

JOINT REGIONAL PLANNING PANEL (Sydney West Region)

JRPP No	2012SYW042
Council DA Number	387/2012/DA-S
Local Government Area	Campbelltown City Council
Proposed Development	Stage 1 subdivision and associated major works – 240 residential lots and five super lots for future development, one open space lot and three residual lots
Capital Investment value	\$29.5M
JRPP Referral Criteria	CIV exceeding \$20M
Street Address	Narellan Road, Campbelltown
Applicant/Owner	Landcom/University of Western Sydney
Number of Submissions	Four Government Agencies, Campbelltown City Council (preliminary) and two from members of the public
Recommendation	Approval with Conditions of consent
Report by	Scott Lee, Executive Planner, Government and Special Projects, Campbelltown City Council

Assessment Report and Recommendation

Attachments:

1. Recommended Conditions of Consent
2. Site location plan
3. Proposed lot layout
4. Submission from Campbelltown City Council
5. Letter from Rural Fire Service
6. Letter from Office of Environment and Heritage
7. Letter from Office of Water
8. Letter from Roads and Maritime Service in support of development application and proposed traffic management
9. Letter from Lindsay Taylor Lawyers outlining consistency with zone objectives
10. Letter from UWS outlining overarching campus development strategy
11. Letter from Landcom discussing zone objectives
12. Letter from Landcom discussing evolution of Master Plan
13. Key revisions between adopted and proposed Master Plan
14. UWS DCP Compliance table
15. Road width comparison
16. Checklist of engineering matters
17. Revised tree planting strategy
18. View corridor from UWS DCP
19. Letter of offer from Landcom to enter into VPA

Statutory Provisions

- Integrated Approvals – *Rural Fires Act 1997, National Parks and Wildlife Act 1974, Water Management Act 2000*
- State Environmental Planning Policies – SEPP 44 Koala Habitat Protection, SEPP55 Remediation of Land, Infrastructure SEPP
- Local Environmental Plans - Campbelltown Local Environmental Plan (Urban Area) 2002
- Development Control Plans - University of Western Sydney Development Control Plan 2008 and Campbelltown Sustainable City Development Control Plan 2009 Volume 2

Non Statutory Provisions

- University of Western Sydney Campbelltown Masterplan
- Campbelltown 2025 Looking Forward

Purpose of the Report

The purpose of this report is to assist in the determination of the subject Development Application (DA) in accordance with the provisions of the *Environmental Planning and Assessment Act, 1979*.

Approval Process

The DA has been lodged by Landcom with a Capital Investment Value (CIV) of \$29.5M. Therefore under clause 23G and Schedule 4A of the *Environmental Planning and Assessment Act 1979* (the EP&A Act), the Sydney West Joint Regional Planning Panel (JRPP) is the consent authority. Under the processes established by the *Environmental Planning & Assessment Act 1979*, Campbelltown City Council will undertake the assessment of the application and then refer the matter to the JRPP for determination.

Property Description:	Lots 63 and 64 DP1104486
JRPP Application Number:	2012SYW042
Council Application Number:	387/2012/DA-S
Applicant:	Landcom
Owner:	University of Western Sydney and Landcom
Date received:	7 March 2012

Background

The University of Western Sydney (UWS) landholdings at Campbelltown include surplus lands that have been identified for future residential development.

The UWS residential lands, including an 18 hectare parcel owned by Landcom, total approximately 118 hectares, broken into approximately 51 hectares of net developable land and approximately 67 hectares available for local parks, sports field precinct, riparian corridors and environmental features such as Harrison's Dam.

Since 2003 Landcom have been working with UWS and Campbelltown City Council to undertake the necessary investigations and put in place a planning framework to guide the development process of these lands. A Master Plan and a Development Control Plan (DCP) have been prepared and adopted by the Council in consultation with Landcom. The Master Plan has identified the growth requirements of the University as well as land suitable for residential development. The site specific DCP sets in place the key objectives for the delivery of the future campus and residential development.

Landcom and UWS have executed a Project Delivery Agreement (PDA) that has incorporated the financial objectives and benchmarks of both parties.

Development is proposed to be broken into five "villages" based on separate development parcels defined by bushland corridors and other future open space areas. This DA is for the first stage of the UWS residential development.

Also of relevance is the sites connection with Macarthur Regional Centre Master Plan. The Macarthur Gardens North site (or University Gate), which immediately adjoins the UWS lands on the southern side of Goldsmith Avenue, is part of the Macarthur Gardens Regional Centre which was the subject of a Master Plan Development Consent (No F540/2003), granted by Campbelltown Council on 16 December 2003. At the time of granting consent, the Master Plan was simultaneously adopted by Council as Development Control Plan No. 126. Subsequent amendments to the EPA Act also mean that this Master Plan is a 'deemed' DCP.

The Master Plan consent was an important first step in the planning and delivery of the Regional Centre giving certainty about the development outcomes to be achieved through the staged roll out of the centre. The consent remains valid having guided the delivery of the majority of the Macarthur Gardens land on the southern side of the railway line. It is relevant to the subject application in the sense that it demonstrates how the objectives of the Regional Comprehensive Centre zoning are being achieved through a coordinated approach to planning and development across a broad area and with the delivery of a broad range of land uses.

The Site

The subject site is located immediately adjacent to the University of Western Sydney (UWS) campus approximately 2km to the west of Campbelltown Town Centre and less than 1km to the north-west of the Macarthur Square shopping centre.

The site is bounded by the Hume Highway, Narellan Road, Gilchrist Drive and the Main Southern Railway Line. The site has easy pedestrian access to Macarthur Railway Station and Macarthur Square with a pedestrian bridge across the railway line. See Attachment 2.

The UWS residential land is largely undeveloped with existing features including a sports field, a golf driving range (recently vacated), a gymnasium, an observatory and a mobile telecommunications tower.

The site varies from steeply undulating land in the west to moderately undulating land in the south and east. There are a number of east-west ridges with associated gullies. The main ridge towards the north separates the university buildings from the proposed residential development.

The majority of the site has been previously cleared of native vegetation with some narrow stands of remnant/regrowth native vegetation on most of the steep sided drainage lines. Bow Bowing Creek runs along the southern boundary of the site with several tributaries draining into it from across the site and external to the site to the east.

Surrounding Development

The UWS campus area adjoins the UWS residential area to the immediate north east and comprises the academic core and future expansion areas for the University.

The main vehicle access to the UWS is currently provided at a signalized intersection with Narellan Road. Goldsmith Avenue currently provides a secondary access to the site at its intersection with Gilchrist Drive in a left-in, left-out arrangement.

A pedestrian overbridge links the University with Macarthur railway station and Macarthur Square Shopping Centre. Major residential development has also occurred on the south eastern side of the railway line at Park Central and Macarthur Gardens.

Immediately adjoining the University to the north-east is the Campbelltown campus of the South Western Institute of TAFE, which shares a common entry from the signalized intersection on Narellan Road.

The Proposal

This Development Application (DA) seeks approval for subdivision and associated estate major works (EMW) for the first stage of the UWS residential development site. The EMW includes:

- Reconstruction of Goldsmith Avenue as the major access road to the residential development
- Lead in and internal road network and new intersection to Gilchrist Drive to cater for full range of movements
- Civil works including cut and fill
- Stormwater drainage infrastructure
- Streetscape works

In total, Stage 1 comprises 240 standard residential allotments plus five superlots which are proposed for development as medium density development, subject to separate DAs sometime in the future. Attachment 3 shows the proposed subdivision layout.

As a result of negotiations involving the applicant, Campbelltown City Council and the Roads and Maritime Service, the proposal also now involves works to upgrade the intersection of the University access road and Narellan Road. The scope and timing of these works has been set out in a revised Traffic Report. The commitment to these works by the applicant should be included as a key component in the Voluntary Planning Agreement that is being proposed as the appropriate mechanism to deal with development contributions and material public benefit arising from the proposal.

Public Exhibition Process

The DA was initially placed on public exhibition for a four week period from 19 April 2012. It was advertised in the local press and letters sent to adjoining and nearby property owners. Only one submission was received, with that submission raising concern at existing traffic congestion being made worse by the development. This issue is covered in detail in the Assessment section of the report.

A second round of public exhibition was conducted during the period 16 October 2012 to 16 November 2012. This was considered both necessary and desirable to ensure that the revised traffic report and the outcomes proposed as a result of that revised report were available for public consideration and comment. Three submissions were received, one from the same member of the public that had responded to the first exhibition, reiterating their original comments, one from another member of the public also concerned at traffic congestion and one from the Franciscan Friars, owners of the Maryfields/Bethlehem Monastery site opposite the University on the northern side of Narellan Road. They raise no objection to the proposal. It should be noted that they were represented at a workshop organized by the proponent to discuss traffic management issues which helped inform the revised traffic report and they are supportive of the improvements to the Narellan Road/University access.

The low level of response to the public exhibition process is most likely due to the site having no direct neighbours, except for the TAFE, and therefore no particular local community with a direct interest in the land or one likely to be directly impacted by its development. The TAFE were represented at the workshop to discuss traffic management and they have raised no objections to the proposal.

The one detailed submission received was from Campbelltown City Council (Attachment 4). The main points raised by this submission can be summarized as follows:

- The application relies upon an amended Master Plan that has not been formally submitted to Council for consideration. Given that Council adopted the original Master Plan, such consideration would have been warranted prior to dealing with specific DAs. A more formal review by Council should be undertaken prior to any future DAs being lodged.
- The DA also relies on amendments to the DCP that flow on from the Master Plan, but the DA is only for Stage 1. This makes it difficult to guarantee that future Stages will complement Stage 1 and achieve broader objectives of the Master Plan and DCP.
- Council's endorsement of the Master Plan and DCP was made on the premise that upgrades to the surrounding road network would create additional capacity to allow the site to be developed. These upgrades have not occurred, although the revised traffic report puts forward a package of works to address Council and RMS concerns. However, Council is concerned that there is no formal proposition regarding infrastructure provision in relation to future development of the UWS site. The means of dealing with infrastructure delivery, the proposed VPA, has not been properly reviewed because it has not been available and therefore Council lacks the confidence to say that appropriate outcomes are achievable.
- A Vegetation Management Plan for the entire site, not just riparian areas, should be prepared, with the VPA being the appropriate vehicle to set out implementation matters such as timing, scope of works and ongoing maintenance responsibilities.
- Entering into a VPA is supported. However, as it will deal with the delivery of vital infrastructure that will determine the suitability of the site for development, Council should be given sufficient time to properly analyse the VPA details and therefore a determination on this DA should be deferred to allow Council time to consider the details of the VPA.
- It is not unreasonable that the consent authority form an opinion that the development is consistent with one or more of the objectives of the 10(a) zone and therefore a consent can be granted.

At its meeting of 13 November 2012 the Planning and Environment Committee considered this submission but at the time of finalizing this report, the Committee recommendation had yet to be ratified. This Committee recommendation is to be considered by the full Council at its meeting on 20 November 2012 and the resolution of Council will be forwarded as soon as possible.

Four State Government agencies have made submissions in respect of the Development Application: Roads and Maritime Service, Rural Fire Service, Office of Environment and Heritage and Office of Water. These submissions are dealt with in the Assessment section of this report.

Assessment

The development has been assessed in accordance with the matters for consideration under Section 79C of the *Environmental Planning and Assessment Act 1979*.

1. Planning Legislation, Instruments and Documents

1.1 Objects of the Environmental Planning and Assessment Act

The application is considered to be consistent with the objects of the EP&A Act as it:

- Will provide for the proper management of natural areas and provide land for residential purposes that is suitable and accessible
- Results in orderly and economic use of land
- Provides land for recreational opportunities
- Provides for ecologically sustainable development, incorporating ESD principles in the design, construction and ongoing operation of the development

1.2 Integrated Approvals under applicable State legislation

Rural Fires Act 1997 – the subject land is identified as being bushfire prone land on the Campbelltown City Council bushfire Prone Land maps and accordingly, a bush fire safety authority is required from the Rural Fire Service (RFS) under Clause 100B of the Act. General Terms of Approval from the RFS have been received (Attachment 5).

National Parks and Wildlife Act 1974 – it is an offence under Section 86 of the Act to harm an Aboriginal object or place. Under Section 90 of the Act, an Aboriginal Heritage Impact Permit (AHIP) may be issued by the Director General of the National Parks and Wildlife Service to enable work to be carried out which may impact on an Aboriginal object or place. General Terms of Approval from the OEH have been received (Attachment 6).

Water Management Act 2000 – under Clause 91E of the Act, it is an offence to undertake works within 40 metres of the bed of categorized water courses except with approval of the Office of Water. General Terms of Approval from the OW have been received (Attachment 7).

1.3 Environmental Planning Instruments

State Environmental Planning Policy No.44 – Koala Habitat Protection - SEPP44 seeks to provide for proper conservation and management of areas of natural vegetation that provide habitat for koalas. The Policy applies if a subject site is greater than 1 hectare (it is) and located in a nominated Local Government Area (Campbelltown is nominated). Based on type and predominance of tree species, a site may be deemed to be “potential koala habitat”. The subject site, based on the probability that certain species exist in sufficient numbers, should be deemed ‘potential koala habitat’. It follows therefore that an assessment needs to be made as to whether the site represents ‘core koala habitat’. This requires evidence of a resident koala population and if the site is deemed core habitat, a plan of management is required. There is no evidence to suggest that any koala population exists and therefore no further assessment under SEPP44 is required.

State Environmental Planning Policy No.55 - Remediation of Land - SEPP55 provides a State wide approach to remediation of contaminated land and/or assessment of whether land may be contaminated and if it can be made suitable for a proposed purpose. In this case a site investigation report was undertaken to support the Development Application, which reached the conclusion that there is a low potential for site contamination and subject to an unexpected finds protocol, the land was suitable for residential subdivision.

State Environmental Planning Policy (Infrastructure) 2007 - The Infrastructure SEPP seeks to ensure that new infrastructure projects can proceed smoothly through the assessment process or conversely, existing infrastructure is not compromised by other development proceeding.

Clause 55 of the Infrastructure SEPP deals with gas pipelines and is relevant to this project because of the existing eastern gas pipeline that runs along the sites western boundary and the Hume Highway. A safety management workshop involving Landcom, UWS and Jemena, the owners of the pipeline, was conducted prior to finalizing the subdivision layout resulting in the preparation of a report. This report concludes that there is no reason why the development could not proceed.

Clauses 87 and 102 of the Infrastructure SEPP deal with the potential impact of rail and road noise and/or vibration on proposed developments and requires consideration of relevant guidelines to ensure compatibility between the rail and road infrastructure and the proposed development.

Clause 104 requires a residential subdivision of this size to be referred to the Roads and Maritime Service and their comments must be taken into consideration by the consent authority. The RMS have been very involved in the ongoing discussions with the proponent and Council and they have provided a written response (Attachment 8)

1.4 Campbelltown (Urban Area) Local Environmental Plan 2002

The subject site is zoned 10(a) Regional Comprehensive Centre under the Campbelltown (Urban Area) Local Environmental Plan 2002. This zone applies to land collectively described as the Macarthur Regional Centre and includes the Campbelltown central business district, Macarthur Square and surrounding commercial lands, Campbelltown Hospital, Park Central and Macarthur Gardens residential precincts, Campbelltown TAFE College and the UWS site. No other land within the local government area carries the 10(a) Regional Comprehensive Centre zoning.

Within this zone, a large range of land uses, including subdivision and residential development, are permissible with consent. However, consent cannot be granted unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of the zone. The objectives are varied and broad in scope and are set out below:

- (a) to provide land for the City of Campbelltown and the Macarthur region's largest centre of commerce*
- (b) to encourage employment and economic growth*
- (c) to accommodate tertiary education and hospital facilities for the City of Campbelltown and the Macarthur region*
- (d) to accommodate a wide range of cultural, entertainment and like facilities*
- (e) to permit limited industrial uses that are compatible with the proper operation of a major regional centre*
- (f) to encourage a variety of forms of higher density housing, including accommodation for older people and people with disabilities in locations which are accessible to public transport, employment, retail, commercial and service facilities.*

The Statement of Environmental Effects (SEE) lodged with the DA addresses the provisions of the Campbelltown LEP and makes two arguments as to how the objectives of the zone are met by the application. Firstly, it is argued the development allows for a range of lot sizes, including super lots which will enable future development of medium to high density housing, all of which is consistent with the adopted Master Plan and DCP. Secondly, it is claimed that the residential development will support the tertiary education precinct and provide opportunities for workers in that precinct to live close to their workplace.

While there is some merit in both arguments, Council assessment staff believed that a compelling case needed to be made in favour of the DA and its achievement of the zone objectives, particularly given that the majority of the zone objectives would generally be aligned with development of a different type to traditional subdivision into standard residential allotments. It should be noted however that it is not unlike the nearby Macarthur Gardens (south) development of mainly detached dwellings on smaller allotments which is also within the 10(a) zone.

The applicant was therefore asked to provide additional information in support of the application and how it attains the objectives of the zone. The following information was received:

- Letter from Lindsay Taylor Lawyers setting out reasons why it is open for the consent authority to form an opinion that the carrying out of the development would be consistent with one or more of the zone objectives (Attachment 9).
- Letter from University of Western Sydney placing the proposed development in the context of the overarching campus development strategy (Attachment 10).
- Letter from Landcom addressing various issues including consistency with zone objectives (Attachment 11).

Together, these three documents provide a stronger argument that the application meets the objectives of the zone, sufficient for the consent authority to form the necessary opinion in favour of the application. If a narrow focus is taken on just the application as lodged, greater reliance upon the legal argument put forward by Lindsay Taylor Lawyers is necessary to sustain a favourable opinion on consistency with zone objectives. If a broader context is taken, as argued in the letters from both UWS and Landcom, then the application can be seen to be contributing to the objectives of the zone because it is part of an overall development plan for the zone that is supported by the relevant Master Plans and DCPs that have been adopted over the past years.

The SEE then goes on to consider some particular clauses within Campbelltown LEP 2002 that have some relevance to the Development Application. These are:

- Clause 32 Subdivision generally
- Clause 39 Earthworks and preservation of trees
- Clause 41 Demolition
- Clause 42A Bushfire hazard
- Clause 47 Development affecting places or sites of known or potential Aboriginal heritage significance
- Clause 62 Development on land that may be affected by salinity

All of these matters are adequately addressed within the SEE and the detailed specialist reports that have been submitted in support of the DA.

1.5 UWS Development Control Plan and Master Plan

The University of Western Sydney Development Control Plan 2008 (UWS-DCP) came into effect on 24 February 2009 after being adopted at the Council meeting held on 10 February 2009. At this meeting Council also adopted a UWS Master Plan. These documents were the culmination of years of strategic planning collaboration between Council, UWS and Landcom and when read together they provide, firstly, a clear picture of the type of development anticipated on the UWS site and secondly, a development assessment framework around

such development. Important considerations during the preparation of these documents included maintaining view corridors from important locations, appropriate traffic management and ensuring sufficient land was set aside to meet long term requirements of the University and employment generating development.

In its submission to Council at the time of adopting the Master Plan and DCP, the University stated the following:

“The UWS has assessed its land needs to accommodate significant growth over the next 30 years. The University is focused on improving access to quality education for the communities of Western Sydney. In support of its growth plans, UWS wishes to make better use of existing land assets and to explore diverse and innovative funding opportunities to enable the University to realize its future aspirations.

Following a detailed review of the academic footprint, land was identified, which was additional to that required for campus expansion. This land is focused to the southern and western portion of the site. This land has been assessed to determine its physical capability to support development as well as an analysis to determine what types of land use are suitable.

A vision for a new residential community within the southern and western portions of the site has now been articulated, which anticipates an unique lifestyle of learning, living, working and playing within an education precinct. A total of approximately 750-800 dwellings are proposed. The development aims to provide high quality housing setting a benchmark for the Campbelltown region. The housing will be defined by natural creek lines and connected by a spine road. The community will be able to walk to a range of open spaces and have access to Macarthur Square.

Strong physical links to the campus will provide for proximity and participation in university life and will encourage academic related commercial/business enterprise. Development will build on existing links with the regional civic and retail centres, Macarthur station and the new bus interchange and Mount Annan Botanic Gardens. A diversity of housing forms will encourage cultural, social and demographic diversity.”

The DA submission relies upon some amendments to the adopted Master Plan, but there has been no formal process of reviewing this document. The submission received from Council suggests that amendments to the Master Plan should have been brought forward and discussed with Council to allow them a chance to consider whether such amendments were supported. It should be noted that Landcom wrote to Council in September 2011(Attachment 12) outlining the evolution of the Master Plan that was occurring as they moved to document their Development Applications. This letter followed a presentation made to Council staff in May 2011. It appears that this letter was not responded to but Landcom have progressed on the basis that Council was not objecting to what was being proposed.

The DA now lodged is consistent with the type of development envisaged by the Master Plan and DCP and is consistent with the variations presented to Council during 2011. In some respects, the process of preparing and adopting these two documents could be compared with a staged DA lodged under s83B of the EP&A Act, albeit without any particular conditions of consent being imposed. This has seen the suitability of the site for future development assessed, a land use structure put in place and guiding controls for the built form established. The next phase, with the lodgement of the Stage 1 application, will take it from a concept to allowing more detailed plans for construction.

1.6 Campbelltown Sustainable City Development Control Plan Volume 2 (CSC DCP V2) 2009

This document sets out the engineering controls and standards for development within Campbelltown. Where the previous document sets out the general planning standards and provides an introduction to some of the engineering concepts, the CSC DCP V2 sets out the specific design parameters that apply and provides guidance on acceptable methods of analysis and design to comply with Council's and industry standards.

1.7 Campbelltown Looking Forward 2025

Campbelltown Looking Forward 2025 is a statement of broad town planning intent for the longer term future of the City of Campbelltown. It was formulated with local community input, identifies some of the key influences that will help shape the City's future, lists key themes for change, articulates a vision for a more sustainable Campbelltown City and finally establishes a set of Strategic Directions, each with desired outcomes and focus areas, as a framework upon which future Council policies and actions can be based. These are:

- Protecting and Enhancing the City's Key Environmental Assets
- Growing the Regional City
- Building a Distinctive Campbelltown Sense of Place
- Getting Around the City
- Building and Maintaining Quality Infrastructure
- Creating Education, Employment and Entrepreneurial Opportunities

When viewed in the context of these Strategic Directions, the proposed development is generally consistent and capable of delivering a positive outcome.

2. Impact of the Development and Suitability of the Site

Potential impacts arising from the proposed development are many and varied. The Statement of Environmental Effects which accompanied the Development Application canvassed a broad range of issues and was supported by a set of detailed reports in respect to each of the issues discussed in the following sections.

2.1 Master Plan

As previously discussed, the UWS Master Plan was adopted by Council in February 2009.

In late 2010, Landcom commissioned additional geotechnical testing of the site with a view to preparing a more balanced bulk earthworks strategy to avoid the importation of approximately 220,000 cubic metres of material required to achieve final levels envisaged by the original Master Plan. Landcom commissioned a review of the original plan and as a result, a revised Master Plan has been prepared and forms part of the submitted SEE. As mentioned earlier in the report, the proposed amendments were discussed and presented to Council in the period May - September 2011. The changes are to facilitate a better development outcome, including balanced cut and fill, without alteration to the fundamental objectives and structure of the Master Plan. The changes are discussed and justified in the Master Plan Summary Report prepared by Roberts Day that supports the SEE. Attachment 13 is an extract from that report that highlights the key revisions.

The key differences between the original and the revised Master Plan include:

- An increased lot yield from an estimated 772 lots to approximately 842 lots
- Revision of bulk earthworks strategy to achieve a more balanced cut/fill while retaining the underlying undulating topography of the site, supplemented by a retaining wall strategy to reduce slope on individual lots
- Opportunities for smaller lots and more efficient lot layout
- A reduction in average lot size from 689m² to 608m²
- Consistency with Landcom's most recent Street Design Guidelines that have come into effect since adoption of the original Master Plan
- Deletion of previously proposed lead-in roads through the University campus and reliance instead on Goldsmith Avenue and a new road running between the ponds and Narellan Road to link the existing campus road
- The key consistencies between the original and revised Master Plan are:
- Same development footprint
- Same intersections to provide site access (Goldsmith/Gilchrist and University/Narellan Road)
- Retention of distinct residential neighbourhoods separated by bush corridors
- Preservation of key ridgelines and knolls as open space
- Retention of underlying undulating topography
- Retention, protection and upgrading of environmental and recreational lands

The Master Plan has played an important role in the planning process for the UWS site and therefore, there should be formal acknowledgment of the revised Master Plan in any resolution to support the proposed development. As noted earlier, the submission from Campbelltown City Council suggests that a formal review and re-adoption process be undertaken prior to any further DAs being lodged and determined. This approach is generally supported.

2.2 DCP Compliance

There is a close relationship between the Master Plan and the UWS DCP. The proposed development reflects the revised Master Plan and therefore while compliance with the existing DCP is generally achieved, there are some exceptions. The applicant has assessed the proposed development against the relevant provisions of the UWS DCP in a comprehensive compliance table provided with the SEE (Attachment 14). There are no particular variations that act to undermine the overall objectives of the DCP or that would lead to unacceptable outcomes.

There are a small number of lots that are below the standard requirement in terms of area and width, however the variations are minor and these lots are not compromised in their ability to accommodate standard built form product.

In terms of road layout, which was an important element of the DCP, variations are being sought to ensure compliance with Landcom's Street Design Guidelines, which came into effect after adoption of the DCP and reflect best practice in providing a legible road hierarchy and quality streetscapes. Road widths are important to ensure functionality of the road system, with narrow roads potentially leading to conflict caused by on street car parking restricting vehicle movement and larger vehicles, such as garbage trucks, not being able to safely negotiate their way through local areas. As an illustration, Attachment 15 shows a comparison of a typical road within the proposed development as compared to a road within the nearby residential development, Park Central, which is an example of the narrow road approach to which Council has expressed concern. There are two sections of road within Stage 1 that have been narrowed to a 6.5metre carriageway and these should be reviewed to ensure vehicle movements, including larger vehicles such a garbage trucks, are not compromised. An appropriate condition has been included that will allow such a review and if

satisfied, Council can allow these roads to proceed as currently designed. However, if practical problems are highlighted, these sections of road will need to be widened.

In the same way as recommended for the Master Plan, a proper review of the UWS DCP should be undertaken prior to any further DAs being lodged and assessed. Such a review will ensure that the original objectives of the DCP are not undermined by successive minor variations at each Stage of development, that when accumulated over a number of Stages, end up being more significant than anticipated.

2.3 Aboriginal Archaeological and Cultural Heritage

Austral Archaeology Pty Ltd has undertaken an Aboriginal Archaeological and Cultural Heritage Assessment of the site, which builds on work previously completed in 2003 and 2005 that covered the entire UWS residential site. As the Austral report was originally lodged as a draft report, the General Terms of Approval (GTA) received from the OEH (Attachment 5) are generic in nature. They do however require that adequate management and mitigation measures be in place, with these measures to be informed by the completed report. A final report has subsequently been provided containing impact assessment and management recommendations. Recommendation 1 of the final report states that no further archaeological assessment is required for the Stage 1 site although an Aboriginal Heritage Impact Permit (AHIP) will be required for those sites/artefacts that are outside of the Stage 1 subdivision area.

2.4 Bushfire Hazard

Building Code and Bushfire Hazards Solutions has prepared a Bushfire Hazard Assessment Report. GTA for the development have been provided by the RFS (Attachment 4) and these are not inconsistent with, or require amendments to, the development. Minimum Asset Protection zones can be provided for all building footprints within the UWS property including a maintained gas pipeline service easement, a proposed perimeter road, maintained grounds within the riparian corridor and the University. This reduces the impact of providing the APZs and ensures higher levels of maintenance of them. The highest Bushfire Attack Level (BAL) will not exceed BAL29 and new dwelling construction under AS3959 2009 will be required. Further referral to the RFS is not necessary for future dwellings within Stage 1 provided there is compliance with Planning for Bushfire guidelines.

2.5 Contamination

A Contamination Review was carried out by Douglas Partners. Previous geotechnical and environmental investigations were conducted in 2003 and 2005 and have been referenced in this latest report. It has been concluded that the only areas of potential environmental concern are outside of the Stage 1 site and the site is suitable for the proposed residential use. However, an unexpected finds protocol is recommended and should be implemented over the course of the development to take account of the possibility of unidentified material that may pose an environmental or human health risk. An appropriate condition of consent has been included.

2.6 Ecology

An Ecology Assessment has been undertaken by Hayes Environmental. The study area was the full 118 hectares of the UWS residential area, not just the 22.5 hectares occupied by the Stage 1 application. The assessment found that the majority of the site has been previously cleared and is now dominated by exotic grass and weed species. Stands of remnant native vegetation occur as narrow disturbed strips, mainly within creek lines and around the edges

of Harrison's Dam. There are some patches of regenerating vegetation on some hillsides, although they are of low conservation value.

The native vegetation remnants within the riparian corridors have been identified as Cumberland Plain Woodland (CPW), which is listed as a critically endangered ecological community under the *Threatened Species Conservation Act 1995* (TSC Act), with some patches also meeting the definition of Cumberland Plain Shale Woodland (CPSW), which is listed as critically endangered under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). All of these remnants are of high conservation value. Approximately 88% of the existing CPW and 99% of the CPSW will be retained within the riparian corridors and bushland reserves. Some smaller fringe areas and isolated pockets will be removed where it is not practicable to retain or link them to other more sustainable stands of vegetation. Within the area occupied by Stage 1, a total of approximately 50,000 square metres (5 hectares) of CPW/CPSW will be retained while approximately 4000 square metres is proposed to be removed with just over 3000 square metres of this in one isolated pocket of CPW towards the centre of the Stage 1 area approximately 100 metres north of the riparian corridor.

A total of nine fauna species, including six bat species listed as threatened under the TSC Act were recorded in the study area or surrounds. This includes those species not necessarily recorded in surveys but likely to use the study area. The majority of fauna habitats will be preserved within the development, including the most valuable area of habitat around Harrison's Dam.

The Ecological Assessment by Hayes included an assessment of the potential impact the development may have on threatened species (the 7 part test under Section 5A of the EPA Act). It concluded that it would not be likely to have a 'significant effect' on any threatened species, population or community listed under the TSC Act and therefore a Species Impact Statement was not required. It also considered matters of National Environmental Significance under the EPBC Act and similarly concluded that the development would not impose a significant impact.

Council's environmental planning staff have reviewed the Ecology Assessment and have provided a range of conditions that should be incorporated into any consent. The range of issues covered by these conditions can be summarised as follows:

- The proposed VPA should address the management and maintenance regimes for the riparian corridor revegetation areas
- Adoption of the recommendations from the Ecology Assessment Report
- Use of locally indigenous plant species, particularly adjacent to retained Cumberland Plain Woodland
- Native seed collection
- Tree clearing protocol addressing hollow bearing trees
- Preparation of a Noxious Weed Management Plan
- Preparation of a Vegetation Management Plan consistent with the *Cumberland Plain Recovery Plan* (DECC 2010) and the *Recovering Bushland on the Cumberland Plain: Best Practice Guidelines for the Management and Restoration of Bushland* (DEC 2005)

The Ecology Assessment Report makes the claim that there will be no net loss of vegetation and that a net gain of Cumberland Plain Woodland and threatened species habitat will be achieved. Provided appropriate safeguards are put in place, this can be true for development of the whole of the UWS residential site. In combination, the proposed VPA and the recommended Vegetation Management Plan, which should address biodiversity offsets, can

ensure that the development of the whole of the site delivers on the claim that there will be an improved biodiversity outcome as a result of development.

2.7 Engineering

The engineering matters considered in the design plans submitted, generally comply with Council's requirements. Where non-compliance occurs, the matters can be addressed by the application of suitable development controls.

The main issues which will need to be addressed with conditions relate to stormwater, traffic and road issues.

Traffic safety issues internal to the site which are not yet resolved can be addressed by a condition of consent which requires a Road Safety Audit to be carried out by a suitably qualified professional and the recommendations regarding physical works required in that Audit to be constructed.

During the assessment process, a comprehensive checklist of matters was prepared by Council staff and provided to the applicant. This has formed the basis of ongoing discussion between the proponent and Council as various issues have been clarified and where appropriate, amendments to plans have been made. This checklist is Attachment 16 and forms the basis for a number of proposed conditions of consent that are aimed at ensuring appropriate civil engineering outcomes for the development.

2.8 Flooding and Stormwater

Council engineers have been working with the applicant and their consultant/s for several years to determine appropriate works required to facilitate development of the site and address both flooding and environmental issues. Most agreed outcomes have been incorporated into the submitted design plans, however, minor issues relating to detail at specific locations still require additional work to meet Council's requirements for design standards and ability to be maintained in the longer term. Council is confident that these issues can be addressed within the proposed conditions of consent.

2.9 Landscape design

Streetscape planting within Stage 1 and the landscape treatment of Goldsmith Avenue and the Goldsmith Avenue/Gilchrist Drive intersection are the key landscape elements of the application. A Landscape Design Statement, prepared by JMD Design, was prepared to support the application. Building on the concepts embodied in the Master Plan, the Landscape Design Statement incorporates the following:

- Enhancing major site features – hilltops and riparian corridors
- Create four distinct villages (Stage 1 is the first) all with strong connections to natural areas and parkland
- Create defined open space edges to the villages
- Legibility through the creation of signature avenues
- A connected network of streets and paths to promote walking and cycling
- Celebrate key views

It is intended that Goldsmith Avenue is to be a signature avenue/boulevard with a planted central median and triple row of trees. It will serve not only as a collector road for residential traffic, but as a major entry to the University, in particular, the School of Medicine. Exotic rather than endemic species are proposed in order to create an unique landscape treatment.

General streetscape plantings within the residential precinct have had regard to verge width, aspect and maintenance requirements and are proposed to be a combination of native and exotic species.

Initially there was some concern raised that the landscape plans submitted with the application were not sufficiently aligned with Council's preference for endemic species as set out in its sustainable planting policy which seeks to maximize the planting of locally endemic species on public land. Some species choice was also questioned in terms of ongoing maintenance impacts that would burden Council.

As a result, additional information, prepared by Clouston Associates was lodged to support the proposed tree planting strategy. Attachment 17 is the revised tree planting strategy that has been prepared for the whole of the site and Goldsmith Avenue in particular. Overall, the plans indicate a high proportion of native and endemic native plantings in comparison to exotics. They indicate a more appropriate selection of species which are likely to reduce the potential conflict between trees and Council infrastructure. They also provide detail on proposed 'blister plantings' which help to calm traffic, create designated pedestrian crossing points and create high quality streetscapes with connected tree canopies over time. They are provided only on streets with a 9.6metre carriageway or wider, provided on lot boundaries to ensure flexibility for future driveway locations, only in front of wider allotments and only where traffic sightlines are not impeded. Council staff had the opportunity to view a practical implementation of these blisters at Landcom's Oran Park development and they are supported as they can be constructed by a continuous kerb machine and do not hinder Council's street sweepers, garbage trucks or other larger vehicles such as removalists vans. The amenity benefits are substantial.

Council is currently preparing a Guide for Public Domain Plantings which will provide a two tier approach to road and open space vegetation strategies. A 'deemed to comply' solution will specify plants from an approved Council list and install these in an approved manner and location. Alternative solutions will be considered where they can demonstrate that they will meet Council's operational and maintenance requirements. It is considered that the proposal now put forward by the proponent is consistent with this approach and that an acceptable justification for the proposed strategy has been provided. The proposed landscape design and tree planting strategy will provide a high level of amenity and is worthy of support. Compliance with the plans prepared by Clouston's can be included as a condition of consent in any approval granted.

2.10 Salinity

A report on Salinity Investigation and Management Plan for the Stage 1 site was undertaken by Douglas Partners. It provides a Salinity Management Plan to provide guidance on development strategies aimed at reducing the potential impacts of saline materials where they occur. The types of issues covered in the Management Plan include placing and capping of fill, matching salinity characteristics between cut and fill areas, planting of salt tolerant species, appropriately designed drainage systems to avoid ponding and/or waterlogging and building strategies for piles and slabs that are complementary to requirements of the BCA. It would be appropriate to impose these management plan recommendations as conditions of development consent, a position the applicant has endorsed.

2.11 Slope Stability

A Slope Stability Assessment was undertaken for the Stage 1 site by Douglas Partners. The report concludes that the risk of slope instability for the proposed development is within acceptable limits with the potential for instability hazards assessed as low or very low. The

report recommends a number of measures to be implemented during the development phase to minimize any impacts which cover batter excavations, subsoil drainage within groundwater seepage zones, and surface protection of excavation batters as soon as possible. These recommendations can all be included in the Construction Management Plan that will be prepared prior to the issue of a Construction Certificate and an appropriate condition of development consent can be imposed. Most of the recommendations relate to the building environment and additional controls may be required to minimise the impact of salinity on roads, parks and other public infrastructure. This requirement can be addressed via conditions of consent.

2.12 Noise

A Traffic and Rail Noise Assessment was undertaken by Renzo Tonin and Associates. Noise sources potentially affecting the future residences of this development are the road traffic using the Hume Highway to the west and the rail traffic using the main southern line to the south east beyond the sports fields and dam.

Having regard to the provisions of the Infrastructure SEPP and the supporting *Development near Rail Corridors and Busy Roads – Interim Guideline*, the Assessment Report indicates that road and rail impacts experienced by the development can be mitigated to comply with the planning requirements, subject to the adoption of certain mitigation measures as follows:

- 2.4m fence along the western edge of Stage 1C lots that border the Hume Highway
- Most ground floors of dwellings will require minor treatments such as slightly thicker than standard glazing or plasterboard
- Dwellings close to the Hume Highway, or second storey components of dwellings will require thicker glazing and in some cases the use of selected insulating materials
- Mechanical ventilation will be required for bedrooms/living rooms for most second storey components depending upon window orientation and use

A detailed set of Appendices to the Traffic and Rail Noise Assessment report set out requirements for each individual lot within Stage 1. Compliance with these requirements can be imposed as a condition of development consent, supported by their reference through the Section 88B instrument on the lot titles to ensure each individual owner is aware of the requirements.

The nearest dwellings in Stage 1 will be approximately 300 metres from the rail corridor and therefore no rail vibration assessment is required for this DA.

2.13 Traffic and Transport

Considerable attention has been given to the impact of the UWS development on the surrounding traffic network. The site is surrounded by roads that operate at the limit of their design under current traffic volumes. As such, it was imperative that very careful consideration was given to the impact that the development of the UWS site may have on traffic and on the ability of future residents to enter and leave the site.

The application was supported by a Traffic and Transport Assessment report prepared by AECOM. This report highlights a number of key strengths of the site in terms of the existing transport network. These include:

- Proximity to suburban rail network at Macarthur Station
- Safe pedestrian connections to Macarthur Station

- An expanding on-road and off-road bicycle network and connectivity to Macarthur Square and Campbelltown Centre
- An existing public transport and campus shuttle bus network that is capable of servicing the development
- The report also recognized a number of constraints to the existing transport network, including:
 - High levels of car usage in the region
 - Major arterial road network approaching capacity
 - Congested conditions on Narellan Road
 - Limited peak period capacity at nearby intersections, in particular Gilchrist Drive/Narellan Road

It should also be recognized that through the previous processes of preparing relevant master plans and DCPs, a range of alternative access arrangements for the site have been reviewed. This includes direct access from the Hume Highway and additional crossings of the railway line. At this stage the only viable alternatives are to work with the two existing access points off Gilchrist Drive and Narellan Road.

It was realized early in the assessment process, that traffic management was a critical issue. This extended not only to what was required to directly service the proposed Stage 1 development (improved intersection with Gilchrist Avenue/Goldsmith Drive), but also what impacts such work may have on the existing road network and what reasonable improvements could be made to the network in the short term. To consider these issues properly, there have been extensive discussions between the proponent, Council and the RMS, including a day long workshop and various iterations of detailed network and intersection modelling. As a result, a revised Traffic Report was prepared which concluded with commitments from the proponent to not only upgrade the intersection of Gilchrist Drive/Goldsmith Avenue (to the benefit of the development) but also provide upgrades to Narellan Road and the intersection with the University access road (to the benefit of the broader road network). These improvements would be consistent with RMS concept plans for the Narellan Road widening project.

As mentioned, the RMS have been part of the ongoing discussions and they have provided a formal response via a letter dated 8 November (Attachment 8) that is in response to the revised Traffic Report and the improved package of works being put forward by the proponent. In brief, the letter supports the development proposal and the immediate construction of the signalised intersection of Gilchrist Drive/Goldsmith Avenue. It also supports the following works at the intersection of Narellan Road/UWS campus access road:

- Eastbound right turn bay to be duplicated to 150 metres
- UWS access road departure lane widened to two lanes through to the internal roundabout
- Roundabout upgraded to dual circulation lanes
- Additional westbound through traffic lane provided on Narellan Road for a minimum 200metres either side of UWS access road intersection
- Additional exclusive 80metre left turn lane from Narellan Road into UWS access road
- Signalised dual left turn slip lanes provided on UWS access road approach to Narellan Road
- Cycling facilities provide for existing cyclists travelling along Narellan Road

The RMS letter requires the above work to be completed before the end of 2015. However, during the discussions with Council, RMS and the proponent and as set out in the Revised Traffic Report, the proponent's submission is that these works be completed with the delivery of the end of Stage 2 (380 lot threshold), which is currently anticipated to be towards the end

of 2015. If Stage 2 eventuated sooner, then the works would be done sooner. Given that the works on Narellan Road are above the requirements for the Stage 1 development to function, the more flexible timing put forward by the proponent is not unreasonable.

The RMS letter also requires further negotiation on *“alternative off-set works along Narellan Road to mitigate further traffic impacts as a result of the overall development planned”*. The RMS want these negotiations to be agreed before a Stage 1 Construction Certificate is issued. Again, a more appropriate time frame for these negotiations would be prior to the issue of a Subdivision Certificate.

Council’s traffic engineers have been part of the discussions with the proponent and the RMS and are satisfied with the package of works now proposed for the Stage 1 development. They are satisfied that the improved intersection at Gilchrist Road/Goldsmith Drive will function to the benefit of the development without adverse impact upon the existing road system and that the improvements to Narellan Road are beneficial to the network and its users. The need to negotiate longer term outcomes is supported however, a fairer time frame to that proposed by the RMS would be prior to the issue of a Subdivision Certificate.

2.14 Views and Vistas

The site will undergo a significant visual change as a result of large amounts of earthworks in the first instance and then the subsequent development of housing. The UWS DCP identified the need to protect ‘significant views and vistas from and to public places’ and to this end identified a view shed from an elevated viewing point on Narellan Road, which would be the most obvious viewing point of the UWS site for the majority of people. Attachment 18 is the relevant extract from the UWS DCP identifying the view corridor.

Development applications which relate to land within the view catchment must have a landscape plan which addresses view corridors and screening to adjacent properties and the Freeway. The subject site is not visible from the viewing point identified within the DCP as it is on the southern side of the main ridge. The applicant makes the point that this provision of the DCP applies to land identified as potential future development for University purposes which would be visible from Narellan Road.

The development will be visible to people travelling north and south along the Hume Highway. However, due to the undulating topography of the land and the high speed environment of the Highway, the views will be intermittent and inconsistent, more so when heading north than south. This is generally similar to views of existing residential areas that have been developed within Campbelltown over many years. The residential lots in Stage 1 are generally lower than the road level with the high point most likely to be visible from the Highway to be developed as the Main Ridge Park. Therefore the most prominent location will retain the green open space character of the area. The distance between the highway carriageway and the highway reservation boundary is approximately 55 metres. There is an earth mound approximately 5metres high that slopes up from the road level with the majority of this area heavily vegetated. This will significantly reduce the visual impact of the Stage 1 development. Subsequent stages, in particular those to the south, are more likely to be visible.

2.15 Built Form

Although this application does not seek approval for any dwellings, the topography of the land, the road and lot layout, works to create open spaces and improve riparian corridors, will all combine to influence the final built form. Critical elements in this built form are retaining walls, fencing and building platforms.

Roberts Day, who prepared the revised Master Plan, supplemented that work with a detailed set of drawings that provide a slope analysis and show indicative building forms responding to the modified landform that results from the subdivision works. The drawings indicate a range of dwelling types that can be readily accommodated on lots varying between 4% and 15% slope with examples of rear to front, front to rear and side to side slopes. On those lots with slopes greater than 5%, retaining walls will be required. Council sought clarification of the location for these walls and additional information was supplied. Generally, retaining walls will be along lot boundaries however for most rear boundary retaining walls there will be a 1metre offset inside the lot to create area for screen planting. All retaining walls will be of masonry construction to appropriate standards. While some sites will have 'flat pad' characteristics after site regarding/retaining wall construction, other lots in the more steeply sloping locations will require the proposed dwellings to respond to the remaining height difference through benched or split level housing design.

The application proposes no fencing strategy other than a lapped (no capped) timber fence on top of the retaining wall to the rear boundary of the lots north of Road 15 which have their rear boundaries adjoining University open space. All other fences are proposed to be provided at individual dwelling construction stage. Providing consistent fencing is essential for those lots that have either a side or rear boundary to the public domain. In addition to the 22 lots adjoining the University open space, there are 14 proposed lots that have rear boundaries adjoining the gas pipeline easement adjacent to the Hume Highway. The Noise Assessment Report recommended a 2.4metre high fence along the rear boundaries of these lots as part of the noise mitigation strategy. A consistent approach to all rear fences onto 'public' areas, should be enforced through a condition of consent.

2.16 Construction Management

For all large scale projects, the challenge of construction management should be considered as early as possible. In this instance, a detailed Construction Management Plan will be required prior to the issue of a Construction Certificate and will need to address a range of issues in order to minimize disruption to others. It will need to cover:

- Ingress/egress for construction vehicles
- Phasing of construction
- Traffic management into and around the site particularly maintaining safe and efficient access for the University
- Storage of excavated materials, construction materials and waste
- Erosion and sediment control
- Dust suppression

The revised Master Plan, which has provided a better balanced cut/fill scenario, represents a significant improvement in terms of construction impacts and truck movements compared to the original Master Plan which required substantial importation of fill to the site. Soil and water management plans have already been prepared by J Wyndham Prince which will complement the final construction management plan.

3. The Public Interest

This proposal is serving the public interest in the following ways:

- Infrastructure that directly serves the future residents of this subdivision, including connectivity to the broader road system, local roads and pathways, parks and open space areas.

- Road/intersection upgrades that will assist in addressing existing problems in the broader road system.
- conservation of identified threatened ecological communities that may otherwise continue to decline in quality and therefore their longer term viability is improved.

To secure these positive outcomes, the applicant has offered to enter into a Voluntary Planning Agreement (Attachment 19) that would cover the entire UWS residential sites (not just Stage 1). It would document the delivery of the following infrastructure/improvements:

- Sports Precinct
- Public recreation areas (Harrison's Dam, Bow Bowling Creek, Main Ridge Park, Knoll Park and Green Corridors
- Macarthur Regional Recreation Trail
- Flood Detention Basins
- Narellan Road Intersection
- Gilchrist Drive Intersection
- Local and Collector Roads

It should also put in place agreements for the ongoing management and maintenance of re-vegetated areas to ensure that the original environmental objectives are not lost due to a lack of resources.

A VPA is an appropriate mechanism to deal with reasonable and relevant development contributions from this development proposal and can be supported. There is some history of negotiations between Council and the proponent on the details of a VPA for this proposed development dating back to 2008, with the headline elements of such an agreement remaining reasonably consistent. However, the full scope of works, the value of works, the arrangements for ongoing management and/or maintenance of places or infrastructure and the timing of delivery, are all critical elements that have not had the benefit of a thorough review because details have not been available until late in this assessment process.

As mentioned earlier in the report, Campbelltown City Council is making a submission (yet to be adopted by full Council) which although does not specifically object to the proposed development, does raise strong concern with the lack of time of which it has had to analyse the VPA and consider the potential adverse consequences that may result from the VPA not being executed prior to the issue of any consent. This is considered an important point by the Council, as the Council is seeking sufficient certainty that the VPA will deliver an adequate level of infrastructure in an appropriate timeframe, as well as ensuring the infrastructure is suitable for the type of development proposed. It is not considered unreasonable for the Council to seek surety on infrastructure provision and community benefit.

With respect to the above, the alternative in terms of timing is that the development may be able to proceed based on a condition of consent that requires the execution of a VPA prior to either the issue of a Construction Certificate for the formal construction works proposed in Stage 1 (ie before the commencement of the construction of roads and lots) or possibly prior to the issue of a Subdivision Certificate (ie before any lots can be created). On the basis that the proponent has made the offer to enter into a VPA and there is some history of negotiations between the parties, execution prior to a Subdivision Certificate may be considered not unreasonable.

4. Conclusion

The UWS Campbelltown Stage 1 residential subdivision application is the culmination of many years planning work dating back to 2003. Through extensive collaboration, the University, Landcom and Council have agreed on a common vision for development which has been set out in an established planning framework of an adopted site Master Plan and supporting Development Control Plan. The development proposed is consistent with these plans.

The subject site is within the 10(a) Regional Comprehensive Centre zoning under the Campbelltown (Urban Area) Local Environmental Plan 2002. This zone has a broad scope, as evidenced by its stated objectives. The subdivision of land for housing, along with a large and varied list of other land uses, is permissible with consent, however a significant consideration in the assessment of this application is whether or not it is consistent with the objectives of the zone. The consent authority must be satisfied that carrying out the development would be consistent with at least one of the zone objectives. In addition to comments within the Statement of Environmental Effects, the applicant provided 3 letters (Attachments 9, 10 and 11) which gave stronger justification for the proposal. It is considered reasonable to accept these arguments in favour of the proposal.

Particular issues of potential environmental impact have been addressed by the applicant and assessed as being reasonable. Foremost amongst these issues was traffic management, with extensive collaboration between the applicant, the RMS and Council, supported by detailed modelling, resulting in a package of works being put forward that not only caters for traffic generation resulting from the development but will provide benefits to the wider traffic network.

A range of conditions of consent are proposed to cover the broad spectrum of issues arising from the proposal, including standard matters such as reference to submitted plans and documents, to recommendations from particular supporting expert reports on matters such as environmental off sets for native vegetation, archaeological management, slope stability, soil salinity, landscape and street tree plantings, stormwater management and road widths. They also include requirements to be imposed upon individual property titles and enforced through the s88B instrument, General Terms of Approval received from State Government authorities, the need for the proposed Voluntary Planning Agreement to be executed prior to the issue of a subdivision certificate and new and upgraded intersection works to be provided on an agreed timetable. The attached conditions of consent should be considered as Draft and Council and the proponent will continue to discuss a final agreed document for presentation to the Panel meeting.

Recommendation

1. That Development Application 387/2012/DA-S for the subdivision of Lots 63 and 64 DP1104486, Narellan Road, Campbelltown, be approved subject to draft conditions as described in Attachment 1.
2. That the revised UWS Master Plan, being Appendix I of the submitted Statement of Environmental Effects, be supported in so far as it facilitates the proposed Stage 1 subdivision development.
3. That the applicant be advised that a formal review of the UWS Master Plan and University of Western Sydney Campbelltown – Development Control Plan 2008 is necessary prior to any further development applications being lodged.

4. That the applicants offer to enter into a Voluntary Planning Agreement, as set out in their letter to Council dated 14 November 2012, be noted and that an appropriate condition of consent be included that requires such an agreement to be executed prior to the release of any Subdivision Certificate associated with this Development Application.