



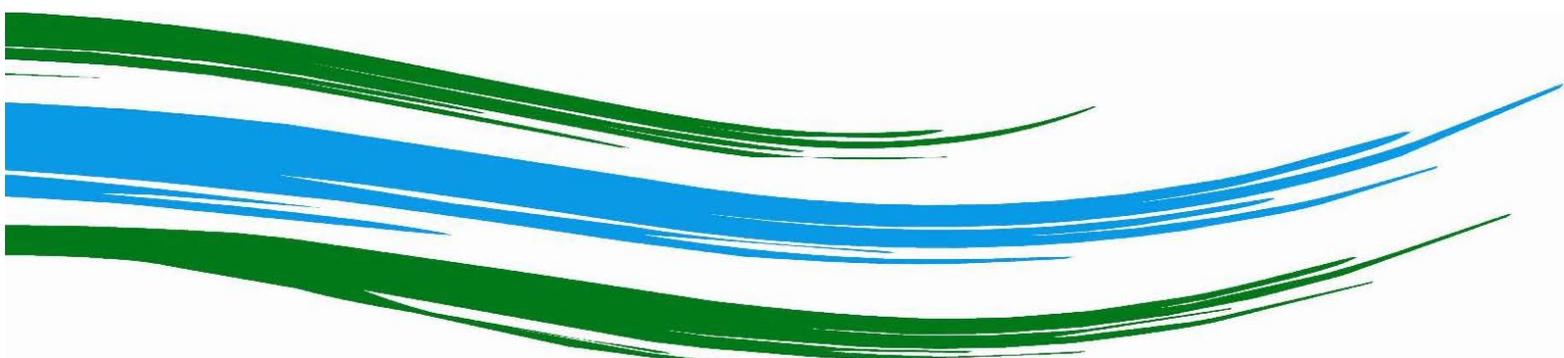
# Camden Council

## Attachements

**Ordinary Council Meeting**  
**11 November 2014**

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**Camden Civic Centre**  
**Oxley Street**  
**Camden**

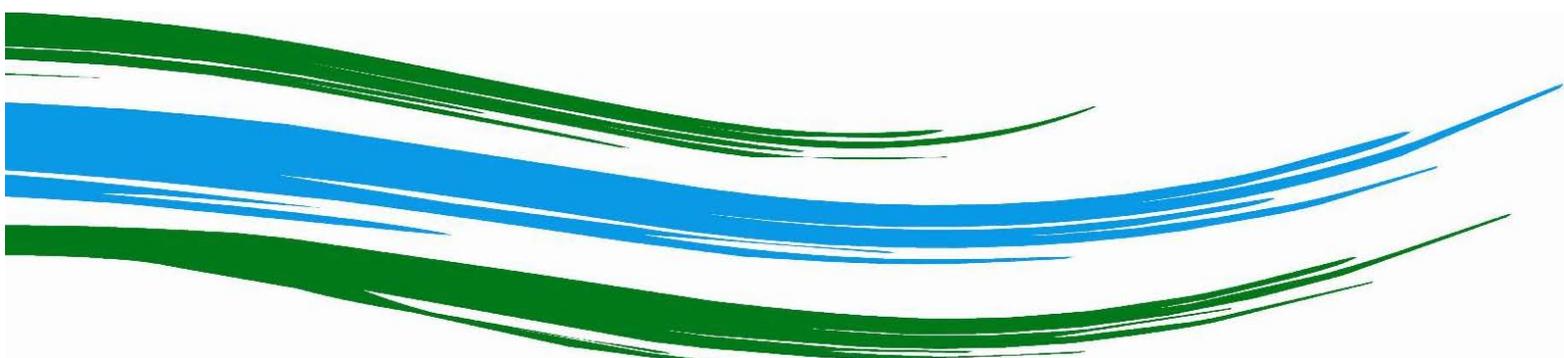




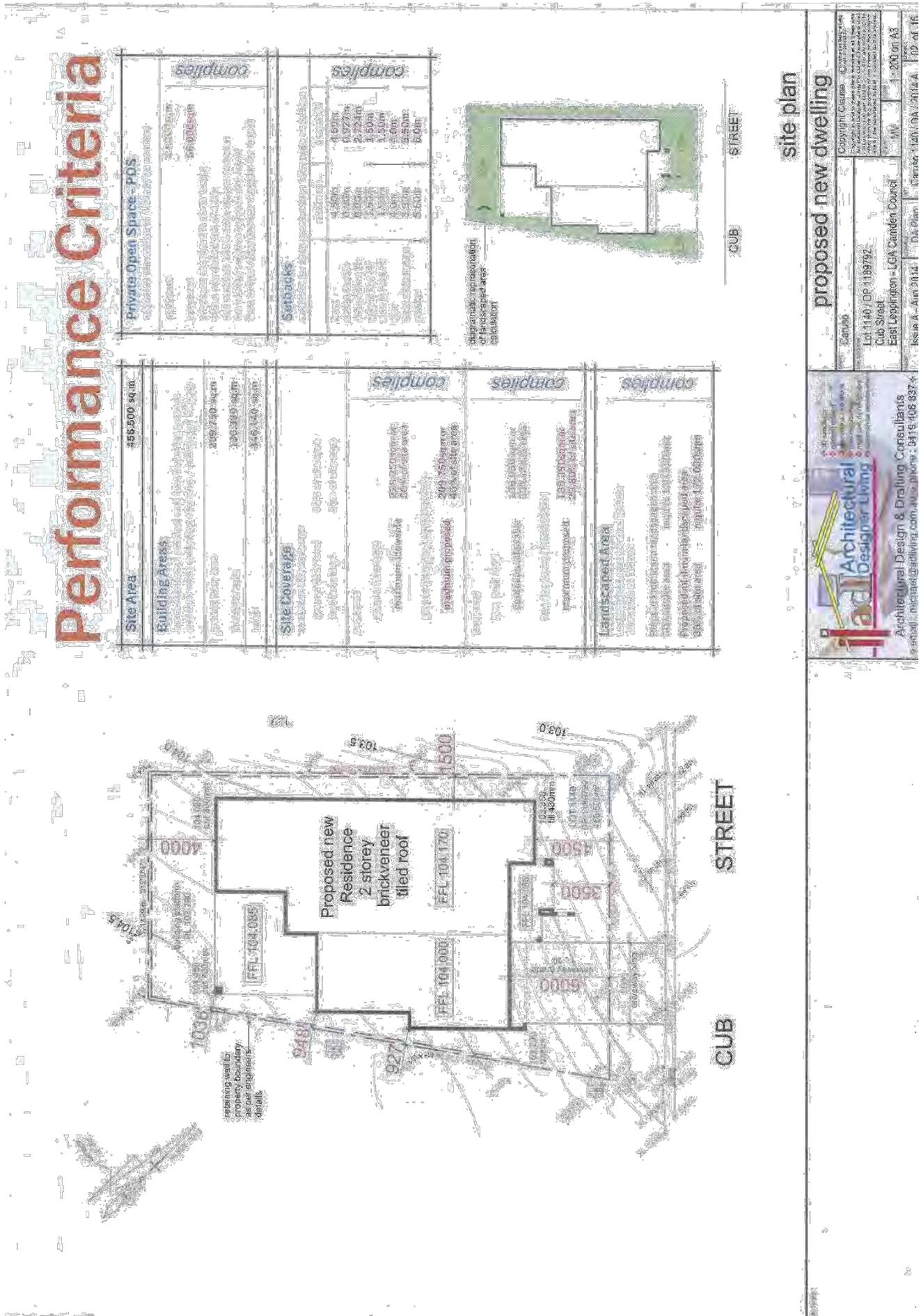
# ORDINARY COUNCIL

## ATTACHMENTS - ORDINARY COUNCIL

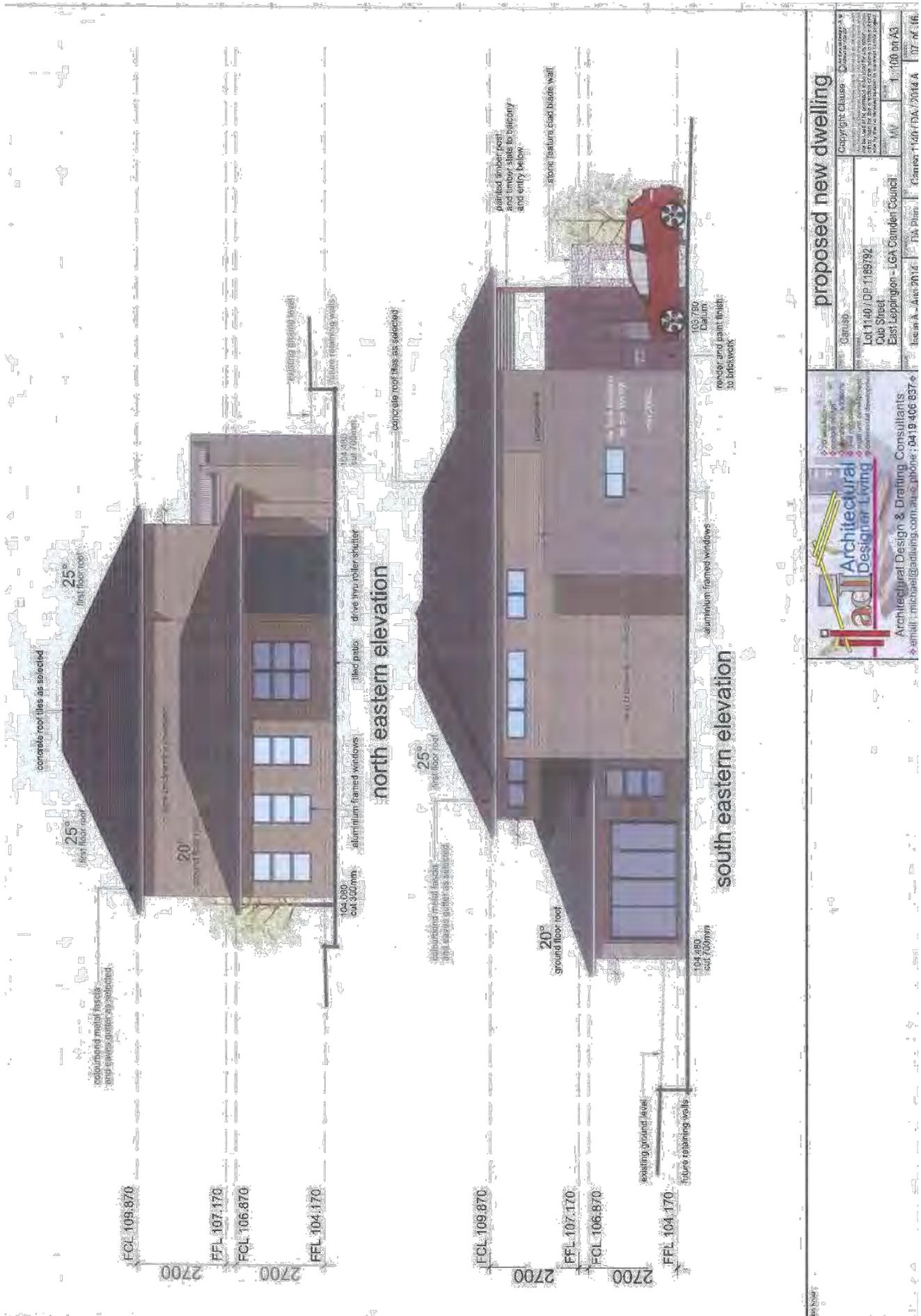
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ORD01

Attachment 1

Attachment 1

ORD01



LEGEND

- Existing trees to be retained & protected
- Existing trees to be removed
- Proposed ground covers
- Proposed trees
- Brick edge (refer to detail)
- Cultivated planting area (refer to detail)

PLANT SCHEDULE

TREES	Pot Size	Stake
Cc White flower of Callistemon Citrinus (Australian Bottlebrush - 8m)	25L	Yes
Cf Conyza bicolor WA red flowering gum (8m)	25L	Yes

SHRUBS	Pot Size	Stake
Yu Yucca Elephantipes (Silver Dreams - 1.5m)	5L	Yes
Cs Camellia sasanqua (Sasanqua - 4m)	5L	Yes
Wf Westringia fruticosa (0.60m)	5L	No
Li Lomandra 'Tanika' (0.60m)	5L	No
Ba Dwarf Banksia - yellow flowering (0.80m)	5L	No
Bu Buxus Microphylla Japonica (Japanese Box Hedge - 1m)	150mm dia pot	

HEDGING

Bu Buxus Microphylla Japonica (Japanese Box Hedge - 1m)	150mm dia pot
---	---------------

GROUNDCOVERS

Ao Acanthopanax orientalis (Lily of the Nile - 0.5m)	150mm dia pot
DI Dietes iridoides (Iris - 0.8m)	150mm dia pot
Gz Gazania orange (Orange flowering gazania - 0.3m)	150mm dia pot
Pa Pennisetum alopecuroides 'Pennisetpe' - 0.50m	150mm dia pot

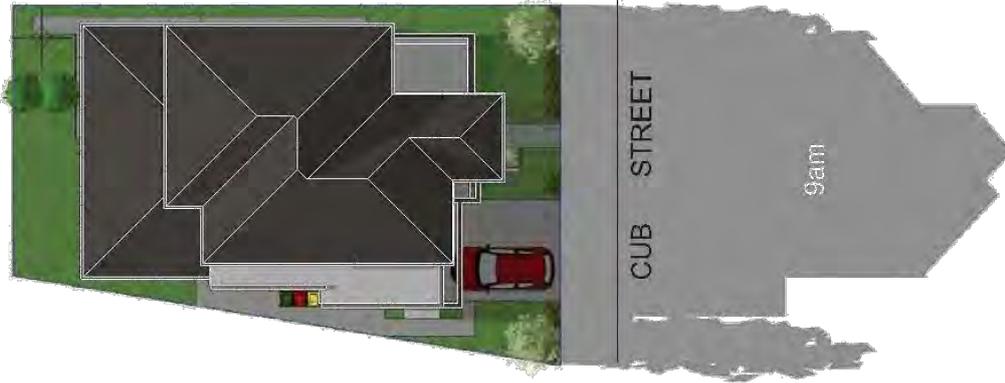
**iAD Architectural Designer Living**  
 Architectural Design & Drafting Consultants  
 19 email: michael@iadviv.com.au phone: 0419-486-887

**proposed new dwelling**

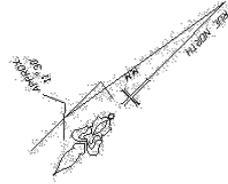
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 Lot 1140 DP 1189792  
 East Leppington - LGA Camden Council  
 Issue A - Jun 2014  
 DA Plan  
 Campus 11411-DA1-2014 A  
 1/2 of 16



CUB STREET



CUB STREET



CUB STREET

shadow diagrams  
mid winter - june 22nd

<p><b>iad Architectural Designer Living</b> Architectural Design &amp; Drafting Consultants</p>	<p>Project: Caruso Address: Lot 1140 / dp 1189792 Cub Street East Leppington - LGA Camden Council</p>	<p>Copyright © 2014 All rights reserved. This document is the property of iad Architectural Designer Living. It is to be used for the project for which it was prepared. It is not to be distributed, copied, or otherwise used without the written consent of iad.</p>
	<p>Scale: 1:250 on A4</p>	<p>Author: MW</p>

proposed new dwelling

ORD01

Attachment 1



**Architectural Designer Living**  
 Architectural Design & Drafting Consultants  
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**proposed new dwelling**

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CA 01690  
 LCA 1140 /DP 1189792  
 Club Street  
 East Leppington - LCA Camden Council

Issue A - Aug 2014 | DA Plan | Clause 1140 /DA /2014 A | 16a of 16

Not to Scale

**Attachment 1 – Timeline of Key Events**

Date of Council Meeting or event	Resolution of Council
April 2008	Application to Rezone subject lands received by Council
24 March 2009	Resolved to prepare a draft LES and LEP and report this back to Council to seek a resolution as to Councils support to proceed.
22 September 2009	Resolved that Council reaffirmed its previous decision, note community concerns, and resolve to report back to council the outcomes of the Draft LES and LEP prior to public exhibition.
23 November 2010	<p>Following the second report in September 2009 it was determined that in light of residents concerns regarding drainage and to reduce undue cost to the proponent that the process should be undertaken in two (2) stages.</p> <p>Stage 1 consisted of the drainage assessment if outstanding concerns were addressed then the applicant should proceed to full Draft LES and LEP (Stage 2).</p> <p>The report of November 23 considered the Drainage Study undertaken by Storm Consulting, which identified that flows from the development could be managed by on site detention within the development which would be allocated to individual lots.</p> <p>Council subsequently resolved not to proceed with the rezoning of the subject site due to community objection and ongoing drainage concerns.</p>
27 March 2012	<p>Following the resolution not to proceed (made at the meeting of 23 November 2010) the proponent resubmitted the proposal to Council.</p> <p>The report to the 27 March 2012 meeting reiterated the planning proposal, and identified what preliminary studies had been undertaken.</p> <p>Council resolved that to reaffirm its decision of November 23, 2010.</p>
23 July, 2013	Proponent makes application to the Department of Planning and Infrastructure for a Pre Gateway Review of the Planning Proposal
13 August 2013	<p>Report to Council notifying of the pre gateway application by the proponent to the Department of Planning and Infrastructure (DPI).</p> <p>Council resolved to reaffirm its previous decision and to forward information to the DPI.</p>

ORD02

Attachment 1

4 <sup>th</sup> April, 2014	<p>Pre Gateway review considered by the Joint Regional Planning Panel (JRPP).</p> <p>“The Panel, by a majority of 3 to 2 refused to recommend the planning proposal for Macquarie Grove Road at the present time, because the majority determined that certain issues remained unresolved. Additional material was requested from the applicants, it was noted that this will need to be reviewed by the Council’s assessment officers, namely”:</p> <ul style="list-style-type: none"> <li>• Landscaping Proposal;</li> <li>• Drainage Proposal; and</li> <li>• Traffic Analysis.</li> </ul>
24 June 2014	<p>Council Workshop to discuss outstanding concerns with regards to the planning proposal.</p>
26 August 2014	<p>Council report to update Council on the progress of the pre gateway review and for Council to consider additional information submitted by the proponent.</p> <p>At this meeting, Council resolved to (i) endorse the content of the report as the submission to be forwarded to the Joint Regional Planning Panel for consideration; and (ii) reaffirm its decision of the meeting of July 8<sup>th</sup> 2014 not to support the planning proposal.</p>
24 September 2014	<p>JRPP forwarded to Council a revised stormwater drainage concept plan from the applicant as well as a letter from the applicant that summarises the applicant’s response to the JRPP requirements outlined in the JRPP Record of Meeting from 3rd April, 2014.</p>

John M. Daly  
and Associates Pty Ltd  
ABN 88 051 977 989



Our Ref: 06031  
Date: 23 September 2014

The Manager  
Michael Brown Planning Strategies Pty Ltd  
PO Box 295  
Camden NSW 2570

32 Iolanthe Street  
Campbelltown NSW 2560  
P.O. Box 25  
Campbelltown NSW 2560  
Ph: (02) 4625 5055  
Fax: (02) 4628 2013  
Email: admin@jmd.com.au

Attn: Mr Michael Brown

Dear Michael,

RE: Pre Gateway Review - Macquarie Grove Road, Kirkham  
Drainage Assessment

The following letter outlines drainage and 88B requirements for the proposed development. The purpose of this letter is to summarize and consolidate the various letters previously provided by JMD to describe the technically preferred alternative for the proposed development.

**Background**

During the course of this project a number of road layout and drainage alternatives have been assessed. From our most recent meeting, JMD understands that the technically preferred alternative for the proposed development involves the development of fifteen (15) rural residential lots, a Drainage Reserve and a single road extending in a northward direction from "The Meadows" ending in a cul-de-sac. Lot numbering in this alternative begins with Lot 1 in the south eastern area of the site and continues anti-clockwise to Lot 15. The drainage reserve has not been provided with a lot number.

Appended to this letter is a lot & road layout plan and a catchment plan.

**Drainage Concept**

The "Catchment Plan" illustrates the five drainage areas and corresponding outlets. A summary of these catchment areas is detailed below:

Catchment Area 1:

This catchment area drains lots 5, 6 and 7 through an existing 525mm diameter Reinforced Concrete Pipe located in Lot 214 in DP 1011626. The existing pipe then connects to the existing road drainage located in "The Outlook".

Stormwater from lots 5 and 7 should be conveyed by common drainage line pipes into lot 6 where the pipes will then be connected to the existing 525mm diameter pipe by a pit. The existing 525mm diameter pipe has been designed to convey the major storm event flows.

Catchment Area 2:

This catchment area solely drains lot 4 through an existing 525mm diameter Reinforced Concrete Pipe located in Lot 209 in DP 1011626. The existing pipe then connects to the existing road drainage located in "The Grange".

A pit should be constructed at the end of the existing 525mm pipe, however, it is expected that no additional common drainage lines will be required. The existing 525mm diameter pipe has been designed to convey the major storm event flows.

Catchment Area 3:

This catchment area drains lots 2 and 3 through an existing 525mm diameter Reinforced Concrete Pipe located in Lot 207 in DP 1011626. The existing pipe then connects to the existing road drainage located in "The Grange".

Stormwater from lot 3 should be conveyed by common drainage line pipes into lot 2 where the pipes will then be connected to the existing 525mm diameter pipe by a pit. The existing 525mm diameter pipe has been designed to convey the major storm event flows.

Catchment Area 4:

This catchment area drains lots 1, 8, 9, 10, 11, 12 and 13 as well as the road into the proposed drainage reserve. The drainage reserve will provide OSD control and water quality improvements before allowing the flows to outlet into the existing road drainage located in "The Meadows".

Catchment Area 5:

This catchment area consists of lots 14 and 15 which drain directly into the existing road drainage located in "The Meadows".

**Pre and Post Development Flows**

Development generally involves an increase in the number of impervious surfaces such as concrete driveways, buildings etc. These impervious surfaces reduce the amount of surface infiltration which result in an increase in stormwater runoff.

An increase in flows can potentially damage the existing downstream environments (i.e. the built and natural environments). As such, a requirement of new developments is that peak developed flows leaving the site will be no greater than those under current conditions. To reduce post development flows to pre development levels On Site Detention (OSD) should be implemented. OSD can be achieved in a variety of ways including above ground basins and underground storage. It is noted that pits and pipes can also be designed to provide underground OSD.

It is noted that the original drainage investigation completed by Storm Consulting for Camden Council confirmed that the existing pipes immediately downstream of the development site had capacity to convey the peak discharges from the existing, rural catchments. The calculations supporting that report (obtained directly from Storm Consulting) have been reviewed and the Storm findings are that the peak flows off the rural catchments are equivalent to the capacity of the downstream pipes.

Consequently, the flows directed into each of the existing 525mm pipes and the existing road drainage in "The Meadows" need to be reduced to predevelopment levels.

**OSD**

In the proposed development there are five catchments and corresponding outlet areas. A review of the existing topography has revealed that the post development catchment areas draining to each 525mm pipe (i.e. catchment areas 1, 2 and 3) will be less than the pre development catchment areas draining to these pipes. This is due to the creation of the new road. The road will cut off flows from the east and convey them south to the drainage reserve.



As such, it is predicted that no OSD will be required at each one of these outlets (catchment areas 1, 2 and 3). If OSD is required it is expected to be minimal and in these cases the pits and/or common drainage lines may be able to be sized accordingly to provide adequate storage.

Catchment area 4 (which includes the road) will be directed into the drainage reserve. From the drainage reserve the water will be conveyed into the existing road drainage in "The Meadows". The drainage reserve should be designed to provide OSD and water quality improvements. To achieve this a basin/raingarden is proposed.

As catchment area 5 will be conveyed directly into the existing road drainage located in "The Meadows" it is proposed that the basin/raingarden in the drainage reserve provide additional storage to cater for catchment area 5.

#### **Burdened Lots and 88B**

An easement to drain water would need to be created over any pipe and/or flow path from an adjacent lot to the drainage outlet. This creates the legal right for the stormwater runoff from the adjacent lot to be discharged onto the lot burdened.

The attached plan prepared by JMD Ref: 06031E2 dated 23-09-2014 identifies indicative easement locations. In this development scenario, Lot 6 would be burdened by water draining from lots 5 and 7 while lot 2 will be burdened by water draining from lot 3. Each will also be burdened by associated easements and positive covenants.

Lots 207, 209 and 214 are already burdened by easements to drain water. The existing 525mm diameter pipes are currently located in these easements. A number of previous letters by JMD have dealt with concerns that Council have on overland flow path requirements. These have not been incorporated into this letter but it is noted that the existing 525mm pipes were designed for the major storm event and that the new catchment areas draining to them are significantly smaller. Figure 1 below illustrates the location of the pipes through lots 207 and 209.

**Figure 1: Existing Pipe locations in Lots 207 and 209**



It is proposed that the basin would be owned and maintained by council. Access for maintenance can be created from either road.

Council may impose a condition of consent requiring the production of an Operation and Maintenance Manual by the developer prior to the Issue of the Subdivision Certificate. This manual describes the basin components and operation and documents how the basin is to be managed and maintained and provides a checklist of items to be checked/monitored and a suggested maintenance programme. This document is produced by the developer and provided to Council for record keeping.

#### Summary

In summary, the subject development site is divided into five sub-catchments by the natural topography of the land and creation of the new road. The flows off each sub-catchment are collected by a piped drainage system installed through the adjoining developed land. The development of the site without management, will result in an increase in the peak flows off the site.

This increase can be managed in the proposed drainage reserve by reducing the size of the catchment draining to the east and diverting it south to the drainage reserve. The flows from catchment area 4 (approx. half of the site) can be managed by the provision of on-site detention such that the post development flows for the combined system are reduced to pre development levels.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Shane Gray', written over a light blue horizontal line.

Shane Gray  
Civil Engineer  
BE (Civil)







ISSUE B - 24/09/2014 DGE EASEMENTS ADDED LOT 6  
ISSUE A - 23/09/2014

**JMD** Development Consultants

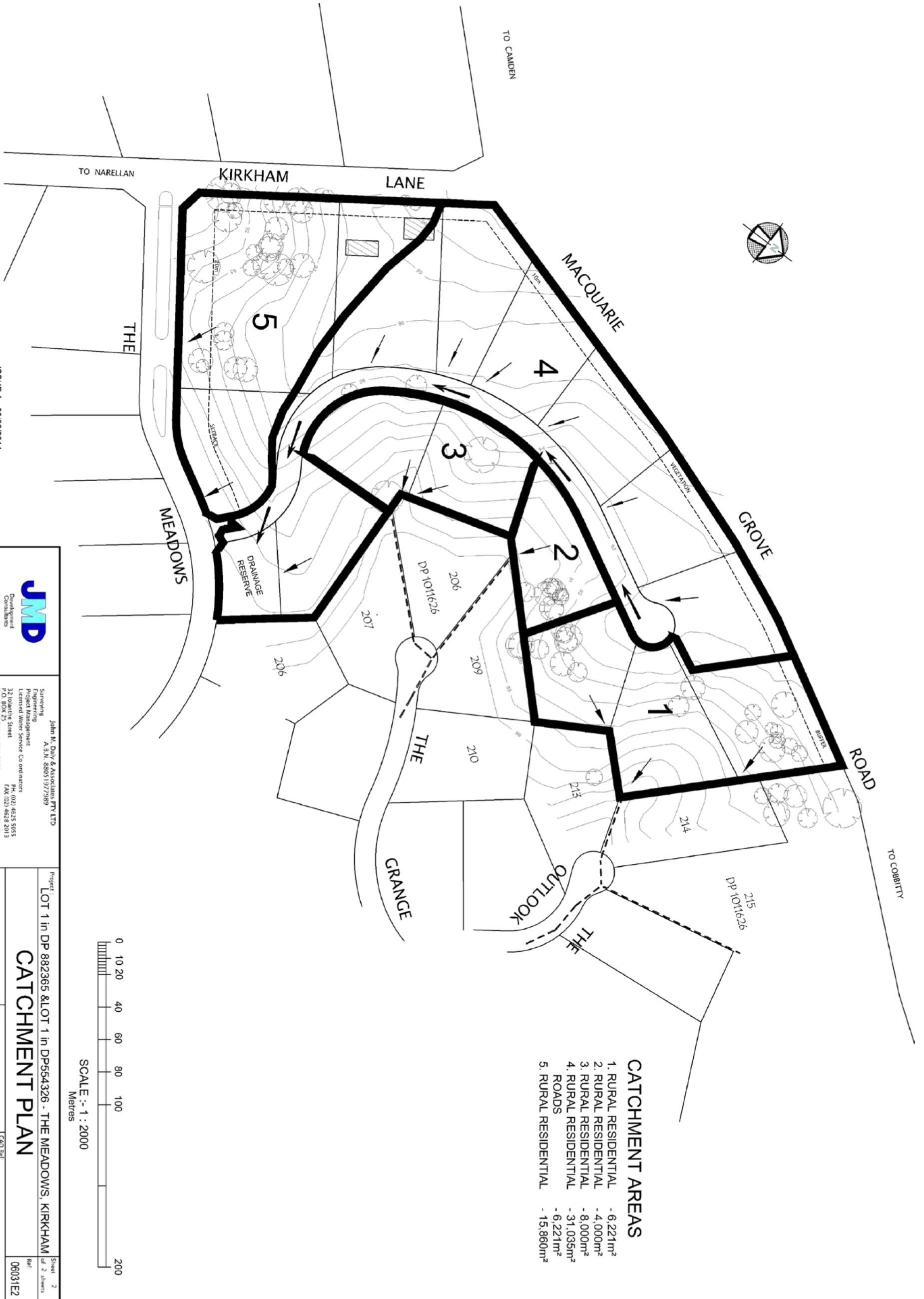
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Project: LOT 1 in DP 882365 & LOT 1 in DP554326 - THE MEADOWS, KIRKHAM  
 Sheet 1 of 2 sheets  
 Ref: 06031E2

The ratio shown on this plan relates to the original plan, produced by JMD only. Any photocopying or printing from digital files provided (particularly PDF files) may significantly alter the ratio of the plan.

ORD02

Attachment 2



**JMD**  
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23 September 2014

Your Ref: PGR\_2013\_CAMDE\_001\_00

Our Ref: 26/06

Ms Rachel Cumming  
Director  
Metropolitan Delivery (Parramatta)  
Department of Planning and Environment  
Level 5, 10 Valentine Avenue  
Parramatta NSW 2125

Attention Ms Charlesworth

Dear Ms Cumming,

**RE: Request for Pre-gateway Review – Overview – Lot 1 in DP 882365 & Lot 1 in DP 554326 Macquarie Grove Road, Kirkham**

Reference is made to the Sydney West Joint Regional Planning Panel (JRPP) Record of Decision dated 9 May 2014 regarding the above property and a request to submit additional information as part of the request for Gateway Review. This letter summarises the information provided to the Department and the options considered, presents a preferred option and outlines the advantages of the preferred access/drainage option.

The letter discusses each of the issues raised by the JRPP (as per the minutes of meeting held on 3 April 2014) under separate headings as follows:

- Road access/traffic safety/traffic impact;
- Consolidated detention facilities/post development flows restricted to current levels or less;
- Landscaping/rural character/ongoing maintenance;
- Ongoing maintenance of the OSD facilities

Traffic Issues

A traffic safety audit was undertaken by Transport and Urban Planning (RMS approved Level 3 Auditor) to assess three potential road access options (refer to **Figure 1**) and compliance with AUSTRROAD Standards (refer to **Annexure A**). The Road Safety Audit was undertaken in accordance with the RMS Road Safety Audit Guidelines 2005 for the purposes of identifying any features, which could potentially impair road safety.

1

Macquarie Grove Road, Kirkham – Gateway Review – Overview

ORD02

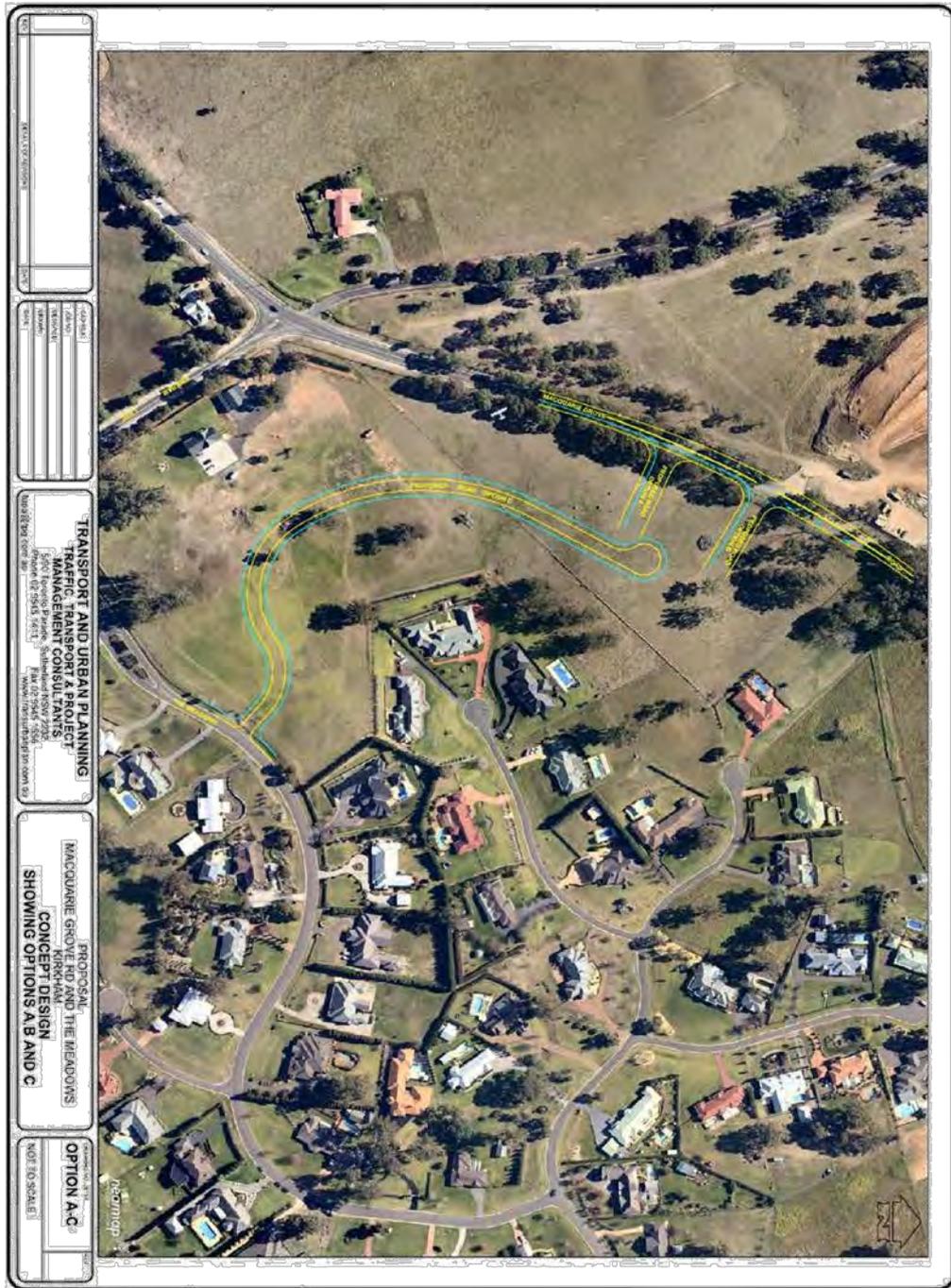
Attachment 2

ORD02

Attachment 2

The Audit has identified a series of works that need to be undertaken at the intersection of any new access road to ensure safe ingress and egress.

Figure 1 - Three Road Access Options



The first option proposed road access from Macquarie Grove Road approximately mid-block of the subject site.

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This option was dismissed as it involved the removal of a number of trees. The second option was to move the intersection to the east by approximately 60m. This option still involved the removal of trees, but far less and improved sight lines, as detailed in the Traffic Safety Audit at **Annexure D**. The third option proposes vehicular access from The Meadows.

The preferred access option is from The Meadows. In support of this option, the traffic assessment states:

*“... a further option, the revised subdivision layout plan and access location to “The Meadows” (see layout tagged “C” overleaf) has been prepared to negate any direct traffic impact onto Macquarie Grove Road. The Meadows (Road) is a low speed, low volume (less than 100vph) local access street running eastwards from Kirkham Lane. Level of Service A traffic conditions apply at AM and PM peak times.*

*To provide a safe access junction to “The Meadows” in accord with Council’s subdivision code, the future 10 metre wide kerb and guttered access road and junction would need to provide exit sight lines of 55 metres left and right to comply with the safe stopping sight distance requirements (SSSD), for low volume local roads for a 60km/h speed zone which applies in the Meadows Road. Site measurements made in “The Meadows” to the left and right of the proposed access point show the existing exit sight line (left and right) to be in excess of 80 metres.*

*Accordingly it is our further view that a safe access intersection can also be provided at this location if required.”*

Further, the traffic assessment concludes as follows:

*“This review of the three possible access locations, two to/from Macquarie Grove Road and one to/from the Meadows Road, concludes that existing peak hour traffic service levels on Macquarie Grove Road and “The Meadows” (Road) are good, Level of Service A-B (LOS A/B) and that the proposed 15 allotment future rural residential subdivision is likely to be low traffic generating land use and having no unacceptable traffic impacts on Macquarie Grove Road with access options A and B and no unacceptable traffic impacts on The Meadows (road) with access Option C.*

*Consequently any of the three access options described above are likely to afford safe intersection traffic conditions if designed and constructed to best Austroad Design Standards.*

*Once a decision is made as to the preferred access (should the rezoning proceed) then it is **recommended** that a future detailed design (Stage 3) Road Safety Audit should be undertaken (by suitably qualified and independent auditors) for the proposed access intersection once civil design layout and drainage plans have been prepared as part of the plan approval process.”*

It is considered that the preferred option for vehicular access to the subdivision, should the land be rezoned, be from The Meadows, as this also improves the drainage aspects of the proposal discussed below.

---

## Drainage and Maintenance Issues

### **Drainage Concept**

The "Catchment Plan" illustrates the five drainage areas and corresponding outlets. A summary of these catchment areas is detailed below:

#### Catchment Area 1:

This catchment area drains lots 5, 6 and 7 through an existing 525mm diameter Reinforced Concrete Pipe located in Lot 214 in DP 1011626. The existing pipe then connects to the existing road drainage located in "The Outlook".

Water from lots 5 and 7 should be conveyed by common drainage line pipes into lot 6 where the pipes will then be connected to the existing 525mm diameter pipe by a pit. The existing 525mm diameter pipe has been designed to convey the major storm event flows.

#### Catchment Area 2:

This catchment area solely drains lot 4 through an existing 525mm diameter Reinforced Concrete Pipe located in Lot 209 in DP 1011626. The existing pipe then connects to the existing road drainage located in "The Grange".

A pit should be constructed at the end of the existing 525mm pipe, however, it is expected that no additional common drainage lines will be required. The existing 525mm diameter pipe has been designed to convey the major storm event flows.

#### Catchment Area 3:

This catchment area drains lots 2 and 3 through an existing 525mm diameter Reinforced Concrete Pipe located in Lot 207 in DP 1011626. The existing pipe then connects to the existing road drainage located in "The Grange".

Water from lot 3 should be conveyed by common drainage line pipes into lot 2 where the pipes will then be connected to the existing 525mm diameter pipe by a pit. The existing 525mm diameter pipe has been designed to convey the major storm event flows.

#### Catchment Area 4:

This catchment area drains lots 1, 8, 9, 10, 11, 12 and 13 as well as the road into the proposed drainage reserve. The drainage reserve will provide OSD control and water quality improvements before allowing the flows to outlet into the existing road drainage located in "The Meadows".

#### Catchment Area 5:

This catchment area consists of lots 14 and 15 which drain directly into the existing road drainage located in "The Meadows".

---

### **Pre and Post Development Flows**

Development generally involves an increase in the number of impervious surfaces such as concrete driveways, buildings etc. These impervious surfaces reduce the amount of surface infiltration which result in an increase in stormwater runoff.

As an increase in flows can potentially cause damaging downstream effects a requirement of new developments is that peak developed flows leaving the site will be no greater than those under current conditions. To reduce post development flows to pre development levels On Site Detention (OSD) should be implemented. OSD can be achieved in a variety of ways including above ground basins, underground storage in addition pits and pipes can also be used.

It is noted that the original drainage investigation completed by Storm Consulting for Camden Council confirmed that the existing pipes immediately downstream of the development site had capacity to convey the peak discharges from the existing rural catchments. The calculations supporting that report (obtained directly from Storm Consulting) have been reviewed and the Storm findings are that the peak flows off the rural catchments are equivalent to the capacity of the downstream pipes.

### **OSD**

In the proposed development there are five catchments and corresponding outlet areas. A review of the existing topography has revealed that the post development catchment areas draining to each 525mm pipe (i.e. catchment areas 1, 2 and 3) will be less than the pre development catchment areas draining to these pipes. This is due to the creation of the new road. The road will cut off flows from the east and convey them south to the drainage reserve.

As such, it is predicted that only minimal OSD will be required at each one of these outlets (catchment areas 1, 2 and 3). In these cases the pits and/or common drainage lines may be able to be sized accordingly to provide adequate storage.

Catchment area 4 (which includes the road) will be directed into the drainage reserve. From the drainage reserve the water will be conveyed into the existing road drainage in "The Meadows". The drainage reserve should be designed to provide OSD and water quality improvements. To achieve this a basin/raingarden is proposed.

As catchment area 5 will be conveyed directly into the existing road drainage located in "The Meadows" it is proposed that the basin/raingarden in the drainage reserve provide additional storage to cater for catchment area 5.

### **Burdened Lots**

An easement to drain water would need to be created over any pipe and/or flow path from an adjacent lot to the drainage outlet. This creates the legal right for the stormwater runoff from the adjacent lot to be discharged onto the lot burdened.

---

The attached plan at **Annexure C** identifies indicative easement locations. In this development scenario, Lot 6 would be burdened by water draining from lots 5 and 7 and lot 2 will be burdened by water draining from lot 3 and associated easements and positive covenants.

It is proposed that the basin would be owned and maintained by council. Access for maintenance can be created from either road.

Council may impose a condition of consent requiring the production of an Operation and Maintenance Manual by the developer prior to the Issue of the Subdivision Certificate. This manual describes the basin components and operation and documents how the basin is to be managed and maintained and provides a checklist of items to be checked/monitored and a suggested maintenance programme. This document is produced by the developer and provided to Council for record keeping.

### Summary

In summary, the subject development site is divided into five sub-catchments by the natural topography of the land and creation of the new road. The flows off each sub-catchment are collected by a piped drainage system installed through the adjoining developed land. The development of the site without management, will result in an increase in the peak flows off the site.

This increase can be managed in the proposed drainage reserve by reducing the size of the catchment draining to the east and diverting it south to the drainage reserve. The flows from catchment area 4 (approx. half of the site) can be managed by the provision of on-site detention such that the post development flows for the combined system are reduced to pre development levels.

### Landscaping Issues

Landscaping for the preferred access option via The Meadows (road) has been addressed in **Annexure C**. The landscaping plan shows how landscaping will be proposed within the new road and around the boundaries of the subject site. It is proposed to retain all the trees within the road reserve along the Macquarie Road frontage and those within the land along the same frontage, so as to create a landscaped backdrop when viewed from Camden Valley Way and other areas. The plans at **Annexure H** prepared by Distinctive Living Design depict how this will occur. It would also be noted that landscaping of the boundaries has already begun by one of the owners of the subject site and is already well advanced in terms of screening and height.

The landscape plan proposes a landscape buffer of 10m along the Macquarie Grove Road and Kirkham Lane frontages. It would be noted that both these roads are essentially denied access, with all proposed lots having access from the internal road. This is not a Council requirement, as other properties along both roads have direct vehicle access points, but more so to retain the character of these roads and to reduce any potential traffic safety issue. Landscaping along The Meadows frontage lots will be subject to individual owners of those lots. The proposed lots adjoining existing properties within The Grange and The Outlook will also have screen planting along boundaries to reduce any privacy concerns.

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In respect of maintenance of the landscape buffer, it is proposed that a Section 88B Instrument be imposed on the owners of these lots, and indeed those lots that have a boundary to those properties within The Grange and The Outlook to maintain the landscape buffer. This is similar to that imposed on properties within The Lanes development to the north.

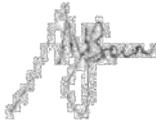
The preferred option from The Meadows, will however, involve the removal of two trees within the proposed road. The removal of these trees will be compensated by planting along the side boundaries within the proposed buffer zone.

#### **Conclusion**

Having regard to the above, it is considered that the land is suitable to be rezoned R5 - Large Lot Residential in accordance with Camden Local Environmental Plan 2010, particularly as road safety, road access, preserving the rural character and drainage have been fully addressed. An amended Planning Proposal is attached to incorporate the additional information requested by the JRPP.

Should you require clarification of any aspect of this correspondence please do not hesitate to contact the undersigned.

Sincerely yours,



M J BROWN  
DIRECTOR  
MICHAEL BROWN PLANNING STRATEGIES PTY LTD

ORD02

Attachment 3



**The Hon. Pru Goward MP**  
 Minister for Planning  
 Minister for Women

RECEIVED  
 27 OCT 2014  
 BY: \_\_\_\_\_

14/13412

Mr Chris Patterson MP  
 Member for Camden  
 PO Box 669  
 CAMDEN NSW 2570

Dear Mr Patterson

*Dear Chris,*

I refer to your representations on behalf of Mr Ron Moore, General Manager of Camden Council, regarding the pre-Gateway review for land at Macquarie Grove Road, Kirkham.

I have noted the concerns raised by Camden Council regarding the pre-Gateway review underway for Macquarie Grove Road, Kirkham and Council's views regarding the pre-Gateway review process in general. Council has considered this proposal several times and has indicated that it does not favour the rezoning of this site for large lot residential development. This decision was reaffirmed by the Council in August 2013 and July 2014.

I am advised that the Joint Regional Planning Panel appointed to consider this matter is awaiting additional information to be provided by the proponent. After receiving those details it will finalise its advice. The Department will then carefully consider all relevant information, including the report of the independent panel and Council's views, before making a recommendation on whether this proposal should proceed to Gateway.

I am also advised that the Department is currently finalising its internal review of the pre-Gateway review process. I will consider the outcomes of the Department's review once it is completed and determine if any changes need to be made.

In the meantime, the current level of transparency, accessibility to information and community participation in the process will continue. In particular, pre-Gateway review decisions will continue to be independently assessed by the relevant joint regional planning panel or the Planning Assessment Commission after consideration of the merits of the proposal, including advice provided by the relevant council.

Should Mr Moore have any further enquiries, I invite him to contact Mr Simon Manoski, General Manager, Metropolitan Delivery, at the Department on (02) 9228 6565.

Yours sincerely

**Pru Goward MP**  
 Minister for Planning  
 Minister for Women

23 OCT 2014

Level 15, 52 Martin Place, Sydney NSW 2000

Phone: (61 2) 8574 5900 Fax: (61 2) 9339 5520 Email: [office@goward.minister.nsw.gov.au](mailto:office@goward.minister.nsw.gov.au)

GPO Box 5341, Sydney NSW 2001



## Draft Amendments to Camden Development Control Plan 2011 - Emerald Hills

This document outlines the draft amendments to Camden Development Control Plan 2011 (the DCP) in relation to the controls which apply to Emerald Hills.

The draft amendments contained within this document will be inserted into the relevant sections or chapters of the DCP.

Throughout this document are headings which are ***ITALICISED AND HIGHLIGHTED IN GREY***. These headings explain which section of the DCP is to be amended by inserting the text, tables and figures below.

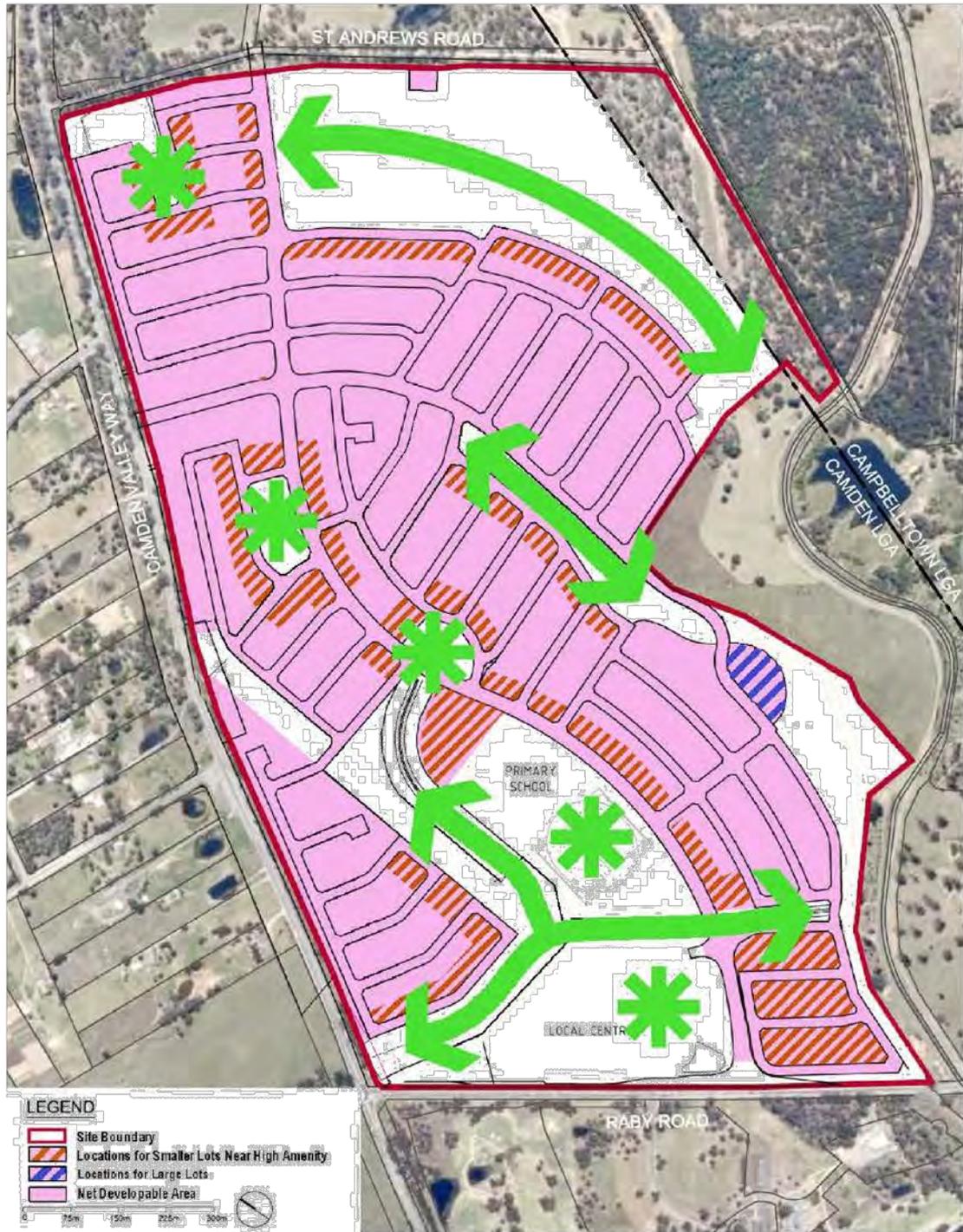
Please refer to Council's website at [www.camden.nsw.gov.au](http://www.camden.nsw.gov.au) or the Customer Service Counters at the Camden and Narellan offices to view a complete version of the current DCP.

ORD03

Attachment 1

**Amend Part C of Camden DCP 2011 as follows:**

**In C13.2 Subdivision Design replace Figure C83 with the amended Figure C83 below:**



**Figure C83 Locations of Smaller Lot Housing Near Areas of High Amenity**

In C13.3 Street, Pedestrian and Cycle Network replace Figure C85 with the amended Figure C85 below:



Figure C85 Emerald Hills Pedestrian and Cycle Paths

ORD03

Attachment 1

In C13.10 Bushfire Risk Management replace Figure C95 with the amended Figure C95 below:

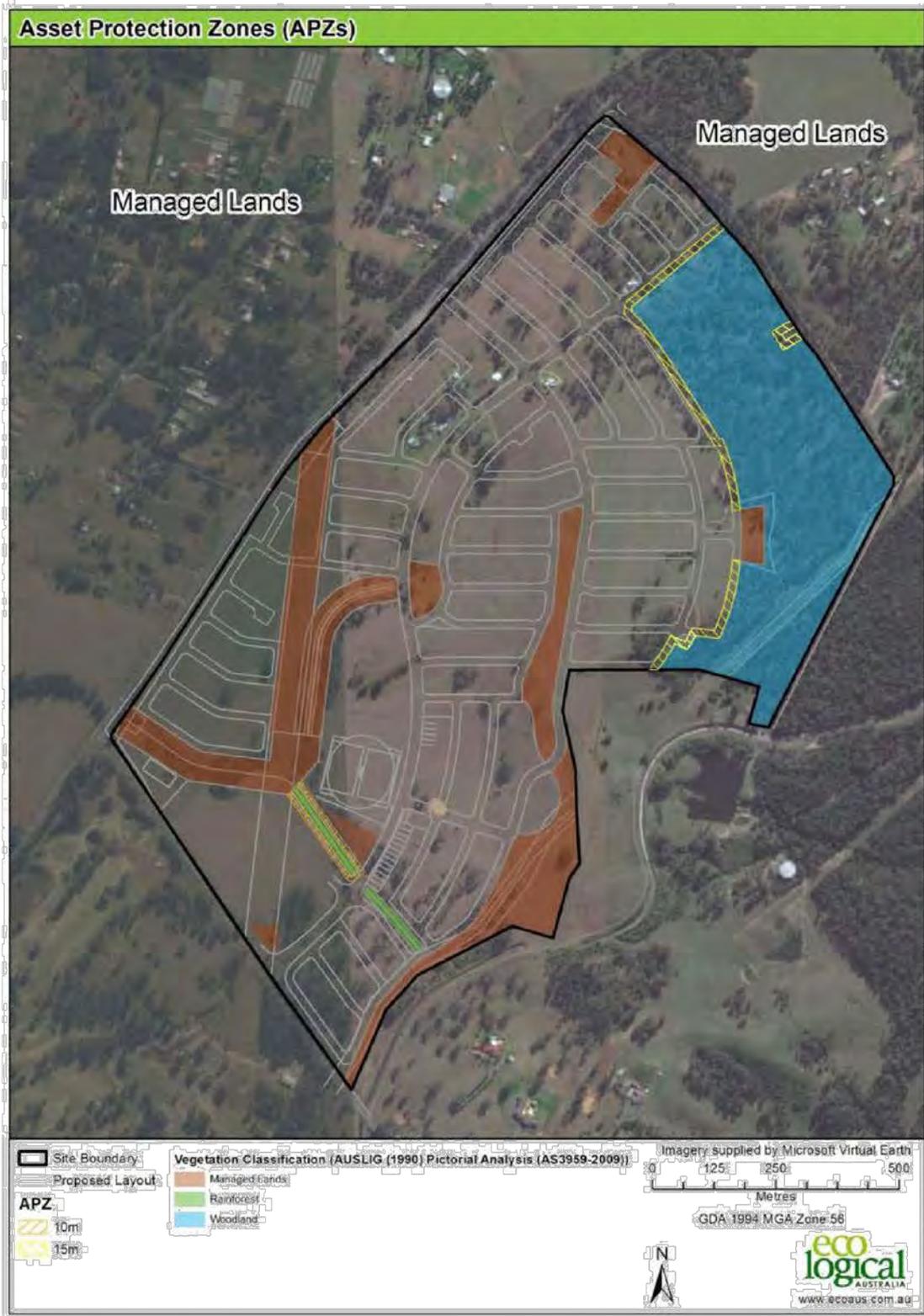


Figure C95 Indicative Bushfire Asset Protection Zones

**In C13.12 Scenic Character Protection Area replace 'Controls' with the amended 'Controls' below:**

### **Controls**

1. This clause applies to lots and dwellings generally in the area indicated in Figure C96.
2. Dwelling materials and colours shall adopt darker, recessive toned colours such as dark browns, dark greens, dark greys and charcoal, and utilise non-reflective surfaces for both wall and roof cladding.
3. Utility and ancillary structures shall adopt darker, recessive toned colours such as such as dark browns, dark greens, dark greys and charcoal, along with non-reflective surfaces.
4. Bulk earthworks shall be undertaken along the northern ridgeline and surroundings as per the 'Minimum Earthworks Cut Level' as shown in Figure C96. The finished ground levels shall be in accordance with the spot RLs shown on Figure C96. Certification of the finished ground levels in accordance with this control will be required to be submitted to Council prior to the issuing of subdivision certificates in relation to this land.
5. Road verge/street tree planting shall adopt hardy dark-leaved evergreen trees with good canopy cover.
6. The ridgeline reserve shall be planted out with tall locally indigenous woodland species (to blend with woodland canopies in the Scenic Hills) using a minimum pot size of 100 litres, planted across the entire width of the reserve.
7. The southern verge of the perimeter road between the scenic character protection area and the Sydney Catchment Authority land (delineated by a purple line in Figure C96) shall be planted with tall locally indigenous woodland species using a minimum pot size of 100 litres
8. Street lights shall have hoods or other appropriate design treatment to minimise light spill in order to reduce ambient light haze as much as possible.

ORD03

Attachment 1

In C13.12 Scenic Character Protection Area replace Figure C96 with the amended Figure C96 below:



Figure C96 Scenic Character Protection Area

**Amend Part D of Camden DCP 2011 as follows:**

**In D2.3.10 Emerald Hills Table D17A insert a ridgeline reserve setback for large lots as follows:**

Ridgeline reserve setback for large lots (min)	10m
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ORD04

Attachment 1



# VOLUNTARY PLANNING AGREEMENT “OFFER”



*Made under s93F of the Environmental Planning & Assessment Act 1979*

*Revision G*

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## 1. Proponents

The Proponents are Narellan Town Centre Pty Ltd (ABN 41 747 031 182) and Narellan Town Centre Unit Trust (ABN 45 772 155 661) of 326 Camden Valley Way Narellan NSW 2567.

## 2. Background

- The Proponent is the owner of the Lands known as 326 and 339 Camden Valley Way which fall within the defined area to which Camden Contribution Plans No.3 (CP3) & No.17 (CP17) apply.
- The Proponent has commenced to carry out development in accordance with Existing Development Consents and intends to apply for one or more Further Development Consents in relation to the development.
- The Proponent submits that the works-in-kind proposed under this Voluntary Planning Agreement Offer (VPA) achieve the intended objectives of the subject Contributions Plans and are a suitable replacement for the capital contribution obligations imposed by the Section 94 conditions in the Existing Development Consents, and for Section 94 conditions that might otherwise be imposed under the Further Development Applications contemplated for the development in relation to CP3 & CP17
- On the basis that works are completed in accordance with this VPA the Proponent is seeking approval to modify the Existing Development Consents in relation to the Development so as to delete the existing Section 94 contributions (under CP3 & CP17), and waive the contributions that might otherwise be payable (under CP3 & CP17) on the Further Development Applications over the Land.

## 3. Subject Lands

The subject Land to which the proposed Development and VPA relates is highlighted in Annexure A

The Land is made up of 20 different titles. The legal description and ownership of the lands is as listed below and the intention is to amalgamate the lands as part of the Development.

<u>Narellan Town Centre Pty Ltd</u>	<u>Narellan Town Centre No.2 Unit Trust</u>	<u>Camden Council</u>
Lot 20 DP880763	Lots 2, 3, 4 & 5 DP1090266	Proposed Lot 400
Lot 21 DP 880763	Lot 70 & 71 DP806800	Stratum over Camden
Lot 50 DP1154590	Lot 2 DP 779732	Valley Way
Lot 10 DP863384	Lot 1 DP 735948	
	Pt 4 DP 217026	
	Lot 1 DP 795656	
	Lot 61 DP1036014	
	Lot 8 DP744960	
	Lot 1 DP782191	
	Lot 2 DP847690	
	Lot 41 DP1105578	
	Lot 50 DP1119720	

## 4. Proposed Development Works

In June 2013 the subject lands were rezoned to B2 – Local Centre under Camden Local Environmental Plan 2011.

The new zoning permits a wide range of commercial and retail uses with an allowable floor space ratio of 1:1 and maximum height limit of 25 metres.

The purpose for the rezoning was to support a masterplan development concept including the following key components.

### Existing Development Consents

- Proposed road network improvements to the Old Northern Road and Camden Valley Way **(Development Consent DA 1185 /2008.2)**
- New 1,418 sqm Dan Murphy Liquor Store, Cnr The Northern Road and the Old Northern Road (Lot 50 DP1119720) **(Development Consent DA 607/2013)**
- Woolworths expansion (444sqm) & associated loading dock alterations (Lot 20 DP880763). **(Development Consent DA 691/2014)**

### Further Development Applications

- New Woolworths Petrol Station, Cnr Camden Valley Way and Queen St (Lot 10 DP863384). **(Development Application 889/2014)**
- Expansion of the existing shopping centre over Camden Valley Way to integrate the two landholdings and establish a Centre of approximately 68,000 sqm with flexibility for future growth up to 95,000 sqm as the market demands. **(Development Application 167/2014)**
- Potential commercial tower on the corner of The Northern Road and Camden Valley Way

As part of the masterplanning process, a number of workshops were held with Council, their independent planners, and our own architects, traffic planners and landscape designers.

To define parameters for the expansion of the Narellan Town Centre Precinct, considerable thought was applied to the interface of private and public lands and the beneficial improvements for traffic facilities, roadworks, streetscape and public domain.

A copy of the resultant masterplan concepts for both landscaping and roadworks are included in Appendix B

## 5. Camden Council Contribution Plan

### 5.1. Original Objectives

The purpose of CP17 is to provide a funding strategy to enable Council to levy contributions on new development within the Narellan Town Centre in order to:

- Acquire land,
- Undertake studies,
- Undertake footpath works and landscaping,
- Provide street furniture,
- Provide aerial bundle or underground cabling,
- Construct and upgrade roads,
- Construct traffic management facilities, and
- Provide traffic lights; and register rights of carriageway.

The costed works schedule included in the original CP17 adopted in 2003 proposed a value of approximately \$4.6m to complete the contemplated works.

CP3 Upper Narellan Creek Catchment (Trunk Drainage & Water Quality Facilities) came into force in March 1998 with the purpose of providing a funding strategy that enables Council to levy contributions on new residential, commercial and industrial subdivision or development in order to:

- Acquire land for trunk drainage and water quality facilities,
- Construct trunk drainage and water quality facilities, and
- Provide supporting professional services.

### 5.2. Current Position

CP17 was adopted in 2003 and has not been reviewed or updated in the past 10 years.

Council has advised that only a proportion of works within the documented schedule have been completed and Council currently holds a net balance of uncommitted funds under the plan (ie Council is not owed any money for completed works under CP17)

It is widely accepted however, that since 2003 the commercial growth prospects within the Camden LGA and Narellan Town Centre have dramatically increased, lands have been rezoned, and the anticipated development floor space within the defined area of CP17 has significantly increased. As a result the demands for traffic facilities, roadworks, streetscape and public domain have also changed and should be reviewed in the context of current specific development proposals within the Plan area.

For the purposes of this offer, it is intended that Section 94 Contributions required under Contributions Plan No. 3 and Contributions Plan No. 17 are excluded from the land to which this VPA offer applies. This VPA offer excludes the application of s94A to the Development. This VPA offer does not exclude the application of s94EF to the Development.

## 6. VPA Scope

The Proponents are the largest single landowners within the Narellan commercial precinct and have a strong interest and commitment to achieving an identifiable, functional, and high quality public domain for Narellan.

In considering the specific development potential for their lands and the potential expansion of business opportunities within Narellan commercial precinct, a range of proposed public domain works have been derived within the bounds of Camden Valley Way and the Old Northern Road. It is considered that these works provide significant operational improvement and general amenity for the community and establish a platform for coordinated development within the precinct. The specific VPA works proposed include:

- Design & construction of two main plaza areas to provide an urbanised, vibrant, interactive public space which incorporates opportunities for informal seating and gathering places, with linkages to surrounding development at multiple levels;
- Design & construction of feature paving & soft landscaping within road reserve for the Old Northern Road and Camden Valley Way;
- Design & construction of shared pedestrian & bicycle pathways to Old Northern Rd & Camden Valley Way as well as new bus shelters to both sides of Camden Valley Way
- Design & construction of targeted roadworks to improve precinct network capacity and condition of the Old Northern Road & Camden Valley Way, over and above specific upgrades necessitated by proposed Shopping Centre expansion; and
- Design & construction of new sealed trunk drainage system to manage existing stormwater flow from Somerset Ave catchment and replace the existing open cut channel
- Design & construction of new sealed trunk drainage to address a long standing flooding issue resulting from a sag in Queen St

It is acknowledged that a key element of the above works (namely the open space plazas), is to be undertaken on private lands but consistent with the masterplanning intent and DCP controls developed for the lands, it is anticipated that any consent conditions enabling the above development will necessitate that continual public access is maintained to the subject plaza areas at all reasonable times. In this respect the Proponent is agreeable to create a public positive covenant over the subject plaza areas under S88E of the Conveyancing Act. Therefore it is considered reasonable that the private expenditure incurred in developing and maintaining these areas represents considerable public benefit in the context of this VPA.

## 7. Merits of Proposed Works

The physical location of the subject site is within the Narellan Town Centre Precinct.

Importantly, the 'Narellan Town Centre Precinct' is a council definition of the town centre area and includes the main shopping centre, as well as civic buildings, a public park and a variety of other commercial properties.

The shopping centre takes its name from this Council reference.

The opportunity of this VPA is about **place making and civic connection** - to create a defined and integrated urban town centre with a clear civic and cultural identity for the united benefit of the entire Narellan Town Centre Precinct.

#### **Urban Plazas**

The focus of the proposed development of Narellan Town Centre exists around two major new civic spaces, one on the north side and the other on the south side of Camden Valley Way. Both spaces create a new community heart and recognizable street face to Narellan Town Centre with linkages at multiple levels.

The design aim is to maintain a sense of open space along Camden Valley Way, providing a space for civic gathering and public community events and importantly to provide a space in which to the community can engage with one another.

The design is about creating communal urban scaled open space that the community will read as 'public' space, to the benefit of the entire precinct area.

The plazas are designed to be a meeting point and to enable critical open space areas for social gathering. They will also enable community events such as Christmas In Narellan to be held and staged. They will be owned and maintained by the Proponents but be made publicly accessible 24 hours 7 days a week through a public covenant.

The public art strategy is also intended to be for the public benefit, with the opportunity to engage and inform the public of the story and history of Narellan through heritage references, and the potential for an engaging community public art piece to reference the works of the local Rotary Organisation.

The public plazas are to be fringed by new restaurant and commercial precincts with external dining, play sculptures and interactive fountain. They are also specifically designed to provide curtilage around one of the few heritage buildings within Narellan and provide connectivity to adjoining land holdings not in ownership by the Shopping Centre.

Each plaza accommodates pedestrian through movements as well as more passive pedestrian interaction within the public spaces including designated and informal seating areas, spill out and meeting zones, focal points and interactive public art and water features. The view lines from all angles have been specifically considered to ensure this space is interpreted as a 'public' space rather than private space and the combination of functional and aesthetic lighting will create a safe vibrant environment both day and night.

#### **Streetscape Improvements**

The objective of the proposed streetscape improvements is to define, denote and create a cohesive a clearly readable Narellan Town Centre Precinct for the benefit to the broader community.

The physical location of this development is at the heart of this precinct – but how does a visitor or local resident know when they have arrived? How would you know that you are in the Narellan Town Centre Precinct?

Civic Buildings are certainly one answer. Arriving and seeing a post office, a court house, council chambers, community hall or a police station generally denote you are in the town centre.

Way finders, place making signage, arrival signage and welcome signage are common elements used by various councils to define their LGA, a town centre, a suburb or a heritage precinct.

Narellan is unique because the town centre precinct is not definitive, relatively undeveloped and only beginning to emerge in a commercial sense. Narellan currently lacks a sense of place to define "Where does it begin and where does it end?" The need exists to announce the arrival to the precinct.

The solution adopted is to define the key arrival points through the use of welcoming signage, landmark trees, mass planting and feature paving that can be repeated throughout the precinct for a high level of design continuity and reinforcement of a single message.

The full width 3.65m shared pathways and hierarchy of banded paving treatments to the primary road reserves of Camden Valley Way and the Old Northern Road highlight key focal points in the public domain whilst achieving legible integration within the precinct through use of a common palette. The scale and layered design of street trees provides an avenue of visual amenity and contrast to the building form.

In addition to the physical works proposed within this VPA offer, the masterplan documentation included in Appendix B has been extended and details of streetscape paving patterns and quantities have been prepared to continue the streetscape treatment in front of third party properties located on the southern side of Camden Valley Way. The documentation included in Appendix G is offered to Council for future reference and implementation as future development opportunities arise within the precinct.

#### **Traffic Infrastructure & Roadworks**

In addition to the proposed roadwork modifications specific to the access and egress provisions of the proposed Shopping Centre expansion, the Proponents have agreed to a package of works with Council and Roads & Maritime Services to improve capacity and condition of the Old Northern Road and Camden Valley Way and to accommodate background traffic growth within the precinct. The works include but not limited to:

- Implementing additional right turn capacity from the Northern Road to the Old Northern Road,
- Formalisation of additional through lane capacity in both directions of Old Northern Rd,
- Replacing overhead power poles and cabling, with underground power and new street lights to the Old Northern Road,
- Rectification of unformed road edges through installation of formalised kerb, gutter and drainage to both sides of the Old Northern Road,
- Modification of existing signalised intersection at Old Northern Rd / Camden Valley Way
- Upgrading existing road pavements to provide new 25 year design life, and
- Widening of Camden Valley Way to facilitate additional through lane capacity.

These roadworks represent a privately funded upgrade to public infrastructure that will improve amenity and traffic efficiency within the area for the benefit of the local businesses, and community utilising and passing through the Narellan Town Centre Precinct.

The works negotiated with RMS have not been required as part of any “satisfactory arrangements” provisions, but instead as a pre-negotiated outcome anticipating RMS’s referral under the provisions of the Infrastructure SEPP. In that sense, the works nominated in the VPA are in no sense a double counting of local and regional contributions, and are therefore valid for consideration in the VPA.

#### **Trunk Drainage Infrastructure Provision**

The trunk drainage works proposed under this VPA have a direct correlation with the stated objectives of CP3.

The Somerset Avenue works involve replacing an unsecured open cut vegetated stormwater channel with a sealed inground piped system achieving improved environmental and safety outcomes for Council and the community. The Proponent has also committed to establishing a formal right of drainage (ie easement) over the lands that does not currently exist.

These drainage works serve the upper catchment of Somerset Avenue and are not designed nor intended to accommodate additional flows from the subject site itself (either pre or post development). Therefore the proposed works represent privately funded public infrastructure and achieves the outcomes of CP3.

The Queen Street trunk drainage works involve design and construction of a new trunk stormwater drainage system to drain an existing low point within the Queen Street road reserve, to capture bypass flow from an existing culvert in Queen Street. These stormwater flows will be piped across private lands to convey those flows to an existing culvert in Camden Valley Way, greatly reducing the flooding risk to both the Council road reserve and neighbouring properties on the western side of Queen Street. These works are not generated by the proposed development of lands by the Proponent but represent a considerable improvement in the performance of the trunk drainage system for Council through private funding of public infrastructure.

Therefore the proposed VPA works achieve the broad outcomes of CP3.

## **8. Land**

The Proponents also wish to deal in land with Council in relation to the development. Some land is proposed to be dedicated to Council and some land will be made available for public use while remaining in the ownership of the Proponents.

Land which is to be dedicated to Council forms part of the widening of roads which are being upgraded under an agreement with Roads and Maritime Services. This land will transfer to Council ownership and is located in various locations around Narellan Town Centre on Camden Valley Way, The Northern Road and Old The Northern Road. This land is required to be dedicated under conditions of development consent for various DAs and is not dedicated as part of this VPA.

Two areas of land are proposed to be made publicly accessible through the placement of a positive public covenant on the titles to the publicly accessible areas in perpetuity. This land will remain in private ownership but provides a material public benefit through enhanced streetscape and public domain design. This land is known as the urban plazas.

## 9. Implementation Strategy

Works will be implemented in accordance with the discrete components of works and staging indicated in the VPA schedules attached in Appendix C, and will be completed and accepted on maintenance by RMS / Council, as appropriate, prior to release of corresponding completion certificates and occupation certificates for each component.

VPA works are defined in detail on the VPA Plans included in Appendix D.

Subject to Council approval of detailed designs and specifications it is proposed that the above VPA works be undertaken generally in accordance with the VPA schedules at the sole cost of the Proponent as an alternative to paying the calculated Section 94 contributions applicable to the development of the lands.

## 10. Security

The Proponents are committed to providing Council with appropriate security to ensure the works outlined in this offer are completed in a timely and satisfactory manner. This security can be achieved in a number of ways.

Firstly, the proponents are willing to have the Voluntary Planning Agreement registered on title until the obligations in the Agreement are fulfilled. In practice, this would be when the works are completed to Council's satisfaction.

The Proponents will immediately commence a process of seeking written support from all interested parties in relation to the registration of the Agreement on title, and the Proponents will provide the Council with the written consent of each such person to the registration of the VPA upon the execution of the VPA.

Secondly, the Proponents are prepared to provide bank guarantees in accordance with Council policy and usual VPA practice. These guarantees would be provided to address outstanding obligations for works which will be in the public domain. To be specific, guarantees would be offered for the roads and drainage components of the works and for the footpath upgrades on public land. The Proponents anticipate the maximum value of these guarantees to be approximately \$2.1m.

The guarantees would be provided prior to the release of the first Construction Certificate for any development to which any consent to Development Application 167/2014 applies.

The guarantees are offered on the basis that they would be returned upon completion of the relevant works to Council's satisfaction. This would be achieved through the issuing of replacement guarantees for any remaining works, once a particular works items was completed.

To be more specific, the total value of bank guarantees to be held by Council will decrease in the following manner:

Phase	Value of Bank Guarantees to be held by Council
Upon execution of the VPA	\$2.1m
Upon completion of roadworks and drainage works	\$1m
Upon completion of footpath works on 337 Camden Valley Way, Narellan	\$400,000
Upon completion of footpath works on 326 Camden Valley Way, Narellan	\$0

The Proponents commit to the sequencing of works and thus the release of bank guarantees as outlined in the above table.

The Proponents acknowledge that the full amount of security retained by Council at any particular time can be applied to the completion by Council of any of the remaining incomplete works. By way of example, if none of the works are completed and Council retains bank guarantees to the value of \$2.1m, then the full amount of \$2.1m remains available to Council to complete any of the outstanding works at that time. Similarly, if the roads and drainage works are complete and the security held by Council has been reduced to \$1m as shown in the table above, then \$1m in security remains available to Council for any incomplete footpath works.

The Proponents also acknowledge that if Council draws down on the remaining total security at a point in time in order to complete some of the works, then the Proponents will be required to top up the security to the planned amount for the remaining item of works, as outlined in the table above.

In relation to the footpath works, it is noted that these will be completed in stages, and the Proponents seek Council's support for staged release of such guarantees upon completion of the footpaths on the northern side of Camden Valley Way.

## 11. Administrative Arrangements

The Proponents recognise that any Voluntary Planning Agreement is likely to require the inclusion of a number of administrative clauses to enable effective implementation of the Agreement. The Proponents therefore commit to the following.

The Proponents agree to accept a condition of consent for Development Application 167/2014 requiring that the Voluntary Planning Agreement be entered into prior to the issue of a Construction Certificate for any part of the development that is materially similar to the following:

“Pursuant to s93I(3) of the Environmental Planning and Assessment Act 1979, prior to the issuing of the first construction certificate for any part of the development authorised by this consent, the ‘developer’ (within the meaning of s93F of that Act) is to enter into a voluntary planning agreement with the Council in accordance with the offer made Narellan Town Centre Pty Ltd (ABN 41 747 031 182) and Narellan Town Centre Unit Trust (ABN 45 772 155 661) by letter to the Council dated 4 November 2014 on behalf of the developer in connection with the development application to which this consent relates, being DA 167/2014, and is also to provide to the Council the written consent of each person whose consent is required under s93H of the Act to the registration of the planning agreement and all other documents enabling registration of the planning agreement.”

The Proponent provides an undertaking that it will not seek the issue of a Construction Certificate for any part of the development associated with DA167/2014 until the Voluntary Planning Agreement has been executed.

The Proponents agree that it will not seek to have a Final Occupation Certificate under DA 167/2014 issued prior to completion of all remaining VPA works. The Proponents will seek Interim Occupation Certificates for parts of the Development as they are completed, and only when VPA works relating to that stage are completed. This reflects the staged nature of the construction process. The currently envisaged Interim Occupation Certificates for the various stages of the development are summarised in the table below.

Package	Description
A	Development of the shopping centre structure proposed on the “Landturn” site, known as 337 Camden Valley Way, Narellan, and referred to as Zone 2 in DA167/2014.
B	Construction of the multi-deck car park structure located on the existing Narellan Town Centre site known as 326 Camden Valley Way, and referred to as part of Zone 1 in DA 167/2014.
C	Development of specialty retail floorspace on the existing Narellan Town Centre site known as 326 Camden Valley Way (Zone 1), and highlighted within Phases 5 & 6 of Staging Plans submitted under DA 167/2014.
D	Development of the remaining specialty retail floorspace and discount department store on the existing Narellan Town Centre site known as 326 Camden Valley Way (Zone 1 & 3), and highlighted within Phases 7 of Staging Plans submitted under DA 167/2014.

For the purposes of this offer, it is intended that the VPA document will contain Council’s standard clauses (as at the date of execution) in relation to the following matters:

- Surrender of right of appeal, etc.
- Conditions of Consent
- Provision of Development Contributions
- Deferral of Work

- Approval of design of Work
- Staging of Works
- Carrying out of Work
- Access to the Land
- Protection of people and property
- Damage and repairs to Work
- Variation of Work
- Completion of Work (Note: Council has a new standard which is provided below)
- Procedures relating to the rectification of defects
- Failure to carry out Work
- Works-As-Executed Plan
- Indemnity and Insurance
- Recovery of cost of Work carried out by the Council
- Enforcement in a court of competent jurisdiction
- Dispute resolution – expert determination
- Dispute resolution – mediation
- Assignment, sale of Land, etc
- Monitoring and review of this Agreement
- Variations to Contribution Items and Staging
- Notices
- Approvals and Consent
- Legal Costs
- Entire Agreement
- Further acts
- Notations on section 149(20 Planning Certificates
- Governing law and jurisdiction
- Joint and individual liability and benefits
- No fetter
- Representations and warranties
- Severability
- Modification
- Waiver
- GST
- Explanatory Note relating to this Agreement.

It is intended that the VPA document will contain any other clauses that have been drafted to give effect to this offer.

## 12. Conclusion

It is considered that the VPA works achieve considerable public benefit consistent with the objectives stated in both CP17 & CP3, but have a significant physical nexus with the subject site and current development proposals.

The estimated cost of the VPA works has been calculated at approximately \$7.277m.

Subject to Council agreement to this offer, the Proponents are seeking to execute a Voluntary Planning Agreement with Camden Council formally documenting the intent and operating provisions

for implementation of the VPA Works in lieu of Section 94 Contributions payable in relation to development of the subject Lands.

**ORD04**

**APPENDIX A – DEVELOPMENT LANDS COVERED BY VPA**

**Attachment 1**



**ORD04**

**Attachment 1**

**APPENDIX B –MASTERPLAN CONCEPTS**



NO. _____ PREPARED BY: _____ DATE: _____	DESIGNER: ASD DATE: 11/19/14	CHECKED BY: _____ DATE: 11/19/14	DRAWING: sheet_001.dwg SHEET PROJECT NUMBER: 001 PROJECT NUMBER: nnnn nnn xx nnnn	PRINTED DATE: 12.02.2013 SHEET NO.: 001
	ROADS AND MARITIME SERVICES CAMDEN COUNCIL MARRELLAR TOWN CENTRE - VERA CONCEPT THE OLD NORTHERN ROAD, CAMDEN VALLEY WAY AND INTERSECTION WORKS			
PROJECT TITLE: _____ PROJECT NUMBER: _____ PROJECT LOCATION: _____		DRAWN: ASD DESIGNED: JC		
SCALE: 1:500 DATE: 12/02/2013				

Attachment 1 **ORD04**

ORD04

Attachment 1



**DISCLAIMER:** THIS MASTERPLAN PROVIDES AN OVERALL LAYOUT TO THE PROPOSED NARELLAN TOWN CENTRE DEVELOPMENTS. IT IS NOT A CONTRACTUAL DOCUMENT AND SHOULD NOT BE USED AS A BASIS FOR ANY LEGAL OR FINANCIAL DECISIONS. THE CLIENTS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS AND PERMITS FROM THE RELEVANT AUTHORITIES. THE CLIENTS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS AND PERMITS FROM THE RELEVANT AUTHORITIES. THE CLIENTS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS AND PERMITS FROM THE RELEVANT AUTHORITIES.

**PROJECT INFORMATION:**

PROJECT NAME	NARELLAN TOWN CENTRE
CLIENT	320 Camden Valley Way Narellan
DESIGNER	Narellan Town Centre distinctive Living Design
DATE	13.05.2014
SCALE	1:1000
PROJECT NO.	N2700
PROJECT LOCATION	PO Box 165, Camden NSW 2570
CONTACT	PH: 02 4552 1811 FAX: 02 4552 5505

**MASTERPLAN**

**narellan TOWN CENTRE**

**"THIS MASTERPLAN PROVIDES AN OVERALL LAYOUT TO THE PROPOSED NARELLAN TOWN CENTRE DEVELOPMENTS."**

**APPENDIX C –VPA COMMITMENT SCHEDULE**

**ORD04**

**Attachment 1**

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Item	Public Purpose	Description	Expected Timing (see notes below)	Contribution Value	Development Application
1	Roads and Traffic Improvements	The Old Northern Road - Intersection Upgrade Works to increase south bound right turn capacity including linemarking modifications.	Prior to the interim occupation certificate being issued for Package A.	\$12,946	DA1185/2008.2
2	Roads and Traffic Improvements	The Old Northern Road - Road Upgrade Works including, additional through lane in both directions, replacement of existing swales with formal kerb, gutter and drainage, new pavement & pavement rehabilitation works and utility service relocation including new street lighting and undergrounding of overhead power cables.	Prior to the interim occupation certificate being issued for Package A.	\$802,192	DA1185/2008.2
3	Roads and Traffic Improvements	The Old Northern Road & Camden Valley Way - Intersection Upgrade Works to achieve improved functional capacity, and accommodate additional through lanes on both roads including reconstruction of kerb return & kerb ramps, reconstruction of traffic median to the Old Northern Rd, modification of stormwater drainage infrastructure, pavement rehabilitation works, utility service relocation, modification of existing linemarking and traffic signals to suit dedicated turn bays, double diamond operation and shared pedestrian / bicycle movements.	Prior to the interim occupation certificate being issued for Package A.	\$475,270	DA1185/2008.2
4	Roads and Traffic Improvements	North Side of Camden Valley Way - Road Upgrade Works including kerb and gutter reconstruction, modifications to existing linemarking, reconstruction of traffic medians, modifications to stormwater drainage infrastructure, utility service relocation and pavement construction to provide additional through lane in east bound direction.	Prior to the interim occupation certificate being issued for Package B.	\$377,521	DA167/2014
5	Roads and Traffic Improvements	South Side of Camden Valley Way - Road upgrade works to complete upgrade of Camden Valley Way	Prior to the interim occupation certificate being issued for Package D.	\$161,795	DA167/2014
6	Streetscape and Public Domain	Streetscape & public domain works fronting The Old Northern Rd and the northern side of Camden Valley Way including paving, soft landscaping, and street furniture.	Prior to the interim occupation certificate being issued for Package A.	\$418,209	DA167/2014
7	Streetscape and Public Domain	Streetscape & public domain works fronting the southern side of Camden Valley Way including paving, soft landscaping, and street furniture.	Prior to the interim occupation certificate being issued for Package D.	\$179,249	DA167/2014
8	Streetscape and Public Domain	Publicly accessible plaza fronting Camden Valley Way and referred to as Civic Plaza. Works include feature paving, soft landscaping, passive seating areas, public art, play sculptures, community event space, interactive fountain and lighting	Prior to the interim occupation certificate being issued for Package A.	\$1,394,915	DA167/2014
9	Streetscape and Public Domain	Publicly Accessible Civic Plaza - Equivalent land value	Prior to the interim occupation certificate being issued for Package A.	\$1,062,500	DA167/2014
10	Streetscape and Public Domain	Publicly accessible plaza fronting Camden Valley Way and referred to as Heritage Plaza. Works include feature paving, soft landscaping, passive seating areas, public art, play sculptures, community event space, interactive fountain and lighting	Prior to the interim occupation certificate being issued for Package D.	\$956,403	DA167/2014
11	Streetscape and Public Domain	Publicly Accessible Heritage Plaza - Equivalent land value	Prior to the interim occupation certificate being issued for Package D.	\$658,750	DA167/2014
12	Trunk Drainage Works	Somerset Avenue Trunk Drainage - Design & construction of new piped trunk drainage system to replace existing vegetated open cut drainage channel.	Prior to the interim occupation certificate being issued for Package A.	\$36,126	DA235/2013
13	Trunk Drainage Works	Queen Street Trunk Drainage - Design & construction of new piped drainage system installed on private lands to address an existing flooding issue within Queen Street road carriageway.	Prior to the interim occupation certificate being issued for Package A.	\$187,373	DA206/2014
<b>TOTAL</b>				<b>\$6,723,286</b>	
<b>Notes</b>					
1. Contribution value is calculated as the attributed public benefit for the relevant works item.					
2. Attributed public benefit is less than the capital cost of the works, recognising that some elements of the works would have been required regardless of the VPA Offer.					
3. Package A comprises development of the shopping centre building on the Lundrum site (337 Camden Valley Way), shown in DA167/2014 as Zone 2.					
4. Package B comprises the multi-level car park on the existing Narellan Town Centre site (326 Camden Valley Way), shown in DA167/2014 as part of Zone 1.					
5. Package C comprises some of the specialty retail floorspace on the existing Narellan Town Centre site, shown in DA167/2014 as part of Zone 1.					
6. Package D comprises the remaining retail floorspace on the existing Narellan Town Centre site (the remainder of Zone 1 in DA167/2014) and the pedestrian bridge over Camden Valley Way (shown in DA167/2014 as Zone 3).					

**APPENDIX D –VPA PLANS**

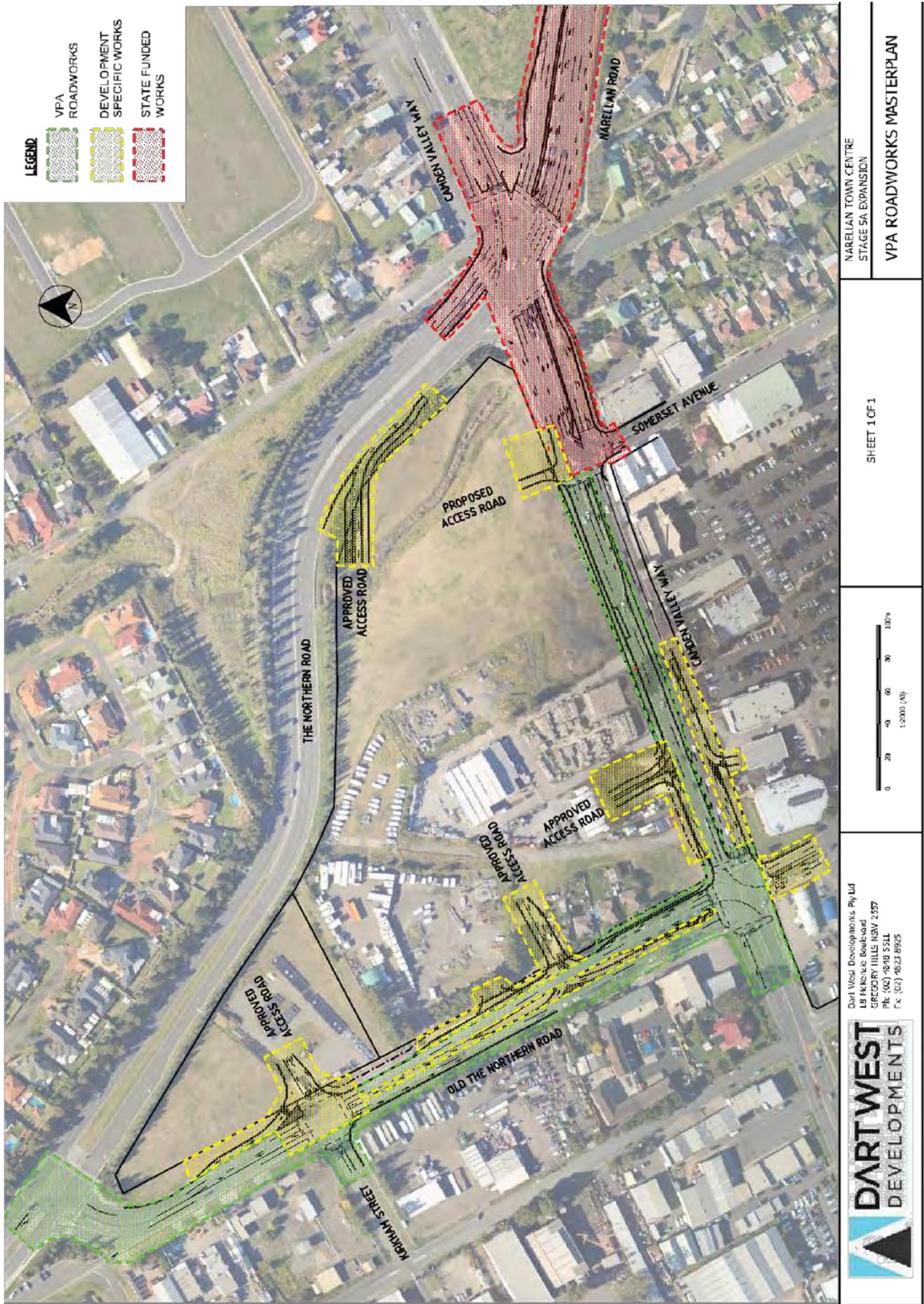
**ORD04**

**Attachment 1**

**ORD04**

**APPENDIX D.1 –TRAFFIC FACILITIES & ROADWORKS**

**Attachment 1**



NARELLAN TOWN CENTRE  
STAGE 5A EXPANSION  
VPA ROADWORKS MASTERPLAN

SHEET 1 OF 1



Dart West Developments Pty Ltd  
18 Macleay Boulevard  
GREGORY HILLS NSW 2557  
Ph: (02) 4618 5511  
F: (02) 4623 8925



ORD04

Attachment 1

**ORD04**

**APPENDIX D.2 –STREETSCAPE & PUBLIC DOMAIN WORKS**

**Attachment 1**

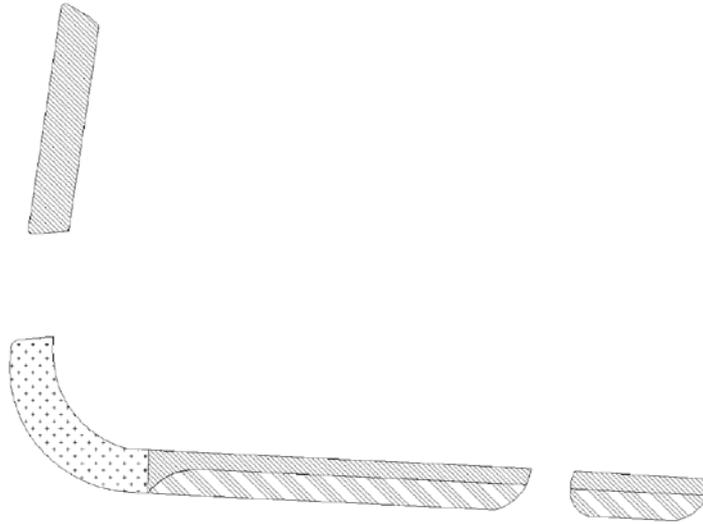






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Attachment 1



- 
**KEY CORNER  
FEATURE PAVING** = 76m<sup>2</sup>
- 
**SHARED PATHWAY  
PAVEMENT CONCRETE** = 148m<sup>2</sup>
- 
**TURF AREA** = 105m<sup>2</sup>





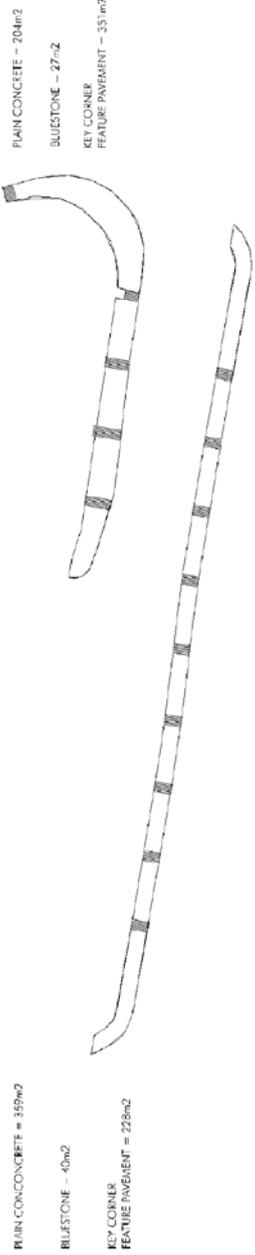
**AREA PLAN**

Project: VPA WP 2 - Council Verges  
 Site: Cr. Queens St & Connors Valley Way  
 Location: Narellan Town Centre  
 Design: distinctive Living Design  
 Drawn: [Name] Date: 28/10/2014  
 Scale: 1:200  
 Project: [Number] Date: 22/07/14



ORD04

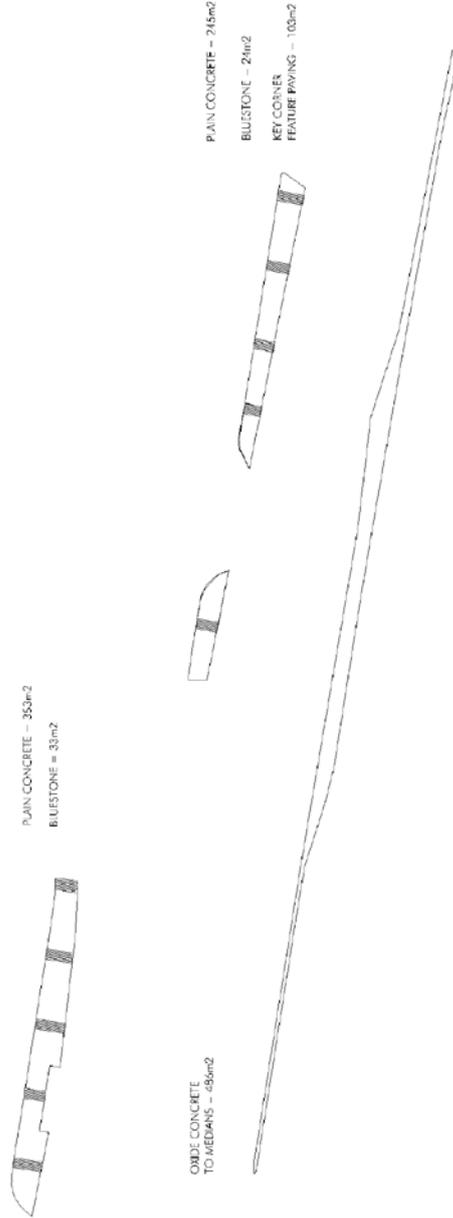
Attachment 1



**DISCLAIMER:**  
 This plan is a site plan and does not show the location of any existing or proposed structures, services, or utilities. It is intended for informational purposes only and should not be used as a basis for any construction or other activities. The Council is not responsible for any errors or omissions in this plan.

AREA PLAN 02

Project No.	2014/0001
Project Name	Narellan Living Design
Project Location	Old Narellan Rd & Carrabin Valley Way
Project Status	Proposed
Project Date	2014/0001
Project Author	NTC
Project Reviewer	NTC
Project Approver	NTC
Project Date	2014/0001



**DISCLAIMER:**

The information contained in this plan is for general information only. It is not intended to be used as a basis for any legal or financial decision. The user of this plan is advised to seek professional advice before relying on it. The user of this plan is advised to seek professional advice before relying on it.

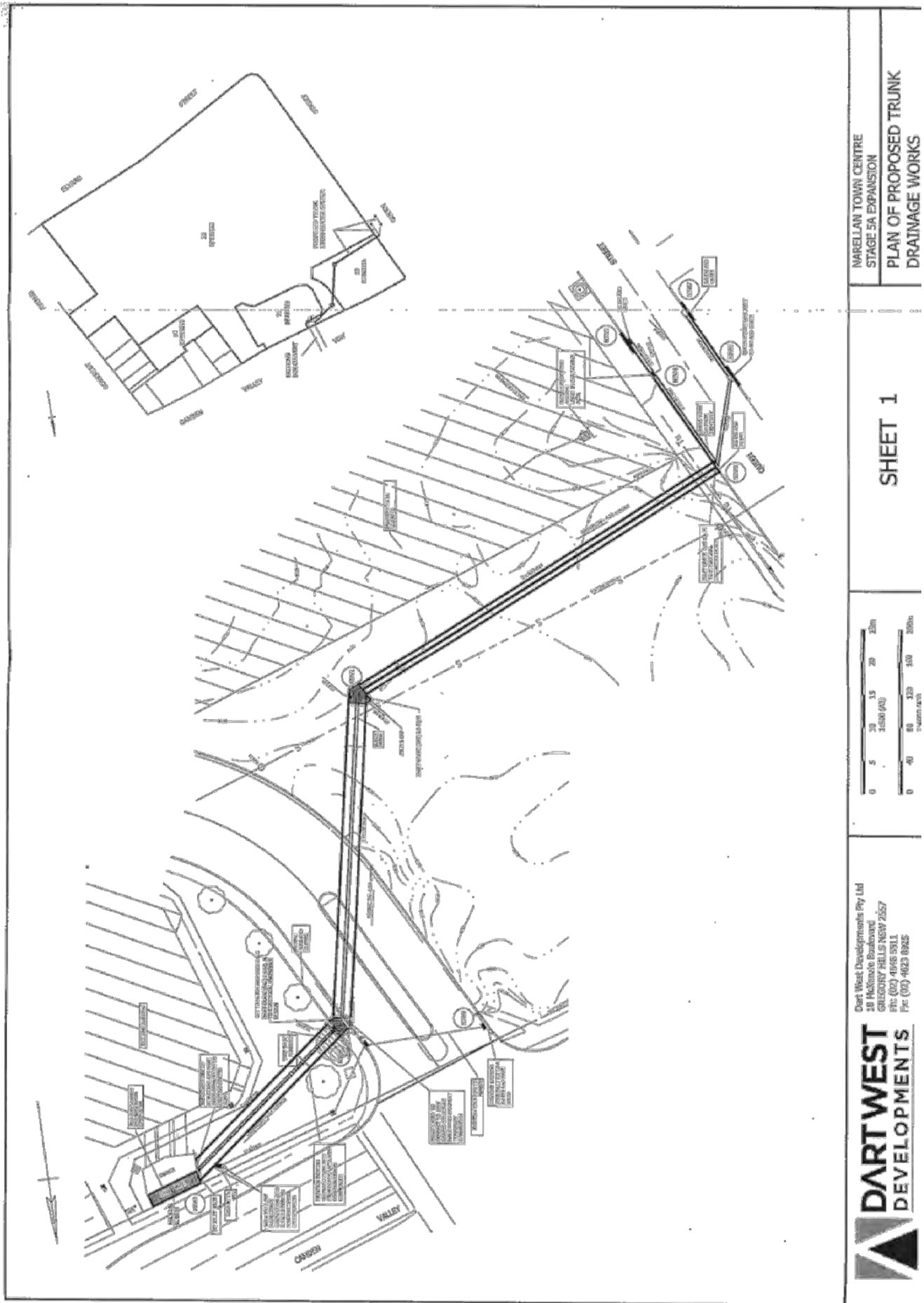
PROJECT NO.	2014/001
PROJECT NAME	V&A VP 7 - Council Verges South Side
CLIENT	Camden Valley Way Narellan
DATE	28/11/2014
SCALE	AS SHOWN
PROJECT LOCATION	Narellan Town Centre
PROJECT DESCRIPTION	Landscaping & site for design, advice and installation
PROJECT VALUE	\$50,000
PROJECT STATUS	COMPLETED
PROJECT CONTACT	PH: 02 4655 1818 FAX: 02 4655 2042

**narellan**  
TOWN CENTRE

**ORD04**

**Attachment 1**

**APPENDIX D.3 -TRUNK DRAINAGE WORKS**

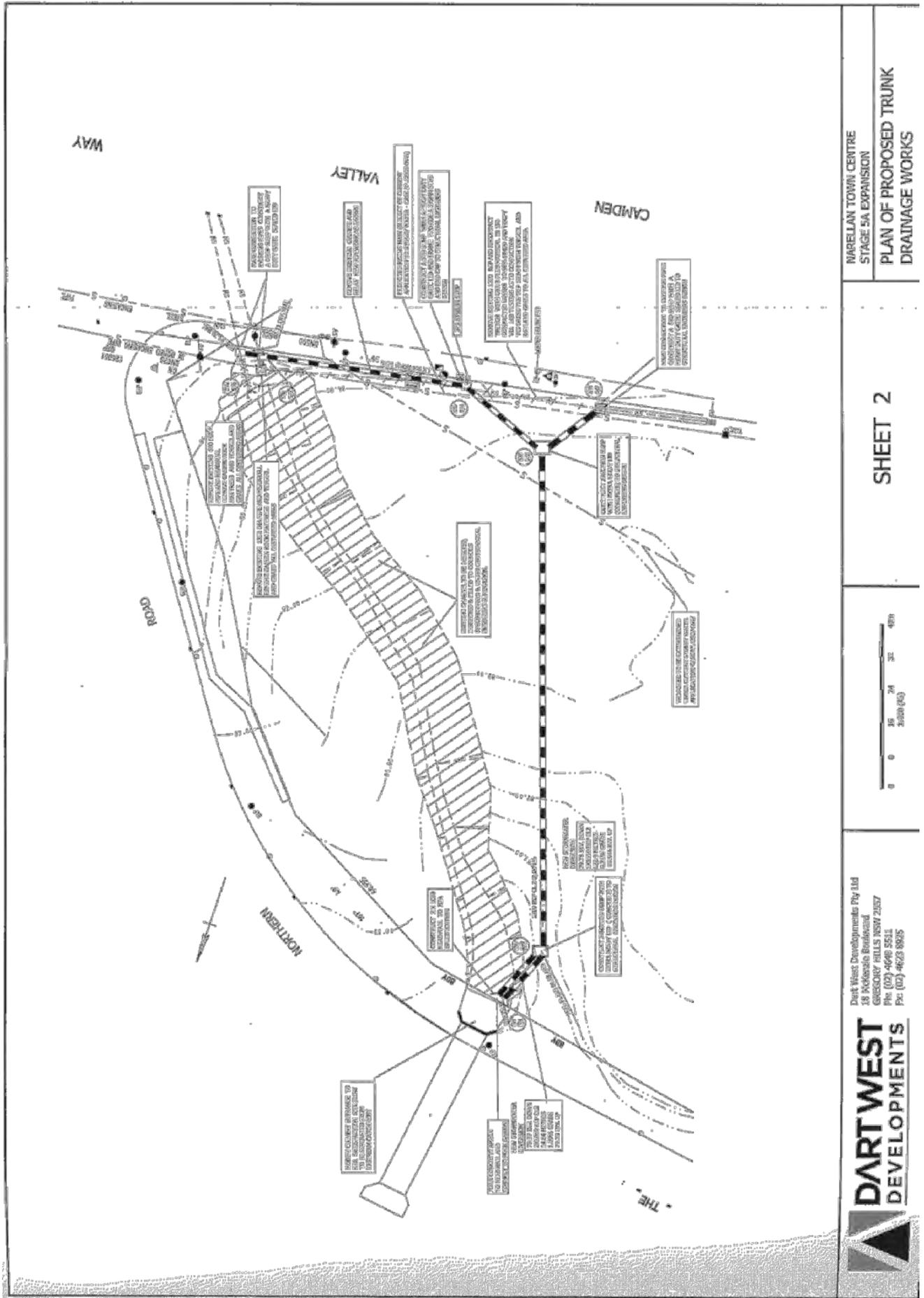


ORD04

Attachment 1

ORD04

Attachment 1



Dart West Developments Pty Ltd  
 18 McKellops Boulevard  
 GREGORY HILLS NSW 2557  
 Ph: (02) 4648 5511  
 Fax: (02) 4623 8825



MARELLAN TOWN CENTRE  
 STAGE 5A EXPANSION  
 PLAN OF PROPOSED TRUNK  
 DRAINAGE WORKS

SHEET 2



Director  
Heritage Division, Office of Environment and Heritage  
Heritage Council of NSW  
Locked Bag 5020  
PARRAMATTA NSW 2124

[heritage@heritage.nsw.gov.au](mailto:heritage@heritage.nsw.gov.au)

Dear Dr Avery,

**RE: Submission – notice of intention to consider listing of Oran Park House  
on the State Heritage Register**

Thank you for the opportunity to comment on the notice of intention to consider the listing of Oran Park House on the State Heritage Register.

Camden Council supports the listing on the basis that it recognises the state heritage significance of the property as an important colonial property and it is the accepted conclusion of the planning proposal process and gazettal of the Catherine Field (Part) residential release area for the site.

The proposed curtilage is generally consistent with the adopted Development Control Plan and Indicative Layout Plan. The only variance from the curtilage identified in the Indicative Layout Plan and that which was exhibited is that the proposed State Heritage curtilage does not include the full extent of the two historic driveways to the estate from Oran Park Drive (previously known as Cobbitty Road) and Camden Valley Way. The inclusion of the driveways was the recommendation of Godden Mackay Logan, the heritage consultant who provided advice during the planning proposal process.

Council officers consider that the historic driveway setting should be retained as far as possible. Whilst this would be achieved best through inclusion in the listed curtilage, it could be achieved through the detailed design of development adjacent to the driveways. Camden Council therefore request that the Heritage Council include the driveways within the listed curtilage or request the landowners to prepare a DCP amendment addressing the significance of the original driveway from Oran Park Drive.

Thank you again for the opportunity to comment on the draft listing. Please do not hesitate to contact Council's Heritage Officer on (02) 4654 7777 should you wish to discuss.

Yours sincerely,

Ron Moore  
General Manager

ORD06

Attachment 1

## JOINT REGIONAL PLANNING PANEL (Sydney West Region)

<b>JRPP No</b>	2014SYW056
<b>DA Number</b>	2014/269
<b>Local Government Area</b>	Camden
<b>Proposed Development</b>	Construction of a public school with a capacity of 780 students, car parking, landscaping and associated site works
<b>Street Address</b>	26 – 36 Springs Road, Spring Farm
<b>Applicant/Owner</b>	Public Works on the behalf of NSW Department of Education and Communities/Cornish Group Spring Farm Pty Ltd
<b>Number of Submissions</b>	8 submissions objecting to the proposal
<b>Regional Development Criteria (Schedule 4A of the Act)</b>	Capital investment value > \$5 million
<b>List of All Relevant s79C(1)(a) Matters</b>	<ul style="list-style-type: none"> <li>• State Environmental Planning Policy (State and Regional Development) 2011</li> <li>• State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</li> <li>• State Environmental Planning Policy (Infrastructure) 2007</li> <li>• State Environmental Planning Policy No 55 – Remediation of Land</li> <li>• State Environmental Planning Policy No 64 – Advertising and Signage</li> <li>• Deemed State Environmental Planning Policy No 20 – Hawkesbury-Nepean River</li> <li>• Deemed State Environmental Planning Policy No 9 – Extractive Industry (SEPP)</li> <li>• Camden Local Environmental Plan 2010</li> <li>• Camden Development Control Plan 2011</li> </ul>
<b>List all documents submitted with this report for the panel's</b>	<ul style="list-style-type: none"> <li>• Assessment report and conditions</li> <li>• Statement of environment effects</li> <li>• Architectural plans</li> <li>• Stormwater management plan</li> </ul>

<b>consideration</b>	<ul style="list-style-type: none"><li>• Landscaping plans</li><li>• Submissions</li></ul>
<b>Recommendation</b>	Approve with conditions
<b>Report by</b>	Stacey Houlison, Executive Planner

### PURPOSE OF REPORT

The purpose of this report is to seek the Joint Regional Planning Panel's (the Panel) determination of a development application (DA) for the construction of a public school with a maximum capacity of 780 students, car parking, landscaping and associated site works at 26 – 36 Springs Road, Spring Farm.

The Panel is the determining authority for this DA as, pursuant to Part 4 of State Environmental Planning Policy (State and Regional Development) 2011 and Schedule 4A of the *Environmental Planning and Assessment Act 1979*, the capital investment value (CIV) of the proposed development is \$12.3 million which exceeds the CIV threshold of \$5 million for Council to determine the DA.

### SUMMARY OF RECOMMENDATION

That the Panel determine DA 269/2014 for the construction of a public school with a maximum capacity for 780 students, car parking, landscaping and associated site works pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting a Consent subject to the conditions contained in this report.

### EXECUTIVE SUMMARY

Council is in receipt of a DA for the construction of a public school with a maximum capacity for 780 students, car parking, landscaping and associated site works at 26 – 36 Springs Road, Spring Farm.

This DA is classed as a Crown DA in that the applicant is the Office of Public Works on behalf of the NSW Department of Education and Communities who are a Crown authority.

The DA has been assessed against the *Environmental Planning and Assessment Act 1979*, the Environmental Planning and Assessment Regulation 2000, relevant Environmental Planning Instruments, Development Control Plans and policies. The outcome of this assessment is detailed further in this report.

The DA was publicly exhibited for a period of 30 days in accordance with Camden Development Control Plan 2011. 8 submissions were received (objecting to the proposal). **Copies of the submissions are provided with the report supporting documents.**

The issues raised in the submissions relate to the safety of pedestrians and vehicle users along Macarthur and Springs Road, traffic congestion, noise impacts and concerns relating to the design and layout of the future school.

Pedestrian and road safety issues have been considered. Road's No 6 & 12 which will service the school site will have 1.2m footpaths to allow safe pedestrian movement to and from the site. In addition, these roads are also wide enough to accommodate two way movement and incorporate a 2m on street car parking lane.

To ensure that pedestrian conflict from Macarthur Road is minimised, Council staff have recommended that the pedestrian/cycle access from Ettlesdale Road be temporarily closed until such time as footpaths are constructed (as part of a future DA on land to the south of the site). Therefore school traffic will be streamlined away from Macarthur Road and Ettlesdale Road to Springs Road.

A Noise Impact Assessment has been provided by the applicant in support of the DA. Council staff initially raised a number of concerns in relation to the findings within the report, specifically in relation to the location of the readings undertaken to assess the noise impact. A further report was submitted to Council which addressed the outstanding noise impact matters. The noise report demonstrates the ability of the proposed school to fully comply with Council's Environmental Noise Policy subject to conditions.

In relation to the design and layout of the school, Council staff recommend that a condition be imposed requiring that the future school comply with the School Facilities standards which provides a best practice guide for the design and layout of new schools. The proposed plans are capable of meeting the School Facilities Standards.

A Traffic Assessment has been submitted as part of the development application addressing traffic implications on the surrounding area as a result of the proposed school. Council staff consider that appropriate traffic management measures can be implemented to mitigate any significant impacts on the traffic network. This includes the requirement of a roundabout to the north of Road No.6 as indicatively shown on the submitted plans (this roundabout is not proposed as part of this DA and is on land not owned by the school).

The applicant proposes a kiss and drop off zone on Road 12. Concerns were raised by Council staff regarding the location of this arrangement. Council officers preference was for the kiss and drop off zone to be provided on-site in accordance with Council's DCP. This was discussed at the Panel briefing meeting held on 18 July 2014. Following the briefing meeting, Council officers requested modifications to the proposal in order to address these concerns. A response was provided by the applicant, which noted that a kiss and drop off arrangement would not be provided within the school site.

In addition the school is providing thirty six (36) car parking spaces when Council's DCP requires the provision of forty four (44). A response was provided by the applicant, which noted that the School Facilities Standards prevail over any inconsistency between them and a provision of a development control plan. However the applicant has not been able to adequately demonstrate that the School facility standard specifies numbers of car parking spaces.

Council staff subsequently issued draft conditions to the applicant for comment. These conditions were formulated in order to address Council staffs concerns and also those raised in a number of the submissions. The applicant provided comments on these draft conditions and a number of minor changes were agreed to by both the applicant and Council staff.

However, there are two (2) specific conditions which have not been agreed to, which include the provision of an on-site kiss and drop arrangement to facilitate the drop off and pick up of students within the site (as indicatively shown by Council staff in Appendix 1) and the number of on-site car parking spaces to be provided for members of staff and visitors to the future school and the provision of forty four (44) on-site car parking spaces in accordance with the DCP.

A list of the outstanding conditions, the applicant's comments and a response from Council officers is provided as a separate supporting document to this report (Appendix 2).

**AERIAL PHOTO****THE SITE**

The site is commonly known as 26 – 36 Springs Road, Spring Farm and legally described as Lot 4, DP 1132985. The location of the proposed school is to be entirely within future lot 1, which was recently approved as part of a subdivision approval under DA 50/2013. This lot is yet to be registered.

The site has a frontage to Springs Road of approximately 185m, a maximum depth of 224m and an overall site area of 2.963 hectares. The site is largely vacant except for an electricity substation along the northern boundary of the site, fronting Springs Road. The site has previously undergone bulk earthworks in accordance with DA 914/2006. The site is located within the Spring Farm urban release area's West Village.

The surrounding properties are characterised by a mixture of rural, residential and agricultural uses.

To the north of the site on the opposite side of Springs Road, lies vacant land which is bound by the Camden Bypass and awaiting commencement of further subdivision works. To the east lies further vacant land, which has been approved for residential subdivision. Further to the east lies existing Riparian/bush corridor and Spring Farm developing north and east villages. To the south of the site lies undeveloped rural land which is bound by the Nepean River, whilst to the west lies the existing Ettlesdale Road residential properties, a turf farm and a sand/soil quarry.

**HISTORY**

The relevant development history of the site is summarised in the following table:

Date	Development
19 November 2007	Approval of DA 914/2006 for the bulk earthworks
20 August 2008	Approval of DA 1089/2009 for the subdivision of land to create 6 lots
25 March 2014	Approval of DA 50/2013 for subdivision to create 4 superlots and 20 residential lots and construction of roads, drainage, landscaping and associated site works
4 June 2014	Section 96 modification application approved for DA 50/2013

### **THE PROPOSAL**

DA 269/2014 seeks approval for construction of a public school with a maximum capacity for 780 students, car parking, landscaping and associated site works. (It should be noted that all public utility infrastructure and roads providing access to the school site were recently approved under DA 50/2013 and are currently under construction).

Specifically, the proposed development comprises:

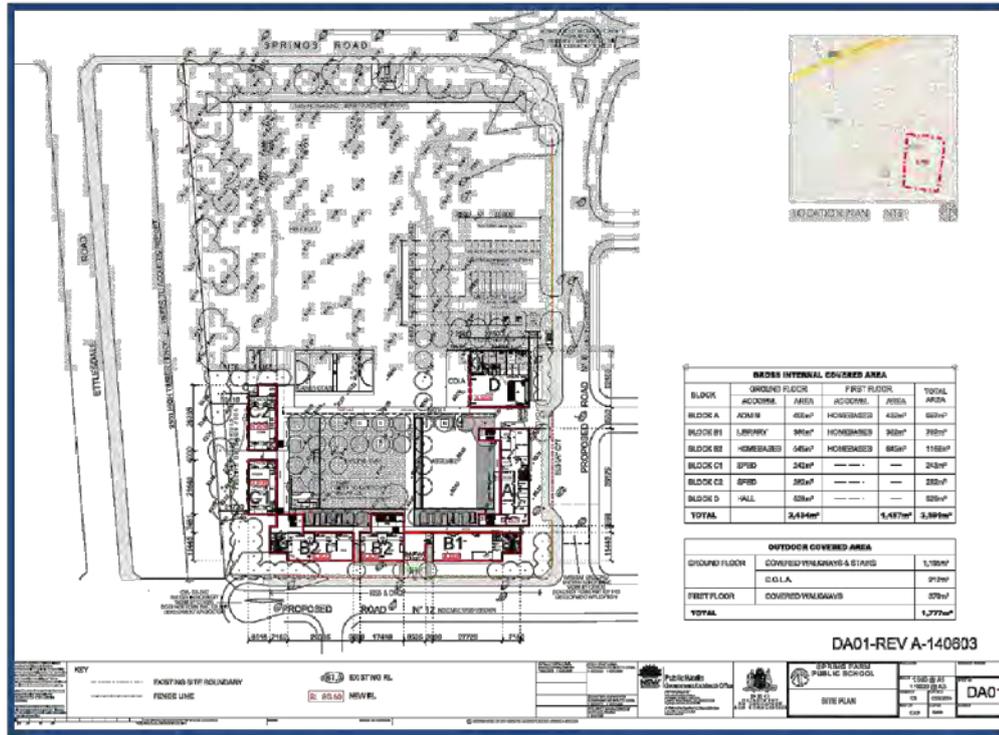
- a 780 student primary school (Kindergarten to Year 6) – comprising a part single/two storey development of 22 classrooms;
- additional facilities including library, special programs room with kitchenette, hall, kiln room, administration and staff facilities, canteen, garden storage facilities, paved assembly area, hard games court and outdoor seating areas;
- associated staff and visitor car parking, bicycle parking, kiss and drop arrangement along Road No.12, bus drop facilities along Road No's 6 & 12;
- provision of 2 identification wall signs, a 2.1m high perimeter fence and landscaping;
- school playing fields to the north of the site;
- earthworks, including a 1.8m mound along the northern boundary of the site fronting Springs Road;
- 36 members of staff employed at the school; and
- proposed hours of operation of 7am to 6pm Monday to Friday, with additional sporting events Saturdays and Sundays.

The capital investment value of the works is \$12.3 million.

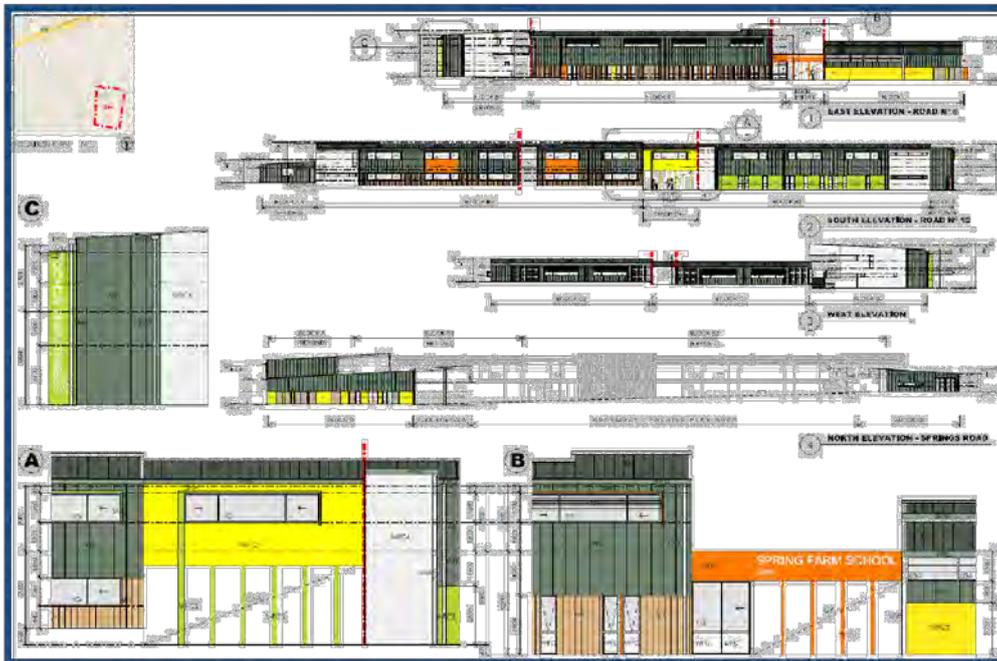
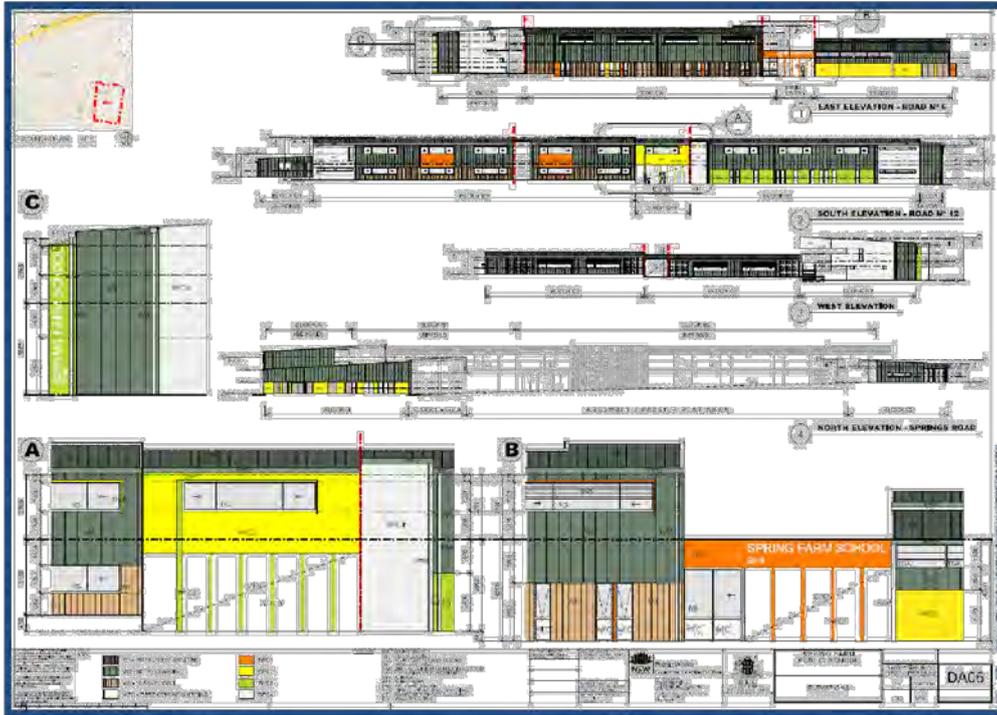
ORD06

Attachment 1

**PROPOSED SITE PLAN**



**PROPOSED ELEVATIONS**



## ASSESSMENT

### ***Environmental Planning and Assessment Act 1979 – Section 79(C)(1)***

In determining a DA, the consent authority is to take into consideration the following matters of relevance in the assessment of the DA on the subject property:

#### ***(a)(i) The Provisions of any Environmental Planning Instrument***

The Environmental Planning Instruments that relate to the proposed development are:

- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy No 55 – Remediation of Land
- State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007
- Deemed State Environmental Planning Policy No 9 – Extractive Industry (SEPP)
- State Environmental Planning Policy (Infrastructure) 2007
- Deemed State Environmental Planning Policy No 20 – Hawkesbury-Nepean River
- State Environmental Planning Policy No. 64 – Advertising and Signage
- Camden Local Environmental Plan 2010

An assessment of the proposed development against these Environmental Planning Instruments is detailed below.

#### State Environmental Planning Policy (State and Regional Development) 2011 (SEPP)

Pursuant to Clauses 20 and 21 of the SEPP, the proposed development is included in Schedule 4A of the *Environmental Planning and Assessment Act 1979* and has a CIV of \$12.3 million. This exceeds the CIV threshold of \$5 million for Crown developments for Council to determine the DA and therefore it is referred to the Panel for determination.

#### State Environmental Planning Policy No 55 – Remediation of Land (SEPP)

The SEPP requires Council to be satisfied that the site is suitable for its intended use (in terms of contamination) prior to granting consent. The applicant has submitted a phase 2 contamination assessment and a remediation action plan (RAP) for the site in support of this DA. The contamination assessment identified levels of carcinogenic polycyclic aromatic hydrocarbons (PAH) and asbestos within the site. However the RAP provides a series of remediation actions that if implemented will fully denominated the site. Furthermore the contamination assessment and RAP have been independently reviewed by a NSW Environment Protection Authority (EPA) accredited Contaminated Sites Auditor, who has confirmed that validity of the findings and remediation measures.

It is a recommended condition that the site be fully decontaminated in accordance with the submitted RAP. Subject to this occurring, the site will be made suitable for its intended use.

State Environmental Planning Policy (Mining Petroleum Production and Extractive Industries) 2007 (SEPP)

The aim of this policy is to provide for the proper management and development of mineral, petroleum and extractive material sources for the purpose of promoting the social and economic welfare of the State.

Clause 13 of the SEPP requires the proposed development to be assessed in terms of its compatibility with current and future mining, petroleum production and extractive industries.

Sand and soil extraction is currently taking place approximately 400m to the west of the proposed school site (the M. Collins and Sons site on Macarthur Road). It is considered that an adequate buffer distance exists between the extractive industry and the proposed development and that the existing conditions of consent for this industry will ensure that the school will not be adversely affected by noise, dust or reduced visual amenity from this industry, thereby satisfying the requirements of the SEPP.

State Environmental Planning Policy No 9 – Extractive Industry (SEPP)

The aim of this policy is to ensure consideration is given to the impact of encroaching development on the ability of extractive industries to realise their full potential.

The DA was referred to Department of Trade and Investment (DTI) in accordance with Clause 8 of the SEPP. DTI recommend that the DA be staged in such a way as to mitigate potential impacts (e.g. noise, dust and vibration) on the proposed development by use of buffer zones between remaining quarries and proposed development.

As aforementioned, sand and soil extraction is currently taking place approximately 400m to the west of the proposed residential lots. It is considered that an adequate buffer distance exists between the extractive industry and the proposed development and that it will not be adversely affected by noise, dust, vibration or reduced visual amenity, thereby satisfying the requirements of the SEPP.

State Environmental Planning Policy (Infrastructure) 2007 (SEPP)

The aim of the SEPP is to provide a consistent planning regime for infrastructure and the provision of services across NSW.

*Permissibility*

Pursuant to clause 28 of the SEPP, as the site is zoned R1 General Residential, development for an educational establishment is permitted with consent.

*School Facilities Standards*

The SEPP provides that before a DA for a school can be determined, the consent authority must take into consideration all relevant standards in the School Facilities Standards (for Landscape Standards, Design Standards and Specifications Standards). The SEPP also provides that the School Facilities Standards prevail over any inconsistency between them and a provision of a development control plan.

It is recommended that a condition of development consent be imposed requiring the development comply with the School Facilities Standards.

*Traffic Generating Development*

The proposed development is traffic generating development as defined by the SEPP and was referred to Roads and Maritime Services (RMS) for comment. Correspondence was subsequently received from the RMS on 15 May 2014. The RMS raised no objection to the proposed development and provided a number of advisory comments in relation to signage, school zones, location of bus bays, pavement markings, design of off-street parking, bicycle parking and pedestrian linkage. A condition of consent is recommended to ensure compliance with Roads and Maritime Services requirements.

Council staff also raise concern with the proposed on-street kiss and drop arrangement. Council staff consider the kiss and drop arrangements as proposed to be inadequate and unacceptable for a new school, particularly one proposed in a greenfield area.

Furthermore, Part B5.2 of Council's current DCP requires the provision of adequate drop off/pick up areas in off-street locations. This requirement was included in the DCP as a result of traffic impacts experienced at existing school arrangements across the Local Government Area.

It is considered that the kiss and drop arrangements as proposed should therefore be modified to improve the traffic management of the school site. Accordingly, it is recommended that the development be modified in accordance with the indicative layout plan attached to this report and referred to as Appendix 1 to provide an improved kiss and drop arrangement within the school site and this is a recommended condition.

Deemed State Environmental Planning Policy No 20 – Hawkesbury-Nepean River (SEPP)

The proposed development is consistent with the aim of the SEPP (to protect the environment of the Hawkesbury-Nepean River system) and all of its planning controls.

There will be no detrimental impacts upon the Hawkesbury-Nepean River system as a result of the proposed development. Appropriate erosion and sediment control measures have been proposed and a condition has also been included to ensure to compliance with Council's Engineering Specifications.

State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP)

The development proposes 2 school identification signs, which are to be attached to school building. Pursuant to Clause 4(1) of the SEPP, the proposed signs are considered to be "building identification signs", as opposed to advertisement signs in that they simply identify the educational establishment but do not include the general advertising of products, goods or services. The proposed signs have been assessed against Schedule 1 assessment criteria of the SEPP. The signs are considered acceptable on the basis that:

- they are deemed compatible with the existing and future character of the area, being reflective of typical educational establishment signage and complementary to the use of the site;
- the signs will not detract from any special areas such as residential or environmentally sensitive areas;
- the proposed signage is not considered to dominate the local skyline or unacceptably detract from views into, out of or through the area;
- the proposed signage is considered to be of an appropriate scale and form for the area and will not protrude above buildings or significant landscape features in the area;
- the scale and proportions of the signage is considered acceptable, having regard to their identification functions, the proposed school building, the surrounding landform and landscape features;
- the proposed signage will not be internally lit; and
- given the proposed location and design, it is not considered that the signs will reduce safety for passing pedestrians or motorists or that they will obscure any sight lines.

Overall it is considered that the proposed signs are consistent with the aims, objectives and Schedule 1 assessment criteria of the SEPP.

#### Camden Local Environmental Plan 2010 (LEP)

##### *Permissibility*

The site is zoned R1 General Residential under the provisions of the LEP. The proposed development is defined as an “educational establishment” by the LEP which is a permissible land use in this zone.

##### *Zone Objectives*

The objectives of the R1 General Residential zone are as follows:

- To provide for the housing needs of the community

##### Officer comment:

This objective is not relevant to the proposed development as the proposal is for an educational establishment. However, the proposed use, subject to conditions, will not detract from the provision of housing on adjacent lands.

- To provide for a variety of housing types and densities

##### Officer comment:

This objective is not relevant to the proposed development as the proposal is for an educational establishment. However, the proposed use, subject to conditions, will not detract from the provision of housing types and densities on adjacent lands.

- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

Officer comment:

The proposed development will provide day to day educational needs for school aged residents attending primary school.

- To allow for educational, recreational, community and religious activities that support the wellbeing of the community

Officer Comment

The development proposes the provision of a new primary school for 780 children. As such, the development is considered to support the educational needs of the existing and future community.

- To minimise conflict between land uses within the zone and land uses with adjoining zones

Officer Comment

The proposed development will not conflict with any land uses within this or any adjoining zones subject to conditions being imposed.

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values

Officer Comment

The proposed development will not adversely impact on any areas with high ecological, scientific, cultural or aesthetic values.

- To prevent development that could destroy, damage or otherwise have an adverse effect on those values

Officer Comment

The proposed development will not destroy, damage or have any adverse effects on any areas with high ecological, scientific, cultural or aesthetic values.

- To protect and enhance the ecology, hydrology and scenic views or waterways, riparian land, groundwater resources and dependent ecosystems.

Officer comment:

The proposed school will not adversely effect the ecology, hydrology or scenic views of any waterways, riparian land, groundwater resources or dependent ecosystems.

*Relevant Clauses*

The DA was assessed against the following relevant clauses of the LEP.

Clause	Requirement	Provided	Compliance
4.3 Height of Buildings	Maximum height 9.5m	The maximum height of the proposed school buildings will not exceed 7.97m	Yes
5.10 Heritage Conservation	To conserve the environmental heritage of Camden	The site is located adjacent to Ettlesdale Road Special Character Area. Given the scale, massing, design and separation distances proposed, the school is not considered to adversely affect the heritage nature of the character area.  There are also a number of Heritage Items located within the vicinity of the site at 170, 172, 176, 196 and 214 Macarthur Road and 10 Springs Road.	Yes
5.10 Heritage Conservation	To conserve the environmental heritage of Camden	The proposed school is considered to be sufficient distance from these heritage items to ensure that there no adverse impact	
6.1 Arrangements for Designated State Infrastructure	Satisfactory arrangements are to be made for the provision of designated State public infrastructure prior to the subdivision of land in an urban release area to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes	The applicant entered into a Voluntary Planning Agreement (VPA) with NSW Planning and Environment under DA 50/2013 who issued a "Satisfactory Arrangements Certificate" for this development which certifies that satisfactory arrangements have been made for the provision of State public infrastructure	Yes

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6.2 Public Utility Infrastructure	Appropriate public utility infrastructure to service the development	<p>All public utility infrastructure to the site was approved under DA 50/2013.</p> <p>As such, it is recommended that the following conditions be imposed to ensure the provision of essential infrastructure prior to the occupation of the school:</p> <ul style="list-style-type: none"> <li>• provision of all public utilities to the site</li> <li>• construction and operation of approved Road No.6 and approved Road No.12 under DA 50/2013</li> <li>• construction and operation of a roundabout at the intersection of Springs Road and approved Road No.6</li> </ul>	Yes
7.4 Earthworks	Consider the effects of earthworks on existing drainage patterns, future uses/redevelopment, quality of fill, amenity impacts, the source of the fill, relic disturbance and potential impacts on watercourses, drinking water catchments or environmentally sensitive areas	<p>The majority of earthworks across the site have been completed under DA 914/2006; however the proposed development requires minor earthworks to form the playing fields, building pads, the staff car park and grassed swales</p> <p>Subject to the recommended conditions relating to sediment and erosion and storm water management, it is not considered that the proposed earthworks will not have any adverse impacts on any of the matters listed for</p>	Yes

		consideration listed by this clause	
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***(a)(ii) The Provisions of any Draft Environmental Planning Instrument (that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)).***

There is no draft Environmental Planning Instrument applicable to the proposed development.

***(a)(iii) The Provisions of any Development Control Plan***

Camden Development Control Plan 2011 (DCP)

The following is an assessment of the proposed development's compliance with the controls in the DCP.

<b>Control</b>	<b>Requirement</b>	<b>Provided</b>	<b>Compliance</b>
B1.1 Erosion and Sedimentation	Erosion and sediment control measures	Appropriate erosion and sedimentation controls measures have been proposed	Yes
B1.2 Earthworks	Building works should be designed to respond to the natural topography of the site	The majority of earthworks across the site have been completed under DA 914/2006 and DA50/2013; however the proposed development requires minor earthworks to form the playing field, building pads, the staff car park and grassed swales  Council staff have reviewed the information submitted as part of the DA and note that the proposed earthworks will not have a detrimental impact on any of the matters listed for consideration listed by this clause	Yes
B1.3 Salinity Management	Salinity resistant construction	The proposed development will be constructed to be salinity resistant	Yes

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Control	Requirement	Provided	Compliance
B1.4 Water Management	Reference must be made to Camden Council's Engineering Specifications for controls relating to detention, drainage and water sensitive urban design	Council staff have reviewed the information submitted as part of the DA and consider the development to be acceptable in relation to water management. It is recommended that the DA be conditioned to comply with the requirements of Council's Engineering Specifications	Yes
B1.5 Trees and Vegetation	Council must not grant consent unless it take taken into consideration the aesthetic, botanical, ecological, cultural and heritage importance of the tree	Tree and vegetation removal has been undertaken under DA914/2006 and DA50/2013. Some additional tree removal on the sites north western and south western boundaries is proposed, which is deemed to be acceptable	
B1.8 Environmental and Declared Noxious Weeds	To prevent the establishment of new weeds and the spread of existing noxious weeds	A condition of consent requiring noxious weed management has been recommended	Yes
B1.9 Waste Management Plan	Waste management plan	A waste management plan has been provided and complies with the requirements of this control	Yes
B1.12 Contaminated and Potentially Contaminated Land	Contamination assessment and remediation (if required)	A contamination assessment and remediation action plan (RAP) has been provided. The findings identified a high level of carcinogenic PAH and asbestos within the site. Given the sensitive nature of the proposal, the phase 2 assessment and the RAP were independently reviewed by a NSW EPA accredited Site Auditor. The Auditor	Yes

Control	Requirement	Provided	Compliance
		has issued an interim advice letter confirming agreement with the findings of the contamination assessment and the RAP. Compliance with these documents is a recommended condition	
B1.13 Mine Subsidence	Mine Subsidence Board (MSB)	The site is located within a mine subsidence area. As such, authorisation is required from the MSB for any works. A condition is imposed to ensure the appropriate approvals are sought prior to works commencing	Yes
B1.16 Acoustic Amenity	Compliance with Council's Environmental Noise Policy	The development will comply with Council's Environmental Noise Policy and conditions are recommended to ensure no nuisance is created to adjacent properties as a result of the use	Yes
B2 Landscape Design	Landscape plan required	A landscaping plan has been submitted and is considered to be appropriate the site, the surrounding environment and overall character of the Spring Farm West Village	Yes
B3 Environmental Heritage	Provision of Heritage Impact Assessment	The site is located adjacent to Ettlesdale Road Special Character Area. Given the scale, massing, design and separation distances proposed, the proposed development is not considered to adversely impact the heritage nature of the area of special character	Yes

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Control	Requirement	Provided	Compliance
		There are also a number of Heritage Items within the vicinity of the site at 170, 172, 176, 196 and 214 Macarthur Road and 10 Springs Road. It is considered that the school will be sufficient distance to ensure that there will be no heritage impact to these properties	
B4.1 General Requirements for Signs	To ensure all signage is in keeping with the land use and the character of the area	The DA proposes two identification wall signs, with the lettering "Spring Farm School" incorporated. The proposed signage is considered to be of a scale and design that will compliment the future school building and the visual appearance of the streetscape	Yes
B4.3 Signage in Residential, Rural and Environmental Zones	Only one business identification sign with a maximum area of 0.7m <sup>2</sup>  Illuminated signs are not permitted	The site is identified as an educational establishment. As such the signage requirements for business identification signs are not relevant to the development  The signage is not proposed to be illuminated. As such, the signage is considered to be appropriate in relation to design of the overall building and the appearance of the streetscape	<b>No – DCP Variation 1</b>
B5.1 Off-street Car Parking Rates and Requirements	1 car parking space per full time staff member plus 1 car parking space per 100 students plus 1 car parking space per 5 students in	Based on the number of staff and students proposed there will be a requirement to provide 44 on-site car parking spaces for the development	<b>No – DCP Variation 2</b>

Control	Requirement	Provided	Compliance
	year 12 (if applicable)	<p>The applicant has however noted that School Facilities Standards prevail over the DCP. As such, the plans indicate there will be 36 parking available for staff and visitors to the site.</p> <p>Council staff have reviewed the School Facilities Standards and do not consider that the standards provide car parking requirements. This variation is therefore not supported</p>	
B5.2 Car Parking Design Criteria	Drop off/set down areas should be provided in a convenient off-street location close to pedestrian entrances	The development proposes the provision of off-site kiss and drop arrangement along the southern boundary of the school site. Council staff consider that this will result in a poor design layout and unacceptable levels of traffic. It is therefore recommended that a condition be imposed requiring the development to be modified to provide on-site kiss and drop arrangement	<b>No – DCP Variation 3</b>
C7.1 Spring Farm Master plan	Development should be in accordance with the masterplan	The site is identified as a primary school on the Spring Farm Masterplan. The proposal is therefore in accordance with the requirements set out in the DCP	Yes
C7.3 Street Network and Design	Street layout to be consistent with the Spring Farm Master Plan (A copy of the Spring Farm Master	The proposed development is generally consistent with the Spring Farm Masterplan. Roads No.6 and Road No.12	Yes

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Control	Requirement	Provided	Compliance
	Plan showing the location of the proposed development is provided as Attachment 2 of this report)	<p>were approved under DA 50/2013. It is recommended that a condition be imposed requiring the construction of these roads prior to the occupation of the school.</p> <p>As aforementioned, the viability of the school is dependent on the submission of a DA for a construction of a roundabout at the intersection of Springs Road and approved Road No.6. A further condition requiring the construction and operation of this road prior to the occupation of the school is included within the conditions of consent</p>	
C7.4 Pedestrian and Cycle Network	The pedestrian and cycle network is to comply with the Spring Farm Master Plan	<p>All pedestrian and cycle networks have been approved under DA 50/2013.</p> <p>To minimise any potential conflict between pedestrians and vehicles along Macarthur Road, it is recommended that the pedestrian/cycle access from Ettlesdale Road to the school site be temporarily closed until such time as footpaths are constructed as a part of a future subdivision DA to the south of the site</p>	Yes

#### DCP Variation 1 – Proposed area of signs

##### *DCP Control*

The DCP limits the area of signs in residential areas to a maximum of 0.7m<sup>2</sup> for residential land. The proposed signs have a maximum area of 8.2m<sup>2</sup>.

*Variation Request*

The applicant has requested that Council support a variation to this DCP control on the basis that:

- the proposed signs are wall signs that will not detract from the surrounding area.

*Council Staff Assessment*

Council staff have reviewed this variation request and recommend that it be supported for the following reason:

- although non-compliant with the DCP control, the proposed signs in this location will not appear visually dominant or prominent in the surrounding streetscape; and
- the proposed signs will not be illuminated and will not adversely impact the surrounding street network. .

Consequently it is recommended that the Panel support this proposed variation to the DCP.

DCP Variation 2 – Car Parking Provision*DCP Control*

The DCP requires the provision of 44 car parking spaces to facilitate the proposed development. The DA proposes the provision of 36 car parking spaces.

*Variation Request*

The applicant has requested that Council support a variation to this DCP control on the basis that:

- the School Facilities Standards prevail over any inconsistencies with the Camden DCP and therefore 36 car parking spaces are sufficient.

*Council Staff Assessment*

Council staff have reviewed this variation request and recommend that it not be supported for the following reason:

- the School Facilities Standards do not specify the number of car parking required;
- given, the number of children and staff proposed, 44 car parking spaces is considered to be essential to accommodate staff and visitors to the school; and
- insufficient car parking facilities will contribute to unacceptable levels of traffic congestion within the Spring Farm locality.

A draft condition of consent has been included that provides for 44 car parking spaces in accordance with Council's DCP.

DCP Variation 3 – Car Parking Design Criteria*DCP Control*

The DCP requires that drop off/set down areas should be provided in a convenient off-street location close to pedestrian entrances. The DA proposes a kiss and drop within Road No.12.

*Variation Request*

The applicant has requested that Council support a variation to this DCP control on the basis that:

- a kiss and drop arrangement within the site would be inappropriate and would effectively wipe out a significant portion of the school;
- the use of kerbside parking directly in front of the school is similar to Narellan West and Currans Hill Primary schools; and
- the design of Road No's 6 & 12 were widened to accommodate on street car parking.

Council staff have reviewed this variation request and recommend that it be not supported for the following reason:

- given the size of the subject site, the inclusion of a kiss and drop arrangements is deemed to be feasible via the relocation of the proposed car park to they north of the site;
- given the surrounding residential developments it is considered that an internal kiss an drop arrangement will significantly reduced traffic congestion on Road No.6 and 12; and
- whilst Road No 6 and 12 are wide enough to accommodate parked cars, the trip generation as a result of the school is deemed to be high and it is not considered that on street car parking can accommodate this solely on its own.

A draft condition of consent has been included that provides for a kiss and drop off zone on-site (as shown indicatively in Appendix 1 by Council staff) in accordance with Council's DCP.

***(a)(iia) The Provision of any Planning Agreement that has been entered into under Section 94F, or any draft Planning Agreement that a developer has offered to enter into under Section 93F***

No relevant agreement exists or has been proposed as part of this application.

***(a)(iv) The Regulations***

The Regulations prescribe several matters that are addressed in the conditions contained in this report.

**(b) The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality**

As demonstrated by the above assessment, the proposed development is unlikely to have a significant impact on both the natural and built environments, and the social and economic conditions of the locality.

Kiss and Drop Arrangement

As aforementioned the kiss and drop arrangement as proposed is considered to be inadequate to facilitate the needs of the school. This relates to the on-street location and the capacity of the boundary road No's 6 and 12 to accommodate future school traffic. As such, the development as proposed is likely to have significant impact on traffic management and congestion in the Spring Farm locality. It is therefore recommended that the development be modified to provide an improved kiss and drop arrangement within the school site.

Car parking provision

As aforementioned, the applicant has proposed 36 car parking spaces on site. The DCP requires the provision of 44 car parking spaces and Council have recommended a condition requiring 44 car parking spaces on site. This is to ensure that staff along with visitors have sufficient car parking spaces available on site. This will reduce the need for on-street car parking and minimise conflicts that may occur between the school and adjacent residential development.

**(c) The suitability of the site**

As demonstrated by the above assessment, the site is considered to be suitable for the proposed development.

**(d) Any submissions made in accordance with this Act or the Regulations**

The DA was publicly exhibited in accordance with the DCP. A total of 8 submissions were received (3 letters from the same objector) during the notification period.

The following discussion addresses the issues and concerns raised in these submissions:

1. Location of the proposed school in close proximity to Mawarra Public School in Elderslie

Officer Comment

The siting of the proposed school meets the locational criteria for a primary school as identified in the Spring Farm Master Plan contained within the Camden Development Control Plan 2011. It is noted that an additional school is warranted in this area to cater for current and future population growth as Spring Farm expands.

2. Ensure the safe movement of heavy vehicles and pedestrians along local collector roads and intersections surrounding the school site.

Officer Comment

A Traffic Assessment has been submitted as part of the development application. Council staff consider that the movement of traffic in the surrounding locality will not be adversely impacted as a result of the school. The Roads and Maritime Service (RMS) have also provided a number of comments in relation to speed zones, signage, pavement marking, crossings and road marking to ensure the safety movement of pedestrians and vehicles. Subject to these comments being incorporated into the design of the school, the RMS raise no issues. Accordingly, a condition is recommended to ensure compliance with these requirements.

3. There are no formal footpaths proposed along Macarthur Road to ensure the safety of pedestrians and heavy vehicle users

Officer Comment

Footpaths along Macarthur Road and Ettlesdale Road are not proposed as part of the current DA. To minimise any potential conflict between traffic/pedestrians associated with the school and heavy vehicles using Macarthur Road, it is recommended that the pedestrian/cycle access from Ettlesdale Road be temporarily closed until such time as footpaths are constructed (as part of a future DA on land to the south of the site).

A condition of consent is therefore recommended to construct a fence to adjoining approved Road No. 12 to restrict pedestrian/cycle access. As a result all school traffic will be streamlined away from Macarthur Road and Ettlesdale Road to Springs Road.

In addition, it is anticipated that the majority of pedestrian movement will come from the north and east of the site along Springs Road. It is not anticipated that large volumes of pedestrian movement will be generated from Macarthur Road due to the location of Mawarra Public School located on Macarthur Road.

4. Excessive amount of traffic will result in unacceptable levels of traffic congestion

Officer Comment

A Traffic Assessment has been submitted as part of the development application addressing traffic implications on the surrounding area as a result of the proposed school. Council staff consider that appropriate traffic management measures will be implemented to mitigate any significant impacts on the traffic network. The relocation of the kiss and drop arrangement onsite will alleviate significant levels of traffic movement from the roads surrounding the school site.

In addition, a condition is recommended requiring the construction of a roundabout to the north of Road No.6 as indicatively shown on the submitted plans (this roundabout is not proposed as part of this DA and is on land not owned by the school).

Subject to the imposition of the aforementioned conditions, it is considered that traffic generated from the school can be appropriately managed.

5. Excessive noise impact from a school with 780 children

Officer Comment

A Noise Impact Assessment has been provided as part of the DA. Council staff initially raised a number of concerns in relation to the findings within the report, specifically in relation to the location of the readings undertaken to assess the noise impact. A further report was submitted to Council which addressed the outstanding noise impact matters. A condition is imposed requiring compliance with the findings and recommendations of this report.

6. The number of classrooms does not meet the standards of floor space ratio per student population

Officer Comment

Council staff recommend that a condition be imposed requiring that the future school comply with the School Facilities standards.

7. The setback from the classroom does not meet the relevant school standards.

Officer Comment

In relation the design and layout of the school, Council staff recommend that a condition be imposed requiring that the future school comply with the School Facilities standards which provides a best practice guide for the design and layout of new schools. The proposed plans are capable of meeting the School Facilities Standards and are deemed to be acceptable in terms of design and layout.

8. Would the residents of Ettlesdale Road be expected to pay for the fencing along the common boundary

Officer Comment

Any new fencing proposed along the common boundary with Ettlesdale Road will be provided by the applicant. The cost of this fence will be borne fully by the applicant.

9. Are residents of the Ettlesdale Road expected to pay to be connected to the sewer

Officer Comment

This matter is not relevant consideration as part of this current application.

10. The proposed treescape along the common boundary will block sunlight to the rear gardens

Officer Comment

Council staff have considered the impact of the trees on the rear gardens of the adjoining properties of Ettlesdale Road and consider that the acoustic and visual benefits associated with provisions of these trees is acceptable. It is not considered that the inclusion of these trees will adversely impact on solar access for the adjoining properties. These trees comprise of Cumberland Plain Woodland.

#### 11. Concern in relation to the validity of the Geotechnical study

##### Officer Comment

Council staff have reviewed the Geotechnical Report and raise no issues with its findings. The Geotechnical Study has been undertaken in accordance with Councils Engineering Specification and is deemed to be acceptable.

##### **(e) The public interest**

The public interest is served through the detailed assessment of this DA under the *Environmental Planning and Assessment Act 1979*, the Environmental Planning and Assessment Regulation 2000, Environmental Planning Instruments, Development Control Plans and policies. Based on the above assessment, the proposed development is consistent with the public interest.

#### **EXTERNAL REFERRALS**

##### *Department of Trade & Investment*

The DA was referred to the Department of Trade and Industry (DTI) for assessment in accordance with clause 8 of State Environmental Planning Policy No. 9 – Extractive Industry.

The DTI raise no objection to the proposal and recommend that any DA be staged in such a way as to mitigate potential impacts (e.g. noise, dust and vibration) on any development by use of buffer zones between remaining quarries and the development. Adequate buffer distances exist between the existing sand and soil extraction site along Macarthur Road, thereby satisfying the requirements of the SEPP.

##### *NSW Roads and Maritime Services (RMS)*

The DA was referred to RMS for assessment as the development is defined as traffic generating development by State Environmental Planning Policy (Infrastructure) 2007.

RMS raise no objection to the development and have provided a number of advisory comments in relation to signage, school zones, pavements markings, design of off-street parking, bicycle parking and pedestrian linkage. Compliance with these comments is a recommended condition.

##### *Camden Local Area Command (Police)*

The DA was referred to Camden Local Area Command in relation to the suitability of the development with regard to Crime Prevention through Design (CPTED). Camden Local Area Command commented that site is identified as a low crime risk rating and provided a number of advisory comments in relation to the DA.

#### **FINANCIAL IMPLICATIONS**

This matter has no direct financial implications for Council.

#### **CONCLUSION**

The DA has been assessed in accordance with Section 79C(1) of the *Environmental Planning and Assessment Act 1979* and all relevant instruments, plans and policies. Accordingly, DA 269/2014 is recommended for approval subject to the conditions contained in this report.

## **CONDITIONS**

### **1.0 General Requirements**

- (1) **Development in Accordance with Plans** – The development is to be in accordance with plans and documents listed below, except as otherwise provided by the conditions of this consent:

<b>Plan / Development No.</b>	<b>Description</b>	<b>Prepared by</b>	<b>Dated</b>
57094 Sheet1	Detail & Contour Survey	Surveying and Spatial Information Services	29 August 2014
D01 Revision D	Site Plan	Government Architects Office	2 September 2014
D02	Ground Floor Plan	Government Architects Office	2 September 2014
D03	First Floor Plan	Government Architects Office	2 September 2014
D04	Roof Plan	Government Architects Office	2 September 2014
D05	Typical Sections	Government Architects Office	2 September 2014
D06	Elevations	Government Architects Office	2 September 2014
DL01	Landscape/Site Plan	Government Architects Office	24 February 2014
DL02	Landscape Plan	Government Architects Office	17 January 2013
DL03	Landscape Sections	Government Architects Office	20 December 2013

Where there is an inconsistency between the approved plans/documentation and the conditions of this consent, the conditions of this consent override the approved plans/documentation to the extent of the inconsistency.

- (2) **Amendments to Approved Plans** - The amendments indicated and described below must be incorporated in the overall development and must be reflected in any plans prepared prior to works commencing:
- A Plan showing an on-site kiss and drop arrangement fully contained within the site must be provided to the Principal Certifying Authority (PCA) prior to works commencing. This will require access to the kiss and drop arrangement from approved road no.6 and the relocation of the proposed car park to the north of the site (as shown on the indicative layout plan referred to as Appendix 1 attached to this consent.)

- (3) **Pedestrian/cycle access from Ettlesdale Road** - Pedestrian/cycle access from Ettlesdale Road to the school site must be temporarily closed until such time as footpaths are constructed (as part of a future DA on land to the south of the site). A review of pedestrian/cycle access will then be undertaken at that time. Details of this must be provided the Principal Certifying Authority (PCA) assessment prior to works commencing.
- (4) **Children's Crossing** - A children's crossing with kerb returns must be provided on Road Number 6 to be upgraded to a wombat crossing (raised marked, signposted and illuminated) once RMS warrants are achieved, at no cost to Council. Appropriate sight distances must be provided and maintained.
- (5) **Street Lighting** - Appropriate Street lighting must be provided for the wombat crossing standard, in accordance with Australian Standard AS 1158.
- (6) **Public Bus Drop off/Pick Up** - School buses must only set down and pick up students at the designated bus bays at the school frontage to Road Number 6. The proposed kiss and drop along Road No.12 must be removed.
- (7) **Regulatory Signage** – Traffic regulatory signs, lines and devices must be submitted to Council's Local Traffic Committee for concurrence.
- (8) **Directional and safety signage, and Internal Road Markings** – Clear, legible and appropriately located signage and road markings be provided on site to ensure the safe circulation and parking of vehicles. Signage must include, but not be limited to the entry and exit being clearly signposted. Signs must also indicate truck/service vehicle access.
- (9) **Signage** - The two wall signs shown on drawing no. DA06 are approved as part of this consent. Any additional signage may require further consent.
- (10) **Separate Approval** – Community use of school facilities, child care, outside hours care or any other use not specified in this consent requires separate approval, as may be required under the Environmental Planning and Assessment Act, 1979.
- (11) **Heritage Protection** – The development must be constructed and operated in accordance with the "*Spring Farm Public School Heritage Impact Statement by NSW Public Works Government Architect's Office dated December 2013*".
- (12) **Access** - All vehicles must be driven forward onto and away from the development and adequate space must be provided and maintained on the land to permit all vehicles to turn in accordance with Australian Standard 2890.1 Parking Facilities - Off Street Car Parking.
- (13) **Compliance with Roads and Maritime Services** – A letter from the NSW Roads and Maritime Services dated 15 May 2014 is attached to and forms part of this development consent. All requirements of this letter must be fully complied with.
- (14) **Safer by Design (CPTED) Requirements** – The Development must be designed in accordance with NSW Police Service, Camden Local Area Command, Safer by Design Crime Risk Evaluation Report applying to this development, dated 28 April 2014.

- (15) **School Facilities Standards** – The development must be designed and constructed consistent with, as a minimum, the School Facilities Standards (Landscape Standard Version 22 March 2002); Schools Facilities Standards (Design Standard Version 1/09/2006); Schools Facilities Standards (Specification Standard Version 01/11/2008).

If there is an inconsistency between a standard referred to in the School Facilities Standards as outlined above and a provision of the BCA, the BCA prevails to the extent of the inconsistency.

- (16) **Building Code of Australia** - All works must be carried out in accordance with the requirements of the *Building Code of Australia*.
- (17) **Landscaping Maintenance and Establishment Period** - Commencing from the Date of Practical Completion (DPC), the Applicant will have the establishment and maintenance responsibility for all hard and soft landscaping elements associated with this Consent.

The Date of Practical Completion (DPC) is taken to mean completion of all civil works, soil preparation and treatment and initial weed control, and completion of all planting, turf installation and mulching.

The 12 month maintenance and establishment period includes the Applicant's responsibility for the establishment of all plantings.

It is the Applicant's responsibility to arrange a site inspection with a accredited certifier, upon initial completion of the landscaping works, to determine and agree upon an appropriate DPC.

At the completion of the 12 month landscaping maintenance and establishment period, all landscaping must be in an undamaged, safe and functional condition and all plantings have signs of healthy and vigorous growth

- (18) **Noxious Weeds Management** – Noxious weeds management must be carried out in accordance with Section B1.8 of Camden Development Control Plan 2011.
- (19) **Salinity Management Plan** - All proposed works that includes earthworks, imported fill and landscaping, buildings, and associated infrastructure proposed to be constructed on the land must be carried out or constructed in accordance with report titled "Report: *Subject: Salinity Management Plan: Stage 3 Springs Road Spring Farm, Prepared by SMEC Testing Services Pty Ltd, Project 19296/3549C, Dated 4 October 2013*".
- (20) **Canteen and Food Preparation Areas** – The design, construction, fit-out, use and ongoing operation of the food premises or food storage area shall comply with all applicable Acts, Regulations, codes and standards including:
- a) the *Food Act 2003*;
  - b) the *Food Regulation 2004*;

- c) Food Standards Australia and New Zealand – Food Standards Code 2003;
- d) Council's Food Premises Code;
- e) AS 1668.2 'The use of ventilation and air conditioning in buildings'; and
- f) the BCA.

Plans/documents demonstrating compliance with the requirements of these Acts, Regulations, codes and standards shall be submitted to the Certifying Authority.

- (21) **Site Identification Sign** – Immediately after the issue of a Development Consent of this school, a sign must be erected on site which notes the approval of a school. This sign must be publicly visible at all times and must remain in place until such time as the school is constructed and becomes operational.

## 2.0 - Prior to Works Commencing

The following conditions of consent shall be complied with prior to any works commencing on the construction site.

- (1) **Mine Subsidence Board Approval** – Prior to works commencing, authorisation must be obtained from the Mine Subsidence Board pursuant to the Mine Subsidence Compensation Act 1961.
- (2) **Car Parking** – Prior to works commencing, a revised plan must be prepared that provides 44 on-site car parking spaces.
- (3) **Design and Construction Standards** – Prior to works commencing on the site, all proposed civil and structural engineering work associated with the development must be designed and constructed strictly in accordance with:
  - (a) Camden Council's current Engineering Specifications, and
  - (b) Camden Council's Development Control Plan 2011.
- (4) **Civil Engineering Plans** - Indicating drainage, internal roads, accessways, earthworks, pavement design, details of linemarking and traffic management details must be prepared strictly in accordance with the Camden Development Control Plan 2011 and Engineering Specifications prior to works commencing.
- (5) **Soil Erosion and Sediment Control Plans** - Soil erosion and sediment control plans must be designed and installed in accordance with Camden Council's engineering design and construction specifications.
- (6) **Water Quality Measures** - The proposed surface water collection and disposal systems from all onsite carpark areas must incorporate silt traps and oil arrestors. Only uncontaminated stormwater must be discharged to the drainage system. Details of the silt traps and oil arrestors must be shown on the engineering plans prior to works commencing.

- (7) **Public Risk Insurance Policy** - Prior to works commencing, the owner or contractor is to take out Public Risk Insurance Policy in accordance with Camden Council's current Engineering Design Specifications.
- (8) **Stabilised Access Point** - A Stabilised Access Point (SAP) incorporating a truck shaker must be installed and maintained at the construction ingress/egress location prior to the commencement of any work. The provision of the SAP is to prevent dust, dirt and mud from being transported by vehicles from the site.
- (9) **Sydney Water Approval** – Prior to works commencing, the approved development plans must also be approved by Sydney Water
- (10) **Construction Waste Management Plan** – A suitable construction waste management plan will be required to be provided that demonstrates how waste materials will be collected and sorted for recycling prior to disposal to EPA licensed waste facilities.
- (11) **Dilapidation Survey** - A photographic dilapidation survey of existing public roads, kerbs, footpaths, drainage structures and any other existing public infrastructure within the immediate area of the development site must be submitted to the Council prior to works commencing. The survey must include descriptions of each photo and the date when each individual photo was taken.
- (12) **Traffic Management Procedure** - Traffic management procedures and systems must be introduced during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems. Such procedures and systems must be in accordance with AS 1742.3 1985 and to the requirements and approval of Council Plans and proposals must be approved by Council prior to works commencing.
- (13) **Protection of Public Places** – If the work involved in the erection or demolition of a building:
- (a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
  - (b) building involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place.
- If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with the work falling into the public place. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.
- (14) **Erection of Signs** – Erection of signs must be undertaken in accordance with Clause 98A of the *Environmental Planning and Assessment Regulation 2000*.
- (15) **Toilet Facilities** - Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one toilet for every 20 persons employed at the site.

Each toilet must:

- (a) be a standard flushing toilet connected to a public sewer, or
- (b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
- (c) be a temporary chemical closet approved under the *Local Government Act 1993*.

- (16) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site.

Soil erosion and sediment control measures must be maintained during construction works and must only be removed upon completion of the project when all landscaping and disturbed surfaces have been stabilised (for example, with site turfing, paving or re-vegetation).

Where a soil erosion and sediment control plan (or details on a specific plan) has been approved with the development consent, these measures must be implemented in accordance with the approved plans. In situations where no plans or details have been approved with the development consent, site soil erosion and sediment controls must still be implemented where there is a risk of pollution occurring.

Provide a stabilised entry/exit point. The access should be a minimum of 2.5m wide and extend from the kerb to the building line. The access should consist of aggregate at 30-40mm in size.

Vehicle access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site has been affected by wet weather.

- (17) **Technical Provisions of the State's Building Laws** - Pursuant to Section 109R of the *Environmental Planning and Assessment Act 1979*, the work cannot be commenced to be carried out unless the work is certified by or on behalf of the Crown to comply with the technical provisions of the State's buildings laws.

- (18) **Damage to Public Infrastructure** – All public infrastructure that adjoins the development site on public land must be protected from damage during construction works.

Public infrastructure includes roadways, kerb and guttering, footpaths, service authority infrastructure (such as light poles, electricity pillar boxes, telecommunication pits, sewer and water infrastructure), street trees and drainage systems.

The applicant shall advise Council, in writing, of any existing damage to Council property before commencement of the development. Where existing damage is present, a dilapidation survey of Council's assets, including photographs (with evidence of date) and written record, must be prepared by a suitably qualified person and submitted to Council prior to the commencement of construction works.

The applicant must bear the cost of all restoration works to public property damaged during the course of this development. Any damage to public

infrastructure will be required to be reinstated to Council's satisfaction prior to the finalisation of the works.

- (19) **Environmental Site Management Plan** - An Environmental Site Management Plan must be submitted to the Consent Authority for approval. The plan must be prepared by a suitably qualified person in accordance with AS/NZ ISO 14000 – 2005 and must address, but not be limited to, the following:
- (a) all matters associated with Council's Erosion and Sediment Control Policy;
  - (b) all matters associated with Occupational Health and Safety; and
  - (c) all other environmental matters associated with the site works such as noise control, dust suppression and the like.

### 3.0 - During Construction

The following conditions of consent shall be complied with during the construction phase.

- (1) **Hours of Work** – The hours for all construction and demolition work are restricted to between:
- (a) 7am and 6pm Monday to Friday (inclusive);
  - (b) 7am to 4pm Saturday (if construction noise is inaudible to adjoining residential properties), otherwise 8am to 4pm;
  - (c) work on Sunday and Public Holidays are prohibited.
- (2) **Site Management** – To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period, the following practices are to be implemented:
- (a) The delivery of material shall only be carried out between the hours of 7am - 6pm Monday to Friday, and between 8am - 4pm on Saturdays.
  - (b) Stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off the site.
  - (c) Builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner.
  - (d) Waste must not be burnt or buried on site, nor should wind blown rubbish be allowed to leave the site. All waste must be disposed of at an approved Waste Disposal Depot.
  - (e) A waste control container shall be located on the development site.
- (3) **Excavation and Backfilling** – All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

- (4) **Remediation Works** - All works proposed as part of the Remediation Action Plan that includes: remediation, excavation, stockpiling, onsite and offsite disposal, cut, fill, backfilling, compaction, monitoring, validations, site management and security, health and safety of workers, must be undertaken on the site in accordance with the Remediation Action Plan titled "*Remedial Action Plan Proposed Spring Farm Public School: 26-36 Springs Road Spring Farm NSW, Prepared by Coffey, Dated 5 May 2014.*"

Any further variation or modification to the Remediation Action Plan in terms of compliance work beyond what is contained in the final approved RAP or conditions of this consent must be requested from the Consent Authority (Camden Council) in writing prior to variation. With regard to remediation work, any proposed variation of works must be approved by the Consent Authority (Camden Council) in writing prior to the works being undertaken.

- (5) **Remediation Noise Levels** – Noise levels emitted during remediation works shall be restricted to comply with the construction noise control guidelines set out in Chapter 171 of the NSW EPA's Environmental Noise Control Manual. This manual recommends;

Construction period of 4 weeks and under:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 20 dB(A).

Construction period greater than 4 weeks:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 10 dB(A).

- (6) **Removal of Waste Materials** - Where there is a need to remove any identified materials from the site that contain fill / rubbish / asbestos, this material will need to be assessed in accordance with the NSW DECC Waste Classification Guidelines (April 2008) (refer [www.environment.nsw.gov.au/waste/envguidlns/index.htm](http://www.environment.nsw.gov.au/waste/envguidlns/index.htm) ) Once assessed, the materials will be required to be disposed to a licensed waste facility suitable for the classification of the waste with copies of tipping dockets supplied to Council.
- (7) **Remediation Works Inspections** – A qualified environmental consultant or scientist will be required to frequently inspect the remediation works to confirm compliance with the RAP that includes all health and safety requirements.
- (8) **Unexpected findings Contingency** – Upon the identification of additional contamination or hazardous materials at any stage of the remediation or other construction processes all remediation / construction works in the vicinity of the findings shall cease and the affected area must be made secure from access by personnel. A qualified environmental consultant must assess the extent of the contamination / hazard in accordance with the NSW DEC Guidelines. The assessment results together with a suitable management plan must be provided to the Consent Authority (Camden Council) for written

approval prior to the removal or treatment of such findings contamination / hazardous materials.

- (9) **Off-Site Disposal of Contaminated Soil / Materials** – all contaminated materials proposed to be disposed off-site must be disposed to a Licensed Landfill Facility able to accept the classification of waste material.
- (10) **Workcover Authority** - All remediation work must comply with relevant requirements of NSW WorkCover Authority.
- (11) **Licenses** – It is the responsibility of the applicant / land owner / site operator to ensure that all relevant licenses are obtained from all appropriate authorities in accordance with relevant legislation requirements prior to the commencement of remediation works.
- (12) **Offensive Noise, Dust, Odour, Vibration** - Remediation work shall not give rise to offensive noise or give rise to dust, odour, vibration as defined in the Protection of the Environment Operations Act 1997 when measured at the property boundary.
- (13) **Sedimentation and Erosion Control** - Sedimentation and erosion control measures are to be installed prior to any soil remediation or excavation activity and maintained for the full period of works.
- (14) **Location of Stockpiles** - Stockpiles of soil should not be located on / near any drainage lines or easements, natural watercourses or water bodies, footpath or roadway without first providing suitable protective measures adequate to protect these water bodies. All stockpiles of contaminated materials shall be suitably covered to prevent dust and odour nuisance.
- (15) **Fill Material** - Importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be submitted to and approved by the Principal Certifying Authority.

The validation report and associated sampling location plan must:

- (a) be prepared by a person with experience in the geotechnical aspects of earthworks, and
- (b) be endorsed by a practising engineer with Specific Area of Practice in Subdivisional Geotechnics, and
- (c) be prepared in accordance with:

For Virgin Excavated Natural Material (VENM):

- (i) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity", and
- (ii) the Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW".
- (d) confirm that the fill material:

- (i) provides no unacceptable risk to human health and the environment;
- (ii) is free of contaminants;
- (iii) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity");
- (iv) is suitable for its intended purpose and land use; and
- (v) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

- (e) less than 6000m<sup>3</sup> - 3 sampling locations,
- (f) greater than 6000m<sup>3</sup> - 3 sampling locations with 1 extra location for each additional 2000m<sup>3</sup> or part thereof.

For (e) and (f) a minimum of 1 sample from each sampling location must be provided for assessment.

Sampling of VENM for Contamination and Salinity should be undertaken in accordance with the following table:

Classification of Fill Material	No of Samples Per Volume	Volume of Fill (m <sup>3</sup> )
Virgin Excavated Natural Material	1 (see Note 1)	1000 or part thereof

**Note 1:** Where the volume of each fill classification is less than that required above, a minimum of 2 separate samples from different locations must be taken.

- (16) **Fencing and Signage of Contaminated Stockpiles** - All stockpiles of contaminated materials must be suitably fenced or cordoned off with suitable signage to be provided warning of any potential danger.
- (17) **Construction Requirements: Walls, Ceilings, Roofs, Windows and Doors** – For all school buildings, construction requirements that includes walls and ceiling and roof systems and external door and window treatments are to be consistent with "Section 5 – Recommended Acoustical Treatment" and "Table 5.4 – Schedule of Glazed Window and Door Constructions" contained within the "Road Traffic Noise Intrusion Report: Proposed Public School At Spring Farm NSW, Prepared by Day Design Pty Ltd, Report No 4213-1-2R, Dated 4 November 2013."
- (18) **Delivery Register** - The applicant must maintain a register of deliveries which includes date, time, truck registration number, quantity of fill, origin of fill and type of fill delivered. This register must be made available to Camden Council officers on request and be submitted to the Council at the completion of the development.
- (19) **Location of Outdoor Condenser units** – Where units are required to provide fresh air or air conditioning to service buildings the location of these

units are to be on the opposite side (internal side) of the buildings away from residents.

- (20) **Acoustic Boundary Fence** - An acoustically rated solid fence at least 2.1 metres in height is required to be constructed along the western property boundary. The length and location of the acoustic fence is to consistent with plan known as "Appendix D (5213-1)" within the report "*Environmental Noise Impact: Proposed Public School at Spring Farm NSW, Prepared by Day Design Pty Ltd, Report No 5213-1-1R REV B, Dated 5 June 2014.*" The fence must be of sufficient mass (min 10kg/m<sup>2</sup>) to prevent noise transmission and have no gaps between or underneath panels.
- (21) **Acoustic Boundary Mound** – a 1.8 metre high earth mound is required to be constructed along the northern boundary. The length and location of the acoustic mound is to consistent with plan known as "Appendix D (5213-1)" within the report "*Environmental Noise Impact: Proposed Public School at Spring Farm NSW, Prepared by Day Design Pty Ltd, Report No 5213-1-1R REV B, Dated 5 June 2014.*"
- (22) **Disposal of Stormwater** - Water seeping into any site excavations is not to be pumped into the stormwater system unless it complies with relevant EPA and ANZECC standards for water quality discharge.

#### 4.0 - Prior to the Occupation of the Building

The following conditions shall be complied with prior to the occupation of the building. The issue of an "interim" Occupation Certificate may occur if the accredited certifier is satisfied that outstanding matters will be completed within a reasonable time frame. Additional fees for the issue of interim Occupation Certificates may be applied by the PCA.

- (1) **Construction of Roads** – Roads No. 6 and Road No. 12 approved under DA50/2013 must be constructed and fully operational prior to the occupation of the development.
- Note: The school is not required to construct the roads.
- (2) **Provision of Roundabout** – A roundabout at the intersection of Springs Road and approved Road No. 6 under DA 50/2013 must be constructed and operational prior to the occupation of the development.
- Note: The school is not required to construct the roads.
- (3) **Services and Utilities** – All services and utilities must be installed prior to the occupation of the development in accordance in DA 50/2013.
- (4) **Structural Certification (Completed Building)** – Prior to the occupation of the development, a certificate prepared by a practicing structural engineer, certifying the structural adequacy of the building, must be submitted to the accredited certifier.
- (5) **Fire Safety Certificates** – A Fire Safety Certificate is to be submitted to the accredited certifier prior to the occupation of the development in accordance with the requirements of the Environmental Planning and Assessment

Regulation 2000. The Fire Safety Certificate is to certify that each fire safety measure specified in the current fire safety schedule for the building to which it relates:

- (a) has been assessed by a properly qualified person; and
- (b) was found, when it was assessed, to be capable of performing to at least the standard required by the current fire safety schedule for the building for which the certificate is issued.

As soon as practicable after the Final Fire Safety Certificate has been issued, the owner of the building to which it relates:

- (a) must cause a copy of the certificate (together with a copy of the current fire safety schedule) to be given to the Commissioner of Fire & Rescue New South Wales, and
- (b) must cause a further copy of the certificate (together with a copy of the current fire safety schedule) to be prominently displayed in the building.

- (6) **Site Validation Report** – A validation report incorporating a notice of completion must be submitted to the Consent Authority in accordance with the requirements of clause 7.2.4 (a) - (d) and clause 9.1.1 of Council's adopted policy and clause 17 & 18 of SEPP 55 for the completed remediation works. The notice/s or report/s must confirm that all decontamination and remediation works have been carried out in accordance with the remediation plan and must be submitted to the Consent Authority within 30 days following the completion of the works.
- (7) **Registration and Notification** - Proprietor/s of a business are required to register the business with Camden Council and complete a Food Business Notification Form prior to the occupation of the development.

#### 5.0 - Operational Conditions

The following conditions of consent are operational conditions applying to the development.

- (1) **Approved Capacity** – The approved capacity of the school is 780 students and 36 staff at any one time.
- (2) **Hours of Operation** – The hours of operation for this development are limited to 7.00am and 9.00pm Monday to Friday. Deliveries and service vehicles are to be scheduled to access the site outside of peak am and pm pick up and drop off times to minimise conflict between different vehicle modes, pedestrians and car parking spaces.
- (3) **Windows And Doors Closed For Music Classes** – Where music classes are conducted within buildings identified as "block C1 and C2" located on the western boundary, windows and doors on the western façade of these buildings must be kept closed.

- (4) **Alternative Ventilation for Music Rooms** - For buildings identified as "block C1 and C2" located on the western boundary where windows and doors are to be kept closed the provision of alternative ventilation (possibly mechanical provided there is a fresh air intake) that meets the requirements of the Building Code of Australia (BCA) will need to be provided. Consultation with a mechanical engineer to ensure that BCA and AS1668 are achieved may be required.
- (5) **School Bell And Public Address System** – the school bell and public address system must be installed so that speakers face the internal courtyard of the School and away from residents. The maximum sound pressure level from any of the speakers used for the school bell or public address system shall not be greater than 80 dB(A) when measured at 3 meters from any speaker.
- (6) **Offensive Noise** - The use and occupation of the premises including all plant and equipment must not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act, 1997*.
- (7) **Plant Noise Restriction** - The level of total continuous noise emanating from operation of all the plant or processes in all buildings ( $LA_{eq}$ ) (measured for at least 15 minutes) or in, the above premises must not exceed the relevant criteria contained within Councils "Environmental Noise Policy" when measured at any point on the boundary.
- (8) **Noise From External Play** – The noise levels from children participating in external play areas shall not exceed the following criteria when assessed within any existing or any future residential property boundary.
- Location "B" and "E"
- $LA_{eq}$ , 15min 50 dB(A) Day period 7am – 6pm
- Location "C" and "F"
- $LA_{eq}$ , 15min 53 dB(A) Day period 7am – 6pm
- Location "D" and "G"
- $LA_{eq}$ , 15min 56 dB(A) Day period 7am – 6pm
- (9) **Classroom Internal Noise Levels** – The School must be designed to achieve an internal noise level of  $LA_{eq}$  (1hr) 45 dB(A) for all classrooms with windows open and be compliant with the relevant internal noise criteria contained with Australian Standard 2107:2000 – Acoustics recommended design sound levels and reverberation times for building interiors. If windows are required to be closed to achieve the internal noise level then mechanical ventilation (air conditioning) will be required to be provided to the classrooms to ensure that adequate air ventilation is provided. Air ventilation for classrooms should meet the minimum standards prescribed by the Building Code of Australia.

- (10) **Administration Buildings Internal Noise Levels** – For administration buildings all internal noise levels must be compliant with the relevant internal noise criteria contained with “AS 2107:2000 – Acoustics Recommended design sound levels and reverberation times for building interiors”. If windows are required to be closed to achieve noise levels then mechanical ventilation (air conditioning) will be required to be provided to the classrooms to ensure that adequate air ventilation is provided. Air ventilation for classrooms should meet the minimum standards prescribed by the Building Code of Australia.
- (11) **School Hall Noise Levels** - The maximum sound pressure level from any speaker used in the school hall shall not be greater than 80 dB(A) when measured at 3 metres from the speaker.

Location “B” and “E”

- LAeq, 15min 50 dB(A) Day period 7am – 6pm,

Location “C” and “F”

- LAeq, 15min 53 dB(A) Day period 7am – 6pm,

Location “D” and “G”

- LAeq, 15min 56 dB(A) Day period 7am – 6pm,

- (12) **Plant Noise Restriction** - The level of total continuous noise emanating from operation of all the plant or processes on the site (LAeq) (measured for at least 15 minutes) must not exceed the background level by more than 5dB(A) when measured at any point on any residential boundary. The noise levels must also comply with relevant noise criteria within Council’s Environmental Noise Policy.
- (13) **External Play Area Noise Levels** – External play areas must be protected from the impact of road traffic noise to achieve a noise criteria of 55 dB(A) LAeq (15hr) and 55 dB(A) LAeq (1hr) from Collector and local roads as contained within DECCW’s Environmental Criteria for Road Traffic Noise booklet or equivalent.
- (14) **External Lighting Compliance** – All lights provided for schools, car parks, access paths and access roads must comply with AS 4282 – Control of Obtrusive Effects of Outdoor Lighting when assessed at the nearest light affected residential boundary.
- (15) **Mechanical Plant Noise** - Noise from the combined operation of all mechanical plant and equipment operating at the School must not exceed the following criteria when assessed within any existing or any future residential property boundary.

Location “B” and “E”

- LAeq, 15min 45 dB(A) Day period 7am – 6pm,

- LAeq, 15min 40 dB(A) for Evening period 6pm-10pm.

Location "C" and "F"

- LAeq, 15min 48 dB(A) Day period 7am – 6pm,
- LAeq, 15min 43 dB(A) for Evening period 6pm-10pm.

Location "D" and "G"

- LAeq, 15min 51 dB(A) Day period 7am – 6pm,
- LAeq, 15min 47 dB(A) for Evening period 6pm-10pm.

Selection of suitable mechanical plant for noise assessment and control must be undertaken with noise compliance to be demonstrated (if required) to the PCA prior works commencing.

**RECOMMENDED**

**That the Panel approve DA 269/2014 for the construction of a public school with a capacity of 780 students, car parking, landscaping and associated site works at 26 – 36 Springs Road, Spring Farm subject to the conditions listed above.**



APPENDIX 2 – OUTSTANDING CONDITIONS

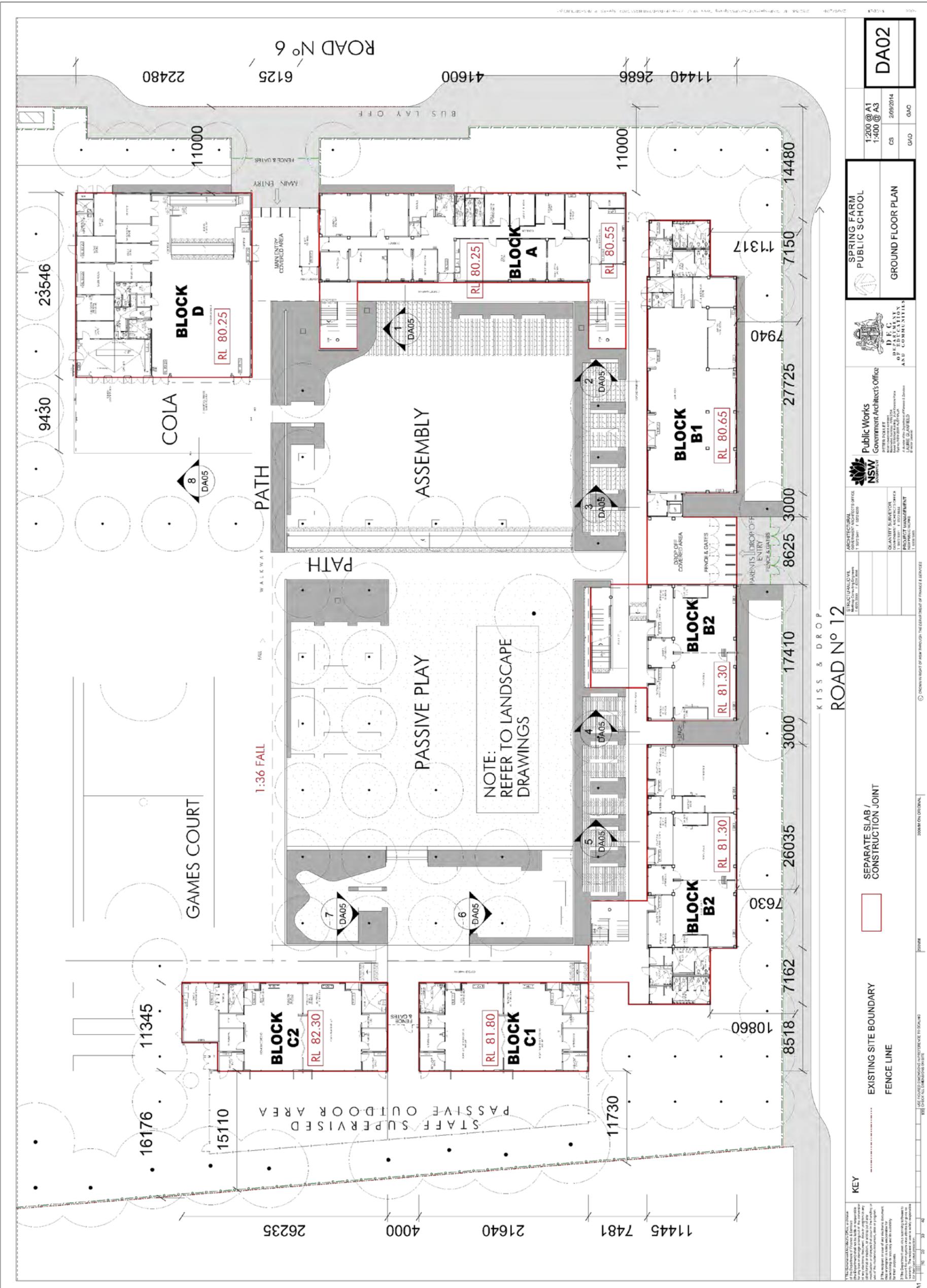
Condition/Requirement	Public Works' Response	Camden Council Response
<p><b>1.0 General Requirements</b></p> <p>(2) A Plan showing an on-site kiss and drop arrangement fully contained within the site must be provided to the Principal Certifying Authority (PCA) prior to works commencing. This will require access to the kiss and drop arrangement from approved road no.6 and the relocation of the proposed car park to the north of the site (as shown on the layout plan attached to this consent.)</p>	<p>Not accepted.</p> <p>The provision of an on-site kiss and drop fully contained within the site is not accepted</p> <p>The relocation of the carpark to the north of the site is not accepted</p>	<p>Council officers are of the view that without a kiss and drop arrangement on-site the proposal will result in a poor traffic outcome.</p> <p>There is ample room to provide one on-site and it will assist in reducing traffic congestion.</p> <p>Council's DCP requires the provision of adequate drop off / pick up areas in off-street locations. This requirement was included in the DCP as a result of traffic impacts experienced at existing school arrangements across the LGA.</p>
<p><b>2.0 Prior to Works Commencing</b></p> <p>(2) Prior to works commencing, a revised plan must be prepared that provides 44 on-site car parking spaces.</p>	<p>Not accepted.</p> <p>We have a Primary SFS and Secondary SFS standards which detail the certain requirements for a particular school. The SFS specification standard is an over arching standard which is to be read in conjunction with the whole suite of standards which DEC have.</p> <p>The primary SFS only requires 36 car parking spaces.</p>	<p>Council's DCP requires the provision of 44 on-site car parking spaces and the applicant has provided 36.</p> <p>The applicant has not been able to adequately demonstrate that the School facility Standard referenced in the State Environmental Planning Policy (SEPP) (Infrastructure) 2007 provides a rate of car parking and therefore overrides Council's DCP.</p>





Attachment 4

ORD06



DA02

1:200 @ A1  
1:400 @ A3

SPRING FARM PUBLIC SCHOOL  
GROUND FLOOR PLAN



Public Works  
Government Architect's Office

ARCHITECTURAL SURVEY SERVICE  
1/20/2014 - 1/27/2014

QUANTITY SURVEYOR  
1/27/2014 - 1/27/2014

PROJECT MANAGEMENT  
1/27/2014 - 1/27/2014

STRUCTURAL LEVEL  
1/27/2014 - 1/27/2014

SEPARATE SLAB / CONSTRUCTION JOINT

EXISTING SITE BOUNDARY  
FENCE LINE

KEY

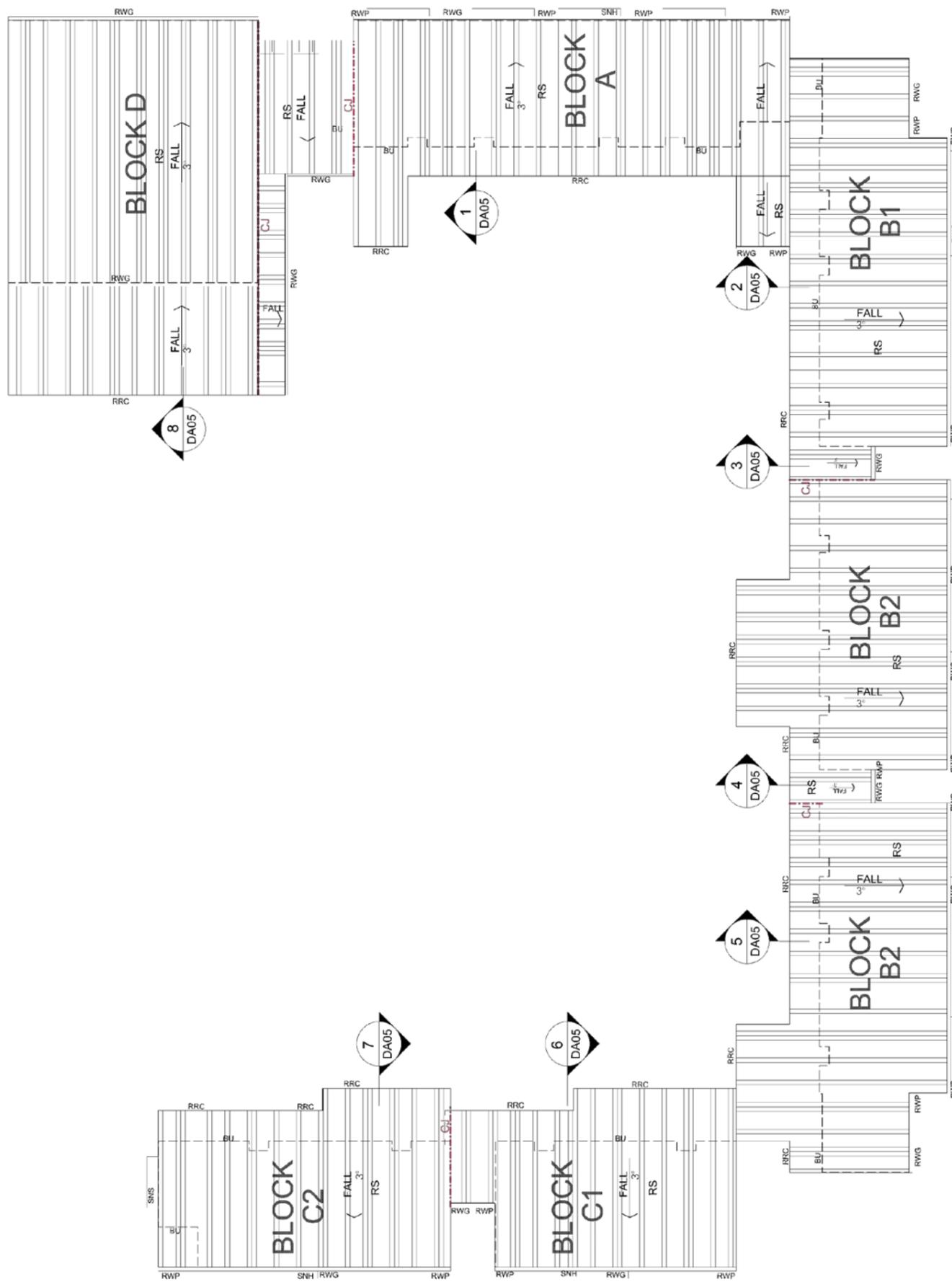
USE COVERED UNLESS OTHERWISE REFERENCED TO SCALE  
1. THE INFORMATION ON THIS PLAN IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A CONTRACT OR A GUARANTEE OF ANY KIND.  
2. THE INFORMATION ON THIS PLAN IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A CONTRACT OR A GUARANTEE OF ANY KIND.  
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ORD06

Attachment 4

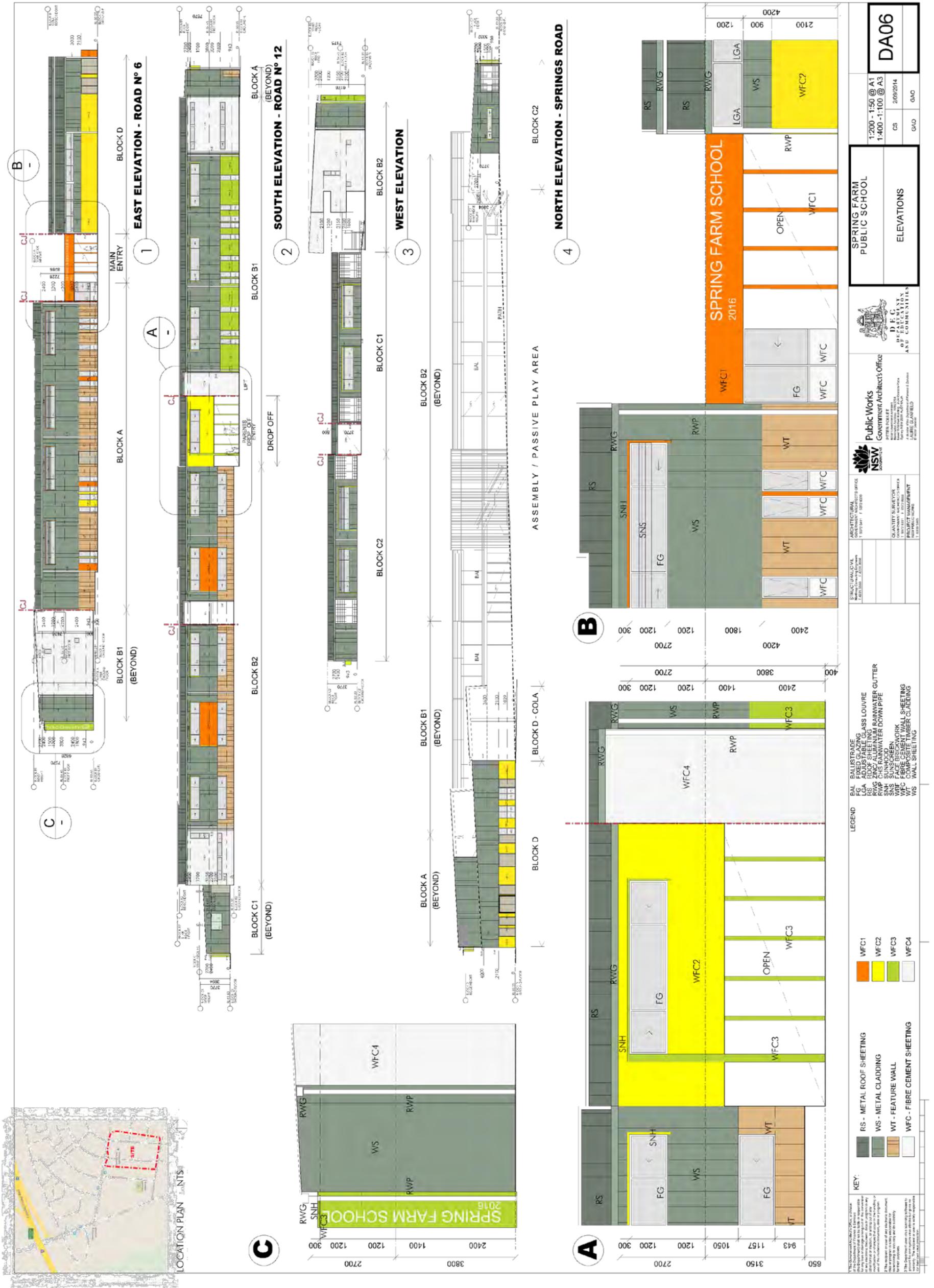


 <b>Public Works</b> Government Architect's Office <small>NSW Government Architect          110 Macquarie Street, Sydney NSW 2000          Phone: (02) 9231 3111          Fax: (02) 9231 3112          Email: <a href="mailto:publicworks@nsw.gov.au">publicworks@nsw.gov.au</a></small>		 <b>D.F.C.</b> DEPARTMENT OF REGIONAL DEVELOPMENT AND COMMUNITIES <small>110 Macquarie Street, Sydney NSW 2000          Phone: (02) 9231 3111          Fax: (02) 9231 3112          Email: <a href="mailto:dfc@nsw.gov.au">dfc@nsw.gov.au</a></small>	<b>1:200 @ A1</b> <b>1:400 @ A3</b> CS 20/09/2014 GAO GAO
<b>SPRING FARM PUBLIC SCHOOL</b> <b>ROOF PLAN</b>		<b>DA04</b>	



Attachment 4

ORD06



DA06

1:200 - 1:50 @ A1  
1:400 - 1:100 @ A3

SPRING FARM PUBLIC SCHOOL  
ELEVATIONS



Public Works  
Government Architect's Office

ARCHITECTURAL  
1/20/2014 - 1/27/2014

QUANTITY SURVEYOR  
1/27/2014 - 2/27/2014

PROJECT MANAGEMENT  
1/27/2014

LEGEND

- WFC1
- WFC2
- WFC3
- WFC4

KEY:

- RS - METAL ROOF SHEETING
- WS - METAL CLADDING
- WT - FEATURE WALL
- WFC - FIBRE CEMENT SHEETING

LEGEND

- BAL BALUSTRADE
- FG FIXED GLAZING
- RS ROOF SHEETING
- RWG ZINC ALUMINUM RAINWATER GUTTER
- SNH SUNSHOOD
- SNP SUNSCREEN
- WS WALL SHEETING
- WT WALL SHEETING
- WFC WALL SHEETING

THE GOVERNMENT ARCHITECT'S OFFICE  
1/27/2014 - 2/27/2014