

Table 1: LEP Claymore Urban Renewal Concept Plan Conditions of Approval

SCHEDULE 3		
PART A - TERMS OF APPROVAL		Consistent
1. Approval of the Claymore concept plan, except as otherwise modified by this approval, including but not limited to:		
a. A Masterplan for the long term urban rejuvenation of the estate involving:		
i. the increase in dwellings from 1,123 to approximately 1,490 dwellings including 100 senior housing units		
ii. retention of approximately 140 existing dwellings on separate lots		
iii. an increased social mix within the estate of 70 per cent private and 30 per cent public housing		
iv. creation of a new Claymore town centre		
v. new or upgraded urban infrastructure such as pathways, lighting, open space, community facilities, drainage and a series of new interconnecting public roads.		
b. Utilities and infrastructure delivery plan		
c. Staging plan		
d. Claymore Development Control Guidelines		
e. Street layout and building typologies		
f. Street tree and landscaping strategy		

	2. The Proponent shall carry out the Concept Plan generally in accordance with the: a. Claymore Renewal Project Environmental Assessment Report, prepared by BBC Consulting Planners dated September 2011, as amended by Claymore Renewal Project Final Response to Submissions and Preferred Project Report and Appendices, prepared by BBC Consulting Planners dated May 2012 b. Claymore Urban Renewal Development Control Guidelines (May 2012) c. Statement of Commitments, dated May 2013 d. the terms of this approval.	Consistent
	3. Inconsistency between plans and documentation If there is any inconsistency between the plans and documentation referred to above, the most recent document shall prevail to the extent of the inconsistency. However the modifications of this concept plan approval prevail to the extent of any inconsistency.	Noted
	4. Limits on approval This approval does not allow any components of the Concept Plan to be carried out or construction to occur without further approval or consent being obtained, except for demolition works prescribed in schedule 6. This approval will lapse five years from the date of this approval unless works the subject of any related application are physically commenced, on or before that lapse date.	Noted

	5. Determination of Future Application Separate development applications for each stage of development of the project shall be lodged other than for demolition works within the project area prescribed in Schedule 6, which is covered by the Ministerial Determinations pursuant to Section 75P. The determination of future applications for development on the site is to be generally consistent with the terms of this approval.	Addressed in Section 1.15 of SEE and this table.
PART B – MODIFICATIONS TO THE CONCEPT PLAN	Concept Plan Layout 1. An amended Concept Plan Layout is to be submitted to the Department of Planning and Infrastructure that identifies the existing Claymore shopping centre site (legally described as Lot 503 DP 263776 and Lot 100 DP 852796) land use as mixed use. Details are to be submitted to the satisfaction of the department prior to lodgement of the development application for Stage 1.	Concept Plan modified in October 2012 and was forwarded to the Department of Planning and Infrastructure in compliance with this condition. The Department of Planning and Infrastructure have advised of acceptance.
	Badgally Road Town Centre 2. To ensure that a viable retail town centre is established as part of the Claymore urban renewal project, the following restrictions shall apply to the approved town centre: a. the town centre site area shall be restricted to an area of no greater than two hectares b. the maximum gross floor area of a supermarket anchor tenant shall be restricted to between 2,500 sqm and 3,000 sqm and the maximum gross floor area of specialty retail stores shall be restricted to between 1,000 sqm and 1,500 sqm.	Will be addressed in development application for relevant stage.

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Entry Statements	
3. Landscape entry statements are to be provided at the key entry points to the estate from Badgally Road. Details of the proposed treatments and works are to be provided and approved by Campbelltown City Council prior to the determination of the development application to which these works apply.	An entry statement can be accommodated in the future retail centre at Glenroy Road. The part incorporates appropriate landscaping to strengthen the corner element as discussed in the Landscape Design Statement (Appendix 5).
Traffic and Transport	
4. All roads that form part of the final bus route, identified within Appendix 6 of the Preferred Project Report and Appendices, prepared by BBC Consulting Planners dated May 2012, shall be of least minor collector road standard.	Consistent as discussed in traffic report
5. No development (excluding new roads) shall be permitted to have direct access onto Badgally Road.	Consistent
Special Uses	
6. In recognition of the strong community desire for the continuation of the Baptist Church and the Guardian Angels Child Care Centre, the concept plan is to either show these uses, or the functions and services they provide, continuing at their current locations for at suitable alternative sites identified within the Claymore renewal project site.	Will be addressed in development application for relevant stage.
SCHEDULE 4	

FURTHER ENVIRONMENTAL ASSESSMENT REQUIREMENTS FOR APPLICATION UNDER PART 4	General Requirements	Refer to Section 3 of SEE and this table.
Note: if there is any inconsistency between the following environmental assessment requirements and the Statement of Commitments in Schedule 5, the following environmental assessment requirements prevail to the extent of inconsistency.	1. The proponent shall ensure that any future applications shall include: a. a detailed description of the layout and design of the proposed development, and b. a demonstration that the project is consistent with the requirements of this approval.	
	Built form and urban design 2. Each subsequent subdivision application is to demonstrate consistency with the Claymore Urban Renewal Development Control Guidelines.	Generally consistent. Refer to Section 4.3.2 of SEE. Non-compliance in terms of the size of compact housing sites located opposite the park and near the future retail centre.
	3. To ensure appropriate land use relationships between the retail and community uses are achieved, the proposed land use layout for the new town centre is to demonstrate consistency with the land use layout contained within Appendix 1 of the Preferred Project Report and Appendices, prepared by BBC Consulting Planners dated May 2012, as amended by modification 2, Part B Schedule 3, within the relevant development application under the concept plan.	Will be addressed in development application for relevant stage.
	4. Any future development application for the creation of residential allotments or seniors living development fronting Badgally Road must refer to the document entitled <i>Environmental Criteria for Road Noise (EPA 2010)</i>, to enable Council to properly consider potential impacts on that residential development that may arise from the developments proximity to potential road noise and to determine if there are any particular conditions of consent that should be imposed upon that development.	Addressed in the Traffic Noise Assessment accompanying the Concept Plan application and in the Traffic Noise Assessment in Appendix 9. Measures as recommended in this report can be incorporated into the design of the vegetated buffer separating Badgally Road from the residential lots. This includes a requirement for the boundary fence to be 2.1 metres above the ground level at the dwelling line.

	5. To ensure that the natural character of Badgally Road streetscape is retained and integrated into the Claymore urban renewal project, the Badgally Road vegetation buffer is to be planted in accordance with the Entry Road and Hill Tops planting schedule within the Claymore Urban Renewal – Urban and Landscape Master Plan, prepared by AECOM, dated 12 May 2012, in development applications lodged involving landscaping along the Badgally Road streetscape. Traffic and transport 6. Any future development application for the proposed new retail centre (currently shown as Stage 3A) must be supported by a detailed Traffic and transport Study. Development contributions 7. Prior to lodgement of any development application for subdivision relating to Stage 3, a planning agreement to provide roads, social and community infrastructure, drainage and open space facilities and amenities, with details of the of the contributions, and the nature of any land dedications or works in kind, is to be negotiated and executed with Campbelltown City Council and must be consistent with the proponent's Statement of Commitments. Each development application for subdivision for each of the stages must be consistent with the Statement of Commitments or an executed planning agreement and identify how any relevant contributions or works in kind required for that stage will be delivered.	Consistent. Will be addressed in development application for relevant stage. UrbanGrowth NSW will enter into negotiations with Council on the VPA within the timeframes included in this condition.
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Biodiversity Offset Package 1. Prior to the determination of any future development application for development under the concept plan, the proponent must satisfy Campbelltown City Council that the biodiversity offset package has been approved by the Director-General and consistency is demonstrated within the proposed development.	Consistent. See letter contain in Appendix 10 from the Department of Planning in Appendix confirming compliance with future Environmental Assessment requirement No.8 – Biodiversity Offset Package.
Vegetation management 2. The draft Vegetation Management plan is to be finalised and approved by Campbelltown City Council prior to determination of development applications of stages to which these works relate under the approved concept plan.	Consistent
Heritage 3. Consistent with the Statement of Commitments made by the proponent, prior to the determination of development applications of stages to which these works relate under the approved concept plan, the proponent must demonstrate that the recommendations of the Aboriginal Cultural Heritage Assessment have been finalised.	As discussed in Section 2.6.1, AHMS are in the process of undertaking further investigations based on the relevant recommendations of the previous assessment and the requirements of the Concept Plan approval. The findings and recommendations of these investigations will be provided to Council prior to determination of the development application.
4. Any future development application for development under the concept plan on land immediately adjoining Glenroy and Hillcrest (currently Lot 3 DP 1017017) shall demonstrate compliance with the recommendations of the View Corridor and Visual Curtilage Study of Glenroy and Hillcrest attached to the Preferred Project Report.	The View Corridor and Visual Curtilage Study of Glenroy and Hillcrest study recommends that that measure be taken to ensure that an appropriate vegetative screen for Hillcrest is proposed to be maintained upon those lots with which it shares a common boundary. This development application does not propose any housing lots that adjoin this boundary.

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Site filling and disposal 5. Any future applications are to provide details of the nature and extent of any cut and fill that is required to be undertaken. Compliance with the relevant Campbelltown City Council's requirements (as relevant to cut and fill) should also be demonstrated.	Details of proposed cut and fill are included in the engineering drawings. Lot gradients have been designed to enable compliance with Council's cut and fill requirements in the design of dwellings proposed on each lot.
Utilities 6. The provision of utilities and services are to be carried out generally in accordance with the Infrastructure Servicing Report prepared by Mott MacDonald (dated June 2011). Each future application for residential subdivision and commercial/retail development shall demonstrate consistency with the Infrastructure Servicing Report.	Consistent. Refer to Section 3.2.6 of SEE.
Contamination 7. Prior to any future application for subdivision and if required by the Phase 1 Contamination Assessment approved with the concept plan, a detailed Phase 2 contamination assessment must be carried out for in accordance with the requirements of State Environmental Planning Policy No 55 – Remediation of Land.	Consistent. Refer Appendix 2.
Flooding 8. Any future applications for subdivision are to demonstrate compliance with the flood management measures outlined in the Part 3A Concept Plan, Water Cycle Management Study and Flooding Analysis prepared by Mott MacDonald Hughes Truman, attached to the Preferred Project Report.	Consistent. Refer to Section 3.2.7 of SEE.

Water quality and riparian corridors 9. Any future applications for subdivision are to provide details on the proposed water sensitive urban design infrastructure, to the satisfaction of the consent authority.	Consistent. Refer to Section 3.2.7 of SEE.
Future Development 10. Any future applications for residential subdivision and dwellings (that are not defined as exempt or complying development) within the site shall: - include an assessment of construction impacts, including noise, traffic, soil and erosion (including acid sulphate soils where relevant), waste, and dust, and identify the mitigation and management measures that would be implemented to address these impacts; - demonstrate compliance with the Water Sensitive Urban Design principles established in the concept plan; - where applicable, demonstrate compliance with the commitments and management procedures detailed in the Vegetation Management Plan, including the strategy for retention of trees on site; - demonstrate that habitable floor levels are located above the 100 year ARI flood level plus 500mm freeboard, and that appropriate flood evacuation can be provided for dwellings located below the probable maximum flood level; - provide details on noise attenuation measures for residential land affected by the Hume Highway (M5) in accordance with the	- It is proposed that a construction management plan will be prepared to ensure that construction impacts are managed. This is addressed in the DA Acoustic Assessment contained in Appendix 9. - Refer to Section 3.2.6 of SEE. - The VMP will be implemented during the relevant stages of the development - See Appendix 7 - See Section 5.3.1

	approved concept plan; f. demonstrate compliance with the <i>Planning for Bushfire Protection 2006</i>; and g. demonstrate that ESD measures have been incorporated into the design of the buildings to reduce water and energy consumption in accordance with <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i>. h. subdivision plans in accordance with Council's requirements and illustrate the following: - dimensions of the proposed allotments - location of all structures proposed and retained on the site - access points - a detailed survey showing existing and proposed levels and quantities of fill, and - any easements, rights of way, covenants or other restrictions either existing or required as part of the development.	(f) The DA1 site does not comprise bushfire prone land (g) Will be addressed at approval stage for housing (h) Refer to engineering drawings
	11. In addition to the requirements of 17.e) above, any future development applications for subdivision for future residential purposes within Stage 2 that may be affected by noise emanating from the Hume Highway (M5) shall be accompanied by noise assessments demonstrating satisfactory environmental and residential amenity is achieved.	Refer to Section 5.3.1

STATEMENT OF COMMITMENTS		
5.1.2 General	A. The development will be undertaken generally in accordance with the Environmental Assessment Report dated March 2011 prepared by BBC Consulting Planners (including accompanying Appendices) and the Response to Submissions Report prepared by BBC Consulting Planners dated May 2012.	Consistent as discussed above.
	B. NSW Land and Housing Corporation and Landcom are committed to the principles of sustainability as defined in the Environmental Planning and Assessment Act 1979.	Currently being implemented.
	C. The proponent will continue to consult with the local community during the development process.	Currently being implemented.
	D. The proponent will continue to liaise with the Council during the development process.	Currently being implemented.
	E. The proponent will enter into a planning agreement with Council to provide roads, social and community infrastructure, drainage and facilities and amenities generally as indicated in the Environmental Assessment Report as updated in the Response to Submissions and Preferred Project Report prepared by BBC Consulting Planners dated May 2012. The VPA items of works will be provided generally in accordance with the Development Contributions Schedule at Annexure 1 of the Amended Statement of Commitments.	Currently being implemented.
5.1.3 Remediation	A. Remediation Action Plan will be prepared following more detailed sampling in the vicinity of locations of concern to delineate the extent of contamination.	Consistent. Refer section 2.4 and Appendix 2.

5.1.4 During Demolition	B. Remediation will be undertaken in accordance with the RAP.	Noted
	C. A site specific Unexpected Finds Protocol is to be prepared and implemented throughout the construction works.	Noted
	A. Demolition will be undertaken in accordance with the requirements of Australian Standard AS2601 – 2001: The Demolition of Structures which is incorporated into the Occupational Health and Safety Act 2000 administered by WorkCover NSW.	Land and Housing Corporation is implementing this process prior to demolition of dwellings.
	B. A Hazardous Building Materials Management Plan will be prepared prior to demolition commencing.	Land and Housing Corporation is implementing this process prior to demolition of dwellings.
	C. An Erosion and Sediment Control Plan will be prepared to control run off during the demolition process.	Land and Housing Corporation is implementing this process prior to demolition of dwellings.
	D. A Waste Management Plan will be prepared prior to demolition commencing. Where possible materials will be recycled for reuse on the Site.	Land and Housing Corporation is implementing this process prior to demolition of dwellings.
	E. A Community Access and Safety Plan will be prepared to maintain access to, and to ensure the safety of, the existing community through the demolition process.	Land and Housing Corporation is implementing this process prior to demolition of dwellings.
	F. Demolition will occur in consultation with the community and will be integrated with the strategies to be put in place to manage the process of change and rehousing on the site.	Land and Housing Corporation is implementing this process prior to demolition of dwellings.
	G. Demolition is to take place in accordance with the recommendations of the Demolition Noise and Vibration Assessment prepared by Renzo Tonin & Associates contained in Appendix 13 of the Environmental Assessment.	Land and Housing Corporation is implementing this process prior to demolition of dwellings.

5.1.5 Social Impacts		A. The proponent will prepare and implement a Strategic Social Plan to develop a coordinated approach to service planning, service delivery and change management.	Land and Housing Corporation will prepare and implement this plan.
		B. The proponent will prepare and implement a Rehousing Process including establishing a Rehousing Team within Housing NSW.	Land and Housing Corporation is implementing this process prior to demolition of dwellings.
		C. The proponent will prepare and implement a Communications Strategy throughout the development process.	Land and Housing Corporation is implementing this process prior to demolition of dwellings.
		D. The proponent will obtain all necessary approvals required by State and Commonwealth legislation in undertaking the project.	All necessary approvals will be obtained.
5.1.6 Access and Movement		A. Roads will be constructed in accordance with the objectives principles and design criteria contained in Appendix 1 and 5 of the Response to Submissions and Preferred Project Report dated May 2012.	The proposed roads are consistent with these principles and design criteria as discussed in the SEE.
5.1.7 Urban Design.		A. Development will take place generally in accordance with Development Control Guidelines contained Appendix 7 of the Response to Submissions and Preferred Project Report dated May 2012.	Refer to Section 4.3.2 of SEE
5.1.8 Water Cycle Management		A. Stormwater management works will be undertaken generally in accordance with the Water Cycle Management Plan contained in Appendix 4 of the Response to Submissions and Preferred Project Report dated May 2012.	Works have been designed generally in accordance with this strategy.
5.1.9 Biodiversity and Vegetation		A. The proponent prepare a Vegetation Management Plan in accordance with the guidelines in Appendix 3 of the Response to Submissions and Preferred Project Report dated May 2012.	Completed

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	B. The proponent will undertake a survey of all trees and other site features prior to the commencement of construction of any stage of the project and will seek to retain as many trees as possible for incorporation into the new urban form. C. The proponent will provide landscaping to all streets and parks as outlined in the Response to Submissions and Preferred Project Report prepared by BBC Consulting Planners dated May 2012.	See Arborist Report (Appendix 3) Consistent.
5.1.10 Aboriginal Culture	A. The proponent will implement the recommendations on page 30 of the Aboriginal Cultural Heritage Assessment in Appendix 2 of the Response to Submissions and Preferred Project Report dated May 2012.	Discussed above
5.1.11 Open Space and Community Facilities	A. The public domain will be constructed and enhanced in accordance with the objectives and principles contained in Section 4.7 of Response to Submissions and Preferred Project Report prepared by BBC Consulting Planners dated May 2012. B. Community facilities will be provided in accordance with the objectives and principles contained in Section 4.8 of the Response to Submissions and Preferred Project Report prepared by BBC Consulting Planners dated May 2012.	Consistent. UrbanGrowth NSW will negotiate the terms of the VAP for the provision of facilities during the determination of this development application.

5.1.12 Construction Management	A. Prior to commencing construction, a Construction Environmental Management Plan will be prepared. This Plan will include: • Development of a site specific soil erosion and sediment control plan, • Construction hours, • Air quality/dust control procedures, • Noise management procedures, • Waste management plan, • Flora and Fauna Protection Plan, • Community Safety Plan, • Arrangements for temporary pedestrian and vehicular access, • Storage and Handling of Materials Procedures, • Environmental Training and Awareness, • Contact and complaints handling procedures, • Emergency Preparedness and Response. B. All trees on the site that are not approved for removal are to be suitably protected by way of tree guards, barriers or other measures as necessary are to be provided to protect root system, trunk and branches, during construction.	The applicant commits to preparing this plan prior to construction commencing. Noted
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