



## STATEMENT OF ENVIRONMENTAL EFFECTS

### **Residential Subdivision**

Part of Lot 4 DP 1213869 – 192 Narellan Road,  
Campbelltown and Part of Lot 1428 & 1429  
DP1047382 – Maryfields Drive, Blair Athol

GLN Planning Pty Ltd Trading as GLN Planning  
ABN 39 585 269 237

A Level 10, 70 Pitt Street Sydney NSW 2000  
P GPO Box 5013, Sydney NSW 2001  
E [info@glnplanning.com.au](mailto:info@glnplanning.com.au)  
T (02) 9249 4109 F (02) 9249 4111

[glnplanning.com.au](http://glnplanning.com.au)



# Statement of Environmental Effects

Residential Subdivision

Part of 192 Narellan Road, Campbelltown (Lot 4 DP 1213869) and  
Part of land at Lot 1428 & 1429 DP1047382 Maryfields Drive,  
Campbelltown

## Prepared for

Clearstate CamNarr192 Pty Ltd

By



ABN 39 585 262 237

A Level 10, 70 Pitt Street, Sydney 2000 P GPO Box 5013, Sydney  
NSW 2001

T (02) 9249 4100 F (02) 2949 4111 E [info@glnplanning.com.au](mailto:info@glnplanning.com.au)

[glnplanning.com.au](http://glnplanning.com.au)





ABN 39 585 262 237

A Level 10, 70 Pitt Street, Sydney 2000 P GPO Box 5013, Sydney NSW 2001

T (02) 9249 4100 F (02) 2949 4111 E [info@glnplanning.com.au](mailto:info@glnplanning.com.au)



Date of final issue: 26/07/21

File Path: C:\Users\SandySo\Dropbox (GLN Planning)\Public\Projects\Active\11355 Clearstate - 192 Narellan Road (off Maryfields Drive), Campbelltown (Lot 4 DP1213869) - DD\Reports\Stage 1

Project Manager: Michael Hanisch

Client: Clearstate Development Pty Ltd

Project Number: 11355

The purpose for which this report may be used and relied upon is limited for that which it was commissioned. Copyright in the whole and every part of this document belongs to GLN Planning and may not be used, sold, transferred, copied or reproduced in whole or in part in any manner or form or in or on any media to any person without the prior written consent of GLN Planning.

#### Document History and Status

Version	Issue To	Qty	Date	Prepared by	Reviewed by
Draft	O. Walsh (Indesco) M. Fitzpatrick (Clearstate)	1-e	19/05/2021	MH	PL
Final	O. Walsh & M Fitzpatrick	1-E	23/07/21	MH	PL
V2	O. Walsh & M Fitzpatrick	1-E	30/07/21	MH	



## Table of Contents

<b>Executive Summary</b>	<b>vi</b>
<b>1 Introduction</b>	<b>viii</b>
1.1 Background	viii
1.2 Pre lodgement meeting	ix
1.3 Purpose of Report	x
1.4 Type of Development Application	x
<b>2 The Site and Locality</b>	<b>1</b>
2.1 Site Location	1
2.2 Site Description	2
2.2.1 Existing Vegetation	3
2.2.2 Heritage significance	3
2.2.3 Existing ground and soil conditions	3
2.3 Surrounding Locality	4
<b>3 Proposed Development</b>	<b>6</b>
3.1 Overview	6
3.2 Demolition and clearing of the land	7
3.3 Subdivision	7
3.4 Vehicular and Pedestrian Connectivity	9
3.5 Associated Civil Works	10
3.5.1 Earthworks and Clearing	11
3.5.2 Stormwater Management and Flooding	12
3.6 Landscaping and Park Embellishment	14
<b>4 Environmental Assessment</b>	<b>16</b>
4.1 Biodiversity and Threatened Species Impact	16
4.1.1 Biodiversity Impacts	16
4.1.2 Environmental Protection and Biodiversity Conservation Act 1999	18
4.2 Integrated Development	18
4.2.1 Bushfire Prone Land	19
4.3 Environmental Planning Instruments	20
4.3.1 Campbelltown Local Environmental Plan 2014	20
4.3.2 State Environmental Planning Policy 55 – Remediation of Land	25



4.3.3	Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River	26
4.3.4	State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)	26
4.3.5	State Environmental Planning Policy (Koala Habitat Protection) 2021	27
4.4	Draft Environmental Planning Instruments	28
4.5	Development Control Plan	28
4.5.1	Campbelltown Development Control Plan 2014	28
4.5.2	Precinct Staging	32
4.6	Planning Agreement	33
4.7	Regulations	34
4.8	Likely impacts of the Development	34
4.9	Suitability of the Site	34
4.10	Submissions	34
4.11	Public Interest	34

## 5 Conclusion 35

### Tables

Table 1	Lot characteristics	8
Table 2	Summary of Integrated Approvals	19
Table 3	Assessment against Campbelltown LEP	21
Table 4	Assessment against Campbelltown DCP 2014	28

### Figures

Figure 1	Maryfields Estate Master Plan	viii
Figure 2	Site identification map	ix
Figure 3	Greater Macarthur Growth Area	1
Figure 4	Site Survey	2
Figure 5	Results of Aboriginal Due Diligence Field Survey	3
Figure 6	Locality	5
Figure 7	Indicative overall layout	7
Figure 8	Snapshot of proposed plan of subdivision	9
Figure 9	Bulk Earthworks	11
Figure 10	Retaining wall plan	12
Figure 11	Snapshot of the Basin Design	13
Figure 12	St Clare Memorial Park design	14
Figure 13	Stormwater Basin Landscaping	15
Figure 14	Site map and ecological constraints	17
Figure 15	Land use zoning of the subject site	21
Figure 16	Plan within CDCP (subject site highlighted in red dash)	33

### Appendices

Appendix A:	Pre-DA Meeting Minutes
Appendix B:	Cost Summary



Appendix C: Survey Plan  
Appendix D: Plan of Subdivision  
Appendix E: Landscape Plan  
Appendix F: Civil Design  
Appendix G: Traffic Report  
Appendix H: Stormwater Management Report and Plans  
Appendix I: Biodiversity Assessment Report  
Appendix J: Aboriginal Due Diligence  
Appendix K: Bushfire report  
Appendix L: Services Plan  
Appendix M: Geotechnical Report  
Appendix N: Contamination Report  
Appendix O: Arborist report  
Appendix P: Koala Assessment Report  
Appendix Q: Waste management plan  
Appendix R: Acoustic report



## Executive Summary

This Statement of Environmental Effects (**SEE**) has been prepared to accompany a Development Application (**DA**) lodged on behalf of Clearstate CamNarr192 Pty Ltd (the **Applicant**). The DA seeks approval for residential subdivision of the land to create 20 Torrens title residential lots, 1 lot for stormwater detention, 1 lot for park and 4 residue lots. Associated works include removal of trees and vegetation, bulk earthworks and civil works including the construction of new roads, stormwater drainage and installation of services.

The proposed development is located at the north eastern corner of the Maryfields Estate, identified as Lot 4 DP 1213869, 192 Narellan Road, Campbelltown (the **site**). The application relates to approximately 2ha of the site (the **development footprint**). The development footprint also includes small section of Lot 1429 DP1047382 utilised to provide access to the site from Maryfields Drive. The balance of the site will be developed under future DAs.

The approach is to develop the land under separate DAs, enabling the relatively unconstrained portion of the site to be determined and delivered in advance of other more constrained portions of the site. It is the Applicant's intention to deliver development across the entire site. This intention is reflected by the supporting plans and reports attached to this SEE containing not only the details of the proposal over the development footprint, but indicative layouts and designs for the balance of the site. This DA will establish the infrastructure for future DAs, including establishment of a stormwater basin, access off Maryfields Drive and connection to services.

This DA seeks approval for subdivision and works pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979* (**EP&A Act**). The site is zoned R3 Medium Density Residential, and the proposed development is permissible with consent pursuant to the *Campbelltown Local Environmental Plan 2015* (**CLEP**). The proposal complies with relevant plans and policies that apply to the land and the development as demonstrated throughout this SEE.

In accordance with clause 6.1 of the CLEP, the proposal requires arrangements for designated State public infrastructure. The Applicant has commenced discussions with the Department of Planning, Industry and Environment to enter into a State voluntary planning agreement (**VPA**) for State public infrastructure. A letter of offer has been prepared, however is unable to be registered with the Department until such time as a DA has been submitted via the Planning Portal. A copy of the letter of offer and acknowledgement of receipt by the Department will be forwarded to Council under separate cover.

The proposed development is not considered 'Designated development', 'Regionally significant' or 'State significant development' pursuant to the EP&A Act or Regulations. In accordance with the Local Planning Panels Direction, issued by the Department of Planning Industry and Environment on 10 October 2018 and amended in June 2020, as the proposal will be supported by a letter of offer to enter into a State VPA, the proposal is considered "sensitive development" and will be determined by the Campbelltown Local Planning Panel.

The proposed development has been assessed against the relevant objectives of the Campbelltown Development Control Plan (**CDCP**) and is considered to meet the principles and objectives whilst providing a high level of amenity for future residents. The site is located within Stage 2 of the Maryfield Estate under the CDCP, with development of Stage 1A and 1B including land identified for seniors housing and business park to be delivered prior to development on the site. The CDCP outlines that the staging is to ensure the orderly delivery of infrastructure. The relevant infrastructure



in Stages 1A and 1B include upgrades to the existing dam and the intersection upgrade on Narellan Road to ensure this infrastructure is in place to facilitate the orderly and efficient development of the land. As outlined in this SEE, the proposal includes appropriate infrastructure to enable it to progress ahead of Stage 1A and 1B of the Maryfields Estate under the CDCP.

This SEE concludes that the proposal is an acceptable form of development as it will assist in the delivery of the land for housing to the public in the Campbelltown City Council local government area (**LGA**) without having any adverse impact upon the environment and surrounding location. It is recommended that Campbelltown City Council grant development consent subject to appropriate conditions of consent.





# 1 Introduction

## 1.1 Background

GLN Planning Pty Ltd (**GLN**) has been commissioned by the Applicant to prepare this SEE. It accompanies a DA seeking approval for the subdivision of the land to create 20 Torrens title residential lots, 1 lot for stormwater detention, 1 lot for park and 4 residue lots. This DA also includes the removal of trees and vegetation, bulk earthworks and civil works including the construction of new roads, stormwater drainage and installation of services.

The site is located within Maryfields Estate which forms part of the Macarthur Precinct that was rezoned pursuant to the adoption of the Glenfield and Macarthur Land Use and Infrastructure Implementation Plan by the (former) Department of Planning and Environment. The Macarthur Precinct Plan provides a vision and growth projection for the precinct and facilities long term housing and employment in the area. The precinct aims to improve the transport network system which encourages more people to walk, cycle and use of public transport.

As part of the rezoning process for the Maryfields Estate a Master Plan was prepared. An extract from the Maryfields Master Plan is shown in Figure 1 below, which nominates the site for “Residential – Medium Density”. The Masterplan informs the relevant zoning and development standards for the site adopted in the CLEP and CDCP.



Source: Campbelltown Development Control Plan 2015

**Figure 1 Maryfields Estate Master Plan**

The proposed development is located at the north eastern corner of the Maryfields Estate, legally identified as Lot 4 in DP 1213869, 192 Narellan Road, Campbelltown. The proposal relates to



approximately 2ha of land and includes gaining access through Lot 1428 & 1429 in DP1047382, which will also be subject of the DA (see **Figure 2**).



Source: SIX Maps as marked up by GLN

Figure 2 Site identification map

## 1.2 Pre lodgement meeting

A pre-lodgement meeting was held with Council on 21 September 2020 to discuss the broader subdivision of the site. A record of the pre-DA meeting advice is provided at **Appendix A**. The pre-lodgement meeting considered the overall subdivision of the site, with the key items being raised by Council including:

- Treatment of the riparian zone and the implication on subdivision design including bushfire hazards and drainage,
- Retaining walls on road reserve edges,
- Retaining walls within the residential subdivision and the interface between lots, and
- Undergrounding of existing high voltage electricity lines.

The proposed subdivision layout presented at the pre-lodgement meeting included 115+ Torrens title residential lots all with lot sizes 300m<sup>2</sup> and above. The blocks were generally orientated perpendicular to the Hume Highway and relied on the ability to establish inter allotment retaining walls to manage the site's topography. Council did not have any concerns over the size of the allotments, but the extent of the retaining walls was considered excessive in some circumstances.



Ultimately these comments provided at the pre-lodgement meeting have informed the preparation and configuration in this DA. The proposal subject of this DA only applies to a portion of the site, with the balance to be developed under subsequent DAs. The application is over the part of the site that has minimum constraints and allows for the primary service connections to be established and the subdivision pattern that will ultimately inform the development of the balance of the site. The ultimate subdivision pattern has included the reorientation of the blocks to be parallel with the Hume Highway to minimise the need for inter allotment retaining walls.

The relevant matters discussed at the pre lodgement are further outlined and discussed within this SEE along with a response to each matter where necessary.

### 1.3 Purpose of Report

This SEE has been prepared in accordance with Schedule 1 of the *Environmental Planning and Assessment Regulation 2000* (**EP&A Regulation**) for the purpose of:

- Demonstrating that the environmental impacts of the development have been considered, and
- Outlining steps to be undertaken to protect the environment or to lessen any expected harm to the environment.

This SEE details the necessary information for the proposal to be assessed in that it is consistent with the relevant planning controls and will have minimal environmental impacts, which can be satisfactorily managed.

### 1.4 Type of Development Application

This DA seeks approval for subdivision of the land to create 20 Torrens title residential lots, 1 lot for stormwater detention, 1 lot for a park and 5 residue lots with associated works, and constitutes 'development' pursuant to section 1.5 of the *Environmental Planning and Assessment Act 1979* (**EP&A Act**).

The capital investment value of the development falls under \$30 million (see **Appendix B**), therefore would not be referred to the Sydney Western City Planning Panel for determination. Development consent is sought from Council pursuant to Part 4, section 4.16(1)(a) of the EP&A Act.

Pursuant to section 9.1 of the EP&A Act, the Minister of Planning made the *Local Planning Panels Direction – Development Applications*. This direction commenced on 1 March 2018 and amended on 30 June 2020 and applies to all councils within the Greater Sydney Region, Central Coast and Wollongong. As this DA is supported by an offer to enter into a Planning Agreement with the State Government, the proposal is considered Sensitive Development under Schedule 1 of the Direction and will be determined by the Campbelltown Local Planning Panel.



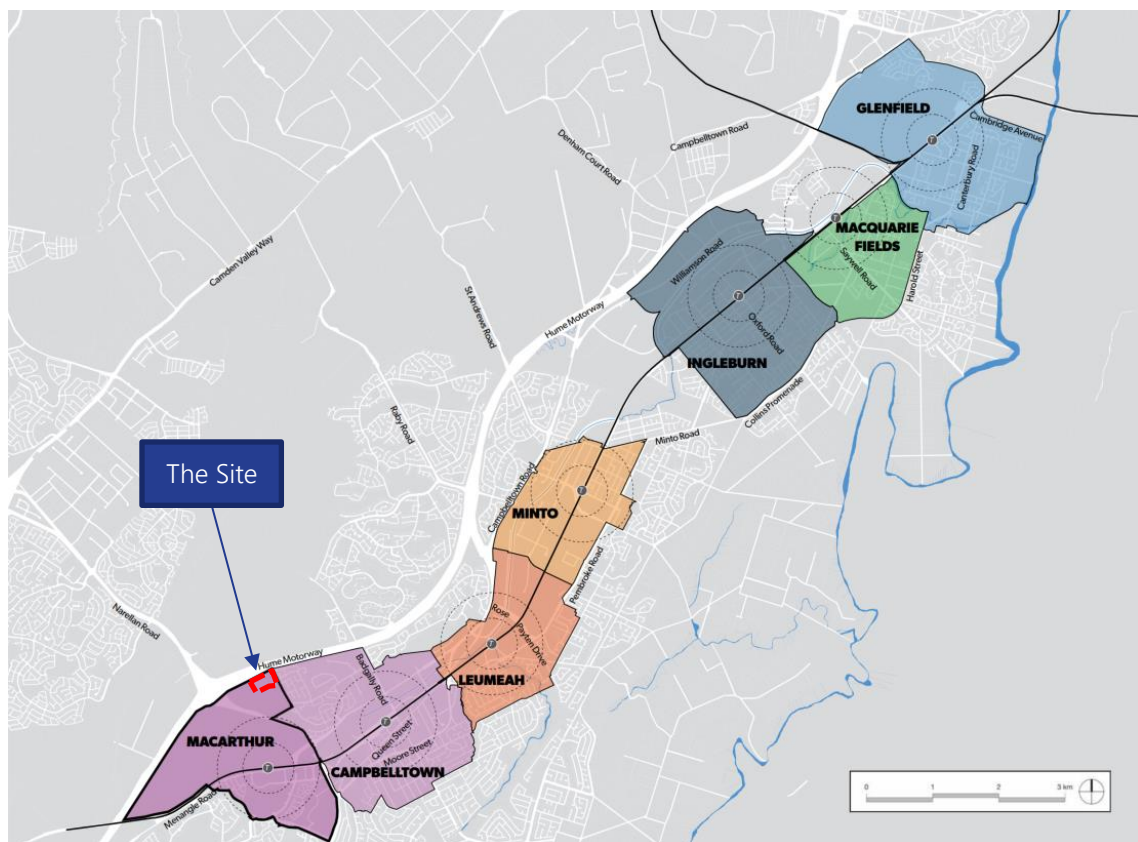


## 2 The Site and Locality

This section of the SEE describes the site and its location. It defines the project area for the purpose of this SEE and provides a summary of the key features of the surrounding environment, the broader locality which may be impacted by physical works, and therefore includes the key factors considered as part of a site analysis for the land.

### 2.1 Site Location

The site is located within the suburb of Campbelltown, within the Greater Macarthur Growth Area (refer to **Figure 3**), which is intended to provide residential development, retail, bulky goods, health services and education.



Source: Department of Planning, Industry and Environment 2017

**Figure 3 Greater Macarthur Growth Area**

The Greater Macarthur Growth Area supports the NSW Government's South West Growth Area which contributes to addressing the existing housing supply shortage and to accommodate the growth of housing demand within the Sydney metropolitan area. The Macarthur Precinct will make a significant contribution to achieving the land and housing objectives in Sydney's south-west.

The Precinct benefits from close proximity to major roads, the Hume Motorway to the north west, Narellan Road to the south, Gilchrist Road to the East and Mayfield Drive to the north east. The Precinct is undergoing significant change following the rezoning of the Precinct for future urban



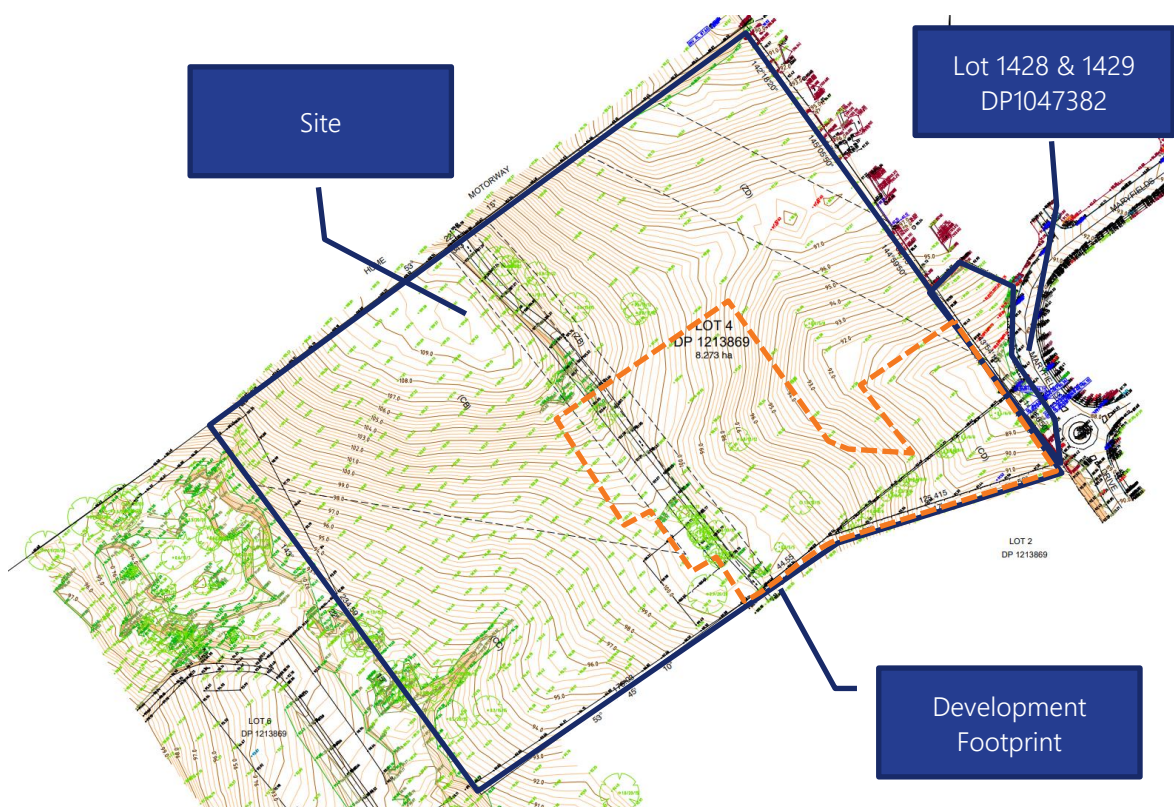
development. The area is currently comprised of low density residential, education establishments, commercial and retail and hospital land uses.

In a regional context, the Precinct is located approximately 45km from Sydney's CBD. The Macarthur Station is the final stop on the Airport, Inner West and South Lines to the south of the site.

## 2.2 Site Description

The site is located at 192 Narellan Road, Campbelltown; Lot 4 in DP 1213869, within the Maryfields Estate and Campbelltown LGA. The site was historically part of the surrounding land containing Bethlehem Monastery, Poor Clares of Bethlehem Monastery and Maryfields Stations of the Cross.

The site is irregular in shape, having an area of approximately 8.24ha with a 343m frontage to the Hume Highway. It is currently vacant with scattered trees. The site has a crest that runs in a north-south direction, and a secondary crest in the eastern part of the site that runs in an east-west direction. A detailed survey of the site is provided in **Appendix C**, whilst the portion of the site subject of the works under this DA is shown in **Figure 4** and is described throughout this SEE as the "development footprint". A small watercourse adjoins the south western boundary of the site, whilst two sets of electrical power lines run across the north east corner of the site. These lines are protected by an easement that burdens the site. The proposal will also include works to Lot 1428 & 1429 DP1047382 to create an access to the site from Maryfields Drive.



Source: RPS as marked up by GLN

**Figure 4** Site Survey

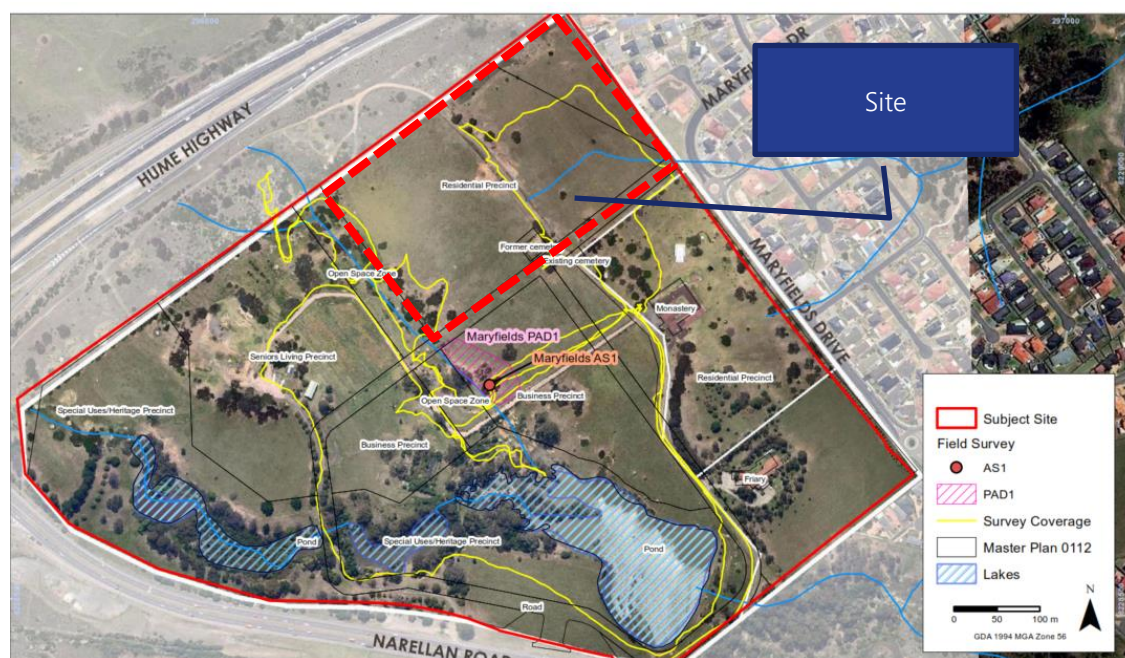
### 2.2.1 Existing Vegetation

There is limited vegetation on the site, with the Biodiversity Assessment Report (**BDAR**) in **Appendix I** noting that vegetation in the northern-central portion of the site is “better quality and more likely to host threatened species habitat”, whilst the rest of the site is open grasslands with poor quality scattered remnant vegetation which is “unlikely to be suitable for threatened species”. Despite this, Travers identified vegetation identified as Plant Community Type (**PCT**) 850 in the development footprint. In addition, the BDAR found that this area contained:

- One threatened fauna species, being the Grey-headed Flying-fox (*Pteropus poliocephalus*), and
- One Threatened Ecological species, being the Cumberland Plain Shale Woodland and Shale Gravel Transition Forest.

### 2.2.2 Heritage significance

The site does not contain any identified heritage objects, nor does it contain any Aboriginal Places or Objects listed on the Aboriginal Heritage Information Database (**AHIMs**). However, on review of the Aboriginal Heritage Due Diligence Assessment Maryfields Estate prepared by Niche that was prepared to support the rezoning of the precinct (**Appendix J**), an Aboriginal site and a PAD were identified on land to the south of the site (**Figure 5**).



Source: Niche

Figure 5 Results of Aboriginal Due Diligence Field Survey

### 2.2.3 Existing ground and soil conditions

A Geotechnical Report and Phase 1 & 2 Site Investigation Report have been prepared by Geotechnique and are provided in **Appendix M** and **Appendix N** respectively. The investigations included the testing and excavation of 12 test pits across the site to a depth of 1.5m or refusal on





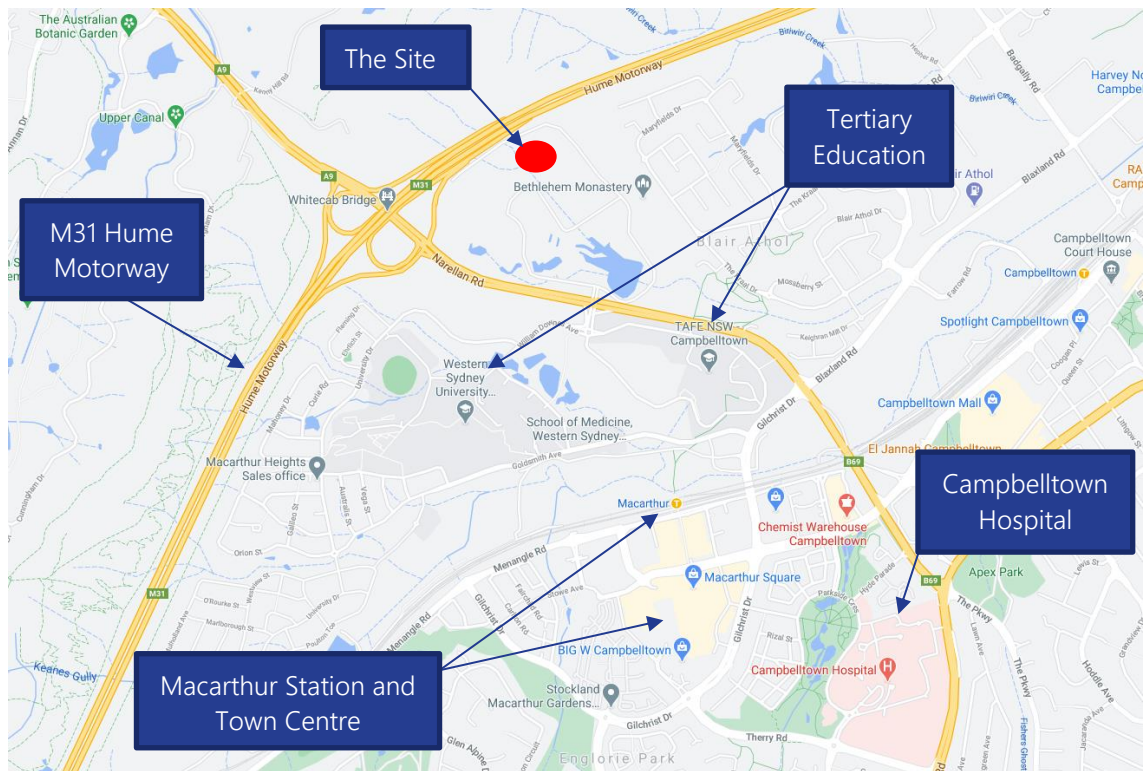
bedrock. Based on the investigations the sub-surface profile of the site comprises of a sequency of natural clayey soils underlain by shale bedrock. Ground water was not observed in any of the test pits. The soils were found to be non-saline to moderately saline and mildly aggressive (in terms of acidity).

The Phase 1 and 2 assessments included the drilling of additional bores across the site to test for potential site contaminants that would make the site unsuitable for residential development. The tests revealed that any trace of contaminants found were below the relevant thresholds for residential development.

## 2.3 Surrounding Locality

Key elements of the surrounding locality include:

- Lots adjoining the site to the north east comprise of low-density residential dwellings in Blair Athol.
- Bethlehem Monastery adjoins the site to the south east on a 4.65ha lot.
- Hume Motorway M31 adjoins the site to the west and provides connections to Sydney CBD and Melbourne.
- Western Sydney University and Campbelltown TAFE campus are located on the other side of Narellan Road.
- Campbelltown Hospital is located 2km south.
- Macarthur Train Station and Macarthur Town Centre is located 1.2km south.



Source: Google Maps

**Figure 6**      **Locality**





## 3 Proposed Development

### 3.1 Overview

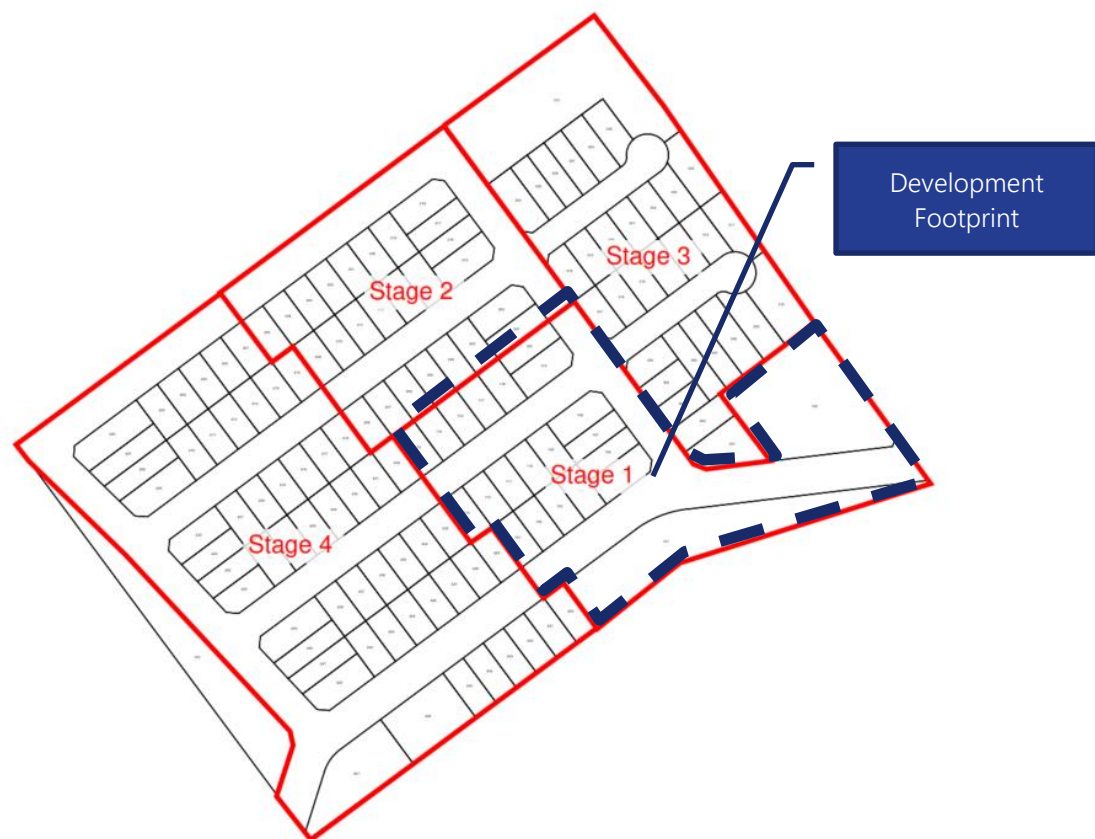
This DA seeks consent for residential subdivision of the land to create 20 Torrens title residential lots, 1 lot for stormwater detention, 1 park lot and 4 residue lots. Associated works include removal of trees and vegetation, bulk earthworks and civil works including the construction of new roads, stormwater drainage and installation of services. The proposal includes a new road link to Mayfield Drive.

The proposal only includes part of the site, with the residue lots to be subdivided/developed under future applications. This strategy is being undertaken as it allows the Applicant to deliver the less constrained parts of the site in advance of subsequent stages. The indicative layout for the entire site is shown in **Figure 7**.

- Stage 1 is subject of this DA and is reasonably unconstrained land and also allows for the primary vehicular access, stormwater detention basin and relevant services to be introduced to the site.
- Stage 2 will include the logical extension of Stage 1 and the part of the site that interfaces with the Hume Highway.
- Stage 3 is development that will affect the existing overhead powerlines.
- Stage 4 includes the interface with the riparian land and the Hume Highway.

The Applicant preferred to undertake the development of the site under separate DAs (rather than as a single staged development) as it ensures that more sensitive issues, such as riparian corridors, development within an electricity easement and the interface with the Hume Highway does not hold up the assessment and development of less constrained land under this DA. Despite being provided under separate applications, the supporting information to this proposal provides indicative layout, servicing and civil engineering for the development of the entire site. This gives Council certainty that future development is able to integrate with the proposal under this DA. The constraints and impacts of subsequent stages will be detailed and considered in the assessment of these future DAs and does not restrict Council's ability to approve the proposal subject of this DA on its own merit.

The following sections explain the various components of this DA in further detail.



Source: RPS

Figure 7 Indicative overall layout

### 3.2 Demolition and clearing of the land

There are no structures located in the development footprint, however a total of 54 trees have been identified, of which 46 will be removed. The condition of the relevant trees as well as protection measures for those being retained are detailed in the Tree Assessment Report in **Appendix O**.

### 3.3 Subdivision

The proposed subdivision layout has been orientated in accordance with Council's Pre-DA meeting recommendations, the orientation of the blocks as outlined within the CDCP and the minimum lot size controls provided within the CLEP.

The proposal includes creation of 20 Torrens title allotments, 4 residue lots as well as a lot for a stormwater detention basin and a lot for park. The proposal sets up a block orientation that is commensurate to that within the CDCP; parallel to the collector road that provides access from Maryfields Drive. Lots 101-104 will have direct access from the proposed collector road off Maryfields Drive, whilst the balance of the residential allotments will gain access off local roads.

Due to the alignment of the proposed blocks (done so to provide adequate rad grading on an undulating site, and minimise inter-allotment retention heights), the future lots will largely have an intercardinal orientation. The development has included easements that anticipate future dwellings



to be delivered with zero lot lines. Furthermore, where required, easements to support rear allotment drainage has also been nominated.

The future development of these residential lots will be able to be delivered as Complying Development in accordance with the Housing Code under the *State Environmental Planning Policy (Exempt and Complying Development) 2008*. The size and lot width will allow future dwellings under the Housing Code to include double storey and double car garages.

The characteristics of the proposed residential lots are detailed in **Table 1** and a snapshot of the proposed plan of subdivision provided in **Figure 8**.

Table 1 Lot characteristics

Lot No.	Area (m <sup>2</sup> )	Road Frontage (m)	Depth (m)
101	301	12.54	24
102	301	12.54	24
103	301	12.54	24
104	302.4	12.6	24
105 (corner lot)	410.5	13.95	30
106	301.5	10.5	30
107	301.5	10.5	30
108 (corner lot)	410.5	9.95	30
109	302.4	12.6	24
110	301	12.54	24
111	301	12.54	24
112	301	12.54	24
113	301	12.54	24
114	301	12.54	24
115	301	12.54	24
116	301	12.54	24
117	301	12.54	24
118	301.4	12.54	24
119 (corner lot)	410.5	9.95	30
120	301.5	10.05	30



The proposal also includes the delivery of 4 residue lots that are subject of future DAs. Proposed Lots 124 – 126 will provide for future residential subdivision. Proposed Lot 123 will form part of the riparian corridor that will be delivered alongside the development of Lot 126. Proposed Lot 121 includes part of a park identified within the CDCP. The future park is not wholly contained within the site. The portion of the park that is within the site is intended to be delivered under this DA in accordance with the plans in **Appendix E**.

### 3.4 Vehicular and Pedestrian Connectivity

SEE Narellan Road - Clearstate  
July 2021



In accordance with Council's Engineering Design Manual, the collector road is a proposed Category E Road which includes:

- Maximum speed design of 60km/h.
- Road reserve width of 18m.
- Carriageway width of 11m.
- Verge width of 3.5m (both sides).
- Standard K&G kerb.
- Concrete footpath.

Local roads are proposed off this main collector roads and provide access through to the balance of the residential lots. In accordance with Council's Engineering Design Manual, the local roads are Category D roads, which includes:

- Maximum design speed of 50km/h.
- Road reserve width of 15m.
- Carriageway width 8m.
- 3.5m verge (both sides)
- Roll type kerb.
- Concrete footpath.

Proposed road designs are provided in **Appendix F**. A detailed assessment of the traffic impact of the development of the entire site, including the part subject of this application is outlined in **Appendix G**.

The Traffic Impact Assessment prepared by Amber Traffic and Transportation Direction (**Amber**) in **Appendix G** outlines that the intersections have been designed to comply with requirements of *Austroads Guide to Road Design – Part 4A unsignalized Intersections*. The report recommends that due to the sight distance provided at the intersection of the Road 01 and Road 02, a speed hump should be provided between the intersection and the crest along Road 02 to reduce travel speed of vehicles. With this inclusion Amber have outlined that the intersections "are expected to operate in a safe manner".

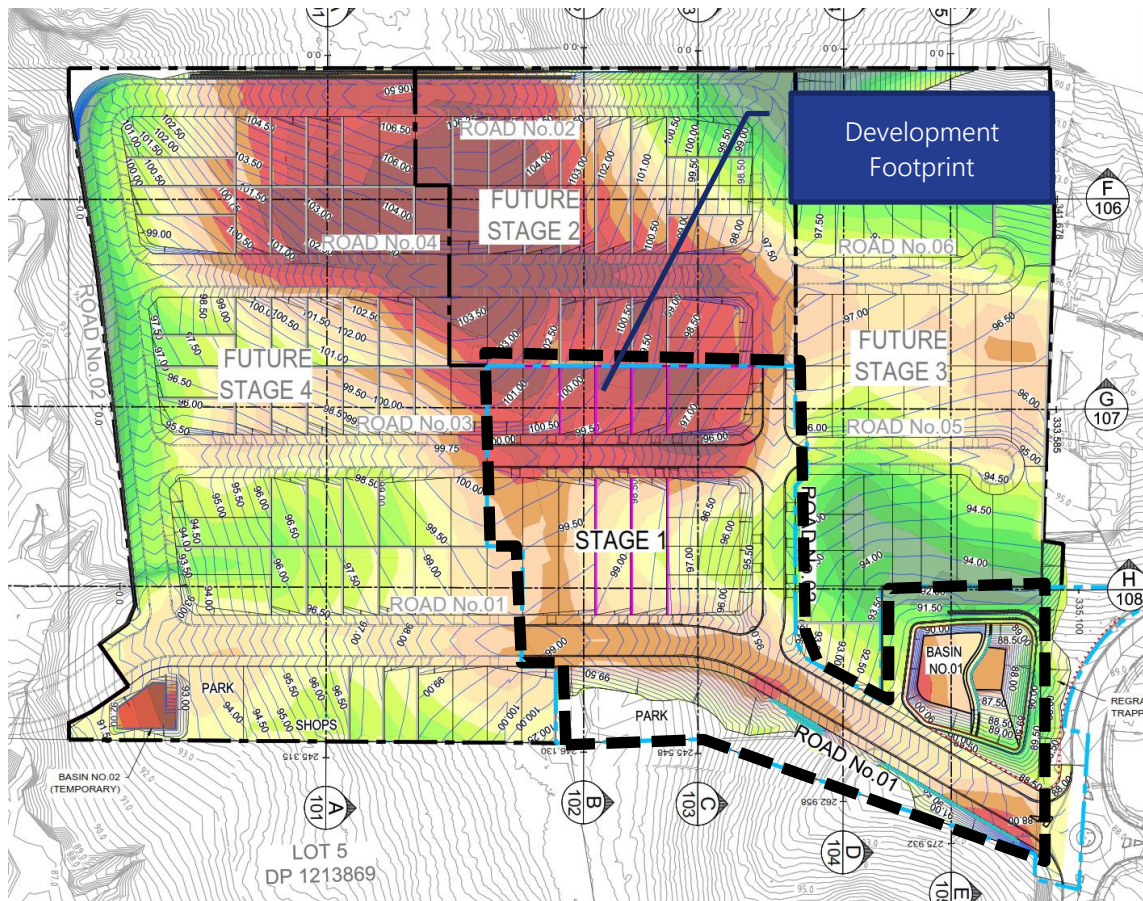
### 3.5 Associated Civil Works

The Engineering Plans are provided in **Appendix F**. These plans detail proposed earthworks and drainage infrastructure to be delivered on the site. The plans detail the indicative civil design for the entire site for reference, however the works only relate to the extent of Stage 1.



### 3.5.1 Earthworks and Clearing

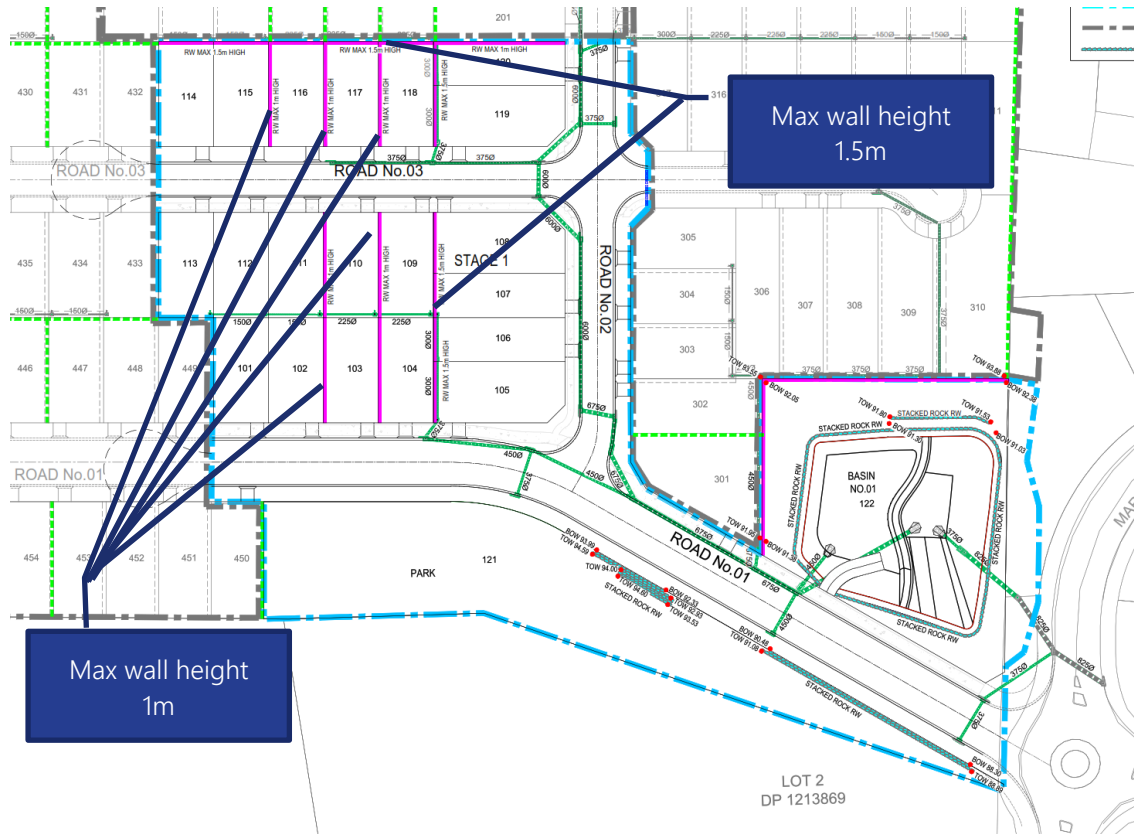
Considering the existing site topography, the proposal includes regrading of the land. The primary driver for the earthworks is to establish suitable road grading. As a result of the earthworks required, the majority of existing vegetation on the site will be removed. The extent of cut for Stage 1 exceeds the total amount of fill required – based on the indicative design for the balance of the site, the amount of cut will continue to exceed the total amount of fill required throughout the project (see **Figure 9**).



Source: Indesco

Figure 9 Bulk Earthworks

To maintain the existing natural form of the land as much as practicable, the proposal includes a system of inter-allotment retaining walls. In accordance with the pre-DA advice, the blocks have been orientated to minimise the scale of the retaining walls by limiting the retained height to a maximum of 1.5m on rear boundary and 1m on side boundaries (see **Figure 10**).



Source: Indesco

Figure 10 Retaining wall plan

### 3.5.2 Stormwater Management and Flooding

A Stormwater Management Report along with an associated Stormwater Operations and Maintenance Manual has been prepared by Indesco and is provided in **Appendix H**. Attached to the Stormwater Management Report is a Flood Impact Assessment prepared by JMD Consultants, which was prepared in 2015 to support the original Planning Proposal that rezoned the site and ultimately informed the indicative layout provided within the CDCP.

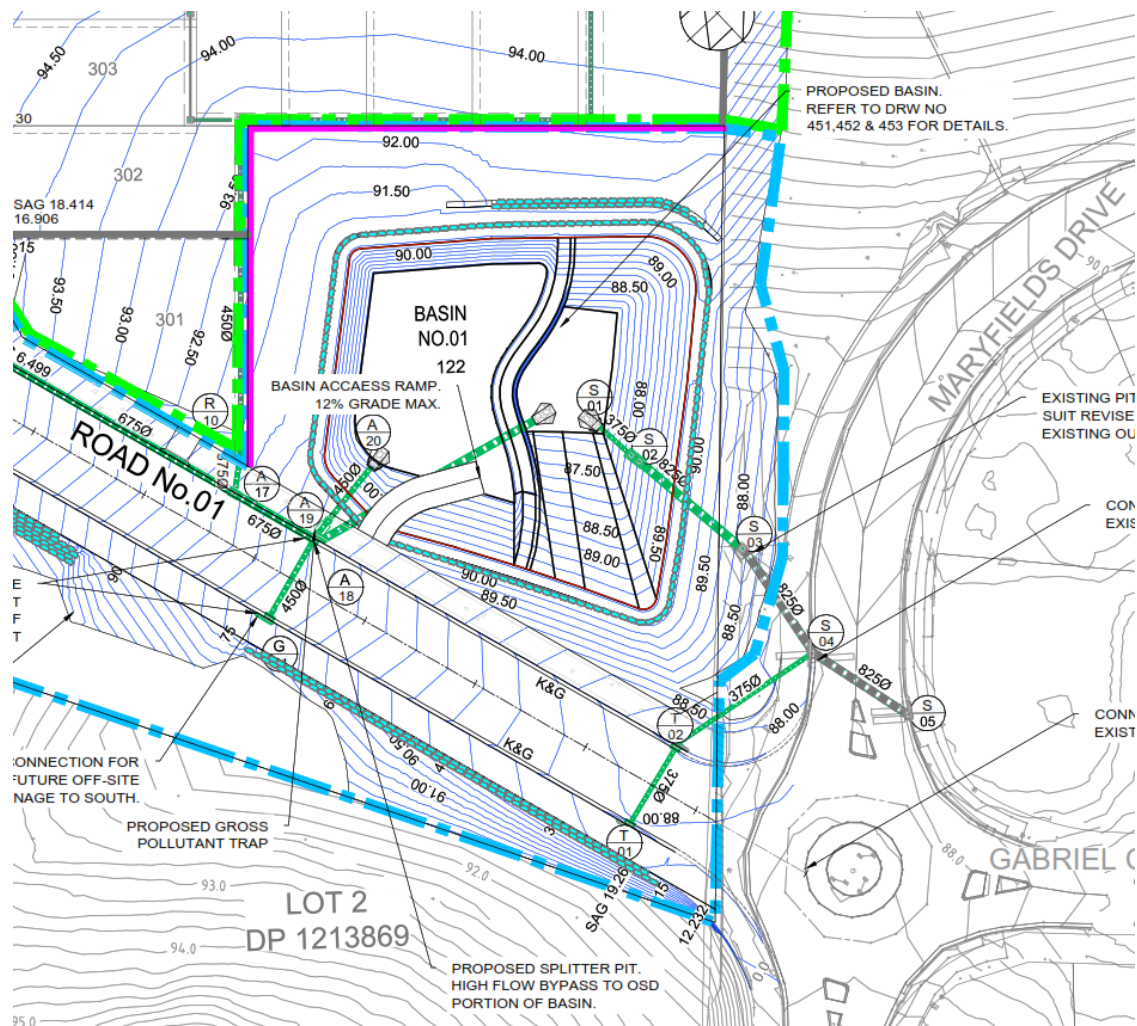
The report prepared by Indesco reviews the existing hydrological context of the site in the greater locality. The stormwater and drainage system has been designed to ensure that no net negative affect is provided downstream. This includes the management of flows immediately exiting the site as well as any further downstream effects. As also provided for in the Civil Plans in **Appendix F**, the stormwater system has considered how the balance of the land may be developed, with this in mind Indesco have noted the following key commentary for the stormwater design of the entire site:

- *The post-development size of the western catchment (Stage 4 area) has been slightly reduced from the pre-development size to ensure that the quantum of stormwater flowing to the creek does not exceed the amount foreseen in the Maryields Precinct Flood Report;*
- *Per Council's request at the aforementioned pre-DA meeting, the size of the north-eastern catchment has been reduced and the size of the south-eastern catchment has increased to avoid the requirement for 2x basins in the eastern part of the Site (Stages 1 - 3).*

The stormwater management system has been informed by existing Council controls as well as pre-DA advice. On account that Council had outlined in the pre-DA advice that they would only accept dedication of one detention basin, the proposal includes upfront construction and dedication of a stormwater basin as part of this DA. This basin is constructed of a size that will not only service the development under this DA but will service the subsequent stages of the development that require detention.

The proposal the subject of this DA is in an existing catchment that will flow towards Blair Athol and not towards the southern creek system. The proposal therefore does not impact any land or existing drainage networks (including the dam) to the south. As the proposal is located in the eastern catchment of the site, it will not impact the quantity or quality of the flow into the existing creek at the southern boundary of the site and therefore will not affect the downstream dam.

The stormwater generated by the development will be captured by the proposed stormwater system that includes rear allotment drainage at the rear of Lots 109-113. Ultimately the stormwater generated from the proposal will be discharged into the proposed basin at proposed Lot 122. Lot 122 will be dedicated to Council.



Source: Indesco

Figure 11 Snapshot of the Basin Design





### 3.6 Landscaping and Park Embellishment

The proposal includes the delivery of a park identified within the CDCP as the St Clare Memorial Park (the **Park**). The Park is not wholly contained within the site, with the balance of the park to be delivered by the developer of the adjoining land to the south. The design within **Appendix E** includes the landscaping for the stormwater basin as well as the improvements to Park.

Due to the change in levels across the site, the park embellishments will include embankment mass planting as well as turfed areas on the flatter sections. Park benches and a concrete path are shown as 'indicative' on the plans. The intention is that the path, benches and paths will be delivered by the future developer to the south to ensure coordinated landscape outcome for the park area and to allow flexibility with respect to the proposed location of the future road linking the proposed collector road to the development of the site to the south.

The basin will include turfed area and sedges/rushes that will be planted within the onsite detention area and the bioretention space respectively. A rock retaining wall and screening shrubs will be provided through and surrounding the basin. The maintenance access will also need to be retained and is clear of plantings. The engineering plans show that the rock retaining wall and majority of the landscaping is not delivered under this DA, but will be finalised as part of the DA for the area identified as Stage 3 in the indicative layout plan (**Figure 7**). This to ensure that there are no issues with ponding created in the temporary residue lot (future Stage 3 area).

Considering all the landscaping in the park and basin are not being delivered under this DA, but will be finalised as a part of future applications, the Applicant is happy to bond the work until such time they are delivered in accordance with the plans provided.



Source: Place Design Group

Figure 12 St Clare Memorial Park design



**LEGEND**

- 01 OSD TURF AREA
- 02 MAINTENANCE ACCESS
- 03 BIORETENTION SEDGES/RUSHES
- 04 BASIN EDGE PLANTING
- 05 SCREENING SHRUBS
- 06 ENTRY FEATURE SHRUBS
- 07 PROPOSED TREES
- 08 STACKED ROCK RETAINING WALL
- 09 STREET TREES BY OTHERS

Source: Place Design Group

Figure 13 Stormwater Basin Landscaping



## 4 Environmental Assessment

This section of the SEE assesses the proposed development against the planning framework and planning control applicable to the site and the development, including:

- Threatened Species and Biodiversity Impacts (section 1.7 of the EP&A Act),
- Integrated development matters (section 4.46 of the EP&A Act), and
- Matters for consideration relating to DAs (section 4.15 of the EP&A Act).

### 4.1 Biodiversity and Threatened Species Impact

The EP&A Act contains provision designed to ensure threatened species legislation as well as any approvals required under other legislation (known as 'Integrated development') are considered as part of a single development assessment process. The provision as they apply to the proposed development are discussed below.

#### 4.1.1 Biodiversity Impacts

Section 1.7 of the EP&A Act requires consideration as to whether a proposed development will have a significant effect on threatened species, population or ecological communities relating to terrestrial and/or aquatic environments as required under Part 7 of the *Biodiversity Conservation Act 2016* (BC Act) and Part 7A of the *Fisheries Management Act 1994* (**FM Act**). The ecological qualities of the site have been mapped by Travers Bushfire and Ecology (**Travers**) as shown in **Figure 12**.



#### Legend

- Site boundary (source:CAD)
- 1500m assessment area (802.48ha)
- Suburb boundary (source:LPI)
- Development footprint (3.15ha)
- Impacted vegetation
- Habitat corridors & connectivity**
- Corridors
- Connectivity

#### Plant Community Types (PCTs)

- PCT 850 moderate\_good - Grey Box - Forest Red Gum grassy woodland on shale of the southern Cumberland (0.4ha)(impacted 0.12ha)
- PCT 850 no\_canopy - Grey Box - Forest Red Gum grassy woodland on shale of the southern Cumberland Plain (0.18ha)(impacted 0.04ha)
- PCT 850 planted\_native\_vegetation - Grey Box - Forest Red Gum grassy woodland on shale of the southern Cumberland Plain (0.12ha)(impacted 0.04ha)

Source: Travers

Figure 14 Site map and ecological constraints

### Biodiversity Conservation Act 2016

In accordance with the BC Act, consideration as to whether the proposal is likely to significantly affect threatened species or ecological communities, or their habitats is required in accordance with the test outlined in section 7.3 of Part 7.

A BDAR has been prepared by Travers Bushfire and Ecology (**Travers**) and is provided in **Appendix I**. The BDAR has been prepared to meet the minimum requirements of the Biodiversity Assessment Method (**BAM**) established under section 6.7 of the BC Act. Travers found that the proposal will impact native vegetation attributed to plant community type (**PCT**) 850, which is a component of the critically endangered ecological community, Cumberland Plain Woodland. The proposed development will include the removal of 0.2ha of the ecological community, which contributes to an ongoing cumulative loss. As a result of their assessment, Travers reached the conclusion that despite





the loss, the proposal will not cause a significant impact and therefore biodiversity offsetting or a species impact statement is not required.

Despite identifying five threatened fauna species recorded within or beyond the site, the investigations into potential fauna habitat undertaken by Travers found that “test of significance for threatened fauna species has concluded a not significant impact”.

#### **Fisheries Management Act 1994**

The *Fisheries Management Act 1994* (**FM Act**) contains several provisions for the protection of fish habitat and threatened species and aims ‘to conserve, development and share the fishery resources of the State for the benefit of present and future generations’. As outlined within the report prepared by Travers (**Appendix I**), the proposed development does not impact any suitable habitat for threatened marine or aquatic species, and therefore no further assessment is required,

#### **4.1.2 Environmental Protection and Biodiversity Conservation Act 1999**

The Travers Report also considers the proposal’s impact in the context of the Commonwealth’s *Environmental Protection and biodiversity Conservation Act 1999* (**EPBC Act**). The investigations identify that the following flora and fauna species have been recorded within the development footprint:

- One threatened fauna species, being the Grey-headed Flying-fox (*Pteropus poliocephalus*), and
- One Threatened Ecological species, being the Cumberland Plain Shale Woodland and Shale Gravel Transition Forest.

Travers’ assessment has however determined that “the proposal was not considered to have a significant impact on matter of national environmental significance” and that a referral to the Commonwealth Department of Agriculture, Water and the Environment is not required.

The findings also concluded that no protected migratory bird species, threatened flora species or threatened marine or aquatic habitat or species will be affected by the proposal subject of this DA.

### **4.2 Integrated Development**

Section 4.46 and 4.47 of the EP&A Act requires a review of whether the proposed development on the land would trigger an approval under other environmental or related legislation. Such development is categorised as ‘Integrated development’.

The following provide brief commentary on whether any aspect of the development triggers a need for the consent authority to obtain General Terms of Approval from the relevant approval bodies.



**Table 2 Summary of Integrated Approvals**

Legislation	Comment	GTA Required
Coal Mine Subsidence Compensation Act 2017	The land is not identified within a mine subsidence.	No
Fisheries Management Act 1994	As outlined in the assessment within <b>Appendix I</b> – the proposed development will not impact on any fish habitat.	No
Heritage Act 1977	The site is not identified as a State Heritage listed item or is located within a heritage conservation area. As such, the proposed development would not require the referral under 57 of the <i>Heritage Act 1977</i> .	No
Mining Act 1992	The proposed development does not seek to carry out mining works on the site.	No
National Parks and Wildlife Act 1974	An Aboriginal Due Diligence Assessment was carried out by Niche. The survey undertaken by Niche identified one site and one PAD in the Precinct, but are not located on the site subject of this application ( <b>Appendix J</b> ).  The report by Niche outlined that “further impact assessment is required at the site to confirm whether sub-surface Aboriginal objects occur within the PAD area”. As the PAD area is not contained within the site no further assessment is required and on account the site does not contain any Aboriginal objects or sites, no AHIP is required.	No
Petroleum (Onshore) Act 1991	A production lease is not being sought.	No
Protection of the Environment Operations Act 1997	The implementation of appropriate environmental protection works will ensure that no licence will be required.	No
Roads Act 1993	The proposal does not trigger for integrated assessment under the <i>Roads Act 1993</i> .	No
Rural Fires Act 1997	The site is identified as bushfire prone land and the proposed development is for the purpose of subdivision of land for residential use. As such a Bushfire Safety Authority is required.	Yes
Water Management Act 2000	Although the site borders an existing water course, the proposal does not include and works within 40m of the watercourse and thereby approval for a Controlled Activity under the Water Management Act 2000 is not required.	No

#### 4.2.1 Bushfire Prone Land

Section 4.14 of the EP&A Act provides for the general consideration of bushfire hazard on land mapped as bush fire prone. The *Environmental Planning and Assessment Amendment (Planning for*



*Bush Fire Protection) Regulation 2020* amended clause 272 of the EP&A Regulation and prescribed PBP 2019 for the purposes of s4.14(1)(a) of the EP&A Act.

Pursuant to section 4.14 of the EP&A Act, development consent cannot be granted for the carrying out of certain types of development on bush fire prone land, unless the consent authority:

- Is satisfied the development conforms to the specifications and requirements of PBP 2019, or
- Has received a certificate from a person recognised by the RFS as a qualified bush fire risk assessment consultant stating the development conforms to the specifications and requirements of PBP 2019.

The site itself is not mapped as containing any potential bushfire hazard, however in the pre-DA meeting minutes Council advised that implications for bushfire constraints need to be considered.

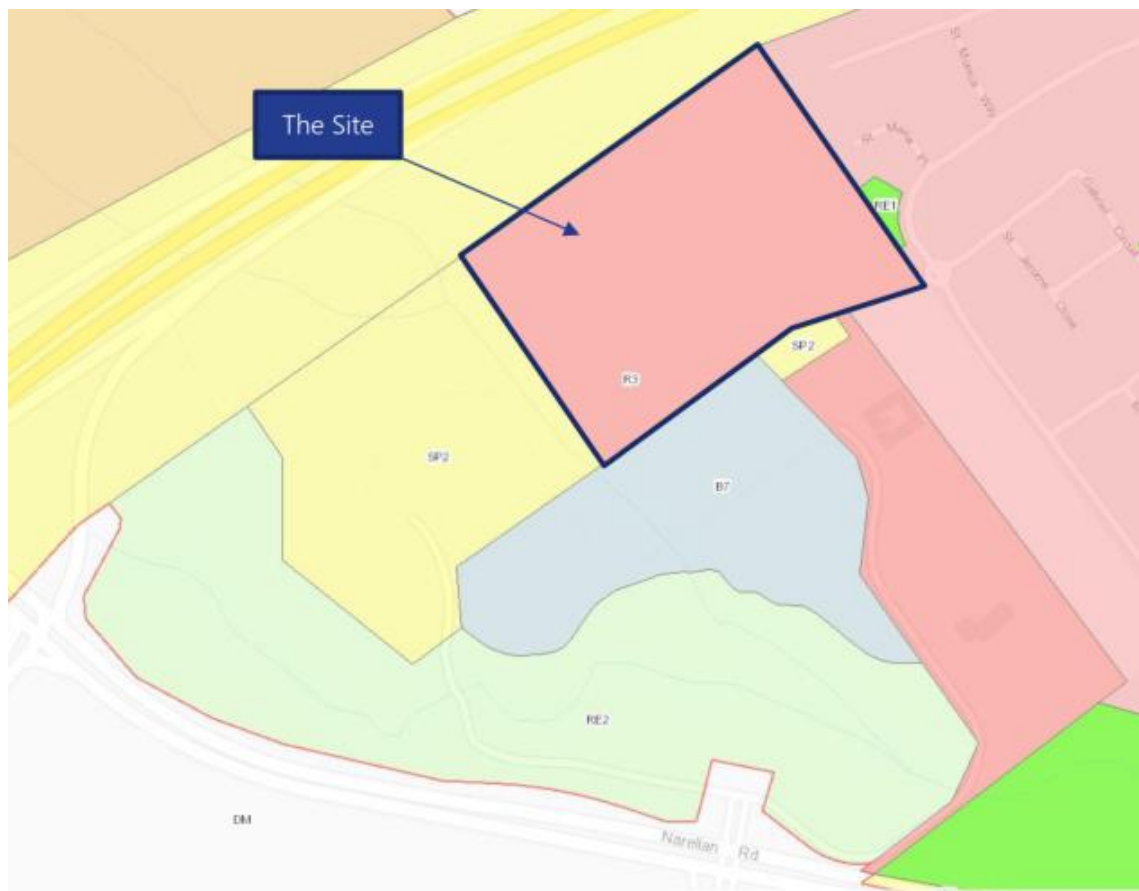
To assess the potential bushfire threat and determine the requirement and width of any Asset Protection Zones (**APZ**) for the development, a Bushfire Hazard Assessment (refer to **Appendix K**) including verification of the vegetation on site and surrounds and the effective slope within the vegetation has been undertaken. The assessment confirms the development compliance with PBP 2019 and following receipt of comments from the RFS as part of the 'Integrated development' referral, Council will be able to form the view that the development complies with the relevant requirements.

## 4.3 Environmental Planning Instruments

### 4.3.1 Campbelltown Local Environmental Plan 2014

The CLEP provides the primary statutory framework regulating land uses within the Campbelltown LGA including the subject site.

Under the CLEP the site is zoned R3 Medium Density Residential as shown in **Figure 15** below. As prescribed under clause 2.6 of the CLEP, subdivision of land is permissible with development consent. As such, the proposal is permissible with consent and is consistent with the objectives of R3 Medium Density Residential zone.



Source: NSW Planning Portal

**Figure 15** Land use zoning of the subject site

An assessment of the development against the relevant provision of Campbelltown LEP is provided within **Table 3**.

**Table 3** Assessment against Campbelltown LEP

Clause	Requirement	Comment	Compliance
<b>Part 1 - Preliminary</b>			
Clause 1.2 Aims of the Plan	<p><i>The relevant aims of this Precinct Plan are as follows:</i></p> <p><i>(d) to ensure that diverse housing opportunities are provided, including those that accord with urban consolidation principles for all existing and future residents of Campbelltown in all stages of their lives,</i></p> <p><i>(g) to encourage high-quality, well-designed development, that is of an appropriate design and scale to complement its</i></p>	<p>The proposed development is consistent with the relevant aims of the CLEP as it will:</p> <ul style="list-style-type: none"> <li>Provides a variety of housing choices,</li> <li>Promote pedestrian and vehicle connectivity through the movement network,</li> <li>The density provides for the economic and orderly use of the land that is within close proximity to a number of current and future</li> </ul>	Yes





Clause	Requirement	Comment	Compliance
	<i>setting and that enhances and encourages a safe and healthy environment,</i>  <i>(k) to facilitate diverse economic growth and employment opportunities,</i>	infrastructure assets including road, service, transport, retail, social and recreational facilities.	
<b>Part 2 – Permitted or prohibited development</b>			
2.3 Zone objectives and Land Use Table	Relevant R3 Medium Density Residential zone objectives are as follows: <ul style="list-style-type: none"> <li><i>To provide for the housing needs of the community within a medium density residential environment.</i></li> <li><i>To provide for a wide range of housing choices in close proximity to commercial centres, transport hubs and routes.</i></li> </ul>	The site is zoned R3 Medium Density Residential.  Subdivision is permissible with consent pursuant to clause 2.6. In particular the development will provide for 'housing needs of the community within a low-density residential environment'.  The proposed development seeks approval for subdivision under the Campbelltown LEP to facilitate future residential uses.	Yes
2.6 Subdivision – consent requirements	Land to which this Plan applies may be subdivided, but only with development consent.	This DA seeks approval for residential subdivision to create 20 Torrens title, 4 residue lots, 1 lot for park and 1 lot for stormwater infrastructure. The proposal is permissible with consent.	Yes
2.7 Demolition	The demolition of a building or work may be carried out only with development consent.	There are no structures on the site.	N/A
<b>Part 4 - Principal Development Standards</b>			
4.1 Minimum subdivision lot size	The size of any lot resulting from any subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.	The site is subject to a minimum lot size of 300m <sup>2</sup> as specified under the Lot Size Map. All proposed lots exceed 300m <sup>2</sup> in area.	Yes
4.1G Exception to minimum subdivision lot size for certain residential development in Maryfields Urban Release Area	The minimum lot size for a dwelling house identified under the Maryfields Urban Release Area is 225m <sup>2</sup> if the parent lot is greater than 1,800m <sup>2</sup> and that each lot resulting from the subdivision has a single dwelling that is in existence (occupation certificate granted).	The proposed development does not rely on clause 4.1G. Subdivision will occur in accordance with Clause 4.1.	N/A



Clause	Requirement	Comment	Compliance
<b>Part 6 – Urban Release Area</b>			
6.1 Arrangements for designated State public infrastructure	The objective of this clause is to require satisfactory arrangements to be made for the provision of designated State public infrastructure before 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.	Concurrent to this DA, a letter of offer has been made to the Department of Industry, Planning and Environment to enter into a State Voluntary Planning Agreement to fund the relevant State public infrastructure.  To apply for a State VPA, a DA must first be lodged with Council. We have commenced discussions with the Department and will submit the letter of offer concurrent to the submission of this DA and provide evidence under separate cover accordingly.	Yes
6.2 Public utility infrastructure.	Development consent must not be granted for development on land in an urban release area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required.	To ensure that the future residential subdivision is capable of being serviced in a timely manner, Indesco on behalf of the Applicant has initiated preliminary investigations and consulted with essential utility service providers to confirm the availability of service to support the proposed development.  Appropriate arrangements will be made with the relevant service authority for the provision of electricity, gas, sewer, telecommunication, and water (refer to <b>Appendix L</b> ).	Yes
Clause 6.3 Development control plan	Development consent must not be granted unless a development control has been prepared for the land.	The site forms part of the Maryfields Urban Release Area for which there is a site specific DCP provided within Part 13 of the Campbelltown DCP. The site is identified within Stage 2 of the Maryfields Urban Release Area.	Yes
<b>Part 7 – Additional Local Provisions</b>			
7.1 Earthworks	Development consent is required for earthworks.	The proposal includes earthworks related to the delivery of the site for residential development. The plans within <b>Appendix F</b> include details of the proposed earthworks. The earthworks have been proposed to minimise the alterations to the landforms and include erosion and sediment control measures.	Yes
7.2 Flood Planning	Development is to be compatible with the flood hazard of the land	The site is not identified as being flood affected	Yes

Clause	Requirement	Comment	Compliance
7.3 Riparian land and watercourses	The clause applies to land within 30m of any waterway and all land identified as "Riparian Protection" in the LEP Maps	The site is within 30m of a waterway, however the proposal relates to a portion of the site that is more than 30m from the existing waterway. The existing riparian area will not be impacted by this proposal. Riparian works will be undertaken under separate applications	N/A
7.4 Salinity	The clause applies to development land affected by groundwater salinity.	As part of the geotechnical investigations a salinity assessment was carried out by Geotechnique in <b>Appendix M</b> . The investigations found that the site is non-saline to moderately saline. Concrete structures in an area identified as non-saline will not require any increase in concrete strength or concrete cover or curing period.	Yes
7.10 Essential services	Development consent must not be granted to development unless the consent authority is satisfied that any of the services that are essential for the development are available.	Appropriate arrangements will be made with the relevant service authority for the provision of electricity, gas, sewer, telecommunication, and water (refer to <b>Appendix L</b> ).	Yes
7.20 Terrestrial Biodiversity	The objective of this clause is to maintain terrestrial biodiversity by – <ul style="list-style-type: none"> <li>(a) Protecting native fauna and flora, and</li> <li>(b) Protecting the ecological processes necessary for their continued existence, and</li> <li>(c) Encouraging the conservation and recovery of native fauna and flora and their habitats, and</li> <li>(d) Maximising connectivity and minimising habitat fragmentation.</li> </ul>	Small portions of the south eastern corner of the site is mapped biodiversity – significant vegetation. This application does not seek to carry out works on land that is identified as containing biodiversity in Council's mapping. Regardless, a BDAR has been provided in <b>Appendix I</b> that establishes the proposal will not have any unreasonable impact on the biodiversity values of the land.	N/A
<b>Maps</b>			
	Land Zoning Map	The site is zoned R3 Medium Density Residential.	Yes
	Land Application Map	The site is identified as land to which the Campbelltown City Council local government area.	Yes



Clause	Requirement	Comment	Compliance
	Lot Size Map	The site is identified with a minimum lot size of 300m <sup>2</sup> . All proposed Torrens title residential lots are above 300m <sup>2</sup> in area.	Yes
	Height of Building Map	The maximum building height of 9m applies to the site but is not relevant to the proposed subdivision.	N/A
	Land Reservation Acquisition Map	The proposed development will not be carried out on land identified for acquisition.	N/A
	Heritage Map	The site is not identified as containing any heritage item nor it is located within a heritage conservation area. A heritage item is identified on Lot 1 DP1213869 to the south of the site, located on the corner of the Hume Motorway and Narellan Road. The item is identified as "Stations of the Cross". The proposed development is well removed from the heritage item. Furthermore, the heritage significance of the item was considered during the rezoning of the land, where the site was considered suitable for residential development. The proposal will have no unreasonable impact on the heritage values of the Stations of the Cross item.	N/A
	Environmental Constraint Map	The site is not identified on the map as being located on steep land, Nurra Reserve or located on land for overland flow detention purposes.	N/A
	Urban Release Area Map	The site is identified within an Urban Release Area.	Yes

As identified within the table above, the proposal is permissible under the Campbelltown LEP and compliant with the relevant controls.

#### 4.3.2 State Environmental Planning Policy 55 – Remediation of Land

*State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)* introduces state-wide planning controls for the remediation of contaminated land and aims to promote the remediation of any contaminated land for the purpose of reducing the risk of harm to human health and/or the environment.

SEPP 55 states that the land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed. SEPP 55 makes remediation permissible across the State, defines when consent is required, requires all remediation to comply with standards, ensure land is investigated if contamination is suspected, and requires Councils to be notified of all remediation proposals.



Geotechnique were commissioned by the applicant to prepare a Phase 1 and Phase 2 Contamination Assessment for the site to investigate the likelihood of ground contamination on the site from current and previous land use (see **Appendix N**). The investigation consisted of a review of site history, a site inspection, test pit investigation, soil sampling and laboratory analysis.

Soil sampling was carried out at fifty-five locations (TP1 to TP55) across the site and laboratory test results which satisfied the assessment criteria adopted for proposed future residential use. The site is considered suitable for residential development as the sampled soil at concentrations do not pose a risk of harm to human health or the environment under the residential use and a Remediation Action Plan is not required.

The report also concluded that testing pits TP32, TP48 and TP99 include gravel, brick fragments and plastics which is recommended the site to be segregated followed by appropriate disposal and/or reuse onsite during future earthworks and/or site preparation. If any asbestos pipes are uncovered or identified in between the sampling locations, a qualified asbestos removal contractor must be engaged to carry out removal, followed by asbestos clearance by competent person or professional hygienist.

Based on the investigation, the site is considered suitable for the proposed residential development.

#### **4.3.3 Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River**

The site is located within the catchment draining to the Hawkesbury-Nepean River system and as such the provision of SREP 20 applies as a deemed State Environmental Planning Policy (**SEPP**). The broad aim of SREP 20 is to ensure the impact of urban development on the Hawkesbury Nepean River is minimised by considering the catchment management, water quality and quantity, and protection and management of environmentally sensitive areas, flora and fauna and wetland habitats.

The proposed development is considered to have negligible impact on the Hawkesbury-Nepean River system. The measures shown on the Erosion and Sediment Control Plan forming part of the Civil Engineering Plans (refer to **Appendix X**) are intended to be minimum treatment only as the contractor will be required to modify and stage the erosion and sedimentation control measures to suit the construction program, sequencing and techniques. The works will be closely monitored during the activity period to ensure that all mitigation measures identified in the Erosion and Sediment Control Plan have been installed correctly and are working effectively throughout the construction project.

#### **4.3.4 State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)**

The Infrastructure SEPP aims to facilitate the efficient, orderly and economic delivery of infrastructure across New South Wales.

Clause 45(1)(b) requires that where development is to be carried out within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), the council is required to give notice to and invite submission from the electricity supply authority.

There is an electrical transmission line that runs through the north to eastern corner of the site. The works subject of this application does not intend to impact on the electricity infrastructure – however the referral to Endeavor Energy is still triggered.





#### 4.3.5 State Environmental Planning Policy (Koala Habitat Protection) 2021

*State Environmental Planning Policy (Koala Habitat Protection) 2020 (Koala SEPP)* applies to the Campbelltown City Council LGA which is located in the Central Coast Koala Management Area. The Koala SEPP aims to encourage the proper conservation and management of area of natural vegetation that provide habitat for *Phascolarctos cinereus* (Koala) 'to ensure a permanent free-living population over the present range and reverse the current trend of Koala population decline' (clause 3).

In accordance with clause 10 of the Koala SEPP, the proposal must be consistent with the process provided within a Koala Plan of Management. Compliance with the Koala SEPP and the Campbelltown Comprehensive Koala Plan of Management is provided in the report prepared by Travers in **Appendix P**. Under the Plan of Management mapping the site is not identified as 'Core Koala Habitat' nor is it identified as 'Potential Koala Habitat'.

Travers undertook a site survey on 9 March 2021, this included:

- *Visual inspection of all trees within the study area as part of hollows survey;*
- *An inspection of all smooth-barked trees, specifically the following individuals for presence of any characteristic Koala 'pock' marks:*
  - *3x Forest Red Gum (Eucalyptus tereticornis)*
  - *5x planted Lemon-scented Gum (Eucalyptus citriodora)*
  - *1x planted Spotted Gum (Corymbia maculata)*
- *One (1) Rapid-SAT (Spot Assessment Technique) Koala survey point;*
- *Spotlighting throughout the study area and including woodland habitat to the west;*
- *Koala nocturnal call-playback*

Despite not being identified as core or potential Koala habitat under the Plan of Management, Travers undertook a detailed Koala Habitat Assessment. This assessment found that the development footprint contained less than 2% of Key Foraging Tree species (1 x Forest Red Gum), which is below the 15% threshold in the Campbelltown Comprehensive Koala Plan of Management.

Travers concluded that compensation for the loss of Koala habitat is not required and additional design requirements are not considered appropriate for the proposed development on account:

- Only one KFT will be removed by the proposal. This tree did not show any historical use indicated by scratches on the smooth bark.
- Transient Koalas are unlikely to occupy the subject site area given that it is highly fragmented from connective vegetated habitat.



## 4.4 Draft Environmental Planning Instruments

A review program of SEPPs to deliver a modern planning system is underway. The review is underpinned by the NSW Governments commitment to simplify the NSW planning system and reduce complexity without reducing the rigour necessary in considering matters of State and regional significance. Although a number of Explanation of Intended Effects (**EIE**) have been exhibited such as the Design and Place SEPP EIE, these are not considered "Draft Instruments", but are notification of an intention to prepare a Draft Instrument, therefore these EIEs do not constitute matters for consideration in accordance with 4.15 of the EP&A Act.

## 4.5 Development Control Plan

The following section discusses the relevant planning controls under the adopted CDCP.

### 4.5.1 Campbelltown Development Control Plan 2014

The purpose of the CDCP is to outline the planning, design and environmental objectives and controls to ensure orderly, efficient and sensitive development occurs.

Part 13 of the DCP related to Maryfields Estate planning outcomes. The proposed works are therefore considered appropriate to be assessed against these provisions of the CDCP given this DA will facilitate the sale and future development of residential land within the estate.

**Table 4** below provides an assessment against the relevant matters for consideration relating to this development proposal.

**Table 4 Assessment against Campbelltown DCP 2014**

Clause	Matter	Comment
<b>Part 2 – Requirements Applying to all Types of Development</b>		
2.2	Site Analysis	The existing constraints and attributes of the site have been reviewed throughout this SEE and are reflected within the Plans provided in <b>Appendix C, D</b> and <b>F</b> . Furthermore, site analysis relevant to environmental constraints have been provided in plans provided in <b>Appendix I, O</b> and <b>P</b> .
2.3	Views and Vistas	The site is located within the Maryfields Estate where the current land is characterised as rural landscape. The proposed development for residential subdivision will alter current views and vistas. Regardless the site has been rezoned recently to accommodate medium density residential development, as such the rural landscape character will change.
2.4	Sustainable Building Design	The proposal does not seek to construct any buildings.
2.5	Landscaping	Street tree planting will be provided along new roads as illustrated in the Landscaping Plan (refer to <b>Appendix E</b> ).
2.7	Erosion and Sediment Control	Erosion and Sediment Control Plan is incorporated with the development to ensure appropriate measures for dust



Clause	Matter	Comment
		suppression will be implemented to mitigate any air quality impacts during the construction period.
2.8	Cut and Fill	Cut and fill is proposed as part of this DA (refer to <b>Appendix F</b> ).
2.9	Demolition	Demolition is not proposed as part of this application.
2.10	Water Cycle Management	A stormwater drainage system is implemented to ensure water is drainage appropriately to the existing stormwater infrastructure.
2.11	Heritage	The site is not identified as heritage listed item nor is it located within a Heritage Conservation Area.
2.12	Retaining Walls	The proposal does not contain any retaining walls adjoining existing boundaries. There will be retaining walls provided as part of the proposal as demonstrated in <b>Appendix F</b> , however in accordance with the pre-DA meeting advice the height of the retaining walls have been limited to 1.5m.
2.13	Security	Appropriate construction fences along the boundary of the site will be erected to ensure site security and safety.
2.14	Risk Management	<p>The site is considered non-saline or moderately saline in accordance with the findings in <b>Appendix M</b>.</p> <p>The contamination report in <b>Appendix N</b> has found the site to be suitable for residential development.</p> <p>The site is not identified as Bushfire Prone Land, however in accordance with the pre-DA advice a Bushfire Report has been provided in <b>Appendix H</b>.</p>
2.15	Waste Management	A Construction Waste Management Plan accompanies the application and is provided at <b>Appendix Q</b> .
2.16	Provision of Services	<p>To ensure that the future residential allotments is capable of being serviced, Indesco, on behalf of the Applicant has initiated preliminary investigations and consulted with essential utility service providers to confirm the availability of service to support the proposed development.</p> <p>Appropriate arrangement will be made with the relevant service authority for the provision of electricity, gas, sewer, telecommunication and water.</p>
2.19	Development near or on electricity easement	The site has an electrical easement to the north eastern corner. The proposed works under this application will not impact the electrical easement, regardless the application will be referred to Endeavour Energy in accordance with the Infrastructure SEPP.
<b>Part 3.8 - Residential Subdivision</b>		
3.8.1	General Requirements	The proposed road alignment and block orientation is reflective of the site specific DCP that was established for the Maryfields Urban Release Area. The formulation of the Master Plan that informed the site specific DCP included consideration to lot orientation, existing landform, constraints and traffic.



Clause	Matter	Comment
3.8.2	Residential Torrens Title Subdivision for the purpose of dwelling houses – Zone R2 and R3	The proposed lot sizes are commensurate with those submitted as part of the pre-DA discussion. The lots have a general width in excess of 12m and depth of in excess of 24m. This is a minor departure from the minimum dimensions provided in the DCP, however the development anticipates the future delivery of double storey houses, with double garages and built to a zero lot line. The width and depth of the lots supports this style of development in accordance with the Housing Code of the Code SEPP, furthermore the proposed plan of subdivision has provided easements to identify and facilitate the side of the lots that can be built to the boundary.
3.8.9	Subdivision and Waste Management	On street bin collection will be provided to the future dwellings.
<b>Part 13 – Maryfields DCP</b>		
13.1	Application	The site is located within the Maryfields Estate and part 13 of the DCP applies.
13.1.3	<u>Urban Release Area</u> a) A staging plan for the timely and efficient release of urban land, making provision for necessary infrastructure and sequencing	The site is located within stage 2 of the Maryfields precinct staging plan. The proposal includes a variation to the intended staging plan. Justification of the variation to the staging is provided following this table.
	(b) An overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.	The proposal delivers a road and pedestrian network generally in accordance with Figure 13.4 of the DCP. The main collector road is established from Maryfields Drive, which will continue onto Narellan Road subject of future DAs. Local roads are provided parallel to this collector road to provide access to individual residential lots.
	(c) An overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain.	The development footprint does not impact on any riparian areas. Street trees will be provided in accordance with the landscape plans in <b>Appendix E</b>
	(d) A network of passive and active recreational areas.	The proposal includes the delivery of a stormwater basin that will effectively operate as open space. The site also includes part of an area identified for future parkland. The balance of the parkland is located to the south of the site. Until such time that the land to the south is developed, the area identified for the future park is being provided as a residue lot. The Applicant will



Clause	Matter	Comment
		negotiate with the adjoining land owner to either sell or embellish and deliver the park subject to separate DA.
	(e) Stormwater and water quality management controls.	Stormwater management has been detailed in the report prepared by Indesco in <b>Appendix H</b> .
	f) Amelioration of natural and environmental hazards, including bush fire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the excavation from, any land so affected.	Site constraints including contamination, flooding and bushfire have all been addressed in the body of this SEE. The site is suitable for the form of development.
	(g) Detailed urban design controls for significant development sites.	No significant development sites have been identified. The proposal is also not relevant to the urban design controls provided for the business, lake and heritage precincts.
	(h) Measures to encourage higher density living around transport, open space and service nodes.	The proposal reflects the lower density housing for the area adjoining Blair Athol. This is consistent with the DCP.
13.3	Precinct Staging	The site is located within the 2 <sup>nd</sup> stage of the Maryfields precinct staging plan. Further discussion is provided following this table.
13.4	Streetscape and Connectivity	The street network including pathways and street tree planting is consistent with the DCP and will continue to be delivered in accordance with these controls throughout the balance of the DAs for the site.
13.5	Open Space Areas	<p>Part of the open space areas identified as the Upper Riparian Corridor and St Clare Memorial Park are provided within the site.</p> <p>The development footprint does not include the riparian corridor. This will occur in conjunction with the development of residue lot directly adjoining the riparian area.</p> <p>The development footprint does not include delivery of any lots that directly adjoin St Clare Park. Furthermore, only a small portion of the park is located on the subject site, the balance of the land identified for the park is located on the lot to the south. The land identified for the park has been contained in residue lot 209 and will be delivered in conjunction with land to the south.</p>
13.6.2	Residential Precinct	<p>The proposal establishes a block orientation that is commensurate with the layout proposed in the DCP. The lot size reflects the logical progression from future seniors living and commercial development to the south to the low density residential development in Blair Athol.</p> <p>Furthermore, the resultant lot size and dimensions allows for dwellings to be established as complying development under the Housing Code, which can include double storey, double garage dwellings.</p>





Clause	Matter	Comment
		<p>The site is affected by the existing electrical easement; however the development footprint does not affect the existing infrastructure. Future DAs will include management of the existing infrastructure. The Applicant is currently liaising with the electricity service provider.</p> <p>The development is accompanied by an acoustic report (<b>Appendix R</b>). The report considers the noise impacts on the entire site. In regards to the development footprint under this DA, the report outlines that "no additional measures are required since Stage 1 dwellings are set well back from the Hume Motorway and are shielded from traffic noise by natural topography of the site".</p>

#### 4.5.2 Precinct Staging

The site is located within the Maryfields Estate as identified in the CDCP. Part 13 of Volume 2 within the CDCP provides site specific controls for the development of the Maryfields Estate. Clause 6.3 of the CLEP, requires that a site-specific Development Control Plan be prepared over the Maryfields Estate site prior to any development occurring. Part 13 of Volume 2 within the CDCP meets this requirement within Clause 6.3 of the CLEP.

To meet the requirements of Clause 6.3 of the CLEP, the site-specific Development Control Plan must include a Master Plan that (among other things) details the intended staging of the Maryfields Estate. The staging has been developed to ensure the "timely and efficient release of urban land, making provision for necessary infrastructure and sequencing" and "variations to the staging plan may be considered if the orderly delivery of the overall development and associated infrastructure is not compromised".

The subject site is specifically located within Stage 2 of the Maryfields Estate in the CDCP (see Figure 14). The only stages being delivered before the subject site is stage 1A and 1B, which consists of the Seniors Housing Precinct and the Business Park Precinct (respectively). For development of the subject site to occur prior to these two stages, it must therefore be demonstrated that it will not unreasonably impact the orderly delivery of infrastructure to the balance of the Maryfields Estate.



Figure 16 Plan within CDCP (subject site highlighted in red dash)

The development of the site does not rely on any infrastructure to be delivered in Stage 1A or 1B. The site has vehicular access directly off Maryfields Drive and development of the site does not rely on drainage infrastructure from previous stages. The proposal will deliver stormwater infrastructure that will service much of the estate's eastern catchment. It is acknowledged that intersection works at Narellan Road (Stage 1A) as well as upgrade works to the dam in Stage 1B are identified as the infrastructure to be delivered early in the precinct's development, however as proven throughout this SEE, the development of the site does require access from Narellan Road, nor will the development impact on the existing dam. Control 13.4.7 of the Maryfields Precinct section of the CDCP outlines that the Narellan Road upgrade is triggered by development of the business park.

As there is no reliance on infrastructure being delivered in prior stages, restricting the ability to develop the site until such time as the Seniors Housing and Business Park stages have been delivered would be unreasonable and contradict the object of the EP&A Act by actively withholding the promotion of "orderly and economic use and development of the land".

The application does not seek to amend the staging plan within the CDCP, as there is nothing restricting the development Stage 1A and 1B occurring prior to the development of the subject site. The proposal requests that Council allow the development of the subject site to occur before or concurrently with the Seniors Housing and Business Park development – subject to the investigation and works to the dam wall occurring.

## 4.6 Planning Agreement

There are no current planning agreements that apply to the site. GLN has commenced discussions with the Department of Planning, Industry and Environment on behalf of the Applicant to enter into a State VPA to satisfy Clause 6.1 of the CLEP. The Department has advised that a DA must be submitted prior to the registration of the letter of offer. The letter of offer will be submitted via the Department's Planning Portal concurrently to this DA and will be provided to Council under separate cover.



## **4.7 Regulations**

There are no additional matters that have not been previously considered in this SEE under the EP&A Regulation which would impact upon the considerations of this application.

## **4.8 Likely impacts of the Development**

The likely environmental impacts of the proposed development have been discussed in the previous sections of this SEE. As previously discussed, the proposed development is not considered likely to result in any adverse impacts provided the mitigation measures described in this report and supporting documents are implemented.

## **4.9 Suitability of the Site**

The site has been rezoned for the urban purpose under the Greater Macarthur Growth Area. The site is suitable development for future residential land and is consistent with the relevant zone objectives and DCP.

## **4.10 Submissions**

The DA will be notified in accordance with Council's notification policy. Clearstate would like an opportunity to review and comment on any submissions received by Council.

## **4.11 Public Interest**

The proposed residential subdivision is considered to be in the interest of the public. The site is located within the Maryfields Estate forming part of the Greater Macarthur Growth Area. The proposal meets the key purpose of the Growth Area as it will facilitate land sales to address the existing housing supply shortage and to accommodate the growing housing demands within the Sydney basin.



## 5 Conclusion

This DA seeks approval for subdivision of the site to create 20 Torrens title residential lots, 4 residue lots, 1 lot for park and a lot for stormwater infrastructure at Lot 4 in DP 1213869, 192 Narellan Road, Campbelltown. The application also includes ancillary civil works and connection to services as well as connection to Maryfields Drive that will occur through Lot 1428 & 1429 DP1047382 Maryfields Drive.

The proposed development has been assessed against the relevant requirements of the EP&A Act and has been found to be acceptable development, which is consistent with the planning framework for the Maryfields Estate.

Based on the information contains in this SEE the proposal should be granted consent subject to relevant conditions of consent.



## APPENDIX A: PRE-DA MEETING MINUTES







## APPENDIX B: COST SUMMARY





## APPENDIX C: SURVEY PLAN



## C.1:





## APPENDIX D: PLAN OF SUBDIVISION





## APPENDIX E: LANDSCAPE PLAN





## APPENDIX F: CIVIL DESIGN







## APPENDIX G: TRAFFIC REPORT





## **APPENDIX H: STORMWATER MANAGEMENT REPORT AND PLANS**





# APPENDIX I: BIODIVERSITY ASSESSMENT REPORT







## APPENDIX J: ABORIGINAL DUE DILIGENCE





## APPENDIX K: BUSHFIRE REPORT





## APPENDIX L: SERVICES PLAN



# APPENDIX M: GEOTECHNICAL REPORT







# APPENDIX N: CONTAMINATION REPORT





## APPENDIX O: ARBORIST REPORT





# APPENDIX P: KOALA ASSESMENT REPORT





# APPENDIX Q: WASTE MANAGEMENT PLAN







## APPENDIX R: ACOUSTIC REPORT

