

JOINT REGIONAL PLANNING PANEL (Sydney West)

JRPP No.	2014SYW132 DA
DA Number	2035/2014/DA-SL
Local Government Area	Campbelltown City Council
Proposed Development	Staged development application for a retirement village, including Stage 1, being the construction of roads, an entry feature and an acoustic wall.
Street Address	Camden Valley Way and Denham Court Road, Denham Court
Applicant/Owner	Stockland Development Pty Ltd
Number of Submissions	One
Regional Development Criteria (Schedule 4A of the Act)	Capital Investment Value exceeds \$20 million
List of All Relevant s79C(1)(a) Matters	<p>Statutory provisions</p> <ul style="list-style-type: none"> • Rural Fires Act 1997 • Threatened Species Conservation Act 1995 • National Parks and Wildlife Act 1974 • State Environmental Planning Policy (Sydney Region Growth Centres) 2006 • State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy No. 55 – Remediation of Land • Campbelltown Growth Centres Development Control Plan <p>Non Statutory Provisions</p> <ul style="list-style-type: none"> • Campbelltown 2025 Looking Forward
List all documents submitted with this report for the panel's consideration	<ol style="list-style-type: none"> 1. Location plan 2. Survey plan 3. Master plan 4. Entry feature detail 5. Acoustic wall location plan 6. Recommended conditions of consent
Recommendation	Approval with conditions
Report by	Andrew MacGee, Senior Development Planner Campbelltown City Council

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 staged development application has been lodged by Stockland Development Pty Ltd with a Capital Investment Value (CIV) of \$73 million. Therefore, under Section 23G and Clause 3 of Schedule 4A of the *Environmental Planning and Assessment Act 1979* (the Act), the Sydney West Joint Regional Planning Panel (JRPP) is the consent authority for the proposal.

Under the processes established by the Act, Campbelltown City Council has undertaken the assessment of the application and subsequently refers the matter to the JRPP for determination.

The application has also been lodged concurrently with Camden Council relating to the same development, as a small portion of the development site falls within that local government area.

Property Description:	Lot 7 DP 1200698, cnr Camden Valley Way and Denham Court Road, Denham Court
JRPP Application Number:	2014SYW133 DA
Council Application Number:	2035/2014/DA-SL
Applicant:	Stockland Development Pty Ltd
Owner:	Stockland Development Pty Ltd
Date received:	September 2014

Background

The subject site is located within the suburb of Denham Court and is part of the 'East Leppington' precinct of the South West Sydney Growth Centre. The 'East Leppington' precinct is situated in Campbelltown, Camden and Liverpool local government areas.

The land was rezoned for urban purposes in March 2013, following a detailed review of the precinct's capacity for urban development, acknowledging significant environmental assets (including a portion of the 'Scenic Hills' that fall within the Campbelltown local government area) and links to existing and future infrastructure in the immediate vicinity.

The urban release of the area has physically commenced, with three stages of Stockland's 'Willowdale Estate' completed and dwellings presently under construction. A regional park, one additional residential stage and a display home village have also been granted development consent after assessment by both Campbelltown and Camden Councils for the respective parts of the development within each local government area.

The Site

The subject site is legally described as Lot 7 DP 1200698 and is located within the northern corner of the urban release area as it sits within Campbelltown and Camden Councils. The site would ultimately be accessed by an internal road that connects Willowdale Drive and Jamboree Avenue to Denham Court Road, as per the 'indicative layout plan' that was developed by the Department of Planning and Infrastructure during the rezoning process and subsequently contained within the Council's site-specific development control plan for the release area.



Figure 1 – site location and aerial photograph. The red line indicates the extent of Stockland's 'Willowdale Estate' within the 'East Leppington Precinct' and the blue line is the area subject to this current proposal. A larger version of this image is located in Attachment 1 to this report.

A survey plan is found in Attachment 2 to this report. It locates the local government boundary between Campbelltown and Camden Councils and illustrates that approximately 2.8% of the development site by area falls within Camden.

The site slopes towards the east and south, in the general direction of Bonds Creek, which runs through the urban release area in a north-south direction. The creek corridor is relatively heavily vegetated and contains some good examples of remnant riparian tree species. This vegetation would be enhanced and rehabilitated as part of ongoing work across the urban release area, to which further development application(s) will be made in due course.

Some other trees are scattered across the development site, although a large proportion has been cleared over time and used for grazing and cropping since the European settlement of 'the cowpastures', in particular, a Crown land grant of 700 acres to William Cordeaux in 1821, which he named 'Leppington'.

Camden Valley Way borders the development site to the west and Denham Court Road (as it is presently being realigned and reconstructed by Roads and Maritime Services) lies directly to the east.

The area of land to which the application applies is approximately 10.7 hectares, of which 0.3 hectares is located within the Camden local government area, along the site's frontage to Camden Valley Way.

To the immediate south of the site, the Council has granted development consent for the construction of an 'east-west' collector road, which would form a valuable connection between Willowdale Drive and Denham Court Road.

An overlay of the retirement village site and the 'indicative layout plan' established during precinct planning for the release area is shown below. The precinct planning for the release area was a joint project between the Department of Planning and Infrastructure and the three Councils.

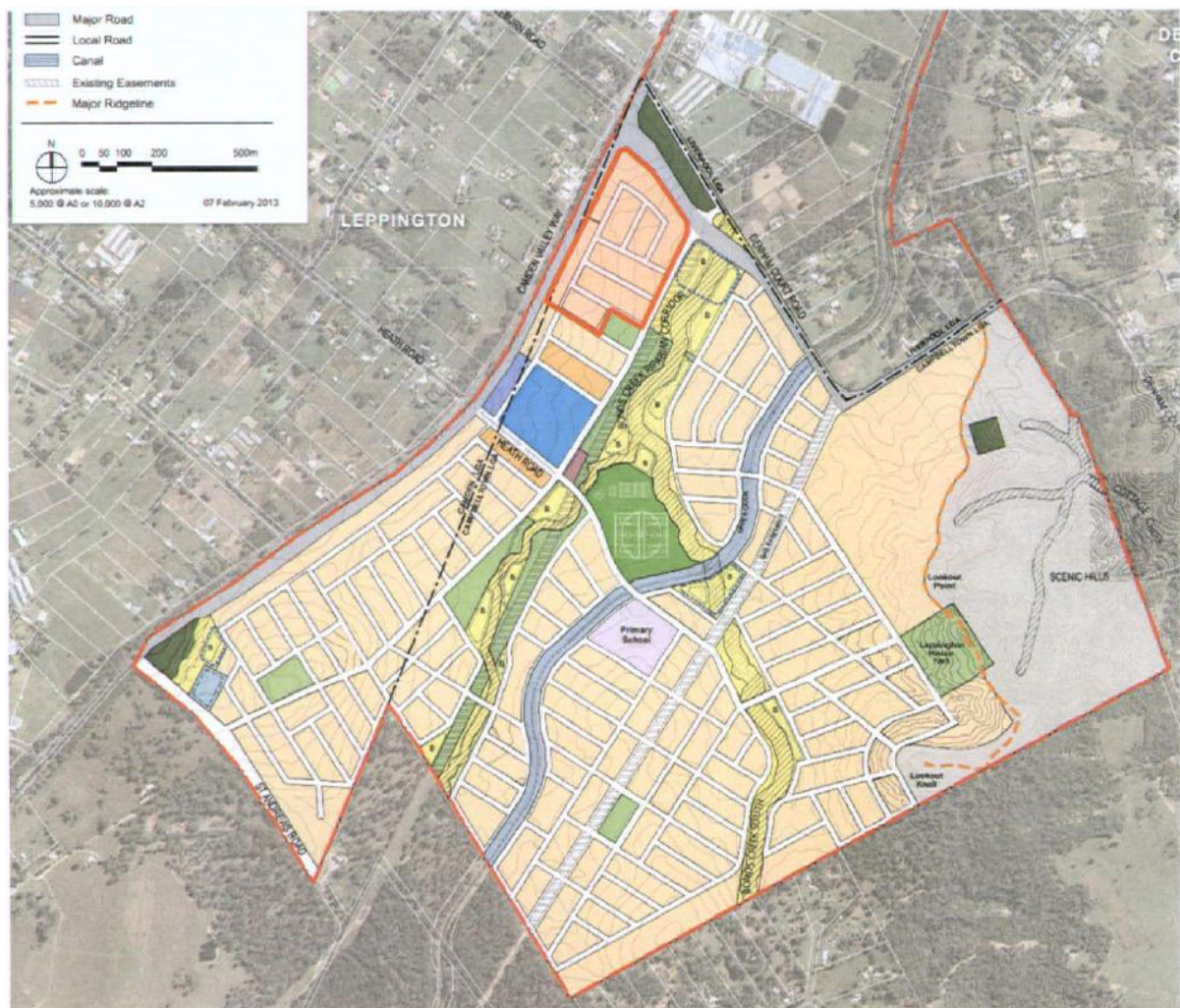


Figure 2 – the retirement village site within the 'indicative layout plan' for the 'East Leppington Precinct'.

The Council has previously granted 'partial development consent' to commence earthworks at the site (Council ref. 2170/2014/DA-CW). The consent was issued in a partial manner to account for the fact that not all of the site is 'bio-certified' pursuant to Part 7AA of the *Threatened Species Conservation Act 1995* (see discussion in Section 1.2 of this report for more detail).

Surrounding Development

As mentioned previously in the report, the site adjoins an existing urban release area, for which several development consents have previously been issued for residential subdivision and associated infrastructure. A number of dwellings are currently under construction or recently occupied.

The site is approximately 2.6 kilometres by road from Leppington railway station.

Future development in the site's immediate vicinity includes a commercial centre (incorporating a supermarket and a small range of specialty stores), open space and riparian corridor areas and a medium-density residential development. A school site and playing fields are also included in the precinct planning for the release area, as well as pocket parks.

The site is also located approximately 2.5 kilometres by road from the future Leppington town centre (within Camden Council), which will be a high-order retail and residential destination that capitalises on the Leppington train station.

The Proposal

The application has been lodged pursuant to Section 83B(1) of the Act, which states:

For the purposes of this Act, a *staged development application* is a development application that sets out concept proposals for the development of a site, and for which detailed proposals for separate parts of the site are to be the subject of subsequent development applications. The application may set out detailed proposals for the first stage of development.

The application sets out the concept plan for the development of the retirement village and also includes the first stage.

The concept proposal establishes the site's future layout, future land uses and their locations. The proposed land uses across the site include:

- 268 self-contained single-storey seniors housing dwellings
- A community hub/clubhouse
- Community open space
- A residential aged care facility for higher-order care provision

A plan of the proposed concept layout is contained in Attachment 3 to this report.

In this case (and in accordance with the Act), the application also includes the first stage of the development, which includes:

- Construction of internal roads
- Construction of an entry road feature
- Construction of an acoustic wall along Camden Valley Way and a portion of Denham Court Road
- Civil works such as drainage and service/utility infrastructure

All internal roads would remain as private property, under the care and control of the retirement village. A secondary access point would be provided in the southern portion of the site to allow for alternate emergency vehicle access. It would also be used as a pedestrian

pathway that would connect the retirement village to future open space and commercial/retail developments in the vicinity.

The acoustic wall would be constructed along the site's frontage to Camden Valley Way, which is almost entirely located within the Camden local government area. The proposed acoustic wall would appear similar in design, material and height as those previously constructed to the west within the residential release parts of the 'Willowdale Estate' and in accordance with Roads and Maritime specification. The proposed entry road feature consists of landscaped entry road containing fencing and tree plantings.

The capital investment value of the entire project is approximately \$73 million. The first stage works are valued at approximately \$10 million.

The applicant has also submitted a development application for Stage 2 of the development, being the construction of 268 self-contained seniors living dwellings (JRPP ref. 2015SYW080 DA and Council ref. 2577/2014/DA-SL).

Public Notification Process

The development application was notified to nearby owners in Liverpool City Council. During the notification period, no submissions from the public were received, however, one submission was received from Campbelltown City Council. Matters raised in the submission are detailed later in this report.

1. Assessment

The development has been assessed in accordance with the matters for consideration under Section 79C of the *Environmental Planning and Assessment Act 1979*, and having regard to those matters, the following issues have been identified for further consideration.

1.1 Planning legislation, instruments and documents

Section 79C(1)(a) requires the JRPP to consider environmental planning instruments and development control plans that apply to the site. In addition, there are other pieces of legislation that must also be considered as part of the application's assessment.

Relevant legislation includes:

1.1 Rural Fires Act 1997

The Rural Fires Act 1997, specifically Section 100B applies to the development as 'seniors housing' is considered to be a 'special fire protection purpose'. Accordingly and pursuant to the 'integrated development' provisions of the Environmental Planning and Assessment Act 1979, the application was forwarded to the Rural Fire Service for assessment.

The Service has responded by notifying the Council that it does not issue approval for concept proposals, however, has provided advice for further consideration in the assessment of future proposals at the site, given the proposed development. The Service's advisory requirements have been included in the recommended conditions of consent, found in Attachment 6 to this report.

1.2 Threatened Species Conservation Act 1995

The South West Sydney Region Growth Centre (the Growth Centre) encompasses land within Camden, Campbelltown and Liverpool local government areas and includes releases

such as Oran Park, Austral, Leppington, East Leppington, Catherine Field, Bringelly and Edmondson Park. As part of the Growth Centre's gradual release for urban purposes, extensive planning was undertaken for the retention and rehabilitation of remnant Cumberland Plain Woodland.

Large tracts of relatively undisturbed woodland has been set aside as open space and for preservation through means provided by the Threatened Species Conservation Act 1995 (TSC Act). As an offset to the retention of the areas of bushland throughout the growth centres, remaining parts were 'bio-certified' pursuant to Part 7AA of the Act.

Briefly, the primary effect of granting certification by way of a Ministerial Order is that it removes the need to undertake threatened species assessments or prepare species impacts statements at the development application stage. Hence, if certification is granted to land covered by the Growth Centres SEPP, this means that developments within those areas do not need to further assess the impacts on threatened species.

The conservation Order also sets up funding for land purchase and rehabilitation. Under the south west growth centres Order, there will ultimately be approximately \$530 million set aside for this purpose.

The 'East Leppington Precinct' of the growth centres largely falls under the bio-certification order and as such, no further detailed assessment of the impact of development on native vegetation and fauna is required under planning and related legislation. However, due to an idiosyncrasy in the large-scale mapping undertaken as part of the bio-certification Order and as a result of final Roads and Maritime intersection design not being known at the time, a very small portion of the urban release precinct development site was not included. However, this very small portion overall represents approximately half of the retirement village site, as shown below.



Figure 3 – bio-certification area overlayed on an aerial and site layout plan Source: EcoLogical, August 2014.

Campbelltown Council, as well as the applicant have made representations to the Office of Environment and Heritage to seek clarification on the mapping issue and to seek a remedy. Council is advised by the Office that an amendment to the certification Order map is expected to be gazetted by the State Government during May 2015. At the time of writing

this report, the amendment has not been made, although is anticipated to have been made by the time of the Panel's meeting. Should the amendment not be made prior to that date, the Council will offer an alternate strategy at the Panel meeting.

1.3 *National Parks and Wildlife Act 1974*

The National Parks and Wildlife Act 1974 applies to the development site. Following the completion of precinct planning undertaken by the Department of Planning and Infrastructure in consultation with the Councils, the applicant (with the support of the Office of Environment and Heritage) was able to apply for, and receive a permit pursuant to Section 90C(4) of the National Parks and Wildlife Act 1974 (ref. 1132182, issued by the Office of Environment and Heritage on 16 May 2013).

This permit relates to the retention, relocation and destruction of Aboriginal heritage artefacts that are discovered at the urban release area site overall. A recommended condition of development consent requires the applicant to fulfil the commitments made in the permit and to comply with its conditions.

1.4 *Planning Instruments*

A table of the relevant instruments and the development's response to that instrument's applicable requirements is presented for the JRPP below:

SEPP (Growth Centres) 2006

The 'Growth Centres SEPP' sets the urban release area's development objectives and land zoning following its inclusion in the south west Sydney growth centre.

Appendix 10 of the Growth Centres SEPP applies to the site, as it falls in the Campbelltown local government area.

Appendix 10, Clause 2.2 - Zone R2 Low Density Residential

The site is zoned R2 Low Density Residential pursuant to the SEPP. The seniors housing is a permissible development type in the zone. Ancillary site services in the 'club building that would be subject to further development consent would also be permissible in the zone.

The development of the site as a retirement village is also considered to be complementary to the objectives for the R2 zone, being:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To allow people to carry out a reasonable range of activities from their homes where such activities are not likely to adversely affect the living environment of neighbours.
- To support the well-being of the community by enabling educational, recreational, community, religious and other activities where compatible with the amenity of a low density residential environment.
- To provide a diverse range of housing types to meet community housing needs within a low density residential environment.

Appendix 10, Clause
4.1B – Residential
Density

Pursuant to the Clause and its related map, the site is required to have a minimum density of 15 dwellings per hectare. The concept proposal provides for an approximate density of 40 dwellings per hectare.

Appendix 10,
Clause 4.3 –
Height of
Buildings

The SEPP provides that a maximum building height of 9 metres affects the site. Buildings proposed in future stages of the development as part of separate development applications would be subject to assessment pursuant to this standard.

Accordingly, the concept plan is considered to be consistent with relevant parts of State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

SEPP (Infrastructure) 2009

The Infrastructure SEPP applies to the development, with specific reference to Clause 101, which relates to development on land with frontage to a classified road, its access to the classified road and the impact of that road on the proposed development.

The subject site adjoins Camden Valley Way, which is a busy classified road (MR647 pursuant to the Roads Act 1993). RMS data does not show that the road's traffic volume exceeds 40,000 vehicles per day (meaning additional assessment pursuant to Clause 102 of the SEPP is not required) however, the amount of traffic along Camden Valley Way is expected to increase significantly over time as the South West Growth Centre's urbanisation continues.

In accordance with best practice and the requirements of Roads and Maritime Services (RMS), the development is not proposed to have a connection to Camden Valley Way by road.

In response to the potential for traffic and associated noise to impact on the amenity of future residents along its western frontage, the applicant proposes the construction of a solid acoustic wall with heights ranging from 2 to 2.5 metres along the Camden Valley Way and part of the Denham Court Road interface. The wall's construction is included as part of the development's first stage, which is subject to this application.

The proposed wall is similar in scale and physical appearance to that which has been constructed by the applicant further south along the same road frontage. The recommendation to construct the wall has followed detailed assessment of the potential for noise to impact on the site by the applicant's specialised consultant.

Upon installation of the acoustic wall (mostly within the Camden Council local government area) and its landscaping in accordance with RMS and development control plan requirements, the impact of Camden Valley Way on the retirement village is not considered to be significant.

Accordingly, the concept plan is considered to be consistent with relevant parts of State Environmental Planning Policy (Infrastructure) 2007.

SEPP 55 – Remediation of Land

SEPP 55 provides controls and guidelines for the remediation of contaminated land. In particular, the Policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.

Before determining a development application that changes the use of land, a planning authority must consider whether the land is contaminated and be satisfied that it is suitable in its current state or will be suitable, after remediation for the proposed development.

A site investigation was undertaken by the applicant, which included a historical search of known land uses in the area as well as sampling across the site.

The work undertaken to date concludes that the site is not likely to be contaminated and is suitable for the proposed development.

SEPP (Seniors Living) 2004

The Seniors Living SEPP provides the State's planning objectives and controls for seniors housing developments.

Relevant parts of the SEPP are discussed as follows:

Clause 10

The staged development concept plan proposes seniors housing in a manner that is consistent with the definition contained within the SEPP. It is reproduced below:

In this Policy, seniors housing is residential accommodation that is, or is intended to be, used permanently for seniors or people with a disability consisting of:

- (a) a residential care facility, or*
- (b) a hostel, or*
- (c) a group of self-contained dwellings, or*
- (d) a combination of these,*

but does not include a hospital.

The development would be used to provide self-contained dwellings and a residential care facility for people aged 55 or more years.

Clause 16

Clause 16 requires that consent be granted for development to which the SEPP applies. Accordingly, the staged development application has been made.

Clause 26

This Clause contains the SEPP's requirements for access to services and public transport as well as the requirements for gradients throughout seniors living developments.

The subject site is located within the Sydney statistical division and is therefore required to be located within 400 metres of a bus stop that has at least two services per day. Existing bus services run along Camden Valley Way within 400 metres of the site (857 and 858), with a new intersection at Camden Valley Way, Denham Court Road and Ingleburn Drive likely to provide suitable access to these services, which connect the site to Liverpool, future Leppington town centre and Oran Park shopping facilities.

In the medium term, the bus service would be redirected through the 'Willowdale Estate' and would run across the front of the property along the approved east-west collector road. Access to this road would be provided at a gradient of 1:100 according to detail submitted by the applicant.

It is considered highly likely that by the time new dwellings are constructed and occupied, a bus service would be in place along the site's eastern frontage. Notwithstanding, the applicant has pledged to operate its own courtesy bus (or van with a capacity of at least 12 seats) to facilitate movement for residents of the village.

A recommended condition of consent requires that prior to the occupation of any residential dwellings on the site, that the bus service be implemented in accordance with the requirements of Cause 26(2)(b)(i-iii).

A separate proposal currently in the planning stages would provide for a new shopping centre and a small range of speciality stores to be constructed approximately 400 metres from the retirement village at its closest point. The shopping area would be linked by pedestrian path through open spaces and public roads at gradients compliant with the SEPP.

In addition, a separate and subsequent development application is to be lodged for the site, which provides for the construction of a community 'hub' and recreation room that would have dedicated space provided for a hairdresser and a medical practitioner to visit the village on a pre-arranged basis.

Subject to the implementation of the applicant's bus service and a requirement for access to existing and future proposed bus stops complying with the requirements of the SEPP, the proposal is considered to be compliant with the Policy's standards for access to facilities.

Clause 27

The site is categorised as being bush fire prone pursuant to Section 146 of the Act and its accompanying map for the Campbelltown local government area. Consequently (and noting that seniors housing is considered a 'special fire protection purpose' pursuant to the Rural Fires Act 1997, the application was forwarded to the Rural Fire Service for its assessment and approval.

The Service has responded that it does not consider concept plans as 'integrated development', preferring to assess subsequent development applications for applicable development. However, the Service has provided some general advice regarding the development, including recommendations for future stages.

Issues relating to the provision of asset protection areas, services and vegetation (landscaping) management have been highlighted in the Service's correspondence and have been incorporated as conditions of consent in Attachment 6 where appropriate.

Evacuation and access for service vehicles has also been

considered. The site at the moment is bush fire prone, however it must be noted that it is located within an emerging urban release area, where these existing conditions will not prevail in the short term.

Notwithstanding, vehicle swept paths throughout the retirement village and access to nearby roads to evacuate in the event of a bush fire are considered to be appropriate.

Clause 28

The Clause requires that the seniors' housing development be connected to a reticulated water supply and sewerage system. The retirement village would be connected to services supplied by Sydney Water.

Clause 29

Clause 29 requires the consent authority to consider certain site compatibility criteria, which are discussed below:

1. The natural environment and existing/likely future land uses in the vicinity of the proposed development:

The site is part of a new release area and will be close to a large range of shopping and transport options. The development is complementary to existing and proposed residential and commercial land uses nearby and will be able to take advantage of natural area rehabilitation and maintenance proposed throughout Stockland's 'Willowdale Estate'.

2. The services and infrastructure available to meet the demands rising from the development:

The site is located in an emerging urban area and will have access to a range of retail and commercial businesses within the 'Willowdale Estate' and within 2.5 kilometres at Leppington town centre (within the Camden local government area). The site is well-placed to accommodate future residents' needs.

3. The impact that the built form of the development is likely to have on existing and likely future development:

The built form of the retirement village, with particular regard to dwellings and other ancillary buildings is not disclosed as part of the concept proposal. Notwithstanding, some indicative dwelling designs and a detailed site layout have been provided for the Panel's consideration. The indicative plans illustrate that the site would be developed at a relatively low density in terms of building scale and height and largely detached in their siting throughout the village. The built form is considered to be compatible with nearby likely future residential and commercial land uses.

Clauses 30 - 39

The subject Clauses detail the SEPP's design requirements for seniors living developments. The concept proposal does not provide specific detail nor seek consent for the matters directly detailed in these Clauses. A more detailed assessment of these matters would be undertaken at the time subsequent applications are lodged for future stages of the development.

Having regard to the preceding discussion, the application is considered to be complementary to relevant controls within the Seniors Living SEPP. More detailed assessment in relation to the accessibility and design of dwellings would be undertaken as part of future stages of the development.

However, the site is considered to be appropriate for the development and provides for an acceptable level of accessibility and amenity for future residents, noting the ongoing urban release of the surrounding districts.

Campbelltown Growth Centres Development Control Plan (CGC DCP)

Relevant portions of the CGC DCP are discussed below, noting however that the pre-eminent planning controls are contained in the Seniors Living and Growth Centres SEPPs.

Section 2.2 – The Indicative Layout Plan

The CGC DCP adopts the ‘indicative layout plan’ (ILP) that was developed as part of the precinct planning in accordance with the requirements of the Growth Centres SEPP. The ILP details the preferred locations for residential, open space, roads, drainage corridors, vegetation retention and other specified land uses throughout the urban release area.

In this case, the retirement village would be located in an area nominated for low density residential development in the ILP and would be bounded by a small local park and road network that is consistent with the Plan. The key difference would be the removal of the road network internally, which would become private, a fact that would be signified by the landscaped entry statement that is part of the village’s Stage 1 development application, subject to this assessment.

The concept proposal respects the location of the proposed local park as shown on the ILP.

The variation to the ILP is considered to be relatively minor and does not compromise the ‘precinct vision’ detailed in Section 2.3 of the DCP.

Section 2.4.1 - Flooding

Council’s records do not indicate that the site is liable to flooding. However, due consideration must be given to the potential impact of water emanating from Camden Valley Way (in its widened form). More discussion on this issue is contained in Section 2 of this report.

Section 3.2.4 – Street Network and Design

The proposal respects the street network detailed in the DCP and notes that the proposed bus route through the precinct would service the road immediately adjacent to the retirement village site.

Pedestrian and cycle ways will be designed to satisfy AS 1428 and the Seniors Living SEPP in terms of the accessibility.

Section 3.1 - Street Network

The subject application does not include space to be set aside for open space. Separate application would be made for the development of public open spaces in the immediate vicinity of the retirement village site, including a pocket park immediately adjacent to and a riparian corridor across from the approved ‘East- West Collector Road’.

The concept plan and Stage 1 as submitted are considered to be complementary to the Campbelltown Growth Centres Development Control Plan as it applies to the development site and type.

It is also noted that *Campbelltown (Sustainable City) Development Control Plan Volume 3 – Engineering Design Guide for Development* applies to the site. The Guide details Council's requirements for the design, construction and installation of public infrastructure, including roads, drainage and street tree plantings. The Guide has been referenced in the recommended conditions of consent contained in Attachment 6 to this report.

1.5 Non-Statutory Plans

'Campbelltown 2025 - Looking Forward' is a vision 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 consistent with these directions.

The relevant desired outcomes associated with Council's vision, included in 'Campbelltown 2025 – Looking Forward' include:

- 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 development is consistent with the vision's desired outcomes having regard to the proposed scale, function and design of the proposed development.

2. Impacts on the Natural and Built Environment

Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979* requires the JRPP to assess the development's potential impacts on the natural and built environment, as well as potential social and economic impacts.

Key matters for consideration when considering the development's potential impact on the natural and built environment are:

- Traffic
- Water management

These matters are individually discussed in more detail overleaf.

2.1 Traffic

Given the development's size and location, it is prudent to consider its potential to impact on existing and future local roads. The applicant has submitted a traffic impact assessment with the proposal, which discusses the development's potential to impact on surrounding road efficiencies.

The site enjoys relatively good access to public transport and this will only improve once the 'Willowdwale Estate' expands and an internal bus network is established in conjunction with Transport for NSW.

The site will also be provided with good access to signalised intersections to Denham Court Road and Camden Valley Way. The traffic anticipated to emanate from the retirement village is not expected to significantly impact on the level of service at these intersections.

The development of the site in following stages will be required to comply with the Seniors Living SEPP in terms of car parking provision. This would be discussed in more detail during the assessment of future stages of the development.

Council's engineers have raised concern regarding the suitability of the entry feature driveway in terms of its size and design, having regard to the number of vehicles likely to use it during peak travel periods. A recommended condition of consent requires further work be undertaken to ensure that the width of the feature and its road as well as structures within the proposed private road are compliant with relevant Australian Standards and the Council's *Campbelltown (Sustainable City) Development Control Plan Volume 3 – Engineering Design Guide for Development*. This would need to be undertaken prior to the issue of a construction certificate for that work.

2.2 Water Management

A key assessment issue for the proposed development is the impact of water emanating from Camden Valley Way.

The retirement village development's location is adjacent to Camden Valley Way, which has recently been upgraded by Roads and Maritime Services to provide for extra traffic lanes, upgraded drainage and landscaping. The retirement village site is typically lower than the road and as such, water currently flows across the site as it moves towards Bonds Creek to the east.

The applicant has supplied detailed engineering design and calculations to demonstrate the retirement village development has considered surface water flows from the adjoining land. Recommended conditions of development consent for the concept proposal (as drainage and civil works are included as part of Stage 1 in this application) require the continued assessment and approval of final civil designs prior to physical works commencing to ensure that this water is accounted for, treated and disposed of in accordance with Council's requirements into Bonds Creek.

2.3 Social and Economic Impacts

It is anticipated that the development would contribute to the wider choice of housing available in the Campbelltown local government area and would provide a tangible social benefit. The scale and density of the development respects the identified desired planning outcome and takes advantage of nearby transport and other future support/retail services.

3. Site Suitability

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

Having regard to the development's relative compliance with the overarching precinct planning and State Environmental Planning Policies that apply to the site and development type, the environmental considerations detailed previously, the proposal's high level of compliance with relevant planning objectives and controls the proposal is considered to be suitable for the site.

4. Submissions

Section 79C(1)(d) of the *Environmental Planning and Assessment Act 1979* requires the JRPP to consider submissions made to the proposal.

The development application was notified to nearby owners in Liverpool City Council's local government area (Camden Council undertook its own notification). No submissions were received during the notification period.

However, one submission was subsequently received from Campbelltown City Council. A copy of the submission has been provided to the Panel Secretariat.

Matters raised in the submission are detailed and responded to below:

4.1 Compliance with the Seniors Living SEPP's access to public transport requirements.

- The submission noted that the retirement village site is in close proximity to an existing bus service as required by the Seniors Living SEPP, however the practicality of accessing that service was questioned.

As mentioned earlier, the site is served by two bus routes along Camden Valley Way. It is acknowledged that access to bus stops associated with those services is not presently ideal. However, that situation is likely to change in the short term as works progress on the Camden Valley Way, Ingleburn Drive and Denham Court Road intersection, which is presently being significantly upgraded by RMS.

The applicant proposes the use of a 'village bus' in the short to medium term, should the local bus route that is proposed to follow the retirement village's access road not be instituted at the time the first residents are able to occupy the site.

Recommended conditions of consent require that access to public transport services meet the requirements of the Seniors Living SEPP in terms of distance and gradient.

4.2 Compliance with the requirements of the *Threatened Species Conservation Act 1995*

- The submission noted that the retirement village site is not entirely 'bio-certified' in accordance with the provisions of the *Threatened Species Conservation Act 1995*.

As detailed in Section 1.2 of this report, at the time of writing, the site was not wholly contained within the area nominated as being 'bio-certified' pursuant to Part 7AA of the *Threatened Species Conservation Act 1995* (the TSA Act). 'Bio-certification' of a site removes the requirement for further assessment of a development's impact on threatened species and ecological communities listed in the TSA Act.

The mapping undertaken during the bio-certification of the South West Sydney Growth Centre did not include a portion of the 'East Leppington Precinct', as shown in Figure 3 in this report. The portion that was not mapped forms a significant portion of the retirement village site and was set aside in the bio-certification Order under the TSA Act to allow further investigation of the land. Council understands this investigation is complete and a revised map is to be gazetted by the Minister for Environment imminently.

Should this gazettal not occur prior to the Panel's determination meeting date, the Council will discuss the implications for the proposal's assessment and determination at that time.

4.3 Drainage from Camden Valley Way

- The submission notes the site's proximity to Camden Valley Way, which is known to be a source of a relatively significant volume of surface water during storm events.

As discussed in Section 2.2 of this report, the site receives surface water that emanates from Camden Valley Way during storm events. It is imperative that this water be captured and directed using appropriate infrastructure so that it does not impact on the access and future residential dwellings that are likely to be constructed should the concept proposal be granted development consent.

To this end, the applicant has prepared concept civil plans to illustrate the infrastructure that would be required to capture and treat this water (as well as that which is collected from the development site itself) prior to its disposal into Bonds Creek nearby.

The Council's engineering staff has reviewed the proposal and recommendations for final drawings and modelling for the site have been incorporated into the conditions in Attachment 6 of this report.

5. The Public Interest

Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979* requires the JRPP to consider the public interest in consenting to a development application.

The public interest is a comprehensive requirement that requires consent authorities to consider the long term impacts of development and the suitability of the proposal in a larger context. Implicit to the public interest is the achievement of desired environmental and built form outcomes adequately responding to and respecting the desired future outcomes expressed in SEPPs and DCPs.

In this instance, the proposal is to allow for the staged development of a retirement village within an existing urban release area, for which extensive investigation and reporting was undertaken as part of earlier assessment of the overall development by the State Government and local Councils.

The development has been designed to complement the indicative layout plan prepared for the release area and would capitalise on existing and future proposed transport, drainage and open space opportunities near the precinct.

The application is considered to have satisfactorily addressed relevant Council and State Government requirements and controls for development in this area, subject to further detailed assessment being undertaken as consent for future stages of the development is sought.

Conclusion

A staged development application has been received for a concept proposal and Stage 1 of a retirement village at the subject site, which is located within the 'East Leppington' urban release area in the Sydney South West Growth Centre.

The urban release area has previously been the subject of detailed precinct planning in accordance with the requirements of the Growth Centres SEPP and development of the release area has commenced with residential development being undertaken by the applicant in relatively close proximity to the subject site. The application sets out the concept plan for the development of the retirement village and also includes the first stage.

The concept proposal establishes the site's future layout, future land uses and their locations. The proposed land uses across the site include:

- 268 self-contained single-storey seniors housing dwellings
- A community hub/clubhouse
- Community open space
- A residential aged care facility for higher-order care provision

In accordance with the Act, the application also includes the first stage of the development, which includes:

- Construction of internal roads
- Construction of an entry road feature
- Construction of an acoustic wall along Camden Valley Way and a portion of Denham Court Road
- Civil works such as drainage and service infrastructure

The proposal is considered to be complementary and consistent with relevant State and local planning objectives and controls, with particular regard to State Environmental Planning Policies developed for the Growth Centres and Seniors Housing.

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 as well as including references to future stages as required by the Act.

The development is not considered likely to have a significant and detrimental impact on the natural or built environment and is suitable for the site, having regard to its consistency with local planning controls and compatibility with likely future development in its immediate vicinity.

Campbelltown City Council made a submission on the proposal during its assessment. As a result, three issues were identified as requiring further clarification. The application responds favourably to the issues raised, subject to the imposition of conditions in some cases.

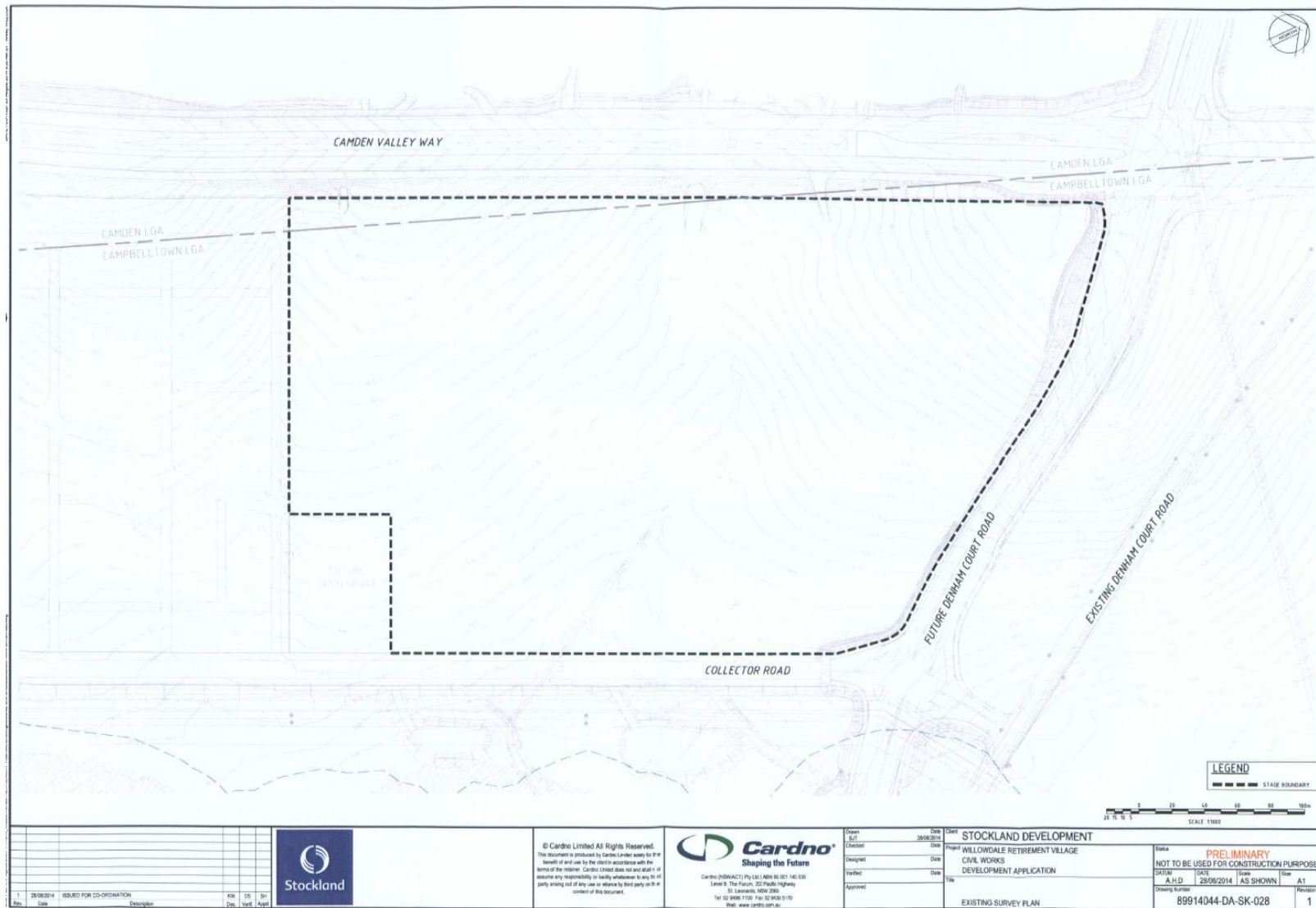
Recommendation

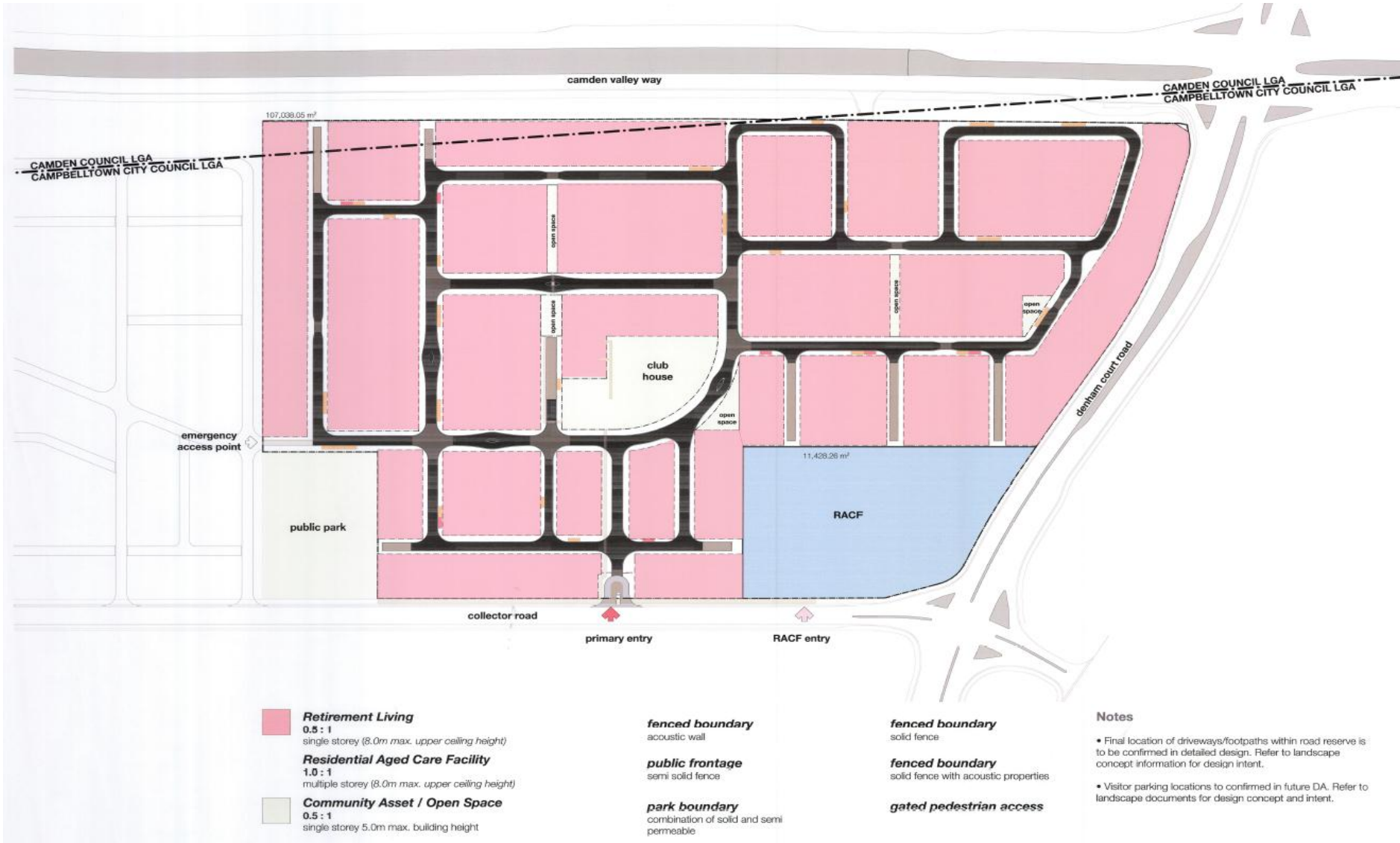
That development application 2014SYW132 DA (2035/2014/DA-SL) for the staged development of a retirement village and Stage 1, which includes civil works, construction of roads, an acoustic wall and an entry feature at Lot 7 DP 1200698, Camden Valley Way and Denham Court Road, Denham Court be approved subject to conditions in Attachment 6 to this report and that the applicant be advised that separate development applications will be required for future stages of the development.

Attachment 1 – Location plan



Attachment 2 – Survey plan

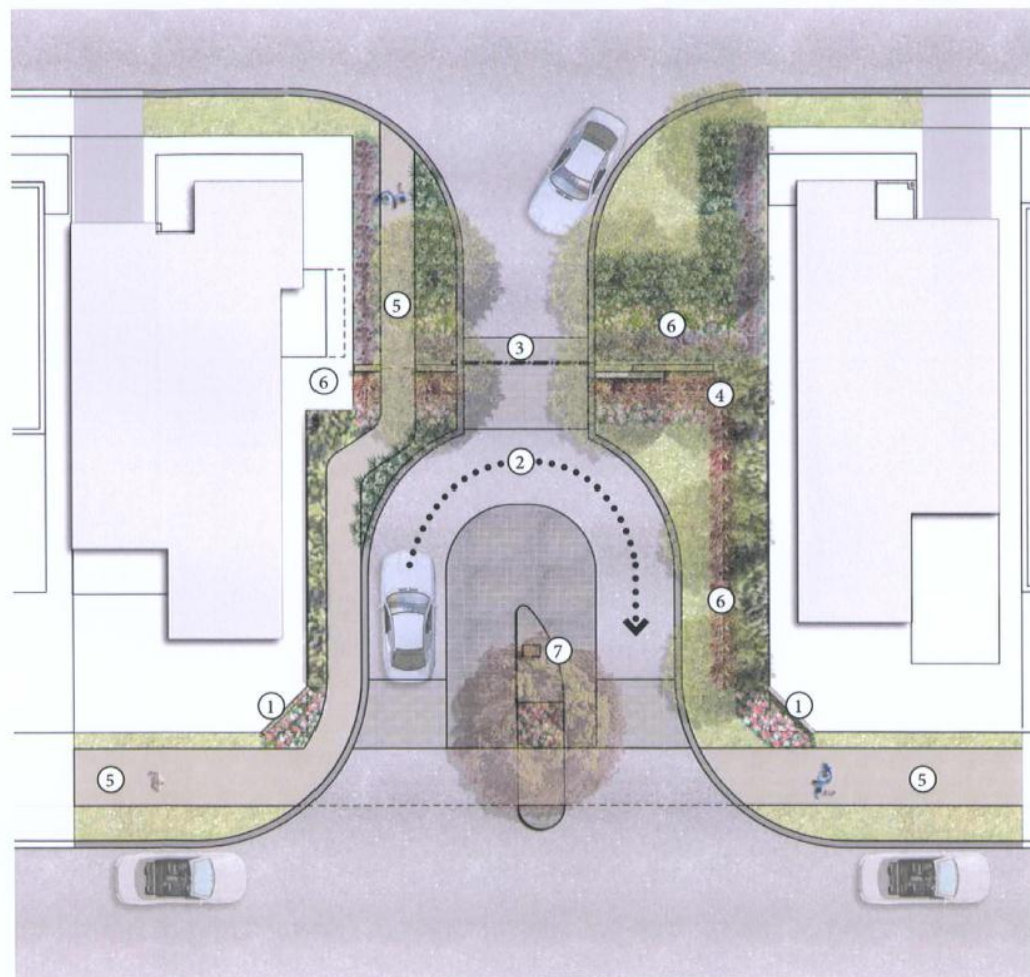




Attachment 4 – Entry feature detail

MAIN ENTRY

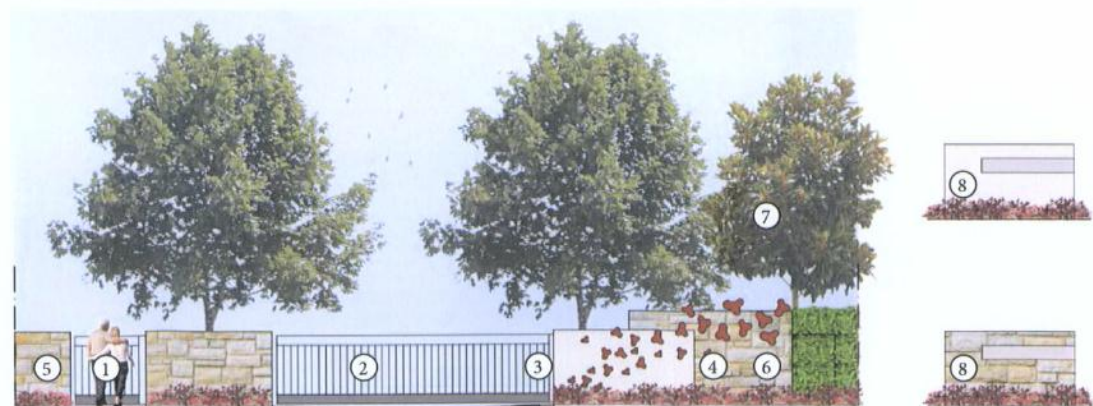
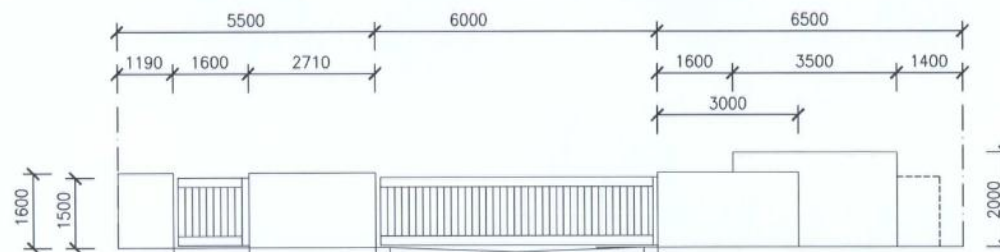
- ① Entry statement (Village signage)
- ② Entry roadway (allows turn around when gates closed)
- ③ Community gates (open in day, restricted access at night)
- ④ Hedges/Wall conceal gate when open
- ⑤ Pedestrian footpath
- ⑥ Colourful understorey planting
- ⑦ Electronic swipe pillar within road median for remote control gate access



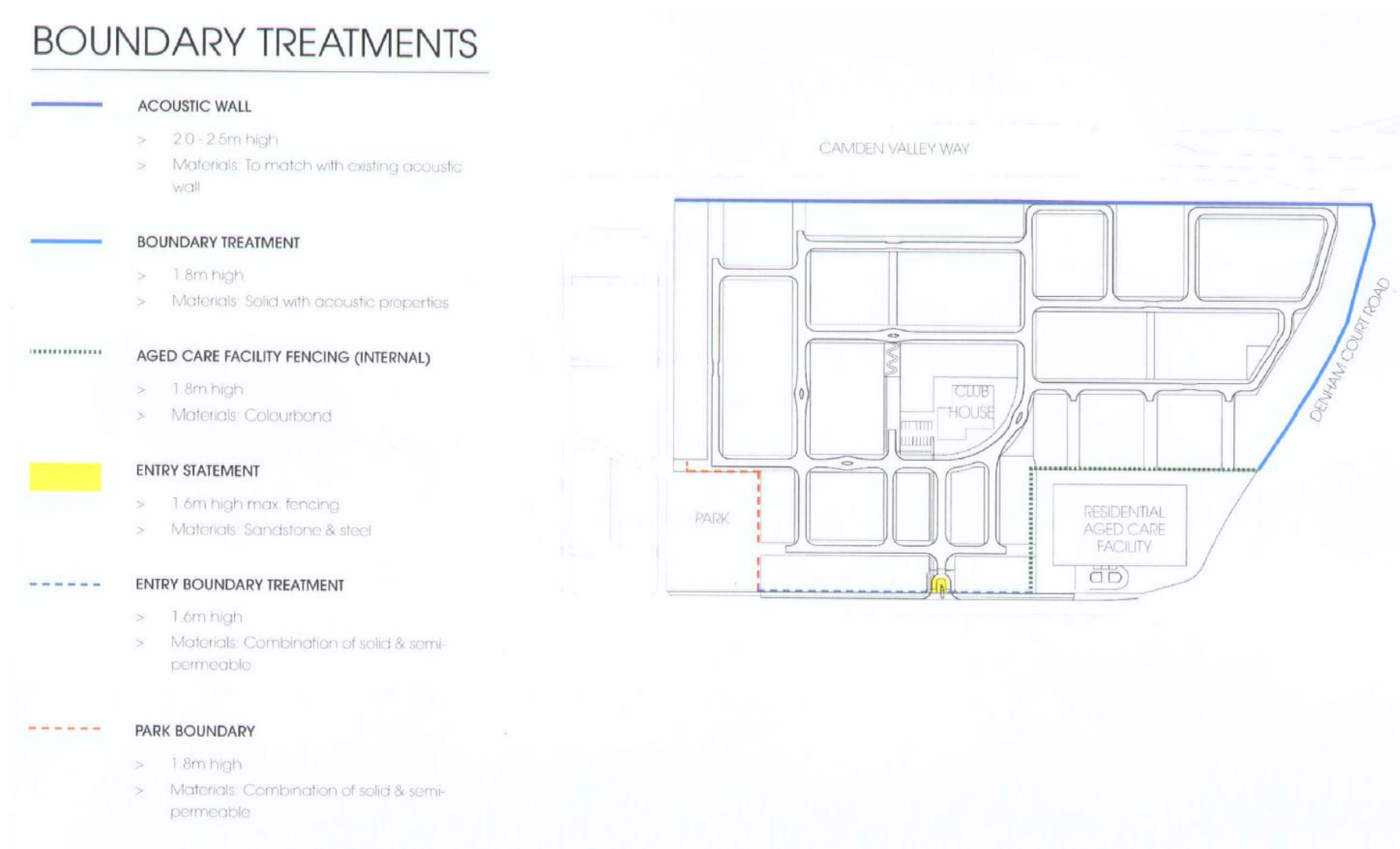
ENTRY STATEMENT

- > Entry statement should reflect the character of the Willowdale community
- > High quality materials
- > Feature planting
- > Repetition of materials for continuity
- > Threshold road surface treatment to announce arrival

- ① Pedestrian Gate
- ② Community Gates
- ③ Rendered feature wall embellished with branding to match acoustic corner wall treatment
- ④ Use of sandstone or similar feature stone as part of entry walls. Repeat this material at Community Hub. E.g. Retaining wall
- ⑤ Sandstone feature wall repeated at pedestrian gate for visual continuity. Use of feature material close to pedestrians
- ⑥ Use of hedging to obscure gate when open
- ⑦ Feature tree
- ⑧ Entry walls to corner lot boundary for signage. (Rendered or sandstone)



Attachment 5 – Acoustic wall location plan



Attachment 6 – Recommended Conditions of Consent

GENERAL CONDITIONS

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land.

For the purpose of these conditions, the term ‘applicant’ means any person who has the authority to act on or benefit of the development consent.

1. Approved Development

The development shall be carried out in accordance with the approved plans listed below and all associated documentation supporting this consent, except as modified by any conditions within or by red ink.

Drawings by:

Integrated Design Group, Project STO14054

DA0101	Issue A	dated 22.08.2014
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Cardno (NSW/ACT) Pty Ltd

89914044-DA-1-1000	Issue 2	dated 28.08.2014
89914044-DA-1-1001	Issue 2	dated 28.08.2014
89914044-DA-1-1100	Issue 2	dated 28.08.2014
89914044-DA-1-1201	Issue 2	dated 28.08.2014
89914044-DA-1-1202	Issue 2	dated 28.08.2014
89914044-DA-1-1203	Issue 2	dated 28.08.2014
89914044-DA-1-1204	Issue 2	dated 28.08.2014
89914044-DA-1-1211	Issue 2	dated 28.08.2014
89914044-DA-1-1212	Issue 2	dated 28.08.2014
89914044-DA-1-1213	Issue 2	dated 28.08.2014
89914044-DA-1-1214	Issue 2	dated 28.08.2014
89914044-DA-1-1221	Issue 2	dated 28.08.2014
89914044-DA-1-1222	Issue 2	dated 28.08.2014
89914044-DA-1-1223	Issue 2	dated 28.08.2014
89914044-DA-1-1224	Issue 2	dated 28.08.2014
89914044-DA-1-1230	Issue 2	dated 28.08.2014
89914044-DA-1-1241	Issue 2	dated 28.08.2014
89914044-DA-1-1242	Issue 2	dated 28.08.2014
89914044-DA-1-1243	Issue 2	dated 28.08.2014
89914044-DA-1-1244	Issue 2	dated 28.08.2014
89914044-DA-1-1245	Issue 2	dated 28.08.2014
89914044-DA-1-1246	Issue 2	dated 28.08.2014
89914044-DA-1-1251	Issue 2	dated 28.08.2014
89914044-DA-1-1252	Issue 2	dated 28.08.2014
89914044-DA-1-1253	Issue 2	dated 28.08.2014
89914044-DA-1-1254	Issue 2	dated 28.08.2014
89914044-DA-1-1255	Issue 2	dated 28.08.2014
89914044-DA-1-1256	Issue 2	dated 28.08.2014
89914044-DA-1-1270	Issue 2	dated 28.08.2014
89914044-DA-1-1271	Issue 2	dated 28.08.2014
89914044-DA-1-1272	Issue 2	dated 28.08.2014

Cardno (NSW/ACT) Pty Ltd

89914044-DA-1-1273	Issue 2	dated 28.08.2014
89914044-DA-1-1290	Issue 2	dated 28.08.2014
89914044-DA-1-1295	Issue 2	dated 28.08.2014
89914044-DA-1-1296	Issue 2	dated 28.08.2014
89914044-DA-1-1296	Issue 2	dated 28.08.2014
89914044-DA-1-1301	Issue 2	dated 28.08.2014
89914044-DA-1-1302	Issue 2	dated 28.08.2014

Group GSA

14015-DA-001		dated 20.08.2014
14015-DA-002		dated 20.08.2014
14015-DA-003		dated 20.08.2014
14015-DA-004		dated 20.08.2014
14015-DA-005		dated 20.08.2014
Willowdale Retirement Village Concept Proposal		dated 27.08.2014

Reports and Assessments by:

Cardno (NSW/ACT) Pty Ltd

Development Application Engineering Report, Ref. 89914044, dated 29.08.2014

Cardno (NSW/ACT) Pty Ltd

Statement of Environmental Effects, Ref. 89914055, Ver. 3, dated August 2014

Cardno (NSW/ACT) Pty Ltd

Traffic Impact Assessment, Ref. 89914044, dated 27.08.2014

Douglas Partners

Detailed Site Investigation, Ref. 76611.00, Rev. 0, dated 26.05.2014

Day Design Pty Ltd

Road Traffic Noise Intrusion Report, Ref. 5388-1.1R, Rev. B, dated 22.08.2014

Eco Logical Australia Pty Ltd

Bushfire Protection Assessment: Master Plan Approval – Proposed Retirement Village, Ref. 14SYDPLA-0018, Ver. 3, dated 22.08.2014

GML Heritage Pty Ltd

Willowdale Retirement Village – Heritage Impact Statement, Ref. 14-077, Issue 2, dated 30.06.2014

Morris Goding Accessibility Consulting

Willowdale Retirement Village Master Plan Accessibility Report, 22.08.2014

2. Staged Development Consent

The subject development consent has been issued as a staged development consent, pursuant to Section 83B of the *Environmental Planning and Assessment Act 1979*.

Further detailed development applications are required to be submitted to, and consent granted by Council or the Sydney West Joint Regional Planning Panel prior to any works beyond Stage 1 (as described on the cover page of this consent) taking place at the site.

3. Existing Easements

Changes to existing easements and their physical infrastructure shall not occur without the written approval of the authority benefitting from such.

4. Engineering Design Works

The design of all engineering works shall be carried out in accordance with the requirements set out in the *Campbelltown (Sustainable City) DCP Volume 3*.

5. Landscape Requirements

The site's landscaping shall consider:

- a. all planting (trees, understorey, groundcover and grasses) in parks and public places to incorporate local indigenous species where possible;
- b. planting layout around parks and playgrounds consistent with the principles of Crime Prevention Through Environmental Design, particularly with respect to eliminating concealed areas; and
- c. the revision of street tree planting, as necessary, to be consistent with road engineering plans lodged with a construction certificate application.
- d. all proposed street trees are to be reviewed against the landscape master plan and are to be placed in a location adequate in size to accommodate the mature size of the tree;
- e. due consideration be given to the location of trees and garbage bin pick up locations for future dwellings
- f. all trees shall be selected giving regard to the potential for the tree to adversely affect surrounding infrastructure as well as any potential to impede garbage truck access to garbage bins; and
- g. details of proposed tree root guards, particularly in public areas adjacent to underground services.

All landscape works shall be undertaken and maintained in accordance with the approved detailed landscape plan or as otherwise approved in writing by Council.

6. Aboriginal Heritage Impact

Works at the site shall comply with the conditions as detailed in the permit issued pursuant to Section 90C(4) of the *National Parks and Wildlife Act 1974* (ref. 1132182, issued by the Office of Environment and Heritage on 16 May 2013).

The works shall be undertaken in accordance with the conditions (if any) of the permit.

7. Water Management

Surface water capture, disposal and quality management shall be undertaken generally in accordance with Council's *Campbelltown (Sustainable City) Development Control Plan Volume 3*, the approved plans and the submitted report.

8. Graffiti Removal

In accordance with the environmental maintenance objectives of 'Crime Prevention Through Environmental Design', the owner/lessee of the building shall be responsible for the removal of any graffiti which appears on the acoustic walls and other surfaces of the property within 48 hours of its application.

9. Construction Certificate

Prior to the commencement of any works that require a construction certificate:

- a. The applicant shall obtain a construction certificate for the particular works;
- b. The applicant shall appoint a principal certifying authority; and
- c. The private certifying authority shall notify Council of their appointment no less than two days prior to the commencement of any works

10. Fencing

Fencing to public (or future public) areas such as the approved 'East-West Collector Road' (Council ref. 244/2014/DA-CW) and future roads associated with development on the adjoining property (Council ref. 647/2015/DA-RS) and the proposed public park shall generally be constructed of open 'palisade style' powder coated steel with landscaped shrub and tree plantings behind to ensure durability and enhance the development's streetscape appearance.

11. Shoring and Adequacy of Adjoining Property

If the development referred to in this development consent involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must at the person's own expense:

- a. Protect and support the adjoining premises from possible damage from the excavation, and
- b. Where necessary, underpin the adjoining premises to prevent any such damage.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

12. State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

The development shall be undertaken in accordance with the relevant requirements of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*, including (but not limited to):

- the provision of suitable access throughout the site

- the provision of community facilities prior to the first occupation of residential dwellings in future stages
- the provision of required access to public transport services

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a construction certificate by either Campbelltown City Council or an accredited certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a construction certificate.

13. Soil and Water Management Plan

Prior to Council or an accredited certifier issuing a construction certificate, a detailed soil and water management plan shall be submitted to Council's Manager Development Services for approval.

14. Pollution Control

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall provide engineering details to Council for approval of a suitable gross pollutant trap(s) and/or water quality treatment in accordance with the relevant guidelines of the Office of Environment and Heritage and Office of Water, and with the design requirements of the Campbelltown Growth Centres Development Control Plan and *Campbelltown (Sustainable) City DCP Volume 3* for the stormwater drainage system prior to discharge from the site.

15. Landscaping of Acoustic Walls

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit for Council's written approval a detailed design and drawings relating to the installation and maintenance of suitable screen tree planting for the acoustic wall on Camden Valley Way and Denham Court Road.

The wall's landscaping shall be designed in such a way to ensure the walls are screened with appropriate shrubs and trees so as to minimise the wall's visual impact on the street network and reduce the potential for graffiti attack.

16. Stormwater Management Plan

Prior to Council or an accredited certifier issuing a construction certificate, a plan indicating all engineering details and calculations relevant to site regrading and the collection and disposal of stormwater from the site and adjacent catchment, shall be submitted for approval. Stormwater shall be conveyed from the site to the nearest drainage system under Council's control. All proposals shall comply with *Campbelltown (Sustainable City) DCP Volume 3*.

17. Entry Feature

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit for Council's written approval a detailed assessment of the design suitability of the proposed entry road, including (but not limited to) an assessment of:

- The proposed entry road width, upon consideration of the likely number of vehicle movements that would be undertaken at the entry road
- Proposed time(s) at which the entry gate would remain open and closed
- Consideration and appropriate provision for pedestrian refuge and crossing safety
- The suitability of vegetation and the potential to obstruct driver sight lines
- A road safety audit that considers pedestrian safety, appropriate separation of entry and exit driveways, lighting and landscaping.

18. Work on Public Land

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall obtain written approval from Council and Roads and Maritime Services for any proposed work on public land.

The applicant is advised that a 'Works Authorisation Deed' may be required for work in RMS-controlled land, such as the construction of proposed retaining walls, water flow diversion structures and landscape screen plantings.

Inspection of this work shall be undertaken by Council at the applicant's expense and a compliance certificate, approving the works, shall be obtained from Council prior to the principal certifying authority issuing an occupation certificate.

19. Emergency Access/Pedestrian Link Road and Path

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit for Council's written approval a detailed design for the proposed emergency road/pedestrian path connection that branches from Road 002.

20. Street Lighting

Prior to Council or an accredited certifier issuing a construction certificate in relation to road construction, the applicant shall prepare a street lighting plan in accordance with the requirements of relevant Australian Standards and Council's *Campbelltown (Sustainable City) Development Control Plan Volume 3 - Engineering Design Guide for Development*.

21. Heavy Vehicle Access

Prior to Council or an accredited certifier issuing a construction certificate in relation to road construction, the applicant shall undertake further detailed vehicle movement assessment, which illustrates a swept path analysis to assess the interaction between on-street parking and emergency vehicles and submit this to Council for its written approval.

The applicant shall note that should waste collection by Council's contractor be considered, internal roads must be able to accommodate a 10.3 metre heavy rigid truck, with a nominal wheelbase of 5.5 metres and rear overhang of 3.3 metres moving only in a forward direction.

22. Telecommunications Infrastructure

If the development is likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to

proposed works must be submitted to the Principal Certifying Authority prior to the issue of a construction certificate or any works commencing, whichever occurs first.

23. Utility Servicing Provisions

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall obtain a letter from both the relevant electricity authority and the relevant telecommunications authority stating that satisfactory arrangements have been made to service the proposed development.

Note: The applicant should also contact the relevant water servicing authority to determine whether the development will affect the authority's water or sewer infrastructure.

PRIOR TO THE COMMENCEMENT OF WORKS

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with prior to the commencement of works on site.

24. Erosion and Sediment Control

Prior to the commencement of any works on the land, adequate/approved erosion and sediment control measures shall be fully installed/implemented.

25. Traffic Control Plans

Prior to the commencement of works on the land, should the approved 'East-West Collector Road' (Council ref. 2447/2014/DA-CW) be dedicated to the public at the time, the applicant shall prepare and obtain approval from an accredited person, a Traffic Control Plan (TCP) in accordance with the State Roads Authority manual "*Traffic Control at Work Sites*" and *Australian Standard AS 1742.3 (as amended)*.

A copy of the approved TCP shall be kept on site for the duration of the works in accordance with *Work Cover Authority* requirements. A copy shall be submitted to Council for its records.

26. Erection of Construction Sign

Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:

- a. Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours;
- b. Stating that unauthorised entry to the work site is prohibited; and
- c. Pollution warning sign promoting the protection of waterways (issued by Council with the development consent);
- d. Stating the approved construction hours in which all works can occur.

- e. Showing the name, address and telephone number of the principal certifying authority for the work.

Any such sign/s is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

27. Vehicular Access during Construction

Prior to the commencement of any works on the land, suitable vehicle/plant access to shall be provided, to minimise ground disturbance and prevent the transportation of soil onto any public road system. The access shall be constructed in accordance with Campbelltown City Council's requirements.

DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with during the construction of the development on site.

28. Construction Work Hours

All work on site shall only occur between the following hours:

Monday to Friday	7.00am to 6.00pm
Saturday	8.00am to 3.00pm

Council requests that works near existing occupied properties are undertaken at a time and in a manner that does not unreasonably impact on the amenity of that land's residents.

Limited works may be carried out site, being works that do not cause a nuisance to the amenity of surrounding neighbours subject to the following:

Notwithstanding the normal responsibilities of the contractor while on site, where Council receives complaints due to noise, dust or other matter causing nuisance to neighbouring properties during the hours below, Council may require all works to cease and no further works be commenced during the hours below until a suitable written response to the complaint has been received by Council and measures satisfactory to the Council have been put in place to prevent further nuisance.

Sunday and public holidays	8.00am to 5.00pm
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29. Erosion and Sediment Control

Erosion and sediment control measures shall be provided and maintained throughout the construction period, in accordance with the requirements of the manual – *Soils and Construction (2004) (Bluebook)*, the approved plans, Council specifications and to the satisfaction of the principal certifying authority. The erosion and sedimentation control devices shall remain in place until the site has been stabilised and revegetated.

Note: On the spot penalties up to \$1,500 will be issued for any non-compliance with this requirement without any further notification or warning.

30. Excavation and Backfilling

All excavations and backfilling associated with the approved works must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.

31. Compliance with Council Specification

All design and construction work, shall be in accordance with:

- a. Council's specification for Construction of Subdivisional Road and Drainage Works (as amended);
- b. *Campbelltown (Sustainable City) DCP Volume 3*,
- c. 'Soils and Construction (2004) (Bluebook); and
- d. Relevant Australian standards and State Government publications.

32. Protection of Existing Trees

During construction, all trees that are to be retained are to be protected by fencing, firmly staked within the drip line/canopy of the tree and maintained during the duration of the works. The area within the fencing must not be used for stockpiling of any material, nor for vehicle or pedestrian convenience.

All useable trees and shrubs shall be salvaged for re-use, either in log form, or as woodchip mulch for erosion control or garden beds or site rehabilitation. Non-salvageable materials such as roots and stumps shall be disposed of to a waste management centre or other approved form.

33. Fill Contamination

Any landfill used on the site is to be validated in accordance with the *Environment Protection Authority's* guidelines for consultants reporting on contaminated sites. The validation report shall state in an end statement that the fill material is suitable for the proposed use on the land.

34. Dust Nuisance

Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual – '*Soils and Construction (2004) (Bluebook)*'. Construction areas shall be treated/ regularly watered to the satisfaction of the principal certifying authority.

35. Earth Works/Filling Works

All earthworks, including stripping, filling, and compaction shall be:

- a. Undertaken in accordance with Council's '*Specification for Construction of Subdivisional Roads and Drainage Works*' (as amended), AS 3798 '*Guidelines for Earthworks for Commercial and Residential Development*' (as amended), and approved construction drawings;

- b. Supervised, monitored, inspected, tested and reported in accordance with *AS 3798 Appendix B 2(a) Level 1 and Appendix C* by a NATA registered laboratory appointed by the applicant. Two collated copies of the report and fill plan shall be forwarded to Council; and
- c. Certified by the laboratory upon completion as complying, so far as it has been able to determine, with Council's specification and *AS 3798*.

36. Revegetation

Revegetation to the requirements of the manual – *'Soils and Construction (2004) (Bluebook)* shall be applied to all disturbed areas within seven days after completion of earthworks, and shall be fully established prior to release of the maintenance security bond.

37. Public Safety

Any works undertaken in a public place are to be maintained in a safe condition at all times. In this regard, the applicant shall ensure that a safe, fully signposted passage, minimum 1.2 metres wide, separated from the works and moving vehicles by suitable barriers and lights, is maintained for pedestrians, including disabled pedestrians, at all times.

The applicant shall ensure that traffic control is undertaken and maintained strictly in accordance with *AS 1742.3*, the requirements set out in the NSW Roads and Maritime manual *"Traffic Control at Work Sites" (as amended)*, all applicable Traffic Management and/or Traffic Control Plans. The contractor shall also ensure that all *WorkCover Authority* requirements are complied with. Council may at any time and without prior notification make safe any such works that be considered to be unsafe, and recover all reasonable costs incurred from the applicant.

38. Associated Works

The applicant shall undertake any transitional works external to the development, that are made necessary by the development, including additional road and drainage works or any civil works directed by Council, to make a smooth junction with the extent of work shown on the engineering plans.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of an occupation certificate by either Campbelltown City Council or an accredited principal certifying authority. All necessary information to comply with the following conditions of consent must be submitted with the application for an occupation certificate.

Note: For the purpose of this development consent, any reference to "occupation certificate" shall also be taken to mean "interim occupation certificate".

39. Section 73 Certificate

Prior to the principal certifying authority issuing an occupation certificate, a Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation. Early application for the certificate is suggested as this can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator.

For help either visit www.sydneywater.com.au > Building and developing > Developing your Land > Water Servicing Coordinator or telephone 13 20 92.

The Section 73 Certificate must be submitted to Council prior to the release of the subdivision certificate.

40. Maintenance Security Bond

Prior to the principal certifying authority issuing an occupation certificate, a maintenance security bond of 5% of the contract value or \$10,000, whichever is the greater, shall be lodged with Council. This security will be held in full until completion of maintenance, minor outstanding works and full establishment of vegetation in public areas to the satisfaction of Council, or for a period of six months from the date of release of the occupation certificate, whichever is the longer. Following a written request from the applicant, Council will determine the bond requirements.

All bonds are to be provided in the form of Cash or a written Bank Guarantee from an Australian Banking Institution.

41. Final Inspection – Works as Executed Plans

Prior to the principal certifying authority issuing an occupation certificate, the applicant shall submit to Council two complete sets of fully marked up and certified work as executed plans in accordance with Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and with the design requirements detailed in the *Campbelltown (Sustainable City) DCP Volume 3*.

The applicant shall **also** submit a copy of the Works as Executed information to Council in an electronic format in accordance with the following requirements:

Survey Information

- Finished ground levels.
- Details of all stormwater infrastructure including pipe sizes and types as well as surface and invert levels of all existing and/or new pits/pipes associated with the development.
- All existing and/or new footpaths, kerb and guttering and road pavements to the centre line/s of the adjoining street/s.
- The surface levels of all other infrastructure.

Format

- MGA 94 (Map Grid of Australia 1994) Zone 56 - Coordinate System
- All level information to Australian Height Datum (AHD)

AutoCAD Option

- The "etransmit" (or similar) option in AutoCAD with the transmittal set-up to include as a minimum:

Package Type - zip

- File Format - AutoCAD 2004 Drawing Format or later
- Transmittal Options -
 - Include fonts
 - Include textures from materials
 - Include files from data links
 - Include photometric web files
 - Bind external references
 - The drawing is **not** to be password protected.

MapInfo Option

- Council will also accept either MapInfo Native format (i.e. .tab file) or MapInfo mid/mif.

All surveyed points will **also** be required to be submitted in a point format (x,y,z) in either an Excel table or a comma separated text file format.

42. Public Utilities

Prior to the principal certifying authority issuing a final occupation certificate, any adjustments to public utilities, required as a result of the development, shall be completed to the satisfaction of the relevant authority and at the applicant's expense.

43. Road Safety Audit - Post Construction

Prior to principal certifying authority issuing an occupation certificate for the entry road structure(s), a Road Safety Audit of the completed works is to be undertaken by a suitably qualified person to identify any potential safety risks for the users of roads and pedestrian facilities (day to day usage and maintenance activities).

The objective of the audit is to identify potential risks to the users of roads and pedestrian facilities and to ensure compliance with the approved plans and that the measures to eliminate or reduce identified risks as suggested in the assessment undertaken pursuant to Condition 17 have been implemented prior to the release of the occupation certificate.

44. Restriction On The Use Of Land

Prior to the principal certifying authority issuing a subdivision certificate, the applicant shall where appropriate or required by Council apply restrictions on the use of land under Section 88B of the Conveyancing Act. Restrictions may include the following:

- a. Floor Level Control
- b. No Alteration To Surface Levels
- c. Land filled
- d. Access Denied (Camden Valley Way and Denham Court Road)
- e. Set Back From Access Denied Roads
- f. Uncontrolled Fill
- g. No Cut Or Fill - (Geotech Report Required)
- h. Asset Protection as required by Rural Fire Service and the approved bush fire assessment report

The applicant shall liaise with Council regarding the required wording. Any lots subsequently identified during the subdivision process as requiring restrictions shall also be suitably burdened. Design plans and work as executed plans shall show affected lots marked with Council approved symbols.

The authority empowered to release, vary or modify these restrictions on the use of land shall be the Council of the City of Campbelltown. The cost and expense of any such release, variation or modification shall be borne by the person or corporation requesting the same in all respects.

45. Council Fees and Charges

Prior to the principal certifying authority issuing a subdivision certificate, the applicant shall obtain written confirmation from Council that all applicable Council fees and charges associated with the development have been paid in full. Written confirmation will be provided to the applicant following Council's final inspection and satisfactory clearance of the public area adjacent the site.

46. Rural Fire Service

The letter of advice, reference D14/2700, dated 7 October 2014.

ADVICE – RURAL FIRE SERVICE

- The required 40 metre asset protection zone (APZ) to the north east lies in part outside the boundary of the site. If any of the required APZ extends onto the eastern (northern) side of Denham Court Road, it shall be covered by a Plan of Management and maintained in perpetuity as an APZ. Alternatively, the future dwellings may need to be located in such a manner that the entire 40 metre APZ can be accommodated on the site and the road reserve.
- The required 60 metre APZ to the south east lies in part outside the boundary of the site. Based on the indicative development plan provided, a significant portion of the required APZ is located in what would become a Council-managed reserve adjoining the riparian corridor. Any of the required APZ within the reserve shall be covered by a Plan of Management and maintained in perpetuity as an APZ.
- It is noted that the bush fire consultant has determined that the Camden Valley Way road side vegetation located adjoining the western boundary to be a non-bush fire hazard.
- The internal road design shall meet the performance criteria of Section 4.2.7 of 'Planning for Bush Fire Protection 2006'.
- Water, electricity and gas supplies shall comply with Sections 4.1.3 and 4.2.7 of 'Planning for Bush Fire Protection 2006'.
- An emergency evacuation plan will be required for the village. Such a plan shall be consistent with the RFS document 'Guidelines for the Preparation of an Emergency/Evacuation Plan'.
- Residential construction shall address the requirements of the Australian Standard AS 3959-2009 – Construction of buildings in bush fire-prone areas and Section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.
- Landscaping of the site shall comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, other relevant Council Policy/s and other relevant requirements. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

Advice 1. Environmental Planning and Assessment Act 1979 Requirements

The *Environmental Planning and Assessment Act 1979* requires you to:

- a. Obtain a construction certificate prior to the commencement of any works. Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 4645 4000.
- b. Nominate a principal certifying authority and notify Council of that appointment prior to the commencement of any works.
- c. Give Council at least two days' notice prior to the commencement of any works.
- d. Have mandatory inspections of nominated stages of the construction inspected.

Advice 2. Inspections – Civil Works

The following stages of construction shall be inspected by Council. A compliance certificate or other documentary evidence of compliance is required to be obtained prior to proceeding to the subsequent stages of construction:

- 1) EROSION AND SEDIMENT CONTROL –
 - a) Direction/confirmation of required measures.
 - b) After installation and prior to commencement of earthworks.
 - c) As necessary until completion of work.
- 2) STORMWATER PIPES – Laid, jointed and prior to backfill.
- 3) SUBSOIL DRAINS – After:
 - a) The trench is excavated.
 - b) The pipes are laid.
 - c) The filter material placed.
- 4) SUBGRADE – Joint inspection with NATA Reg. Laboratory after preliminary boxing, to confirm pavement report/required pavement thicknesses.
- 5) SUBGRADE – 10/12 tonne 3-point roller proof test, density tests and finished surface profiles prior to placement of sub-base.
- 6) CONDUITS – Laid and jointed prior to backfilling.
- 7) GULLEY PITS & OTHER CONCRETE STRUCTURES – Prior to pouring concrete.
- 8) PAVEMENT THICKNESS MEASUREMENT (DIPS) – After placement of kerb and gutter and final trimming of sub-base.

- 9) SUB BASE – 10/12 tonne 3-point roller proof test and finished surface profiles after finishing and prior to base course placement.
- 10) BASECOURSE – 10/12 tonne 3-point roller proof test, density tests and finished surface profiles after finishing and prior to sealing.
- 11) OVERLAND FLOWPATHS – After shaping and prior to topsoil/turf placement.
- 12) CONCRETE PATHS, CYCLEWAYS, VEHICLE CROSSINGS OR LAYBACKS – Prior to pouring concrete.
- 13) VEHICLE CROSSINGS OR LAYBACKS – Prior to pouring concrete.
- 14) ASPHALTIC CONCRETE SEAL – Finished surface profiles after sealing.

FINAL INSPECTION – All outstanding work.

Advice 3. Inspection Within Public Areas

All works within public areas are required to be inspected at all stages of construction and approved by Council prior to the principal certifying authority releasing the Occupation Certificate.

Advice 4. Adjustment to Public Utilities

Adjustment to any public utilities necessitated by the development is required to be completed prior to the occupation of the premises and in accordance with the requirements of the relevant Authority. Any costs associated with these adjustments are to be borne by the applicant.

Advice 5. Salinity

Please note that Campbelltown is an area of known salinity potential. As such any salinity issues should be addressed as part of the construction certificate application. Further information regarding salinity management is available within *Campbelltown (Sustainable City) DCP – Volume 3*.

Advice 6. Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any persons interfering with a facility or installation owned by Telstra is committing an offence under the *Criminal Code Act 1995* (Cth) and is liable for prosecution.

Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

Advice 7. Bonds and Bank Guarantees

All bonds are to be provided in the form of Cash or a written Bank Guarantee from an Australian Banking Institution. Bonds will not be accepted in any other form or from any other institution.

Advice 8. Asbestos Warning

Should asbestos or asbestos products be encountered during construction or demolition works you are advised to seek advice and information prior to disturbing the material. It is recommended that a contractor holding an asbestos-handling permit (issued by Work Cover NSW), be engaged to manage the proper disposal and handling of the material. Further information regarding the safe handling and removal of asbestos can be found at:

www.environment.nsw.gov.au
www.nsw.gov.au/fibro
www.adfa.org.au
www.workcover.nsw.gov.au

Alternatively, call Work Cover Asbestos and Demolition Team on 8260 5885.

Advice 9. Dial Before You Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in NSW).

If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary.

Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

Advice 10. State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

This staged development consent has been issued for a concept proposal that is based on the provision of housing for seniors or people with a disability pursuant to *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*. Subsequent development applications and occupation of the site shall be undertaken in accordance with the relevant requirements of this environmental planning instrument at all times.

END OF CONDITIONS