conditions of this consent. For the life of the development: a) landscaping must be maintained in accordance with the approved amended Landscape Plan. b) the planting of plant species listed in the South East Regional Strategic Weed Management Plan 2017 – 2022 is prohibited.	To ensure the approved landscaping works have been completed.
51.	**Dilapidation Report (Minor) – Evidence of Completion** Before the issue of a Crown Completion Certificate related to this consent occurs, the developer must provide Council with evidence that any damage to neighbouring premises or adjacent public infrastructure, not previously identified as existing damage in the Dilapidation Report, has been repaired by the developer.	To ensure any damage not previously identified in the Dilapidation Report is suitably repaired.
52.	**Fire Safety – Evidence of Compliance (apply where this is a change of building classification or business)** Before the occupation or use of the development the Council must be provided with a Final Fire Safety Certificate showing compliance with the Fire Safety Schedule.	To ensure compliance with the Fire Safety Schedule.
53.	**Retaining Walls – Certification** Prior to the use of any part the works related to this consent occurs, certification must be provided to the Council prepared by a professional engineer, (as defined in the National Construction Code), certifying that retaining walls within the area so being used within 1m of the property boundary or exceeding 1m in height above ground level (existing) are constructed in accordance with the approved engineering design plans.	To ensure retaining walls have been constructed appropriately.
54.	**Section 68 Approvals – Evidence of Completion** All the conditions under the approval of section 68 of the *Local Government Act 1993* are to be complied with before the occupation or use of the development.	To ensure compliance with section 68 approval.

55.	**Waste - Private Collection Service** Before the occupation or use of the development, the developer/owner must provide evidence to Council of a formal agreement with a licenced private waste contractor to service the development. The agreement must ensure: a) the removal of all waste from the developed property. b) the service is functional and meets the operational requirements for the developed property. c) the service minimises environmental nuisances including noise and other adverse impacts on the safety and amenity of residents and the public. d) the developer/owner indemnifies Council against claims for loss or damages, should Council take over provision of the service at some point in the future.	To ensure an appropriate waste management agreement is entered into.
56.	**Works in the Road Reserve - Evidence of Completion** Within 12 months of the use or occupation, the developer must obtain a Construction Inspection Ticket / Completion of Works in Road Reserve Letter provided by Council, confirming compliance with the requirements of section 138 of the Roads Act 1993.	To ensure works in the road reserve are completed appropriately.
57.	**Works in the Road Reserve - Works as Executed** Upon completion of the works prescribed in condition 56 Works as Executed Plans for works within the road reserve must be prepared by a registered surveyor / professional engineer, (as defined in the National Construction Code) and submitted to Council demonstrating compliance with the approved design plans within 21 days.	To ensure ongoing compliance
58.	**Stormwater - Works as Executed** Before the use or occupation of the development, Works as Executed Plans and certification must be submitted to the Council by a professional engineer (as defined in the National Construction Code) certifying compliance of all drainage works with the approved design plans and the National Construction Code. The Works as Executed be shown in red on a copy of the approved plans. This plan must verify locations & sizes of all pipelines. Where the system includes an underground tank, a certificate of structural adequacy must be prepared and provided by a professional engineer (as defined in the National Construction Code).	To ensure ongoing compliance
59.	**Carpark - Evidence of Completion** Before the use or occupation of the development, all the carpark works internal to the site as shown on the approved plans must be completed.	To ensure the completion of the driveway in a timely manner

60.	**On-site Detention System** Before the use or occupation of the development, the developer must: a) provide a certificate from a professional engineer, (as defined in the National Construction Code) to verify the structural adequacy of the on-site detention facility and that the facility has been constructed in accordance with the approved plans. b) create a restriction on use under the Conveyancing Act 1919 over the on-site detention system naming the authority having the power to release, vary or modify the restriction referred to as Shoalhaven City Council and provide it to the Council as follows: c) the property owner(s) are to undertake maintenance in accordance with the approved On-Site Stormwater Detention System and Maintenance Schedule. d) the registered proprietor of the lot burdened must not make or permit or suffer the making of any alterations to any on-site stormwater detention system on the lot(s) burdened without the prior consent in writing of the authority benefited. The expression 'on-site stormwater detention system' must include all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins and surfaces designed to temporarily detain stormwater as well as all surfaces graded to direct stormwater to those structures.	To ensure required on site detention infrastructure is provided and requirements registered on the title of the land.
BUILDING WORK **Occupation and Ongoing use**		
CONDITIONS		REASON
61.	**Stormwater – Maintenance of Stormwater Infrastructure** The approved stormwater design and any associated on-site detention must be maintained for the life of the development in accordance with the approved documents and maintenance programs.	To ensure ongoing compliance
62.	**Fire Safety – Annual Statement (apply where this is a change of building classification or business)** A building owner must ensure that an annual fire safety statement prepared by a competent fire safety practitioner is issued each year and that a copy of the statement is provided to the Shoalhaven City Council and the Commissioner of Fire and Rescue NSW. An application form is available on Council's website.	To ensure an annual fire safety statement is prepared.

	Note: An annual fire safety statement is a declaration by, or on behalf of a building owner that a competent fire safety practitioner (CFSP) has: a) assessed, inspected and verified the performance of each existing essential fire safety measure that applies to the building b) inspected the exit systems serving the building and found that the exit systems within the building do not contravene the Environmental Planning and Assessment Regulation 2021 *Failure to give Council an annual fire safety statement by the due date constitutes a separate offence for each week beyond that date for which the failure continues. Substantial penalties for non-compliance apply under the Environmental Planning and Assessment Act 1979.*	

General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation, and other legislation. Some of these additional obligations are set out in the Conditions of development consent: advisory notes. The consent should be read together with the Conditions of development consent: advisory notes to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

Building work or subdivision work must not be carried out until a Construction Certificate or Subdivision Works Certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

Dictionary

The following terms have the following meanings for the purpose of this consent (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the Building and Development Certifiers Act 2018.

Construction Certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Council means Shoalhaven City Council.

Court means the NSW Land and Environment Court.

EPA means the NSW Environment Protection Authority.

EP&A Act means the Environmental Planning and Assessment Act 1979.

EP&A Regulation means the Environmental Planning and Assessment Regulation 2021.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Occupation Certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:

- the collection of stormwater
- the reuse of stormwater
- the detention of stormwater
- the controlled release of stormwater, and
- connections to easements and public stormwater systems.

Strata Certificate means a certificate in the approved form issued under Part 4 of the Strata Schemes Development Act 2015 that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

ATTACHMENT A

NSW RURAL FIRE SERVICE

GENERAL TERMS OF APPROVAL AND BUSH FIRE SAFETY AUTHORITY

Shoalhaven City Council
PO Box 42
NOWRA NSW 2541

Your reference: (CNR-92057) DA2026/1070
Our reference: DA20260204000442-Original-1

ATTENTION: Anne McDonald

Date: Monday 23 March 2026

Dear Sir/Madam,

Integrated Development Application
s100B – SFPP – School
17 CROOBYAR RD MILTON NSW 2538, 200//DP1192140

I refer to your correspondence dated 16/02/2026 seeking general terms of approval for the above Integrated Development Application.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted. General Terms of Approval, under Division 4.8 of the *Environmental Planning and Assessment Act 1979*, and a Bush Fire Safety Authority, under section 100B of the *Rural Fires Act 1997*, are now issued subject to the following conditions:

General Conditions

1. The development proposal is to generally comply with the following plans/documents except where amended by the conditions of this Bush Fire Safety Authority.
   - The plan titled "Site Plan, Drawn by AEJ, Project No: 25-0026, Revision: A and dated 9/12/2025"
   - The bush fire assessment prepared by "Eco Logical Australia, ref: 5HUS11294, Version: 2 and dated 10/12/2025"

Asset Protection Zones
The intent of measures 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.

2. From the commencement of building works and in perpetuity, in line with the bushfire report, the property around the following buildings must be maintained as an inner protection area to the following distances and aspects in accordance with the following requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*:

Building I & Building H
- north for a distance of 27 metres;
- east for a distance of 38 metres;
- south for a distance of 47 metres; and,

Postal address
NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address
NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au

- west to the property boundary.

Building V & Building A

- north for a distance of 47 metres;
- east for a distance of 38 metres;
- south for a distance of 38 metres; and,
- west for a distance of 47 metres.

When establishing and maintaining an inner protection area, the following requirements apply:

- tree canopy cover should be less than 15% at maturity;
- trees at maturity should not touch or overhang the building;
- lower limbs should be removed up to a height of 2 m above the ground;
- tree canopies should be separated by 2 to 5 m;
- preference should be given to smooth-barked and evergreen trees;
- large discontinuities or gaps in the shrubs layer should be provided to slow down or break the progress of fire towards buildings;
- shrubs should not be located under trees;
- shrubs should not form more than 10% ground cover;
- clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation;
- grass should be kept mown (as a guide, grass should be kept to no more than 100mm in height); and
- leaves and vegetation debris should be removed regularly.

Construction Standards

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.

3. Prior to the issue of an occupation certificate, the existing buildings **V**, **A**, **H** & **I** shall be upgraded to improve ember protection (if not already constructed to the following requirements), 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, openable windows, vents, weep holes and eaves. External doors are to be fitted with draft excluders.

4. New construction and the existing building (a proposed refuge building), **Building V**, shall 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*.

5. New construction and the existing building (a proposed refuge building), **Building A**, shall 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*.

6. New construction associated with **Building H** shall comply with section 3 and section 7 (BAL 29) 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.*

7. New construction associated with **Building I** shall comply with Sections 3 and 8 (BAL 40) 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.*

8. New fences and gates must comply with Section 7.6 of *Planning for Bush Fire Protection 2019*. New fences and gates are to be made of either hardwood or non-combustible material. Where a fence or gate is constructed within 6m of a building or in areas of BAL-29 or greater, they must be made of non-combustible material only.

Access Requirements

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.

9. Access roads for special fire protection purpose (SFPP) developments must comply with general requirements of Table 6.8b of *Planning for Bush Fire Protection 2019*:

- SFPP access roads are two-wheel drive, all-weather roads;
- access is provided to all structures;
- traffic management devices are constructed to not prohibit access by emergency services vehicles;
- access roads must provide suitable turning areas in accordance with Appendix 3; and
- one way only public access roads are no less than 3.5 metres wide and have designated parking bays with hydrants located outside of these areas to ensure accessibility to reticulated water for fire suppression

Water and Utility Services

The intent of measure is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.

10. 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*:

- reticulated water is to be provided to the development where available;
- fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419;
- hydrants are and not located within any road carriageway;
- reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads;
- fire hydrant flows and pressures comply with the relevant clauses of AS 2419;
- all above-ground water service pipes are metal, including and up to any taps;
- where practicable, electrical transmission lines are underground;
- where overhead, electrical transmission lines are proposed as follows:
  - lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and
  - 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;

- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 - *The storage and handling of LP Gas*, 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.

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

- In line with the bushfire report, a minimum 1.5 metre wide non-combustible path, suitable for pedestrian traffic, must be provided around the immediate curtilage of building I;
- 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 buildings V, A & H;
- Planting is limited in the immediate vicinity of the buildings;
- 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 no 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 buildings;
- Locate combustible structures such as garden sheds, pergolas and materials such as timber garden furniture away from the buildings; 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.

12. 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:

- identify permissible activities that may occur within the site on days of forecasted catastrophic or extreme fire weather;
- a mechanism for the relocation of occupants on days with an 'extreme' or 'catastrophic' fire danger rating or days declared as a total fire ban;
- contact details for the local Rural Fire Service office;
- procedures for coordinated evacuation of the site in consultation with local emergency services.

All buildings identified as a place of refuge must:

- provide for the maximum capacity of the site (being the total number of all accommodation guests, day visitors, staff, event attendees etc.);

- be sign-posted as places of refuge; and
- comply with the occupancy levels permissible for a Class 9b Assembly Building ('Public Hall') and 'area per person' requirements (1 square metre per person) as specified under the Building Code of Australia.

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.

General Advice – Consent Authority to Note

The NSW RFS recognises that the site is constrained and that the proposed development falls within the Flame Zone. Flame Zone development is high risk development; consequently, in situations such as this, the NSW RFS seeks to improve the overall fire safety of the existing development. This requires greater emphasis on construction standards, landscaping, siting, and vegetation management practices to ensure improved levels of protection are afforded to the development, its occupants and fire fighters. The NSW RFS has undertaken a merit based assessment of the proposal and provides the above advice in accordance with *Planning for Bush Fire Protection 2019*.

In considering a construction certificate application for building work, it is a matter for the certifier to be satisfied whether the building will comply with the relevant development consent (including conditions in that development consent reflecting any general terms of approval) and the Building Code of Australia which comprises Volumes 1 and 2 of the National Construction Code 2022 (NCC 2022).

For any queries regarding this correspondence, please contact Kurt Bowman on 1300 NSW RFS.

Yours sincerely,

David Webster
Manager Planning & Environment Srv (Sth)
Built & Natural Environment

BUSH FIRE SAFETY AUTHORITY

SFPP – School
17 CROOBYAR RD MILTON NSW 2538, 200//DP1192140
RFS Reference: DA20260204000442-Original-1
Your Reference: (CNR-92057) DA2026/1070

This Bush Fire Safety Authority is issued on behalf of the Commissioner of the NSW Rural Fire Service under s100b of the Rural Fires Act (1997) subject to the attached General Terms of Approval.

This authority confirms that, subject to the General Terms of Approval being met, the proposed development will meet the NSW Rural Fire Service requirements for Bush Fire Safety under *s100b of the Rural Fires Act 1997*.

David Webster
Manager Planning & Environment Srv (Sth)
Built & Natural Environment

Monday 23 March 2026