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12<sup>TH</sup> March 2015

CAMDEN COUNCIL  
PO Box 183  
CAMDEN NSW 2570

Attention: *Ray Lawlor/Mairead O'Connell*

Dear Sir/Madam,

**RE: LEPPINGTON – St Andrews Road - Proposed Subdivision of Lots 721 & 722  
DP 1192964 - Request for Additional Information**

Further to our meeting on Wednesday 11<sup>TH</sup> March 2015 and with respect to the briefing meeting letter received from Council and dated 4<sup>TH</sup> March 2015 that outlines the discussions held between Council and the JRPP on 26<sup>TH</sup> February 2015, the developer, Cornish Group, would like to clarify and respond to the items listed in the aforementioned letter. Please find enclosed a prescriptive and correlating response to the issues raised in the said letter.

**Council/JRPP:**

***1. Subdivision Design, Road Layout and Indicative Layout Plan variations***

The Panel was prepared to accept that the road layout and ILP as set out in the Camden Growth Centres DCP (East Leppington precinct) could be varied, dependent upon variations resulting in a better or more suitable outcome for the development of the site. In this regard the Panel require that potential for connectivity should be retained between the proposed development and the neighbouring property, 71 St Andrews Road (Lot 71 DP 706546.). The Panel therefore require that this be achieved with at least two road connections. Provision should be made for the extension of Roads No 5 and 6 through to the eastern boundary with Lot 71 or an alternative option of a perimeter road to the boundary with Lot 71 at this location. Amended plans are required to be submitted to include these changes and it is suggested that a draft plan is provided for review prior to its finalisation.





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### **Response:**

Cornish Group believe it has been made clear that the best planning outcome that examines all planning, engineering and traffic considerations with a holistic approach is the current plan of proposed subdivision for the development (SMEC Plan Reference No. 77831.01.P09 Revision "B"). Given the extent and volume of time and consideration that has gone in to the preparation of this proposed subdivision outcome, the construction of two road connection points to the neighbouring property (Lot 71 DP 706546) is strenuously objected to on the following grounds:

#### **ENGINEERING:**

- The nature of the proposed development has addressed the topography and kept the development consistent with the current catchments and overland flow paths. The introduction of any road connection to the said neighbouring property would introduce the need for extensive tree removal and significant cut-to-fill earthworks to facilitate temporary measures in the form of basins.
- These works would decimate an area currently under a zoning of environmental and scenic protection.
- In the unlikely event that this land does get rezoned to residential, the future developer would need to allow for undue compensatory earthworks to meet the road connection points. The nature of the adjoining and downstream catchments would ultimately necessitate these earthworks to match the road connection points and thus essentially cover the extent of the site.

#### **PLANNING:**

- All of the engineering works suggested above are in another Council LGA (Campbelltown City Council) and would require consent in an area not zoned for this type of extensive civil engineering.
- Owners consent would be required. This has been sought previously and denied.
- From a legislative perspective, it is difficult to Condition a consent reliant on another Council's consent and for works that benefit Camden Council LGA and burden Campbelltown Council LGA.
- Surveying covenants and easements would need to be established over the downstream property that would again require owner's and Campbelltown City Council consent.

#### **TRAFFIC:**

- The masterplanned traffic outcomes for the site have been planned to ensure the introduction of controlling Collector Roads and Trunk intersections are sequenced to the rollout of development stages. No traffic modelling has been executed to include Lot 71 DP 706546. However, in the unlikely event that this land gets rezoned, it is considered that the Collector Road and Trunk intersection proposed for Denham Court Road immediately east of this site would be a more appropriate measure for conveyance of any future traffic from this site. This is a more significant intersection than that already operational on Camden Valley Way (intersection with Willowdale Drive) and it should be noted that the local roads and the aforementioned intersection have never been designed to cater for any additional traffic from this site.
- The traffic leaving this site, in the event that rezoning is approved, would also be better suited to leaving to the eastern boundary as that is conducive to the facilitating the engineering issues outlined above. That is in simple terms, the site falls and drains in this direction and as such roads and drainage need to be designed to consider this constraint.





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Notwithstanding the above-mentioned items, as discussed at length in our meeting, Cornish Group would be willing to facilitate a possible outcome of a possible single future road connection through a mechanism of staging the consent. This would be subject to the provision of a "Stage 2" inclusion in our development involving special conditions of consent that have sunset clause dates tied to the date of determination. That is a consent with special conditions along the lines of:

1. A 3 lot subdivision that has the dimensions and versatility to be created as either 3 future residential lots or 2 future residential lots and one public road connection.
2. The special conditions would include that the 3 residential lot option would be permitted to be acted upon in 3 years from the date of determination subject to the rezoning not being approved and gazetted.

In summary, the plans are not proposed for amendment from the current proposal. The information at hand is believed enough to inform the JRPP with a level of certainty to make the most appropriate assessment and determination. In summary, the introduction of road connections to this property (Lot 71 DP 706546), from the subject development site, creates more engineering problems than solutions. Road connections to this site will create drainage issues that may require temporary basins that will be subject to adjoining owners consent and subsequent development consent from Campbelltown City Council in an area where the flora and fauna is appropriately protected by the current zoning that prevents this type of development. The extent of earthworks and additional stormwater infrastructure (and basins) that would arise from any road into or along this boundary are considered a poor planning outcome when compared to what has been proposed as part of this application.

### Council:

#### *2. Status of St Andrews Road*

The Panel was concerned about the uncertainty on the future status of St Andrews Road, and whether this would potentially be a sub arterial road, as this would affect their ability to determine the DA due to impacts on the proposed lots adjoining the road. For example, the Panel expressed the view that an acoustic assessment for this part of the site would not be useful until there is more certainty about this matter, due to potential for road traffic noise impacts.

The Panel has requested that Council officers write to the RMS to seek further information and clarification about this matter, to determine this current application in a timely manner. It is expected that the Panel will also raise this matter with the RMS and the Department of Planning & Environment.

### Response:

In liaison with Council, the subdivision layout determined is again deemed to have the best design outcome from a future perspective. The uncertainty about St Andrews Road will have no impact on the development as the future road category, if deemed to be of sub-arterial standard, would need to be dealt with the Special Infrastructure Contributions levy via the RMS. Any acoustic treatment would need to be incorporated into the





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road carriageway procurement and design by the Department of Planning and Environment when the alignment and road category has been determined.

At no point in time, the title of the land subject to the proposed development, has ever any planning restrictions implied that would indicate road widening requirements along St Andrews Road.

Notwithstanding the above-mentioned and given the fact that sub-arterial roads under the RMS standards require pedestrian access on at least one side of the road, a modification of the typical sub-arterial road section as depicted in Figure 3-11 of the Camden Growth Centre Precincts Development Control Plan has been enclosed for your reference that would generally comply with the RMS standards.

It is also suggested that if the Special Infrastructure Contribution Levy was required to procure land to facilitate any future road use, it would be a better outcome to take landholdings from land already identified not suitable for development on the Emerald Hills side of St Andrews Road rather than rezoned land ready to facilitate the housing shortage in Sydney.

#### Council:

### *3. Other Matters*

#### *a) Stormwater*

The engineering comments relating to stormwater and water quality previously requested remain unresolved. Council's development engineer reviewed the enclosed report and your comments about water quality and detention being catered for in downstream development. This however has not demonstrated that the existing system has detention and water quality capacity within the existing drainage system. The application should be accompanied by a site specific stormwater management plan and supporting documents.

#### *b) Retaining walls*

The previously requested retaining wall details will also need to include consideration of the additional road connections and interface to the adjoining property at 71 St Andrews Road.

#### *c) Contamination*

Outstanding issues raised in relation to potential contaminants associated with pyrotechnics storage and manufacture and asbestos fragments need to be resolved at this stage for inclusion, if required, as part of the Remediation Action Plan (RAP). Approval of remediation of contaminated land and approval of the relevant RAP must form part of the determination of the application. Any outstanding issues cannot be dealt with via consent conditions. The Panel needs to be satisfied prior to determination that the site is suitable, or can be made suitable, for the proposed residential use.

#### Response:

#### *a) Stormwater*

As discussed in the meeting, it is believed that investigation of the CC catchment plans of the adjoining development (Stockland Plans enclosed) support the additional information Drainage Concept Plans submitted with the application on 25<sup>TH</sup> February 2015.





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b) Retaining Walls

The plans submitted with the additional information package on 25<sup>TH</sup> February 2015 support provide the appropriate level of detail for development application stage..

c) Contamination

As agreed to in the meeting, the appropriate Council Officer will contact Chris Kline from Douglas Partners directly to discuss the information submitted with the application. It is our understanding that the information contained within the Phase 2 Contamination Investigation and Remediation Action Plan support the residential end use upon completion. ICouncil Officers have agreed then to provide comment from this discussion on the outcomes required in any additional information (if required).

Would you please consider this request with contemplation of the enclosed documentation and matters outlined in the preceding paragraphs. Should you require any further information, please contact the undersigned on 0408 900 885.

Thanking you in advance for your kind attention in relation to this matter.

Yours faithfully

MINOTAUR PROJECT MANAGEMENT PTY LTD

**DAVID BOBYREFF**  
PROJECT MANAGER

