

**JOINT REGIONAL PLANNING PANEL**  
**Meeting of Sydney West, 2014**

<b>JRPP No</b>	<b>2014SYW011</b>
<b>Council DA Number</b>	<b>2978/2013/DA-SW</b>
<b>Local Government Area</b>	<b>Campbelltown City Council</b>
<b>Proposed Development</b>	<b>Airds Bradbury Renewal Project Stage 2 Subdivision to create 131 residential lots, 1 lot containing existing seniors housing and 1 residual lot, with associated subdivision works including construction of new roads, drainage, site regrading and retaining, utility services and landscaping</b>
<b>Capital Investment value</b>	
<b>JRPP Referral Criteria</b>	
	<b>\$6.8M</b>
	<b>Crown application with CIV exceeding \$5M</b>
<b>Street Address</b>	<b>Riverside Drive, Airds</b>
<b>Applicant/Owner</b>	<b>NSW Land and Housing Corporation with UrbanGrowth NSW as project manager</b>
<b>Number of public submissions</b>	<b>One</b>
<b>Recommendation</b>	<b>Approval with Conditions of consent</b>
<b>Report by</b>	<b>Scott Lee, Executive Planner, Government and Special Projects, Campbelltown City Council</b>

**Attachments:**

- 1. Schedule and plan of current lots within Stage 2 development area**
- 2. Site location plan**
- 3. Proposed lot layout and staging plan**
- 4. Table prepared by applicant summarizing consistency between Stage 2 and terms of approval of the concept plan**
- 5. Public submission**
- 6. Table prepared by Urbangrowth NSW summarizing actions taken in relation to biodiversity and bushland management**
- 7. Draft conditions of consent**

## **Statutory provisions**

### State and Regional Environmental Planning Policies

State Environmental Planning Policy No.55 (Remediation of Land),  
State Environmental Planning Policy (Affordable Rental Housing) 2004,  
Greater Metropolitan Regional Environmental Plan No.2 – Georges River Catchment

### Local Planning Instruments and Controls –

Campbelltown (Urban Area) Local Environmental Plan 2002  
Campbelltown Sustainable City Development Control Plan Volume 2 2009  
Airds Bradbury Development Control Guidelines (approved as part of concept plan)

## **Non Statutory Provisions**

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 applicant for the DA is NSW Land and Housing Corporation, although UrbanGrowthNSW is acting as the project manager. It has been lodged as a Crown application with a Capital Investment Value (CIV) of \$6.8M. 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** The proposed Stage 2 subdivision involves various existing lots which are described in a Schedule and on a plan provided with the Statement of Environmental Effects (**Attachment 1**).

**Applicant** NSW Land and Housing Corporation (in conjunction with UrbanGrowth NSW as development project managers)

**Owner** NSW Land and Housing Corporation and Campbelltown City Council.

**Date received** 19 December 2013

## **Background**

The Airds Bradbury Renewal Project (ABRP) is a significant urban renewal project that has received Concept Plan approval from the Minister for Planning pursuant to Part 3A (transitional arrangements) of the Environmental Planning and Assessment Act. (Note that provisions relating to major projects under the previous Part 3A regime have now been repealed).

Campbelltown City Council was delegated the authority to undertake the environmental assessment of the Concept Plan and did so over the period of June –

December 2011 culminating in a Council resolution of support for the project at the Council meeting of 13 December 2011. Support at that stage was with the exception of one small area of open space (Baden Powell Reserve). This outstanding matter was eventually dealt with to Council's satisfaction resulting in a further resolution of support at the Council meeting of 3 July 2012.

A Concept Plan approval was subsequently issued by the Minister on 24 August 2012, followed by a Section 75R(3A) Order on 24 May 2013 that amended the zoning of the project land to be consistent with the approved concept approval.

The Airds Bradbury estate was built in the 1970's and early 1980's and comprises approximately 1,540 dwellings, 94% of which are in public ownership, with only 91 dwellings privately owned. The ABRP seeks to rejuvenate the locality through a revised street layout, improved parks, public areas, new and upgraded community facilities and importantly, a more diverse socio-economic resident population.

Under the Concept Plan, poorly performing townhouse areas will be demolished and redeveloped, whilst existing cottages will be selectively upgraded.

In summary, the Concept Plan, which is proposed to occur over 9 stages, involves:

- Retention of approximately 880 existing dwellings on separate lots and construction of approximately 1200 new dwellings, resulting in an increase from approximately 1,540 to approximately 2,100 dwellings
- A different socio-economic mix within the estate residents, with 70% of housing stock to be privately owned and 30% retained as public housing
- Reinvigoration of the Airds Town Centre
- New and upgraded urban infrastructure such as pathways, lighting, open space, community facilities, drainage and roads
- Utilities and infrastructure delivery plan through the execution of a Voluntary Planning Agreement that will set out the value, quality and timing of the delivery of infrastructure and public amenities
- Airds Bradbury Development Control Guidelines, street layout and building typologies, street tree and landscaping strategy, which are all aimed at achieving a consistently high level of urban design and amenity

### **Proposed development under this Development Application**

The proposed development is described as Stage 2 of the ABRP, bounded generally by Stage 1 to the north, Riverside Drive to the east, Cheviot Place to the south and the Busway's bus depot and Kentlyn Zone Substation to the west. It involves the following:

- Subdivision to create 131 residential lots, 1 lot containing existing seniors housing and a residual lot
- Associated works including excavation, road grading and benching, construction of new roads, stormwater drainage, utility services and landscaping
- Removal of redundant services, sedimentation control and tree removal
- Street landscaping

Demolition of a significant number of the original cottages has already been undertaken by NSW Housing in preparation for this development.

**Attachment 2** is a site location plan.

**Attachment 3** is a plan of the proposed lot layout and staging plan for the Stage 2 subdivision.

### **Public Notification**

The application was placed on public exhibition and notified to adjoining property owners within Airds and the adjoining suburb of Ruse on the northern side of Georges River Road, during the period 21 January 2014 to 21 February 2014.

### **Requirements of the Concept Plan approval**

Schedule 6A of the *Environmental Planning and Assessment Act, 1979*, contains provisions that apply with respect to approvals of concept plans. One such provision is Clause 3B(2)(d) that requires a consent authority to be satisfied that development is '*generally consistent*' with the terms of the approval of the concept plan.

The area occupied by the Stage 2 DA, the road layout and the approximate number of lots to be created, are all consistent with the concept approval.

**Attachment 4** is a Table that has been extracted from the Statement of Environmental Effects prepared by BBC Consulting Planners for the applicant. This sets out how the Stage 2 application has achieved consistency with the terms of approval of the concept plan.

### **Statement of Commitments**

The concept approval also requires the proponent to carry out development in accordance with the Statement of Commitments made as part of the final response to submissions and Preferred Project Report of May 2012. These Commitments form Schedule 5 of the Concept Approval and place responsibility upon the proponent to ensure the standard and methods of construction, as well as development outcomes, are of a quality envisaged by the Environmental Assessment Report.

Matters covered by the Statement of Commitments include demolition, social impacts, access and movement, urban design, water cycle management, biodiversity and vegetation, aboriginal culture, open space and community facilities, construction management and utilities.

There are also a range of general issues such as continued consultation with Council and the community throughout the development process (important due to the lengthy timeframe for delivery of the project) and the commitment to enter into a Voluntary Planning Agreement with Council for the provision of roads, social and community infrastructure, drainage and other facilities and amenities as indicated in the Environmental Assessment Report.

The Statement of Commitments is in effect a quality assurance mechanism and a reference tool in the case of any disputes that may arise with regard to the expectations of both parties.

## **Assessment**

The Development Application has been assessed in accordance with the heads of consideration under Section 79C of the *Environmental Planning and Assessment Act 1979*, and in that regard, the following issues have been identified for consideration.

### **1. Applicable planning instruments and controls**

Section 79C(1)(a) of the Act requires Council to consider any relevant environmental planning instrument, draft environmental planning instrument or development control plan.

#### **a) State Environmental Planning Policies (SEPP) and Regional Environmental Plans (REP)**

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

SEPP 55 requires the consent authority to consider whether land is contaminated, if remediation is required and what is necessary to make it suitable for the proposed development. A Contamination Assessment, prepared by JBS Environmental, was lodged to support the application and concluded that there is likely to be some contamination present on the Stage 2 site resulting from the initial residential developments and the subsequent demolition. Additional testing into potential contamination will be undertaken prior to or during construction of the subdivision when proper access to soils becomes available. If required, a Remedial Action Plan (RAP) will be prepared. This is considered to be an appropriate response to this issue and can be included in appropriate condition(s) of consent. Any necessary site audit statements can be required prior to the issue of a subdivision certificate.

##### State Environmental Planning Policy No.44 (Koala Habitat)

SEPP 44 aims to conserve and manage areas of native vegetation that provide habitat for koalas. This issue was considered in detail throughout the assessment of the ABRP Concept Plan. The site is not core koala habitat and therefore it was determined that development could proceed without the need for a formal plan of management. It was acknowledged that koalas visit the site but the Ecology report that supported the ABRP Concept Plan concluded that they were not resident at the site. There were some patches of vegetation that contained 'feed tree species' and these areas were considered as potential koala habitat under SEPP44.

There were no particular conditions of consent imposed upon the Concept Plan Approval that related to koala protection or koala habitat. The Ecological Assessment report prepared by Travers Bushfire and Ecology that supports the Stage 2 subdivision concludes that the remnant patches of vegetation would at best provide transitory foraging habitat for koalas. It also notes that the St Helens biodiversity offset site (approved as part of the Biodiversity Offset Strategy) includes an area of known koala habitat which provides compensation for any loss of potential habitat in Stages 1 and 2. It acknowledges that there will be a loss of transient, periodic or fringing koala habitat containing the koala feed trees *Eucalyptus tereticornis* as part of Stages 1 and 2.

In terms of mitigation, it points to the following measures:

- Restoration of Smiths Ck corridor, including fauna habitat enhancement works principally for transient koalas
- Use of *Eucalyptus tereticornis* for habitat enrichment

The general conclusion is that the Airds Bradbury Renewal Project development (and therefore Stage 2 of that development) would not be likely to reduce the long term viability of any local population of koala. The provisions of SEPP 44 have been addressed satisfactorily.

#### State Environmental Planning Policy (Affordable Rental Housing)

The Affordable Housing SEPP aims to assist in the delivery of housing stock for low and low-middle income earners and other disadvantaged groups. The Concept Approval is consistent with this SEPP. The SEPP would ordinarily allow the Land and Housing Corporation to undertake subdivision without the need for development consent. However, that provision, Clause 40(2)(c) of the SEPP, does not apply in this case as the subdivision is part of an approved major project where it has been determined that approvals under Part 4 are required for each stage of development.

#### Greater Metropolitan Regional Environmental Plan No.2 (Georges River Catchment)

The Georges River REP applies to the site as it is part of the Georges River Catchment. It sets out planning principles to be considered that relate primarily to protection of the water quality within the catchment. Such matters as water sensitive urban design, flooding and protection of riparian corridors were all considered as part of the original assessment of the Concept Plan. A Water Cycle Management Plan was prepared and the improvements envisaged by this Plan will be to the benefit of the downstream receiving waters. This application is considered to be consistent with the Concept Plan Approval and therefore compliant with the REP.

#### **b) Campbelltown (Urban Area) Local Environmental Plan 2002**

Following the Section 75R(3A) Order of May 2013, the subject site is now zoned 2(b) Residential under the provisions of Campbelltown (Urban Area) Local Environmental Plan 2002. The proposed subdivision is a permissible use in this zone with consent. Pursuant to Clause 3B(2) of Schedule 6A of the *Environmental Planning and Assessment Act*, which deals with provisions relating to approved Concept plans, the proposed subdivision is permissible.

The proposal is consistent with the objectives of the 2(b) Residential zone in particular objectives (a) and (e):

*(a) to make general provision for land to be used for housing and associated purposes, and*

*(e) to allow development which:*

*(i) is compatible with residential use*

*(ii) is capable of visual integration with the surrounding buildings, and*

*(iii) serves the needs of the surrounding population without conflicting with the residential intent of the zone,*

*(iv) does not place demands on services beyond the level reasonably required for residential use*

Clause 32 of the Campbelltown LEP deals with subdivision generally. It states:

***“32. Subdivision generally***

*(1) land to which this plan applies may be subdivided only with development consent*

*(2) Consent must not be granted to the subdivision of land traversed by a zone boundary unless the boundaries of lots so created correspond generally with the boundaries between the zones as shown on the map.*

*(3) Where the subdivision of land would result in the opening of a new road, the road must accord with any pattern of proposed roads indicated on the map unless the consent authority is satisfied that the road will provide adequate access to adjoining land and fulfills the objectives of the road pattern indicated on the map.”*

Clause 32(1) permits the proposed subdivision. Clause 32(2) is satisfied because the zoning of the land reflects the Concept Plan. Clause 32(3) is satisfied because the Concept Plan clearly establishes a future road pattern to provide adequate access and the proposed development under the Stage 2 DA is consistent with this.

Clause 39 deals with earthworks and the preservation of trees and requires the consent authority to be satisfied of a range of issues relating to the impacts of proposed works. The earthworks associated with the subdivision have been designed to be sympathetic to the topography of the site and to assist in management of local drainage catchments. Tree removal is consistent with the Concept Plan and is more than balanced by proposed new street tree plantings.

Clause 62 relates to development that may be affected by salinity. This matter has been covered by the geotechnical investigation carried out by Geotech Testing in their report that supports this application. They have provided recommendations on good soil and water management strategies to be adopted for the proposed development of the site.

**c) Campbelltown (Sustainable City) Development Control Plan 2009**

The Campbelltown (Sustainable City) Development Control Plan 2009 (the DCP), applies to all land within the Campbelltown Local Government Area except where more specific development controls have been drafted for specific localities. Such situations are generally large co-ordinated urban release or urban renewal projects, such as the Airds Bradbury Renewal Project (see Point (d) below)

**d) Development Control Guidelines**

Development Control Guidelines (DCG) formed part of the Concept Plan approval in order to provide guidance, in the manner of a Development Control Plan, to the detailed design of new development within the ABRP. Within the Guidelines, there are specific objectives relevant to subdivision and these are set out below:

- *Provide a range of lot sizes with the more intensive development located closer to the town centre, around parks and along bus routes;*

- *Provide lot dimensions capable of accommodating a range of affordable house types*
- *Create efficient layouts that respond to existing site conditions and context;*
- *Ensure that subdivision provides safe connections with an extension of existing street patterns, as well as any pedestrian, cycleway and public open space networks;*
- *Promote walking and cycling as the primary mode of travel within a residential neighbourhood;*
- *Provide a network of bus, pedestrian and cycle routes within the public domain which connect open space areas and community facilities and encourage alternative modes of transport.*

There is no inconsistency or conflict between the Stage 2 subdivision and the DCG objectives for subdivision.

The DCG also contain some specific requirements in terms of lot size and design.

1. *Design of residential allotments shall have regard for the impact of orientation, slope and aspect to facilitate solar access to future dwelling development.*
2. *All proposed allotments shall have a street frontage*
3. *Battle axe lots shall only be permitted where a street frontage cannot otherwise be provided because of existing conditions*
4. *All allotments intended for residential housing will have a minimum site area of 200 square metres with a minimum width measured at the building line of 6 metres*
5. *Any allotment with a width to the street frontage of less than 9 metres is to have the garage located to the rear of the property accessed from a rear lane or accessway*
6. *Allotments are to have a minimum depth of 25 metres*

The Stage 2 subdivision has adhered to these requirements. There are no lots less than 200 square metres in area. Lot sizes range from 315 sqm to 870sqm with 69 lots less than 400 sqm, 47 lots between 400sqm and 500sqm and 15 lots greater than 500sqm. All lots are at least 25 metres deep with the majority having widths between 11-13 metres, with minimum widths well in excess of 6 metres at the building line. There are no battle axe lots proposed.

#### **e) Section 94A Development Contributions Plan**

Council has an adopted Section 94A Development Contributions Plan that came into effect in August 2011. This plan applies across the LGA and collects a monetary contribution from development (based on a levy related to the value of the proposed development), for the provision of a range of new and augmented public facilities.

However, as part of the approval of the Airds Bradbury Renewal Project, it is intended to enter into a combination of works agreements for stages 1 and 2 if necessary, then a Voluntary Planning Agreement for Stage 3 onwards, between Campbelltown City Council and NSW Land and Housing Corporation. This will deal with the delivery of public infrastructure improvements such as roads, drainage, public reserves and community facilities and would be in lieu of the Section 94A



Plan. A particular condition of consent of the concept approval sets out this requirement.

#### **f) Campbelltown 2025 Looking Forward**

*Campbelltown 2025 Looking Forward* is a statement of broad town planning intent for the longer term future of the City of Campbelltown that:

- *Responds to what Council understands people want the City of Campbelltown to look, feel and function like;*
- *Recognises likely future government policies and social and economic trends; and*
- *Sets down the foundations for a new town plan that will help achieve that future.*

The document establishes a set of strategic directions to guide decision making and development outcomes. These directions are broad in nature and form a prelude to a new statutory town plan for the City.

The strategic directions relevant to this application are:

- *Growing the Regional City*
- *Building a distinctive Campbelltown sense of place, and*
- *Creating employment and entrepreneurial opportunities*

The proposed development is generally consistent with these directions. The development contributes to the growth of the regional city of Campbelltown and seeks to recreate Airs into a distinctive local suburb.

Some of the relevant desired outcomes of the strategic directions included in *Campbelltown 2025 Looking Forward* are:

- *Urban environments that are safe, healthy, exhibit a high standard of design and are environmentally sustainable;*
- *An impression of architecture that engages its environmental context in a sustainable way; and*
- *Development and land use that matches environmental capacity and capability.*

The proposed Airs Stage 2 subdivision is the second of a number of proposed stages of development where each stage will build on the previously approved stages of development. Stage 1 was approved by the Joint Regional Planning Panel in November 2013. It will be the beginning of a process that will in the longer term provide a contemporary residential subdivision with significant improvements to the public domain.

## **2. Impact of the development**

Section 79C(1)(b) of the *Environmental Planning and Assessment Act, 1979*, requires the consent authority to consider potential impacts arising from the development on the natural and built environments as well as assessing any social or economic impacts.

In terms of social and economic impacts, the development is considered to be overwhelmingly positive. The Airds Bradbury Renewal Project had the aim of providing improved housing in a renewed urban environment. As the stages of development proceed, these aims will be met. This application for Stage 2 will build on the process of delivering positive outcomes for Airds Bradbury commenced with the approval of Stage 1 in November 2013.

The proposed development poses no adverse impacts on the built environment. On the contrary, it will facilitate a variety of future residential development that will contribute to an improved character for the locality. The street patterns and road hierarchy will make a positive contribution to the streetscape through improved amenity, efficiency and safety. The proposal introduces specific road improvements, including traffic calming. A traffic analysis supported the Concept Plan application, which concluded that forecast traffic flows for the roads will not exceed the levels appropriate for the respective road classifications and that intersection control, traffic management and road layout are appropriate. The *Safer by Design Guidelines* which underpin the Crime Prevention Through Environmental Design (CPTED) principles, were a part of the original Concept Plan assessment process. Access control, opportunities for surveillance and space management are all intended to minimize crime risks and are all present in the proposed lot layout.

The development poses no unmanageable adverse impacts upon the natural environment. A comprehensive flora and fauna report was prepared to support the Concept Plan assessment process which identified the ecological values of the site. There will be some tree loss as a result of new roads and building platforms, however this is offset by embellishment within open space areas and new street tree plantings. A Landscape Statement has been provided prepared by suitably qualified landscape architects. It provides design plans and covers proposed street tree plantings. Such plantings will extend the use of species determined in Stages 1-11 with the use of predominately native species. The existence of Shale Sandstone Transition Forest, a recognized Endangered Ecological Community, has been well documented and considered as part of the concept plan approval. The proposed Bushland Management Plan is considered to be satisfactory.

There is a low risk of land contamination, with any contamination being able to be remediated using standard techniques. A Waste Management Plan has been prepared to deal with any waste generated, including excess spoil.

### **3. Suitability of the site**

Section 79C(1)(c) of the *Environmental Planning and Assessment Act, 1979*, requires the consent authority to consider the suitability of the site for the proposed development.

The site is part of the Airds Bradbury Renewal Project area and has been zoned and approved for residential development of the type proposed by this application. The suitability of the land for development was thoroughly tested as part of the assessment process for the Concept Plan approval, including the issues of soil, flora, fauna, traffic and hydrology. The Concept approval and staging plan of the project provides for the efficient and orderly development of the land and the site is suitable for the proposed development.

#### **4. Submissions**

Section 79C(1)(d) of the *Environmental Planning and Assessment Act, 1979*, Requires the consent authority to consider any submissions received as a result of the public notification of the application.

Immediately adjoining property owners were notified by letter and the proposal was advertised in the local press in accordance with Council's Notification and Public Exhibition Policy.

One public submission was received which is **Attachment 5**. This submission raised various concerns, some of which related to the concept plan approval rather than to this individual stage of the development (Reiby Juvenile Justice Centre, Merino Park, Baden Powell Reserve). The predominant issue was concerns in relation to potential adverse impacts upon flora and fauna (koalas) arising from the development. It is considered that these concerns have been adequately addressed previously through the assessment of the initial concept plan and the various requirements relating to Bushland Management Plans, biodiversity offset strategies and on site landscaping requirements. This Stage 2 subdivision is not proposing any development that has not been contemplated previously and is therefore is not posing any greater threat to flora and fauna than has been assessed before.

No government agencies submissions were received.

A formal written submission was received from Campbelltown City Council following consideration of the matter at the Council meeting of 11 March 2014. The resolution of Council was as follows:

- 1. That the information be noted relating to the Stage 2 for the Airds Bradbury Renewal Project.*
- 2. That the Council provide owner's authorisation to the Airds Bradbury Renewal Project Stage 2 subdivision Development Application subject to a requirement that prior to the issue of the construction certificate for any access or works applicable to land currently owned by Council, the proponent is required to be the owner of that land.*

#### **5. Public Interest**

Under Section 79C(1)(e) of the *Environmental Planning and Assessment Act, 1979*, the consent authority is required to consider the public interest when assessing any development application.

It is considered that the application is clearly in the public interest. In fact, the catalyst for the Airds Bradbury Renewal Project was a desire to improve the public amenity of a locality that had been recognized as failing in basic environmental and social amenity. There is social benefit in the embellishment of community infrastructure and the provision of residential opportunities for a broader cross section of the community than previously catered for.

The proposed development is in accordance with the relevant planning instruments and policies and will not have any negative environmental impacts. The economic

benefits will be multiplied throughout the broader economy and public health will benefit through the improved housing standards and improved community services. All of these outcomes are in the public interest.

## **6. Assessment of significant issues**

### **Development Contributions**

Within the concept plan approval, Condition 4 in Schedule 4 dealt with development contributions. It requires a planning agreement to be in place prior to any application being lodged for Stage 3 or beyond, to ensure that the Letter of Offer from NSW Land and Housing Corporation dated 10 October 2013 is realised. For earlier stages, the alternative of a works agreement is deemed suitable if relevant contributions are required at that stage of development.

For Stage 2, there are no works or contributions outside of the works that are associated with constructing the subdivision – roads, footpaths, drainage, street landscaping. There are no public reserves to be created or embellished; there are no specific road or intersection improvements and there are no community facilities to be built or upgraded.

The works to create the subdivision are adequately described upon the submitted plans. As such, there is no requirement for a specific works agreement as any consent will include the standard condition of consent that requires the development to be consistent with the submitted plans.

### **Flora and fauna**

The effects of the Airds Bradbury Renewal Project on flora and fauna were comprehensively addressed in reports prepared to support the Concept Plan and were found to be acceptable. The proposed Stage 2 subdivision is consistent with the approved concept plan and therefore does not present additional issues for flora and fauna management above those previously assessed. This is reconfirmed in the ecological assessment report prepared by Travers Bushfire and Ecology that supports this application.

The applicant has provided a comprehensive summary of the biodiversity and bushland management issues that have been considered as part of the concept plan and the Stage 1 and Stage 2 subdivision and this is at **Attachment 6**. This table also directly addresses the issues raised in the one public submission received and it is considered that these issues have been adequately addressed to enable Stage 2 to proceed.

### **Contamination**

A Phase 1 Environmental Site Assessment has been prepared by JBS Environmental to support this application. It is concluded that there is a low potential for contamination of the site. However a Remedial Action Plan is required and an appropriate condition of consent is proposed.

### **Access and traffic**

A Traffic Assessment has been prepared by SMEC to support this application. This assessment concludes that the existing road network has the capacity to accommodate the cumulative traffic volume increase associated with the Stage 2 subdivision. No further traffic management upgrades are proposed above what has already been required under the consent for Stage 1. A condition of consent should be imposed requiring the Local Traffic Committee to provide final approval to all proposed traffic infrastructure (line markings, sign postings etc).

### **Aboriginal cultural heritage**

An Aboriginal Cultural Heritage Assessment has been prepared by AHMS to support this application. It concluded that Stages 1 and 2 of the concept plan could cause partial impact to an area that was likely to contain low densities of Aboriginal objects. The report made some general recommendations to properly manage this process and it would be appropriate to impose these as a condition of consent.

### **Noise**

Potential noise impacts on future residential properties from the adjoining Kentlyn electricity substation have been considered. The Stage 2 subdivision has lots adjoining the substation and therefore it would be appropriate to impose the same condition of consent that was imposed upon the Stage 1 approval in relation to an agreed noise mitigation strategy with Endeavour Energy.

### **Stormwater Management**

A Water Cycle Management Report prepared by Storm Consulting supports the application and addresses both stormwater quality and improvement and flooding and detention. This is an issue that has been thoroughly assessed throughout the concept plan approval process.

Council's Technical Services branch been involved throughout this process and again have had the opportunity to review the submitted information and plans. There are no stormwater quantity or quality issues arising directly from the Stage 2 subdivision.

## **7. Proposed conditions of consent**

As a Crown application, Council has worked collaboratively with the proponent to create a draft set of conditions that are mutually acceptable. The emphasis has been on conditions that are necessary to meet the requirements of the concept plan approval and that provide some level of certainty in terms of acceptable construction standards. As far as practicable the proposed conditions of consent for Stage 2 are the same as those for Stage 1.

The draft conditions of consent at **Attachment 7** are put forward for adoption with the endorsement of the proponent.

## **8. Conclusion**

The proposed Stage 2 subdivision of the Airds Bradbury Renewal Project is consistent with that envisaged in the approved concept plan.

Particular prerequisite conditions of the concept approval have been satisfactorily addressed either as part of this application or previously as part of the Stage 1 approval.

Conditions of consent relevant for the Stage 2 subdivision have been discussed and agreed with the proponent.

It is therefore recommended that the Stage 2 subdivision for the Airds Bradbury Renewal Project be approved.

## **Recommendation**

THAT Development Application 2978/2014/DA-SW, for Stage 2 subdivision of the Airds Bradbury Renewal Project, be approved subject to the conditions of consent as described in Attachment 7 to this report.