

**COUNCIL ASSESSMENT REPORT**

<b>Panel Reference</b>	PPSSWC-424
<b>DA Number</b>	605/2024/DA-C
<b>LGA</b>	Campbelltown
<b>Proposed Development</b>	Staged redevelopment of an existing primary school and associated works
<b>Street Address</b>	Lot 32 DP 1045123, St Thomas More Catholic Parish Primary School, 6 St Johns Road, Campbelltown
<b>Applicant/Owner</b>	Catholic Education Diocese of Wollongong
<b>Date of DA lodgement</b>	4 March 2024
<b>Total number of Submissions</b>  <b>Number of Unique Objections</b>	One submissions received , Endeavour Energy.
<b>Recommendation</b>	Approval, subject to conditions
<b>Regional Development Criteria (Schedule 7 of the SEPP (Planning Systems) 2021</b>	Development that has a capital investment value of more than \$5 million – Clause 5(b) of Schedule 6.
<b>List of all relevant s4.15(1)(a) matters</b>	State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 2021 State Environmental Planning Policy (Industry and Employment) 2021 Campbelltown Local Environmental Plan 2015 Campbelltown (Sustainable City) Development Control Plan 2015
<b>List all documents submitted with this report for the Panel's consideration</b>	<ul style="list-style-type: none"> <li>– Recommended Condition of Consent</li> <li>– General Terms of Approval Rural Fire Service</li> <li>– Architectural Plans</li> <li>– Landscape Plans</li> <li>– Compliance Tables</li> <li>– Arborist Report</li> <li>– BCA Performance Report</li> <li>– Construction Management Plan</li> <li>– Bushfire Assessment Report</li> <li>– Biodiversity Assessment</li> <li>– Stormwater drainage plan</li> <li>– Traffic impact assessment</li> </ul>

	<div>- Acoustic Report</div> <div>- Koala Assessment Report</div>
Clause 4.6 requests	N/A
Summary of key submissions	None
Report prepared by	Ellise Mangion
Report date	27 August 2024

Summary of s4.15 matters

Yes

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report?

Legislative clauses requiring consent authority satisfaction

Yes

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report?

*e.g. Clause 4.6 of SEPP (Resilience and Hazards) 2021, Clause 4.6(4) of the relevant LEP*

Clause 4.6 Exceptions to development standards

N/A

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?

Special Infrastructure Contributions

N/A

Does the DA require Special Infrastructure Contributions conditions (S7.24)?

*Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions*

Conditions

Yes

Have draft conditions been provided to the applicant for comment?

*Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report*

PLANNING ASSESSMENT REPORT

1. Executive Summary

Council is in receipt of a development application for the staged redevelopment of an existing primary school and associated works at Lot 32 DP 1045123, St Thomas More Catholic Parish Primary School, 6 St Johns Road, Campbelltown.

The site is subject to the provisions of the Campbelltown Local Environmental Plan 2015 (CLEP 2015) and is zoned R2 Low Density Residential.

The application was required to be publicly exhibited for 21 days and notified to surrounding property within 100m in accordance Campbelltown Community Participation Plan. One submission was received from Endeavour Energy.

An assessment under Section 4.15 of the *Environmental Planning and Assessment Act 1979* has been undertaken and the application is recommended for **APPROVAL**.

## 2. Site and Surrounds

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### Site Description

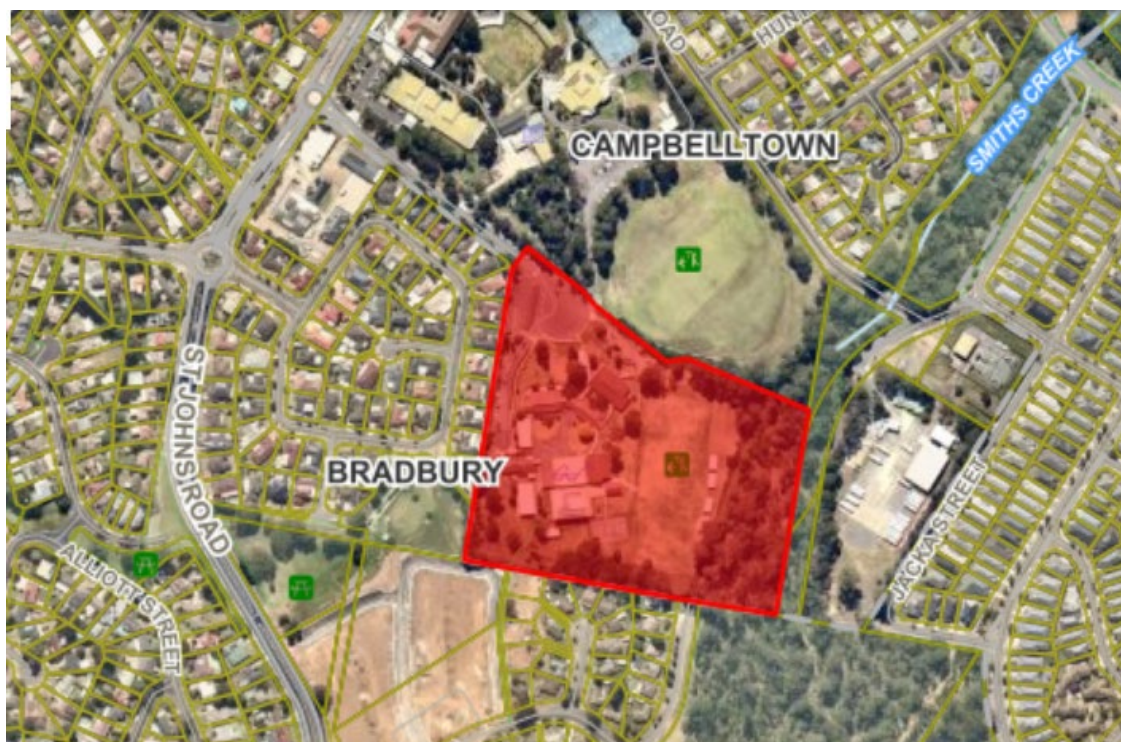
The subject site is St Thomas Moore Catholic Primary School and identified as Lot 32 in Deposited Plan 1045123, 6 St Johns Road, Campbelltown. The site is irregular in shape with an area of 54450m<sup>2</sup>. The site is bound by St Patrick College to the north of the site and residential properties to the south and west of the site. The site is provided with vehicular access from a cul-de-sac which is accessed via St Johns Road.

The site is burdened by an easement for electricity (F) to the northern boundary and easement (c) to drain water 4 metres wide to the southern boundary. The proposed works are not located in proximity to either easement.

The site is occupied by seven buildings and a several ancillary structures including demountable buildings, tennis court, car parks, and playground. The site has vegetation to the east of the site which is identified as remnant Cumberland Plain Woodland.

The surrounding development is predominantly low density residential housing either single or two storey detached dwellings and St Patrick's College is located to the north of the site.

Site aerial is provided in **Figure 1** below:



**Figure 1:** Subject site within red outline (Source: SSA).

### Development Application History

The site has previous consents relating to the site prior to 2010, which are not considered relevant at this time.

### Site Constraints Table

Site Constraints	Applicable to this site
Bushfire Prone Land	Y
Flood Affected	N
Overland flow affected	Y
Mine Subsidence	N
Noise Affected Property	N
Aboriginal Sensitivity Zone	N
Koala Habitat	Y
Jemena Gas Line	N
Transgrid Electrical Easement	Y
Easements	N
Tree Removal	Y
Biodiversity Values	Y
Heritage Item	N
Impacts on Council land (if applicable)	N
Title restrictions	Y

### 3. Proposal

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The proposal includes the following works:

#### Stage 1:

- Demolition of the toilets associated with the existing library, Block A, Block B and Block C;
- Construction of outdoor covered pedestrian link connecting the proposed Block P with the existing Block A library;
- Construction of Block P single storey building comprising an entry foyer and classrooms;
- Provision of landscaping within the setback areas;
- Removal of six trees; and
- Provision of a non-illuminated business identification sign located on Block P.

#### Stage 2

- Construction of Block B single storey building comprising classrooms.
- Construction of toilets associated with the existing library.
- Provision of a non-illuminated business identification sign located on Block B.

### 4. Planning Assessment

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The development has been assessed in accordance with the heads of consideration under Section 4.15 of the *Environmental Planning and Assessment Act, 1979*, and having regard to those matters the following issues have been identified for further consideration.

#### *Integrated Development*

Clause 4.46 of the Environmental Planning and Assessment Act 1979 defines integrated development as development (not being State significant development or complying development) that, in order for it to be carried out, requires development consent in accordance with other State Government Acts. In this instance approval under the Rural Fires Act 1997 is required for the proposed development.



**Figure 2:** Bushfire map (Source: SSA).

The subject site contains bushfire prone land on the site, the proposed development relates to a school which is defined as a special fire protection purpose under Clause 100b of the Rural Fires Act. The application was referred to the Rural Fire Service for concurrence and General Terms of Approval have been issued, a copy is provided at attachment 3.

#### **4.1 Section 4.15(1)(a)(i) The provisions of any environmental planning instrument**

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##### **Biodiversity Conservation Act 2016**

The purpose of the Biodiversity Conservation Act 2016 is to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development.

A portion of the site to the eastern and northern boundaries is mapped on the State Biodiversity Values Map under the Biodiversity Conservation Act 2016.



**Figure 3:** Biodiversity Map (Source: SSA).

The proposed development is not located within the mapped area and would not disturb any vegetation within the mapped area. The applicant has provided an ecology report from SIA Ecological and Environmental Planning which states that the following:



*The bushfire consultant has advised that no vegetation removal is required within this 100m zone to satisfy the Rural Fire Service's APZ requirements. No vegetation removal is proposed within the BVM mapped land. Therefore, the proposal would not trigger the Biodiversity Offset Scheme.*

The proposed development does not trigger the Biodiversity Offset Scheme and the proposed development is supported for approval.

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

Pursuant to Clause 2.6 and Schedule 6 of the State Environmental Planning Policy (SEPP) (Planning Systems) 2021 the proposed development has a Capital Investment Value of \$6,414,740. Schedule 6 states the following:

#### **5 Private infrastructure and community facilities over \$5 million**

*Development that has an estimated development cost of more than \$5 million for any of the following purposes—*

*(a) air transport facilities, electricity generating works, port facilities, rail infrastructure facilities, road infrastructure facilities, sewerage systems, telecommunications facilities, waste or resource management facilities, water supply systems, or wharf or boating facilities,*

*(b) affordable housing, child care centres, community facilities, correctional centres, educational establishments, group homes, health services facilities or places of public worship.*

The proposed works to an educational establishment over 5 million dollars and as such is determined to be Regionally Significant Development and is required to be determined by the Sydney South West Planning Panel.

### **State Environmental Planning Policy (Biodiversity and Conservation) 2021**

#### *Chapter 2 Vegetation in non rural areas*

The proposed removal of six trees is required to accommodate the proposed works. An arborist report has been submitted in support of the proposal and was referred to Council's Environment Officer for review. The report includes several recommendations and tree protection measures to ensure the protection of the retained trees on the site. Relevant conditions of consent have been recommended in Attachment 1 regarding tree retention and removal.

#### *Chapter 4 Koala Habitat Protection 2021*

This Chapter aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.

Campbelltown Council is a listed Koala Management Area. The site is identified as containing Core Koala Habitat. The application is required to be assessed in accordance with the Campbelltown Koala Plan of Management.



Figure 4: Koala Habitat map (Source: SSA)

The applicant has submitted a Koala Activity Assessment Report in accordance with the Campbelltown Koala Plan of Management. The proposal includes the removal of one Preferred Koala Feed Tree(PKFT), being tree 7(Forest Red Gum) identified in the Arborist report and two shelter trees being trees 9 and 10 (Brushbox). Given the proposal does not seek to remove more than two preferred koala feed trees per hectare, the proposal is considered to be minor development. The removal of three trees would require the provision of offset planting at a rate of 45 trees or alternatively a financial contribution to Council.

The provision of 45 koala feed trees to offset the koala tree removal will be subject to compliance with the Rural Fire Service general terms of approval which require asset protection zones and landscaping measures to be implemented for the proposed development, as the site is a special fire protection purpose. Therefore, Council recommends a condition providing for on site off set and/or contributions to be paid to Council in accordance with the Campbelltown Koala Plan of Management.

The proposal is considered to comply with this chapter.

### *Chapter 6 Water catchments*

Pursuant to Clause 6.1 this Chapter applies to land the Georges River Catchment.

#### *Clause 6.6 Water quality and quantity*

(1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the following—

- (a) whether the development will have a neutral or beneficial effect on the quality of water entering a waterway,
- (b) whether the development will have an adverse impact on water flow in a natural waterbody,
- (c) whether the development will increase the amount of stormwater run-off from a site,
- (d) whether the development will incorporate on-site stormwater retention, infiltration or reuse,
- (e) the impact of the development on the level and quality of the water table,
- (f) the cumulative environmental impact of the development on the regulated catchment,
- (g) whether the development makes adequate provision to protect the quality and quantity of ground water.

(2) Development consent must not be granted to development on land in a regulated catchment unless the consent authority is satisfied the development ensures—

- (a) the effect on the quality of water entering a natural waterbody will be as close as possible to neutral or beneficial, and
  - (b) the impact on water flow in a natural waterbody will be minimised.
- (3) Subsections (1)(a) and (2)(a) do not apply to development on land in the Sydney Drinking Water Catchment.

The proposal does not conflict with any of the relevant provisions of Clause 6.6 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 and is considered acceptable in this regard.

## **State Environmental Planning Policy (Transport and Infrastructure) 2021**

### *Chapter 2 Infrastructure*

Chapter 2 of the State Environmental Planning Policy (Transport and Infrastructure) 2021 facilitates the delivery of infrastructure across NSW.

Clause 2.48 of the SEPP (TI) requires referral to Endeavour energy in the following circumstances:

- (a) the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,*
- (b) development carried out—*
  - (i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or*
  - (ii) immediately adjacent to an electricity substation, or*
  - (iii) within 5m of an exposed overhead electricity power line,*
- (c) installation of a swimming pool any part of which is—*
  - (i) within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or*
  - (ii) within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool,*
- (d) development involving or requiring the placement of power lines underground, unless an agreement with respect to the placement underground of power lines is in force between the electricity supply authority and the council for the land concerned.*

The proposed works on the site do not meet the requirements to require referral to Endeavour Energy in this instance.

Endeavour Energy submitted a submission to the application advising recommended conditions and advice as a padmount station and an electrical easement is located on the site. Relevant conditions of consent have been recommended in Attachment 1.

### *Chapter 3 Educational Facilities and Child Care Centres*

Chapter 3 of State Environmental Planning Policy (Transport and Infrastructure) 2021 facilitates the delivery of educational establishments across NSW.

#### **3.36 Schools—development permitted with consent**

- (1) Development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone.*

The subject site is located in the R2 zone, which is identified as a prescribed zone.



- (2) Development for a purpose specified in section 3.40(1) or 3.41(2)(e) may be carried out by any person with development consent on land within the boundaries of an existing or approved school.

The proposed development for alterations and additions to an existing school.

- (5) A school (including any part of its site and any of its facilities) may be used, with development consent, for the physical, social, cultural or intellectual development or welfare of the community, whether or not it is a commercial use of the establishment.
- (6) Before determining a development application for development of a kind referred to in subsection (1), (3) or (5), the consent authority must take into consideration—
- (a) the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 8, and

The proposed development is compliant with Schedule 8 and is assessed in detail in Attachment 2.

- (b) whether the development enables the use of school facilities (including recreational facilities) to be shared with the community.

Not Applicable.

#### Clause 3.58 Traffic Generating development

The Clause states where an application seeks to increase the number of students on site by 50 or more, the application shall be referred to Transport for NSW. The proposed development does not seek to increase the number of students on site, a condition of consent has been recommended to reflect this.

The proposal is considered to comply with this Policy.

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

SEPP (Resilience and Hazards) 2021 requires the consent authority to consider whether the subject land of any development application is contaminated. An assessment of Chapter 4, Clause 4.6 of the SEPP is provided in table below.

Requirement	Action	Response
<u>Clause 4.6(2):</u> 1. Is the development for a <b>change of use</b> to a <i>sensitive land use</i> or for <i>residential subdivision</i> ?  <b>Sensitive land use</b> include residential, educational, recreational, child care purposes or hospital.	a. Check if the DA proposes a new childcare centre, residential accommodation or residential subdivision.  b. If the DA is for a dwelling (including dual occupancies and secondary dwellings) on lots subdivided as part of a residential subdivision consent issued after 28/8/1998 then you should answer NO to this question.	No change of use proposed.  The subject site was subdivided in 2002 and has been used as an educational establishment for a number of years.
<u>Clause 4.6(1)</u> 2. Is Council aware of any previous investigation or	a. Is there any property information for any evidence of contamination	A search of Council's records for evidence of potentially contaminating activities was

orders about contamination on the land?	information?	undertaken on 16 May 2024. No evidence was found of contaminating land activities having occurred on the land.
	b. Check for contamination information and planning certificates linked to the property.	A search of planning certificates linked to the property was undertaken on 16 May 2024. No evidence was found of contaminating land activities having occurred on the land.
<u>Clause 4.6(1)</u> 3. Do existing records held by Council show that a contaminating land activity has occurred on the land?	a. Check the approval for any potentially contaminating uses have been approved on the site.	No evidence was found of approved contaminated land activities having occurred on the land.
<u>Clause 4.6(1)</u> 4. Has the land previously been zoned for potentially contaminating uses?	a. Check if the land is currently zoned, or was zoned under the previous LEP, Rural, Industrial or Special Purposes for a contaminating use.  NB: if the proposal is industrial then you should answer NO to this question.	The Campbelltown (Urban Area) Local Environmental Plan 2002 was the previous EPI that applied to the land and the site was previously zoned 5 (a) School which did not allow for potentially contaminating uses.
<u>Clause 4.6(1)</u> 5. Is the land currently being used for a potentially contaminating use or is there any evidence of a potentially contaminating use on site?	a. Conduct site inspection to check for any obvious signs on the site or adjoining land of an industrial use, underground storage tanks, land filling, agriculture, chemical storage, dumping or unregulated building demolition (especially fibro material).	No evidence of potentially contaminated signs were present on site.

Based on the above assessment the provisions of Chapter 4, Clause 4.6 of the SEPP have been considered and the site is suitable for the continued use of the site as a school.

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

### *Chapter 3 Advertising and Signage*

The purpose of this chapter is to:

- (a) to ensure that signage (including advertising)–*
  - (i) is compatible with the desired amenity and visual character of an area, and*
  - (ii) provides effective communication in suitable locations, and*
  - (iii) is of high quality design and finish, and*
- (b) to regulate signage (but not content) under Part 4 of the Act, and*
- (c) to provide time-limited consents for the display of certain advertisements, and*
- (d) to regulate the display of advertisements in transport corridors, and*
- (e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.*

The proposal includes the installation of 2 flush wall signs. The signs would not be illuminated and will contain the following statement "Blessed are the peacemakers, for they will be called the CHILDREN OF GOD". The signs are located within the property and are not visible within the public domain.

An assessment of the proposed signage in accordance with Schedule 5 is provided in Attachment 2.

The proposal is consistent with this policy.

### **Campbelltown Local Environmental Plan**

The site is zoned R2 Low Density Residential under the Campbelltown Local Environmental Plan 2015 (CLEP 2015).

A school is permissible with development consent with the R2 Low Density Residential zone and is consistent with the zoning objectives.

A school is defined as follows:

***school** means a government school or non-government school within the meaning of the [Education Act 1990](#).*

The proposal is consistent with the definition.

An assessment of the applicable clauses of the Campbelltown Local Environmental Plan 2015 is provided below:

<b>Clause</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Compliance</b>
<b>Clause 2.6 Demolition requires development consent</b>	The demolition of a building or work may be carried out only with development consent.	The demolition of the structures is included in the proposal.	Yes
<b>Clause 4.3 Height of buildings</b>	8.5m maximum height of building.	The proposed buildings have a maximum height of 7.22m	Yes
<b>7.1 Earthworks</b>	The objective of this clause 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.	The proposed works are generally minor in nature and would not have a detrimental impact on the surrounding area.	Yes
<b>7.11 Essential Services</b>	Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are	The existing school already has sufficient infrastructure to service the proposed development.	Yes

	essential for the development are available or that adequate arrangements have been made to make them available when required		
<b>7.20 Terrestrial Biodiversity</b>	<p>Development consent must not be granted to development on land to which this clause applies unless the consent authority—</p> <p>(a) has taken into account the objectives of this clause, and</p> <p>(b) is satisfied that the development is sited, designed, constructed and managed to avoid adverse impacts on native biodiversity or, if an adverse impact cannot be avoided—</p> <p>(i) the development minimises disturbance and adverse impacts to remnant vegetation communities, threatened species populations and their habitats, and</p> <p>(ii) measures have been considered to maintain native vegetation and habitat parcels of a size, condition and configuration that will facilitate biodiversity protection and native flora and fauna movement through biodiversity corridors, and</p> <p>(iii) the development includes measures to offset the loss of biodiversity values.</p>	<p>Part of the site is mapped to the east of the site as Terrestrial Biodiversity. The proposed works are not located within the area of the site that is mapped.</p> <p>No proposed tree removal is located within the mapped biodiversity area.</p>	Yes

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

##### **Campbelltown (Sustainable City) Development Control Plan 2015**

The proposed development has been assessed against the relevant controls of Parts 2, 3 and 16 of the Campbelltown (Sustainable City) Development Control Plan 2015.

Non-compliances with the controls in the SCDCP 2015 are discussed in detail below:

## **Signage**

The proposed signage does not comply with the Part 16.5.1(c) of the SCDCP 2015 as the proposal exceeds the maximum number of signs and size of signs of signage in a residential area.

The proposal seeks to provide two signs on the site exceeding the maximum of one sign, and the proposed signs are 2.87m<sup>2</sup> in size, which exceeds the maximum of 1.5m<sup>2</sup>. The proposed signs are located within the internal areas of the school and would not be visible within the streetscape or would have an adverse impact on the wider residential locality. Therefore, it is considered that the proposed signs are acceptable on the proposed buildings and supported for approval.

### **4.3 Section 4.15(1)(a)(iii) The provisions of any Planning Agreement**

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There are no Planning Agreements that are relevant to this application.

### **4.4 Section 4.15(1)(a)(iv) The provisions of the Regulations**

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Applicable Regulation considerations including demolition, compliance with the Building Code of Australia, PCA appointment, notice of commencement of works, sign on work sites, critical stage inspections and records of inspection have been addressed by appropriate consent conditions.

### **4.5 Section 4.15 (1)(b) The Likely Impacts of the Development**

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Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979 requires Council to assess the development's potential impacts on the natural and built environment, as well as potential social and economic impacts.

The key matters for consideration when considering the development's potential impact on the natural and built environment is as follows:

- *Vehicular Access and Parking*
- *Tree Removal*
- *Staging*
- *Built Form*
- *Social, economic and environmental impacts*

#### *Vehicular Access and Parking*

The subject site has vehicular access from a private road which is connected to St Johns Road via a roundabout. The site has existing parking on site, it is noted the proposal does not seek to increase the number of students on the site. The traffic report prepared by Park Transit which was submitted with the application, concludes that the existing parking is sufficient for the existing and proposed development, as the proposal does not seek to increase student numbers on the site.

#### *Tree Removal and Vegetation*

The proposed removal of six trees from the site including is required to facilitate the proposed development. Five of the six trees identified for removal are native trees which include one preferred koala feed trees (Red Gum) and two shelter trees (Brushbox).

The proposed tree removal does not affect the mapped Cumberland plain vegetation on the site. The submitted ecology report recommends the planting of 9 Cumberland Plain Trees on the site. This is a general recommendation and not a requirement due to impacts to vegetation on the site. The proposal also includes offset planting on the site for 45 trees, which offsets the removal of 3 of the 5 native trees on the site, therefore, additional tree planting on the site is not considered to be required in this instance.

The provision of additional trees on the site is required to give due consideration to the General Terms of Approval from the Rural Fire Service, as such additional trees in addition to the Koala off set planting are not considered to be required in this instance.

Relevant conditions of consent have been recommended with regard to tree retention and tree removal on the site, which are included in Attachment 1.

#### *Staging*

The proposal includes staging of the development into stage 1 and stage 2 to facilitate delivery of the project with minimal impact to students. Relevant conditions of consent have been recommended in Attachment 1 with regard to the staging the development.

#### *Built Form*

The proposed development provides an appropriate design with a range of building materials to provide a contemporary building design. The proposed materials on the building façade provides for a low maintenance durable façade which reflects the desired future character of the local area.

#### *Social, economic and environmental impacts*

Having regard to social and economic impacts generated by the development, the addition to the school would contribute to the provision of education services within the Campbelltown locality, to provide education services within the locality.

The demolition and construction phases of the development will have minor flow on economic benefits for the locality, through the generation of employment.

### **4.6 Section 4.15(1)(c) The suitability of the development**

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Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979 requires Council to assess the suitability of the site for the proposed development.

It is considered the proposed development is of a scale and design that it is suitable for the site. The proposal responds well to site conditions in terms of its size, shape, topography and relationship to surrounding development.

No constraints or hazards have been identified which would deem the site unsuitable for the proposed development.

### **4.7 Section 4.15(1)(d) Any Submissions**

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Section 4.15(1)(d) of the *Environmental Planning and Assessment Act 1979* requires Council to consider submissions, In accordance with the Campbelltown Community Participation Plan the application was required to be **notified and publicly exhibited** for a period of 21 days from 8 April 2024 to 1 May 2024.

One submission was received in response to the proposal from Endeavour Energy, the submission included recommendations for conditions of consent to protect electrical assets on the site.

### **4.8 Section 4.15(1)(e) Public Interest**

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The proposed development has addressed the requirements of the relevant planning instruments and development controls including the objectives of the zone. The proposed development has demonstrated that the site is suitable for the proposed development.

In address the above, Council is satisfied that the proposal is in the interest of the public.

## **5.0 Referrals**

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<b>Internal Referrals</b>	<b>Comment</b>
Environment	Supported, subject to conditions
Development Engineer	Supported, subject to conditions
<b>External Referrals</b>	<b>Comment</b>



Rural Fire Service	Supported, subject to general terms of approval.
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## 6.0 Contributions

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### Local Contributions

The proposal was referred to Council's Contributions Officer. Contributions are applicable to the proposed development and will be included as a condition of consent.

### Housing and Productivity Contributions

The Housing and Productivity contribution does not apply to the proposed development, an educational establishment is not defined as commercial development pursuant to the Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024.

## 7.0 Conclusion

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The subject development application (605/2024/DA-C) proposing the Staged redevelopment of an existing primary school and associated works at St Thomas More Catholic Parish Primary School, 6 St Johns Road, Campbelltown (Lot 32 DP 1045123) has been assessed under the matters of consideration of Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

The proposed use is permissible within the R2 Low Density zoning and is generally in consistent with the zone objectives.

In assessing the Development Application against the development standards and objectives outlined in the Campbelltown (Sustainable City) Development Control Plan 2015, with appropriate conditions the proposal has satisfied those requirements.

## 8.0 Recommendation

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That 605/2024/DA-C for the Staged redevelopment of an existing primary school and associated works at Lot 32 DP 1045123 St Thomas More Catholic Parish Primary School, 6 St Johns Road, Campbelltown be **APPROVED** subject to the recommended conditions of consent in Attachment 1.

## ATTACHMENT 1

### 605/2024/DA-C

#### Recommended Conditions of Consent

#### GENERAL CONDITIONS

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land.

For the purpose of these conditions, the term 'applicant' means any person who has the authority to act on or benefit of the development consent.

## 1. Approved development

The development shall be carried out in accordance with the approved plans and documents listed in the table below, and all associated documentation supporting this consent, except as modified in red by Council and/or any conditions within.

Plan Detail	Job Number	Revision	Prepared by	Date
DA02 General Notes	2022.020	5	DTA Architects	23.02.2024
DA03 Demolition Plan	2022.020	4	DTA Architects	23.02.2024
DA04 Site Location & Site Analysis Plan	2022.020	4	DTA Architects	23.02.2024
DA05 Staging Plan	2022.020	3	DTA Architects	23.02.2024
DA06 Site Plan	2022.020	5	DTA Architects	23.02.2024
DA07 Ground Floor Plan – Block P	2022.020	5	DTA Architects	23.02.2024
DA08 Ground Floor Plan – Block B	2022.020	5	DTA Architects	23.02.2024
DA09 Roof Plan	2022.020	4	DTA Architects	23.02.2024
DA10 Elevations – Block P	2022.020	4	DTA Architects	23.02.2024
DA11 Elevations – Block B	2022.020	4	DTA Architects	23.02.2024
DA12 Elevations – Block B	2022.020	4	DTA Architects	23.02.2024
DA13 Elevations – Block B	2022.020	4	DTA Architects	23.02.2024
DA14 Sections – Block B	2022.020	4	DTA Architects	23.02.2024
DA15 Section Block P	2022.020	5	DTA Architects	23.02.2024
DA16 Shadow Diagrams	2022.020	4	DTA Architects	23.02.2024
DA17 Shadow Diagrams	2022.020	4	DTA Architects	23.02.2024
Hydraluic Services Plan Stage 1 Site Plan	3535	D	Abel & Brown Pty Ltd	Feb 24
Hydraluic Services Plan Stage 1 Block P Floor Plan	3535	D	Abel & Brown Pty Ltd	Feb 24
Hydraluic Services Plan Stage 1 Swale and Entry Plan	3535	D	Abel & Brown Pty Ltd	Feb 24
Hydraluic Services Plan Stage 1 Roof Plan	3535	D	Abel & Brown Pty Ltd	Feb 24
Stormwater Concept Plan Stage	3535	D	Abel & Brown Pty Ltd	Feb 24

2 Site Plan				
Stormwater Concept Plan Stage 2 Block B Floor Plan	3535	D	Abel & Brown Pty Ltd	Feb 24
LDA-03 Tree Removal Plan	20230711	E	Ground Ink	
LDA-04 Landscape Master Plan	20230711	E	Ground Ink	
LDA-05 Landscape Inset Plan 1	20230711	E	Ground Ink	
LDA-06 Landscape Inset Plan 2	20230711	E	Ground Ink	
LDA-07 Landscape Inset Plan 3	20230711	E	Ground Ink	
LDA-08 Landscape Inset Plan 2	20230711	E	Ground Ink	
LDA-09 Canopy Strategy	20230711	E	Ground Ink	
LDA-10 Landscape Details	20230711	E	Ground Ink	

- a. Acoustic Report prepared by PKA Acoustic Consulting IS:12700 R01v1.
- b. Arboricultural Impact Statement prepared by Mark Bury Consulting dated 23 September 2023
- c. Koala Assessment Report prepared by SIA Ecological & Environmental Planning dated 24 June 2024
- d. Traffic Impact Assessment prepared by Park Transit dated 8 February 2024
- e. Waste Management Plan prepared by DTA Architects dated November 2023.

*Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.*

## **2. Amended plans**

The development is to incorporate the following amendments and the amended plans are to be submitted to the certifier, for approval, prior to the issuing of a construction certificate:

- The landscape plan is required to be amended to demonstrate the conditions issued in the General Terms of Approval by the Rural Fire Service are achieved.

*Condition reason: To require minor amendments to the plans endorsed by the consent authority following assessment of the development.*

## **3. Total number of Students**

No consent is given or implied to increase to the maximum number of students permitted on the site.

*Condition reason: To ensure the maximum number of students is maintained.*

## **4. Trees to be retained and protected**

Trees T1, 2, 3, 4, 8, 11, 13, 14 and 15 are to be retained and protected in accordance with *Australian Standards AS4970 - Protection of Trees on Development Sites*.

*Condition reason: To ensure trees are retained and protected.*

## **5. Trees approved for removal**

Trees T6, 7, 9, 10, 12 and 16 are approved for removal.

Trees T7 *Eucalyptus tereticornis* (Forest Red Gum) is a Preferred Koala Feed Tree (PKFT), T9 and T10 are *Lophostemon confertus* (Brush Box) and Koala shelter trees. These trees require compensation for removal in accordance with Campbelltown's Comprehensive Koala Plan of Management.

*Condition reason: To ensure approved tree removal.*

## **6. Staging of development**

The development will be constructed in two stages as follows:

### Stage 1 works

- Demolition of the toilets associated with the existing library, Block A, Block B and Block C.
- Construction of outdoor covered pedestrian link connecting the proposed Block P with the existing Block A library
- Construction of Block P single storey building comprising an entry foyer and classrooms.
- Provision of landscaping within the setback areas
- Removal of 10 trees
- Provision of a non-illuminated business identification sign located on Block P.

### Stage 2 works

- Construction of Block B single storey building comprising classrooms.
- Construction of toilets associated with the existing library.
- Provision of a non-illuminated business identification sign located on Block B.

Nothing in this consent prevents the staged construction works occurring concurrently.

*Condition reason: To stage the development.*

## **7. Asset Protection Zones**

From the commencement of building works and in perpetuity, the property around the proposed works must be maintained as in inner protection area to the following distances and aspects in accordance with the following requirements of Appendix 4 of *Planning for Bushfire Protection 2019*:

- East for a distance of 89 metres; and
- To the property boundary in the north, west and south directions.

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 2m above the ground;
- Tree canopies should be separated by 2 to 5m;
- 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.

*Condition reason: Rural Fire Service general terms of approval.*

## **8. Acoustic Measures**

The Acoustic Report by PKA Acoustic Consulting, (15/11/2023) recommends the proposed refurbishment and new building will maintain compliance with Acoustic when the following recommendations are implemented fully:

- a. A detailed review of mechanical noise emissions by a suitably qualified person, should be completed when mechanical plant is specified and should be assessed against the noise level triggers in Table 5.1 of the Acoustic Report by PKA Acoustic Consulting (15/11/2023).
- a. That mechanical plant and equipment is not operated outside of school hours.
- b. That the positioning of the school PA system and school bell loudspeakers are positioned facing inwards towards the school rather than outwards to nearby residential receivers when locating the speakers.

*Condition reason: To ensure acoustic measures are achieved.*

## **9. Building Code of Australia**

All building work must be carried out in accordance with the provisions of the *Building Code of Australia*. In this clause, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

*Condition reason: Prescribed condition under Section 69 of the Environmental Planning and Assessment Regulation 2021.*

## **10. Landscaping**

The provision and maintenance of landscaping shall be in accordance with the approved landscape plan containing Council's approved development stamp including the engagement of a suitably qualified landscape consultant/ contractor for landscaping works. The landscape design shall incorporate a significant portion of native, low water demand plants consistent with BASIX requirements.

*Condition reason: To provide for planting that will enhance the natural and built environment.*

## **11. Landscaping in asset protection zones**

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

- A minimum 1 metre wide area (or to the property boundary where the setbacks are less than 1 metre), suitable for pedestrian traffic, must be provided around the immediate curtilage of the building;
- Planting is limited in the immediate vicinity of the building;

- Planting does not provide a continuous canopy to the building (i.e. trees or shrubs are isolated or located in small clusters);
- Landscape species are chosen to ensure tree canopy cover is less than 15% (IPA), and less than 30% (OPA) at maturity and trees do not touch or overhang buildings;
- Avoid species with rough fibrous bark, or which retain/ shed bark in long strips or retain dead material in their canopies;
- Use smooth bark species of tree species which generally do not carry a fire up the bark to the crown;
- Avoid planting of deciduous species that may increase fuel at surface/ ground level (i.e. leaf litter);
- Avoid climbing species to walls and pergolas;
- Locate combustible materials such as woodchips/mulch, flammable fuel stores away from the building;
- Locate combustible structures such as garden sheds, pergolas and materials such as timber garden furniture away from the building; and
- Low flammability vegetation species are used.

*Condition reason: Rural Fire Service general terms of approval.*

## **12. Construction Standards**

New construction must comply with Section 3 and Section 6 (BAL 19) Australian Standards 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 of *Planning for Bush Fire Protection 2019*.

*Condition reason: Rural Fire Service general terms of approval.*

## **13. Access Roads**

Access roads for Special Fire Protection Purpose (SFPP) developments must comply with the following requirements of Table 6.8b and Table 5.3b 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;
- 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;
- The capacity of road services and any bridges/ causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes); bridges and causeways are to clearly indicate load rating
- Minimum 6m carriageway width;
- A minimum vertical distance of 4m to any overhanging obstructions, including tree branches;
- Curves have a minimum inner radius of 6m and are minimal in number to allow for rapid access and egress;
- The crossfall is not more than 10 degrees;
- Hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression.
- Hydrants are provided in accordance with the relevant clauses of AS 2419.1-:2021 – *Fire Hydrant installation System design, installation and commissioning*.
- There is suitable access for a Category 1 fire appliance to within 4m of the static water supply where no reticulated supply is available; and
- Maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads.



*Condition reason: Rural Fire Service general terms of approval.*

#### **14. Water and utility services**

The provision of water, electricity and gas must comply with Table 6.8c of *Planning for Bush Fire Protection 2019* and Table 4 of the November 2022 addendum to *Planning for Bush Fire Protection 2019*.

*Condition reason: Rural Fire Service general terms of approval.*

#### **15. Emergency and Evacuation Planning Assessment**

Bush Fire Emergency Management and Evacuation Plan is to be in accordance with Table 6.8d of *Planning for Bush Fire Protection 2019* and be consistent with the following:

- The NSW RFS document: *A Guide to Development a Bush Fire Emergency Management and Evacuation Plan*;
- Include planning for the early relocation of occupants.
- An Emergency Planning Committee is established to consult with resident in developing and implementing an Emergency Procedures Manual; and
- Detailed plans of all emergency assembly areas, including on-site and off-site arrangements as stated in AS3745 '*Planning for emergencies in facilities*', are clearly displayed, and an annual emergency evacuation is conducted.

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.

*Condition reason: Rural Fire Service general terms of approval.*

#### **16. External finishes**

The external finishes shall be in accordance with the approved plans and the schedule of finishes submitted with this application. Any proposed alterations to these finishes are considered to be a modification to the development consent and require separate approval by Council.

*Condition reason: To ensure the approved development is constructed in the form illustrated to Council during assessment.*

#### **17. Deliveries**

Vehicles servicing the site shall comply with the following requirements:

1. All vehicular entries and exits shall be made in a forward direction.
2. All vehicles awaiting loading, unloading or servicing shall be parked on site and not on adjacent or nearby public roads.
3. All deliveries to the premises shall be made to the loading bay/s provided.

A traffic sign shall be placed adjacent to the driveway at the entrance of the property advising drivers of the above information. Should the sign be damaged or removed, it shall be replaced within 48 hours.

*Condition reason: To ensure deliveries to the premises are carried out safely.*

#### **18. Advertising Sign**

1. All signage is to be erected/supported in a safe and secure manner.

2. Signage shall not be illuminated.
3. No signage on site shall flash, move or display electronic images.
4. The advertising structure shall be maintained in a condition so as to not become unsightly so as to adversely affect the amenity of the surrounding area.

*Condition reason: To ensure signs do not interfere with the safety or amenity of the neighbourhood.*

## **19. Lighting**

Illumination of the site is to be arranged to provide an appropriate level of lighting and in accordance with the requirements of *Australian Standard 4282 (as amended)* so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises or traffic.

*Condition reason: To ensure lighting is operated in a manner that protects the amenity of the local area.*

## **20. Storage of goods**

All works, storage and display of goods, materials and any other item associated with the premises shall be contained wholly within the building.

*Condition reason: To ensure goods are stored wholly within the premises and protect the amenity of the local area.*

## **21. Unreasonable noise, dust and vibration**

The development, including operation of vehicles, shall be conducted so as to avoid the generation of unreasonable noise, dust or vibration and cause no interference to adjoining or nearby occupants. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like.

In the event of a noise related issue arising during construction, the person in charge of the premises shall when instructed by Council, cause to be carried out an acoustic investigation by an appropriate acoustical consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to its satisfaction.

*Condition reason: To protect the amenity of the local area.*

## **22. Engineering design works**

Engineering design of all proposed structures and works, unless modified by a condition of this consent or the approved plans and documents outlined in Condition 1, shall be designed and constructed in accordance with requirements outlined in the following Council documents (as amended);

- Specification for Construction of Subdivisional Road and Drainage Works,
- Engineering Design for Development Guide (as amended), and
- Campbelltown City Council Development Control Plan (where relevant).

All engineers engaged to prepare or certify engineering construction plans and documents prior to release of the staged construction certificate, or prior to construction, must provide a Design Certification Report, and fill out with detail relevant parts of the 'Engineering Plan Checklist', available

in Appendix A of Council's Engineering Design for Development Guide, to the satisfaction of the appointed registered certifier.

*Condition reason: To comply with Council requirements for engineering works.*

### **23. Shoring and adequacy of adjoining property**

If the development referred to in this development consent involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must at the person's own expense:

1. Protect and support the adjoining premises from possible damage from the excavation, and
2. Where necessary, underpin the adjoining premises to prevent any such damage.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

*Condition reason: Prescribed condition under Section 74 of the Environmental Planning and Assessment Regulation 2021.*

### **24. Construction certificate**

Before commencement of any works that require a construction certificate:

1. the applicant shall appoint a principal certifier;
2. the applicant shall obtain a construction certificate for the particular works; and
3. when Council is not the principal certifier, the appointed principal certifier shall notify Council of their appointment no less than two days before the commencement of any works.

*Condition reason: To comply with legislation.*

### **25. Student Numbers**

This consent does not approve the increase of student numbers on the site.

*Condition reason: To ensure no increase to existing student numbers.*

### **26. Engineering Guides, Codes & Specifications**

All engineering design and construction work for the proposed development shall comply with, but not be limited to, the current versions of the following documents, guides codes, specifications, (as amended);

- a) Council's Specification for Construction of Subdivisional Road and Drainage Works,
- a) Council's Campbelltown (Sustainable City) Development Control Plan 2015,
- b) Campbelltown City Council's Engineering Design for Development Guide (as amended),
- c) Managing Urban Stormwater – Soils and Construction (a.k.a. the Bluebook),
- d) National Construction Code, Building Code of Australia,
- e) NSW Flood Risk Management Manual,
- f) Australian Rainfall and Runoff,
- g) Austroads Guides,
- h) RMS Guide to Traffic Generating Development

- i) Planning for Bushfire Protection,
- j) Australian Standards and State Government publications.

An engineering report shall be prepared by a qualified and experienced professional civil engineer registered on the NER detailing how the development, engineering design and construction plans comply with relevant, appropriate sections of these documents. The engineering report shall also include relevant design certification, any assumptions made, and maintenance and repair requirements for all structures, work, and services proposed as part of the development.

*Condition reason: To comply with relevant requirements.*

## **27. Endeavour Energy Easement**

The following is a summary of the usual / main terms of Endeavour Energy's electrical easements requiring that the applicant/landowner:

- Not install or permit to be installed any buildings, structures or services within the easement site.
- Not alter the surface level of the easement site.
- Not do or permit to be done anything that restricts access to the easement site without the prior written permission of Endeavour Energy and in accordance with such conditions as Endeavour Energy may reasonably impose.

The easement for padmount substation no. 55188 does not include the restriction / clearance for fire rating shown in Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights', Figure A4.3 'Padmount easements and clearances'. The restrictions / clearances be adopted for the site.

*Condition reason: To protect electrical assets on the site.*

## **28. Network Access**

Access to electrical infrastructure be maintained at all times.

*Condition reason: To ensure that the supply electricity is available to the community, access to the electricity infrastructure may be required at any time.*

## **PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

The following conditions of consent must be complied with prior to the issue of a construction certificate by either Campbelltown City Council or the appointed Principal Certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a construction certificate.

## **30. Utility servicing provisions**

Before the issue of a construction certificate, the applicant shall obtain a letter from both the relevant electricity authority and the relevant telecommunications authority stating that satisfactory arrangements have been made to service the proposed development.

Note: The applicant should also contact the relevant water servicing authority to determine whether the development will affect the authority's water or sewer infrastructure.

Condition reason: To ensure relevant utility and service providers' requirements are provided to the certifier.

### 31. Waste Management Plan

Before the issue of a construction certificate, the relevant provisions of the approved Waste Management Plan is to be completed to the satisfaction of Council.

Condition reason: To ensure resource recovery is promoted and local amenity protected during construction.

### 32. Geotechnical report

Prior to issue of a construction certificate, a comprehensive geotechnical investigation and report must be prepared and certified by a professional Geotechnical Engineer registered on the NER, with all testing undertaken and results reported by a NATA endorsed testing laboratory, showing that the land will not be subject to subsidence, slip, slope failure or erosion. The report shall provide appropriate geotechnical information and recommendations for civil and structural engineering design. Proposed retaining walls, footings and other structural designs shall be reviewed and certified by the Geotechnical Engineer.

Condition reason: To inform the certifier of any structural design requirements for the approved building works.

### 33. Tree removal compensation

- a. In accordance with Part 7.2 Minor development of the *Campbelltown City Council's* Comprehensive Koala Plan of Management (CKPOM); Trees T7, T9 & T10 are required to be compensated for removal either by replacement trees to the required ratio or the monetary equivalent, which is calculated below.

Tree No.	Botanical Name	Common Name	DBH	Size Class	Number of Compensatory Planting
7	<i>Eucalyptus tereticornis</i>	Forest Red Gum	680	Large	20
9	<i>Lophostemon confertus</i>	Brush Box	100	Small	10
10	<i>Lophostemon confertus</i>	Brush Box	200	Medium	15
TOTAL					45

- b. To meet the requirements of the RFS internal APZ, compensation requirements can be a mix of both planting and monetary equivalent or total in monetary compensation as proposed below:
- a. 10 PKFTs planted and  $35 \times \$35.00 = \$1,225.00$
  - b. 15 PKFTs planted and  $30 \times \$35.00 = \$1050.00$
  - c.  $45 \times \$35.00 = \$1,575.00$  (full monetary compensation)

Where monetary compensation is selected the compensation amount is required to be paid to Council prior to the issue of a Construction Certificate.

- c. Compensatory trees to be planted should be smooth bark Eucalypts from preferred Koala tree species such as:
- *Eucalyptus amplifolia* – Cabbage Gum
  - *Eucalyptus punctata* – Grey Gum
  - *Eucalyptus tereticornis* – Forest Red Gum
  - *Eucalyptus viminalis* – Manna Gum

*Condition reason: To ensure compliance with the Koala Plan of Management.*

### **34. Soil and water management plan**

Prior to issue of a construction certificate, a Soil and Water Management Plan (SWMP) must be prepared by a professional engineer registered on the NER with relevant experience, generally in accordance with methodologies and requirements of Landcom's Managing Urban Stormwater - Soils and Construction - March 2004 (aka The Blue Book), Council's LEP, DCP, and Engineering Design for Development guide, to the satisfaction of the appointed registered certifier.

The SWMP shall be submitted to Council for assessment, confirmation of inspections, and written approval of Council's Development Engineering Team (Council's standard fees and charges apply for assessment and inspections).

*Condition reason: To ensure no sediments or substances other than rainwater enters the stormwater system and waterways.*

### **35. Traffic control plans**

Before the issue of a construction certificate, the applicant shall prepare and obtain approval from an accredited person, a Traffic Control Plan (TCP) in accordance with the State Roads Authority manual "Traffic Control at Work Sites" and Australian Standard AS 1742.3 (as amended). A copy of the approved TCP shall be kept on site for the duration of the works in accordance with Work Cover Authority requirements. A copy shall be submitted to Council for its records.

*Condition reason: To manage traffic on the site.*

### **36. Stormwater management plan**

A detailed stormwater drainage design plan and associated design report shall be prepared by an experienced and qualified professional civil or hydraulics engineer registered on the NER, to the satisfaction of the appointed registered certifier prior to issue of a construction certificate. The plan and report shall clearly demonstrate;

- a. general compliance with the approved Stormwater Management Plan outlined in condition 1 of this consent.
- a. compliance with geotechnical and structural engineering requirements outlined in any engineering report/investigation that has been submitted to support the development or to comply with conditions of this consent required to be met for issue of the construction certificate.
- b. details of all hydrologic and hydraulic engineering design, calculations, HGL analysis and assumptions made in relation to site regrading, collection and disposal of stormwater from the site, building/s and adjacent sub-catchments to the approved point of discharge. Where third party proprietary software is used to model design stormwater events, full model setup details including parameters, assumptions made, calibration, validation, and sensitivity analysis shall be provided in the engineering report. Copies of all model files shall be submitted with the plan and report.
- c. no adverse impacts to surrounding properties and stormwater behaviour up to and including the 1% AEP storm event.,
- d. minor and major stormwater flows for all storm events up to and including the 1% AEP event shall be safely conveyed by gravity through the site to the approved point of discharge. Formalised overflow drainage paths shall be provided to cater for any surcharge from the existing and proposed underground stormwater drainage system, overland flow up to and



- including the 1% AEP storm event, including adequate freeboard to all building floor levels, and prevent and ponding of stormwater against the buildings.
- e. management and disposal of all stormwater and groundwater, connection from the site's drainage system into Council's existing stormwater drainage network, existing and finished ground and surface levels, all pervious and impervious areas, estimated surface and pipe flow rates, velocities, invert levels, clearances between other services, and sizes of all pipelines.
  - f. no long-term ponding of water on site.
  - g. hydraulic and structural design and construction details of rainwater tanks(s), and any water harvesting systems, including but not limited to dimensions, materials, overflow discharge path to safe overland flow path or pipe system designed to cater for 1% AEP stormwater flows, and associated pump and pipe system details for irrigation purposes.
  - h. design and construction details of any level spreader, energy dissipater, or other similar structure required to allow safe discharge of site stormwater to the approved point of discharge, in a manner that converts concentrated flow to sheet flow, reduces velocity and energy to below scour limits of surrounding materials and waterways, keeps flow sub-critical, and prevents adverse impacts to neighbouring development, for all storm events up to and including the 1% AEP.
  - i. details of sub-soil drainage system.

*Condition reason: To protect the operation of stormwater systems.*

### **37. Existing drainage**

Prior to issue of a Construction Certificate, the applicant shall submit design details and related calculations for the analysis of the existing drainage system in the site, to determine whether the existing system has sufficient capacity to adequately convey the increased flows.

*Condition reason: to ensure adequate stormwater drainage is provided for existing and proposed development.*

### **38. Dilapidation report**

Prior to issue of a Construction Certificate, the applicant shall submit a dilapidation report for all buildings in the vicinity of the subject works and for any other infrastructure that may be affected by the works on the subject site.

*Condition reason: To establish and document the structural condition of buildings on adjoining properties prior to work commencing.*

### **39. Work on public land**

Before the issue of a construction certificate, the applicant shall obtain written approval from Council for any proposed work on public land. Inspection of this work shall be undertaken by Council at the applicant's expense and a compliance certificate, approving the works, shall be obtained from Council prior to the principal certifier issuing an occupation certificate.

*Condition reason: To ensure that work on public land is undertaken with approval.*

### **40. Works Outside the Site Boundary**

Prior to issue of a Construction Certificate, engineering plans for any work outside the site boundary shall be submitted to Council for approval. All works shall comply with the requirements detailed in Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)*, *Engineering Design for Development Guide (as amended)* and relevant *Campbelltown City Council Development Control Plan (as amended)* and shall be inspected by Council at all stages of construction.

A compliance certificate for the work shall be obtained from Council prior to the principal certifying authority issue of an occupation certificate.

Council assessment and inspection fees, apply to the above requirements.

*Condition reason: To protect Council land.*

#### **41. Design for access and mobility**

Before the issue of a construction certificate, the applicant shall demonstrate by way of detailed design, compliance with the relevant access requirements of the BCA and AS 1428 – Design for Access and Mobility.

*Condition reason: To ensure safe and easy access to the premises for people with a disability.*

#### **42. Telecommunications infrastructure**

1. If the development is likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to proposed works must be submitted to the appointed certifier prior to the issue of a construction certificate or any works commencing, whichever occurs first; and
2. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.

*Condition reason: To ensure that the development does not impact any telecommunications infrastructure and that appropriate arrangements have been made for the approved development.*

#### **43. Sydney Water**

Before the issue of a construction certificate, the approved plans must be submitted to Sydney Water via the Sydney Water Tap In service, to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met.

An approval receipt will be issued if the building plans have been approved. The approval receipt shall be submitted to the appointed certifier prior to issue of a construction certificate.

The Sydney Water Tap In service can be accessed at [www.sydneywater.com.au](http://www.sydneywater.com.au).

*Condition reason: To ensure the development does not adversely affect Sydney Water infrastructure and that appropriate arrangements have been made to connect to Sydney Water services.*

#### **44. Section 7.12 Contributions**

##### Contribution

The developer must make a monetary contribution to Campbelltown City Council in the amount of **\$71,234.65** for the purposes of the Local Infrastructure identified in the Campbelltown Local Infrastructure Contributions Plan 2018 (the Plan).

The contribution rate will be adjusted on a quarterly basis with CPI indexation as detailed in Section 6.3.2 of the Plan. The exact amount of the contribution will be calculated at the rate applicable at the time of payment.

## Indexation

The monetary contribution is based on a proposed cost of carrying out the development of **\$7,056,214.00** indexed to the quarter immediately prior to the date of this consent (\$7,123,465.31). This cost (and consequently the monetary contribution) must be indexed between the date of this consent and the date of payment in accordance with the following formula:

Indexed development cost (\$) =	$\$CC \times \frac{CPI_P}{CPI_C}$

Where:

- \$CC is the contribution amount shown in this certificate expressed in dollars
- CPI<sub>P</sub> is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Statistician at the time of the payment of the contribution.
- CPI<sub>C</sub> is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Statistician which applied at the time of the issue of this certificate – **121.6 – March 2024**.

## Time for payment

The contribution must be paid prior to the release of a construction certificate for any works authorising construction above the floor level of the ground floor.

## How to make the contribution payment

Contact Council's Development Contributions Officer on 4645 4000 or email, council@campbelltown.nsw.gov.au for an invoice which will also provide details of the various methods of payment available, prior to payment.

*Condition reason: To contribute to the provision of public amenities and services to meet the increased demands created by the new development.*

## **45. Retaining Walls**

Prior to release of a construction certificate, an engineering design and construction plan (plan) shall be prepared by a professional engineer registered on the NER with relevant qualifications and experience, for assessment and written approval of Council's Development Engineering Team.

The plan shall detail structural design, design loads, location, dimensions, material specifications of all existing and proposed retaining walls required to support development of the site. Retaining walls must be located wholly within the subject site, including associated footings and drainage, and shall be finished smoothly with no burrs, sharp edges, sides, or corners that could easily injure pedestrians.

Maximum horizontal gap between retaining wall and boundary fence is limited to 50mm. Boundary fences preferably should be located immediately over the top of the retaining wall, eliminating any horizontal gaps.

Plans shall be signed and certified by both geotechnical and structural engineers, as being fit for purpose, have a design life of 50 years and be in accordance with all relevant Council requirements. Construction of retaining walls and associated drainage work and must not compromise the structural integrity of any existing structures on neighbouring properties. Retaining Walls shall not exceed 1m in height.

Retaining walls within 1m of any lot boundary must have written consent from owners of existing neighbouring properties, including Council as the local roads authority.

*Condition reason: To provide requirements for retaining walls.*

## **PRIOR TO THE COMMENCEMENT OF ANY WORKS**

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with prior to the commencement of any works on site.

### **47. Erosion and sediment control**

Before any site work commences on the land, adequate/approved erosion and sediment control measures shall be fully installed/implemented.

*Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.*

### **48. Erection of construction sign**

Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:

- a) Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours;
- a) Stating that unauthorised entry to the work site is prohibited;
- b) Pollution warning sign promoting the protection of waterways (issued by Council with the development consent);
- c) Stating the approved construction hours in which all works can occur; and
- d) Showing the name, address and telephone number of the principal certifying authority for the work.

Any such sign/s is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

*Condition reason: Prescribed condition under Section 70 of the Environmental Planning and Assessment Regulation 2021.*

### **49. Toilet on construction site**

Before any site work commences on the land, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part thereof. Each toilet provided must be a standard flushing toilet and be connected to:

1. A public sewer, or
2. If connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council, or

3. If connection to a public sewer or an accredited sewage management facility is not practicable, to some other management facility approved by Council.

*Condition reason: To ensure that appropriate toilets are provided for construction workers.*

## **50. Trade waste**

Before any site work commences on the land, a trade waste facility shall be provided on-site to store all waste pending disposal. The facility shall be screened, regularly cleaned and accessible to collection vehicles.

*Condition reason: To ensure all waste is moved off-site for disposal.*

## **51. Vehicular access during construction**

Before any site work commences on the land, a single vehicle/plant access to the site shall be provided, to minimise ground disturbance and prevent the transportation of soil onto any public road system. Single sized aggregate, 40mm or larger placed 150mm deep, extending from the kerb and gutter to the property boundary, shall be provided as a minimum requirement.

*Condition reason: To ensure that construction vehicles do not disturb the soil and adversely impact Council infrastructure.*

## **52. Public property**

Before any site work commences on site, the applicant shall provide Council with a report establishing the condition of the property which is controlled by Council which adjoins the site including (but not limited to) kerbs, gutters, footpaths, and the like.

Failure to identify existing damage may result in all damage detected after completion of the development being repaired at the applicant's expense.

*Condition reason: To ensure the condition of public infrastructure is recorded before the commencement of any works.*

## **53. Demolition works**

Demolition works shall be carried out in accordance with the following:

1. Before any site work commences on the land, a detailed demolition work plan designed in accordance with Clause 1.7.3 of Australian Standard AS 2601-2001 – The Demolition of Structures, prepared by a suitably qualified person with suitable expertise or experience, shall be submitted to and approved by Council and shall include the identification of any hazardous materials, method of demolition, precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
2. Before any site work commences on the land, the demolition Contractor(s) licence details must be provided to Council.
3. The handling or removal of any asbestos product from the building/site must be carried out by a NSW Work Cover licensed contractor irrespective of the size or nature of the works. Under no circumstances shall any asbestos on site be handled or removed by a non-licensed person. The licensed contractor shall carry out all works in accordance with NSW Work Cover requirements.

4. An appropriate fence preventing public access to the site shall be erected for the duration of demolition works.
5. Immediately prior to the commencement of the demolition or handling of any building or structure that contains asbestos, the applicant shall request that the principal certifier attend the site to ensure that all appropriate safety measures are in place. The applicant shall also notify the occupants of the adjoining premises and Workcover NSW prior to the commencement of any works.

*Condition reason: To provide details of measures for the safe and appropriate disposal of demolition waste and the protection of the public and surrounding environment during the carrying out of demolition works on the site.*

#### **54. Fencing**

An appropriate fence preventing public access to the site shall be erected for the duration of construction works.

*Condition reason: To protect workers, the public and the environment.*

#### **55. Geotechnical reference**

Before any site work commences, a certificate prepared by the designing structural engineer certifying that the design is in accordance with the geotechnical investigation of the site shall be submitted to the appointed principal certifier. The designing structural engineer shall also nominate a site classification in accordance with AS2870 – Residential Slabs and Footings.

*Condition reason: To inform the principal certifier of any structural design requirements for the approved building works.*

#### **56. Structural engineer details**

Before any site work commences, the submission to the principal certifier of all details prepared by a practicing structural engineer.

*Condition reason: To ensure the principal certifier has all the necessary structural engineering details for the approved works.*

### **DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION**

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with during the construction of the development on site.

#### **57. Construction work hours**

All work on site shall only occur between the following hours:

Monday to Friday	7.00 am to 6.00 pm
Saturday	8.00 am to 5.00 pm
Sunday and public holidays	No Work.

*Condition reason: To protect the amenity of the surrounding area.*



## **58. Erosion and sediment control**

Erosion and sediment control measures shall be provided and maintained throughout the construction period, in accordance with the requirements of the manual – Soils and Construction (2004)(Bluebook), the approved plans, Council specifications and to the satisfaction of the principal certifier. The erosion and sedimentation control devices shall remain in place until the site has been stabilised and revegetated.

Note: On the spot penalties up to \$8,000 will be issued for any non-compliance with this requirement without any further notification or warning.

*Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater and waterways.*

## **59. Work zones**

All loading, unloading and other activities undertaken during construction shall be accommodated on the development site.

Where it is not practical to load, unload or undertake specific activities on the site during construction, the provision of a 'Work Zone' external to the site may be approved by Council following an application being submitted to Council's Traffic Unit outlining the proposal for the work zone. The application is required to be made prior to the commencement of any works and is to include a suitable 'Traffic / Pedestrian Management and Control Plan' for the area of the work zone that will be affected. All costs of approved traffic/pedestrian control measures, including relevant fees, shall be borne by the applicant.

*Condition reason: To comply with legislative requirements and minimise impacts on traffic safety and efficiency.*

## **60. Protection of existing trees**

No trees or vegetation are to be cut down, lopped, destroyed or removed (apart from in condition 1 above) without the separate written approval of Council. All works within proximity to existing trees or vegetation are to comply with *Australian Standards AS4970 - Protection of Trees on Development Sites*:

- a. All compound/ stockpile, laydown, vehicle parking and amenities shall be located in cleared areas and beyond the dripline of existing trees.
- b. Prior to the commencement of any works, the area required for site access will be clearly demarcated to ensure there is no damage to native vegetation outside of the development impact zone.

*Condition reason: To protect and retain existing trees.*

## **61. Excavation and backfilling**

All excavations and backfilling associated with the approved works must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.

If an excavation associated with the approved works extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- Must preserve and protect the building from damage; and

- If necessary, must underpin and support the building in an approved manner, and
- Must at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

*Condition reason: To comply with legislative requirements and ensure the protection of buildings on adjacent properties.*

## **62. Fill Compaction Requirements**

Any filling carried out in accordance with this consent shall maintain a minimum requirement of 98 per cent standard compaction.

Any lot filling operations carried out in accordance with this consent shall be tested to establish the field dry density every 300mm rise in vertical height. Test sites shall be located randomly across the fill site with 1 test per 500m<sup>2</sup> (minimum 1 test per 300mm layer) certified by a qualified geotechnical engineer.

*Condition reason: To ensure any fill material is suitably compacted.*

## **63. Fill contamination**

Any landfill used on the site is to be validated in accordance with the Environment Protection Authority's guidelines for consultants reporting on contaminated sites. The validation report shall state in an end statement that the fill material is suitable for the proposed use on the land.

*Condition reason: To ensure any fill material used on site is not contaminated and is safe for future occupants.*

## **64. Dust nuisance**

Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual – 'Soils and Construction (2004) (Bluebook). Construction areas shall be treated/regularly watered to the satisfaction of the appointed principal certifier.

*Condition reason: To minimise the impacts of the development construction on the environment.*

## **65. Certification of location of building upon completion**

Upon completion of the building, the applicant shall submit to the appointed principal certifier a qualified practicing surveyor's certificate showing the boundaries of the allotment, distances of walls and footings from boundaries.

*Condition reason: To ensure that the building has been constructed in accordance with the approved plans.*

## **66. Excess material**

All excess material is to be removed from the site. The spreading of excess material or stockpiling on site will not be permitted without prior written approval from Council.

*Condition reason: To ensure that the levels of the land remain consistent with the approved plans.*

#### **67. Public safety**

Any works undertaken in a public place are to be maintained in a safe condition at all times in accordance with AS 1742.3. Council may at any time and without prior notification make safe any such works Council considers to be unsafe, and recover all reasonable costs incurred from the applicant.

*Condition reason: To protect workers, the public and the environment.*

#### **68. Compliance with Council specification**

All design and construction work shall be in accordance with:

- Council's specification for Construction of Subdivisional Road and Drainage Works (as amended)
- Campbelltown (Sustainable City) DCP - Volumes 1 and 3 as amended
- Soils and Construction (2004) (Bluebook) and
- Relevant Australian standards and State Government publications.

*Condition reason: To ensure earthworks are carried out in accordance with the relevant Australian Standards, best practice and Council's DCP.*

#### **69. Associated works**

The applicant shall undertake any works external to the development, that are made necessary by the development, including additional road and drainage works or any civil works directed by Council, to make a smooth junction with existing work.

*Condition reason: To ensure that work on public land is undertaken with approval in accordance with Councils requirements.*

#### **70. Imported 'waste-derived' fill material**

The only waste-derived fill material that may be received at the development site is:

- virgin excavated natural material (within the meaning of the Protection of the Environment Operations Act 1997); and
- any other waste-derived material the subject of a resource recovery exemption under cl.51A of the Protection of the Environment Operations (Waste) Regulation 2005 that is permitted to be used as fill material.

Any waste-derived material the subject of resource recovery exemption received at the development site must be accompanied by documentation as to the material's compliance with the exemption conditions and must be provided to the principal certifier on request.

*Condition reason: To ensure any fill material used on site is not contaminated and is safe for future occupants.*

### **PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE**

The following conditions of consent must be complied with prior to the issue of an occupation certificate by the appointed Principal Certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for an occupation certificate.

#### **71. Structural engineering certificate**

Before the issue of the relevant occupation certificate, the submission of a certificate from a practising structural engineer certifying that the building has been erected in compliance with the approved structural drawings, the relevant Standards Association of Australia Codes and is structurally adequate.

*Condition reason: To ensure the structural adequacy of the development.*

#### **72. Completion of external works onsite**

Before the issue of the relevant occupation certificate, all external works, repairs and renovations detailed in the schedule of treatment/finishes, landscaping, driveways, fencing and retaining walls to be completed to the satisfaction of the principal certifier.

*Condition reason: To ensure that approved, landscaping, driveways, fencing, external finishes and retaining walls are in place prior to occupation of the building.*

#### **73. Final inspection – Works as Executed plans**

Before the issue of the relevant occupation certificate, the applicant shall submit to Council two complete sets of fully marked up and certified work as executed plans in accordance with Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and with the design requirements detailed in the Campbelltown (Sustainable City) DCP Volume 3 (as amended).

The applicant shall **also** submit a copy of the Works as Executed information to Council in an electronic format in accordance with the following requirements:

##### **Survey Information**

- Finished ground and building floor levels together with building outlines.
- Spot levels every 5m within the site area.
- Where there is a change in finished ground levels that are greater than 0.3m between adjacent points within the above mentioned 5m grid, intermediate levels will be required.
- A minimum of 15 site levels.
- If the floor level is uniform throughout, a single level is sufficient.
- Details of all stormwater infrastructure including pipe sizes and types as well as surface and invert levels of all existing and/or new pits/pipes associated with the development.
- All existing and/or new footpaths, kerb and guttering and road pavements to the centre line/s of the adjoining street/s.
- The surface levels of all other infrastructure.

##### **Format**

- MGA 94 (Map Grid of Australia 1994) Zone 56 – Coordinate System
- All level information to Australian Height Datum (AHD)

*AutoCAD Option*

- The "etransmit" (or similar) option in AutoCAD with the transmittal set-up to include as a minimum:

- Package Type - zip
- File Format - AutoCAD 2004 Drawing Format or later
- Transmittal Options - Include fonts

Include textures from materials

Include files from data links

Include photometric web files

Bind external references

The drawing is **not** to be password protected.

*MapInfo Option*

- Council will also accept either MapInfo Native format (i.e. .tab file) or MapInfo mid/mif.

All surveyed points will **also** be required to be submitted in a point format (x,y,z) in either an Excel table or a comma separated text file format.

*Condition reason: To ensure engineering related work is undertaken in accordance with Council's requirements.*

#### 74. Restoration of public roads

Before the issue of the relevant occupation certificate, the restoration of public road and associated works required as a result of the development shall be carried out by Council and all costs shall be paid by the applicant.

*Condition reason: To ensure any damage to public infrastructure is rectified.*

## 75. Public utilities

Before the issue of the relevant occupation certificate, any adjustments to public utilities, required as a result of the development, shall be completed to the satisfaction of the relevant authority and at the applicant's expense.

*Condition reason: To ensure any damage to public infrastructure is rectified.*

## 76. Retaining

Before the issue of the relevant occupation certificate, all excavated and filled areas shall be battered to a slope of not greater than 1:2 or similarly be retained in accordance with the approved plan or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 provisions for exempt development. Construction of retaining walls outside the scope of the State Environmental Planning Policy and not shown on the approved plans require lodgement of a separate development application.

Condition reason: To ensure any retaining walls or filling onsite has been authorised.

## 77. Council fees and charges

Before the issue of the relevant occupation certificate, the applicant shall obtain written confirmation from Council that all applicable Council fees and charges associated with the development have been

paid in full. Written confirmation will be provided to the applicant following Council's final inspection and satisfactory clearance of the public area adjacent the site.

*Condition reason: To ensure that there are no outstanding fees, charges or rectification works associated with the approved development.*

## **ADVISORY NOTES**

The following information is provided for your assistance to ensure compliance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, other relevant Council Policy/s and other relevant requirements. This information does not form part of the conditions of development consent pursuant to Section 4.17 of the Act.

### **Advice 1. Environmental Planning and Assessment Act 1979 Requirements**

The Environmental Planning and Assessment Act 1979 requires you to:

- a. Obtain a construction certificate prior to the commencement of any works. Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 4645 4608.
- b. Nominate a Principal Certifier and notify Council of that appointment prior to the commencement of any works.
- c. Give Council at least two days notice prior to the commencement of any works.
- d. Have mandatory inspections of nominated stages of the construction inspected.
- e. Obtain an occupation certificate before occupying any building or commencing the use of the land.

### **Advice 2. Tree Preservation Order**

To ensure the maintenance and protection of the existing natural environment, you are not permitted to ringbark, cut down, top, lop, remove, wilfully injure or destroy a tree outside three metres of the building envelope unless you have obtained prior written consent from Council. Fines may be imposed if you choose to contravene Council's Tree Preservation Order.

A tree is defined as a perennial plant with self supporting stems that are more than three metres or has a trunk diameter more than 150mm measured one metre above ground level, and excludes any tree declared under the *NSW Biosecurity Act 2015* or included within the NSW Governments Greater Sydney Strategic Management Plan 2017-2022.

### **Advice 3. Provision of Equitable Access**

Nothing in this consent is to be taken to imply that the development meets the requirements of the *Disability Discrimination Act 1992* (DDA1992) or *Disability (Access to Premises – Buildings) Standards 2010* (Premises Standards).

Where a Construction Certificate is required for the approved works, due regard is to be given to the requirements of the *Building Code of Australia* (BCA) & the Premises Standards. In this regard it is the sole responsibility of the certifier, building developer and building manager to ensure compliance with the Premises Standards.

Where no building works are proposed and a Construction Certificate is not required, it is the sole responsibility of the applicant and building owner to ensure compliance with the DDA1992.

#### **Advice 4.      Smoke Alarms**

All NSW residents are required to have at least one working smoke alarm installed on each level of their home. This includes owner occupier, rental properties, relocatable homes and any other residential building where people sleep.

The installation of smoke alarms is required to be carried out in accordance with AS 3786. The licensed electrical contractor is required to submit to the appointed Principal Certifier a certificate certifying compliance with AS 3000 and AS 3786.

#### **Advice 5.      Adjustment to Public Utilities**

Adjustment to any public utilities necessitated by the development is required to be completed prior to the occupation of the premises and in accordance with the requirements of the relevant Authority. Any costs associated with these adjustments are to be borne by the applicant.

#### **Advice 6.      Smoke Free Environment Act**

Nothing in this consent is to be taken to imply that the development meets the requirements of the *Smoke Free Environment Act 2000* (SFEA2000) or the *Smoke Free Environment Regulations 2007* (SFER2007). In the event that the occupier wishes to facilitate smoking within any enclosed public place of the premises (in accordance with clause 6 of the SFER2007), the occupier must first contact NSW Department of Health to ensure that the design and construction of the area proposed to facilitate smoking fully complies with the requirements of the SFEA2000 and the SFER2007.

#### **Advice 7.      Dial before you Dig**

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before you dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

#### **Advice 8.      Telecommunications Act 1997 (Commonwealth)**

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any persons interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution.

Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

**END OF CONDITIONS**



## Attachment 2 Compliance Tables

An assessment of compliance tables is provided below

### 1. State Environmental Planning Policy (Transport and Infrastructure) 2021

#### Schedule 8 Design quality principles in schools—Chapter 3

An assessment against the design quality principles in Schedule 8 is presented below:

<p><b>Principle 1—context, built form and landscape</b></p> <p>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.</p> <p>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.</p>	<p>The proposed addition is suitably designed and located within the existing site to respond to the site constraints whilst also integrating within the existing buildings.</p> <p>Landscape plans have been submitted with the application. Landscaping is provided adjacent to the new addition.</p>
<p><b>Principle 2—sustainable, efficient and durable</b></p> <p>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.</p> <p>Schools should be designed to be durable, resilient and adaptable, enabling them to evolve over time to meet future requirements.</p>	<p>The additions are well designed to provide adaptable buildings to meet future requirements.</p> <p>The proposed material and finishes are of durable and resilient quality.</p>
<p><b>Principle 3—accessible and inclusive</b></p> <p>School buildings and their grounds should provide good wayfinding and be welcoming, accessible and inclusive to people with differing needs and capabilities.</p>	<p>Appropriate way finding signage is provided. An access report has been provided with the application demonstrating compliance with AS1428 and the Building Code of Australia.</p>

<p><b>Principle 4—health and safety</b></p> <p>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.</p>	<p>The new additions would provide a new functional building, constructed to current standards which will provide for the health and safety of students.</p>
<p><b>Principle 5—amenity</b></p> <p>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.</p> <p>Schools located near busy roads or near rail corridors should incorporate appropriate noise mitigation measures to ensure a high level of amenity for occupants.</p> <p>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.</p>	<p>The proposed buildings will provide functional spaces including classrooms and amenities.</p> <p>The school is not located near a busy road.</p> <p>The buildings are designed to provide functional indoor and outdoor spaces. The classrooms have sufficient glazing to maximise natural light and ventilation in the classrooms.</p>
<p><b>Principle 6—whole of life, flexible and adaptive</b></p> <p>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.</p>	<p>The proposed building would upgrade the school facilities and accommodate future operations.</p>
<p><b>Principle 7—aesthetics</b></p> <p>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.</p> <p>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.</p>	<p>The proposed buildings are architecturally designed with a skillion roof and highlight windows, the buildings are positioned to accommodate the existing structures and provide outdoor shaded areas and rooms with glazing to allow for natural light.</p> <p>The proposed building materials are considered to complement the existing development.</p>

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

An assessment against Schedule 5 of the SEPP (Industry and Employment) 2021 in relation to signage is provided below:

<b>Schedule 5 Assessment</b>		
<b>1 Character of the area</b>	Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed signage is compatible with the character of the area.
	Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The signage is consistent with signage within the school.
<b>2 Special areas</b>	Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The proposed signage would not detract from the amenity of the surrounding residential area.
<b>3 Views and vistas</b>	Does the proposal obscure or compromise important views?	The proposed signs do not affect views.
	Does the proposal dominate the skyline and reduce the quality of vistas?	The proposed signs do not affect vistas.
	Does the proposal respect the viewing rights of other advertisers?	The proposed signs do not affect views.
<b>4 Streetscape, setting or landscape</b>	Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed signs are not visible from the street.
	Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed signs are not visible from the street.
	Does the proposal reduce clutter by rationalising and simplifying existing advertising?	Signage on the site is minimal given the scale of the site.
	Does the proposal screen unsightliness?	N/A
	Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	No
	Does the proposal require ongoing vegetation management?	No
<b>5 Site and building</b>	Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The proposed signs are compatible with the scale of the buildings.
	Does the proposal respect important features	The signage is appropriate

	of the site or building, or both?	
	Does the proposal show innovation and imagination in its relationship to the site or building, or both?	N/A
<b>6 Associated devices and logos with advertisements and advertising structures</b>	Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	The proposal is for two flat wall signs.
<b>7 Illumination</b>	Would illumination result in unacceptable glare?	The signage would not be illuminated.
	Would illumination affect safety for pedestrians, vehicles or aircraft?	The signage would not be illuminated.
	Would illumination detract from the amenity of any residence or other form of accommodation?	The signage would not be illuminated.
	Can the intensity of the illumination be adjusted, if necessary?	The signage would not be illuminated.
	Is the illumination subject to a curfew?	The signage would not be illuminated.
<b>8 Safety</b>	Would the proposal reduce the safety for any public road?	The proposed signs are not located near any roads.
	Would the proposal reduce the safety for pedestrians or bicyclists?	The proposed signs are not located near any roads.
	Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed signs are not located near any roads.

### 3. Campbelltown (Sustainable City) Development Control Plan 2015

An assessment against Part 2, 3 and 16 of the Campbelltown (Sustainable City) Development Control Plan is presented below:

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
<b>Part 2 Requirements Applying to all Types of Development</b>			

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
<b>2.2 Site Analysis</b>	a) A Site Analysis Plan shall be lodged with the development application for all development involving the construction of a building and the Torrens title subdivision of land.	A site analysis plan was submitted with the application	Yes
<b>2.3 Views and Vistas</b>	a) Development shall appropriately respond to Campbelltown's important views and vistas to and from public places.	The proposed development does not affect views.	Yes
	b) District views and existing significant view corridors as viewed to and from public places shall be protected	The proposed development does not affect views.	Yes
<b>2.4.2 Natural Ventilation</b>	a) The design of new buildings shall be encouraged to maximise opportunities for cross flow ventilation, where practical, thus minimising the need for air conditioning.	Operable windows are provided to facilitate natural ventilation.	Yes
<b>2.4.4 Light Pollution</b>	a) Outdoor lighting shall be designed to minimise pollution from the unnecessary dispersion of light into the night sky and neighbouring properties.	Relevant conditions of consent have been recommended with regard to external lighting.	Yes, conditioned
<b>2.5 Landscaping – Design Requirements</b>	a) Landscape design shall enhance the visual character of the development and complement the design/use of spaces within and adjacent to the site.	The landscape design enhances the existing site.	Yes
	b) Landscape design shall retain and enhance the existing native flora and fauna characteristics of a site wherever possible.	The landscape design seeks to retain trees on site where possible.	Yes

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
	d) A Landscape Concept Plan is required to be submitted with a development application for i) Semi-detached dwellings; ii) dual occupancies; iii) attached dwellings; iv) multi dwelling housing; v) residential flat buildings; vi) mixed use development; vii) boarding houses; viii) shop top housing; ix) child care centres; x) places of Worship; xi) commercial development; xii) industrial development; and xiii) any other development that in the opinion of Council a landscape plan	A landscape concept plan was submitted with the application.	Yes
	e) The Landscape Concept Plan shall illustrate mature height, spread of species, trees to be removed/retained and shall be prepared by a suitably qualified person.	The landscape plan is acceptable.	Yes
	f) Landscaping shall maximise the use of locally indigenous and other drought tolerant native plants and avoid the use of invasive species.	The proposed tree species are native.	Yes
<b>2.7 Erosion and Sediment Control – Design Requirements</b>	a) 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.	An erosion and sediment control plan was submitted with the application	Yes
<b>2.8 Cut, Fill and Floor Levels</b>	a) A Cut and Fill Management Plan (CFMP) shall be submitted with a development application where the development incorporates cut and/or fill operations.	A cut and fill management plan is not considered to be required for the proposed development.	N/A

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
	e) All fill shall be 'Virgin Excavated Natural Material' (VENM).	A condition of consent has been recommended in attachment 1.	Yes
<b>2.9 Demolition – Design Requirements</b>	<p>a) A development application involving demolition shall be considered having regard to the following information:</p> <ul style="list-style-type: none"> <li>i) a detailed work plan prepared by a suitably qualified person, in accordance with AS2601-2001- The Demolition of Structures (as amended);</li> <li>ii) details of the licensed demolition contractor engaged to carry out the work (including name, address and building licence number);</li> <li>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;</li> <li>iv) details of any asbestos or other hazardous substances to be removed from the site and/or damaged during demolition; and</li> <li>v) a dilapidation report where any demolition work is to be undertaken within the zone of influence of any other structure.</li> </ul>	Relevant conditions of consent have been recommended in Attachment 1.	Yes
<b>2.10.3 Stormwater Drainage – Design</b>	a) A stormwater Drainage Concept Plan shall be prepared by a suitably qualified person, and submitted with all development applications,	A stormwater management plan was submitted with the application.	Yes

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
<b>requirements</b>	involving construction (except for internal alterations/fitouts), demonstrating to Council how the stormwater will be collected and discharged from the site.		
<b>2.13 Security – Design requirements</b>	a) Development shall be designed to: i) maximise, where possible, casual surveillance opportunities to the street and surrounding public places; ii) minimise dead ends and other possible entrapment areas; iii) clearly identify and illuminate access points to buildings and designated public places; and iv) clearly differentiate between private and public space	The applicant has provided an assessment against Part 2.13 of the SCDCP 2015. The proposal is considered to be designed to incorporate CPTED principles throughout the development.	Yes
	b) External lighting shall be designed to: i) encourage the use of safe areas; ii) define safe corridors for movement of people; and iii) allow facial recognition of approaching pedestrians at 15 metres.		
	c) Development shall incorporate appropriate landscaping, fencing and security devices to assist in crime prevention		
<b>2.14.3 Bushfire – Design requirements</b>	a) Development shall be designed and located so as to minimise the risk of loss of life or property from bushfire.	The subject site is identified as a bushfire prone land. The propose development has been designed to minimise bushfire risk.	Yes
	b) Development on bush fire prone land (as detailed on the Campbelltown Bush Fire Prone Lands Map) shall comply with the requirements of Planning	The proposal is designed to comply with the requirements of 'Planning for Bush Fire Protection'.	Yes



		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
	for Bushfire Protection, ( NSW Rural Fire Service) as amended.		
	c) Development applications relating to land identified on the Bushfire Prone Land Map shall be accompanied by a Bushfire Hazard Assessment Report prepared by a suitably qualified person.	A bushfire hazard assessment report was submitted with the application.	Yes
	e) Adequate water reserves for fire fighting shall be available and accessible on site as specified in Planning for Bushfire Protection, as amended. Hazard reduction (burning or mechanical) proposals shall be in accordance with the Campbelltown Bush Fire Risk Management Plan and the Bush Fire Environmental Assessment Code. Landowners wishing to undertake hazard reduction shall contact the NSW Rural Fire Service (NSWRFS) for any requirements. Applications to undertake hazard reduction will be assessed by the NSWRFS under the Bushfire Environmental Assessment Code. Guidelines for hazard reduction include: i) as far as possible, the frequency, time of year and intensity of any hazard reduction burning in native vegetation is to approximate the natural regime; and ii) periodic weed monitoring and control shall be undertaken after bushfires and hazard reduction burning, and appropriate action taken as	Relevant conditions of consent will be included in accordance with the 'General Terms of Approval' from the Rural Fire Service.	Yes

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
	necessary		
<b>2.15.1 Waste Management Plan –  Design requirements</b>	a) A detailed 'Waste Management Plan' (WMP) shall accompany development applications for certain types of development/land uses, as detailed in Table 2.15.1 and for any other development that in the opinion of Council a WMP is required.	A waste management plan was submitted with the application.	Yes
<b>2.15.2 Waste Management During Demolition and Construction</b>	a) Waste and recyclable streams shall be stored separately on site.	A waste management plan was submitted with the application which provides for waste management measures during construction. In addition, relevant conditions of consent have been recommended in attachment 1 with regard to waste management.	Yes
	b) All storage areas/containers for each waste and recycling stream shall be kept on the site at all times and shall be indicated on the site plans/drawings as part of the WMP		
	c) Where material cannot be reused or recycled, it shall be disposed of at an appropriately licensed waste management or recycling facility. Details of disposal arrangements shall be specified in the WMP for each material type		
	d) Convenient and safe heavy vehicular access to waste and recycling material storage areas shall be provided		
	e) The removal, handling and disposal of asbestos or other hazardous materials shall be carried out in accordance with WorkCover NSW, NSW Environment & Protection Authority (EPA), Office of		

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
	Environment and Heritage and other regulatory authority guidelines and requirements.		
<b>2.19 Development Near or on Electricity Easements</b>	a) Wherever possible electrical easements are to be located within open space corridors.	The proposed works are not located near the existing electrical easements.	Yes
	c) Restrictions apply to planting and erection of raised public domain elements (such as light poles) and are identified in the Mains Maintenance Instruction MMI 0015 - Management of Endeavour Energy's electrical easements (Endeavour Energy, 2011) or as revised for design requirements.	The proposed works are not located near the existing electrical easements.	Yes
	d) All proposed activities within electricity easements require approval from the relevant utility providers. Applicants shall consult with these agencies and obtain the relevant approvals prior to submitting a DA to Council	The proposed works are not located near the existing electrical easements.	Yes
	e) Evidence of approval from the relevant utility provider shall be submitted with the DA.	The proposed works are not located near the existing electrical easements. Notwithstanding the application was referred to Endeavour Energy.	Yes
<b>2.21 Acoustic Privacy</b>	a) Development shall comply with any relevant provisions in the following documents. The event of an inconsistency between the noise related controls in this plan and the documents below, the documents below prevail to the extent of the inconsistency. i) The NSW Noise Policy for	The applicant has submitted an acoustic report in support of the proposed development, the report contains recommendations to mitigate acoustic impacts on surrounding properties. Relevant conditions have been recommended in Attachment 1 with regard to	Yes

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
	Industry (NPfI) ii) The NSW Road Noise Policy iii) The NSW Development Near Rail Corridors and Busy Roads – Interim Guideline iv) Association of Australasian Acoustical Consultants Guideline for Child Care Centre Acoustic Assessment	acoustic privacy.	
	b) A Noise Impact Assessment prepared by a suitably qualified acoustic consultant will be required in cases where the consent authority is not satisfied that a development will: i) Achieve a satisfactory level of acoustic amenity for occupants within the existing noise environment; and ii) Produce noise only at levels that will not exceed the relevant noise criteria	The applicant has submitted an acoustic report in support of the proposed development, the report contains recommendations to mitigate acoustic impacts on surrounding properties. Relevant conditions have been recommended in Attachment 1 with regard to acoustic privacy.	Yes

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Part</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
<b>Part 3 Low and Medium Density Residential</b>			
<b>3.2 Desired Future Character for Low Density Residential Neighbourhoods</b>	<p>The low density residential neighbourhoods shall continue to be characterised by:</p> <ul style="list-style-type: none"> <li>• one and two storey dwelling houses that are designed to provide a high level of residential amenity for their occupants and the occupants of adjoining properties;</li> <li>• streetscapes where buildings</li> </ul>	The proposed additions are considered to be consistent with the desired future character of the R2 zone.	Yes

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
	<p>are setback from the primary street frontage to provide opportunities for deep soil planting and landscaping; and</p> <ul style="list-style-type: none"> <li>• articulated front facades where garages are setback and do not dominate the streetscapes; and</li> <li>• limited stock of multi dwelling housing and attached dwellings that: – respect the existing character of the low density neighbourhoods; and – are of low scale and density.</li> </ul>		

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
<b>Part 16 Advertising and Signage</b>			
<b>16.5 Signs within Residential, Rural and Environmental Protection Zones</b>	a) Only the following types of business identification signs shall be permissible on land zoned for residential, rural and environmental protection zones (subject to Council's consent): i) wall signs; ii) window signs; and iii) freestanding pylon and directory board signs;	The proposal includes two wall signs.	Yes
<b>16.5.1 Wall Signs</b>	a) A wall sign shall: i) not result in more than 4 business identification signs of this type for the building (which may refer to more than 1 business within the building); ii) be attached to the building in which the business identified in the sign is located; and iii) not	Two signs on the site.	Yes

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
	cover any window, door or architectural feature		
	c) Wall signs within residential, rural or environmental protection zones for uses other than a home business, home industry or home occupation shall be: i) illuminated only during approved hours of operation; ii) not reflective; iii) not exceeding a height greater than 2.5 metres above natural ground level and not be larger than 3.0sqm in area;	<p>The proposed wall signs are not illuminated.</p> <p>The signs exceed 1.5sqm.</p>	<p>No, see discussion in the report.</p>

## Attachment 3 – Rural Fire Service General Terms of Approval



Campbelltown City Council  
PO Box 57  
CAMPBELLTOWN NSW 2560

Your reference: (CNR-67526) 605/2024/DA-C  
Our reference: DA20240409001369-Original-1

**ATTENTION:** CNR Team

Date: Monday 27 May 2024

Dear Sir/Madam,

**Integrated Development Application**  
**s100B – SFPP – School**  
**6 St Johns Road Campbelltown NSW 2560, 32//DP1045123**

I refer to your correspondence dated 17/04/2024 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:

### 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*

1. From the commencement of building works and in perpetuity, the property around the proposed works 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*:

- east for a distance of 89 metres; and
- to the property boundary in the north, west and south directions.

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;

1

#### 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](http://www.rfs.nsw.gov.au)





# RFS



- 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.

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

- A minimum 1 metre wide area (or to the property boundary where the setbacks are less than 1 metre), suitable for pedestrian traffic, must be provided around the immediate curtilage of the building;
- Planting is limited in the immediate vicinity of the building;
- Planting does not provide a continuous canopy to the building (i.e. trees or shrubs are isolated or located in small clusters);
- Landscape species are chosen to ensure tree canopy cover is less than 15% (IPA), and less than 30% (OPA) at maturity and trees do 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 building;
- Locate combustible structures such as garden sheds, pergolas and materials such as timber garden furniture away from the building; and
- Low flammability vegetation species are used.

#### Construction Standards

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

3. New construction must comply with section 3 and section 6 (BAL 19) Australian Standard AS3959-2018 *Construction of buildings in bushfire-prone areas* or the relevant requirements of the *NASH Standard - Steel Framed Construction in Bushfire Areas* (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of *Planning for Bush Fire Protection 2019*.

#### Access - Internal Roads

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

4. Access roads for special fire protection purpose (SFPP) developments must comply with following requirements of Table 6.8b and Table 5.3b 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;







# RFS



- 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;
- the capacity of road surfaces and any bridges/ causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes); bridges and causeways are to clearly indicate load rating
- minimum 6m carriageway width;
- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches;
- curves have a minimum inner radius of 6m and are minimal in number to allow for rapid access and egress;
- the crossfall is not more than 10 degrees;
- hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression;
- hydrants are provided in accordance with the relevant clauses of AS 2419.1: 2021 - *Fire hydrant installations System design, installation and commissioning*;
- there is suitable access for a Category 1 fire appliance to within 4m of the static water supply where no reticulated supply is available; and
- maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads.

#### **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.***

5. The provision of water, electricity and gas must comply with Table 6.8c of *Planning for Bush Fire Protection 2019* and Table 4 of the November 2022 addendum to *Planning for Bush Fire Protection 2019*.

#### **Emergency and Evacuation Planning Assessment**

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

6. Bush Fire Emergency Management and Evacuation Plan is to be in accordance with Table 6.8d of *Planning for Bush Fire Protection 2019* and be consistent with the following:

- The NSW RFS document: *A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan*;
- include planning for the early relocation of occupants.
- an Emergency Planning Committee is established to consult with residents in developing and implementing an Emergency Procedures Manual; and
- detailed plans of all emergency assembly areas, including on-site and off-site arrangements as stated in AS 3745 '*Planning for emergencies in facilities*', are clearly displayed, and an annually emergency evacuation is conducted.

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 performance assessment undertaken in the submitted bushfire report prepared by Building Code & Bushfire Hazard Solutions, (dated: 07/02/2024 and ref: 240129C), is considered to satisfy the performance criteria in Table 3 of the Addendum to *Planning for Bush Fire Protection (PBP)*. In this regards, the above access conditions are considered adequate when meeting the requirements of Chapter 6 of *PBP 2019* and Table 3 of the Addendum to *PBP*.
- This is written notice from the NSW RFS of its decision about the general terms of approval in relation to the development application referenced in the subject line of this letter. In accordance with section 4.47(3) of the *Environmental Planning and Assessment Act 1979*, a consent granted by the consent authority must be consistent with these general terms of approval.

For any queries regarding this correspondence, please contact Surbhi Chhabra on 1300 NSW RFS.

Yours sincerely,

Nika Fomin  
Manager Planning & Environment Services  
Built & Natural Environment





# RFS



## BUSH FIRE SAFETY AUTHORITY

SFPP – School

6 St Johns Road Campbelltown NSW 2560, 32//DP1045123

RFS Reference: DA20240409001369-Original-1

Your Reference: (CNR-67526) 605/2024/DA-C

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*.

**Nika Fomin**

Manager Planning & Environment Services  
Built & Natural Environment

Monday 27 May 2024

