Sydney Western City Planning Panel

Panel Reference	PPSSWC-257
DA Number	1990/2022/DA-C
LGA	Campbelltown
Proposed Development	Demolition of existing structures and construction of a farm hub facility and 2 two storey buildings as boarding facilities for 180 boarders and car parking
Street Address	Hurlstone Agricultural High School, Roy Watts Road, Glenfield
Applicant	Martin Lugod
Owner	Minister for Education and Training
Date of DA lodgement	16 June 2022
Number of Submissions	Nil
Recommendation	Approval
Regional Development Criteria	CIV > $5M - Crown Development. The CIV is $43,764,875.00 (excluding GST)
List of all relevant s4.15(1)(a) matters	• State Environmental Planning Policy (Resilience and Hazards) 2021 • State Environmental Planning Policy (Transport and Infrastructure) 2021 • State Environmental Planning Policy (Biodiversity and Conservation) 2021 • Campbelltown Local Environmental Plan 2015 • Campbelltown (Sustainable City) Development Control Plan 2015 • Campbelltownn Local Infrastructure Contributions Pan 2018 • Environmental Planning and Assessment Regulation 2021
List all documents submitted with this report for the Panel's consideration	1. Attachment 1 - Recommended Conditions of Consent 2. Architectural Plans 3. Civil and Stormwater Plans – Farm Facilities 4. Civil and Stormwater Plans – Boarding Facilities 5. Landscape Plans 6. NSW Rural Fire Service - General Terms of Approval 7. Endeavour Energy Approval
Report prepared by	Mr D. Timmins – Senior Town Planner Campbelltown City Council
Report date	13 March 2023

Executive Summary

- The subject site is known as Hurlstone Agricultural High School. The site adjoins Glenfield Railway Station, has a total land area of 79.85 hectares, and is mapped as containing potential Koala habitat and biodiversity values.

- The application proposes the demolition of existing structures, construction of a farm hub facility and 2 two storey buildings as boarding facilities for 180 boarders and car parking.

- Development for the purposes of campus student accommodation may be carried out within the boundaries of the school under the provisions of State Environmental Planning Policy (Transport and Infrastructure) 2021.

- The land is zoned SP2 Infrastructure (Educational Establishment) under the Campbelltown Local Environmental Plan 2015, and an educational establishment is permitted with consent in the zone.

- The NSW Rural Fires Service issued a bushfire safety authority for the development of bushfire prone land for a special fire protection purpose.

- The application was referred to Endeavour Energy due to the proximity of an easement for transmission and exposed power lines. Endeavour Energy issued conditions of approval.

- No evidence of Koala presence was identified during site surveys. A total of 71 trees would be removed from the land, including 16 Koala food/shelter trees.

- The proposal is consistent with Council's Koala Plan of Management as the loss of Koala habitat would be offset through a monetary contribution to Council's Koala habitat rehabilitation fund. The proposal also involves the planting of 250 koala food trees.

- The application involves a variation to the Campbelltown (Sustainable City) Development Control Plan 2015 with regards to the number of rainwater tanks.

- The proposed development would impact on 0.01 hectares of Grey Box – Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion, and requires the retirement of one ecosystem credit under the Biodiversity Conservation Act 2016.

- The application was publicly notified and exhibited from 11 August 2022 and 5 September 2022. No submissions objecting to the proposed development were received.

- The proposal is exempt from the levying of development contributions as the public infrastructure would be carried out by or on behalf of a public authority.

- The application is recommended for approval in accordance with the recommended conditions of consent in Attachment 1 to this report.

Application History

- The application was lodged on 16 June 2022
- The applicant amended the development application on 8 July 2022
- Public exhibition concluded on 5 September 2022
- A panel kick-off briefing was held on 12 September 2022
- Additional information was requested from the applicant on 21 October 2022 in relation to:
  a. Details of access license involving Lot 24 DP 1035516
  b. Rainwater tank capacity
  c. Clarification regarding ecosystem/species credit
  d. Southern Myotis (bat) habitat and tree hollows
  e. Species of Koala food/shelter trees
  f. Planted native and exotic vegetation
  g. Details of storm water dissipation to creek
  h. DRAINS and MUSIC models
  i. Articulated vehicle swept paths
- Endeavour Energy issued conditions of approval on 22 October 2022
- NSW Rural Fire Service issued a bushfire safety authority on 19 November 2022

Panel Kick-Off Briefing

At the panel briefing held on 12 September 2022 the following matters were raised:

- Impacts to trees
- Change in student numbers
- Timing to determine application
- Internal engineering and ecological referrals
- NSW Rural Fire Service referral

The Site

The site contains Hurlstone Agricultural High School, and includes an operational farm and campus student accommodation.

The site comprises two allotments with a total area of 79.85 hectares. The identification and site area of each lot is provided below:

- Lot 21 DP 1035516 39.77 ha
- Lot 22 DP 1035516 40.08 ha

The site adjoins Glenfield Railway Station and a multi-storey commuter car park to the east, Glenfield Park School to the west, undeveloped land to the south, open space and the Glenfield residential neighbourhood to the north.

Vehicle access is provided to the site from Roy Watts Road, over Lot 24 DP 1035516, which is held under the ownership of Transport Asset Holding Entity of New South Wales.

A watercourse passes through Lot 22 to the north of the existing farm buildings located onsite.

An Easement for Transmission Line Variable Width passes through Lot 22 located adjacent to the northern property boundary.

The site is identified as a local heritage item (Hurlstone Agricultural High School – original school building and associated farmlands) under Schedule 5 of the Campbelltown Local Environmental Plan 2015.

The site is mapped as being located within bushfire prone land, and as containing potential Koala habitat and biodiversity values.

The Locality

Glenfield town centre is located to the east, and Campbelltown Road and the M5 Motorway are located to the west.

The State listed heritage item Macquarie Field House is situated approximately 1.4km to south-west of the site

The land surrounding Hurlstone Agricultural High School is anticipated to change as the land transitions into future urban development following the rezoning of the land from educational purposes.

The Proposal

A summary of the proposed development is provided below:

<u>Earthworks</u>
- A total of 5,630.4m^3 of cut, and 3,088m^3 of fill

<u>Tree removal</u>
- Removal of 71 trees, comprising 10 high retention values trees, 36 medium retention values trees, 23 low retention values trees, and 2 trees with priority removal

<u>Demolition works</u>
- Demolition of buildings identified as Block AA, Block BB, Block CC, Block A1, Block B1, Block C1, existing dairy shed, LPG tanks, ground water monitoring well and shipping containers
- Demolition of internal road ways, including part of Z Bend
- Demolition of existing site fencing
- The plans identify Blocks B, C, N, swimming pool, and Block A toilets for demolition via a separate planning pathway

<u>Campus student accommodation</u>
- Construction of 2 x two storey boarding facilities for 180 boarders, comprising thirty-two (32) x 1 bed rooms, twenty-eight (28) x 2 bed rooms, four (4) x 5 bed rooms, and twelve (12) x 6 bed rooms

- Provision of four (4) x 1 bed staff bedrooms
- Provision of common rooms, bathrooms, laundries, waste rooms and cleaners rooms

Farm facilities
- Construction of various agricultural type buildings and uses including:
    - cattle barn, milking parlour, milk processing, viewing gallery and show ring
    - beef, pigs, calves, chickens, sheep and aquaculture sheds
    - machinery shed, commodity shed, silage shed, and compost area
    - effluent and water system, and wash down area
    - co-located learning space, offices and amenities
    - horticulture area

Livestock
- 80 x dairy cattle, 20 x dry cows, 60 x heifers and calves, and 10 - 20 x beef cattle
- 120 x chickens, 120 x pigs and 80 x sheep

Landscaping
- Planting of 312 trees, including 250 koala food trees
- Mass groundcover plantings

Stormwater
- Drainage of stormwater from campus student accommodation into existing stormwater pits
- Drainage of stormwater from farm facilities into a detention basin and discharge of stormwater into a tributary of Glenfield Creek
- 2 x 25,000L rainwater tanks associated with the campus student accommodation facilities and 1 x 30,000L rainwater tank associated with the cattle barn

Vehicle parking, turning and loading
- Provision of 14 parking spaces and separate coach parking area
- Road construction and pavement widening to permit coach turning and articulated vehicle turning movements
- Construction of vehicle turning areas and pick up zones
- Construction of pedestrian paths and crossings
- Waste collection area

Student and staff numbers
- No increase to student and staff numbers
- No increase to beds and boarding students
- The school has a current enrolment of 991 students and 120 staff, including staff associated with the campus student accommodation and farm facilities

Ecological Sustainable Design
- Implementation of water, energy and material efficiencies aiming to achieve a minimum 4 Star Target under "Green Star Design & As-Built v1.3" building rating system

1. Planning Provisions

The proposed development has been assessed against the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

1.1 Rural Fires Act 1997

Section 100B of the Rural Fires Act 1997 (RFS Act) requires a bushfire safety authority for development of bushfire prone land for a special fire protection purpose.

A special fire protection purpose includes student or staff accommodation associated with a school, university or other educational establishment.

The development application has been lodged as integrated development within the meaning of Section 4.46 of the EP&A Act.

The NSW RFS issued a bushfire safety authority and general terms of approval on 19 November 2022 which have been included within the recommended conditions of consent.

1.2 Water Management Act 2000

Section 91 of the Water Management Act 2000 (WM Act) requires a controlled activity approval to be issued for works within 40m of the top of the bank of the natural watercourses on the land.

The proposed development involves the construction of a detention basin and discharge of stormwater into a tributary of Glenfield Creek.

Under clause 41 of the Water Management (General) Regulation 2018, public authorities are exempt from requiring approval under the WM Act for all controlled activities that it carries out in, on or under waterfront land.

Accordingly, the applicant has not been required to lodge the development application as integrated development within the meaning of the WM Act.

1.3 National Parks and Wildlife Act 1974

Section 90 of the *National Parks and Wildlife Act 1974* (NPW Act) requires an Aboriginal Heritage Impact Permit (AHIP) to be issued for the land.

The development application was accompanied by an Aboriginal Cultural Heritage Assessment Report (ACHAR) has been prepared by Kayandel. Archaeological investigations were undertaken on the land and three Aboriginal sites were identified. The ACHAR advises an AHIP must be sought prior to the commencement of works.

The applicant has advised that an application for an AHIP will be made to Heritage NSW following the issue of development consent.

Accordingly, the applicant has not lodged the development application as integrated development within the meaning of the NPW Act.

A recommended condition has been included requiring an Aboriginal Heritage Impact Permit (AHIP) for the proposed works to be sought and granted prior to the commencement of works.

1.4 State Environmental Planning Policy (Resilience and Hazards) 2021

Pursuant to Clause 4.6(1) of State Environmental Planning Policy (Resilience and Hazards) 2021, the 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.

Comment: The application was accompanied a Detailed Site Investigation (DSI) prepared by Douglas Partners. The findings of the DSI indicate that based on laboratory results, no significant contamination to soils and groundwater within the site, however it is noted the groundwater data indicated:

- The concentration of some metals exceeded the adopted Site Assessment Criteria, notwithstanding, given that the concentrations are likely naturally occurring (i.e., 'background' concentrations) and given the distance of the site from the receiving water body exceeds 800 m (i.e., Bunburry Curran Creek), this is not considered a major concern as long as groundwater is not extracted and discharged into the local stormwater system; and

- Detectable concentrations of TRH C6-C10 and cyclohexane are present in groundwater, however, given the concentrations are near laboratory detection limits, the local geology (i.e., clay soils), and the depth to groundwater table (i.e. >5 m BGL), this is unlikely to pose any significant risk to human health and / or ecology.

Notwithstanding the above, the DSI concludes the site is suitable, from a contamination perspective, for the proposed redevelopment, subject to the following:

- Step out asbestos assessment from BH40, to delineate the nature and extent of asbestos contamination in the vicinity,

- Removal of diesel storage and bowser facilities,

- A hazardous building materials survey of the existing buildings to be demolished or refurbished be undertaken prior to any disturbance. The results will identify potential contaminants (e.g., asbestos, lead, PCBs) that may be present and could be released during the demolition process resulting in contamination of surface soils,

- Clearance of the buildings by a qualified occupational hygienist / licensed asbestos assessor following the removal of identified hazardous materials, and subsequently of the building footprints and surrounds following demolition, and

- Following demolition of existing buildings, a supplementary investigation is undertaken targeting the sub soils beneath the demolished structures.

Having regard to the DSI and its findings, it is considered the land is suitable from a contamination perspective for the proposed development, subject to the implementation of recommendations of the DSI, which have been included within the recommended conditions of consent.

1.5 State Environmental Planning Policy (Transport and Infrastructure) 2021

State Environmental Planning Policy (Transport and Infrastructure) 2021 contains provisions relating to development likely to affect an electricity transmission or distribution network, impact of rail noise or vibration on non-rail development, and schools – specific development controls.

Development likely to affect an electricity transmission or distribution network

Clause 2.48 of State Environmental Planning Policy (Transport and Infrastructure) 2021, applies to a development application for development carried out adjacent to an easement for electricity purposes or within 5m of an exposed overhead electricity power line.

Comment: The proposed development would be carried out adjacent to an "Easement for Transmission Line Variable Width" and within 5m of an exposed overhead electricity power line.

Pursuant to Clause 2.48(2) of SEPP (Transport and Infrastructure) 2021, before determining a development application for development to which this section applies, the consent authority must give written notice to the electricity supply authority for the area in which the development is to be carried out, inviting comments about potential safety risks, and take into consideration any response to the notice that is received.

Comment: The proposal was referred to Endeavour Energy for consideration. Endeavour Energy issued conditions of approval on 22 October 2022 which have been included within the recommended conditions of consent.

Impact of rail noise or vibration on non-rail development

Clause 2.100 of State Environmental Planning Policy (Transport and Infrastructure) 2021 applies to development for the purpose of residential accommodation and an educational establishment that is on land adjacent to a rail corridor and that is likely to be adversely affected by rail noise or vibration.

Pursuant to Clause 2.100 (2) of SEPP Transport and Infrastructure 2021, before determining a development application for development to which this section applies, the consent authority must take into consideration any guidelines that are issued by the Planning Secretary for the purposes of this section and published in the Gazette.

Comment: The development application was accompanied by an Acoustic Assessment and Memorandum prepared by Pulse White Noise Acoustics that has regard to the NSW Government Development Near Rail Corridors and Busy Roads – Interim Guideline 2008, and NSW EPA Noise Policy for Industry (NPI) 2017.

The Acoustic Assessment provides a list of acoustic treatments to be incorporated into the design and construction of development to achieve acceptable levels of acoustic amenity, including material design specifications for glazing, façade and roofing.

A recommended condition has been included within the consent requiring the development to incorporate the recommended acoustic treatments.

Pursuant to Clause 2.100 (3) of SEPP Transport and Infrastructure 2021, if the development is for the purposes of residential accommodation, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:

(a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10.00 pm and 7.00 am,

(b) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.

Comment: The proposal includes residential accommodation in the form of campus student accommodation. The Acoustic Assessment and Memorandum confirm the implementation of the treatments outlined in the section 4.1 of the Acoustic Assessment would achieve resulting 35dBA LAeq (10:00pm to 7:00am) for sleeping spaces internally and 40dBA LAeq (24-hours) for all other areas of the building (except kitchen, bathroom or hallways) internally.

Schools – specific development controls

Under Clause 3.35(1) of SEPP (Transport and Infrastructure) 2021, development for the purposes of campus student accommodation may be carried out by a person with development consent on land within the boundaries of the school.

Campus student accommodation*, in relation to a school, university or TAFE establishment, means residential accommodation that is—*

(a) associated with the school, university or TAFE establishment, and
(b) principally for students enrolled at the school, university or TAFE establishment, and
(c) not located on land outside the boundaries of the school, university or TAFE establishment, and
(d) designed primarily for shared living with common spaces and shared facilities provided for residents.

Comment: The proposed campus student accommodation is associated with the school, principally for students enrolled at the school, not located on land outside the boundaries of the school, and designed primarily for shared living with common spaces and shared facilities provided for residents

Under Clause 3.35(3) of SEPP (Transport and Infrastructure) 2021, development consent must not be granted for purposes of campus student accommodation unless the consent authority has considered the design quality of the development, evaluated in accordance with the design quality principles set out in Schedule 8.

Comment: The application was accompanied by an Architectural Design Statement prepared by PTW Architects which considers the proposed development against the design quality

principles. A review of proposal against the design quality principles is outlined in the table below:

Principle 1 – context, built form and landscape
Schools should be designed to respond to and enhance the positive qualities of their setting, landscape and heritage, including Aboriginal cultural heritage. The design and spatial organisation of buildings and the spaces between them should be informed by site conditions such as topography, orientation and climate. Landscape should be integrated into the design of school developments to enhance on-site amenity, contribute to the streetscape and mitigate negative impacts on neighbouring sites. **Comment:** The proposed development has been designed to respond to the positive qualities of the setting and landscape, including items of heritage significance, and views to and from Macquarie Field House. An Aboriginal Heritage Impact Permit would be obtained prior to the commencement of works to ensure the development is compatible with items of aboriginal cultural heritage significance. The proposed campus student accommodation would be sited in approximately the same location as the existing campus student accommodation to be demolished. The design and spatial organisation of buildings and the spaces between them has been informed by site conditions, including existing site levels, receivable solar access, flood and bushfire affectation and biodiversity significant vegetation. Landscaping would be integrated into the design of the development, including the planting of 312 trees and various groundcovers to enhance on-site amenity, contribute to streetscape along Roy Watts Road, and mitigate potential negative impacts on the surrounding locality.
Principle 2 – sustainable, efficient and durable
Good design combines positive environmental, social and economic outcomes. Schools and school buildings should be designed to minimise the consumption of energy, water and natural resources and reduce waste and encourage recycling. Schools should be designed to be durable, resilient and adaptable, enabling them to evolve over time to meet future requirements. **Comment:** The application was accompanied by an Ecologically Sustainable Development Report prepared by Stantec Australia. The proposal would implement a range of water, energy and material efficiencies and aim to achieve a minimum 4 Star Target under "Green Star Design & As-Built v1.3" building rating system. The sustainability measures would enhance the durability, resilience and adaptability of the buildings, and facilitate the evolution of the buildings over time to meet future requirements. The sustainability measures include, but are not limited to: • 5 star tapware, 3.5 star showers, 4 star toilets, and taps with timers • energy efficient appliances within one star of the highest energy star rating system • photo voltaic system to generate at least 20% of overall energy demand • purchase at least 6% of sites overall energy demand from an accredited GreenPower provider • source structural steel from responsible steel makers produced using low energy processes • target of diverting 90% of construction and demolition waste from landfill

The proposal also involves the installation of three rainwater tanks with a combined capacity of 80,000L.

Principle 3 – accessible and inclusive

School buildings and their grounds should provide good wayfinding and be welcoming, accessible and inclusive to people with differing needs and capabilities.

Schools should actively seek opportunities for their facilities to be shared with the community and cater for activities outside of school hours.

Comment: It is considered the proposed pedestrian pathways, covered walkways, and siting of the main office and general learning space adjacent to Roy Watts Road would offer good way finding, that is welcoming, accessible and inclusive to people with differing needs and capabilities. There is potential for the proposed facilities to be shared with the community and cater for activities outside of school hours.

Principle 4 – health and safety

Good school development optimises health, safety and security within its boundaries and the surrounding public domain, and balances this with the need to create a welcoming and accessible environment.

Comment: The application was accompanied by a School Farm Plan prepared by Stantec Australia which would optimise health, safety and security within the school boundaries and surrounding locality, and includes measures surrounding effluent management, odour, chemical storage, biosecurity, vandalism and predation. It is considered the implementation of the School Farm Plan would create a welcoming and accessible environment.

Principle 5 – amenity

Schools should provide pleasant and engaging spaces that are accessible for a wide range of educational, informal and community activities, while also considering the amenity of adjacent development and the local neighbourhood.

Schools located near busy roads or near rail corridors should incorporate appropriate noise mitigation measures to ensure a high level of amenity for occupants.

Schools should include appropriate, efficient, stage and age appropriate indoor and outdoor learning and play spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage and service areas.

Comment: The campus student accommodation courtyard, general learning space and various farm facilities, would provide pleasant and engaging spaces that are accessible for a wide range of educational, informal and potential community activities. Consideration has been given to the amenity of the surrounding locality in terms of noise and vibration, odour, solar access, traffic and parking and waste management. The development includes appropriate and efficient, indoor and outdoor learning and open spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage and vehicle servicing areas.

Principle 6 – whole of life, flexible and adaptive

School design should consider future needs and take a whole-of-life-cycle approach underpinned by site wide strategic and spatial planning. Good design for schools should deliver high environmental performance, ease of adaptation and maximise multi-use facilities.

Comment: The proposal has considered the design and range of facilities needed to develop an agricultural high school with campus student accommodation consistent with the Glenfield Structure Plan and zone objectives. The development would be designed to deliver high environmental performance, including reduced energy and water consumption. The proposed buildings areas, floor layouts and spaces between offer opportunities for future adaptation. The proposed campus student accommodation and farm facilities comprise multi-use facilities.

Principle 7 – aesthetics

School buildings and their landscape setting should be aesthetically pleasing by achieving a built form that has good proportions and a balanced composition of elements. Schools should respond to positive elements from the site and surrounding neighbourhood and have a positive impact on the quality and character of a neighbourhood.

The built form should respond to the existing or desired future context, particularly, positive elements from the site and surrounding neighbourhood, and have a positive impact on the quality and sense of identity of the neighbourhood.

Comment: It is considered the school buildings and landscaped setting would be aesthetically pleasing. The proposed window openings, buildings setbacks, colours and materials present good proportions and a balanced composition of elements. The proposal responds to the heritage item and biodiversity significant vegetation on the site and would have positive impact on the quality and character of the area. The built form responds to the desired future context of the zone to provide infrastructure and encourage activities involving research and development. It is considered the proposal would have a positive impact on the quality and sense of identity of the locality.

1.6 State Environmental Planning Policy (Biodiversity and Conservation) 2021

The land is subject to the Campbelltown Koala Plan of Management (KPoM), and is identified as containing potential Koala habitat.

Pursuant to clause 4.8(1) of the SEPP Biodiversity and Conservation) 2021, the determination of the development application must be consistent with the approved Koala Plan of Management (KPoM) that applies to the land.

Comment: In accordance with Figure 6.1 of the KPoM, the application was accompanied by a Koala Activity Assessment Report (KAAR) prepared by Ecological Australia.

A koala activity field survey was undertaken by an Ecologist on 17 December 2021 involving a targeted survey of all Preferred Koala Food Trees (P)KFTs within the development site. The findings of the survey did not reveal any Koala sightings or evidence of Koala activity (scats or scratches), and it was concluded the land does not form core Koala habitat.

The KAAR advises the study area is not considered to be of high value for the Koala for the following reasons:

- The development site has been cleared in the past with a mix of remnant and planted native vegetation that are (P)KFTs present in the development site

- The understorey is regularly slashed reducing the quality of habitat
- The development site contains fencing and roads and is part of a school precinct
- There is limited connectivity or suitable habitat located nearby to the west, north or east due to roads, railway and industrial development. Suitable foraging and dispersal habitat is located only to the west of the development site but that is completely isolated from any other considerable patches of vegetation

In accordance with Figure 6.1 of the KPoM, as Koala activity levels are less than 10%, the application is required to conform to the planning controls for potential Koala habitat under section 6.4.8 of the KPoM. Council's Environmental Specialist is satisfied the proposed application conforms to the following requirements:

- The retention of (P)KFTs > 200mm DBH has been maximised
- The proposed tree removal will not prejudice the overall vision, aims and objectives of the Plan
- The controls for residential lots and subdivisions do not apply to the proposal
- Wildlife exclusion fencing, koala grids, connectivity structures (such as overpasses or underpasses) are not required for this site

The proposed development involves the removal of fourteen (14) (P)KFTs and two (2) Koala shelter trees. Under section 7.2 of the KPoM, the proposed tree removal is classified as 'minor development' as the proposal does not require the removal of more than two (P)KFTs or shelter trees for each hectare of land.

To compensate for the loss of 16 trees, the applicant is required to pay a monetary figure of $11,025 to Council's Koala habitat rehabilitation fund, or plant 315 replacement trees on site. The application proposes compensation to the value of $11,025 and the planting of 250 Koala food trees.

In this regard, the development application is consistent with the approved KPoM that applies to the land. A recommended condition has been included requiring the trees to be compensated consistent with the requirements of the KPoM.

1.7 Campbelltown Local Environmental Plan 2015

The proposed development has been assessed against the relevant provisions of Campbelltown Local Environmental Plan 2015 (CLEP 2015). This assessment is discussed below:

Permissibility

The land subject to the proposed development is zoned SP2 Infrastructure (Educational Establishment) under the provisions of the CLEP 2015.

The proposed development is defined as 'educational establishment' and is permitted with consent in the SP2 zone.

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

(a) a school, or

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

Comment: The proposed farm facilities comprise buildings and places used for education (including teaching) and form part of the agricultural high school. The proposed campus student accommodation forms part of the school and is permitted with development consent under SEPP (Transport and Infrastructure) 2021.

Zone SP2 Infrastructure

The objectives of the SP2 zone under CLEP 2015 are:

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.
- To encourage activities involving research and development.
- To optimise value-adding development opportunities, particularly those associated with research.
- To provide for the retention and creation of view corridors.
- To preserve bushland, wildlife corridors and natural habitat.
- To maintain the visual amenity of prominent ridgelines.

Comment: The proposed development would provide for infrastructure and related uses that is compatible with the land use of the site as a school.

The proposed farm facilities would encourage activities involving research and development, and the various farm uses would offer value-adding opportunities associated with research.

The proposal would retain view corridors between the site and the State heritage listed item Macquarie Field House located to the south.

The proposal has been designed to avoid and preserve significant bushland and habitat identified on site, including Cumberland Plain Woodland. The majority of vegetation proposed for removal comprises native vegetation which was planted for landscaping purposes adjacent to buildings, and is not representative of a plant community type or threatened ecological community.

The proposal would maintain and not adversely impact the visual amenity of prominent ridgelines.

Heritage conservation

Pursuant to clause 5.10(2) of the LEP 2015, development consent is required for disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed; or to disturb or excavate an Aboriginal place of heritage significance.

Aboriginal Heritage Impact Permit

The application was accompanied by an Aboriginal Cultural Heritage Assessment Report and (ACHAR) prepared by Kayandel. A field survey and archaeological testing program was

undertaken on the land, and three Aboriginal sites were identified, including a tree with cotemporary cultural value, silcrete angular fragment, and medial flake.

A significance assessment was carried out which concludes the subject area has low archaeological and scientific value.

Due to works being within 5m of the medial flake, the ACHAR advises that an Aboriginal Heritage Impact Permit (AHIP) is required to be sought and granted from Heritage NSW under the National Parks and Wildlife Act 1974 prior to the commencement of works on the land.

A recommended conditions has been included requiring the applicant to seek and obtain an AHIP prior to the commencement of works on the land.

Heritage impact

The application was accompanied by a Statement of Heritage Impact (SHI) prepared by Kayandel.

The site contains a local heritage item comprising "Hurlstone Agricultural High School – original school building and associated farmlands".

The buildings and elements of significance include three original (1926) school buildings, known as Block A (Dormitory Block); Clarke House (Block E); and Block G (Dormitory Block). Also Block K (1937) Music store and classroom; Block S English classroom and Building 4 (1933) Deputy Headmaster's Residence. Building 15, the Hindmarsh Pavilion (1957) and the Longmuir Swimming Pool (1954-55), and the Sports Oval. Views to and from Macquarie Fields House are also notable.

Buildings within the vicinity of the proposed development include Block A and Langmuir Swimming Pool.

Block A is identified as having heritage significance as it comprises the original dormitory. Langmuir Swimming Pool is identified as having heritage significance as it was the first swimming pool constructed in a NSW public school.

The plans note that Block A Toilets, and Langmuir Swimming Pool would be demolished via a separate planning pathway, and other works to Block A would be subject to a separate planning pathway.

As this application dos not seek consent for any works to buildings identified as having heritage significance, it is considered the proposed development would have a negligible impact on the heritage item.

The proposed campus student accommodation would incorporate design elements from the historic school buildings, including brick facades, gable roof, and use of white stucco on the balcony/verandas. The farm buildings incorporate design elements from the existing farm buildings, such as steel sheeting and brick.

The proposed campus student accommodation would be constructed in a similar location as the existing campus student accommodation to be demolished, and would maintain significant views to and from Block A to the rest of buildings on site with heritage significance. The cattle barn would be located further to the west of Block A and would not dominate the visual curtilage of Block A.

Having regard to the separation distances between items of heritage significance and the proposed development, it is considered the proposal would have no adverse impact on the items of heritage significance, and on views to the items.

Flood planning

The objectives Clause 5.21 of CLEP 2015 are to minimise the flood risk to life and property associated with the use of land; 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; avoid adverse or cumulative impacts on flood behaviour and the environment; and enable the safe occupation and efficient evacuation of people in the event of a flood.

Comment: A Flood Impact Assessment (FIA) prepared by Tonkin Consulting accompanied the application. A hydrological model was developed having regard to the catchment area, existing dams and water course in the locality. The results indicate that all proposed buildings would be located a minimum of 2m above the nearby flood level, and footpaths would be located outside the flood extent. Site access would remain safe for vehicular and pedestrian access during storm and flood events. The proposed development was reviewed by Council's Senior Development Engineer and considered to be compatible with the flood function and behaviour on the land, and not result in detrimental increases in the flood affectation of nearby properties.

Earthworks

The objective Clause 7.1 of CLEP 2015 is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

Comment: The proposal would disrupt drainage patterns and soil stability in the locality, however, the proposal involves the implementation of erosion and sediment control fencing, sediment traps and earth banks to mitigate impacts from arising in the locality of the development. A recommended condition has been included requiring any fill material to be virgin excavated natural material or other suitable material subject to a Resource Recovery Order and Resource Recovery Exemption. The proposal would impact on the amenity of adjoining properties in terms of noise, dust and vibration, however this impact would not be unreasonable impact subject to the imposition of conditions. The applicant is required seek and obtain an AHIP prior to the commencement of earthworks. The proposed works have been setback from the watercourse on the land, and the land is not located within a drinking water catchment. The majority of areas with biodiversity value would be retained and protected.

Salinity

The objective Clause 7.4 of CLEP 2015 is to provide for the appropriate management of land that is subject to salinity and the minimisation and mitigation of adverse impacts from development that contributes to salinity.

Comment: A Desktop Geotechnical Assessment (DGA) prepared by Douglas Partners accompanied the application. The DGA has regard to previous investigations undertaken on the land. The results of chemical testing indicate the soil are non-aggressive to concrete and steel, and classified as "non-saline". The land was previously determined as not being adversely affected by salinity processes and suitable for future urban development. A recommended condition has been included requiring the development to be designed in accordance Council's

Engineering Design for Development which includes measures to manage potential impacts arising from salinity. In this regard, the development will be designed, sited and managed to avoid any significant adverse environmental impact.

Restrictions on access to or from public roads

Clause 7.18(3) of the LEP 2015 provides that development consent may only be granted for development on land adjoining a road within Zone SP2 Infrastructure if the consent authority is satisfied that:

(a) All vehicular access to the land is by way of another road that is not within that zone, or

(b) There is no practicable alternative vehicular access to the land by way of another road that is not within that zone or by way of a proposed road identified in a development control plan.

Comment: Part of Roy Watts Road internal to the site, and adjoining Hurlstone Agricultural High School, is zoned SP2 Infrastructure. There are no other roads that offer vehicular access to Hurlstone Agricultural High School, other than Roy Watts Road.

Clause 7.18(4) of the LEP 2015 provides that before granting development consent that makes provision for vehicular access to or from a road within Zone SP2 Infrastructure, the consent authority must take the following into consideration:

(a) The treatment of the access and its location, and

(b) The effect of opening the access on traffic flow and traffic safety on the road.

Comment: Two driveway connections would be constructed along Roy Watts Road. In order to manage the traffic flow and safety of Roy Watts Road, a recommended condition has been included requiring a Traffic Control Plan to be approved prior to the commencement of works.

Terrestrial biodiversity

The objective Clause 7.20 of CLEP 2015 is to maintain terrestrial biodiversity by protecting native fauna and flora, and protecting the ecological processes necessary for their continued existence, and encouraging the conservation and recovery of native fauna and flora and their habitats, and maximising connectivity and minimising habitat fragmentation.

Comment: The land is mapped as containing "biodiversity – significant vegetation" on the Terrestrial Biodiversity Map. The application was accompanied by a Biodiversity Development Assessment Report (BDAR) prepared by Ecological Australia. The BDAR outlines how the development has been designed to avoid, minimise and offset impacts to areas of biodiversity significance. With regard to the BDAR, the proposed development is not considered to have an adverse impact on flora and fauna on the land, including the survival of native fauna, potential to fragment biodiversity structure, or impact on habitat elements providing connectivity on the land.

1.8 Campbelltown (Sustainable City) Development Control Plan 2015

The proposed development has been assessed against the relevant development controls of the Campbelltown (Sustainable City) Development Control Plan 2015 - Volume 1 (SCDCP).

Part 2 - Requirements Applying to All Types of Development

Part 2 of SCDCP contains requirements that apply to all types of development. Compliance with the relevant controls is outlined in the table below:

Campbelltown (Sustainable City) Development Control Plan 2015			
Control	**Requirement**	**Proposed**	**Compliance**
2.3(a) Views and Vistas	Development shall appropriately respond to Campbelltown's important views and vistas to and from public places. These include views and vistas to and from: heritage items.	Responds to views and vistas to and from Macquarie Field House.	Yes
2.4 (b) Sustainable Building Design	A rain water tank shall be provided for all new buildings containing a roof area greater than 100sqm for all development not specified by BASIX. The rain water tank shall have a minimum capacity in accordance with Table 2.4.1.	2 x 25,000L rainwater tanks associated with the campus student accommodation and 1 x 30,000L rainwater tank associated with the cattle barn. Numerous other farm buildings with a roof areas greater than 100m^2 would not be provided with a rainwater tank.	**No** – see discussion below.
2.5 (a) Landscaping	Landscape design shall enhance the visual character of the development and complement the design/use of spaces within and adjacent to the site.	Landscape design enhances the visual character of the development and complements the design/use of spaces within and adjacent to the site.	Yes
2.5 (d) Landscaping	A Landscape Concept Plan is required to be submitted with a development application for development that in the opinion of Council a landscape plan is required.	Landscape Plans submitted.	Yes
2.5 (e) Landscaping	The Landscape Concept Plan shall illustrate mature height, spread of species, trees to removed/retained and shall be prepared by a suitably qualified person.	Landscape Plans illustrate mature height, spread of species, trees to removed/retained and is prepared by PTW Architects.	Yes

Campbelltown (Sustainable City) Development Control Plan 2015			
Control	**Requirement**	**Proposed**	**Compliance**
2.5 (f) Landscaping	Landscaping shall maximise the use of locally indigenous and other drought tolerant native plants and avoid the use of invasive species.	Landscaping includes native and drought tolerant species and avoids use of invasive species.	Yes
2.7(a) Erosion and Sediment Control	An Erosion and Sediment Control Plan shall be prepared and submitted with a development application proposing construction and/or activities involving the disturbance of the land surface.	Erosion and Sediment Control Plan submitted.	Yes
2.8.1(a) Cut and Fill	A Cut and Fill Management Plan (CFMP) shall be submitted with a development application where the development incorporates cut and/or fill operations.	Bulk Earthworks Plans submitted showing levels of cut and fill.	Yes
2.8.1(e) Cut and Fill	All fill shall be 'Virgin Excavated Natural Material' (VENM).	Classification of fill material not submitted.	Condition of consent to comply
2.8.2(a) Surface Water	Development shall not occur on land that is affected by the 100-year ARI event unless the development is consistent with the NSW Floodplain Development Manual.	The proposal was reviewed by Council's Senior Development Engineer and considered to be acceptable with respect to flooding and the NSW Floodplain Development Manual.	Yes
2.8.2(c) Surface Water	All development shall have a ground surface level, at or above a minimum, equal to the 100-year 'average recurrence interval' (ARI) flood level.	Ground surface levels above ARI flood level plus a freeboard of 2m.	Yes
2.(a) Demolition	A development application involving demolition shall be considered having regard to the following information: i) a detailed work plan prepared by a	Demolition plan submitted prepared by	Yes

Campbelltown (Sustainable City) Development Control Plan 2015			
Control	**Requirement**	**Proposed**	**Compliance**
	suitably qualified person, in accordance with AS2601-2001- The Demolition of Structures (as amended)	PTW Architects showing structures to be demolished.	
	ii) details of the licensed demolition contractor engaged to carry out the work (including name, address and building licence number)	Details of licensed demolition contractor not submitted.	Condition of consent to comply
	iii) a hazardous materials report that lists details of methods to prevent air, noise and water pollution and the escape of hazardous substances into the public domain	In accordance with the recommendations of the Detailed Site Investigation, a hazardous building materials survey would be undertaken prior to the commencement of demolition works.	Yes
	iv) details of any asbestos or other hazardous substances to be removed from the site and/or damaged during demolition	The Detailed Site Investigation provides details of potential asbestos and diesel storage and bowser facilities.	Yes
	v) a dilapidation report where demolition work is to be undertaken within the zone of influence of any other structure.	Dilapidation report and details of zone of influence of structures not submitted.	Condition of consent to comply
2.10.1(a) Water Cycle Management	A comprehensive Water Cycle Management Plan (WCMP) shall be prepared and submitted as part of a development application.	Stormwater Management Plans and Flood Impact Assessment provides details of stormwater drainage.	Yes
2.10.2(a) Stormwater	All stormwater systems shall be sized to accommodate the 100-year ARI event.	Council's Senior Development Engineer is satisfied the storm water systems are sized to accommodate the 100- year ARI event.	Yes

Campbelltown (Sustainable City) Development Control Plan 2015			
Control	**Requirement**	**Proposed**	**Compliance**
2.10.2(b) Stormwater	The design and certification of any stormwater system shall be undertaken by a suitably qualified person.	Stormwater Management Plans designed by Tonkin, and certified with a Design Report.	Yes
2.10.2(j) Stormwater	Development shall not result in water run-off causing flooding or erosion on adjacent properties.	Measures to manage run-off to not cause flooding or erosion on adjacent properties, including sediment fencing, sediment traps and earth banks.	Yes
2.10.2(k) Stormwater	Stormwater run-off shall be appropriately channeled into a stormwater drain.	Stormwater run-off directed into stormwater pits and stormwater detention basin.	Yes
2.11.1(c) Aboriginal Heritage	Where it is determined that harm could occur to Aboriginal objects then an Aboriginal Heritage Impact Permit application must be made to the OEH and be approved prior to works occurring.	The development application was accompanied by an Aboriginal Cultural Heritage Assessment Report (ACHAR) has been prepared by Kayandel. An application for an Aboriginal Heritage Impact Permit (AHIP) will be made to Heritage NSW prior to the commencement of works on the land.	Yes
2.11.2(a) Heritage	Any development application made in respect to development on land that is adjoining land occupied by a heritage item shall provide a Statement of Heritage Impact (SHI) that assesses the impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item or conservation area.	The application was accompanied by a Statement of Heritage Impact (SHI) prepared by Kayandel that assesses the impact of the proposed development on the heritage significance, visual curtilage and setting of heritage items, including Hurlstone Agricultural High School and Macquarie Fields House.	Yes
2.14.1(b)	A detailed Salinity Analysis and Remedial	A Desktop Geotechnical	Yes

Campbelltown (Sustainable City) Development Control Plan 2015			
Control	**Requirement**	**Proposed**	**Compliance**
Salinity	Action Plan shall be prepared and submitted with the development application if: i) the site has been identified as being subject to a salinity hazard; or ii) an investigation reveals that the land is saline.	Assessment (DGA) prepared by Douglas Partners accompanied the application. The DGA has regard to previous investigations undertaken on the land. The results of chemical testing indicate the soil are non-aggressive to concrete and steel, and classified as "non-saline".	
2.14.2(b) Bushfire	Development on bush fire prone land (as detailed on the Campbelltown Bush Fire Prone Lands Map) shall comply with the requirements of Planning for Bushfire Protection	The proposed residential subdivision was referred to the NSW RFS and General Terms of Approval have been issued.	Yes
2.15.1(a) Waste Management	A detailed Waste Management Plan (WMP) shall accompany development applications.	WMP submitted.	Yes
2.19(d) Electricity Easements	All proposed activities within electricity easements require approval from the relevant utility providers.	The proposed development would not be undertaken within the Easement for Transmission Line Variable Width located on site.	N/A

Sustainable Building Design (section 2.4(b) non-compliance)

Section 2.4(b) of the SCDCP requires a rain water tank to be provided for all new buildings containing a roof area greater than 100m^2 for all development not specified by BASIX, and the rain water tank to have a minimum capacity in accordance with Table 2.4.1.

Having regard to the roof area of each building, the SCDCP would require the proposed development to be provided with a total of 17 rainwater tanks, with a combined capacity of 98,000L.

The proposed development would provide three rainwater tanks, including 2 x 25,000L rainwater tanks associated with the campus student accommodation and 1 x 30,000L rainwater tank associated with the cattle barn, with a combined capacity of 80,000L.

Numerous farm buildings with a roof areas greater than 100m^2 would not be provided with a rainwater tank, including the machinery shed, silage shed, office, milk processing, milking parlour, effluent water system, pig shed, calves shed, chickens shed, GLS, aquaculture shed, beef shed and sheep shed.

In this regard, although the number of rainwater tanks does not comply with the specified standard, the non-compliance is considered to be acceptable, as the proposed rainwater tanks would encourage water recycling and reduce water consumption for the three largest buildings, that are likely to have high water demand, and as such the proposed variation is considered capable of being supported in this circumstance.

Part 11 – Vegetation and Wildlife Management

Part 11 of SCDCP contains requirements that apply to vegetation and wildlife management. Compliance with the relevant controls is outlined in the table below:

Campbelltown (Sustainable City) Development Control Plan 2015			
Control	**Requirement**	**Proposed**	**Compliance**
11.2.1(a)(i) Management of Native Vegetation and Wildlife Habitat	The development shall be sited, designed and managed to avoid any negative impact on biodiversity where possible.	The development would be sited, designed and managed to avoid adverse impacts on biodiversity.	Yes
11.2.1(a)(ii) Management of Native Vegetation and Wildlife Habitat	Where an impact on biodiversity cannot be avoided and no reasonable alternative is available the proposed development shall be sited, designed, constructed and managed in a manner that minimises the impact on native biodiversity and maintains habitat connectivity as much as practicable.	The proposal has been sited and designed to require the removal of 0.56 ha of planted native/exotic vegetation, and 0.01ha of PCT 849 – Grey Box, of degraded condition, which would be offset with one ecosystem credit. The proposed development is predominantly sited to the east of PCT 849 – Grey Box, and the minor impact would maintain habitat connectivity between PCT 849 – Grey Box and patches of Cumberland Plain Woodland to the west.	Yes
11.2.1(a)(iii) Management of Native Vegetation and Wildlife Habitat	Any impact on biodiversity shall be essential for the development and limited to the extent necessary to facilitate the safe and orderly use of the land for the	An impact of 0.01ha to PCT 849 – Grey Box would facilitate vehicle access to the proposed sheep shed.	Yes

Campbelltown (Sustainable City) Development Control Plan 2015			
Control	**Requirement**	**Proposed**	**Compliance**
	purpose of the development.		
11.2.1(a)(iv) Management of Native Vegetation and Wildlife Habitat	Arrangements must be put into place to ensure that the biodiversity values on site will be proactively managed to mitigate the impacts.	A temporary fence would be erected to protect and limit access to vegetation to be retained. In accordance with the submitted Biodiversity Development Assessment Report (BDAR), a Construction Environmental Management Plan would be implemented to manage impacts to biodiversity values.	Yes
11.2.1(a)(v) Management of Native Vegetation and Wildlife Habitat	In circumstances where impacts on biodiversity cannot be avoided, a Biodiversity Statement shall be prepared and submitted with the DA to demonstrate how Clause 11.2.1 a) ii) and iv) above have been addressed.	The application was accompanied by a BDAR prepared by Eco Logical (accredited assessor) demonstrating how impacts to biodiversity have been addressed.	Yes
11.2.1(b) Management of Native Vegetation and Wildlife Habitat	A Native Flora and Native Fauna Assessment Report prepared in accordance with the Office of Environment and Heritage's Threatened Species Survey and Assessment Guidelines and Field Survey Methods is required to be lodged with the development application.	The BDAR has been prepared in accordance with the Biodiversity Conservation Act 2016 and Biodiversity Assessment Method which prescribe the applicable requirements for assessments, species surveys and methods.	Yes
11.2.1(c) Management of Native Vegetation and Wildlife Habitat	As part of the Native Flora and Native Fauna Assessment, an Assessment of Significance shall be undertaken for each threatened species, population and ecological community	The BDAR includes an Assessment of Significance for the Grey-headed Flying-fox, Koala and Swift Parrott. The proposal is unlikely to impact any known breeding habitat, and a small	Yes

Campbelltown (Sustainable City) Development Control Plan 2015			
Control	**Requirement**	**Proposed**	**Compliance**
	which is likely to be directly or indirectly impacted, by the proposal.	amount of potential foraging habitat. No populations would be isolated or fragmented and the life cycle of these species are not likely to be affected.	
11.2.1(d) Management of Native Vegetation and Wildlife Habitat	Koala Habitat assessments undertaken as part of 11.2.1 b) above shall meet the requirements of SEPP 44 and Council's Guidelines for Koala Habitat Assessments (Refer to Appendix 4 of Volume 1 of the Plan).	The application was accompanied by a Koala Activity Assessment Report (KAAR) prepared by Eco Logical Australia. The KAAR meets the requirements of SEPP (Biodiversity and Conservation) 2021 and Council's Koala Plan of Management.	Yes
11.2.2(a) Protection of Hollow-bearing Trees and Hollow Logs	All hollow-bearing trees shall be retained, where practical.	Removal of two Hollow-Bearing Trees (HBT) and retention of three HBT.	Satisfactory
11.2.2(b)(i) Protection of Hollow-bearing Trees and Hollow Logs	Council may consent to the removal of a hollow- bearing tree providing that the applicant can demonstrate to the satisfaction of Council that the development cannot be sited in a manner that would enable the hollow bearing tree to be retained.	Council's Environmental Specialist is satisfied the two hollows may be removed and offset with four hollow replacement boxes. The trees containing the hollows are identified as planted native species and the development would have a high impact on structural roots zones. Re-siting the development may impact on other medium/high retention value trees proposed for retention.	Satisfactory
11.2.2(b)(ii) Protection of Hollow-bearing Trees and Hollow Logs	Prior to granting consent for the removal of a hollow bearing tree the tree should be surveyed and a strategy for removal (timing and methodology) that	The BDAR proposes to survey vegetation for the presence of wildlife prior to clearing. The clearance of hollows would be supervised by the project ecologist and contactor.	Yes

Campbelltown (Sustainable City) Development Control Plan 2015			
Control	**Requirement**	**Proposed**	**Compliance**
	minimises impacts on native wildlife must be prepared and submitted to Council for approval.		
11.2.2(c)(i) Protection of Hollow-bearing Trees and Hollow Logs	The removal of the hollow bearing trees shall be offset by the installation of nesting boxes. The size of the nest box is to reflect the size and dimensions of the hollow removed. Alternatively, the tree hollow could be appropriately mounted on one of the retained trees in a manner where it will not pose a risk to life or property	Size and dimensions of hollow replacement boxes not specified.	Condition of consent to comply
11.2.2(c)(ii) Protection of Hollow-bearing Trees and Hollow Logs	Replacement ratios of nest boxes shall be at a minimum of 2:1(nest boxes: hollows lost)	Four hollow replacement boxes would replace the two hollows lost.	Yes
11.2.2(c)(iii) Protection of Hollow-bearing Trees and Hollow Logs	All nesting boxes and hollows shall be mounted at least 5 metres above the ground.	Height of hollow replacement boxes not specified.	Condition of consent to comply

1.9 Campbelltown Local Infrastructure Contributions Plan 2018

The proposed development was considered by Council's Development Contributions Officer.

Under section 2.7 of the Campbelltown Local Infrastructure Contributions Plan 2018, the Plan does not apply to public infrastructure carried out by or on behalf of any public authority.

Accordingly, the proposal is exempt from the levying of development contributions.

2. Environmental Planning & Assessment Regulation 2021

Under section 35(2) of the Environmental Planning & Assessment Regulation 2021, a person must not apply to a consent authority for development consent to carry out development on land in the Glenfield Precinct as identified on the Locality and Site Identification Map under Campbelltown Local Environmental Plan 2015, unless the application is accompanied by an assessment of the consistency of the development with the relevant plan.

Comment: The application was accompanied by a Statement of Environmental Effects prepared by DFP Planning Consultants which provides an assessment of the consistency of the proposed development with the Glenfield Structure Plan and Glenfield Place Strategy. The findings of the assessment provide:

- The works are located with the areas of the Glenfield structure plan identified as 'Hurlstone Agricultural High School' and 'Hurlstone Agriculture Area'.

- The proposed development is consistent with the vision for Glenfield which identified the protection and enhancement of the precinct's educational heritage and agricultural needs.

- The proposed development is consistent with the urban design principles relating to 'respecting heritage', 'a well-designed place' and 'a green place'.

- The proposed development is not located within one of the five (5) character areas identified under the Glenfield Place Strategy.

With regard to the above reasoning, it is considered the proposed development is consistent with the Glenfield Structure Plan and Glenfield Place Strategy.

3. Impacts on the Natural and Built Environment

Section 4.15(1)(b) of the EP&A Act requires Council to consider the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

Biodiversity values

The proposed development involves the clearing of vegetation shown on the Biodiversity Values Map.

The application was accompanied by a Biodiversity Development Assessment Report (BDAR) prepared by Ecological Australia in accordance with the Biodiversity Conservation Act 2016 and Biodiversity Assessment Method.

The BDAR describes the biodiversity values of the site, and measures taken to avoid, minimise, and offset impacts to vegetation and species habitat.

The proposed development involves the removal of 0.56 ha of planted native and exotic vegetation.

One Plant Community Type (PCT) was identified within the development site, comprising PCT 849 Grey Box – Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion.

PCT 849 corresponds with the threatened ecological community Cumberland Plain Woodland in the Sydney Basin Bioregion, which is listed as a critically endangered ecological community under the Biodiversity Conservation Act 2016.

The majority of plant community types on site have been avoided, however 0.01 ha of PCT 849 would be impacted to facilitate vehicle access to the proposed sheep shed. This impact requires the retirement of one ecosystem credit.

The 0.01 ha area of PCT 849 is identified as habitat for the Southern Myotis (bat). Consistent with the *'Species credit' threatened bats and their habitats NSW survey guide for the Biodiversity Assessment Method*, there is no requirement to retire species credits as the habitat is not within 200m of a suitable waterbody.

An evaluation of Serious and Irreversible Impacts (SAII) was carried out where it was determined the removal of proposed 0.01 ha area of PCT 849 would not isolate, fragment or affect connectivity of the Cumberland Plain Woodland (CPW).

The BDAR advises that should the area of vegetation be retained, it would not increase connectivity, as the area impacted is adjacent to the school and surrounded by cleared agricultural land. The dispersal distances of fauna would not be reduced to a level that would adversely affect biotic processes.

The largest patch of CPW is situated to the west of the development site and would be retained and conserved as part of the application.

The proposed development would impact 0.57 of potential koala habitat. However no evidence of Koala presence was identified during site surveys.

An Assessment of Significance was undertaken for threated species likely to occur within the development site, including Grey-headed Flying-fox, Koala, Swift Parrot and Regent Honeyeater.

The assessment concludes the proposal would not impact known breeding habitats, and would only impact a small amount of potential foraging habitat. No important populations would be isolated or fragmented, and the life cycle of the species are not likely to be impacted.

The proposed impacts to biodiversity values were considered by Council's Environmental Specialist and considered to be acceptable, subject to a recommended condition requiring the retirement of one ecosystem credit.

Tree removal – visual impact

The application was accompanied by an Arboricultural Impact Assessment prepared by Ecological Australia.

A total of 360 trees were survey on the land.

The proposed development involves the removal of 71 trees, comprising 10 high retention values trees, 36 medium retention values trees, 23 low retention values trees, and 2 trees with priority removal due to active splits that have partially failed.

It is considered the extent of tree removal on the site would not unacceptably change the landscaped character of the area to the extent that it will adversely impact on the visual catchment of the locality.

It is considered the landscape will still be aesthetically pleasing through the retention of a high number of trees on site adjacent to the proposed development.

The reduction in the aesthetic qualities caused by the development would be less significant and mitigated by the proposed planting of 312 trees, including 250 Koala food trees.

Odour

The application was accompanied by a School Farm Plan prepared by SCIBUS which discusses measures to be implemented to manage the operation of the farm facilities.

In relation to odour, the School Farm Plan calculates minimum separation distances between odour generating facilities and sensitive receivers using the Technical Framework – Assessment and Management of Odour from Stationary Sources in NSW (2006).

In this regard, a minimum separation distance of 255m is calculated for the dairy facilities, 189m for the pig facilities, and 16m for the chicken facilities.

The nearest existing residential dwellings are located approximately: 370m to the north of the proposed dairy facilities, 380m north of the proposed pig facilities, and 420m to the north of the proposed chicken facilities, thereby achieving the minimum required separation distances.

Future potential receivers within the R3 zone, situated to the east of dairy, pig and chicken facilities, would also achieve compliance with the minimum required separation distances.

The School Farm Plan informs minimal odour would be expected from the proposed sheep and beef shed. The sheds would be used for animal husbandry activities on an ad-hoc basis in connection with the agricultural curriculum, such as sheep shearing, beef animal grooming for shows and general animal maintenance.

To mitigate potential impacts of odour on the surrounding locality, the application proposes to implement the following management measures:

- Development of an odour management plan to ensure that regular cleaning and mitigation measures are implemented.
- Use of a fully contained effluent system that will allow extraction of low odour solids for use in fertilising, composting and potential for sub-surface irrigation.
- Compost housing of dairy cattle.
- Retention of woodland areas and new tree planting along Roy Watts Road.
- Elimination of sows and use of purchased piglets.
- Use of deep bedding that will be composted and ventilated away from sensitive receptors.
- Burying fresh solids and bedding for use as compost including regular applications of moisture and turning.
- Deep composting of animal deaths in a location that is well shielded by vegetation.
- Establishment of a site weather station to inform good or poor weather conditions for potential odour impacts.

The proposed development was reviewed by Council's Environmental Health Officer and considered to be acceptable in relation to odour, subject to the implementation of the School Farm Plan and management measures.

Traffic

The application was accompanied by a Traffic and Transport Impact Assessment prepared by Cardno. The findings of the assessment advise:

- There is no net increase in boarding room accommodation.
- There is no change to the school operations in terms of staff or student numbers.
- Parking both within formal areas of the school and unformalised areas along Roy Watts Road generally have capacity to cater for the car parking needs of students and staff.
- Pick up / drop off activities is dispersed between the school site, Roy Watts Road and Railway Parade.
- Loading and servicing requirements for the school remain generally unchanged, with access via either the Service Road or Dairy Lane to continue.
- Farm operations of the agricultural component will remain generally unchanged.
- Consideration to increased accessible parking may be necessary to comply with BCA requirements.

As the proposed development will not result in an increase of boarding rooms, staff or student numbers, it considered the proposal would have a negligible traffic and parking impact on the locality. Swept paths were submitted showing the turning movements of an articulated vehicle using the internal roads. The proposed development was reviewed by Council's Senior Development Engineer and considered to have an acceptable traffic impact on the locality.

Noise

The application was accompanied by an Acoustic Assessment prepared by Pulse White Noise Acoustics.

The Acoustic Assessment provides an external noise intrusion assessment and operational noise assessment of the campus student accommodation, an operation noise emission assessment of the farm facilities, and construction noise and vibration assessment.

Noise impacts to surrounding residential receivers have been considered, including noise from engineering services, vehicle movements, internal common rooms, public address systems and agricultural operations.

In order to achieve acceptable noise levels, the acoustic report recommends the incorporation of façade treatments into the design of the development to ensure internal noise levels are within permissible limits.

A noise and Vibration Management Plan would be implemented during construction works to manage airborne noise and vibration impacts.

The Acoustic Assessment was reviewed by Council's Environmental Specialist and considered to be acceptable. Recommended conditions have been included requiring the recommendations of the Acoustic Assessment to be implemented.

Accessibility

The application was accompanied by a Design Specification report prepared by Trevor R Howse.

The report has regard to the building requirements of people with a disability under the National Construction Code (NCC) and Access to Premises Standard 2010.

The report indicates the proposed development is compliant or capable of complying with the access requirements of the NCC and Premises Standard 2010.

A condition of consent has been included requiring the development to incorporate the recommendations and specifications of the Design Specification report.

4. Social and Economic Impacts

Socially, the proposal would provide modern farm facilities that would encourage activities involving research and development, and attract students to science, technology, engineering and mathematics subjects. The proposed campus student accommodation would encourage enrolled students to reside on campus which is currently experiencing a low number of boarders due to the poor condition of the existing accommodation.

Economically, the proposal would be beneficial to the overall local economy with workers being employed during the construction phase of the development, and future occupants spending in the local economy once the campus student accommodation is occupied.

5. Site Suitability

The site is considered to be suitable for the proposed development, as the existing farm facilities would be redeveloped to support a sustainable agricultural enterprise, and the existing campus student accommodation would be redeveloped to provide improved residential amenity.

The proposal is consistent with the Glenfield Structure Plan which identifies the site as being used as 'Hurlstone Agricultural High School' and 'Hurlstone Agriculture Area'.

The proposal, subject to the general terms of approval, is considered to be suitable for the proposed development with respect to the development of bushfire prone land for a special fire protection purpose.

The proposal is considered to be compatible with the heritage significance of the original school building and associated farmland. The requirement to obtain an Aboriginal Heritage Impact Permit would ensure the proposal is suitable for site with respect to Aboriginal cultural heritage.

Council's Environmental Specialist is satisfied that direct impacts to biodiversity values have been avoided, minimised and offset. Council's Senior Development Engineer is satisfied the proposal has adequately responded to the potential flood affectation of the land.

6. Submissions

The application was publicly notified and exhibited between 11 August 2022 and 5 September 2022. During this period, no public submissions objecting to the proposed development were received.

7. The Public Interest

The application is considered to have satisfactorily responded to the future desired outcomes expressed in the environmental planning instruments and development control plan, and would provide a development outcome that, on balance, would result in a positive impact for the

community. Accordingly, it is considered that the approval of the proposed development would be in the public interest.

Conclusion

The development application has been assessed against the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979, the Environmental Planning and Assessment Regulation 2021, Campbelltown Local Environmental Plan 2015 and Campbelltown (Sustainable City) Development Control Plan 2015.

The proposed development, subject to the recommended conditions, is considered to satisfy relevant State legislation and State Environmental Planning Policies including the Rural Fires Act 1997, National Parks and Wildlife Act 1974, SEPP (Resilience and Hazards) 2021, SEPP (Transport and Infrastructure) 2021, SEPP Biodiversity and Conservation 2021, and other relevant legislation.

The variation to the number or rainwater tanks is considered to be of minimal environmental impact and capable of being supported in this instance.

Impacts to native biodiversity have been adequately avoided and minimised, and impacts to biodiversity values would be offset through the retirement of one ecosystem credit. The proposal would not impact any core Koala habitat, and no evidence of Koala presence was identified during site surveys. The removal of 16 koala food/shelter trees would be offset through a monetary contribution to Council's Koala habitat rehabilitation fund, and by planting 250 koala food trees.

The site is considered to be suitable for the proposed development, as it would provide modern farm facilities and campus student accommodation that would support a sustainable agricultural enterprise and encourage enrolled students to reside on campus.

Accordingly, the application is recommended for approval.