



CAMPBELLTOWN
CITY COUNCIL

LOCAL PLANNING PANEL

23 OCTOBER 2024

MEETING NOTICE

Campbelltown City Council Local Planning Panel

The meeting of the Campbelltown City Council Local Planning Panel will be held via Teams on
Wednesday, 23 October 2024 at 3.00pm.

MEETING AGENDA

1. ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the Dharawal people whose ongoing connection and traditions have nurtured and continue to nurture this land. I pay my respects and acknowledge the wisdom of the Elders – past, present and emerging and acknowledge all Aboriginal people here today.

2. APOLOGIES

3. DECLARATIONS OF INTEREST

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4.4 Demolition, tree removal, lot consolidation and construction of a 5 storey residential flat building with strata subdivision - 6-8 Palmer Street, Ingleburn	285

General Information

The role of the Local Planning Panel (the Panel) is to determine certain types of development applications and provide advice on planning proposals.

Public Involvement

When the Panel is holding a formal meeting to consider a report relating to a development application, the Panel will receive and consider verbal submissions from the applicant and from any person that made a written submission in regard to that development application (during the notification or exhibition period), provided that they have registered to speak by midday on the day prior to the meeting. In some circumstances where there have been no submissions received a development application may be determined by the Panel through the electronic circulation of documents rather than by holding a formal meeting. In these circumstances there is no opportunity to address the Panel.

As required by the Minister's Local Planning Panels Direction, when considering a planning proposal, the role of the Panel is to provide advice to Council. The Panel is the first step in the evaluation process before Council and the State Government (through the Gateway process) decide whether to support a formal public exhibition or consultation period on the proposal. It is possible that the proposal will be modified before or as part of the consideration by Council and/or through the Gateway process. The Panel may, upon request, consider verbal submissions made in relation to the planning proposal from the applicant, if there is one.

Any person who makes a verbal submission to the Panel must identify themselves and must also accept that their presentation will include their images and sounds and will be webcast and stored on Council's website for future viewing. Any person who makes a verbal submission to the Panel must also declare before their submission any political contributions or donations they have made over the last four years exceeding \$1,000 to any political party or candidate who contested the last Ordinary Election of Council.

If you would like to make a verbal submission to the Panel, it is necessary to submit the "request to address – community access to meetings" form available on Council's website by midday the day prior to the meeting. The Panel Chair will invite the registered speakers to speak at the appropriate time in the agenda. Verbal submissions to the Panel will be limited to 5 minutes each. The Chairperson has the discretion to extend the period if considered appropriate. Panel members will have the opportunity to ask you questions at the end of your submission.

Outcomes from the meeting

After the Panel has considered submissions made by interested parties, the Panel will close the public meeting to deliberate on the items reported to the Panel.

If the item before the Panel is a development application, the Panel will either determine the development application by approval with conditions or refusal or defer determination by seeking additional information.

If the item before the Panel is a planning proposal, the Panel will document its advice to the Council.

The Panel's decision/advice become public information when the minutes are published on the Council website usually by the Friday following the Local Planning Panel meeting.

Should you require information about the Panel, or any item listed on the agenda, please contact Council's Planning and Development team on 4645 4575 between 8.30 am and 4.30pm on weekdays.

4. REPORTS

4.1 Bulk earthworks to regrade the site for future development, vegetation clearance, demolition structures and environmental conservation measures across the Menangle Park Urban Release Area

Community Strategic Plan

Objective	Strategy
2 Places For People	2.3.1 Ensure all people in Campbelltown have access to safe, secure, and affordable housing
3 Enriched Natural Environment	3.2.1 Efficiently manage and conserve our natural resources including energy and water 3.1.1 Protect, rehabilitate, and promote our natural areas, waterways and biodiversity
4 Economic Prosperity	4.2.1 Support the growth, productivity and diversity of the local economy

Delivery Program

Principal Activity
PA Building Development and Controls
PA Environment and Sustainability

Referral Criteria

In accordance with section 4.8 of *Environmental Planning and Assessment Act 1979* (EP&A Act) and the Ministerial Local Planning Panels Direction, this application is to be determined by the Campbelltown Local Planning Panel as prescribed in Schedule 1 of that direction due to the developer offering to enter into a planning agreement with Council.

Executive Summary

Council is in receipt of a development application for bulk earthworks, vegetation clearance, demolition works, and the implementation of environmental conservation measures to protect retained areas of Elderslie Banksia Scrub Forest.

Menangle Park was rezoned as part of a Planning Proposal submitted to Council on behalf of UrbanGrowth NSW in December 2011. This Planning Proposal was gazetted on 18 November 2017, and rezoned 507 ha of land to accommodate approximately 3,500 residential lots, a commercial centre, employment lands and community and recreational facilities. Under a

Planning Proposal finalised on 29 April 2022, lot yield was increased to 4,525, the town centre was relocated, and amendments were made to land use zoning and development standards.

The land subject to this application is zoned R2 Low Density Residential, R3 Medium Density Residential, R5 Large Lot Residential, E1 Local Centre, RE1 Public Recreation, E4 General Industrial, RU2 Rural Landscape and SP2 Infrastructure under the provisions of Campbelltown Local Environmental Plan 2015.

The proposed development will involve earthworks, vegetation removal and environmental protection works, all of which are permitted with consent in the relevant zones under CLEP 2015. The proposed development is also consistent with the relevant zone objectives.

Under the Campbelltown Community Participation Plan, the application was publicly exhibited for 31 days between 11 August and 31 September 2022. The revised DA package received 2 August 2024 was not publicly exhibited, as there was no significant change to the proposed development, and the overall footprint of the development was reduced.

The application was referred to the relevant external agencies and concurrence bodies, all of which raised no objection to the proposed development subject to conditions of consent.

The developer, Dahua Group Australia, has offered to enter into a planning agreement with Campbelltown City Council to manage environmental conservation areas subject to this application.

An assessment under Section 4.15 of the *Environmental Planning and Assessment Act 1979* has been undertaken and, having regard to those matters, it is recommended the application be approved, subject to conditions.

Officer's Recommendation

That Development Application 3574/2019/DA-CW be approved subject to the conditions of consent in attachment 1.

Purpose

To assist the Campbelltown Local Planning Panel (the Panel) in its determination of the subject application in accordance with the provisions of the EP&A Act.

Property Description

Lot 1265 DP1269274 (Lot 1265 Menangle Road, Menangle Park), Lot 1000 DP1219023, Lot 12 DP251335, Lot 15 DP251335, Lot 17 DP251335, Lot 4 DP628052, Lot 2008 DP1234643 (Lot 9 Menangle Road, Menangle Park), Lot 2 DP554242, Lot 59 DP10718, Lot 41 DP1285744 (Lot 41 Menangle Rd, Menangle Park), Lot 44 DP1299204 (Pt Lot 44 Menangle Road, Menangle Park), Lot 1259 DP1269274 (Lot 1259 Menangle Road, Menangle Park), Lot D DP19853, Lot 2009 DP1234643, Lot 2010 DP1234643 (Lot D Menangle Road, Menangle Park), Lot 32 DP1105615 (Lot 32 Menangle Road, Menangle Park).

Application No

3574/2019/DA-CW

Applicant	Urbis
Owner	Dahua Group Sydney Project 2 Pty Ltd
Provisions	<i>Environmental Planning and Assessment Act 1979</i> <i>Rural Fires Act 199</i> <i>Coal Mine Subsidence Compensation Act 2017</i> <i>National Parks and Wildlife Act 1974</i> <i>Threatened Species Conservation Act 1995 (Repealed)</i> <i>Biodiversity Conservation Act 2016</i> Biodiversity Conservation (Savings and Transitional) Regulation 2017 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Precincts – Western Sydney Parkland City) 2021 State Environmental Planning Policy (Biodiversity and Conservation) 2021 Campbelltown Local Environmental Plan 2015 Campbelltown (Sustainable City) Development Control Plan 2015
Date Received	08/11/2019

History

Menangle Park was rezoned as part of a Planning Proposal submitted to Council on behalf of UrbanGrowth NSW in December 2011. This Planning Proposal was gazetted on 18 November 2017, and rezoned 507 ha of land to accommodate approximately 3,500 residential lots, a commercial centre, employment lands and community and recreational facilities.

On 19 November 2018, Dahua Group Australia lodged a Planning Proposal to amend the planning controls applying to land under their ownership. This Planning Proposal sought to:

- Amend the land use zones and principle development standards relating to minimum lot size, building height, floor space ratio, land acquisition and subdivision requirements for certain forms of development.
- Increase lot yield from 3,500 to 4,525.
- Relocate and expand the town centre.
- Introduce a new neighbourhood centre.
- Relocate and provide for a 2 ha primary school site adjacent to the proposed neighbourhood centre.
- Adjust the provision of public open space consisting of sporting fields and local parks from 31.37 ha to 40.44 ha.

At its Ordinary Meeting of 10 March 2020, Council considered a report on the draft Planning Proposal and resolved to progress the proposal for Gateway Determination. A Gateway Extension was requested and granted on 19 April 2021 subject to section 3.34(7) of the EP&A Act. The amended Planning Proposal and supporting documentation was placed on exhibition from 30 August 2021 until 27 September 2021 and was ultimately gazetted on 29 April 2022.

On 8 November 2019, the subject development application was lodged with Council. A revised DA package was submitted on 17 June 2022. A further revised DA package was submitted on 2 August 2024, and it is this package on which the assessment of the DA is based.

The Site and Locality

Locality

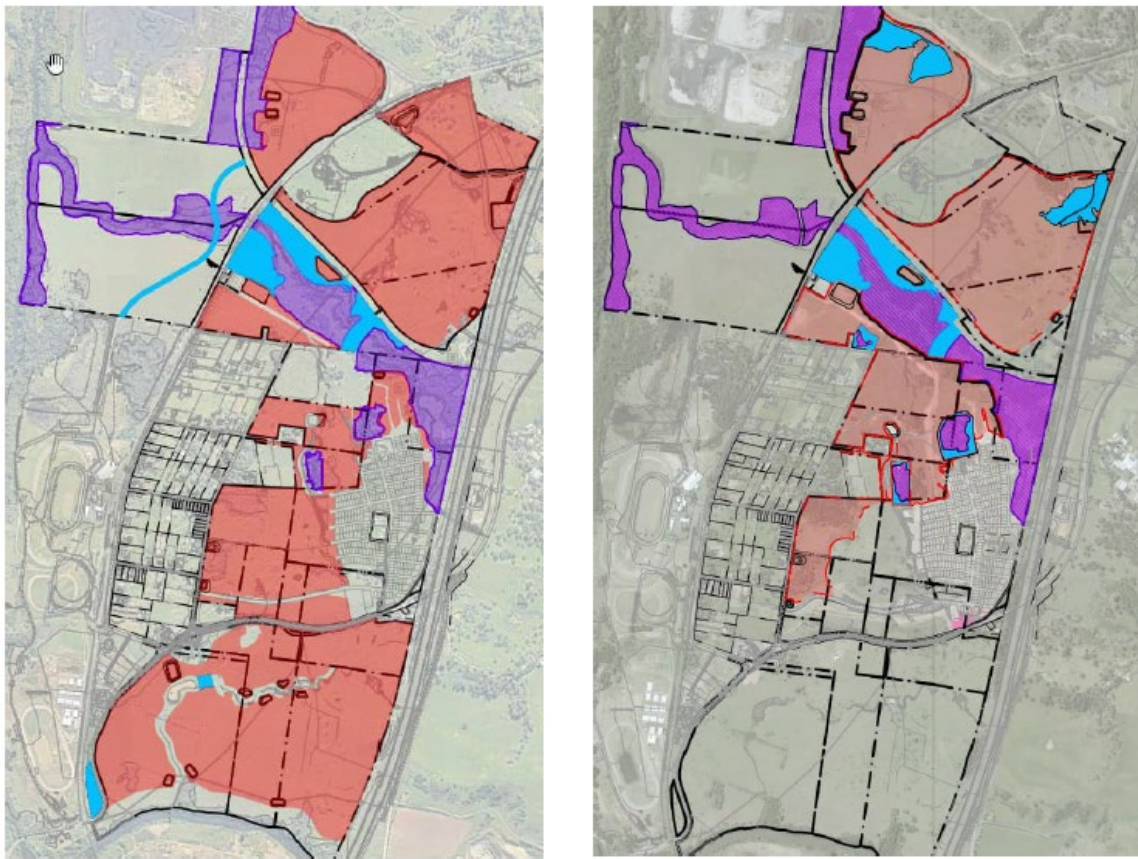
The Menangle Park Urban Release Area (MPURA) is located within the Greater Macarthur Growth Area. The MPURA covers a total area of approximately 958 ha and is bordered by the Nepean River to the south and west, the Hume Highway (M31) to the east and the Australian Botanic Gardens to the north. The urban centres of Macarthur and Campbelltown are situated approximately 7 km and 9 km to the north-east, respectively.

Dahua Group Australia's landholdings in the MPURA comprises numerous lots of variable size and has a total area of 507 ha, which equates to approximately 76 per cent of the MPURA.

Site

The Site subject to this Development Application comprises the following lots, or parts thereof:

- Lot 1265 DP1269274
- Lot 1000 DP1219023
- Lot 2068 DP1269274
- Lot 2 DP554242
- Lot 59 DP10718
- Lot 44 DP1299204
- Lot 1259 DP126274
- Lot 41 DP1285744
- Lot D DP19853
- Lot 2009 DP1234643
- Lot 2010 DP1234643
- Lot 12 DP251335
- Lot 15 DP251335
- Lot 17 DP251335
- Lot 4 DP628052
- Lot 32 DP1105615
- Lot 2008 DP1234643



2019 - Original Lodgement

2024: Current Proposal

LEGEND:



EARTHWORKS EXTENT



CONSERVATION ZONE



VEGETATION CLEARANCE AREA

Figure 1: Comparison of extent of works, as originally proposed and currently proposed.

Mapped Site Constraints

The Site is mapped as bushfire prone land and is located within a Mine Subsidence District. It is also mapped on the Biodiversity Values map as land with high biodiversity value.

Ground Conditions

A groundwater assessment undertaken by Geotechnique Pty Ltd identifies that the site is underlain by Bringelly Shale, with low infiltration rates comprising shale, carbonaceous claystone, laminite, lithic sandstone, and rare coal. The soil profile across the site is generally

non-saline to moderately saline. Areas of land near waterways potentially contain soil that is more saline.

Contamination

Soil contamination in part of the future Town Centre site (Lot 59 in DP 10718) is to be addressed via the implementation of a Remediation Action Plan (RAP) to be undertaken in accordance with a separate development consent (Council reference: 3573/2019/DA-CW). This DA was lodged on the same day as the subject Application and the works associated with it run in parallel with the bulk earthworks and vegetation removal proposed under this Application.

To give effect to suitable sequencing, a condition is recommended to ensure remedial works are undertaken in accordance with a development consent issued by Council, following vegetation removal but prior to any earthworks approved under this Development Application. This will ensure vegetation which is an impediment to remedial works is removed in the first instance, after which the site is remediated prior to any additional earthworks to regrade the site.

Vegetation

Fourteen native vegetation communities and one exotic vegetation community were recorded within the Site by Cumberland Ecology and/or have been mapped by the Office of Environment and Heritage (a former division of the NSW government; now the Environment and Heritage Group of the Department of Climate Change, Energy, the Environment and Water) as part of the Remnant Vegetation of the Western Cumberland Subregion mapping project in 2013.

Threatened ecological communities under the *Threatened Species Conservation Act 1995* present in the Site include:

- Shale Plains Woodland, Shale Plains Woodland derived native grassland, Shale Hills Woodland and Shale Hills Woodland derived native grassland conform to Cumberland Plain Woodland (CPW) in the Sydney Basin Bioregion (critically endangered ecological community (CEEC) TSC Act)
- River-Flat Eucalypt Forest conforms to River-flat Eucalypt Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions (endangered ecological community (EEC) TSC Act)
- Elderslie Banksia Scrub Forest in the Sydney Basin Bioregion (CEEC TSC Act)
- Swamp Oak Floodplain Forest of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions (EEC TSC Act) and
- Freshwater Wetlands on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions (EEC TSC Act).

The Proposal

The proposal seeks approval for site preparation and conservation works to facilitate future development and conservation outcomes. To this effect, the scope of the proposed development includes:

- Earthworks including cut and fill of approximately 482,780 m³ which will be reused on site.
- Removal of approximately 151.58 ha of vegetation.
- Demolition of all existing structures and farm dams within the site.
- Implementation of 3 Vegetation Management Plans (one for Parks K&L, one for an area of EBSF being retained in the Stage 6B site, and one for the Howes Creek Riparian Corridor) and a Planning Agreement to facilitate the conservation of biodiversity areas. The 3 VMPs will span a 20 year period, at the conclusion of which the land subject to the VMPs will be dedicated to Council; the Voluntary Planning Agreement (VPA) will ensure funding is available to Council for ongoing maintenance requirements.

Report

1. Vision

Campbelltown 2032 is the Community Strategic Plan (CSP) for the City of Campbelltown. The CSP addresses five key strategic outcomes that Council and other stakeholders will work to achieve over the next 10 years:

- Outcome 1: Community and Belonging
- Outcome 2: Places for People
- Outcome 3: Enriched Natural Environment
- Outcome 4: Economic Prosperity
- Outcome 5: Strong Leadership.

The proposal seeks approval for site preparation and conservation works to facilitate future development and conservation outcomes. To this end, it is generally consistent with the outcomes of the CSP.

2. Planning Provisions

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

The development has been assessed in accordance with the heads of consideration under Section 4.15 of the EP&A 1979, and having regard to those matters, the following has been identified for further consideration.

Rural Fires Act 1997

Section 100B of the *Rural Fires Act 1997* requires a bushfire safety authority for:

- (a) a subdivision of bush fire prone land that could lawfully be used for residential or rural residential purposes, or
- (b) development of bush fire prone land for a special fire protection purpose

The site is identified as bushfire prone land and originally involved the subdivision of land that could lawfully be used for residential purposes. Accordingly, the proposed development was

referred to the NSW RFS as integrated development within the provisions of Section 4.46 of EP&A Act. The NSW RFS provided a bushfire safety authority and general terms of approval, dated 18 September 2022 (Ref: DA2022070700149-Original-1).

On 2 August 2024, a revised DA package was received, and subdivision was excluded from the scope of works. Given the DA no longer seeks consent for the subdivision of bushfire prone land, nor is development for a special fire protection purpose, a Bushfire Safety Authority is no longer required.

National Parks and Wildlife Act 1974

Section 90 of the *National Parks and Wildlife Act 1974* requires an Aboriginal Heritage Impact Permit (AHIP) issued by the Chief Executive for any development:

- in relation to a specified Aboriginal object, Aboriginal place, land, activity or person or specified types or classes of Aboriginal objects, Aboriginal places, land, activities or persons.

The application was referred to Heritage NSW in accordance with Section 4.8 of the EP&A Act; general terms of approval were issued on 02 September 2022 (ref: DOC22/562953-19) and have been included in the recommended conditions of consent.

The revised DA package received on 2 August 2024 was not required to be re-notified to Heritage NSW, as no additional impact to Aboriginal cultural heritage is proposed.

Water Management Act 2000

Section 91 of the *Water Management Act 2000* requires a controlled activity approval to be issued for works within 40m of the top of the bank of the natural watercourse in the land.

The proposal involves works within 40 m of the top of the bank of a natural watercourse. Accordingly, the proposed development is integrated development within the provisions of Section 4.46 of EP&A Act.

Water NSW provided general terms of approval on 9 December 2022 (ref: IDAS-2022-10481) which have been included within the recommended conditions of consent.

The revised DA package received on 2 August 2024 was not required to be re-notified to Water NSW as the amendments did not significantly change the proposed development or result in additional works or activities:

- (i) in the bed of any river, lake or estuary;
- (ii) on the banks of any river lake or estuary,
- (iii) on land within 40 metres of the highest bank of a river lake or estuary; or
- (iv) any excavation which interferes with an aquifer.

Coal Mine Subsidence Compensation Act 2017

Section 22 of the *Coal Mine Compensation Act 2017* requires approval from the Chief Executive:

- to alter or erect improvements, or to subdivide land, within a mine subsidence district.

The MPURA is mapped as a mine subsidence area and the proposal involves improvements to the land. Accordingly, the proposed development is considered integrated development within the provisions of Section 4.46 of EP&A Act.

Subsidence Advisory NSW provided general terms of approval, in accordance with Section 22 of the *Coal Mine Compensation Act 2017*, on 27 July 2022 (ref: TSub22-00239).

Council staff contacted Subsidence Advisory NSW on 29 August 2024 noting subdivision no longer forms part of the proposed development. Subsidence Advisory NSW subsequently advised Council on 2 September 2024 that demolition, site clearing and general earthworks is exempt from approval. However, given water quality basins are proposed which could be at risk of future subsidence, the previous general terms of approval issued by Subsidence Advisory NSW remain applicable, and a condition is recommended to ensure they are complied with.

Threatened Species Conservation Act 1995

The *Threatened Species Conservation Act 1995* was repealed on August 2017 by the *Biodiversity Conservation Act 2016* (BC Act), however, the Campbelltown Local Government Area was declared an Interim Designated Area until 25 November 2019. As such, development applications lodged prior this date are regarded as pending and interim planning applications under the Biodiversity Conservation (Savings and Transitional) Regulation 2017 and former planning provisions apply as if the EP&A Act and other relevant planning legislation had not been amended by the BC Act. As such, the ecological assessment submitted with the Development Application is consistent with the requirements of the former provisions and relevant requirements of the *Threatened Species Conservation Act 1995*.

The proposed development will impact a number of threatened species, ecological communities and their habitats listed under the now repealed *Threatened Species Conservation Act 1995* and the BC Act. The proposal seeks the removal of 151.51 ha of vegetation, 80 per cent of which is exotic.

Vegetation community	Plant Community Type (PCT) / BioMetric Vegetation Type (BVT)	Status under Threatened Species Act	Proposed area to be cleared (ha)
Shale Plains Woodland	849/HN528	Critically Endangered Ecological Community	5.94
Shale Plains Woodland (derived native grassland)	849/HN528	Critically Endangered Ecological Community	8.67
Shale Hills Woodland	850/HN529	Critically Endangered Ecological Community	4.80
Shale Hills Woodland (derived native grassland)	806/HN627	Critically Endangered Ecological Community	3.28
Shale Hills Woodland (shrubby regrowth)	806/HN627	--	0.49
Elderslie Banksia Scrub Forest	774/HN635	Critically Endangered Ecological Community	0.77
Elderslie Banksia Scrub Forest (non-TEC)	774/HN635	Critically Endangered Ecological Community	0.10
River-flat Eucalypt Forest	835/HN526	Endangered Ecological Community	1.51

Swamp Oak Floodplain Forest	1800/HN674	Endangered Community	Ecological	3.39
Freshwater Wetlands	1071/HN360	Endangered Community	Ecological	0.37
Exotic Grassland/Cleared Land				119.80
African Olive Dominated Woody Vegetation				1.32
Other Exotic Dominated Woody Vegetation				0.05
Dam				1.01

The Species Impact Statement submitted with the development application was prepared in accordance with Chief Executive Requirements (CERs) issued by the then Office of Environment and Heritage (OEH) dated 8 November 2017.

The SIS details the developer's obligation to offset the removal of vegetation. Credit Obligations were determined using the Biobanking Banking Assessment Methodology noting the development application was assessed under the now repealed *Threatened Species Conservation Act 1995*. A suitable condition to this effect is recommended, and requires the following:

Ecosystem Credits

Plant Community	BBAM-Number (PCT BAM equivalent)	IBRA region	Credits Required
Shale Plains Woodland	HN528 (849, 3320)	Cumberland, Burragorang, Pittwater, Sydney Cataract, Wollemi and Yengo. or Any IBRA subregion that is within 100 kilometers of the outer edge of the impacted site.	152
Shale Hills Woodland	HN529 (850, 3319)	Cumberland, Burragorang, Pittwater, Sydney Cataract, Wollemi and Yengo. or Any IBRA subregion that is within 100 kilometers of the outer edge of the impacted site.	302
Elderslie Banksia Scrub Forest*	HN635* (774)	Cumberland, Burragorang, Pittwater, Sydney Cataract, Wollemi and Yengo. Or Any IBRA subregion that is within 100 kilometers of the outer edge of the impacted site.	15

*Note: a reasonable equivalence assessment for a credit obligation issued under the repealed *Threatened Species Conservation Act 1995*, is required for BBAM vegetation communities and their PCT equivalents, including HN635 (PCT 774), as this PCT does not exist as an Ecosystem Credit.

Species Credits

Species	Offset Requirements (Like for Like) Spp	IBRA	Credits Required
<i>Myotis macropus</i> <i>Southern Myotis</i>	<i>Myotis macropus</i> <i>Southern Myotis</i>	Any in NSW	136

Evidence of ecosystem and species credit retirement (ie. a credit retirement certificate or equivalent) from the Biodiversity Conservation Trust must be provided to Campbelltown City Council's Manager Development Assessment (or equivalent), and written acknowledgement received from Council prior to the commencement of any works.

Concurrence

The Development Application was referred to the Department of Climate Change, Energy, the Environment and Water – Biodiversity, Conservation and Science for SIS concurrence under Section 79B(3) of the EP&A Act. Concurrence was granted on 23 August 2024, with the following conditions attached:

1. The clause(s) in the Voluntary Planning Agreement that require the in-perpetuity management of conservation areas under a Vegetation Management Plan, cannot be revoked without the agreement of the DCCEEW.
2. Any temporary stormwater outlets constructed for each successive stage of the development are not to be directed towards the conservation areas.
3. Prior to commencement of any on-ground works, propagation material is to be collected from remnant Elderslie Banksia Scrub Forest to be cleared, and used for rehabilitation and regeneration purposes, on the advice of the Australian Botanic Gardens, Mt Annan.

These conditions form part of the recommended conditions of consent.

State Environmental Planning Policy (Resilience and Hazards) 2021

An assessment against the requirements of Section 4.6 of the Resilience and Hazards SEPP is included in attachment 2. In accordance with Section 4.6 of the Resilience and Hazards SEPP, the land is considered suitable for the proposed development.

State Environmental Planning Policy (Transport and Infrastructure) 2021

The proposal was referred to:

- Transport for NSW for general comments under Section 2.119
- The Australian Rail Track Corporation (ARTC) in accordance with Section 2.98
- Endeavour Energy in accordance with Section 2.48.
- The APA Group and Jemena in accordance with Section 2.77

Transport for NSW issued a response to Council's referral request on 27 September 2022, advising they have no objection to the proposal subject to conditions. These conditions form part of the recommended conditions of consent.

ARTC issued a response to Council's referral request on 9 August 2022 advising they have no objection to the proposal subject to conditions. These conditions form part of the recommended conditions of consent.

Endeavour Energy issued a response to Council's referral request on 29 March 2023, advising they do not object to the Development Application provided the proposal does not involve any works or activities within 4.5 m to both sides of the centreline of overhead power lines. Further, any works which may occur within the notional easement requires approval from Endeavour Energy's Easement Officers. Conditions pertaining to these matters are recommended.

The APA Group issued a response to Council's referral request on 15 June 2023, advising they do not object to the Development Application subject to conditions of consent. These conditions form part of the recommended conditions of consent.

Jemena advised Council via the NSW Planning Portal that they have no objection to the Development Application; they noted that whilst the secondary gas main is within the reportable area, the nature of the proposed works will not impact Jemena's asset.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 4 – Koala Habitat Protection 2021

Chapter 4 of the Biodiversity and Conservation SEPP aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas, to support permanent free-living populations over their present area and reverse the trend of koala population decline.

The SEPP applies to Local Government Areas identified in Schedule 2, including Campbelltown. Section 4.8(2) requires the determination of a development application to be consistent with Councils Comprehensive Koala Plan of Management (CKPoM).

Notwithstanding, Section 4.16 contains savings and transitional provisions for existing development applications:

A development application made in relation to land, but not finally determined before this Chapter applied to the land, must be determined as if this Chapter had not commenced in its application to the land.

The Koala Habitat Protection SEPP 2021 applied to the land prior to the commencement of the Biodiversity and Conservation SEPP. It too contained savings and transitional provisions for existing development applications (Part 4, Section 18).

The Koala Habitat Protection SEPP 2020 preceded the 2021 SEPP and contained no savings provisions for existing development applications. Therefore, whilst SEPP 44 was in force at the time the development application was lodged and eventually superseded by the Koala Habitat Protection SEPP 2019 (which contained savings provisions for DAs lodged but not determined prior to its commencement), Koala Habitat SEPP 2020 contained no savings provisions and therefore applies to the subject application.

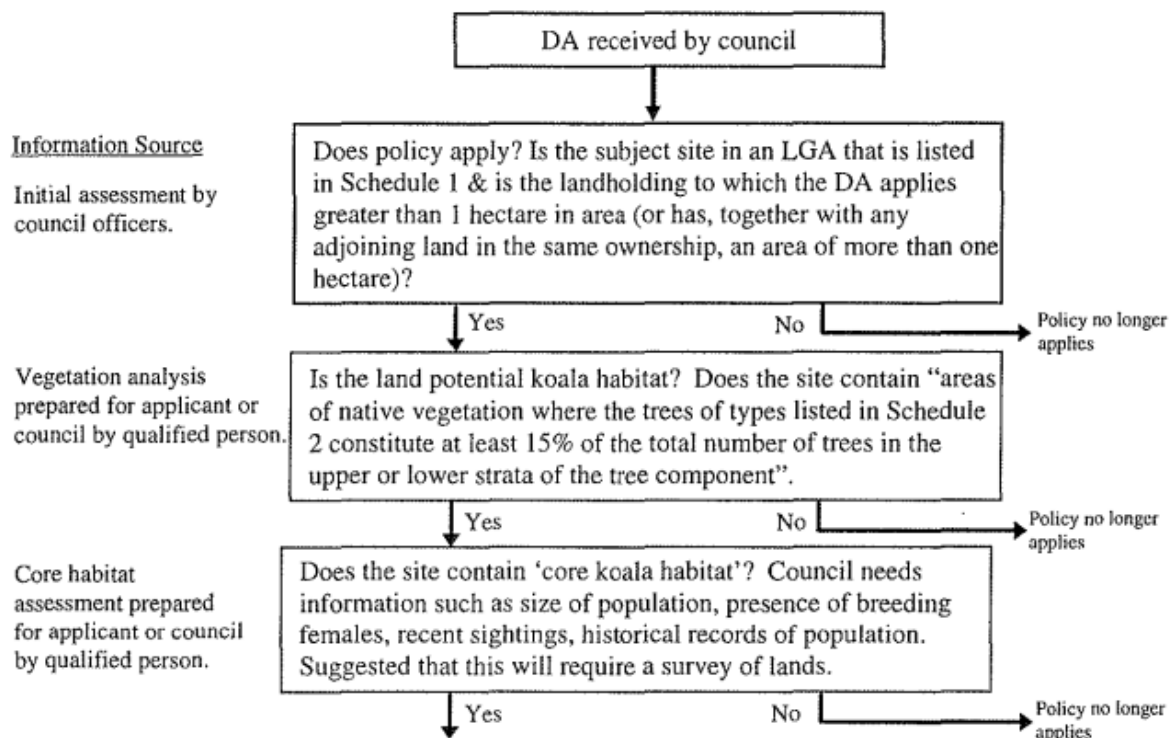
Section 10(2) of the Koala Habitat SEPP 2020 requires council’s determination of a development application to be consistent with an approved Koala Plan of Management, but only when it is satisfied the land to which Part 2 applies is core koala habitat.

Section 9(3) states:

(3) If the council is satisfied—

(a) that the land is not a core koala habitat, it is not prevented, because of this Policy, from granting consent to the development application

Section 11 requires Council to take into consideration the guidelines in determining an application. The guidelines (Department of Planning Circular No.B35, issued 22 March 1995) provides the following flow chart representing the steps Councils should follow in respect of this Policy:



In accordance with this flow chart, the Policy no longer applies when the site does not contain core koala habitat. Given the site subject to this proposal is not mapped as containing core koala habitat, the Campbelltown Koala Plan of Management is not applicable and, therefore, compensation for the removal of preferred koala feed trees (P)KFTs is not required.

Chapter 6 – Water Catchments

Chapter 6 applies to land in the Georges River and Hawkesbury-Nepean Catchments. 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.

Appropriate soil and water management protocols will be implemented to ensure the proposed works will not have an adverse impact to the Hawkesbury-Nepean Rivers, or their tributaries. It is, therefore considered that the proposed development meets the relevant provisions of Chapter 6 of the Biodiversity and Conservation SEPP.

State Environmental Planning Policy (Precincts – Western Parkland City) 2021

The site is located within the Greater Macarthur Growth Area, as shown on the Greater Macarthur Growth Area Precinct Boundary Map. In accordance with Section 3.11 (d), the provisions of Campbelltown Local Environmental Plan 2015 (CLEP 2015) are specified for land within the Menangle Park Precinct.

Campbelltown Local Environmental Plan 2015

The subject area is zoned R2 Low Density Residential, R3 Medium Density Residential, R5 Large Lot Residential, E1 Local Centre, RE1 Public Recreation, E4 General Industrial, RU2 Rural Landscape and SP2 Infrastructure under the provisions of CLEP 2015.

The proposed development will involve earthworks, vegetation removal and environmental protection works, all of which are permitted with consent under CLEP 2015.

Additional matters for consideration under CLEP 2015 are addressed in attachment 2.

Campbelltown (Sustainable City) Development Control Plan 2015

The purpose of Campbelltown (Sustainable City) Development Control Plan 2015 (SCDCP) is to provide more detailed provisions to supplement CLEP 2015.

Relevant matters to be considered under SCDCP are addressed in attachment 2.

Campbelltown (Sustainable City) Development Control Plan 2015, Volume 2 Part 8: Menangle Park

The purpose of MPDCP is to:

- Identify the planning, design and environmental objectives and controls against which Campbelltown City Council will assess future development applications in Menangle Park.
- Promote high quality urban design outcomes for the release area within the context of environmental, social and economic sustainability.

Relevant matters to be considered under MPDCP are addressed in attachment 2.

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

The developer, Dahua Group Australia (Dahua Group Sydney Project 2 Pty Ltd and Dahua Group Sydney Project 3 Pty Ltd), has offered to enter into a Planning Agreement with Council. The

terms of their offer are detailed in a letter dated 23 September 2024. The revised offer sets out the revised contributions on offer to Council, as reflected in the following table.

Works Contribution	Timing	Contribution Value/Security Bond Payable		
		Park and L	K Howes Creek	Stage 6B Conservation Area
<i>Phase 1 – Restoration</i> <ul style="list-style-type: none"> • Seed collection. • Site preparation (demarcation of boundaries, establish fixed monitoring sites). • Sediment fence. • Tree guards. • Feral pest monitoring baseline survey. 	Year 1	\$17,000	\$129,500	\$17,000
<i>Phase 2 – Protection</i> <ul style="list-style-type: none"> • Initial primary weeding. • Initial monthly weed Treatments(6 months). • Mulch. • Planting (ground cover). • Planting (shrubs/canopy). • Exclusion fencing. • Vegetation integrity monitoring. • Nest boxes. • Salvaged hollow/nest box installation. • Rubbish dumping fees. • Annual monitoring report. 	Year 1	\$78,200	\$1,544,000	\$18,500
<i>Phase 3 – Establishment</i> <ul style="list-style-type: none"> • Vegetation integrity monitoring. • Ongoing maintenance weeding. • Feral pest monitoring surveys. • Threatened species habitat monitoring (nest boxes). • Maintenance of plantings – additional plant purchases. • Rubbish dumping fees. • Permanent fencing. • Signage. • Annual monitoring report. 	Years 2-5	\$179,800	\$612,000	\$101,000
<i>Phase 4 – Long Term</i> <ul style="list-style-type: none"> • Vegetation integrity monitoring. • Ongoing maintenance 	Year 6-20	\$400,500	\$757,500	\$280,500

weeding.				
<ul style="list-style-type: none"> • Feral pest monitoring surveys. • Rubbish dumping fees. • Annual monitoring report. 				
Total value of Works Contribution (carried out in accordance with the VMPs for Howes Creek, Parks K and L and Stage 6B) (Total Contribution Value).		\$675,500	\$3,043,000	\$417,000
		\$4,135,500		

All security bonds payable by the developer (the amount of which will, in aggregate, be equivalent to 100 per cent of the total contribution value) are payable upon the execution by the parties of the proposed VPA and will be returned to the developer in the following stages:

- (1) Phases 1 & 2 - Following provision to Council of Phase 2 annual reporting by Dahua.
- (2) Phase 3 - Following provision to Council of Year 5 annual reporting by Dahua.
- (3) Phase 4 - Completion of Phase 3 and payment by Dahua to Council of Phase 4 Bond equivalent amount.

The developer's letter of offer was reviewed by Marsdens Law Group on behalf of Campbelltown City Council. It is satisfied the offer as set out in the letter provided to Council is an irrevocable and unconditional offer. On this basis, a condition is recommended requiring the applicant to enter into a Planning Agreement with Council generally in accordance with the letter of offer dated 23 September 2024.

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

Subject to compliance with the recommended conditions of consent, the development meets all the relevant requirements of the Environmental Planning and Assessment Regulation 2021.

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

Section 4.15 (1)(b) of the EP&A Act requires that the consent authority consider the development's potential impacts on the natural and built environment, as well as potential social and economic impacts of the development.

The key matters for consideration when considering the potential impacts on the natural and built environment are as follows:

Context and Setting

The proposal seeks approval for site preparation and conservation works to facilitate future development and conservation outcomes. To this effect, the proposal facilitates the ongoing development of the MPURA and is, therefore, appropriate for its context and setting.

Construction

The construction of the development will see construction vehicles accessing the Site via existing connections.

The proposal includes several erosion and sediment control measures that will seek to alleviate any nuisance to any residents as well as the surrounding road network.

Social and Economic Impacts

The site preparatory works proposed under this application aim to facilitate the future residential and commercial development of the land to provide for the housing and commercial needs of the community, thereby providing tangible social and economic benefits.

Socially, the proposal delivers land suitable for subdivision into residential allotments, thereby facilitating an increase in housing supply and improving housing choice and affordability.

Economically, the proposal is beneficial to the local economy with workers being employed during the site preparation and vegetation removal phases of the development.

Section 4.15 (1)(c) The suitability of the development

Section 4.15 (1)(c) of the EP&A Act requires the consent authority to consider the suitability of the site when determining a development application.

The land is mapped as an urban release area and has been zoned to provide for future residential and commercial development. In undertaking preparatory works, the proposal facilitates future development and is, therefore, suitable for the land on which it is proposed.

Section 4.15(1)(e) Public Interest

The proposal has addressed the requirements of the relevant planning instruments and development controls, including the objectives of the zones, and is considered suitable for the land given it is within an urban release area and facilitates the future development of that land.

In addressing the above, Council is satisfied the proposal is in the public interest.

3. Public Participation

Section 4.15 (1)(d) of the EP&A Act requires that the consent authority must consider any submissions made in relation to a development proposal.

Under the Campbelltown Community Participation Plan, the application was publicly exhibited for 31 days between 11 August and 31 September 2022. No submissions were received.

Refer to attachment 3 for details on internal and external referral responses.

Conclusion

After consideration of the development against Section 4.15 of the *Environmental Planning and Assessment Act 1979*, and the relevant statutory and policy provisions, the proposal is considered suitable for the site and is in the public interest. Therefore, it is recommended that it be approved subject to the attached conditions.

Attachments

- 4.1.1 Recommended Conditions of Consent (contained within this report)
- 4.1.2 Compliance Table (contained within this report)
- 4.1.3 Site Plans (contained within this report)
- 4.1.4 Letter of Offer from Dahua (contained within this report)

Reporting Officer

Manager Development Assessment

GENERAL CONDITIONS

The following conditions have been applied to ensure that the development is carried out in such a manner that is consistent with the aims and objectives of the planning instruments 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	Prepared by	Date
Locality Plan (ref: 300178115.31.DA001, rev. 08)	SMEC	--
Sheet Schedule & Notes (ref: 300178115.31.DA002, rev. 08)	SMEC	30/05/2024
Demolition & Tree Removal Plan Sheet 1 (ref: 300178115.31.DA011, rev. 08)	SMEC	30/05/2024
Demolition & Tree Removal Plan Sheet 3 (ref: 300178115.31.DA013, rev. 08)	SMEC	30/05/2024
Demolition & Tree Removal Plan Sheet 4 (ref: 300178115.31.DA014, rev. 08)	SMEC	30/05/2024
Demolition & Tree Removal Plan Sheet 5 (ref: 300178115.31.DA015, rev. 04)	SMEC	30/05/2024
General Arrangement Plan (ref: 300178115.31.DA031, rev. 08)	SMEC	30/05/2024
Site Works Plan Sheet 6 (ref: 300178115.31.DA106, rev. 08)	SMEC	30/05/2024
Site Works Plan Sheet 7 (ref: 300178115.31.DA107, rev. 08)	SMEC	30/05/2024
Site Works Plan Sheet 8 (ref: 300178115.31.DA108, rev. 08)	SMEC	30/05/2024
Site Works Plan Sheet 9 (ref: 300178115.31.DA109, rev. 08)	SMEC	30/05/2024
Site Works Plan Sheet 10 (ref: 300178115.31.DA110, rev. 08)	SMEC	30/05/2024
Site Works Plan Sheet 11 (ref: 300178115.31.DA111, rev. 08)	SMEC	30/05/2024
Site Works Plan Sheet 12 (ref: 300178115.31.DA112, rev. 08)	SMEC	30/05/2024
Site Works Plan Sheet 13 (ref: 300178115.31.DA113, rev. 08)	SMEC	30/05/2024
Site Works Plan Sheet 14 (ref: 300178115.31.DA114, rev. 08)	SMEC	30/05/2024
Site Works Plan Sheet 15 (ref: 300178115.31.DA115, rev. 08)	SMEC	30/05/2024
Section Plan (ref: 300178115.31.DA241, rev. 08)	SMEC	30/05/2024
Sections A, B, C & D (ref: 300178115.31.DA251, rev. 08)	SMEC	30/05/2024
Section E (ref: 300178115.31.DA.252, rev. 08)	SMEC	30/05/2024
Section F (ref: 300178115.31.DA253, rev. 08)	SMEC	30/05/2024

Section G Sheet 1 (ref: 300178115.31.DA254, rev. 08)	SMEC	30/05/2024
Section G Sheet 2 (ref: 300178115.31.DA255, rev. 08)	SMEC	30/05/2024
Section H Sheet 1 (ref: 300178115.31.DA256, rev. 08)	SMEC	30/05/2024
Section H Sheet 2 (ref: 300178115.31.DA257, rev. 08)	SMEC	30/05/2024
Section H Sheet 3 (ref: 300178115.31.DA258, rev. 08)	SMEC	30/05/2024
Section I (ref: 300178115.31.DA259, rev. 08)	SMEC	30/05/2024
Section J (ref: 300178115.31.DA260, rev. 08)	SMEC	30/05/2024
Soil & Water / Catchment Management Plan Sheet 1 (ref: 300178115.31.DA851, rev. 08)	SMEC	30/05/2024
Soil & Water / Catchment Management Plan Sheet 3 (ref: 300178115.31.DA853, rev. 08)	SMEC	30/05/2024
Soil & Water / Catchment Management Plan Sheet 4 (ref: 300178115.31.DA854, rev. 08)	SMEC	30/05/2024
Soil & Water / Catchment Management Calculation (ref: 300178115.31.DA855, rev. 08)	SMEC	30/05/2024
Soil & Water Management Details Sheet 1 (ref: 300178115.31.DA861, rev.08)	SMEC	30/05/2024
Soil & Water Management Details Sheet 2 (ref: 300178115.31.DA862, rev. 08)	SMEC	30/05/2024

Associated Documentation

Species Impact Statement	Cumberland Ecology	30/07/2024
Vegetation Management Plan 1	Cumberland Ecology	31/07/2024
Vegetation Management Plan 2	Cumberland Ecology	31/07/2024
General Terms of Approval (ref: IDAS-2022-10481)	Water NSW	09/12/2022
General Terms of Approval (ref: DOC22/562953-19)	Heritage NSW	02/09/2022
General Terms of Approval (ref: TSUB22-00239)	Subsidence Advisory NSW	27/07/2022
Unexpected Finds Protocol	JBS&G	24/06/2024
Engineering Design Report	SMEC	30/07/2024
Letter of Offer	Dahua	23/09/2024

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

2. Staging

The development may be undertaken on a standalone basis or such that the works are commensurate with future subdivision stages.

Condition reason: To allow flexibility in the delivery of the development.

3. Subdivision Works Certificate

Prior to any stage of the development involving works that require a subdivision works certificate:

- the applicant shall appoint a Principal Certifier;
- the applicant shall obtain a subdivision works certificate for the particular works; and

- when Council is not the Principal Certifier, the appointed Principal Certifier shall notify Council of their appointment no less than two days prior to the commencement of any works.

Condition reason: To comply with legislation.

4. Heritage NSW Conditions

The development shall be carried out in accordance with the General Terms of Approval (DOC22/562953-19) dated 2 September 2022.

Condition reason: To ensure compliance with the relevant General Terms of Approval.

5. Subsidence Advisory NSW Conditions

The development shall be carried out in accordance with the General Terms of Approval (TSUB22-00239) dated 27 July 2022.

Condition reason: To ensure compliance with the relevant General Terms of Approval.

6. Water NSW Conditions

The development shall be carried out in accordance with the General Terms of Approval (IDAS-2022-10481) dated 9 December 2022.

Condition reason: To ensure compliance with the relevant General Terms of Approval.

7. Department of Climate Change, Energy, the Environment and Water Conditions

The development shall be carried out in accordance with the concurrence conditions (DOC24/687576) issued by Biodiversity, Conservation & Science – Department of Climate Change, Energy, the Environment and Water (DCCEEW):

1. The clause(s) in the Voluntary Planning Agreement that require the in-perpetuity management of conservation areas under a Vegetation Management Plan, cannot be revoked without the agreement of the DCCEEW.
2. Any temporary stormwater outlets constructed for each successive stage of the development are not to be directed towards the conservation areas.
3. Prior to commencement of any on-ground works, propagation material is to be collected from remnant Elderslie Banksia Scrub Forest to be cleared, and used for rehabilitation and regeneration purposes, on the advice of the Australian Botanic Gardens, Mt Annan.

Condition reason: To ensure compliance with the relevant concurrence conditions.

8. Australian Rail Track Corporation (ARTC) Conditions

- a. A 1.8m palisade fence (or similar) is to be erected to prevent access along the rail corridor adjoining the development site(s). The construction of corridor fencing and/or noise walls along the rail corridor boundary is considered an activity within the rail corridor and the requirements of working within the rail corridor apply.
- b. The flow of stormwater toward the rail corridor must not be increased by the proposed development.

- c. Should excavation exceeding 2m be proposed within 25m of the track, the development will require additional review and further details provided to ARTC.
- d. Cut and fill activities adjacent to the rail corridor boundary will require a Third Party Works application to be made.
- e. The applicant is to consult with ARTC if works involve the use of cranes that have the potential to affect the rail corridor, or involve any access onto ARTC's land or air space. For these works, a Third Party Access application needs to be submitted to ARTC.

Condition reason: To minimise the impact of the development on the adjoining rail corridor.

9. Endeavour Energy Conditions

- a. Although not held under easement, overhead power lines are regarded as protected works under Section 53 'Protection of certain electricity works' of the *Electricity Supply Act 1995* (NSW) and may be managed as if an easement is in place.
- b. Any works within the notional easement (4.5m to both sides of the centreline of the overhead power lines) must be approved by Endeavour Energy's Easements Officers via Head Office enquiries on business days from 9am - 4:30pm on telephone: 133 718 or (02) 9853 6666 or alternatively contact can be made by email Easements@endeavourenergy.com.au.

Condition reason: To ensure the development does not have an adverse impact on electricity infrastructure.

10. Transport for NSW Conditions

- a. The developer is to submit design drawings and documents relating to the excavation of the site and support structures, to TfNSW for assessment, in accordance with Technical Direction GTD2012/001. All documentation to be submitted at least six (6) weeks prior to commencement of construction and the developer to incur full cost of the assessment by TfNSW. Documents to be submitted via development.sydney@transport.nsw.gov.au. Should excavation occur below the level of the base of adjoining roadway footings, the person acting on the consent should ensure at least seven (7) days' notice for the intention to excavate below the base of the footings be provided to roadway owner(s). Notice to include complete details of the work.
- b. The subject property abuts a Declared Freeway (Hume Highway) and access is denied across this boundary.
- c. Any new building or structures, together with any improvements integral to the future use of the site, are to be erected clear of the land required for road (unlimited in height or depth), and the Hume Motorway and Menangle Road boundaries.
- d. Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to TfNSW for approval, prior to commencement of any works. Details should be forwarded to development.sydney@rms.nsw.gov.au. A plan checking fee will be payable and a performance bond may be required before TfNSW approval is issued.
- e. All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on the Hume Highway or Menangle Road.
- f. A Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on traffic flows on Menangle Road during excavation/construction activities.

- g. All excavation/construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping.
- h. The swept path of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTRROADS.

Condition reason: To ensure the development does not have an adverse impact on State roads.

11. Engineering Design Works

The design of all engineering works shall be carried out in accordance 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 the applicable Development Control Plan.

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

12. Weed Management

Weed dispersion must be minimised and weed infestations must be managed at all stages of the development. Any priority or environmentally invasive weed infestations that occur during or after works must be fully suppressed and destroyed by appropriate means. New infestations of priority weeds listed for Greater Sydney must be reported to Council.

Pursuant to the Biosecurity Act 2015 and the Biosecurity Regulation 2017, the applicant must at all times ensure that machinery, vehicles and other equipment entering or leaving the site are clean and free of priority weed material to prevent the spread of weeds to and from the development site.

Weed control activities are to be undertaken in accordance with the Greater Sydney Regional Strategic Weed Management Plan 2023 – 2027; and as set out in section 7.2.1.1 (viii) of the Species Impact Statement (SIS) by Cumberland Ecology dated 30 July 2024 and Vegetation Management Plans 1 and 2 by Cumberland Ecology dated 31 July 2024.

Condition reason: To ensure weeds are controlled and managed appropriately.

13. Hydrology Management

Hydrology management of the site is required due to the groundwater dependent ecosystems being conserved on site; the monitoring of groundwater is to be ongoing as per section 7.2.1.1(v) of the Species Impact Statement (SIS) by Cumberland Ecology dated 30 July 2024.

An annual report on groundwater monitoring is to be provided to Council's Manager Development Assessment (or equivalent), with regards to groundwater monitoring (charge and discharge) and any effects on the groundwater dependent ecosystems conserved on site.

The report is to include an analysis of:

- pH, Total Nitrogen, Total Phosphate, Biological Oxygen Demand, EC, Calcium, Magnesium, Potassium, Sodium, Sulphate (as so₄), Hardness (as CaCO₃) and Chloride.
- The above analytes are to be set out in a table in the report as below, and the exceedance(s) is to be compared to the current ANZECC guidelines.

Groundwater borehole No.	Analyte												Exceedance	
	pH	Total N	Total P	BOD	EC	Ca	Mg	K	Na	SO ₄	CaCO ₃	Cl		

Condition reason: To ensure suitable groundwater monitoring is undertaken.

14. Existing Easements

Changes to existing easements and their physical infrastructure shall not occur without the written approval of the authority benefitting from such.

Condition reason: To ensure approval is obtained for any change to existing easements.

15. 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.

PRIOR TO THE ISSUE OF A SUBDIVISION WORKS CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a subdivision work certificate by either Campbelltown City Council or the Principal Certifier for any stage of the development that requires a subdivision works certificate. All necessary information to comply with the following conditions of consent must be submitted with the application for a subdivision works certificate.

16. Geotechnical Report

Prior to the issue of a subdivision works certificate, where proposed excavation and/or filling exceed 300mm in depth or where the subject site is identified as being filled land, a geotechnical report prepared by a NATA registered laboratory shall be prepared to the satisfaction of the Principal Certifier which indicates that the land will not be subject to subsidence, slip, slope failure or erosion.

17. Soil and Water Management Plan

Prior to the issue of a subdivision works certificate, a detailed soil and water management plan shall be prepared to the satisfaction of the Principal Certifier.

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

18. Construction Traffic Management Plans

Prior to the issue of a subdivision works certificate, a Construction Traffic Management Plan (CTMP) encompassing relevant stages of the development shall be prepared to the satisfaction of the Principal Certifier. Copies of the approved CTMP's shall be kept on site for the duration of the works in accordance with SafeWork NSW requirements and copies shall also be forwarded to Council for its records.

Condition reason: To ensure construction vehicles are managed appropriately.

19. Work on Public Land

Prior to the issue of a subdivision works 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 awarding practical completion.

Condition reason: To ensure the relevant approvals are obtained for works on public land.

20. Telecommunications Infrastructure

If the development is likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to the proposed works must be submitted to the Principal Certifier prior to the issue of a subdivision works certificate.

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.

21. Deposited Plan and 88B Instrument - Rights and Interests

Prior to the issue of a subdivision works certificate, the applicant must obtain written consent from the benefited lot(s), roads(s), bodies or Prescribed Authorities regarding any easements, profit à prendre, restriction or positive covenants registered on the land with respect to the approved development.

Condition reason: To ensure consent is obtained from all affected parties.

22. Sydney Water

If relevant, prior to the issue of a subdivision works 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.

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, where required.

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.

23. Voluntary Planning Agreement – Council

In accordance with the Letter of Offer dated 23 September 2024 made by the developer to prepare a Planning Agreement in connection with this development application, a Planning Agreement pursuant to Section 7.4 of the *Environmental Planning and Assessment Act 1979* shall be prepared by the applicant and submitted to Council for public exhibition prior to the commencement of any works.

The Planning Agreement shall articulate a commitment by the developer to complete all Development and Infrastructure Works, Dedications of Land and the provision of all necessary monetary contributions required in relation to development of the land.

Condition reason: To ensure a Planning Agreement is executed between Council and the Applicant.

24. Biodiversity Offsetting Requirement

Prior to the carrying out of any works that could directly or indirectly impact the biodiversity values requiring offset, the applicant must retire biodiversity credits as specified in Tables 1 and 2 below, relative to each development stage. The credit obligation for each stage must correlate with the biodiversity impact of each stage, to ensure the appropriate credits are retired prior to the impact occurring.

Table 1 - Ecosystem Credits

Plant Community	BBAM-Number (PCT BAM equivalent)	IBRA region	Credits Required
Shale Plains Woodland	HN528 (849, 3320)	Cumberland, Burragorang, Pittwater, Sydney Cataract, Wollemi and Yengo. or Any IBRA subregion that is within 100 kilometers of the outer edge of the impacted site.	152
Shale Hills Woodland	HN529 (850, 3319)	Cumberland, Burragorang, Pittwater, Sydney Cataract, Wollemi and Yengo. or Any IBRA subregion that is within 100 kilometers of the outer edge of the impacted site.	302
Elderslie Banksia Scrub Forest*	HN635* (774)	Cumberland, Burragorang, Pittwater, Sydney Cataract, Wollemi and Yengo. Or	15

		Any IBRA subregion that is within 100 kilometers of the outer edge of the impacted site.	
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* Note: A reasonable equivalence assessment for a credit obligation issued under the repealed Threatened Species Conservation Act 1995 (NSW), is required for BBAM vegetation communities and their PCT equivalents, including HN635 (PCT 774), as this PCT does not exist as an Ecosystem Credit.

Table 2 - Species Credits

Species	Offset Requirements (Like for Like) Spp	IBRA	Credits Required
Myotis macropus Southern Myotis	Myotis macropus Southern Myotis	Any in NSW	136

Evidence of ecosystem and species credit retirement (i.e., a credit retirement certificate or equivalent) from the Biodiversity Conservation Trust must be provided to Campbelltown City Council's Manager Development Assessment (or equivalent) prior to the carrying out of any development that could directly or indirectly impact the biodiversity values requiring offset.

Condition reason: To comply with legislation.

25. Vegetation Management Plans

- a. A Vegetation Management Plan for the Stage 6 Conservation area (VMP 3) is to be prepared and submitted to Council for written approval by Council's Manger Development Assessment (or equivalent) prior to the commencement of any on ground works.
- b. The VMP's numbered 1, 2 and 3 are to include the Nest Box Plan within the documents.
- c. VMP's 2 and 3 are to include the seed collection and propagation plan for the Elderslie Banksia Scrub Forest (EBSF) within the documents, and include species associated with EBSF, including *Duboisia myoripoides* - Corkwood, as a species within the revegetation zones for these VMP's.
- d. The BAM plots to be undertaken for the length of time that is stated within the VMP's are to be within the EBSF restoration and revegetation / rehabilitation areas. These BAM plots will designate if the Vegetation Integrity Score (VIS) is increasing over time with the VMP implementation and set up a baseline dataset for EBSF within the Campbelltown LGA.

Condition reason: To ensure the vegetation management plans associated with this development consent are suitably prepared.

26. Vehicular Access during Construction

Prior to the commencement of any stage of the development, suitable vehicle/plant access points shall be shown on a plan and approved in writing by the Principal Certifier. A sign is to be erected at the access point(s), such that workers may clearly identify the access point(s) for a particular stage of the development.

Condition reason: To ensure access points are provided and clearly identified.

27. Public Property

Prior to the commencement of any works, the applicant shall advise Council of any existing damage to property controlled by Council which adjoins the site including kerbs, gutters, footpaths, walkways, reserves 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.

28. Erection of Construction Sign

Prior to the commencement of any works, 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.
- b. Stating that unauthorised entry to the work site is prohibited.
- c. Pollution warning sign promoting the protection of waterways (issued by Council with the development consent).
- d. Stating the approved construction hours in which all works can occur.
- e. Showing the name, address and telephone number of the appointed Principal Certifier for the work.

Any such sign/s is to be maintained while the approved 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.

29. Toilet on Construction Site

Prior to the commencement of any works, toilet facilities are to be provided at or in the vicinity of the work site 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:

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

30. Trade Waste

Prior to the commencement of any works, 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.

31. Fence

Prior to the commencement of any works, a fence must be erected around the development site in accordance with Work Cover requirements.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

If required, a separate application under Section 68 of the Local Government Act 1993 shall be submitted to and approved by Council prior to the erection of any fence on public land.

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

32. Pre-clearance Surveys

- a. Prior to the commencement of any works, pre-clearance surveys are to be conducted in all areas of vegetation to be cleared and undertaken within two weeks of clearing of vegetation. Habitat features appropriate for relocation are to be marked during the pre-clearance survey.
- b. Fauna pre-clearance surveys are to be undertaken by a suitably qualified ecologist in accordance with Section 7.2.1.1 (iv) (a) of the Species Impact Statement (SIS) by Cumberland Ecology dated 30 July 2024.
- c. Upon completion of pre-clearance surveys, a report outlining the pre-clearance surveys carried out, including survey effort, results and outcomes will be completed and submitted to Council.
- d. If threatened species are roosting in any habitat to be removed, a detailed threatened species relocation plan is to be developed and submitted to Council's Manager Development Assessment (or equivalent) for approval prior to the commencement of any on ground works.
- e. If any habitat features (trees, logs or parts thereof) are identified to be appropriate for relocation to the proposed conservation areas in the Menangle Park Urban Release Area, the felling/removal procedures and storage is to be specified to personnel undertaking vegetation removal.
- f. If any breeding threatened species are detected during the pre-clearance surveys, then clearance will be postponed until breeding is complete and hollows are vacant.

Condition reason: To ensure pre-clearance surveys are undertaken in accordance with the approved Species Impact Statement.

33. Hollow Offset Replacement

Prior to the commencement of any works, a Hollow Offset Replacement Strategy and associated monitoring / maintenance program must be prepared and submitted to Council's Manager Development Assessment (or equivalent) for approval in accordance with Section 11.2.2 of the Campbelltown (Sustainable City) DCP 2015.

The nest box replacement ratio is to be 2:1. Should the applicant not be able to accommodate these within their own landholdings, they are to liaise with Council's Manager Development Assessment (or equivalent) about alternative locations.

Condition reason: To comply with Council's requirements and ensure works are undertaken in accordance with the approved Species Impact Statement.

34. Threatened Species Relocation Plan

A Threatened Species Relocation Plan is to be prepared that includes the methodology to be employed to capture and relocate threatened species recorded from the subject land during pre-clearance surveys and/or clearance supervision, as set out in section 7.2.1.1(iv)(a) of the Species Impact Statement (SIS) by Cumberland Ecology dated 30 July 2024.

Condition reason: To ensure works are undertaken in accordance with the approved Species Impact Statement.

35. Construction Environmental Management Plan

Prior to the commencement of any works a Construction Environmental Management Plan (CEMP) shall be prepared to the satisfaction of the Principal Certifier. The CEMP must detail the environment management and control measures which will be implemented in association with the proposed construction activities to ensure the works are managed in a manner to reduce adverse impacts on the environment. At a minimum the CEMP must address:

- Measures to delineate clearing areas and protect native vegetation that is to be retained, as set out in Section 7.2.1 of the Species Impact Statement (SIS) by Cumberland Ecology dated 30 July 2024.
- Preclearance survey requirements as outlined in Section 7.2.1.1 (iv) (a) of the Species Impact Statement (SIS) by Cumberland Ecology dated 30 July 2024.
- Measures to prevent the spread of priority and environmental weeds as set out in section 7.2.1.1 (viii) of the Species Impact Statement (SIS) by Cumberland Ecology dated 30 July 2024.
- Measures to prevent the transport and spread of *Phytophthora cinnamoni* and other plant pathogens (for example myrtle rust) into areas of conservation value within the Menangle Park Urban release Area.
- Required Sediment and Erosion Control Measures/stockpile management as per Managing Urban Stormwater: Soils and Construction (Landcom, 2004) – The Blue Book and as set out in Section 7.2.1.1 (ix) of the Species Impact Statement (SIS) by Cumberland Ecology dated 30 July 2024.
- Noise control measures.
- Air quality / dust control measures.
- Hazardous material management protocols (i.e., fuel etc.) addressing storage, use, refuelling etc.
- Incident and emergency response protocols.
- Competence, training and awareness procedures (i.e., environmental inductions, toolbox talks, training and awareness)
- Roles and responsibilities for implementing, monitoring and reviewing CEMP requirements.
- An overview of relevant environmental management documentation.
- Waste Management procedures as per the submitted Waste Management Plan.
- Inspection, monitoring and auditing requirements for all environmental controls and adaptive management to ensure environmental mitigation measures remain effective.

Condition reason: To reduce the impacts of the development on the natural environment.

36. Dam Dewatering Plan

A Dam Dewatering Plan is to be prepared that includes the methodology to be employed to dewater the dam, capture and relocate aquatic species, and relevant licences as set out in section 7.2.1.1(vi) of the Species Impact Statement (SIS) by Cumberland Ecology dated 30 July 2024.

This plan shall be prepared to the satisfaction of the Principal Certifier prior to the commencement of any on ground works.

Condition reason: To ensure works are undertaken in accordance with the approved Species Impact Statement.

37. Inductions/ Toolbox Talks

The civil contractor is to ensure that during the site induction process and site toolbox talks, all site workers and visitors are aware of the no-access areas within the site, as per section 7.2.1.1(i) of the Species Impact Statement (SIS) by Cumberland Ecology dated 30 July 2024.

Condition reason: To ensure the development is undertaken in accordance with the approved Species Impact Statement.

38. Tree Protection Measures

The Conservation Areas – Parks K and L, Howes Creek and Northern Conservation Area and the Stage 6B EBSF Conservation Area, are required to be protected by fencing prior to the commencement of any works, as set out in section 7.2.1.2 of the Species Impact Statement (SIS) by Cumberland Ecology dated 30 July 2024, including: -

- i) Sediment fencing
- ii) Protective fencing and signage
- iii) Monitoring of vegetation condition

Site Inductions are to include communication on tree protection measures, and a siting of where the delineation of conservation areas and associated fencing is located.

Fences are to be installed around specified tree protection zones and conservation areas prior to any works being undertaken.

All tree work is to be supervised by a suitably qualified and insured Arborist; as set out in sections 7.2.1(ii) and 7.2.1.2 of the Species Impact Statement by Cumberland Ecology dated 30 July 2024.

A Conservation Area Fencing Plan is to be prepared and approved in writing by Council's Manger Development Assessment (or equivalent) prior to the commencement of any on ground works.

Condition reason: To ensure the protection of retained vegetation.

39. Delineation of Clearing Limits

Clearing limits are to be marked either by high visibility tape on trees or metal/wooden pickets, fencing or an equivalent boundary marker. Disturbance, including stockpiling, is restricted to the

clearing limits; as set out in section 7.2.1.1(ii) of the Species Impact Statement by Cumberland Ecology dated 30 July 2024.

Condition reason: To ensure clearing limits are suitably delineated.

40. Native Seed Collection (Elderslie Banksia Scrub Forest)

A native plant seed collection and propagation plan is to be prepared; This plan must be approved in writing by Council's Manger Development Assessment (or equivalent) prior to the commencement of any on ground works.

The collection of native seed for the future rehabilitation/regeneration purposes within Parks K and L and the Stage 6B Conservation Area (and the associated Vegetation Management Plans) is to be undertaken with procedural advice from the Mount Annan Botanic Gardens plant bank personnel. The collection of seed is to be undertaken prior to the commencement of any on ground works.

The native plant seed collection and propagation plan is to include (but not limited to) the: -

- Methodology to be employed, for seed collection and propagation
- Seed storage
- Permits and licences required
- Propagation techniques
- Where the propagation area is sited
- Personnel involved

for the collection and propagation of native species collected from the Elderslie Banksia Scrub Forest areas to be removed.

Reference to the Vegetation Management Plans for the areas to be conserved (Parks K and L and Stage 6B Conservation Area) is to be made in the seed collection and propagation plan.

Condition reason: To assist in rehabilitation/regeneration of Elderslie Banksia Scrub Forest.

DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION

41. Construction Work Hours

Unless otherwise approved in writing by Council's Manager Development Assessment (or equivalent), all work on site shall only occur between the following hours:

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

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

42. Access Denied

No direct vehicular access to or from the Hume Motorway is permitted during construction works.

Condition reason: To prevent unauthorised access to and from the Hume Motorway.

43. Erosion and Sediment Control

Erosion and sediment control measures shall be provided and maintained throughout the construction period in accordance with the applicable requirements of Landcom's Managing Urban Stormwater: Soils and Construction, Volume 1(the Blue Book), the approved plans, Council specifications, Section 7.2.1.1(ix) of the Species Impact Statement (SIS) by Cumberland Ecology dated 30 July 2024, and to the satisfaction of the principal certifier. The erosion and sediment control devices shall remain in place until the site has been stabilised and fully revegetated.

Note: Council may impose significant financial penalties 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.

44. Dust Nuisance

Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the Landcom's Managing Urban Stormwater: Soils and Construction, Volume 1(the Blue Book). Construction areas shall be treated/regularly watered to the satisfaction of the principal certifier.

Note: Council may impose significant financial penalties for any non-compliance with this requirement without any further notification or warning.

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

45. Mud/Soil

Mud and soil from vehicular movements to and from the site must not be deposited on public roads.

Condition reason: To minimise the impacts of the development construction on public roads.

46. Excess Material

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

Condition reason: To ensure compliance with this development consent.

47. Earth Works / Filling Works

All earthworks, including stripping, filling, and compaction shall be:

- a. Undertaken in accordance with Council's Specification for Construction of Subdivisional Roads and Drainage Works (as amended), Engineering Design for Development (as amended) guide, Australian Standard AS 3798 Guidelines on Earthworks for Commercial and Residential Development (as amended) and the approved construction drawings;

- b. Supervised, monitored, inspected, tested and reported in accordance with Australian Standard AS 3798 Appendix B 2(a) Level 1 and Appendix C by a NATA registered laboratory appointed by the applicant. Two collated copies of the report and fill plan shall be forwarded to Council; and
- c. Certified by the laboratory upon completion as complying, so far as it has been able to determine, with Council's specification and Australian Standard AS 3798.

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

48. Clearing Supervision and Protocols

To minimise impacts to native fauna species, clearing is to be undertaken under the supervision of a suitably qualified ecologist, in a two staged process, as set out in section 7.2.1.1(iv)(b) of the Species Impact Statement by Cumberland Ecology dated 30 July 2024.

- a. All fallen trees to be inspected by the attending ecologist for hollows not detected previously.
- b. Any fauna residing in the felled hollows to be captured and housed safely, to be released in the conservation areas.
- c. All personnel involved in the clearing works to be inducted about the possibility of fauna being present.
- d. Any animals disturbed or dislodged during clearance but not injured should be assisted to move into the adjacent bushland or other specified locations; and
- e. If any animals are injured during vegetation clearance, appropriate steps must be taken to humanely treat the animal under the advice of the attending ecologist, and WIRES or local VET to be contacted at the discretion of attending ecologist.
- f. Salvaged material suitable for use in proposed conservation areas, must be stockpiled in an appropriate place with appropriate signage, to ensure it can be reused at a later date.
- g. A report outlining how salvaged material has been/will be reused must be prepared and submitted to Council's Manager Development Assessment (or equivalent) prior to the principal certifying authority issuing a Final Compliance Certificate.
- h. The removal of hollow-bearing trees is not to be undertaken during the months of June, July and August.

Condition reason: To minimise impacts to native fauna species.

49. Remediation

Following the removal of vegetation in Lot 59 in Deposited Plan 10718, remediation works are to be undertaken in accordance with a relevant development consent issued by Campbelltown City Council. No earthworks are to be undertaken at this site until after remediation works have been completed.

Condition reason: To ensure contaminated land is remediated in accordance with a development consent prior to the undertaking of approved earthworks.

50. Revegetation

Revegetation in accordance with the requirements of Landcom's Managing Urban Stormwater: Soils and Construction, Volume 1 (the Blue Book) shall be applied to all disturbed areas within seven days after the completion of earthworks unless further works are occurring

simultaneously as part of a separate development consent. If further site works are not being undertaken in accordance with a relevant development consent, and revegetation is to be applied in accordance with the Blue Book, it shall be fully established prior to the Principal Certifier awarding the relevant practical completion certificate.

Condition reason: To ensure disturbed areas are appropriately revegetated.

51. Public Safety

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

Condition reason: To ensure compliance with the Australian Standard.

52. Compliance with Relevant Authority's Specifications

All design and construction work shall be in accordance with:

- a. Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended);
- b. Council's Engineering Design for Development (as amended) guide;
- c. Council's applicable Development Control Plan;
- d. Landcom's Managing Urban Stormwater: Soils and Construction, Volume 1 (the Blue Book);
- e. TfNSW Traffic Control at Work Sites Technical Manual;
- f. Australian Standard AS 2890 various (Parking Facilities);
- g. Australian Standard AS 1742 various (Manual of uniform traffic control devices); and
- h. Other relevant Australian Standards, Austroads and/or State Government publications.

Condition reason: To ensure compliance with the relevant specifications and Australian Standards.

53. Associated works

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

Condition reason: To ensure there is a smooth junction with existing development.

PRIOR TO AWARDING PRACTICAL COMPLETION OF WORKS / ISSUE OF A PRACTICAL COMPLETION CERTIFICATE

The following conditions of consent must be complied with prior to awarding practical completion by either Campbelltown City Council or the Principal Certifier.

54. Works as Executed Plans

Prior to Council or the Principal Certifier awarding the relevant practical completion certificate, the applicant shall submit to Council an electronic copy of fully marked up and certified work as

executed plans in accordance with the requirements detailed in Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and Engineering Design for Development (as amended) guide. 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 five (5) metres within the site area.
- Where there is a change in finished ground levels that are greater than 0.3.m between adjacent points within the above mentioned 5m grid, intermediate levels will be required.
- A minimum of fifteen (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.

55. Restoration of Public Roads

Prior to Council or the Principal Certifier awarding the relevant practical completion certificate, any restoration of the public road pavement 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.

56. Public Utilities

Prior to Council or the Principal Certifier awarding the relevant practical completion certificate, any adjustment 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 changes to public utilities are completed.

57. Voluntary Planning Agreement – Council

Prior to the Council or the Principal Certifier awarding the relevant practical completion certificate (applying to the relevant conservation zone), the Planning Agreement referred to in Condition No.22 of this development consent shall be executed to the satisfaction of the consent authority (Council) and all Development and Infrastructure Works, Dedications of Land and Monetary Contributions listed within the executed agreement are to be finalised, or otherwise guaranteed, to the satisfaction of the consent authority (Council).

Condition reason: To ensure a Planning Agreement is in place for the conservation outcomes of this development.

58. Council Fees and Charges

Prior to the Council or the Principal Certifier awarding the relevant practical completion 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. Commonwealth Government Approval

Elderslie Banksia Scrub Forest is a critically endangered ecological community protected under the *Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth). This development may be considered a controlled action under the Act. It is recommended to refer the project to the Department of Climate Change, Energy, the Environment and Water, to obtain the relevant approvals.

Advice 3. 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 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 4. 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.

Advice 5. Inspections - Civil Works (Generally for Developments)

Where Council is nominated as the principal certifying authority for civil works, the following stages of construction shall be inspected by Council.

- a. EROSION AND SEDIMENT CONTROL
 - i. Direction/confirmation of required measures.
 - ii. After installation and prior to commencement of earthworks.
 - iii. As necessary until completion of work.
- b. STORMWATER PIPES - Laid, jointed and prior to backfill.
- c. VEHICLE CROSSINGS AND LAYBACKS - Prior to pouring concrete.
- d. FINAL INSPECTION - All outstanding work.

ATTACHMENT – COMPLIANCE TABLES**State Environmental Planning Policy (Resilience and Hazards) 2021**

REQUIREMENT	RESPONSE
<p>Clause 4.6(1) 1. Is the development for a change of use to a sensitive land use or for residential subdivision?</p>	<p>The proposal seeks consent for earthworks, vegetation removal, and subdivision.</p>
<p>Clause 4.6(1) 2. Is Council aware of any previous investigation or orders about contamination on the land?</p>	<p>The site is located within an area that has been the subject of former investigations into ground contamination:</p> <ul style="list-style-type: none"> • Douglas Partners (2004) Report on Land Capability Study, The Menangle Park Urban Release Area, Project 3650, August 2004 • Douglas Partners(2011) Review of Land Capability Study, Menangle Park Urban Release Area, Menangle Park, Project 36500.02 Rev 1, 10 August 2011 • Landcom(2012)Menangle Park Release Area - Precinct 200, Stage 1 Preliminary Environmental Site Assessment, R01 – June 2012 • Landcom(2012)Menangle Park Release Area - Howes Creek, Stage 2 - Detailed Environmental Site Assessment, Soil Salinity and Aggressivity Report, R01 – June 2012 • Landcom (2012) Menangle Park Release Area – Howes Creek, Remediation Action Plan, R00 – June 2012 • Landcom (2013) Menangle Park Release Area – Precinct 200 and Precinct 300, Stage 2 – Detailed Environmental Site Assessment, Soil Salinity and Aggressivity Report, R02 – October 2013 • Douglas Partners (2017a) Report on Preliminary Site Investigation with Limited Intrusive Sampling, Proposed Residential Subdivision, Menangle Park North, Menangle Park, Project 76744.01, April 2017 • Douglas Partners (2017b) Report on Detailed Site Investigation for Contamination with Limited Sampling, Proposed Menangle Park Subdivision, Menangle Park South, NSW, Project 76744.04, April 2017 • Douglas Partners (2017c) Report on Detailed Site Investigation for Contamination with Limited Sampling, Proposed Residential Subdivision, Menangle Park South, NSW, Project 76744.04, April 2017 • Douglas Partners (2017d) Report on Geotechnical Investigation, Proposed Residential Development, Menangle Park South Urban Development Area, Project 76744.05, April 2017 • SMEC (2018) Silo Condition Assessment, Menangle Park, Prepared for: Dahua Group Sydney Project 3 Pty Ltd, Reference No. 00178115.00 5 March 2018 • JBS&G (2019) Southern Precinct - Silo Area Contamination Investigation, Menangle Park, Prepared for Dahua, Reference 55079 - 120245, 21 January 2019 (JBS&G 2019)

REQUIREMENT	RESPONSE
	<p>The above reports identified the following items that require management prior or during the commencement of works:</p> <ul style="list-style-type: none"> • Presence of ACM pipe on the ground surface at two locations (south east portion of Lot 2007 DP1234643 and south east portion of Lot 1 DP249393); • Potential for coal wash in eastern portion of Lot 2009 DP1234643; and • Two small burial pits (buried waste including potential ACM) in northern portion of Lot 1001 DP1219028. <p>The former fireworks factory site (Lot 59 DP10718) is contaminated with heavy metals, polycyclic aromatic hydrocarbons (PAHs), total petroleum hydrocarbons (TPH/TRH) and asbestos impacts (friable and non-friable). In addition, asbestos containing material (ACM) fragments have been identified on the ground surface inferred to be present as a result of incomplete/poor demolition of previous site structures.</p> <p>During previous site investigations, portions of the site were unable to be accessed for detailed intrusive ground contamination investigations due to the presence of Elderslie Banksia Scrub Forest (EBSF). The presence of the vegetation prevented access for equipment required to complete the geophysical site survey and soil sampling without damaging or removing the vegetation.</p> <p>In September 2023, JBS&G conducted a contamination assessment in three areas of EBSF under the supervision of an ecological consultant. Based on the site inspection and collection of shallow soil samples, obtained using hand tools, all three EBSF areas indicated the presence of fill material or buried waste (containing fragments of concrete, iron, steel, wire, sheet metal, plastics and/or glass) as well as presence of bonded ACM fragments and weathered fragments (deemed as friable).</p> <p>Based on the findings of the investigation, JBS&G concluded that the EBSF land is contaminated with both ACM and aesthetic impacts and will require remediation such that the whole site can be considered suitable for the proposed land use.</p> <p>The Site Auditor concludes that the fill profile and contamination identified within the three portions of the site occupied by EBSF communities is consistent with the contamination identified across the greater site. As both bonded and friable asbestos were identified in the shallow fill profile, if EBSF is not remediated or managed, it will continue to be a source of contamination that may pose an unacceptable human health risk to users of EBSF land and any neighbouring, sensitive land uses such as residential properties.</p> <p>Complete removal of impacted fill material (which will result in the removal of EBSF) followed by the validation sampling strategy as</p>

REQUIREMENT	RESPONSE
	<p>proposed in the JBS&G remedial action plan (RAP)(3 February 2020, or as amended) is capable of rendering the site suitable for the proposed 'town centre' mixed uses.</p> <p>Following successful remediation and validation (without onsite containment of impacted material) the Auditor can issue a Section A1 SAS to confirm site suitability for the proposed 'town centre' mixed use development without any ongoing management requirements.</p> <p>If however, residual contamination is contained within the development (not on land earmarked for residential uses) a Section A2 SAS can be issued confirming the site is suitable for the proposed 'town centre' development with an ongoing EMP to manage residual capped material.</p> <p>A separate development application (Council reference: 3573/2019/DA-CW) has been lodged for remediation works.</p>
<p>Clause 4.6(1) 3. Do existing records held by Council show that a contaminating land activity has occurred on the land?</p>	<p>As above.</p>
<p>Clause 4.6(1) 4. Has the land previously been zoned for potentially contaminating uses?</p>	<p>With the exception of the former fireworks factory lot, the site has historically been zoned for rural residential purposes.</p>
<p>Clause 4.6(1) 5. Is the land currently being used for a potentially contaminating use or is there any evidence of a potentially contaminating use on site?</p>	<p>The land is not currently being used for a potentially contaminating land use.</p>

Campbelltown Local Environmental Plan 2015

<p>Clause 5.10 Heritage Conservation</p>	<p>The proposed development is adjacent to State Heritage Item I00009 - Glenlee House and outbuildings, garden and gate lodge. The proposed works will have no physical impact on the heritage item. The proposed earthworks are to facilitate the future development of the site and the interface with the heritage item has been considered during the master planning and rezoning of the site. Therefore, the proposed development is considered to have reasonable and mitigated impacts on the heritage significance of the State Heritage item.</p>
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	<p>An Aboriginal Cultural Heritage Assessment has been undertaken, concluding that the site has historically been subject to a range of land uses which have caused variable levels of subsurface disturbance, ranging from moderate, to high, to intensive disturbance. 13 Aboriginal archaeological sites comprising Aboriginal objects are situated at least partially within the boundary of the site-wide earthworks and clearing area.</p> <p>The application was referred to Heritage NSW in accordance with Section 4.8 of the <i>EP&A Act 1979</i>; general terms of approval were issued on 02 September 2022 (ref: DOC22/562953-19) and have been included in the recommended conditions of consent.</p>
Clause 6.2 Public Utility Infrastructure	<p>The proposed development is for site preparation works only; essential services are not required for this development. However, it is noted the Site is capable of being appropriately serviced by reticulated sewer, potable mains water, electricity and telecommunications, as part of future applications for the subdivision of land.</p>
Clause 6.3 Development Control Plan	<p>The site specific <i>Menangle Park Development Control Plan (MPDCP)</i> and the <i>Campbelltown (Sustainable City) Development Control Plan 2015 (CSCDCP 2015)</i> apply to the subject land. The <i>MPDCP</i> commenced at the same time the land was rezoned for urban development. An amendment to the <i>MPDCP</i> was adopted by Council at the Ordinary Council meeting of 14 April 2020, and included a table addressing the provisions of Clause 6.3. A further amendment was made to the <i>MPDCP</i> in September 2024.</p>
Clause 7.1 Earthworks	<p>Pursuant to Clause 7.1 of the <i>CLEP 2015</i>, in deciding whether to grant development consent, the consent authority must consider:</p> <p>(a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,</p> <p>Comment: The proposed works would involve the re-contouring of the site to facilitate appropriate gradients for future subdivision, infrastructure delivery and residential development. The proposed development includes mitigation measures to prevent detrimental impacts on drainage patterns and soil stability, including erosion and sediment control.</p> <p>(b) the effect of the development on the likely future use or redevelopment of the land,</p> <p>Comment: The proposal would facilitate the future development of land within the Menangle Park URA.</p> <p>(c) the quality of the fill or the soil to be excavated, or both,</p> <p>Comment: A condition is recommended that ensures the quality of all soils is of a residential standard. It is noted that a separate development application has been submitted to remediate the site of the future town centre (Council reference: 3573/2019/DA-CW).</p>

	<p>(d) the effect of the development on the existing and likely amenity of adjoining properties,</p> <p>Comment: The proposal would likely impact on the amenity of adjoining properties. Such impacts are not unreasonable and conditions are recommended to ensure the amenity of adjoining properties is maintained.</p> <p>(e) the source of any fill material and the destination of any excavated material,</p> <p>Comment: The works result in an excess of 470,000m³ of cut. A condition is recommended to ensure that appropriate erosion and sediment control is provided around any disturbed areas, and that excess material is disposed of appropriately.</p> <p>(f) the likelihood of disturbing relics,</p> <p>Comment: The development is unlikely to disturb relics.</p> <p>(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,</p> <p>Comment: The proposal includes provisions for erosion and sediment control measures to mitigate any adverse impacts. Additionally, conditions have been recommended to ensure appropriate erosion and sediment controls measures are maintained for the life of the development.</p> <p>(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p> <p>Comment: A condition is recommended that ensures appropriate erosion and sediment control measures are in place for the life of the development.</p>
<p>Clause 7.2 Flood Planning</p>	<p>Pursuant to Clause 7.2 of <i>CLEP 2015</i>, development consent must not be granted unless the consent authority is satisfied that the development:</p> <p>(a) is compatible with the flood hazard of the land, and</p> <p>Comment: The proposal is compatible with the flood hazard associated with the land.</p> <p>(b) will not significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and</p> <p>Comment: Modelling provided as part of the rezoning process indicates allotments and surrounding properties will not be impacted by flooding as a result of the proposed development.</p>

	<p>(c) incorporates appropriate measures to manage risk to life from flood, and</p> <p>Comment: The Menangle Park URA has been designed so that no residential allotments are impacted by the 100 year ARI flood level.</p> <p>(d) will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and</p> <p>Comment: The proposal includes appropriate mitigation measures to ensure the existing natural environment is not adversely affected. The use of erosion and sediment control measures will assist in significantly reducing the environmental implications of the development.</p> <p>(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding</p> <p>Comment: The proposal is unlikely to result in unsuitable costs to the community as a consequence of flooding, particularly given the modelling provided with earlier development applications and CLEP Amendment No.26.</p>
<p>Clause 7.4 Salinity</p>	<p>Pursuant to Clause 7.4 of <i>CLEP 2015</i>, in deciding whether to grant development consent, the consent authority must consider:</p> <p>(a) whether the development is likely to have any adverse impact on salinity processes on the land,</p> <p>(b) whether salinity is likely to have an impact on the development,</p> <p>(c) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p> <p>Comment: The proposal is accompanied by a Geotechnical Report which recommends procedures to minimise erosion and sediment loss, and manage salinity within the site so that impacts on future structures (roads etc.) and planting are minimised and acceptable. Conditions pertaining to these matters are recommended</p> <p>Pursuant to Clause 7.4(4) of <i>CLEP 2015</i>, development consent must not be granted unless the consent authority is satisfied that:</p> <p>(a) The development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</p> <p>(b) If that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</p> <p>(c) If that impact cannot be minimised—the development will be managed to mitigate that impact</p>

	<p>Comment: The measures contained within the Geotechnical Report ensure the proposed development will be designed and managed to minimise any significant adverse environmental impact.</p>
Clause 7.10 Essential services	The proposal includes provisions for future connections to all essential services. It is recommended that conditions form part of the determination that ensures adequate arrangements for essential services are made before the release of a subdivision certificate.
Clause 7.20 Terrestrial Biodiversity	<p>Pursuant to Clause 7.20(4) of <i>CLEP 2015</i>, 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 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> <ul style="list-style-type: none"> (i) the development minimises disturbance and adverse impacts to remnant vegetation communities, threatened species populations and their habitats, and (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 (iii) the development includes measures to offset the loss of biodiversity values. <p>Comment: The proposed development will impact a number of threatened species, ecological communities and their habitats listed under the now repealed <i>Threatened Species Conservation Act 1995</i> and the <i>BC Act</i>. The proposal seeks the removal of 124ha of exotic vegetation and 29 ha of native threatened ecological community vegetation.</p> <p>An SIS has been prepared which details the developer's obligation to offset the removal of vegetation. Credit Obligations were determined using the Biobanking Banking Assessment Methodology noting the development application was assessed under the now repealed <i>Threatened Species Conservation Act 1995</i>. A suitable condition to this effect is recommended.</p>

Campbelltown (Sustainable City) Development Control Plan 2015

Part 2.6 - Weed Management	A weed control condition shall be imposed on the consent.
Part 2.7 Erosion and Sediment Control	The proposal involves earthworks and is supported by appropriate erosion and sediment control measures. A condition is recommended that ensures appropriate erosion and sediment control measures are in place throughout the lifecycle of the development.
Part 2.10 Water Cycle Management	The proposal's stormwater quality and quantity are feasible and achieve compliance with regulatory requirements. The civil works

	result in a design that collects and discharges stormwater in a controlled manner. Council staff have reviewed the design and believe it is capable of containing the stormwater and disposing of it appropriately.
Part 2.11 Heritage	The proposal would have no impact on any known European or Aboriginal heritage items.
Part 2.14 Risk Management	<p>The site is identified as being affected by mines subsidence. The Subsidence Advisory Board provided general terms of approval, as previously discussed within this report.</p> <p>The site is mapped as bushfire prone land. The NSW Rural Fire Service provided general terms of approval, as previously discussed within this report.</p> <p>The site has a low likelihood of contamination, as detailed in the contamination assessment prepared by JBS&G. The recommendations indicate the site is capable of being used for residential purposes through the inclusion of appropriate conditions.</p>
Part 2.15 Waste Management	A condition is recommended to ensure appropriate waste provisions are provided throughout the lifecycle of the development.
Part 2.16 Provision of Services	The proposal would facilitate provisions to extend services so that works integrate seamlessly into the existing service network. It is recommended that a condition be included in the determination requiring appropriate service authorities be involved throughout the development to ensure services are not disrupted.
Part 2.19 Development Near or on Electricity Easements	Overhead electrical easements are located within the Menangle Park area, however none of the easements are located within the area of the development.
Part 2.20 Development on Land Adjacent to, or Affected by a Gas Easement	Gas easements associated with coal seam gas wells are located within the Menangle Park area, however none of the easements are located within the area of the development.

Campbelltown (Sustainable City) Development Control Plan 2015, Volume 2 Part 8: Menangle Park

PART 3 – ENVIRONMENTAL MANAGEMENT		
Control	Requirement	Proposed
3.1 Riparian Corridors	1. The impact of salinity on the landscape and watercourses shall be managed in accordance with the Local Government Salinity Initiative series of booklets provided by the NSW Office of Environment and Heritage.	The proposal is accompanied by a Geotechnical Report which recommends procedures to minimise erosion and sediment loss, and manage salinity within the site so that impacts on future structures (roads etc.) and planting are minimised and acceptable. Conditions

	<p>2. All core riparian zones are to be rehabilitated and revegetated with appropriate native vegetation having regard to their drainage function and vegetation management for bushfire protection.</p> <p>3. A works plan is to be submitted to Council for development applications on land containing a riparian corridor or for subdivision of land adjacent to a riparian corridor. The works plan is to:</p> <ul style="list-style-type: none"> a. Identify existing trees to be retained and existing trees to be removed; b. be consistent with NSW Department of Primary Industries Office of Water guidelines; and c. indicate the location, type and size of all new plant species. <p>4. Where wetlands are proposed, a vegetation management plan outlining ownership, ongoing management, annual maintenance costs and initial development costs shall be submitted with any development application.</p>	<p>pertaining to these matters are recommended.</p> <p>The DA is accompanied by a Vegetation Management Plan (VMP) for the Howes Creek Riparian Corridor; the implementation of this VMP will see the Corridor revegetated with native species representative of the community that previously occurred. Canopy species include Eucalyptus teriticornis, Eucalyptus molucana, Eucalyptus amplifolia, Eucalyptus baueriana, Angophora floribunda, and Casuarina glauca, which will be accompanied by native shrub species and groundcovers.</p> <p>The VMP submitted with the DA details the extent of vegetation removal across different vegetation communities, identifies areas of vegetation removal and retention, and specifies revegetation species and their planting densities. The estimated costs associated with the VMP is approximately \$3 million. The developer has offered to enter into a Planning Agreement with Council to secure the costs associated with the VMP works and ensure Council has adequate finances for ongoing maintenance following handover.</p>
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<p>3.2 Flora and Fauna Conservation</p>	<p>2. For sites containing native vegetation and fauna habitat:</p> <p>a. The development shall be sited, designed and managed to avoid and minimise any negative impact on biodiversity, where possible.</p> <p>b. Where an impact on biodiversity cannot be avoided and no reasonable alternative is available proposed development shall be sited, designed, constructed and managed in a manner that minimises the impact on biodiversity and maintains habitat connectivity as much as practicable.</p> <p>3. Removal, rehabilitation and regeneration of native vegetation and trees should be undertaken in accordance with an offsetting strategy that has been prepared to the satisfaction of Council.</p>	<p>The impact on biodiversity as a result of the works associated with this DA directly correlates with the masterplan endorsed via the April 2022 Planning Proposal. The masterplan was formed to avoid complete removal of Elderslie Banksia Scrub Forest in what is now referred to as Parks K & L. This DA has secured further EBSF retention in what is referred to as the Stage 6B site, north of Fitzpatrick St. On this basis, it is satisfied the development has suitably avoided and minimised its impact on biodiversity.</p> <p>EBSF in the future Town Centre site is to be removed to allow for remediation works to be undertaken; the site is contaminated with chemicals, asbestos and other contaminants, and requires a scrape to make the site suitable for future development. On this basis, avoidance of EBSF areas in the Town Centre site is unavoidable.</p> <p>Removal, rehabilitation and regeneration of native vegetation is to be in accordance with three VMPs; one for Parks K & L, one for the Howes Creek</p>
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	<p>4. Any approved tree clearing must be replaced at a ratio of at least 2:1 (new to existing) with appropriate pot sizes at the time of planting.</p> <p>5. For development applications, the Applicant is to demonstrate:</p> <p>a. the approach to incorporating and protecting existing trees as part of the development design to enhance urban amenity and provide established urban canopy across the development.</p> <p>6. Native trees and other vegetation are to be retained where possible by careful subdivision planning to incorporate trees into areas such as private allotments, the public domain or within road reserves.</p> <p>7. Native vegetation is to be conserved and managed in accordance with the Guidelines for Corridors prepared by the NSW Office of Water.</p>	<p>Riparian Corridor, and one for the EBSF are in the Stage 6B development site. Suitable conditions to this effect are recommended.</p> <p>The VMPs submitted with the DA recommend the following reconstruction planting specifications:</p> <ul style="list-style-type: none"> • Small trees/shrubs @ 4/10sqm • Groundcovers @ 4/1sqm <p>The Development Application retains the vegetation that forms part of what is referred to as Parks K & L, which is consistent with the land use zoning of these sites being C2 Environmental Conservation. The majority of the Howes Creek Riparian Corridor is also retained.</p> <p>Tree retention is informed by the overarching masterplan that applies to the Site. The majority of retained vegetation is within C2 and RE1 zoned land.</p> <p>Water NSW have issued general terms of approval for this development; one of the conditions requires a controlled activity approval to be obtained prior to the commencement of a</p>
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	<p>8. All subdivision design and bulk earthworks are to consider the need to minimise weed dispersion and to eradicate weeds on site. If Council believes that a significant weed risk exists, a Weed Eradication and Management Plan outlining weed control measures during and after construction is to be submitted with the subdivision development application.</p>	<p>controlled activity on waterfront land.</p> <p>Conditions regarding weed management are recommended.</p>
3.5 Stormwater, Watercycle Management and Flooding	<p>1. All future development must comply with Council's Engineering Design for Development (as amended), Volume 1, Part 2, 2.10 of the Campbelltown (Sustainable City) DCP 2015 and the Menangle Park Water Cycle Management Report prepared by SMEC, dated 14 November 2018.</p>	<p>Conditions to this effect are included on the development consent. Subject to compliance with these conditions, the development will comply with Council's Engineering Design for Development and the Menangle Park DCP.</p>
3.7 Salinity and Soil Management	<p>1. Subdivision Development Applications, that include earthworks on land with a moderate to high risk of salinity are to be accompanied by information detailing how the design and construction of the proposed subdivision intends to address salinity issues.</p>	<p>A report on the salinity characteristics of the site was carried out by Geotechnique, who concluded the soils within the site are generally non-saline to moderately saline. The site will be suitable for construction of residential buildings after completion of site preparation works.</p>
3.9 Site Contamination	<p>1. All subdivision Development Applications (or for applications proposing a change of use to a more sensitive land use (e.g. residential, education, public recreation facility etc.), shall be accompanied by a Stage 1 Preliminary Site Investigation prepared in accordance with the NSW Environmental Protection Authority Contaminated Sites Guidelines, State Environmental Planning Policy 55 - Remediation of Land and the Contaminated Land Management Act 1995 and relevant Council Policies.</p>	<p>Refer to comments in SEPP (Resilience and Hazards) assessment table.</p>

	<ol style="list-style-type: none"> 2. Where the Stage 1 Investigation identifies potential or actual site contamination, a Stage 2 Detailed Site Investigation must be prepared in accordance with the NSW EPA Contaminated Sites Guidelines, State Environmental Planning Policy (Resilience and Hazards) 2021 and the Contaminated Land Management Act, 1995 and relevant Council Policies. A Remediation Action Plan (RAP) will be required for areas identified as contaminated land in the Stage 2 Site Investigation. 3. Any remediated areas that are to come into Council ownership shall be remediated to standards appropriate for the end land use. 	<p>A separate development application (Council reference: 3573/2019/DA-CW) is currently under assessment for the remediation of the future Town Centre site.</p>
<p>3.10. Development on and Adjacent to Electricity and Gas Easements</p>	<ol style="list-style-type: none"> 1. Where development is proposed on land containing or adjacent to easements, Applicants are to consult with the authority or provider responsible for management of the easement as part of the process of preparing subdivision or other development plans. Any written requirements and conditions of the infrastructure organisation are to be submitted with the DA, and supporting documentation is to demonstrate how the requirements have been addressed in the design. 2. Requirements of the infrastructure organisation in relation to access to easements for inspections and maintenance are to be addressed in the design of the development. Access to the easement from public land (e.g. roads, open space or drainage land) is preferable, subject to acceptable impacts. 	<p>The DA was referred to both the APA Group and Jemena Group. Neither APA or Jemena object to the Development Application. APA Group provided conditions which are recommended to form part of the development consent.</p> <p>As above.</p>
<p>3.11. Aboriginal Heritage</p>	<ol style="list-style-type: none"> 1. Development shall be guided by an overarching Connecting with Country Framework approach. 2. Development within areas identified as Zone 1, Zone 2, Zone 3 and Culturally 	<p>The DA is accompanied by an Aboriginal Cultural Heritage Assessment Report prepared by</p>

	Significant Areas shown in Figure 3.6 are subject to the controls for indigenous heritage in Clause 2.11.1 of Volume 1 of this DCP.	Kelleher Nightingale Consulting Pty Ltd. Heritage NSW reviewed the Report and issued general terms of approval, which are recommended to form part of the development consent.
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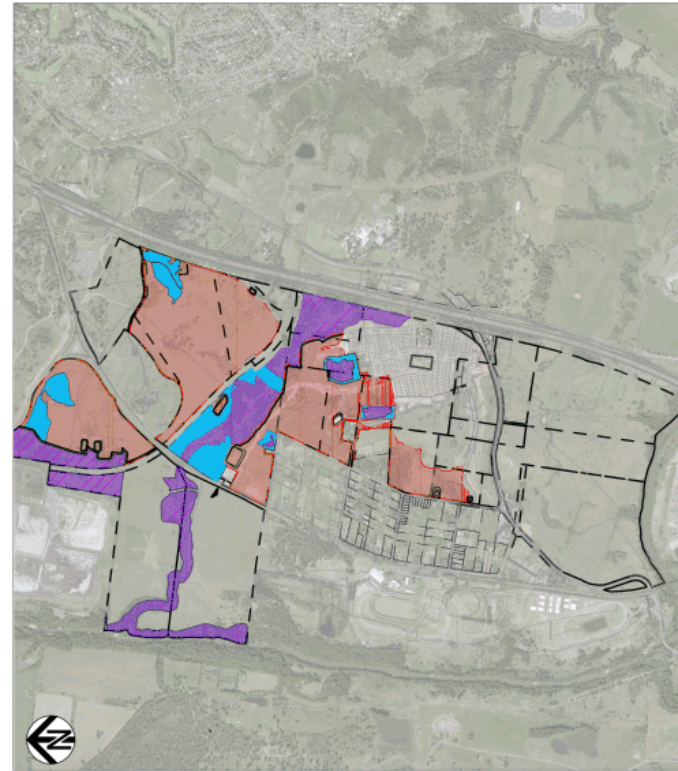
大华集团
DAHUA GROUP
AUSTRALIA



Member of the Surbana Jurong Group

MENANGLE PARK SITE CLEARANCE AND BULK EARTHWORKS FUTURE RESIDENTIAL SUBDIVISION

DEVELOPMENT APPLICATION
CAMPBELLTOWN CITY COUNCIL



LEGEND:

-  EARTHWORKS EXTENT
-  CONSERVATION ZONE
-  VEGETATION CLEARANCE AREA



CONTACT DIAL BEFORE YOU DIG PRIOR TO COMMENCING ANY EXCAVATION WORKS

LOCALITY PLAN
SCALE 1:5000

© ABN 47 085 475 149
LEVEL 6, 3 HORWOOD PLACE
PARRAMATTA NSW, 2150
PH 02 4640-8222
E: WESTERNSYDNEY@SMEC.COM

local people
global experience

SHEET SCHEDULE



DRAWING	DESCRIPTION	DATE	BY	CHK	APPV	REV	DATE	DESCRIPTION
30071815.31DA001	COVER SHEET & LOCALITY PLAN							
30071815.31DA002	SHEET SCHEDULE & NOTES							
30071815.31DA011	DEMOLITION & TREE REMOVAL PLAN SHEET 1							
30071815.31DA012	DEMOLITION & TREE REMOVAL PLAN SHEET 2							
30071815.31DA013	DEMOLITION & TREE REMOVAL PLAN SHEET 3							
30071815.31DA014	DEMOLITION & TREE REMOVAL PLAN SHEET 4							
30071815.31DA015	DEMOLITION & TREE REMOVAL PLAN SHEET 5							
30071815.31DA016	DEMOLITION & TREE REMOVAL PLAN SHEET 6							
30071815.31DA017	GENERAL ARRANGEMENT PLAN							
30071815.31DA018	SITE WORKS PLAN SHEET 1							
30071815.31DA019	SITE WORKS PLAN SHEET 2							
30071815.31DA020	SITE WORKS PLAN SHEET 3							
30071815.31DA021	SITE WORKS PLAN SHEET 4							
30071815.31DA022	SITE WORKS PLAN SHEET 5							
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30071815.31DA034	SECTION PLAN							
30071815.31DA035	SECTIONS A, B, C & D							
30071815.31DA036	SECTION E							
30071815.31DA037	SECTION F							
30071815.31DA038	SECTION G SHEET 1							
30071815.31DA039	SECTION G SHEET 2							
30071815.31DA040	SECTION H SHEET 1							
30071815.31DA041	SECTION H SHEET 2							
30071815.31DA042	SECTION H SHEET 3							
30071815.31DA043	SECTION I							
30071815.31DA044	SECTION J							
30071815.31DA045	SOIL & WATER / CATCHMENT MANAGEMENT PLAN SHEET 1							
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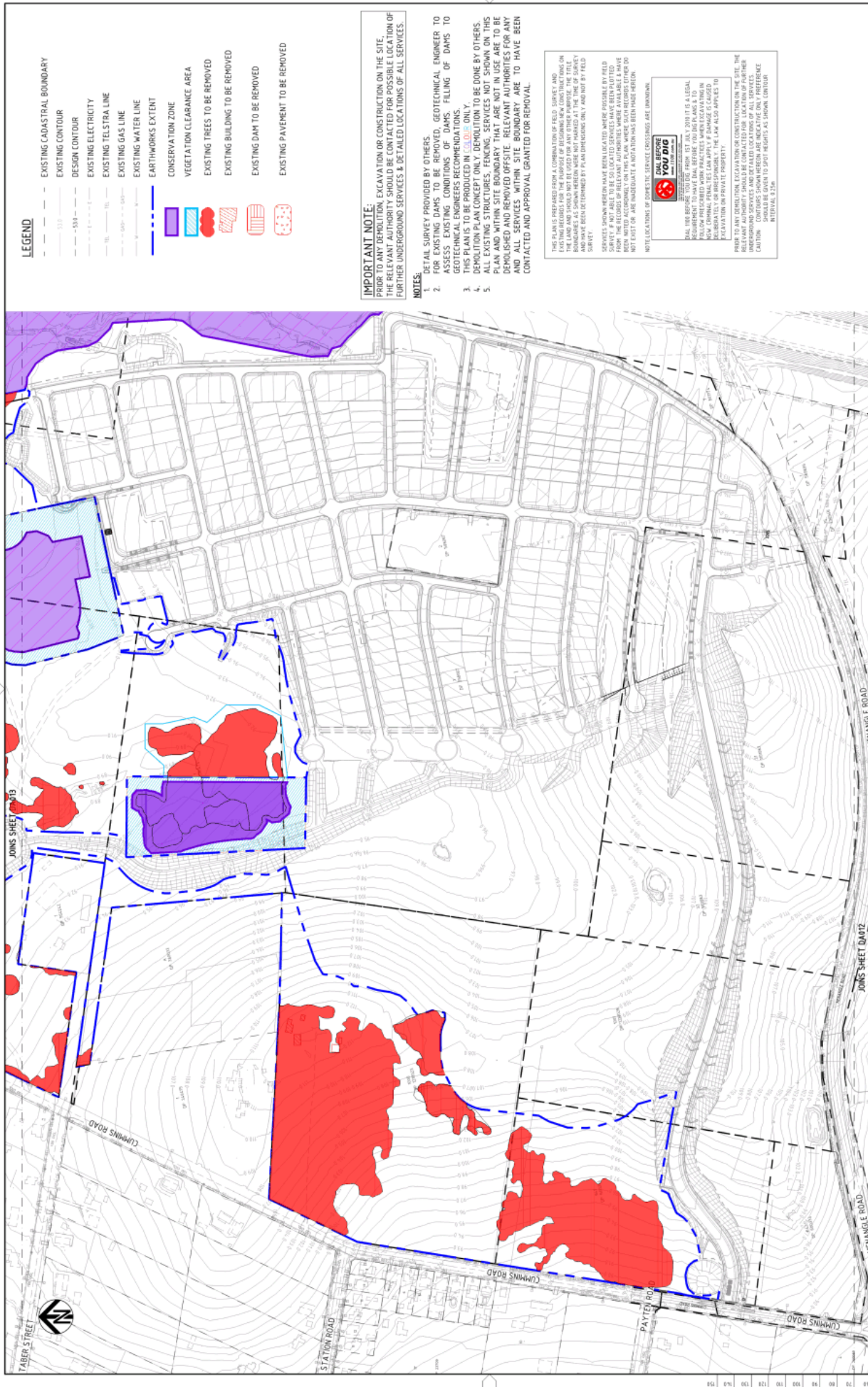
- GENERAL NOTES:**
- ALL WORKS TO BE IN ACCORDANCE WITH CAMPBELL TOWN CITY COUNCIL STANDARD SPECIFICATIONS AND TO THE CITY ENGINEER'S SATISFACTION.
 - DIMENSIONS AND SETTINGS OUT: REDUCED LEVELS AND CHANGES ARE IN METRES ALL OTHER DIMENSIONS ARE IN METRES. SET OUT DIMENSIONS ON THE DRAWING SHALL BE VERIFIED BY THE CONTRACTOR ON SITE.
 - DIMENSIONS SHALL NOT BE OBTAINED BY SCALING THE DRAWINGS.
 - NO WORK WITHIN ADJOINING PROPERTIES TO BE UNDERTAKEN WITHOUT WRITTEN PERMISSION FROM THE OWNERS OF RESPONSIBLE AUTHORITY.
 - NO DISTURBANCE TO THE SITE SHALL BE PERMITTED OTHER THAN IN THE IMMEDIATE AREA OF THE WORKS AND NO MATERIAL SHALL BE REMOVED FROM SITE WITHOUT COUNCIL APPROVAL.
 - ROAD WORKING AREAS TO BE PROVIDED FROM PUBLIC RESERVE, DRAINAGE AND ROAD WORKING AREAS TO THE SATISFACTION OF COUNCIL.
 - TREES ARE TO BE MAINTAINED WHERE SHOWN.
 - THE CONTRACTOR SHALL OBTAIN ALL LEVELS FROM ESTABLISHED BENCH MARKS ONLY.
 - THE LOCATION OF RECOVERY MARKS AND BENCH MARKS SHOULD BE VERIFIED AND CONFIRMED BY THE CONTRACTOR AND DISCREPANCIES SHOULD BE CLARIFIED IN WRITING WITH SMEC PRIOR TO COMMENCEMENT OF WORK.
 - ALL EXCAVATION, SHORING OF EXCAVATION AND STABILITY OF ADJACENT STRUCTURES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THESE SHALL CONFORM WITH THE REQUIREMENTS OF THE RELEVANT S.A.A. CODES AND THE SPECIFICATIONS, BY LAWS AND ORDINANCES OF CAMPBELL TOWN CITY COUNCIL.
 - SERVICES TO CONTACT "DIAL BEFORE YOU DIG" ON TEL: 1800 FOR PLANT INFORMATION ON UNDERGROUND PIPES & CABLES, AT LEAST TWO DAYS PRIOR TO THE COMMENCEMENT OF WORK USING THE PLANS & ON-SITE LOCATION MARKINGS AS AN INDICATION OF PLANT PRESENCE. HAND DIG TO EXPOSE ALL PLANT WITHIN THE SAFE APPROACH DISTANCES. CONTRACTORS TO BE HELD RESPONSIBLE SHOULD THEY DAMAGE UTILITY PROPERTY.
 - SERVICE ADJUSTMENTS: ALL SERVICES AFFECTED BY NEW WORK TO BE ADJUSTED IN ACCORDANCE WITH THE RELEVANT AUTHORITY OR THE RELEVANT SERVICE AUTHORITY AND DEVELOPERS EXPENSE.
 - REPAIRS TO EXISTING SERVICES TO BE UNDERTAKEN AT THE CONTRACTOR'S COST INCLUDING ROAD WORKING INCLUDING KERB ONLY (ISO-R90).
 - CONCRETE PATHS AND DRIVEWAYS (UNO) TO BE BONDED PENDING COMPLETION OF SERVICES.
 - MAKE SMOOTH CONNECTION WITH ALL EXISTING ENGINEERING WORK.
 - THE CONTRACTOR SHALL ERECT POLLUTION WARNING SIGN AT THE ENTRANCE TO THE SUBDIVISION OR PROPOSED DEVELOPMENT AND TO BE CONSTRUCTED TO COUNCIL REP 112.
 - ALL MAJOR AND NON-STANDARD STRUCTURES TO BE SUPERVISED BY A PRACTISING QUALIFIED STRUCTURAL ENGINEER AND CERTIFICATION UPON COMPLETION. COPIES TO BE PROVIDED TO COUNCIL.
 - PLACE AND LEVEL NEW S.S.P.'S TO HIS REQUIREMENT IN POSITION AS DIRECTED BY THE CONSULTING SURVEYOR OR AS DIRECTED BY THE AUTHORITIES RESPONSIBLE FOR CO-ORDINATE WITH PROJECT SURVEYOR FOR THE PLACEMENT OF S.S.'S DURING KERB POLING PROCESS.
 - VEHICULAR ACCESS: AND ALL SERVICES TO BE MAINTAINED AT ALL TIMES TO ADJOINING PROPERTIES AFFECTED BY CONSTRUCTION.
 - IF REQUIRED - FURTHER INFORMATION MAY BE OBTAINED FROM SMEC.
 - LOT NUMBERS ARE TO BE SHOWN ON THE KERB.
 - PAVEMENT MATERIALS TO RMS SPECIFICATIONS.
 - COL LINES TO HAVE RIDDING EYE DOWNSTREAM OF ALL JUNCTIONS.
 - KERB OUTLETS TO SP4006 PLACES 0.5m FROM LOW SIDE BOUNDARY.
 - REFER TO CH16G AND RH00DS PLAN OF PROPOSED SUBDIVISION.

- SERVICES:**
- CONDUITS TO BE PLACED WHERE REQUIRED BY SYDNEY WATER, TELECOMMUNICATIONS AND INDIVIDUAL ENERGY AND OTHER RELEVANT AUTHORITIES.
 - SERVICES SHOWN HEREON HAVE BEEN LOCATED WHERE POSSIBLE BY FIELD SURVEY. IF NOT ABLE TO BE LOCATED SERVES HAVE BEEN PLOTTED FROM THE RECORDS OF RELEVANT AUTHORITIES WHERE AVAILABLE AND HAVE BEEN NOTED ACCORDINGLY ON THIS PLAN. WHERE SUCH RECORDS EITHER DO NOT EXIST OR ARE INADEQUATE AT NOTION HAS BEEN MADE HEREON PRIOR TO ANY DEMOLITION, EXCAVATION OR CONSTRUCTION ON THE SITE. CONTACT FOR POSSIBLE LOCATION OF FURTHER UNDERGROUND SERVICES & DETAILED LOCATIONS OF ALL PUBLIC UTILITY SERVICES ARE TO BE ADJUSTED AS NECESSARY.
 - ANY PROPOSED SERVICE CROSSING TO BE THRUST BORED UNDER EXISTING PAVEMENT IF REQUIRED. CONTRACTOR TO REPAIR ANY DAMAGE TO EXISTING SURFACE.
 - ALL EXISTING RESIDENCES AFFECTED BY THE WORKS SHALL HAVE TEMPORARY SERVICES AND ACCESS PROVIDED.
- GEOTECHNICAL NOTES:**
- THE CONTRACTOR SHALL IMPLEMENT EROSION AND SEDIMENT CONTROL MEASURES AS NECESSARY, AND TO THE SATISFACTION OF COUNCIL PRIOR TO THE COMMENCEMENT OF CONSTRUCTION AND DURING CONSTRUCTION. MAINTENANCE OF THE EROSION AND SEDIMENT CONTROL IS TO BE UNDERTAKEN ON A REGULAR BASIS & AS PER COUNCIL'S DIRECTION.
 - TESTS SHALL BE UNDERTAKEN ON ANY PROPOSED FILL MATERIALS TO ENSURE THAT THEY DO NOT HAVE A HIGH WATER CONTENT. THE PERSON FORMING THESE TESTS SHALL BE A REGISTERED LABORATORY AND THE TEST RESULTS SHALL BE COMPACTED TO NOT LESS THAN 98% OF STANDARD MAXIMUM DRY DENSITY AT -1% TO -2% OF STANDARD OPTIMUM MOISTURE CONTENT (MAXIMUM FILL HORIZONS OF 150mm TO 200mm). ALL AREAS WHICH HAVE TEST RESULTS LESS THAN 98% STANDARD SHOULD BE REWORKED AND RETESTED TO ENSURE COMPLIANCE, IN ACCORDANCE WITH A.S.A. 1289 TESTS 12 AND 13.
 - ALL FILL AREAS TO BE SURVEYED AT STRIPPING AND FINAL STAGES AND LEVELS SHOWN ON PLAN SHADDED TOGETHER WITH GROSS SECTIONS AT MAXIMUM 20M C/C AT WORKS - AS EXECUTED STAGE AND CONTROLLED BY A REGISTERED SURVEYOR. 800 INSTRUMENT RESTRICTION REQUIRED FOR ALL LOTS FILLED WITHIN THE BUILDING LINE.
 - ARTHWORMS SHALL BE CONTROLLED AND ESTERED BY A N.A.T.A. REGISTERED LABORATORY. TWO COLLATED COPIES OF ALL TEST CERTIFICATES, ACCOMPANIED BY AN OVERALL SITE PLAN CLEARLY INDICATING THE LOCATION OF EACH TEST AND FILL AREAS ETC., AND THE LABORATORY CERTIFICATE COVERING THE WHOLE OF THE AREA TESTED ARE TO BE FORWARDED TO COUNCIL UPON COMPLETION. TESTING IS TO BE TO LEVEL 1 AS 32798 APPENDIX B2(A).
 - FINAL PAVEMENT THICKNESS TO BE CONFIRMED AFTER "BOXING OUT" BY JOINT INSPECTION BY N.A.T.A. REGISTERED LABORATORY AND COUNCIL'S ENGINEER. TWO COPIES OF PAVEMENT REPORT TO BE AVAILABLE TO COUNCIL MINIMUM TWO (2) WORKING DAYS PRIOR TO INSPECTION.
 - ALL RESIDENTIAL LOTS SHALL BE INDIVIDUALLY CLASSIFIED IN ACCORDANCE WITH THE GUIDELINES IN THE AUSTRALIAN STANDARD FOR RESIDENTIAL SLABS AND FOOTINGS AS 2810-200 PROVIDE COPY OF REPORT TO N.A.T.A. REGISTERED LABORATORY. TWO COPIES TO BE FORWARDED TO COUNCIL.
 - NEED CORE SAMPLES TO AST102 SHALL BE TAKEN BY A N.A.T.A. REGISTERED LABORATORY TWENTY EIGHT (28) DAYS AFTER LAYING. A COPY OF TEST REPORTS SHALL BE FORWARDED TO COUNCIL.
- CONSERVATION AREA NOTE:**
- ALL CONSERVATION AREAS ARE TO BE FENCED WITH SEDIMENT AND SECURITY FENCING.

GENERAL NOTES:

- EXCAVATION SHALL BE CARRIED OUT TO THE DEPTHS & DIMENSIONS SHOWN OR IMPLIED ON THE PLANS AND/OR THE DOCUMENTS, OR TO SUCH GREATER DEPTHS & DIMENSIONS, AS WILL ENSURE SOUND, PERMANENT FOUNDATIONS. ALL EXCAVATIONS SHALL BE APPROVED BY THE SUPERINTENDENT BEFORE ANY MATERIALS OR STRUCTURES ARE PLACED.
- REMOVAL OF TOPSOIL: TOPSOIL SHALL BE STRIPPED FROM WITHIN THE AREA OF WORKS INCLUSIVE OF BATTERS & STOCKPILES AS DIRECTED BY THE SUPERINTENDENT.
- REMOVAL OF UNSUITABLE MATERIALS: ALL EXPOSED DELETERIOUS MATERIALS WHICH IN THE OPINION OF THE SUPERINTENDENT ARE UNSUITABLE FOR PLACING OR FILLING SHALL BE REMOVED & DISPOSED OF: IF UNSOUND MATERIALS ARE FOUND IN EXCAVATIONS AT ANY LEVEL, ADDITIONAL EXCAVATION & REPLACEMENT WITH COMPACTED APPROVED MATERIAL MAY BE ORDERED.
- WHERE FILLING IS REQUIRED: MATERIAL IS TO BE SELECTED IN DISCUSSION WITH AND TO THE SATISFACTION OF THE SUPERINTENDENT. ALL IMPORTED FILL MATERIAL SHALL BE VIRGIN EXCAVATED NATURAL MATERIAL FREE FROM CHEMICAL OR OTHER CONTAMINATION. A CONTAMINATION REPORT ON THE PROPOSED IMPORTED FILL MATERIAL, FROM A N.A.T.A. REGISTERED LABORATORY, WILL BE REQUIRED BY COUNCIL PRIOR TO PLACEMENT OF FILL.
- COMPACTION AROUND STRUCTURES: UNDER APRONS ETC. UNDISTURBED SUBGRADE OR APPROVED MATERIAL TO BE COMPACTED TO 98% OF THE STANDARD MAXIMUM DRY DENSITY & IS TO BE WITHIN -1% TO -2% OF THE STANDARD SPECIFICATION FOR COMPACTED TOPSOIL AND ROAD COMPACTON TEST (A.S. 1289.3.1.1 - 1993).
- PROVIDE SPRAY SEED GRASS, UNLESS NOTED OTHERWISE.
- RENFORCED TURF: PROVIDE TURF ON 25 THICK TOPSOIL LAID ON GEOTEXTILE (REFER TO NOTE PS2 III WHICH IS LAID ON 175 THICK TOPSOIL). GEOTEXTILE TO BE STRETCHED HORIZONTALLY, ANCHORED WITH STEEL PEGS 1500 LONG AT 300 CENTRES. ALL FREE EDGES TO BE ANCHORED IN A 300 DEEP TRENCH. TRENCH TO BE BACKFILLED & COMPACTED TO THE SATISFACTION OF THE SUPERINTENDENT.
- HYDROMULCH OR HYDROSEED ALL OTHER DISTURBED AREAS NOT COVERED BY NOTES 6 & 7. SPECIFICATIONS FOR EROSION AND SEDIMENT CONTROL MEASURES ARE TO BE DETERMINED BY THE SUPERINTENDENT.
- "MANAGING URBAN SLOPES" SOILS & CONSTRUCTION" VOLUME 1 MARCH 2004.

PROJECT TITLE		DRAWING NO.		DATE	
CAMPBELLTOWN CITY COUNCIL REMANAGE NORTH		30071815.31DA002		08	
SHEET SCHEDULE & NOTES		PRELIMINARY		AS NOTED	
					
					
MEMBERS: J. JAMES, S. PERRY, G. FLEMING, C. AYLES PROJECT MANAGER: G. FLEMING PROJECT DIRECTOR: C. AYLES					
SMCC PROJECT NO. 30071815.31					



LEGEND

- - - - - EXISTING CADASTRAL BOUNDARY
- - - - - EXISTING CONTOUR
- - - - - DESIGN CONTOUR
- - - - - EXISTING ELECTRICITY
- - - - - EXISTING TELSTRA LINE
- - - - - EXISTING GAS LINE
- - - - - EXISTING WATER LINE
- - - - - EARTHWORKS EXTENT
- ■ ■ ■ ■ CONSERVATION ZONE
- ■ ■ ■ ■ VEGETATION CLEARANCE AREA
- ■ ■ ■ ■ EXISTING TREES TO BE REMOVED
- ■ ■ ■ ■ EXISTING BUILDING TO BE REMOVED
- ■ ■ ■ ■ EXISTING DAM TO BE REMOVED
- ■ ■ ■ ■ EXISTING PAVEMENT TO BE REMOVED

IMPORTANT NOTE:
PRIOR TO ANY DEMOLITION, EXCAVATION OR CONSTRUCTION ON THE SITE, THE RELEVANT AUTHORITY SHOULD BE CONTACTED FOR POSSIBLE LOCATION OF FURTHER UNDERGROUND SERVICES & DETAILED LOCATIONS OF ALL SERVICES.

- NOTES:**
1. DETAIL SURVEY PROVIDED BY OTHERS.
 2. FOR EXISTING DAMS TO BE REMOVED, GEOTECHNICAL ENGINEER TO ASSESS EXISTING CONDITIONS OF DAMS, FILLING OF DAMS TO GEOTECHNICAL ENGINEERS RECOMMENDATIONS.
 3. DEMOLITION PLAN CONCEPT ONLY. DEMOLITION TO BE DONE BY OTHERS.
 4. ALL EXISTING STRUCTURES, FENCING SERVICES NOT SHOWN ON THIS PLAN AND WITHIN SITE BOUNDARY THAT ARE NOT IN USE ARE TO BE DEMOLISHED AND REMOVED OFFSITE. RELEVANT AUTHORITIES FOR ANY AND ALL SERVICES WITHIN SITE BOUNDARY ARE TO HAVE BEEN CONTACTED AND APPROVAL GRANTED FOR REMOVAL.

THIS PLAN IS PREPARED FROM A COMBINATION OF FIELD SURVEY AND EXISTING RECORDS FOR THE PURPOSE OF DESIGNING NEW CONSTRUCTINGS ON BOUNDARIES AS SHOWN HEREIN. WHERE NOT MARKED AT THE TIME OF SURVEY AND HAVE BEEN DETERMINED BY PLAN DIMENSIONS ONLY AND NOT BY FIELD SURVEY.

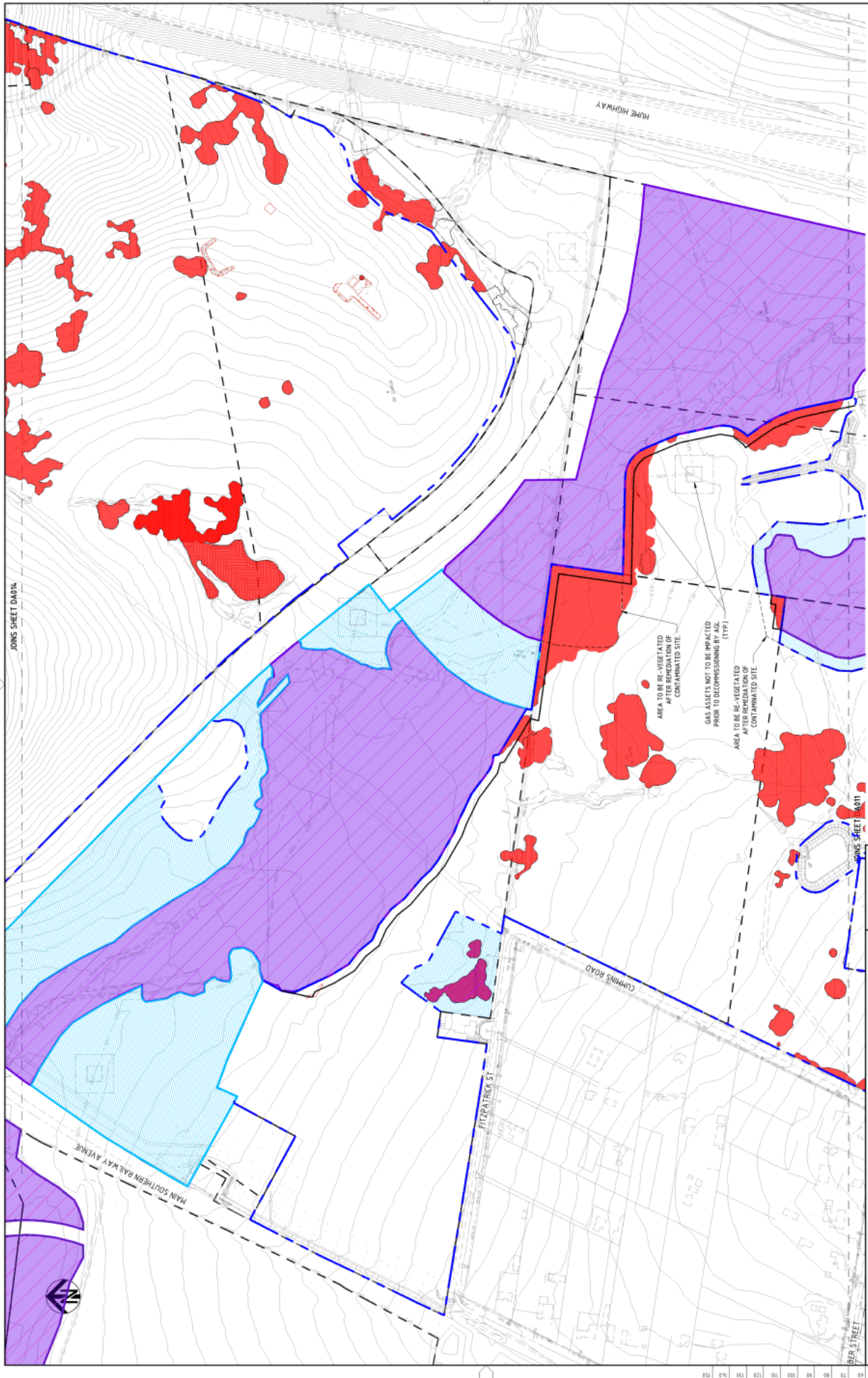
NOTICE: ANY CONSTRUCTION SHOULD BE DONE WITHIN THE BOUNDARIES OF THE FIELD SURVEY. IF NOT ABLE TO BE LOCATED SERVICES HAVE BEEN PLOTTED FROM THE RECORDS OF RELEVANT AUTHORITIES WHERE AVAILABLE. A HAZARD DOES NOT EXIST OR ARE INADEQUATE. A NOTIFICATION HAS BEEN MADE HEREON.

NOTE: LOCATIONS OF DOMESTIC SERVICES CROSSINGS ARE UNKNOWN.



BEFORE YOU dig, call the BEHREAR hotline from 1st JULY 2019 IT IS A LEGAL REQUIREMENT FOR YOU TO CONTACT BEHREAR AND CHECK FOR ANY BARRIERS TO PREVENT YOU FROM FALLING INTO OR BEING STRUCK BY POWER LINES. YOU MUST ALSO NOTIFY THE NEW SOUTH WALES RAILWAYS TRUST WITH REGARD TO ANY EXCAVATION WORKING IN OR NEAR THE RAILWAY RIGHTS OF WAY. IT IS YOUR RESPONSIBILITY TO CONTACT THE RELEVANT AUTHORITY FOR ANY SERVICES BEFORE YOU DIG. YOU MUST ALSO NOTIFY THE RELEVANT AUTHORITY FOR ANY SERVICES BEFORE YOU DIG. YOU MUST ALSO NOTIFY THE RELEVANT AUTHORITY FOR ANY SERVICES BEFORE YOU DIG.

PROJECT TITLE		CAMPBELLTOWN CITY COUNCIL REHANGELE NORTH DEMOLITION & TREE REMOVAL PLAN
PROJECT NO.	300178115.31.DA.011	
DATE	AS NOTED	PRELIMINARY
SHEET NO.		SHEET 1
SCALE		1:500
SMEC PROJECT No.		300178116.31
CLIENT	DAHUA GROUP AUSTRALIA	
DESIGNER	SMEC Member of the Suez Canal Authority Group LEVEL 9, 71 HOWWOOD PLACE SYDNEY NSW 1589 PH: +61 2 8697 7900 WWW.SMEC.COM	
SCALE: 1:500		SCALE: AS SHOWN
PROJECT MANAGER		G. FLEMING
PROJECT DIRECTOR		C. AWLES
CHECKED BY		S. PARRY
DRAWN BY		M. JAMIL
DATE		23/10/2024
BY		DATE
01	16/10/2024	ISSUE FOR APPROVAL
02	16/10/2024	BULK EARTHWORKS DA SET ISSUE FOR APPROVAL
03	16/10/2024	BULK EARTHWORKS DA SET ISSUE FOR APPROVAL
04	16/10/2024	BULK EARTHWORKS DA SET ISSUE FOR APPROVAL
05	16/10/2024	BULK EARTHWORKS DA SET ISSUE FOR APPROVAL
06	16/10/2024	BULK EARTHWORKS DA SET ISSUE FOR APPROVAL
07	16/10/2024	BULK EARTHWORKS DA SET ISSUE FOR APPROVAL
08	16/10/2024	BULK EARTHWORKS DA SET ISSUE FOR APPROVAL



PROJECT TITLE CAMPBELLTOWN CITY COUNCIL
REHANGLE NORTH
DEMOLITION & TREE REMOVAL
PLAN
SHEET 3

CLIENT 大华集团
DAHUA GROUP
AUSTRALIA

DESIGNER SMEC
Melbourne
Level 9, 311 Kewwood Place
Kew VIC 3143
PH: +61 3 8867 7900
SMEC PROJECT No. 300178116.31

SCALE 1:500

DATE 23/10/2024

NO.	REV.	DATE	DESCRIPTION	BY	CHKD.	DATE
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003			ISSUE FOR APPROVAL	SP	SP	
004			ISSUE FOR APPROVAL	SP	SP	
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008			ISSUE FOR APPROVAL	SP	SP	
009			ISSUE FOR APPROVAL	SP	SP	
010			ISSUE FOR APPROVAL	SP	SP	

PROJECT MANAGER: G. FLEMING
PROJECT DIRECTOR: C. AWLES

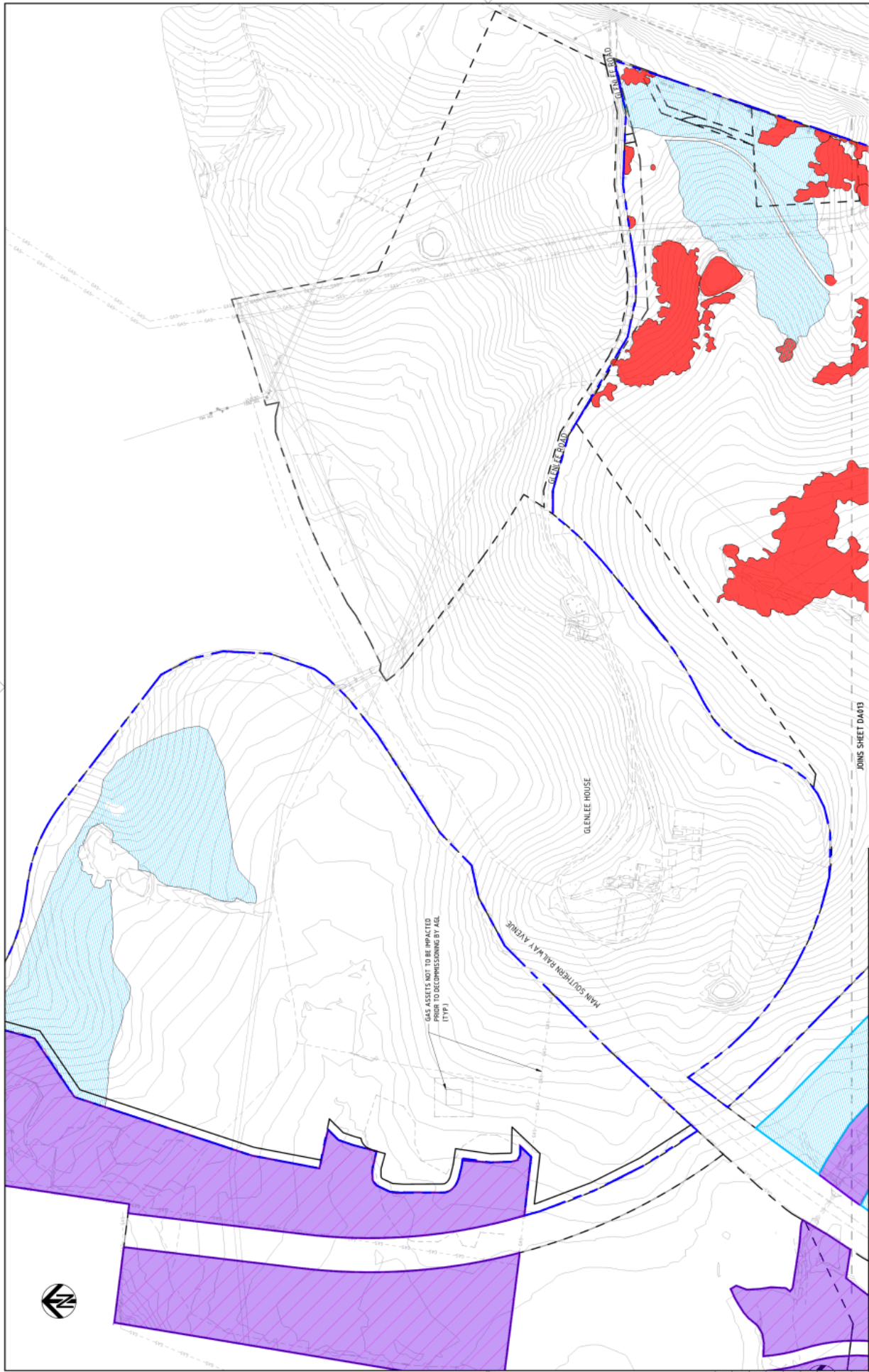
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DATE PRELIMINARY

PROJECT NO. 300178116.31

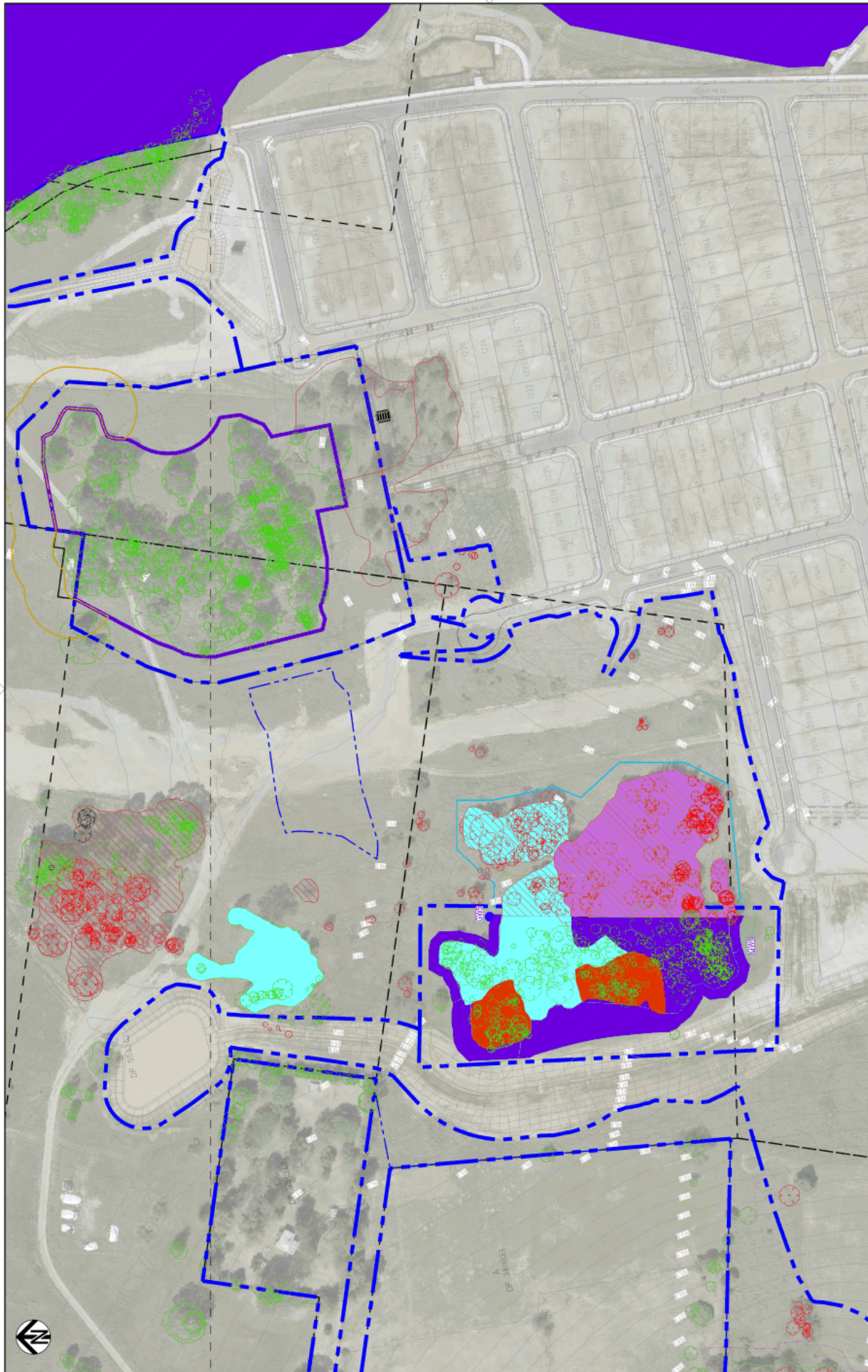
REVISION 08



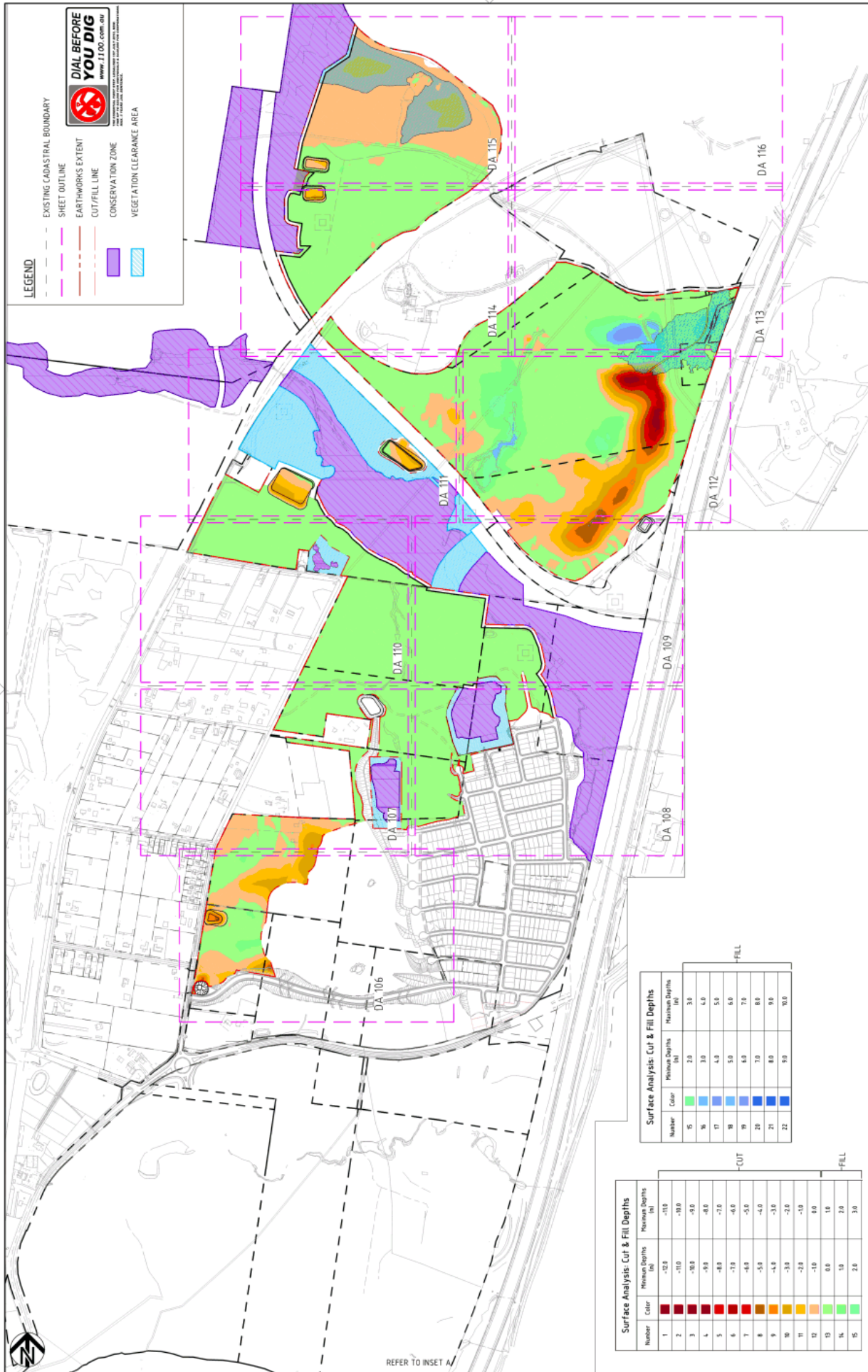
GAS ASSETS NOT TO BE IMPACTED
PRIOR TO DECOMMISSIONING BY AGL
(TYP)

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1:50 ON ORIGINAL



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<p>NO. 02</p>	<p>DATE: 23/10/2024</p>	<p>DESCRIPTION: APPROVAL</p>	<p>BY: S. PERRY</p>
<p>NO. 03</p>	<p>DATE: 23/10/2024</p>	<p>DESCRIPTION: APPROVAL</p>	<p>BY: G. FLEMING</p>
<p>NO. 04</p>	<p>DATE: 23/10/2024</p>	<p>DESCRIPTION: APPROVAL</p>	<p>BY: C. AWLES</p>
<p>PROJECT TITLE: CAPPELLTOWN CITY COUNCIL REMENGELE NORTH DEMOLITION & TREE REMOVAL PLAN SHEET 5</p>		<p>SCALE: 1:1000</p>	<p>SCALE AT 1:1000</p>
<p>CLIENT: 大华集团 DAHUA GROUP AUSTRALIA</p>		<p>SCALE: 1:1000</p>	<p>SCALE AT 1:1000</p>
<p>ISSUANCE: SMEC MEMBERSHIP NUMBER: 10000000000000000000 LEVEL: 5, 31 KENNEDY PLACE SYDNEY NSW 1585 PH: +61 2 8867 7900</p>		<p>SCALE: 1:1000</p>	<p>SCALE AT 1:1000</p>
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REFER TO INSET A

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2	Red	-11.0	-10.0
3	Red	-9.8	-9.0
4	Red	-8.9	-8.0
5	Red	-8.0	-7.6
6	Red	-7.8	-6.6
7	Red	-6.8	-5.6
8	Red	-5.8	-4.0
9	Orange	-4.8	-3.0
10	Orange	-3.8	-2.0
11	Orange	-2.8	-1.0
12	Yellow	-1.0	0.0
13	Yellow	0.0	1.0
14	Green	1.0	2.0
15	Green	2.0	3.0

Number	Color	Minimum Depths (m)	Maximum Depths (m)
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17	Blue	3.0	4.0
18	Blue	4.0	5.0
19	Blue	5.0	6.0
20	Blue	6.0	7.0
21	Blue	7.0	8.0
22	Blue	8.0	9.0
23	Blue	9.0	10.0

DA 106 DA 107 DA 110 DA 111 DA 114 DA 115 DA 116

DA 108 DA 109 DA 112 DA 113 DA 116

SCALE 1:5000

DATE: 23/10/2024

PROJECT TITLE: CAPPRELTOWN CITY COUNCIL, REMANAGE NORTH GENERAL ARRANGEMENT PLAN

CLIENT: 大华集团 DAHUA GROUP AUSTRALIA

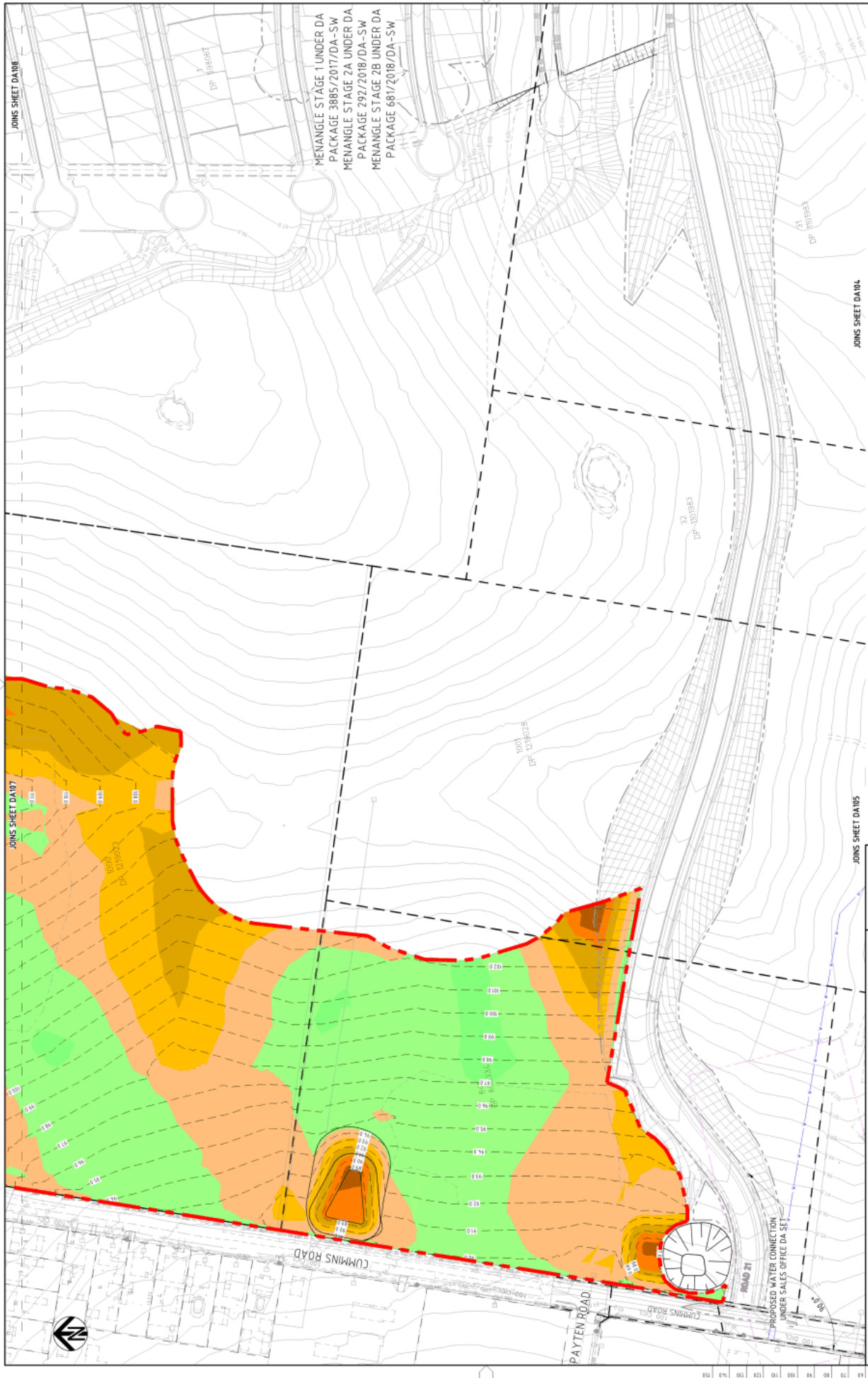
DESIGNER: SMEC

PROJECT MANAGER: G. FLEMING

PROJECT DIRECTOR: C. AWLES

NO.	REV.	DATE	DESCRIPTION	BY	CHKD.
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02			ISSUE FOR APPROVAL	S. PERRY	
03			ISSUE FOR APPROVAL	S. PERRY	
04			ISSUE FOR APPROVAL	G. FLEMING	
05			ISSUE FOR APPROVAL	G. FLEMING	
06			ISSUE FOR APPROVAL	G. FLEMING	
07			ISSUE FOR APPROVAL	C. AWLES	

300178115.31DA031_08



MENANGLE STAGE 1 UNDER DA PACKAGE 3885/2017/DA-SW
 MENANGLE STAGE 2A UNDER DA PACKAGE 292/2018/DA-SW
 MENANGLE STAGE 2B UNDER DA PACKAGE 681/2018/DA-SW

JOINS SHEET DA107
 JOINS SHEET DA108
 JOINS SHEET DA109
 JOINS SHEET DA110

PROPOSED WATER CONNECTION UNDER SALES OFFICE DA SET

SCALE 1:1000
 SCALE AT 1:1000

REV	DATE	DESCRIPTION	BY	CHKD
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10	14/07/2024	BULK EARTHWORKS DA SET ISSUE FOR APPROVAL	S. PERRY	

PROJECT TITLE: CAMPBELLTOWN CITY COUNCIL
 REHANGLE NORTH
 SITE WORKS
 PLAN
 SHEET 6
 PRELIMINARY
 AS NOTED

CLIENT: 大华集团 DAHUA GROUP AUSTRALIA

CONSULTANT: SMEC
 MEMBERS: SMEC Infrastructure Group
 LEVEL 9, 31 KENNEDY PLACE
 SYDNEY NSW 1587
 PH: +61 2 9887 7900
 SMEC PROJECT No. 300178116.31

PROJECT No. 300178116.31
 SHEET No. 08

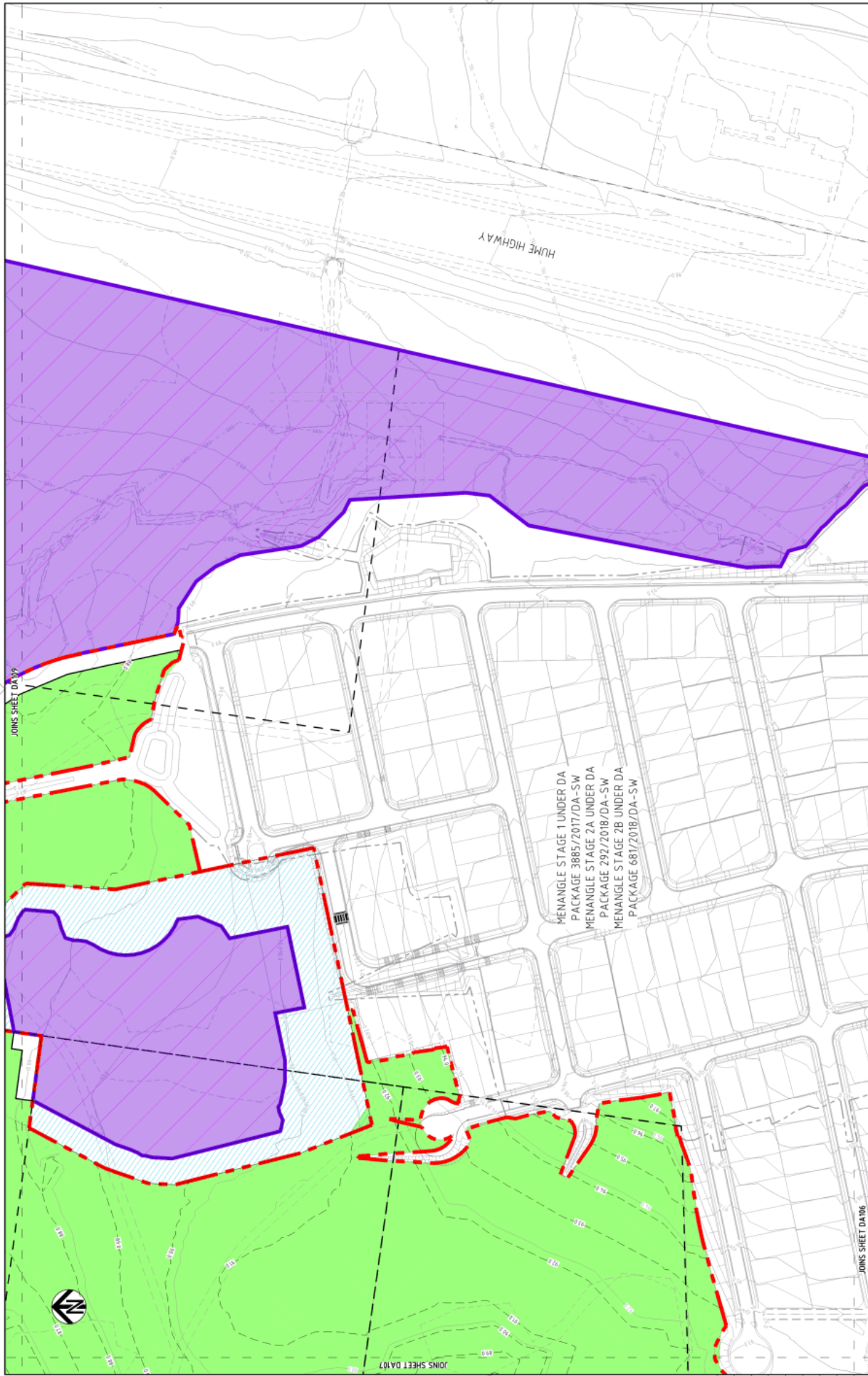


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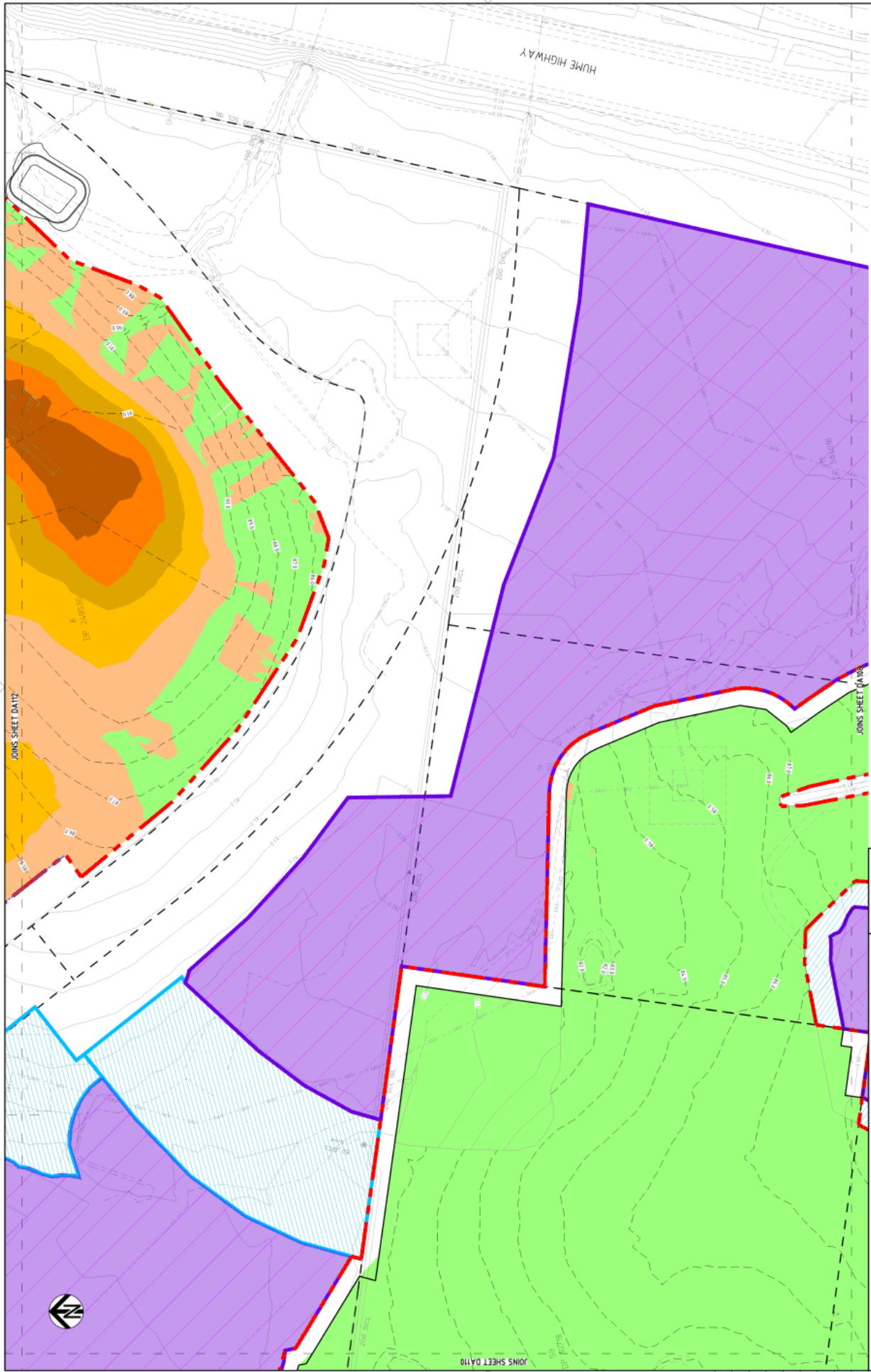
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CLIENT	DAHUA AUSTRALIA
PROJECT TITLE	REHANGE NORTH SITE WORKS PLAN SHEET 7
SCALE	AS NOTED
PHASE	PRELIMINARY
PROJECT NO.	300178115.31DA107
REVISION	08

NAME	ROLE
M. JAMES	DATE
S. PERRY	DATE
G. FLEMING	DATE
C. AWLES	DATE

SCALE AT 1:1000	SCALE AT 1:500
SCALE AT 1:200	SCALE AT 1:100



 SMEC Meringue Creek Environmental Engineering Group LEVEL 5, 31 KENNEDY PLACE STURT ROAD, MELBOURNE VIC 3000 PH: +61 3 8867 7900		 大华集团 DAHUA GROUP AUSTRALIA		PROJECT TITLE CAPPELLTOWN CITY COUNCIL REMANGLÉ NORTH SITE WORKS PLAN SHEET 8	
SCALE AS NOTED / PRELIMINARY		PROJECT No. 300178115.31DA.108		REVISION 08	
SHEET No. 3		SHEET No. 3		SHEET No. 3	
DATE 23/10/2024		DATE 23/10/2024		DATE 23/10/2024	
DRAWN BY J. JAMES		CHECKED BY S. PERRY		PROJECT MANAGER G. FLEMING	
APPROVED BY J. JAMES		APPROVED BY S. PERRY		APPROVED BY G. FLEMING	
PROJECT DIRECTOR C. AWLES		PROJECT DIRECTOR C. AWLES		PROJECT DIRECTOR C. AWLES	

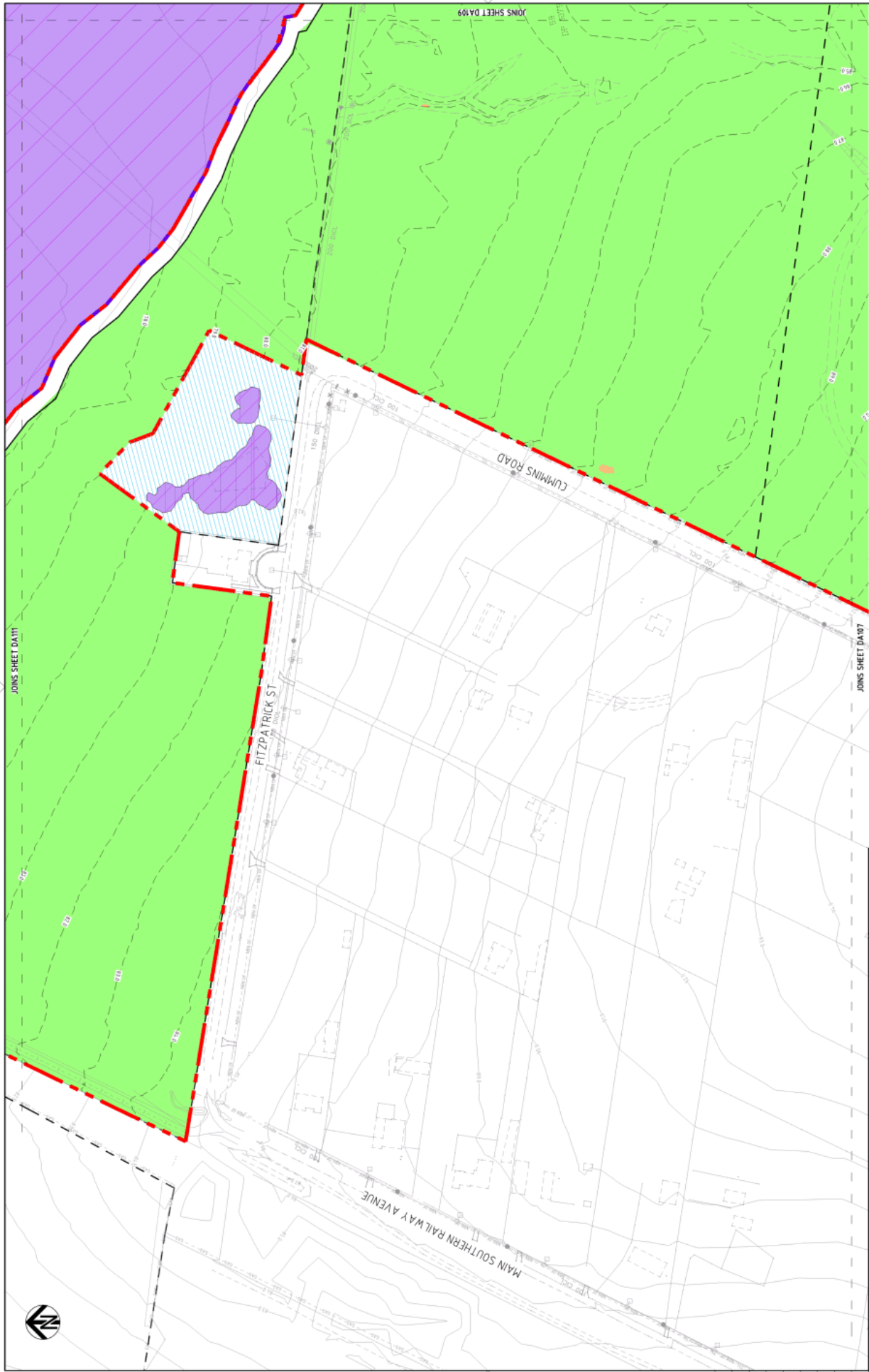


<p>SMEC Environmental & Planning Group Level 5, 21 Crownwood Place Sydney NSW 1587 PH: +61 2 8867 7900</p>		<p>DAHUA GROUP AUSTRALIA</p>		CAPPELLTOWN CITY COUNCIL REMANAGE NORTH SITE WORKS PLAN SHEET 9	
PROJECT TITLE		PROJECT NO.		SHEET NO.	
SCALE		AS NOTED		PRELIMINARY	
DATE		30/07/2024		08	

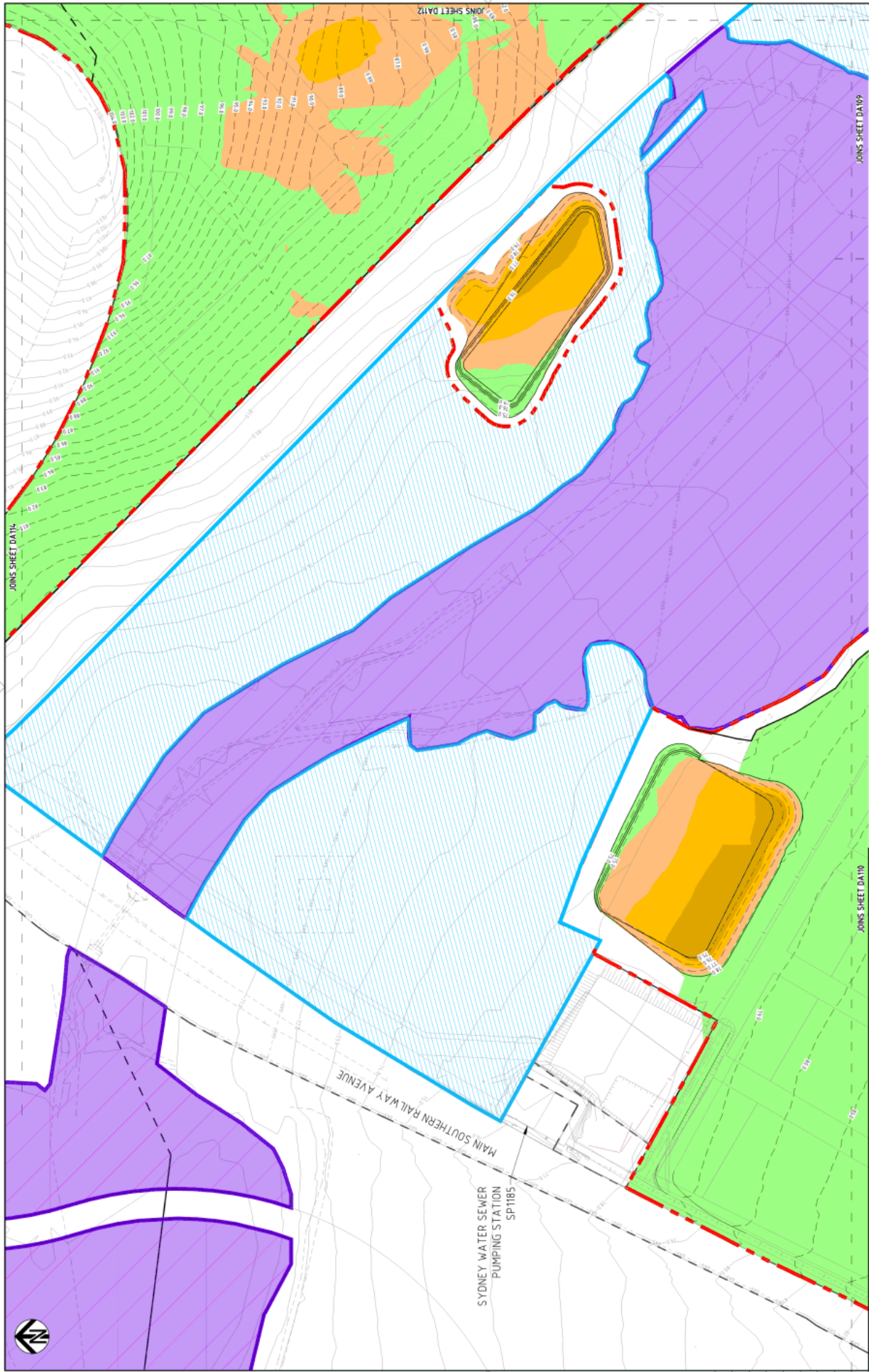
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010	10/07/2024	PRELIMINARY DESIGN	J. JAMES	S. PERRY

NO.	DATE	DESCRIPTION	BY	CHKD BY
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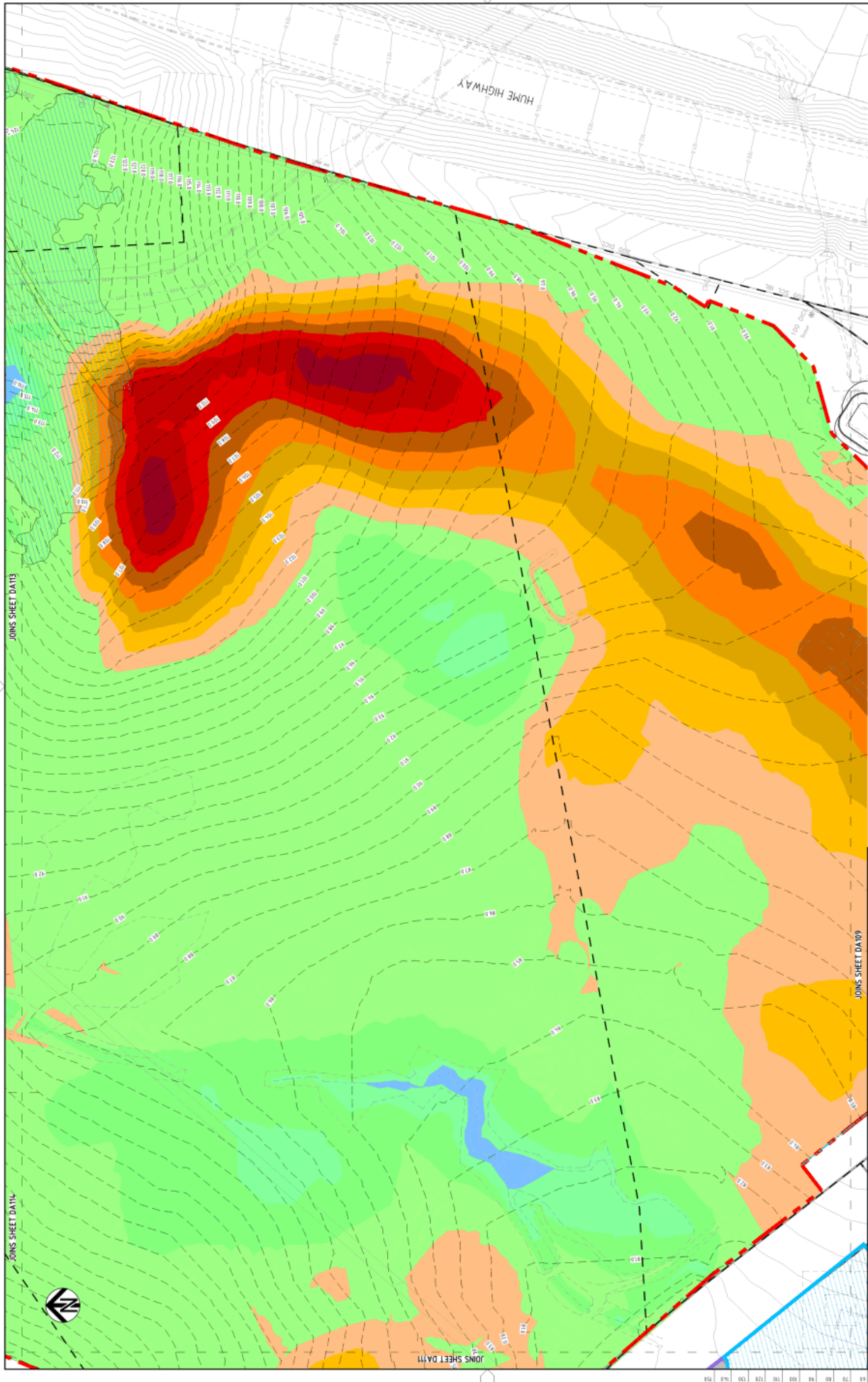
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<p>300178115.31DA110_08</p> <p>REVISION</p>	
<p>AS NOTED</p> <p>SCALE</p>	<p>PRELIMINARY</p> <p>PHASE</p>
<p>CAPPELLTOWN CITY COUNCIL</p> <p>REHANGALE NORTH</p> <p>SITE WORKS</p> <p>PLAN</p> <p>SHEET 10</p>	
<p>CLIENT</p> <p>大华集团</p> <p>DAHUA GROUP</p> <p>AUSTRALIA</p>	
<p>DESIGNER</p> <p>SMEC</p> <p>Member of the Sellen Group</p> <p>100/100 WOODWARD PLACE</p> <p>SYDNEY NSW 1510</p> <p>PHONE: +61 2 9887 7900</p> <p>SMEC PROJECT No. 300178115.31</p>	
<p>SCALE: 1:100</p> <p>SCALE: 1:100 (BANK)</p>	
<p>DATE</p> <p>14/10/2024</p>	<p>BY</p> <p>J. JAMES</p>
<p>DATE</p> <p>14/10/2024</p>	<p>BY</p> <p>S. PERRY</p>
<p>DATE</p> <p>14/10/2024</p>	<p>BY</p> <p>G. FLEMING</p>
<p>DATE</p> <p>14/10/2024</p>	<p>BY</p> <p>C. AWLES</p>



 SMEC Merrett Street, Sydney, NSW 1570 (02) 9550 2200 www.smeconline.com.au		 大华集团 DAHUA GROUP AUSTRALIA		PROJECT TITLE CAMPBELLTOWN CITY COUNCIL REHABILITATION NORTH SITE WORKS PLAN SHEET 11	
SCALE 1:500 0 5 10 15 20 25 30 35 40 45		SCALE AT 1:500 METERS 0 5 10 15 20 25 30 35 40 45		PROJECT NUMBER 300178115.31DA111	
DATE 23/10/2024		DRAWN BY J. JAMES		CHECKED BY S. PERRY	
DATE 23/10/2024		DRAWN BY S. PERRY		CHECKED BY G. FLEMING	
DATE 23/10/2024		DRAWN BY G. FLEMING		CHECKED BY C. AVILES	
DATE 23/10/2024		DRAWN BY C. AVILES		CHECKED BY (Blank)	



PROJECT TITLE
 CAPPELLTOWN CITY COUNCIL
 REMANAGE NORTH
 SITE WORKS
 PLAN
 SHEET 12

CLIENT
 大华集团
 DAHUA GROUP
 AUSTRALIA

DESIGNER
 SMEC
 Merrimack
 15/151 HORNWOOD PLACE
 MELBOURNE VIC 3000
 PH: +61 3 8867 7900

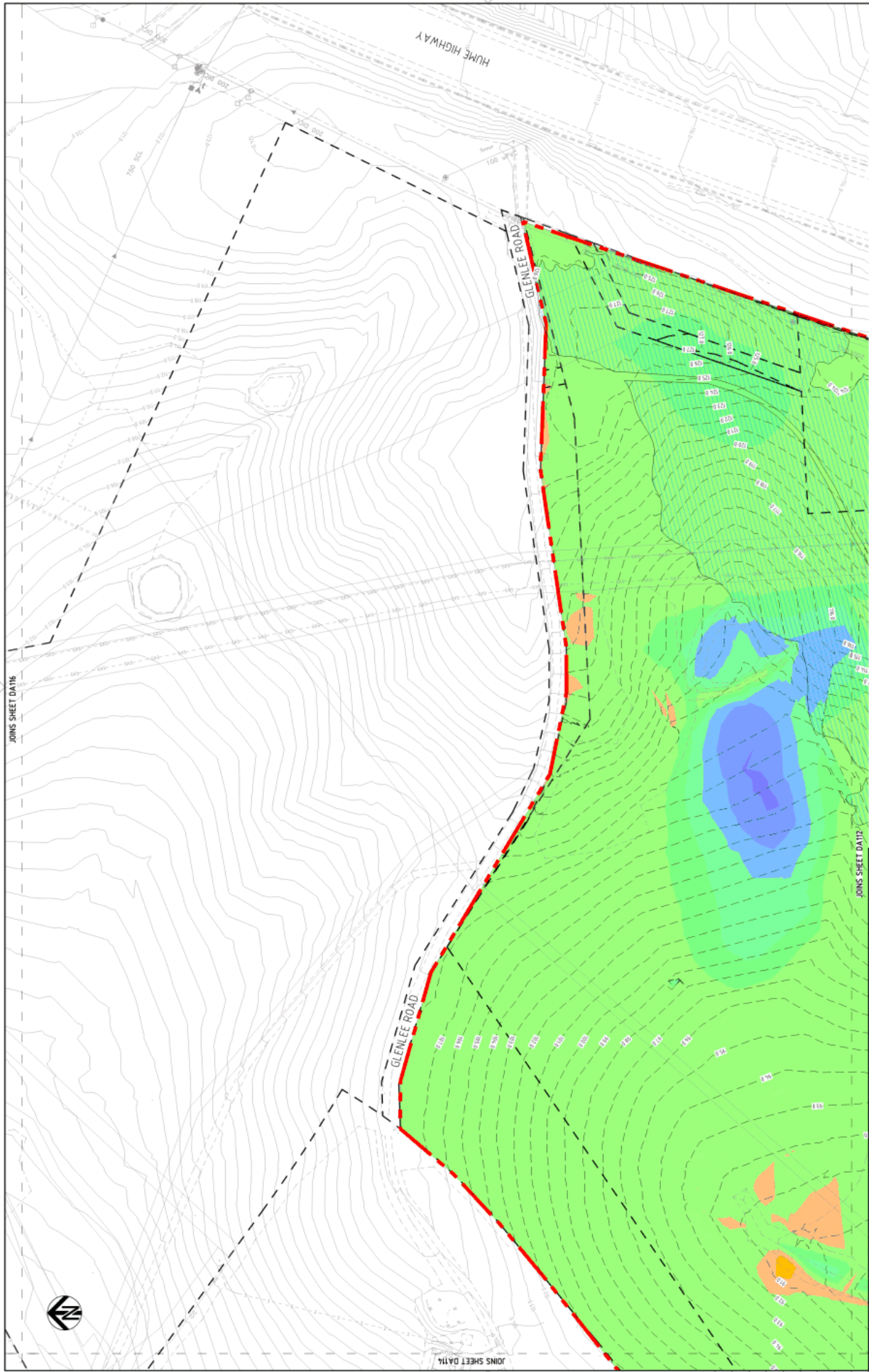
SCALE
 AS NOTED / PRELIMINARY

PROJECT No.
 300178115.31DA112

REVISION
 08

NO.	DATE	DESCRIPTION	BY	CHKD
001	14/10/2024	ISSUE FOR APPROVAL	JK	JAM
002	14/10/2024	BULK EARTHWORKS DA SET ISSUE FOR APPROVAL	S	P
003	14/10/2024	BULK EARTHWORKS DA SET ISSUE FOR APPROVAL	S	P
004	14/10/2024	BULK EARTHWORKS DA SET ISSUE FOR APPROVAL	G	F
005	14/10/2024	BULK EARTHWORKS DA SET ISSUE FOR APPROVAL	G	F
006	14/10/2024	BULK EARTHWORKS DA SET ISSUE FOR APPROVAL	C	A

SCALE 1:1000
 0 10 20 30 40 50
 METRES



DRAWN BY: G. FLEMING
 CHECKED BY: S. PERRY
 DATE: 14/10/2024
 PROJECT: 300178116.31

REV	DATE	DESCRIPTION	ISSUE
01	14/10/2024	BULK EARTHWORKS DA SET ISSUE FOR APPROVAL	ISSUE
02	14/10/2024	BULK EARTHWORKS DA SET ISSUE FOR APPROVAL	ISSUE
03	14/10/2024	BULK EARTHWORKS DA SET ISSUE FOR APPROVAL	ISSUE
04	14/10/2024	BULK EARTHWORKS DA SET ISSUE FOR APPROVAL	ISSUE
05	14/10/2024	BULK EARTHWORKS DA SET ISSUE FOR APPROVAL	ISSUE
06	14/10/2024	BULK EARTHWORKS DA SET ISSUE FOR APPROVAL	ISSUE
07	14/10/2024	BULK EARTHWORKS DA SET ISSUE FOR APPROVAL	ISSUE
08	14/10/2024	BULK EARTHWORKS DA SET ISSUE FOR APPROVAL	ISSUE

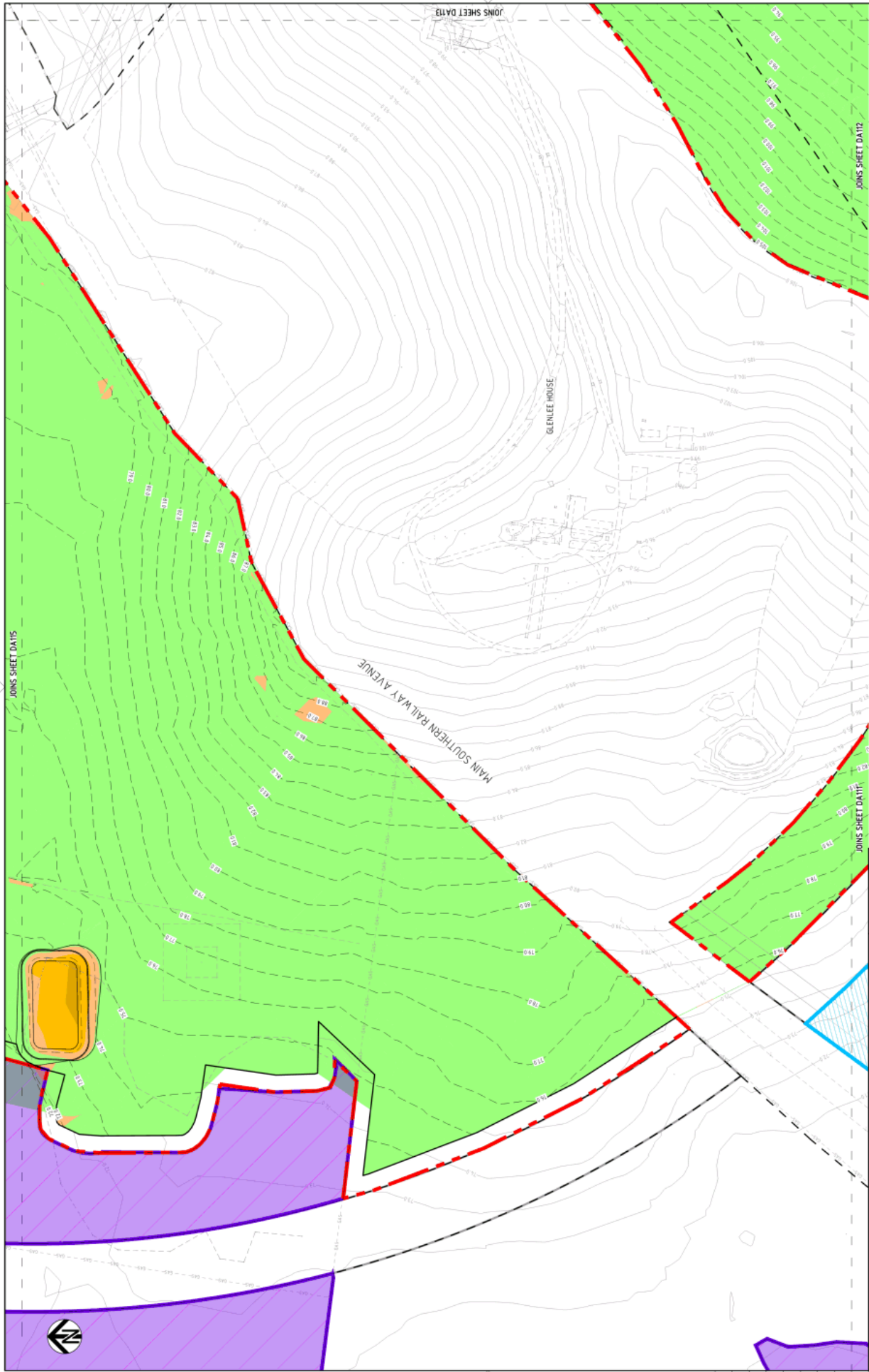
NO	DATE	DESCRIPTION	BY
001	14/10/2024	ISSUE	M. JAMES
002	14/10/2024	ISSUE	S. PERRY
003	14/10/2024	ISSUE	S. PERRY
004	14/10/2024	ISSUE	G. FLEMING
005	14/10/2024	ISSUE	G. FLEMING
006	14/10/2024	ISSUE	C. AWLES

SCALE: 1:500
 SCALE AT 1:500: 0m, 10m, 20m, 30m, 40m, 50m

PROJECT TITLE: CAPPELLTOWN CITY COUNCIL
 REMANAGE NORTH
 SITE WORKS
 PLAN
 SHEET 13
 SHEET 13 OF 13
 PROJECT NUMBER: 300178116.31
 PRELIMINARY
 AS NOTED

CLIENT: 大华集团 DAHUA AUSTRALIA

CONSULTANT: SMEC
 MEMBERS: SMEC CONSULTANTS GROUP
 LEVEL 9, 111 KENNEDY BLVD
 SYDNEY NSW 1587
 PHONE: +61 2 9887 7900
 PROJECT NUMBER: 300178116.31



PROJECT TITLE: CAMPBELLTOWN CITY COUNCIL
REHANGLE NORTH
SITE WORKS
PLAN
SHEET 14

CLIENT: 大华集团 DAHUA GROUP AUSTRALIA

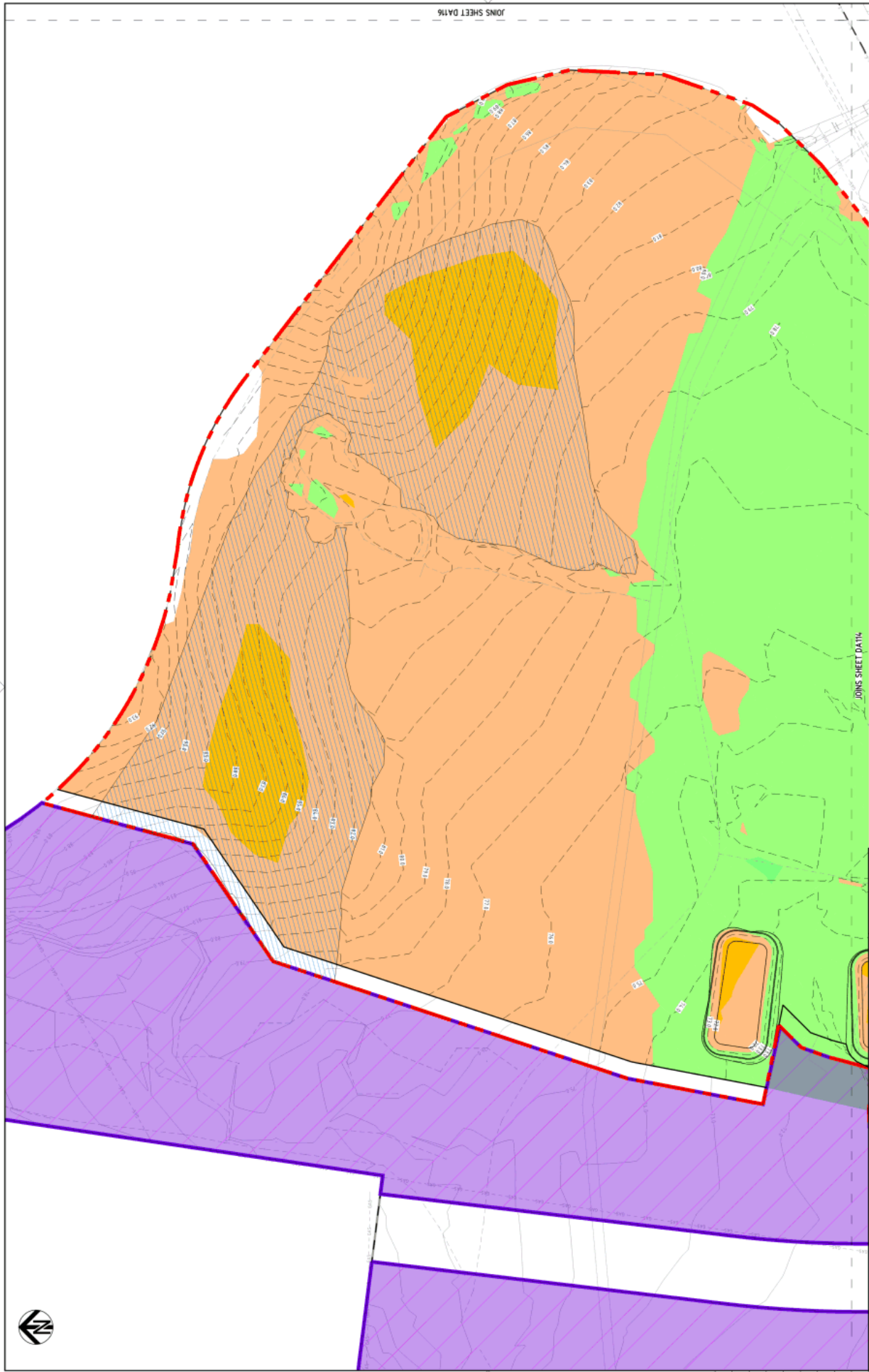
DESIGNER: SMEC
MEMBERS: SMEC Engineering Group
LEVEL 5, 31 KENNEDY PLACE
SYDNEY NSW 1587
PH: +61 2 9887 7900
SMEC PROJECT No. 300178116.31

SCALE: 1:1000

NO.	DATE	DESCRIPTION	ISSUE	BY	FOR
01	14/07/2024	ISSUE FOR APPROVAL	ISSUE	M. JAMEL	DATE
02	14/07/2024	BULK EARTHWORKS DA SET ISSUE FOR APPROVAL	ISSUE	S. PERRY	DATE
03	14/07/2024	BULK EARTHWORKS DA SET ISSUE FOR APPROVAL	ISSUE	S. PERRY	DATE
04	14/07/2024	BULK EARTHWORKS DA SET ISSUE FOR APPROVAL	ISSUE	G. FLEMING	DATE
05	14/07/2024	BULK EARTHWORKS DA SET ISSUE FOR APPROVAL	ISSUE	G. FLEMING	DATE
06	14/07/2024	BULK EARTHWORKS DA SET ISSUE FOR APPROVAL	ISSUE	C. AVILES	DATE

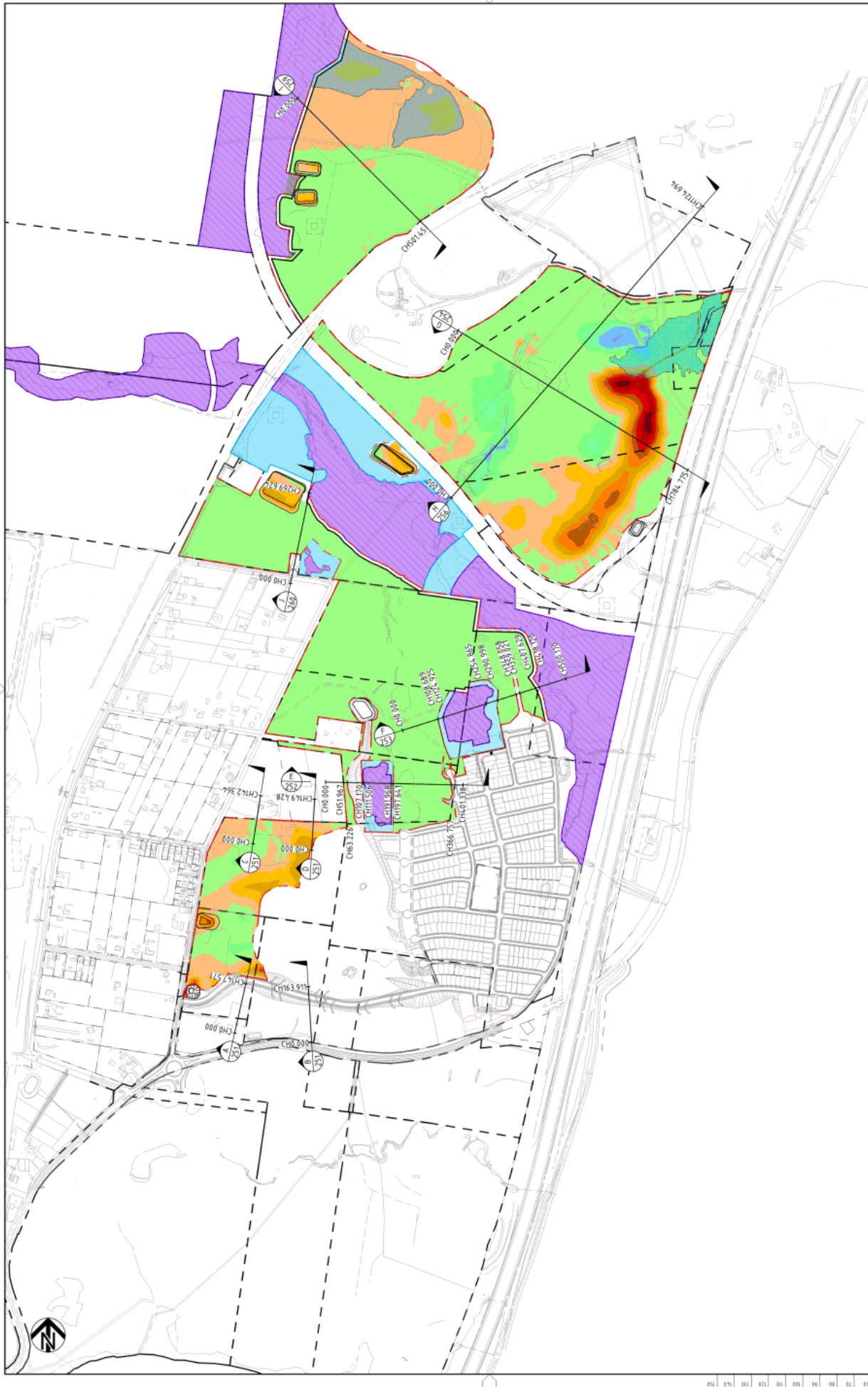
SCALE: 1:1000

PROJECT DIRECTOR: C. AVILES

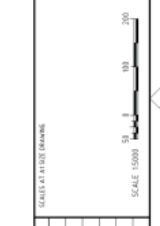


 SMEC Merrett Sturt & Associates Group LEVEL 5, 31 KENNWOOD PLACE SYDNEY NSW 1587 PH +61 2 8867 7900 SMEC PROJECT No. 300178116.31		 大华集团 DAHUA GROUP AUSTRALIA		PROJECT TITLE CAMPBELLTOWN CITY COUNCIL REMANAGE NORTH SITE WORKS PLAN SHEET 15	
SCALE AS NOTED		PRELIMINARY		SHEET NO. 300178116.31.DA.115	
DATE 23/10/24		DRAWN BY J. AMEL		CHECKED BY S. PERRY	
DATE 23/10/24		DRAWN BY S. PERRY		CHECKED BY G. FLEMING	
DATE 23/10/24		DRAWN BY G. FLEMING		CHECKED BY C. AMES	
DATE 23/10/24		DRAWN BY C. AMES		CHECKED BY (Blank)	

DRAWING FILE: C:\Users\jamel\OneDrive\Documents\Projects\Remanage North\Site Works\Site Works\DA\115\115.DWG
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<p>DRAWING FILE LOCATION: MME C:\Users\mme\Documents\Projects\300178115\300178115_08.dwg CUSTOMER REFERENCE FILE:</p>		<p>DATE: 23/10/2024 TIME: 3:15:34 PM</p>
<p>NO. REV. DATE</p>	<p>REVISION DESCRIPTION</p>	<p>APPROVED BY</p>
01	18/10/2024	AM JAMEL
02	18/10/2024	S. PERRY
03	18/10/2024	S. PERRY
04	18/10/2024	G. FLEMING
05	18/10/2024	G. FLEMING
06	18/10/2024	G. FLEMING
07	18/10/2024	C. AWLES
08	18/10/2024	C. AWLES

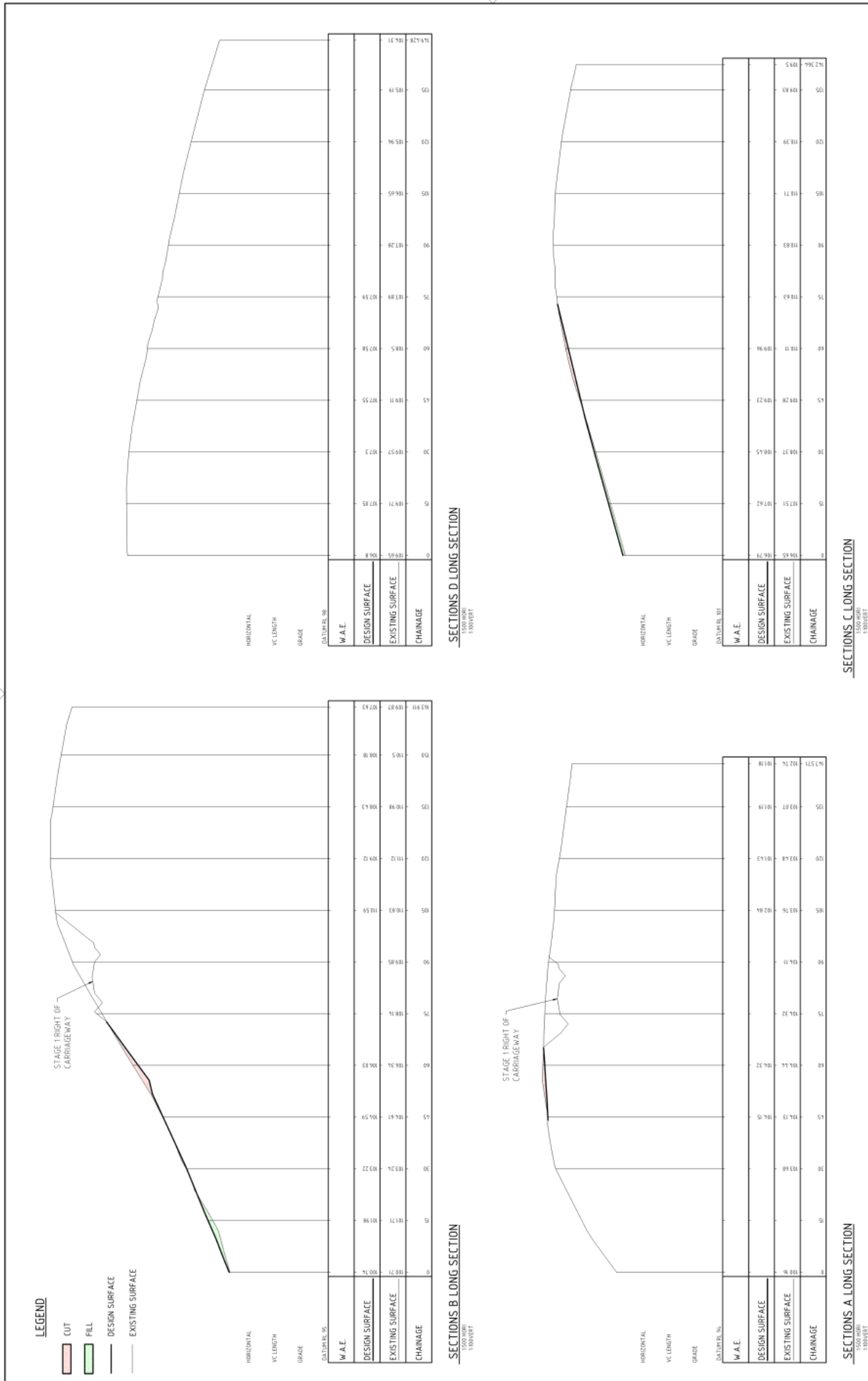


CLIENT: AT 1001 BARRAK

ISSUED BY: SMEC
 MEMBERS: SMEC Engineering Group
 LEVEL 5, 31 KENNEDY PLACE
 SYDNEY NSW 1587 AUSTRALIA
 PHONE: +61 2 9472 7300
 FAX: +61 2 9472 7301
 SMEC PROJECT NO. 300178116.31

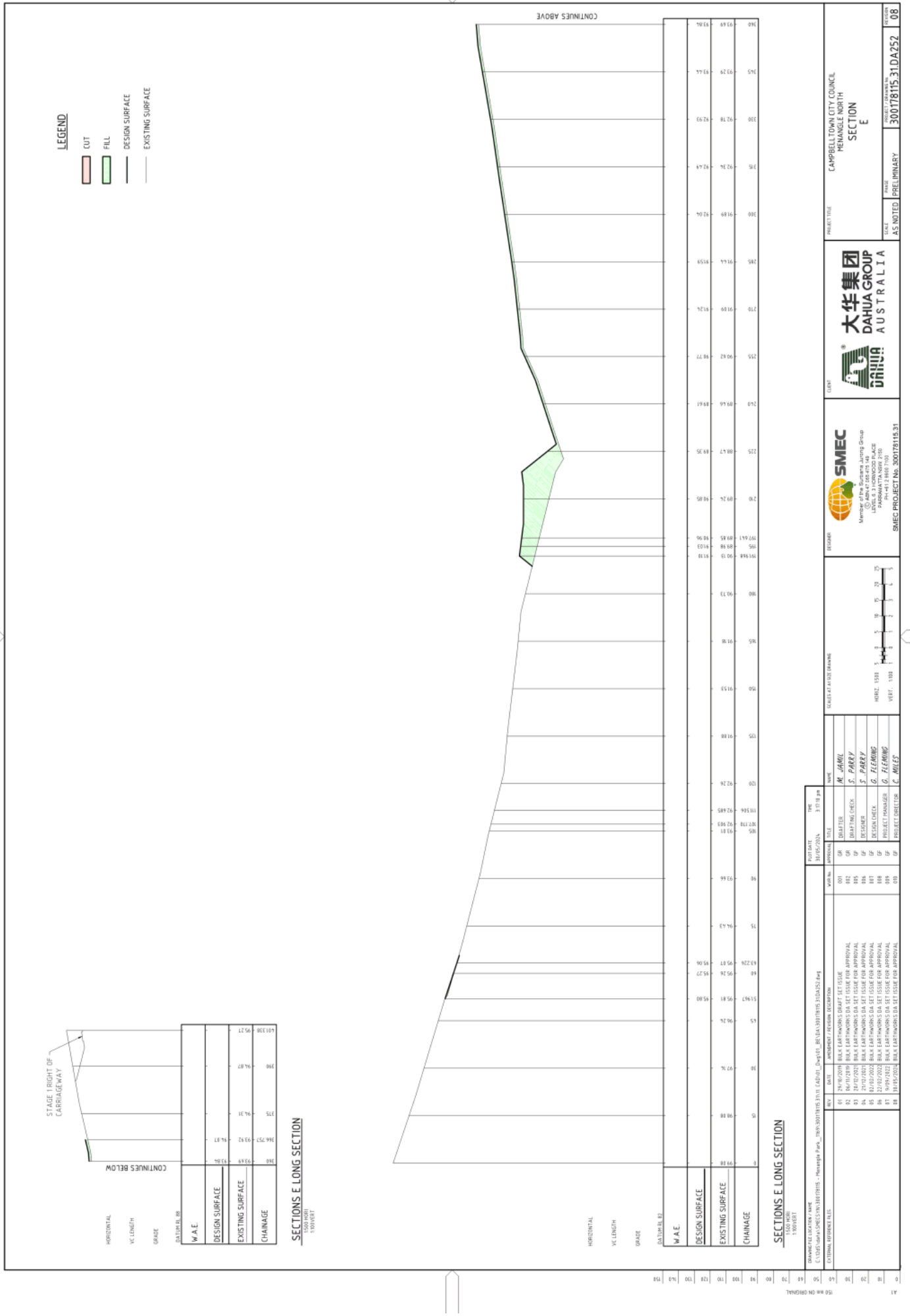
CLIENT: DAHUA GROUP AUSTRALIA

PROJECT TITLE: CAMPBELLTOWN CITY COUNCIL
 REWINDING NORTH
 SECTION
 PLAN
 SCALE: AS NOTED
 PHASE: PRELIMINARY
 PROJECT NUMBER: 300178115.31.DA.24.1
 REVISION: 08



REV	DATE	BY	CHECKED	DESCRIPTION	DATE	APP'D	DATE	BY	DATE
01	14/10/2024	AK	AK	ISSUE FOR APPROVAL	14/10/2024	AK	AK	AK	14/10/2024
02	14/10/2024	AK	AK	ISSUE FOR APPROVAL	14/10/2024	AK	AK	AK	14/10/2024
03	14/10/2024	AK	AK	ISSUE FOR APPROVAL	14/10/2024	AK	AK	AK	14/10/2024
04	14/10/2024	AK	AK	ISSUE FOR APPROVAL	14/10/2024	AK	AK	AK	14/10/2024
05	14/10/2024	AK	AK	ISSUE FOR APPROVAL	14/10/2024	AK	AK	AK	14/10/2024
06	14/10/2024	AK	AK	ISSUE FOR APPROVAL	14/10/2024	AK	AK	AK	14/10/2024
07	14/10/2024	AK	AK	ISSUE FOR APPROVAL	14/10/2024	AK	AK	AK	14/10/2024
08	14/10/2024	AK	AK	ISSUE FOR APPROVAL	14/10/2024	AK	AK	AK	14/10/2024
09	14/10/2024	AK	AK	ISSUE FOR APPROVAL	14/10/2024	AK	AK	AK	14/10/2024
10	14/10/2024	AK	AK	ISSUE FOR APPROVAL	14/10/2024	AK	AK	AK	14/10/2024

DRAWN BY: G. FLEMING
 CHECKED BY: S. PERRY
 PROJECT TITLE: CAMPBELLTOWN CITY COUNCIL - REHANGLE NORTH SECTIONS A, B, C & D
 PROJECT NO: 30017815.31DA251
 SCALE: AS NOTED
 PHASE: PRELIMINARY
 SHEET NO: 08
 TOTAL SHEETS: 08



LEGEND

- CUT
- FILL
- DESIGN SURFACE
- EXISTING SURFACE

SECTIONS E LONG SECTION

SECTIONS E LONG SECTION

REV	DATE	DESCRIPTION	ISSUE	APPROVED BY	DATE
01	14/10/2024	BULK LIFTINGWORKS DA SET ISSUE FOR APPROVAL	OK	J. JAMES	14/10/2024
02	14/10/2024	BULK LIFTINGWORKS DA SET ISSUE FOR APPROVAL	OK	S. PERRY	14/10/2024
03	14/10/2024	BULK LIFTINGWORKS DA SET ISSUE FOR APPROVAL	OK	S. PERRY	14/10/2024
04	14/10/2024	BULK LIFTINGWORKS DA SET ISSUE FOR APPROVAL	OK	G. FLEMING	14/10/2024
05	14/10/2024	BULK LIFTINGWORKS DA SET ISSUE FOR APPROVAL	OK	G. FLEMING	14/10/2024
06	14/10/2024	BULK LIFTINGWORKS DA SET ISSUE FOR APPROVAL	OK	C. AWLES	14/10/2024

CLIENT
 CAPPELLTOWN CITY COUNCIL
 REMANUE NORTH
SECTION E

CONSULTANT

 DAHUA GROUP AUSTRALIA

ENGINEER

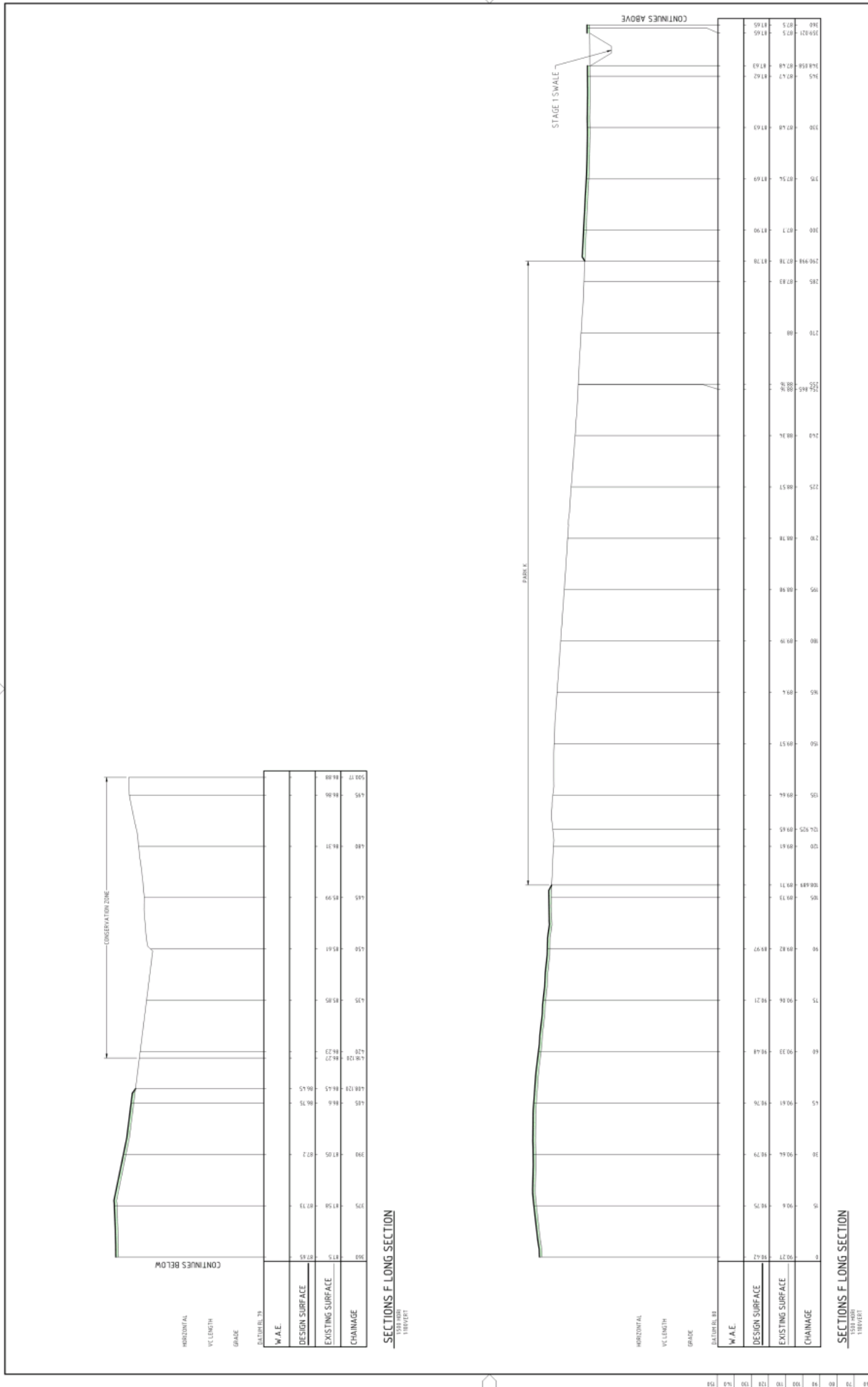
 SMEC
 100/100 WILSON ROAD
 LEVEL 9, 31 KENNEDY PLACE
 SYDNEY NSW 1587
 PH: +61 2 8877 7900
 SMEC PROJECT No. 300178116.31

SCALE
 AS NOTED

DATE
 PRELIMINARY

PROJECT TITLE
 300178116.31 DA.252

SECTION
 08



NO.	DATE	DESCRIPTION	BY	CHECKED	DATE	BY
01	14/10/2024	ISSUE FOR APPROVAL	JK	JK	14/10/2024	JK
02	14/10/2024	BULK PARTNERS DA SET ISSUE FOR APPROVAL	S	S	14/10/2024	S
03	14/10/2024	BULK PARTNERS DA SET ISSUE FOR APPROVAL	S	S	14/10/2024	S
04	14/10/2024	BULK PARTNERS DA SET ISSUE FOR APPROVAL	S	S	14/10/2024	S
05	14/10/2024	BULK PARTNERS DA SET ISSUE FOR APPROVAL	S	S	14/10/2024	S
06	14/10/2024	BULK PARTNERS DA SET ISSUE FOR APPROVAL	S	S	14/10/2024	S
07	14/10/2024	BULK PARTNERS DA SET ISSUE FOR APPROVAL	S	S	14/10/2024	S
08	14/10/2024	BULK PARTNERS DA SET ISSUE FOR APPROVAL	S	S	14/10/2024	S
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DATE: 14/10/24	BY: JK	CHECKED: JK	DATE: 14/10/24
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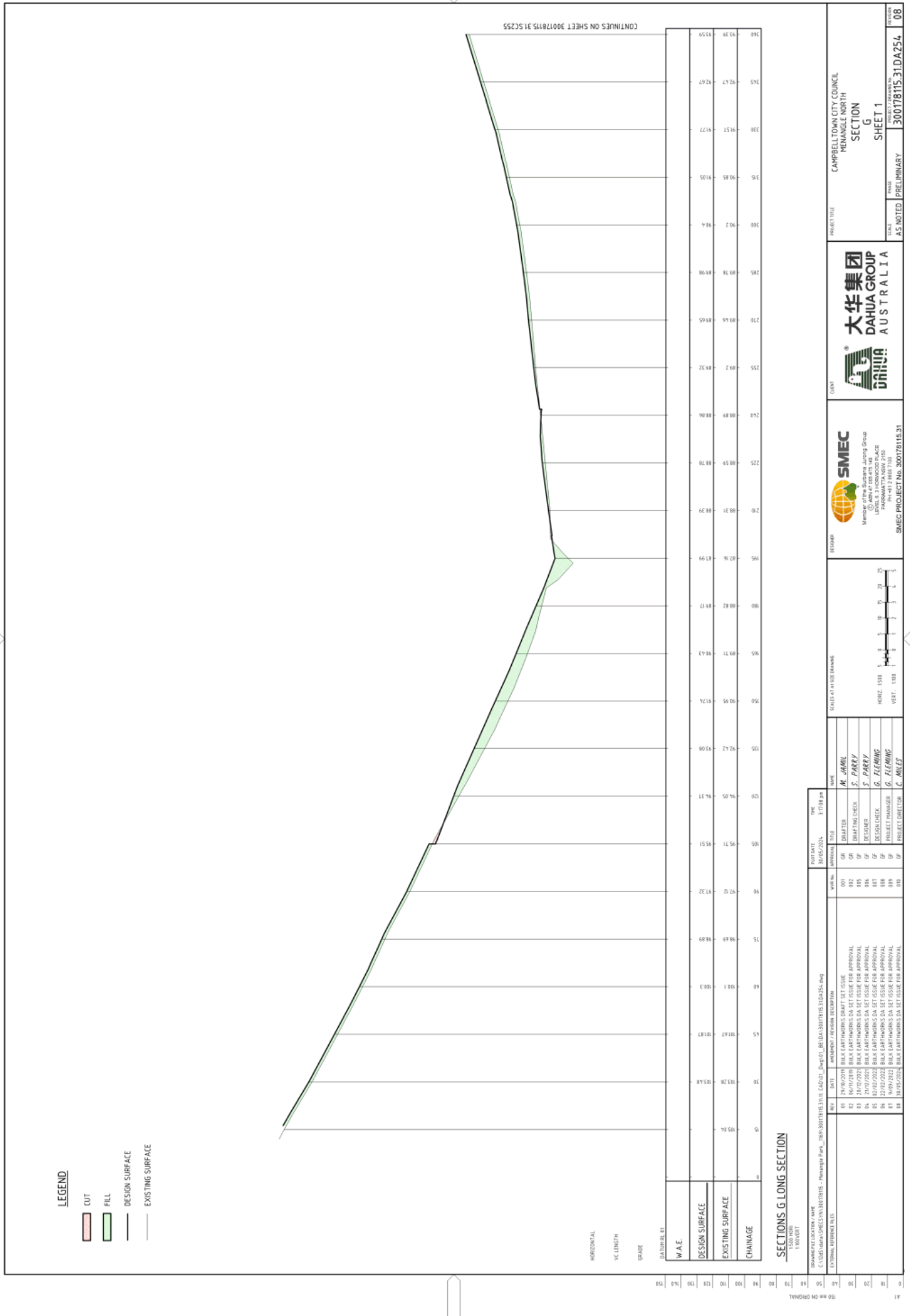
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DATE: 14/10/24	BY: S	CHECKED: S	DATE: 14/10/24
DATE: 14/10/24	BY: S	CHECKED: S	DATE: 14/10/24

AS NOTED PRELIMINARY

CAMPBELLTOWN CITY COUNCIL
REHANGLE NORTH
SECTION F

DAHUA GROUP
DAHUA AUSTRALIA

300178115.31.DA.253 08

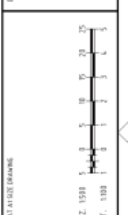


CAMPBELLTOWN CITY COUNCIL
REHANGLE NORTH
SECTION
G
SHEET 1

SCALE: AS NOTED
DATE: PRELIMINARY
PROJECT: 300178115.31.DA.254



SMEC
SMEC CONSULTANTS GROUP
LEVEL 9, 31 CORNWALL PLACE
SYDNEY NSW 1510
PH: +61 2 9557 7000
SMEC PROJECT No. 300178116.31



NO.	DATE	REVISION	BY	CHKD.
001	15/05/2024	ISSUE FOR APPROVAL	J. JAMES	
002	15/05/2024	ISSUE FOR APPROVAL	S. PERRY	
003	15/05/2024	ISSUE FOR APPROVAL	G. FLEMING	
004	15/05/2024	ISSUE FOR APPROVAL	C. AWLES	

SCALE: 1:100 (AS SHOWN)
DATE: 15/05/2024

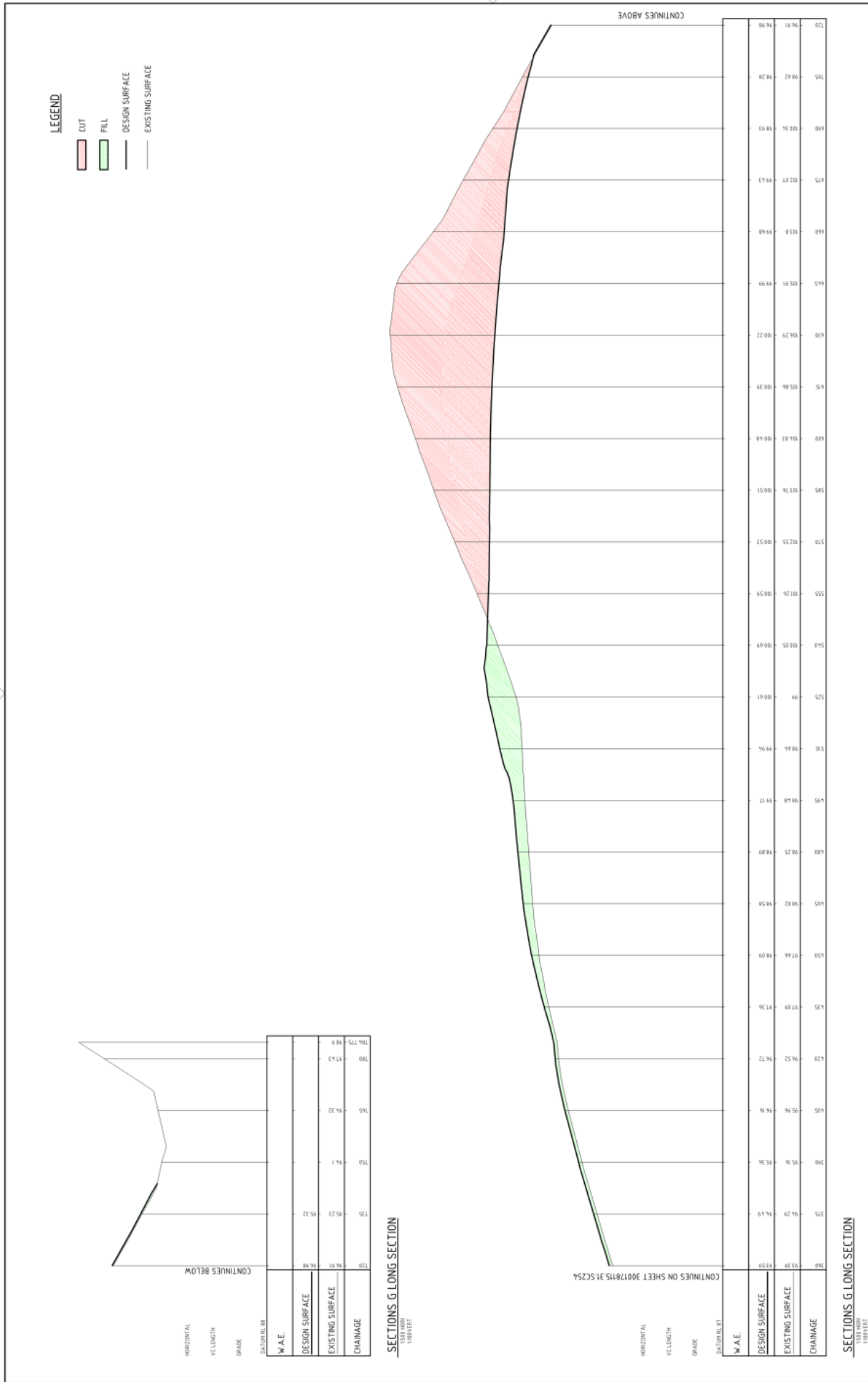
NO.	DATE	REVISION	BY	CHKD.
001	15/05/2024	ISSUE FOR APPROVAL	J. JAMES	
002	15/05/2024	ISSUE FOR APPROVAL	S. PERRY	
003	15/05/2024	ISSUE FOR APPROVAL	G. FLEMING	
004	15/05/2024	ISSUE FOR APPROVAL	C. AWLES	

SCALE: 1:100 (AS SHOWN)
DATE: 15/05/2024

NO.	DATE	REVISION	BY	CHKD.
001	15/05/2024	ISSUE FOR APPROVAL	J. JAMES	
002	15/05/2024	ISSUE FOR APPROVAL	S. PERRY	
003	15/05/2024	ISSUE FOR APPROVAL	G. FLEMING	
004	15/05/2024	ISSUE FOR APPROVAL	C. AWLES	

SCALE: 1:100 (AS SHOWN)
DATE: 15/05/2024

SCALE: 1:100 (AS SHOWN)
DATE: 15/05/2024



LEGEND
 CUT
 FILL
 DESIGN SURFACE
 EXISTING SURFACE

CONTINUES BELOW

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940	95.22	95.22	
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955	95.22	95.22	
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965	95.22	95.22	
970	95.22	95.22	
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980	95.22	95.22	
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990	95.22	95.22	
995	95.22	95.22	
1000	95.22	95.22	

SECTIONS G LONG SECTION
 13/01/2021

CONTINUES ON SHEET 300178175.31.S254

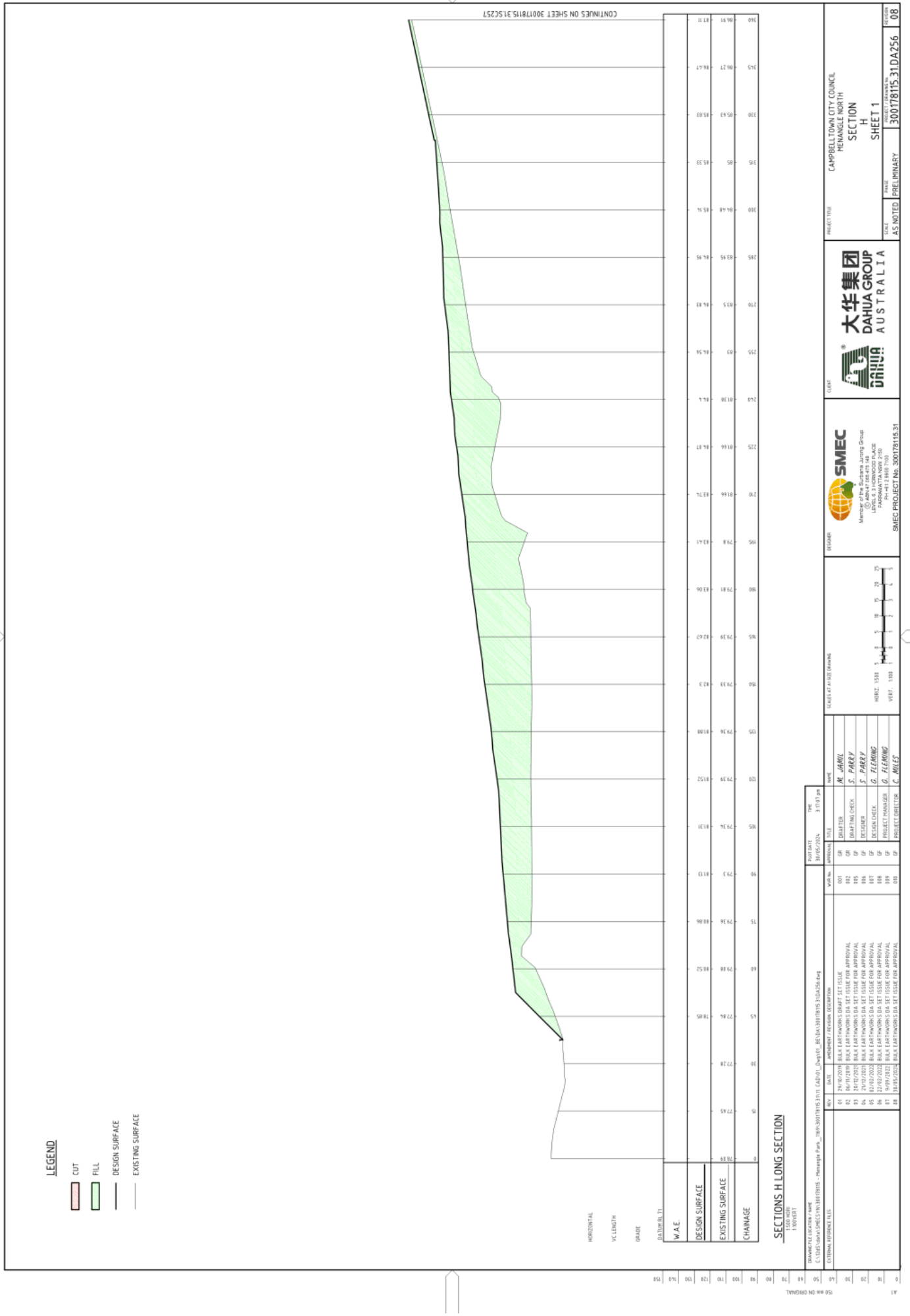
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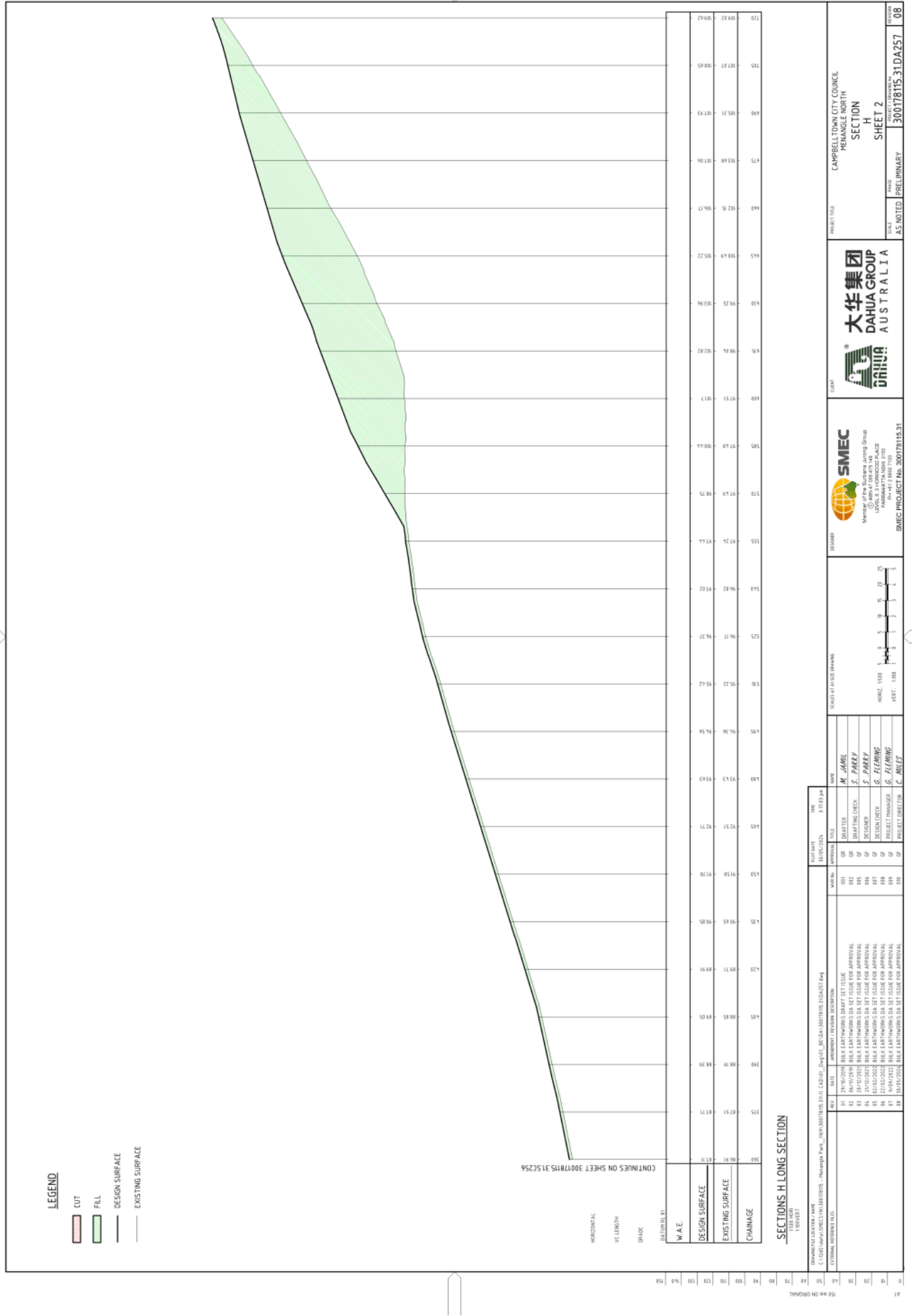
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01			ISSUE FOR APPROVAL	J. JAMES						
02			ISSUE FOR APPROVAL	S. PARRY						
03			ISSUE FOR APPROVAL	S. PARRY						
04			ISSUE FOR APPROVAL	G. FLEMING						
05			ISSUE FOR APPROVAL	G. FLEMING						
06			ISSUE FOR APPROVAL	C. AWLES						

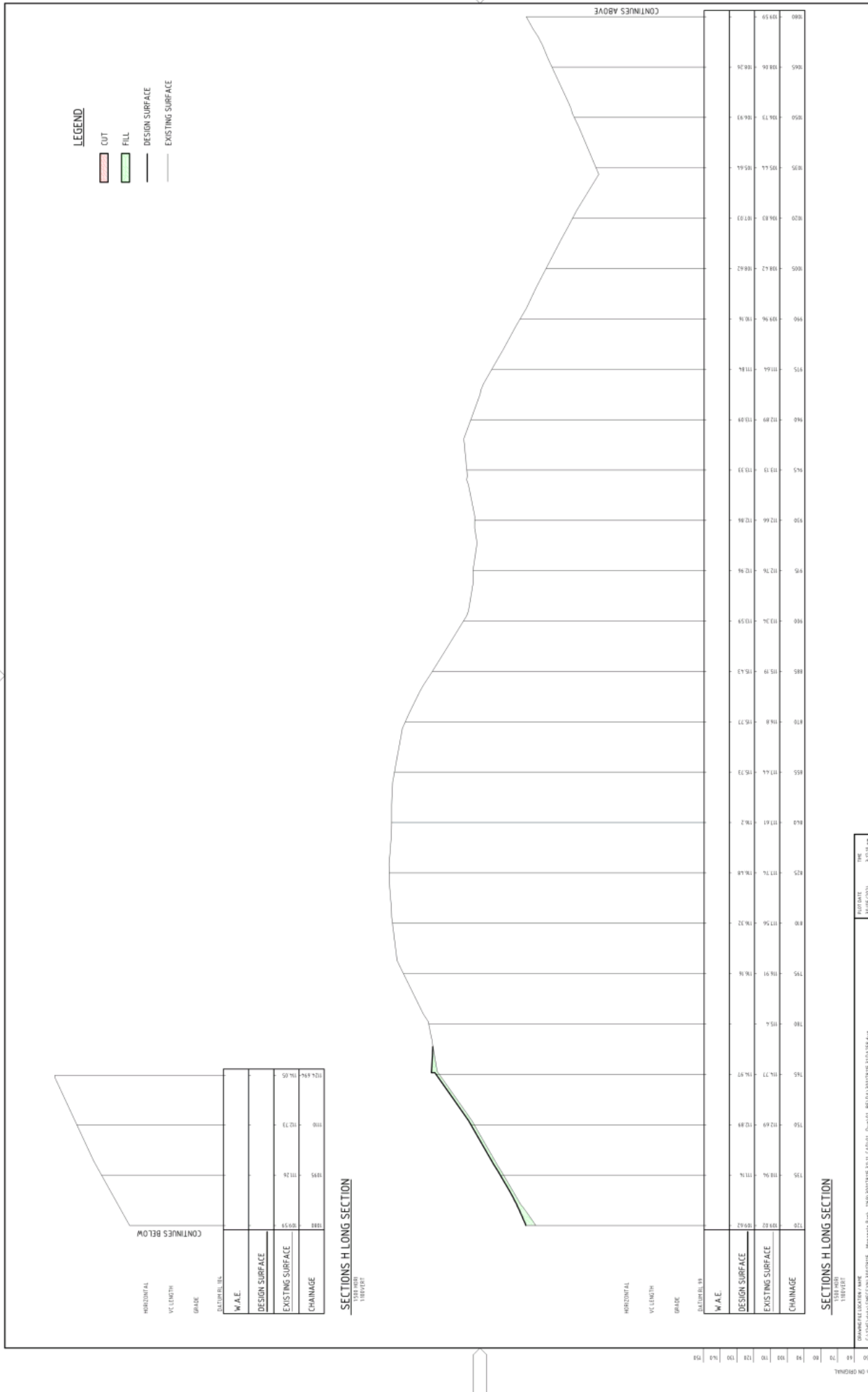
SMEC
 Member of the Jacobs Group
 Level 9, 31 Crownwood Place
 7/799 Stirling Highway
 Perth WA 6008
 SMPC PROJECT No. 30017816.31

大华集团
DAHUA GROUP
AUSTRALIA

PROJECT TITLE: CAMPBELLTOWN CITY COUNCIL
 REHANGLE NORTH
 SECTION G
 SHEET 2
 SCALE: AS NOTED
 PHASE: PRELIMINARY
 PROJECT NO: 300178175.31.DA.255
 SECTION: 08





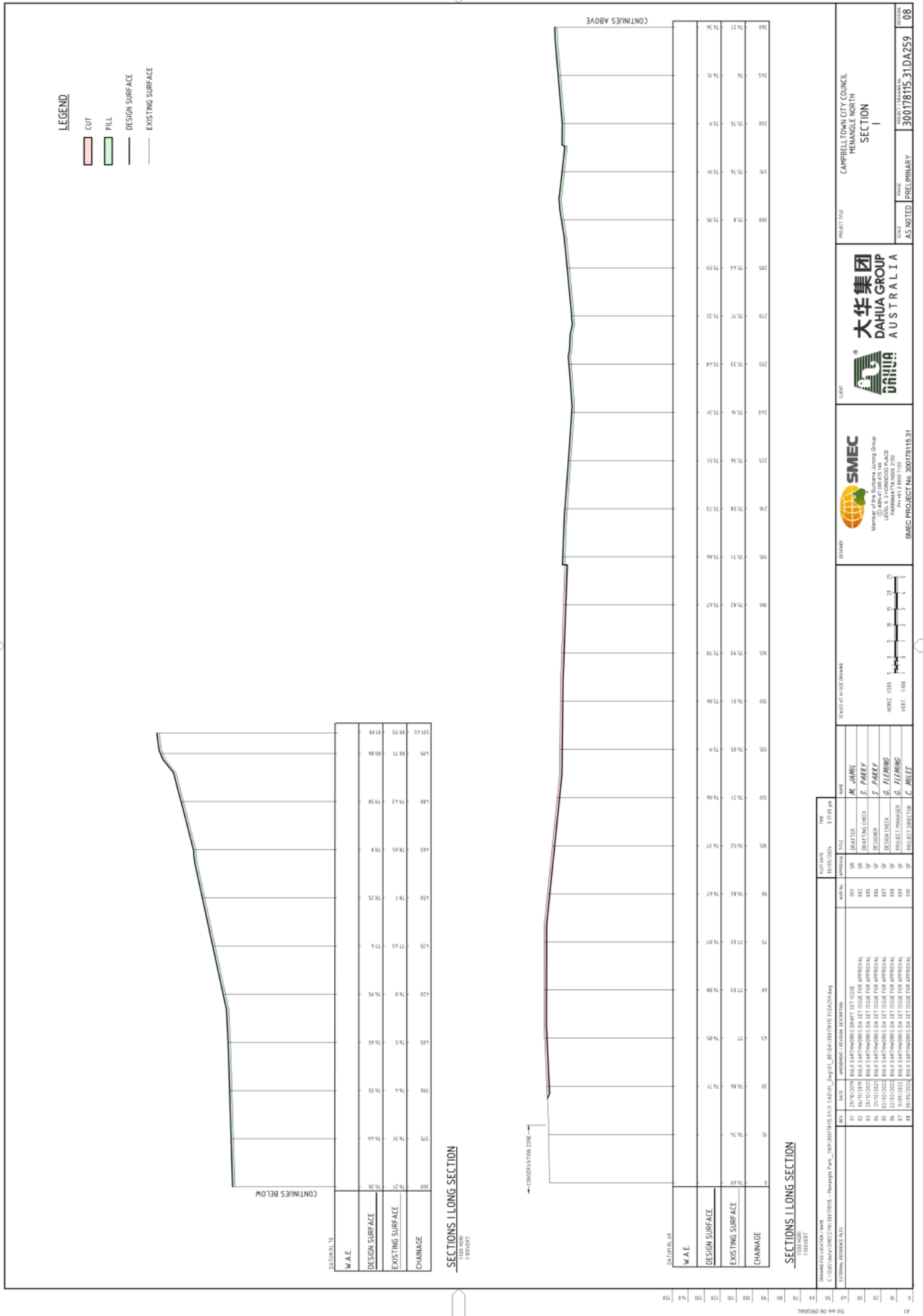


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02		18/07/2024	JK	JK	ISSUE FOR APPROVAL	18/07/2024	JK	JK	ISSUE FOR APPROVAL
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04		18/07/2024	JK	JK	ISSUE FOR APPROVAL	18/07/2024	JK	JK	ISSUE FOR APPROVAL
05		18/07/2024	JK	JK	ISSUE FOR APPROVAL	18/07/2024	JK	JK	ISSUE FOR APPROVAL
06		18/07/2024	JK	JK	ISSUE FOR APPROVAL	18/07/2024	JK	JK	ISSUE FOR APPROVAL
07		18/07/2024	JK	JK	ISSUE FOR APPROVAL	18/07/2024	JK	JK	ISSUE FOR APPROVAL
08		18/07/2024	JK	JK	ISSUE FOR APPROVAL	18/07/2024	JK	JK	ISSUE FOR APPROVAL
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SMEC
 Environmental & Infrastructure Group
 Level 5, 31 Crownwood Place
 7/799 Stirling Highway
 Perth WA 6007 Australia
 SMEC PROJECT No. 300178116.31

DAHUA GROUP AUSTRALIA
 PROJECT TITLE: CAPPBELLTOWN CITY COUNCIL REWINDLE NORTH SECTION H SHEET 3 OF 3

SCALE: AS NOTED
 PRELIMINARY
 300178116.31.DA.258
 08



LEGEND

- CUT
- FILL
- DESIGN SURFACE
- EXISTING SURFACE

DATE: 06.11.2024	W.A.E.	DESIGN SURFACE	EXISTING SURFACE	CHAINAGE
500	76.21	76.21	76.21	500
775	76.31	76.44	76.44	775
800	76.44	76.55	76.55	800
825	76.55	76.65	76.65	825
850	76.65	76.74	76.74	850
875	76.74	76.81	76.81	875
900	76.81	76.85	76.85	900
925	76.85	76.88	76.88	925
950	76.88	76.95	76.95	950
975	76.95	77.04	77.04	975
1000	77.04	77.14	77.14	1000
1025	77.14	77.25	77.25	1025
1050	77.25	77.35	77.35	1050
1075	77.35	77.45	77.45	1075
1100	77.45	77.55	77.55	1100
1125	77.55	77.65	77.65	1125
1150	77.65	77.74	77.74	1150
1175	77.74	77.81	77.81	1175
1200	77.81	77.85	77.85	1200
1225	77.85	77.88	77.88	1225
1250	77.88	77.95	77.95	1250
1275	77.95	78.04	78.04	1275
1300	78.04	78.14	78.14	1300
1325	78.14	78.25	78.25	1325
1350	78.25	78.35	78.35	1350
1375	78.35	78.45	78.45	1375
1400	78.45	78.55	78.55	1400
1425	78.55	78.65	78.65	1425
1450	78.65	78.74	78.74	1450
1475	78.74	78.81	78.81	1475
1500	78.81	78.85	78.85	1500
1525	78.85	78.88	78.88	1525
1550	78.88	78.95	78.95	1550
1575	78.95	79.04	79.04	1575
1600	79.04	79.14	79.14	1600
1625	79.14	79.25	79.25	1625
1650	79.25	79.35	79.35	1650
1675	79.35	79.45	79.45	1675
1700	79.45	79.55	79.55	1700
1725	79.55	79.65	79.65	1725
1750	79.65	79.74	79.74	1750
1775	79.74	79.81	79.81	1775
1800	79.81	79.85	79.85	1800
1825	79.85	79.88	79.88	1825
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1925	80.14	80.25	80.25	1925
1950	80.25	80.35	80.35	1950
1975	80.35	80.45	80.45	1975
2000	80.45	80.55	80.55	2000
2025	80.55	80.65	80.65	2025
2050	80.65	80.74	80.74	2050
2075	80.74	80.81	80.81	2075
2100	80.81	80.85	80.85	2100
2125	80.85	80.88	80.88	2125
2150	80.88	80.95	80.95	2150
2175	80.95	81.04	81.04	2175
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2275	81.35	81.45	81.45	2275
2300	81.45	81.55	81.55	2300
2325	81.55	81.65	81.65	2325
2350	81.65	81.74	81.74	2350
2375	81.74	81.81	81.81	2375
2400	81.81	81.85	81.85	2400
2425	81.85	81.88	81.88	2425
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2575	82.35	82.45	82.45	2575
2600	82.45	82.55	82.55	2600
2625	82.55	82.65	82.65	2625
2650	82.65	82.74	82.74	2650
2675	82.74	82.81	82.81	2675
2700	82.81	82.85	82.85	2700
2725	82.85	82.88	82.88	2725
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2775	82.95	83.04	83.04	2775
2800	83.04	83.14	83.14	2800
2825	83.14	83.25	83.25	2825
2850	83.25	83.35	83.35	2850
2875	83.35	83.45	83.45	2875
2900	83.45	83.55	83.55	2900
2925	83.55	83.65	83.65	2925
2950	83.65	83.74	83.74	2950
2975	83.74	83.81	83.81	2975
3000	83.81	83.85	83.85	3000

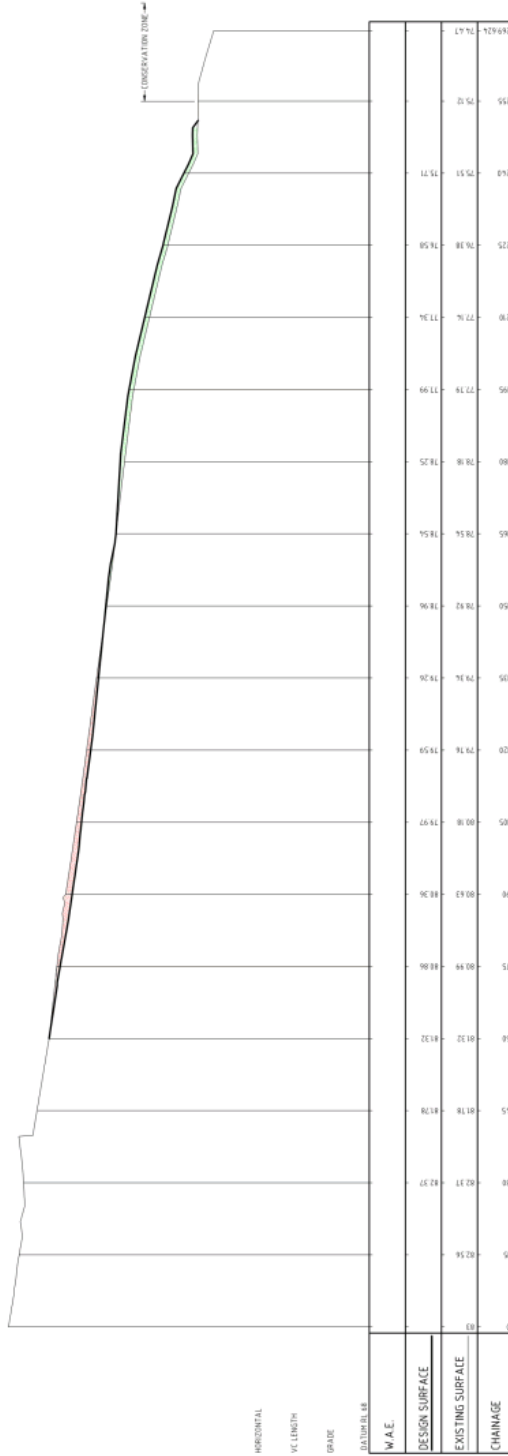
SECTIONS I LONG SECTION

SECTIONS J LONG SECTION

		CAPPBELLTOWN CITY COUNCIL REHANGLE NORTH SECTION I
	PROJECT TITLE: CAPPBELLTOWN CITY COUNCIL REHANGLE NORTH SECTION I SCALE: AS NOTED PRELIMINARY SHEET: 300178115.31.DA.259 08	
SMCC PROJECT No. 300178116.31		
MEMBERS: S. PARRY, G. FLEMING, C. AWLES PROJECT MANAGER: G. FLEMING PROJECT DIRECTOR: C. AWLES		
SCALE: 1:100 UTM: 500 0 100 200 300 400 500 600 700 800 900 1000		
DATE: 06.11.2024 W.A.E.		

LEGEND

- CUT
- FILL
- DESIGN SURFACE
- EXISTING SURFACE



HORIZONTAL
V.C LENGTH
GRADE
BATHYMETRY
W.A.E.
DESIGN SURFACE
EXISTING SURFACE
CHAINAGE

SECTIONS J LONG SECTION

DATE: 15/09/2023
TIME: 1:50:00 PM

REV	DATE	DESCRIPTION	ISSUE	BY	CHECKED	DATE	BY
01	15/09/2023	ISSUE FOR APPROVAL	ISSUE	J. JAMES	J. JAMES	15/09/2023	J. JAMES
02	16/09/2023	BULK LIFTINGWORKS DA SET ISSUE FOR APPROVAL	ISSUE	S. PARRY	S. PARRY	16/09/2023	S. PARRY
03	17/09/2023	BULK LIFTINGWORKS DA SET ISSUE FOR APPROVAL	ISSUE	S. PARRY	S. PARRY	17/09/2023	S. PARRY
04	17/09/2023	BULK LIFTINGWORKS DA SET ISSUE FOR APPROVAL	ISSUE	G. FLEMING	G. FLEMING	17/09/2023	G. FLEMING
05	17/09/2023	BULK LIFTINGWORKS DA SET ISSUE FOR APPROVAL	ISSUE	G. FLEMING	G. FLEMING	17/09/2023	G. FLEMING
06	19/09/2023	BULK LIFTINGWORKS DA SET ISSUE FOR APPROVAL	ISSUE	G. FLEMING	G. FLEMING	19/09/2023	G. FLEMING
07	19/09/2023	BULK LIFTINGWORKS DA SET ISSUE FOR APPROVAL	ISSUE	G. FLEMING	G. FLEMING	19/09/2023	G. FLEMING
08	19/09/2023	BULK LIFTINGWORKS DA SET ISSUE FOR APPROVAL	ISSUE	G. FLEMING	G. FLEMING	19/09/2023	G. FLEMING

NO.	DATE	DESCRIPTION	BY
01	15/09/2023	ISSUE FOR APPROVAL	J. JAMES
02	16/09/2023	BULK LIFTINGWORKS DA SET ISSUE FOR APPROVAL	S. PARRY
03	17/09/2023	BULK LIFTINGWORKS DA SET ISSUE FOR APPROVAL	S. PARRY
04	17/09/2023	BULK LIFTINGWORKS DA SET ISSUE FOR APPROVAL	G. FLEMING
05	17/09/2023	BULK LIFTINGWORKS DA SET ISSUE FOR APPROVAL	G. FLEMING
06	19/09/2023	BULK LIFTINGWORKS DA SET ISSUE FOR APPROVAL	G. FLEMING
07	19/09/2023	BULK LIFTINGWORKS DA SET ISSUE FOR APPROVAL	G. FLEMING
08	19/09/2023	BULK LIFTINGWORKS DA SET ISSUE FOR APPROVAL	G. FLEMING

SMC PROJECT No. 300178116.31

SMC
Merrimack Valley Regional Council
Level 5, 31 Crownwood Place
7799 Sturt Highway
Melbourne, VIC 3001

DAHUA GROUP AUSTRALIA

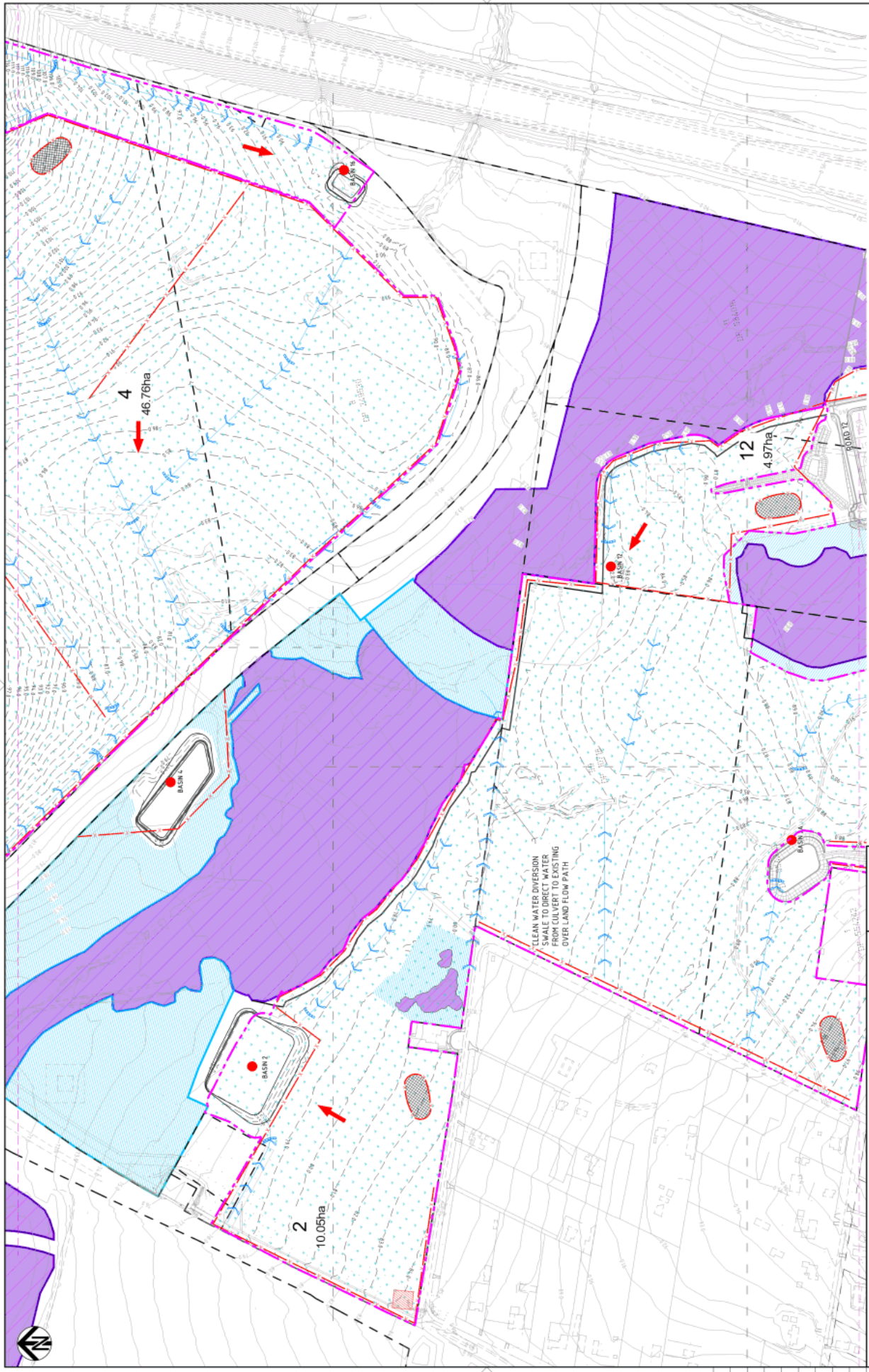
大华集团

CAMPBELLTOWN CITY COUNCIL
REHANGLE NORTH
SECTION J

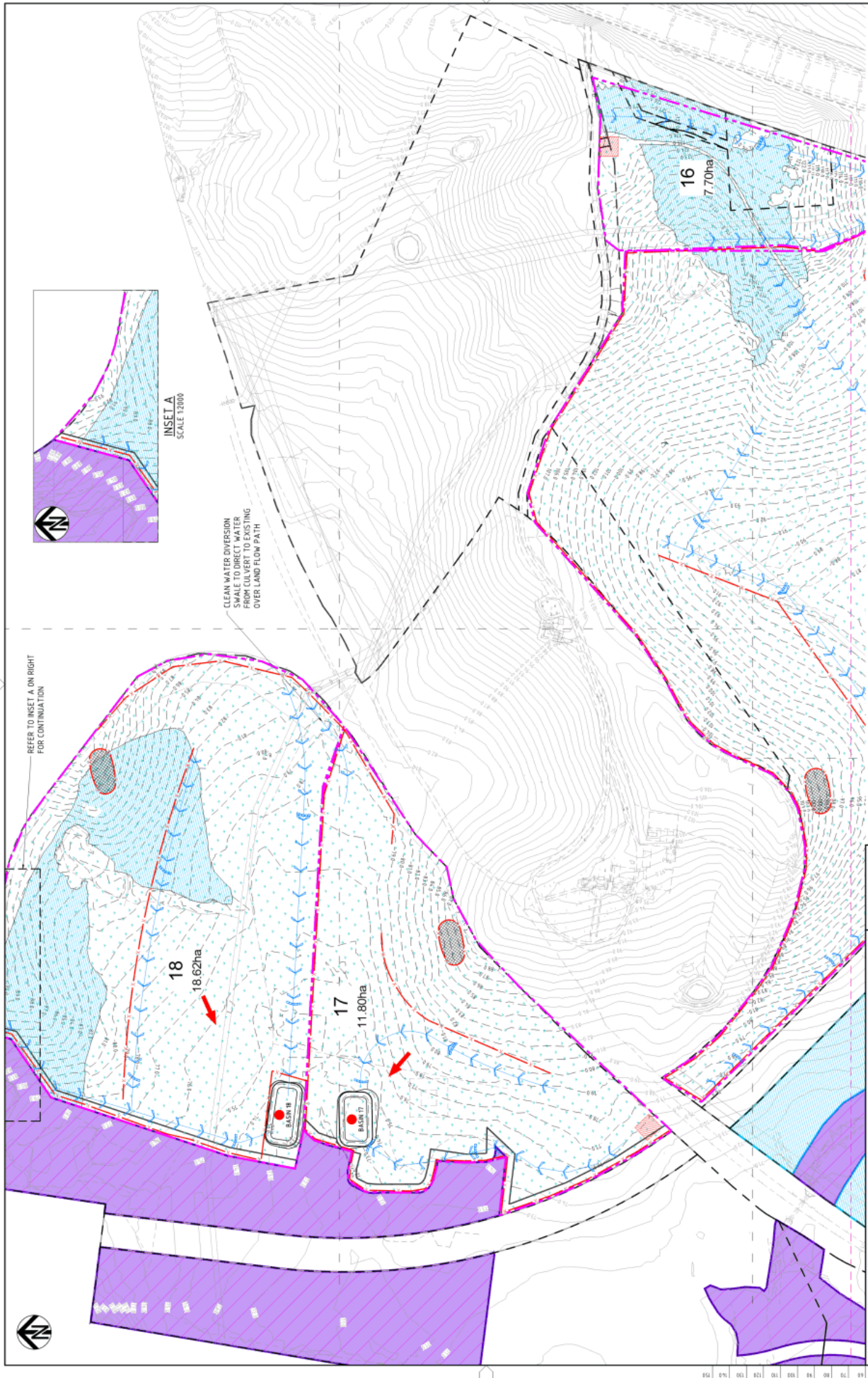
PROJECT TITLE: CAMPBELLTOWN CITY COUNCIL REHANGLE NORTH SECTION J
SCALE: AS NOTED
PRELIMINARY
PROJECT NO: 300178116.31
SECTION: 08



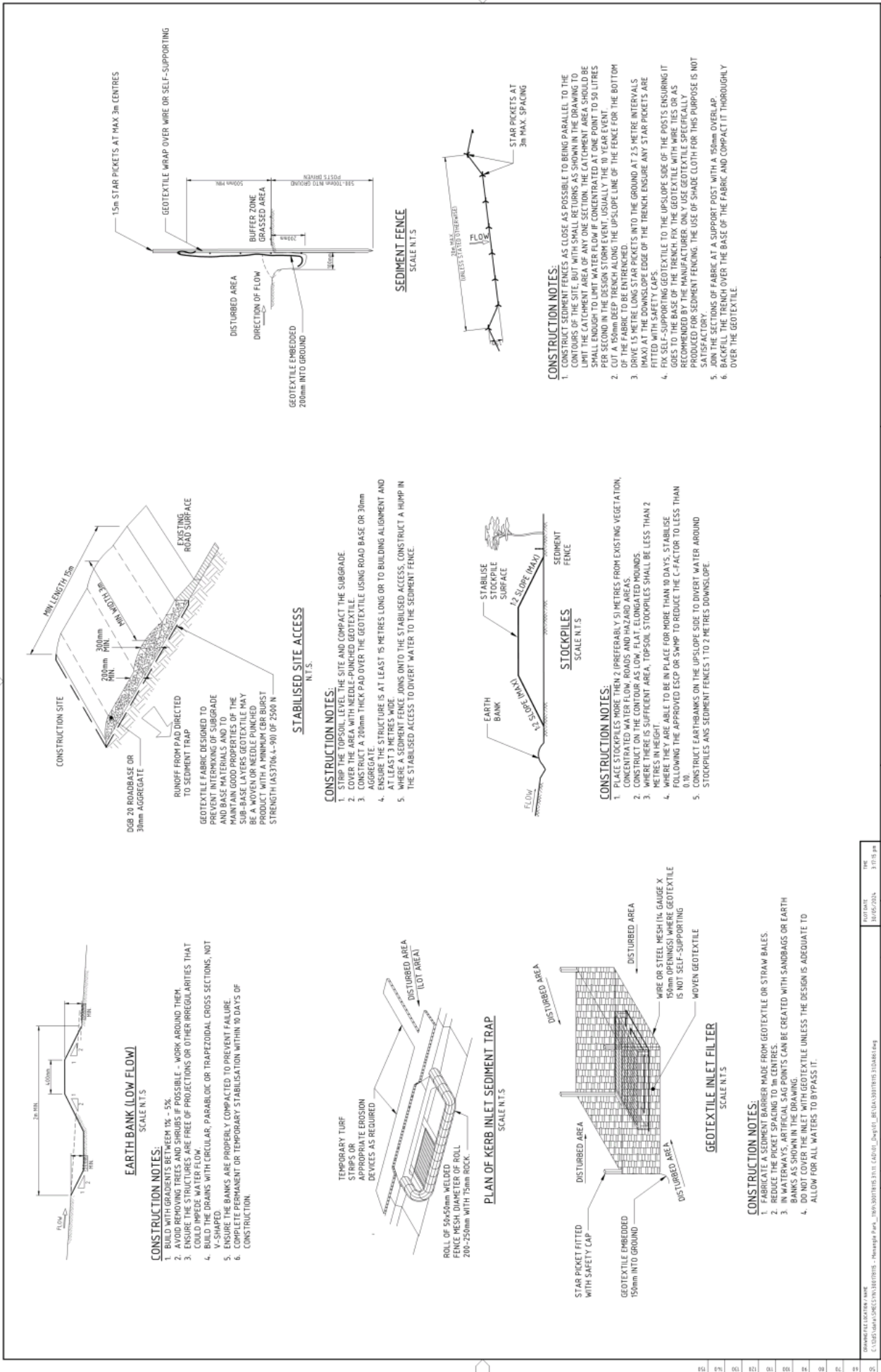
<p>PROJECT TITLE: CAMPBELLTOWN CITY COUNCIL REHANGLE NORTH SOIL & WATER / CATCHMENT MANAGEMENT PLAN SHEET 1</p>		<p>SCALE: AS NOTED</p>		<p>PROJECT NO: 30017815.31DA851</p>	
<p>CLIENT: DAHUA GROUP AUSTRALIA</p>		<p>DESIGNER: SMEC Merrimack Environmental Engineering Group LEVEL 5, 24 KENNEDY PLACE PO BOX 411 8887 TULLAGH SMEC PROJECT No. 30017815.31</p>		<p>DATE: 23/10/2024</p>	
NO.	REV.	DATE	DESCRIPTION	BY	CHK
01		14/10/2024	ISSUE FOR APPROVAL	AK JAMEL	AK JAMEL
02		14/10/2024	ISSUE FOR APPROVAL	S. PARRY	S. PARRY
03		14/10/2024	ISSUE FOR APPROVAL	G. FLEMING	G. FLEMING
04		14/10/2024	ISSUE FOR APPROVAL	C. AWLES	C. AWLES



DRAWN: J. COOPER / M.K. MEE CHECKED: M. PERRY / S. PERRY DATE: 12/10/2024 SCALE: AS NOTED		PROJECT TITLE: CAMPBELLTOWN CITY COUNCIL REMANGE NORTH SOIL & WATER / CATCHMENT MANAGEMENT PLAN SHEET 3		SCALE: AS NOTED PRELIMINARY PROJECT NO: 300178115.31.DA853 REVISION: 08	
CLIENT: DAHUA GROUP AUSTRALIA		CLIENT: DAHUA GROUP AUSTRALIA		CLIENT: DAHUA GROUP AUSTRALIA	
CONSULTANT: SMEC MEMBERSHIP: Environmental Engineering Group LEVELS: 31 LORWOOD PLACE SYDNEY NSW 2000 PH: +61 2 9457 7900		SMEC PROJECT No. 300178115.31		SMEC PROJECT No. 300178115.31	
PROJECT NO: 300178115.31		SHEET NO: 3		SCALE: 1:1000	
DATE: 12/10/2024		TIME: 3:30 PM		SCALE: AS NOTED	
WORK NO. 001 OF 001		DATE: 12/10/2024		SCALE: AS NOTED	
DRAWN: J. COOPER / M.K. MEE		CHECKED: M. PERRY / S. PERRY		SCALE: AS NOTED	
DATE: 12/10/2024		DATE: 12/10/2024		SCALE: AS NOTED	
PROJECT NO: 300178115.31		SHEET NO: 3		SCALE: AS NOTED	
DATE: 12/10/2024		TIME: 3:30 PM		SCALE: AS NOTED	



<p>DAWAHUA GROUP NAME C:\USER\DAWAHUA\PROJECTS - PRELIM\4_Par... 2019-2021\15.1317_15.1318_15.1319_15.1320_15.1321_15.1322_15.1323_15.1324_15.1325_15.1326_15.1327_15.1328_15.1329_15.1330_15.1331_15.1332_15.1333_15.1334_15.1335_15.1336_15.1337_15.1338_15.1339_15.1340_15.1341_15.1342_15.1343_15.1344_15.1345_15.1346_15.1347_15.1348_15.1349_15.1350_15.1351_15.1352_15.1353_15.1354_15.1355_15.1356_15.1357_15.1358_15.1359_15.1360_15.1361_15.1362_15.1363_15.1364_15.1365_15.1366_15.1367_15.1368_15.1369_15.1370_15.1371_15.1372_15.1373_15.1374_15.1375_15.1376_15.1377_15.1378_15.1379_15.1380_15.1381_15.1382_15.1383_15.1384_15.1385_15.1386_15.1387_15.1388_15.1389_15.1390_15.1391_15.1392_15.1393_15.1394_15.1395_15.1396_15.1397_15.1398_15.1399_15.1400_15.1401_15.1402_15.1403_15.1404_15.1405_15.1406_15.1407_15.1408_15.1409_15.1410_15.1411_15.1412_15.1413_15.1414_15.1415_15.1416_15.1417_15.1418_15.1419_15.1420_15.1421_15.1422_15.1423_15.1424_15.1425_15.1426_15.1427_15.1428_15.1429_15.1430_15.1431_15.1432_15.1433_15.1434_15.1435_15.1436_15.1437_15.1438_15.1439_15.1440_15.1441_15.1442_15.1443_15.1444_15.1445_15.1446_15.1447_15.1448_15.1449_15.1450_15.1451_15.1452_15.1453_15.1454_15.1455_15.1456_15.1457_15.1458_15.1459_15.1460_15.1461_15.1462_15.1463_15.1464_15.1465_15.1466_15.1467_15.1468_15.1469_15.1470_15.1471_15.1472_15.1473_15.1474_15.1475_15.1476_15.1477_15.1478_15.1479_15.1480_15.1481_15.1482_15.1483_15.1484_15.1485_15.1486_15.1487_15.1488_15.1489_15.1490_15.1491_15.1492_15.1493_15.1494_15.1495_15.1496_15.1497_15.1498_15.1499_15.1500_15.1501_15.1502_15.1503_15.1504_15.1505_15.1506_15.1507_15.1508_15.1509_15.1510_15.1511_15.1512_15.1513_15.1514_15.1515_15.1516_15.1517_15.1518_15.1519_15.1520_15.1521_15.1522_15.1523_15.1524_15.1525_15.1526_15.1527_15.1528_15.1529_15.1530_15.1531_15.1532_15.1533_15.1534_15.1535_15.1536_15.1537_15.1538_15.1539_15.1540_15.1541_15.1542_15.1543_15.1544_15.1545_15.1546_15.1547_15.1548_15.1549_15.1550_15.1551_15.1552_15.1553_15.1554_15.1555_15.1556_15.1557_15.1558_15.1559_15.1560_15.1561_15.1562_15.1563_15.1564_15.1565_15.1566_15.1567_15.1568_15.1569_15.1570_15.1571_15.1572_15.1573_15.1574_15.1575_15.1576_15.1577_15.1578_15.1579_15.1580_15.1581_15.1582_15.1583_15.1584_15.1585_15.1586_15.1587_15.1588_15.1589_15.1590_15.1591_15.1592_15.1593_15.1594_15.1595_15.1596_15.1597_15.1598_15.1599_15.1600_15.1601_15.1602_15.1603_15.1604_15.1605_15.1606_15.1607_15.1608_15.1609_15.1610_15.1611_15.1612_15.1613_15.1614_15.1615_15.1616_15.1617_15.1618_15.1619_15.1620_15.1621_15.1622_15.1623_15.1624_15.1625_15.1626_15.1627_15.1628_15.1629_15.1630_15.1631_15.1632_15.1633_15.1634_15.1635_15.1636_15.1637_15.1638_15.1639_15.1640_15.1641_15.1642_15.1643_15.1644_15.1645_15.1646_15.1647_15.1648_15.1649_15.1650_15.1651_15.1652_15.1653_15.1654_15.1655_15.1656_15.1657_15.1658_15.1659_15.1660_15.1661_15.1662_15.1663_15.1664_15.1665_15.1666_15.1667_15.1668_15.1669_15.1670_15.1671_15.1672_15.1673_15.1674_15.1675_15.1676_15.1677_15.1678_15.1679_15.1680_15.1681_15.1682_15.1683_15.1684_15.1685_15.1686_15.1687_15.1688_15.1689_15.1690_15.1691_15.1692_15.1693_15.1694_15.1695_15.1696_15.1697_15.1698_15.1699_15.1700_15.1701_15.1702_15.1703_15.1704_15.1705_15.1706_15.1707_15.1708_15.1709_15.1710_15.1711_15.1712_15.1713_15.1714_15.1715_15.1716_15.1717_15.1718_15.1719_15.1720_15.1721_15.1722_15.1723_15.1724_15.1725_15.1726_15.1727_15.1728_15.1729_15.1730_15.1731_15.1732_15.1733_15.1734_15.1735_15.1736_15.1737_15.1738_15.1739_15.1740_15.1741_15.1742_15.1743_15.1744_15.1745_15.1746_15.1747_15.1748_15.1749_15.1750_15.1751_15.1752_15.1753_15.1754_15.1755_15.1756_15.1757_15.1758_15.1759_15.1760_15.1761_15.1762_15.1763_15.1764_15.1765_15.1766_15.1767_15.1768_15.1769_15.1770_15.1771_15.1772_15.1773_15.1774_15.1775_15.1776_15.1777_15.1778_15.1779_15.1780_15.1781_15.1782_15.1783_15.1784_15.1785_15.1786_15.1787_15.1788_15.1789_15.1790_15.1791_15.1792_15.1793_15.1794_15.1795_15.1796_15.1797_15.1798_15.1799_15.1800_15.1801_15.1802_15.1803_15.1804_15.1805_15.1806_15.1807_15.1808_15.1809_15.1810_15.1811_15.1812_15.1813_15.1814_15.1815_15.1816_15.1817_15.1818_15.1819_15.1820_15.1821_15.1822_15.1823_15.1824_15.1825_15.1826_15.1827_15.1828_15.1829_15.1830_15.1831_15.1832_15.1833_15.1834_15.1835_15.1836_15.1837_15.1838_15.1839_15.1840_15.1841_15.1842_15.1843_15.1844_15.1845_15.1846_15.1847_15.1848_15.1849_15.1850_15.1851_15.1852_15.1853_15.1854_15.1855_15.1856_15.1857_15.1858_15.1859_15.1860_15.1861_15.1862_15.1863_15.1864_15.1865_15.1866_15.1867_15.1868_15.1869_15.1870_15.1871_15.1872_15.1873_15.1874_15.1875_15.1876_15.1877_15.1878_15.1879_15.1880_15.1881_15.1882_15.1883_15.1884_15.1885_15.1886_15.1887_15.1888_15.1889_15.1890_15.1891_15.1892_15.1893_15.1894_15.1895_15.1896_15.1897_15.1898_15.1899_15.1900_15.1901_15.1902_15.1903_15.1904_15.1905_15.1906_15.1907_15.1908_15.1909_15.1910_15.1911_15.1912_15.1913_15.1914_15.1915_15.1916_15.1917_15.1918_15.1919_15.1920_15.1921_15.1922_15.1923_15.1924_15.1925_15.1926_15.1927_15.1928_15.1929_15.1930_15.1931_15.1932_15.1933_15.1934_15.1935_15.1936_15.1937_15.1938_15.1939_15.194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DATE DESCRIPTION</p> <p>91 14/10/2023 BULK LIFTING/DRAINAGE ISSUE</p> <p>92 14/10/2023 BULK LIFTING/DRAINAGE ISSUE</p> <p>93 14/10/2023 BULK LIFTING/DRAINAGE ISSUE FOR APPROVAL</p> <p>94 14/10/2023 BULK LIFTING/DRAINAGE ISSUE FOR APPROVAL</p> <p>95 14/10/2023 BULK LIFTING/DRAINAGE ISSUE FOR APPROVAL</p> <p>96 14/10/2023 BULK LIFTING/DRAINAGE ISSUE FOR APPROVAL</p> <p>97 14/10/2023 BULK LIFTING/DRAINAGE ISSUE FOR APPROVAL</p> <p>98 14/10/2023 BULK LIFTING/DRAINAGE ISSUE FOR APPROVAL</p> <p>99 14/10/2023 BULK LIFTING/DRAINAGE ISSUE FOR APPROVAL</p> <p>100 14/10/2023 BULK LIFTING/DRAINAGE ISSUE FOR APPROVAL</p>	<p>DATE: 23/10/2024</p> <p>SCALE: 1:5000</p> <p>PROJECT: 300178115.31DA854_08</p>	<p>PROJECT TITLE: CAPPELLTOWN CITY COUNCIL REHANGELE NORTH SOIL & WATER / CATCHMENT MANAGEMENT PLAN SHEET 4</p> <p>CLIENT: 大华集团 DAHUA GROUP AUSTRALIA</p> <p>DESIGNER: SMEC Merrimack Street, Melbourne, Victoria Level 9, 311 Kewwood Place Kew, VIC 3143 PH: +61 3 9887 7900 SMEC PROJECT No. 300178116.31</p>	<p>AS NOTED PRELIMINARY</p> <p>300178115.31DA854_08</p>
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PROJECT TITLE: CAMPBELLTOWN CITY COUNCIL
REHANGLE NORTH
SOIL & WATER
MANAGEMENT DETAILS
SHEET 1

SCALE: AS NOTED
PROJECT NO: 30017815.31DA861
REVISION: 08



SMEC
MEMBERSHIP OF THE SmeC GROUP
LEVEL 5, 31 CROWWOOD PLACE
SYDNEY NSW 1585
PH: +61 2 8857 7300
FAX: +61 2 8857 7301
SMEC PROJECT No. 30017815.31

NO.	REV.	DESCRIPTION	DATE	BY	CHKD.
01	01	ISSUED FOR APPROVAL	23/10/24	J.P.	J.A.
02	01	ISSUED FOR APPROVAL	23/10/24	J.P.	J.A.
03	01	ISSUED FOR APPROVAL	23/10/24	J.P.	J.A.
04	01	ISSUED FOR APPROVAL	23/10/24	J.P.	J.A.
05	01	ISSUED FOR APPROVAL	23/10/24	J.P.	J.A.
06	01	ISSUED FOR APPROVAL	23/10/24	J.P.	J.A.
07	01	ISSUED FOR APPROVAL	23/10/24	J.P.	J.A.
08	01	ISSUED FOR APPROVAL	23/10/24	J.P.	J.A.
09	01	ISSUED FOR APPROVAL	23/10/24	J.P.	J.A.
10	01	ISSUED FOR APPROVAL	23/10/24	J.P.	J.A.

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04	01	ISSUED FOR APPROVAL	23/10/24	J.P.	J.A.
05	01	ISSUED FOR APPROVAL	23/10/24	J.P.	J.A.
06	01	ISSUED FOR APPROVAL	23/10/24	J.P.	J.A.
07	01	ISSUED FOR APPROVAL	23/10/24	J.P.	J.A.
08	01	ISSUED FOR APPROVAL	23/10/24	J.P.	J.A.
09	01	ISSUED FOR APPROVAL	23/10/24	J.P.	J.A.
10	01	ISSUED FOR APPROVAL	23/10/24	J.P.	J.A.

SEDIMENT & EROSION CONTROL GENERAL NOTES:

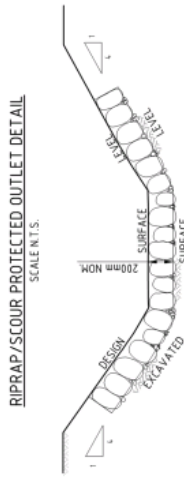
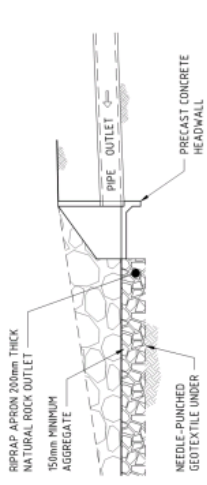
1. THE CONTRACTOR SHALL IMPLEMENT ALL SOIL EROSION AND SEDIMENT CONTROL MEASURES PRIOR TO DISTURBANCE OF THE RELATED CATCHMENT AREA AND TO THE STANDARDS OF THE N.S.W DEPARTMENT OF HOUSING MANAGING URBAN STORMWATER "SOILS AND CONSTRUCTION 4TH EDITION MARCH 2004.
2. TOPSOIL SHALL BE STRIPPED AND STOCKPILED OUTSIDE HAZARDOUS AREAS AS SHOWN ON PLANS. THIS TOPSOIL IS TO BE RESPREAD LATER ON THE SITE. STOCKPILES SHALL BE PROTECTED FROM EROSION BY THE SUPERINTENDENT OF WORKS. STOCKPILES ARE TO BE MAINTAINED LONGER THAN 10 DAYS. STOCKPILES SHALL BE PROTECTED FROM EROSION BY COVERING THEM WITH A MULCH AND HYDROSEEDING AND, IF NECESSARY, BY LOCATING BANKS OR DRAINS UPSLOPE TO DIVERT THE RUNOFF AROUND THEM IN SOME CIRCUMSTANCES IT MAY BE NECESSARY TO PLACE BANKS OR DRAINS DOWNSTREAM OF A STOCKPILE TO RETARD SEDIMENT LADEN RUNOFF.
3. THE CONTRACTOR SHALL REGULARLY MAINTAIN ALL SEDIMENT AND EROSION CONTROL DEVICES AND REMOVE ACCUMULATED SILT FROM SUCH DEVICES BEFORE NO MORE THAN 60% OF THEIR CAPACITY IS LOST. ALL THE SILT REMOVED SHALL BE DISPOSED OF AS DIRECTED BY THE SUPERINTENDENT. NO SILT IS TO BE PLACED OUTSIDE THE LIMIT OF WORKS. THE PERIOD FOR MAINTAINING THESE DEVICES SHALL BE AT LEAST UNTIL ALL DISTURBED AREAS ARE REVEGETATED AND FURTHER AS MAY BE DIRECTED BY THE SUPERINTENDENT OR COUNCIL.
4. THE CONTRACTOR SHALL PROVIDE AND BAGS FROM EROSION CONTROL DEVICES FROM EACH ROAD CUTTER AS AT COMPLETION OF THE ROAD FORMATION TO BE CONTROLLED DURING CONSTRUCTION CONFINING ACCESS WHERE POSSIBLE TO PROPOSED OR EXISTING ROAD ALIGNMENTS.
5. VEHICULAR TRAFFIC SHALL BE CONTROLLED DURING CONSTRUCTION CONFINING ACCESS WHERE POSSIBLE TO PROPOSED OR EXISTING ROAD ALIGNMENTS.
6. WHEN ANY DEVICES ARE TO BE HANDED OVER TO ROAD & DRAINAGE CONTRACTORS THEY SHALL BE IN A CLEAN AND STABLE CONDITION.
7. THE CONTRACTOR SHALL MAINTAIN ALL REVEGETATED AREAS, INCLUDING WATERING UNTIL FINAL COMPLETION OF WORKS.
8. THE CONTRACTOR SHALL MAINTAIN DUST CONTROL UNTIL FINAL COMPLETION OF WORKS.
9. THE CONTRACTOR MUST COMMENCE REHABILITATION WITHIN A REASONABLE TIME OF ANY SITE REGRADING AND BATTER FORMATION.

WASTE CONTROL:

1. THE CONTRACTOR TO BE RESPONSIBLE FOR WASTE DISPOSAL ON SITE.
2. ALL BUILDING PRODUCTS & CLEARED VEGETATION TO BE REMOVED OFF SITE IN AN APPROVED MANNER TO LOCATED LAND FILL SITE.
3. EQUIPMENT MAINTENANCE & REFUELLING OF CONSTRUCTION VEHICLES TO BE DONE IN A DESIGNATED AREA USING BUNDING AND BEST PRACTICE MANAGEMENT CONTROLS FOR REFUELLING.
4. ALL SPILLS TO BE CLEANED UP IMMEDIATELY.

CONSTRUCTION NOTES:

1. STRIP THE TOPSOIL, LEVEL THE SITE AND COMPACT THE SUBGRADE.
2. CONSTRUCT 150mm THICK CONCRETE APRON OVER THE SUBGRADE.
3. CONSTRUCT 200mm THICK PAD OVER THE GEOTEXTILE USING ROAD BASE OR 30mm AGRREGATE.
4. ENSURE THE STRUCTURE IS AT LEAST 15 METRES LONG OR TO BUILDING ALIGNMENT AND AT LEAST 3 METRES WIDE.
5. WHERE A SEDIMENT FENCE JOINS ONTO THE STABILISED ACCESS, CONSTRUCT A HUMP IN THE STABILISED ACCESS TO DIVERT WATER TO THE SEDIMENT FENCE.

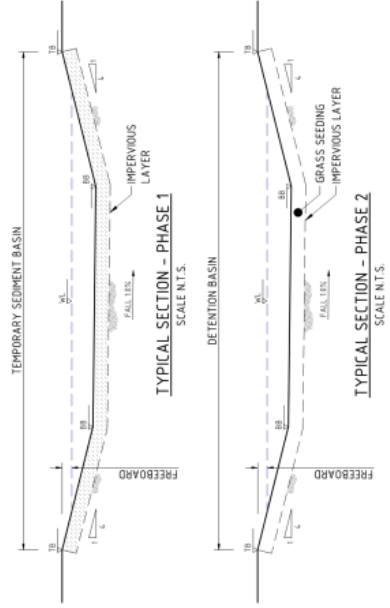


(CONTRACTOR TO CONFIRM FINAL SIGNAGE WITH COUNCIL)
 (SIGN TO BE ERECTED AT SITE ENTRY POINTS)
 The sign must be constructed of durable materials, at least the size of a standard "For Sale" sign (1200x900). The wording of the sign must be as follows: The warning and fine statement wording must be at least 100mm high and the remainder, at least 50mm high. The warning and fine details must be red bodied capitals and the remaining words in dark coloured lower case letters on a white background, surrounded by a red border.



NOTES:

- TIMING OF PHASES:**
- PHASE 1 - CONSTRUCTION - PROVIDE A TEMPORARY SEDIMENT/DETENTION CONTROL BASIN INSTALLED PRIOR TO COMMENCEMENT OF CIVIL WORKS CONSTRUCTION.
 - PHASE 2 - PROVIDE GRASS SEEDING TO BASE AND BATTERS OF BASIN AT COMPLETION OF CIVIL WORKS.



NO.	DATE	DESCRIPTION	BY	CHECKED	DATE	SCALE	PROJECT TITLE
01	18/07/2024	ISSUE FOR APPROVAL	J. JAMES	J. JAMES	18/07/2024	AS NOTED	CAMPBELLTOWN CITY COUNCIL REHABELEN NORTH SOIL & WATER MANAGEMENT DETAILS SHEET 2
02	18/07/2024	ISSUE FOR APPROVAL	S. PERRY	S. PERRY	18/07/2024	AS NOTED	
03	18/07/2024	ISSUE FOR APPROVAL	S. PERRY	S. PERRY	18/07/2024	AS NOTED	
04	18/07/2024	ISSUE FOR APPROVAL	G. FLEMING	G. FLEMING	18/07/2024	AS NOTED	
05	18/07/2024	ISSUE FOR APPROVAL	C. AWLES	C. AWLES	18/07/2024	AS NOTED	



SIMEC
 Member of the SIMEC Group
 100 WILSON ROAD, SUITE 101
 WILSON PROMENADE, SUITE 101
 WILSON PROMENADE, SUITE 101
 WILSON PROMENADE, SUITE 101



23 September 2024

Ms Lindy Deitz,
General Manager Campbelltown City
Council PO Box 57
Campbelltown NSW 2560

Attention: Karl OKorn, Manager Development Assessment

Dear Ms Deitz,

RE: OFFER TO ENTER INTO MENANGLE PARK PLANNING AGREEMENT

1. Introduction

This letter contains an offer by Dahua Group Sydney Project 2 Pty Limited and Dahua Group Sydney Project 3 Pty Limited (**Dahua**) to enter into a Planning Agreement (**PA**) with Campbelltown City Council (**Council**) to pay money and construct works in relation to environmental conservation areas of Dahua's development at Menangle Park.

For the sake of clarity, Dahua (Developer) of the Menangle Park, irrevocably and unconditionally offers to enter into a PA on the terms set out in this letter.

This irrevocable and unconditional offer is provided in relation to the:

- Determination of the **Site Wide Bulk Earthworks** (3574/2019DA-CW) development application (**BEW DA**) currently being assessed by Council.

2. Background

Dahua is master planning and developing approximately 500 hectares of land in the Menangle Park Urban Release Area (URA). The overall URA consists of 958 hectares.

Dahua lodged DA 3574/2019DA-CW Site Wide Bulk Earthworks, Vegetation Clearance and Vegetation Management in 2019. Following consultation with authorities amended documentation was submitted in August 2024. The revised scope of the proposed development includes the following works:

- Bulk earthworks (excavation, cut and fill) to regrade the site for future development.
- Vegetation clearance.
- Demolition of existing structures within the site.
- Provision of soil erosion and sediment control measures to protect water quality.
- Environmental management measures, including fencing to protect Elderslie Banksia Scrub Forest and water quality basins.
- The implementation of three Vegetation Management Plans (**VMPs**) and a Planning Agreement to facilitate retiring of ecosystem credits and holistic conservation of biodiversity areas.



To ensure that the environmental impacts of the development across Dahua's landholdings in the URA are adequately addressed, a suite of management procedures is proposed. They comprise of physical works under VMPs to ensure areas of environmental importance are maintained in perpetuity. These works as set out in Schedule 1, with the VMP areas as below:

- Howes Creek and Northern Conservation Area (refer plan in Schedule 2)
- Parks K and L Conservation areas (refer plan in Schedule 3)
- Stage 6B Conservation Area, set out in the schedules (refer plan in Schedule 4).

None of the works proposed by the VMPs are considered infrastructure under the existing Menangle Park S7.11 plan or the recently executed Planning Agreement - Menangle Park Release Area (Site Wide Planning Agreement).

Dahua is offering to undertake works and make payments or do works up to the full works contribution amount specified of \$4,135,500.

3. Parties

The parties to the proposed PA will be Dahua Group Sydney Project 2 Pty Limited, Dahua Group Sydney Project 3 Pty Limited and Campbelltown City Council.

4. Costs

Dahua agrees to pay Council's reasonable costs in relation to preparation, exhibition/notification, execution, registration and administration of the PA.

5. Land

The land which is the subject of the PA is situated in Menangle Park in the City of Campbelltown LGA, and has legal title descriptions as identified in **Schedule 5**.

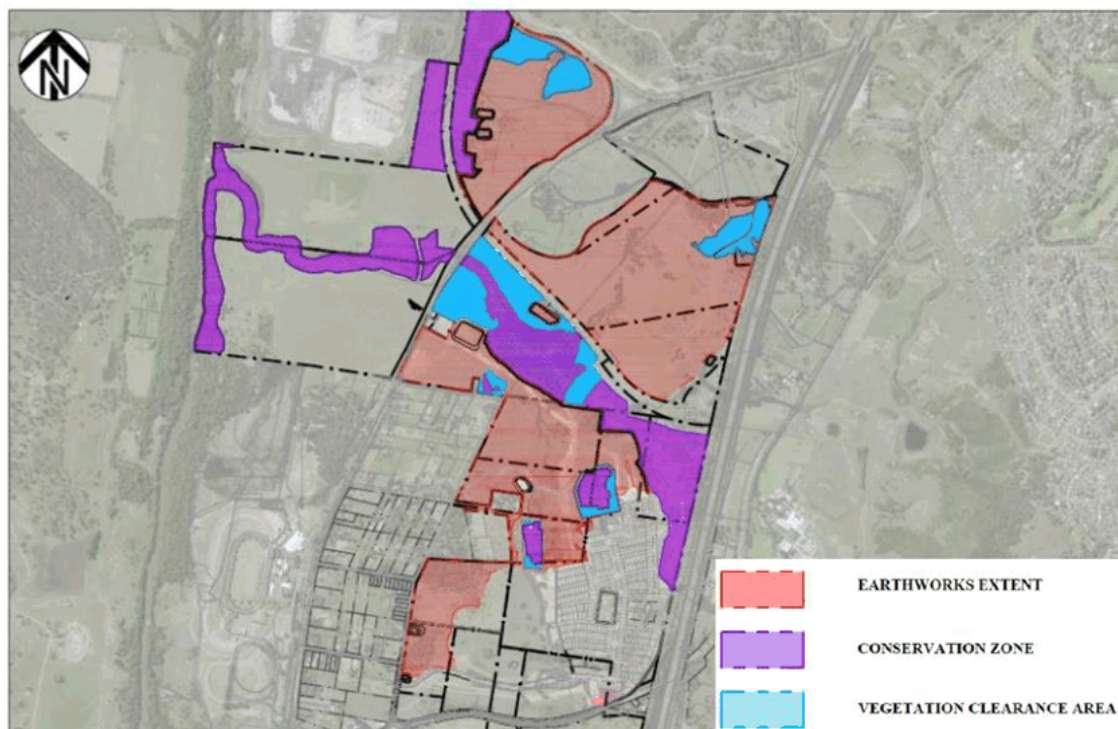
If requested by Council, Dahua accepts registration of the PA on relevant titles of Land pursuant to S7.6 of the EP&A Act.

6. Development

The development application the subject of the PA is described below:

Site-wide Bulk Earthworks

- Earthworks including excavation, cut and fill of approximately 474,780m³ which will be reused on site;
- Removal of approximately 151.58 ha of vegetation, primarily of exotic vegetation;
- Demolition of all existing structures and farm dams within the site (refer Figure 1 below);
- Provision of soil erosion and sediment control measures to protect water quality;
- Provision of three VMPs and a Planning Agreement to facilitate the retiring of ecosystem credits and the holistic conservation of biodiversity areas; and
- Provision of associated infrastructure including fencing to protect Elderslie Banksia Scrub Forest and water quality basins.



Source: SMEC

Figure 1: BEW DA extent

7. Contributions

The Developer’s proposed contributions comprise a mix of works and financial payments.

The total contribution value is based on the contribution rates and values as contained in the Vegetation Management Plans for Howes Creek and Northern Conservation Area, Parks K and L, and 6B Conservation Area, these may vary dependent on timing of works.

This monetary contribution is then reduced / offset by the value of the works to be provided by the Developer.

The table at **Schedule 1** shows the nature, extent and timing of the various Developer contributions under the proposed PA. The VMP works are intended to commence March 2025.

The maps at **Schedule 2-4** indicate the areas of works.



8. Security

The Developer agrees to pay a bond of the value of the work, which is to be progressively reviewed by Council and reduced where appropriate as works occur, and milestones achieved in accordance with **Schedule 1**.

For clarity it is proposed that security will be provided each VMP as follows:

Phase	Provision of Bond by Dahua	Return of Bond by Council
Phase 1 and 2	Execution of PA	Following provision to Council of Phase 2 annual reporting by Dahua
Phase 3	Execution of PA	Following provision to Council of Year 5 annual reporting by Dahua
Phase 4	Execution of PA	Completion of Phase 3 and payment by Dahua to Council of Phase 4 Bond equivalent amount.

9. Other contributions not to apply

There is no necessity for relevant parts of the EP&A Act that deal with local infrastructure contributions to apply to the development. It is therefore proposed that the PA, pursuant to section 7.4(3)(d) of the EP&A Act, will wholly exclude the application of sections 7.11 and 7.12 to the development.

10. Land Dedication

Land dedication, for conservation areas within Howes Creek - east, Parks K and L is facilitated in the **Menangle Park Release Area Planning Agreement**. This was entered into on 15 August 2024 and within **Schedule 4: Development Contributions** includes the following:

- Item 13 – Open Space K (Conservation) 13,107m² (approx. land area)
- Item 15 – Open Space L (Conservation) 11,654m² (approx. land area)
- Item 26 – Riparian Corridors 222,609m² (approx. land area)
Only includes Howes Creek Conservation Area – east portion

Land dedication for the balance of Howes Creek and Northern Conservation Area (refer **Schedule 2**) is proposed under either this PA or subsequent development consents associated with the Rural and Employment lands.

Land dedication of 6B Conservation area, 2,100m² is proposed under this PA. The balance of 6B open space area is approx. 8,900m² and will comprises low impact recreation open space as well as associated road and car parking. Both these areas (open space and road/car parking) are intended to be dedicated to Council but be subject to a separate development application, with exact design and areas to be confirmed subject to detailed design. For clarity the Conservation and subsequent VMP area will be a minimum of 2,100m².



11. Handover Period

Land referenced in this PA will have Handover requirements and maintenance periods consistent with the **Menangle Park Release Area Planning Agreement**.

12. Matters for further consideration and negotiation

This letter describes the nature and extent of Developer contributions to be included in the PA.

Matters such as timing of payments or works provisions, PA dispute resolution mechanisms and PA enforcement mechanisms would be matters of detail to be worked through between the parties once the main terms are agreed.

13. Conclusion

Dahua's initial development stages represent the beginning of a master planned community on the southern edge of the City of Campbelltown.

Dahua's irrevocable and unconditional offer to enter into a PA to provide conservation outcomes to Campbelltown Council and residents demonstrates Dahua's commitment.

The PA will come into operation from the date it is executed by the Parties. Though works associated with the VMP may commence prior given importance of environmental conservation.

Should you require clarification in relation to anything within this letter, please contact either Robert Fischer or Kith Clark on 02 9267 7788.

Yours faithfully

Kith Clark
Development Director
Dahua Group Sydney Project 2 Pty Ltd
Dahua Group Sydney Project 3 Pty Ltd

Schedule 1 – Undertaking of works

Howes Creek and Northern Conservation VMP				
Phase	Management Action	Year/s	Estimated Total Costs	
1 - Restoration	1. Seed collection 2. Site preparation (demarcation of boundaries, establish fixed monitoring sites) 3. Sediment fence 4. Tree guards 5. Feral pest monitoring baseline survey	1	\$129,500	
2 - Protection	6. Initial primary weeding 7. Initial monthly weed Treatments (6 months) 8. Mulch 9. Planting (ground cover) 10. Planting (shrubs/canopy) 11. Exclusion fencing 12. Vegetation integrity monitoring 13. Nest boxes 14. Salvaged hollow/nest box installation 15. Rubbish dumping fees 16. Annual monitoring report	1	\$1,544,000	
3 - Establishment	17. Vegetation integrity monitoring 18. Ongoing maintenance weeding 19. Feral pest monitoring surveys 20. Threatened species habitat monitoring (nest boxes) 21. Maintenance of plantings – additional plant purchases 22. Rubbish dumping fees 23. Permanent fencing 24. Signage 25. Annual monitoring report	2-5	\$612,000	
4 – Long term	26. Vegetation integrity monitoring 27. Ongoing maintenance weeding 28. Feral pest monitoring surveys 29. Rubbish dumping fees 30. Annual monitoring report	6-20	\$757,500	
	Howes Creek and Northern Conservation Total value of Contribution works		\$3,043,000	

	Howes Creek and Northern Conservation Security Bonds		
Item	Nature and extent of security	Development trigger	Security Bonds
Howes Creek and Northern Conservation Security	Provision of bonds totaling the value of works proposed to be undertaken by each Phase	Execution of PA	Phase 1 and 2 –\$1,673,500 Phase 3 – \$612,000 Phase 4 - \$757,500

Parks K and L VMP		Year/s	Estimated Total Costs
Phase	Management Action		
1 - Restoration	1. Seed collection 2. Site preparation (demarcation of boundaries, establish fixed monitoring sites) 3. Sediment fence 4. Tree guards 5. Feral pest monitoring baseline survey 6. Initial primary weeding 7. Initial monthly weed Treatments (6 months) 8. Mulch 9. Planting (ground cover) 10. Planting (shrubs/canopy) 11. Exclusion fencing 12. Vegetation integrity monitoring 13. Nest boxes 14. Salvaged hollow/nest box installation 15. Rubbish dumping fees 16. Annual monitoring report	1	\$17,000
2 - Protection	17. Vegetation integrity monitoring 18. Ongoing maintenance weeding 19. Feral pest monitoring surveys 20. Threatened species habitat monitoring (nest boxes) 21. Maintenance of plantings – additional plant purchases 22. Rubbish dumping fees 23. Permanent fencing 24. Signage 25. Annual monitoring report 26. Vegetation integrity monitoring 27. Ongoing maintenance weeding 28. Feral pest monitoring surveys 29. Rubbish dumping fees 30. Annual monitoring report	1	\$78,200
3 - Establishment		2-5	\$179,800
4 – Long term		6-20	\$400,500
Parks K and L Total value of Contribution works			\$675,500

	Parks K and L Security Bonds		
Item	Nature and extent of security	Development trigger	Security Bonds
Parks K and L	Provision of bonds totaling the value of works proposed to be undertaken by each Phase	Execution of PA	Phase 1 and 2 –\$95,200 Phase 3 – \$179,800 Phase 4 - \$400,500

6B Conservation Area VMP			
Phase	Management Action	Year/s	Estimated Total Costs
1 - Restoration	<ol style="list-style-type: none"> 1. Seed collection 2. Site preparation (demarcation of boundaries, establish fixed monitoring sites) 3. Sediment fence 4. Tree guards 5. Feral pest monitoring baseline survey 6. Initial primary weeding 7. Initial monthly weed Treatments (6 months) 8. Mulch 9. Planting (ground cover) 10. Planting (shrubs/canopy) 11. Exclusion fencing 12. Vegetation integrity monitoring 13. Nest boxes 14. Salvaged hollow/nest box installation 15. Rubbish dumping fees 16. Annual monitoring report 	1	\$17,000
2 - Protection	<ol style="list-style-type: none"> 17. Vegetation integrity monitoring 18. Ongoing maintenance weeding 19. Feral pest monitoring surveys 20. Threatened species habitat monitoring (nest boxes) 21. Maintenance of plantings – additional plant purchases 22. Rubbish dumping fees 23. Permanent fencing 24. Signage 25. Annual monitoring report 	1	\$18,500
3 - Establishment	<ol style="list-style-type: none"> 26. Vegetation integrity monitoring 27. Ongoing maintenance weeding 28. Feral pest monitoring surveys 29. Rubbish dumping fees 30. Annual monitoring report 	2-5	\$101,000
4 – Long term	<ol style="list-style-type: none"> 31. Ongoing maintenance weeding 32. Feral pest monitoring surveys 33. Rubbish dumping fees 34. Annual monitoring report 	6-20	\$280,500
6B Conservation Area Total value of Contribution works			\$417,000

	6B Conservation Area Security Bonds		
Item	Nature and extent of security	Development trigger	Security Bonds
Howes Creek Security	Provision of bonds totaling the value of works proposed to be undertaken by each Phase	Execution of PA	Phase 1 and 2 – \$35,500 Phase 3 – \$101,000 Phase 4 - \$280,500

Schedule 2 – VMP Howes Creek and Northern Conservation Area

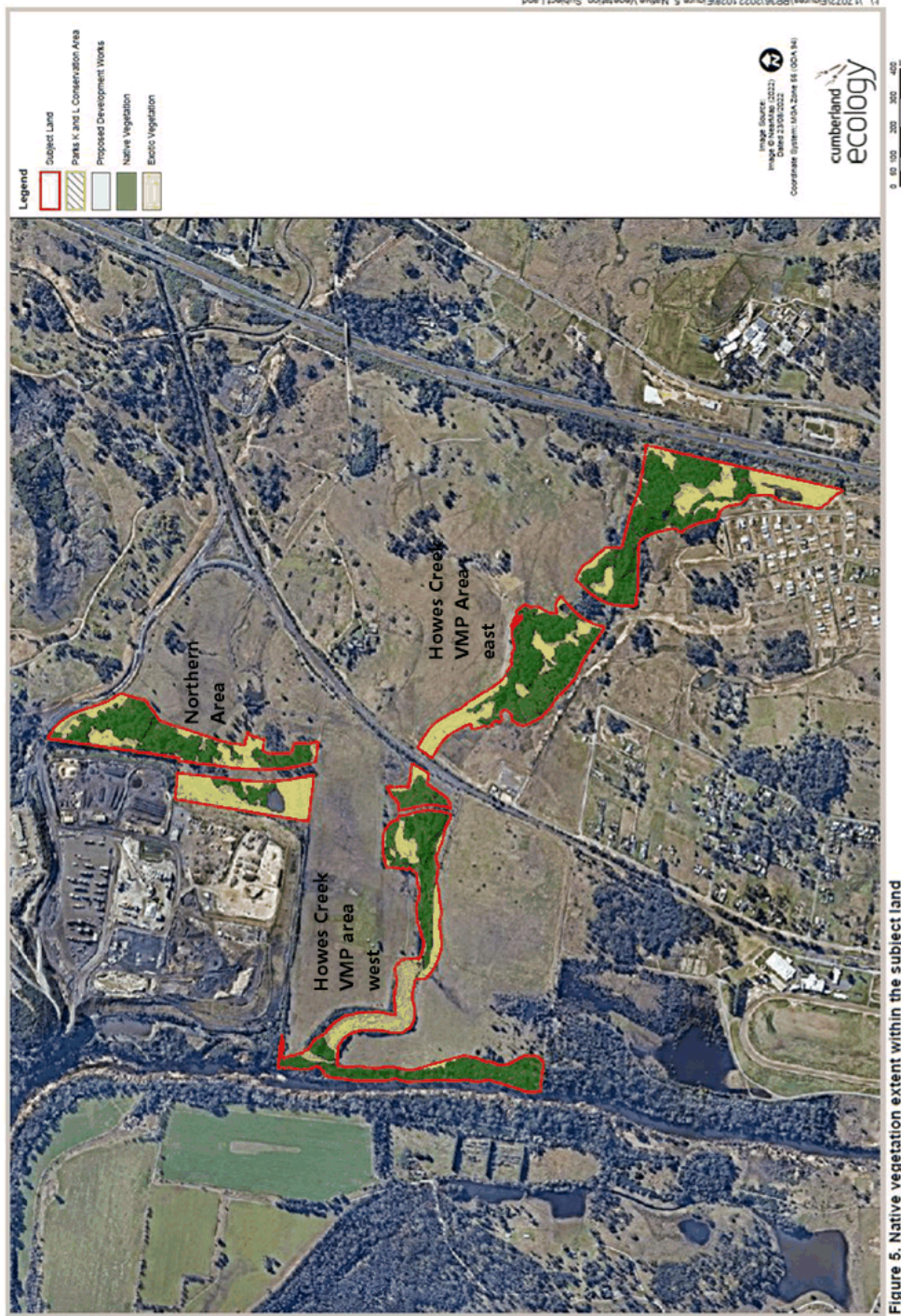


Figure 5. Native vegetation extent within the subject land

Schedule 3 – VMP Parks K and L



Figure 5. Native vegetation extent within the subject land

Schedule 4 – VMP Stage 6B (Corner Fitzpatrick Rd and Cummins Rd)



Schedule 5 – Legal Titles

Lot	Deposited Plan
Part Lot 1265	1269274
Part Lot 1000	1219023
Part Lot 2068	1270131
Lot 2	554242
Lot 59	10718
Part Lot 44	1299204
Part Lot 1259	1269274
Lot 41	1285744
Part Lot D	19853
Part Lot 2009	1234643
Lot 2010	1234643
Lot 12	251335
Lot 15	251335
Lot 17	251335
Lot 4	628052
Lot 32	1105615
Lot 2008	1234643

4.2 Construction and operation of a community facility with associated car parking, landscaping and civil works at 121A Eagleview Road, Minto

Community Strategic Plan

Objective	Strategy
1 Community and Belonging	1.1.2 Provide a diverse range of cultural and creative activities and events, for all interests and people
2 Places For People	2.1.2 Provide public places and facilities that encourage leisure, recreation, and physical activity
3 Enriched Natural Environment	3.1.2 Ensure urban development is considerate of the natural environment
4 Economic Prosperity	4.2.1 Support the growth, productivity and diversity of the local economy

Delivery Program

Principal Activity
PA3 Community Services

Referral Criteria

In accordance with section 4.8 of *Environmental Planning and Assessment Act 1979* and the Ministerial Local Planning Panels Direction, this Development Application is to be determined by the Campbelltown Local Planning Panel (the Panel) as prescribed in Schedule 1 of that direction due to the development involving a variation to a development standard greater than 10 per cent.

Executive Summary

The Panel initially considered a report recommending approval of the original proposal at its meeting of 24 July 2024, resolving to defer their determination of the Development Application for the following reasons:

- a) the submission of revised plans to reflect the rural character of the area. For example setting the new fencing back from the boundary (or a suitable alternative bushfire fire management to the fence) and incorporating appropriate landscaping between the fencing and property boundary and further consideration of the need for any fencing on the western side of the access handle driveway in consultation with the adjoining owner. This should be integrated with a general review of the landscaping plan to increase the screening and softening of the development from neighbouring properties.
- b) In relation to the acoustic assessment further details are required including:

- Updated modelling based on the current plans, ie with no basement carparking. This modelling should be undertaken following the modification of landscape plans and the proposed colorbond fence (or alternative fire management solution) as per the request of the Panel above,
- The documentation of the parameters used to undertake the modelling including building construction and operation, whether all openings are open or closed etc,
- The impact of bump in/bump out operations associated with special events (particularly the likely time of day of bump in bump out), as well as general waste collection and delivery times
- Re-examination of the proportion and number of cars, including the timing of exit that would leave the site, following the completion of an event (eg ball game matches, community gatherings etc)“

The previous report is provided in attachment 1.

Officer's Recommendation

That pursuant to Section 4.8 of the *Environmental Planning and Assessment Act 1979*, the Campbelltown Local Planning Panel:

1. Support the applicant's Clause 4.6 variation statement to vary Clause 4.3 'Height of Buildings' of the Campbelltown Local Environmental Plan 2015.
2. Grant development consent to Development Application 2467/2023/DA-C subject to conditions of consent.

Purpose

To assist Council in its determination of the subject application in accordance with the provisions of the *Environmental Planning and Assessment Act 1979*.

Property Description	121A Eagleview Road, Minto
Application No	2467/2023/DA-C
Applicant	Mr Mohammed Shafiul Alam
Owner	Mr Mohammed Shafiul Alam
Provisions	Environmental Planning and Assessment Act 1979 State Environmental Planning Policy (Resilience and Hazards) 2021\ State Environmental Planning Policy (Biodiversity and Conservation) 2021

Campbelltown Local Environmental Plan 2015

Campbelltown (Sustainable Cities) Development Control Plan 2015.

Date Received

17 July 2023

Report**1. Amended Information**

Amended information was submitted to Council on 9 August 2024, with changes to the plans to address the issues raised by the Panel. Discussion regarding the issues raised by the Panel is detailed in the table below.

Issue	Discussion
Radiant Heat Shield	<p>Plans were amended by the applicant to setback the radiant heat shield 1.5 m from property boundaries, and to remove the radiant heat shield from the access handle driveway.</p> <p>The revised plans were referred to the NSW RFS for advice in accordance with section 4.14 of the EP&A Act; the RFS responded to Council on 10 September 2024 raising no objection to the proposed development subject to compliance with their previous advice dated 22 May 2024. This includes erecting a radiant heat shield, in the form of a colorbond fence on the boundary (no landscape setback), along all property boundaries (except the front setback).</p> <p>In prior correspondence with Council, the NSW RFS advised it is their preference for the access handle to also be shielded with a radiant heat shield to protect evacuating people and attending emergency services. They further advised that landscaping between the fence and the property boundaries has the potential to introduce a substantial fuel load against the radiant heat shield which can subsequently ignite from an approaching fire and result in the failure of the radiant heat shield. In addition, if landscaping exceeds the height of the radiant heat shield, it would compromise the intent of the shield to reduce radiant heat onto the facility.</p> <p>To mitigate the visual effect of the radiant heat shield, a condition is recommended to ensure the fence is of a muted bushland colour such as Colorbond Pale Eucalypt, or the nearest equivalent. A condition is also recommended to ensure plans are updated prior to the issue of a construction certificate, to show the radiant heat shield on all property boundaries as opposed to being setback 1.5m from the boundaries.</p>
Acoustic Assessment	<p>The applicant submitted a revised acoustic report which was based on the most recent iteration of the proposal. The report was reviewed by Council's Environmental Officer. A previous condition recommended by Council has been modified to include the following:</p>

	<ul style="list-style-type: none">Waste collection, bump in/out and deliveries shall only occur during the day and evening periods between 7am - 10pm.
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It is also noted that, whilst not raised by the Panel, the applicant has removed signage that was proposed in the adjoining property. The condition recommended by Council previously to remove signage details from plans prior to the issue of a construction certificate, has been deleted given it is no longer relevant.

Conclusion

The Development Application has been assessed against the matters for consideration under section 4.15 of the *Environmental Planning and Assessment Act 1979*, and the relevant statutory and policy provisions.

Having regard to the issues discussed in this report, it is considered the Development Application has suitably responded to the issues raised by The Panel at its meeting of 24 July 2024.

Therefore, it is recommended that the Development Application, as modified, be approved subject to the attached conditions.

Attachments

- 4.2.1 Recommended Conditions of Consent (contained within this report)
- 4.2.2 Compliance Table (contained within this report)
- 4.2.3 Public Notification Response (contained within this report)
- 4.2.4 Architectural, Landscape and Civil Plans (contained within this report)
- 4.2.5 Clause 4.6 Variation (contained within this report)
- 4.2.6 Plan of Management (contained within this report)
- 4.2.7 Original Local Planning Panel Report (contained within this report)
- 4.2.8 Original RFS Referral Response (contained within this report)
- 4.2.9 Updated RFS Referral Response (contained within this report)

Reporting Officer

Manager Development Assessment

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 plans and supporting documentation

Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.

Approved plans				
Plan no.	Revision no.	Plan title	Drawn by	Date of plan
DA01D	D	Site Plan and Location Plan	Cactus Design & Drafting	08/09/2024
DA03C	C	Basement Floor Plan	Cactus Design & Drafting	28/05/2024
DA04C	C	Ground Floor Plan	Cactus Design & Drafting	28/05/2024
DA05C	C	First Floor Plan	Cactus Design & Drafting	28/05/2024
DA06C	C	Roof Plan	Cactus Design & Drafting	28/05/2024
DA07C	C	West & North Elevations, Driveway Profile	Cactus Design & Drafting	28/05/2024
DA08C	C	East & South Elevations	Cactus Design & Drafting	28/05/2024
DA09C	C	Sections	Cactus Design & Drafting	28/05/2024
DA10C	C	Site Analysis Plan	Cactus Design & Drafting	28/05/2024
LP:230507	D	Landscape Plan	Outthere Landscapes & Design	16/08/2024
1 of 10	1	Stormwater Detail Plan	C.K. Engineering Services	10/02/2024
2 of 10	1	Index Plan	C.K. Engineering Services	10/02/2024
3 of 10	1	Stormwater Detail Plan	C.K. Engineering Services	10/02/2024
4 of 10	1	Stormwater Detail Plan	C.K. Engineering Services	10/02/2024
5 of 10	1	Basement Plan	C.K. Engineering Services	10/02/2024
6 of 10	1	First Floor Plan	C.K. Engineering Services	10/02/2024
7 of 10	1	Roof Plan	C.K. Engineering Services	10/02/2024
8 of 10	1	On-Site Detention Calculations	C.K. Engineering Services	10/02/2024
9 of 10	1	On-Site Detention and Transpiration Bed Details	C.K. Engineering Services	10/02/2024
10 of 10	1	Erosion and Sediment Control Plan	C.K. Engineering Services	10/02/2024
C01	04	Cut and Fill Plan	Tekcivil Pty Ltd	26/04/2024
Approved documents				
Document title	Version no.	Prepared by	Date of document	
Traffic Impact Assessment	2	Ferroway Engineering	May 2024	
Noise Impact Assessment	--	Broadcrest Consulting Pty Ltd	09/08/2024	
Geotechnical Report	--	Broadcrest Consulting Pty Ltd	13/02/2024	
Operational Plan of Management		HDC Planning	22/05/2024	
Colour Schedule	--	--	23/09/2022	

In the event of any inconsistency between the approved plans and documents, the approved plans prevail.

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

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

2. 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.

3. Landscaping

The provision and maintenance of landscaping shall be in accordance with the approved landscape plan containing Council's approved development stamp, unless as otherwise modified by a condition of this development consent, including the engagement of a suitably qualified landscape consultant/contractor for landscaping works.

Landscaped areas shall be separated from driveways and car parking areas by a suitable device such as bollards or concrete wheelstops to ensure that the landscaping is not damaged as a result of vehicular movement.

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

4. External finishes

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

Note: the building shall not incorporate highly reflective glass.

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

5. Use of structure

The building shall not be used, fitted or occupied for any purpose other than a community facility, as it is defined in the Campbelltown Local Environmental Plan 2015:

community facility means a building or place—

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

(b) used for the physical, social, cultural or intellectual development or welfare of the community, but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

Condition reason: To ensure that the structure is used for the purposes described in the application and the use of the structure does not change without consent.

6. Garbage room

The garbage storage room identified on the approved plans shall:

- Be fully enclosed and shall be provided with a concrete floor, with concrete or cement rendered walls coved to the floor.
- The floor shall be graded to an approved sewer connection incorporating a sump and galvanised grate cover or basket.
- A hose cock shall be provided within the room.
- Garbage rooms shall be vented to the external air by natural or artificial means.

Condition reason: To ensure compliance with this development consent.

7. Switchboards/utilities/air conditioning units

Switchboards, air conditioning units, garbage storage areas and storage for other utilities shall not be attached to the front elevations of the building or side elevations that can be seen from a public place.

Condition reason: To ensure that utilities are not directly visible from public spaces.

8. Driveway

The gradients of driveways and manoeuvring areas shall be designed in accordance with *Australian Standard AS 2890.1 and AS 2890.2 (as amended)*.

Driveways shall be constructed using decorative paving materials such as pattern stencilled concrete or coloured stamped concrete. The finishes of the paving surfaces are to be non-slip and plain concrete is not acceptable.

All driveways in excess of 20 metres in length shall be separated from the landscaped areas by the construction of a minimum 150mm high kerb, dwarf wall or barrier fencing.

Condition reason: To ensure parking facilities are designed in accordance with relevant Australian Standards and Council's DCP.

9. 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.

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

10. 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.

11. 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.

12. Graffiti removal

In accordance with the environmental maintenance objectives of 'Crime Prevention Through Environmental Design', the owner/lessee of the building shall be responsible for the removal of any graffiti which appears on the buildings, fences, signs and other surfaces of the property within 48 hours of its application.

Condition reason: To protect and preserve the visual amenity of the surrounding public domain.

13. 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.

14. Engineering design works

The design of all engineering works shall be carried out in accordance with the requirements set out in Council's 'Engineering Design Guide for Development' (as amended) and the applicable development control plan.

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

15. Operating hours

The use of the premises/business shall be limited to:

Monday to Wednesday	11:00 am – 5:00 pm
Thursday & Friday	11:00 am – 10:00 pm
Saturday	09:00 am – 11:00 pm
Sunday	Closed

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

16. Car Parking Spaces

108 car parking spaces shall be designed, sealed, line marked and made available to all users of the site in accordance with Australian Standards 2890.1 and 2 (as amended).

A total of six (6) accessible car parking spaces are to be included.

Condition reason: To ensure that parking facilities are designed in accordance with the relevant Australian Standards and Council's DCP.

17. Rubbish/recycling bin storage

The rubbish and recycling bins shall not be stored within vehicle parking, vehicle manoeuvring areas or landscaped areas.

The bin(s) shall only be stored in accordance with the approved plans.

Condition reason: To ensure waste storage does not impact areas required to be dedicated to vehicle access and landscaping.

18. 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.

19. 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.

20. NSW Rural Fire Service

Emergency and Evacuation

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

- contact details for the local Macarthur Rural Fire Service District Office;
- procedures for coordinated evacuation of the site in consultation with local emergency services;
- entry and exit to be through the main front entrance door only.

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.

Asset Protection Zones

From the commencement of building works and in perpetuity, the entire property must be managed as an asset protection zone (inner protection area) in accordance with the following requirements of Appendix 4 of Planning for Bush Fire Protection 2019:

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

Landscaping

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:

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

Radiant Heat Shield

A minimum 1.8 metre high radiant heat shield made of non-combustible materials must be constructed along all boundaries of the subject site. All posts and rails must be constructed of steel. The bottom of the fence is to be in direct contact with the finished ground level or plinth.

Construction Standards

New construction must comply with section 3 and section 5 (BAL 12.5) of the 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

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

- SFPP access roads are two-wheel drive, all-weather roads;
- access is provided to all structures;
- traffic management devices are constructed to not prohibit access by emergency services vehicles;
- access roads must provide suitable turning areas in accordance with Appendix 3 of Planning for Bush Fire Protection 2019; and
- one way only public access roads are no less than 3.5 metres wide and have designated parking bays with hydrants located outside of these areas to ensure accessibility to reticulated water for fire suppression;
- minimum 5.5m unobstructed carriageway width;
- parking is provided outside of the carriageway width;
- hydrants are located clear of parking areas
- curves of roads have a minimum inner radius of 6m;
- the maximum grade road is 15 degrees and average grade of not more than 10 degrees;
- the road crossfall does not exceed 3 degrees; and
- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.

Water and Utility Services

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

- reticulated water is to be provided to the development where available;
- fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419.1:2021;
- hydrants are and not located within any road carriageway;
- reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads;
- fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1:2021;
- all above-ground water service pipes are metal, including and up to any taps;
- where practicable, electrical transmission lines are underground;
- where overhead, electrical transmission lines are proposed as follows:
 - lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and
 - no part of a tree is closer to a power line than the distance set out in accordance with the specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines.
- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used;

- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 - The storage and handling of LP Gas, the requirements of relevant authorities, and metal piping is used;
- all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side;
- connections to and from gas cylinders are metal; polymer sheathed flexible - gas supply lines are not used; and
- above-ground gas service pipes are metal, including and up to any outlets.

An additional static water supply is to be provided on the site, subject to the following requirements:

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

Condition reason: To ensure the development complies with NSW Rural Fire Service requirements and Planning for Bushfire Protection 2019.

21. Pollution Control

Neighbourhood Amenity

The implementation and ongoing operation of this development must not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, odour, dust, waste products or other products, particularly from machinery, vehicles, warning sirens, public address systems and the like.

Offensive Noise

The development must be designed so that the use of the premises, building services, operations, equipment, machinery, vehicles and ancillary fittings must not emit 'offensive noise' as defined in the Protection of the Environment Operation Act, 1997: Offensive noise means noise:

- a) That, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:
 - i) Is harmful to (or likely to be harmful to) a person who is outside the premises from which it is emitted; or
 - ii) Interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted; or
- b) That is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulations.

In the event of a noise related issue arising, the person in charge of the premises shall, when required by Council, carry out a noise assessment of the operation. The noise assessment is to be carried out by a suitably qualified and experienced acoustic consultant. A report of the findings and any recommendations is to be submitted to Council for its review.

If required by Council, the appropriate person shall implement any or all of the recommendations tabled within the acoustic consultant's report and/or any additional operational measures deemed reasonable by the Council.

Unreasonable Noise, Odour, Dust and Vibration

In the event of a noise, fumes, odour, dust, or waste related issue arising during the implementation, construction and ongoing operation of this development, the person in charge of the premises shall when instructed by Council, cause to carry out an investigation by an appropriate 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.

Should the development not achieve compliance with the applicable guidelines and standards, amendments to the development are required to be made (with the consent of Council), which may include, but are not limited to, changes to hours of operation, installation of further treatment, modification of operational procedures, etc.

Health and Public Nuisance - The use of the premises shall not give rise to an environmental health nuisance to the adjoining or nearby premises and environment. There are to be no emissions or discharges from the premises, which will give rise to a public nuisance or result in an offence under the *Protection of the Environment Operations Act 1997* and Regulations. The use of the premises and the operation of plant and equipment shall not give rise to the transmission of a vibration nuisance or damage other premises

Use of Music and Public Announcement Systems

The use of amplified music and public announcement systems outdoors is prohibited.

Condition reason: To ensure all activities involving the operation of the premises are carried out in a manner which will prevent undue air, land, water pollution, noise pollution and waste management practices in accordance with the Protection of the Environment Operations Act 1997 Protection of the Environment Operations (Waste) Regulation 2014, Protection of the Environment Operations (Noise) Regulation 2017, Local Government Act 1993, Local Government Regulation 2005 and associated technical standards.

22. Ongoing Use

The ongoing operation of the food premises in relation to the fitout, fixtures, equipment installed and construction must be maintained in a manner to ensure compliance with the Food Act 2003, Food Regulations 2015, Food Standards Code Australia and New Zealand and Australian Standard 4674-2004: Design, construction and fitout of food premises.

Condition reason: To ensure compliance with the relevant legislation and Australian Standards.

23. Food Trucks

Mobile Food Trucks are not permitted to trade at the premises without registering with Campbelltown City Council prior to operation. Any mobile food truck must not remain at premises. The mobile food truck must not provide seating or other auxiliary fittings (including marquees, awnings or the like).

Condition reason: To ensure compliance with this development consent.

24. Waste & Recycling Storage, Collection and Disposal

The business operator must enter into a commercial waste contract agreement (residential bins are not permitted) for regular waste & recycling collection and disposal with a suitably licensed contractor. A copy of the waste agreement must be available for inspection upon request by Council.

All waste and recycling generated from the business are to be kept within an appropriate storage receptacle on the premises. Waste is not to be stored or placed outside of a waste storage receptacle or on Council/Public land or in such a manner that it will become a litter, odour or health nuisance.

Waste bins that are placed out on a public place for collection must only be placed out for collection on the day of the collection after 6.00pm and must be removed by 8.00am the following day. Any residual waste left on the public place as a result of bin placement must be removed within undue delay by the food business operator.

Condition reason: To ensure appropriate waste management and disposal.

25. Food Stalls/Vehicles operating at Fetes, Fundraisers and Events

Any fete, fundraiser or event held at the premises must comply with the NSW Government Premier and Cabinet – Event Starter Guide and the following:

Registration

All food stalls and mobile food vehicles must be registered with Council. A mobile food business and temporary food stall registration form is available on Council's website and must be completed and submitted to Council 2 weeks prior to the fete, fundraiser or event.

Mobile Food Vehicles

Where applicable, a recent (dated within the last 12 months) and satisfactory Food Premises Assessment Report (FPAR) must be provided.

Temporary Food Stalls

Council's Requirements for the Operation of One Day Food Stalls, which is available on Council's website, must be fully complied with.

Food Preparation

All food must be prepared and cooked on-site, or in a commercial approved food preparation kitchen.

Food Act 2003

Food stalls and mobile food vehicles must comply and operate in accordance with Food Act 2003.

Food Stall And Food Vehicle Inspections

Council reserves the right to inspect all food stalls and food vehicles operating at the fete, fundraiser or event. The food operator will be responsible for the payment of all associated food inspection fees, which are reviewed annually and published in Council's adopted schedule of fees and charges.

Council reserves the right to revoke approval for any food stall or mobile food vehicle to trade at any fete, fundraiser or event if the stall/operator fails to comply with Council's requirements.

Ventilation

The organiser and food operator is responsible for providing appropriate ventilation during the operation of any fete, fundraiser or event to eliminate any smoke or odour nuisances from the use of all cooking appliances.

The food operator/organiser is responsible for ensuring that all smoke and odour dispersing from the use of all cooking appliances during the operations of any fete, fundraiser or event does not affect the safety of users of the site and the amenity of the area.

Unreasonable Noise

All generators used for any appliances within the food stalls/mobile food vehicles must be silent to reduce any noise impacts to nearby residents, other stalls and the public attending any fete, fundraiser or event. Any direction by Police or suitably authorised officer (e.g. authorised Council officer) to reduce or mitigate noise disturbances must be responded to immediately.

WASTE - All waste and recycling generated from the food stalls and mobile food vehicles are to be kept within appropriate storage receptacles on the premises. Waste is not to be stored or placed outside of a waste storage receptacle or in such a manner that it will become a litter, vermin, odour or health nuisance.

Condition reason: To ensure the compliance with this development consent.

26. Acoustic Requirements

All mechanical plant including air conditioning systems shall be turned off during the night period (10pm to 7am).

The two large Daikin AC condenser units shall be placed at the locations shown in Figure 7.1 in the Noise Impact Assessment by Broadcrest Consulting Pty Ltd (16/12/2023).

Waste collection, bump in/out and deliveries shall only occur during the day and evening periods between 7am - 10pm.

A detailed review of mechanical noise emissions from the development should be carried out if any new noise generating equipment not assessed in the Broadcrest Consulting Report (16/12/2023) is added to the proposal. The noise level generated by any equipment must not exceed an $L_{Aeq(15\text{ min})}$ of 5dB(A) above background noise at the property boundary.

The minimum distance requirements for mechanical plant in Table 7.1 of the Broadcrest Consulting Report (16/12/2023), is to be used for selecting new equipment based on the maximum acceptable sound power level. If equipment selected is above the allowable levels, all such noise generating equipment must be acoustically screened.

Condition reason: To ensure the development complies with the EPA Noise Policy for Industry 2017 and the Protection of the Environment Operations Act 1997.

27. Site Cap

The number of people permitted on site in association with the approved development, is to be no more than 50 at any given time, except as otherwise permitted by a condition of this development consent.

Condition reason: To ensure regular use of the development is in accordance with the approved Plan of Management, and does not adversely affect the amenity of the locality.

28. Special Events

No more than six (6) special events are permitted to occur per annum.

Attendance at special events is capped at 300.

Notice is to be provided to Campbelltown City Council four weeks prior to a special event, to allow Council to maintain a record of events and ensure no more than six (6) are held annually.

Condition reason: To ensure no more than six (6) special events occur per annum.

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

29. Amended Plans

Prior to the issue of a construction certificate, all relevant plans referred to in condition 1 of this development consent are to be revised to remove the colorbond fence setback 1.5m from the property boundaries, and place it along actual property boundaries, as per the requirements of condition 20 of this development consent. The revised plans are to be prepared to the satisfaction of the principal certifier.

Condition reason: To ensure construction certificate plans are consistent with the requirements of this development consent.

30. Radiant Heat Shield

The radiant heat shield referred to in condition 20 of this development consent is to be non-reflective and shall be finished in Colorbond Pale Eucalypt, or the nearest colour equivalent.

Condition reason: To maintain visual amenity.

31. Landscape Plan

Prior to the issue of a construction certificate, a revised Landscape Plan is to be prepared to the satisfaction of the principal certifier, incorporating a wider selection of species, greater than 6 (six), from the following list:

- Tristaniopsis laurina – Water Gum
- Syncarpia glomulifera – Turpentine
- Melaleuca stypheliodes – Prickly-leaved Paper Bark
- Hymenosporum flavum – Native Frangipani
- Banksia serrata – Old man Banksia

Additional landscaping is to be provided along the boundary of the loading area, to ensure it is suitably screened from adjoining sites.

Landscape trees are to be grown in accordance with the Australian Standard AS2303:2018 Tree stock for landscape use.

All landscape plants shall be planted at the pot sizes specified in the approved landscape plan referred to in condition 1 of this development consent.

All Landscape Trees are to be sourced at 45L pot sizes at a minimum.

Condition reason: To ensure the site is landscaped appropriately with a variety of native vegetation.

32. 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.

33. Waste Management Plan

Before the issue of a construction certificate, the relevant provisions of Council's 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.

34. Soil and water management plan

Before the issue of a construction certificate, a detailed soil and water management plan shall be submitted to the Principal Certifying Authority for approval.

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

35. Waste management – private collection

Before the issue of a construction certificate, the applicant shall submit to Council details of the collection and disposal of internal waste generated by the occupants to be arranged through a licensed authorised contractor.

Condition reason: To ensure Councils records are kept updated.

36. Stormwater Management Plan

Before the issue of a construction certificate, a plan indicating all engineering details and calculations relevant to site regrading and the collection and disposal of stormwater from the site, building/s and adjacent catchment, shall be submitted for approval.

Floor levels of all buildings shall be a minimum of 150mm above the adjacent finished site levels and stormwater shall be conveyed from the site to the OSD tank and a level spreader.

All proposals shall comply with Council's 'Engineering Design Guide for Development' (as amended) and the applicable development control plan.

An absorption trench is unsuitable for the site given local soil conditions, this is to be changed in the detailed design stormwater plans to a level spreader.

Condition reason: To protect the operation of stormwater systems.

37. 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.

38. Telecommunications infrastructure

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.

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.

39. 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.

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.

40. Architectural finishes validation statement

A construction certificate shall not be issued until an 'Architectural Finishes Validation Statement' is prepared and submitted to the Principal Certifying Authority for approval.

The 'Architectural Finishes Validation Statement' shall confirm that the plans relied upon for the issue of the construction certificate are not inconsistent with the approved plans described in Condition 1 (unless as modified by a condition of this development consent) with specific regard to the architectural design elements, colours, finishes and treatments that are provided to the building's exterior.

Condition reason: To ensure compliance with this development consent.

41. Section 7.12 Contributions

Contribution

The developer must make a monetary contribution to Campbelltown City Council in the amount of \$42,990.31 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 \$4,299,030.97 indexed to the quarter immediately prior to the date of this consent (\$4,299,030.97). 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_P 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_C 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 - 137.7 Mar 2024

Time for payment

The contribution must be paid prior to the release of a construction certificate.

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.

42. On-Site Detention Facility

Prior to issue of a construction certificate, the applicant shall submit details & design calculations of the On-Site Detention (OSD) system to the certifier for approval. OSD system shall comply with the requirements detailed in the *Campbelltown City Council Engineering Design for Development Guide (as amended)*.

In this regard, an Operation and Maintenance Manual for the detention facility shall be submitted to Council, prior to issue of construction certificate.

Condition reason: To ensure appropriate stormwater management.

43. Civil Works under S138 Roads Act

Prior to issue of a construction certificate, including payment of plan assessment and inspection fees shall be lodged with Campbelltown City Council for construction of one vehicle crossover.

Detailed engineering plans for the proposed works in Eagleview Rd road reserve shall be submitted to Council for approval. All works shall be carried out in accordance with Roads Act approval including the stamped approved plans and Council specifications.

Condition reason: To comply with the requirements of the Roads Act 1993.

44. Kitchen Fit-Out

Prior to the issue of a construction certificate, the applicant is to submit to the Certifying Authority a professional detailed plan of the food premises demonstrating exactly how the proposed development complies with the requirements of the Australia New Zealand Food Standards Code and AS4674-2004: Design, construction and fit-out of food premises. The plans must include the following:

- a) A detailed description of the types of food related procedures and practices that will take place, such as preparation, handling, storage, packaging, cleaning etc.
- b) A detailed floor plan, drawn to scale, and showing:
 - i. The proposed floor layout and use of each room/area.
 - ii. Details of all construction materials and other materials that will be used within the premises (i.e. finishes of all floors, coving, walls and ceilings).
 - iii. Elevations of the walls and floor finish, showing the type and method of installation of coving to be used.
 - iv. Locations and design details of proposed hand washing facilities.
 - v. Locations and design details of proposed washing facilities and any floor wastes.
 - vi. Proposed location and details of all fixtures, fittings and appliances (including the proposed method of installation).
 - vii. Details showing location, capacity and clearance of hot water services.
 - viii. Design and construction details of cool rooms and/or freezer rooms, including condensation collection and disposal.
 - ix. Proposed location and details of storage facilities for cleaning equipment and staff personal belongings.
 - x. Proposed location and details of all waste storage areas.
 - xi. If applicable, proposed location of the Grease Trap

Condition reason: To ensure that all construction and fit-out of the canteen premises complies with the Food Act 2003, Food Regulation 2015, Food Standards Code Australia and New Zealand and Australian Standard 4674-2004: Design, construction and fit-out of food premises.

45. Unexpected Finds Protocol

Prior to the issuing of a Construction Certificate, a site specific 'Unexpected Finds Protocol' is to be prepared, submitted to the Principal Certifying Authority for approval, and made available for reference for all occupants and/or site workers in the event unanticipated contamination is discovered.

Condition reason: To ensure unexpected finds are managed appropriately.

BEFORE WORK COMMENCES

46. 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.

47. Erection of construction sign

Before any site work commences on the land, signs must be erected in prominent positions on the site:

1. 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
2. Stating that unauthorised entry to the work site is prohibited
3. Pollution warning sign promoting the protection of waterways (a digital copy is provided with this consent that can be printed, laminated and affixed to the site or a corflute sign is available for free pick up at Council's administration office)
4. Stating the approved construction hours in which all works can occur
5. Showing the name, address and telephone number of the principal certifier for the work.

Any such signs are 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.

48. 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.

49. 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.

50. 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.

51. 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.

52. Hoarding / Fence

Before any site work commences, a hoarding or fence must be erected between the work site and a public place if the work involved in the development is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or if the building involves the enclosure of a public place in accordance with Work Cover requirements.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

A separate land use application under *Section 68 of the Local Government Act 1993* shall be submitted to and approved by Council prior to the erection of any hoarding on public land.

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

53. 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.

54. Food Premises Fit-Out Pre-Construction Meeting

Prior to any construction work commencing on the fit-out of the food premises, the applicant/builder/private certifier must contact Council's Environmental Health Officers on 02 4645 4604 to arrange an onsite meeting /phone call to discuss the requirements of the fit out under this Consent.

Condition reason: To ensure the requirements of the fit out under this development consent are complied with.

DURING WORK

55. 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.

56. 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.

57. 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.

58. Certification of location of while site work is being carried out

Before the positioning of wall panels/bricks or block work, 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 the boundaries, and the dimensions of the building.

Condition reason: To ensure that the building is constructed in the location approved on the plans.

59. 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.

60. Certification of levels of building while site work is being carried out

Before the placement of any concrete of the basement/ground floor slab, the applicant shall submit to the appointed principal certifier a qualified practicing surveyor's certificate showing that the formwork levels are in accordance with the approved plan.

Condition reason: To ensure that the building has been constructed to the levels specified on the approved plans.

61. Termite control

The building shall be protected from subterranean termites in accordance with Australian Standard 3660.1. Certification of the treatment shall be submitted to the principal certifier before the issue of the relevant occupation certificate.

Condition reason: To ensure termite control measures are in place.

62. Earth works/ Filling works

All earthworks, including stripping, filling, and compaction shall be:

- Undertaken in accordance with Council's 'Specification for Construction of Subdivisional Roads and Drainage Works' (as amended), AS 3798 'Guidelines for Earthworks for Commercial and Residential Development' (as amended), and approved construction drawings;
- Supervised, monitored, inspected, tested and reported in accordance with AS 3798 Appendix B 2(a) Level 1 and Appendix C by a NATA registered laboratory appointed by the applicant. Two collated copies of the report and fill plan shall be forwarded to Council; and
- Certified by the laboratory upon completion as complying, so far as it has been able to determine, with Council's specification and AS 3798.

No cut material is to be removed from site; all disturbed or excavated soil shall remain on site.

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

63. 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.

64. Construction of Food Preparation Areas

Construction

The construction, fit-out and finishes of the food preparation areas must be constructed in accordance with the *Food Act 2003*, *Food Regulation 2015*, *Food Standards Code Australia and New Zealand* and *Australian Standard 4674-2004 Design, construction and fit-out of food premises*.

Floor Construction

The floor construction within the food preparation area/s must be finished to a smooth, even non-slip surface, graded and drained to a floor waste (AS 4674-2004, Section 3.1).

Floor Waste

Floor wastes in food preparation and food service areas must be fitted with sump removable stainless steel baskets and grates.

Coving

The coving must be installed so as to be integral to the surface finish of both floor and wall in such a manner as to form a continuous, uninterrupted surface in accordance with Figure 3.1 and 3.2 of the *Australian Standard (AS 4674-2004, Section 3.1.5)*.

All coving must:

- Have a minimum concave radius of 25mm; or
- Be tiled 50mm minimum in width and splayed at 45°.

Feather edge skirting and non-rebated coving is not permitted. Recessed coving must be provided at all intersections of the floor with the walls/plinths within all food preparation, service and storage areas.

Penetrations/Service Lines

All service pipes, conduits and electrical wiring must be concealed in the floor, walls, plinths or ceiling (AS 4674-2004, Section 3.2.9).

External service pipes and electrical conduit must be fixed on brackets so to provide at least 25mm clearance between the pipe and adjacent vertical surface and 100mm between the pipe or conduit and adjacent horizontal surfaces. Service pipes and electrical wiring must not be placed in the recessed toe space of plinths or of any equipment (AS 4674-2004, Section 3.2.9).

Wall Requirements

Cavity walls are not permitted. All walls in the food premises, including all new and existing partition walls, must be of solid construction and finished to a smooth, impervious surface that can be easily cleaned, as specified in Table 3.2 of AS 4674-2004. The finishing materials of the wall surfaces must provide an even surface, free of fixing screws, open joint spaces, cracks or crevices (AS 4674-2004, Section 3.2).

Window Sills

Window sills located within a food preparation area or food service area must be located 450mm above the top of any bench or sink and tiled at a splayed angle of 45°.

Ceiling Construction

Drop-in panel style ceilings are not permitted in food preparation areas or over areas where open food is displayed, handled or served. The ceiling in the food premises must be constructed with a rigid, non-absorbent, smooth faced material free from open joints, cracks and crevices and be painted with a light coloured washable paint. The intersection of the walls and ceiling must be tight-jointed, sealed and dust proofed (AS 4674-2004, Section 3.2).

Light Fittings

All fluorescent light fittings must be fitted with a smooth faced diffuser. The light fittings must be either:

- a. Recessed so that the diffuser is flush with ceiling; or
- b. Designed to ensure that no horizontal surface exists which would allow dust and grease to accumulate (AS 4674-2004, Section 2.6.2).

Hand Wash Basins

Hand wash basins must be provided in all parts of the premises where open food is handled and in utensil/equipment washing areas. The hand wash basin is to be located and installed in such a way that they are not obstructed, are at bench height either permanently fixed to a wall, to a supporting frame or set in a bench top and is accessible from no further than 5 metres away from any place where food handlers are handling open food (AS 4674-2004, Section 4.4).

The hand wash basin is to have a permanent supply of warm running potable water mixed to a temperature of at least 40°C and delivered through a single outlet. Disposable paper hand towels and soap must be provided and serviced from a dispenser adjacent to the hand wash basin. A waste receptacle for used towels must be provided (AS 4674-2004, Section 4.4).

Dishwashing Machines

The dishwashing/glass washing machine must be designed and able to operate in accordance with AS 4674-2004 and the Food Standards Code. All utensils and equipment must undergo a washing, sanitising

and rinsing cycle. The sanitising rinse cycle must achieve a water temperature of 80C for 2 minutes or 75C for 10 minutes (AS 4674-2004, Section 4.1.6).

Appropriate ventilation must be provided over the dishwashing system and be designed and installed in accordance with Australian Standard 1668.2-2012: The use of ventilation and air conditioning in buildings - Part 2: Mechanical ventilation in buildings.

Equipment Wash Sinks

A double bowl wash sink must be installed and serviced with hot and cold water through a single outlet (AS4674-2004 – Section 4.1). The double bowl sink is in addition to the hand wash basin.

A triple bowl sink must be installed and serviced with hot and cold water through a single outlet where rinsing is required before or after sanitising e.g. wash, rinse, sanitise procedure or wash, rinse/sanitise, rinse procedure (AS 4674-2004, Section 4.1).

Food Preparation Sink

A food preparation sink is required where foods are prepared by immersion in water including for cleaning fruit or vegetables. All food preparation sinks must be used only for the preparation and cleaning of food. The sink is in addition to the hand basin and equipment wash sinks (AS 4674-2004, Section 4.1).

Cleaner's Sink

A cleaner's sink is to be installed in a location outside of the food preparation area and must be serviced with hot and cold water through taps fitted with hose connectors. (AS 4674-2004, Section 4.1.8).

Tap Fittings

Hot and cold wall mounted taps must be installed fitted with hose connectors and positioned at least 600mm above the floor in a convenient and accessible location within the food preparation area and adjacent to the floor waste (AS 4674-2004, Section 4.1.8).

Fittings and Fixtures

All fixtures, fittings and equipment must be provided with smooth and impervious surfaces, free from cracks and crevices to enable easy cleaning (AS 4674-2004, Section 4).

All fittings and fixtures must be built into the wall and floor so to be free from joints, gaps and cavities to enable easy cleaning or alternatively, supported on one of the following in accordance with Table 4.5 of AS 4674-2004:

- Plinths must be an integral part of the floor, constructed of solid materials similar to the floor at least 75mm in height and coved at the intersection with the floor. All plinths must have a smooth and impervious finish. All fittings and fixtures must be properly sealed to the plinth so to be free from gaps, cracks and cavities.
- Fittings and fixtures can be supported on wheels or castors. The wheels and castors must be capable of supporting and easily moving a full loaded fitting. All wheels and castors must be provided with a restraining device.
- Fittings and fixtures can be supported on legs but must be constructed of non-corrosive, smooth metal or moulded plastic. All legs must be free from cracks and crevices. All legs must have a clearance space between the floor and the underside of the fitting of at least 150mm.

False bottoms under fittings are not permitted (AS 4674-2004, Sections 4.2 & 4.3).

Food Preparation Benches

All food preparation benches must be constructed of stainless steel. All food contact surfaces are to be smooth, continuous and flush so as to avoid any exposed screw fixtures.

Benches

The top and exposed edges of all benches and counters must be finished in a smooth and non-absorbent material, free of joints, cracks and crevices (AS 4674-2004, Section 4.2).

Storage Cabinets/Cupboards

All storage cabinets/cupboards (internal and external surfaces) must be finished in a smooth and non-absorbent material that is free of joints (AS 4674-2004, Section 4.2).

Shelving

All shelving must be located at least 25mm off the wall or alternatively, the intersection of the shelf and the wall is to be completely sealed. All shelving must be constructed at least 150mm from the floor level (AS 4674-2004, Section 4.2).

Food Display Units

All food display units must be enclosed to prevent the possibility of contamination by customer's breath, handling, or from flies, dust, etc (Food Standards Code 3.2.2).

Self-Service Appliances

Self-service food appliances must be constructed so as to comply with the, 'National code for the construction and fit-out of food premises' as published by the Australian Institute of Environmental Health.

Food Storage

Any appliance used for the storage of hot and/or cold food must be provided with a numerically scaled indicating thermometer or recording thermometer accurate to the nearest degree Celsius or an alarm system for continuous monitoring of the temperature of the appliance.

Coolroom and Freezer Room

Where applicable the coolroom and/or freezer room floor, walls and ceiling must be finished with a smooth even surface and graded to the door.

A sanitary floor waste must be located outside the coolroom and freezer room adjacent to the door.

All metal work in the coolroom and freezer room must be treated to resist corrosion.

Condensation from the refrigeration units/coolroom/freezer room motors must be directed to a tundish, installed in accordance with Sydney Water requirements.

The coolroom and freezer room must be provided with:

- A door which can at all times be opened internally without a key; and
- An approved alarm device located outside the room, but controllable only from the inside.

Condensation Collection

Condensation from refrigeration units, freezer units and coffee machines must be directed to a tundish, installed in accordance with Sydney Water requirements (Food Standards Code 3.2.3).

Mechanical Exhaust Ventilation

A food premises must be provided with a kitchen exhaust hood complying with Australian Standard 1668.2-2012: The use of ventilation and air conditioning in buildings - Part 2: Mechanical ventilation in buildings and where applicable, Australian Standard 1668.1-1998: The use of ventilation and air conditioning in buildings - Fire and smoke control in multi-compartment buildings, where:

Any cooking apparatus has:

- a) A total maximum electrical power input exceeding 8 kW; or A total gas power input exceeding 29 MJ/h; or
- b) The total maximum power input to more than one apparatus exceeds:
 - i. 0.5 kW electrical power; or
 - ii. 1.8 MJ gas per m² of floor area of the room or enclosure; or
- c) Any deep fryer.

Documentation from a mechanical engineer certifying that the mechanical ventilation system, as installed, complies with the AS/NZS 1668.1:1998 and 1668.2-2012, must be provided to the certifying authority prior to the issue of an Occupational Certificate.

Offensive Odour

To ensure that adequate provision is made for the treatment of odours, suitable odour control equipment shall be fitted to the mechanical exhaust system within the development. This equipment shall be capable of enabling the operation of the exhaust system free from the emission of offensive odours from the premises as defined under the *Protection of the Environment Operations Act 1997* and Regulations.

Pest Protection

Flyscreens and/or other approved means of excluding the entry of pests must be provided to all window and door openings in accordance with Section 2.1.5 of AS 4674-2004.

Where pipe work, drains, cables and ducts penetrate walls, ceilings and roofs, holes must be sealed, filled and finished to prevent the entry of pests.

Spaces between adjoining structures, such as between coolroom walls and premises walls, must be accessible for inspection and cleaning or sealed with a suitable compound so that they are inaccessible to pests. Spaces between the top surface of equipment or structures, such as coolrooms, must be accessible for inspection and cleaning or sealed/boxed in so that they are inaccessible to pests.

Toilet Facilities and Handbasins

A toilet for staff must be provided for the premises. The toilet cubicle must be separated from areas where open food is handled, displayed or stored by one of the following:

- a. An intervening ventilated space fitted with self-closing doors; or
- b. Self-closing doors and mechanical exhaust systems that operate when the sanitary compartment is in use for at least 30 seconds after the cubicle is vacated (AS 4674-2004, Section 5.2).

Toilets intended for customer use must not be accessed through areas where open food is handled, displayed or stored

A hand basin must be located within the toilet cubicle. The basin must be freestanding, serviced with hot and cold water through a single outlet, able to be mixed to a temperature of at least 40°C and fitted with a hands-off type tap set (AS 4674-2004, Section 4.4). The basin must be provided with soap and disposable paper towels from a dispenser.

Locker Storage for Staff Belongings and Equipment

Sufficient lockers must be provided in the food preparation area or store room specifically for the storage of cleaning materials, employees' clothing and personal belongings (AS 4674-2004, Section 5.1).

Meter Box

An approved non-absorbent, smooth faced cover must be provided over the meter box. The cover is to be splayed at an angle of 45° to the wall at the top and made tight fitting to the wall surfaces.

Roller Door

The drum of a roller door situated in the food preparation area must be enclosed in a frame, sheeted with compressed cement with a smooth and sealed finish. The enclosure must be accessible for pest control inspection and maintenance (AS 4674-2004, Section 2.1.5).

Hot Water Service

The hot water service must be positioned at least 75mm clear of the adjacent wall surfaces, and mounted at a minimum 150mm above the floor level on a non-corrosive metal stand. The hot water system must be of adequate size to enable a sufficient amount of hot water to all washing facilities throughout the working day (AS 4674-2004, Section 4.3).

Smoke Free Areas

Any enclosed eating area must be smoke free. Smoking is not permitted in all outdoor eating areas. "No Smoking" signs must be displayed within the eating areas to ensure all patrons comply with this requirement (*Smoke Free Environment Act 2000*). Please refer to NSW Health website for further information <http://www.health.nsw.gov.au>

Office Materials

Facilities for storing paperwork and other materials associated with the administration of the business must be in a designated room for office use or in an enclosed cupboard or drawer dedicated for that use (AS 4674-2004, Section 5.1.3).

Construction of the Waste Storage Areas and Rooms

The waste storage area/room must be provided with smooth and impervious surfaces (walls and floors) and coved at the intersection of the floor and walls. Floor areas must be graded and drained to a floor waste gully connected to the sewer. Waste storage rooms must be well ventilated and proofed against pests. The area or room must be provided with water service hose connectors to enable easy cleaning.

Open waste storage areas must be appropriately covered and bunded to avoid stormwater entering the sewer. The ground areas must be paved with impervious material and must be graded and drained to a waste water disposal system according to Sydney Water's requirements. A hose tap connected to a water supply must be provided (AS 4674-2004, Section 2.4).

Grease Arrestors

All grease arrestors must be located outside of where food and equipment is handled or stored and installed on the private land. Access to grease arrestors for emptying must not be through an area where open food is handled or stored or where food contact equipment and packaging materials are handled or stored (AS 4674-2004, Section 2.3).

No grease trap is permitted to be installed/constructed on Public /Council Land.

Please contact Sydney Water for information and requirements for grease arrestors by calling 13 20 92.

Store Room

The storeroom must be constructed in accordance with AS 4674-2004 by providing the following:

- a. A smooth, even and non-slip floor surface;
- b. Walls must be provided with a smooth, even surface and painted with a light coloured washable paint to enable easy cleaning in accordance with Table 3.2 of AS 4674-2004;
- c. The ceiling must be constructed with a rigid, non-absorbent, smooth faced material free from open joints, cracks and crevices and be painted with a light coloured washable paint. The intersections of the walls and ceiling must be tight-jointed, sealed and dustproof (AS 4674-2004, Section 3.2);
- d. Shelving or storage racks must be designed and constructed to enable easy cleaning; and
- e. Appropriate ventilation must be provided (ducted to the external air) within the store room to allow for the escape of heat and odour that can be produced from refrigeration and freezer motor units.

Note: Caged store rooms are not permitted.

Condition reason: To ensure the development complies with the relevant legislation and Australian Standards.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

65. Section 73 certificate

Before the issue of the relevant occupation certificate, a section 73 compliance certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation. Early application for the certificate is suggested as this can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator.

For help either visit www.sydneywater.com.au > Building and developing > Developing your Land > Water Servicing Coordinator or telephone 13 20 92.

The section 73 certificate must be submitted to the appointed principal certifier prior to the issue of an occupation certificate.

Condition reason: To ensure the development is serviced by Sydney Water.

66. 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 building is structurally adequate.

67. 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.

68. Mechanical ventilation

Before the issue of the relevant occupation certificate, the submission of a compliance certificate certifying that:

- The mechanical ventilation exhaust system has been installed in accordance with Australian Standard AS1668 Part 1 and 2.
- The exhaust hood and air conditioning system has been installed in accordance with Australian Standard AS1668 (Mechanical Ventilation and Air Conditioning Code), and Australian Standard AS1055 (Acoustics – Description and Measurement of Environmental Noise).

Condition reason: To ensure compliance with the relevant Australian Standards.

69. 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.

70. 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.

71. 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.

72. Termite protection

Before the issue of the relevant occupation certificate, certification from a licensed pest controller shall be submitted certifying that the termite treatment has been installed in accordance with AS3660.1.

Condition reason: To ensure termite control measures are in place.

73. 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.

74. Pre-Inspection

Prior to the release of the occupation certificate, Council's Environmental Health Officer is to be contacted on (02) 4645 4604 to undertake an inspection of the premises to confirm compliance with this Consent, the Food Act 2003, Food Regulation 2015, Food Standards Code Australia and New Zealand and AS 4674-2004.

Condition reason: To ensure compliance with the development consent, relevant legislation, and Australian Standards.

75. Registration with Council

The premise is required to be registered with Council prior to the Occupation Certificate being issued. Regular inspections will be carried out to ensure health standards are maintained. A business registration form is available on Council's website and must be completed and submitted to Council prior to the operation of the food business commencing (Food Safety Standard 3.2.2).

Condition reason: To ensure health standards are maintained.

76. Food Safety Supervisor

A Food Safety Supervisor must be nominated for the premises. The Food Safety Supervisor Certificate must be kept on-site at the food premises at all times. The nominated Food Safety Supervisor must not be a nominated Food Safety Supervisor at any other premises. Any changes to the Nominated Food Safety Supervisor must be notified to Council.

Condition reason: To ensure a Food Safety Supervisor is appointed.

77. Grease Trap

Documentation supplied by Sydney Water regarding evidence of the trade waste agreement must be provided to the certifying authority prior to issue of an Occupation Certificate.

Please contact Sydney Water for information and requirements for grease arrestors by calling 13 20 92.

Condition reason: To ensure a trade waste water agreement is in place.

Advice 1. 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 2. Salinity

Please note that Campbelltown is an area of known salinity potential. As such any salinity issues should be addressed as part of the construction certificate application. Further information regarding salinity management is available within *Campbelltown (Sustainable City) DCP - Volumes 1 and 3 (as amended)*.

ATTACHMENT - COMPLIANCE TABLES**State Environmental Planning Policy (Resilience and Hazards) 2021**

REQUIREMENT	RESPONSE
<p>Clause 4.6(1) 1. Is the development for a change of use to a sensitive land use or for residential subdivision?</p> <p>Sensitive land use include residential, educational, recreational, child care purposes or hospital.</p>	Yes. The proposal seeks consent for a community facility.
<p>Clause 4.6(1) 2. Is Council aware of any previous investigation or orders about contamination on the land?</p>	The proposal is accompanied by a Preliminary Site Investigation prepared by Neo Consulting. The report states the site is considered to generally have a low risk of site wide contamination and it's considered the site to be suitable for the proposed development.
<p>Clause 4.6(1) 3. Do existing records held by Council show that a contaminating land activity has occurred on the land?</p>	A search of Council records did not include any reference to previous land uses that may have caused contamination.
<p>Clause 4.6(1) 4. Has the land previously been zoned for potentially contaminating uses?</p>	The site has historically been zoned for rural residential purposes.
<p>Clause 4.6(1) 5. Is the land currently being used for a potentially contaminating use or is there any evidence of a potentially contaminating use on site?</p>	A site inspection did not reveal any obvious signs of contamination, or a use that would potentially have resulted in contamination.

Campbelltown Local Environmental Plan 2015

PART 4 – PRINCIPAL DEVELOPMENT STANDARDS	
4.3 – Height of buildings	No. The maximum building height permitted under CLEP 2015 is 9m. The proposal has a maximum building height of 10.677m, which represents a variation of 18.6%.
4.6 – Exceptions to development standards	See below.

The objectives of Section 4.6 of CLEP 2015 are:

- (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and
- (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

The applicant has submitted a written request that seeks to justify the contravention of the development standard pertaining to the maximum height of buildings, as specified in Section 4.3. The variation sought is as follows:

Maximum height standard under Section 4.3 of CLEP 2015	Proposed	Degree of Variation
9m	10.677m	1.677m/18.6%

Matters for Consideration under Section 4.6

In assessing an exception to vary a development standard, the following needs to be considered:

- (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
- (b) that there are sufficient environmental planning grounds to justify contravening the development standard.

Case Law

The proposed variation to the development standard has been considered in light of the methodology established by the NSW Land & Environment Court (the Court).

In *Wehbe v Pittwater Council* [2007] LEC 827 (“Wehbe”), Chief Justice Preston expressed the view that there are five different ways in which an objection to a development standard may be assessed as being well founded. These included:

- 1) Notwithstanding the non-compliance, is the proposal consistent with the relevant environmental or planning objectives?
- 2) Is the underlying objective or purpose of the development standard not relevant to the development with the consequence that compliance is unnecessary?
- 3) Would the underlying objective or purpose of the development standard be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable?
- 4) Has the development standard been virtually abandoned or destroyed by the consent authority's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable?
- 5) Is the zoning of the particular land unreasonable or inappropriate such that the development standard appropriate for that zoning was also unreasonable or unnecessary as it applied to that land and therefore, compliance with the standard would be unreasonable or unnecessary?

In the Judgment of *Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 1009 (“Four2Five”) Pearson C expanded on the earlier judgment of *Wehbe*, indicating that there remains an onus of also demonstrating that there are “sufficient environmental planning grounds” such that

compliance with the development standard is unreasonable or unnecessary. Furthermore, that the environmental planning grounds must be particular to the circumstances of the proposed development.

In his Judgment of *Randwick City Council v Micaul Holdings Pty Ltd* [2016] NSWLEC 7 ('Micaul') Preston CJ elucidated that the consent authority does not have to be directly satisfied that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case – only that it be indirectly satisfied that the applicant's written request adequately addresses the relevant matters to be considered, that compliance is unnecessary or unreasonable in the circumstances of the case. Furthermore, Preston CJ confirmed that an established means of demonstrating that compliance with a development standard is unreasonable or unnecessary is to establish that a development would not cause environmental harm and is consistent with the objectives of the development standard.

Moskovich v Waverley Council [2016] NSWLEC 1015 ('Moskovich') requires the consent authority to be satisfied that the proposed development is in the public interest because it is "consistent" with objectives of the development standard and objectives for the zone rather than "achieving" the objectives.

In the Judgment of *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118 ('Initial Action'), Preston CJ indicated that cl4.6 does not directly or indirectly establish a test that a non-compliant development should have a neutral or beneficial effect relative to a compliant development. Rather, the non-compliance should be assessed with regard to whether the impacts are reasonable in the context of achieving consistency with the objectives of the zone and the objectives of the development standard. Furthermore, Preston CJ ruled that it is incorrect to hold that the lack of adverse amenity impacts on adjoining properties is *not* a sufficient ground justifying the development contravening the development standard, when one way of demonstrating consistency with the objectives of a development standard is to show a lack of adverse amenity impacts.

Assessment

The collective methodology and tests described above have been applied to the assessment of the applicant's written request seeking to justify the contravention of the development standard pertaining to the maximum height of buildings.

In assessing a variation to a development standard, the following needs to be considered:

Is the planning control a development standard?

The planning control, Section 4.3 Height of Buildings, is a development standard pursuant to *Campbelltown Local Environmental Plan 2015*.

What is the underlying object or purpose of the standard?

- (1) The objectives of this clause are as follows—
 - (a) to nominate a range of building heights that will provide a transition in built form and land use intensity across all zones,
 - (b) to ensure that the heights of buildings reflect the intended scale of development appropriate to the locality and the proximity to employment centres and transport facilities,
 - (c) to provide for built form that is compatible with the hierarchy and role of centres,

(d) to assist in the minimisation of opportunities for undesirable visual impact, disruption to views, loss of privacy and loss of solar access to existing and future development and to the public domain.

Is compliance with the development standard unreasonable or unnecessary in the circumstances of the case?

Compliance with the development standard is considered unreasonable in the circumstances of the case for the following reasons:

- 1) The variation is isolated to a rear portion of the roofline only and does not represent overall non-compliance with the development standard (refer to Figures 2 and 3). Generally, the proposed development complies with the development standard.

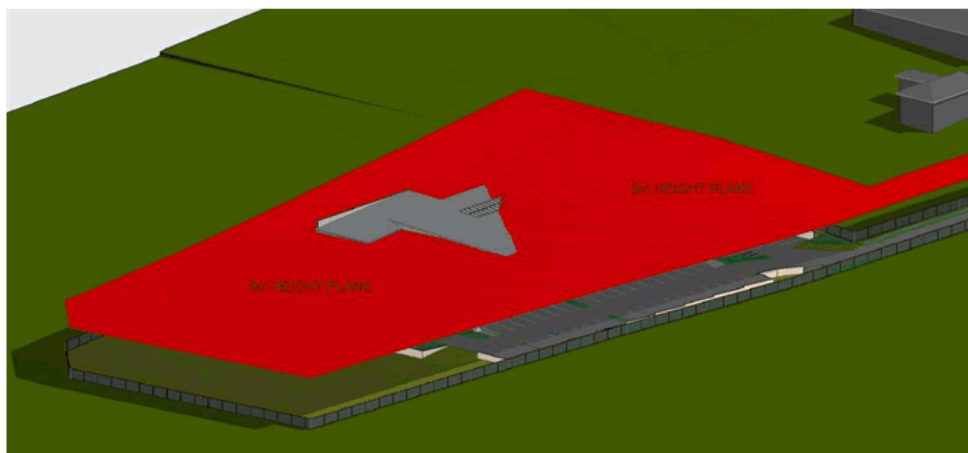


Figure 2: Height Plane Map

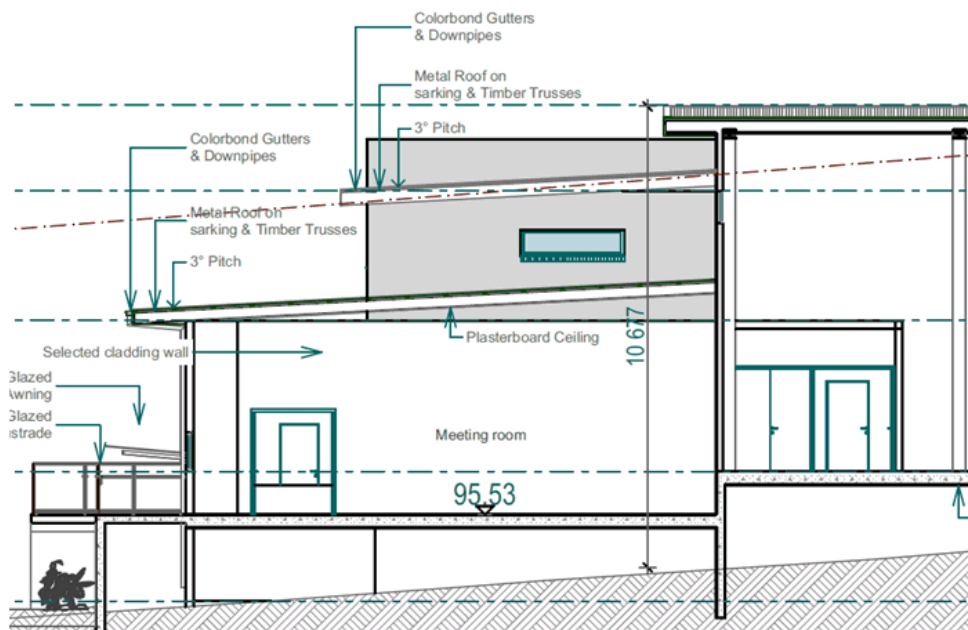


Figure 3: Section Plan

- 2) The proposed variation does not result in any adverse overshadowing impacts to adjoining residences.
- 3) The proposed variation will not result in any visual or acoustic privacy impacts to adjoining residences, as the variation is isolated to the rear part of the premises only, which contains amenities, storage rooms and offices.
- 4) The proposed variation will not be visible from the streetscape or broader public domain, and the development's overall visibility from Eagleview Road would be relatively unchanged as result of enforcing strict compliance with the development standard.
- 5) There would be no discernible, positive impact from enforcing strict compliance with the development standard, as the overall bulk and scale of the proposed dwelling would be relatively unchanged.

Is the exception well founded?

The applicant's written request demonstrates compliance with the development standard is unreasonable or unnecessary and provides sufficient environmental planning grounds to vary the development standard. In this respect, the Section 28 variation statement is well drafted, and the variation may be supported

PART 7 - ADDITIONAL LOCAL PROVISIONS

7.1 - Earthworks	The proposal seeks to generally balance cut and fill (net cut 2797m ³ , net fill 2808m ³); 11m ³ of material is required to be imported to the site. It is not considered the proposed earthworks will detrimentally impact surrounding sites.
7.4 - Salinity	Conditions are recommended to address salinity and ensure compliance with the BCA/NCC
7.5 - Preservation of the natural environment	Subclause 3 states that development consent must not be granted to the removal of soil or bush rock from any land to which this clause applies, however subclause 4 states that subclause 3 does not prevent the relocation of soil or bush rock within the same site. As noted above, there is no excess cut associated with the proposal and all material will remain on site. A condition to this effect is recommended.
7.10 - Essential services	The subject site is currently serviced by essential services.
7.13 - Design Excellence	See below.

The Development Application was referred to the Design Excellence Panel on 21st and 25th September 2023. The following general comments were made by the Panel:

General Comments from the Panel	
1.	Battle Axe Lot – The Panel feel strongly that the indicated location for the community facility is inappropriate and needs to be located to address Eagleview Road.
2.	As located, the site’s topography creates a further conflict as it creates a community centre away and down from the main road – the roof line is just above the RL on the street.
3.	Access to the facility and circulation around and in the building is inappropriate for a facility hosting up to 400 people. The Panel recommends an uninterrupted path of travel to, into and within the building to provide equitable access to all facilities.
4.	The Panel believes that given the lack of information regarding the intended user groups, supporting social and community infrastructure analysis and operating model, its planned land use is likely not as shown on the plans submitted.

In this regard, the following is noted:

- 1) The subject site was created via a subdivision associated with development consent 6/2022/DA-S. As a lawfully created and registered site, it goes that any development specified to the land use table for the C4 Environmental Living zone in the Campbelltown Local Environmental Plan 2015 is permitted upon the land. Given a community facility is a permitted land use, it is unreasonable to request the relocation of the applicant’s proposal to an adjoining and separate site, which already accommodates an existing dwelling house.
- 2) Regarding topography and the site’s relationship to the street, it is noted the site is within an environmental zone characterised predominantly by rural residential development; it is preferable for development in this zone to be scaled accordingly. As a non-residential land use, it is considered the proposal has responded suitably to the topography of the site, noting it’s compliance with the relevant development controls contained within the Campbelltown (Sustainable Cities) Development Control Plan 2015.

Further, it is noted a development consent (4747/2022/DA-S) has been issued to subdivide 115 Eagleview Rd into two lots, in a manner not dissimilar to the subject site; therefore, given the emergence of battle-axe lots in the locality, it is unreasonable to rely on the existing placement of development and the prevailing setbacks to Eagleview Rd to request a relocation of the proposed development.
- 3) Design amendments were made to the initial proposal to allow for pedestrian access from Eagleview Road to the community facility, including crossings to facilitate uninterrupted travel to the premises. It is considered that the changes made to the proposed development allows for equitable access to all facilities.
- 4) Information provided regarding the intended user groups is detailed in the Plan of Management submitted with the Development Application. Activities proposed to be undertaken at the premises include basketball, tennis and badminton, as well as craft and painting activities, social gatherings and meetings, as well as cultural festivals. On a regular basis, the number of people permitted on site in association with the community facility land use will be limited to 50(as specified in the Plan of Management and reinforced through a condition of consent to this effect). The proposal also seeks consent for six (6) special events per annum, where attendees will be limited to 300. A condition of consent shall

require notice to be provided to Campbelltown City Council four weeks prior to the event, to allow Council to maintain a record of events and ensure no more than six (6) are held annually.

In addition to the above, the Panel were of the view the building scale is too large for the developable land; with respect to size and location of the proposed building, reference is made to the proposal's compliance with the Campbelltown (Sustainable Cities) Development Control Plan 2015.

It was further noted by the Panel that landscaping was poorly integrated with the proposal; the Panel suggested that parking areas would benefit from additional shade tree planting integrated with the parking bays. An amended Landscape Plan which included street tree planting in the carpark was submitted to Council and reviewed by Council's Environmental Officer, who recommends a condition to ensure appropriate species selection at the Construction Certificate stage of the development program.

With respect to the changes made to the design of the proposed development, it is considered the bulk, mass and modulation of the premises is suitable for a community facility in the C4 Environmental Living zone. The proposal represents a contemporary architectural form that incorporates varying materials (brick, cladding, multicoloured vitrapanel, aluminium siding and colorbond roofing) and design elements to ensure design excellence is achieved.

Campbelltown (Sustainable Cities) Development Control Plan 2015

PART 2 – REQUIREMENTS APPLYING TO ALL TYPES OF DEVELOPMENT		
Control	Requirement	Proposed
2.2 - Site Analysis	Submission of a Site Analysis Plan.	A site analysis plan has been provided.
2.3 - Views and Vistas	Development shall have regard to significant view and vista corridors.	N/A. The site is not considered to hold, nor be subject to any significant views or vistas.
2.4 - Sustainable Building Design	Development to meet requirements of BASIX.	N/A
2.5 - Landscaping	Submission of a Landscape Plan.	A Landscape Plan has been provided.
2.6 - Weed Management	Submission of a Weed Management Plan.	N/A. The site is not known to be occupied by noxious weeds.
2.7 - Erosion & Sediment Control	An Erosion and Sediment Control Plan (ESCP) shall be prepared and submitted with a development application proposing activities involving the disturbance of the land surface.	An erosion and sediment control plan has been provided, and conditions regarding erosion and sediment control are recommended.
2.8 - Cut, Fill & Floor Levels	Submission of a Cut and Fill Management Plan.	A Cut and Fill Plan has been provided, showing net cut of 2797m ³ and net fill

		of 2808m ³ ; 11m ³ of material is required to be imported to the site.
2.9 - Demolition	Details of proposed demolition work.	N/A.
2.10 - Water Management	Submission of a Water Cycle Management Plan.	A Stormwater Plan has been provided.
2.11 - Heritage Conservation	Consider the impacts of the proposed development upon indigenous and non-indigenous heritage items.	N/A. The site does not contain any indigenous or non-indigenous heritage items. Further, the site is not located within a heritage conservation area.
2.12 - Retaining Walls	Minimum setback of 0.45m for rear and side boundaries for retaining walls supporting cut.	Details are shown on plans accompanying the Development Application.
2.13 - Security	Maximize casual surveillance opportunities to the street.	Surveillance and general security measures have not been detailed, however, passive surveillance within the site to entry points and adjoining sites is achievable.
2.14 - Risk Management	<p>If located in bushfire prone land the submission of a Bushfire Hazard Assessment Report.</p> <p>If located within mine subsidence district requires approval from Mine Subsidence Board (MSB).</p> <p>If sites have potential for existing contamination an appropriate assessment against SEPP 55 shall be supplied.</p>	<p>A Bushfire Assessment Report accompanies the development application and concludes the development can comply with Planning for Bushfire Protection 2019.</p> <p>N/A. The site is not located within a mine subsidence district.</p> <p>The site is not identified as contaminated. In accordance with Section 4.6 of the <i>Resilience and Hazards SEPP</i>, the land is suitable for the proposed development.</p>
2.15 - Waste Management Plan	A detailed Waste Management Plan (WMP) shall accompany development applications for certain types of development/land uses, as detailed in Table 2.15.1.	A Waste Management Plan has been provided.

2.16 - Provision of Services	Availability of water and electricity supply. Sewer	Water and electricity are currently supplied to the site. Reticulated sewer can be made available.
2.17 - Work on, Over or Near Public Land	Details of proposed works within public land.	The application proposes a vehicular crossing within public land. Conditions regarding this matter are recommended.
PART 6 – COMMERCIAL DEVELOPMENT		
6.4.1 Building Form and Character		
Design Requirements	<p>a) All building facades, including rear and side elevations visible from a public place or adjacent to residential areas, shall be architecturally treated to enhance the quality of the streetscape.</p> <p>b) Large buildings shall incorporate the following elements to assist in achieving a high quality architectural outcome:</p> <ul style="list-style-type: none"> i) the provision of vertical and/or horizontal offsets in the wall surfaces at regular intervals, including columns, projections, and recesses; variation to the height of the building so that the building appears to be divided into distinct massing elements; ii) articulation of the different parts of a building's facade by use of colour, arrangement of facade elements, or by varying the types of materials used; and, iii) maximising the interior and exterior interactions at the ground level. <p>c) The main entry to the building shall be easily identifiable from the street and directly accessible</p>	<p>Whilst situated on a battle-axe lot and, therefore, not orientated to the streetscape, the proposal involves modulation and quality finishes to ensure suitable articulation and presentation.</p> <p>The proposal is for a community facility and has been designed around a central multi-use hall, which although lends itself to a generally regular rectangular built form, has incorporated vertical and horizontal design elements, including projections and recesses, as well as varying window shapes, to create a building that appears to be divided into distinct massing elements.</p> <p>The proposal represents a contemporary architectural form that incorporates varying materials (brick, cladding, multicoloured vitrapanel, aluminium siding and colorbond roofing) and design elements.</p> <p>The proposal involves a main entry, as well as various access points to allow for a relationship between the interior and exterior of the building.</p> <p>The site involves an entry gate to identify the premises from the street; the main entry is accessible through the front of the building, at a point where both</p>

	<p>through the front of the building.</p> <p>d) Large expansive blank walls on ground floor levels or side and rear boundaries shall not be permitted unless abutting a building on an adjoining allotment.</p> <p>e) Roof mounted plant rooms, air conditioning units and other services and equipment shall be effectively screened from view using integrated roof structures and architectural elements.</p> <p>g) Buildings shall not incorporate highly reflective glass.</p> <p>h) A schedule of proposed colours, materials and finishes shall accompany all development applications for new buildings.</p> <p>j) Except in the case of an outdoor cafe, the design of the development shall not provide for outdoor display and/or storage.</p> <p>k) Commercial development shall be designed to address both primary and secondary street setbacks.</p>	<p>pedestrians and vehicular occupants can easily identify it.</p> <p>Given the details shown on the plans submitted with the Development Application are conceptual only, a condition is recommended for more detailed entry gate plans to be submitted to Council for approval prior to the issue of a Construction Certificate. The entry gate is to be designed in such a way that it does not conflict with waste and service vehicle requirements.</p> <p>Side and rear elevations are appropriately treated via modulation and varying materials so as to result in suitable articulation.</p> <p>A condition to this effect is recommended.</p> <p>A condition to this effect is recommended.</p> <p>A schedule of materials and finishes accompanies the Development Application, and shows the proposal will comprise of brick, cladding, multicoloured vitrapanel, aluminium siding and colorbond roofing.</p> <p>Outdoor display/storage is not proposed.</p> <p>The proposal is for a community facility on a battle-axe allotment.</p>
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	n) The developer must allocate/set aside adequate space within the development to install a grease trap and mechanical ventilation, for any proposed food premises, in accordance with the Local Water Authorities recommendations and the following Australian Standards	Council's Environmental Health Officer reviewed the proposal, as amended, and recommended conditions pertaining to ventilation, air-conditioning, food preparation, etc.
6.4.1.3 Fencing		
Design Requirements	<p>a) Commercial fencing shall be a maximum 2.4 metres in height.</p> <p>b) The use of sheet metal fencing is not permitted.</p> <p>d) Fencing shall not obstruct power, water, sewer, gas or telephone services, drainage systems, (including overland flow paths) or any easements or rights of way.</p> <p>e) Details for fencing shall be submitted with the development application.</p>	<p>The proposed fencing does not exceed 1.8m in height.</p> <p>Colorbond fencing is proposed. Although not generally permitted, the NSW Rural Fire Service recommends a condition that requires a minimum 1.8m high radiant heat shield made of non-combustible material along all boundaries of the subject site.</p> <p>The proposed fencing is located along property boundaries and will not obstruct services, easements or rights of way.</p> <p>Details have been shown on the plans accompanying the Development Application.</p>
6.4.2 Car Parking and Access		
6.4.2.1 General Requirements	<p>a) Off street parking and loading shall be designed in accordance with Australian Standards 2890.1 and 2 (as amended), except as otherwise provided by this Plan.</p> <p>b) The minimum car parking rates shall be provided in accordance with Table 6.4.2.1. If in the opinion of Council, additional car parking spaces are required due to the constraints of the</p>	<p>The proposal was reviewed by Council's Senior Development Engineer, who raised no objection to the proposed car parking spaces. Nevertheless, a condition is recommended to ensure compliance with Australian Standard 2890 Parking Facilities.</p> <p>Table 6.4.2.1 does not provide a specific car parking rate for community facilities. In this regard, it is noted the proposal seeks consent for a 50 person visitor cap (on a regular basis) and an at grade car park involving 82 sealed spaces, inclusive of four (4) accessible car spaces, in</p>

	<p>site and or the nature of the use, additional car parking spaces shall be provided as part of the development.</p> <p>c) All car parking spaces that are required under clause 6.4.2.1 b) shall not be locked off, obstructed, reserved or separately allocated to any individual use at any time.</p> <p>d) Commercial development shall be designed to accommodate all related vehicle movements on site such that:</p> <ul style="list-style-type: none"> i) all vehicles shall enter and exit the site in a forward direction; ii) the area for manoeuvring of delivery and service vehicles is separate from vehicle parking areas, and preferably accessed via a rear service lane; iii) cause minimal interference to the flow 	<p>addition to 26 overflow car park spaces, for a total of 108 car parking spaces.</p> <p>The Traffic Impact Assessment accompanying the Development Application assumes a car occupancy rate of 2.5 persons. Using the following formula, the applicant's Traffic Engineer concludes 108 spaces are sufficient for the expected peak visitation of 300 person six (6) times a year:</p> <p><i>300 patrons X 0.90 modal split for car X 0.40 car occupancy rate = 108 car spaces</i></p> <p>The proposal does not lock, obstruct or reserve car parking spaces.</p> <p>AS 2890.1 requires two-way driveways to be designed at a minimum width of 5.5m with 300mm clearance from obstructions higher than 150mm on either side. Accordingly, the proposed two-way driveway section that connects the carpark with Eagleview Road has been designed at >6.1m width. It is, therefore, satisfied that all vehicles can enter and exit the site in a forward direction.</p> <p>The site will be serviced by a Heavy Rigid Vehicle (HRV) that is 12.5m long (for both waste collection and deliveries). At most, one or two trips by an HRV is expected per week. A HRV loading bay is provided within the site - it measures 12.5m long by 3.5m wide, which complies with the minimum dimensional requirements in AS 2890.2.</p>
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	<p>of traffic within the surrounding road network; and</p> <p>iv) safe and convenient access is provided for pedestrians.</p> <p>e) A Traffic Impact Assessment Report shall be prepared by a suitably qualified person and submitted as part of a development application addressing the following criteria if the development exceeds the relevant thresholds within SEPP (Infrastructure) 2007.</p>	<p>The Traffic Impact Assessment accompanying the Development Application concludes the proposed development is unlikely to have any material traffic impacts on the surrounding road network.</p> <p>The proposal provides for suitable pedestrian access, and includes a pedestrian crossing to facilitate uninterrupted access to the main entry of the premises.</p> <p>A Traffic Impact Assessment accompanies the Development Application.</p>
<p>6.4.2.2 Loading and Unloading</p>	<p>a) Where practicable, loading bays shall be separated from parking and pedestrian access.</p> <p>b) All loading and unloading shall take place wholly within the site.</p> <p>c) No loading or unloading shall be carried out across parking spaces, landscaped areas pedestrian aisles or on roadways.</p> <p>d) Parking and loading bays shall be provided and clearly identified on site.</p> <p>e) Required manoeuvring areas for heavy vehicles shall not conflict with car parking.</p> <p>f) Each new commercial building/unit having a gross floor area: iii) more than 1500 square metres shall provide a</p>	<p>A loading bay is proposed at the rear of the site.</p> <p>The proposal complies. Nevertheless, a condition to this effect is recommended.</p> <p>The proposal complies. Nevertheless, a condition to this effect is recommended.</p> <p>The proposal complies. Nevertheless, a condition to this effect is recommended.</p> <p>The Traffic Impact Assessment report includes swept path diagrams of heavy rigid vehicle movements through the site, which show there will be no conflict with car parking.</p> <p>The proposal complies.</p>

	<p>loading area to allow for a heavy rigid vehicle to manoeuvre on site.</p> <p>g) Loading docks and service areas shall not be visible from any public place and shall be suitably screened from adjacent properties. Screening may be achieved by locating such areas behind the buildings, by fencing, landscaping, mounding or a combination of these, or by other means to Council's satisfaction.</p>	<p>A condition requiring additional landscaping along the boundary of the loading area is proposed, to ensure it is suitably screened from adjoining sites.</p>
6.4.2.3 Access for People with Disabilities	<p>a) Commercial development shall comply with the minimum access requirements contained within the BCA, the Disability (Access to Premises – Buildings) Standards 2010 and Australian Standard 1428 – Design for Access and Mobility (as amended).</p> <p>b) Notwithstanding Clause 6.4.2.2 a) the required percentage of car parking spaces for people with disabilities within retail/commercial development shall be:</p> <ul style="list-style-type: none"> i) one car space per development; plus ii) one for every 20 car parking spaces; iii) and shall be designed in accordance with AS No 2890.6 (as amended). 	<p>Conditions pertaining to this matter are recommended.</p> <p>The proposal involves an at grade car park involving 82 sealed spaces, inclusive of four (4) accessible car spaces, in addition to 26 overflow car park spaces, for a total of 108 car parking spaces. The number of accessible car parking spaces are based on the 82 main car parking spaces only. However, accessible car parking spaces are to be provided with respect to the total number of car parking spaces. On this basis, six (6) accessible spaces are required. A condition to this effect is recommended.</p>
6.4.4 Landscaping	<p>a) A detailed landscape plan and report shall be prepared by a suitably qualified person and submitted with all development applications for commercial development involving the construction of a new development.</p>	<p>The DA is accompanied by a Landscape Plan. Council's Environmental Officer has reviewed the Plan and recommends conditions regarding tree species and tree pot sizes.</p> <p>The proposal complies.</p>

	<p>c) All landscaped bays shall be a minimum 2 metres wide and allow for deep soil planting.</p> <p>d) Landscaped areas shall be separated from driveways and car parking areas by a suitable device such as bollards or concrete wheelstops to ensure that the landscaping is not damaged as a result of vehicular movement.</p> <p>e) Landscaped area at ground floor level shall be incorporated within the car park at all the outer edges of car parking bays.</p> <p>f) High canopy trees shall be used to allow for clear lines of sight within car parking areas and to internal site access pathways.</p>	<p>A condition to this effect is recommended.</p> <p>The proposal includes landscaping at all outer edges of the car parking bays.</p> <p>The proposal complies.</p>
<p>6.4.5 Residential Interface</p>	<p>a) Buildings adjoining residential zones and/or open space shall be setback a minimum of 3 metres from that property boundary.</p> <p>b) Loading areas, driveways, waste storage areas and roof top equipment shall not be located adjacent to residential development.</p> <p>c) Any commercial buildings that are designed to accommodate the preparation of food from a commercial tenancy, shall provide ventilation facilities to ensure that no odour is emitted in a manner that adversely impacts upon any residential premises.</p> <p>d) External lighting shall be positioned to avoid light</p>	<p>The proposed community facility is setback 23m from the adjoining site to the north west, 22m from the adjoining site to the north east, and 11m from the adjoining site to the south west.</p> <p>Subject to compliance with the recommended conditions of consent, the loading area and waste storage area shall be appropriately screened from adjacent residential land uses.</p> <p>Conditions pertaining to food preparation and ventilation are recommended.</p> <p>A condition to this effect is recommended.</p>

	<p>spillage to adjoining residential development.</p> <p>e) An acoustic report may be required to be prepared as part of a development application where the proposed development is adjacent to residential or other sensitive uses, such as places of worship and child care centres.</p>	<p>The DA is accompanied by a Noise Impact Assessment which concludes that based on the predicted noise levels, the proposed community facility is predicted to satisfy the relevant acoustic requirements of the EPA Noise Policy for Industry 2017 and Protection of the Environment Operations Act 1997.</p>
6.7 Commercial Waste Management	<p>a) Commercial development shall make provision for an enclosed onsite waste and recycling area that has adequate storage to accommodate the volume of waste and recycling generated at the development.</p> <p>b) The waste storage area shall:</p> <ul style="list-style-type: none"> i) be no more than 30 metres from the point of collection; ii) contain a hose connection; iii) have an impervious floor that is connected to the sewer; iv) be adequately ventilated; v) incorporate appropriate design and construction materials (including colours and finishes) which complement the development; vi) be appropriately screened from public view by a visual barrier of at least 1.5m high; vii) provide an opening sufficient to allow egress of the maximum sized bin to be used at the development; and 	<p>Plans accompanying the DA depict an onsite waste/recycling area at the rear of the premises.</p> <p>The proposal was reviewed by Council's Environmental Health Officer who recommends conditions regarding the construction and operation of the waste storage area.</p> <p>In terms of collection, the applicant has noted in their Waste Management Plan that a private waste contractor will be engaged to collect and dispose of waste generated on site.</p>

	<p>viii) Ensure that the path for wheeling bins between the waste storage area(s) and the collection point is free of steps and kerbs and has a maximum gradient of 1V:8H.</p> <p>e) The development must be designed in such a way that an Australian Standard heavy rigid vehicle can provide waste collection services to the development. If on-site servicing is required, the site plan and layout shall consider how heavy rigid vehicles can access and move around the development, and make appropriate provisions for this to occur safely. All waste and recycling generated from the business is to be kept within an appropriate storage receptacle on the premises. Waste is not to be stored or placed outside of a waste storage receptacle or in such a manner that it will become a litter, odour or health nuisance.</p>	<p>The Traffic Impact Assessment report includes swept path diagrams of heavy rigid vehicle movements through the site.</p>
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ATTACHMENT – PUBLIC PARTICIPATION RESPONSES

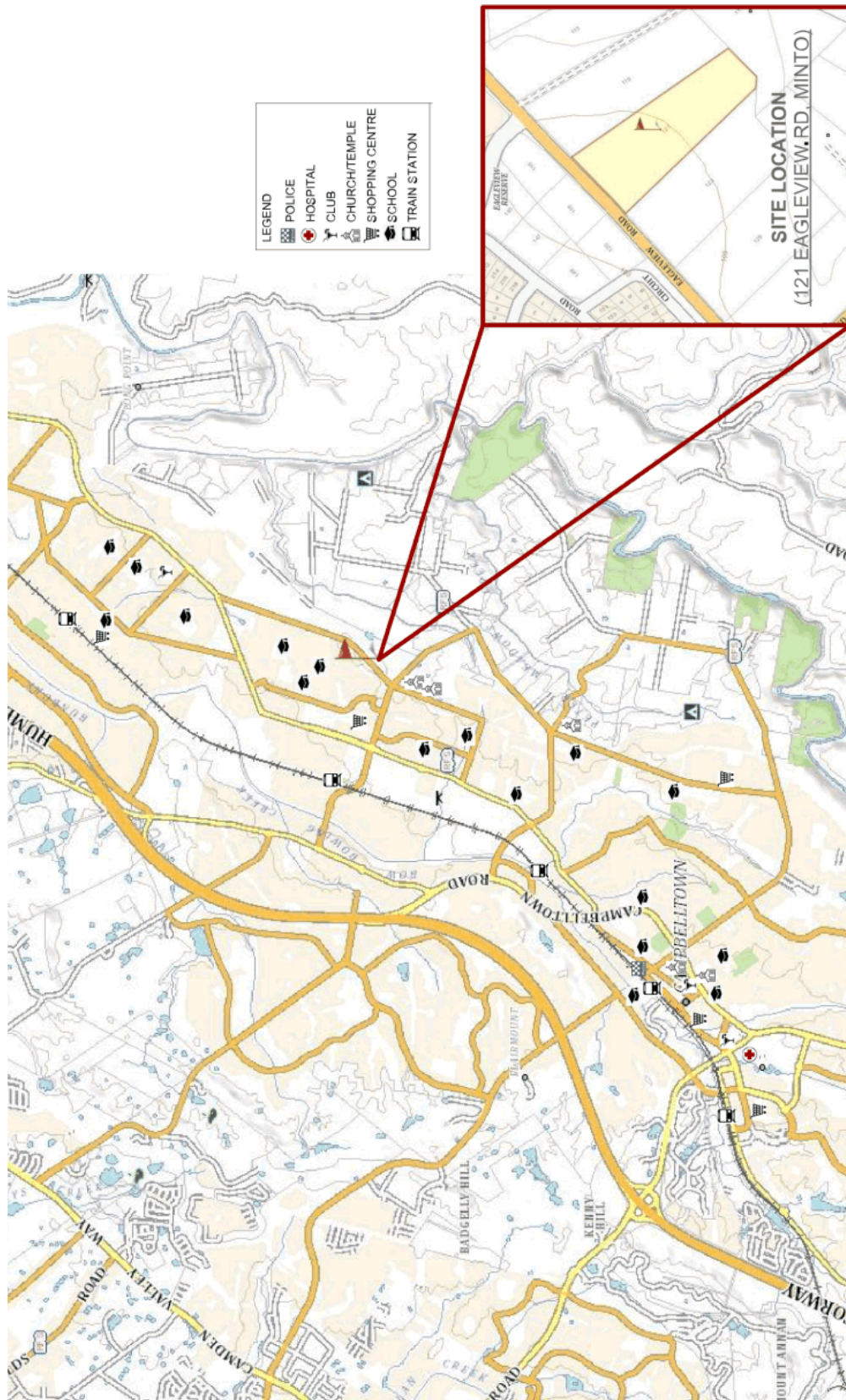
Issue	Comment
Environmental impact	<p>A concern was raised with the proposed development and its potential impact on wildlife habitats and local waterways. In this regard, the following is noted:</p> <p>The site is not mapped on the Biodiversity Values Map as containing significant vegetation, nor as an area of biodiversity significance on the Terrestrial Biodiversity Map of the Campbelltown Local Environmental Plan 2015. Further, the site is currently vacant and cleared of vegetation.</p> <p>The site is identified on the Georges River Catchment Map as being within the Georges River Catchment. Appropriate soil and water management protocols are conditioned to ensure the development does not result in any adverse impacts to the Georges River or its tributaries.</p> <p>Subject to compliance with the recommended conditions of consent, it is unlikely the proposed development will have an adverse impact on wildlife habitats or local waterways.</p>
Traffic impact	<p>A concern was raised with the proposed development and its impact on the local road network. In this regard, it is noted the application is accompanied by a Traffic Impact Assessment prepared by Fernway Engineering. The Report concludes the car park demands at peak visitation (capped at six times a year) will reach 108 spaces, which the proposal provides. This is based on a car occupancy rate of 2.5 people per vehicle. In terms of the proposal's relationship with the local road network, the Traffic Impact Assessment states that day-to-day traffic generated from the proposal will be sporadic and immaterial, and that during peak visitation (which will only occur six times a year), any increase in traffic will be outside general traffic peak periods and moderated by there being two routes to the site, one from the south and one from the north. Based on the conclusions of the Traffic Impact Assessment, it is considered the proposal is suitable from a traffic perspective.</p>
Acoustic impact	<p>A concern was raised with the proposed development and its acoustic impact. It is noted the Development Application was accompanied by a Noise Impact Assessment prepared by Broadcrest Consulting Pty Ltd. A site inspection was carried out by Broadcrest on the 31/03/2023 which involved a visual assessment of the site and identification of noise producing nodes. A noise logger was set up to record the ambient noise levels for seven days. Based on the predicted noise levels, the proposed development has a low risk of impacting nearby receptors. It was further noted that the noise level generated by any mechanical equipment including air conditioning must not exceed an LAeq(15min) of 5dB(A) above background noise at the property boundary. Overall, the Noise</p>

Issue	Comment
	Impact Assessment concludes the proposed community facility is predicted to satisfy the relevant acoustic requirements of the EPA Noise Policy for Industry 2017 and Protection of the Environment Operations Act 1997 without the need for further acoustic treatments.
Property value	A concern was raised with the proposed development and its potential impact on property values in the surrounding area. Impact on property values is not a matter for consideration under section 4.15 of the Environmental Planning and Assessment Act 1979.
Public interest	A concern was raised as to whether the proposed development is in the public interest. In this regard, it is noted the proposed facility is to be operated by Bondhon Initiatives Minto Inc, a non-profit community organisation. Bondhon Initiatives Minto Inc was formed primarily to support the local Bangladeshi community by providing facilities from which culturally focused activities, physical/sporting facilities and education could be delivered. In this regard, the proposal is considered to have satisfactorily responded to the future desired outcomes expressed in the relevant environmental planning instruments and development control plan, and results in a development outcome that, on balance, has a positive impact on the community. Accordingly, it is considered that approval of the proposed development would be in the public interest.
Public consultation	A concern was raised regarding public consultation and whether it was sufficient. It is noted the Development Application was notified in accordance with the Campbelltown Community Participation Plan (CPP) between 28 July and 21 August 2023.
Objectives of the C4 zone	<p>A concern was raised regarding whether the proposed development is consistent with the objectives of the C4 Environmental Living zone under the Campbelltown Local Environmental Plan 2015, particularly with regard to providing for low impact residential development and conserving the rural and bushland character of land that forms the scenic eastern edge of the Campbelltown's urban area.</p> <p>Whilst it is acknowledged some of the objectives of the C4 zone speak to residential development only, the land use table in the Campbelltown Local Environmental Plan 2015 allows for non-residential land uses in the C4 zone, including community facilities. The following objectives apply to non-residential land uses:</p> <ul style="list-style-type: none"> • <i>To conserve the rural and bushland character of land that forms the scenic eastern edge of Campbelltown's urban area.</i> <p>Planners comment: The proposal seeks to maximise the development potential of the site with regard to current development standards and controls and balances contemporary</p>

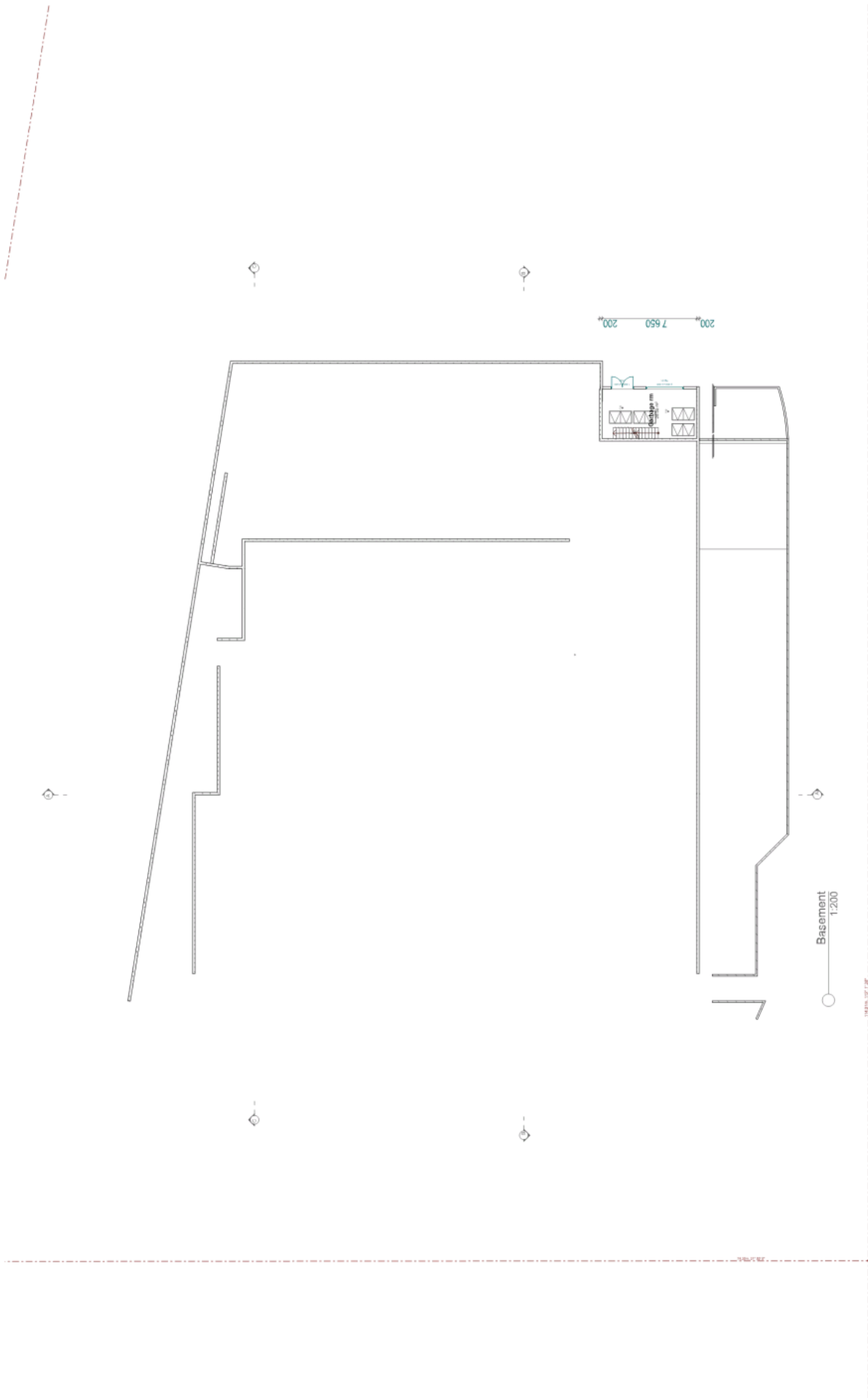
Issue	Comment
	<p>built form with landscaping to respect the rural character of the locality.</p> <ul style="list-style-type: none"> <i>To protect and enhance areas of scenic value and the visual amenity of prominent ridgelines.</i> <p>Planners comment: As a non-residential land use, it is considered the proposal has responded suitably to the topography of the site, noting it's compliance with the relevant development controls contained within the Campbelltown (Sustainable Cities) Development Control Plan 2015.</p> <ul style="list-style-type: none"> <i>To maintain significant stands of native vegetation and wildlife and riparian corridors.</i> <p>Planners comment: The site is not mapped on the Biodiversity Values Map as containing significant vegetation, nor as an area of biodiversity significance on the Terrestrial Biodiversity Map of the Campbelltown Local Environmental Plan 2015. Further, the site is currently vacant and cleared of vegetation.</p> <ul style="list-style-type: none"> <i>To ensure the preservation and maintenance of environmentally significant and environmentally sensitive land.</i> <p>Planners comment: As mentioned above, the site is not mapped on the Biodiversity Values Map as containing significant vegetation, nor as an area of biodiversity significance on the Terrestrial Biodiversity Map of the Campbelltown Local Environmental Plan 2015. Further, the site is currently vacant and cleared of vegetation.</p> <p>On this basis, it is considered the proposal is consistent with the relevant objectives of the C4 zone.</p>
Land use definition	<p>Recreation Facility (Indoor)</p> <p>A recreation facility (indoor) is defined in the Campbelltown Local Environmental Plan 2015 as follows:</p> <p><i>recreation facility (indoor) means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club.</i></p> <p>The proposal does not seek consent for the use of the site as a recreation facility (indoor).</p>

Issue	Comment
	Reference was made to the prominence of the central multi-use hall and whether such a hall would characterise the proposed development as a recreation facility (indoor). Whilst the physical prominence of the multi-use hall is noted, it is unreasonable to equate physical prominence in this instance with land use dominance; a multi-use hall by its very nature is larger than an office, library or kitchen. It is satisfied sporting activities comprise only one function of the proposed community facility and that they do not form a dominant use in their own right.
Bulk and scale	<p>A concern was raised with the bulk and scale of the proposed development.</p> <p>The proposal responds suitably to the natural topography of the site and has minimal impact on streetscape character by virtue of being located within a battle-axe allotment. The perspective of any building from lots lower than a development site will naturally be enhanced as a consequence of the topography of the site and orientation of allotments; in this regard, the development will be suitably screened by appropriate landscaping to soften its perspective from adjoining properties.</p>
Wastewater	<p>A concern was raised with the applicant's wastewater response and whether it is adequate for the proposed development.</p> <p>Whilst it is acknowledged a Waste Water Report was submitted with the Development Application and includes details on an Aerated Wastewater Treatment System, the applicant has also contacted Sydney Water regarding a gravity connection to the sewerage system. Opal Water Management have been engaged as a Water Service Coordinator to coordinate Sydney Water requirements. The process will require the submission of an application to Sydney Water for the preparation of their Notice of Requirements (NOR). Within this application the applicant will be seeking Sydney Water's review of a concept plan to extend the gravity sewer network to provide a point of connection within the boundaries of subject site. A condition requiring a Section 73 Certificate be obtained prior to the issue of an Occupation Certificate is recommended to ensure the development is connected to reticulated sewer.</p>
Fencing	A concern was raised with the applicant's proposed use of colorbond fencing. Although not generally permitted, the NSW Rural Fire Service recommends a condition that requires a minimum 1.8m high radiant heat shield made of non-combustible material along all boundaries of the subject site. The installation of a colorbond metal fence will ensure the RFS's condition is complied with.

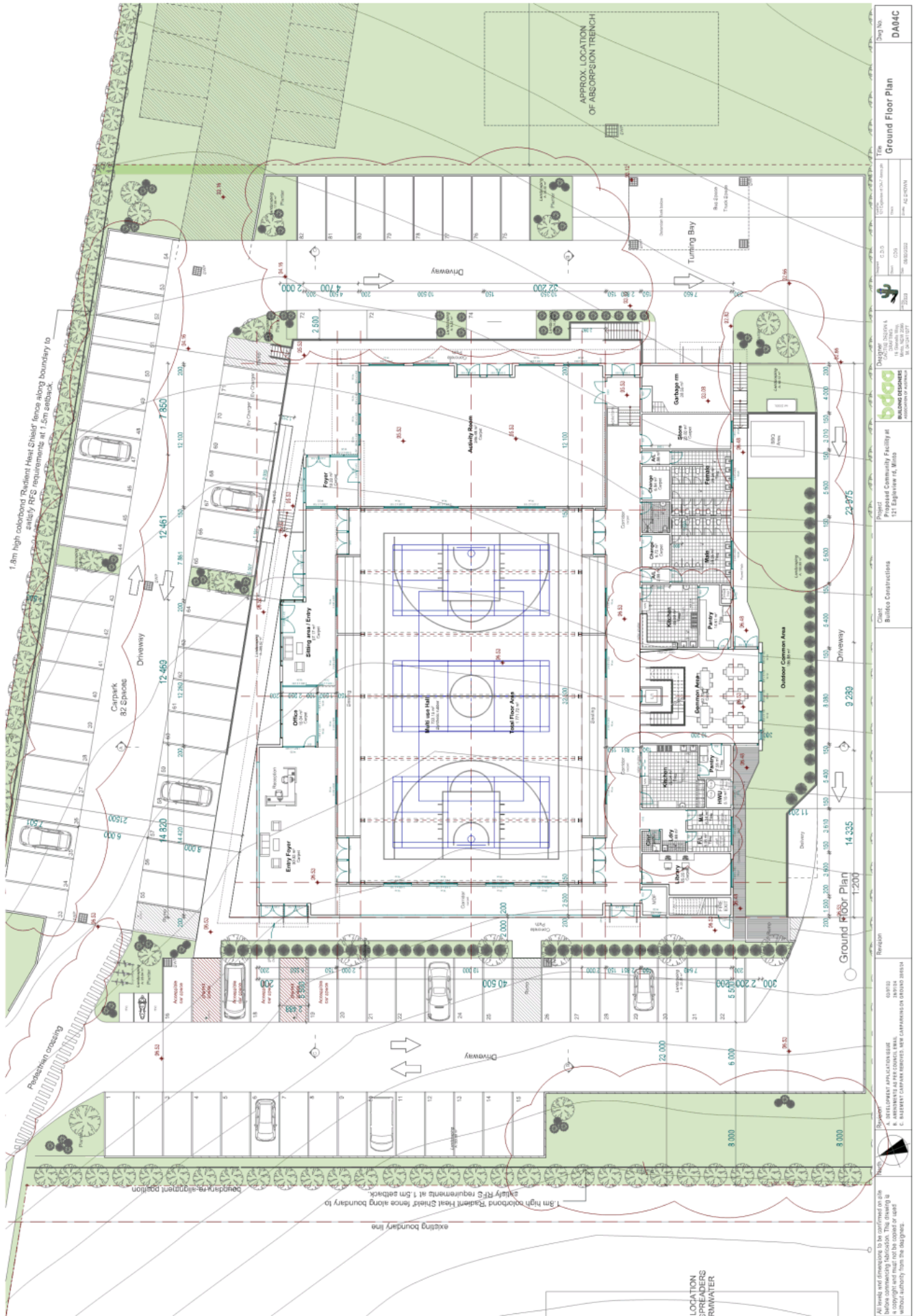
Issue	Comment
Earthworks	A concern was raised with the extent of earthworks proposed as part of this Development Application. In this regard, it is noted the proposal seeks to generally balance cut and fill (net cut 2797m ³ , net fill 2808m ³); 11m ³ of material is required to be imported to the site. It is not considered that the earthworks will detrimentally impact surrounding sites.



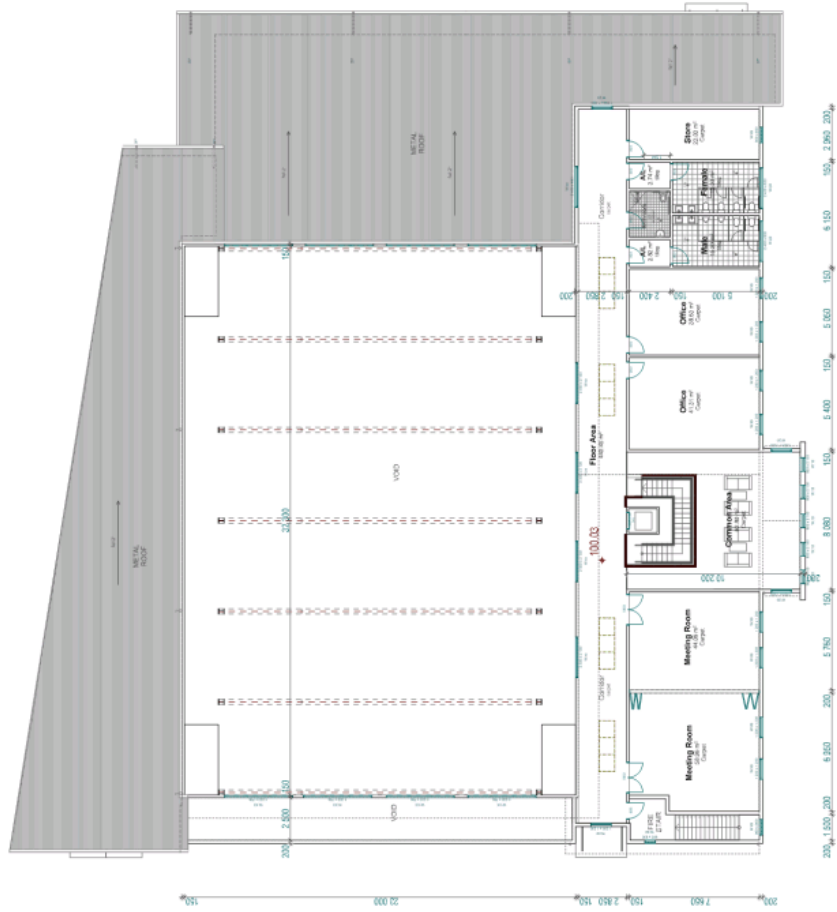
<p>Notes:</p> <p>All levels and dimensions to be confirmed on site before commencing fabrication. The drawing is for information only and does not constitute an offer without authority from the designers.</p>		<p>Revision</p> <p>A. DEVELOPMENT APPLICATION SUBMITTED</p> <p>B. DEVELOPMENT APPLICATION APPROVED</p> <p>C. BULKY GOODS PERMIT SUBMITTED</p>	<p>Revision</p> <p>08/2024</p> <p>NEW CAMPBELLTOWN DEVELOPMENT</p>	<p>Client:</p> <p>Bullock Construction</p>	<p>Project:</p> <p>Proposed Community Facility at 121 Eagleview Rd, Minto</p>	<p>Design:</p> <p>bdac BUILDING DESIGNERS</p>	<p>Design:</p> <p>02/2024</p> <p>08/2024</p>	<p>Drawn:</p> <p>02/2024</p>	<p>Checked:</p> <p>02/2024</p>	<p>Scale:</p> <p>1:500</p>	<p>Title:</p> <p>Context Plan</p>	<p>Draw No:</p> <p>DA02C</p>
		<p>Scale:</p> <p>1:500</p>	<p>Scale:</p> <p>1:500</p>	<p>Scale:</p> <p>1:500</p>	<p>Scale:</p> <p>1:500</p>	<p>Scale:</p> <p>1:500</p>	<p>Scale:</p> <p>1:500</p>	<p>Scale:</p> <p>1:500</p>	<p>Scale:</p> <p>1:500</p>	<p>Scale:</p> <p>1:500</p>	<p>Scale:</p> <p>1:500</p>	<p>Scale:</p> <p>1:500</p>



<p>All levels and dimensions to be confirmed on site before commencing construction. The drawing is prepared in accordance with the current standards without authority from the designers.</p>		<p>Revision</p> <p>A. DEVELOPMENT APPLICATIONS/REPLACEMENT OF EXISTING DEVELOPMENT</p> <p>B. PRELIMINARY DEVELOPMENT</p> <p>C. PRELIMINARY DEVELOPMENT WITH COMMENTS ON REVISED</p>	<p>Revision</p>	<p>Client</p> <p>Bullock Construction</p>	<p>Project</p> <p>Proposed Community Facility at 121 Edgar Street, Bullock</p>	<p>bdac BUILDING DESIGN ASSOCIATION OF AUSTRALIA</p>		<p>Design</p> <p>0.0.0.0</p> <p>0.0.0.0</p> <p>0.0.0.0</p>	<p>Drawn</p> <p>0.0.0.0</p>	<p>Checked</p> <p>0.0.0.0</p>	<p>Scale</p> <p>1:200</p>	<p>Sheet</p> <p>0.0.0.0</p>	<p>Drawn No.</p> <p>DA03C</p>	<p>Title</p> <p>Basement Floor Plan</p>

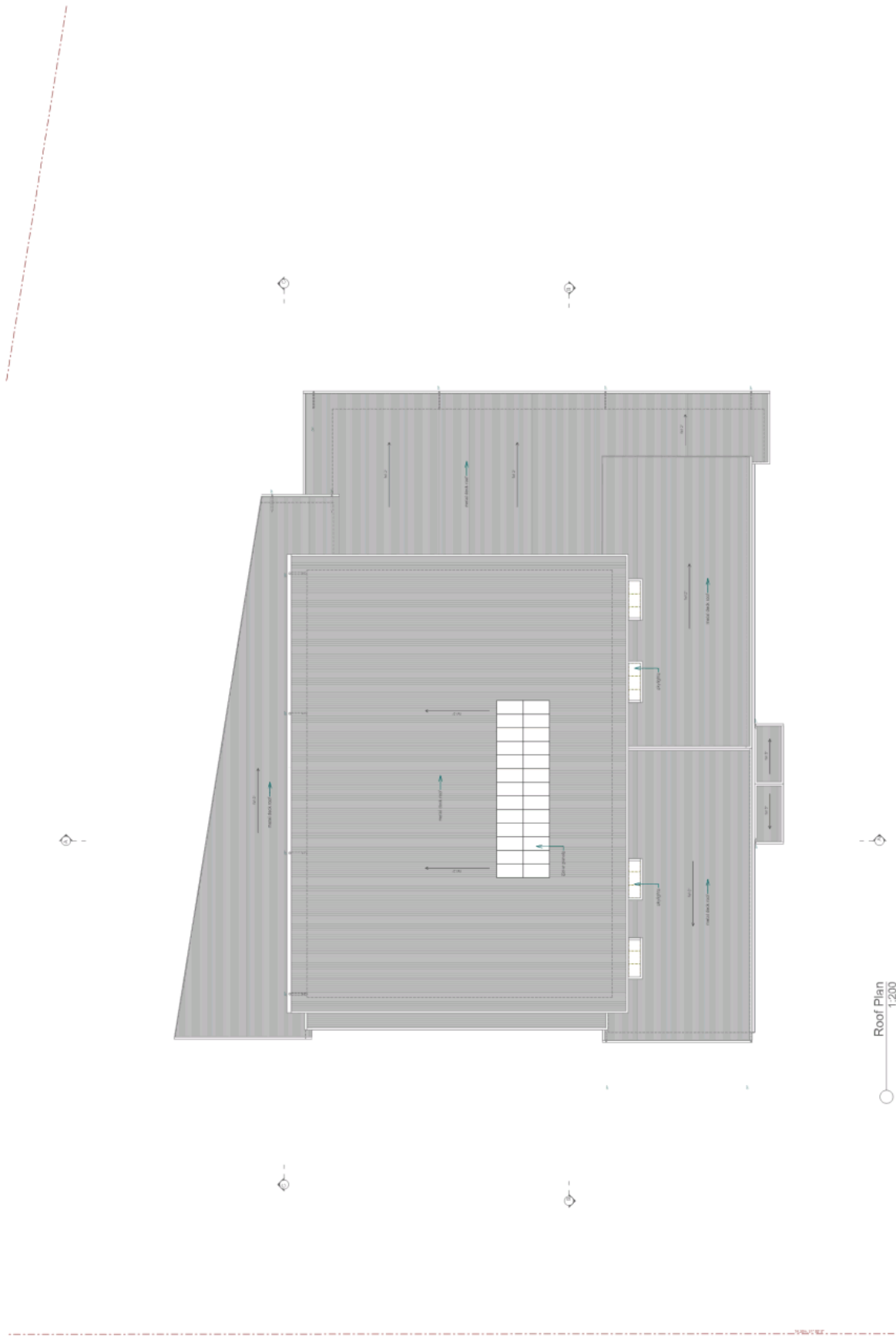


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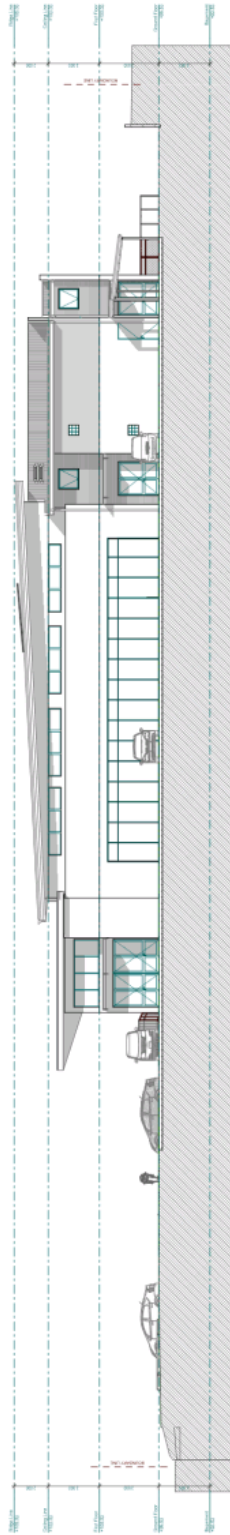
First Floor Plan
1:200

<p>Notes:</p> <p>All levels and dimensions to be confirmed on site before commencing construction. The drawing is prepared in accordance with the standards of the profession and without authority from the designers.</p>		<p>Revision</p> <p>A. DEVELOPMENT APPLICATIONS/REPLACEMENT OF EXISTING BUILDING</p> <p>B. PRELIMINARY DEVELOPMENT APPLICATIONS/REPLACEMENT OF EXISTING BUILDING</p> <p>C. PRELIMINARY DEVELOPMENT APPLICATIONS/REPLACEMENT OF EXISTING BUILDING</p>	<p>Revision</p> <p>03/2024</p>	<p>Client:</p> <p>Belle Construction</p>	<p>Project:</p> <p>Proposed Community Facility at 121 Edgarville Rd, Bello</p>		<p>Designer:</p> <p>AG ARCHITECTS</p> <p>121 Edgarville Rd, Bello</p> <p>03/2024</p>		<p>Sheet:</p> <p>03/2024</p>	<p>Scale:</p> <p>1:200</p>	<p>Title:</p> <p>First Floor Plan</p>	<p>Drawn No:</p> <p>DA/SC</p>
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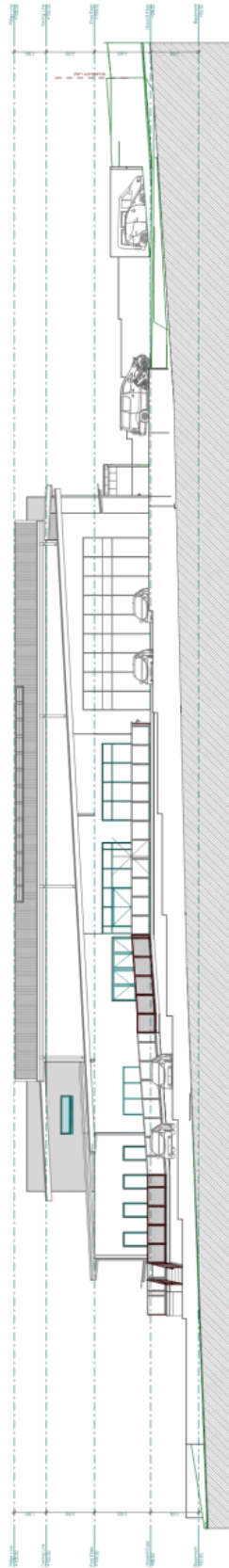


Roof Plan 1:200

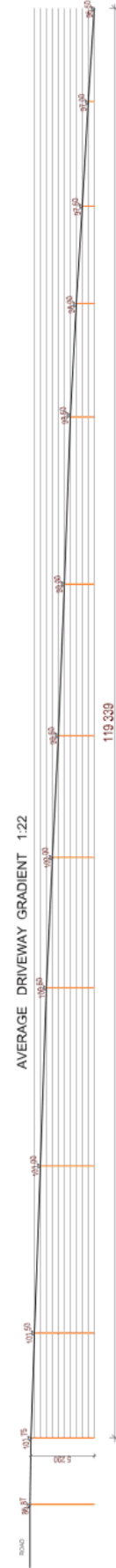
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		<p>Scale:</p> <p>1:200</p>	<p>Author:</p> <p>AG 24/10/24</p>	<p>Check:</p> <p>AG 24/10/24</p>	<p>Date:</p> <p>23/10/2024</p>			



West Elevation
1:200

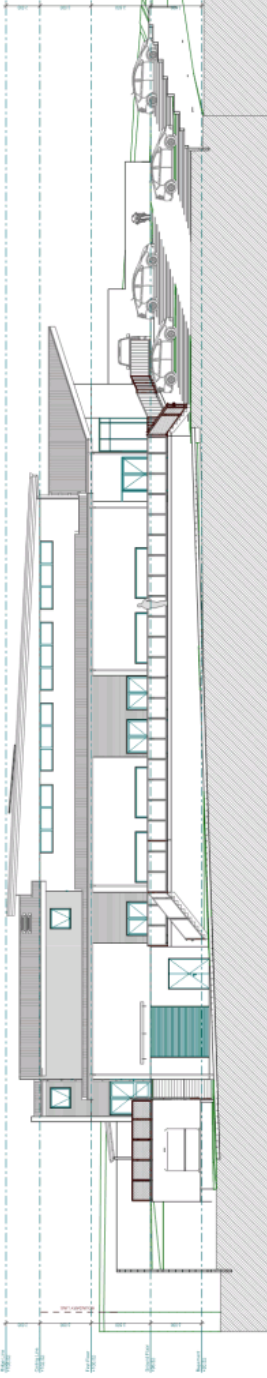


North Elevation
1:200

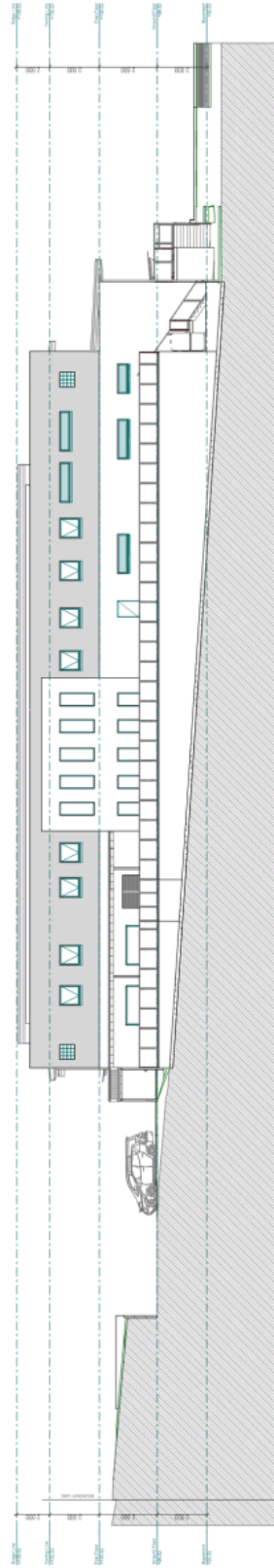


Driveway Profile
1:250

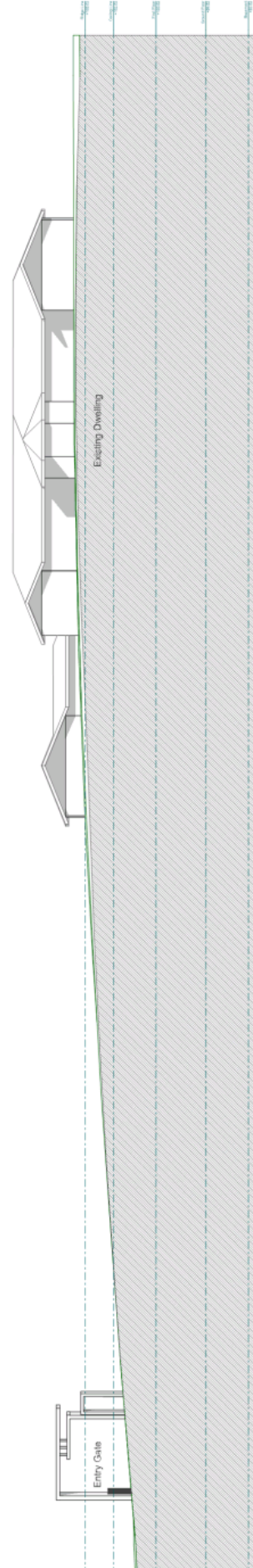
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											<p>Author</p> <p>AG</p>



○ East Elevation
1:200

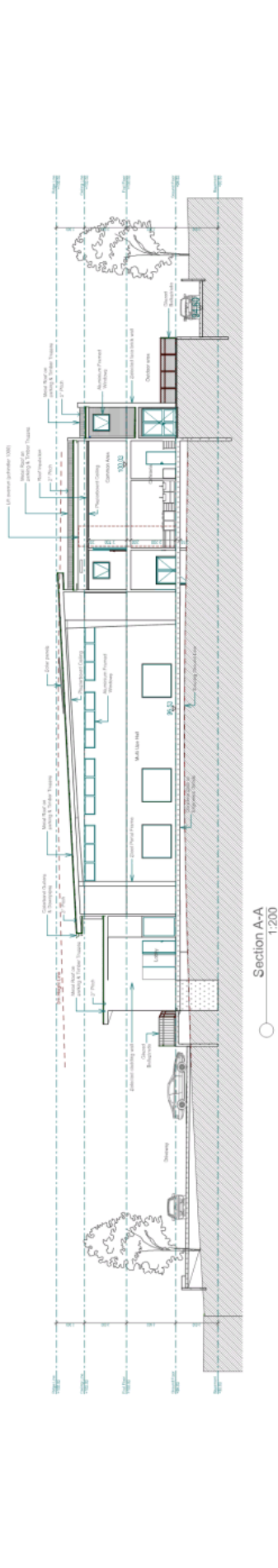


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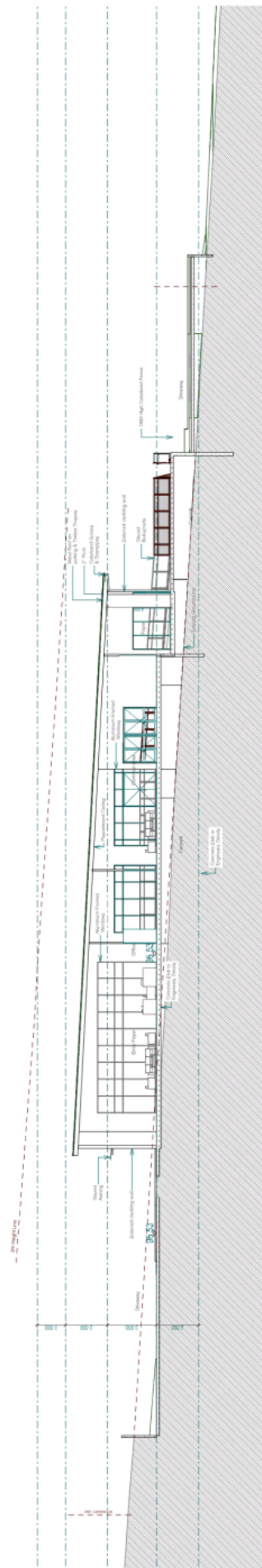


○ Street Elevation
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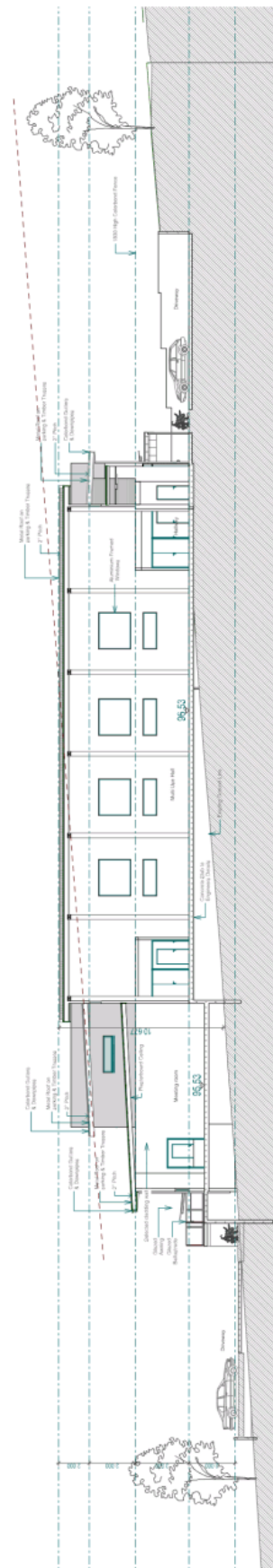
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												<p>Author</p> <p>03/24</p>



Section A-A
1:200

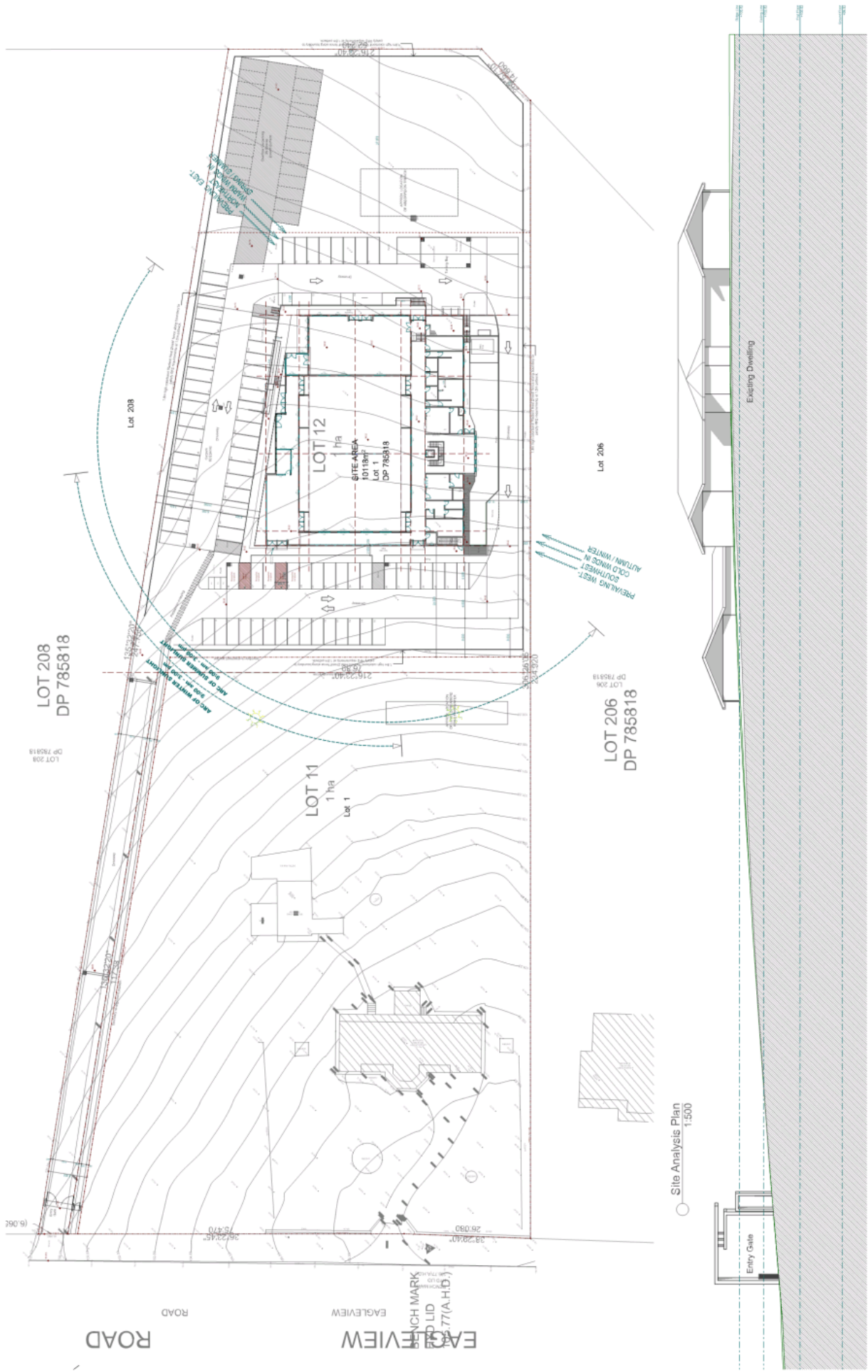


Section C-C
1:200



Section B-B
1:200

Revision A. DEVELOPMENT APPLICATIONS B. PERMITS C. BULKY GOODS PERMITS. SEE COMMENTS ON DRAWING.	Note All levels and dimensions to be confirmed on site before commencing fabrication. The drawing is for information only and does not constitute an offer without authority from the designers.		Project Proposed Community Facility at 121 Edgarville Rd, Hillio	Client Billie's Constructions	Designer bdc66 BUILDING DESIGN CONSULTANTS 10/101/1277	Title Sections	Draw No. DA09C
							Date 23/10/2024



<p>Revision</p> <p>03/22</p> <p>03/22</p> <p>03/22</p>		<p>Revision</p> <p>03/22</p> <p>03/22</p> <p>03/22</p>	<p>Client</p> <p>Bullice Constructions</p>	<p>Project</p> <p>Proposed Community Facility at 121 Eagleview Rd, Bullice</p>	<p>Designer</p> <p>bdoo</p> <p>bdoo BUILDING DESIGNERS</p> <p>121 Eagleview Rd, Bullice</p>	<p>Draw No.</p> <p>DA19C</p>	<p>Title</p> <p>Site Analysis Plan</p>
--	--	--	--	--	---	------------------------------	--



○ Shadow 21 June - 9am



○ Shadow 21 June - 12pm



○ Shadow 21 June - 3pm

Note: Downpipe locations are indicative only. Refer to Stormwater Engineers plans for location of dps and drainage pipes.

All levels and dimensions to be confirmed on site before commencing fabrication. This drawing is a copyright and must not be copied or used without authority from the designer.



Revision

A. COMPLYING DEVELOPMENT ISSUE

KXKX121

Client
Bulldco Constructions

Project
Proposed Community Facility at
121 Eagleview rd, Minto

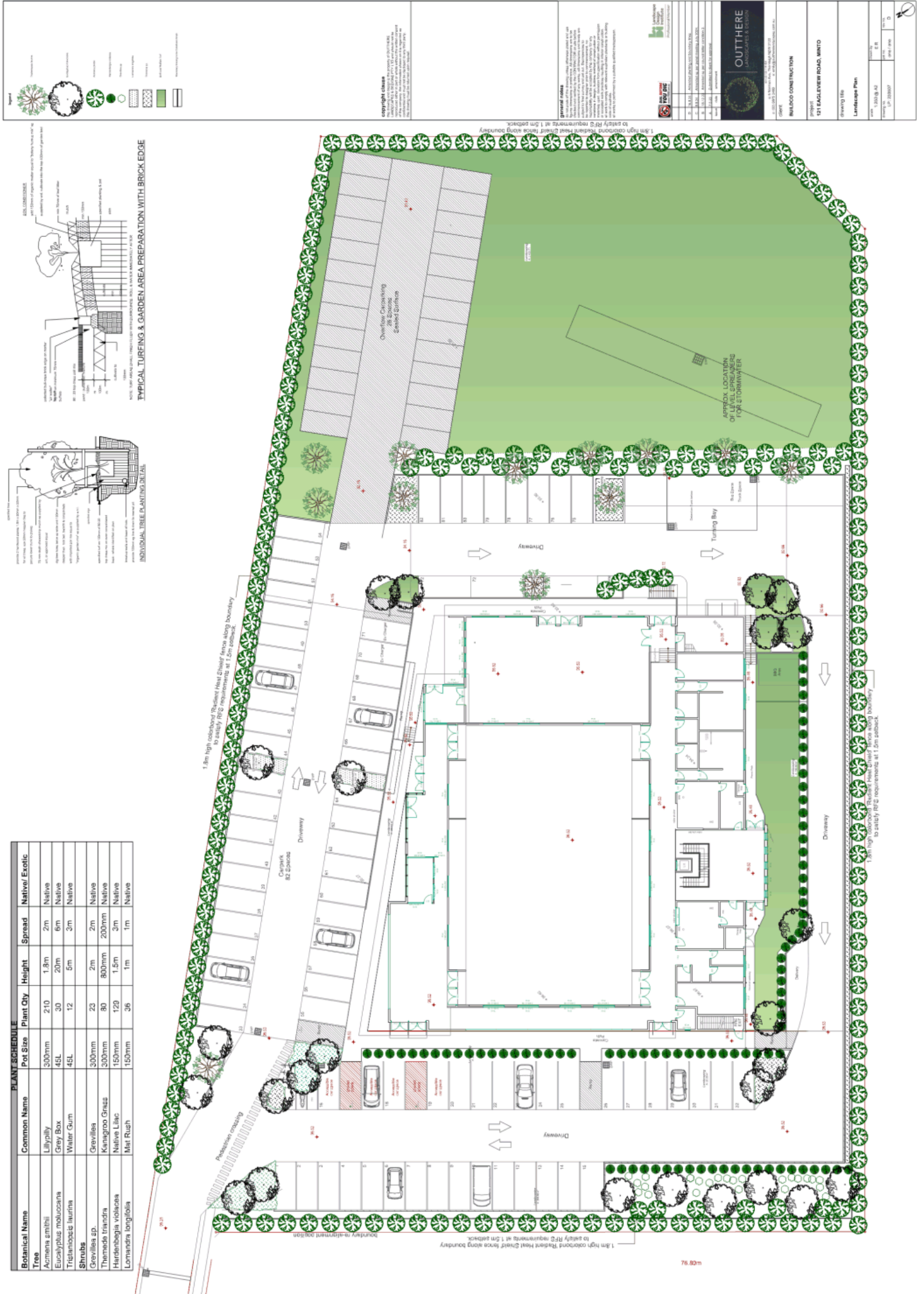
Designer
C.D.G
15 Stevens Way,
Minto, NSW 2058
B. 042411271



Draw No. 2020
Project C.D.G
Date C.D.G
Scale AS SHOWN

Title
Shadow Diagrams
Winter

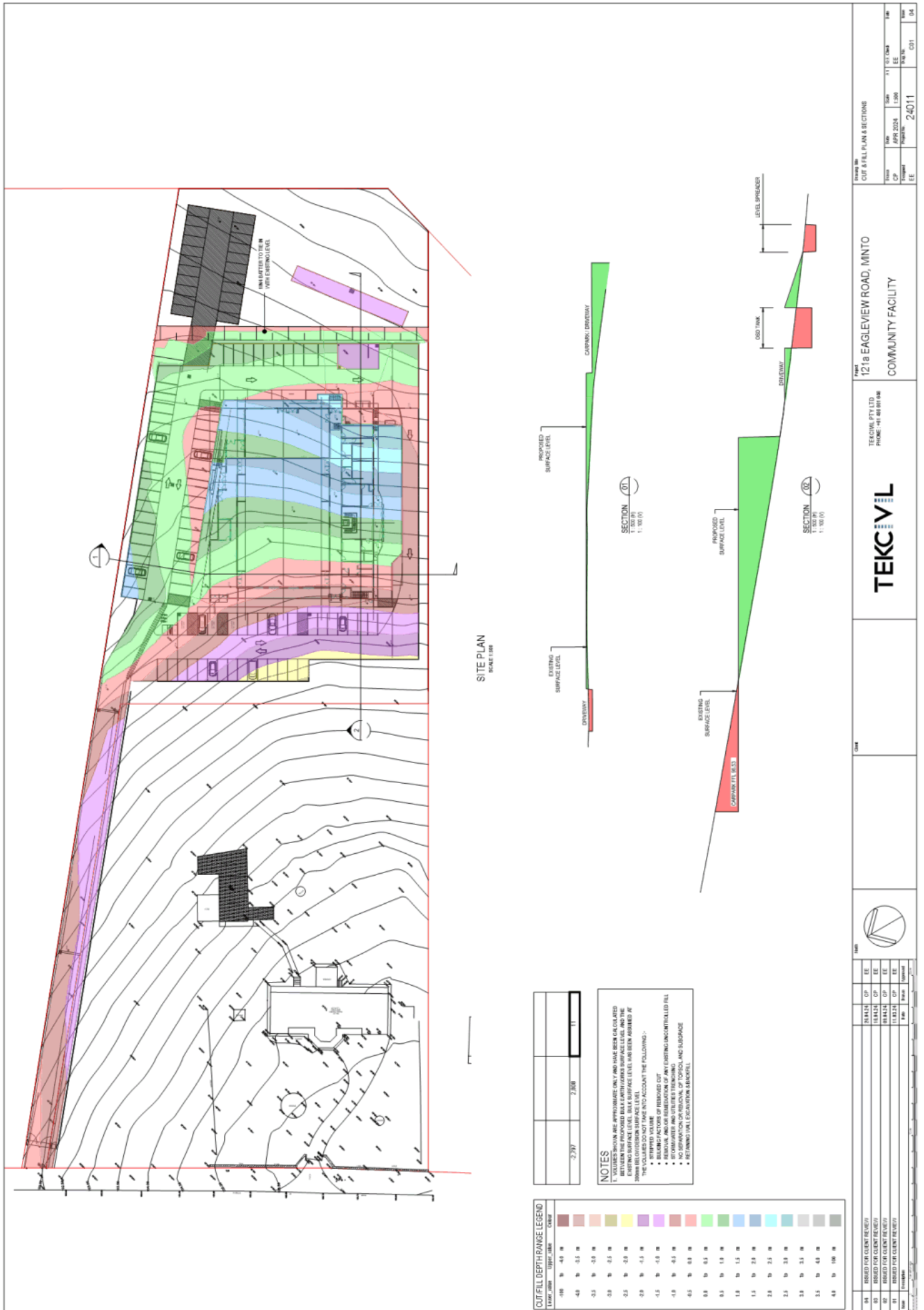
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DA11C

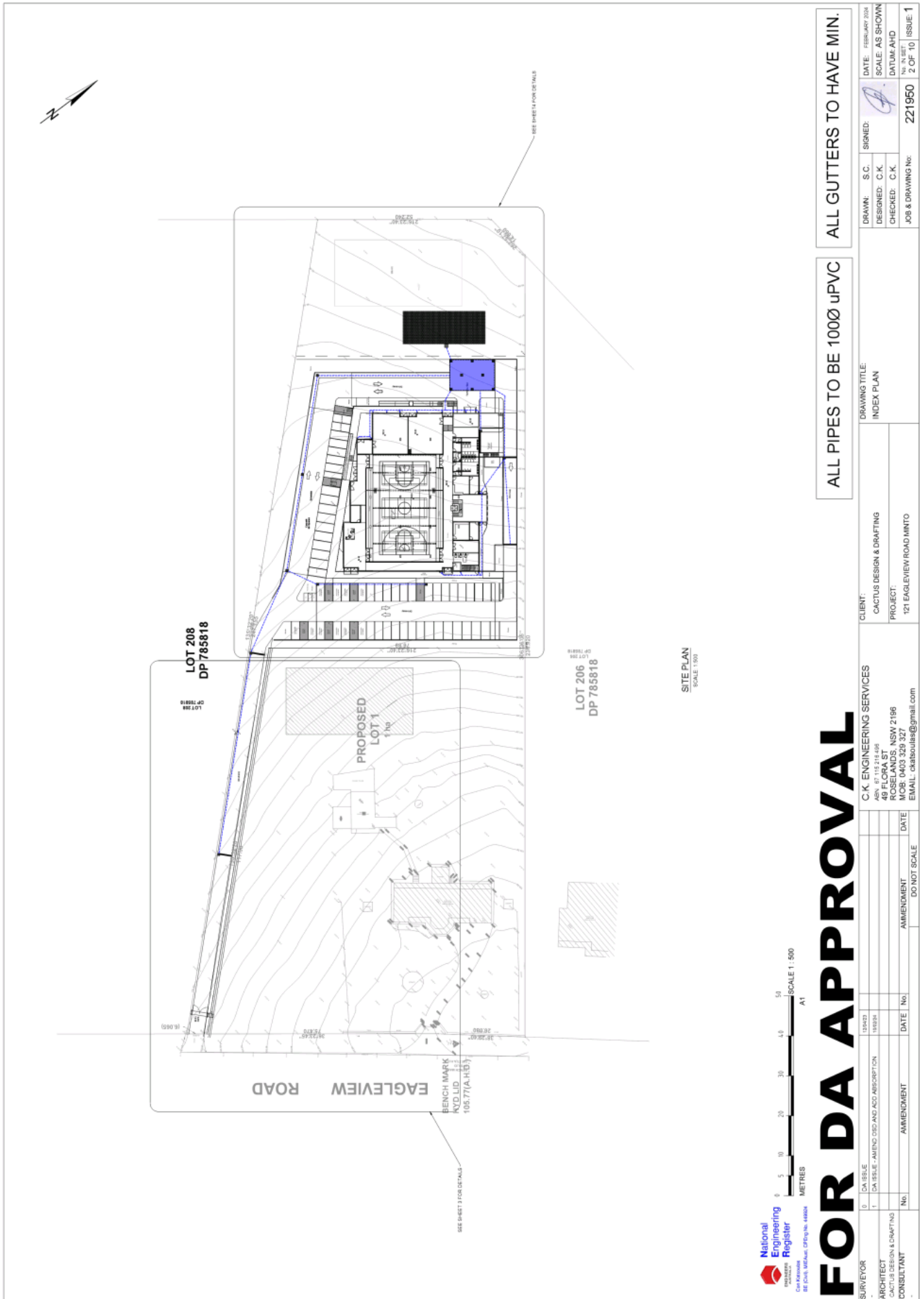


PLANT SCHEDULE						
Botanical Name	Common Name	Pot Size	Plant Qty	Height	Spread	Native Exotic
Trees						
<i>Artemisia smithii</i>	Lillypilly	300mm	210	1.8m	2m	Native
<i>Eucalyptus moluccana</i>	Grey Box	45L	30	20m	6m	Native
<i>Tristanopsis laurina</i>	Water Gum	45L	12	5m	3m	Native
Shrubs						
<i>Grevillea sp.</i>	Grevillea	300mm	23	2m	2m	Native
<i>Themeda trindleri</i>	Kenagiroo Grass	300mm	80	800mm	200mm	Native
<i>Hardenbergia violacea</i>	Native Lilac	150mm	129	1.5m	3m	Native
<i>Lomandra longifolia</i>	Maiti Rush	150mm	36	1m	1m	Native

TYPICAL TURFING & GARDEN AREA PREPARATION WITH BRICK EDGE

76.80m





ALL PIPES TO BE 100Ø uPVC

ALL GUTTERS TO HAVE MIN.

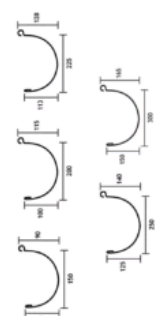
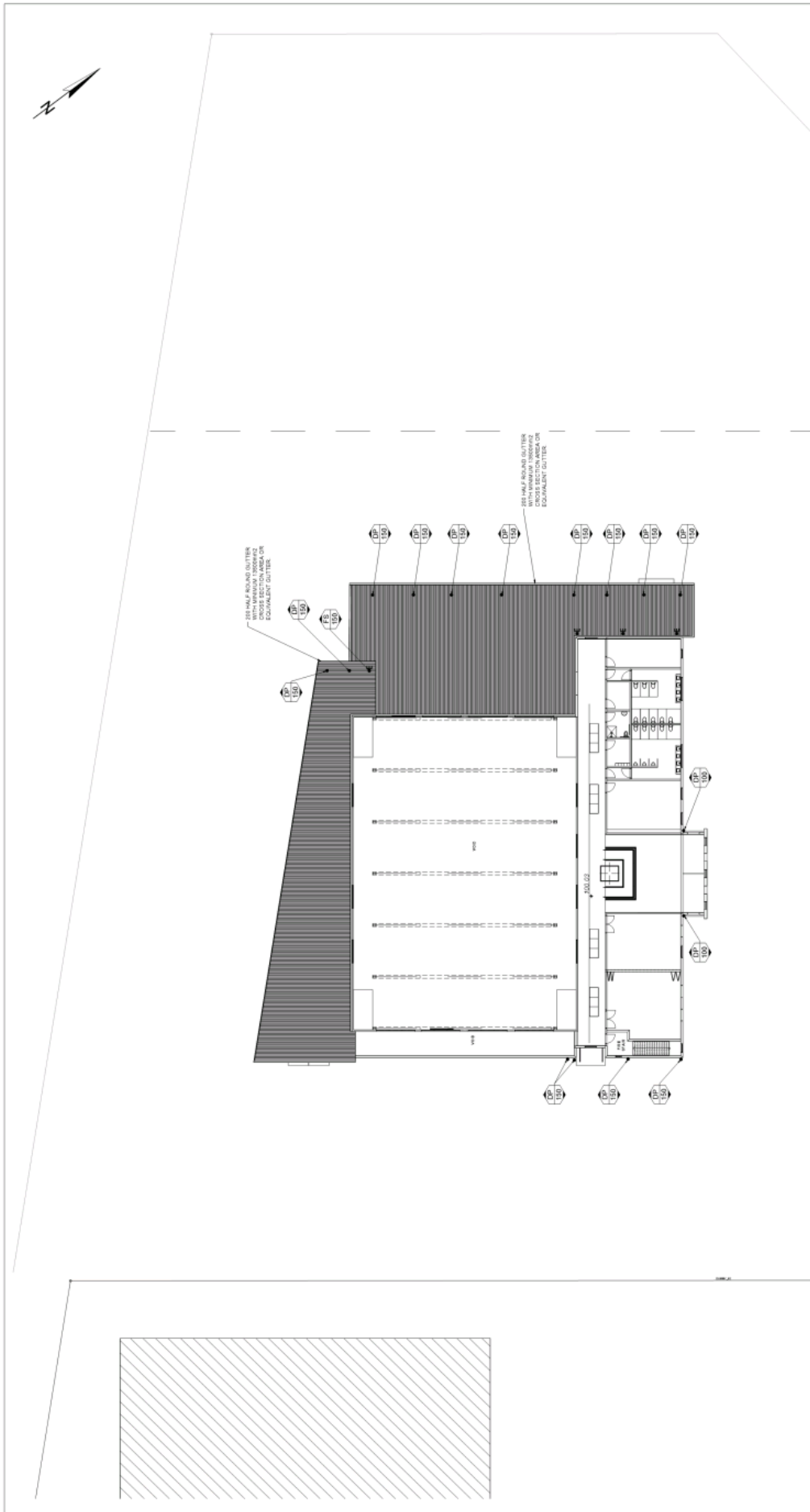
DATE: FEBRUARY 2024	SIGNED: S. C.
SCALE: AS SHOWN	DESIGNED: C. K.
DATUM: AHD	CHECKED: C. K.
No. IN SET: 2 OF 10	JOB & DRAWING No: 221950
ISSUE: 1	

DRAWING TITLE: INDEX PLAN	CLIENT: CACTUS DESIGN & DRAFTING
PROJECT: 121 EAGLEVIEW ROAD/MINTO	

C.K. ENGINEERING SERVICES
 48 FLORA ST
 ROSELANDS, NSW 2196
 MOB: 0403 329 327
 EMAIL: ckatoulas@gmail.com

No.	AMENDMENT	DATE	DO NOT SCALE
0	DA/BLE	13/03/23	
1	DA/BLE - AMEND DSD AND ACD ABSORPTION	18/03/24	



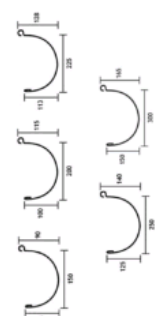
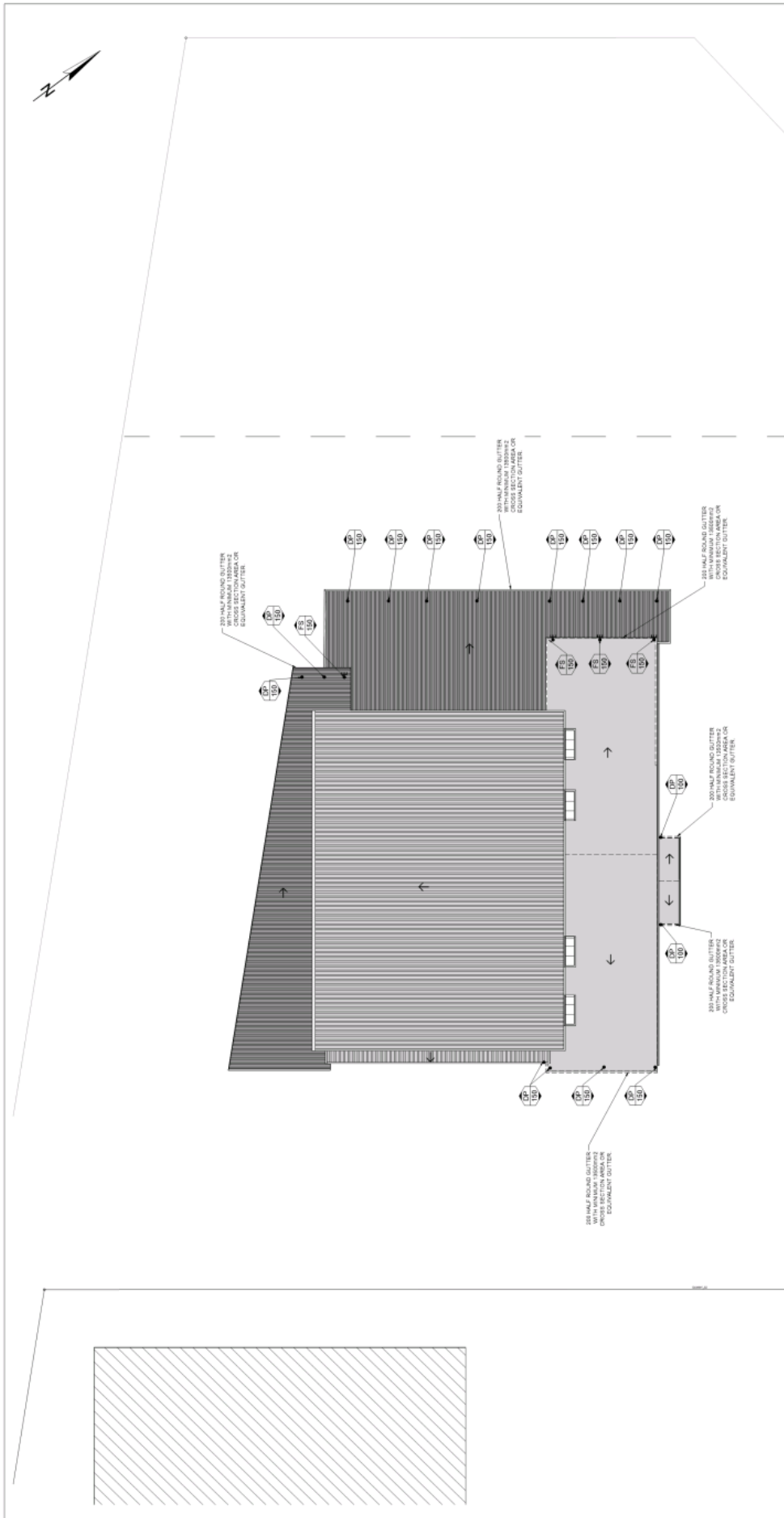


FIRST FLOOR PLAN
SCALE: 1:200

National Engineering Register
 C.K. ENGINEERING SERVICES
 49 FLORA ST
 ROSELANDS, NSW 2196
 MOB: 0403 329 327
 EMAIL: cks@csulife@gmail.com

FOR DA APPROVAL

SURVEYOR	0	DATE	13/03/23	CLIENT:	CACTUS DESIGN & DRAFTING	DRAWN: S. C.	SIGNED:	DATE: FEBRUARY 2024
	1	CAUSE - AMEND (DCA AND ACB ABSORPTION)	18/03/24					
ARCHITECT				PROJECT:	121 EAGLEVIEW ROAD MINTO	DESIGNED: C. K.	CHECKED: C. K.	DATUM: AHD
CONSULTANT				JOB & DRAWING NO:	221950			No. IN SET: 1
								B OF 10 ISSUE: 1

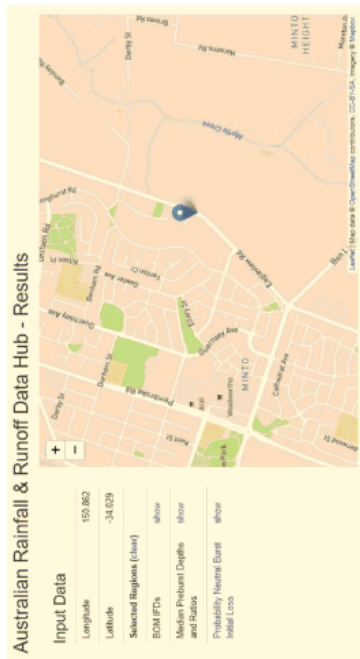


ROOF PLAN
SCALE 1:200



FOR DA APPROVAL

SURVEYOR	0	DATE	13/03/23	CLIENT:	C.K. ENGINEERING SERVICES	DRAWING TITLE:	ROOF PLAN	DRAWN: S.C.	SIGNED:	DATE:	FEBRUARY 2024
	1	DESCRIPTION	13/03/24							SCALE:	AS SHOWN
ARCHITECT					CACTUS DESIGN & DRAFTING			DESIGNED:	C.K.	DATUM:	AHD
CONSULTANT					121 EAGLEVIEW ROAD MINTO			CHECKED:	C.K.	JOB & DRAWING NO.:	221950
					48 FLORA ST ROSELANDS, NSW 2196 MOB: 0403 329 327 EMAIL: caktus@ctd.com.au					No. IN SET:	7 OF 10
										ISSUE:	1



IFD Design Rainfall Intensity (mm/h)

Issued: 08 April 2023
 Rainfall intensity for Durations, Exceedance per Year (EY), and Annual Exceedance Probabilities (AEP).
 FAO for New ARR, probability terminology.

Duration	Annual Exceedance Probability (AEP)						
	63.2%#	50%#	20%*	10%	5%	2%	1%
1 min	121	136	184	217	251	296	332
2 min	97.6	109	145	171	197	233	261
3 min	90.7	101	136	160	184	218	244
4 min	85.8	96.0	129	152	176	207	232
5 min	81.5	91.4	123	146	168	198	222
10 min	65.0	73.2	99.4	118	136	160	179
15 min	54.0	60.8	82.7	97.8	113	133	149
20 min	46.3	52.2	70.9	83.9	96.8	114	128
25 min	40.7	45.8	62.2	73.6	84.9	100	112
30 min	36.5	41.0	55.6	65.7	75.8	89.5	100
45 min	28.1	31.6	42.6	50.4	58.1	68.7	77.0
1 hour	23.2	26.0	35.1	41.4	47.8	56.5	63.4
1.5 hour	17.7	19.8	26.6	31.4	36.3	43.0	48.2
2 hour	14.6	16.4	22.0	26.0	30.0	35.5	39.9
3 hour	11.3	12.6	17.0	20.0	23.2	27.5	30.9



ON-SITE DETENTION CALCULATIONS

SITE AREA = 18.86m²

LAND USE	AREA m ²	IMPERVIOUS %	0.2EY m ³ /h	1% AEP m ³ /h	5% AEP m ³ /h	10% AEP m ³ /h
EXISTING	10.889	8.0%	0.188	0.271	0.416	0.448
PROPOSED	7.971	8.0%	0.129	0.191	0.286	0.306
BYPASS	3.739	0%	0.000	0.000	0.000	0.000
PROPOSED WITH OSD	14.860	81.8%	0.281	0.109	0.139	0.144
PROPOSED WITH ABSORPTION	10.894	57.8%	0.1	0.037	0.073	0.112
PROPOSED TOTAL	19.889	57.8%	0.483	0.139	0.174	0.208

INFILTRATION RATE = 0.1412 L/s
 PROVIDE 240mm DIAMETER ORFICE.
 PROVIDE 150 L/s VOLUME.

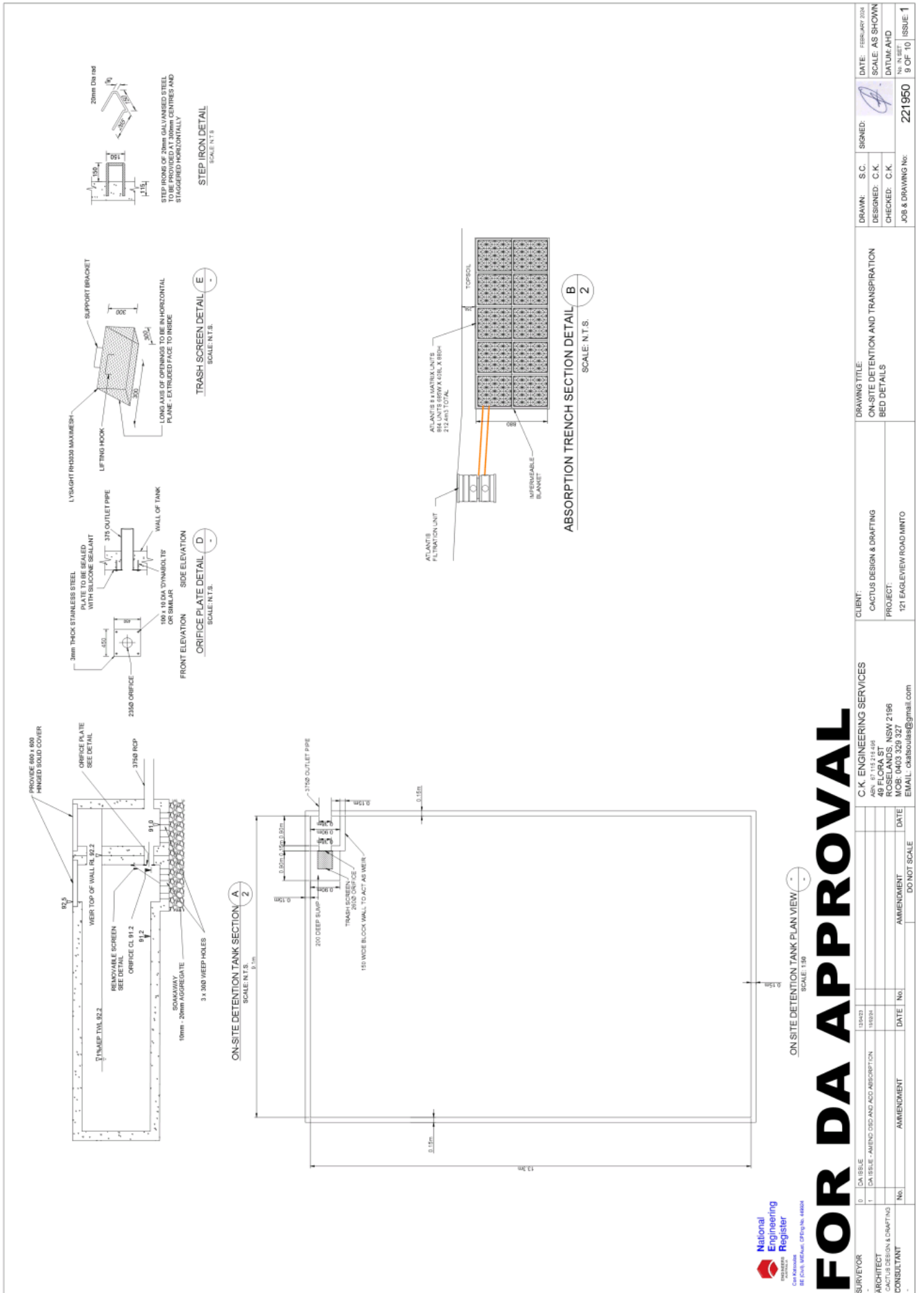
THE PROPOSED ON-SITE DETENTION TANK DISCHARGES INTO THE ABSORPTION AND ANY EXCESS FLOWS EXCEEDING THE VOLUME OF THE ABSORPTION TRENCH WILL SHEET FLOW DOWNSTREAM.
 THE EXISTING SITE BEING FULLY GRASED CURRENTLY DISCHARGES AT THE RATE OF 416 L/S OVER A WIDTH OF 7m. THIS EQUATES TO A DISCHARGE FLOW OF 2.8 L/S PER METRE WIDTH.
 THE PROPOSED DISCHARGE FROM THE COMBINATION OF THE ABSORPTION TRENCH AND BYPASS FLOWS IS 28 L/S. THIS EQUATES TO A DISCHARGE FLOW OF 2.8 L/S PER METRE WIDTH.
 THE DOWNSTREAM PROPERTY WILL THEREFORE EXPERIENCE ZERO RUNOFF FOR SMALL EVENTS AND A REDUCTION OF 2.1 L/S PER METRE WIDTH.

FOR DA APPROVAL

SURVEYOR		0	DA/SBLE	13/03/23			
ARCHITECT		1	DA/SBLE - AMEND OSD AND ACP ABSORPTION	18/09/24			
CONSULTANT		No.	AMENDMENT	DATE	No.	AMENDMENT	DATE
							DO NOT SCALE

C.K. ENGINEERING SERVICES
 48 FLORA ST
 ROSELANDS, NSW 2196
 MOB: 0403 329 327
 EMAIL: cks@cses.com.au

DRAWING TITLE: ON-SITE DETENTION CALCULATIONS
 CLIENT: CACTUS DESIGN & DRAFTING
 PROJECT: 121 EAGLEVIEW ROAD/MINTO
 DRAWN: S.C. SIGNED: [Signature]
 DESIGNED: C.K. CHECKED: C.K.
 DATE: FEBRUARY 2024 SCALE: AS SHOWN
 DATUM: AHD No. N. SET: 221950
 JOB & DRAWING No: 8 OF 10 ISSUE: 1



DATE: FEBRUARY 2024	SCALE: AS SHOWN
DESIGNED: C.K.	DATUM: AHD
CHECKED: C.K.	No. IN SET: 9 OF 10
ISSUE: 1	ISSUE: 1

DRAWN: S.C.	SIGNED:
DESIGNED: C.K.	
CHECKED: C.K.	
JOB & DRAWING No:	221950

DRAWING TITLE:	ON-SITE DETENTION AND TRANSPORTATION BED DETAILS
CLIENT:	CACTUS DESIGN & DRAFTING
PROJECT:	121 EAGLEVIEW ROAD/MINTO

C.K. ENGINEERING SERVICES	48 FLORA ST
ROSELANDS, NSW 2196	MOB: 0403 329 327
EMAIL: cks@cses.com.au	

NO.	DATE	AMENDMENT	DO NOT SCALE
0	13/02/23		
1	18/03/24		

SURVEYOR	0	DATE	
ARCHITECT	1	DATE	
CONSULTANT		AMENDMENT	

National Engineering Register
 C.K. ENGINEERING SERVICES
 SEE CIVIL REG. No. 148804

FOR DA APPROVAL



**REVISED Clause
4.6 request for
variation – Height
of Buildings**

Lot 12, DP.1302331

121A Eagleview Road,

MINTO NSW 2566

This report has been prepared in support of
the proposed *Community Facility*

22 May 2024



HDC
Haskew de Chalain
PLANNING



This report was prepared by and approved for release by Gilbert de Chalain.

Haskew de Chalain

Gilbert Blandin de Chalain MPIA

Partner



Office: Level 12, 32 Martin Place, Sydney NSW 2000

Email: gilbert@hdcplanning.com.au

Mobile: 0417 253 416

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121A Eagleview Road, Minto

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1 Introduction

This request has been prepared as the Applicant's Written Request for Variation to a Development Standard and is made in accordance with the provisions of clause 4.6 of the *Campbelltown Local Environmental Plan 2015 (CLEP 2015)*:

The Campbelltown Local Environmental Plan 2015 prescribes a maximum height of buildings development standard relevant to this proposal of 9 m. The project architect has provided plans and details showing the maximum height being exceeded over a minor portion of the uppermost level. The most significant exceedance is 1.677 metres as shown on the figure below.

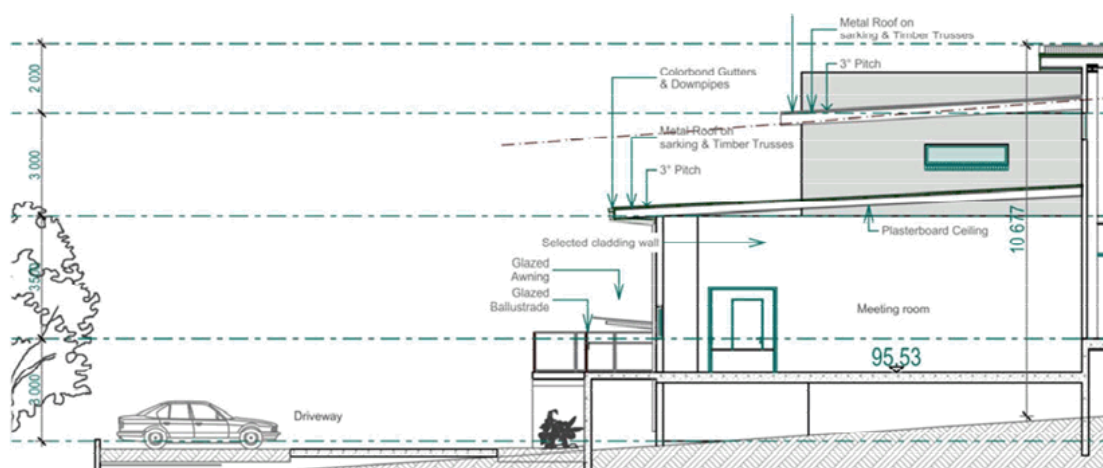


Figure 1: Section showing maximum height exceedance of 1.677m

This Request for Variation is made in respect of a proposed *community facility* development with a total floor area of 2221 sqm comprising:

- Multi use hall/sporting court;
- Offices and meeting rooms;
- Library and study spaces;
- Common areas and kitchen facilities;
- Change rooms and toilet facilities; and,
- at grade car parking.

The subject site is officially described as **Lot 12, DP.1302331**, otherwise known as **121A Eagleview Road, MINTO NSW 2566**. The proposed community facility will occur on C4 Environmental Living zoned land.



Community facilities are permitted in this zone. The newly created allotment is vacant with no trees of vegetative significance. **Reference should be made to figures 1-3 and site survey.**



Figure 2: Subject Site (source: NearMap)

Subject site

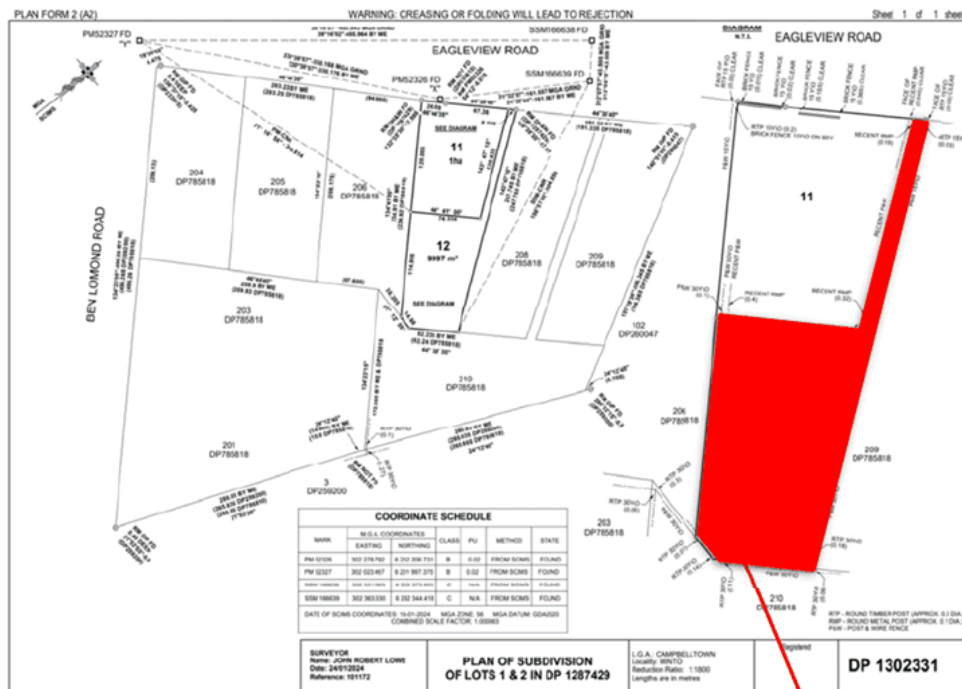


Figure 3: Plan of Subdivision

Subject site

121A Eagleview Road, Minto

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The Request for Variation has been generally set out in accordance with the structure recommended by the Department of Planning in its publication entitled *Varying Development Standards – A Guide*.

In brief terms, this variation request says that:

- The extent of proposed non-compliance is not so significant as to have any demonstrable impacts on the intended scale of development appropriate to the locality; and,
- The portion over height standard does not create additional undesirable visual impact, disruption to views, loss of privacy and loss of solar access to existing and future development and to the public domain.

The proposed HOB is in the public interest because it is consistent and compatible with:

- the objectives of the HOB development standard; and,
- the objectives for development within the zone in which the development is proposed to be carried out.

Requiring strict compliance with the HOB development standard is unreasonable in the circumstances of the case. This is because:

- the relevant objectives of both the zone and standard are achieved notwithstanding non-compliance with the standard; and
- There are sufficient environmental planning grounds to justify contravening the development standard.

1.1 SITE CONTEXT

The subject site is located within the suburb of Minto, within a C4 Environmental Living Zone, approximately 850m west of Minto Mall and 1.6 km from Minto Railway station. To the Northwest of the site is a R2 Low Density Residential Zone. Directly adjoining the subject site and on the North western side of Eagleview Road are larger lot residential developments.

Approval for the subdivision of the subject site has recently been issued. There are no existing structures upon the newly created lot. Residential development, in the form of a dwelling house is located upon the original allotment (noting this is now a new, separate allotment).

The site's location ensures that prominent vantage points toward the site are mainly limited to views from neighbouring residential premises. Views of the site from the public domain are limited due to the proposed development being located deep within a battle-axe lot. In essence, views to the site is enjoyed from a small catchment of viewpoints with little to no visibility of the site from Eagleview Road for passers-by.

The resultant design of the community facility has respected this semi-rural and human influenced, character of the locality. Positioning the building deep within a battle-axe lot provides for a substantial front setback from Eagleview Road and a single, entry point, echoes the interface that currently exists



between properties and the Road. The single-entry point also minimises vehicular interference into the site and on traffic flow of Eagleview Road.

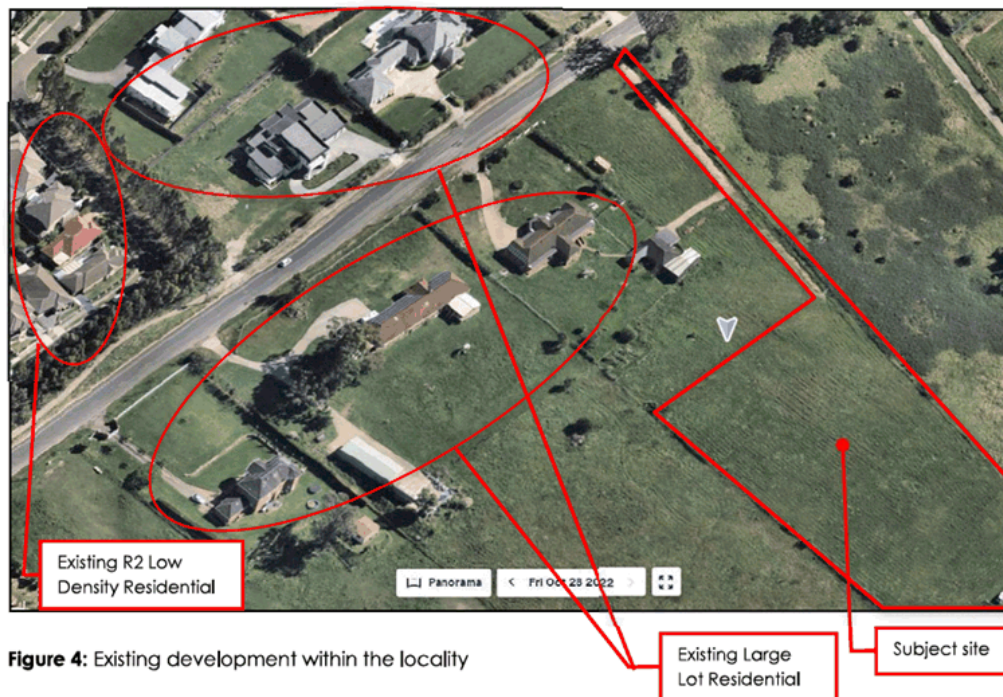


Figure 4: Existing development within the locality

This development proposal is considered to be a complementary and modern addition to the area in which it sits. As demonstrated in the architectural package, the proposed building heights and setbacks of the proposed building will enable development that is suitably separated from development over adjoining sites.

The proposal is fully detailed in the architectural drawings, Operational Plan of Management and expert reports accompanying this application.

The most significant site opportunity presented to the subject site is the fact that it is a newly created battle-axe lot enabling the retention of the existing dwelling fronting the street. The retention of the existing dwelling means that impact upon street level character is minimised by delivering minimal change to the existing Eagleview Road streetscape.



2 The Request for Variation

This Clause 4.6 variation has been submitted to assess the proposed non-compliance with the Height of Buildings (HOB) standard provided under Clause 4.3 of the CLEP2015. A maximum HOB of 9.0 metres is applicable to the site.

This proposal has a maximum building height of 10.677 m. The maximum exceedance in building height is therefore 1.677m

The Request for Variation has been generally set out in accordance with the structure recommended by the Department of Planning in its publication entitled *Varying Development Standards – A Guide*.

Clause 4.6 of CLEP 2015 allows for variation to development standards. Components of Clause 4.6 relevant to the preparation of a Request for Variation are:

4.6 Exceptions to development standards

(1) *The objectives of this clause are as follows—*

(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,

(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

(2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

(3) Development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that—

(a) compliance with the development standard is unreasonable or unnecessary in the circumstances, and

(b) there are sufficient environmental planning grounds to justify the contravention of the development standard.

Note—

The Environmental Planning and Assessment Regulation 2021 requires a development application for development that proposes to contravene a development standard to be accompanied by a document setting out the grounds on which the applicant seeks to demonstrate the matters in paragraphs (a) and (b).

(4) The consent authority must keep a record of its assessment carried out under subclause (3).

(5) (Repealed)



(6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone C2 Environmental Conservation, Zone C3 Environmental Management or Zone C4 Environmental Living if—

(a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or

(b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.

Note—

When this Plan was made it did not include all of these zones.

(7) (Repealed)

(8) This clause does not allow development consent to be granted for development that would contravene any of the following—

(a) a development standard for complying development,

(b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,

(ba) clause 4.1D, 4.2A, 4.2B or 4.2C,

(c) clause 5.4,

(caa) clause 5.5,

(ca) clause 6.2.

Clause 4.3 is not identified as being excluded from the operation of clause 4.6. Therefore a request to vary the development standard may be made by the applicant.

What is the name of the environmental Planning instrument that applies to the land?

Campbelltown Local Environmental Plan 2015.

What is the zoning of the Land?

The subject site is zoned C4 – Environmental Living.



What Are the objectives of the zone?

The objectives of the zone are:

- To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.
- To ensure that residential development does not have an adverse effect on those values.
- To conserve the rural and bushland character of land that forms the scenic eastern edge of Campbelltown's urban area.
- To protect and enhance areas of scenic value and the visual amenity of prominent ridgelines.
- To maintain significant stands of native vegetation and wildlife and riparian corridors.
- To ensure the preservation and maintenance of environmentally significant and environmentally sensitive land.

It is considered that the proposed community facility, while not residential will not prevent the satisfaction of the relevant zone objectives. That is, this proposal, being located upon a newly created allotment within an existing residential living zone, without any special ecological, scientific or aesthetic values will not cause an adverse impact on special ecological, scientific or aesthetic values. Furthermore, being a development proposal contained to a newly created battle-axe lot, this proposal will not impact upon the rural and bushland character. This proposal is located so as to have no impact upon scenic value nor located on prominent ridgeline. Land clearing is not required, hence no impact upon significant stands of native vegetation, wildlife or riparian corridors. The land is not mapped as being environmentally significant and/or environmentally sensitive land.

Furthermore, The Land and Environmental Court has considered numerous matters relevant to the determination of character and whether development is compatible with said character of the local area. In fact, there are clearly established planning principles that should be considered when examining compatibility of a development proposal with the character of a local area.

We argue that the understanding of rural landscape character is formed by a visual consideration of the landscape when viewed from the obvious vantage points, for instance, when viewed from Eagleview Road and then the question that should be posed by the observer is "what are the dominant characteristics within the landscape that forms ones understanding of rural landscape character and then making an informed judgement on the development's compatibility with the rural landscape character noting that Roseth makes the salient point in that "compatibility does not mean the same".

The key is to "respond to the essential elements that make up the character of the surrounding urban environment" and "the most important contributor to urban character is the relationship of built form to surrounding space, a relationship that is created by building height, setbacks and landscaping"

In this regard, reference should be made to the architectural plans, landscape plan and images providing a visual assessment that accompanies this application and then consider if the proposed building design, building positioning and landscape treatments of the entire development suggests an appropriate relationship to character.

At street level, along Eagleview Road particularly, in the vicinity of the subject site, the dominant contributor to character is open, cleared front yards; driveways leading into large lots and some bordering lower density residential development. There is a sense of space. For residential development with views towards the subject site and locality, the dominate view is one of open



cleared larger sized back yards and the occasional outbuilding building as demonstrated in the figure below.

Therefore, if a development was to be compatible with the rural landscape character, it need not be the "same" but should sit comfortably within the landscape. It should respond to the essential elements that make up the character, that is, the relationship of the proposed built form to elements such as building height, setbacks and landscaping.

In this regard, the site topography has been used effectively to mask the proposed community facility building when viewed from Eagleview Road. By setting the proposed development well back from the street, the natural fall of the land means that the proposed building is not the dominant feature, rather the dominant view will be an entrance gate/entrance treatment. Glimpses of the proposed building will not be obtrusive or jarring as building is not excessive in height, set well back from the street and "light" in design. While contemporary in design, the building design has considered design cues from other buildings in the locality and represented this in proposed materials and finishes.

Neighboring residential development will have views to the proposal sitting within a large expanse of land, not out of character when compared to other larger lot residential developments in the locality. While visually present, the question is whether the proposed development is compatible, or sits well within the landscape. In this regard, one needs to consider the dominant form or characteristic of the proposal and this is a larger detached building surrounded with open space, car parking and formal landscaping. The landscape treatment will ensure that views to the proposal are "softened". This proposal does not seek to hide the proposal completely, but introduce landscape treatment, site arrangement (setbacks, spacing and building location) and building design so that if the proposal is viewed from vantage point, the view across the existing landscape will not be disturbed by an incongruent development.

It is argued that the development site, being a large battle-axe lot, providing significant separation distances from adjoining residential development enables a development of the land that does not compromise the amenity of the surrounding area.

There is no doubt that development of the subject site as indicated in this application would satisfy the relevant zone objectives.

What is the Development Standard Being Varied?

The subject Request for Variation relates to the maximum height of building standard pursuant to clause 4.3(2) of the CLEP2015. Therefore, the proposed development seeks exception to the 9.0m HOB standard.

What are the objectives of the Development Standard?

(a) to nominate a range of building heights that will provide a transition in built form and land use intensity across all zones,



(b) to ensure that the heights of buildings reflect the intended scale of development appropriate to the locality and the proximity to employment centres and transport facilities,

(c) to provide for built form that is compatible with the hierarchy and role of centres,

(d) to assist in the minimisation of opportunities for undesirable visual impact, disruption to views, loss of privacy and loss of solar access to existing and future development and to the public domain.

With respect to the objectives of the development standard it is argued that this proposal satisfies the objectives. That is, while an exceedance in height is proposed the subject site is of proportions to enable significant building separation so as to not give rise to undesirable visual impact, disruption to views, loss of privacy and loss of solar access to existing and future development and to the public domain.

What Is the Numeric Value of the Development Standard in the Environmental Planning Instrument?

Clause 4.3 prescribes a maximum HOB of **9.0 m** by reference to the HOB map.

What Is the Numeric Value Of The Development Standard In The Development Application?

The maximum height proposed of the building roof elements is 10.677 metres which exceeds the permitted building height by 1.677 m

What is the percentage variation between the proposal and the environmental planning instrument?

The maximum variation is 18.6 %.

The proposed maximum building height exceedance is confined to a small portion of the upper roof form. The site exhibits a cross fall west down to east, and the exceedance in height is not uniform. The following height blanket diagram graphically depicts the location and extent of non-compliance.

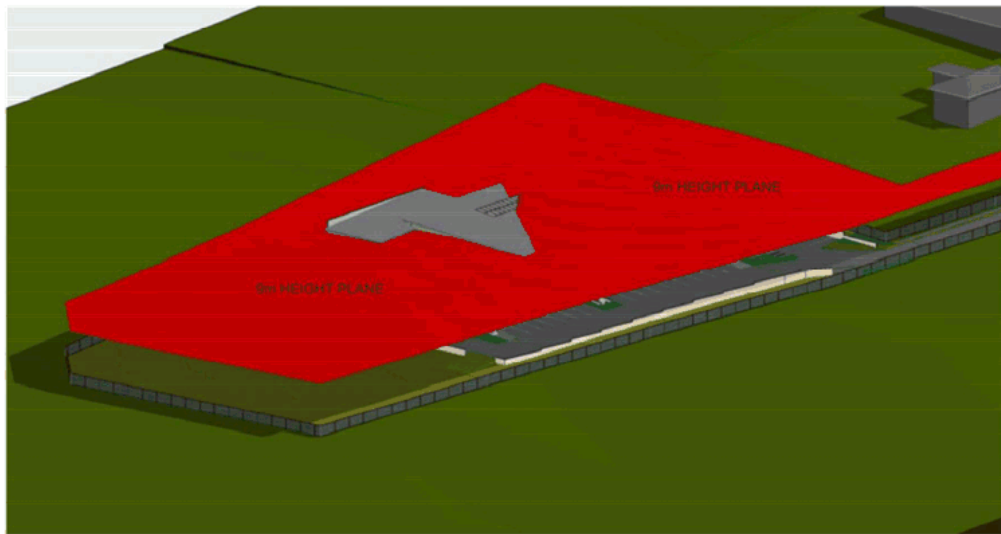


Figure 5: 3D height blanket diagram – 9 metres above existing ground level



Figure 6: Sections depicting maximum building height

121A Eagleview Road, Minto

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Whilst the NSW Department of Planning and Environment includes a requirement to identify the percentage variation in its *Guide to Varying Development Standards* there are a number of case law examples that demonstrate that there is no constraint on the degree to which a consent authority may depart from a numerical standard.

The following examples relate to Floor Space Ratio and Height of Buildings development standards and assist in demonstrating that the degree of exceedance alone is not determinative in assessment of a Request for Variation to a development standard.

Clause 4.6 of the LEP is in similar terms to SEPP 1. Relevantly, like SEPP 1, there are no provisions that make necessary for a consent authority to decide whether the variation is minor. This makes the Court of Appeal's decision in *Legal and General Life* equally applicable to clause 4.6. This means that there is no constraint on the degree to which a consent authority may depart from a numerical standard.

Some examples that illustrate the wide range of commonplace numerical variations to development standards under clause 4.6 (as it appears in the Standard Instrument) are as follows:

- (a) In *Baker Kavanagh Architects v Sydney City Council* [2014] NSWLEC 1003 the Land and Environment Court granted a development consent for a three storey shop top housing development in Woolloomooloo. In this decision, the Court, approved a **floor space ratio variation of 187 per cent**.
- (b) In *Amarino Pty Ltd v Liverpool City Council* [2017] NSWLEC 1035 the Land and Environment Court granted development consent to a mixed use development on the basis of a clause 4.6 request that sought a **38 per cent height exceedance over a 15-metre building height standard**.
- (c) In *Auswin TWT Development Pty Ltd v Council of the City of Sydney* [2015] NSWLEC 1273 the Land and Environment Court granted development consent for a mixed use development on the basis of a clause 4.6 request that sought a **28 per cent height exceedance over a 22-metre building height standard**.
- (d) In *Season Group Pty Ltd v Council of the City of Sydney* [2016] NSWLEC 1354 the Land and Environment Court granted development consent for a mixed use development on the basis of a clause 4.6 request that sought a **21 per cent height exceedance over a 18-metre building height standard**.

In short, clause 4.6 is a performance-based control so it is possible (and not uncommon) for large variations to be approved in the right circumstances.

How is strict compliance with the development unreasonable or unnecessary in this particular case?

The matter of *Wehbe v Pittwater Council* [2007] NSWLEC 827 (21 December 2007) sets out five ways in which strict compliance with a development standard can be demonstrated to be unreasonable or unnecessary in the circumstances of the case.



The 5 ways are:

1. *if the proposed development proffers an alternative means of achieving the [development standard] objective, strict compliance with the standard would be unnecessary (it is achieved anyway) and unreasonable (no purpose would be served);*
2. *the underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary*
3. *the underlying objective or purpose would be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable*
4. *the development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable*
5. *"the zoning of particular land" was "unreasonable or inappropriate" so that "a development standard appropriate for that zoning was also unreasonable or unnecessary as it applied to that land" and that "compliance with the standard in that case would also be unreasonable or unnecessary.*

This clause 4.6 request for variation applies the first of the Wehbe Ways. That is, it seeks to demonstrate that strict compliance with the height of buildings development standard is unreasonable and unnecessary in the circumstances of the case because the proposed building height satisfies the relevant objectives of clause 4.3 of CLEP 2015 and the zone objectives.



3 Sufficient environmental planning grounds to justify contravening the development standard

The term "environmental planning grounds" is not defined in NSLEP2013 nor any other environmental planning instrument. It is also not defined in the Department of Planning's Guide to Varying Development Standards

Nevertheless, given that demonstration of sufficient environmental planning grounds is a separate test under clause 4.6(3) to the test of "unreasonable or unnecessary in the circumstances of the case"; and that case law relevant to SEPP 1 such as *Wehbe v Pittwater Council* [2007] NSWLEC 827 (21 December 2007) and *Winten Property v North Sydney* (2001) 130 LGERA 79 deal with demonstration of "unreasonable and unnecessary in the circumstances of the case", it must therefore be concluded that "environmental planning grounds" are a different test which cannot necessarily rely on the same methodology as laid down in SEPP 1 relevant Court decisions.

The matter of *Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 1009 (30 January 2015) provides some helpful guidance on the subject of "environmental planning grounds", however it is in fact limited to defining some factors which are not environmental planning grounds. Paragraph 60 of Commissioner Pearson's decision states:

*The environmental planning grounds identified in the written request are the public benefits arising from the additional housing and employment opportunities that would be delivered by the development, noting (at p 5) the close proximity to Ashfield railway station, major regional road networks and the Ashfield town centre; access to areas of employment, educational facilities, entertainment and open space; provision of increased employment opportunities through the ground floor retail/business space; and an increase in the available housing stock. I accept that the proposed development would provide those public benefits, however any development for a mixed use development on this site would provide those benefits, as would any similar development on any of the sites on Liverpool Road in the vicinity of the subject site that are also in the B4 zone. **These grounds are not particular to the circumstances of this proposed development on this site.** To accept a departure from the development standard in that context would not promote the proper and orderly development of land as contemplated by the controls applicable to the B4 zoned land, which is an objective of the Act (s 5(a)(ii)) and which it can be assumed is within the scope of the "environmental planning grounds" referred to in cl 4.6(4)(a)(i) of the LEP. (emphasis added)*

30. On Appeal in *Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 90 (3 June 2015), the Court considered whether the Commissioner had erred in law in confining environmental planning grounds to those particular to a site or proposed development. The Court held at [29] and [30] that this was a matter which the Commissioner was entitled to consider in her exercising of discretion:

Turning to the first ground of appeal, it refers to a finding of the Commissioner at [60] in relation to the environmental planning grounds identified in the written request, as required by cl 4.6(3)(b). The Commissioner concluded that the grounds referred to were



not particular to the circumstances of the proposed development on the particular site. Firstly, it is debatable that this ground of appeal couched as the misconstruction of subclause (4)(a)(i) does identify a question of law. The Commissioner's finding, that the grounds relied on in the written report were not particular to the circumstances of the proposed development on this particular site, is one of fact. That informed her finding of whether the grounds put forward were sufficient environmental planning grounds.

To the extent the issue raised can be described as a question of mixed fact and law, the Commissioner is exercising a discretion under subclause (4)(a)(i) in relation to the written report where the terms in subclause (3)(b) of sufficient environmental planning grounds are not defined and have wide import,

From this we interpret that particular circumstances of the site or development is an appropriate (although not exclusive) filter through which to view the sufficiency of environmental planning grounds.

In the absence of a legislative or other definition we adopt a definition for "environmental planning grounds" as 'any matter arising from consideration of either Section 4.15 of the EP&A Act 1979 or its Objectives which in the circumstances of the particular development on the particular site, warrants variation from the development standard'.

Based on that methodology, the environmental planning grounds which support variation to the HOB standard in this instance are:

3.1 REASON FOR VARIATION 1 – NEGLIGIBLE AMENITY OR VISUAL IMPACTS

Numerically, the HOB exceedance is not considered excessive or unreasonable in the context of the site or surrounding locality. This is especially the case given that the site is of significant proportions with expansive building separation. Furthermore, the exceedance in height is restricted to only a minor portion of the building and as such it is argued that the exceedance in height does not cause impact to amenity, visual character, solar access or privacy. In fact the non-compliance in building height will be indistinguishable from any vantage point. As such, it is considered that the particular design delivers appropriate and sufficient environmental planning grounds to support the additional HOB which is proposed. Reference should be made to shadow diagrams submitted with this application.



Figure 7: Shadow Diagrams -21 June 9:00am and 3:00pm



3.2 REASON FOR VARIATION 2 – THE PROPOSED DEVELOPMENT DOES NOT IMPACT ON A TRANSITION IN BUILT FORM LAND USE INTENSITY OR INTENDED SCALE AND IS CONSISTENT WITH OBJECTIVES (A) AND (B) OF THE STANDARD.

The height of buildings map provides sets a single, blanket building height of 9 metres and the minor variation sought in this instance does not impact on building height transition. Accordingly, the proposed development is consistent with Objective (a) of clause 4.3(1) of CLEP 2015. As such strict compliance is unreasonable and unnecessary in the circumstances of the case.

3.3 REASON FOR VARIATION 3 – THE PRIVACY IMPACTS ARE COMMENSURATE WITH WHAT THE PLANNING CONTROLS ANTICIPATE SUCH THAT THE PROPOSED DEVELOPMENT IS CONSISTENT WITH OBJECTIVE (D) OF THE STANDARD.

Given site context, there is no potential for privacy impact that can be attributed to the portion of the building over permitted building height. As such, strict compliance with the height of buildings development standard is considered to be unreasonable and unnecessary in the circumstances of the case.

3.4 REASON FOR VARIATION 4 – NO IMPACT ON ACHIEVING OBJECTIVE (C) OF THE STANDARD.

The proposed building height has no impact on the hierarchy and role of centres.

4 Public Interest

The proposed development will be in the public interest because it is consistent with the objectives of clause 4.3 and the objectives of the zone. As the Court recently reminded in *Initial Action* (2018) at [26] – [27], this is what is required, rather than broad statements about general 'public interest' considerations at large.

The arguments outlined earlier in relation to consistency with clause 4.3 and C4 zone objectives of the CLEP 2015 are relied upon as detailed above.

The proposed development is squarely aligned with these objectives. There are no aspects of the proposed non-compliance with the height of buildings development standard which derogate from the zone objectives. Accordingly, the proposed variation to the development standard does not offend the public interest.



In this matter, for the reasons outlined above – and particularly having regard to the minimal adverse amenity impacts arising from the non-compliance – there is nothing about this proposed variation that raises any matter of significance for State or regional environmental planning, nor is there any broad public benefit in maintaining the development standard on this site.

5 Conclusion

For the reasons outlined above, the objection to Clause 4.3 of CLEP 2015 is considered well-founded on the basis that the development in fact demonstrates achievement of the objectives of the development standard and the objectives of the zone. In this regard, strict compliance with the development standard is considered unreasonable or unnecessary, particularly noting the following:

- there are no unreasonable impacts associated with the proposed development with respect to environmental or ecological protection, overshadowing, amenity and privacy concerns;
- the proposed development is consistent with the existing and future character of the area in relation to the building height.

As demonstrated within this submission and the Architectural plans, the overall built form of the proposed development is considered appropriate to the locality.

Council can be satisfied that compliance with the development standard is unreasonable or unnecessary in the circumstances of the proposed development and that there are sufficient environmental planning grounds to justify contravening the development standards.

It is therefore requested that the Council not withhold development consent for the proposed development due to a noncompliance with the HOB development standard.



Appendix 2 – Operational Plan of Management



1 Introduction

The Bondhon Initiatives Minto Inc seeks to operate its Community Facility without giving rise to adverse impact to the local environment or neighbourhood amenity.

The Community Facility will include indoor multi-purpose hall/sporting court to be used for indoor sporting activities such as basketball, badminton and gymnastics. Meeting rooms, flexible teaching spaces and library are provided for community use and education. A fully equipped kitchen and amenities are also provided for community uses.

This document is called an Operational Plan of Management and sets out how the Community Facility is to be operated and the steps to be taken to ensure that the Community Facility operation does not interfere with its neighbours. The Plan aims to ensure that the rights of residents to enjoy a peaceful, quiet and safe rural residential neighbourhood is maintained. At the same time, the Plan aims to ensure that the responsibilities of the Facility Management and those using the Community Facility are understood and acknowledged.

This Plan will be reviewed and updated annually and submitted to Council for approval.

2 Person Responsible for Plan of Management Implementation and Compliance

2.1 POSITION OF RESPONSIBLE PERSON

The **Bondhon Initiatives Minto Inc** is responsible for the implementation of this Plan. At the date of commencement, the person responsible is:

Mohammed ALAM

Phone: 0420848218

Position: Public officer

2.2 DELEGATION OF CERTAIN FUNCTIONS

Certain functions and responsibilities under this Plan are to be delegated to other individuals. The **Public officer** is responsible for clearly communicating the functions and responsibilities of the delegate and, where applicable, that the delegate possesses appropriate skills, training and qualification to carry out the delegated function.



3 Normal Activities

3.1 USE OF COMMUNITY FACILITY

Subject to strict adherence with the terms of this Plan, the community facility may be used by the community for casual sporting activities, community meeting and community educational purposes.

3.2 HOURS OF OPERATION

The hours of operation of the Community Facility will be:

Monday to Wednesday	11:00am to 5:00pm
Thursday and Friday	11:00am to 10:00pm
Saturday	9:00am to 11:00pm
Sunday	CLOSED

3.3 SPORTING ACTIVITIES

3.3.1 Mondays to Wednesday

Activity	Time
Basketball/Tennis/Badminton	11:00 am to 5:00 pm

3.3.2 Thursdays and Fridays

Activity	Time
Basketball	11:00 am to 4:00 pm
Badminton/Tennis	4:00 pm to 10:00 pm



3.3.3 Saturdays

Activity	Time
Basketball	9:00 am to 4:00 pm
Badminton/Tennis	4:00 pm to 11:00 pm

3.4 CULTURAL/EDUCATIONAL ACTIVITIES

3.4.1 Mondays to Wednesdays

Activity	Time
Social gathering/meeting	11:00 am to 5:00 pm
Cultural meeting, Children craft and painting activities	11:00 am to 5:00 pm

3.4.2 Thursdays and Fridays

Activity	Time
Moon night festival, Cultural new year	9:00 pm to 10:00 pm
Religious festival, Eid, Christmas gathering	9:00am to 10:00pm
Ramadan Night Festival	4:00 pm to 10:00 pm

3.4.3 Saturday

Activity	Time
National day celebration, cultural food fair, International food festival and cultural cloth fair	9:00am to 11:00pm



3.5 MAXIMUM ATTENDANCE – NORMAL OPERATION

The maximum attendance at the site, during normal community facility operations is 50 people.

The normal population limit is applied to ensure that regular activities do not result in any reliance on on-street parking or give rise to amenity impacts. The normal population limit should be included as a condition of the development consent.

3.5.1 Monitoring and Recording Maximum Attendance – Normal Operation

An Attendance Log is to be maintained and made available to Council officers upon request.

3.6 CAR PARKING

All parking spaces are to be kept clear of obstructions. Visitors to the Community Facility are to park in the designated spaces. On street parking is to be avoided.

3.6.1 On-Street Parking After Normal operation

This Plan of Management has been prepared on the basis that compliance with the maximum normal population limit of 50 people will ensure that Normal operation does not result in any demand for on-street parking. To ensure this outcome, and for the purposes of monitoring and review, at the conclusion of each normal day of operation, Eagleview Road will be inspected to determine if any vehicles are observed to have been parked in, the make, colour and number plate of the vehicle is to be recorded in the Attendance Log.

3.6.2 Actions to be Taken If On-Street Parking is recorded within the Attendance Log to be Occurring more frequently than rarely

In the event that on-street parking is recorded to be occurring on anything but a rare and isolated basis, steps are to be taken to prevent continuation of that situation. This may involve:

- Identification of individual(s) who is / are parking within the street despite vacant spaces being available in the off street parking area and taking corrective action including
- Announcements about the importance of not parking within the street and encouraging the community to use the parking provided on site.
- Encouraging the community to car pool;
- Voluntary reduction in maximum population limit.



3.6.2.1 *Communication with Campbelltown City Council*

If on-street parking is being recorded as occurring more frequently than a rare or isolated basis, the Public Officer is to liaise with Council officers. The Attendance Log is to be presented to Council. Additionally, Council is to be advised of the proposed corrective measure. Any advice, recommendations or feedback from Council officers in relation to the proposed correction measure are to be considered and implemented at the discretion and responsibility of the Public Officer.

3.7 NOISE MANAGEMENT

Signage is to be displayed in prominent locations to remind those attending the community facility to be considerate of neighbouring residences and keep their voices down when entering or leaving the premises.

4 Special Events

The Community facility will experience higher attendance on major religious/culturally significant days. In addition, the community facility will occasionally host domestic and international dignitaries or performers. Due to the higher number of people visiting the Community Facility on these occasions, additional actions need to be undertaken to ensure impact to neighbours is minimised.

4.1 MAXIMUM NUMBER OF SPECIAL EVENTS PER ANNUM

The maximum number of special events which are permitted to be held under the Development Consent is six (6) Special Events per annum. This includes religious/culturally significant days, visits by dignitaries involving more than 50 attendees, but no more than 300 attendees.

4.2 SPECIAL EVENT OPERATING HOURS(6 TIMES PER YEAR)

The hours of operation of special events are – 9:00am to 11:00pm.

4.3 MAXIMUM POPULATION ATTENDANCE

The maximum attendance for Special Events is limited to 300 people.



4.4 NEIGHBOURS TO BE INFORMED

Four (4) weeks prior to a Special Event, the Community Facility Public Officer is to arrange a letter box drop to each of the residences within a 1 km radius with a single page letter which advises:

- The date, day and time(s) of the special event;
- The nature of the special event.
- Name and contact number of the Public Officer available for the whole of the Special Event operating hours.

4.5 PARKING MANAGEMENT ON SPECIAL EVENT DAYS

During special events there may be a need for limited on-street parking. This section sets out a number of requirements to ensure that traffic generated during Special Events does not unreasonably interfere with the amenity of the neighbourhood or with traffic safety and efficiency.

4.5.1 On-Street Parking Management – Events Which Do Not Require Pre-Registration

The Community Facility is to hire, or obtain from within its membership a person holding current and valid RMS Accreditation for Traffic Control Management. This person is to be nominated as the "Parking Attendant".

Thirty (30) minutes prior to the commencement of a Special Event, The Parking Attendant is to count the number of cars parked within the on-site parking area.

The Parking Attendant must then stand at the site entry and count the number of cars entering the on-site parking area.

When the total number of parked cars reaches capacity, the Parking Attendant is to chain off the entry to the car park with a light weight plastic chain or similar. A sign is to be affixed to the chain stating "Car Park Full".

The Parking Attendant must then direct those attending the special event to the overflow parking areas on site.

In the event that the onsite overflow parking is full, on-street parking shall be accessed.

4.5.2 On Street Parking

The Parking Attendant is to take all reasonable measures to identify the driver of any vehicle parked incorrectly. If known, the driver of an incorrectly parked vehicle is to be requested to relocate their vehicle.



If the owner cannot be identified, or the driver of an incorrectly parked Vehicle declines to relocate their vehicle, the number plate and make/model of the vehicle, together with the time and location of the parking incident is to be recorded in writing, copies of which shall be made available to Council officers upon request.

5 Neighbour Relations and Dispute Handling

In the event of a complaint being received, the Public Officer is to document the time and source of the complaint and detail the response which has been taken to address the complaint. A Complaint Register is to be maintained and may be inspected by Council officers on request.

In the event that a complaint is received which cannot be satisfactorily mediated between the Public Officer and the resident, the Public Officer is to write to Council detailing the nature of the complaint and the actions which have been taken to respond to that complaint.

6 Emergency Response Plan and Evacuation Strategy

6.1 EMERGENCY TELEPHONE NUMBERS

For All Emergencies Dial 000

6.2 IMPORTANT WEBSITES

Rural Fire Service – Fires Near Me: <http://www.rfs.nsw.gov.au/fire-information/fires-near-me>

Fires Near Me is also available as a smartphone app.

Bureau of Meteorology NSW Weather Warnings: <http://www.bom.gov.au/nsw/warnings/>

6.3 EMERGENCY RADIO BROADCASTS

ABC Radio: Frequency: ABC News Radio:

AM 702 AM 630



6.4 EMERGENCY ASSISTANCE VOLUNTEER PERSONNEL

Any able bodied person who volunteers to assist in community events must also act as an Emergency Assistance Volunteer. Emergency Assistance Volunteers are to be provided with a copy of the Plan of Management and are to be acquainted with the Emergency Response Plan and Evacuation Strategy. Emergency Assistance Volunteers will be responsible for ensuring that elderly and disabled people are assisted during the event of an evacuation. They will also be responsible for relaying any specific instructions issued by Emergency Services Personnel.

6.5 EMERGENCY MUSTERING POINTS

There are two emergency mustering points. These are:

- Primary emergency mustering point: the northwestern corner of the open car park.
- Secondary emergency mustering point: Eagleview Road footpath at the site entrance, being sure to keep off the road pavement to ensure it is clear for emergency service vehicles.

6.6 EMERGENCY REQUIREMENTS VOID HOURS OF OPERATION

If an emergency event requires people to shelter in place, then hours of operation detailed at Section 3 have no effect.

6.7 FIRE AND SMOKE EMERGENCIES

- Activate the manual fire alarm
- Initiate evacuation procedures for any occupants of the affected building(s)
- Call 000 (move to a safe area before making this call).
- If you know how to use a fire extinguisher and feel the best course of action is to attempt to extinguish the fire, locate an extinguisher and, without risking injury attempt to extinguish the fire.
- If the fire is beyond the point of a safe attempt to extinguish it, isolate the fire by closing doors in the area before evacuating.

6.8 SEVERE WEATHER EMERGENCY

The Bureau of Meteorology has severe storm warning service on its website. In the event that a severe storm is appears likely, the most staff member present shall consult with the BOM website regarding issued Storm Warnings. In the event that it will be unsafe to leave the community facility building, persons present should shelter in in place.

Emergency Assistance Volunteers must ensure that people are sitting or standing well clear of windows and doors.



Shelter in place until you hear an announcement from the Emergency Assistance Volunteers that it is safe to leave.

The Community Facility must keep on premises a minimum of 10 LED torches with a spare battery for each torch. Emergency Assistance Volunteers must be informed of the location of the torches and must be able to access them in the dark (including by use of their own light source such as LED flashlight on a mobile phone).

6.9 BUSHFIRE EMERGENCY

If there is a bushfire in the area, the Public Officer or delegate is to monitor the threat by observation and use of the 'Fires Near Me' website.

The bushfire threat needs to be monitored from the perspective of both threat to the building as well as threats to escape routes.

In the event that fire present a risk to the community facility building or a risk of cutting off access, the site shall be evacuated.

Shelter in place is a last resort bushfire response. It presents significantly greater risk to human life. Even if fire does not enter the building, there are significant risks of smoke inhalation or heart attack or stroke brought on by stress.

Only in the event that evacuation is not possible, persons trapped on the site are to take shelter in the community facility building. All windows and doors must remain closed.

The Public Officer or delegate is to immediately attempt to phone 000 and advise that the community facility has been cut off and to provide emergency services with an estimate of the number of people trapped in the building.



4.2 Development Application for the construction and operation of a community facility with associated car parking, landscaping and civil works at 121A Eagleview Road, Minto

Community Strategic Plan

Objective	Strategy
1 Community and Belonging	1.1.2 Provide a diverse range of cultural and creative activities and events, for all interests and people
2 Places For People	2.1.2 Provide public places and facilities that encourage leisure, recreation, and physical activity
3 Enriched Natural Environment	3.1.2 Ensure urban development is considerate of the natural environment
4 Economic Prosperity	4.2.1 Support the growth, productivity and diversity of the local economy

Delivery Program

Principal Activity
1.1.1.1 Deliver initiatives that encourage social inclusion, community connections and celebrate our cultural diversity
2.1.1.3 Deliver effective land use planning to ensure community needs are met

Referral Criteria

In accordance with section 4.8 of *Environmental Planning and Assessment Act 1979* and the Ministerial Local Planning Panels Direction, this application is to be determined by the Campbelltown Local Planning Panel as prescribed in Schedule 1 of that direction due to the development involving a variation to a development standard greater than 10 per cent.

Executive Summary

A development application has been received for the construction and operation of a community facility with associated car parking, landscaping and civil works at 121A Eagleview Road, Minto.

The subject site is zone C4 Environmental Living under the *Campbelltown Local Environmental Plan 2015*. The proposed community facility is permissible with consent within the C4 Environmental Living zone.

The application was publicly notified and exhibited between 28 July and 21 August 2023. 11 submissions were received in total; 6 of which are considered unique submissions.

Based on an assessment of the application against Section 4.15 of EP&A Act, the application has been found to be satisfactory and is recommended for approval.

Officer's Recommendation

That pursuant to Section 4.8 of the *Environmental Planning and Assessment Act 1979*, the Campbelltown Local Planning Panel:

1. Support the variation to Section 4.3 Height of Buildings of the Campbelltown Local Environmental Plan 2015.
 2. Grant development consent to Development Application 2467/2023/DA-C subject to conditions of consent.
-

Purpose

To assist the Campbelltown Local Planning Panel (the Panel) in its determination of the subject application in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Property Description	121A Eagleview Road, Minto
Application No	2467/2023/DA-C
Applicant	Mr Mohammed Shafiul Alam
Owner	Mr Mohammed Shafiul Alam
Provisions	<i>Environmental Planning and Assessment Act 1979</i> State Environmental Planning Policy (Resilience and Hazards) 2021\ State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Industry and Employment) 2021 Campbelltown Local Environmental Plan 2015 Campbelltown (Sustainable Cities) Development Control Plan 2015.
Date Received	17 July 2023

Site and Surrounds

The site is legally defined as Lot 12 in Deposited Plan 1302331 and is commonly known as 121A Eagleview Road, Minto. The site is a battle-axe lot and has variable width between 52.235 m and 82.44 m, and depth of approximately 114.9 m excluding the access handle. The site has a total area of 9997 m².

The site is currently vacant.

The locality is characterised by detached residential dwellings, rural housing, a place of public worship, and a community facility.

The property is not listed as an item of Environmental Heritage and is not located within a heritage conservation area.



Figure 1: Locality Map

Proposal

Approval is sought for the construction and operation of a community facility with associated car parking, landscaping and civil works.

Specifically, the development proposes:

- A 2 storey community facility with a multiuse hall, offices and meeting rooms, a library and study spaces, kitchen facilities, change rooms, and toilet facilities.
- At grade car park involving 82 sealed spaces, inclusive of 4 accessible car spaces, in addition to 26 overflow car park spaces, for a total of 108 car parking spaces.
- Entry gate (5.35 m (h) x 7.65 m (w)) and associated identification signage (2.55 m (w) x 0.78 m (h)). Note: signage is not within property boundaries. Given the Development Application relates to works within 121A Eagleview Road only, a condition is recommended to ensure no signage is erected on the adjoining property, and that plans are amended prior to the issue of a construction certificate.
- Landscaping including the planting of 183 trees and 212 shrubs.

- Civil works, including driveway construction, installation of an on-site detention tank and level spreader.

It is noted the proposal originally involved a basement car park however this was removed via the submission of amended plans.

The community facility will operate as follows:

Monday – Wednesday	11 am – 5 pm
Thursday and Friday	11 am – 10 pm
Saturday	9 am – 11 pm
Sunday	Closed

The facility will be operated by the Bondhon Initiatives Minto Incorporation and will involve 6-8 staff members, and on average, host a maximum of 50 community members.

Up to 6 times a year, it is expected the community facility will host special events for up to 300 patrons, between 9 am and midnight. The Plan of Management submitted with the Development Application specifies that 4 weeks prior to an Event, the Community Facility will arrange a letter box drop to residences within one kilometre radius, detailing the date, day and time of the Event, the nature of the Event, and the contact details of the Community Facility.

The proposal involves a variation of 18.6 per cent to Section 4.3 'Height of Buildings' of the Campbelltown Local Environmental Plan 2015 (CLEP 2015); the maximum building height permitted is 9 m, whereas the maximum building height proposed is 10.677 m.

A Section 4.6 variation statement accompanies the Development Application.

Report

1. Vision

Campbelltown 2032 is the Community Strategic Plan (CSP) for the City of Campbelltown. The CSP addresses 5 key strategic outcomes that Council and other stakeholders will work to achieve over the next 10 years:

- Outcome 1: Community and Belonging
- Outcome 2: Places for People
- Outcome 3: Enriched Natural Environment
- Outcome 4: Economic Prosperity
- Outcome 5: Strong Leadership

The proposal is generally consistent with the long-term vision for Campbelltown.

2. Planning Provisions

Section 4.14

Section 4.14 of the EP&A Act relevantly states:

- (1) Development consent cannot be granted for the carrying out of development for any purpose (other than a subdivision of land that could lawfully be used for residential or rural

residential purposes or development for a special fire protection purpose) on bush fire prone land (being land for the time being recorded as bush fire prone land on a relevant map certified under section 10.3(2)) unless the consent authority—

- a) is satisfied that the development conforms to the specifications and requirements of the version (as prescribed by the regulations) of the document entitled Planning for Bush Fire Protection prepared by the NSW Rural Fire Service in co-operation with the Department (or, if another document is prescribed by the regulations for the purposes of this paragraph, that document) that are relevant to the development (the relevant specifications and requirements), or
- b) has been provided with a certificate by a person who is recognised by the NSW Rural Fire Service as a qualified consultant in bush fire risk assessment stating that the development conforms to the relevant specifications and requirements.

Comment: The Development Application is accompanied by a Bushfire Report prepared by a BPAD Level 2 bushfire consultant. It concludes that the development can comply with the relevant provisions and requirements of Planning for Bushfire Protection 2019.

The Development Application was referred to the NSW Rural Fire Service under s4.14 for advice regarding bushfire protection. The NSW RFS considered the information submitted and recommended conditions of consent regarding emergency and evacuation, asset protection zones, construction standards, access requirements, and water and utility services. These conditions shall form part of the development consent.

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

The development has been assessed in accordance with the heads of consideration under Section 4.15 of the EP&A Act, and having regard to those matters, the following has been identified for further consideration.

State Environmental Planning Policy (Resilience and Hazards) 2021

An assessment against the requirements of Section 4.6 of the Resilience and Hazards SEPP is included in attachment 2. In accordance with Section 4.6 of the Resilience and Hazards SEPP, the land is considered suitable for the proposed development.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 6 – Water Catchments

Chapter 6 applies to land in the Georges River and Hawkesbury-Nepean Catchments. 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.

The site is identified on the Georges River Catchment Map as being within the Georges River Catchment. Appropriate soil and water management protocols are conditioned to ensure the development does not result in any adverse impacts to the Georges River or its tributaries. On that basis, the proposed development meets the relevant provisions of Chapter 6 of the Biodiversity and Conservation SEPP.

State Environmental Planning Policy (Industry and Employment) 2021

Chapter 3 – Advertising and Signage

Section 3.6 of the Industry and Employment SEPP states:

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

- (a) that the signage is consistent with the objectives of this Policy as set out in clause 3(1)(a), and,
- (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.

Plans submitted with the Development Application are conceptual only and appear to show signage within the adjoining site, 121 Eagleview Rd. Given the Development Application relates to works within 121A Eagleview Road only, a condition is recommended to ensure no signage is approved as part of the development consent.

Campbelltown Local Environmental Plan 2015

The subject site is zoned C4 Environmental Living under CLEP 2015.

The development is characterised as a community facility which is defined under the CLEP 2015 as:

community facility means a building or place—

- (a) owned or controlled by a public authority or non-profit community organisation, and
- (b) used for the physical, social, cultural or intellectual development or welfare of the community,
but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

The proposed facility is to be operated by Bondhon Initiatives Minto Inc, a non-profit community organisation. Bondhon Initiatives Minto Inc was formed primarily to support the local Bangladeshi community by providing facilities from which culturally focused activities, physical/sporting facilities and education could be delivered.

A community facility is permitted with consent on land zoned C4 Environmental Living, and it is satisfied the development as proposed meets the criteria of the definition.

Whilst it is acknowledged some of the objectives of the C4 zone speak to residential development only, the land use table in the CLEP 2015 allows for non-residential land uses in the C4 zone, including community facilities. The following objectives apply to non-residential land uses:

- To conserve the rural and bushland character of land that forms the scenic eastern edge of Campbelltown's urban area.

Planners comment: The proposal represents the development potential of the site with regard to current development standards and controls and seeks to balance contemporary built form with landscaping to both conserve and enhance the established rural and bushland character of the locality.

- To protect and enhance areas of scenic value and the visual amenity of prominent ridgelines.

Planners comment: As a non-residential land use, it is considered the proposal has responded suitably to the topography of the site, noting its compliance with the relevant development controls contained within the Campbelltown (Sustainable Cities) Development Control Plan 2015 (SCDCP). The bulk and scale of the structure will ensure it does not impact on the prominent ridgelines and the scenic value and visual amenity are protected and enhanced with the introduction of landscaping.

- To maintain significant stands of native vegetation and wildlife and riparian corridors.

Planners comment: The site is not mapped on the Biodiversity Values Map as containing significant vegetation, nor as an area of biodiversity significance on the Terrestrial Biodiversity Map of the CLEP 2015. Further, the site is currently vacant and cleared of vegetation.

- To ensure the preservation and maintenance of environmentally significant and environmentally sensitive land.

Planners comment: The site is not mapped on the Biodiversity Values Map as containing significant vegetation, nor as an area of biodiversity significance on the Terrestrial Biodiversity Map of the CLEP 2015. Further, the site is currently vacant and cleared of vegetation. The proposed development would therefore not impact environmentally significant or environmentally sensitive land.

Additional matters for consideration under CLEP 2015 are addressed in attachment 2.

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

Campbelltown (Sustainable City) Development Control Plan 2015

The SCDCP is to be considered and read in conjunction with CLEP 2015. Pursuant to Clause 4.15(1)(a)(iii) of the EP&A Act, Council is required to consider the relevant provisions of the applicable development control plan of the Campbelltown Local Government Area (LGA), being the SCDCP.

Whilst generally compliant with the relevant development controls within Parts 2, 6 and 16 of the SCDCP, the proposal seeks minor variations as detailed below.

Fencing

Part 6.4.1.3 of the SCDCP specifies the use of sheet metal fencing is not permitted. The proposal involves the use of colorbond fencing along the side and rear boundaries, as per NSW Rural Fire Service requirements. In their correspondence dated 22 May 2024, the NSW Rural Fire Service recommended a condition to this effect, noting the fencing type would act as a radiant heat shield. On this basis, the variation sought to fencing type is considered acceptable on merit.

Loading dock

Part 6.4.2.2 of the SCDCP specifies that loading docks shall be suitably screened from adjacent properties. Whilst not compliant in its current form, a condition is recommended requiring additional landscaping along the boundary of the loading area to ensure it is suitably screened. Subject to compliance with this condition, the variation sought is considered acceptable.

Accessible carparking spaces

Part 6.4.2.3 of the SCDCP specifies that accessible carparking spaces are to be provided at a rate of one for every 20 parking spaces. The proposal provides 4 accessible spaces based on 82 car parking spaces. However, the development is to provide accessible car parking spaces with respect to the total number of spaces, including overflow. Given a total of 108 car parking spaces are proposed, the development is to provide 6 accessible spaces. A condition to this effect is recommended to ensure the development complies.

Signage

Part 16.5 of the SCDCP specifies that only wall signs, window signs and freestanding pylon and directory board signs are permitted on land zoned for residential, rural and environmental protection zones. The proposal seeks consent for a ground-level business identification sign attached to the entry gate. However, the sign appears to be located on the adjoining site, 121 Eagleview Road. Given the Development Application relates to works on 121A Eagleview Road only, a condition is recommended to ensure no signage is erected on the adjoining property, and that plans are amended prior to the issue of a construction certificate.

Further matters for consideration under SCDCP are addressed in attachment 2.

Section 4.15(1)(a)(iia) The provisions of any Planning Agreement

The developer has not offered to enter into a Planning Agreement with Council.

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

The proposal does not contravene the Environmental Planning and Assessment Regulation 2021.

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

Section 4.15(1)(b) of the EP&A Act requires that the consent authority consider the development's potential impacts on the natural and built environment, as well as potential social and economic impacts of the development.

Conditions are recommended to ensure adequate erosion and sediment control during works, therefore ensuring the development does not result in adverse impacts on the natural

environment. Significant landscaping is proposed and results in the planting of 183 trees and 212 shrubs, which is a significant improvement on current site conditions. The development also includes the installation of solar panels, which reduces dependency on the energy grid and results in an energy efficient building.

The proposed development represents a contemporary architectural form that contributes to design excellence in the broader locality. The building incorporates varying materials (brick, cladding, multicoloured vitrapanel, aluminium siding and colorbond roofing) and architectural design elements including vertical and horizontal offsets in the wall surfaces to ensure it is suitably articulated, thereby having a positive impact on the built environment. Only minor variation to building height has been proposed and the buildings are to be located on land notably lower than Eagleview Road, ensuring it is not a prominent feature on the locality.

In delivering a facility designed to promote the physical, social, and cultural development of the community, the proposal will have a positive impact on the social wellbeing of the community. It will generate employment during the construction phase of the project, provide employment opportunities for up to 8 staff during the operating phase of the development, and contribute positively to the overall economic activity within Minto and the broader locality.

Section 4.15 (1)(c) The suitability of the development

Section 4.15(1)(c) of the EP&A Act requires the consent authority to consider the suitability of the site when determining a development application.

The site is considered to be suitable for the proposed development. In this regard, it is noted the site is currently vacant, does not accommodate significant vegetation or ecological communities, nor is burdened by easements and rights of way which would obstruct the redevelopment of the site. Further, the site is of a size that can accommodate the proposed land use, including the provision of 108 car parking spaces, up to 300 visitors during special events, and a building which complies with the relevant development controls pertaining to built form. Therefore, the site is considered suitable for the proposed development.

Section 4.15 (1)(c) The public interest

Section 4.15(1)(e) of the EP&A Act requires the consent authority to consider the public interest when determining a development application.

In this regard, the proposal is considered to have satisfactorily responded to the future desired outcomes expressed in the relevant environmental planning instruments and development control plan, and results in a development outcome that, on balance, has a positive impact on the community. The development provides for a community facility as place of community growth and development through a range of activities and education, and provides facilities for recreation and physical activity, thereby contributing to the social and physical wellbeing of the community. Accordingly, it is considered that approval of the proposed development would be in the public interest.

3. Public Participation

The application was notified in accordance with the Campbelltown Community Participation Plan (CPP) between 28 July and 21 August 2023. 11 submissions were received in total; 6 of which are considered unique submissions.

Ministerial Direction 'Local Planning Panels Direction - Development Applications and Applications to Modify Development Consents' issued on 30-06/2020 states:

A unique submission means a submission which is in substance unique, distinctive or unlike any other submission. It does not mean a petition or any submission that contained the same or substantially the same text. Separate unique submissions may be made in relation to the same issue. One individual, or one household, could potentially submit multiple unique submission.

In accordance with the ministerial direction noted above, it is satisfied the application is in receipt of 6 unique submissions.

Issues raised within those submissions include the development's environmental, traffic, and acoustic impact, its bulk and scale, wastewater response, and whether it is consistent with the objectives of the C4 zone, and the land use definitions for a community facility and outdoor recreation facility.

Subject to compliance with the recommended conditions of consent, it is considered the development will not have an adverse environmental, traffic, or acoustic impact. A condition has also been recommended to ensure a Section 73 Certificate is obtained prior to the issue of an occupation certification.

It is satisfied the proposal is consistent with the objectives of the C4 zone and the land use definitions for a community facility and outdoor recreation facility. Further, the development responds suitably to the natural topography of the site and complies with the development controls pertaining to built form, thereby its bulk and scale is considered appropriate.

These issues are addressed in further detail in attachment 3.

Conclusion

After consideration of the development against Section 4.15 of the *Environmental Planning and Assessment Act 1979*, and the relevant statutory and policy provisions, the proposal is suitable for the site and is in the public interest. Therefore, it is recommended that it be approved subject to the attached conditions.

Attachments

- 4.2.1 Recommended Conditions of Consent (contained within this report)
- 4.2.2 Compliance Table (contained within this report)
- 4.2.3 Public Notification Responses (contained within this report)
- 4.2.4 Architectural, Landscape and Stormwater plans (contained within this report)
- 4.2.5 Clause 4.6 Variation (contained within this report)
- 4.2.6 Plan of Management (contained within this report)

Reporting Officer

Manager Development Assessment



Campbelltown City Council
PO Box 57
CAMPBELLTOWN NSW 2560

Your reference: (CNR-68779) 2467/2023/DA-C
Our reference: DA20230803003409-CL55-1

ATTENTION: CNR Team

Date: Wednesday 22 May 2024

Dear Sir/Madam,

Development Application

s4.14 - Other - Community Facility

121A Eagleview Road Minto NSW 2566, 11//DP1302331, 1//DP1287429, 2//DP1287429

I refer to your correspondence dated 10/05/2024 seeking advice regarding bush fire protection for the above Development Application in accordance with Clause 55(1) of the *Environmental Planning and Assessment Regulation 2000*.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted and provides the following recommended conditions:

General Conditions

Emergency and Evacuation

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

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

- contact details for the local Macarthur Rural Fire Service District Office;
- procedures for coordinated evacuation of the site in consultation with local emergency services;
- entry and exit to be through the main front entrance door only.

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.

Asset Protection Zones

Intent of measures: 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

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





2. From the commencement of building works and in perpetuity, the entire property must be managed as an asset protection zone (inner protection area) in accordance with the following requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*:

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

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

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

4. A minimum 1.8 metre high radiant heat shield made of non-combustible materials must be constructed along all boundaries of the subject site. All posts and rails must be constructed of steel. The bottom of the fence is to be in direct contact with the finished ground level or plinth.

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.

5. New construction must comply with section 3 and section 5 (BAL 12.5) of the 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.

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

- SFPP access roads are two-wheel drive, all-weather roads;
- access is provided to all structures;
- traffic management devices are constructed to not prohibit access by emergency services vehicles;
- access roads must provide suitable turning areas in accordance with Appendix 3 of *Planning for Bush Fire Protection 2019*; and
- one way only public access roads are no less than 3.5 metres wide and have designated parking bays with hydrants located outside of these areas to ensure accessibility to reticulated water for fire suppression;
- minimum 5.5m unobstructed carriageway width;
- parking is provided outside of the carriageway width;
- hydrants are located clear of parking areas
- curves of roads have a minimum inner radius of 6m;
- the maximum grade road is 15 degrees and average grade of not more than 10 degrees;
- the road crossfall does not exceed 3 degrees; and
- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.

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.

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

- reticulated water is to be provided to the development where available;
- fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419.1:2021;
- hydrants are and not located within any road carriageway;
- reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads;
- fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1:2021;
- all above-ground water service pipes are metal, including and up to any taps;
- where practicable, electrical transmission lines are underground;
- where overhead, electrical transmission lines are proposed as follows:
 - lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and
 - no part of a tree is closer to a power line than the distance set out in accordance with the specifications in *ISSC3 Guideline for Managing Vegetation Near Power Lines*.
- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used;
- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 - *The storage and handling of LP Gas*, the requirements of relevant authorities, and metal piping is used;
- all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side;





- connections to and from gas cylinders are metal; polymer-sheathed flexible gas supply lines are not used; and
- above-ground gas service pipes are metal, including and up to any outlets.

8. An additional static water supply is to be provided on the site, subject to the following requirements:

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

General Advice – Consent Authority to Note

The NSW RFS was not able to verify the assessment set out in the bush fire report submitted with the application. In order to progress the application, the NSW RFS has therefore undertaken an independent assessment of the proposal to determine compliance with *Planning for Bush Fire Protection 2019*.

For any queries regarding this correspondence, please contact Adam Small on 1300 NSW RFS.

Yours sincerely,

Nika Fomin
Manager Planning & Environment Services
Built & Natural Environment





Campbelltown City Council
PO Box 57
CAMPBELLTOWN NSW 2560

Your reference: (CNR-58445) 2467/2023/DA-C
Our reference: DA20230803003409-S38-1

ATTENTION: CNR Team

Date: Tuesday 10 September 2024

Dear Sir/Madam,

Development Application
s4.14 - Other - Community Facility
121A Eagleview Rd Minto NSW 2566, 12//DP1302331

I refer to your correspondence dated 20/08/2024 seeking advice regarding bush fire protection for the above Development Application.

The New South Wales Rural Fire Service (NSW RFS) has reviewed the submitted amendments and raises no objections subject to compliance with our previous advice dated 22/05/2024.

For any queries regarding this correspondence, please contact Bryce Pascoe on 1300 NSW RFS.

Yours sincerely,

Joshua Calandra
Supervisor Development Assessment & Plan
Built & Natural Environment

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



4.3 Modification of consent - hours of operation - Raby Indoor Cricket Centre

Community Strategic Plan

Objective	Strategy
2 Places For People	2.1.2 Provide public places and facilities that encourage leisure, recreation, and physical activity

Delivery Program

Principal Activity
PA Sport and Leisure

Referral Criteria

This modification application is required to be determined by the Panel since it meets the established criteria for conflict of interest, as Council is the applicant and landowner.

Executive Summary

- This Section 4.55(1A) application proposes to modify the approved hours of operation of the indoor cricket centre at the Raby Sports Complex.
- The proposed development is fully compliant with the provisions of the Campbelltown Local Environmental Plan 2015 and Campbelltown (Sustainable City) Development Control Plan 2015.
- The application is not required to be publicly notified under the Campbelltown Community Participation Plan.
- Based on an assessment of the application against section 4.15 of *Environmental Planning and Assessment Act 1979* the application has been found to be satisfactory and is recommended for approval.

Officer's Recommendation

That modification application 323/2022/DA-C/A be approved and the conditions of consent modified to those shown in attachment 1.

Purpose

To assist the Panel in its determination of the subject application in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Property Description	Raby Sports Complex (Lot 1191 DP 263508 and Lot 103 DP 608294) - Raby Road, Raby
Application No	323/2022/DA-C/A
Applicant	Campbelltown City Council
Owner	Campbelltown City Council
Provisions	Campbelltown Local Environmental Plan 2015 Campbelltown Sustainable City Development Control Plan 2015
Date Received	19 August 2024

History

In May 2022, the Campbelltown Local Planning Panel approved development application 323/2022/DA-C, which proposed the construction of a 6 lane indoor cricket centre including demolition of existing structures, removal of trees and associated stormwater works. The approved hours of operation for the centre, as outlined by condition 11 of the consent, are:

Monday to Friday 4:00 pm – 10:00 pm
Saturday and Sunday 8:00 am – 6:00 pm

When the application was reported to the Panel for determination, the recommended conditions of consent attached to the Council assessment report included hours of operation of:

Monday to Saturday 7:00 am to 10:00 pm
Sunday 8:00 am to 10:00 pm
Public holidays 8:00 am to 10:00 pm

These hours of operation were recommended because they were the maximum operating hours recommended for the development by the acoustic report that was prepared for the development.

In considering the application, the Panel observed that there was a difference between the hours of operation specified in the Statement of Environmental Effects and the acoustic report. It was considered by the Panel that the hours requested in the application as detailed in the Statement of Environmental Effects should be those specified in the development consent, and therefore condition 11 was imposed to reflect those hours.

Proposal

This Section 4.55(1A) application proposes to modify the approved hours of operation of the indoor cricket centre at the Raby Sports Complex to the following:

- Monday to Friday – 8:00 am to 10:00 pm
- Saturday and Sunday – 8:00 am – 6:00 pm (no change to weekend hours is proposed)

The change would result in the indoor cricket centre being able to open at 8:00 am on weekdays instead of 4:00 pm as currently required by the development consent.

The indoor cricket centre is currently under construction and is nearing completion.

The application relies on the recommendation of the acoustic report submitted with the original application, which concludes that the facility can operate between the hours of 7:00 am and 10:00 pm Monday to Saturday, and between 8:00 am and 10:00 pm on Sundays and public holidays, whilst maintaining compliance with the relevant acoustic criteria.

Assessment

1. Vision

Campbelltown 2032 is the Community Strategic Plan (CSP) for the City of Campbelltown. The CSP addresses 5 key strategic outcomes that Council and other stakeholders will work to achieve over the next 10 years:

- Outcome 1: Community and Belonging
- Outcome 2: Places for People
- Outcome 3: Enriched Natural Environment
- Outcome 4: Economic Prosperity
- Outcome 5: Strong Leadership

The proposal is generally consistent with the long-term vision for Campbelltown.

2. Planning Provisions

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.

2.1 Campbelltown Local Environmental Plan 2015

Permissibility

The subject site is zoned RE1 Public Recreation pursuant to Campbelltown Local Environmental Plan 2015. The development as proposed to be modified would remain defined as a recreation facility (indoor), which is a permissible land use in the RE1 Public Recreation zone.

Zone objectives

The proposal is consistent with the objectives of the RE1 Public Recreation zone, which are listed below:

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

- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To provide for land uses compatible with the ecological, scientific, cultural or aesthetic values of land in the zone.
- To facilitate the multiple use of certain open space areas.
- To facilitate development that is ancillary or incidental to the special land uses provided for in this zone.
- To provide for the sufficient and equitable distribution of public open space to meet the needs of the local community.
- To preserve and rehabilitate bushland, wildlife corridors and natural habitat, including waterways and riparian lands, and facilitate public enjoyment of these areas.
- To provide for the retention and creation of view corridors.
- To protect and enhance areas of scenic value and the visual amenity of prominent ridgelines.
- To preserve land that is required for public open space or recreational purposes.
- To maximise public transport patronage and encourage walking and cycling.

2.2 Campbelltown (Sustainable City) Development Control Plan 2015

Part 2 - Requirements Applying to All Types of Development

The general provisions of Part 2 of the Plan apply to all types of development. Compliance with the relevant provisions of Part 2 of the Plan is discussed as follows:

Acoustic Privacy – The acoustic report submitted with the original application concluded that based on the acoustic assessment, “The facility is permitted to operate between the hours of 7:00 am and 10:00 pm Monday to Saturday, and between 8:00 am and 10:00 pm on Sundays and public holidays.” Accordingly, the noise impacts of the centre, operating under the hours of operation sought under this application, have already been assessed and were found to be acceptable.

The application was referred to Council’s Environmental Health Officer, who advised that an additional condition should be added in relation to the management of any potential noise pollution. This condition requires the development to be operated in a manner that prevents offensive noise, ensures compliance with the NSW Industrial Noise Policy, and mitigates any unreasonable impacts on the surrounding neighbourhood’s amenity.

This condition has been inserted into the recommended conditions of consent as condition 16A.

3. Public Participation

The original application was publicly exhibited and notified to the surrounding property owners between 25 March 2022 and 20 April 2022. No written submissions were received.

As this modification application is a 1A modification application with a minimal environmental impact (since the acoustic report submitted with the original application demonstrated that the hours now proposed are acceptable), it is not required to be publicly notified, pursuant to the provisions of the Campbelltown Community Participation Plan.

Conclusion

Having regard to the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979* and the issues raised above, it is considered that the application is consistent with the relevant planning legislation, and that condition 11 of the consent should be modified to allow for the expanded hours of operation proposed, subject to an additional condition being added that prohibits and requires mitigation of offensive noise, and ensures compliance with the NSW Industrial Noise Policy.

Attachments

- 4.3.1 Modified conditions for Raby Indoor Cricket Centre - with changed condition highlighted (contained within this report)
- 4.3.2 Acoustic Assessment for Raby Sports Complex (contained within this report)

Reporting Officer

Manager Development Assessment

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.

Prepared By	Project Number	Drawing/Document Description	Drawing Number	Revision Number
Melocco & Moore Arch.	2103	Cover page	000	G
		Site plan	001	H
		Site analysis plan	002	B
		Demolition plan	003	B
		Ground floor plan	101	J
		First floor plan	102	H
		Roof plan	103	F
		Site sections	151	F
		Section	152	F
		Elevations	153	F
		Elevations	154	E
Campbelltown Council	NA	Coversheet	L-000	A
		Landscape Plan	L-101	A
		Landscape detail sheets 1,2,3	L-801, 802, 803	A
		Specification sheets 1,2,3	L-901, 902, 903	A
Inline Hydraulic Services	21254	Site plan	H02	A
		Ground floor plan	H03	A

		First floor plan	H04	A
		Roof plan	H05	A
		Sediment and erosion control	H06	A
Enscape Studio	0097	Stormwater realignment works	C1-01	D
Acoustic Logic	20211457.1	Acoustic assessment		0
Douglas Partners	210572.01	Preliminary Site Investigation report		0

2. 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.

3. 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.

The landscaping plan specifications are to specify that no works are to occur on the site that is identified as 'biodiversity' on the Terrestrial Biodiversity Map of Campbelltown Local Environmental Plan 2015.

4. 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.

5. Advertising Signs – Separate DA Required

This consent does not permit the erection or display of any advertising signs with the exception of the approved building identification signage to the entry.

Most advertising signs or structures require development consent. You should make separate enquiries with Council prior to erecting or displaying any advertising or signage.

6. 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.

Any new lighting is to be timing or sensor activated.

7. 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.

8. Graffiti Removal

In accordance with the environmental maintenance objectives of 'Crime Prevention Through Environmental Design', the owner/lessee of the building shall be responsible for the removal of any graffiti which appears on the buildings, fences, signs and other surfaces of the property within 48 hours of its application.

9. Unreasonable Noise, Dust and Vibration

The implementation, construction and ongoing operation of this development must not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, odour, dust, waste products or other products, particularly from machinery, vehicles, warning sirens, public address systems and the like.

In the event of a noise, fumes, odour, dust, or waste related issue arising during the implementation, construction and ongoing operation of this development, the person in charge of the premises shall when instructed by Council, cause to carry out an investigation by an appropriate 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.

Should the development not achieve compliance with the applicable guidelines and standards, amendments to the development are required to be made (with the consent of Council), which may include, but are not limited to, changes to hours of operation, installation of further treatment, modification of operational procedures, etc.

10. Engineering Design Works

The design of all engineering works shall be carried out in accordance with the requirements set out in Council's 'Engineering Design Guide for Development' (as amended) and the applicable development control plan.

11. Operating Hours

The use of the premises/business shall be limited to:

Monday to Friday 8:00 pm – 10:00 pm

Saturday and Sunday 8:00 am – 6:00 pm

12. Car Parking Spaces

Car parking spaces shall be designed, sealed, line marked and made available to all users of the site in accordance with Australian Standards 2890.1 and 2 (as amended). The development shall not reduce car parking spaces available to users of the site.

13. Rubbish/Recycling Bin Storage

The rubbish and recycling bins shall not be stored within vehicle parking, vehicle manoeuvring areas or landscaped areas.

The bin(s) shall only be stored in accordance with the approved plans.

14. Rain Water Tank(s)

Rain water tank/s shall be installed on site for the collection and storage of stormwater for irrigation and reuse purposes (eg the flushing of toilets), in accordance with the approved plans.

15. Construction Certificate

Prior to the commencement of any works that require a construction certificate:

- a. the applicant shall appoint a Principal Certifier;
- b. the applicant shall obtain a construction certificate for the particular works; and
- c. when Council is not the Principal Certifier, the appointed Principal Certifier shall notify Council of their appointment no less than two days prior to the commencement of any works.

16. Existing Right of Carriageway

The existing right of carriageway that traverses the land shall either be extinguished or relocated clear of the proposed building prior to commencement of construction.

For the purpose of this condition, construction does not include demolition of existing building.

16A. Pollution and Waste Management Conditions

The following conditions have been applied to ensure that all activities involving the operation of the facility are carried out in a manner which will prevent undue air, land, water pollution, noise pollution and waste management practices in accordance with the Protection of the Environment Operations Act 1997 Protection of the Environment Operations (Waste) Regulation 2014, Protection of the Environment Operations (Noise) Regulation 2017, Local Government Act 1993, Local Government Regulation 2015 and associated technical standards:

AMENITY OF THE NEIGHBOURHOOD – The implementation and ongoing operation of this development must not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, odour, dust, waste products or other products, particularly from machinery, vehicles, warning sirens, public address systems and the like.

OFFENSIVE NOISE – The development must be design so that the use of the premises, building services, operations, equipment, machinery, vehicles and ancillary fittings must not emit 'offensive noise' as defined in the Protection of the Environment Operation Act, 1997: Offensive noise means noise:

- a) That, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:
 - i) Is harmful to (or likely to be harmful to) a person who is outside the premises from which it is emitted; or
 - ii) Interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted; or
- b) That is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulations.

NSW INDUSTRIAL NOISE POLICY – The use of the premises must not exceed the noise criteria outlined in the NSW Industrial Noise Policy.

UNREASONABLE NOISE, ODOUR, DUST AND VIBRATION – In the event of a noise, vibration, fumes, odour, dust, or waste related issue arising during the implementation, construction and ongoing operation of this development, the person in charge of the premises shall when instructed by Council, cause to carry out an investigation by an appropriate 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.

Should the development not achieve compliance with the applicable guidelines and standards, amendments to the development are required to be made (with the consent of Council), which may include, but are not limited to, changes to hours of operation, installation of further treatment, modification of operational procedures, etc.

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.

17. Utility Servicing Provisions

Prior to Council or the appointed Principal Certifier issuing 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 authorities water or sewer infrastructure.

18. Geotechnical Report

Prior to Council or the appointed Principal Certifier issuing a construction certificate, a geotechnical report prepared by a NATA registered lab shall be submitted which indicates that the land will not be subject to subsidence, slip, slope failure or erosion where excavation and/or filling exceeds 900mm in depth or identified as filled land.

19. Soil and Water Management Plan

Prior to Council or the appointed Principal Certifier issuing a construction certificate, a detailed soil and water management plan shall be submitted for approval.

20. Stormwater Management Plan

Prior to Council or the appointed Principal Certifier issuing a construction certificate, a plan indicating all engineering details and calculations relevant to site regrading and the collection and disposal of stormwater from the site, building/s and adjacent catchment, shall be submitted for approval.

Stormwater shall be conveyed from the site to the nearest system under Council's control. All proposals shall comply with Council's 'Engineering Design Guide for Development' (as amended) and the applicable development control plan.

21. Design for Access and Mobility

Prior to Council or the appointed Principal Certifier issuing 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.

22. Telecommunications Infrastructure

- a. 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 Principal Certifier prior to the issue of a Construction Certificate or any works commencing, whichever occurs first; and
- b. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.

23. Sydney Water

Prior to Council or the appointed Principal Certifier issuing 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 Principal Certifier prior to issue of a construction certificate.

The Sydney Water Tap In service can be accessed at www.sydneywater.com.au.

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.

24. Erosion and Sediment Control

Prior to the commencement of any works on the land, adequate/approved erosion and sediment control measures shall be fully installed/implemented.

25. Erection of Construction Sign

Prior to the commencement of any works on the land, signs must be erected in prominent positions 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
- b. Stating that unauthorised entry to the work site is prohibited
- c. Pollution warning sign promoting the protection of waterways (a digital copy is provided with this consent that can be printed, laminated and affixed to the site or a corflute sign is available for free pick up at Council's administration office)
- d. Stating the approved construction hours in which all works can occur
- e. Showing the name, address and telephone number of the principal certifying authority for the work.

Any such signs are 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.

26. Toilet on Construction Site

Prior to the commencement of any works 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:

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

27. Trade Waste

Prior to the commencement of any works 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.

28. Public Property

Prior to the commencement of any works 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.

29. Demolition Works

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

- a) Prior to the commencement of any works 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.
- b) Prior to commencement of any works on the land, the demolition Contractor(s) licence details must be provided to Council.
- c) 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.
- d) An appropriate fence preventing public access to the site shall be erected for the duration of demolition works
- e) 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 certifying

authority 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.

30. Hoarding / Fence

Prior to the commencement of any works, a hoarding or fence must be erected between the work site and a public place if the work involved in the development is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or if the building involves the enclosure of a public place in accordance with Work Cover requirements.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

A separate land use application under *Section 68 of the Local Government Act 1993* shall be submitted to and approved by Council prior to the erection of any hoarding on public land.

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.

31. 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.

32. 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 certifying authority. 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.

33. 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.

34. 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.

All groundwork preparation and excavation of the site is to extend only to the area required for building works depicted on the approved plans.

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.

35. 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.

36. Certification of Levels of Building during Construction

Prior to the placement of any concrete of the basement/ground floor slab, the applicant shall submit to the appointed Principal certifier a qualified practicing surveyor's certificate showing that the formwork levels are in accordance with the approved plan.

37. Excess Material

All clean soil and bush rock must be retained on site in accordance with Clause 7.5 of the Campbelltown Local Environmental Plan 2015. All other excess material is to be removed from site.

38. Unidentified Contamination/Unexpected Finds Protocol

Any new information which comes to light during demolition or construction works which has the potential to alter previous conclusions about site contamination and remediation must be immediately notified to Council and the Principal Certifier in writing. A Section 4.55 application under the EP&A Act shall be made for any proposed works outside the scope of the approved development consent.

39. Waste Classification and Disposal of any Contaminated Soil and Material

All soils and material(s), liquid and solid, to be removed from the site must be analysed and classified by an appropriately qualified and certified consultant, in accordance with the Protection of the Environment Operations (Waste) Regulation 2014 and related guidelines, in particular the NSW EPA Waste Classification Guidelines, prior to off-site disposal.

All waste material(s) must be disposed of at an appropriately licensed waste facility for the specific waste. Receipts for the disposal of the waste must be submitted to the Principal Certifier within 30 days of the waste being disposed of. All waste must be transported by a contractor licenced to transport the specific waste, and in vehicles capable of carting the waste without spillage and meeting relevant industry guidelines.

40. 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.

41. 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.

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.

42. Section 73 Certificate

Prior to the appointed Principal Certifier issuing an occupation certificate, a Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation. Early application for the certificate is suggested as this can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator.

For help either visit www.sydneywater.com.au > Building and developing > Developing your Land > Water Servicing Coordinator or telephone 13 20 92.

The Section 73 Certificate must be submitted to the appointed Principal Certifier prior to the issue of an occupation certificate.

43. Completion of External Works Onsite

Prior to the principal certifying authority issuing an 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 certifying authority.

44. Final Inspection – Works as Executed Plans

Prior to the appointed principal certifying authority issuing an 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.

45. Public Utilities

Prior to the appointed Principal Certifier issuing an 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.

46. Signage

Signage shall be installed in accordance with the recommendations in the acoustic assessment prepared by Acoustic Logic referred to in Condition 1 of this consent prior to the release of the occupation certificate.

47. Council Fees and Charges

Prior to the appointed Principal Certifier issuing an 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.

FOOD CONSTRUCTION CONDITIONS

The following conditions have been applied to ensure that all construction and fit-out of the food premises complies with the *Food Act 2003*, Food Regulation 2015 Food Standards Code Australia and New Zealand and Australian Standard 4674-2004: Design, construction and fit-out of food premises.

49. Construction

The construction, fit-out and finishes of the food premises must be constructed in accordance with the *Food Act 2003*, *Food Regulation 2015*, Food Standards Code Australia and New Zealand and Australian Standard 4674-2004 Design, construction and fit-out of food premises.

50. Food Premises Fit-Out Pre-Construction Meeting and Inspection

Prior to any construction work commencing on the fit-out of the food premises, the applicant/builder/private certifier must contact Council's Environmental Health Officers on (02) 4645 4604 to arrange an onsite meeting to discuss the requirements of the fit out under this Consent.

Prior to the release of the occupation certificate, Council's Environmental Health Officer is to be contacted on (02) 4645 4604 to undertake an inspection of the premises to confirm compliance with this Consent, the *Food Act 2003*, *Food Regulation 2015*, Food Standards Code Australia and New Zealand and AS 4674-2004.

51. Registration

The premise is required to be registered with Council. Regular inspections will be carried out to ensure health standards are maintained. A business registration form is available on Council's website and must be completed and submitted to Council prior to the operation of the food business commencing (Food Safety Standard 3.2.2).

52. Food Safety Supervisor

Food businesses selling ready-to-eat potentially hazardous foods are required by law to appoint a Food Safety Supervisor that has undertaken food safety training at a registered training organisation approved by the NSW Food Authority.

53. Floor Construction

The floor construction within the food preparation area/s must be finished to a smooth, even non-slip surface, graded and drained to a floor waste (AS 4674-2004, Section 3.1).

54. Floor Waste

Floor wastes in food preparation and food service areas must be fitted with sump removable stainless steel baskets and grates (AS 4674-2004, Section 4.1.8).

55. Coving

Feather edge skirting and non-rebated coving is not permitted. Recessed coving must be provided at all intersections of the floor with the walls/plinths within all food preparation, service and storage areas. All coving must:

- a. Have a minimum concave radius of 25 mm; or
- b. Be tiled 50mm minimum in width and splayed at 45°.

The coving must be installed so as to be integral to the surface finish of both floor and wall in such a manner as to form a continuous, uninterrupted surface in accordance with Figure 3.1 and 3.2 of the Australian Standard (AS 4674-2004, Section 3.1.5).

56. Penetrations/Service Lines

INTEGRAL PENETRATIONS/SERVICE LINES - All service pipes, conduits and electrical wiring must be concealed in the floor, walls, plinths or ceiling (AS 4674-2004, Section 3.2.9).

EXTERNAL PENETRATIONS/SERVICE LINES - External service pipes and electrical conduit must be fixed on brackets so to provide at least 25 mm clearance between the pipe and adjacent vertical surface and 100 mm between the pipe or conduit and adjacent horizontal surfaces. Service pipes and electrical wiring must not be placed in the recessed toe space of plinths or of any equipment (AS 4674-2004, Section 3.2.9).

57. Wall Requirements

Cavity walls are not permitted. All walls in the food premises, including all new and existing partition walls, must be of solid construction and finished to a smooth, impervious surface that can be easily cleaned, as specified in Table 3.2 of AS 4674-2004. The finishing materials of the wall surfaces must provide an even surface, free of fixing screws, open joint spaces, cracks or crevices (AS 4674-2004, Section 3.2).

58. Window Sills

Window sills located within a food preparation area or food service area must be located 450 mm above the top of any bench or sink and tiled at a splayed angle of 45°.

59. Ceiling Construction

Drop-in panel style ceilings are not permitted in food preparation areas or over areas where open food is displayed, handled or served. The ceiling in the food premises must be constructed with a rigid, non-absorbent, smooth faced material free from open joints, cracks and crevices and be painted with a light coloured washable paint. The intersection of the walls and ceiling must be tight-jointed, sealed and dust proofed (AS 4674-2004, Section 3.2).

60. Light Fittings

All fluorescent light fittings must be fitted with a smooth faced diffuser. The light fittings must be either:

- a. Recessed so that the diffuser is flush with ceiling
- b. Designed to ensure that no horizontal surface exists which would allow dust and grease to accumulate (AS 4674-2004, Section 2.6.2).

61. Hand Wash Basins

Hand wash basins must be provided in all parts of the premises where open food is handled and in utensil/equipment washing areas. The hand wash basin is to be located and installed in such a way that they are not obstructed, are at bench height either permanently fixed to a wall, to a

supporting frame or set in a bench top and is accessible from no further than 5 m away from any place where food handlers are handling open food (AS 4674-2004, Section 4.4).

The hand wash basin is to have a permanent supply of warm running potable water mixed to a temperature of at least 40°C and delivered through a single outlet. Disposable paper hand towels and soap must be provided and serviced from a dispenser adjacent to the hand wash basin. A waste receptacle for used towels must be provided (AS 4674-2004, Section 4.4).

62. Dishwashing Machines

The dishwashing/glass washing machine must be designed and able to operate in accordance with AS 4674-2004 and the Food Standards Code. All utensils and equipment must undergo a washing, sanitising and rinsing cycle. The sanitising rinse cycle must achieve a water temperature of 80°C for 2 minutes or 75°C for 10 minutes (AS 4674-2004, Section 4.1.6).

Appropriate ventilation must be provided over the dishwashing system and be designed and installed in accordance with Australian Standard 1668.2-2012: The use of ventilation and air conditioning in buildings - Part 2: Mechanical ventilation in buildings.

63. Food Preparation Sink

A food preparation sink is required where foods are prepared by immersion in water including for cleaning fruit or vegetables. All food preparation sinks must be used only for the preparation and cleaning of food. The sink is in addition to the hand basin and equipment wash sinks (AS 4674-2004, Section 4.1).

64. Equipment Wash Sinks

A double bowl wash sink must be installed and serviced with hot and cold water through a single outlet (AS4674-2004 - Section 4.1). The double bowl sink is in addition to the hand wash basin.

or

A triple bowl sink must be installed and serviced with hot and cold water through a single outlet where rinsing is required before or after sanitising e.g. wash, rinse, sanitise procedure or wash, rinse/sanitise, rinse procedure (AS 4674-2004, Section 4.1).

65. Cleaner's Sink

A cleaner's sink is to be installed in a location outside of the food preparation area and must be serviced with hot and cold water through taps fitted with hose connectors. (AS 4674-2004, Section 4.1.8).

66. Tap Fittings

Hot and cold wall mounted taps must be installed fitted with hose connectors and positioned at least 600 mm above the floor in a convenient and accessible location within the food preparation area and adjacent to the floor waste (AS 4674-2004, Section 4.1.8).

67. Fittings and Fixtures

All fixtures, fittings and equipment must be provided with smooth and impervious surfaces, free from cracks and crevices to enable easy cleaning (AS 4674-2004, Section 4).

All fittings and fixtures must be built into the wall and floor so to be free from joints, gaps and cavities to enable easy cleaning or alternatively, supported on one of the following in accordance with Table 4.5 of AS 4674-2004:

- Plinths must be an integral part of the floor, constructed of solid materials similar to the floor at least 75 mm in height and coved at the intersection with the floor. All plinths must have a smooth and impervious finish. All fittings and fixtures must be properly sealed to the plinth so to be free from gaps, cracks and cavities.
- Fittings and fixtures can be supported on wheels or castors. The wheels and castors must be capable of supporting and easily moving a full loaded fitting. All wheels and castors must be provided with a restraining device.
- Fittings and fixtures can be supported on legs but must be constructed of non-corrosive, smooth metal or moulded plastic. All legs must be free from cracks and crevices. All legs must have a clearance space between the floor and the underside of the fitting of at least 150 mm.

False bottoms under fittings are not permitted (AS 4674-2004, Sections 4.2 and 4.3).

68. Food Preparation Benches

All food preparation benches must be constructed of stainless steel. All food contact surfaces are to be smooth, continuous and flush so as to avoid any exposed screw fixtures.

69. Benches

The top and exposed edges of all benches and counters must be finished in a smooth and non-absorbent material, free of joints, cracks and crevices (AS 4674-2004, Section 4.2).

70. Storage Cabinets/Cupboards

All storage cabinets/cupboards (internal and external surfaces) must be finished in a smooth and non-absorbent material that is free of joints (AS 4674-2004, Section 4.2).

71. Shelving

All shelving must be located at least 25 mm off the wall or alternatively, the intersection of the shelf and the wall is to be completely sealed. All shelving must be constructed at least 150 mm from the floor level (AS 4674-2004, Section 4.2).

72. Food Storage

Any appliance used for the storage of hot and/or cold food must be provided with a numerically scaled indicating thermometer or recording thermometer accurate to the nearest degree Celsius or an alarm system for continuous monitoring of the temperature of the appliance.

73. Condensation Collection

Condensation from refrigeration units, freezer units and coffee machines must be directed to a tundish, installed in accordance with Sydney Water requirements (Food Standards Code 3.2.3).

74. Mechanical Exhaust Ventilation

A food premises must be provided with a kitchen exhaust hood complying with Australian Standard 1668.2-2012: The use of ventilation and air conditioning in buildings - Part 2: Mechanical ventilation in buildings and where applicable, Australian Standard 1668.1-1998: The use of ventilation and air conditioning in buildings - Fire and smoke control in multi-compartment buildings, where:

- a. Any cooking apparatus has:
 - i. A total maximum electrical power input exceeding 8 kW
 - ii. A total gas power input exceeding 29 MJ/h
- b. The total maximum power input to more than one apparatus exceeds:
 - i. 0.5 kW electrical power
 - ii. 1.8 MJ gas per m² of floor area of the room or enclosure; or
- c. Any deep fryer.

Documentation from a mechanical engineer certifying that the mechanical ventilation system, as installed, complies with the AS/NZS 1668.1:1998 and 1668.2-2012, must be provided to the certifying authority prior to the issue of an Occupational Certificate.

75. Pest Protection

Flyscreens and/or other approved means of excluding the entry of pests must be provided to all window and door openings in accordance with Section 2.1.5 of AS 4674-2004.

Where pipe work, drains, cables and ducts penetrate walls, ceilings and roofs, holes must be sealed, filled and finished to prevent the entry of pests.

Spaces between adjoining structures, such as between cool room walls and premises walls, must be accessible for inspection and cleaning or sealed with a suitable compound so that they are inaccessible to pests. Spaces between the top surface of equipment or structures, such as cool rooms, must be accessible for inspection and cleaning or sealed/boxed in so that they are inaccessible to pests.

76. Toilet Facilities and Hand Basins

A toilet for staff must be provided for the premises. The toilet cubicle must be separated from areas where open food is handled, displayed or stored by one of the following:

- a. An intervening ventilated space fitted with self-closing doors

- b. Self-closing doors and mechanical exhaust systems that operate when the sanitary compartment is in use for at least 30 seconds after the cubicle is vacated (AS 4674-2004, Section 5.2).

Toilets intended for customer use must not be accessed through areas where open food is handled, displayed or stored.

A hand basin must be located within the toilet cubicle. The basin must be freestanding, serviced with hot and cold water through a single outlet, able to be mixed to a temperature of at least 40°C and fitted with a hands-off type tap set (AS 4674-2004, Section 4.4). The basin must be provided with soap and disposable paper towels from a dispenser.

77. Locker Storage for Staff Belongings and Equipment

Sufficient lockers must be provided in the food preparation area or store room specifically for the storage of cleaning materials, employees' clothing and personal belongings (AS 4674-2004, Section 5.1).

78. Meter Box

An approved non-absorbent, smooth faced cover must be provided over the meter box. The cover is to be splayed at an angle of 45 degrees to the wall at the top and made tight fitting to the wall surfaces.

79. Roller Door

The drum of a roller door situated in the food preparation area must be enclosed in a frame, sheeted with compressed cement with a smooth and sealed finish. The enclosure must be accessible for pest control inspection and maintenance (AS 4674-2004, Section 2.1.5).

80. Hot Water Service

The hot water service must be positioned at least 75 mm clear of the adjacent wall surfaces, and mounted at a minimum 150 mm above the floor level on a non-corrosive metal stand. The hot water system must be of adequate size to enable a sufficient amount of hot water to all washing facilities throughout the working day (AS 4674-2004, Section 4.3).

Any hot water service to be installed shall be an energy efficient hot water unit.

81. Smoke Free Areas

Any enclosed eating area must be smoke free. Smoking is not permitted in all outdoor eating areas. "No Smoking" signs must be displayed within the eating areas to ensure all patrons comply with this requirement (*Smoke Free Environment Act 2000*). Please refer to NSW Health website for further information <http://www.health.nsw.gov.au>

82. Construction of the Waste Storage Areas and Rooms

The waste storage area/room must be provided with smooth and impervious surfaces (walls and floors) and coved at the intersection of the floor and walls. Floor areas must be graded and drained to a floor waste gully connected to the sewer. Waste storage rooms must be well

ventilated and proofed against pests. The area or room must be provided with water service hose connectors to enable easy cleaning.

Open waste storage areas must be appropriately covered and bunded to avoid stormwater entering the sewer. The ground areas must be paved with impervious material and must be graded and drained to a waste water disposal system according to Sydney Water's requirements. A hose tap connected to a water supply must be provided (AS 4674-2004, Section 2.4).

83. Waste and Recycling Storage, Collection and Disposal

All waste and recycling generated from the business are to be kept within an appropriate storage receptacle on the premises. Waste is not to be stored or placed outside of a waste storage receptacle or in such a manner that it will become a litter, odour or health nuisance.

Waste bins that are placed out on a public place for collection must only be placed out for collection on the day of the collection after 6.00 pm and must be removed by 8.00 am the following day. Any residual waste left on the public place as a result of bin placement must be removed within undue delay by the business operator.

84. Store Room

The storeroom must be constructed in accordance with AS 4674-2004 by providing the following:

- a. A smooth, even and non-slip floor surface
- b. Walls must be provided with a smooth, even surface and painted with a light coloured washable paint to enable easy cleaning in accordance with Table 3.2 of AS 4674-2004
- c. The ceiling must be constructed with a rigid, non-absorbent, smooth faced material free from open joints, cracks and crevices and be painted with a light coloured washable paint. The intersections of the walls and ceiling must be tight-jointed, sealed and dustproof (AS 4674-2004, Section 3.2)
- d. Shelving or storage racks must be designed and constructed to enable easy cleaning
- e. Appropriate ventilation must be provided (ducted to the external air) within the store room to allow for the escape of heat and odour that can be produced from refrigeration and freezer motor units.

85. Odour and Noise Control

No odour nuisance, to the public or any adjoining premises, shall be created by the operation of any plant or equipment or any procedures carried out at the premises.

No noise nuisances shall be caused through the operation of any plant or equipment at the premises. Noise generated from the premises must not exceed the limits as specified in the NSW Industrial Noise Policy.

86. Changes to the Food Act 2003 and AS4674:2004 Design, construction and fit-out of food premises.

The provisions of the Food Act 2003 and Australian Standards 4674:2004 *Design, construction and fit-out of food premises* may change over time and irrespective of this condition compliance with this Act, Regulations, Australian Standards and other standards adopted under the Food Act (as amended) are mandatory.

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. Covenants

The land upon which the subject building is to be constructed may be affected by restrictive covenants. Council issues this approval without enquiry as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this permit. Persons to whom this permit is issued rely on their own enquiries as to whether or not the building breaches any such covenant.

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. Salinity

Please note that Campbelltown is an area of known salinity potential. As such any salinity issues should be addressed as part of the construction certificate application. Further information regarding salinity management is available within *Campbelltown (Sustainable City) DCP - Volumes 1 and 3 (as amended)*.

Advice 7. Asbestos Warning

Should asbestos or asbestos products be encountered during construction or demolition works you are advised to seek advice and information prior to disturbing the material. It is recommended that a contractor holding an asbestos-handling permit (issued by Work Cover NSW), be engaged to manage the proper disposal and handling of the material. Further information regarding the safe handling and removal of asbestos can be found at:

www.environment.nsw.gov.au

www.nsw.gov.au/fibro

www.adfa.org.au

www.workcover.nsw.gov.au

Alternatively, call Work Cover Asbestos and Demolition Team on 8260 5885.

Advice 8. Rain Water Tank

It is recommended that water collected within any rainwater tank as part of the development be limited to non-potable uses. NSW Health recommends that the use of rainwater tanks for drinking purposes not occur where a reticulated potable water supply is available.

Advice 9. 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 10. 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 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 11. 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.

Advice 12. Historic Archaeology

As required by the *Heritage Act 1977* in the event that historical relics are encountered/discovered where they are not expected, works must cease immediately and Council and the NSW Heritage Division must be notified of the discovery.

In the event that archaeological resources are encountered, further archaeological work may be required before works can re-commence, including the statutory requirement under the *Heritage Act 1977* to obtain the necessary approvals/permits from the NSW Heritage Division.

Note: The *Heritage Act 1977* impose substantial penalty infringements and/or imprisonment for the unauthorised destruction of archaeological resources, regardless of whether or not such archaeological resources are known to exist on the site.

Aboriginal Cultural Heritage – Staff and Contractors

All relevant on-site staff and contractors should be made aware of their statutory obligations for heritage under *National Parks and Wildlife Act 1974* and the *Heritage Act 1977*.

Aboriginal Cultural Heritage – Unexpected Finds

As required by the *National Parks and Wildlife Service Act 1974* in the event that Aboriginal cultural heritage objects or deposits are encountered/discovered where they are not expected, works must cease immediately and Council and the Office of Environment and Heritage (OEH) must be notified of the discovery.

In the event that archaeological resources are encountered, further archaeological work may be required before works can re-commence, including the statutory requirement under the *National Parks and Wildlife Service Act 1974* to obtain the necessary approvals/permits from the OEH.

Note: The *National Parks and Wildlife Service Act 1974* impose substantial penalty infringements and/or imprisonment for the unauthorised destruction of archaeological resources, regardless of whether or not such archaeological resources are known to exist on the site.

Skeletal Remains

In the event that skeletal remains are uncovered, work must cease immediately in that area and the area secured. NSW Police must be contacted and no further action taken until written advice has been provided by the NSW Police. If the remains are determined to be of Aboriginal origin, the Office of Environment and Heritage must be notified by ringing the Enviroline 131 555 and a management plan prior to works re-commencing must be developed in consultation with relevant Aboriginal stakeholders.

THIS DOCUMENT HAS BEEN ISSUED WITHOUT ALTERATION OR ERASURE



MATTHEW PALAVIDIS
VICTOR FATTORETTO
MATTHEW SHIELDS

Raby Sports Centre - Indoor Cricket Facility, Raby

DA Acoustic Assessment

SYDNEY
9 Sarah St
MASCOT NSW 2020
(02) 8339 8000

ABN 98 145 324 714
www.acousticlogic.com.au

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Attention To	Campbelltown City Council

Revision	Date	Document Reference	Prepared By	Checked By	Approved By
0	29/11/2021	20211457.1/2911A/R0/LA	LA		SN

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1 INTRODUCTION

Acoustic Logic have been engaged to conduct an acoustic assessment of potential noise impacts associated with the proposed alterations and additions to the Indoor Cricket Facility maintained at the Raby Sports Complex.

This document addresses noise impacts associated with the following:

- Noise emissions from operation of the tenancy.
- Noise emissions from mechanical plant to service the project site (in principle).

AL have utilised the following documents and regulations in the assessment of noise impacts for the development:

- Campbelltown City Council – ‘*Campbelltown Sustainable Cities Development Control Plan 2015*’.
- NSW Department of Environment and Heritage, Environmental Protection Authority document – ‘*Noise Policy for Industry*’ (NPI) 2017.

This assessment has been conducted based on the architectural drawings for Development Application provided to AL, prepared by Melocco and Moore, revision D and dated 26/11/2021. The drawing numbers are presented in the following table.

Table 1 – Drawing Numbers

Architect	Drawing No.	Drawing Title	Date
Melocco and Moore	001 D	Site Plan	26/11/2021
	101 D	Ground Floor Plan	
	102 D	First Floor Plan	
	103 C	Roof Plan	
	151 C	Site Section Page 1	
	152 C	Site Section Page 2	
	153 C	Elevations Page 1	
	154 B	Elevations Page 2	

2 SITE DESCRIPTION

The proposed alterations and additions to the current 3-pitch indoor training facility nominate extension of the facility to include 6 indoor pitches in total.

The facility is proposed to operate between the hours of 4pm and 10pm Monday to Friday, and between 8am and 6pm on Saturdays and Sundays, and will include 6 pitches on the ground floor, in conjunction with a first-floor mezzanine, as well as amenities.

A site survey has been carried out by this office to identify surrounding noise sensitive receivers and the existing acoustic environment. Nearest potentially affected receivers are as follows:

- **R1:** Residential dwellings maintained along Thunderbolt Drive, directly to the north of the proposed site.
- **R2:** Residential dwellings maintained along Raby Road, maintained to the west of the proposed site.
- **R3:** Residential receivers located along Halifax Street, directly south of the proposed site.

A site map, measurement locations and surrounding receivers are presented in Figure 1.



Figure 1: Site Map with Nearest Sensitive Receivers and Monitoring Locations (Sourced From Six Maps)

3 EXISTING ACOUSTIC ENVIRONMENT

The acoustic environment is categorised by moderate background noise levels associated with a suburban environment during the day and evening, and quieter during the night-time period.

Unattended noise monitoring conducted at site was conducted by this office in order to establish the existing background noise environment.

3.1 NOISE DESCRIPTORS

Environmental noise constantly varies. Accordingly, it is not possible to accurately determine prevailing environmental noise conditions by measuring a single, instantaneous noise level.

To accurately determine the environmental noise a 15-minute measurement interval is utilised. Over this period, noise levels are monitored on a continuous basis and statistical and integrating techniques are used to determine noise description parameters.

In analysing environmental noise, three-principle measurement parameters are used, namely L_{10} , L_{90} and L_{eq} . The L_{10} and L_{90} measurement parameters are statistical levels that represent the average maximum and average minimum noise levels respectively, over the measurement intervals.

The L_{10} parameter is commonly used to measure noise produced by a particular intrusive noise source since it represents the average of the loudest noise levels produced by the source.

Conversely, the L_{90} level (which is commonly referred to as the background noise level) represents the noise level heard in the quieter periods during a measurement interval. The L_{90} parameter is used to set the allowable noise level for new, potentially intrusive noise sources since the disturbance caused by the new source will depend on how audible it is above the pre-existing noise environment, particularly during quiet periods, as represented by the L_{90} level.

The L_{eq} parameter represents the average noise energy during a measurement period. This parameter is derived by integrating the noise levels measured over the 15-minute period. L_{eq} is important in the assessment of environmental noise impact as it closely corresponds with human perception of a changing noise environment; such is the character of environmental noise.

The L_{max} parameter represents the loudest instantaneous sound pressure level during a measurement period.

3.2 AMBIENT NOISE SURVEY

NSW EPA's Rating Background Noise Level (RBL) assessment procedure requires determination of background noise level for each day (the ABL) then the median of the individual days as set out for the entire monitoring period.

Appendix 1 presents the results of unattended noise monitoring previously conducted at the project site. Weather affected data was excluded from the assessment.

3.3 UNATTENDED BACKGROUND NOISE MONITORING

Unattended background noise monitoring has been conducted by this office from Monday the 29th of November 2021 to Monday the 06th of December 2021. Measured noise levels applicable to proposed operational hours of the indoor cricket facility are detailed below.

3.3.1 Measurement Position

One unattended noise monitor was installed Raby Sports Complex, Raby. This location is visualised within Figure 1. A photo of the installed monitor is presented in Figure 2.



Figure 2 – Unattended Noise Monitor

3.3.2 Measurement Period

Unattended noise monitoring was conducted from Monday the 29th of November 2021 to Monday the 06th of December 2021.

3.3.3 Measurement Equipment

Equipment used consisted of an Acoustic Research Laboratories Pty Ltd noise logger. The logger was set to A-weighted fast response and was programmed to store 15-minute statistical noise levels throughout the monitoring period. The monitor was calibrated at the start and end of the monitoring period using a Rion NC-73 calibrator. No significant drift was noted.

3.3.4 Measured Background Noise Levels

The background noise levels established from the unattended noise monitoring are detailed in Table 2 below.

Table 2 – Unattended Noise Monitor - Assessment Background Noise Levels

Date	Assessment Background Noise Level dB(A) _{LA90}	
	Day (8am-6pm)	Evening (6pm-10pm)
Monday 29 th November 2021	-	44
Tuesday 30 th November 2021	44	43
Wednesday 01 st December 2021	44	44
Thursday 02 nd December 2021	43	45
Friday 03 rd December 2021	45	0
Saturday 04 th December 2021	46	43
Sunday 05 th December 2021	44	41
Monday 06 th December 2021	43	-
Median	44	44

Note: Periods marked '-' have had more than 20% of data within the nominated period be either not collected or be affected by adverse weather and in accordance with Fact Sheets A and B of the NPfl, have been removed from the assessment.

3.4 ATTENDED BACKGROUND NOISE MEASUREMENTS

Attended background noise measurements were conducted by this office to supplement the unattended noise monitoring data. These attended background noise measurements were conducted on Monday the 15th of November 2021 between 11:30am and 12:00pm, and Monday the 29th of November 2021 between 6:00pm and 6:30pm. Measured noise levels are detailed below.

3.4.1 Measurement Position

Two attended noise measurements were undertaken to validate the background noise levels at nearest residential receivers surrounding the proposed development and were conducted at the property boundary of 64 Thunderbolt Drive, Raby. The measurement location is visualised within Figure 1.

3.4.2 Measurement Period

The attended noise measurement was conducted on Monday the 15th of November 2021 between 11:30am and 12:00pm, and Monday the 29th of November 2021 between 6:00pm and 6:30pm.

3.4.3 Measurement Equipment

The measurement was conducted using a Norsonic 140 Sound Analyser. The analyser was set to fast response and calibrated before and after the measurements using a Norsonic Sound Calibrator type 1251. No significant drift was noted.

3.4.4 Measured Background Noise Levels

The measured background noise levels for the attended measurements are presented in the table below.

Table 3 – Measured Background Noise Levels at Attended Measurement Location

Measurement Location	Time of day	Measured Background Noise Level dB(A)L₉₀(Period)
64 Thunderbolt Drive, Raby	Monday the 15 th of November 2021 11:30am – 12:00pm	49
	Monday the 29 th of November 2021 6:00pm – 6:30pm	44

3.5 SUMMARISED BACKGROUND NOISE LEVELS

Table 4 presents a summary of the background noise levels for sensitive receivers surrounding the project site.

Table 4 – Summarised Background Noise Levels at Sensitive Receivers

Receiver	Time of day	Rating Background Noise Level dB(A)_{L90(Period)}
All Sensitive Receivers	Day (8:00am – 6:00pm)	44
	Evening (6:00pm to 10:00pm)	44

4 NOISE EMISSION ASSESSMENT

A noise emission assessment has been carried out to ensure noise emitted from the proposed indoor cricket facility is in accordance with the requirements listed in this section.

This assessment will review noise emissions associated with the following:

- Operational Noise.
- Mechanical plant (in principle).

The noise emissions from the project site shall comply with the requirements of the following:

- Campbelltown City Council – ‘Campbelltown Sustainable Cities Development Control Plan 2015’.
- NSW Department of Environment and Heritage, Environmental Protection Authority document – ‘Noise Policy for Industry’ (NPfI) 2017.

4.1 NOISE CRITERIA

4.1.1 Campbelltown City Council – ‘Campbelltown Sustainable Cities Development Control Plan 2015’.

The Campbelltown Sustainable Cities Development Control Plan 2015 states the following with regard to acoustic privacy:

“On-site noise generating sources including, but not limited to, plant rooms and equipment, air conditioning units, pool pumps and recreation areas shall be designed and located to ensure that the noise levels generated by such facilities do not exceed 5 dB(A) above background noise levels at the property boundary.”

4.1.2 NSW EPA Noise Policy for Industry (NPfI) 2017

The NSW EPA Noise Policy for Industry (NPfI) 2017, has two criteria which need to be satisfied; namely the Intrusiveness noise level criteria and the Project amenity noise level criteria. The project noise trigger level is then established based on the lower of the intrusiveness and project amenity levels.

Noise levels are to be assessed at the property boundary or nearby dwelling, or at the balcony or façade of an apartment.

4.1.2.1 Intrusiveness Noise Level Criteria

The guideline is intended to limit the audibility of noise emissions at residential receivers and requires that noise emissions measured using the L_{eq} descriptor do not exceed the background noise level by more than 5dB(A). Where applicable, the intrusive noise level should be penalised (increased) to account for any annoying characteristics such as tonality.

Background noise levels adopted are presented in Section 3.5. Noise emissions from the site should comply with the noise levels presented below when measured at nearby property boundary.

Table 5 – EPA Intrusive Noise Levels

Receiver	Time of day	Background Noise Level dB(A)$L_{90}(\text{Period})$	Intrusiveness Criteria (Background + 5dB(A)$L_{eq}(15\text{-minute})$)
All Sensitive Receivers	Day (8am – 6pm)	44	49
	Evening (6pm – 10pm)	44	49

4.1.3 Project Amenity Criterion

The guideline is intended to limit the absolute noise level from all noise sources to a level that is consistent with the general environment.

The EPA's NPfI sets out acceptable noise levels for various localities. The recommended noise amenity area is based upon the measured background noise levels at the sensitive receiver. Based on the measured background noise levels detailed in Table 6, the Noise Policy for Industry suggests the adoption of the 'suburban' categorisation.

The NPI requires project amenity noise levels to be calculated in the following manner;

$$L_{Aeq,15min} = \text{Recommended Amenity Noise Level} - 5 \text{ dB(A)} + 3 \text{ dB(A)}$$

The amenity levels appropriate for the receivers surrounding the site are presented in Table 6.

Table 6 – EPA Amenity Noise Levels

Receiver Type	Time of day	Recommended Noise Level dB(A)$L_{eq}(\text{period})$	Project Amenity Noise Level dB(A)$L_{eq}(15\text{ minute})$
Residential (Suburban)	Day (8am – 6pm)	55	53
	Evening (6pm – 10pm)	45	43

4.2 SUMMARY OF NOISE EMISSION CRITERIA

Based on the noise emission criteria detailed above, a summary of the external noise emission criteria is presented in the table below.

Table 7 – Summary of Indoor Cricket Facility Noise Emission Criteria

Location	Time Period	Project Criteria dB(A) $L_{eq}(15min)$
All Sensitive Receivers	Day (8am - 6pm)	49
	Evening (6pm – 10pm)	43

5 NOISE EMISSION ASSESSMENT

Operational noise emissions are assessed below. The assessment includes the following noise sources:

- Noise emissions from patron activity and site operation.
- Noise emissions from mechanical plant servicing the site (In principle).

5.1 CRICKET NSW CENTRE OF EXCELLENCE NOISE MEASUREMENTS

Attended noise measurements were conducted at an indoor cricket facility at Cricket NSW Headquarters on Wednesday 21st August 2019 at an intra-squad practice session run by Cricket NSW. The measured typical operational activity noise levels (Sound Pressure Level) around the pitches for this site have been presented below and used within the Operational Noise Emission Assessment for Raby Indoor Sports Complex.

This active site included 6 lanes of active pitches, coaching staff and around 30 players dispersed between training using the net facilities, as well as performing other excises on the other side of the complex (Gym/Workout Area). Noise measurements were taken by performing a full perimeter sweep of the pitches at 1m from the netting of the pitches. Noise measurements of the gym usage were taken by performing a full perimeter sweep of the training area at 2m from the internal boundary of the gym facility. Both measurements provide detail into the internal sound pressure level of the space from noise generated by the respective operational activities. This includes repeated intermittent impulsive noise from the bat striking the ball at approximately once every 15 seconds during practice sessions, player shouting and cheering.

Whilst this facility is not one to one true scale for the site in Raby, the number of active nets is consistent with the proposed site, and includes extra facilities (Active Gym Space), meaning that one would expect the Cricket NSW site to be louder than the Raby Indoor Complex, inherently making the assessment conservative.

Table 8 – Measured Indoor Cricket Pitch Noise Level SPL dB(A) L₁₀ - Cricket NSW Centre of Excellence

Space	31.5Hz	63Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz	A-Weight
NSW Cricket Indoor Pitches	69	62	66	68	69	69	64	60	53	72

5.2 INFORMATION/ASSUMPTIONS

The following information/assumptions have been utilised in the assessment of operational noise:

- The facility is to operate between 8am and 10pm.
- The facility is at operational capacity for all use (All 6 pitches in use).
- There is to be no background music played within the facility.
- Roller Doors maintained on the southern and eastern facades of the development, as well as the sliding glass doors maintained on the western façade of the development are considered to be open. All other windows/doors are considered to be closed exclusive for patron ingress/egress.

SoundPLAN noise modelling has been conducted based on the information/assumptions presented within Sections 5.1 and 5.2, to predict noise emissions to surrounding sensitive receivers due to site operation.

5.3 SOUNDPLAN MODELLING

Noise levels have been predicted at the receiver locations using SoundPlan™ 8.0 modelling software implementing the ISO 9613-2:1996 "Acoustics – Attenuation of Sound During Propagation Outdoors – Part 2: General Method of Calculation" noise propagation standard.

Noise enhancing meteorological effects have been adopted as recommended by the NPfI, noting that the ISO 9613 modelling approach assumes that all receivers are 'downwind' (i.e., that noise enhancing wind conditions are in effect at all times).

Ground absorption was calculated with a ground factor of 0.6 for all areas surrounding the site (Grasslands) exclusive of any hardscape areas (Driveways, footpaths etc.), which have conservatively been modelled with a ground factor of 0, as recommended in *Engineering Noise Control* (Bies & Hanson).

In line with Factsheet C of the NPfI, penalties for annoying noise characteristics should be applied at the receiver, where applicable. Based on the predicted noise levels, no penalty should be applied (either for tonality, intermittency, or otherwise).

5.4 OPERATIONAL NOISE MODEL

Figure's 3 and 4 present the results of the predictive operational noise modelling, and results are summarised in Table 9.

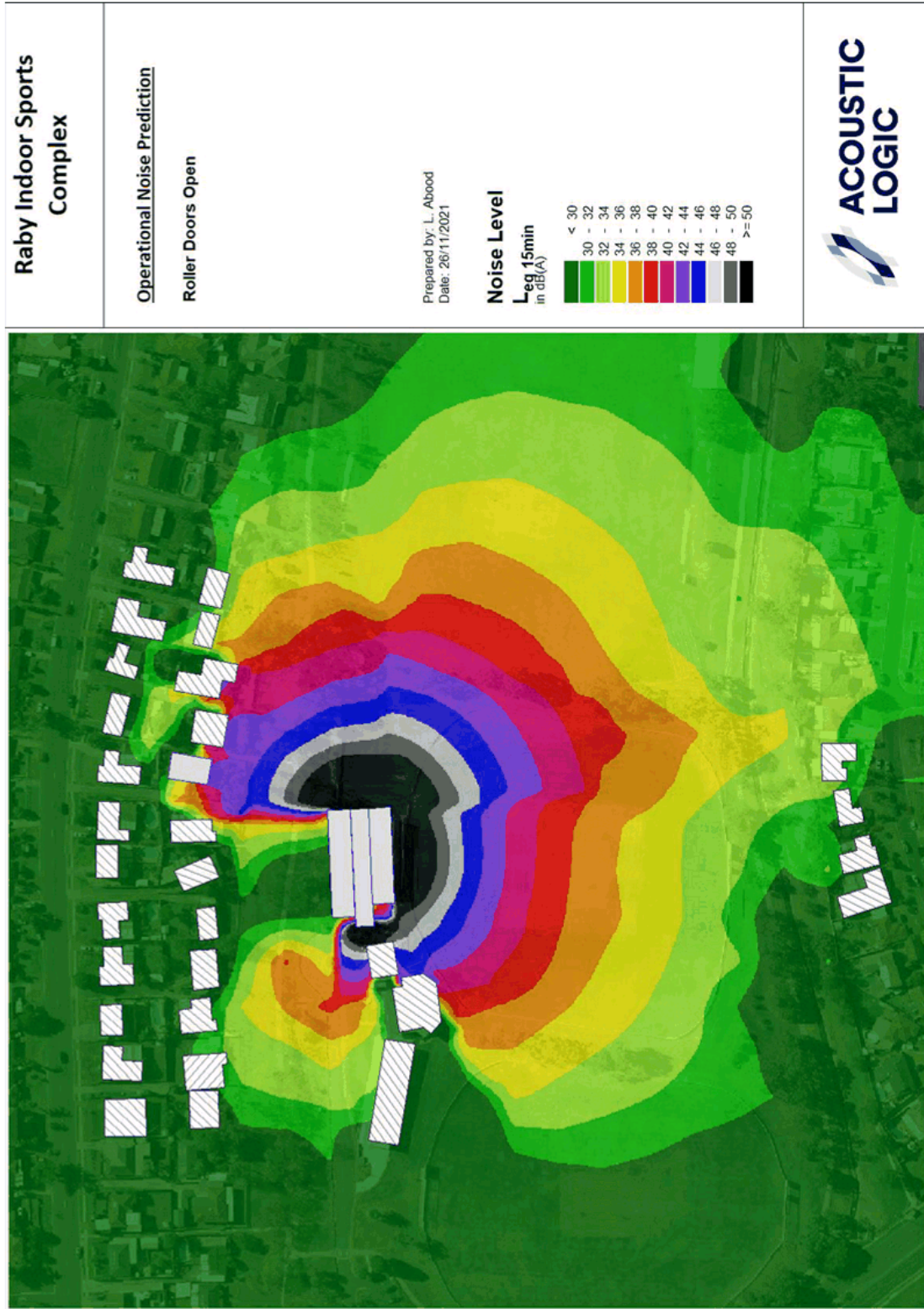


Figure 3: Raby Indoor Sports Complex Operational Noise Predictions

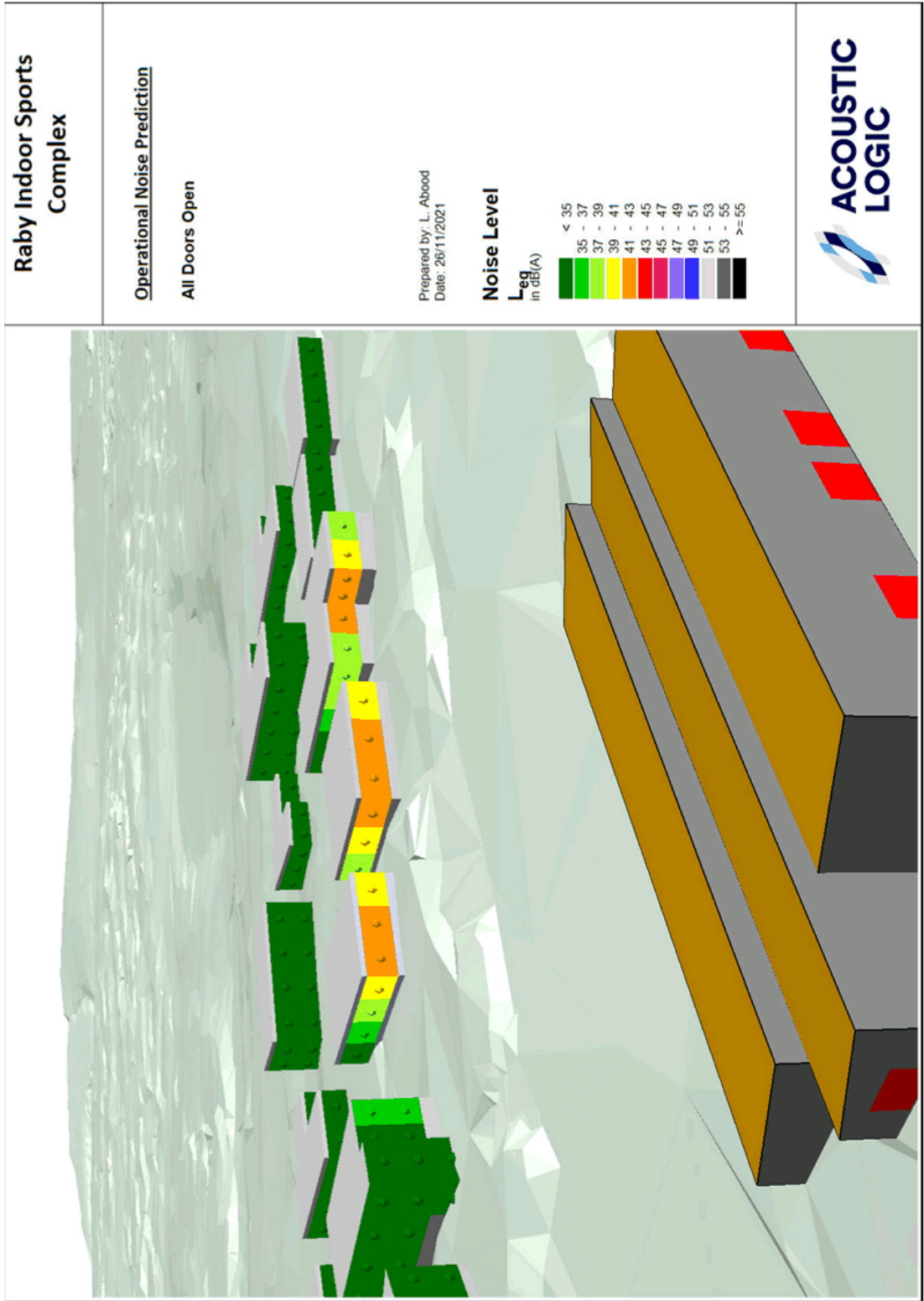


Figure 4: Predicted Noise Levels at R1

The table below presents the maximum predicted external noise levels experienced at sensitive receivers within the SoundPlan model.

Table 9 – Maximum External Noise Levels for Sensitive Receivers due to Operational Noise

Receiver	Predicted Noise Levels (dB(A) $L_{eq}(\text{period})$)	Project Noise Emission Criteria (dB(A) L_{eq})	Compliance?
R1	41-43	≤ 43 (Evening)	Yes
R2	< 35		
R3			

5.5 MECHANICAL PLANT EMISSIONS

Detailed plant selection and location has not been undertaken at this stage. Satisfactory levels will be achievable through appropriate plant selection, location and if necessary, standard acoustic treatments such as duct lining, acoustic silencers, and enclosures.

Noise emissions from all mechanical services to the closest residential receivers should comply with the requirements of Section 4.

Detailed acoustic review should be undertaken at CC stage to determine acoustic treatments to control noise emissions to satisfactory levels.

6 RECOMMENDATIONS

The following is recommended for the alterations and additions to the indoor cricket facility at Raby Sports Complex:

- The facility is permitted to operate between the hours of 7am and 10pm Monday to Saturday, and between 8am and 10pm on Sundays and public holidays.
- Roller doors/ingress and egress doors are allowed to remain opened during use.
- Prominent signage is to be displayed near patron ingress/egress points to remind patrons to minimise noise when departing the premises.

7 CONCLUSION

This report presents an acoustic assessment of noise impacts associated with the alterations and additions to the Indoor Cricket facility maintained at Raby Sports Complex, Raby.

Provided acoustic treatments in Section 6 of this report are implemented, noise emissions from the proposed facility will satisfy the requirements of:

- Campbelltown City Council – '*Campbelltown Sustainable Cities Development Control Plan 2015*'.
- NSW Department of Environment and Heritage, Environmental Protection Authority document – '*Noise Policy for Industry*' (NPI) 2017

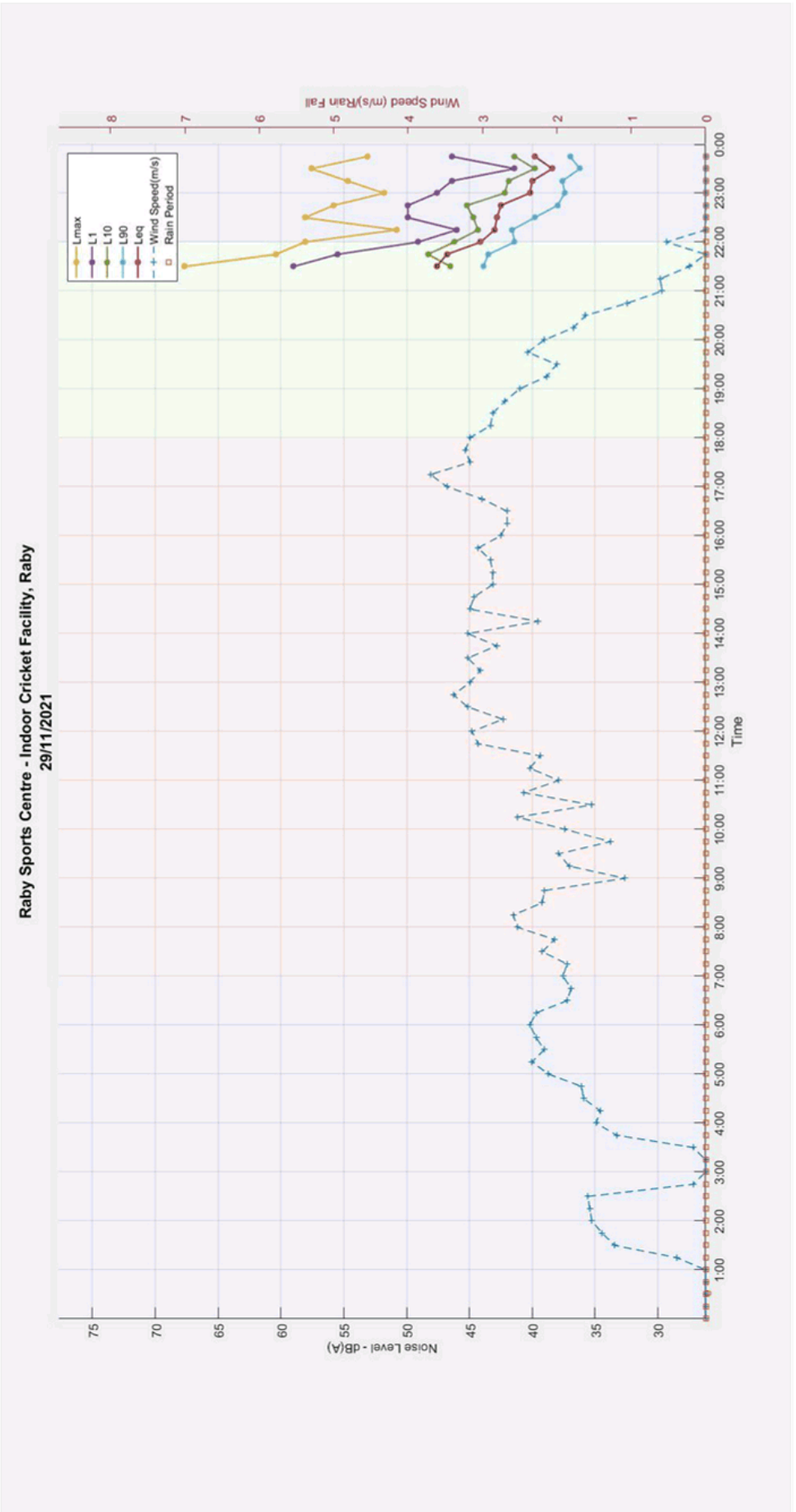
We trust this information is satisfactory. Please contact us should you have any further queries.

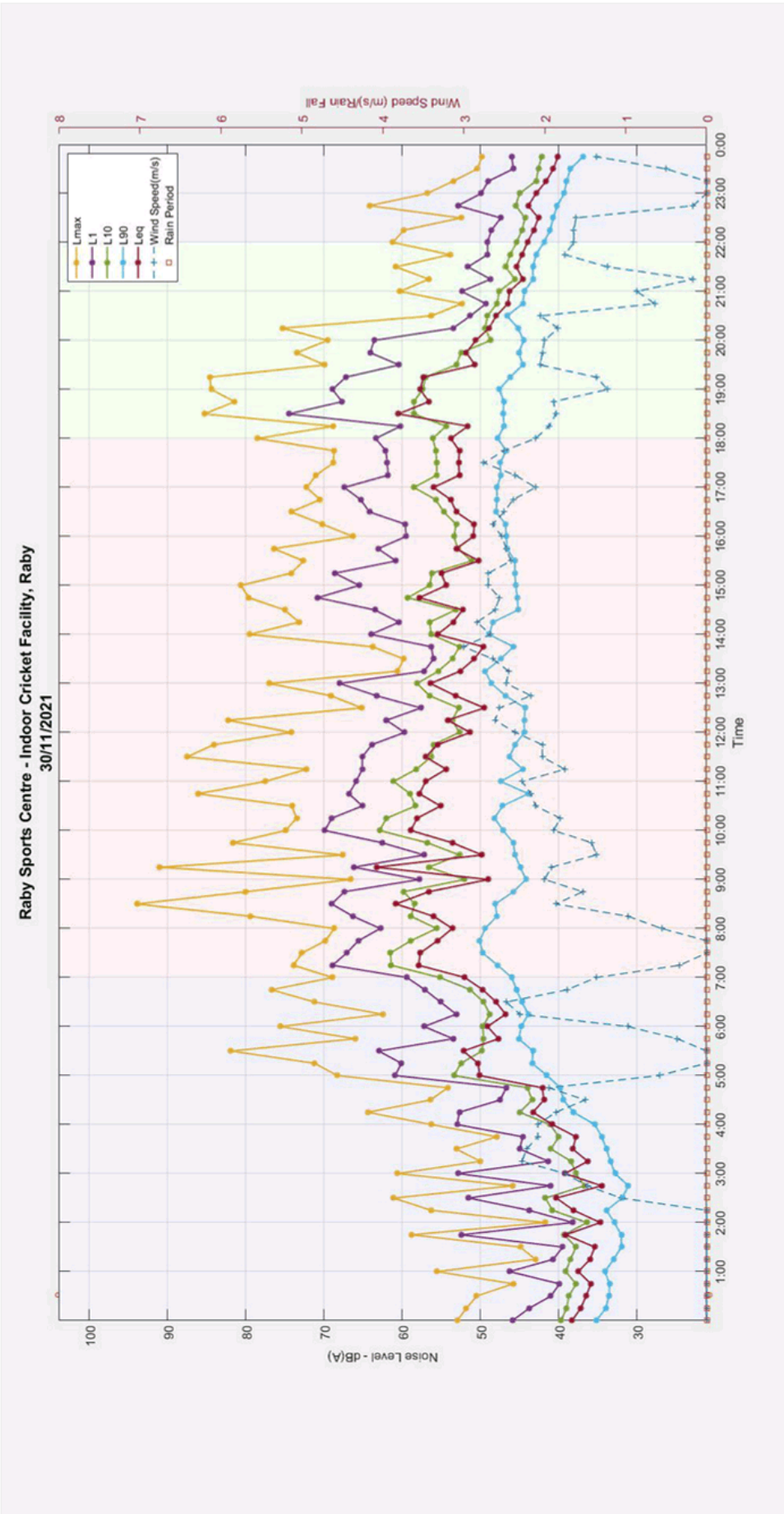
Yours faithfully,

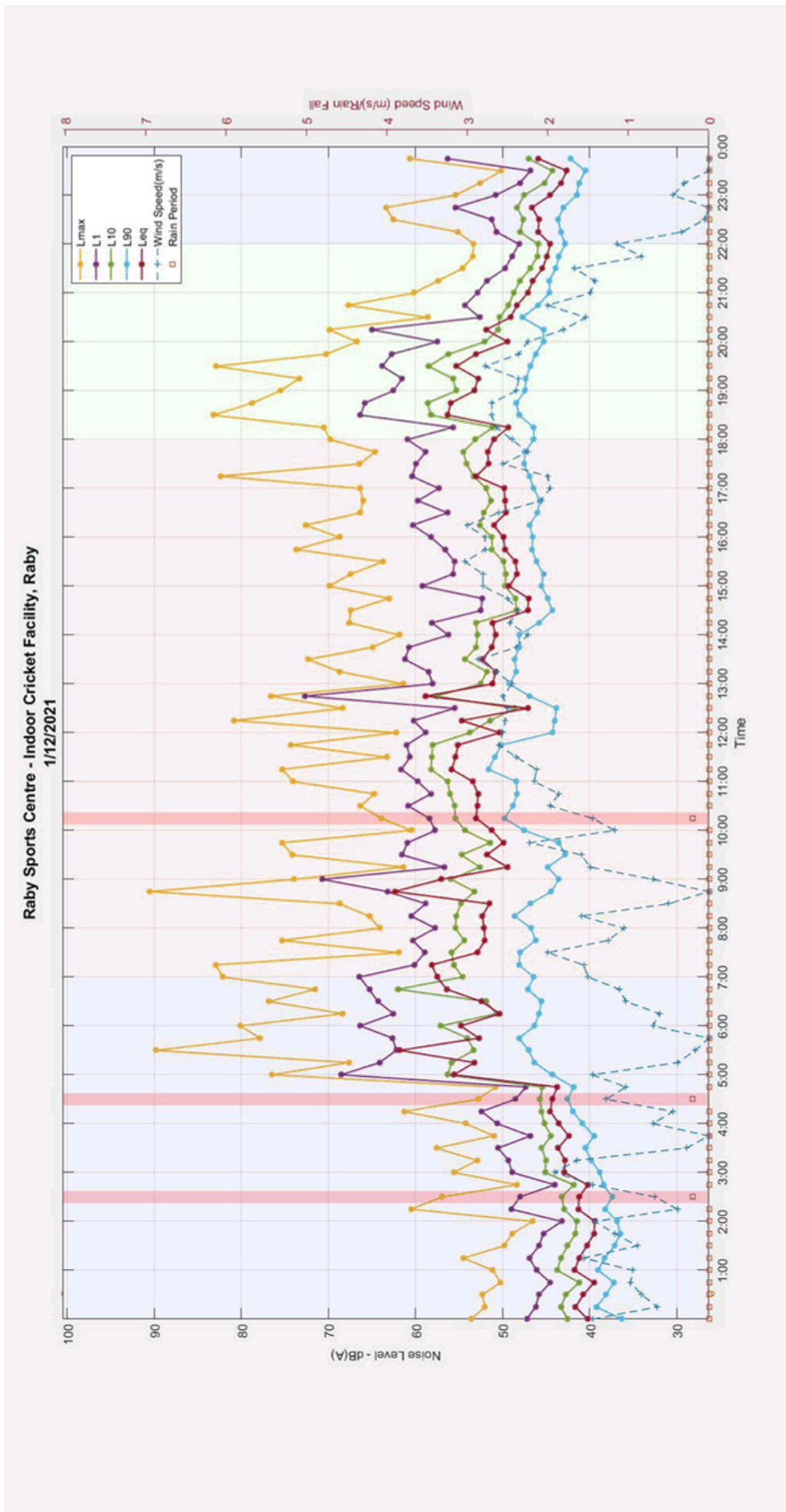


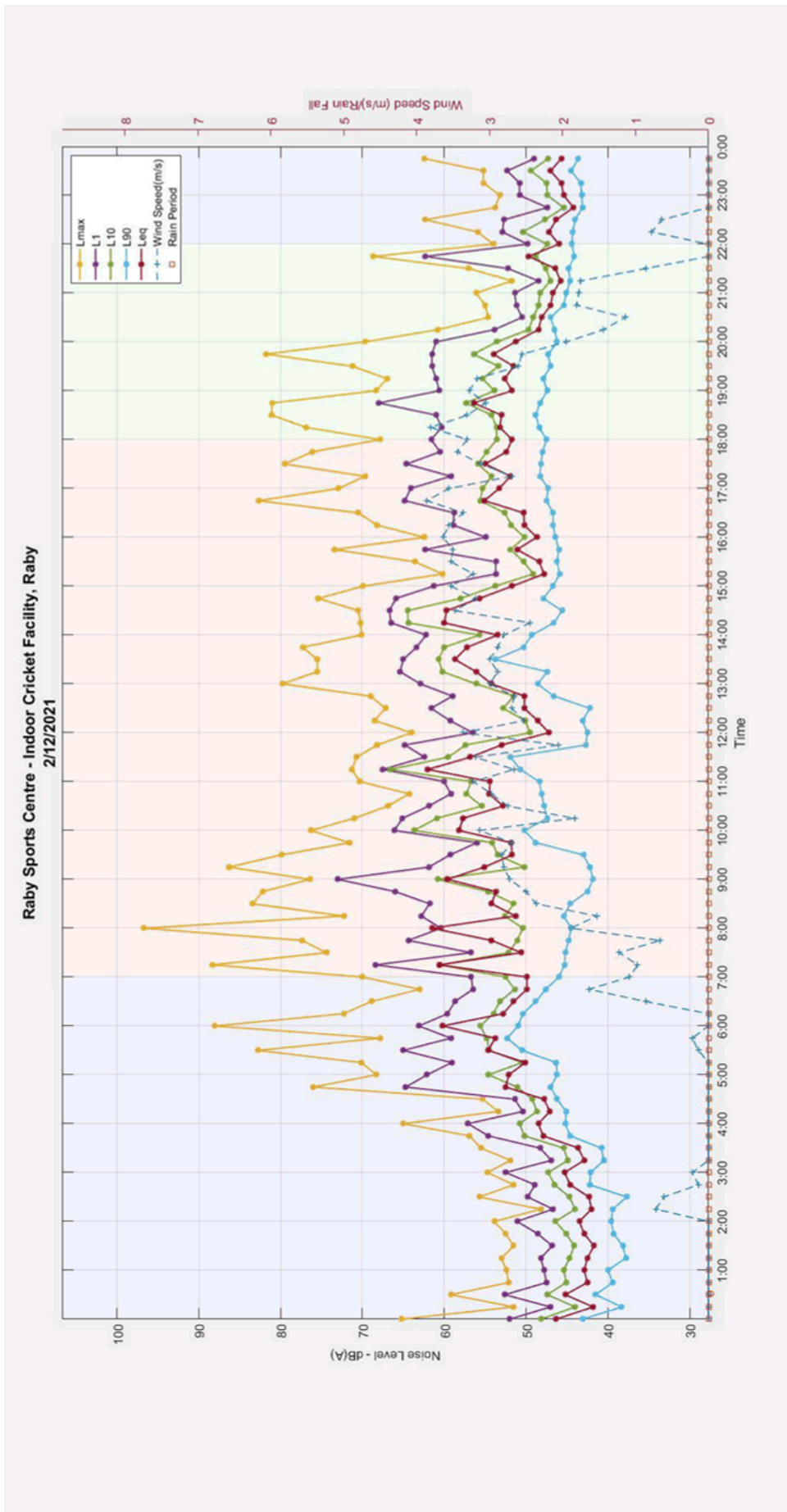
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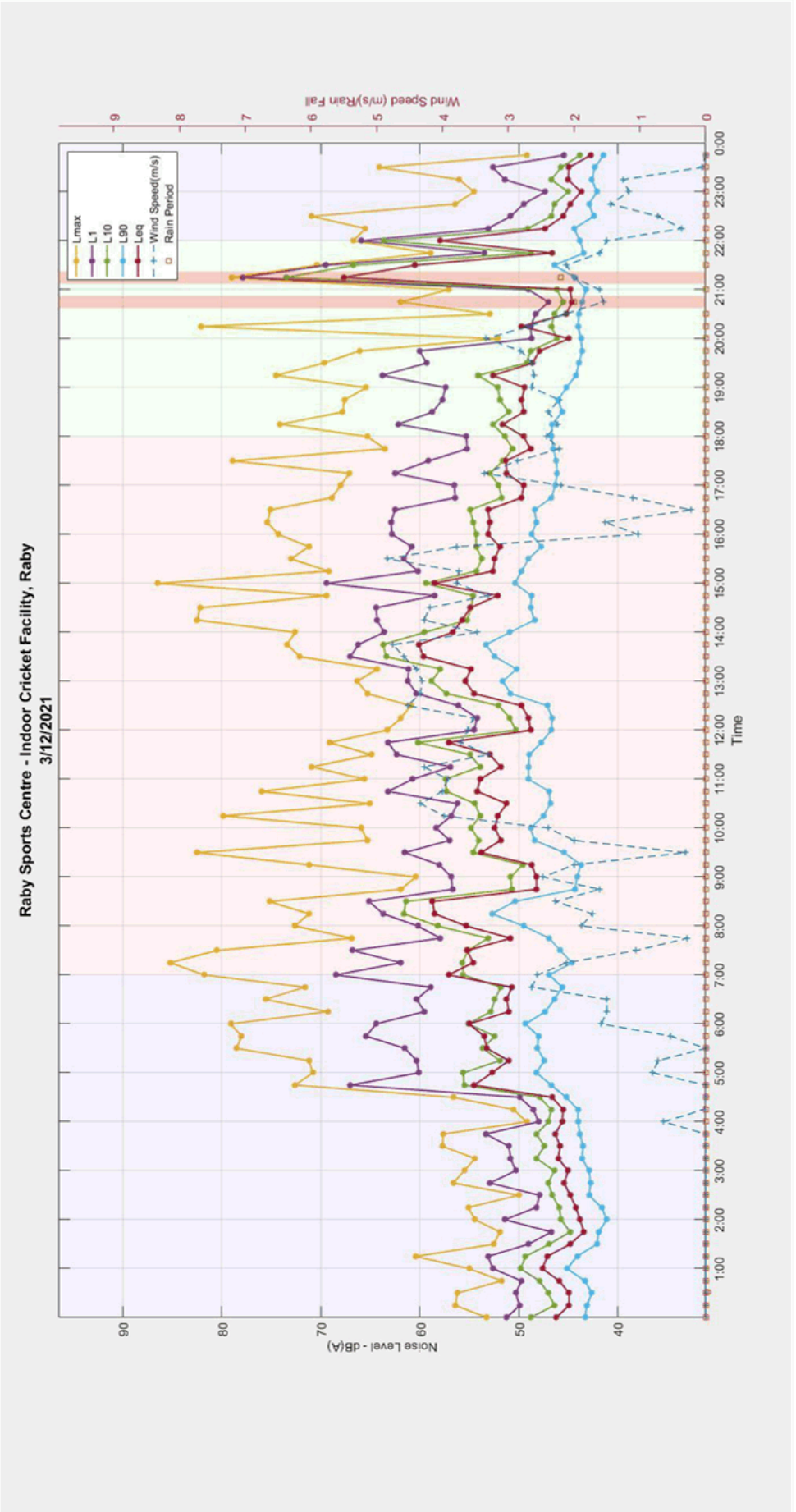
APPENDIX ONE – UNATTENDED MONITORING DATA

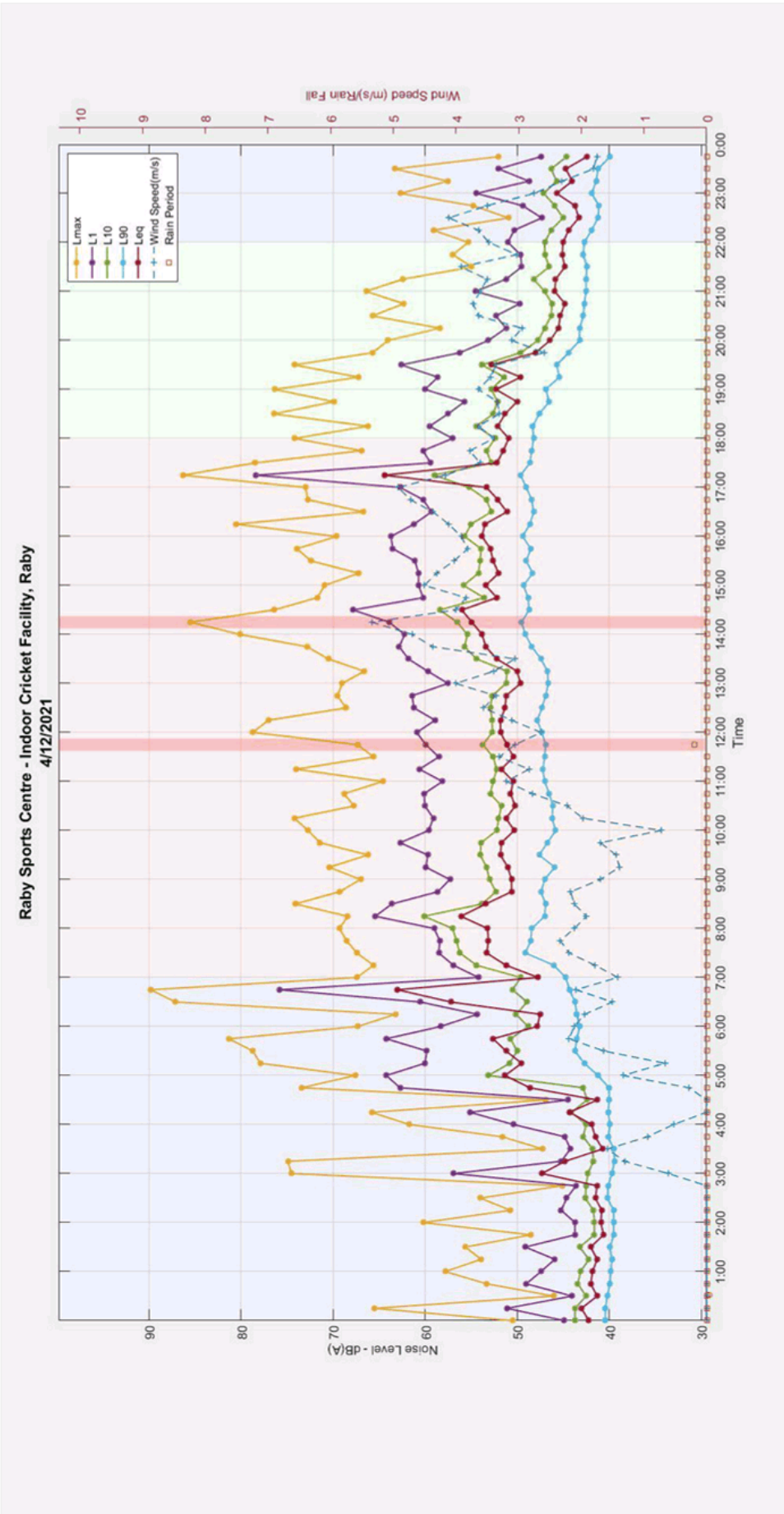


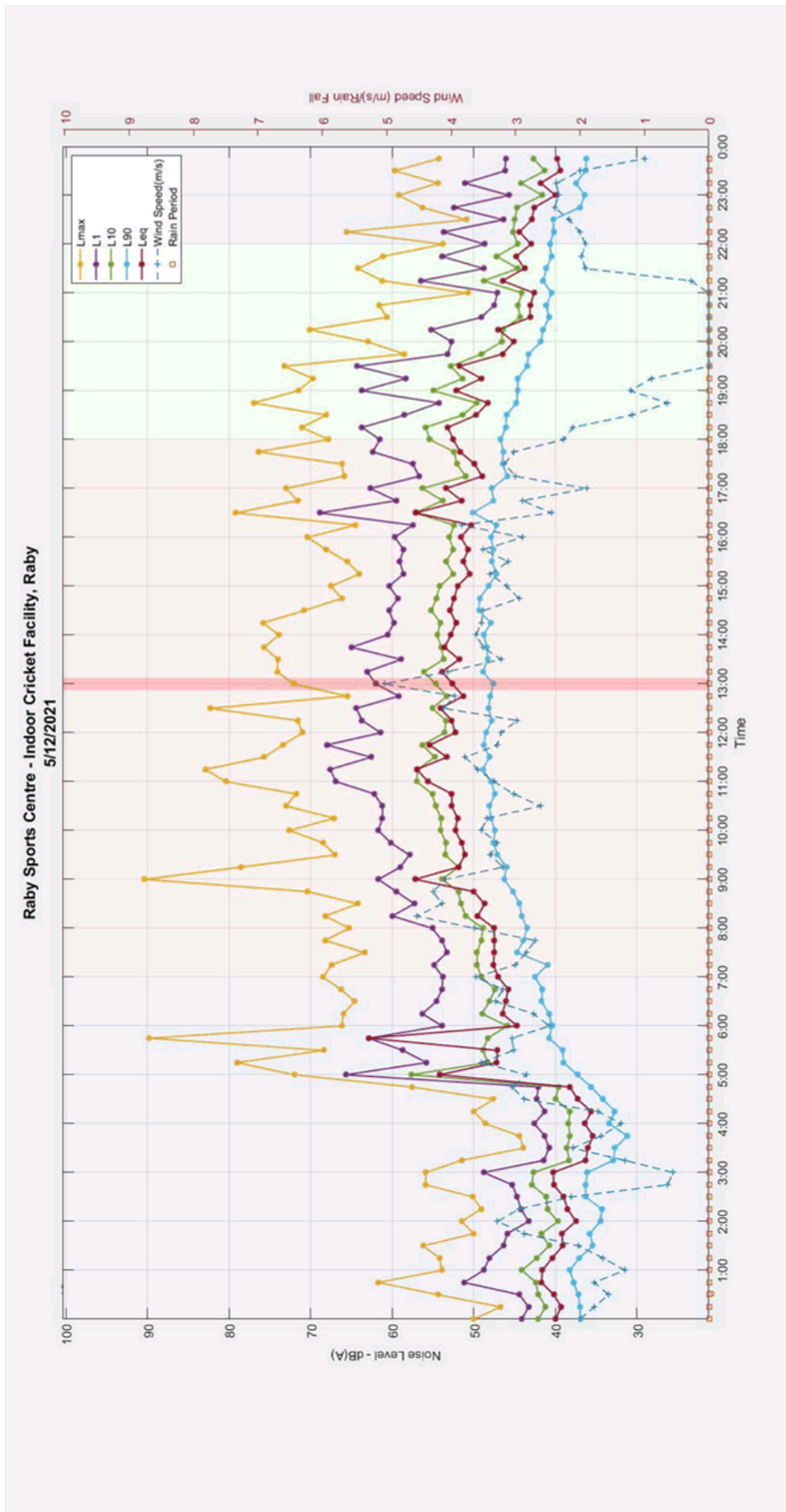


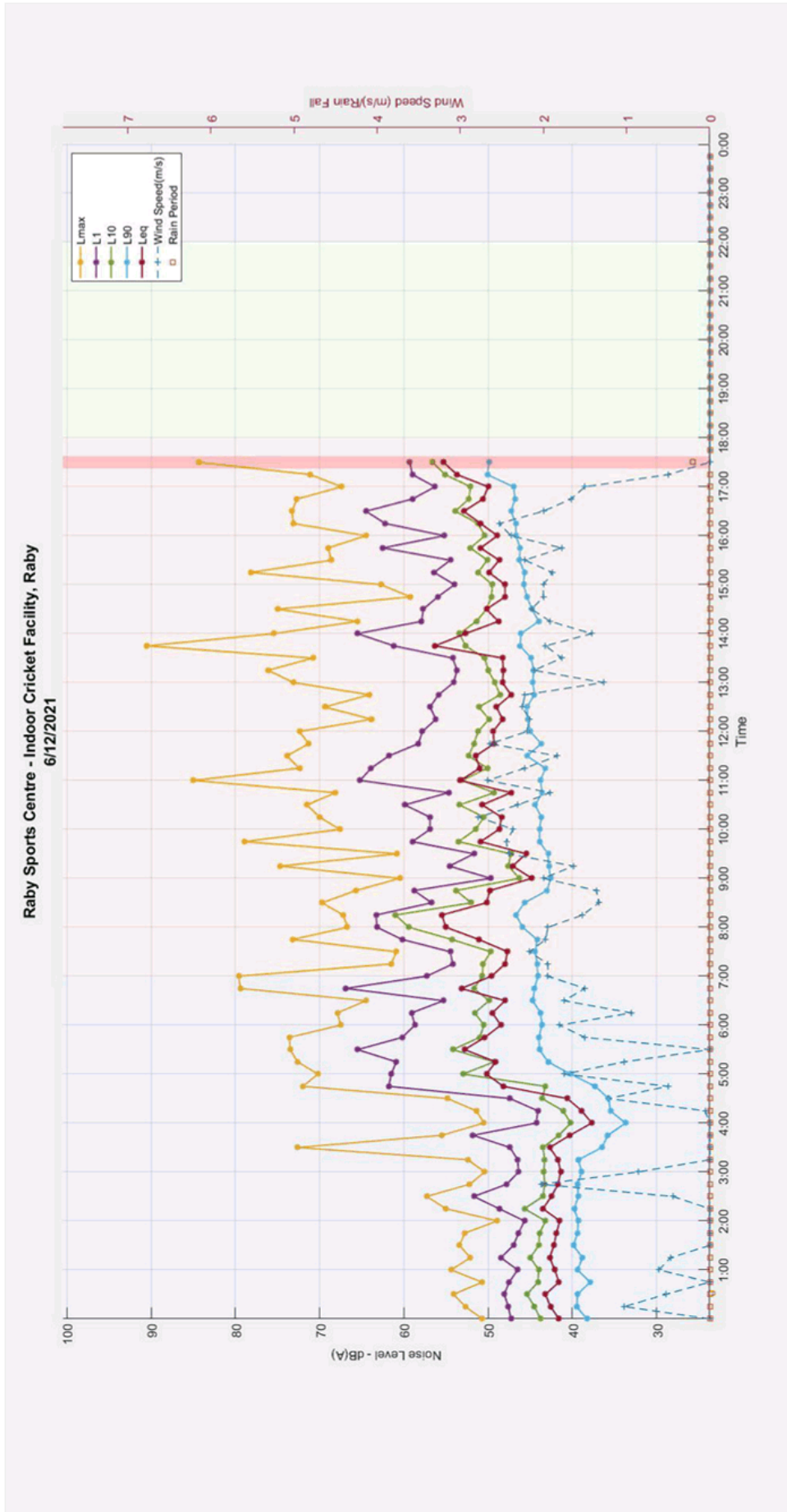












4.4 Demolition, tree removal, lot consolidation and construction of a 5 storey residential flat building with strata subdivision - 6-8 Palmer Street, Ingleburn

Community Strategic Plan

Objective	Strategy
2 Places For People	2.3.1 Ensure all people in Campbelltown have access to safe, secure, and affordable housing

Delivery Program

Principal Activity
PA Building Development and Controls

Referral Criteria

The Panel reviewed a report on the proposed development at its meeting on 26 June 2024. The Panel resolved to defer the application to allow the applicant to provide supplementary information. The supplementary information has been provided and assessed.

Executive Summary

- A development application has been received for the demolition of the existing structures, tree removal, lot consolidation and the construction of a 5 storey residential apartment building with strata title subdivision.
- The subject land is zoned R4 High Density Residential under the Campbelltown Local Environmental Plan 2015. The proposed development is permissible in the zone.
- The application was publicly notified and exhibited between 31 January 2023 and 28 February 2023. During this period 3 submissions objecting to the proposal were received.
- The application was presented to Campbelltown Local Planning Panel on 27 February 2024 with a recommendation for refusal. The Panel's decision was to defer the application to allow the applicant to provide supplementary information and redesign addressing the recommended refusal items with the application to be presented again to the Panel at a later date.
- The application was again presented to Campbelltown Local Planning Panel on 26 June 2024 with a recommendation for approval. The Panel's decision was to support the requested height exceedance of the building and to further liaise with Council to confirm flood storage and management matters.

- The application was most recently presented to Campbelltown Local Planning Panel on 28 August 2024. However, the application was removed from the agenda to allow for additional discussions with the applicant to resolve flooding and stormwater management on the site.

Officer's Recommendation

That development application 151/2023/DA-RA for the demolition, tree removal, lot consolidation and construction of a 5 storey residential apartment building with strata subdivision be approved subject to conditions in attachment 3.

Purpose

To assist The Panel in its determination of the subject application in accordance with the provisions of the *Environmental Planning and Assessment Act 1979*.

Property Description	Lot 13 DP 522853 & Lot 42 DP 522731, Nos. 6-8 Palmer Street, Ingleburn
Application No	151/2023/DA-RA
Applicant	Mr Talaat Nasralla
Owner	Mr Talaat Nasralla
Provisions	State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 State Environmental Planning Policy (Housing) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Precincts – Western Parkland City) 2021 State Environmental Planning Policy (Biodiversity and Conservation) 2021 Campbelltown Local Environmental Plan 2015 Campbelltown (Sustainable City) Development Control Plan 2015 Campbelltown 2032
Date Received	17 January 2023

History

The Panel initially considered a report recommending refusal of the original proposal at its meeting on 27 February 2024 with the following decision:

The Panel defers the application to allow the applicant a maximum of 30 days to provide supplementary information and redesign addressing all refusal items and have the matter presented before the Panel at a later date.

The Panel resolved to defer the application to allow the applicant to address issues relating to non-compliances with the Apartment Design Guide, Campbelltown Local Environmental Plan 2015 and Campbelltown (Sustainable City) Development Control Plan 2015 as well as issues in relation to flood impacts on adjoining properties and stormwater management.

The Panel subsequently reviewed a further report recommending approval of the proposed development at its meeting on 26 June 2024 with the following decision:

The Panel defers the application to allow the applicant to provide supplementary information on the matters outlined below to Council within 30 days of the date of the Panel.

- a) The documentation requesting clause 4.6 of Campbelltown Local Environmental Plan 2015 be used to allow development higher than the height control established under clause 4.3 of CLEP be updated to reflect the correct proposed building height and the relevant height of building clause objectives.
- b) The applicant to liaise with Council to confirm that the flood storage proposed for the site satisfies clause 5.21 of Campbelltown Local Environmental Plan 2015.

The Panel requests Council provide amended conditions 15 and 85 which directly relate to the requirements for this site and the proposed development.

The Panel request Council to amend conditions 22 and 23 to allow the removal of trees 19 and 20 to accommodate the proposed footpath.

At its meeting on 28 August 2024, Council requested that the item be removed from the agenda to allow discussions with the applicant to resolve issues with flooding and stormwater management as a result of Council's further analysis of flooding information.

Previous reports have been provided in attachment 1 and attachment 2.

Report

1. Amended Information

Amended information was submitted to Council on 2 and 3 July 2024 with amendments made to the plans and additional information submitted to address the issues raised by the Panel.

The additional information included a written request for a variation to the maximum height prescribed under the LEP and supplementary information regarding flooding at the site and the storage and management of flood water.

The Panel of 26 June 2024 accepted that the height variation sought was appropriate, however was not satisfied that the section 4.6 objection was appropriately drafted.

The current report addresses the development's flooding and stormwater management provided by the applicant's consultant and assessed by Council's engineers. Council is satisfied with that current design satisfies the Council requirements and this is further addressed in the table below.

The following table provides discussion regarding the issues raised by the Panel.

Issue	Discussion
Amended clause 4.6 Variation to the Maximum Building Height	<p>The original clause 4.6 variation for the maximum building height addressed the wrong objectives of Clause 4.3 and as such an amended clause 4.6 has been submitted addressing the correct objectives.</p> <p>The amended clause 4.6 variation also details the exact building height and the exact height variation proposed. The height of the roof of the uppermost level is 17.28 m with the height to the lift overrun being 17.05 m. These height limits are shown on the amended elevation plans as well as the section plan.</p> <p>The rear portion of the building is higher as the natural ground level slopes towards the rear with the lift overrun located towards the front of the building where the natural ground level is higher. The section plan clearly labels the height from natural ground level to the highest point on both the lift overrun as well as the uppermost level of the roof.</p> <p>The applicant has provided a satisfactory and well-founded Clause 4.6 variation to the maximum building height that satisfies the objectives of clause 4.3 and addresses the Panel's request for additional information. The clause 4.6 variation is shown in attachment 9 and it is recommended that it be supported.</p>
<p>Confirmation that the flood storage complies with clause 5.21 of CLEP 2015 as follows:</p> <p>a) the development is compatible with the flood function and behaviour on the land.</p> <p>b) the development will not adversely affect flood behaviour in a way that would result in detrimental increases in the potential flood affectation of other development or properties.</p> <p>c) the development will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing</p>	<p>An amended Flood Requirement Assessment was submitted with Table 2 addressing clause 5.21 of Campbelltown Local Environmental Plan. Clause 5.21 has been addressed as follows:</p> <p>a) Based upon the 1%AEP hydraulic category mapping prepared as part of the Bow Bowing and Bunbury Current Floodplain Risk Management Study, the frontage of 6 Palmer Street as well as the north eastern boundary would be floodway with the remainder of 6 Palmer Street classified as flood storage. The location of the floodway coincides with the areas of the proposed site left open for the conveyance of water and compensatory flood storage is provided. A site specific assessment has concluded that works will be completed in a manner that is compatible with the flood behaviour on the land.</p> <p>b) Plate 3 in the flood report demonstrates that no changes are</p>

<p>evacuation routs for the surrounding area in the event of a flood.</p> <p>d) the development incorporates measures to manage risk to life in the event of a flood.</p> <p>e) the development will not adversely affect the environment or cause avoidable erosion, siltation, destruction or riparian vegetation or a reduction in the stability of river banks or watercourses.</p>	<p>predicted in the peak flood level outside of the development and that the proposed development is not predicted to impact flood behaviour or increase the flood affectation of other development or properties in the 1%AEP.</p> <p>c) the proposed building will be protected to the required freeboard levels for residential development and would provide safe occupation to the residents. Evacuation of the building is not considered necessary and would therefore not exceed the capacity of existing evacuation routes for the surrounding areas.</p> <p>d) the proposed multi-storey residential development will be protected to the required freeboard levels for residential development.</p> <p>e) Plate 3 in the report demonstrates that there are no changes in peak flood level predicted outside of the development.</p>
<p>Amend condition No.15 Flood Level Controls</p>	<p>This condition is to be amended to state the following:</p> <p>15. Floor Level Control</p> <p>The minimum floor level control for all habitable rooms associated with this development is RL 35.10 m AHD.</p> <p>This is to ensure that the proposed development complies with the floor level controls.</p>
<p>Amend condition No.85 Inundation of Flood Water</p>	<p>This condition is to be deleted as it does not apply.</p>
<p>Amended conditions No.22 Retention of Trees and No.23 Tree Removal relating to the retention and removal of trees.</p>	<p>These two conditions require the exact numbers of trees to be retained and to be removed. Two street trees were listed to be retained, however they are required to be removed to allow for the construction of a footpath. Therefore, these conditions will be amended to ensure that these trees are listed to be removed.</p>

Flooding

There has been an issue with draining water from the site in the event of a flood given that the site is flood prone land. The site originally had a low point located in the northeastern corner of the site. The proposal includes filling this area to disperse the water across the site particularly within the side setback area. This has created a low point in the northwestern corner of the site. The stormwater plans demonstrate a pit in this area with pipes to a pit located in the northeastern corner of the site that allows the water to disperse via a pipe system via Palmer Street towards Norfolk Street. Council's Flood Engineer has assessed the amended stormwater plans and flooding information and considered that they are satisfactory.

2. Planning Provisions

2.1 Section 4.15(1)(a)(iia) The provisions of any Planning Agreement

The proposed development is not subject to the provisions of a planning agreement pursuant to Section 7.4 of the EP&A Act.

2.2 Section 4.15(1)(a)(iv) The provisions of the Regulations

The Environmental Planning and Assessment Regulation 2021 requires the consent authority to consider the provisions of the Building Code of Australia. Appropriate conditions of consent are applied to ensure compliance.

2.3 Section 4.15(1)(b) The likely impacts of the Development

Section 4.15(1)(b) of the EPA&A Act 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 are as follows:

- Flooding
- Stormwater
- Side and rear setbacks
- Waste management
- Subdivision
- Incidental storage
- Built form
- Social, economic and environmental impacts

As discussed in previous reports, the proposed development addressed the above key matters satisfactorily, and subject to recommended conditions of consent, provides a development that is consistent with the desired future character for development in the locality.

2.4 Section 4.15(1)(c) The suitability of the development

Section 4.15(1)(c) of the EP&A Act requires Council to assess the suitability of the site for the proposed development. It is considered that the proposed development demonstrates that there would be no adverse impact on the adjoining properties due to the increase flood level risk for adjoining properties as a result of the development as well as sufficient information submitted in relation to the proposed stormwater drainage of the site. The revised plans have addressed all relevant planning non-compliances and therefore it is considered that the proposal in its current form is appropriate for the site.

3. Public Participation

The amended plans were not required to be re-notified in accordance with Council's Community Consultation Plan.

Conclusion

The subject development application (151/2023/DA-RA) for the demolition of the existing structures, tree removal, lot consolidation and the construction of a 5 storey residential apartment building with strata title subdivision has been assessed against the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

Having regard to the issues discussed in this report, it is considered that the application is consistent with the relevant planning controls relating to the impact of flooding on adjoining

properties, and compliance with the Apartment Design Guide, Campbelltown Local Environmental Plan 2015 and Council's Sustainable City Development Control Plan 2015.

Attachments

- 4.4.1 Original Local Planning Report (contained within this report)
- 4.4.2 Local Planning Panel Report 26 June 2024 (contained within this report)
- 4.4.3 Recommended Conditions of Consent (contained within this report)
- 4.4.4 Landscape Plan (contained within this report)
- 4.4.5 Subdivision Plan Basement (contained within this report)
- 4.4.6 Subdivision Plan Floor Levels (contained within this report)
- 4.4.7 Flood Risk Management Report (contained within this report)
- 4.4.8 Clause 4.6 Variation (contained within this report)
- 4.4.9 Cut and Fill Management Plan (contained within this report)
- 4.4.10 Architectural Plans (contained within this report)
- 4.4.11 Stormwater Plans (contained within this report)
- 4.4.12 Floor Plans (due to confidentiality)(distributed under separate cover)
- 4.4.13 Stormwater Plans (due to confidentiality)(distributed under separate cover)

Reporting Officer

Manager Development Assessment



4.1 Development Application for demolition, tree removal, lot consolidation and construction of a 5 storey residential flat building with strata subdivision - 6 - 8 Palmer Street, Ingleburn

Community Strategic Plan

Objective	Strategy
2 Places For People	2.3.1 Ensure all people in Campbelltown have access to safe, secure, and affordable housing

Delivery Program

Principal Activity
2.1.1.3 Deliver effective land use planning to ensure community needs are met

Referral Criteria

In accordance with Section 4.8 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the Local Planning Panel's direction, this application is to be determined by the Campbelltown Local Planning Panel (the Panel) as prescribed in Schedule 1 of that direction due to the development seeking a variation to a development standard of a magnitude greater than 10 per cent.

Executive Summary

- A development application has been received for the demolition of the existing structures, tree removal, lot consolidation and the construction of a 5 storey residential apartment building with strata title subdivision.
- The subject site is zone R4 High Density Residential under the Campbelltown Local Environmental Plan 2015 (CLEP 2015). The proposed residential apartment building is permissible with consent within the R4 High Density Residential zone.
- The application was publicly notified and exhibited between 31 January 2023 and 28 February 2023. During this time three submissions objecting to the proposal were received.
- The proposed development seeks approval for the variation to the maximum building height set by Clause 4.3 of CLEP 2015. The proposal has a maximum height of 17.52 m which exceeds the 15 m maximum building height by 15.49 per cent.
- An assessment under section 4.15 of the EP&A Act has been undertaken and it is recommended that the application be refused due to the potential flood impacts on adjoining properties, non-compliance with planning controls and insufficient information submitted to support the development proposal and demonstrate site suitability.

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Officer's Recommendation

That development application 151/2023/DA-RA for the demolition of the existing structures, tree removal, lot consolidation and the construction of a 5 storey residential apartment building with strata title subdivision be refused for the reasons listed in Attachment 1.

Purpose

To assist the Panel in its determination of the subject application in accordance with the provisions of the EP&A Act.

Property Description	Lot 13 DP 522853 & Lot 42 DP 522731, Nos. 6-8 Palmer Street, Ingleburn
Application No	151/2023/DA-RA
Applicant	Mr Talaat Nasralla
Owner	Mr Talaat Nasralla
Provisions	State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 State Environmental Planning Policy (Housing) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Precincts – Western Parkland City) 2021 State Environmental Planning Policy (Biodiversity and Conservation) 2021 Campbelltown Local Environmental Plan 2015 Campbelltown (Sustainable City) Development Control Plan 2015 Campbelltown 2032
Date Received	17 January 2023

History

A Pre-Development Application meeting was held on 21 March 2022, including a referral of the proposed scheme to the Design Excellence Panel on 19 May 2022. Issues of concerns identified at the Pre-DA stage broadly included:

- Communal open space and a communal room is required to be provided in accordance with the Apartment Design Guide and Council's (Sustainable City) Development Control Plan 2015 (SCDCP).
- A Clause 4.6 is required to be submitted for any departures to the development standards within CLEP 2015.

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- The driveway and layout of the basement car park areas will need to comply with AS2890.1 and AS2890.6.
- Stormwater design is required to comply with Council's Development Engineering Guide.
- The proposal is required to be presented to Council's Design Excellence Panel and must demonstrate design excellence in terms of architectural and urban design, residential amenity, materials and colours and open space design.
- It should be noted that the Ingleburn CBF is the subject of a current Planning Proposal where the applicant and developer are encouraged to review.

Following the Pre-DA meeting, additional email discussions between Council's Flood Engineer and the applicant were had in relation to the flood impacts of the proposed development. The applicant was advised that Council has a zero tolerance to afflux and additional works were required for the proposed development.

Following lodgement of the development application, Council issued a request for further information on 20 July 2023. The main issues included:

- The increased flooding impacts on adjoining properties;
- Inadequate information relating to stormwater design, calculations and modelling.
- Unsatisfactory Clause 4.6 variation.
- Non-compliance with the Apartment Design Guide and Council's development controls.
- Unsatisfactory landscape plan.
- Unsatisfactory vehicle access and manoeuvring.
- Unsatisfactory waste management.

Site and Surrounds

The site is identified as Lot 13 DP 522853 and Lot 42 DP 522731, known as 6-8 Palmer Street, Ingleburn. The sites are regular shaped allotments with a combined street frontage of 46.33 m to Palmer Street, north eastern side boundary of 36.73m, south western side boundary of 36.73 m and a rear boundary of 46.33 m. The site has a total area of 1701 m² and has a slope from the western corner of the site to the eastern corner of the site.

The sites currently comprise of a dwelling on each lot with associated structures including sheds, hard stand areas and an inground swimming pool. There are a number of trees on both sites, scattered along the front boundary as well as the side boundaries.

Palmer Street is a cul-de-sac with both lots being located at the head of the cul-de-sac. No.8 Plamer Street is accessed directly from Palmer Street however No.6 is accessed via a paved section extending from the head of the cul-de-sac.

The subject site is adjoined by single detached dwellings to the south western side and rear of the site and a multi dwelling development to the north eastern side. The locality is characterised by detached dwellings, dual occupancy and multi dwelling developments. Ingleburn Public School is in close proximity to the site as well as Ingleburn Train Station. There is a drainage channel directly opposite the site. There have been several development consents granted for residential apartment buildings within Palmer Street however none of them have been constructed or have commenced construction.

The property is not listed as an item of environmental heritage and is not located within a heritage conservation area.



Figure 1: Locality map

Proposal

The proposed development seeks the demolition of the existing dwellings, tree removal, lot consolidation and construction of a 5 storey residential apartment building. The residential apartment building would contain 30 apartments in the following dwelling mix:

- 7 x one bedroom apartments
- 16 x 2 bedroom apartments
- 6 x 3 bedroom apartment
- one x 4 bedroom apartment

The proposal comprises of the following:

	Car Spaces	Garbage Room	Bicycle Spaces	Storage Areas
Basement Level 1	17 including one disabled space	1	4	61
Basement Level 2	24 spaces including 2 disabled spaces	0	0	23

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	1 Bedroom Apartments	2 Bedroom Apartments	3 Bedroom Apartments	4 Bedroom Apartments	Communal Room	Garbage Room
Ground Floor	1	1	2	0	1	1
First Floor	2	4	1	0	0	1
Second Floor	2	4	1	0	0	1
Third Floor	2	4	1	0	0	1
Fourth Floor	0	3	1	1	0	1
Total	7	16	6	1	1	5

Additional landscaping is proposed mainly around the boundaries of the site and within the front setback area.

Each level has a garbage storage room with bins for those apartments to use. These bins will then be transported to the garbage room within the basement level where they will await collection. The collection point is along the boundary of the paved area via Palmer Street where a private waste collection company will collect. There will be 12 garbage bins and 12 recycling bins required to be collected with the private waste vehicle required to reverse onto the paved area for collection. There is no opportunity for the private waste truck to manoeuvre within the paved area.

Referrals

The application was referred to Council's Engineering, Environment, and Waste Officers. The application was also externally referred to Endeavour Energy. Comments were provided from the relevant officers and additional information was required to be submitted.

Report

1. Vision

Campbelltown 2032 is the Community Strategic Plan (CSP) for the City of Campbelltown. The CSP addresses five key strategic outcomes that Council and other stakeholders will work to achieve over the next 10 years:

- Outcome 1: Community and Belonging
- Outcome 2: Places for People
- Outcome 3: Enriched Natural Environment
- Outcome 4: Economic Prosperity
- Outcome 5: Strong Leadership.

The proposed development is inconsistent with the long-term vision for Campbelltown as it cannot demonstrate that the site is suitable for the development.

2. Planning Provisions

The development has been assessed in accordance with matters for consideration under section 4.15 of the EP&A Act, and having regard to those matters, are discussed below.

3. Planning Assessment

2.1.1 State Environmental Planning Policy (Building Sustainability Index): BASIX) 2004

A BASIX Certificate for the development was submitted with the development application. The BASIX Certificate lists measures to satisfy BASIX requirements which have been incorporated into the proposal. It is considered that the development is acceptable under State Environmental Planning Policy (Building Sustainability Index - BASIX) 2004.

2.1.2 State Environmental Planning Policy (Transport and Infrastructure) 2021

The aim of this Policy is to facilitate the effective delivery of infrastructure across the State.

Clause 2.48 sets out provisions relating to development in proximity to electricity infrastructure, and in certain circumstances requires notice to be given to the relevant electricity supply authority.

The proposal does not include underground electricity infrastructure or relocation of existing electricity infrastructure, however there are low voltage overhead service conductors in the vicinity of the site. The development application was therefore referred to Endeavour Energy, who raised no objections to the project and recommended certain conditions.

Clause 2.122 sets out provisions relating to traffic generating development as defined within Schedule 3. As the proposed development includes 30 apartments, it is not defined as traffic generating development and therefore referral to Transport for New South Wales is not required.

2.1.3 State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Resilience and Hazards) (RH SEPP) aims to provide a state-wide planning approach to the remediation of contaminated land. In particular the policy aims to promote the remediation of contaminated land in order to reduce the risk of harm to human health or any other aspect of the environment.

The RH SEPP requires the consent authority to consider whether the subject land of any development application is contaminated. An assessment of Clause 4.6 of the RH SEPP is provided in table below.

State Environmental Planning Policy (Resilience and Hazards) 2021

Requirement	Action	Response
<p>Clause 4.6 1. Is the development for a change of use to a sensitive land use or for residential subdivision?</p> <p>Sensitive land use include residential, educational, recreational, childcare purposes or hospital.</p>	<p>a. Check if the DA proposes a new childcare centre, residential accommodation or residential subdivision.</p> <p>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.</p>	<p>The proposal includes residential accommodation with strata subdivision.</p>
<p>Clause 4.6 2. Is Council aware of any previous investigation or orders about contamination on the land?</p>	<p>a. Is there any property information for any evidence of contamination information?</p> <p>b. Check for contamination information and planning certificates linked to the property.</p>	<p>A search of Council's records for evidence of potentially contaminating activities was undertaken. No evidence was found of contaminating land activities having occurred on the land.</p> <p>A search of planning certificates linked to the property was undertaken. No evidence was found of contaminating land activities having occurred on the land.</p>
<p>Clause 4.6 3. Do existing records held by Council show that a contaminating land activity has occurred on the land?</p>	<p>a. Check the approval for any potentially contaminating uses have been approved on the site.</p>	<p>A search of previous contaminated land uses approved on the site was undertaken. No evidence was found of approved contaminated land activities having occurred on the land.</p>
<p>Clause 4.6 4. Has the land previously been zoned for potentially contaminating uses?</p>	<p>a. Check if the land is currently zoned, or was zoned under the previous LEP, Rural, Industrial or Special Purposes for a contaminating use.</p> <p>NB: if the proposal is industrial then you should answer no to this question.</p>	<p>The Campbelltown (Urban Area) Local Environmental Plan 2002 was the previous EPI that applied to the land and the site was previously zoned 10(b) –District Comprehensive Centre.</p>
<p>Clause 4.6 5. Is the land currently being used for a potentially contaminating use or is there any evidence of a potentially contaminating use on site?</p>	<p>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).</p>	<p>No evidence of potentially contaminated signs were present on site when the site was inspected.</p>

Given that there was no potential for any contamination from the previous residential use, it was considered that a Preliminary Site Investigation was not required to be submitted.

Based on the above assessment, the provisions of Clause 4.6 of SEPP RH have been considered and the contaminated land planning guidelines and the site is considered suitable for the proposed development.

2.1.4 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 6 - Water Catchments applies to the subject site as it falls within the Georges River Catchment area. This chapter aims to ensure that development has regard to minimising adverse impacts in regard to water quality and quantity, flooding, on-site domestic sewerage systems and stormwater management.

The proposed development is considered to be inconsistent with this chapter as there would be an adverse impact on flood levels on adjoining properties and stormwater management would not be acceptable due to insufficient information being submitted.

2.1.5 State Environmental Planning Policy (Precincts – Western Parkland City) 2021

State Environmental Planning Policy (Precincts – Western Parkland City) 2021 (WPC SEPP) applies to all land in a growth centre. Pursuant to WPC SEPP, the subject site is located within the Greater Macarthur Growth Area and is therefore subject to the provisions of the WPC SEPP.

Pursuant to Part 3.4, Section 3.21(1) of the WPC SEPP, until provisions have been specified in a Precinct Plan or in Section 3.11 with respect to the development of the land, consent is not to be granted to the carrying out of development on land within a growth centre unless the consent authority has taken into consideration the following:

- Whether the proposed development will preclude the future urban and employment development land uses identified in the relevant growth centre structure plan,
- Whether the extent of the investment in, and the operational and economic life of, the proposed development will result in the effective alienation of the land from those future land uses,
- Whether the proposed development will result in further fragmentation of land holdings,
- Whether the proposed development is incompatible with desired land uses in any draft environmental planning instrument that proposes to specify provisions in a Precinct Plan or in Section 3.11,
- Whether the proposed development is consistent with the precinct planning strategies and principles set out in any publicly exhibited document that is relevant to the development,
- Whether the proposed development will hinder the orderly and co-ordinated provision of infrastructure that is planned for the growth centre,
- In the case of transitional land—whether (in addition) the proposed development will protect areas of aboriginal heritage, ecological diversity or biological diversity as well as protecting the scenic amenity of the land.

The proposal will contribute to the local economy within Campbelltown through short term employment during construction and the proposed development is not considered to preclude the future urban and employment development land uses identified in the relevant growth centre structure plan. In addition, the proposed development is generally consistent with the now approved Ingleburn CBD Planning Proposal.

As such, it is considered that the development is consistent with the provisions of Chapter 3, Section 3.21(1) of the WPC SEPP.

2.1.6 State Environmental Planning Policy (Housing) 2021

Chapter 4 – Design of residential apartment development applies to the proposal. The aim of this chapter is to improve the design of residential apartment development in New South Wales recognising that the design of residential apartment development is significant because of the economic, environmental, cultural and social benefits of high quality design.

Clause 147 states that development consent must not be granted to residential apartment development unless the consent authority has considered the design principles set out in Schedule 9, the Apartment Design Guide and any advice from a design review panel. An assessment of the proposed development against the design principles and a planning response to each comment are set out in Table 1 below:

Table 1: Assessment against the Design Principles

Principle	Verification Statement	Planning Comment
1. Context and Neighbourhood Character	<ul style="list-style-type: none"> The construction of a residential flat building on the site promotes the desired future character of the locality given the high density zoning. The design solution maintains appropriate setbacks to minimise overshadowing and privacy impact on adjoining properties and appropriate spatial separation between existing and likely future development. The street setback is compatible with both the existing and desired street setbacks. The proposed development has been designed to ensure the longevity of the street trees at the front of the site that will be supplemented by additional plantings. 	<p>The proposal is contextually appropriate within the current controls within the CLEP 2015 and the desired future character of the locality.</p> <p>The encroachment of balconies in the side setbacks demonstrate that there is potential to overlook adjoining properties and does not provide a compliant development.</p> <p>The proposed landscaping is considered to be sufficient given the 2 large trees have been proposed along the front boundary.</p>
2. Built Form and Scale	<ul style="list-style-type: none"> The building has been designed to comply with the 1 in 100 year flood level. The design is compliant with the key design controls with exception to the height variation proposed. The recessed upper level defines the top of the building with pedestrian entries and courtyards providing a well-defined base. 	<p>Council's Development Engineer has assessed the potential flood impacts of the proposal where it was determined that the proposal would increase the flood risk to adjoining properties.</p> <p>The nominated deep soil areas have a minimum of 6m in width and 7% in area and therefore complies with</p>

	<ul style="list-style-type: none"> The building displays an appropriate proportion of horizontal and vertical elements that are further enhanced by the palate of finishes. Deep soil planting to all property boundaries will establish a well landscaped setting for the building. 	<p>the ADG requirements.</p> <p>The proposal has been reviewed by Council's Design Excellence Panel where no concerns were raised in regard to the design, articulation, built form and external colours and finishes of the current proposal.</p>
3. Density	<ul style="list-style-type: none"> The proposal provides 30 apartments with a mix of bedroom numbers. 	The density proposed is acceptable.
4. Sustainability	<ul style="list-style-type: none"> 21 of the 30 apartments receive 2 hours of solar access between 9am and 3pm. 25 of the 30 apartments achieve cross ventilation. A waste management plan was submitted detailing reuse and recycling where possible. 641m² of the site is for deep soil promoting natural water absorption. 	Appropriate measures have been included in the development to provide for the long term sustainability of the development with regard to solar access, natural ventilation, insulation, water saving measures and energy consumption.
5. Landscape	<ul style="list-style-type: none"> 641m² or 37.6% of the site is for deep soil zones and landscaping. A landscape plan has been submitted detailing all additional landscaping proposed. 	The deep soil area complies with the required 6 m width and 7% area.
6. Amenity	<ul style="list-style-type: none"> Ensuring that internal living areas and balconies of apartments within the building achieve the ADG requirements for solar access. Ensuring that development achieves the ADG requirements for cross ventilation. Ensuring that room sizes achieve the ADG thresholds. Providing high amenity common open space at ground level areas including the provision of a common room. Providing each apartment with a well configured private balcony or courtyard that has direct connectivity to internal living spaces. Minimising as far as is practical the number of living room/bedroom common walls between apartments. Isolating the car parking in basement levels. Negating any potential for overlooking between windows internal of the development. In 	<p>21 out of 30 apartments achieve appropriate levels of solar access in accordance with the ADG.</p> <p>Appropriate levels of cross ventilation are proposed.</p> <p>The proposed development provides for the amenity of the existing and future residents in the locality.</p> <p>Room sizes comply with the ADG requirements as detailed further in this report.</p> <p>Communal open space and communal outdoor areas are provided.</p> <p>Each apartment has a balcony.</p> <p>Car parking is isolated to the two basement levels.</p> <p>There are no internal windows that overlook between each other.</p> <p>Blade walls are proposed between balconies of units to minimise</p>

	<p>terms of external relationships to window setbacks to the boundaries enable compliance with ADG separation requirements upon the redevelopment of neighbouring properties.</p> <ul style="list-style-type: none"> • Negating the potential for overlooking between balconies through spatial arrangement and the use of fin/party walls. • Providing relatively short and wide internal corridors with a straight alignment. • Providing lift access to all floor levels including the rooftop terrace and the basements. • Providing each apartment with internal storage. • Providing functional and practical internal floor layouts having regard to room sizes and circulation paces. • Providing for adaptive layouts including the provision of study nooks where practical. 	<p>overlooking impacts between balconies.</p> <p>All internal corridors have a short, wide and straight alignment.</p> <p>Each apartment has internal storage within the unit as well as within the basement. There are several apartments that have storage on balconies.</p> <p>The proposed lift provides access to all levels.</p> <p>All apartments have a study nook and have functional floor layouts.</p>
7. Safety	<ul style="list-style-type: none"> • The design orientates the windows and balconies to the street with the pedestrian thoroughfare providing good casual surveillance of the public domain. • Pathways have been designed as straight rather than a curve to enable clear sight lines. • The demarcation between private and public land will be by means of landscaping. • Access control will be achieved with design features that guide legitimate users through a space, highlight entrances/exits and deny offenders access to targets. 	<p>The proposal delineates between public and private property and also provides for a clear lobby entry. Casual surveillance is provided to both street frontages, whilst still providing for privacy.</p>
8. Housing diversity and social interaction	<ul style="list-style-type: none"> • The proposal provides for a range of apartment sizes and bedroom numbers. • Adaptable apartments are provided. • A common room is provided for the benefit of residents. 	<p>The proposal provides for a mix of one, 2 and 3 bedroom apartments as well as one 4 bedroom apartment.</p>
9. Aesthetics	<ul style="list-style-type: none"> • The design of the building provides for a contemporary development that will sit comfortably with and integrate with its context. • The aesthetics of the building are achieved through its architectural form integrated with a high 	<p>The proposed design is considered to be generally well designed and would contribute to the streetscape character of Ingleburn.</p>

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	component of quality landscaping.	
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Apartment Design Guide

Clause 147(1)(b) states that in determining a development application for consent to carry out a residential flat development, a consent authority is to take into consideration the ADG. An assessment of the application against the ADG prepared by Council is provided in Table 2 below:

Control	Required	Proposed	Compliance
Building Height	Achievable with the building height set in the LEP. Building height controls must respond to the desired number of storeys, minimum floor to floor heights and generous ground floor heights. Allows for articulated roof plans and building services.	A Clause 4.6 variation has been submitted for the non-compliance for the maximum building height. The proposal has a maximum building height of 17.5 m with the maximum building height in the LEP being 15 m.	No
Building Depth	12-18 m range	Maximum building depth is 22 m.	No
Building Separation	Five to eight storeys: <ul style="list-style-type: none"> • 18 m between habitable rooms/balconies • 12 m between habitable and non-habitable rooms • 9 m between non-habitable rooms 	Generally complies however 12 balconies encroach by 0.5 m reducing the building separation by 0.5 m.	No
Orientation	Buildings along the street frontage define the street, by facing it and incorporating direct access from the street. Where the street frontage is to the east or west, rear buildings should be orientated to the north. Living areas, private open space and communal open space should receive solar access in accordance with sections 3D Communal and public open space and 4A Solar and daylight access. Solar access to living rooms, balconies and private open spaces of neighbours should be considered. Where an adjoining property does not currently receive the required	Building is orientated to the street which is north east. Living areas, balconies and communal open space receive appropriate levels of solar access. Neighbouring properties receive appropriate levels of solar access. Overshadowing is not an issue due to the orientation of the building.	Yes

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	<p>hours of solar access, the proposed building ensures solar access to neighbouring properties is not reduced by more than 20%.</p> <p>Overshadowing should be minimised to the south or downhill by increased upper level setbacks.</p> <p>A minimum of 4 hours of solar access should be retained to solar collectors on neighbouring buildings.</p>		
<p>Public Domain Interface</p>	<p>Terraces, balconies and courtyard apartments should have direct street entry, where appropriate.</p> <p>Changes in level between private terraces, front gardens and dwelling entries above the street level provide surveillance and improve visual privacy for ground level dwellings.</p> <p>Upper level balconies and windows should overlook the public domain.</p> <p>Front fences and walls along street frontages should use visually permeable materials and treatments. The height of solid fences or walls should be limited to 1m.</p> <p>Opportunities should be provided for casual interaction between residents and the public domain. Design solutions may include seating at building entries, near letter boxes and in private courtyards adjacent to streets.</p> <p>Opportunities for people to be concealed should be minimised.</p> <p>Planting softens the edges of any raised terraces to the street, for example above sub-basement car parking.</p> <p>Mail boxes should be located in lobbies, perpendicular to the street alignment or integrated into front fences where individual street entries are provided.</p> <p>The visual prominence of underground car park vents should be minimised and located at a low level where possible.</p>	<p>The ground level courtyards have direct access to the street.</p> <p>Casual surveillance is provided with doors and windows fronting the street.</p> <p>Upper levels have balconies that overlook the public domain.</p> <p>Front fences are integrated into the design of the building to present cohesion along the street frontage.</p> <p>No concealment opportunities have been proposed.</p> <p>Planting around the edges of the ground level courtyard areas and along the front property boundary has been proposed.</p> <p>Mail box design and location have not been provided.</p> <p>No underground car park vents are visible from the street.</p> <p>No services such as pump rooms, garbage storage areas and other service requirements not located where they are visible from the street.</p> <p>Pedestrian ramps are provided within the ground floor setback areas for the ground floor apartments.</p> <p>No information has been provided in regard to whether a substation is proposed at this stage.</p>	<p>No</p>

	<p>Substations, pump rooms, garbage storage areas and other service requirements should be located in basement car parks or out of view.</p> <p>Ramping for accessibility should be minimised by building entry location and setting ground floor levels in relation to footpath levels.</p> <p>Durable, graffiti resistant and easily cleanable materials should be used.</p>		
<p>Communal and Public Open Space</p>	<p>Communal open space has a minimum area equal to 25% of the site.</p> <p>Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid winter).</p> <p>Facilities are provided within communal open spaces and common spaces for a range of age groups, incorporating some of the following elements:</p> <ul style="list-style-type: none"> • seating for individuals or groups • barbecue areas • play equipment or play areas • swimming pools, gyms, tennis courts or common rooms <p>The location of facilities responds to microclimate and site conditions with access to sun in winter, shade in summer and shelter from strong winds and down drafts.</p> <p>Visual impacts of services should be minimised, including location of ventilation duct outlets from basement car parks, electrical substations and detention tanks.</p> <p>Communal open space should be well lit.</p> <p>The public open space should be well connected with public streets along at least one edge.</p> <p>The public open space should be connected with nearby parks and other landscape elements.</p> <p>Public open space should be linked</p>	<p>Minimum of 25% of communal open space area has been provided.</p> <p>The communal open space area receives more than 2 hours to more than 50% of the area.</p> <p>A communal room is provided that are for a range of ages.</p> <p>Services are not visible from the public street.</p> <p>Communal open spaces are well lit with external lighting.</p> <p>The public space is well connected to the public street.</p> <p>Appropriate levels of solar access are provided to the apartments.</p>	<p>Yes</p>

	<p>through view lines, pedestrian desire paths, termination points and the wider street grid.</p> <p>Solar access should be provided year round along with protection from strong winds</p> <p>Opportunities for a range of recreational activities should be provided for people of all ages.</p> <p>A positive address and active frontages should be provided adjacent to public open space,</p> <p>Boundaries should be clearly defined between public opens pace and private areas.</p>		
	<p>7% in area and minimum dimension of 6 m with significant tree cover</p> <p>Deep soil zones should be located to retain existing significant trees and to allow for the development of healthy root systems, providing anchorage and stability for mature trees. Design solutions may include:</p> <ul style="list-style-type: none"> • basement and sub basement car park design that is consolidated beneath building footprints • use of increased front and side setbacks • adequate clearance around trees to ensure long term health • co-location with other deep soil areas on adjacent sites to create larger contiguous areas of deep soil. 	<p>A minimum of 7% of deep soil area is provided along the rear setback area of the site with a portion of the deep soil area having a minimum width of 6m.</p> <p>Two existing trees are to be retained with one of those within the deep soil zone.</p> <p>Basement levels are contained within the building footprint.</p>	Yes
Visual Privacy	<p>Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries.</p> <p>Communal open space, common areas and access paths should be separated from private open space and windows to apartments, particularly habitable room windows. increase visual separation.</p> <p>Bedrooms, living spaces and other</p>	<p>Twelve of the balconies encroach within the building separation distances required by 0.5m.</p> <p>The communal open space and common areas are separated from private open spaces.</p> <p>Living spaces and bedrooms are separate from gallery access and other circulation spaces.</p> <p>Balconies are accessed from living rooms.</p> <p>Windows are offset from the</p>	No

	<p>habitable rooms should be separated from gallery access and other open circulation space by the apartment's service areas.</p> <p>Balconies and private terraces should be located in front of living rooms to increase internal privacy.</p> <p>Windows should be offset from the windows of adjacent buildings.</p> <p>Recessed balconies and/or vertical fins should be used between adjacent balconies.</p>	<p>windows of adjacent buildings.</p> <p>Vertical fins are provided to separate balconies.</p>	
<p>Pedestrian access and entries</p>	<p>Multiple entries (including communal building entries and individual ground floor entries) should be provided to activate the street edge.</p> <p>Entry locations relate to the street and subdivision pattern and the existing pedestrian network.</p> <p>Building entries should be clearly identifiable and communal entries should be clearly distinguishable from private entries.</p> <p>Where street frontage is limited and multiple buildings are located on the site, a primary street address should be provided with clear sight lines and pathways to secondary building entries.</p> <p>Building access areas including lift lobbies, stairwells and hallways should be clearly visible from the public domain and communal spaces</p> <p>The design of ground floors and underground car parks minimise level changes along pathways and entries.</p> <p>Steps and ramps should be integrated into the overall building and landscape design.</p> <p>For large developments 'way finding' maps should be provided to assist visitors and residents.</p> <p>For large developments electronic access and audio/video intercom should be provided to manage access.</p>	<p>Multiple entries are provided to activate the street edge.</p> <p>Building entries are clearly identifiable and communal entries are easily identifiable.</p> <p>Building access areas are clearly identifiable.</p> <p>Pedestrian ramps are integrated into the design of the building.</p> <p>Pedestrian links provide through connections and are direct, have clear sight lines and are well lit.</p>	<p>Yes</p>

	<p>Pedestrian links through sites facilitate direct connections to open space, main streets, centres and public transport.</p> <p>Pedestrian links should be direct, have clear sight lines, be overlooked by habitable rooms or private open spaces of dwellings, be well lit and contain active uses, where appropriate.</p>		
<p>Vehicle Access</p>	<p>Car park access should be integrated with the building's overall facade.</p> <p>Car park entries should be located behind the building line .</p> <p>Vehicle entries should be located at the lowest point of the site minimising ramp lengths, excavation and impacts on the building form and layout.</p> <p>Car park entry and access should be located on secondary streets or lanes where available.</p> <p>Vehicle standing areas that increase driveway width and encroach into setbacks should be avoided.</p> <p>Access point locations should avoid headlight glare to habitable rooms.</p> <p>Adequate separation distances should be provided between vehicle entries and street intersections.</p> <p>The width and number of vehicle access points should be limited to the minimum.</p> <p>Visual impact of long driveways should be minimised through changing alignments and screen planting.</p> <p>The need for large vehicles to enter or turn around within the site should be avoided.</p> <p>Garbage collection, loading and servicing areas are screened.</p> <p>Clear sight lines should be provided at pedestrian and vehicle crossings.</p> <p>Traffic calming devices such as changes in paving material or textures should be used where</p>	<p>The basement car park levels are integrated into the design of the building.</p> <p>The car park entry is located in the south eastern corner of the site.</p> <p>No secondary street or lane access.</p> <p>No vehicle standing area provided within the front setback area.</p> <p>Access location will not provide any headlight glare to any habitable areas.</p> <p>No intersections close to the site.</p> <p>Only one access point is provided to the development.</p> <p>No long driveway proposed.</p> <p>Garbage storage areas are located in the basement car park.</p> <p>Clear sight lines are provided.</p> <p>Pedestrian access and vehicle access is separated.</p>	<p>Yes</p>

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	<p>appropriate.</p> <p>Pedestrian and vehicle access should be separated and distinguishable.</p>		
Bicycle and Car Parking	<p>For development in the following locations:</p> <ul style="list-style-type: none"> on sites that are within 800 m of a railway station or light rail stop in the Sydney Metropolitan Area; or on land zoned, and sites within 400 m of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre <p>the minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less</p> <p>The car parking needs for a development must be provided off street.</p>	<p>The car parking spaces provided are in accordance with Council's SCDCP requirements.</p> <p>All car parking is provided on the site.</p> <p>Bicycle spaces are provided on the ground level and the basement level.</p>	Yes
Solar and Daylight Access	<p>Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas.</p> <p>In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid winter.</p> <p>A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid winter.</p>	<p>21 of the 30 apartments (70%) achieve solar access for a minimum of 2 hrs to living rooms and private open spaces.</p>	Yes
Natural Ventilation	<p>The building's orientation maximises capture and use of prevailing breezes for natural ventilation in habitable rooms.</p> <p>Depths of habitable rooms support</p>	<p>The building is orientated to capture natural ventilation.</p> <p>Habitable rooms have an acceptable depth.</p> <p>Maximises natural ventilation</p>	Yes

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	<p>natural ventilation.</p> <p>The area of unobstructed window openings should be equal to at least 5% of the floor area served.</p> <p>Light wells are not the primary air source for habitable rooms.</p> <p>Doors and openable windows maximise natural ventilation opportunities by using the following design solutions:</p> <ul style="list-style-type: none"> adjustable windows with large effective openable areas a variety of window types that provide safety and flexibility such as awnings and louvres windows which the occupants can reconfigure to funnel breezes into the apartment such as vertical louvres, casement windows and externally opening doors <p>Apartment depths are limited to maximise ventilation and airflow.</p> <p>At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed.</p> <p>Overall depth of a cross-over or cross-through apartment does not exceed 18 m, measured glass line to glass line.</p>	<p>with doors and openable windows.</p> <p>Light wells are not the primary air source.</p> <p>25 of the 30 apartments (83%) have appropriate cross ventilation.</p>	
Ceiling Heights	<p>Habitable rooms 2.7 m</p> <p>Non-habitable 2.4 m</p>	<p>Habitable rooms 2.7 m</p> <p>Non-habitable 2.4 m</p>	Yes
Apartment size and layout	<p>Apartments are required to have the following minimum internal areas:</p> <p>Studio: 35 m²</p> <p>one bedroom: 50 m²</p> <p>2 bedroom: 70 m²</p> <p>3 bedroom: 90 m²</p> <p>The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum</p>	<p>one bedroom: 53 m² – 58 m²</p> <p>2 bedroom: 73 m² – 104 m²</p> <p>3 bedroom: 95 m² – 104 m²</p> <p>4 bedroom: 108 m²</p> <p>All apartments with an additional bathroom provides an extra 5 m² in internal area.</p>	Yes

	<p>internal area by 5 m² each.</p> <p>A fourth bedroom and further additional bedrooms increase the minimum internal area by 12 m² each.</p> <p>Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.</p> <p>Master bedrooms have a minimum area of 10 m² and other bedrooms 9 m² (excluding wardrobe space)</p> <p>Bedrooms have a minimum dimension of 3 m (excluding wardrobe space)</p> <p>Living rooms or combined living/dining rooms have a minimum width of:</p> <ul style="list-style-type: none"> • 3.6 m for studio and one bedroom apartments • 4 m for 2 and 3 bedroom apartments <p>The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts.</p>	<p>The 4 bedroom apartment has an additional 12 m² in internal area.</p> <p>All habitable rooms have a window in an external wall.</p> <p>Master bedrooms all have a minimum of 10 m² with a minimum dimension of 3 m.</p> <p>Bedrooms all have a minimum dimension of 3 m.</p> <p>Living rooms and combined living/dining rooms all have the appropriate widths.</p> <p>Cross-over and cross-through apartments are at least 4 m internally.</p>	
Private Open Space and Balconies	<p>All apartments are required to have primary balconies as follows:</p> <p>Studio apartments: 4 m²</p> <p>one bedroom apartments: 8 m² with 2 m depth</p> <p>2 bedroom apartments 10 m² with 2 m depth</p> <p>3+ bedroom apartments 12 m² with 2.4 m depth</p> <p>The minimum balcony depth to be counted as contributing to the balcony area is 1 m.</p> <p>For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15 m² and a minimum depth of 3 m.</p>	<p>All balconies have the required area and depth.</p>	Yes
Common	The maximum number of	Maximum number of apartments	Yes

Circulation and Spaces	apartments off a circulation core on a single level is eight.	is 7 off a circulation core.	
Storage	<p>In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:</p> <p>Studio apartments: 4 m³ one bedroom apartments: 6 m³ 2 bedroom apartments: 8 m³ 3+ bedroom apartments: 10 m³</p> <p>At least 50% of the required storage is to be located within the apartment</p> <p>Storage is accessible from either circulation or living areas Storage provided on balconies (in addition to the minimum balcony size) is integrated into the balcony design, weather proof and screened from view from the street.</p> <p>Left over space such as under stairs is used for storage.</p>	<p>Each apartment has the required area of storage within the apartment and within the basement.</p> <p>Apartments 1, 13, 16 and 20 all have storage on the balcony and is not integrated into the balcony design.</p>	No
Acoustic Privacy	<p>Adequate building separation is provided within the development and from neighbouring buildings / adjacent uses.</p> <p>Window and door openings are generally orientated away from noise sources.</p> <p>Noisy areas within buildings including building entries and corridors should be located next to or above each other and quieter areas next to or above quieter areas.</p> <p>Storage, circulation areas and non-habitable rooms should be located to buffer noise from external sources.</p> <p>The number of party walls (walls shared with other apartments) are limited and are appropriately insulated.</p> <p>Noise sources such as garage doors, driveways, service areas, plant rooms, building services, mechanical equipment, active communal open spaces and circulation areas should be located</p>	<p>Adequate building is provided generally however there are twelve balconies that encroach into the side and rear setback areas by 0.5 m.</p> <p>Window and door openings are orientated away from noise sources.</p> <p>All corridors are located above each other.</p> <p>Party walls are limited where possible.</p> <p>Noises sources are not located near noise sources.</p>	No

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	at least 3 m away from bedrooms		
Noise and Pollution	<p>Physical separation between buildings and the noise or pollution source.</p> <p>Residential uses are located perpendicular to the noise source and where possible buffered by other uses.</p> <p>Buildings should respond to both solar access and noise.</p> <p>Where solar access is away from the noise source, non-habitable rooms can provide a buffer</p> <p>Where solar access is in the same direction as the noise source, dual aspect apartments with shallow building depths are preferable.</p> <p>Landscape design reduces the perception of noise and acts as a filter for air pollution generated by traffic and industry.</p>	<p>The sites do not adjoin a noise or pollution source such as a main road or a railway corridor.</p> <p>The building has been designed to incorporate solar access and noise by keeping habitable rooms away from noise sources whilst still maintaining appropriate levels of solar access.</p> <p>Landscaping is provided to the rear and side setbacks as a buffer.</p>	Yes
Apartment Mix	A variety of apartment types is provided.	The proposed provides a mix of one, 2 and 3 bedroom apartments with one 4 bedroom apartment.	Yes
Ground Floor Apartments	<p>Direct street access is to be provided.</p> <p>Activity is achieved through front gardens, terraces and the façade of the building.</p>	<p>Direct street access is provided to ground floor apartments.</p> <p>Ground floor apartments have alfresco areas and landscaped gardens.</p>	Yes
Facades	<p>Design solutions for front building facades may include:</p> <ul style="list-style-type: none"> • a composition of varied building elements • a defined base, middle and top of buildings • revealing and concealing certain elements • changes in texture, material, detail and colour to modify the prominence of elements. <p>Building services should be integrated within the overall façade.</p> <p>Building facades should be well resolved with an appropriate scale and proportion to the streetscape</p>	<p>A number of vertical and horizontal elements have been used on the front façade.</p> <p>A variety of building materials and colours has been proposed.</p> <p>The fifth floor has been setback to minimise the bulk and scale of the development.</p>	

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	<p>and human scale. Design solutions may include:</p> <ul style="list-style-type: none"> • well composed horizontal and vertical elements • variation in floor heights to enhance the human scale • elements that are proportional and arranged in patterns • public artwork or treatments to exterior blank walls • grouping of floors or elements such as balconies and windows on taller buildings <p>Building facades relate to key datum lines of adjacent buildings through upper level setbacks, parapets, cornices, awnings or colonnade heights.</p> <p>Shadow is created on the facade throughout the day with building articulation, balconies and deeper window reveal.</p>		
Roof Design	<p>Roof design relates to the street. Design solutions may include:</p> <ul style="list-style-type: none"> • special roof features and strong corners • use of skillion or very low pitch hipped roofs • breaking down the massing of the roof by using smaller elements to avoid bulk • using materials or a pitched form complementary to adjacent buildings. <p>Roof treatments should be integrated with the building design. Design solutions may include:</p> <ul style="list-style-type: none"> • roof design proportionate to the overall building size, scale and form • roof materials compliment the building • service elements are integrated 	<p>The flat roof reduces the overall bulk of the building as opposed to having a pitched roof. The flat roof is proportionate to the building and does not extend further than the outer walls on the top level.</p>	Yes
Landscape Design	<p>Landscape design should be environmentally sustainable and can enhance environmental performance by incorporating:</p>	<p>The landscape plan incorporates a wide range of native trees and shrubs.</p> <p>Two large trees are proposed to</p>	Yes

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	<ul style="list-style-type: none"> • diverse and appropriate planting • bio-filtration gardens • appropriately planted shading trees • areas for residents to plant vegetables and herbs • composting • green roofs or walls <p>Tree and shrub selection considers size at maturity and the potential for roots to compete.</p> <p>Landscape design responds to the existing site conditions including:</p> <ul style="list-style-type: none"> • changes of levels • views • significant landscape features including trees and rock outcrops <p>Significant landscape features should be protected by:</p> <ul style="list-style-type: none"> • tree protection zones • appropriate signage and fencing during construction 	<p>be planted along the front setback with hedge planting used along the side and rear boundaries. The side and rear boundaries also have scattered trees along them.</p> <p>Existing trees will be protected during demolition and construction works.</p>	
Planting on Structures	<p>Structures are reinforced for additional soil weight.</p> <p>Plants are suited to site conditions.</p>	<p>No planting on any structures is proposed except for small hedging around the swimming pool.</p>	Yes
Universal Design	<p>Developments achieve a benchmark of 20% of the total apartments incorporating the Livable Housing Guideline's silver level universal design features.</p> <p>Adaptable housing should be provided in accordance with the relevant council policy.</p>	<p>Six of the apartments contain 7 design measures to achieve silver level.</p> <p>Three adaptable apartments are provided which also complies with Council's SCDCP requirements.</p>	Yes
Awnings and Signage	<p>Awnings should be located along streets with high pedestrian activity and active frontages.</p> <p>Awnings should be located over building entries for building address and public domain amenity.</p> <p>Signage should be integrated into the building design and respond to the scale, proportion and detailing of the</p>	<p>No awning proposed over the main entry.</p> <p>No signage proposed.</p>	No

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	development.		
Energy Efficiency	<p>Adequate natural light is provided to habitable rooms.</p> <p>Well located, screened outdoor areas should be provided for clothes drying.</p> <p>Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer.</p> <p>A number of the following design solutions are used:</p> <ul style="list-style-type: none"> • the use of smart glass or other technologies on north and west elevations • thermal mass in the floors and walls of north facing rooms is maximised • polished concrete floors, tiles or timber rather than carpet • insulated roofs, walls and floors and seals on window and door openings • overhangs and shading devices such as awnings, blinds and screens <p>Provision of consolidated heating and cooling infrastructure should be located in a centralised location.</p> <p>Adequate natural ventilation minimises the need for mechanical ventilation.</p> <p>A number of the following design solutions are used:</p> <ul style="list-style-type: none"> • rooms with similar usage are grouped together • natural cross ventilation for apartments is optimised • natural ventilation is provided to all habitable rooms and as many non-habitable rooms, common areas and circulation spaces as possible 	<p>Natural light is provided to habitable rooms where possible given the orientation of the building.</p> <p>All balconies have a roof which provides cover for clothes drying.</p> <p>70% of apartments have solar access for a minimum of 2hrs to living areas and habitable rooms.</p> <p>A Basix certificate was submitted detailing that the proposed development achieved the relevant water, energy and thermal targets.</p> <p>The apartments are all afforded cross flow ventilation.</p> <p>All services are located in a centralised location.</p> <p>Natural ventilation is provided for 25 apartments (83%).</p>	Yes
Water Management and Conservation	<p>Water efficient fittings, appliances and wastewater reuse should be incorporated.</p> <p>Apartments should be individually metered.</p>	<p>The application is accompanied by BASIX certificate indicating the water efficiency for each residential apartment provided.</p>	Yes

	<p>Rainwater should be collected, stored and reused on site.</p> <p>Drought tolerant, low water use plants should be used within landscaped areas.</p> <p>Urban stormwater is treated on site before being discharged to receiving waters.</p> <p>Water sensitive urban design systems are designed by a suitably qualified professional.</p> <p>A number of the following design solutions are used:</p> <ul style="list-style-type: none"> • runoff is collected from roofs and balconies in water tanks and plumbed into toilets, laundry and irrigation • porous and open paving materials is maximised • on site stormwater and infiltration, including bio-retention systems such as rain gardens or street tree pits. <p>Flood management systems are integrated into site design.</p> <p>Detention tanks should be located under paved areas, driveways or in basement car parks.</p> <p>On large sites parks or open spaces are designed to provide temporary on site detention basin.</p>		
<p>Waste Management</p>	<p>Adequately sized storage areas for rubbish bins should be located discreetly away from the front of the development or in the basement car park.</p> <p>Waste and recycling storage areas should be well ventilated.</p> <p>Circulation design allows bins to be easily manoeuvred between storage and collection points.</p> <p>Temporary storage should be provided for large bulk items such as mattresses.</p> <p>A waste management plan should be prepared.</p>	<p>Bin storage room located in the basement with a smaller bin storage room on each level.</p> <p>No bulky waste storage area has been provided.</p> <p>No details on ventilation of garbage rooms has been provided.</p> <p>A satisfactory waste management plan has been submitted for the storage and disposal of waste arising from demolition and construction works as well as ongoing waste management for the use of the apartments.</p>	<p>No</p>

Building Maintenance	Window design enables cleaning from the inside of the building. Building maintenance systems should be incorporated and integrated into the design of the building form, roof and façade.	The proposed material is considered durable which may be easily cleaned.	Yes
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2.1.7 Campbelltown Local Environmental Plan 2015

The site is zoned R4 High Density Residential under the CLEP 2015. In accordance with the provisions of the CLEP 2015 the consent authority must have regard for the zone objectives in determining any development application.

The objectives for R4 High Density Residential zone are:

- a. To provide for the housing needs of the community within a high density residential environment.
- b. To provide a variety of housing types within a high density residential environment.
- c. To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- d. To encourage high density residential development in close proximity to centres and public transport hubs.
- e. To maximise redevelopment and infill opportunities for high density housing within walking distance of centres.
- f. To enable development for purposes other than residential only if that development is compatible with the character and scale of the living area.
- g. To minimise overshadowing and ensure a desired level of solar access to all properties. The proposed development is consistent with the objectives.

It is considered that the proposed development would provide for the housing needs of the community within a high density residential environment.

The proposed development is defined as a “residential flat building” and is permissible with development consent within the R4 High Density Residential zone.

Clause 4.1C Minimum qualifying site area and lot size for certain residential and centre-based child care facility development in residential zones

The objectives of this clause are to achieve planned residential densities, achieve satisfactory environmental and infrastructure outcomes, minimise impact on residential amenity and minimise land use conflicts.

The minimum qualifying site area for a residential apartment building in the R4 High Density zone is 1200 m². The site has a total combined area of 1701 m² and as such complies with this clause.

Clause 4.3 Height of Buildings

Clause 4.3 sets out the maximum building height in accordance with the Height of Buildings map. The subject sites currently have heights limits of 15 m (6 Palmer Street) and 26 m (8 Palmer Street) due to the commencement of the Ingleburn Planning Proposal. Notwithstanding, and as stated in Clause 1.8A – Savings provisions relating to development applications, the previous maximum building height for both sites was 15 m and therefore applies to the sites given the development application was lodged prior to the commencement of the Ingleburn Planning Proposal. The proposed development has a maximum height of 17.52 m over 6 Palmer Street and reduces down to 15.9 m over 8 Palmer Street. The lift overrun has a height of 17.3 m. The proposal exceeds the maximum height development standard by a maximum 2.52 m. The variation to the development standard is discussed below.

Clause 4.4 Floor Space Ratio

Clause 4.4 sets out the floor space ratio requirements for all developments in accordance with the floor space ratio map. The floor space ratio map provides an FSR of 2.7:1 for 8 Palmer Street and no FSR for 6 Palmer Street. Notwithstanding, and as stated in Clause 1.8A – Savings provisions relating to development applications, there was no previous FSR for both sites. Accordingly, there is no specific FSR requirements applicable to the sites given the development application was lodged prior to the commencement of the Ingleburn Planning Proposal. As there is no specific FSR, this clause is not applicable.

Clause 4.6 Exceptions to Development Standards

The purpose of this clause is to provide flexibility in the application of planning controls operating by virtue of development standards in circumstances where strict compliance with those standards would, in any particular case, be unreasonable or unnecessary or tend to hinder the attainment of the objects of the EP&A Act.

It is important to note that changes to Clause 4.6 commenced on 1 November 2023. There is a savings provision that states that the changes to Clause 4.6 does not apply to development applications lodged prior to 1 November 2023 where a Section 4.6 was submitted.

The proposed development includes a variation to Clause 4.3 of the CLEP 2015 with respect to the maximum height of building. The applicant has provided a Clause 4.6 variation request which is assessed in detail below.

The objectives of Clause 4.6 are as follows:

- a. to provide an appropriate degree of flexibility in applying certain development standards to particular development,
- b. to achieve better outcomes for and from development by allowing flexibility in particular circumstances

Clause 4.6 allows consent to be granted for development even though the development would contravene a development standard, being Clause 4.3 relating to a proposed building height of 17.52 m in this instance.

The Clause 4.6 variation is an attachment to this report and addresses each provision of Clause 4.6. The Clause 4.6 variation details how the standard is unreasonable or unnecessary in the circumstances of this case and how the proposal would still satisfy the objectives of the zone in accordance with the Wehbe Test.

Below are key points from the Clause 4.6 Variation Request with respect to the proposed development:

- The proposal provides an appropriate building form that is consistent with the desired future character of the locality and is reflective of the objectives for the zone and locality generally noting that the uneven topography is the key driver of the height variation rather than a desire to achieve greater yield on the site.
- The proposal has no impact on heritage or other views.
- The proposal presents an appropriate height on the site that facilitates a high quality urban form to contribute to building diversity across the Ingleburn Precinct.
- The site is adjoined by an approved development application on the adjoining site at 10-12 Palmer Street Ingleburn that is an approved 5 storey residential flat building with a similar height departure.
- The proposal provides for a better planning outcome as the same density of apartments could be achieved in a building that is squashed into 4 levels of development with a bigger floor plate that would be less articulated and would be located closer to adjoining properties.
- The proposal has been designed to ensure that privacy impacts are mitigated against and that the proposal will not obstruct existing view corridors.
- The site is subject to flooding constraints and raising the building is an appropriate response to this constraint.
- The proposal will provide for a number of distinct public benefits:
 - Delivery of additional housing within close proximity to the Ingleburn Town Centre.
 - Creation of jobs during the construction stage.
 - Activation of the street level.
 - Amenity impacts to adjoining properties are mitigated and the distribution of floor space across the site will not be discernibly different to a built form that is compliant with the height control.
 - The scale and intensity of the development is consistent with other approved residential flat buildings in the wider precinct.

The figures stated are contained within the Clause 4.6 variation document. The proposal presents a departure to the height controls by way of an encroachment to the prescribed height limit by 2.52 m at the highest point which is a percentage exceedance of 16.8%.

Below is an extract from the architectural plans which clearly indicates the area of the building above the maximum height limit.



Figure 2: South east (front)

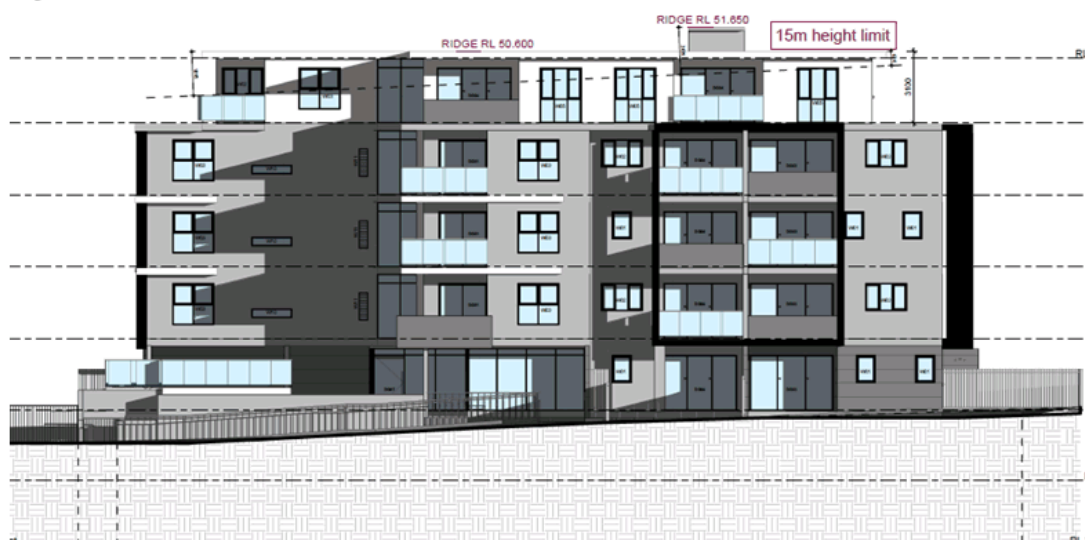


Figure 3: North - west (rear)

In accordance with Clause 4.6(3), as part of the assessment, the consent authority must consider a written request from the applicant that seeks to justify the contravention of the development standard which demonstrates:

- a. that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case; and
- b. that there are sufficient environmental planning grounds to justify contravening the development standard."

The assessment below has regard to the submitted Clause 4.6 variation request.

Is the planning control in question a development standard?

The 15 m maximum permissible building height applying to the subject land under Clauses 4.3 of CLEP 2015 is a development standard for the purposes of Clause 4.6 (Exceptions to development standards) and may therefore be varied by the consent authority pursuant to the provisions of Clauses 4.6(2) - (5) of the LEP.

What are the underlying objectives or purpose of the development standard?

The underlying objective or purpose of the maximum permissible building height development standard applicable to the subject land under Clause 4.3 and the proposed development is stated within the objectives to CLEP 2015 - Clause 4.3(1) - Height of Buildings, as follows:

- a. to nominate a range of building heights that will provide a transition in built form and land use intensity across all zones.
- b. to ensure that the heights of buildings reflect the intended scale of development appropriate to the locality and the proximity to business centres and transport facilities.
- c. to provide for built form that is compatible with the hierarchy and role of centres.
- d. to assist in the minimisation of opportunities for undesirable visual impact, disruption to views, loss of privacy and loss of solar access to existing and future development and to the public domain.

As can be seen on the building elevations, the proposed development exhibits a variation to the maximum permitted building height. This is principally a reflection of the topography of the natural ground level and to allow articulation with the building form.

The proposed development exhibits architectural quality and urban form consistent with the desired future character of the R4 zone in Ingleburn.

The proposed building height exceedance does not significantly reduce the opportunity for either the proposed development, or adjoining properties to receive satisfactory exposure to sunlight given the orientation. The impact of the height exceedance is minimised due to the top floor being setback further than the lower levels thus reducing the overall bulk and scale.

The design height of the proposed development is appropriate to the residential area and has had regard to the surrounding future development. The departure from the 15 m maximum permissible building height development standard does not cause significant visual impact and does not adversely impact view corridors from public spaces.

Matters for Consideration by the Director-General

Clause 4.6(4)(b) of CLEP 2015 requires the concurrence of the Director-General to be obtained for development that contravenes a development standard. As the report is being determined by the Local Planning Panel, assumed concurrence is granted in accordance with the Assumed Concurrence notice dated 21 February 2018.

Under Clause 4.6(5), the following matters are to be considered in deciding whether to grant concurrence.

Whether contravention of the development standard raises any matter of significance for State or regional environmental planning

The proposed development is consistent with State and regional planning policies/strategic directions. Approval of the proposed exceedance of the applicable maximum permissible building height development standard in this particular case, would not raise any matter of significance for State or regional planning.

The public benefit of maintaining the development standard

This report demonstrates that the proposed exceedance of the permissible maximum building height development standard does not have adverse scenic/visual impacts, or amenity impacts on either the public domain, or neighbouring properties. It is also noted that the one of the lots has a current height limit of 26m under the changes made to the LEP as a result of the Ingleburn Planning Proposal.

Any other matters required to be taken into consideration by the Director-General before granting concurrence

There are no other matters currently specified to be taken into consideration by the Director-General before granting concurrence.

Consideration

It is considered that any requirement for the proposed development to strictly comply with the applicable 15 m maximum permissible building height development standard of Clause 4.3 of CLEP 2015 would be unreasonable or unnecessary in the particular circumstances. The proposed development will facilitate the redevelopment of the site to deliver additional housing in the locality. The proposed height variation is considered to be consistent with the strategic planning objectives for the development of the area.

Further, the proposed development is consistent with objectives of the maximum building height development standard as expressed in Clause 4.3(1) of CLEP 2015.

The particular circumstances relating to the subject land and the proposed development are unique to this application due to the topography of the site and will not lead to similar development applications which would cumulatively undermine the planning objectives for the locality.

The proposed exceedance in maximum permissible building height does not significantly increase the bulk and scale of the proposed development, cause any additional view loss from neighbouring properties, or have any significant additional adverse scenic/visual impacts or amenity (privacy/overshadowing) impacts on the public domain.

There is no public benefit to be derived, or planning purpose to be served, in requiring the proposed development to strictly comply with the applicable maximum permissible building height development standards of CLEP 2015.

This request demonstrates that there are sufficient environmental planning grounds for the proposed development to contravene the maximum permissible building height development standard applying to the subject land under Clause 4.3 of CLEP 2015.

The Clause 4.6 variation to the height requirement for the proposed building is supported in this instance.

Clause 5.6 Architectural Roof Features

The objectives of this clause are to permit variations to the maximum height standards only where roof features contribute to the building design and to ensure that the majority of the roof is contained within the maximum building height.

The proposed building does not include architectural roof features.

Clause 7.1 Earthworks

The objectives of this clause are to ensure that required earthworks will not have a detrimental impact on environmental functions and processes. Earthworks are required for the proposed development given 2 basement levels proposed however, insufficient information has been submitted to demonstrate that the required earthworks would not negatively impact on the flooding issues of the site and that stormwater drainage of the site would be sufficient.

Clause 7.4 Salinity

Pursuant to Clause 7.4 of CLEP 2015, development consent must not be granted unless the consent authority is satisfied that the development:

- a. the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or
- b. if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
- c. if that impact cannot be minimised—the development will be managed to mitigate that impact.

The subject site has been identified as containing moderate potential for saline soils. No information has been submitted by the applicant detailing compliance with this clause.

Clause 7.10 Essential Services

This clause ensures that development consent is not granted to development unless the consent authority is satisfied that essential services such as the supply of water, the supply of electricity, the disposal and management of sewage, stormwater drainage or on-site conservation, suitable road and vehicular access, telecommunication services and the supply of natural gas are available. All required essential services are already in place. Notwithstanding, insufficient information has been submitted to demonstrate that stormwater drainage would be sufficiently available.

Clause 7.13 Design Excellence

Pursuant to Clause 7.13 of CLEP 2015, development consent must not be granted unless the consent authority has had regard to the following matters:

- a. whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,

The proposed development has incorporated a wide variety of façade treatments, materials and colours.

- b. whether the form and external appearance of the development will improve the quality and amenity of the public domain,

The external façade is of a contemporary design that is appropriate with the streetscape and public domain. The DEP stated the façade treatment was well proportioned and balanced.

- c. whether the development detrimentally impacts on view corridors,

The proposed development does not impact any significant view corridors.

- d. how the development addresses the following matters—

- (i) the suitability of the land for development,

The site is not suitable for the proposed development as it would adversely impact the adjoining properties with regard to raising the flood level.

- (ii) existing and proposed uses,

The proposed development is consistent with the zone objectives and the proposed residential apartment building is permissible within the zone.

- (iii) heritage issues and streetscape constraints,

There are no heritage items within the proximity of the site.

- (iv) bulk, massing and modulation of buildings,

The design of the building is consistent with the future expectation of the area. The building design and presentation is what is expected from high density residential development. The DEP was happy with the design breaking up the built form with articulated elevations, material diversity, windows and balconies.

- (v) street frontage heights,

The proposed development as viewed from the street level provides for an appropriate upper level setback to reduce the visibility of the building that exceeds the maximum height of building control from the street level. Therefore, the proposed street frontage heights are considered to be acceptable. The proposed height non-compliance is discussed in detail elsewhere in this report.

- (vi) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,

The proposed development has given due consideration to its potential to result in an undesirable impact on the local environment. The provided shadow diagrams indicate that the proposed development allows the neighbouring allotments sufficient solar access given the orientation of the building. The proposed scale and materials would not cause wind or reflectivity issues, beyond what would be expected by high density development, and the materials are low reflectivity.

- (vii) the achievement of the principles of ecologically sustainable development,

The proposed development has been designed with consideration to ecologically sustainable development particularly in the use of windows and balconies to take advantage of passive heating and cooling. Additionally, the proposed development would need to comply with the Building Code of Australia and BASIX which further encourages ecologically sustainable development.

- (viii) pedestrian, cycle, vehicular and service access, circulation and requirements,

The proposed development would not adversely impact on the existing pedestrian networks surrounding the site. The proposed development provides car parking that is sufficient to the development requirements. The site is also well connected with existing pedestrian access to the Ingleburn Town Centre.

- (ix) the impact on, and any proposed improvements to the public domain,

The proposed development would assist to complete the streetscape setting and associated public domain of the land which is evolving as the existing low density area is redeveloped into a high density locale.

- (x) the interface with the public domain,

The proposed development addresses the public domain to create visual interest through architectural features, changes in building materials and landscaping.

- (xi) the quality and integration of landscape design,

The proposed landscaping along the front boundary enhances the streetscape.

2.1.8 Campbelltown (Sustainable City) Development Control Plan 2015

Part 2 of the SCDCP 2015 aims to reduce the resultant environmental impacts of all development proposed within the Campbelltown Local Government Area.

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
Part 2 Requirements Applying to all Types of Development			
2.2 Site Analysis	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.	Yes
2.3 Views and Vistas	a) Development shall appropriately respond to Campbelltown's important views and vistas to and from public places.	The proposed development has an acceptable impact on views.	Yes
	b) District views and existing significant view corridors as viewed to and from public places shall be protected	The proposed development has an acceptable impact on views.	Yes
	c) The opportunity to create new view/ vista corridors shall be taken wherever possible and appropriate.	The proposal does not create new view corridors.	Yes
2.4.1 Rain Water Tanks	a) In addition to satisfying BASIX, residential development is encouraged to provide a rain water tank for new buildings	A Basix certificate was submitted with all details on the architectural plans.	Yes
	b) A rain water tank shall be provided for all new buildings containing a roof area greater than 100 m ² for all development not specified by BASIX. The rain water tank shall have a minimum capacity in accordance with Table 2.4.1.	A 5000 L water tank is provided.	Yes
	c) All rainwater tanks shall comply with AS3500 (as amended) - National Plumbing and Drainage Code Guidelines for Plumbing Associated with Rainwater Tanks in Urban Areas and Sydney Water's Guideline for Rainwater Tanks on	The water tank will comply with AS3500.	Yes

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Part	Requirement	Campbelltown (Sustainable City) Development Control Plan 2015	
		Proposed	Compliance
	Residential Properties.		
	d) The rainwater tank incorporated in new commercial and industrial development exceeding 5,000 m ² shall be connected to the plumbing in the building to provide water for toilets.	N/A	N/A
	f) Above ground water tanks shall be located behind the primary or secondary building line.	The water tank is located behind the main building line on the south western side of the building.	Yes
2.4.4 Light Pollution	a) Outdoor lighting shall be designed to minimise pollution from the unnecessary dispersion of light into the night sky and neighbouring properties.	An external lighting plan was submitted and is considered to be satisfactory.	Yes
2.5 Landscaping – Design Requirements	a) Landscape design shall enhance the visual character of the development and complement the design/use of spaces within and adjacent to the site.	A landscape plan has been provided.	Yes
	b) Landscape design shall retain and enhance the existing native flora and fauna characteristics of a site wherever possible.	Two existing trees on site will be retained, one along the rear boundary and one within the front setback area.	Yes
	c) Landscape design shall add value to the quality and character of the streetscape.	The proposal complies.	Yes
	d) A Landscape Concept Plan is required to be submitted with a development application for	A landscape plan was provided.	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 satisfactory.	Yes
	f) Landscaping shall maximise the use of locally indigenous and other drought tolerant native plants and avoid the use of invasive species.	The proposal complies.	Yes

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2.7 Erosion and Sediment Control - Design Requirements	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.	Yes
	b) Site activities shall be planned and managed to minimise soil disturbance.	All excavation works will be carried out to minimise soil disturbance. An erosion and sediment control plan has been submitted and is considered to be satisfactory.	Yes
	c) Catch drains or diversion banks shall be designed and constructed to divert water around any area of soil disturbance.	N/A	N/A
	d) All stockpiles shall be located within the sediment control zone and shall not be located within an overland flow path.	No stockpiles will be located within an overland flow path.	Yes
2.8 Cut, Fill and Floor Levels	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 was not submitted.	No
	c) Any excavation within the zone of influence of any other structure requires a 'dilapidation report' (prepared by a suitably qualified person) demonstrating that adequate ameliorative measures are to be implemented to protect the integrity of any structure.	A dilapidation report was not submitted.	No
	d) Development incorporating any cut or fill shall comply with the following requirements: i) minimum cross fall of 1% to any adjoining waterway; and ii) batters to be no steeper than 2H:1V ('H' stands for the term 'horizontal distance' and 'V' stands for the term 'vertical distance'; iii) batters to be no steeper than 6H:1V for public areas.	A cut and fill plan was not submitted.	No
	e) All fill shall be 'Virgin Excavated Natural Material' (VENM).	No details on fill submitted	No

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	f) No fill shall be deposited in the vicinity of native vegetation.	No details on fill submitted.	No
2.8.2 Surface Water and Floor Levels	a) Development shall not occur on land that is affected by the 100-year ARI event unless the development is consistent with the NSW Floodplain Development Manual.	The flood report submitted with the development application details that the flood level will increase by 20 mm on the adjoining properties as a result of the development.	No
	b) All development on land affected by stormwater flow from main stream, local creek or over land flow shall satisfy the relevant fill and floor level requirements as specified in Table 2.8.1.	Insufficient information submitted to demonstrate compliance.	No
	c) All development shall have a ground surface level, at or above a minimum, equal to the 100-year 'average recurrence interval' (ARI) flood level.	The proposal complies with the habitable floor level of RL 35.00m AHD as provided by Council's Infrastructure Section.	Yes
	d) For development on land not affected by an overland flow path the minimum height of the slab above finished ground level shall be 150 mm, except in sandy, well-drained areas where the minimum height shall be 100 mm. These heights can be reduced locally to 50 mm near adjoining paved areas that slope away from the building in accordance with AS 2870 (Residential Slabs and Footings Construction).	Not applicable.	N/A
	f) Any solid fence constructed across an overland flow path shall be a minimum 100 mm above the finished surface level of the overland flow path.	No solid fence constructed in an overland flow path.	Yes
2.9 Demolition	a) A development application involving demolition shall be considered having regard to the following information: i) a detailed work plan prepared by a suitably qualified person, in accordance with AS2601-2001- The Demolition of Structures (as amended); ii) details of the licensed demolition contractor engaged to	A demolition plan was submitted. Demolition contractor details can be provided at a later stage. A hazardous materials report was not submitted at the DA stage. No details of asbestos were provided at DA stage. A dilapidation report was not	No

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	<p>carry out the work (including name, address and building licence number);</p> <p>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;</p> <p>iv) details of any asbestos or other hazardous substances to be removed from the site and/or damaged during demolition; and</p> <p>v) a dilapidation report where any demolition work is to be undertaken within the zone of influence of any other structure.</p>	provided at DA stage.	
	b) Where appropriate, demolished materials shall be recycled for reuse on site.	Demolition materials will be reused on site where possible.	Yes
2.10.1 Water Cycle Management	a) A comprehensive Water Cycle Management Plan (WCMP) shall be prepared and submitted as part of a development application.	Insufficient information was submitted.	No
2.10.2 Stormwater - Design Requirements	a) All stormwater systems shall be sized to accommodate the 100-year ARI event (refer to Section 4 of Council's Engineering Design Guide for Development).	A stormwater management plan has been prepared for the site.	Yes
	b) The design and certification of any stormwater system shall be undertaken by a suitably qualified person.	The stormwater management plan was prepared by a suitably qualified engineer.	Yes
	c) Water quality control structures shall be located generally offline to creek paths or other watercourses. Major detention storages shall not be located on areas of native vegetation or within riparian areas.	Insufficient information submitted.	No
	d) Development shall not impact on adjoining sites by way of overland flow of stormwater unless an easement is provided. All overland flow shall be directed to designated overland flow paths such as roads.	Insufficient information submitted.	No
	e) Safe passage of the Probable	The proposal was referred to Council's Development Engineer	No

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	Maximum Flood (PMF) shall be demonstrated for major systems.	where additional information was requested. The additional information submitted did not demonstrate that the original issues were addressed.	
	f) A treatment train approach to water quality shall be incorporated into the design and construction of major systems.	The proposal was referred to Council's Development Engineer where additional information was requested. The additional information submitted did not demonstrate that the original issues were addressed.	No
	g) A major/minor approach to drainage is to be taken for stormwater flows. Generally the piped drainage system shall be sized to accommodate the difference between the 100-year ARI flow and the maximum safe overland flow, with minimum requirements as set out in section 4 of Council's Engineering Design Guide for Development	The proposal was referred to Council's Development Engineer where additional information was requested. The additional information submitted did not demonstrate that the original issues were addressed.	No
	h) Stormwater collected on a development site shall be disposed of (under gravity) directly to the street or to another Council drainage system/device. Where stormwater cannot be discharged directly to a public drainage facility, a drainage easement of a suitable width shall be created over a downstream property(s) allowing for the provision of a drainage pipe of suitable size to adequately drain the proposed development to a public drainage facility.	The proposal was referred to Council's Development Engineer where additional information was requested. The additional information submitted did not demonstrate that the original issues were addressed.	No
	i) All proposed drainage structures incorporated within new development shall be designed to maintain public safety at all times	The proposal was referred to Council's Development Engineer where additional information was requested. The additional information submitted did not demonstrate that the original issues were addressed.	No
	j) Development shall not result in water run-off causing flooding or erosion on adjacent properties.	The proposal will increase the flood level for adjoining properties.	No

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	k) Stormwater run-off shall be appropriately channelled into a stormwater drain in accordance with Council's Engineering Design Guide for Development	The proposal was referred to Council's Development Engineer where additional information was requested. The additional information submitted did not demonstrate that the original issues were addressed.	No
2.10.3 Stormwater Drainage – Design Requirements	a) A stormwater Drainage Concept Plan shall be prepared by a suitably qualified person, and submitted with all development applications, involving construction (except for internal alterations/fitouts), demonstrating to Council how the stormwater will be collected and discharged from the site.	A stormwater concept plan was submitted.	Yes
	b) The stormwater concept plan shall include the following information as a minimum: i) locations, layouts and sizes of stormwater pipes and pits; ii) minimum grades and capacity of stormwater pipes; and iii) existing and proposed easements, site contours and overland flow path/s.	Insufficient information was submitted.	No
2.12 Retaining Walls – Design Requirements	a) Any retaining wall that is not complying or exempt development as specified in the E&CDC shall be designed by a suitably qualified person.	There is an existing 1.7m high concrete block retaining wall along the northern side boundary. No new retaining walls proposed.	N/A
	b) In the case of retaining walls constructed to support proposed fill on an allotment, the following design criteria shall apply: i) No filling shall be permitted within 2m of any property boundary unless sufficient details are submitted to Council illustrating how privacy, overshadowing, stormwater management and access issues have been addressed to Council's satisfaction.	No new retaining walls proposed.	N/A
	c) In the case of retaining walls constructed to support proposed cut on an allotment, the following	No new retaining walls proposed.	N/A

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	design criteria shall apply: i) The retaining wall shall be setback a minimum of 450 mm from the rear and side boundary of the lot containing the cut.		
	d) Any retaining wall shall not adversely alter surface flows to adjoining private land.	No new retaining walls proposed.	N/A
	e) Any retaining wall and associated structures shall be designed to be located wholly within the property boundary, except where written or legal agreements have been reached between relevant parties to Council's satisfaction.	No new retaining walls proposed.	N/A
	f) Any excavation within the zone of influence for any other structure or building requires a Structural Engineering Report (prepared by a suitably qualified professional) demonstrating that adequate and appropriate measures are to be implemented to protect the integrity of any structure.	No new retaining walls proposed.	N/A
	g) Where retaining walls are proposed along the side boundary of the property, the side setback where the retaining wall is proposed shall be increased from 0.9 m to 1.2 m.	No new retaining walls proposed.	N/A
	h) Any retaining wall requiring work on neighbouring properties shall require the consent of the adjoining owner/s.	No new retaining walls proposed.	N/A
	i) Retaining walls higher than 900 mm shall be designed by a structural engineer and made from appropriate material.	No new retaining walls proposed.	N/A
	j) Any retaining wall(s) proposed on land designated as being bush fire prone must be constructed of non-combustible materials.	No new retaining walls proposed.	N/A
2.13 Security - Design Requirements	a) Development shall be designed to: i) maximise, where possible, casual surveillance opportunities to the street and surrounding public places; ii) minimise dead	The site is fenced and will have suitable measures in place for safety and security.	Yes

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	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		
	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.	The development will have external lighting. An external lighting plan was submitted.	Yes
	c) Development shall incorporate appropriate landscaping, fencing and security devices to assist in crime prevention	A landscaping plan was submitted detailing appropriate landscaping.	Yes
	d) Commercial and industrial buildings that are not secured from public access after close of business shall have external finishes that are graffiti resistant.	N/A	N/A
2.14.3 Bushfire – Design Requirements	a) Development shall be designed and located so as to minimise the risk of loss of life or property from bushfire.	The site is not bushfire prone land.	N/A
	b) Development on bush fire prone land (as detailed on the Campbelltown Bush Fire Prone Lands Map) shall comply with the requirements of Planning for Bushfire Protection, (NSW Rural Fire Service) as amended.	The site is not bushfire prone land.	N/A
	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.	The site is not bushfire prone land.	N/A
	d) All 'Asset Protection Zones' shall be provided within the boundary of the subject land. National Parks, Crown Reserves, water catchments, easements, Council managed reserves, riparian corridors other private land shall not be considered as part of asset protection zones unless approved	The site is not bushfire prone land.	N/A

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	by the NSW Rural Fire Service.		
	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 necessary	Not required.	N/A
	f) Any development proposing the removal of native vegetation for APZ purposes shall investigate the environmental impact of the removal of that vegetation	Vegetation is not being removed for APZ purposes.	N/A
2.15.1 Waste Management Plan – Design requirements	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) Plans submitted with a development application shall detail the following (as applicable): i) the size and location of waste and recycling storage areas; ii) routes for occupants to access waste and recycling areas;	The bin allocation is sufficient. Bin storage area does not demonstrate compliance with clause 5.4.8.3 of the DCP. No bulky waste storage is provided in accordance with clause 5.4.8.4 of the DCP.	No

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	<p>iii) collection point and/or access route for collection vehicles;</p> <p>iv) ventilation of waste and recycling 2.15 storage areas;</p> <p>v) location of garbage chute and service rooms;</p> <p>vi) bin and storage area washing facilities; and</p> <p>vii) occupants' disposal points for all waste streams</p>	Bin presentation is sufficient for a private waste contractor which is to be conditioned as Council cannot service the site as the bin presentation proposed is not sufficient.	
2.15.2 Waste Management During Demolition and Construction	a) Waste and recyclable streams shall be stored separately on site.	General waste and recycling waste will be provided on the site	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	A waste storage area is provided as detailed on the plans.	Yes
	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	All details have been provided in the waste management plan.	Yes
	d) Convenient and safe heavy vehicular access to waste and recycling material storage areas shall be provided	Satisfactory access has been provided for a private contractor only.	Yes
	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 Environment and Heritage and other regulatory authority guidelines and requirements.	No details of whether asbestos is on the site have been provided.	No
2.15.9 Bin Storage Areas	a) The design of the bin storage areas shall be considered early in the design process so that they can be successfully integrated into the overall design of the development and are convenient	A waste storage area is provided as detailed on the plans however is not compliant with clause 5.4.8.3 of the DCP.	No

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	for all users.		
	b) Sufficient areas/space shall be made available within the property boundary to store the range of bins for the quantity of waste, recycling and organics (and other materials where appropriate) likely to be generated between collections.	A waste storage area is provided as detailed on the plans however is not compliant with clause 5.4.8.3 of the DCP.	No
2.17 Work On, Over or Near Public Land	a) Written approval shall be obtained from Council, prior to the commencement of any works, activities or occupancy upon public land, including roads, road related areas, stormwater connections, Council car parks, footpaths or nature strips.	Council can provide written approval for any works on, over or near public land at a later stage.	Yes
2.17.2 Working Near Public Land	a) Notwithstanding clause 2.17.1 a) a hoarding or fence shall be erected between the work site and a public place where: i) the work involved in the development is likely to cause pedestrian or vehicle traffic in a public place to be obstructed or altered; and/or ii) the building involves the enclosure of a public place in accordance with Work Cover requirements	Hoarding details can be provided at a later stage.	Yes
2.19 Development Near or on Electricity Easements	a) Wherever possible electrical easements are to be located within open space corridors.	No electrical easements are required.	Yes
	b) 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.	No electrical easements are required.	Yes
	c) 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	No electrical easements are required.	Yes
	d) Evidence of approval from the relevant utility provider shall be	No electrical easements are required.	Yes

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	submitted with the DA.		
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The proposal is generally consistent with Part 2 of the SCDCP with exception to cut and fill, stormwater and waste management controls which are discussed below in the report.

Part 5 – Residential Flat Buildings and Mixed-Use Development

The development application was assessed under the relevant controls outlined in Part 5 of the SCDCP with regard to requirements for residential flat buildings and mixed-use development and is detailed below.

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
Pat 5 Residential Flat Buildings and Mixed-Use Development			
5.4.1 Relationship of the Plan to SEPP 65 Design Quality of Residential Flat Development	a) In addition to satisfying the requirements of the Plan, all residential flat buildings, and mixed use development having a height greater than 12 m or 4 or more self-contained dwellings (whether or not the building includes uses for other purposes, such as shops) shall satisfy all the standards within State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development (SEPP 65) and Apartment Design Guide (Published by the NSW Department of Planning and Environment, July 2015).	SEPP 65 has been repealed however the proposal has assessed against the Housing SEPP 2021 and the Apartment Design Guide has been detailed above in this report with several non-compliances. Not adjacent to any hazardous or offensive industries. Not located within a 150 m radius of a sex restricted premises or sex services premises. The proposal does not present a safety issue for vehicles or pedestrians.	No
5.4.2 Building Form and Character	a) Building design shall consider foremost the qualities (both natural and built) and the desired future character of the areas including the significance of any heritage item on the land.	The proposed building design is compatible with the desired future character of the area. There are no heritage items on the site or within close proximity to the site.	Yes
	b) Building design shall incorporate the following features to assist in the achievement of high quality architectural outcomes: i) incorporation of appropriate facade treatments that help the development properly address the respective street frontages, key vistas and to add visual interest to the skyline;	The building design incorporates facade treatments on the street front facade including vertical and horizontal elements.	Yes

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	<p>ii) incorporation of articulation in walls, roof lines, variety of roof pitch, individualised architectural features (balconies, columns, porches, colours, materials etc) into the facade of the building;</p> <p>iii) variation in the vertical planes of exterior walls in depth and/or direction;</p> <p>iv) variation in the vertical and horizontal planes of the building so that the building appears to be divided into distinct base, middle and top massing elements;</p> <p>v) articulation of building facade (including rear and side elevations visible from a public place) by appropriate use of colour, arrangement of facade elements, and variation in the types of materials used;</p> <p>vi) utilisation of landscaping and interesting architectural detailing at the ground level; and</p> <p>vii) avoidance of blank walls at ground and lower levels.</p>	<p>Articulation is provided in the roof form by stepping the top floor back from the rest of the building and stepping the building in the facade built form.</p> <p>Variation is provided in the vertical and horizontal planes of the building.</p> <p>Varied external colours and building materials proposed.</p> <p>Landscaping is provided at the ground level.</p> <p>No blank walls at ground level.</p>	
	<p>c) Building design shall demonstrate to Council's satisfaction that the development will:</p> <p>i) facilitate casual surveillance and active interaction with the street;</p> <p>ii) be sufficiently setback from the property boundary to enable the planting of vegetation to soften the visual impact of the building at street level; and</p> <p>iii) maximise cross flow ventilation, therefore minimising the need for air conditioning.</p>	<p>Casual surveillance of the street is provided with windows on the front facade at ground level as well as pedestrian pathways.</p> <p>Landscaping is provided within the front setback area.</p> <p>Cross flow ventilation is provided.</p>	Yes
	<p>d) Building colours, materials and finishes shall generally achieve subtle contrast. The use of highly reflective or gloss materials or colours shall be minimised to feature and highlight element only.</p>	<p>No highly reflective or gloss materials or colours is proposed.</p>	Yes
	<p>e) Building materials shall be high quality, durable and low</p>	<p>The building materials proposed will be high</p>	Yes

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	maintenance.	quality, durable and low maintenance.	
5.4.3 Site Services	a) The location, design and construction of utility services shall satisfy requirements of the relevant servicing authority and Council.	No information has been provided in regard to whether a substation is required and where it will be located if required. All other utility servicing requirements will be provided to the satisfaction of Council.	No
	b) Development shall ensure that adequate provision has been made for all essential services (i.e water, sewerage, electricity, gas, telephone, internet and stormwater drainage)	Insufficient information has been submitted demonstrating that adequate stormwater measures are provided.	No
	c) All roof-mounted air conditioning or heating equipment, vents or ducts, lift wells and the like shall not be visible from any public place and shall be integrated into the design of the development.	All roof mounted plant will not be visible from the public street.	Yes
	d) All communication dishes, antennae and the like shall be located or integrated into the built form so as to minimise visual prominence.	No information has been submitted in relation to the location of any communication dishes, antennae and the like.	No
	e) An external lighting plan shall be prepared by a suitably qualified person and submitted with the development.	An external lighting plan was provided.	Yes
	f) All site services areas including any associated equipment and storage structures shall be incorporated into the design of the building and screened from public view.	Service areas are all contained within the building.	Yes
	g) An on-going waste management plan shall be prepared by a suitably qualified person and submitted with the development application.	An on-going waste management plan was submitted.	Yes
	h) Any development applications involving new construction work with a value of \$30 million or greater shall undertake the following at the developer's expense: i) Any existing above ground power lines which traverse the property's frontage, must be relocated underground; and ii) Installation of any required	Construction value is less than \$30 million.	N/A

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	electrical substation within the development basement level.		
	<p>i) The developer must allocate/set aside adequate space within the development to install a grease trap and mechanical ventilation, for any proposed food premises, in accordance with the Local Water Authorities recommendations and the following Australian Standards: Mechanical ventilation (for any proposed food premises) must comply with:</p> <p>i) Australian Standard (AS) 1668.2-2012: The use of ventilation and air conditioning in buildings:</p> <p>ii) Part 2: Mechanical ventilation in buildings; and (where applicable); and</p> <p>iii) Australian Standard 1668.1-1998: The use of ventilation and air conditioning in buildings - Fire and smoke control in multi-compartment buildings.</p> <p>All mechanical ventilation must be installed within the building during construction and is not permitted on any external building surfaces.</p> <p>All required grease traps must be located and serviced on private land as no permission will be granted to install such a facility on public or Council land.</p>	No food premises proposed.	N/A
5.4.4 Acoustic Privacy	<p>a) Residential flat buildings, and the residential component of a mixed-use development shall provide noise mitigation measures to ensure that the following LAeq levels are not exceeded:</p> <p>i) in any bedroom in the building—35 dBA ,</p> <p>ii) anywhere else in the building (other than a garage, kitchen, bathroom or hallway)—40 dBA.</p>	An Acoustic Report was submitted as part of the application. Council's Environmental Officer reviewed the Acoustic Report and concluded that the recommendations made in the Acoustic Report be implemented.	Yes
	b) Residential flat buildings, and the residential component of a mixed-use development near railway corridors and major roads shall demonstrate to Council's satisfaction compliance with the	The sites are not located near a railway corridor and/or major road.	N/A

	requirements under the Guidelines entitled Development Near Rail Corridors and Busy Roads – Interim Guideline, 2008.		
5.4.5 Vehicular Access	a) Residential flat buildings and mixed-use developments shall only be permitted where Council is satisfied that existing road networks are capable of providing safe and efficient vehicle access to and from the proposed development.	The existing road network of Palmer Street is capable of providing safe access to and from the development.	Yes
5.4.6 Stormwater Drainage	a) Residential flat buildings and mixed-use developments shall only be permitted where Council is satisfied that sufficient provisions made for the management of stormwater. All necessary upgrades to existing public and private stormwater infrastructure shall be addressed as part of the proposed development and shall be in accordance with Council's Engineering Design Guide for Development (available from Council's website at www.campbelltown.nsw.gov.au)	Insufficient information has been submitted to demonstrate that stormwater drainage is sufficient for the site.	No
5.4.7 Thermal Comfort	a) Residential flat buildings and mixed-use developments shall be designed to maximise natural thermal comfort for occupants through the use of appropriate building materials. Examples include the use of energy efficient glazing and/or shading devices for windows and the like.	The proposed development provides compliance with Thermal requirements as detailed in the Basix certificate.	Yes
5.4.8.1 Number of Bins	a) All buildings shall be provided with household garbage bins at the following rates: i) one x 240 litre bin per 2.5 dwellings/ week for household garbage; or ii) one x 1100 litre bulk bin per 10 dwellings or part thereof, but only if the bulk bin is stored and located within the property where the waste collection truck is able to enter and exit the property in a forward-in forward-out arrangement with a maximum three point turning path.	Bin numbers proposed for the development is sufficient.	Yes
	b) All buildings shall be designed with provision for recyclable bins at a ratio of one x 240 litre bin per 2.5 dwellings per fortnight.	Recycling bins have been provided at the appropriate rate.	Yes
	c) A caretaker shall be available for	A caretaker will be	Yes

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	all sites where bins are shared between occupants, to ensure bins are correctly presented for collection and returned to the designated bin storage area when emptied.	appointed to take the bins to the street and return them to the garbage storage room.	
5.4.8.2 Waste Service Rooms, Garbage Chutes and Provision for Recyclables Bins	a) All buildings with a rise of 4 storeys or more (including the ground floor) shall make provision for a Waste Service Room on each section of each residential floor which is accessible for all residents.	Each level has a waste bin storage room.	Yes
	<p>b) All Waste Service Rooms shall have chutes to enable residents to dispose of garbage. Waste chutes must:</p> <p>i) not be located adjacent to bedrooms or living rooms unless they are outside the sound transmission barrier surrounding each apartment.</p> <p>ii) Not open into any habitable or public space and doors must have an effective self-sealing system;</p> <p>iii) Feed into appropriately sized bins located in the bin storage room. During collection periods, empty bins must be placed under the chute outlet to maintain continuity of access to the chute system for residents;</p> <p>iv) Be completely enclosed in a fire-rated shaft construction of an approved material and be fitted with sprinklers;</p> <p>v) Comply with the BCA;</p> <p>vi) Be accessible to anyone with a disability and comply with AS1428 Design for access and mobility; and</p> <p>vii) Include signage that explains the correct use of the system and which materials are able to be placed in the chute, and which must go in the recycling bin.</p>	No chutes proposed.	No
	c) The outlet area, in which the chute outlets and mechanical collection devices are located, shall be secured to prevent access by unauthorised persons.	No chutes provided.	No

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	d) Mechanical devices are permitted in order to assist with waste collection (eg. carousel).	No mechanical devices proposed.	N/A
	e) Compaction is not permitted for either garbage or recyclables.	No compaction proposed.	N/A
	f) Each Waste Service Room shall make provision for a sufficient number of 240-litre mobile recycling bins for residents on each floor to dispose of recyclables. Chute systems for recyclables are not permitted.	Garbage room can accommodate the required number of bins.	Yes
5.4.8.3 Bin Storage Room	<p>a) The development shall make provision for an appropriately sized bin storage room(s) that provides convenient access for all residents, maintenance and waste collection staff. The bin storage room shall:</p> <p>i) be located behind the primary and secondary building alignment;</p> <p>ii) be located to restrict or deter access by non-residents;</p> <p>iii) have a non-slip floor constructed of concrete or other approved impervious material at least 75 mm thick and be provided with a ramp to the doorway (where necessary);</p> <p>iv) be graded and drained to a Sydney Water approved drainage fitting;</p> <p>v) have coving at all wall and floor intersections;</p> <p>vi) be finished with a smooth faced, non-absorbent material(s) in a light colour and capable of being easily cleaned;</p> <p>vii) be provided with an adequate supply of hot and cold water mixed through a centralised mixing valve with hose cock; and</p> <p>viii) have a self-closing door openable from within the room with a door width of at least 1.5 m (or 2.5 m if bulk bins are proposed); and</p> <p>ix) allow access and manoeuvrability of the largest bin and any required waste handling equipment.</p>	Insufficient information submitted to demonstrate compliance.	No

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	<p>b) Bin storage rooms shall have sufficient capacity to allow for:</p> <p>i) Access, manoeuvring, cleaning and maintaining all bins by providing an extra 30% of the footprint of each waste container to the overall size of the storage area;</p> <p>ii) Spacing of at least 50 cm between all bins allocated for the development;</p> <p>iii) All bins to be arranged side by side within the bin storage room (no stacking);</p> <p>iv) A minimum 1.5 m aisle between rows of bins to minimise potential obstructions; and</p> <p>v) Future modifications of services, bin sizes and/or configurations by minimising the installation of fixed structures within bin storage areas.</p>	Insufficient information submitted to demonstrate compliance.	No
	<p>c) Bin storage rooms shall be ventilated by:</p> <p>i) a mechanical exhaust ventilation system; or</p> <p>ii) permanent, unobstructed natural ventilation openings having direct access to external air, and a total area of not less than one-twentieth (1/20th) of the floor area of the Room.</p>	Insufficient information submitted to demonstrate compliance.	No
	<p>d) Exterior doors of bin storage rooms shall be:</p> <p>i) consistent with the overall design of the building;</p> <p>ii) at least 1.5 m wide (or 2.5 m where bulk bins are proposed);</p> <p>iii) located away from the frontage of the building; and</p> <p>iv) fitted with a Council compatible keyed locking system that provides access to the room or activates the electronic opening and closing of the door (if collection service is to be carried out by Council).</p>	Insufficient information submitted to demonstrate compliance.	No
	e) All bin storage rooms and Waste	Insufficient information	No

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	Service Rooms shall be constructed in such a manner to prevent the entry of vermin.	submitted to demonstrate compliance.	
	f) All bin storage rooms must be located in an area where bins can be easily moved to the waste collection point.	Insufficient information submitted to demonstrate compliance.	No
	g) Any bin travel path must be free of steps or kerbs and have a maximum gradient of 1V:8H.	Insufficient information submitted to demonstrate compliance.	No
	h) Where waste collection personnel are required to enter the premises to service bins, the collection point shall be no further than 5 m from the collection vehicle.	Insufficient information submitted to demonstrate compliance.	No
	i) Where residents have access to bin storage rooms, signage on the correct use of the waste management system shall be displayed in all bin storage rooms.	Insufficient information submitted to demonstrate compliance.	No
5.4.8.4 Bulky Waste Storage	<p>a) Developments must make provision for the storage of bulky waste (kerbside clean-up) materials, ensuring that:</p> <p>i) a minimum area of 10 m² per building is provided;</p> <p>ii) the area is secure and caged for visibility into the enclosure;</p> <p>iii) the area is accessible to all residents and has a minimum doorway width of 1.5 m; and</p> <p>iv) the area is not more than 10 m from the waste collection point.</p>	No bulky waste storage area provided.	No
5.4.8.5 On-site Waste Collection	<p>a) Any development:</p> <ul style="list-style-type: none"> • containing 20 or more dwellings, and/or • when the number of bins proposed cannot be accommodated within 50% of the development's net frontage width on collection day, shall be designed to accommodate forward-in, forward-out, drive-on vehicular collection for on-site servicing. 	No on-site collection proposed. private contractor will collect the bins from the kerb along the paced area at the end of Palmer Street.	N/A
	b) Where on-site waste and recycling collection is proposed, the site plan and layout shall consider how waste and recycling vehicles can access and move around the development.	No on-site collection proposed. private contractor will collect the bins from the kerb along the paced area at the end of Palmer Street.	N/A
	c) The area designated for on-site	No on-site collection	N/A

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	<p>servicing must meet the following requirements:</p> <p>i) there shall be a minimum unobstructed height clearance of 5.2 m;</p> <p>ii) there shall be provision for a waste collection vehicle to empty bins on the vehicle's left side, allowing for a width of 3.8 m from the right hand side of the vehicle to the collection point;</p> <p>iii) where the waste collection vehicle is required to turn around on site, there must be provision for a heavy rigid vehicle of 10.4 m length (refer to indicative vehicle dimensions at Table 2.15.2) to negotiate a maximum 3-point turn allowing the waste collection truck to enter and leave the property in a forward direction;</p> <p>iv) the maximum grade of any path of travel for collection vehicle shall be 1V:20H for the first 6 m from the street, and 1V:12H thereafter;</p> <p>v) the minimum driveway width for a collection vehicle shall be 3.6 m wide, with sufficient area provided for another vehicle to pass; and</p> <p>vi) access driveway and servicing area to be constructed to withstand the loaded mass of the waste collection vehicle of 24 tonnes.</p> <p>vii) buildings and other structures must not extend over roads or corners where they may be struck by waste collection vehicles.</p>	<p>proposed. A private contractor will collect the bins from the kerb along the paced area at the end of Palmer Street.</p>	
	<p>d) The distance between any dwelling and the waste disposal point shall be a maximum of 40 m (excluding distance travelled in a lift).</p>	<p>No on-site collection proposed. A private contractor will collect the bins from the kerb along the paced area at the end of Palmer Street.</p>	<p>N/A</p>
	<p>e) Where on-site waste collection is required, the development must be designed and constructed to accommodate the above requirements, regardless of whether Council will be engaged to provide</p>	<p>No on-site collection proposed. A private contractor will collect the bins from the kerb along the paced area at the end of Palmer Street.</p>	<p>N/A</p>

	waste services or not.		
	f) Where on-site collection is required, Council and its collection contractor must be indemnified against any loss or damages that may arise during the course of waste collection services.	No on-site collection proposed. A private contractor will collect the bins from the kerb along the paced area at the end of Palmer Street.	N/A
5.4.9 Strata Subdivision	a) No more than 50% of the required car parking within a strata title subdivision shall be allocated to individual commercial apartments within the mixed-use development.	Strata subdivision is proposed but no concept subdivision plan was submitted.	No
	b) All car parking spaces that are allocated to individual apartments shall be proportioned in number to the size of the apartments.	Strata subdivision is proposed but no concept subdivision plan was submitted.	No
	c) No car parking spaces shall be created as a separate allotment.	Strata subdivision is proposed but no concept subdivision plan was submitted.	No
	d) No internal or outdoor storage space shall be created as a separate allotment.	Strata subdivision is proposed but no concept subdivision plan was submitted.	No
5.4.10 Car Parking	a) Car parking provided for the residential dwellings shall be secured, separated from commercial car parking (where relevant) and have a separate access.	No commercial proposed therefore all car parking spaces are for the residents only.	Yes
	b) The design of car parking spaces shall take into consideration the principles of Crime Prevention Through Environmental Design (CPTED) to minimise opportunities for crime and enhance security.	Car parking considers CPTED principles and is designed accordingly.	Yes
5.4.11 Access for People with Disabilities	a) Residential flat buildings and mixed use development shall comply with the minimum access requirements contained within the BCA, the Disability (Access to Premises – Buildings) Standards 2010 and Australian Standard 1428 – Design for Access and Mobility (as amended).	An Access Report was submitted stating that the proposal complies.	Yes
5.4.12 Advertising Material	a) As part of the letter box design for residential flat buildings and mixed use development a special container shall be provided for the placement of advertising and newspaper materials. Such container shall be located behind the building line and designed to be part of the letter box arrangement for the development.	No information provided for letterbox details.	No
	b) The newspaper/advertisement container shall be regularly emptied	The manager/caretaker will empty the container	Yes

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	by the manager/caretaker of the building.	regularly.	
5.5.1 Site Requirements for Residential Flat Buildings	a) Residential flat buildings shall only be permitted on an allotment having a minimum width of 30 m measured at the front property boundary.	46.33 m	Yes
	b) Sites shall be amalgamated where required, to achieve the minimum site area and width requirement applicable to the proposed development.	Two lots are proposed to be consolidated.	Yes
	c) Development shall not result in an "isolated allotment" adjoining the development site.	Proposal does not result in any isolated lots.	Yes
5.5.2 Building Setbacks for Residential Flat Buildings	a) Residential flat buildings shall be setback a minimum of: i) 5.5 m from any street boundary; and ii) 6 m from any other boundary.	Front setback: 5.5 m Other boundaries: min. 5.5 m (balconies encroach within the setback)	No
5.5.3 General Requirements for Residential Flat Buildings	a) A minimum of 5% of the total number of dwellings within a residential flat building shall be one bedroom flat(s) or a studio(s).	Required: 1.5 apartments Provided: 7 apartments	Yes
	b) A minimum of 10% of the total number of dwellings within a residential flat building shall be adaptable dwelling(s).	Required: 3 apartments Provided: 3 apartments	Yes
	c) The floor space occupied by each dwelling within a residential flat building shall not be less than: i) 35 m ² in the case of a studio flat; ii) 50 m ² in case of a one bedroom flat; iii) 70 m ² in case of a 2 bedroom flat; iv) 90 m ² in case of a 3 bedroom flat or more.	All apartments comply.	Yes
	d) For the purpose of clause 5.5.3 c), the floor space includes only one bathroom. Additional bathrooms shall increase the minimum floor space of each dwelling by 5 m ² for each additional bathroom.	Additional floor space has been provided for apartments with more than one bathroom.	Yes
	e) A fourth bedroom and further additional bedrooms shall increase the minimum internal area by 12 m ² for each additional bedroom.	Required: 107 m ² Apartment 29 has four bedrooms with an internal area of 108.5 m ²	Yes
	f) Each apartment building shall include a study/nook area that is capable of accommodating a desk	Study nook provided in all apartments.	Yes

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	for working/studying from home purposes. Such area shall be shown furnished on the proposed plans and shall have a minimum width 1.6 m		
	g) The main entry to each apartment building shall be designed to include an entrance nook for privacy purposes	Main entry of each apartment provides privacy.	Yes
	h) A maximum of 8 dwellings shall be accessible from a common lobby area or corridor on each level of a residential flat building.	Less than 8 apartments accessible from lobby area on each level.	Yes
	i) All residential flat buildings shall contain at least one lift for access from the basement to the upper most storey that provide access to a dwelling space. Further, the lift(s) shall extend to provide access to the roof space if the roof is intended for use by occupants of the building as a roof terrace.	Lift provides access from the basement to the top level.	Yes
	j) A maximum of 50 dwellings shall be accessible from a single common lift.	30 apartments access the lift,	Yes
	k) Access to lifts shall be direct and well illuminated.	Lift access is direct and illuminated.	Yes
	l) A minimum of 25% of the required open space area, or 15% of the total site area, whichever is the greater, shall be available for deep soil planting.	Required: 425.25 m ² Provided: 429.97 m ² or 25% (area with proposed OSD tank excluded)	Yes
	m) Each flat shall be provided with an 'incidentals' storage facility within the apartment and/or the basement, which shall be available for personal use of the occupants of each dwelling, and designed and constructed of materials to Council's satisfaction. Such storage facility shall have a storage capacity of not less than the following: i) 4 m ³ in the case of a studio flat; ii) 6 m ³ in case of a one bedroom flat; iii) 8 m ³ in case of a 2 bedroom flat; and iv) 10 m ³ in case of a 3 bedroom flat or more.	Most apartments have incidental storage within the apartment. All apartments have storage areas within the basement. Apartments 1, 16, 13 and 20 have incidental storage on the balcony and not within the apartments.	No
	j) The incidentals storage facility shall not be created as a separate (strata) allotment to the apartment it services.	No information on strata subdivision proposed.	No

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5.5.4 Car Parking and Access	a) All car parking and access for vehicles, including disabled access spaces, shall be in accordance with AS2890 parts 1 and 2 (as amended), except as otherwise specified in the Plan.	Council's Development Engineer has reviewed the car parking and access and determined that it can comply.	Yes
	b) The minimum dimensions of any parking space shall be 2.5 x 5.5 metres. The minimum width of any car parking space shall be increased by 300 mm for each side that adjoins a vertical edge.	All parking spaces comply.	Yes
	c) Driveways shall be located a minimum distance of 6 m from the splay of any unsignalled intersection (refer to Figure 5.5.4).	Driveway is located more than 6 m from the intersection.	Yes
	d) For development incorporating 20 or more dwellings, the DA shall be accompanied by a 'Traffic Impact Assessment Report'.	A Traffic and Parking Assessment Report was submitted.	Yes
	e) Where existing, vehicular entry points shall be located at the rear or side streets.	No rear or side street access.	N/A
	f) Development containing 3 or more storeys shall provide all required car parking at basement level.	Two levels of basement car parking provided.	Yes
	g) Parking provided at ground level shall be appropriately screened from public view.	No ground level car parking proposed.	Yes
	h) Each dwelling shall be provided with a minimum of one car parking space, and: i) an additional car parking space for every 4 dwellings (or part thereof); and ii) an additional visitor car parking space for every 10 dwellings (or part thereof).	Required: 41 spaces Provided: 41 spaces	Yes
	i) No required car parking space shall be in a stacked configuration.	No stacked car parking proposed.	Yes
	j) Each development shall make provision for bicycle storage at a rate of one space per 5 dwellings within common property.	Required: 6 spaces Provided: 6 spaces (4 in the basement, 2 at ground level)	Yes
	k) Electric vehicle charging stations must be located behind the building line.	No electric vehicle charging stations proposed.	N/A
5.5.5 Solar Access	a) Buildings shall be orientated and sited to maximise northern sunlight to internal living and open spaces.	Building is orientated to the north east.	Yes
	b) A minimum 20 m ² area of the required private open space on adjoining land, (having a minimum width of 3 m), shall receive 3 hours of	20 m ² of the communal open space area receives 3 hrs of continuous solar access	Yes

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	continuous direct solar access on 21 June, between 9.00am and 3.00pm, measured at ground level.		
	c) Living rooms and private open spaces of at least 70% of dwellings within a residential flat building shall receive a minimum of 2 hours direct sunlight between 9:00 am and 3:00 pm at mid winter.	21 apartments or 70% receive solar access to living rooms and private open space areas.	Yes
	d) Council expects that with innovative and thoughtful design, all dwellings should receive some direct sunlight, however, when it can be shown that providing sunlight to every dwelling is unachievable, Council may allow a design solution that result in up to 15% of the dwelling receiving no direct sunlight between 9:00 am and 3:00 pm at mid winter.	N/A	N/A
5.5.6 Balconies and Ground level Courtyards	a) Dwellings shall be provided with a private courtyard and/or balcony.	Each apartment has a balcony or private courtyard.	Yes
	b) Courtyards/balconies shall be: i) not less than 8 m ² in area and have a minimum depth of 2 m; ii) clearly defined and screened for private use; iii) oriented to achieve comfortable year round use; and iv) accessible from a main living area of the flat.	All balconies have a minimum of 8 m ² and 2 m in depth. Balconies are orientated where possible. All balconies are accessed via the main living area.	Yes
5.5.7 Privacy	a) Ground level dwellings incorporating a courtyard shall be provided with a privacy screen.	Courtyards provided for ground level apartment shave privacy screens.	Yes
	b) No window of a habitable room or balcony shall be directly face a window of another habitable room, balcony or private courtyard of another dwelling located within 9 m of the proposed window or balcony.	No direct overlooking proposed. Adjoining properties are single storey dwellings.	Yes
	c) Notwithstanding 5.5.7(b) a window of a habitable room may be permitted only where it: i) is offset by 2 m to limit views between windows, or ii) has a sill height 1.7 m above the floor level; or iii) is splayed to avoid direct views between windows; or	N/A	N/A

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	iv) has a fixed translucent glazing in any part of the window within 1.7 m of the floor level; or v) is otherwise appropriately screened.		
	d) Notwithstanding 5.5.7(b), a balcony will be considered where the private open space area of any adjacent dwelling is screened from view.	No privacy screens proposed.	Yes
5.5.8 Communal Recreation Facilities	a) Each residential flat building shall be provided with communal recreation facilities for the use of all the occupants of the building comprising: i) a recreation room with a minimum area of a 50 m ² per 50 dwellings (or part thereof); and ii) a bbq/outdoor dining area with a minimum area of 50 m ² per 50 dwellings (or part thereof).	Communal room has an area of 50.1 m ² . Outdoor communal open space is greater than 50 m ² .	Yes
	b) Communal recreation facilities shall not be located within the primary or secondary street boundary setback.	Located in the rear setback area.	Yes
	c) All communal recreational facilities shall be provided on the same land as the residential flat building.	Located on the same land as the residential apartment building.	Yes
	d) Communal open space provided on the roof of a building shall not be included as part of the required communal open space.	No communal open space on the roof.	Yes
	e) All required communal and recreational facilities are required to be constructed prior to the issue of an interim occupation certificate for any residential apartments within a staged development.	Can comply.	Yes

The proposal generally complies with the requirements of the SCDCP with exception to stormwater details, waste details, side and rear setbacks, cut and fill, subdivision and incidental storage and are detailed below in Section 3.

3. Planning Assessment

3.1 Section 4.15(1)(a)(iia) The provisions of any Planning Agreement

The proposed development is not subject to the provisions of a planning agreement pursuant to Section 7.4 of the EP&A Act.

3.2 Section 4.15(1)(a)(iv) The provisions of the Regulations

The proposal does not contravene the Environmental Planning and Assessment Regulation 2021.

3.3 Section 4.15(1)(b) The likely impacts of the Development

Section 4.15(1)(b) of the EP&A Act 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:

- Flooding
- Stormwater
- Side and rear setbacks
- Waste management
- Subdivision
- Incidental storage
- Sunlight access
- Access, transport and traffic
- Noise and vibration
- Safety security and crime prevention
- Built Form

Flooding

The subject site is affected by flooding and is a flood control lot due to overland flow from the local catchment and flow in Redfern Creek traversing along the side and front boundaries of the site. The applicant was advised as a result of the Pre-DA meeting that Council has a zero tolerance to any increase in afflux and that additional works was required to adhere to this advice. The flood report submitted with the information demonstrated that the proposal would result in a flood afflux of 20 mm to the neighbouring properties and as such additional information was requested to address the concern. Amended information was submitted in response to this issue however did not address the flood issue and still demonstrated that there would be an increase to the neighbouring properties.

Stormwater

Several stormwater issues were raised with amended information being requested to address the issues. Amended information was submitted, however did not address the issues. The additional information submitted did not detail the following:

- How the ground floor stormwater complies with Council's engineering requirements given that an amended ground floor plan was not submitted.
- Details of the OSD and bypass OSD for overland flow was not submitted.
- A report detailing the purpose of the OSD and capability of the OSD was not provided.
- No calculations or modelling were provided.
- An assessment of the Palmer Street drainage system was not provided detailing whether the existing infrastructure would accommodate additional flows as a result of the proposal. with the following information still outstanding:

Given that this information has not been submitted, it is considered that the proposal cannot be supported in its current format.

Side and rear setbacks

The proposed development provides twelve balconies for certain apartments in levels 1-5 that encroach within the required side and rear setback by 0.5 m. A variation has been requested for this non-compliance. Notwithstanding, the encroachment of the balconies by 0.5 m into the setback areas has impacts on the required building separation requirements contained within the ADG as well as having impacts on overlooking and privacy impacts given that these balconies will be utilised as open space areas for the occupants of the apartments. In addition, the encroachment of the balconies also presents a non-compliance with Council's setback controls contained within the SCDCP.

As the proposed development is for a new residential apartment building, it is considered that there is no reason as to why the setback controls cannot be complied with.

Waste Management

Council's Waste Management Officer reviewed the proposal and had requested additional information be submitted with regards to the proposal providing a bulky goods waste storage area and demonstrate that the garbage room in the basement level would comply with Council's construction requirements in relation to cleanliness, ventilation and vermin control. The plans were required to be amended detailing the construction methods of the garbage room as well as whether there was any ventilation and what drainage methods were proposed to be able to clean the garbage room. This information was not submitted and is still outstanding and as such does not comply with Council's SCDCP requirements for waste management.

Subdivision

The proposed development includes strata subdivision, however a draft strata subdivision plan was not submitted as part of the proposed development. As a result of no strata plan being submitted, the proposal could not be assessed against Section 5.4.9 of Council's SCDCP in regard to whether any car parking spaces would be allocated as a separate lot. In addition, the lack of a strata subdivision plan does not demonstrate that any internal or outdoor storage area would not be created as part of a separate allotment.

Incidental storage

Most of the apartments are provided with incidental storage both internally and within the basement level. Apartments 1, 13, 16 and 20 all have incidental storage on a balcony which is not internal to the apartment and does not provide good amenity for the occupants of these apartments to have to be able to access stored items through the outside balcony.

Sunlight access

The proposed development achieves compliance with the ADG with regards to solar access to the proposed development. Due to the orientation of the site the majority of the overshadowing from the proposed development is located over the adjoining property to the south west and Palmer Street. The private open space areas of the adjoining properties will maintain the existing levels of solar access currently provided to each site.

Access, transport and traffic

The site has basement access via Palmer Street. The applicant has submitted a traffic report in support of the proposed development which states that the proposed development would not adversely impact upon traffic and parking within the local road network. Council's Development Engineer reviewed the report and associated plans and did not raise any issues with regard to potential traffic impacts.

Noise and vibration

The applicant has submitted an acoustic report prepared by Rodney Stevens Acoustics dated 13 December 2022. The report addresses the proposed residential development and concludes that the proposed development complies with the Transport and Infrastructure SEPP 2021 noise criteria with recommendations made in the report to be implemented.

Safety security and crime prevention

The proposed development is considered to provide for safety and casual surveillance.

Built Form

The proposed development provides an appropriate design with a range of building materials which reflects the predominant building materials in the local area. The use of painted render and knotwood cladding provides for a low maintenance durable façade which reflects the desired future character of the local area.

The proposed setbacks and massing to the fifth level are also considered to provide two distinct built forms and reduce the overall appearance of visual bulk of the building within the streetscape.

Overall, it is considered the proposed development is consistent with the desired future character for development in the locality.

Social, economic and environmental impacts

Having regard to social and economic impacts generated by the development, the residential apartment building would contribute to the provision of housing choice within the Campbelltown locality, to meet the housing needs of the local community.

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

3.4 Section 4.15(1)(c) The suitability of the development

Section 4.15(1)(c) of the EP&A Act requires Council to assess the suitability of the site for the proposed development.

It is considered that the proposed development fails to demonstrate that there would be no adverse impact on the adjoining properties due to the increase flood level risk for adjoining properties as a result of the development. In addition, insufficient information was submitted in relation to the proposed stormwater drainage of the site as well as there being numerous non-compliances with the Apartment Design Guide and Council's SCDCP. It is therefore considered that the proposal in its current form is not appropriate for the site.

4. Public Participation

The application was notified and publicly exhibited in accordance with the Campbelltown Community Participation Plan from 31 January 2023 to 28 February 2023 with 3 submissions being received during this time.

The issues outlined in the submissions are addressed below:

Issue: Development application is inconsistent with community expectations and wishes

Response: The proposal is permissible within the zone and consistent with the zone objectives and generally complies with the controls relevant to the proposed development.

Issue: Increased traffic and parking demand

Response: The proposed development provides for parking in accordance with the ADG and Council's SCDCP. The application is accompanied by a traffic report that states overall the development would result in 6 additional vehicle trips per hour during the weekday peak hour from Monday to Friday which is considered to be acceptable.

Issue: Location of the site on a cul-de-sac.

Response: The site has a frontage to Palmer Street and whilst Palmer Street is a no through road, the street actually connects through to Norfolk Street, albeit via a paved walkway between Palmer Street and Norfolk Street. The proposed development on the subject site is considered to be acceptable with regard to the proposed location as the only vehicles would be local residents given Palmer Street is no a through road.

Issue: View rights from property

Response: There are no view rights from properties and views from the site to/from neighbouring yards and distant trees are not considered views but are more akin to an outlook.

Issue: Obstruction of light

Response: The submitted shadow diagrams demonstrate that the proposal would still allow solar access for a minimum of 3 hrs to the adjoining properties open space area due to the orientation of the building and is in accordance with the requirements within the ADG and Council's SCDCP.

Issue: Dust

Response: The objector has stated they are allergic to dust and hold Council responsible for their ill health. The proposed development would generate dust associated with construction with regard to the demolition and excavation of the site however with measures implemented including but not limited to, erosion and sediment control fencing, all weather vehicle entry/exit points, and the use of water carts where required, dust can be controlled to an acceptable standard.

Issue: Council responsible for neighbours health issues if approved

Response: The objector has stated that Council is responsible if the objector falls ill. Council has assessed a development application that is permissible within the zone. Dust suppression measures would form part of any construction for any type of development including but not limited to, erosion and sediment control fencing, all weather vehicle entry/exit points, and the use of water carts where required.

Issue: Noise Pollution

Response: The proposed development will result in some increase in noise within the locality particularly during the construction stage as well as from the occupants of the apartments. In regard to the construction stage, there are requirements in place within the Interim Construction Noise Guidelines that the developer would need to adhere to. In regard to the occupation of the apartments, an acoustic report has been provided and includes measures to mitigate acoustic impacts on the surrounding properties in line with Council's SCDCP controls ensuring that the development does not exceed the relevant noise criteria.

Issue: Traffic congestion

Response: The proposed development will result in a net increase in cars within the locality with a traffic report submitted in support of the proposed development. The proposed development provides the required number of car parking spaces required by Council's SCDCP and minimises the number of access points to the development by providing one exit/entry driveway. The proposal also provides a number of bicycle spaces for the occupants. The sites are also located within walking distance to a number of bus stops which enable occupants to utilise public transport as well. Overall, the proposed development is considered to result in an insignificant increase in traffic on local roads and is therefore considered to be acceptable.

Issue: Redevelopment in the locality

Response: The objector has raised that they intended to live at the property for a number of years and object to developers purchasing properties for redevelopment.

Council has no power in where or when developers purchase properties for re-development and assesses development applications in accordance with the relevant planning controls that apply. The proposed development responds to the objectives of the zone for higher residential density for the site and would contribute to the housing supply and choice within the locality.

Issue: Overdevelopment and overpopulation

Response: The proposed development is permissible in the zone and responds to the relevant planning controls in regard to FSR and apartment mix. The proposal includes a number of one and 2 bedroom apartments as well as larger apartments, which in turn controls the number of occupants within each apartment and the building as a whole. The proposal is not considered to be an overdevelopment of the site and is consistent with the strategic directions for the locality.

Conclusion

The subject development application (151/2023/DA-RA) for the demolition of the existing structures, tree removal, lot consolidation and the construction of a 5 storey residential apartment building with strata title subdivision has been assessed against the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act, 1979*.

Having regard to the issues discussed in this report, it is considered that the application is not consistent with the relevant planning controls in regard to the impact of flooding on adjoining properties, non-compliance with the ADG and Council's Sustainable City Development Control Plan, stormwater management and a lack of information to demonstrate compliance with a number of LEP controls including salinity and subdivision. It is therefore considered that the proposal cannot be supported in its current form.

Attachments

- 4.1.1 Reasons for Refusal (contained within this report)
- 4.1.2 Architectural Plans (contained within this report)
- 4.1.3 Landscape Plan (contained within this report)
- 4.1.4 Clause 4.6 Variation (contained within this report)
- 4.1.5 Basement and Floor Plans (due to confidentiality) (distributed under separate cover)

Reporting Officer

Manager Development Assessment



4.1 Development application for demolition, tree removal, lot consolidation and construction of a 5 storey residential flat building with strata subdivision - 6-8 Palmer Street, Ingleburn

Community Strategic Plan

Objective	Strategy
2 Places For People	2.3.1 Ensure all people in Campbelltown have access to safe, secure, and affordable housing

Delivery Program

Principal Activity
2.1.1.3 Deliver effective land use planning to ensure community needs are met

Referral Criteria

The Panel reviewed a report on the proposed development at its meeting on 27 February 2024. The Panel resolved to defer the application to allow the applicant to provide supplementary information. The supplementary information has been assessed.

Executive Summary

At its meeting of 27 February 2024, the Campbelltown Local Planning Panel (the Panel) resolved to defer the application such that the reasons for refusal with regard to planning non-compliances, stormwater and flooding issues could be addressed.

Amended plans have been submitted and are the subject of this report.

Officer's Recommendation

That development application 151/2023/DA-RA for the demolition, tree removal, lot consolidation and construction of a 5 storey residential apartment building with strata subdivision be approved subject to the conditions in attachment 1.

Purpose

To assist The Panel in its determination of the subject application in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Local Planning Panel Meeting

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Property Description	Lot 13 DP 522853 & Lot 42 DP 522731, Nos. 6-8 Palmer Street, Ingleburn
Application No	151/2023/DA-RA
Applicant	Mr Talaat Nasralla
Owner	Mr Talaat Nasralla
Provisions	State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 State Environmental Planning Policy (Housing) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Precincts - Western Parkland City) 2021 State Environmental Planning Policy (Biodiversity and Conservation) 2021 Campbelltown Local Environmental Plan 2015 Campbelltown (Sustainable City) Development Control Plan 2015 Campbelltown 2032
Date Received	17 January 2023

History

The Panel reviewed a report on the proposed development at its meeting on 27 February 2024 with the following decision:

The Panel defers the application to allow the applicant a maximum 30 days to provide supplementary information, and redesign addressing all refusal items and have the matter presented before the Panel at a later date.

The Panel resolved to defer the application to allow the applicant to provide supplementary information and redesign to address the reasons for refusal as detailed below:

1. The proposed development is inconsistent with State Environmental Planning Policy (Housing) 2021 and the Apartment Design Guide (in accordance with Section 4.15(1)(a)(i) of the EP&A Act) with respect to:
 - The proposal does not provide a height that is achievable within the building height set in the LEP.
 - The depth of the building exceeds the 12 m-18 m range.
 - The proposal has 12 balconies that encroach within the required building separation distances.
 - The proposal does not comply with the visual privacy requirements as there are 12 balconies that encroach within the distance from the side and rear boundaries.

- The proposal includes 4 apartments that have storage on balconies which are not integrated into the design of the balcony.
 - The proposal does not comply with the acoustic privacy requirements as there are 12 balconies that encroach within the building separation distance.
 - The proposal does not provide a temporary storage area for bulky items.
 - The proposal does not provide an awning over the front main entry.
 - The proposal does not propose any apartment signage incorporated into the design of the building.
2. The proposed development is inconsistent with Campbelltown Local Environmental Plan 2015 (CLEP 2015) (in accordance with Section 4.15(1)(a)(i) of the EP&A Act) with respect to the following:
- The proposed development does not demonstrate that there would be no adverse impacts on the environment in accordance with Clause 7.1 Earthworks.
 - The proposed development does not demonstrate that there would be no adverse impacts on salinity given the site has moderate potential for saline soils in accordance with Clause 7.4.
 - The proposed development does not demonstrate there would be sufficient stormwater drainage in accordance with Clause 7.10 Essential Services.
 - The proposed development does not demonstrate that the site is suitable for the development in accordance with Clause 7.13(d)(i) with regard to stormwater drainage and flooding.
3. The proposed development is inconsistent with Council's (Sustainable City) Development Control Plan 2015 (in accordance with Section 4.15(1)(a)(iii) of the EP&A Act) with respect to the following:
- A cut and fill plan was not submitted.
 - A dilapidation report was not submitted demonstrating that adequate measures would be implemented to protect the integrity of any structure within the zone of influence.
 - A Hazardous materials report was not submitted and no details of whether the site contains any asbestos was provided.
 - Waste Management is insufficient as no chutes are provided in the garbage rooms on each level and no bulky goods storage area was provided.
 - The waste bin storage room on the basement level does not demonstrate compliance with the construction requirements in accordance with section 5.4.8.3.

- Insufficient information was submitted that details the proposal complying with Council's controls with regard to stormwater design and stormwater management.
 - No information has been submitted with regard to whether a substation is required and where it would be located if required in accordance with Section 5.4.3.
 - No information has been submitted with regard to the location of communication dishes, antennae and the like in accordance with Section 5.4.3.
 - A draft strata plan was not submitted demonstrating compliance with section 5.4.9.
 - The incidental storage provided on the balconies for units 1, 13, 16 and 20 is not acceptable.
4. The proposed development fails to demonstrate that the proposed development would not increase the flood impact on the adjoining properties (in accordance with Section 4.15(1)(b) of the EP&A Act).
 5. The proposed development fails to demonstrate the acceptable disposal of stormwater from the subject property given that insufficient information was submitted (in accordance with Section 4.15(1)(b) of the EP&A Act).
 6. It is considered that in the circumstances of the case, insufficient information as submitted to determine whether the proposal would be in the public interest having regard to the flood impacts, stormwater management and amenity for the adjoining properties (in accordance with Section 4.15(1)(e) of the EP&A Act).

The original report submitted to the Panel on 27 February 2024 is provided in attachment 2.

Report

1. Amended plans

Amended plans were submitted to Council on 2 April 2024 with amendments made to address the issues raised in the reasons for refusal. Compliance with each refusal reason is detailed below.

Issue	Compliance
Inconsistent with Housing SEPP 2021	
Building height exceeds CLEP.	The building height remains unchanged with a Clause 4.6 variation submitted supporting exceedance in building height. The Clause 4.6 variation is considered to be acceptable and is discussed further in Section 2.1.2.
Building Depth exceeds 12 m - 18m range.	Parts of the building still exceed the required building depth with a variation to this control submitted. The variation is considered to be acceptable and is discussed further in Section 2.1.1.

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Balcony encroachment within building separation distances.	Design has been amended such that there are no balconies encroaching within the building separation distances.
Visual privacy due to encroachment of balconies within building separation distances.	Design has been amended such that there are no balconies encroaching within the building separation distances and therefore there are no adverse visual impacts.
Storage on balconies not integrated into the design.	The balcony storage has been removed with all storage internal in the unit or provided in the basement.
Acoustic privacy due to encroachment of balconies within building separation distances.	Design has been amended such that there are no balconies encroaching within the building separation distances and therefore there are no adverse acoustic impacts.
Temporary storage area for bulky items is not provided.	A temporary bulky waste storage area is provided in the basement.
An awning is not provided over the front main entry.	The entry path to the main lobby is covered by the existing building and provides weather protection.
No signage was provided.	The revised plans incorporate building signage on the awning over the car park entry.
Inconsistency with Campbelltown Local Environmental Plan 2015	
Non-compliance with Clause 7.1 Earthworks of the CLEP 2015.	A cut and fill management plan was submitted demonstrating that there would be no adverse impacts on adjoining properties.
Non-compliance with Clause 7.4 Salinity	A geotechnical report has been submitted that concludes that site investigation and testing has shown no indication of saline soils.
Non-compliance with Clause 7.10 Essential Services with regard to stormwater drainage.	A revised stormwater plan and associated information was submitted. Council's Development Engineer has reviewed the revised stormwater plan and has provided conditions for approval.
Non-compliance with Clause 7.13(d)(i) in regard to stormwater drainage and flooding.	A revised stormwater plan and associated information was submitted. Council's Development Engineer has reviewed the revised stormwater plan and has provided conditions for approval. A revised Flood Assessment Report was submitted that concluded the revised building footprint and alterations to existing ground levels, the building will allow for additional flood storage and therefore there will be no adverse flood impacts outside of the development site or on adjacent properties.

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Inconsistency with Council's (Sustainable City) Development Control Plan 2015	
A cut and fill plan was not submitted.	A revised cut and fill management plan was submitted and considered to be satisfactory.
A dilapidation report was not submitted.	A dilapidation report was submitted that details measures required to ensure the structural integrity of stormwater infrastructure that adjoins the site and considered to be satisfactory.
A Hazardous Materials Report was submitted with no information on whether there was any asbestos contained within the site.	A demolition work plan was submitted confirming that the existing buildings on both sites contain some asbestos with the demolition work plan detailing measures to safely handle the asbestos. In addition, conditions of consent will be applied to ensure that any asbestos removal is carried out by a licensed contractor and in accordance with the relevant Australian Standards.
Waste Management Plan is insufficient with no garbage chutes being provided and no bulky goods storage provided.	Revised plans have been submitted detailing garbage chutes on each level as well as a temporary bulky goods storage area within the basement.
Construction of the waste storage room within the basement does not comply.	The waste storage room will be constructed in accordance with the DCP requirements including the provision of a tap. In addition, conditions of consent will be applied to ensure compliance.
Insufficient stormwater design and management information submitted.	Revised stormwater plans and associated information has been submitted and reviewed by Council's Development Engineer. The revised plans are considered to be satisfactory with appropriate conditions of consent applied.
No information was submitted on services such as antennae, communication dishes and the like.	The revised plans indicate an area on the roof for the location of communication dishes.
Draft strata plan not submitted.	A draft strata subdivision plan was submitted and is considered to be satisfactory.
Storage on the balconies is not acceptable.	The revised design has removed the storage from the balconies.
Flooding	
Proposal fails to demonstrate there would be no adverse flood impacts on the adjoining properties.	The revised Flood Assessment report concludes the revised building footprint and alterations to existing ground levels surrounding the building will allow for additional flood storage, and subsequently there will be no adverse impacts to flood levels outside of the development site or to adjacent properties.

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Stormwater	
Proposal fails to provide sufficient information in regard to stormwater design.	Revised stormwater plans and associated information has been submitted and reviewed by Council's Development Engineer. The revised plans are considered to be satisfactory with appropriate conditions of consent applied.

2. Planning Provisions

2.1.1 State Environmental Planning Policy (Housing) 2021

Apartment Design Guide

Clause 147(1)(b) of State Environmental Planning Policy (Housing) 2021 states that in determining a development application for consent to carry out a residential flat development, a consent authority is to take into consideration the Apartment Design Guide (ADG). The original assessment highlighted a non-compliance with the building depth requirement within the ADG. The applicant has requested a variation to this requirement as there are a number of apartments that exceed the building depth. The variation is discussed below.

Building Depth

Part 2E of the ADG has a building depth requirement that states that the maximum apartment depth should be within the 12 m -18 m range. Portions of the proposed building have a building depth of up to 22 m and therefore exceeds this control by up to 4 m. The objectives of this requirement are to ensure that the bulk of the development relates to the scale of the desired future context and to ensure that building depths support apartment layouts that meet the objectives, design criteria and design guidance within the ADG. The applicant has stated that the proposed variation still satisfies the objectives of the requirement as follows:

- The bulk and scale of the complex is consistent with that envisioned by the planning controls, noting that the development complies with the separation controls contained within the ADG as well as the setbacks suggested by Campbelltown DCP;
- The proposed layout facilitates solar access and natural cross ventilation as suggested by the ADG with 70 per cent of apartments receiving at least 2 hours of solar access in mid winter and 83 per cent of apartments being naturally cross ventilated;
- The development is consistent with a further guide within the ADG for building depth that states where greater depths are proposed, demonstrate that indicative layouts can achieve acceptable amenity with room and apartment depths. This may require significant building articulation and increased perimeter wall length. Four of the 5 units on the upper levels that vary the 18 m depth are either corner apartments that have significant perimeter walls or are wider apartments; and
- The layouts of the apartments maximises access to natural light and places at least one living room on an external wall, ensuring that adequate amenity will be provided to future residents.

Given the above, it is considered that the proposed variation to the building depth of the apartments is supported.

2.1.2 Campbelltown Local Environmental Planning Panel

Clause 4.3 Height of Buildings

Clause 4.3 sets out the maximum building height in accordance with the Height of Buildings map. The subject sites currently have height limits of 15 m (6 Palmer Street) and 26 m (8 Palmer Street) due to the commencement of the Ingleburn Planning Proposal. Notwithstanding, and as stated in Clause 1.8A – Savings provisions relating to development applications, the previous maximum building height for both sites was 15 m and therefore applies to the sites given the development application was lodged prior to the commencement of the Ingleburn Planning Proposal. The proposed development has a maximum height of 17.52 m over 6 Palmer Street and reduces down to 15.9 m over 8 Palmer Street. The lift overrun has a height of 17.3 m. The proposal exceeds the maximum height development standard by a maximum 2.52 m. The variation to the development standard is discussed below.

Clause 4.6 Exceptions to Development Standards

The purpose of this clause is to provide flexibility in the application of planning controls operating by virtue of development standards in circumstances where strict compliance with those standards would, in any particular case, be unreasonable or unnecessary or tend to hinder the attainment of the objects of the EP&A Act.

It is important to note that changes to Clause 4.6 commenced on 1 November 2023. There is a savings provision that states that the changes to Clause 4.6 does not apply to development applications lodged prior to 1 November 2023 where a Section 4.6 was submitted.

The proposed development includes a variation to Clause 4.3 of the CLEP 2015 with respect to the maximum height of building. The applicant has provided a Clause 4.6 variation request which is assessed in detail below.

The objectives of Clause 4.6 are as follows:

- a. to provide an appropriate degree of flexibility in applying certain development standards to particular development
- b. to achieve better outcomes for and from development by allowing flexibility in particular circumstances

Clause 4.6 allows consent to be granted for development even though the development would contravene a development standard, being Clause 4.3 relating to a proposed building height of 17.52 m in this instance.

The Clause 4.6 variation is an attachment to this report and addresses each provision of Clause 4.6. The Clause 4.6 variation details how the standard is unreasonable or unnecessary in the circumstances of this case and how the proposal would still satisfy the objectives of the zone in accordance with the Wehbe Test.

Below are key points from the Clause 4.6 Variation Request with respect to the proposed development:

- The proposal provides an appropriate building form that is consistent with the desired future character of the locality and is reflective of the objectives for the zone and locality generally noting that the uneven topography is the key driver of the height variation rather than a desire to achieve greater yield on the site.
- The proposal has no impact on heritage or other views.
- The proposal presents an appropriate height on the site that facilitates a high quality urban form to contribute to building diversity across the Ingleburn Precinct.
- The site is adjoined by an approved development application on the adjoining site at 10-12 Palmer Street Ingleburn that is an approved 5 storey residential flat building with a similar height departure.
- The proposal provides for a better planning outcome as the same density of apartments could be achieved in a building that is squashed into 4 levels of development with a bigger floor plate that would be less articulated and would be located closer to adjoining properties.
- The proposal has been designed to ensure that privacy impacts are mitigated against and that the proposal will not obstruct existing view corridors.
- The site is subject to flooding constraints and raising the building is an appropriate response to this constraint.
- The proposal will provide for a number of distinct public benefits:
 - Delivery of additional housing within close proximity to the Ingleburn Town Centre.
 - Creation of jobs during the construction stage.
 - Activation of the street level.
 - Amenity impacts to adjoining properties are mitigated and the distribution of floor space across the site will not be discernibly different to a built form that is compliant with the height control.
 - The scale and intensity of the development is consistent with other approved residential flat buildings in the wider precinct.

The figures stated are contained within the Clause 4.6 variation document. The proposal presents a departure to the height controls by way of an encroachment to the prescribed height limit by 2.52 m at the highest point which is a percentage exceedance of 16.8 per cent.

Below is an extract from the architectural plans which clearly indicates the area of the building above the maximum height limit.



Figure 1: South east (front)



Figure 2: North - west (rear)

In accordance with Clause 4.6(3), as part of the assessment, the consent authority must consider a written request from the applicant that seeks to justify the contravention of the development standard which demonstrates:

- a. that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case; and
- b. that there are sufficient environmental planning grounds to justify contravening the development standard.

The assessment below has regard to the submitted Clause 4.6 variation request.

Is the planning control in question a development standard?

The 15 m maximum permissible building height applying to the subject land under Clauses 4.3 of CLEP 2015 is a development standard for the purposes of Clause 4.6 (Exceptions to development standards) and may therefore be varied by the consent authority pursuant to the provisions of Clauses 4.6(2) - (5) of the LEP.

What are the underlying objectives or purpose of the development standard?

The underlying objective or purpose of the maximum permissible building height development standard applicable to the subject land under Clause 4.3 and the proposed development is stated within the objectives to CLEP 2015 - Clause 4.3(1) - Height of Buildings, as follows:

- a. To nominate a range of building heights that will provide a transition in built form and land use intensity across all zones.
- b. To ensure that the heights of buildings reflect the intended scale of development appropriate to the locality and the proximity to business centres and transport facilities.
- c. To provide for built form that is compatible with the hierarchy and role of centres.
- d. To assist in the minimisation of opportunities for undesirable visual impact, disruption to views, loss of privacy and loss of solar access to existing and future development and to the public domain.

As can be seen on the building elevations, the proposed development exhibits a variation to the maximum permitted building height. This is principally a reflection of the topography of the natural ground level and to allow articulation with the building form.

The proposed development exhibits architectural quality and urban form consistent with the desired future character of the R4 zone in Ingleburn.

The proposed building height exceedance does not significantly reduce the opportunity for either the proposed development, or adjoining properties to receive satisfactory exposure to sunlight given the orientation. The impact of the height exceedance is minimised due to the top floor being setback further than the lower levels thus reducing the overall bulk and scale.

The design height of the proposed development is appropriate to the residential area and has had regard to the surrounding future development. The departure from the 15 m maximum permissible building height development standard does not cause significant visual impact and does not adversely impact view corridors from public spaces.

Matters for Consideration by the Director-General

Clause 4.6(4)(b) of CLEP 2015 requires the concurrence of the Director-General to be obtained for development that contravenes a development standard. As the report is being determined by the Panel, assumed concurrence is granted in accordance with the Assumed Concurrence notice dated 21 February 2018.

Under Clause 4.6(5), the following matters are to be considered in deciding whether to grant concurrence.

Whether contravention of the development standard raises any matter of significance for State or regional environmental planning

The proposed development is consistent with State and regional planning policies/strategic directions. Approval of the proposed exceedance of the applicable maximum permissible building height development standard in this particular case, would not raise any matter of significance for State or regional planning.

The public benefit of maintaining the development standard

This report demonstrates that the proposed exceedance of the permissible maximum building height development standard does not have adverse scenic/visual impacts, or amenity impacts on either the public domain, or neighbouring properties. It is also noted that the one of the lots has a current height limit of 26 m under the changes made to the LEP as a result of the Ingleburn Planning Proposal.

Any other matters required to be taken into consideration by the Director-General before granting concurrence

There are no other matters currently specified to be taken into consideration by the Director-General before granting concurrence.

Consideration

It is considered that any requirement for the proposed development to strictly comply with the applicable 15 m maximum permissible building height development standard of Clause 4.3 of CLEP 2015 would be unreasonable or unnecessary in the particular circumstances. The proposed development will facilitate the redevelopment of the site to deliver additional housing in the locality. The proposed height variation is considered to be consistent with the strategic planning objectives for the development of the area.

Further, the proposed development is consistent with objectives of the maximum building height development standard as expressed in Clause 4.3(1) of CLEP 2015.

The particular circumstances relating to the subject land and the proposed development are unique to this application due to the topography of the site and will not lead to similar development applications which would cumulatively undermine the planning objectives for the locality.

The proposed exceedance in maximum permissible building height does not significantly increase the bulk and scale of the proposed development, cause any additional view loss from neighbouring properties, or have any significant additional adverse scenic/visual impacts or amenity (privacy/overshadowing) impacts on the public domain.

There is no public benefit to be derived, or planning purpose to be served, in requiring the proposed development to strictly comply with the applicable maximum permissible building height development standards of CLEP 2015.

This request demonstrates that there are sufficient environmental planning grounds for the proposed development to contravene the maximum permissible building height development standard applying to the subject land under Clause 4.3 of CLEP 2015.

The Clause 4.6 variation to the height requirement for the proposed building is supported in this instance.

3. Planning Assessment

3.1 Section 4.15(1)(a)(iia) The provisions of any Planning Agreement

The proposed development is not subject to the provisions of a planning agreement pursuant to Section 7.4 of the EP&A Act.

3.2 Section 4.15(1)(a)(iv) The provisions of the Regulations

The proposal does not contravene the Environmental Planning and Assessment Regulation 2021.

3.3 Section 4.15(1)(b) The likely impacts of the Development

Section 4.15(1)(b) of the EP&A Act 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:

- Flooding
- Stormwater
- Side and rear setbacks
- Waste management
- Subdivision
- Incidental storage
- Built Form
- Social, economic and environmental impacts

Flooding

The subject site is affected by flooding and is a flood control lot due to overland flow from the local catchment and flow in Redfern Creek traversing along the side and front boundaries of the site. The applicant was advised as a result of the Pre-DA meeting that Council has a zero tolerance to any increase in afflux and that additional works was required to adhere to this advice.

The amended flood report submitted that is subject of this report was undertaken by Catchment Simulation Solutions. The report states that the revised building footprint and alterations to the existing ground levels surrounding the building will allow for additional flood storage within the lot which would mean that there will be no adverse impacts to flood levels outside of the development site or to adjacent properties. The report appears to address the original Pre-DA concerns of zero impact to adjacent lots. It is considered that the flood issues have been addressed and, with appropriate conditions of consent, the proposal can be supported.

Stormwater

Several stormwater issues were raised with the original proposal with insufficient information being submitted to undertake a proper assessment. Revised stormwater plans and details were submitted and reviewed by Council's Development Engineer. No further issues were raised with the proposal able to be supported with appropriate conditions of consent.

Side and rear setbacks

The revised plans have been amended such that no balconies encroach within the required side and rear setback areas. This allows means that the proposal now complies with the building separation requirements of the ADG. It is considered that any additional visual and privacy impacts are now satisfied with the revised plans.

Waste Management

Council's Waste Management Officer reviewed the proposal and had requested additional information be submitted with regards to the proposal providing a bulky goods waste storage area and demonstrate that the garbage room in the basement level would comply with Council's construction requirements in relation to cleanliness, ventilation and vermin control. The plans were required to be amended detailing the construction methods of the garbage room as well as whether there was any ventilation and what drainage methods were proposed to be able to clean the garbage room.

The revised plans now show a temporary bulky storage area within the basement and provides garbage chutes on every level. The waste storage room will be constructed in accordance with Council's requirements with a tap provided and non-slip flooring. A condition of consent will also be applied to ensure the waste storage room is constructed to Council's satisfaction.

Subdivision

The proposed development includes strata subdivision with a draft subdivision plan now being submitted to Council. The draft subdivision plan is considered to be satisfactory with conditions of consent applied in regard to the required linen plans to be submitted at a later stage.

Incidental storage

The revised plans now detail every apartment with incidental storage within the units and within the basement levels. The incidental storage that was originally provided on balconies has been removed.

Built Form

The proposed development provides an appropriate design with a range of building materials which reflects the predominant building materials in the local area. The use of painted render and knotwood cladding provides for a low maintenance durable façade which reflects the desired future character of the local area.

The proposed setbacks and massing to the fifth level are also considered to provide two distinct built forms and reduce the overall appearance of visual bulk of the building within the streetscape.

Overall, it is considered the proposed development is consistent with the desired future character for development in the locality.

Social, economic and environmental impacts

Having regard to social and economic impacts generated by the development, the residential apartment building would contribute to the provision of housing choice within the Campbelltown locality, to meet the housing needs of the local community.

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

3.4 Section 4.15(1)(c) The suitability of the development

Section 4.15(1)(c) of the EP&A Act requires Council to assess the suitability of the site for the proposed development.

It is considered that the proposed development demonstrates that there would be no adverse impact on the adjoining properties due to the increase flood level risk for adjoining properties as a result of the development as well as sufficient information being submitted in relation to the proposed stormwater drainage of the site. The revised plans have addressed all relevant planning non-compliances and therefore it is considered that the proposal in its current form is appropriate for the site.

4. Public Participation

The amended plans were not required to be re-notified in accordance with Council's Community Consultation Plan.

Conclusion

The subject development application (151/2023/DA-RA) for the demolition of the existing structures, tree removal, lot consolidation and the construction of a 5 storey residential apartment building with strata title subdivision has been assessed against the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act, 1979*.

Having regard to the issues discussed in this report, it is considered that the application is consistent with the relevant planning controls with regard to the impact of flooding on adjoining properties, compliance with the Apartment Design Guide, Campbelltown Local Environmental Plan 2015 and Council's Sustainable City Development Control Plan. It is therefore considered that the proposal can be supported in its modified form.

Attachments

- 4.1.1 Original Local Planning Panel Report (contained within this report)
- 4.1.2 Recommended Conditions of Consent (contained within this report)
- 4.1.3 Architectural Plans (contained within this report)
- 4.1.4 Landscape Plan (contained within this report)

Local Planning Panel Meeting

26/06/2024

- 4.1.5 Subdivision Plan (contained within this report)
- 4.1.6 Flood Requirements Assessment (contained within this report)
- 4.1.7 Subdivision Plans (due to confidentiality)(distributed under separate cover)
- 4.1.8 Floor Plans (due to confidentiality)(distributed under separate cover)

Reporting Officer

Manager Development Assessment

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	Version	Prepared by	Date
Site Context/Streetscape	999287-0.1	E	Advanced Architecture & Construction Pty Ltd	September 2024
Existing Streetscape of Palmer St and Proposed Section through Carlisle St and Palmer Street	999287-0.2	E	Advanced Architecture & Construction Pty Ltd	September 2024
Site Analysis	999287-1.1	E	Advanced Architecture & Construction Pty Ltd	September 2024
Demolition Plan	999287-1.2	E	Advanced Architecture & Construction Pty Ltd	September 2024
Site Plan / Roof Plan	999287-1.3	E	Advanced Architecture & Construction Pty Ltd	September 2024
Second Basement Plan	999287-2.1	E	Advanced Architecture & Construction Pty Ltd	September 2024
First Basement Plan	999287-2.2	E	Advanced Architecture & Construction Pty Ltd	September 2024
Ground Floor Plan / Site Plan	999287-2.3	E	Advanced Architecture & Construction Pty Ltd	September 2024
Ground Floor Plan and Schedules	999287-2.4	E	Advanced Architecture & Construction Pty Ltd	September 2024
First Floor Plan and Basix Commitments	999287-2.5	E	Advanced Architecture & Construction Pty Ltd	September 2024
Second Floor Plan and Noise Control Treatment	999287-2.6	E	Advanced Architecture & Construction Pty Ltd	September 2024
Third Floor Plan	999287-2.7	E	Advanced Architecture & Construction Pty Ltd	September 2024

Fourth Floor Plan	999287-2.8	E	Advanced Architecture & Construction Pty Ltd	September 2024
Unit Area Plans & Calculations, Solar Access & Cross Flow Ventilations, Storage Calcs	999287-2.9	E	Advanced Architecture & Construction Pty Ltd	September 2024
Floor Area Plans	999287-2.10	E	Advanced Architecture & Construction Pty Ltd	September 2024
Dimensions Sheet and Fencing Plan	999287-2.11	E	Advanced Architecture & Construction Pty Ltd	September 2024
Elevations	999287-3.1	E	Advanced Architecture & Construction Pty Ltd	September 2024
Elevation & Section	999287-3.2	E	Advanced Architecture & Construction Pty Ltd	September 2024
Sections	999287-3.3	E	Advanced Architecture & Construction Pty Ltd	September 2024
Shadow Diagrams	999287-4.1	E	Advanced Architecture & Construction Pty Ltd	September 2024
Roof Drainage Plan	24MB93 54/D01	D	United Consulting Engineers	27.09.2024
Ground Floor Drainage Plan	24MB93 54/D02	D	United Consulting Engineers	1.10.2024
Basement 1 Drainage Plan	24MB93 54/D03	D	United Consulting Engineers	27.09.2024
Basement 2 Drainage Plan	24MB93 54/D04	D	United Consulting Engineers	27.09.2024
Basement Drainage Plan	24MB93 54/D05	D	United Consulting Engineers	27.09.2024
OSD Details	24MB93 54/D06	D	United Consulting Engineers	27.09.2024
Erosion and Sediment Control Plan	24MB93 54/D07	D	United Consulting Engineers	27.09.2024
Subdivision Location Plan	C9721-DSP Sheet 1 of 6		Mark Joseph Castelletti	21.03.2024
Subdivision Basement Floor Plan – Level 2	C9721-DSP Sheet 2 of 6		Mark Joseph Castelletti	21.03.2024

Subdivision Basement Floor Plan – Level 1	C9721-DSP Sheet 3 of 6		Mark Joseph Castelletti	21.03.2024
Subdivision Ground Floor Plan	C9721-DSP Sheet 4 of 6		Mark Joseph Castelletti	21.03.2024
Subdivision First and Second Floor Plan	C9721-DSP Sheet 5 of 6		Mark Joseph Castelletti	21.03.2024
Subdivision Third and Fourth Floor Plan	C9721-DSP Sheet 6 of 6		Mark Joseph Castelletti	21.03.2024
Landscape Plan – Ground Floor Plan	2528.GD .01	E	Greenland Design Pty Ltd	11.03.2024
Landscape Details & Specification	2528.GD .02	E	Greenland Design Pty Ltd	11.03.2024
Cut and Fill Plan – Volume Calculation	2528.GD .01	1	Geopos Pty Ltd	February 2024
Cut and Fill Plan & Retaining Wall Section Details	A01	C	Ausegy Constructions	1.10.2024
Survey Plan	C9721	1	Mark Castelletti Surveying	22.10.2021

- Geotechnical Report prepared by J.L Geotechnical, Version 2, dated 15 March 2024.
- Flood Requirements Assessment prepared by Catchment Simulation Solutions, dated 5 September 2024.
- Waste Management Plan prepared by ESD Consultants, Version 2, dated 13 February 2024.
- Demolition & Construction Waste Management Plan prepared by ESD Consultants, Version 2, dated 12 March 2023.
- Arboricultural Impact Assessment prepared by Bellevue Tree Consultants, Rev B, dated 7 March 2024.
- Demolition Work Plan prepared by E.S.I Demolition Pty Ltd, Revision A, dated 5 March 2024.
- Traffic Noise Assessment & NCC Assessment prepared by Rodney Stevens Acoustics, dated 13 December 2022.
- Traffic Management Report prepared by Loka Consulting Engineers Pty Ltd, dated 13 October 2022.
- Basix Certificate 1362999M dated 16 December 2022.

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

2. 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.

3. Contract of insurance (residential building work)

In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

This clause does not apply:

1. To the extent to which an exemption is in force under Clause 187 or 188 of the Environmental Planning and Assessment Regulation 2000, subject to the terms of any condition or requirement referred to in Clause 187(6) or 188(4) of that regulation, or
2. To the erection of a temporary building.

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

4. Notification of Home Building Act 1989 Requirements

Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the appointed principal certifier for the development to which the work relates (not being Council) has given Council written notice of the following information:

1. In the case of work for which a principal certifier is required to be appointed:
 - a. The name and licence number of the principal certifier, and
 - b. The name of the insurer by which the work is insured under part 6 of that Act.
2. In the case of work to be done by an owner-builder:
 - a. The name of the owner-builder, and
 - b. If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified becomes out of date, further work must not be carried out unless the appointed principal certifier for the development to which the work relates (not being Council) has given Council written notification of the updated information.

Condition reason: Prescribed condition under Section 71 of the Environmental Planning and Assessment Regulation 2021.

5. 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.

Trees are to be grown in accordance with the Australian Standard AS2303:2018 Tree Stock for Landscape Use.

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

6. 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.

7. Swimming pool

The construction and operation of the swimming pool shall comply with the following requirements:

1. The pool shall not be filled with water nor be permitted to retain water until all required safety fencing has been erected in accordance with the provisions of the *Swimming Pools Act 1992*, *Swimming Pools Regulation 2018* and *Australian Standard 1926* and following a satisfactory pool barrier inspection result, compliance certificate or occupation certificate issued by a certifier.
2. Filter backwash waters shall be discharged to the sewer mains of *Sydney Water* in accordance with *Sydney Water's* requirements. Where *Sydney Water* sewer mains are not available in rural areas, the backwash waters shall be discharged into a 5-metre absorption trench constructed within the confines of the property to the satisfaction of the principal certifier.
3. A warning notice that includes details of resuscitation techniques is to be displayed in a prominent position in the vicinity of the swimming pool.
4. Noise emissions from the filtration equipment must be maintained such that it does not cause a nuisance to adjoining residents.

Condition reason: To comply with legislation and requirements for pool safety.

8. Garbage room

The garbage storage room identified on the approved plans shall:

- Be fully enclosed and shall be provided with a concrete floor, with concrete or cement rendered walls coved to the floor.
- The floor shall be graded to an approved sewer connection incorporating a sump and galvanised grate cover or basket.
- A hose cock shall be provided within the room.
- Garbage rooms shall be vented to the external air by natural or artificial means.

Condition reason: To ensure appropriate waste management facilities are provided.

9. Fencing

A 1.8 metre high fence shall be erected on the site's side and rear boundaries behind the front building alignment and between each required courtyard at the sole cost of the developer. 'Colorbond' style metal fences that face a public space are not permitted.

Condition reason: To ensure that suitable boundary fencing is in place to protect the privacy and amenity of the occupants.

10. Switchboards/utilities/air conditioning units

Switchboards, air conditioning units, garbage storage areas and storage for other utilities shall not be attached to the front elevations of the building or side elevations that can be seen from a public place.

Condition reason: To ensure that utilities are not directly visible from public spaces.

11. Driveway

The driveway width, gradients, basement car park layout and manoeuvring areas shall be designed in accordance with *Australian Standard AS 2890.1 and AS 2890.2* and Council's Engineering Design for Development (as amended) guide.

Driveways may be constructed using decorative paving materials such as pattern stencilled concrete or coloured stamped concrete. The finishes of the paving surfaces are to be non-slip.

Condition reason: To ensure parking facilities are designed in accordance with relevant Australian Standards and Council's DCP.

12. 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.

13. Graffiti removal

In accordance with the environmental maintenance objectives of 'Crime Prevention Through Environmental Design', the owner/lessee of the building shall be responsible for the removal of any graffiti which appears on the buildings, fences, signs and other surfaces of the property within 48 hours of its application.

Condition reason: To protect and preserve the visual amenity of the surrounding public domain.

14. 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.

15. Floor Level Controls

The minimum floor level control for all habitable rooms associated with this development is RL 35.10 metres AHD.

Condition reason: To ensure there are no adverse flood impacts.

16. Engineering Design Works

The design of all engineering works shall be carried out in accordance with the requirements detailed in Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended), Engineering Design Guide for Development guide (as amended) and Campbelltown (Sustainable City) Development Control Plan 2015 (as amended).

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

17. Car Parking Spaces

All car parking spaces shall be designed, sealed, line marked and made available to all users of the site in accordance with Australian Standards 2890.1 and 2 (as amended).

Condition reason: To ensure that parking facilities are designed in accordance with the relevant Australian Standards and Council's DCP.

18. Rubbish/recycling bin storage

The rubbish and recycling bins shall not be stored within vehicle parking, vehicle manoeuvring areas or landscaped areas.

The bin(s) shall only be stored in accordance with the approved plans.

Condition reason: To ensure waste storage does not impact areas required to be dedicated to vehicle access and landscaping.

19. 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.

20. Rain water tank/s

Rain water tank/s shall be installed on site for the collection and storage of stormwater for irrigation and reuse purposes (eg the flushing of toilets), in accordance with the approved plans.

Condition reason: To reuse rainwater and comply with any BASIX commitments made in the application.

21. 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.

22. Retention of Trees

- Trees 1, 2, 3, 4 and 18 are street trees that have sufficient setback from the proposed development footprint, with no encroachment into their TPZ. These trees are to be protected with TPZ fencing in compliance with AS4970.
- Tree 13 within the subject property is sufficiently set back from the proposed development footprint with a minor encroachment into the TPZ and no encroachment into SRZ. Tree canopy will overhang the development and may require minor (10%) selective pruning to accommodate structural elements. This work must be carried out under the supervision of the project arborist.
- Trees 10, 14, 15 are located within neighbouring properties. Tree 14 has a minor corner encroachment (3.64%) into its TPZ from the proposed development footprint, considered a low level of impact. Trees 10 & 15 have no encroachment into their TPZ from the development footprint. Trees are to be protected with existing boundary fence and ground protection within the subject property refer to Arboricultural Impact Assessment by Bellevue Tree Consultants Appendix G2 & section 7.3.3.

Condition reason: To protect and retain trees.

23. Tree Removal

- Trees 5, 6, 7, 8, 9, 11, 12, 16, 17, 19 and 20 (Total 11) within the subject property and road reserve area are wholly or partially within the footprint of the proposed development and proposed footpath and are approved for removal.
- Tree removal shall be performed by a fully insured and qualified arborist with a minimum AQF level 3 qualification in arboriculture.
- All works performed must not damage any adjacent trees to be retained.
- The works must be undertaken in compliance with Safe Work Australia's – Guide to Managing Risks of Tree Trimming and Removal Work
- Stump grinding must not be performed within 5 metres of any retained tree.
- Any ropes used to lower branches shall not be placed over any part of trees to be retained without the appropriate trunk or branch protection.

Condition reason: To permit tree removal.

24. Tree Protection

- Install and maintain tree protection measures for trees 1, 2, 3, 4, 10, 13, 14, 15 and 18 as outlined in Arboricultural Impact Assessment by Bellevue Tree Consultants Appendix G2, Tree protection plan and Section 7, Arboricultural method statement and in compliance with AS 4970-2009 Protection of trees on development sites

- No trees or vegetation are to be cut down, lopped, destroyed or removed 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 park up 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 trees.

25. Acoustic Report

The noise control treatments outlined in Traffic Noise and NCC Assessment report RSA; Section 5.2 and 5.3 Glazing are to be implemented at all times.

The apartments are to be constructed in accordance with the National Construction Code Acoustic Requirements to minimise sound transmission between adjoining sole-occupancy premises and also from common spaces into sole-occupancy premises, as outlined in Traffic Noise and NCC Assessment report RSA; Section 6 and Appendix E

Noise emissions criteria for mechanical plant have not been established and will require a noise survey assessment once the mechanical plan schedules are available.

Condition reason: To ensure there are no adverse noise impacts.

26. Waste Management Plan Implementation

The approved Waste Management Plan is to be implemented throughout the ongoing use of the development.

Condition reason: To ensure appropriate waste management processes are implemented at all times.

27. Ongoing Maintenance

The Owners Corporation is responsible for the ongoing maintenance, repair and replacement of all equipment related to waste management in the development including waste chutes, compaction equipment and turntables if applicable. This also includes ensuring that mobile garbage bins (MGBs) are kept clean.

Condition reason: To ensure appropriate waste management processes are maintained.

28. Allocation of street addresses

To comply with AS4819:2011 - Rural and Urban Addressing, the 'NSW Address Policy and User Manual' (published by the Geographic Names Board) and Campbelltown City Council's requirements, the street addresses for the subject development are allocated as follows:

Level No	Dwelling description on plans	Unit No	Official proposed street address to comply with AS 4819:2011 and NSW Address Policy
Common Property			6 Palmer Street INGLEBURN NSW 2565
Ground	Unit 1	G01	G01/6 Palmer Street INGLEBURN NSW 2565
Ground	Unit 2	G02	G02/6 Palmer Street INGLEBURN NSW 2565
Ground	Communal Room	G03	G03/6 Palmer Street INGLEBURN NSW 2565

Ground	Unit 3	G04	G04/6 Palmer Street INGLEBURN NSW 2565
Ground	Unit 4	G05	G05/6 Palmer Street INGLEBURN NSW 2565
Level 01	Unit 5	101	101/6 Palmer Street INGLEBURN NSW 2565
Level 01	Unit 6	102	102/6 Palmer Street INGLEBURN NSW 2565
Level 01	Unit 7	103	103/6 Palmer Street INGLEBURN NSW 2565
Level 01	Unit 8	104	104/6 Palmer Street INGLEBURN NSW 2565
Level 01	Unit 9	105	105/6 Palmer Street INGLEBURN NSW 2565
Level 01	Unit 10	106	106/6 Palmer Street INGLEBURN NSW 2565
Level 01	Unit 11	107	107/6 Palmer Street INGLEBURN NSW 2565
Level 02	Unit 12	201	201/6 Palmer Street INGLEBURN NSW 2565
Level 02	Unit 13	202	202/6 Palmer Street INGLEBURN NSW 2565
Level 02	Unit 14	203	203/6 Palmer Street INGLEBURN NSW 2565
Level 02	Unit 15	204	204/6 Palmer Street INGLEBURN NSW 2565
Level 02	Unit 16	205	205/6 Palmer Street INGLEBURN NSW 2565
Level 02	Unit 17	206	206/6 Palmer Street INGLEBURN NSW 2565
Level 02	Unit 18	207	207/6 Palmer Street INGLEBURN NSW 2565
Level 03	Unit 19	301	301/6 Palmer Street INGLEBURN NSW 2565
Level 03	Unit 20	302	302/6 Palmer Street INGLEBURN NSW 2565
Level 03	Unit 21	303	303/6 Palmer Street INGLEBURN NSW 2565
Level 03	Unit 22	304	304/6 Palmer Street INGLEBURN NSW 2565
Level 03	Unit 23	305	305/6 Palmer Street INGLEBURN NSW 2565
Level 03	Unit 24	306	306/6 Palmer Street INGLEBURN NSW 2565
Level 03	Unit 25	307	307/6 Palmer Street INGLEBURN NSW 2565
Level 04	Unit 26	401	401/6 Palmer Street INGLEBURN NSW 2565
Level 04	Unit 27	402	402/6 Palmer Street INGLEBURN NSW 2565
Level 04	Unit 28	403	403/6 Palmer Street INGLEBURN NSW 2565
Level 04	Unit 29	404	404/6 Palmer Street INGLEBURN NSW 2565
Level 04	Unit 30	405	405/6 Palmer Street INGLEBURN NSW 2565

Details indicating compliance with this condition must be shown on the plans and administration sheet lodged with any subdivision certificate application for Council's written approval.

Condition reason: To ensure that the new lot / occupancy can be identified in accordance with relevant standards.

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.

29. 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.

30. Demolition of Existing Dwelling

Prior to Council or the appointed Principal Certifier issuing a construction certificate, the existing dwellings on the properties shall be demolished and all materials removed from the site.

Condition reason: To comply with Council's requirements.

31. Geotechnical Report

Prior to Council or an accredited certifier issuing a construction certificate, a comprehensive geotechnical engineering report prepared and undertaken by a professional geotechnical engineer from a NATA registered laboratory, shall be submitted to the satisfaction of the appointed registered certifier.

The report must include, but not be limited to, the following:

- a. An overall assessment of all approved architectural and construction engineering plans for the proposed development (Building and site civil works) and suitability in relation to the site's geotechnical characteristics, and compliance with requirements outlined in the BCA, Campbelltown City Council's (Sustainable City) Development Control Plan and Engineering Design for Development guide.
- b. Identify land that will be subject to subsidence, slip, slope failure or erosion, where; excavation and/or filling exceeds 900mm in depth or is identified as filled land.
- c. Preferred excavation/retention/stabilisation techniques and suitability of excavated materials for use in on-site earthworks.
- d. Construction methods to avoid problem areas associated with loose materials and groundwater seepage.
- e. Requirements for surface and subsurface drainage lines.
- f. Analysis of the level of risk to all existing adjacent structures/buildings, including the scenario of vibratory rollers and other large earthworks machines used anywhere within the site the subject of these works. In the event that the proposed development, its construction, and use of vibratory rollers or other machinery could affect adjacent structures/buildings, high risk areas and method of mitigation must be identified on a plan and discussed in the report. This analysis shall include outlining the potential for possible damage to adjoining premises from excavation on the site and specifying safe method(s) of underpinning the adjoining premises to prevent such damage.
- g. Recommended treatment of any unstable areas within privately owned allotments surrounding the site the subject of these works.
- h. Impact of the installation of services on overall site stability and specify recommendations on short term drainage methods, shoring requirements and other remedial measures that may be

- appropriate during construction.
- i. Specification of foundation conditions and footing requirements of the site, such as bearing pressures, pile design parameters, special techniques for expansive clays, saline soil conditions etc, and provide solutions for consideration of structural and civil engineers. Note Campbelltown is known for significant soil salinity issues, and footing design shall assume maximum salinity potential foundation soils, providing recommended design and mitigation strategies.
 - j. Recommendations for footing design and prevention of adverse impacts to building footings and foundation from existing and proposed landscape vegetation and large trees proposed adjacent the buildings. Geotechnical engineer to collaborate with the applicant's arborist, civil and structural engineers.
 - k. Extent and stability of any existing and proposed embankments.
 - l. All required Geotechnical testing requirements.
 - m. Level of geotechnical supervision required for each part of the works as defined under AS3798 - Guidelines on Earthworks for Commercial and Residential Developments.

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

32. Soil and Water Management Plan

Prior to Council or the appointed Principal Certifier issuing a construction certificate, a detailed soil and water management plan shall be submitted for approval.

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

33. Traffic Control Plans

Prior to Council or the appointed Principal Certifier issuing a construction certificate, the applicant shall prepare Traffic Control Plan (TCP) in accordance with TfNSW's Traffic Control at Work Sites Technical Manual and Australian Standard AS 1742.3 (as amended) and obtain approval from an accredited person. A copy of the approved TCP shall be kept on site for the duration of the works, in accordance with Work Cover Authority requirements and a copy shall be submitted to Council for its records.

Condition reason: To maintain safe and adequate management of vehicular and pedestrian traffic.

34. Dilapidation Report

Prior to Council or the appointed Principal Certifier issuing a construction certificate, the applicant shall submit a dilapidation report for all structures (both internal and external), including ancillary structures located on land adjoining the site located within the likely "zone of influence" of any excavation, dewatering and/or construction induced vibration. The survey must identify all services and public infrastructure that are within the zones of influence.

The dilapidation reports must be completed and submitted to Council and the appointed registered certifier prior to issuing a construction certificate.

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

35. Condition 35. Civil Works under S138 Roads Act

Prior to Council or the appointed Certifier issuing a construction certificate, the applicant shall obtain a S138 Roads Act approval from Campbelltown City Council for any works proposed on Palmer Street

and Norfolk Street road reserves. 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 certifying authority issuing an occupation certificate.

Access driveways (footpath crossing), kerb laybacks, kerb and gutter, stormwater drainage and connections, street tree relocation or removal and other civil works required as part of the development within a public road reserve must be designed and constructed in accordance with Council standard requirements and drawings.

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

36. 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.

37. 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.

38. 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.

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.

39. Architectural finishes validation statement

A construction certificate shall not be issued for the subject building until the qualified designer who prepared the 'Design Verification Statement' submitted with the development application, prepares a separate written 'Architectural Finishes Validation Statement'.

The 'Architectural Finishes Validation Statement' shall confirm that the plans relied upon for issue of the construction certificate are not inconsistent with the approved plans described in Conditions 1 and 2 with specific regard to the architectural design elements, colours, finishes and treatments that are provided to the building's exterior.

Where circumstances require, another qualified designer may prepare the written confirmation, subject to receipt of written approval for such a change from Council's Manager Development Services.

Condition reason: To ensure the final building complies with the approved plans.

40. Section 7.11 Contribution

Contribution

The developer must make a monetary contribution to Campbelltown City Council in the amount of **\$443,940.22** for the purposes of the Local Infrastructure identified in the Campbelltown Local Infrastructure Contributions Plan 2018 (the Plan).

Open space and recreation facilities	57% of total
Community facilities	16.4% of total
Traffic, transport and access facilities	16.1% of total
Cycleways	5.6% of total
Town centre public domain facilities	3.5% of total
Plan management and administration	1.4% of total
Total	\$443,940.22

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 must be indexed between the date of this certificate and the date of payment in accordance with the following formula:

$$\frac{\$CC \times CPI_P}{CPI_C}$$

Where:

- \$CC is the contribution amount shown in this certificate expressed in dollars.
- CPI_P 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_C 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 – **139.1 Jun 2024**.

Time for payment

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

Works in kind agreement

This condition does not need to be complied with to the extent specified, if a works in kind agreement is entered into between the developer and the Council.

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.

41. Construction Traffic Management Plan

Prior to Council or the appointed Principal Certifier issuing a construction certificate, a comprehensive Construction Traffic Management Plan (CTMP) shall be prepared by a Department of Fair-Trading accredited person with a Prepare a Work Zone qualification and be submitted to the satisfaction of the appointed registered certifier.

The CTMP shall provide, but not be limited to, the following traffic, vehicle and development related activities, internal and external to the site, for Council's information and to assist with S138 road occupancy, standing plant and S138 Civil Works applications and approvals;

- a. Day to day management of all development related construction traffic and staff, visitor and public pedestrian movements in and around the site.
- b. Method of daily log book keeping to record all construction traffic activities and movements, including waste and fill certification for review and approval by the sitesuperintendent,
- c. External heavy vehicle movements, parking/standing arrangements, and proposed routes. Traffic Control Plans for each stage of development in accordance with the State Roads Authority manual "Traffic Control at Work Sites "and Australian Standard AS 1742 (as amended). A colour copy of approved TCPs 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. It is anticipated that TCP's will be revised during the construction phase of development, and approval obtained from the relevant roads authority.
- d. Internal site vehicle movements.
- e. Number of trucks/machinery and their related movements.
- f. Location of truck/machinery maintenance and storage areas.
- g. Hours of operation.
- h. Access arrangements.
- i. Methods to mitigate impacts of construction traffic on internal and external pedestrian and local traffic activity.
- j. Removal of soil/rock/spoil/vegetation from the site and delivery of materials.
- k. Method(s) of briefing/informing all staff, construction workers, sub-contractors, supervisors, visitors, and relevant public adjacent to the site to ensure that the CTMP procedures are adhered to at all times.

Condition reason: To maintain safe and adequate management of vehicular and pedestrian traffic.

42. Retaining Structures

Prior to Council or the appointed Principal Certifier issuing a construction certificate, a detailed engineering design and construction plan shall be prepared by a professional engineer registered on the NER with relevant qualifications and experience, for all proposed retaining structures.

All retaining structures adjacent to existing or future public infrastructure shall be constructed of a masonry material and shall be constructed wholly within the property boundary, including footings and agricultural drainage lines. No encroachments within land to be dedicated to Council is permitted.

Condition reason: To comply with engineering standards.

43. Stormwater Management Plan (Development)

Prior to Council or an accredited certifier issuing a construction certificate, a detailed stormwater drainage design plan and associated design report prepared by an experienced and qualified professional civil or hydraulics engineer registered on the NER, shall be submitted to the satisfaction of the appointed registered certifier.

The plan and report shall clearly demonstrate;

- a. general compliance with the approved stormwater plan outlined in condition 1 of this consent.

- b. 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.
- c. 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.
- d. no adverse impacts to surrounding properties for stormwater behaviour up to and including the 1% AEP storm event.
- e. 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, basement parking facility, and prevent ponding of stormwater against the buildings or entering into the basement carpark.
- f. management and disposal of all stormwater and groundwater, connection from the site's drainage system into Council's existing stormwater drainage network to the fronting road reserve (including augmentation of any existing line), 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.
- g. no long-term ponding of water on site.
- h. hydraulic and structural design and construction details of rainwater tanks(s), on-site detention/retention tank(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.

Condition reason: To ensure that water is captured and disposed of lawfully and in accordance with engineering standards.

44. On-Site Detention

Prior to Council or the appointed Principal Certifier issuing a construction certificate, a detailed design plan and associated design report for the on-site detention (OSD) system prepared by an experienced and qualified professional civil or hydraulics engineer registered on the NER, shall be submitted to the satisfaction of the appointed registered certifier.

The applicant shall note in the Strata Management documentation that the ongoing maintenance of the on-site detention facility is the responsibility of the Strata Corporation. An Operation and Maintenance Manual shall be submitted to Council for its record prior to the issue of a construction certificate.

The OSD system must comply with the requirements detailed in Council's Engineering Design for Development (as amended) guide.

Condition reason: To ensure that water is captured and disposed of lawfully and in accordance with engineering standards.

45. Basement Operation and Car Parking Layout

Prior to Council or the appointed Principal Certifier issuing a construction certificate, engineering design plans and a design report for the basement car parking layout shall be submitted to the satisfaction of the appointed registered certifier.

The driveway width, gradients, basement car park spaces, layout and manoeuvring areas must be designed in accordance with Australian Standard 2890 and Council's Engineering Design for Development (as amended) guide.

Condition reason: To ensure that car parking is in accordance with the relevant Australian Standards.

46. Consolidation of Allotment

Prior to Council or the appointed Principal Certifier issuing a construction certificate, the applicant shall submit a copy of the plan which consolidates the allotments that are the subject of the development application prior to registration at the *NSW Land Registry Services*.

Condition reason: To ensure that the building is constructed on one lot.

47. Flood measures

Prior to the appointed principal certifier issuing a construction certificate, the following is to be provided to the satisfaction of the appointed private certifier:

- A Flood Emergency Plan Response Plan is required to be prepared by a suitably qualified person.
- A safety in design risk assessment identifying potential flood hazards and flood mitigation requirements.
- A flood warning system designed by a suitably qualified Flood Engineer is required to be designed and implemented with details to be submitted for approval to the appointed principal certifier.
- A signage plan that includes flood hazard warning signs and their locations around the perimeter of the building specifically including, but not limited to, the north eastern corner of the site.
- The design of the flood barrier to the carpark entry shall be prepared and submitted for approval.

Condition reason: To ensure adequate flood safety measures are implemented.

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.

48. 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.

49. Erection of construction sign

Before any site work commences on the land, signs must be erected in prominent positions on the site:

1. 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
2. Stating that unauthorised entry to the work site is prohibited

3. Pollution warning sign promoting the protection of waterways (a digital copy is provided with this consent that can be printed, laminated and affixed to the site or a corflute sign is available for free pick up at Council's administration office)
4. Stating the approved construction hours in which all works can occur
5. Showing the name, address and telephone number of the principal certifier for the work.

Any such signs are 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.

50. 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.

51. 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.

52. Vehicular Access during Construction

Prior to the commencement of any works 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.

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

53. Public Property

Prior to the commencement of any works on site, the applicant shall advise Council of any damage to property controlled by Council which adjoins the site including kerbs, gutters, footpaths, walkways, reserves 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.

54. Footpath and vehicular crossing levels

Before any site work commences, footpath and vehicular crossing levels are to be obtained from Council by lodging an application on the prescribed form.

Condition reason: To confirm requirements for works over Council land.

55. 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.

56. Hoarding / Fence

Before any site work commences, a hoarding or fence must be erected between the work site and a public place if the work involved in the development is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or if the building involves the enclosure of a public place in accordance with Work Cover requirements.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

A separate land use application under *Section 68 of the Local Government Act 1993* shall be submitted to and approved by Council prior to the erection of any hoarding on public land.

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

57. 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.

58. 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.

59. Demolition of existing dwelling

Before any other site work commences, the existing dwelling and all other improvements on the land shall be demolished in accordance with the conditions of this consent.

Condition reason: To ensure that any buildings approved to be removed do not remain on the site.

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.

60. 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.

61. 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.

62. 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.

63. Protection of existing trees

While site work is being carried out, no trees are to be cut down, lopped, destroyed or removed without the separate written approval of Council unless those trees are within three metres of the footprint of a building that has been approved by Council.

All trees that are to be retained are to be protected by fencing, firmly staked within the drip line/canopy of the tree and maintained during the duration of the works. The area within the fencing must not be used for stockpiling of any material, nor for vehicle or pedestrian convenience.

All useable trees and shrubs shall be salvaged for re-use, either in log form, or as woodchip mulch for erosion control or garden beds or site rehabilitation. Non-salvable materials such as roots and stumps shall be disposed of to a waste management centre or other approved form.

Condition reason: To protect and retain existing trees.

64. Fill Compaction Requirements

Any filling carried out on the site shall be compacted to a minimum dry density of 98% Standard Compaction. Density testing, which is to be certified by a qualified geotechnical engineer, shall be undertaken for every 300mm rise in vertical height, with test locations being selected randomly across the site. At least 1 test shall be taken for every 500m² of the filled area (minimum 1 test per 300mm layer).

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

65. Dust Nuisance

Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the Landcom's Managing Urban Stormwater: Soils and Construction, Volume 1 (the Blue Book). Construction areas shall be treated/regularly watered to the satisfaction of the principal certifying authority.

Note: Council may impose significant financial penalties for any non-compliance with this requirement without any further notification or warning.

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

66. Certification of location of while site work is being carried out

Before the positioning of wall panels/bricks or block work, 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 the boundaries, and the dimensions of the building.

Condition reason: To ensure that the building is constructed in the location approved on the plans.

67. 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.

68. Certification of levels of building while site work is being carried out

Before the placement of any concrete of the basement/ground floor slab, the applicant shall submit to the appointed principal certifier a qualified practicing surveyor's certificate showing that the formwork levels are in accordance with the approved plan.

Condition reason: To ensure that the building has been constructed to the levels specified on the approved plans.

69. Termite control

The building shall be protected from subterranean termites in accordance with Australian Standard 3660.1. Certification of the treatment shall be submitted to the principal certifier before the issue of the relevant occupation certificate.

Condition reason: To ensure termite control measures are in place.

70. 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.

71. Earth Works/Filling Works

All earthworks, including stripping, filling, and compaction shall be:

- a. Undertaken in accordance with Council's Specification for Construction of Subdivisional Roads and Drainage Works (as amended), Australian Standard AS 3798 Guidelines for Earthworks for Commercial and Residential Development (as amended), and the approved construction drawings;
- b. Supervised, monitored, inspected, tested and reported in accordance with Australian Standard AS 3798 Appendix B 2(a) Level 1 and Appendix C by a NATA registered laboratory appointed by the applicant. Two collated copies of the report and fill plan shall be forwarded to Council; and
- c. Certified by the laboratory upon completion as complying, so far as it has been able to determine, with Council's specification and Australian Standard AS 3798.

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

72. Public Safety

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

Condition reason: To protect workers, traffic and the public.

73. Compliance with Council Specification

All design and construction work shall be in accordance with:

- a. Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended);
- b. Council's Engineering Design for Development (as amended) guide;
- c. Council's applicable Development Control Plan;
- d. Landcom's Managing Urban Stormwater: Soils and Construction, Volume 1 (the Blue Book);
- e. TfNSW Traffic Control at Work Sites Technical Manual;
- f. Australian Standard AS 2890 various (Parking Facilities);
- g. Australian Standard AS 1742 various (Manual of uniform traffic control devices); and
- h. Other relevant Australian Standards, Austroads and/or State Government publications.

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

74. Footpath

The footpath adjoining the subject land shall be regraded, topsoiled and turfed. The footpath formation may need to be extended beyond the site boundaries, to provide an acceptable transition to the existing footpath levels.

Condition reason: To provide satisfactory pedestrian access.

75. Commercial Footpath Crossing and Layback Crossing

The applicant shall provide a reinforced concrete footpath crossing and layback at the entrance to the property in accordance with Council's Industrial/Commercial Vehicle Crossing Specification and Engineering Design for Development (as amended) guide.

A separate application for this work, which will be subject to a crossing inspection fee and inspections by Council, must be lodged with Council prior to pouring the concrete. Where necessary, conduits shall be provided under the footpath crossing, in accordance with the relevant service authority's requirements.

Condition reason: To provide satisfactory pedestrian access.

76. 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.

77. Redundant Laybacks

All redundant laybacks shall be reinstated as conventional kerb and gutter, in accordance with the requirements detailed in Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and Engineering Design for Development (as amended) guide.

Condition reason: To ensure any redundant infrastructure is removed.

78. Demolition work/plan

All work shall be completed in accordance with the approved demolition work plan designed in accordance with clause 1.7.3 of Australian Standard A52601-2001 The Demolition of Structures.

Condition reason: To ensure demolition works are carried out in accordance with the relevant Australian Standards.

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.

79. Section 73 Certificate

Prior to the Council or appointed Principal Certifier issuing an occupation certificate, a Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation. Early application for the certificate is suggested as this can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator.

For help either visit www.sydneywater.com.au > Building and developing > Developing your Land > Water Servicing Coordinator or telephone 13 20 92.

The Section 73 Certificate must be submitted to the appointed Principal Certifier prior to the issue of an occupation certificate.

Condition reason: To ensure all essential services are provided.

80. 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 comply with engineering standards.

81. 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.

82. Restriction on the Use of Land

Prior to Council or the appointed Principal Certifier issuing an occupation certificate, the applicant shall engage a registered surveyor or equivalent professional to create appropriate easements, covenants and restrictions on the use of land in accordance with the Conveyancing Act and Council's Engineering Design for Development guide. The applicant shall liaise with Council's duty Development Engineer for standard wording of these instruments.

Any lots subsequently identified during the subdivision process as requiring restrictions shall also be suitably burdened.

The authority empowered to release, vary or modify these restrictions on the use of land shall be Campbelltown City Council. The cost and expense of any such release, variation or modification shall be borne by the person or corporation requesting the same in all respects.

Condition reason: To ensure appropriate restrictions are applied to facilitate the development.

83. Final Inspection – Works as Executed Plans

Prior to Council or the appointed Principal Certifier issuing an occupation certificate, the applicant shall submit to Council an electronic copy of fully marked up and certified work as executed plans in accordance with the requirements detailed in Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and Engineering Design for Development (as amended) guide.

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 five (5) metres within the site area.
- Where there is a change in finished ground levels that are greater than 0.3.m between adjacent points within the above mentioned 5m grid, intermediate levels will be required.
- A minimum of fifteen (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 comply with engineering standards.

84. Restoration of Public Roads

Prior to Council or the appointed Principal Certifier issuing an occupation certificate, any restoration of the public road pavement 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.

85. Public Utilities

Prior to Council or the appointed Principal Certifier issuing an 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.

86. 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.

87. Termite protection

Before the issue of the relevant occupation certificate, certification from a licensed pest controller shall be submitted certifying that the termite treatment has been installed in accordance with AS3660.1.

Condition reason: To ensure termite control measures are in place.

88. BASIX

Before the issue of the relevant occupation certificate, completion of all requirements listed in the relevant BASIX certificate for the subject development shall be completed/installed.

Condition reason: To confirm BASIX commitments have been provided.

89. 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.

90. Consolidation of allotment

Before the issue of any occupation certificate, the applicant shall provide evidence that the allotments that are the subject of the application have been consolidated. The registered plan of consolidation as endorsed by the Registrar General shall be submitted to Council for information. Should the allotments be affected by easements, restrictions, or covenants, for which Council is the relevant authority to release, vary or modify, then the plan of consolidation must be endorsed by Council prior to lodgement with Land and Property Information NSW.

Condition reason: To ensure the lots are consolidate prior to occupation.

PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a subdivision 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 subdivision certificate.

91. Service Authorities

To ensure that an adequate level of services and infrastructure is provided to this development, prior to the appointed Principal Certifier issuing a Subdivision Certificate the following is required:

- a. Energy supplier – A Notice of Arrangement for the provision of distribution of electricity from Endeavour Energy to service the proposed development;
- b. Telecommunications – Evidence demonstrating that satisfactory arrangements have been made with a telecommunications carrier to service the proposed development;
- c. Gas supplier (if relevant)- Evidence demonstrating that satisfactory arrangements have been made with a gas supplier to service the proposed development; and
- d. Water supplier – A Section 73 Compliance Certificate demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.

All construction work shall conform to the relevant authorities' specifications.

Condition reason: To ensure essential services are provided for the development.

92. Lot/House numbers

Before the issue of the relevant subdivision certificate all lot/house numbers shall be stencilled onto the kerb at appropriate locations with black letters/numbers 75mm high on a white background using approved pavement marking grade paint.

For all new additional lots created, please submit the details of the development via the "Property Address Enquiry form" on Campbelltown City Council's website to ensure the correct house number is stencilled.

Condition reason: To ensure property details are clearly visible from the street for emergency services.

93. Certification of Retaining Structures

Prior to Council or the appointed Principal Certifier issuing a subdivision certificate, all retaining structures shall be certified by an appropriately qualified engineer as having been constructed in accordance with the approved design. An electronic copy of all documentation shall be submitted to Council for its records.

Condition reason: To comply with engineering standards.

94. Subdivision certificate

Before the issue of the relevant subdivision certificate, a final occupation certificate is required to be issued for all buildings on the land.

Condition reason: To ensure that all conditions of consent have been complied with prior to the issue of the subdivision certificate.

95. Council fees and charges

Before the issue of the relevant subdivision 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.

ENDEAVOUR ENERGY

The following conditions from Endeavour Energy shall be complied with at all times:

96. Asset Planning

Applicants should not assume adequate supply is immediately available to facilitate their proposed development.

97. Before you Dig

Before commencing any underground activity the applicant must obtain advice from the Before You Dig service.

98. Demolition

All electricity infrastructure shall be regarded as live and care must be taken to not interfere with any part of the electricity network.

99. Earthing

The construction of any building or structure connected to or in close proximity to the electrical network must be properly earthed.

100. Emergency Contact

Endeavour Energy's emergency contact number 131 003 should be included in any relevant risk and safety management plan.

101. Flooding

Electricity infrastructure should not be subject to flood inundation or stormwater runoff.

102. Network Asset Design

Design electricity infrastructure for safety and environmental compliance consistent with safe design lifecycle principles.

103. Network Connection

Applicants will need to submit an appropriate application based on the maximum demand for electricity for connection of load.

104. Prudent Avoidance

Development should avert the possible risk to health from exposure to emissions from electricity infrastructure such as electric and magnetic fields (EMF) and noise.

105. Public Safety

Public safety training resources are available to help general public / workers understand the risk and how to work safely near electricity infrastructure.

106. Removal of Electricity

Permission is required to remove service / metering and must be performed by an Accredited Service Provider.

107. Safety Clearances

Any building or structure must comply with the minimum safe distances / clearances for the applicable voltage/s of the overhead power lines.

108. Service Conductors

Low voltage service conductors and customer connection points must comply with the 'Service and Installation Rules of NSW'.

109. Streetlighting

Streetlighting should be reviewed and if necessary upgraded to suit any increase in both vehicular and pedestrian traffic.

110. Sustainability

Reducing greenhouse gas emissions and helping customers save on their energy consumption and costs through new initiatives and projects to adopt sustainable energy technologies.

111. Swimming Pools

Whenever water and electricity are in close proximity, extra care and awareness is required.

112. Vegetation Management

Landscaping that interferes with electricity infrastructure is a potential safety risk and may result in the interruption of supply.

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. Swimming Pools - Limit evaporation and save water

To limit evaporation and save water, Council encourages that you investigate placing a pool blanket over the swimming pool.

Advice 2. 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 3. Buried Waste

Should buried materials/wastes or the like be uncovered during the excavation of footings or trenches on site works, Council is to be contacted immediately for advice on the treatment/removal methods required to be implemented.

Advice 4. Covenants

The land upon which the subject building is to be constructed may be affected by restrictive covenants. Council issues this approval without enquiry as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this permit. Persons to whom this permit is issued rely on their own enquiries as to whether or not the building breaches any such covenant.

Advice 5. Inspections – Civil Works

Where Council is nominated as the principal certifier for civil works, the following stages of construction shall be inspected by Council.

- a. EROSION AND SEDIMENT CONTROL –
 - i. Direction/confirmation of required measures.
 - ii. After installation and prior to commencement of earthworks.
 - iii. As necessary until completion of work.
- b. STORMWATER PIPES – Laid, jointed and prior to backfill.
- c. VEHICLE CROSSINGS AND LAYBACKS – Prior to pouring concrete.
- d. FINAL INSPECTION – All outstanding work.

Advice 6. Inspection within Public Areas

All works within public areas are required to be inspected at all stages of construction and approved by Council prior to the principal certifier releasing the Occupation Certificate.

Advice 7. 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 8. Subdivision Certificate Application and Plan Copies

As part of a subdivision certificate application, the following documents shall be submitted for Council's assessment through the NSW Planning Portal:

- A cover letter that details how each condition relevant to issue of a subdivision certificate has been addressed
- A copy of each required service authority certificate
- A draft plan administration sheet (including subdivision certificate)

- A draft deposited plan/ strata plan (if required) drawing
- A Section 88B instrument (where required), and
- A letter from the registered owner providing owners consent for subdivision application.

NSW Planning Portal <https://www.planningportal.nsw.gov.au/>

Upon Council's direction, the applicant must supply three final hard copy documents for affixing of signatures and stamps.

Note: the administration sheet is required to include a schedule of lots and addresses in accordance with Section 60(c) of the Surveying and Spatial Information Regulation 2017.

Advice 9. HOW Insurance or Owner Builders Permits

Must be submitted to Council prior to the commencement of works. Failure to do so will prevent council from inspecting works.

Advice 10. Asbestos Warning

Should asbestos or asbestos products be encountered during construction or demolition works you are advised to seek advice and information prior to disturbing the material. It is recommended that a contractor holding an asbestos-handling permit (issued by Work Cover NSW), be engaged to manage the proper disposal and handling of the material. Further information regarding the safe handling and removal of asbestos can be found at:

www.environment.nsw.gov.au
www.nsw.gov.au/fibro
www.adfa.org.au
www.workcover.nsw.gov.au

Alternatively, call Work Cover Asbestos and Demolition Team on 8260 5885.

Advice 11. 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 12. 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 13. Rain Water Tank

It is recommended that water collected within any rainwater tank as part of the development be limited to non-potable uses. NSW Health recommends that the use of rainwater tanks for drinking purposes not occur where a reticulated potable water supply is available.

Advice 14. 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 15. Waste-Derived Material

The application of waste-derived material to land is an activity that may require a licence under the *Protection of the Environment Operations Act 1997* (POEO Act). However, a licence is not required by the occupier of land if the only material applied to land is virgin excavated natural material or waste-derived material that is the subject of a resource recovery exemption under clause 51A of the *Protection of the Environment Operations (Waste) Regulation 2005*.

Resource recovery exemptions are available on Department of Environment and Climate Change's website at <http://www.environment.nsw.gov.au/waste/>

Definition of 'virgin excavated natural material' within the meaning of the POEO Act:

Natural material (such as clay, gravel, sand, soil or rock fines) that has been excavated or quarried from areas that are not contaminated with manufactured chemicals, or with process residues (as a result of industrial, commercial, mining or agricultural activities), and that does not contain any sulfidic ores or soils or any other waste.

Definition of 'waste' within the meaning of the POEO (Waste) Regulation:

See Part 1, Clause 3B.

Advice 16. Bonds and Bank Guarantees

All bonds are to be provided in the form of Cash or a written Bank Guarantee from an Australian Banking Institution. Bonds will not be accepted in any other form or from any other institution.

Advice 17. 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 18. 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 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 19. 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.

Advice 20. Subdivision Certificate Application and Plan Copies

As part of a subdivision certificate application, the following documents shall be submitted for Council's assessment through the NSW Planning Portal:

- A cover letter that details how each condition relevant to issue of a subdivision certificate has been addressed
- A copy of each required service authority certificate
- A draft plan administration sheet (including subdivision certificate)
- A draft deposited plan/ strata plan (if required) drawing
- A Section 88B instrument (where required), and
- A letter from the registered owner providing owners consent for subdivision application.

NSW Planning Portal <https://www.planningportal.nsw.gov.au/>

Upon Council's direction, the applicant must supply three final hard copy documents for affixing of signatures and stamps.

Note: the administration sheet is required to include a schedule of lots and addresses in accordance with Section 60(c) of the Surveying and Spatial Information Regulation 2017.

Advice 21. Linen Plan Checking Fee

Where Council is the principal certifier a linen plan checking fee is payable on submission of the linen plan of subdivision to Council. The exact amount will be calculated at the rate applicable at the time of release of the linen plans for each lot of the subdivision including any residue lots.

Advice 22. Salinity

Please note that Campbelltown is an area of known salinity potential. As such any salinity issues should be addressed as part of the construction certificate application. Further information regarding salinity management is available within *Campbelltown (Sustainable City) DCP - Volumes 1 and 3 (as amended)*.

Advice 23. Swimming Pool Owner's Responsibility

- a. A securely fenced pool is no substitute for responsible adult supervision. When children are in or around a swimming pool, they should always be responsibly supervised.

- b. Since October 2013 Swimming pool owners are required, under the provisions of the Swimming Pool Act, to register their swimming pools online on the NSW Swimming Pools Register.

A penalty may apply to owners who fail to register their pool.

For further information visit:

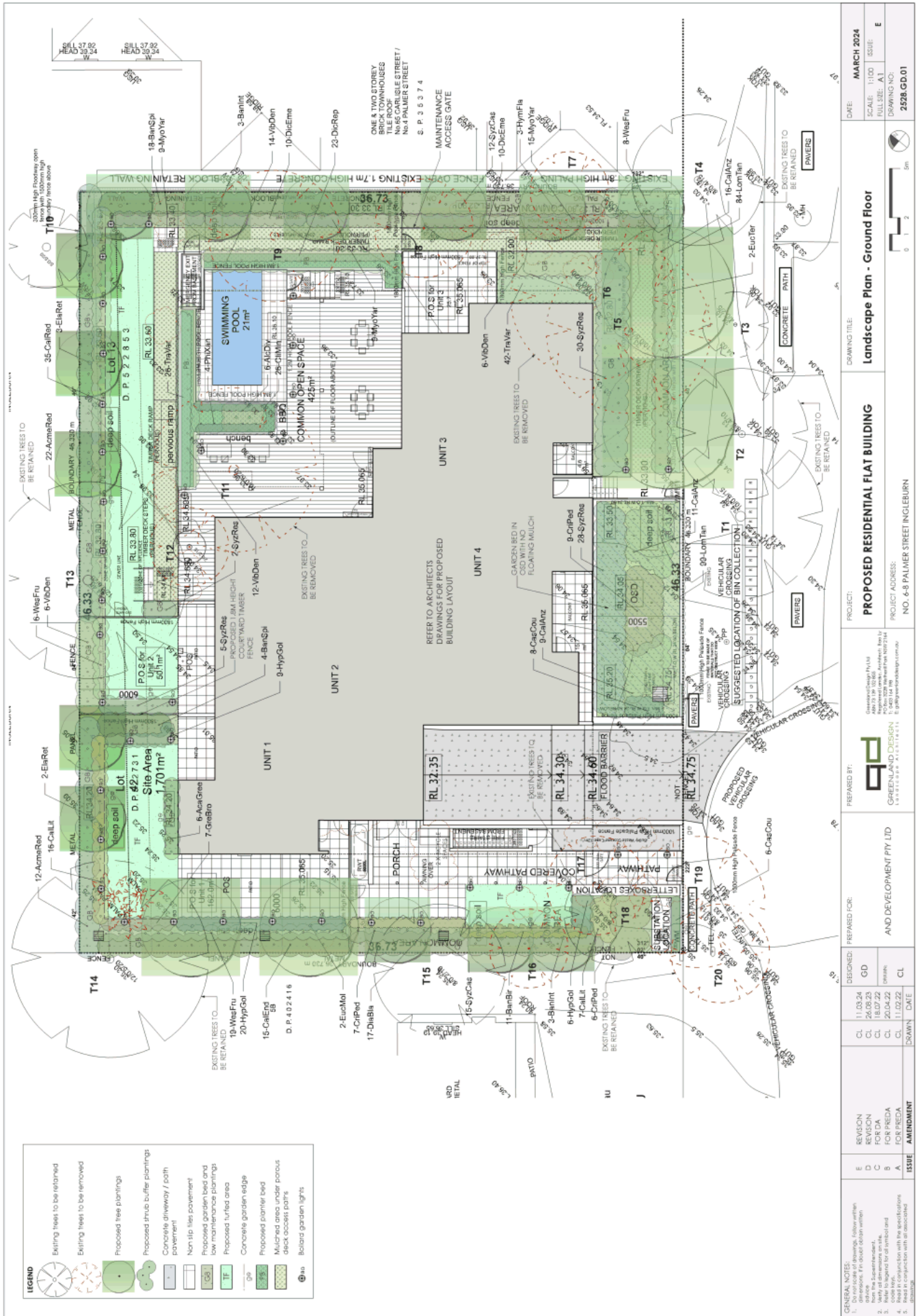
the NSW Swimming Pool Register website [NSW Swimming Pool Register](#)
or Campbelltown City Council website www.campbelltown.nsw.gov.au

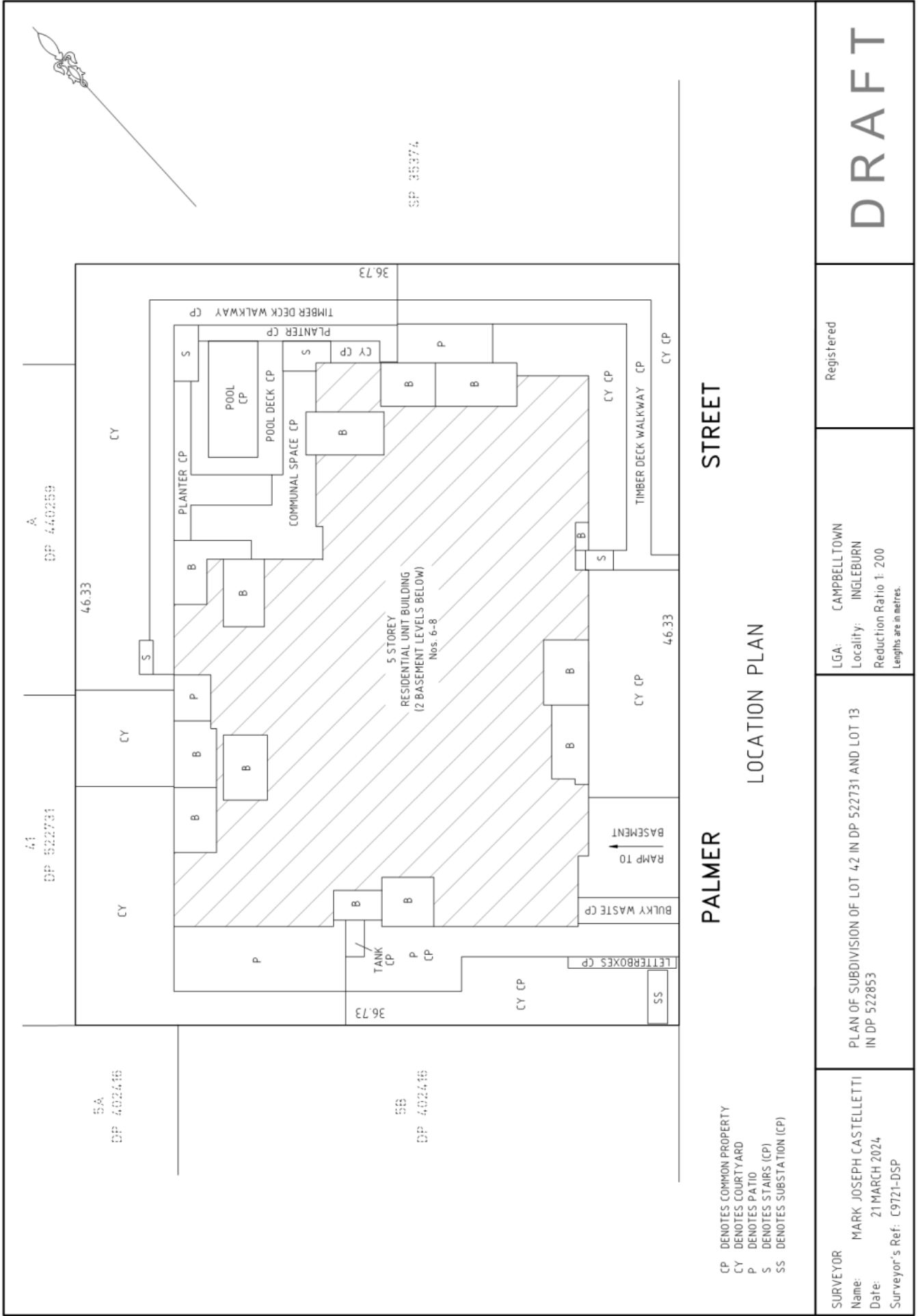
- c. As from 29 April 2016, owners of properties with a swimming pool are required under the relevant provisions of the *Swimming Pools Act* to:

- If selling a property - obtain either a valid Certificate of Compliance, Certificate of Non-Compliance or Occupation Certificate (as applicable) prior to sale of their property; or
- If leasing a property - obtain a valid Certificate of Compliance or Occupation Certificate (as applicable) prior to lease of their property.

For further information visit the NSW Swimming Pool Register website [NSW Swimming Pool Register](#) or Campbelltown City Council website www.campbelltown.nsw.gov.au.

END OF CONDITIONS





- CP DENOTES COMMON PROPERTY
- CY DENOTES COURTYARD
- P DENOTES PATIO
- S DENOTES STAIRS (CP)
- SS DENOTES SUBSTATION (CP)

PALMER STREET
LOCATION PLAN
STREET

SURVEYOR
Name: **MARK JOSEPH CASTELLETTI**
Date: **21 MARCH 2024**
Surveyor's Ref: **C9721-DSP**

PLAN OF SUBDIVISION OF LOT 42 IN DP 522731 AND LOT 13 IN DP 522853

LGA: **CAMPBELLTOWN**
Locality: **INGLEBURN**
Reduction Ratio **1: 200**
Lengths are in metres.

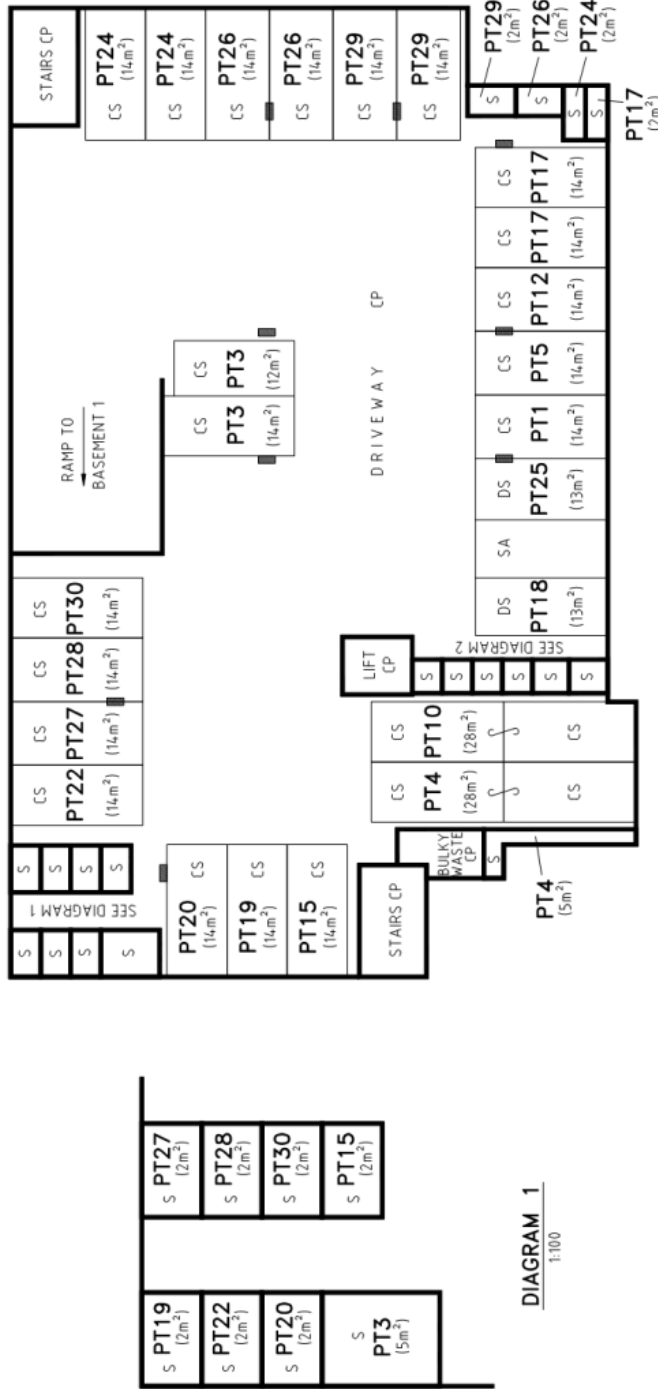
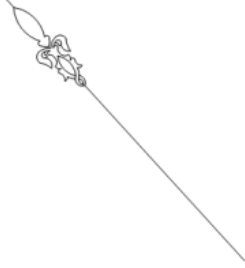
Registered

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Sheet 2 of 6 sheets

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

PLAN FORM 1 (A3)

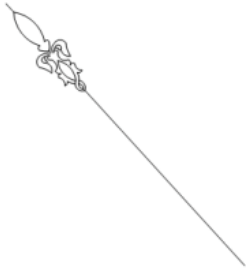


BASEMENT FLOOR PLAN - LEVEL 2

- NOTES:
1. DIMENSIONS AND AREAS ARE APPROXIMATE ONLY AND ARE SUBJECT TO BUILDING CONSTRUCTION AND PREPARATION OF PLAN OF REDEFINITION
 2. THIS PLAN IS PREPARED FROM ARCHITECTURAL DRAWINGS. CHANGES MAY OCCUR DURING CONSTRUCTION.
 3. THIS PLAN IS A DRAFT ONLY AND IS NOT CHECKED BY NSW LAND REGISTRY SERVICES
 4. ALTERATIONS MAY BE REQUIRED PRIOR TO ITS ACCEPTANCE AND REGISTRATION AT NSW LAND REGISTRY SERVICES

- BS DENOTES BICYCLE SPACE (CP)
- CP DENOTES COMMON PROPERTY
- CS DENOTES CAR SPACE
- DS DENOTES DISABLE SPACE
- S DENOTES STORAGE
- SA DENOTES SHARED AREA (CP)

<p>DRAFT</p>	<p>Registered</p>	<p>LGA: CAMPBELLTOWN Locality: INGLEBURN Reduction Ratio 1: 200 Lengths are in metres.</p>	<p>PLAN OF SUBDIVISION OF LOT 42 IN DP 522731 AND LOT 13 IN DP 522853</p>	<p>SURVEYOR Name: MARK JOSEPH CASTELLETTI Date: 21 MARCH 2024 Surveyor's Ref: C9721-DSP</p>
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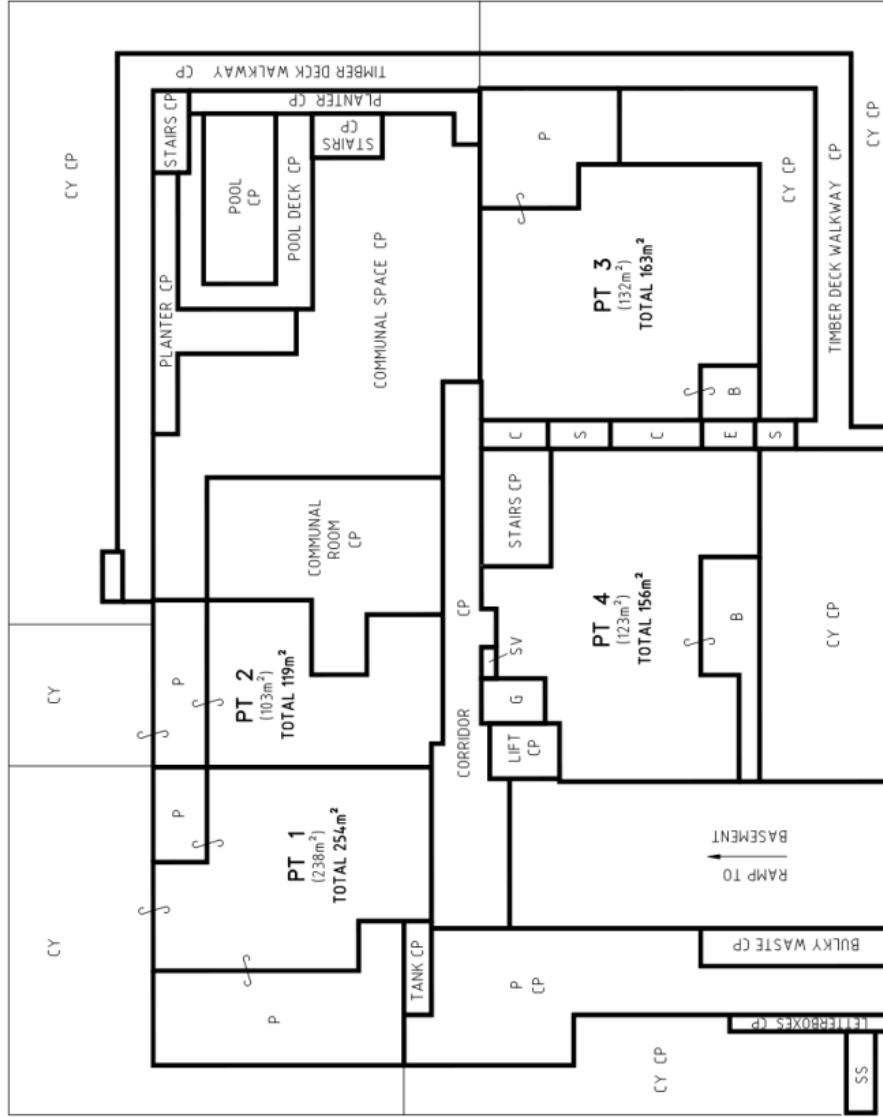
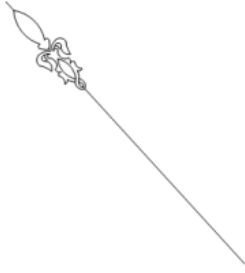


BASEMENT FLOOR PLAN - LEVEL 1

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- BS DENOTES BICYCLE SPACE (CP)
- CP DENOTES COMMON PROPERTY
- CS DENOTES CAR SPACE
- DS DENOTES DISABLE SPACE
- S DENOTES STORAGE
- SA DENOTES SHARED AREA (CP)
- VS DENOTES VISITOR PARKING SPACE (CP)

SURVEYOR Name: MARK JOSEPH CASTELLETTI Date: 21 MARCH 2024 Surveyor's Ref: C9721-DSP	PLAN OF SUBDIVISION OF LOT 42 IN DP 522731 AND LOT 13 IN DP 522853	LGA: CAMPBELLTOWN Locality: INGLEBURN Reduction Ratio 1: 200 Lengths are in metres.	Registered	<h1 style="text-align: center;">DRAFT</h1>
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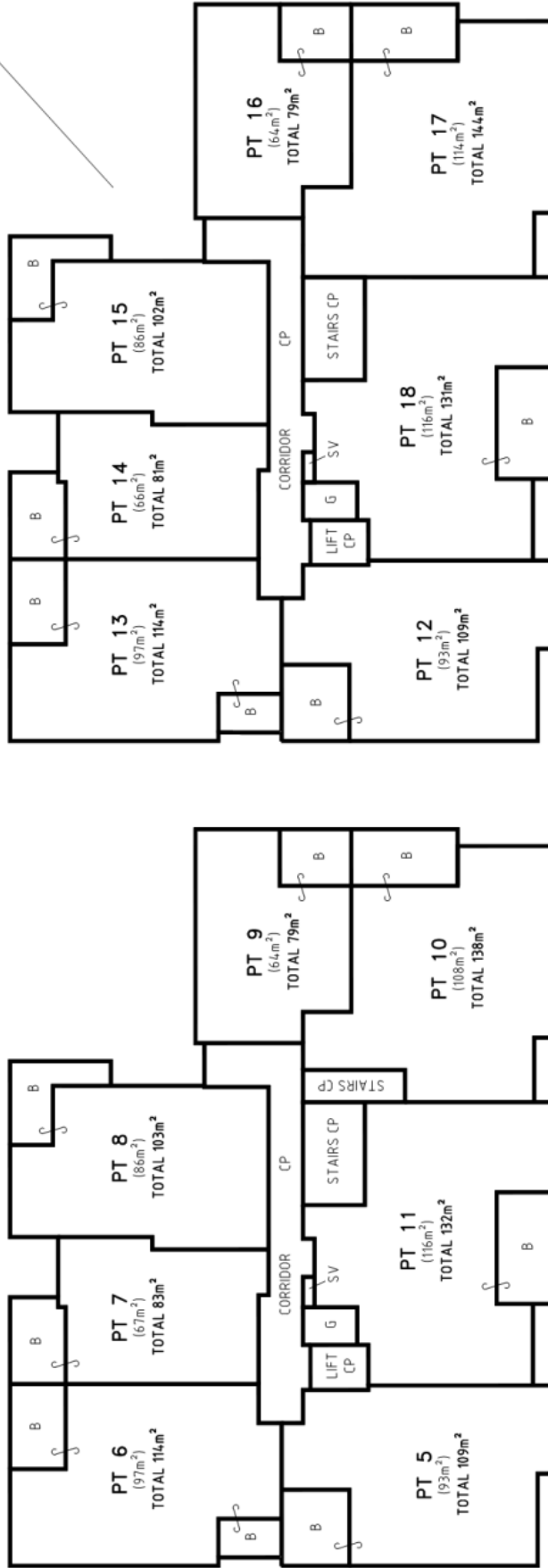
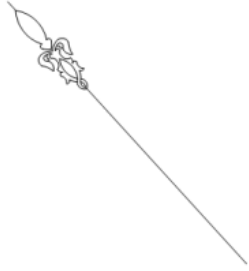


GROUND FLOOR PLAN

- B DENOTES BALCONY
- CP DENOTES COMMON PROPERTY
- CY DENOTES COURTYARD
- C DENOTES CORRIDOR (CP)
- E DENOTES ENTRY (CP)
- G DENOTES GARBAGE ROOM (CP)
- P DENOTES PATIO
- S DENOTES STAIRS (CP)
- SS DENOTES SUBSTATION (CP)
- SV DENOTES SERVICES (CP)

- NOTES:
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<p>DRAFT</p>	<p>Registered</p>	<p>LGA: CAMPBELLTOWN Locality: INGLEBURN Reduction Ratio 1: 200 Lengths are in metres.</p>	<p>PLAN OF SUBDIVISION OF LOT 42 IN DP 522731 AND LOT 13 IN DP 522853</p>	<p>SURVEYOR Name: MARK JOSEPH CASTELLETTI Date: 21 MARCH 2024 Surveyor's Ref: C9721-DSP</p>
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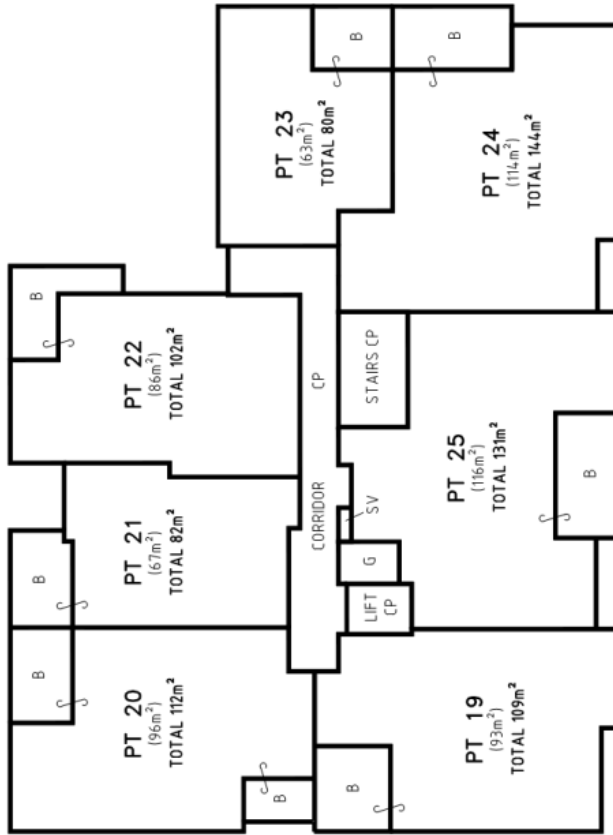
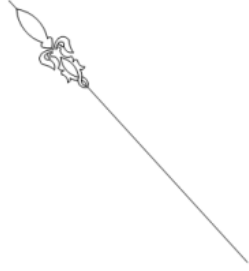
- B DENOTES BALCONY
- CP DENOTES COMMON PROPERTY
- G DENOTES GARBAGE ROOM (CP)
- SV DENOTES SERVICES (CP)

SURVEYOR Name: MARK JOSEPH CASTELLETTI Date: 21 MARCH 2024 Surveyor's Ref: C9721-DSP	PLAN OF SUBDIVISION OF LOT 42 IN DP 522731 AND LOT 13 IN DP 522853	LGA: CAMPBELLTOWN Locality: INGLEBURN Reduction Ratio 1: 200 Lengths are in metres.	Registered
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Sheet 6 of 6 sheets

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

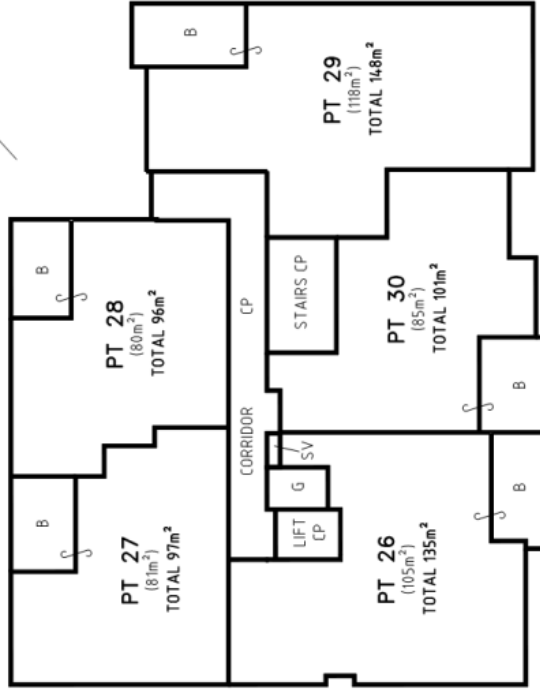
PLAN FORM 1 (A3)



THIRD FLOOR PLAN

- NOTES:
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 4. ALTERATIONS MAY BE REQUIRED PRIOR TO ITS ACCEPTANCE AND REGISTRATION AT NSW LAND REGISTRY SERVICES.

FOURTH FLOOR PLAN



- B DENOTES BALCONY
- CP DENOTES COMMON PROPERTY
- G DENOTES GARBAGE ROOM (CP)
- SV DENOTES SERVICES (CP)

<p>SURVEYOR Name: MARK JOSEPH CASTELLETTI Date: 21 MARCH 2024 Surveyor's Ref: C9721-DSP</p>	<p>PLAN OF SUBDIVISION OF LOT 4.2 IN DP 522731 AND LOT 13 IN DP 522853</p>	<p>LGA: CAMPBELL TOWN Locality: INGLEBURN Reduction Ratio 1: 200 Lengths are in metres.</p>	<p>Registered</p>	<p>DRAFT</p>
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Catchment Simulation Solutions

Sydney Office

Suite 1, Level 10

70 Phillip Street

SYDNEY NSW 2000

(02) 8355 5500

(02) 8355 5505

info@csse.com.au

Talaat Nasralla

5th September 2024

Dear Talaat,

6-8 Palmer St, Ingleburn
Flood Requirements Assessment

Introduction

Catchment Simulation Solutions completed a revised flood assessment for a proposed multi-storey residential development at 6-8 Palmer Street, Ingleburn. The assessment has built upon an assessment we completed in March 2022 as a result of the development application (DA) being refused by Campbelltown City Council, and currently being considered by the Campbelltown Local Planning Panel (CLPP). One of the reasons for refusal related to adverse impacts on peak flood levels that resulted from the original building design.

The current report aimed to:

- Document alterations to the building/site design in order to alleviate adverse impacts on flood behaviour within adjacent properties and on Palmer Street, and,
- Provide responses to the flood related development controls outlined in Section 2.8.2 (Surface Water and Floor Levels) of Part 2 of the Campbelltown (Sustainable City) Development Control Plan 2015 (SCDCP 2015) and address the objectives of the Campbelltown Local Environment Plan 2015 (CLEP 2015).

The outcomes of the assessment are presented below.

Existing Flood Behaviour

The 'Bow Bowing and Bunbury Curren Floodplain Risk Management Study' (Molino Stewart, 2020) is the most contemporary description of flood behaviour within the vicinity of the site. Peak 1% AEP flood depths have been extracted and are shown on **Plate 1** which indicates that peak depths of up to 1.6 metres are predicted within 6 Palmer Street, but that only shallow inundation across the front boundary of 8 Palmer Street is predicted.

Proposed Flood Behaviour

As discussed, some alterations to the original building design as well as earthworks within the site have been proposed in order to better manage local flood behaviour. This includes the contraction of the building footprint within the eastern corner of the proposed building to allow for additional flood storage within the front and side setback. Alterations to existing ground elevations along the north-eastern setback have also been incorporated and generally involved a raising of ground level to produce a gentle slope towards the rear of the property and alleviate a trapped low point that is present under existing conditions (please see design plans for design ground levels in these locations). The 1% AEP event was then rerun with the altered building footprint, as well as ground elevation alterations, and peak flood depths are shown on **Plate 2**.



Plate 1 1%AEP flood depths under existing conditions.



Plate 2 1%AEP flood depths under proposed conditions.



Plate 2 shows that peak 1% AEP flood depths are predicted to extend across the proposed building frontage, as well as at the rear of the building, with depths of up to 0.9 metres forming in the northern corner of the site, and 0.6 metres in the north-eastern and western corner of the site.

Flood Impact Assessment

To quantify the impact of the proposed development, flood level differences were calculated by subtracting the peak flood level under existing conditions from the peak flood level under proposed conditions. The resulting differences are presented on Plate 3 and indicate that increases of 0.02 metres are predicted on the outside of the flood barrier, however this is contained to within the development site. Areas of additional inundation are predicted along the Palmer Street frontage of the building as well as at the rear of the building where some regrading has been undertaken. An area of 'now dry' is shown along the driveway to the basement as a result of a crest/flood barrier being provided to protect the basement from inundation.

Plate 3 also indicates that the proposed works are not predicted to produce increases in peak flood level of greater than 0.01 metres (the minimum mapping threshold) outside of the development site, including across adjacent properties or on Palmer Street (noting the model cannot reliably define changes less than 0.01 metres) and demonstrated that the modifications to the building footprint and elevations within the site have alleviated the problems experienced with the original building/site design.



Plate 3 1%AEP flood level differences.

Campbelltown (Sustainable City) Development Control Plan 2015 Requirements

As outlined, the current assessment aims to address the specific requirements from Section 2.8.2 (Surface Water and Floor Levels) of Part 2 of the Campbelltown (Sustainable City) Development Control Plan 2015 (SCDCP 2015). **Table 1** outlines these requirements and provides commentary on each to identify how the modified proposed development will adhere to these requirements.

Table 1 Campbelltown (Sustainable City) Development Control Plan 2015 Flood Related Development (Part 2.8.2)

SCDCP 2015 Requirement	How is this requirement satisfied?
a) Development shall not occur on land that is affected by the 100-year ARI event unless the development is consistent with the NSW Floodplain Development Manual.	The current assessment has included flood modelling of a modified building footprint, together with regrading (primarily on the north-eastern side of the building) which has alleviated any adverse impacts on flood level, restricting increases to within the site only. The flood model used was developed in accordance with the NSW Floodplain Development Manual.
b) All development on land affected by stormwater flow from main stream, local creek or over land flow shall satisfy the relevant fill and floor level requirements as specified in Table 2.8.1.	<p>2.8.1 a) It is understood that a cut and fill management plan will be submitted separately by the applicant.</p> <p>2.8.1 b) Notwithstanding, the cut proposed across the site is not in excess of 1 metre, nor</p> <p>2.8.1 c) in the zone of influence of any existing structures.</p> <p>2.8.1 d) The longitudinal grade of the cut is not less than 1% towards, with batters no steeper than 2H:1V</p>
c) All development shall have a ground surface level, at or above a minimum, equal to the 100-year 'average recurrence interval' (ARI) flood level.	As per the Campbelltown Local Planning Panel meeting (Item 4.1), "The proposal complies with the habitable floor level of RL 35.00m AHD as provided by Council's Infrastructure Section."
d) For development on land not affected by an overland flow path the minimum height of the slab above finished ground level shall be 150 mm, except in sandy, well-drained areas where the minimum height shall be 100 mm. These heights can be reduced locally to 50 mm near adjoining paved areas that slope away from the building in accordance with AS 2870 (Residential Slabs and Footings Construction).	As per the Campbelltown Local Planning Panel meeting (Item 4.1), "Not applicable".
f) Any solid fence constructed across an overland flow path shall be a minimum 100 mm above the finished surface level of the overland flow path.	As per the Campbelltown Local Planning Panel meeting (Item 4.1), "No solid fence constructed in an overland flow path".

Campbelltown Local Environment Plan 2015

Clause 5.21 of the Campbelltown Local Environment Plan primarily deals with ways in which the proposed development will interact and impact on existing flood behaviour, and how the flood risk is managed. Details of how the proposed development intends to meet each specific requirement of LEP2015 are summarised in Table 2.

Table 2 Campbelltown LEP 2015 requirements and matters to be considered

Council Requirement	Does Development Meet this Requirement?
Section 5.21(2)	
a) The development is compatible with the flood function and behaviour on the land	Based upon 1% AEP hydraulic category mapping prepared as part of the 'Bow Bowing and Bunbury Curren Floodplain Risk Management Study' (Molino Stewart, 2020), the frontage of 6 Palmer St as well as area along the north-eastern boundary would be categorised as floodway, with the remainder of 6 Palmer St classified as flood storage. Flood fringe falls across 8 Palmer Street. The location of floodway on 6 Palmer St generally coincides with areas of the proposed site left open for the conveyance of water, and compensatory flood storage is provided within the site to account for the new building. Further, a site-specific flood assessment has been undertaken (documented in this report) in which demonstrates that the works have been completed in a manner that is compatible with the flood behaviour on the land by preventing any adverse impact to adjacent properties and indicating that appropriate flood conveyance and flood storage areas are provided.
b) The development will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties	Plate 3 demonstrate that no changes in peak flood level is predicted outside of the development site and indicates that the proposed works are not predicted to impact flood behaviour or increase the flood affectation of other developments or properties in the 1%AEP event.
c) The development will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood	The proposed multi-storey residential development will be protected to the required freeboard levels for residential development and would provide safe occupation to all residents. Given this, as well as the quick onset of flooding, evacuation from the building is not considered necessary and would therefore not exceed the capacity of existing evacuation routes for the surrounding area.
d) The development incorporates appropriate measures to manage risk to life in the event of a flood	The proposed multi-storey residential development will be protected to the required freeboard levels for residential development and would provide safe occupation to all residents. Therefore, the development incorporates measures to manage the risk to life in the event of a flood.
e) The development will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a	Plate 3 demonstrate that no changes in peak flood level is predicted outside of the development site and indicates that the

Council Requirement	Does Development Meet this Requirement?
reduction in the stability of river banks or watercourses	proposed works are not predicted to impact flood behaviour) on any riparian corridors, river banks or watercourses.
Section 5.21(3)	
a) The development needs to consider the impact of the development on projected changes to flood behaviour as a result of climate change	Although a climate change assessment has not explicitly been undertaken as part of the 'Bow Bowing and Bunbury Current Floodplain Risk Management Study' (Molino Stewart, 2020), Comparison with the 0.2%AEP event (commonly used as a proxy for climate change impacts) indicates that peak flood depths/levels within the vicinity of the site are predicted to increase by only 0.13 metres, with only a small increase in flood extent. Therefore, it is likely that the impacts on 1%AEP flood behaviour under climate change conditions would be similar to that under existing climatic conditions, and that the freeboard provided would ensure habitable floor areas remain flood free in the 1% AEP event (under climate change conditions).
b) The development needs to consider the intended design and scale of buildings resulting from the development	The proposed development adheres to the allowable design and scale set out in the DCP, and the works are intended to be sympathetic to the locality.
c) The development needs to consider whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood	See response to 5.21(2) c) and d)
d) The development needs to consider the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion	The flood behaviour on the site has been defined for the 1% AEP event and appropriate controls applied as per Councils DCP2015. No further allowance to modify, relocate or remove buildings as a result of flooding or coastal erosion is considered necessary.

Specific Guidance

Campbelltown City Council provided some questions regarding specific aspects of the proposed development, and these are outlined below, together with responses in blue.

- 100-year flood detention water depths, contained by a retaining wall, around the boundary of the property are up to 1.55m. H4 hazard category – unsafe for people. Stability of the retaining walls requires structural certification. Are the depths acceptable to Council engineering requirements.
Alterations to the site grading have been undertaken and now limit a maximum depth to 0.9 metres, which falls within H3 hazard (unsafe for children and elderly). Notwithstanding, flood warning signs will be installed in external flood liable areas of the site (see placement on architectural plans), together with a flood emergency response plan (a copy of this is included within Attachment A) erected within each unit, as well as areas frequented by residents such as the lobby and carpark. The retaining walls have also now been structurally designed and a certification is included in Attachment B.

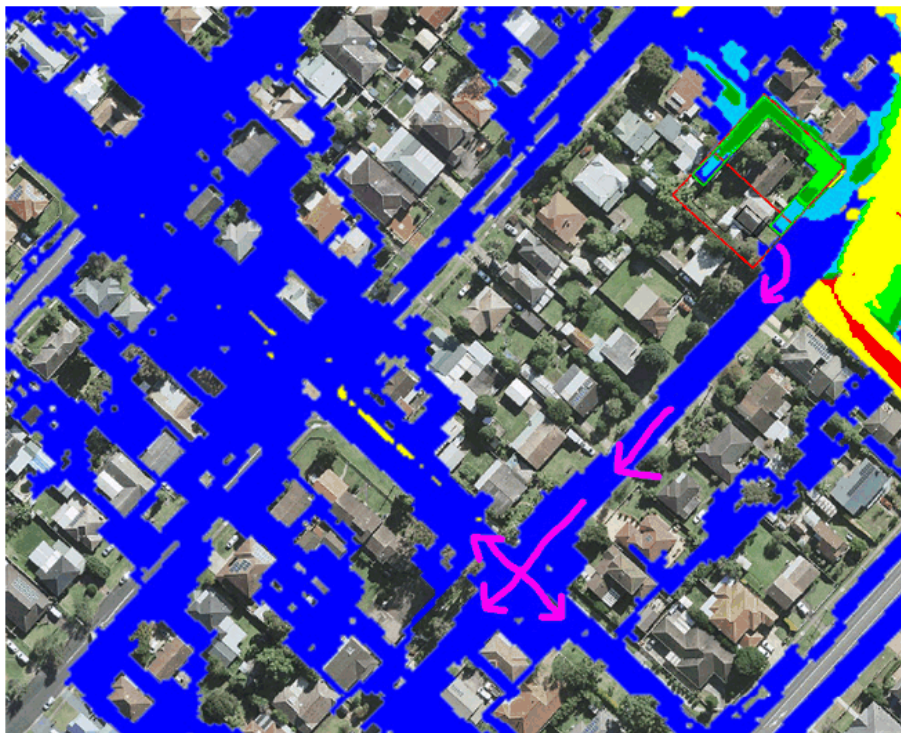
- **Damage to structures.**
To be addressed by structural engineer, however the proposed structure is anticipated to be constructed in a manner that will not be damaged by floodwater movement through the site. The fences have been structurally designed and certified (see **Attachment B**).
- **A safety in design risk assessment is required for the development identifying potential hazards and mitigation requirements.**
Flood behaviour in the northern portion of the site has the potential to be hazardous to residents in large flood events. This includes being subject to a hazard of H3 which is unsafe for children and elderly.

To manage flood risk within the flood liable portion of the site:

- Flood warning signs will be erected within the northern external areas of the site
- A flood emergency response plan will be erected within each unit, as well as areas frequented by residents such as the lobby and carpark

- **Operation of carpark entry flood gates.**
Alterations have been made to protect the carpark using a crest (and adjacent upstand wall) at an elevation of 34.90m AHD, in which is the peak 1% AEP flood level on Palmer Street adjacent to the driveway. The inclusion of the crest will negate the need for a flood barrier/flood gate but still provide the same protection from floodwater ingress.
- **Flood hazard signs are required around the building perimeter.**
It is proposed to install Council standard drawing (floodway warning sign) SD-S03 within the external areas of the building subject to H3 hazard. The anticipated locations of these signs are shown on the separate architectural plans:
- **Blockage factors, debris, and flow capacity to be considered for the 300mm high open fence in front of the property.**
The fencing is now proposed to have an opening height of 400mm and an opening width of 1600mm, with vertical aluminium bars at 100mm spacing (see separate architectural plans for further details). The TUFLOW model has been updated to represent the entire fence as being 60% blocked which accounts for the vertical piers, vertical bars and any debris that may accumulate. All proposed result mapping has taken this blockage into account.
- **Queensland Urban Drainage Manual to be used when assessing stormwater inlet and outlet screens/fence together with potential risks.**
Stormwater inlet impacts to be addressed by stormwater engineer, however, as previously discussed, the fencing is now proposed to have an opening height of 400mm and an opening width of 1600mm, with vertical aluminium bars at 100mm spacing which would prevent any intentional or accidental access into the site (and storage area within the site). Therefore, the risk of exposure through the fence is considered extremely low.

- Safety fencing.
A number of fences are present within the flood exposed areas of the site which will limit access in the event of a flood. Boundary fences are also proposed which will prevent accidental entry to the hazardous areas of the site from outside of the site.
- Method of draining water from the site storage area after a flood event (surface inlet, outlet type, non- return flap valve, constricted outflow). Connection to street drainage?
The site now provides a continuous fall towards the north-western corner of the site where openings in the fence will allow flow to exit the site.
- Public access and egress during a flood event.
The location of the carpark entry experiences extremely small depths of inundation (<0.05 metres) in the 1% AEP event and access along Palmer St is H1 hazard, so both pedestrian and vehicular access remains safe heading west on Palmer St. therefore there are no access/egress issues for residents to/from the site in events up to and including the 100 year ARI.



- Property residents flood warning measures.
Warning signs will be erected in the hazardous external areas of the site. A flood emergency response plan has also been prepared (see **Attachment A**) for the building advising residents of what to do before, during and after a flood event, and also to raise awareness of the potential flood risk.

- **Maintenance issues.**

Please see separate stormwater maintenance schedule, however, it is understood that a standard stormwater maintenance program will be implemented which will include cleaning of the fence openings at regular intervals and after significant rainfall events. Given the property will be strata managed, it is considered that this can be effectively and reliably undertaken.

Conclusion

As outlined, the current assessment aims to address the specific requirements from Section 2.8.2 (Surface Water and Floor Levels) of Part 2 of the Campbelltown (Sustainable City) Development Control

Overall, it is considered that the modified design is able to adhere to the requirements of Part 2 of the Campbelltown (Sustainable City) Development Control Plan 2015 (SCDCP 2015) and Campbelltown Local Environment Plan 2015 and prevents adverse impacts to adjacent properties or developments.

I trust this report suitably summarises the modified flood assessment and outcomes for a proposed multi-storey residential development at 6-8 Palmer Street, Ingleburn. If you have any further questions, please feel free to get in contact with me.

Kind Regards,

Daniel Fedczyna
Catchment Simulation Solutions
BEng (Hons) Civil and Environmental Engineering
Engineers Australia NER ID: 2968120

Attachment A

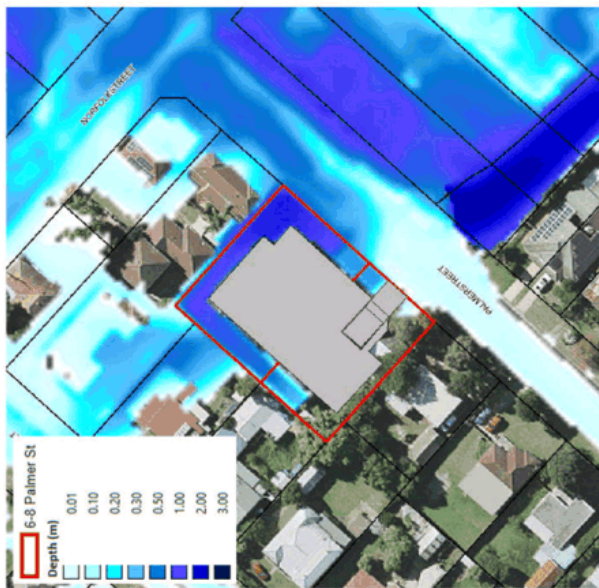
Flood Emergency Response Plan



Flood Risk Management Plan – 6-8 Palmer Street, Ingleburn

Is this area at risk of flooding?

During heavy rainfall, floodwaters from upstream areas can spill from Redfern Creek onto Palmer Street and move into the northern portion of the site. As shown in the 1 in 100 year floodwater depth map below, this floodwater inundates the northern and parts of the eastern and western portion of the site around the building.



The flood characteristics on the northern side of the building during the 1 in 100 year event are characterised by flow velocities of up to 0.6m/s and depths of up to 1.6 metres which can be hazardous to people.

Peak flood depths on Palmer Street (south of the site) are much less significant being less than 0.05 metres, with a velocity of less than 1m/s which would allow Palmer Street to be safely traversed by foot or vehicle in the 1 in 100 year event.

Flood Emergency Response Plan

Flood characteristics within the site can be hazardous, and many of the local roads may also be cut by floodwaters. Avoid entering the floodwaters by remaining within the building to ensure that you remain safe.

The building is protected from inundation to a level above the predicted peak of the 1 in 100 year flood. This protection is achieved through elevated ground floor levels and the use of an automatic flood barriers at the carpark opening.

Before a Flood Occurs

It is important to have an understanding of the flood risk within the Ingleburn area and be familiar with the contents of this plan to aid in taking appropriate action when a flood does occur.

When Heavy Rainfall or Storms Occur

- Occupants should remain within the building to avoid any risk posed by heavy rainfall and storms such as flash flooding.
- The building is protected from inundation to a level above the predicted peak of the 1 in 100 year flood.
- The carpark is protected by a crest in the driveway to the level of the 1 in 100 year flood.
- Remain within the building until the floodwater has receded.
- Monitor the latest weather forecasts, local media/SES for information, updates, and advice

Evacuation

- Evacuation from the site is not recommended due to the potentially hazardous flooding conditions within the wider Ingleburn area. The building is elevated and protected by an automatic flood barrier to provide protection from all likely flood water inundation and will be safe for the duration of the flood event.

After a flood

- Never walk or drive through floodwater.
- Keep active with local media/SES for information, updates, and advice to ensure the flood is over
- Ensure critical services within the building are operational (e.g., water, toilets)
- Have any areas of inundation and utilities professionally cleaned/checked
- Review and update your FloodSafe Plan – could it be improved?

Your Home Emergency Flood Plan:

A home emergency flood plan can be prepared online at: <http://www.sesemergencyplan.com.au>

However, a “hard copy” should also be maintained and include information on where to find the latest weather forecasts, Flood Watches, Flood Warnings and SES Flood Bulletins.

Site Key Personnel Emergency Contact

Name	Position	Phone Number

For Emergency Help in Floods and Storms Call the SES on 132 500

For life-threatening emergencies call: 000

- Campbelltown City Council** (02) 4645 4000
- SES Website** <http://www.ses.nsw.gov.au/>
- BOM Website** <http://www.bom.gov.au/>
- RMS Website** <http://www.rms.nsw.gov.au/>

This Flood Emergency Response Plan prepared by:

Catchment Simulation Solutions

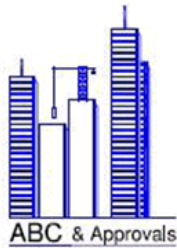
Sydney Office
 Suite 1, Level 10
 70 Phillip Street
 SYDNEY NSW 2000
 ☎ (02) 8355 5500
 ✉ info@csse.com.au

Revision 1: September 2024

Attachment B

Structural Certification





Aghapy Building Certifiers & Approvals Pty

Ltd

Building Certifiers, Structural Engineering Compliance & Swimming Pool
Certification

T/F: 02-9808 2960 Email: ausegy@y7mail.com

04/09/2024

Our ref.: EC658, Design retaining walls-Palmer

Campbelltown City Council
DA No.: 151/2023/DA-RA

Engineering Design Certificate

Retaining walls to proposed boundary fences
At 6-8 Palmer St, Ingleburn NSW 2

I hereby certify that the design of the reinforced concrete block retaining wall on the Eastern North and Western North boundaries, as detailed in drawing no. S01, issue A, dated 04/09/2024, prepared by Aghapy, will be adequate to withstand the applicable loads and lateral forces due to both soil and water effects. The design complies with the following standards:

- Australian Standard AS2870-2011: Residential Slabs and Footings Code
- AS3600-2018: Concrete Structures
- AS1170.0-2002: General Principles
- AS1170.1-2002: Structural Design Actions – Permanent, Imposed, and Other Actions

Additionally, the retaining wall will be structurally sound to protect the adjoining properties.

Regards,



Talaat Nasralla,

Structural/Civil Chartered Eng., M. IEAust, CPEng, NER, BDC
Accredited Professional Engineer Compliance Registration
NSW Fair Trading Design & Building Practitioner Registration
Mob: 0422 864 790



Clause 4.6 Variation Request Building Height

6 -8 PALMER STREET, INGLEBURN





QUALITY ASSURANCE	
PROJECT:	Clause 4.6 – Height
ADDRESS:	6 – 8 Palmer Street, Ingleburn
COUNCIL:	Campbelltown Council
AUTHOR:	Think Planners Pty Ltd

Date	Purpose of Issue	Rev	Reviewed	Authorised
7 December 2022	Co-ordination	Draft	BD	BD
22 December 2022	Lodgement Issue	Final	BD	BD
25 August 2023	Revised Plans	Update	BD	BD
1 July 2024	Updated Plans	Update	BD	BD



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CLAUSE 4.6 DEPARTURE – HEIGHT

BACKGROUND

This revised Clause 4.6 departure has been prepared in support of a development application that seeks approval for the construction of a 5 storey residential flat building containing 30 apartments over basement carparking, at 6 – 8 Palmer Street, Ingleburn.

The proposal comprises a total of 30 units over two levels of basement parking accommodating 41 vehicles. The proposal incorporates the following dwelling mix:

- 7 x 1 bedroom units;
- 16 x 2 bedroom units;
- 6 x 3 bedroom units; and
- 1 x 4 bedroom unit.

The site is identified by Campbelltown Local Environmental Plan 2015 as having a mapped height of 15m with the development seeking to vary this control with portion of the upper level and lift overrun exceeding the 15m height limit.

Given that the 15m height control is a development standard a clause 4.6 departure is required to seek to vary this standard.

Site

The subject site is legally known as Lot 42 in DP522731 and Lot 13 in DP522853, though more commonly known as 6 – 8 Palmer Street Ingleburn. Cumberland Road, Ingleburn.

Located on the northern western side of Palmer Street, approximately 120m from the intersection of Palmer Street and Suffolk Street. The subject site is located within a 700m walking distance of the Ingleburn Train Station and shopping centre.

The subject site is predominantly a regular shaped land parcel with 46.33m frontage to Palmer Street and once consolidated will have a total site area of 1,701m². The allotments contains two dwellings which are to be demolished as part of the development. An aerial extract of the locality is provided overleaf to give context to the development site.



Figure 1: Aerial Map Extract of the Subject Site (Source: near Maps 2022)



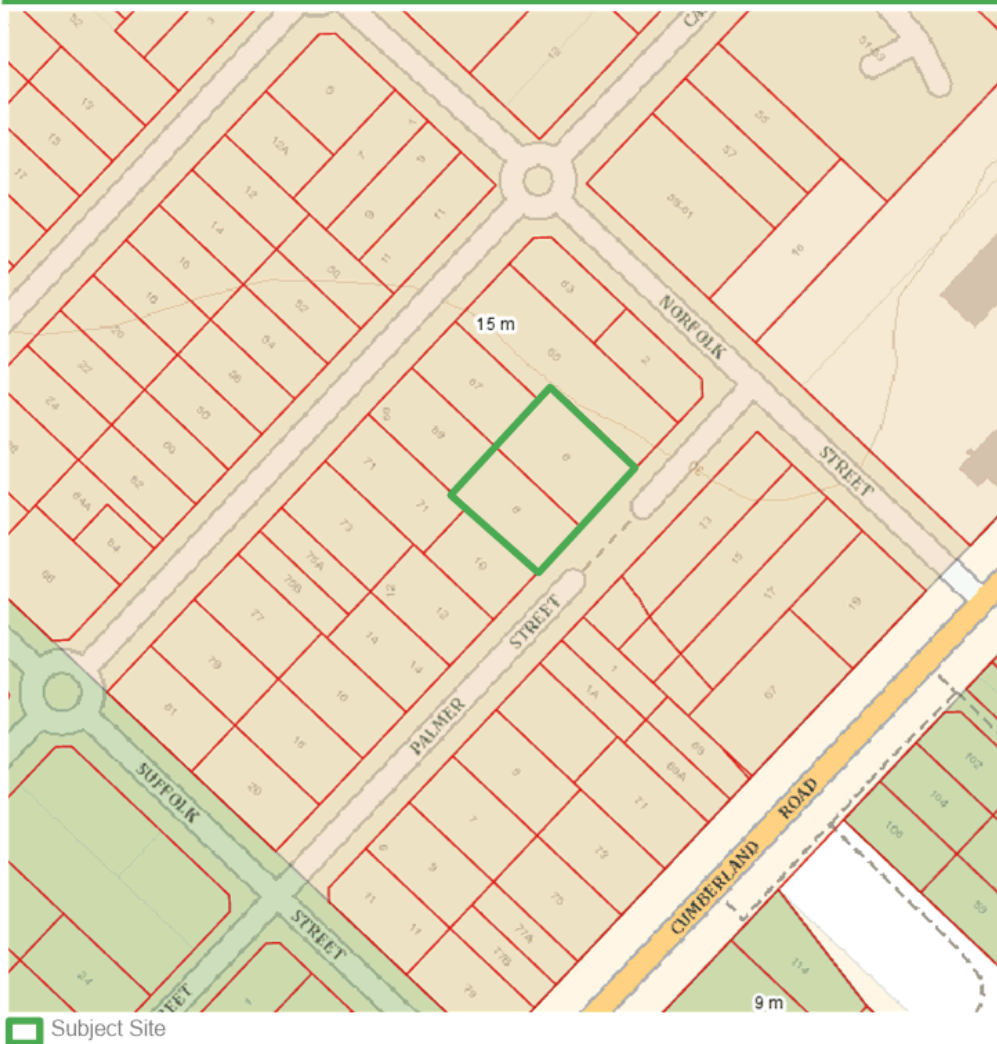
Clause 4.6 Departure
6 - 8 Palmer Street, Ingleburn
PAGE 5



The development standard to be varied

As illustrated below, the site is identified by the maps associated with Campbelltown LEP 2015 as having a mapped height of 15m.

Figure 2: Campbelltown Height Map extract (Source NSW Planning Portal)



A detailed discussion against the relevant provisions of Clause 4.6 is provided below with further discussion against the relevant case law 'tests' set down by the Land and Environment Court.

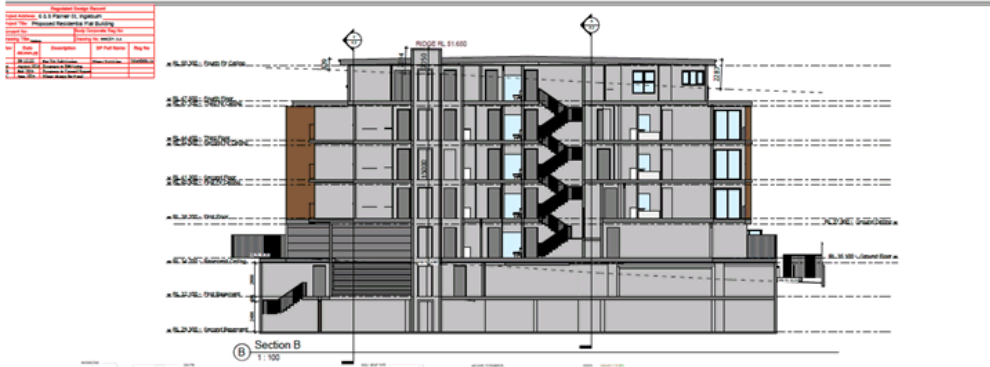
Section drawings are provided overleaf to demonstrate the revised nature of the departure and the portion of the buildings that still exceed the height control.



Figure 3: Elevation (Source: Advanced Architecture)



Figure 4: Section (Source: Advanced Architects)





The table below outlines the as lodged variation to the 15m height control and the remaining height departure following the refinement of the design.

Building Element	Maximum Height	% Exceedance
Roof of uppermost level	17.28m	14.12%
Lift Overrun	17.05m	12.79%

LAND AND ENVIRONMENT CASE LAW

The decision by Chief Judge Preston in a judgement dated 14 August 2018 in the matter of *Initial Action Pty Ltd v Woollahra Council* confirmed that the absence of impact was a suitable means of establishing grounds for a departure and also confirmed that there is no requirement for a development that breaches a numerical standard to achieve a 'better outcome'. However more recent developments in the law in *RebelMH Neutral Bay Pty Limited v North Canterbury Council* [2019] NSWCA 130 have set out to confirm that the approach taken in *Al Maha Pty Ltd v Huajun Investments Pty Ltd* [2018] NSWCA 245 ('*Al Maha*') is also relevant. In simple terms, *Al Maha* requires that a Clause 4.6 departure will have only adequately addressed Clause 4.6(3) if the consent authority is satisfied the matters have been demonstrated in the Clause 4.6 request itself- rather than forming a view by the consent authority itself. This Clause 4.6 request demonstrates the matters in Clause 4.6 (3).

The key tests or requirements arising from recent judgements is that:

- The consent authority be satisfied the proposed development will be in the public interest because it is "consistent with" the objectives of the development standard and zone is not a requirement to "achieve" those objectives. It is a requirement that the development be compatible with the objectives, rather than having to 'achieve' the objectives.
- Establishing that 'compliance with the standard is unreasonable or unnecessary in the circumstances of the case' does not always require the applicant to show that the relevant objectives of the standard are achieved by the proposal (Wehbe "test" 1). Other methods are available as per the previous 5 tests applying to SEPP 1, set out in *Wehbe v Pittwater*.
- When pursuing a clause 4.6 variation request it is appropriate to demonstrate environmental planning grounds that support any variation; and
- The proposal is required to be in 'the public interest'.



In relation to the current proposal the keys are:

- Demonstrating that the development remains consistent with the objectives of the maximum building height standard;
- Demonstrating consistency with existing streetscape;
- Demonstrating compliance with objectives of the R4 zone; and
- Satisfying the relevant provisions of Clause 4.6.

This Clause 4.6 Variation request deals with the maximum building height matters in turn overleaf.

CONSIDERATION OF CLAUSE 4.6

Clause 4.6 within Campbelltown LEP 2015 provides that development consent may be granted for development even though the development would contravene a development standard. This is provided that the relevant provisions of the clause are addressed, in particular subclause 3-5 which provide:

- (3) *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
 - (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
 - (b) *that there are sufficient environmental planning grounds to justify contravening the development standard.*
- (4) *Development consent must not be granted for development that contravenes a development standard unless:*
 - (a) *the consent authority is satisfied that:*
 - (i) *the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
 - (ii) *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*
 - (b) *the concurrence of the Secretary has been obtained.*
- (5) *In deciding whether to grant concurrence, the Secretary must consider:*



- (a) *whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*
- (b) *the public benefit of maintaining the development standard, and*
- (c) *any other matters required to be taken into consideration by the Secretary before granting concurrence.*

Each of these provisions are addressed in turn.

Clause 4.6(3)

In *Wehbe v Pittwater* [2007] NSWLEC 827 (**'Wehbe'**), Preston CJ identified a variety of ways in which it could be established demonstrated that compliance with a development standard is unreasonable or unnecessary in the case. This list is not exhaustive. It states, inter alia:

"An objective under SEPP 1 may be well founded and be consistent with the aims set out in clause 3 of the Policy in a variety of ways. The most commonly invoked way is to establish the compliance with the development standard is unreasonable or unnecessary because the objectives of the development standard are achieved notwithstanding non-compliance with the standard."

While *Wehbe* relates to objection made to State Environmental Planning Policy No. 1 – Development Standards (SEPP 1), the reasoning can be similarly applied to variations made under Clause 4.6 of the standard instrument.

The judgement goes on to state that:

"The rationale is that development standards are not ends in themselves but means of achieving ends. The ends are environmental or planning objectives. Compliance with a development standard is fixed as the usual means by which the relevant environmental or planning objectives is able to be achieved. However, if the proposed development proffers an alternative means of achieving the objective strict compliance with the standard would be unnecessary (it is achieved anyway) and unreasonable (no purpose would be served)."

Preston CJ in the judgement then expressed the view that there are at least 5 different ways in which an objection may be well founded and that approval of the objection may be consistent with the aims of the policy, as follows (with emphasis placed on number 1 and 2 for the purposes of this Clause 4.6 variation [our underline]):

- *The objectives of the standard are achieved notwithstanding non-compliance with the standard;*



- *The underlying objectives or purpose of the standard is not relevant to the development and therefore compliance is unnecessary;*
- *The underlying object of purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable;*
- *The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable;*
- *The zoning of the particular land is unreasonable or inappropriate so that a development standard appropriate for that zoning is also unreasonable and unnecessary as it applies to the land and compliance with the standard that would be unreasonable or unnecessary. That is, the particular parcel of land should not have been included in the particular zone.*

It is sufficient to demonstrate **only one** of these ways to satisfy clause 4.6(3)(a) (*Wehbe v Pittwater Council [2007] NSWLEC 827, Initial Action Pty Limited v Woollahra Municipal Council [2018] NSWLEC 118 at [22], RebelMH Neutral Bay Pty Limited v North Sydney Council [2019] NSWCA 130 at [28]*) and *SJD DB2 Pty Ltd v Woollahra Municipal Council [2020] NSWLEC 1112 at [31]*.

The objectives of the standard are to be achieved notwithstanding non-compliance with the standard

This Clause 4.6 variation statement establishes that compliance with the maximum building height development standard is considered unreasonable or unnecessary in the circumstances of the proposed development because the underlying objectives of the standard are achieved despite the non-compliance with the numerical standard

In accordance with the provisions of this clause it is considered that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case as the underlying objectives of the control are achieved. The objectives of the maximum height development standard are stated as:

1. *The objectives of this clause are as follows:*
 - (a) *to nominate a range of building heights that will provide a transition in built form and land use intensity across all zones,*
 - (b) *to ensure that the heights of buildings reflect the intended scale of development appropriate to the locality and the proximity to employment centres and transport facilities,*
 - (c) *to provide for built form that is compatible with the hierarchy and role of centres,*
 - (d) *to assist in the minimisation of opportunities for undesirable visual impact, disruption to views, loss of privacy and loss of solar access to existing and future development and to the public domain.*



The development proposal is consistent with the above objectives based on the following:

- The proposal is in proximity to the Ingleburn Town Centre and the extent of non-compliance represents an appropriate higher density development on the site noting full compliance with required building setbacks;
- The proposal provides an appropriate building form that is consistent with the desired future character of the locality and is reflective of the objectives for the zone and locality generally- noting the uneven topography is the key driver of the height variation rather than a desired to achieve greater yield on the site;
- The departure will not be highly discernible when viewed from the street give the departure relates to the lift overrun and the rear of the upper level;
- Since lodgement of the development application, Council has increased the mapped building height in the precinct, which has resulted in 8 Palmer street now having a mapped height of 26m. Whilst this height is not applicable to this application, it demonstrates that the current planning controls facilitate a building exceeding the 15m height control on 8 Palmer Street.
- The proposal presents an appropriate height on the site that facilitates a high quality urban form to contribute to building diversity across the Ingleburn Precinct.
- The site is adjoined by an approved development application on the adjoining site at 10 -12 Palmer Street Ingleburn that is an approved 5 storey RFB with a similar height departure.
- The proposal provides an appropriate building form that is consistent with the desired future character of the locality and is reflective of the objectives for the zone and locality generally- noting the uneven topography is the key driver of the height variation rather than a desired to achieve greater yield on the site;
- The proposal provides for a better planning outcome as the same density of apartments could be achieved in a building that is squashed into 4 levels of development with a bigger floor plate that would be less articulated and would be located closer to adjoining properties;
- The proposal has been designed to ensure that privacy impacts are mitigated against and that the proposal will not obstruct existing view corridors;
- The site is subject to flooding constraints and raising the building is an appropriate response to this constraint;
- The proposal will provide for a number of distinct public benefits:
 - Delivery of additional housing within close proximity to the Ingleburn



- Town centre;
 - Creation of jobs during the construction stage;
 - Activation of the street level;
 - Amenity impacts to adjoining properties are mitigated and the distribution of floor space across the site will not be discernibly different to a built form that is compliant with the height control.
 - The scale and intensity of the development is consistent with other approved residential flat buildings in the wider precinct, which demonstrates an appropriate development outcome.; and
- The proposal presents an appropriate height on the site that facilitates a high quality urban form to contribute to building diversity across the Ingleburn Precinct.

As outlined above the proposal remains consistent with the underlying objectives of the controls and as such compliance is considered unnecessary or unreasonable in the circumstances. The above discussion demonstrates that there are sufficient environmental planning grounds to justify the departure from the control.

Clause 4.6(4)

In accordance with the provisions of Clause 4.6(4) Council can be satisfied that this written request has adequately addressed the matters required to be demonstrated by Clause 4.6(3). As addressed the proposed development is in the public interest as it remains consistent with the objectives of the Height control and of the zone objectives that are stipulated as:

- *To provide for the housing needs of the community within a high density residential environment.*
- *To provide a variety of housing types within a high density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To encourage high density residential development in close proximity to centres and public transport hubs.*
- *To maximise redevelopment and infill opportunities for high density housing within walking distance of centres.*
- *To enable development for purposes other than residential only if that development is compatible with the character and scale of the living area.*
- *To minimise overshadowing and ensure a desired level of solar access to all properties.*

The proposal provides for the housing needs of the community and the resultant dwelling is compatible with the existing and likely future character of this high density residential area.



Clause 4.6(5)

The Secretary (of Department of Planning and Environment) can be assumed to have concurred to the variation. This is because of Department of Planning Circular PS 18–003 'Variations to development standards', dated 21 February 2018. This circular is a notice under 64(1) of the *Environmental Planning and Assessment Regulation 2000*. A consent granted by a consent authority that has assumed concurrence is as valid and effective as if concurrence had been given.

The points contained in Clause 4.6 (5) are a matter for consideration by the consent authority however the following points are made in relation to this clause:

- a) The contravention of the Height limit does not raise any matter of significance for State or regional environmental planning given the nature of the development proposal and unique site attributes associated with the subject site; and
- b) There is no public benefit in maintaining the development standard as it relates to the current proposal. The departure from the height control is acceptable in the circumstances given the underlying objectives are achieved and it will not set an undesirable precedent for future development within the locality particularly when considering the proposal is consistent with the bulk and scale and building heights of nearby and approved dwellings.

CONCLUSION

The proposed development meets the underlying intent of the control and is a compatible form of development that does not result in unreasonable environmental amenity impacts.

The design response aligns with the intent of the control and provides for an appropriate transition to the adjoining properties.

The proposal promotes the economic use and development of the land consistent with its zone and purpose.

The objection is well founded and taking into account the absence of adverse environmental, social or economic impacts, it is requested that Council support the development proposal.

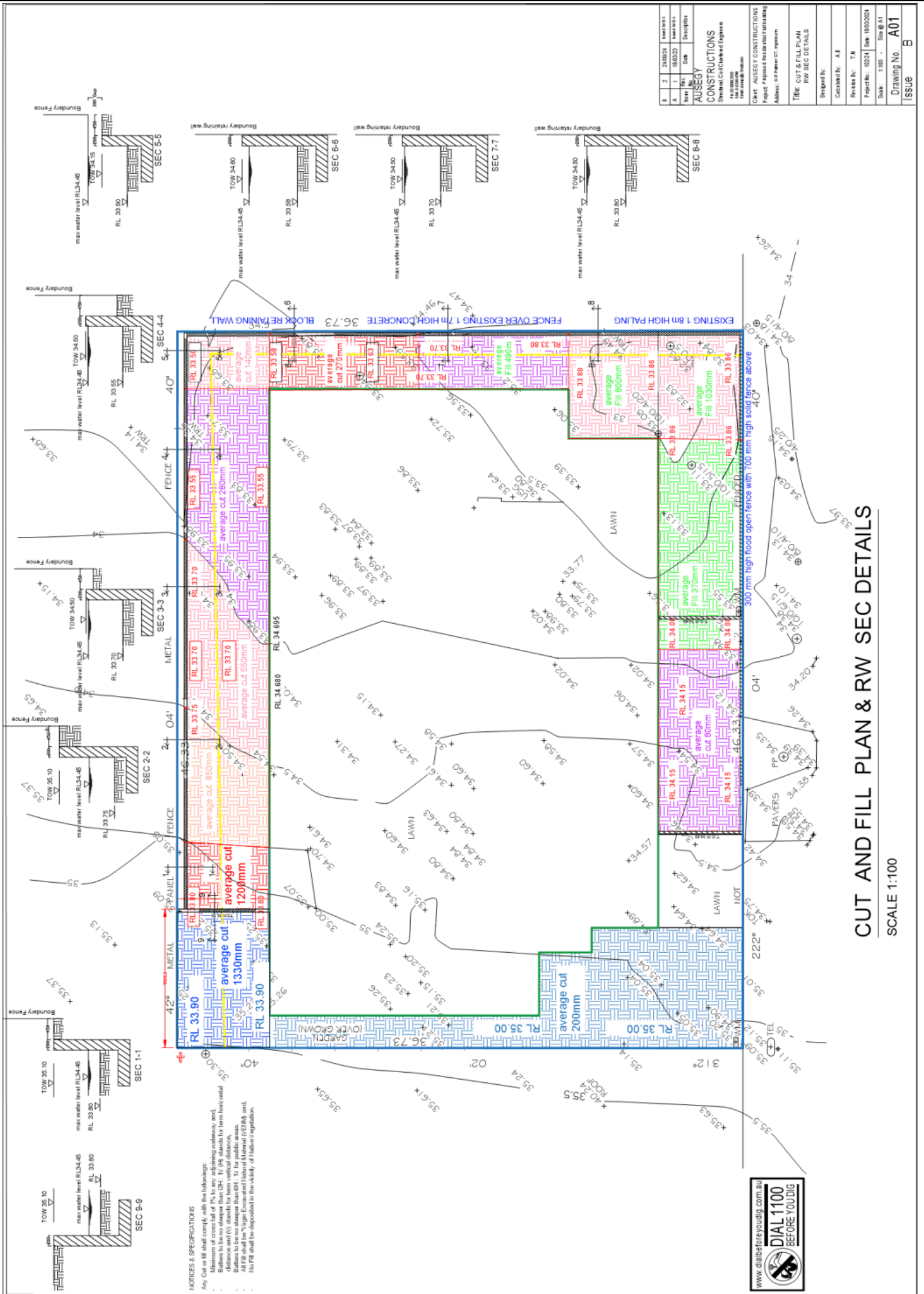
Strict compliance with the prescriptive maximum height requirement is unreasonable and unnecessary in the context of the proposal and its circumstances. The proposed development meets the underlying intent of the control and is a compatible form of development that does not result in unreasonable environmental amenity impacts.



The objection is well founded and considering the absence of adverse environmental, social or economic impacts, it is requested that Council support the development including the departure to the maximum height control.

The proposal will not have any adverse effect on the surrounding locality and is consistent with the future characterised envisioned for the subject area. The proposal promotes the economic use and development of the land consistent with its zone and purpose. Council is requested to invoke its powers under Clause 4.6 to permit the variation proposed.

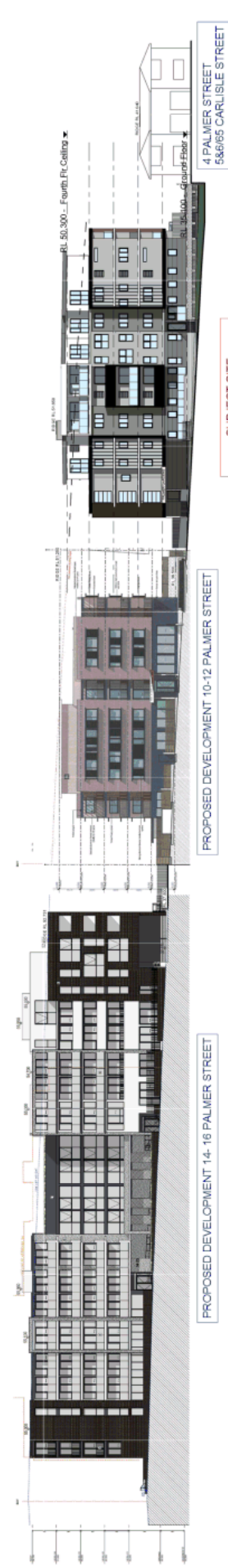
The objection is well founded and taking into account the absence of adverse environmental, social or economic impacts, it is requested that Council support the development proposal.



CUT AND FILL PLAN & RW SEC DETAILS

SCALE 1:100

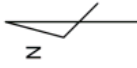
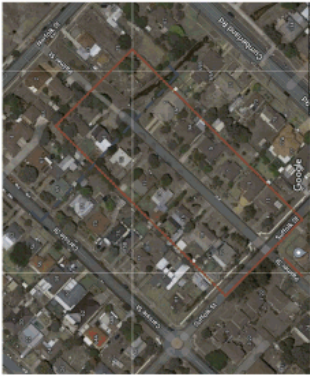




1 PROPOSED STREETSCAPE ELEVATION - South - East (Facade) 1 : 250

Site Context / Streetscape

Advanced Architecture & Construction Pty/Ltd
 Proposed Residential Flat Building
6 & 8 Palmer St, Ingleburn
 The Always Construction Pty Ltd
 NSW ARCH Reg. No: 61206
 Email: info@thealwaysconstruction.com.au Mobile: 0411 651128
 NSW Lic: 1 251 84 A1 Director: M.M.
 Date: 09/02/22 Site: 6 September 2024
 Project Commissioned by: for advice in preference to
 State Agency of Infrastructure Drawing No: 000241-01.1



EXISTING MAP OF PALMER STREET



No. 20 No. 18 No. 16 No. 14 No. 12 No. 10 No. 9 No. 8 SUBJECT SITE No. 6 SUBJECT SITE

EXISTING STREETSCAPE OF PALMER STREET
(ALONGSIDE SUBJECT SITE)



No. 1 and 1A No. 3 No. 5 No. 7 No. 9 No. 11

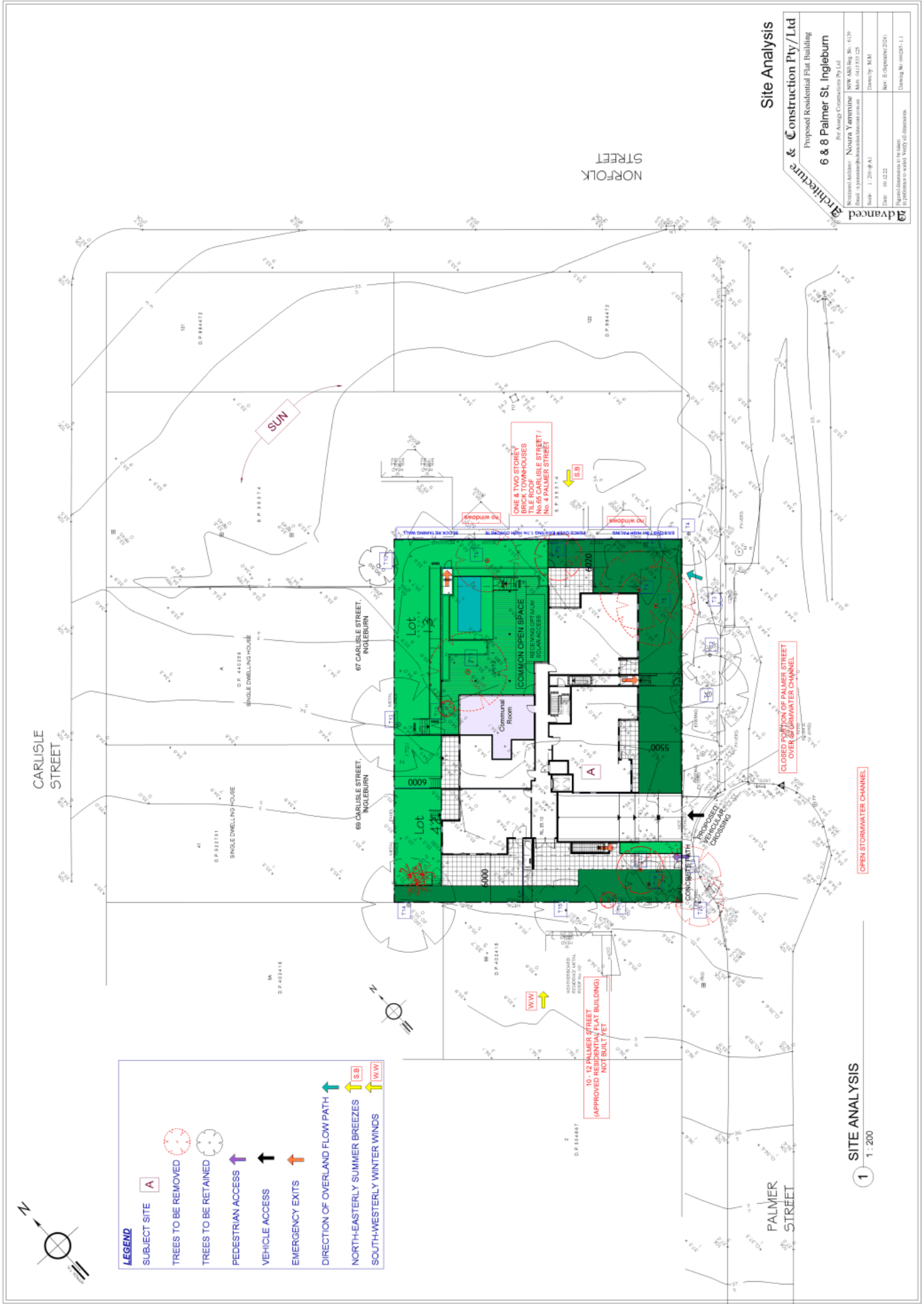
EXISTING STREETSCAPE OF PALMER STREET
(OPPOSITE SIDE OF SUBJECT SITE)

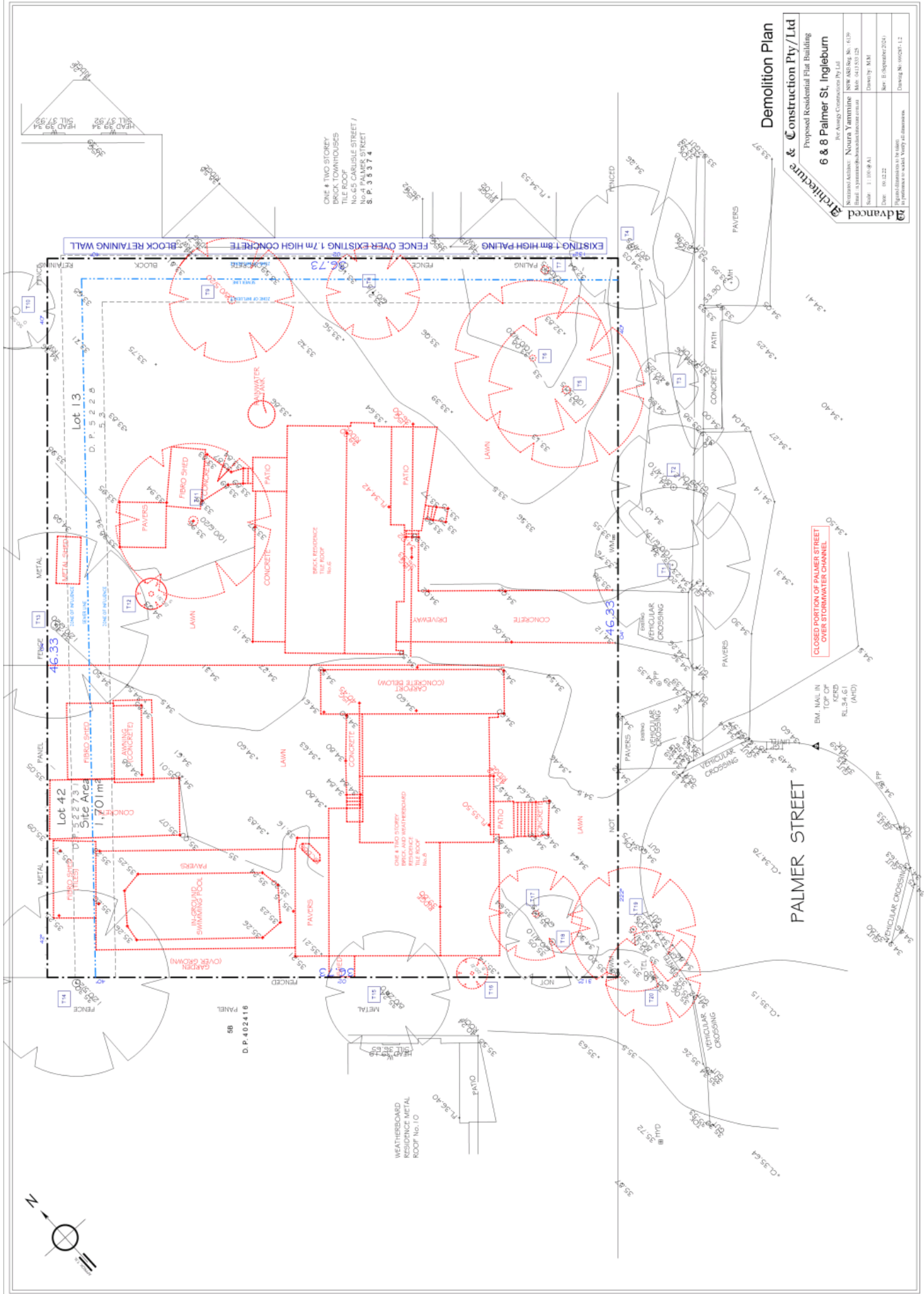


Existing Streetscape of Palmer Street and
Proposed Section through Carlisle St. and Palmer St.

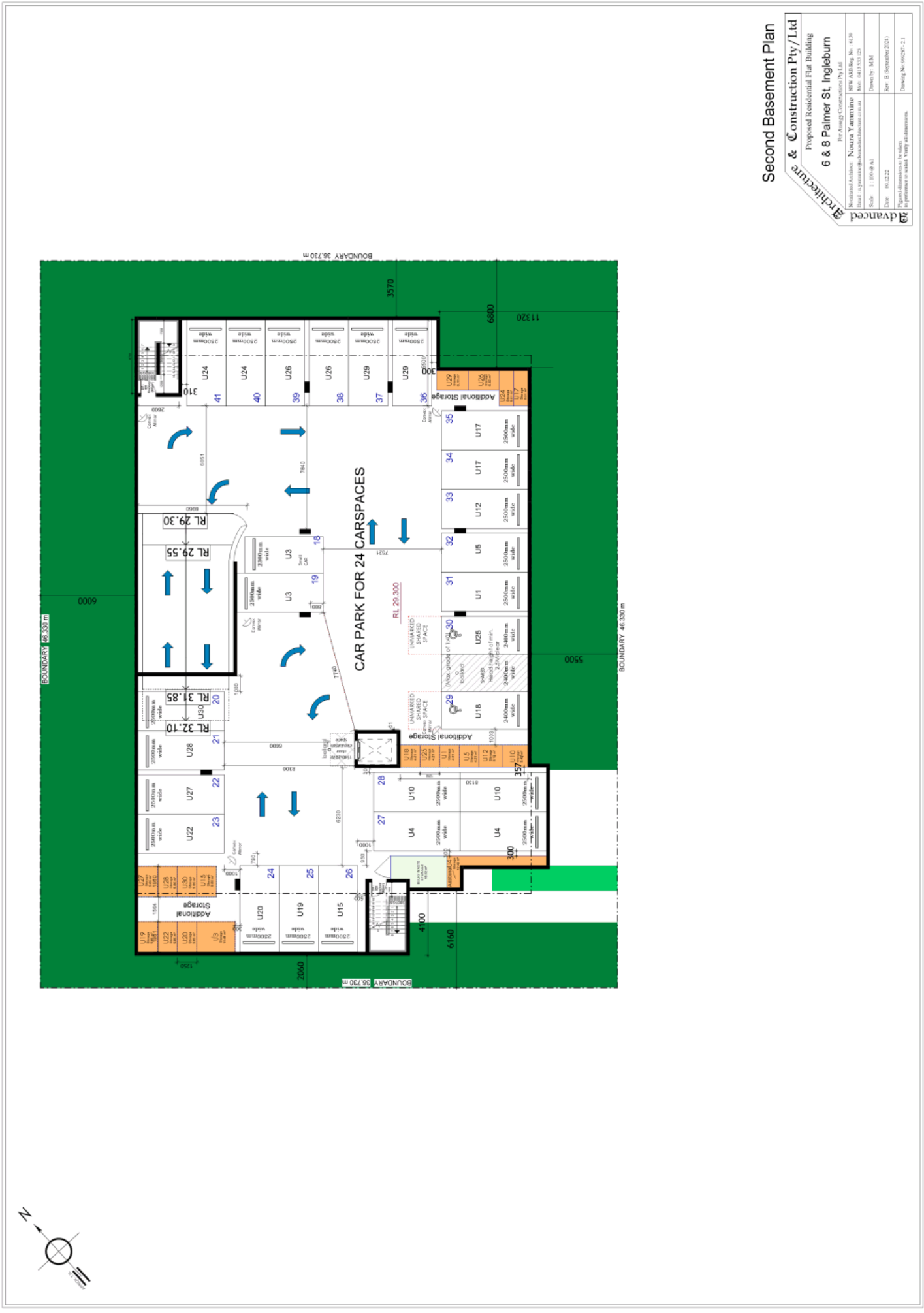
Advanced Architecture & Construction Pty/Ltd
 Proposed Residential Flat Building
 6 & 8 Palmer St, Ingleburn
 The Always Construction Pty Ltd
 NSW ARCH Reg. No: 6139
 NSW ARCH Reg. No: 61353 128
 Email: info@advancedarchitecture.com.au
 NSW Reg. No: 12078-AJ
 Director: M.M.
 Date: 06/12/22
 Site: 6 September 2024
 Drawing No: 000021-1.2
 Project information is to be taken in preference to
 Plans, Notes or Attachments.

1 Section through 69 Carlisle St, 8 Palmer St and Lot 6 Drainage
 1 : 200









Second Basement Plan

Advanced Architecture & Construction Pty/Ltd
 Proposed Residential Flat Building
6 & 8 Palmer St, Ingleburn
 For Always Construction Pty Ltd
 Nourah Acharki, Noura Yammine NSW ABE Reg. No: 6120
 Email: n.yammine@alwaysconstruction.com.au Mob: 0411 631 128
 Scale: 1:100 @ A1 Drawn by: M.M.
 Date: 06/12/22 Site: 6 September 2024
 Project: 6 & 8 Palmer St, Ingleburn
 Drawing No: 000217-2.1



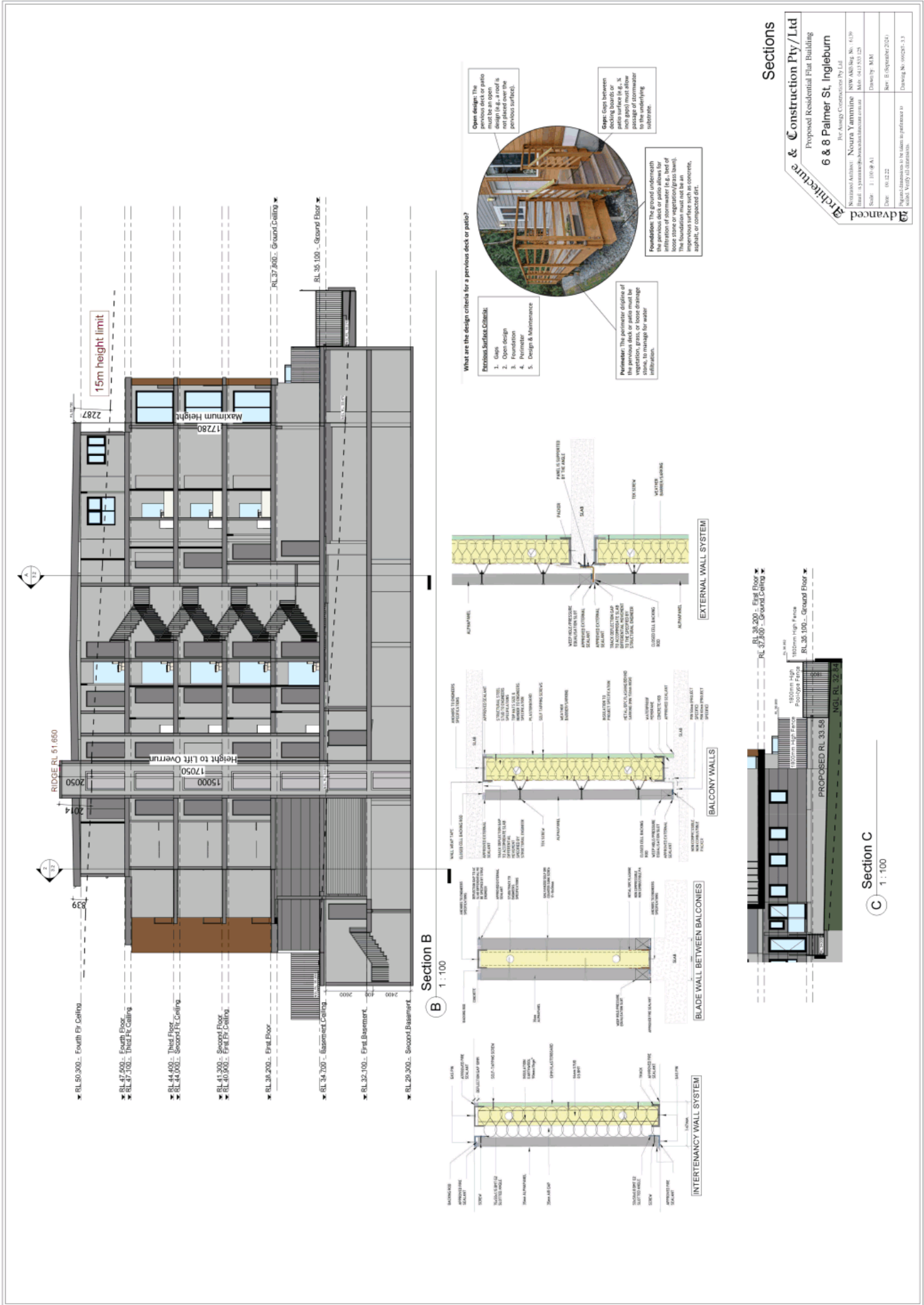
First Basement Plan

Advanced Architecture & Construction Pty/Ltd
 Proposed Residential Flat Building
 6 & 8 Palmer St. Ingleburn
 The Always Construction Pty Ltd
 Project Manager: Noura Yaminine
 (Email: nyaminine@alwaysconstruction.com.au)
 Mobile: 041333128
 Email: 11@pcau.com.au
 Director: M.M.
 Date: 09/03/24
 Site: 6 September 2024
 Project: Residential Flat Building
 Drawing No: 000217-22

CLOSED PORTION OF PALMER STREET OVER STORMWATER CHANNEL



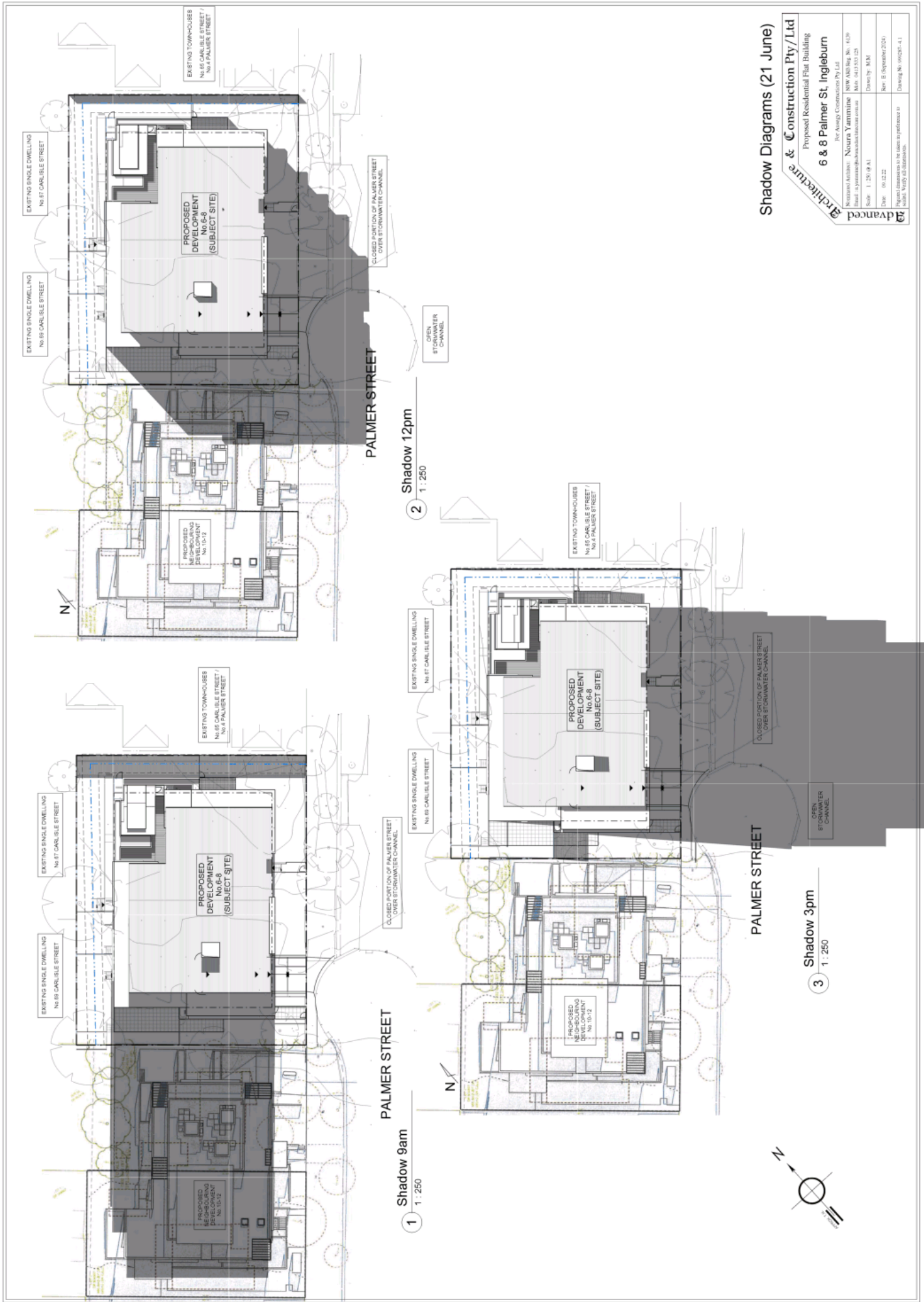




Sections

Architecture & Construction Pty/Ltd
Proposed Residential Flat Building
6 & 8 Palmer St, Ingleburn
The Always Construction Pty Ltd

NSW ARCHITECT: Noura Yaminine NSW ARCH REG. NO: 61236
Email: n.yaminine@alwaysconstruction.com.au
NSW ARCHITECT: Mimi Mimi NSW ARCH REG. NO: 61236
Email: m.mimi@alwaysconstruction.com.au
DRAWN BY: M.M.M.
DATE: 06/02/22
REV: 01/09/2022/2024
Project Commissioned to be drawn by preference to:
Always, Anyday, All Industries.



Shadow Diagrams (21 June)

Advanced Architecture & Construction Pty/Ltd
 Proposed Residential Flat Building
 6 & 8 Palmer St, Ingleburn
 For Always Construction Pty Ltd
 NSW ARCH Reg. No: 6139
 Email: aa@advancedarchitecture.com.au
 M: 0411 631 128
 NSW Lic: 1 251 8 A1
 Drawn by: M.M.
 Date: 06/10/22
 Site: E: 69/89/67/2/2/1
 Program: Dimensions as per plans in preference to
 Plans, Verby 10/1/2024
 Drawing No: 000217-4.1

Registered Design Record	
Project Address	68 PALMER STREET, INGLEBURN
Project Title	RESIDENTIAL ARCHITECTURAL SERVICES
Client No.	1510220424
Client Name	United Consulting Engineers
Client PO No.	2486804
Client PO Name	UNITED CONSULTING ENGINEERS
Client PO Email	UNITED@UNITEDENGINEERS.CO.NZ
Client PO Phone	09 478 2200
Client PO Fax	09 478 2201
Client PO Website	www.unitedengineers.co.nz
Client PO LinkedIn	www.linkedin.com/company/united-engineers
Client PO Instagram	www.instagram.com/unitedengineersnz
Client PO Facebook	www.facebook.com/unitedengineersnz
Client PO Twitter	www.twitter.com/unitedengineersnz
Client PO YouTube	www.youtube.com/unitedengineersnz
Client PO Other	

Revisions	
No.	Description
1	ISSUED FOR I.A.
2	ISSUED FOR E.A.
3	ISSUED FOR S.A.
4	ISSUED FOR C.A.
5	ISSUED FOR F.A.
6	ISSUED FOR F.A.
7	ISSUED FOR F.A.
8	ISSUED FOR F.A.
9	ISSUED FOR F.A.
10	ISSUED FOR F.A.

EROSION CONTROL NOTES

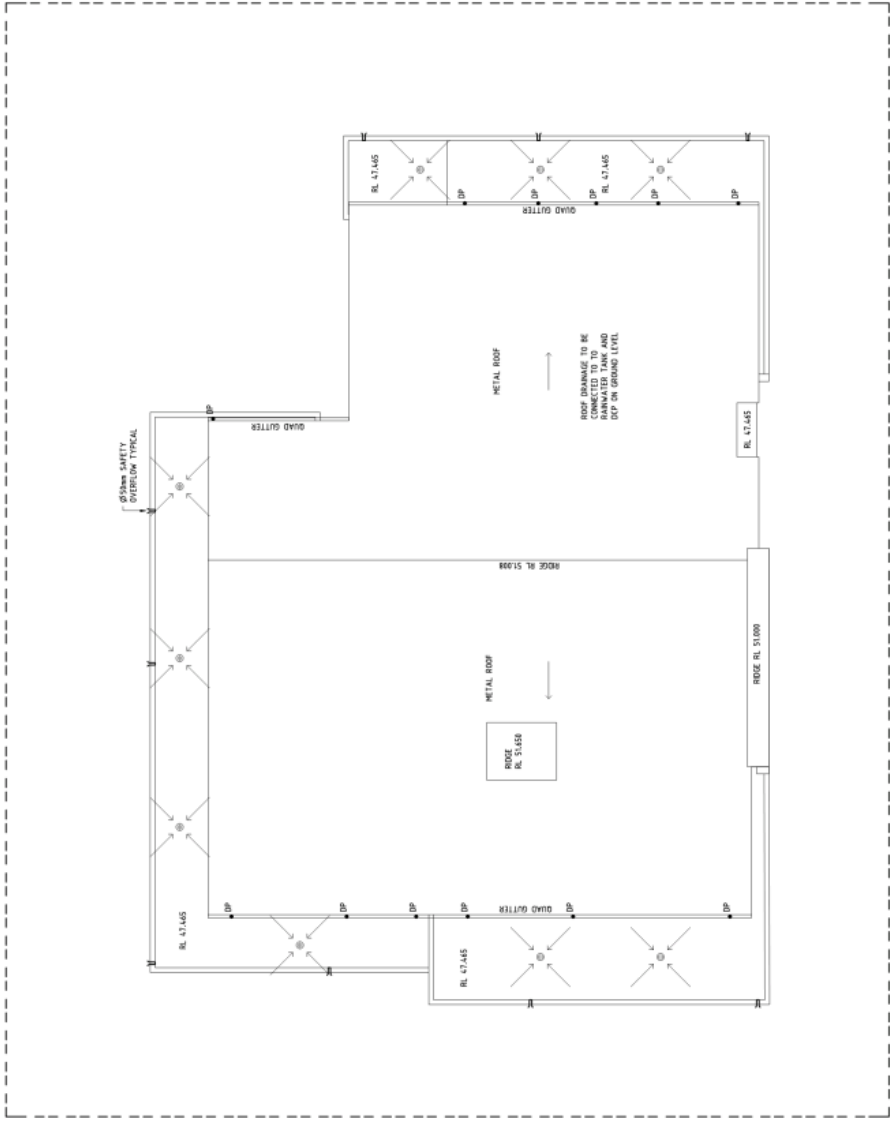
1. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION WORK AND ALL SILT TRAPS ARE TO HAVE DEPOSITED SILT REMOVED REGULARLY.
2. ALL TRACES ARE TO BE PRESERVED UNLESS INDICATED OTHERWISE ON THE ARCHITECT'S OR LANDSCAPE ARCHITECT'S DRAWINGS. EXISTING VEGETATION IS TO BE PRESERVED AND REPLANTED IN AREAS CLIPPED FOR BUILDINGS, DRIVEWAYS, ETC.
3. INSTALL TEMPORARY EROSION BARRIERS TO ALL INLET PITS. LAY OUT THE BARRIERS TO BE INSTALLED IN ACCORDANCE WITH THE ARCHITECT'S DRAWINGS. THE BARRIERS ARE TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CLEAN WATERS ACT.
4. ALL TOPSOIL TO BE OBTAINED FROM A REGISTERED SOURCE.
5. ALL TOPSOIL TO BE OBTAINED FROM A REGISTERED SOURCE.
6. ALL EXTERNAL SCARPS TO BE WATERPROOFED.
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19. ALL EXTERNAL SCARPS TO BE WATERPROOFED.
20. ALL EXTERNAL SCARPS TO BE WATERPROOFED.

NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE BUILDING ACT 2004 AND THE BUILDING REGULATIONS 2004.
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SYMBOLS

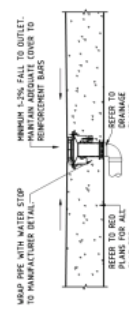
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- 2. FINISHED GARAGE LEVEL
- 3. TOP OF KERB
- 4. FINISHED LEVEL
- 5.1. FINISHED LEVEL
- 5.2. FINISHED LEVEL
- 5.3. FINISHED LEVEL
- 5.4. FINISHED LEVEL
- 5.5. FINISHED LEVEL
- 6. LANDSCAPED CATCHMENT AREA (LCA)
- 7. PERVIOUS CATCHMENT AREA (PCA)
- 8. PERVIOUS CATCHMENT AREA (PCA)
- 9. PERVIOUS CATCHMENT AREA (PCA)
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ROOF DRAINAGE PLAN

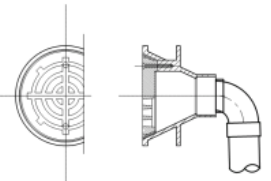
- SCALE 1/50
1. MINIMUM ROOF FALL 1% TO OUTLETS
 2. MINIMUM ROOF FALL 1% TO OUTLETS
 3. MINIMUM ROOF FALL 1% TO OUTLETS
 4. ALL BALCONIES TO HAVE FLOOR WASTE AND 1% FALL WITH SAFETY OVERFLOW
 5. ALL BALCONIES TO HAVE FLOOR WASTE AND 1% FALL WITH SAFETY OVERFLOW
 6. ALL BALCONIES TO HAVE FLOOR WASTE AND 1% FALL WITH SAFETY OVERFLOW

- WATERPROOFING NOTES
- ALL WATERPROOFING TO COMPLY WITH AS4654.2 & AS3740-2/18
- WATERPROOFING TO BE INSTALLED TO ALL ROOFS
- WATERPROOFING TO BE INSTALLED TO ALL ROOFS
- WATERPROOFING TO BE INSTALLED TO ALL ROOFS
- MINIMUM VERTICAL TERMINATION HEIGHTS AT TO SKY LIGHT, IF APPLICABLE



TYPICAL SUSPENDED ROOF SUMP DETAIL

SCALE 1/20



TYPICAL ROOF SUMP

REFER TO STORMWATER DESIGN BY OTHER

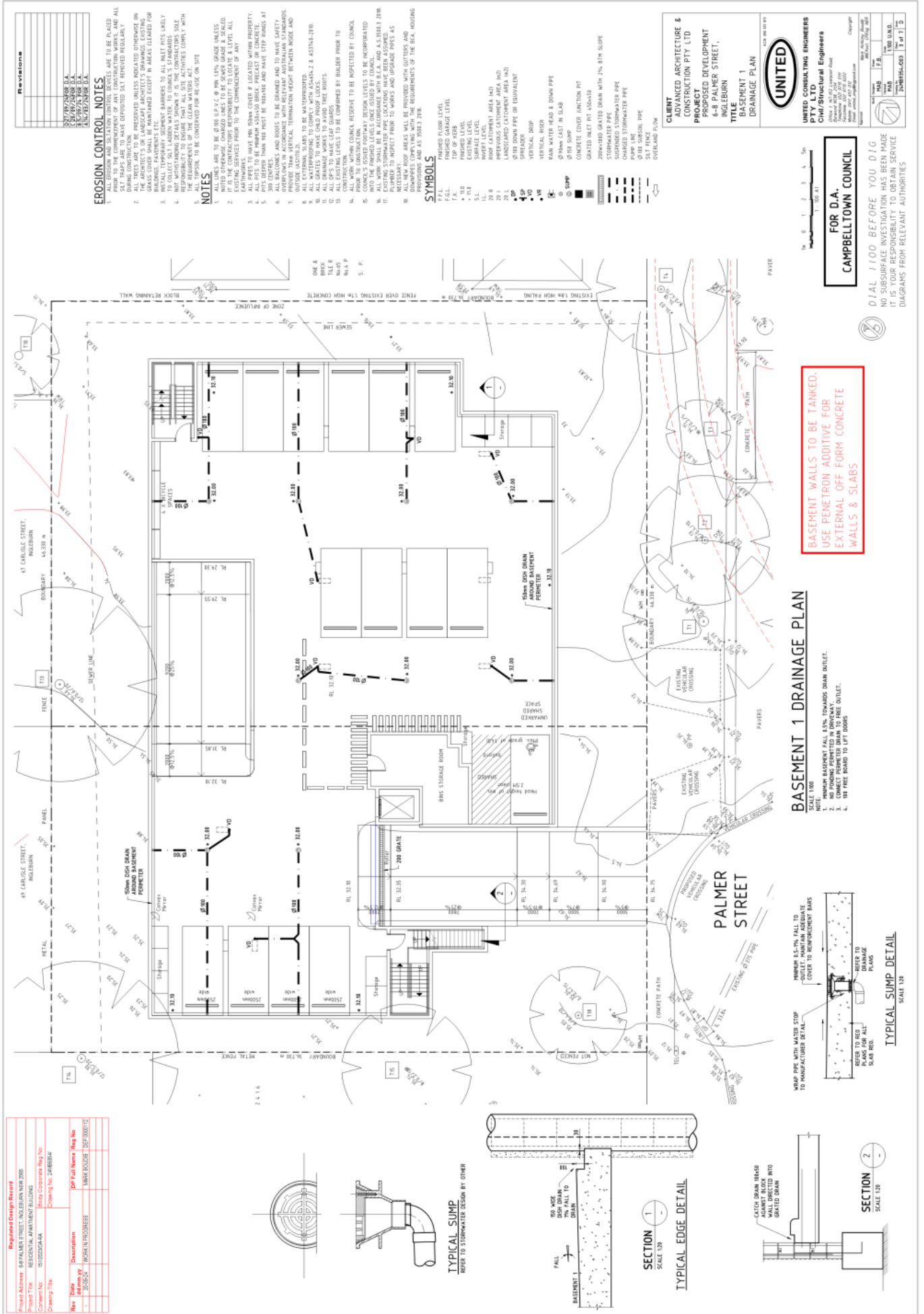
CLIENT
 ADVANCED ARCHITECTURE & CONSTRUCTION PTY LTD
 PROJECT DEVELOPMENT
 6-8 PALMER STREET,
 INGLEBURN

TITLE
 ROOF DRAINAGE PLAN

UNITED CONSULTING ENGINEERS
 Civil/Structural Engineers
 622 Mt Eden Rd
 Auckland 1024 NZ
 Phone: 09 478 2200
 Fax: 09 478 2201
 Email: info@unitedengineers.co.nz
 Website: www.unitedengineers.co.nz

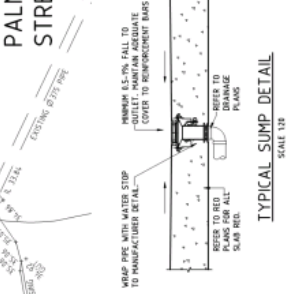
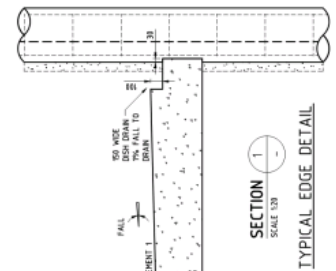
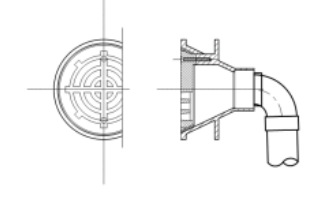
FOR D.A.
 CAMPBELLTOWN COUNCIL

NO SUBSURFACE INVESTIGATION HAS BEEN MADE IT IS YOUR RESPONSIBILITY TO OBTAIN SERVICE DIAGRAMS FROM RELEVANT AUTHORITIES



Rev	Date	Description	By	Check	App No
1	23/10/2024	ISSUE FOR PERMIT	J. WILSON	J. WILSON	24868048

Project Address	Project Title	Client Name	Drawing Title
6-8 PALMER STREET, INGELBURN	PROPOSED DEVELOPMENT	ADVANCED ARCHITECTURE & CONSTRUCTION PTY LTD	BASEMENT 1 DRAINAGE PLAN



BASEMENT WALLS TO BE TANKED. USE PENETRON ADDITIVE FOR EXTERNAL OFF FORM CONCRETE WALLS & SLABS.

BASEMENT 1 DRAINAGE PLAN
SCALE 1:100
NOTE:
1. TANKING BASEMENT WALLS AND EXTERNAL DRAIN OUTLET.
2. NO PONDING PERMITTED IN DRIVEWAY.
3. CONNECT PERIMETER DRAIN TO FREE OUTLET.
4. 1M FREE BOARD TO LEFT BOUNDARY.

FOR D.A. CAMPBELLTOWN COUNCIL

DIAL 1100 BEFORE YOU DIG
NO SUBSURFACE INVESTIGATION HAS BEEN MADE
IT IS YOUR RESPONSIBILITY TO OBTAIN SERVICE DIAGRAMS FROM RELEVANT AUTHORITIES

CLIENT
ADVANCED ARCHITECTURE & CONSTRUCTION PTY LTD
PROJECT: PROPOSED DEVELOPMENT 6-8 PALMER STREET, INGELBURN
TITLE
BASEMENT 1 DRAINAGE PLAN

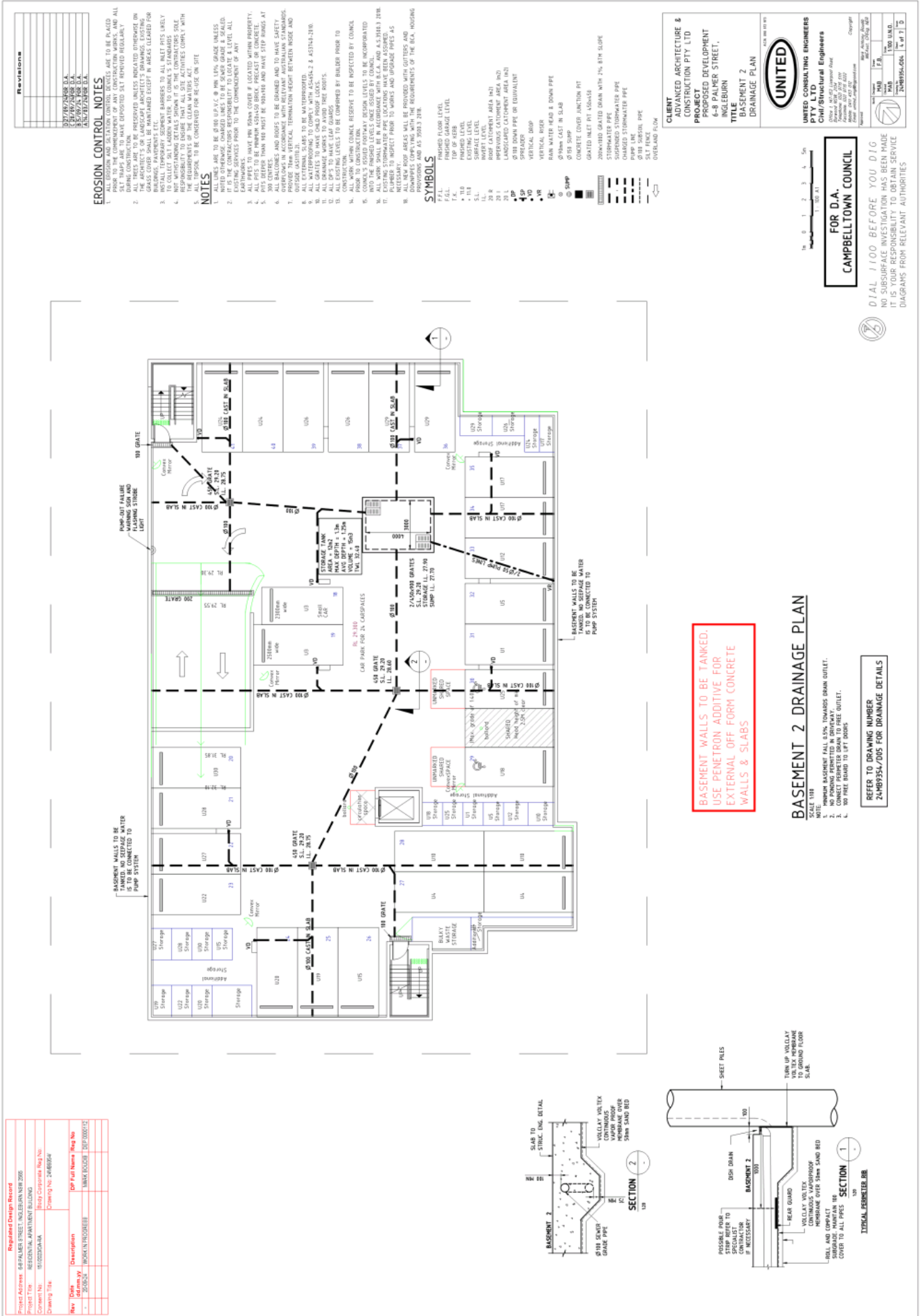
UNITED CONSULTING ENGINEERS
Civil/Structural Engineers
Office: 1st Floor, 100 Palmer Street, Adelaide 5000 SA
Phone: 08 8232 2000
Fax: 08 8232 2001
Email: info@uconz.com.au
www.uconz.com.au

UNION ENGINEERS
100 PALMER STREET
ADELAIDE SA 5000
24868048

DATE: 23/10/2024
DRAWN BY: J. WILSON
CHECKED BY: J. WILSON
SCALE: 1:100

- EROSION CONTROL NOTES**
1. ALL EROSION CONTROL MEASURES MUST BE INSTALLED PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION WORK AND ALL SILT TRAPS ARE TO HAVE DEPOSITED SILT REMOVED REGULARLY.
 2. ALL TRACES ARE TO BE PRESERVED UNLESS INDICATED OTHERWISE ON THE ARCHITECT'S OR LANDSCAPE ARCHITECT'S DRAWINGS. EXISTING BULBROOK PAINTWORKS ETC.
 3. INSTALL TEMPORARY EROSION BARRIERS TO ALL INLET PITS UNLESS OTHERWISE SPECIFIED ON THE DRAWINGS. THESE BARRIERS MUST BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND MUST BE REMOVED IMMEDIATELY UPON COMPLETION OF THE CLEAN WORK AREA.
 4. ALL EROSION CONTROL MEASURES MUST BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND MUST BE REMOVED IMMEDIATELY UPON COMPLETION OF THE CLEAN WORK AREA.
 5. ALL EROSION CONTROL MEASURES MUST BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND MUST BE REMOVED IMMEDIATELY UPON COMPLETION OF THE CLEAN WORK AREA.

- SYMBOLS**
- 1. FINISHED FLOOR LEVEL
 - 2. FINISHED GARAGE LEVEL
 - 3. TOP OF KERB
 - 4. FINISHED LEVEL
 - 5.1. SURFACE LEVEL
 - 5.2. FINISHED LEVEL
 - 6.1. FINISHED LEVEL
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- EROSION CONTROL NOTES**
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL GOVERNMENT'S EROSION CONTROL PLAN.
 2. ALL TRAPS ARE TO BE DEPOSITED SLIT REMOVED REGULARLY.
 3. ALL TRAPS ARE TO BE PRESERVED UNLESS INDICATED OTHERWISE ON THE ARCHITECT'S OR LANDSCAPE ARCHITECT'S DRAWINGS. EXISTING BUILDINGS, PAINTWORKS ETC.
 4. NOT WITHSTANDING DETAILS SHOWN ON THIS DRAWING, THE CONTRACTOR SHALL OBTAIN THE REQUIREMENTS OF THE LOCAL GOVERNMENT'S EROSION CONTROL PLAN.
 5. ALL WORK SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL GOVERNMENT'S EROSION CONTROL PLAN.

- NOTES**
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL GOVERNMENT'S EROSION CONTROL PLAN.
 2. IF IS THE CONTRACTOR'S RESPONSIBILITY TO LOCATE A LEVEL ALL CARPENTERS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION WORK. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL GOVERNMENT'S EROSION CONTROL PLAN.
 3. ALL PIPES TO HAVE 90° BENDS COVERED IF LOCATED WITHIN PROPERTY.
 4. ALL PIPES TO BE PRESERVED UNLESS INDICATED OTHERWISE ON THE ARCHITECT'S OR LANDSCAPE ARCHITECT'S DRAWINGS. EXISTING BUILDINGS, PAINTWORKS ETC.
 5. NOT WITHSTANDING DETAILS SHOWN ON THIS DRAWING, THE CONTRACTOR SHALL OBTAIN THE REQUIREMENTS OF THE LOCAL GOVERNMENT'S EROSION CONTROL PLAN.
 6. ALL EXTERNAL SLABS TO BE WATERPROOFED.
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 19. ALL EXTERNAL SLABS TO BE WATERPROOFED.
 20. ALL EXTERNAL SLABS TO BE WATERPROOFED.

- SYMBOLS**
- 1. FINISHED FLOOR FINISH
 - 2. FINISHED GARAGE LEVEL
 - 3. TOP OF KERB
 - 4. FINISHED LEVEL
 - 5.1. FINISHED LEVEL
 - 5.2. FINISHED LEVEL
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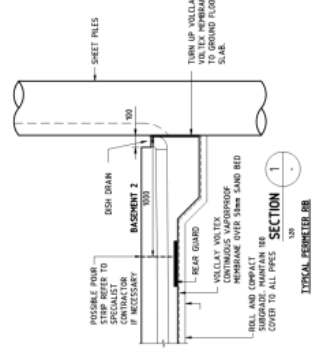
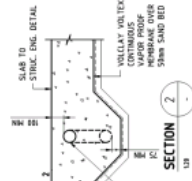
BASEMENT WALLS TO BE TANKED, USE PENETRON ADDITIVE FOR EXTERNAL OFF FORM CONCRETE WALLS & SLABS

BASEMENT 2 DRAINAGE PLAN

- NOTE
1. TANKING BASEMENT WALL, 50mm THICKNESS DRAIN OUTLET.
 2. NO PIPING PERMITTED IN DRIVEWAY.
 3. CONNECT PERIMETER DRAIN TO FREE OUTLET.
 4. 100mm FALL TOWARD TO LEFT DRAIN.

REFER TO DRAWING NUMBER Z48B555/005 FOR DRAINAGE DETAILS

Rev	Date	Description	By	App'd	Scale
1	20/05/24	ISSUE FOR PERMIT	UNIK ENGINEERING	UNIK ENGINEERING	1:100



TYPICAL PERIMETER DR

Drains Summary OSD Calculations

AREA (m²) : 1701

PRE DEVELOPMENT SITE CONDITIONS	BYPASS
% IMPERVIOUS : 35	13
Q ₁₀ (mm ³ /s) TO STREET	34
5	20
41	27

POST DEVELOPMENT	BYPASS	VOL(m ³)
% IMPERVIOUS : 77	6	25
ARI (mm ³ /s) TO STREET	18	25
5	17	16
41	23	18

NOTE:
POST DEVELOPMENT Q UP TO THE 1% AEP RESTRICTED TO PRE DEVELOPMENT Q.
REFER TO DRAINS FILE FOR ALL STORM EVENTS

EROSION CONTROL NOTES

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2. ALL TRACES ARE TO BE PRESERVED UNLESS RELATED OTHERWISE ON THE ARCHITECT'S OR LANDSCAPE ARCHITECT'S DRAWINGS. EXISTING BULBING, PAINTWORKS ETC.
3. NOT ALL TEMPORARY EROSION CONTROL MEASURES TO ALL MEET PRE'S LATEST REQUIREMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE REQUIREMENTS OF THE CLEAN WATER ACT.
4. ALL EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
5. ALL EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
6. IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN A LEVEL ALL EROSION CONTROL MEASURES PRIOR TO THE COMMENCEMENT OF ANY WORK.
7. ALL PILES TO HAVE 100% COVER IF LOCATED WITHIN PROPERTY.
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SYMBOLS

FINISHED GRADE LEVEL
TOP OF KERB
EXISTING LEVEL
SURFACE LEVEL
PREVIOUS ATTACHMENT AREA (M2)
LANDSCAPED CATCHMENT AREA (M2)
DRAIN PIPE OR TOWALINET
VERTICAL RISER
RAIN WATER HEAD & DOWN PIPE
DOWN PIPE
CONCRETE COVER JUNCTION PIT
GRADED INLET PIT COVER
STANDARD PIPES
CHANGED STORMWATER PIPE
GRISS SURFACE PIPE
SILT FENCE
OVERLAND FLOW

ON SITE DETENTION

WARNING SIGN

NOTE:
1. SIGN SHALL BE PLACED IN A CLEAR AND VISIBLE LOCATION OF EACH DETENTION BASIN.
2. SIGN SHALL BE PLACED IN A CLEAR AND VISIBLE LOCATION OF EACH DETENTION BASIN.

COLOURS:
- AND "WARNING" - RED
- WATER - BLUE
- OTHER LETTERING - BLACK

DIMENSIONS:
- FOR LARGE BASINS: 400 mm HIGH x 500 mm WIDE
- FOR SMALL BASINS: 400 mm HIGH x 300 mm WIDE

RAINWATER TANK NOTES

1. TANK WATER SHALL BE INSTALLED TO BE USED FOR HUMAN CONSUMPTION
2. TANK WATER SHALL BE INSTALLED TO BE USED FOR HUMAN CONSUMPTION
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RAINWATER TANK DETAIL

RAINWATER TANK DETAIL
PIT A DETAIL
SECTION 1-1
SCALE 1:10

FRONT FENCE WITH FLOOD WAY OPENS DETAILS

FRONT FENCE WITH FLOOD WAY OPENS DETAILS
SCALE 1:10

BOUNDARY AT EASTERN NORTH CORNER

BOUNDARY AT EASTERN NORTH CORNER
SCALE 1:10

OVERLAND FLOW DRAINAGE WEIR DETAILS

OVERLAND FLOW DRAINAGE WEIR DETAILS
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SCALE 1:10

CLIENT

ADVANCED ARCHITECTURE & CONSTRUCTION PTY LTD
PROPOSED DEVELOPMENT
6-8 PALMER STREET,
INGLEBURN
VIC 3088

TITLE
OSD DETAILS

UNITED CONSULTING ENGINEERS
Civil/Structural Engineers
100/101 St Albans Road
St Albans VIC 3023
Phone: 03 9479 1000
Fax: 03 9479 1001
Email: info@unitedce.com.au
Website: www.unitedce.com.au

FOR D.A. CAMPBELLTOWN COUNCIL

DIAL 1100 BEFORE YOU DIG
NO SUBSURFACE INVESTIGATION HAS BEEN MADE
IT IS YOUR RESPONSIBILITY TO OBTAIN SERVICE
DIAGRAMS FROM RELEVANT AUTHORITIES

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OVERLAND FLOW

ON SITE DETENTION

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RAINWATER TANK DETAIL

RAINWATER TANK DETAIL
SCALE 1:10

FRONT FENCE WITH FLOOD WAY OPENS DETAILS

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SCALE 1:10

BOUNDARY AT EASTERN NORTH CORNER

BOUNDARY AT EASTERN NORTH CORNER
SCALE 1:10

OVERLAND FLOW DRAINAGE WEIR DETAILS

OVERLAND FLOW DRAINAGE WEIR DETAILS
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PO Box 57, Campbelltown NSW 2560

T 02 4645 4000

F 02 4645 4111

W campbelltown.nsw.gov.au