

**JOINT REGIONAL PLANNING PANEL  
(Sydney West)**

JRPP No	<b>2015SYW041 DA</b>
DA Number	<b>281/2015/DA-SW</b>
Local Government Area	<b>Campbelltown City Council</b>
Proposed Development	<b>Subdivision to create 274 Torrens titled residential allotments, 7 Torrens titled 'super lots for future development and one Torrens titled 'residue' allotment, construction of roads, drainage and other associated infrastructure</b>
Street Address	<b>Goldsmith Avenue, Campbelltown</b>
Applicant/Owner	<b>UrbanGrowth NSW / Western Sydney University</b>
Number of Submissions	<b>Nil submissions received</b>
Regional Development Criteria (Schedule 4A of the Act)	<b>Development by the Crown with a Capital Investment Value greater than \$5 million</b>
List of All Relevant s79C(1)(a) Matters	<p><b>Statutory provisions</b>  Integrated Approvals –  Rural Fires Act 1997  National Parks and Wildlife Act 1974,  Water Management Act 2000</p> <p>State Environmental Planning Policies –  SEPP No. 44 Koala Habitat Protection  SEPP No. 55 Remediation of Land  SEPP (Infrastructure) 2007</p> <p>Local Environmental Plans –  Campbelltown Local Environmental Plan (Urban Area) 2002  Draft Campbelltown Local Environmental Plan 2014</p> <p>Development Control Plans –  University of Western Sydney Development Control Plan 2008</p> <p><b>Non Statutory Provisions</b>  University of Western Sydney Campbelltown Master Plan  Campbelltown 2025 Looking Forward</p>

List all documents submitted with this report for the panel's consideration	<ol style="list-style-type: none"> <li>1. <b>Site location plan</b></li> <li>2. <b>Proposed lot layout plan</b></li> <li>3. <b>Landscape plans</b></li> <li>4. <b>UWS DCP Compliance table</b></li> <li>5. <b>Recommended Conditions of Consent</b></li> </ol>
Recommendation	<b>Approval with Conditions of consent</b>
Report by	<b>Andrew MacGee – Senior Development Planner, Campbelltown City Council</b>

## **Purpose of the Report**

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

## **Approval process**

The DA has been lodged by UrbanGrowth NSW with a Capital Investment Value (CIV) of \$21.3M. Therefore under clause 23G and 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 this proposal. Under the processes established by the Act and procedural guidelines, Campbelltown City Council has undertaken the assessment of the application and now refers the matter to the JRPP for determination.

<b>Property Description</b>	Part Lot 1099, Lot 1177, Lot 1179 DP1182558, Goldsmith Avenue, Campbelltown
<b>JRPP Application Number</b>	2015SYW041
<b>Council Application Number</b>	281/2015/DA-SW
<b>Applicant</b>	UrbanGrowth NSW
<b>Owner</b>	Western Sydney University
<b>Date received</b>	13 February 2015

## **Background**

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

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

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

Development is proposed to be broken into five “villages” based on separate development parcels defined by bushland corridors and other future open space areas.

The first stage Development Application for 240 lots was approved by the Joint Regional Planning Panel in November 2012 and the first of a series of Subdivision Certificates related to that approval have been issued and the land registered. A sales and information centre has been established and a dozen display homes from

a variety of builders have been constructed. The 'Main Ridge Park' has been developed, complete with public art.

The significant issues in the consideration of Stage 1 was the consistency with the previously approved site Master Plan, consistency with the adopted Development Control Plan and the consideration of appropriate traffic management, in particular, the requirement for the upgrading of intersections at Narellan Road and Gilchrist Drive in order to provide suitable access for the development. Roads and Maritime Services (RMS) has taken responsibility for the Narellan Road upgrade and this work is underway. The Gilchrist Drive intersection upgrade design has been approved by RMS and work has commenced, with completion expected within the next two months.

In regard to the Master Plan and DCP, the conclusion of the Stage 1 assessment process was that there was consistency.

The Panel has also since granted development consent for Stage 2 of the development in November 2014 (JRPP ref. 2014SYW041), for which construction works are presently being undertaken on the site. Further, Council itself has provided development consent for Stage 3 of the development (Council ref. 1019/2014DA-SW), noting that this release did not meet the threshold value for referral to the Planning Panel. It is important to note that Stage 3 included the construction of a new internal road from the residential release area to Narellan Road, via the previously-approved upgraded intersection, for which work has almost been completed. The road is also in the planning/early phase construction process.

### **The Site**

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

The WSU land is bounded by the Hume Highway, Narellan Road, Gilchrist Drive and the Main Southern Railway Line. The land has easy pedestrian access to Macarthur Railway Station and Macarthur Square with a pedestrian bridge across the railway line. See Attachment 1.

The WSU residential land was largely undeveloped with existing features including a sports field, a golf driving range (recently vacated), a gymnasium, an observatory and a telecommunications tower. It is now being developed, in stages, for residential development.

Stage 4 is located to the south of Stage 1 and is separated from Stage 1 by a riparian corridor. It would be accessed via an extension to Road No.1 (as shown on the DA plans), which is the main collector road of the overall residential project and links with Goldsmith Avenue and Gilchrist Drive.

The Stage 4 site has a total area of approximately 17 hectares. Its topography is undulating, at times steep, which is typical of the locality.

The majority of the site has been previously cleared of native vegetation with some narrow stands of remnant/regrowth native vegetation on most of the steep sided drainage lines. Stage 4 has some regrowth and areas of African Olive. Bow Bowing Creek runs along the southern boundary of the site with several tributaries draining into it from across the site and external to the site to the east.

### **Surrounding Development**

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

There are two main vehicle access points to the WSU campus. One is provided at a signalized intersection with Narellan Road which is currently undergoing a significant upgrade as part of a joint Federal/State government funded project, with the University intersection being a major component of these broader works. The second access is off Gilchrist Drive at the intersection with Goldsmith Avenue. This intersection is currently restricted to a left-in, left-out arrangement however it is being upgraded to a signalised intersection to cater for all movements. This upgrade was part of the urban release's master planning and was a condition of the Stage 1 development consent.

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

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

### **The Proposal**

This application (DA) seeks approval for subdivision and associated works for the fourth stage of the WSU residential development site, comprising of:

- Civil works including the internal road network for Stage 4
- Bulk earthworks including cut and fill across Stage 4
- Stormwater drainage infrastructure
- Streetscape works
- Subdivision of 274 Torrens titled residential allotments, 7 super lots for future housing development
- 1 residue allotment

The residential lot sizes within the subdivision will vary as follows:

Lot mix	Total in Stage 4
400 – 449sqm	32 (11%)
450 – 599sqm	217 (77%)
600 – 799sqm	22 (8%)
800 – 1499sqm	3 (1%)
1500sqm+ (super lots)	7 (2.5%)
Residue allotment	1
<b>Total</b>	<b>282</b>

The 7 super lots have a capacity for approximately 80 dwellings with the opportunity to subdivide that housing into small lots in the range of 200sqm – 300sqm. Development of these allotments would be subject to further application and consent.

The applicant proposes to undertake the subdivision in three distinct sub stages.

Attachment 2 shows the proposed subdivision layout for proposed Stage 4.

The Stage 4 subdivision application is integrated development requiring approvals under the following Acts:

*Rural Fires Act 1997* – the subject land is identified as being bushfire prone land on the Campbelltown City Council bushfire Prone Land maps and accordingly, a bush fire safety authority is required from the Rural Fire Service (RFS) under Clause 100B of the *Rural Fires Act 1997*. A 'bushfire safety authority' from the RFS has been received and incorporated into the recommended conditions of consent in Attachment 5.

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

Previous investigations of the site conducted as part of the work associated with the preparation of the site Master Plan, did identify the potential for two archaeological sites within the area of the Stage 4 subdivision. General Terms of Approval from the Office of Environment and Heritage have been received and incorporated into the recommended conditions of consent in Attachment 5.

*Water Management Act 2000* – under Clause 91E of the *Water Management Act 2000*, it is an offence to undertake works within 40 metres of the bed of categorised water courses except with approval of the Office of Water. General Terms of Approval from the Office have been received and incorporated into the recommended conditions of consent in Attachment 5.

The application has been submitted as 'development by the Crown' pursuant to Part 4, Division 4 of the Act. In accordance with Section 89(1)(b), the recommended conditions in Attachment 5 have been reviewed by the applicant and deemed to be acceptable.

### **Public Exhibition Process**

The Development Application was placed on public exhibition in accordance with the requirements for 'nominated integrated development', pursuant to the Act.

No public submissions were received. The lack of response to the public exhibition process is most likely due to the site having no direct neighbours and therefore no particular local community with a direct interest in the land or one likely to be directly impacted by its development.

It is noted at this point that although a written submission was not received from Campbelltown City Council, it is anticipated that the Council will make an address to the Panel at its determination meeting. The submission will be in relation to the execution of a Planning Agreement between the Council and the applicant.

### **Assessment**

The development has been assessed in accordance with the matters for consideration under Section 79C(1) of the *Environmental Planning and Assessment Act 1979*.

### **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.

#### **Environmental Planning Instruments**

##### *State Environmental Planning Policy No.44 – Koala Habitat Protection*

SEPP44 seeks to provide for proper conservation and management of areas of natural vegetation that provide habitat for koalas. The Policy applies if a subject site is greater than 1 hectare and located in a nominated Local Government Area (Campbelltown is nominated).

Based on type and predominance of tree species, a site may be deemed to be “potential koala habitat”. The subject site, based on the probability that certain species exist in sufficient numbers, should be deemed ‘potential koala habitat’. It follows therefore that an assessment needs to be made as to whether the site represents ‘core koala habitat’. This requires evidence of a resident koala population and if the site is deemed core habitat, a plan of management is required.

There is no evidence to suggest that any koala population exists at this site and therefore no further assessment under SEPP44 is required. This is consistent with the approach taken for all previous stages of development.

##### *State Environmental Planning Policy No.55 - Remediation of Land*

SEPP55 provides a State wide approach to remediation of contaminated land and/or assessment of whether land may be contaminated and if it can be made suitable for a proposed purpose. In this case a Stage 1 Environmental Site Assessment and Remedial Action Plan have been prepared for Stage 4 subdivision by JBS&G (ref. 50481/60492, Version 0, dated 23 December 2014) to support the application.

This report reached the conclusion that there is a low potential for site contamination and subject to the removal and appropriate disposal of a small amount of contaminated soil and an unexpected finds protocol, the land is suitable for residential subdivision.

A further recommendation of that Stage 1 Environmental Site Assessment was that a remedial action plan (RAP) be prepared. The RAP was prepared and reviewed by

Council (ref. Development Stage 4, JBS&G 50481/60891, Version 0, dated 5 February 2015).

The abovementioned reports have been included as reference documents within the recommended conditions of consent in Attachment 5.

*State Environmental Planning Policy (Infrastructure) 2007*

The Infrastructure SEPP seeks to ensure that new infrastructure projects can proceed smoothly through the assessment process or conversely, existing infrastructure is not compromised by other development proceeding.

Clause 55 of the Infrastructure SEPP deals with gas pipelines and is relevant to this project as the eastern gas pipeline runs along the site's western boundary adjacent to the Hume Highway. A safety management workshop involving Landcom, WSU and Jemena, the owners of the pipeline, was conducted prior to finalising the subdivision layout. A specialised report was prepared for the applicant, which formed the basis of the subdivision's ultimate extent so as not to impact on the gas line.

Clauses 87 and 102 of the Infrastructure SEPP deal with the potential impact of rail and road noise and/or vibration on proposed developments and requires consideration of relevant guidelines to ensure compatibility between the rail and road infrastructure and the proposed development. Accordingly, an acoustic impact assessment was undertaken as part of the application's preparation. Recommendations of that assessment have been incorporated into the recommended conditions of consent in Attachment 5.

Clause 104 requires that a residential subdivision of a certain scale to be referred to the Roads and Maritime Services and their comments must be taken into consideration by the consent authority.

The Stage 4 subdivision meets these requirements as it proposes a subdivision with more than 200 residential lots and therefore needs to be referred to the RMS.

It is noted that this subject application does not involve works for access to classified roads in excess of that considered during the Stage 1 application previously determined by the JRPP.

The Stage 1 approval required intersection upgrades at Gilchrist Drive/Goldsmith Avenue and Narellan Road/University campus access road, taking into account the full scope of the WSU residential project, including Stage 4.

Notwithstanding, the RMS has made some recommendations, with particular reference to an access easement along the Hume Highway boundary, which have been incorporated into the recommended conditions of consent in Attachment 5.

*Campbelltown (Urban Area) Local Environmental Plan 2002*

The subject site is zoned 10(a) Regional Comprehensive Centre under the Campbelltown (Urban Area) Local Environmental Plan 2002. This zone applies to land collectively described as the Macarthur Regional Centre and includes the

Campbelltown central business district, Macarthur Square and surrounding commercial lands, Campbelltown Hospital, Park Central and Macarthur Gardens residential precincts, Campbelltown TAFE College and the WSU site. No other land within the local government area carries the 10(a) Regional Comprehensive Centre zoning.

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

The objectives are varied and broad in scope and are set out below:

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

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

Compliance with the objectives of the 10(a) zoning was discussed in detail as part of the assessment of the Stage 1 subdivision. That application was supported by

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

Together, these three documents provided a strong argument that the application meets the objectives of the zone, sufficient for the consent authority to form the necessary opinion in favour of the application. Having reached this conclusion in the approval of Stage 1, it should follow that Stage 4 can also be assessed as compliant with the objectives of the 10(a) zone, as have Stages 2 and 3.

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

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

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

#### *Draft Campbelltown Local Environmental Plan 2014 (DCLEP2014)*

DCLEP2014 is a local plan being drafted under the standard LEP template. It has been publicly exhibited but is not yet in force.

Under this Plan, all of the land that forms the WSU residential precinct, including the land the subject of this application, is to be zoned R3 Medium Density Residential. This proposed zoning reflects the site's capacity to provide a range of housing types, including single dwelling houses on individual lots and multi dwelling housing, developed in an integrated fashion on larger 'super lots'.

The proposed Stage 4 subdivision is consistent with the draft planning instrument.

#### Development Control Plans

##### *WSU Master Plan*

This matter was discussed in detail in the assessment report prepared for the Stage 1 subdivision. In 2007, Council adopted a WSU Master Plan. This document was the culmination of strategic planning collaboration between Council, WSU and UrbanGrowth NSW (nee Landcom) to provide a clear picture of the type of development anticipated on the WSU site.

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

The DA for Stage 1 was supported as being consistent with the WSU Master Plan. That assessment report acknowledged that the Stage 1 application relied on some minor variations to the adopted 2007 Master Plan, but concluded these were not significant.

It is considered that the Development Application assessment process provides a suitable opportunity to judge the consistency of Stage 4 against the outcomes envisaged by the Master Plan. In that respect, the Statement of Environmental Effects includes appropriate consideration of the Master Plan and Stage 4 is consistent with the type of development envisaged by the Master Plan.

### *UWS Development Control Plan*

The University of Western Sydney Development Control Plan 2008 (UWS DCP) was adopted and came into effect at the same time as the Master Plan. It provides a development assessment framework around future development at the WSU site for both campus development as well as residential development.

The applicant has assessed the proposed development against the relevant provisions of the DCP in a comprehensive compliance table provided with the SEE (Attachment 4). There are no particular variations that act to undermine the overall objectives of the DCP or that would lead to unacceptable development outcomes.

All lots are in excess of the minimum required lot size of 400sqm.

There are a small number of lots with a lot width below 15 metres but the 'average lot width' required by the DCP is maintained. The variations to the 15 metre width are minor and these lots are not compromised in their ability to accommodate standard housing forms as they are generally splayed and achieve at least the required width at the building line in most cases.

All lots have the minimum required 20 metre depth.

In terms of road layout, which was an important element of the DCP, variations are being sought to ensure compliance with Landcom's Street Design Guidelines, which came into effect after adoption of the UWS DCP and reflect best practice in providing a legible road hierarchy and quality streetscapes.

Road widths are important to ensure functionality of the road system, with narrow roads potentially leading to conflict caused by on street car parking restricting vehicle movement and larger vehicles, such as garbage trucks, not being able to safely negotiate their way through local areas. The road layout and hierarchy for Stage 4 is consistent with the approved road widths of Stage 1 and are considered to be appropriate.

The proposal for Stage 4 includes one open space lot to be dedicated to Council of 4,135sqm, which is consistent in location and size to the open space identified on in the DCP plans (refer to Figure 17 of the DCP). A separate development application has been received for the works required to establish the open space as a recreation/play area, to be known as 'Claremont Park' (Council ref. 1305/2015/DA-CW).

### *Campbelltown (Sustainable City) Development Control Plan Volume 3*

This document sets out the engineering controls and standards for development within Campbelltown. Whereas the UWS DCP sets out the general planning standards for development, the Sustainable City DCP Volume 3 sets out the specific design parameters that apply and provides guidance on acceptable methods of analysis and design to comply with Council's and industry engineering standards. The requirements of the DCP Volume 3 are detailed in the recommended conditions where appropriate.

## 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.

## **Impact of the Development and Suitability of the Site**

The Statement of Environmental Effects which accompanied the Development Application canvassed a broad range of issues and where appropriate, was supported by a set of detailed reports. For each of the issues covered by the SEE, the following assessment comments are relevant.

### Slope/Land Stability

A Slope Stability Assessment was undertaken for the Stage 1 site by Douglas Partners and the findings and recommendations of that report also have relevance to the Stage 4 area. The report concludes that the risk of slope instability for the proposed development is within acceptable limits with the potential for instability hazards assessed as low or very low.

The report recommends a number of measures to be implemented during the development phase to minimise any impacts which cover batter excavations, subsoil drainage within groundwater seepage zones, and surface protection of excavation batters as soon as possible.

These recommendations can all be included in the Construction Management Plan that would be prepared prior to the issue of a Construction Certificate and an appropriate condition of development consent can be imposed on the Stage 4 consent, as it has been with the approvals issued for Stages 1, 2 and 3.

Most of the recommendations relate to the building environment and additional controls that may be required to minimise impacts on roads, parks and other public infrastructure.

### Salinity

A Salinity Investigation and Management Plan for the Stage 1 site was undertaken by Douglas Partners. It provides a Salinity Management Plan to give guidance on development strategies aimed at reducing the potential impacts of saline materials where they occur. The types of issues covered in the Management Plan include placing and capping of fill, matching salinity characteristics between cut and fill areas, planting of salt tolerant species, appropriately designed drainage systems to avoid ponding and/or waterlogging and building strategies for piles and slabs that are complementary to requirements of the Building Code of Australia.

For Stage 4, which is likely to be very similar in terms of salinity characteristics, it would be appropriate to impose a condition of development consent equivalent to the Stage 1 conditions, noting that the report prepared by JBS&G on site contamination (see following Section of report) also covered salinity issues.

### Contamination

A detailed Stage 1 Environmental Site Assessment report and associated Remedial Action Plan have been prepared by JBS&G in accordance with the requirements of SEPP55. This has been discussed earlier in this report on Page 5.

Previous geotechnical and environmental investigations, conducted in 2005, 2007, 2011 and the Contamination Review for Stage 1 conducted in 2012 have all been referenced in this latest report. It has been concluded that the site is suitable for the proposed residential land use.

The removal of some contaminated soil is recommended as is an unexpected finds protocol and these requirements must be implemented over the course of the development to take account of the possibility of unidentified material that may pose an environmental or human health risk.

An appropriate recommended condition of consent has been included.

### Ecology

It is considered that ecological issues associated with this application have been addressed thoroughly.

An Ecology Assessment was undertaken by Hayes Environmental in February 2012 to support the Stage 1 application. An Addendum Report dated March 2014 was produced to support the Stage 2 application, followed by a further letter of clarification dated 18 August 2014 that was in response to issues raised by Council.

The study area for the original report was the full 118 hectares of the WSU residential area, not just the 22.5 hectares occupied by the Stage 1 application. The assessment found that the majority of the site has been previously cleared and is now dominated by exotic grass and weed species.

Stands of remnant native vegetation occur as narrow disturbed strips, mainly within creek lines and around the edges of Harrison's Dam. There are some patches of regenerating vegetation on some hillsides, although they are of low conservation value.

The original Ecological Assessment by Hayes included an assessment of the potential impact the development may have on threatened species (the 7 part test under Section 5A of the EPA Act). It concluded that it would not be likely to have a 'significant effect' on any threatened species, population or community listed under the *Threatened Species Conservation Act 1995* and therefore a Species Impact Statement was not required.

It also considered matters of National Environmental Significance under the *Environment Protection and Biodiversity Conservation Act 1999* and similarly concluded that the development would not impose a significant impact. This included information on three threatened species listed on the Bionet data base within a 10 km radius of the WSU site, but not considered in the earlier reports. These are the Turquoise Parrot, Green and Golden Bell Frog and Little Bent-wing Bat.

None of these species are known to occur in the WSU area and the letter from Hayes from August 2014 provides argument as to why the site is unlikely to contain these species and why the development will not significantly affect them.

Council's environmental planning staff reviewed that Ecology Assessment and provided a range of conditions that were incorporated into the consent for Stage 1, including the need for the proposed VPA to address the management and maintenance regimes for the riparian corridor revegetation areas and the preparation of a Noxious Weed Management Plan and a Vegetation Management Plan consistent with the *Cumberland Plain Recovery Plan (DECC 2010)* and the *Recovering Bushland on the Cumberland Plain: Best Practice Guidelines for the Management and Restoration of Bushland (DEC 2005)*.

It should be noted that a Vegetation Management Plan has now been prepared and is in the final stages of being approved by Council and incorporated in to the release area's ongoing management as part of a Planning Agreement. References to the VMP are contained in the recommended conditions in Attachment 5

The native vegetation remnants within the riparian corridors have been identified as Cumberland Plain Woodland (CPW), which is listed as a critically endangered ecological community under the *Threatened Species Conservation Act 1995* (TSC

Act), with some patches also meeting the definition of Cumberland Plain Shale Woodland (CPSW), which is listed as critically endangered under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

The application has been accompanied by a further assessment of its potential ecological impacts, prepared by Keystone Ecological (ref. CCC 14-713, dated December 2014). The assessment was prepared in conjunction and upon consideration of the previous work undertaken for the release area, as well as the Vegetation Management Plan that has been prepared for the release area as a whole.

According to the report, the Stage 4 site does not contain specific CPW flora species or stands of vegetation. The report also notes that a separate application presently under consideration by the Council for the rehabilitation and restoration works within the release area's riparian area corridors (Council ref. 3102/2014/DA-CW) is beneficial for the provision of suitable habitat for an endangered fauna species known to inhabit nearby, being the *Meridolum corneovirens* (Cumberland Plain Large Land Snail).

In combination with the above, the proposed VPA and the recommended Vegetation Management Plan, which addresses biodiversity offsets, is considered satisfactory to ensure that the development of the whole of the site delivers on the applicant's claim that there will be an improved biodiversity outcome as a result of development.

#### Bushfire Hazard

Building Code and Bushfire Hazards Solutions have prepared a Bushfire Hazard Assessment Report for Stage 4.

The potential bushfire hazard to Stage 4 is identified as bushland from within the rehabilitated riparian corridor to the north and adjacent to the Hume Highway to the west. All available building footprints achieve or exceed the minimum required Asset Protection Zones (APZ).

All APZ's would be maintained as Inner Protection Zones in accordance with *Planning for Bushfire Protection 2006* and NSW Rural Fire Service publication *Standards for Asset Protection Zones*. All public roads within the Stage would achieve the minimum carriageway width required by *Planning for Bushfire Protection 2006*.

A 'bushfire safety authority' has been provided by the RFS, which provides the Service's requirements for the development. Of note is the Service's request that an APZ be established within relatively small parts of the riparian corridor next to two allotments, being 4211 and 4301. The requirements will need to be reflected in the final Vegetation Management Plan and/or considered as part of future dwelling applications on these two lots where Bushfire Attack Level checking would be completed at a later date and influenced by surrounding conditions.

#### Aboriginal Archaeological and Cultural Heritage

Austral Archaeology Pty Ltd undertook an Aboriginal Archaeological and Cultural Heritage Assessment of the site for the Stage 1 subdivision which built on work

previously completed in 2003 and 2005 that covered the entire WSU residential site. To support the Stage 4 application, an addendum report was prepared. There are three potential sites of Aboriginal cultural heritage within the Stage 4 subdivision. The sites are registered and an Aboriginal Heritage Impact Permit (AHIP) issued pursuant to the *National Parks and Wildlife Act 1974* will be required. Test excavations are likely to be necessary prior to development, however there is scope for work within significant portions of the site area to commence prior to the issue of the AHIP.

General Terms of Approval from the Office of Environment and Heritage have been received and are incorporated into the recommended conditions of consent in Attachment 5.

### Traffic and Transport

Considerable attention has been given to the impact of the WSU development on the surrounding traffic network. This was a key component of the assessment process for the Stage 1 subdivision and to consider these issues properly, there were extensive discussions between the proponent, Council and the RMS, including a day long workshop and various iterations of detailed network and intersection modelling.

As a result, commitments from the proponent were made to upgrade the intersection of Gilchrist Drive/Goldsmith Avenue (to the benefit of the development) but also provide upgrades to Narellan Road and the intersection with the University access road (to the benefit of the broader road network). The approval of Stage 1 consequently required a major intersection upgrade at Gilchrist Drive/Goldsmith Avenue, the design of which has been approved by the RMS and a major upgrade at the University entry and Narellan Road intersection as part of a broader upgrade being undertaken by the Roads and Maritime Service (RMS) and to which the proponent has made a considerable financial contribution. Work at both of these intersections is underway.

The Stage 4 subdivision application has been supported by a report by AECOM (who had prepared the reports for Stages 1 to 3).

It is important to note that the report assumes that the upgrades of Gilchrist Drive/Goldsmith Avenue intersection and Narellan Road/University access road intersection are completed by the time residential occupation of Stage 4 commences.

The assessment concludes that at the completion of Stage 4, the turning movements at Gilchrist Drive/Goldsmith Avenue do not exceed the turning movements expected from the whole of the development when completed and when both access points will be operational. The report also confirms that the development of Stage 4 as proposed does not adversely effect the efficiency of the new University/Narellan Road intersection, also presently under construction.

The traffic assessment also reviewed the proposed road layout and cross sections and concluded that they were consistent with the master plan and the Stage 1 approval and appropriate for their proposed roles within the road hierarchy.

## Noise

A Traffic and Rail Noise Assessment was undertaken by Renzo Tonin and Associates. Noise sources potentially affecting the future residences of this development are the road traffic using the Hume Highway to the west, road traffic from surrounding roads such as Narellan Road, Gilchrist Drive and Menangle Road and the rail traffic using the main southern line to the south east beyond the sports fields and dam.

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

- 2.4m fence along the western edge of Stage 4 lots that border the Hume Highway
- Most dwellings will require acoustic façade treatments including thicker than standard glazing to windows. Second storey components of dwellings will require thicker glazing and in some cases the use of selected insulating materials
- Mechanical ventilation will be required for most second storey components and some ground floors depending upon window orientation and use

A detailed set of Appendices to the Traffic and Rail Noise Assessment report set out requirements for each individual lot within Stage 4. Compliance with these requirements can be imposed as a condition of development consent, supported by their reference through the Section 88B instrument on titles to ensure each individual owner is aware of the requirements prior to the commencement of construction.

The nearest dwellings in Stage 4 will be approximately 140 metres from the rail corridor and therefore no rail vibration assessment is required for this DA.

## Views and Vistas

The site would undergo a significant visual change as a result of large amounts of earthworks in the first instance and then the subsequent development of housing. The UWS DCP identifies the need to protect 'significant views and vistas from and to public places' and to this end, identified a view shed from an elevated viewing point on Narellan Road, which would be the most obvious viewing point of the WSU site for the majority of observers.

The applicant makes the point that this provision of the DCP applies to land identified as potential future development for University purposes which would be visible from Narellan Road.

The development will be partially visible to drivers travelling north and south along the Hume Highway. However, due to the undulating topography, existing vegetation in the highway corridor and the high speed environment of the Highway, the views will be intermittent and inconsistent, more so when heading north than south. This is generally similar to views of existing residential areas that have been developed within Campbelltown over many years, including Glen Alpine, Claymore, Eagle Vale, Woodbine and St Andrews.

### Flooding and Stormwater

The drainage design for Stage 4 is considered to be consistent with the previously approved Stormwater Management Strategy Report from J Wyndham Prince of March 2012 and Review of Stormwater Drainage Strategy Report from JWP April 2013.

Council engineers have been working with the applicant and their consultant/s for several years to determine appropriate works required to facilitate development of the site and address both flooding and environmental issues.

Most agreed outcomes have been incorporated into the submitted design plans, however, minor issues relating to detail at specific locations still require additional work to meet Council's requirements for design standards and ability to be maintained in the longer term. These issues can be addressed within the proposed conditions of consent.

Further, it should be noted that Council and the proponent continue to liaise with regard to the overall Stormwater Strategy for the site to ensure that all available opportunities are maximised to provide best practice stormwater management. To this end, a revised basin strategy has been prepared on the applicant's behalf (Revised Basin Strategy, J. Wyndham Prince (ref. 9435Rpt2A.docx, dated 24 October 2014). The revised strategy and its recommendations are referenced in recommended conditions of consent and will continue to inform ongoing stormwater modelling that is to be undertaken for future stages of the land's urban release.

### Construction Management

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

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

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

In addition to the issues covered by the SEE, the following additional comments are offered:

### Built Form

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

Roberts Day, who prepared the revised Master Plan, supplemented that work with a detailed set of drawings that provide a slope analysis and show indicative building forms responding to the modified landform that results from the subdivision works. The drawings indicate a range of dwelling types that can be readily accommodated on lots varying between 4% and 15% slope with examples of rear to front, front to rear and side to side slopes. On those lots with slopes greater than 5%, retaining walls will be required. The location of such walls has been indicated on the submitted plans. Generally, retaining walls will be along lot boundaries. All retaining walls will be of masonry construction to appropriate standards. While some sites will have 'flat pad' characteristics after site regrading/retaining wall construction, other lots in the more steeply sloping locations will require the proposed dwellings to respond to the remaining height difference through benched or split level housing design.

A Fencing and Landscape Guidelines document has been prepared by UrbanGrowth NSW for the WSU residential precinct to ensure some consistency throughout the development. There are twenty four lots adjoining the gas pipeline easement adjacent to the Hume Highway. The Noise Assessment Report recommends a 2.4 metre high fence along the rear boundaries of these lots as part of the noise mitigation strategy. This requirement is reflected in a recommended condition of development consent.

### Landscape design

Streetscape planting within Stage 4 is the key landscape element of the application.

A Landscape Design Statement and accompanying drawings, prepared by Clouston Associates, was prepared to support the application. The Landscape Design Statement incorporates the following:

- Continuous footpaths
- Shared pathways for higher level routes
- Kerb blisters at intersections
- Planted mid kerb blisters to reduce speed and increase amenity
- Avenue planting to provide shade, local distinctiveness and seasonal variation
- A mix of exotic, Australian and endemic natives

The Design Statement also provides detail on proposed 'blister plantings' which help to calm traffic, create designated pedestrian crossing points and create high quality streetscapes with connected tree canopies over time. They are provided only on streets with a 9.6 metre carriageway or wider, provided on lot boundaries to ensure flexibility for future driveway locations, only in front of wider allotments and only where traffic sightlines are not impeded.

Council staff have previously had the opportunity to view a practical implementation of these blisters at UrbanGrowth's Oran Park development and they are supported

as they can be constructed by a continuous kerb machine and do not hinder Council's street sweepers, garbage trucks or other larger vehicles such as removalists vans. The amenity benefits are substantial.

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

As part of Council's internal assessment of the proposal, some issues were raised with some particular species having regard to the impact they are known to have on underground infrastructure and paths/paving due to root activity. A table of the affected species and suggested replacements follows:

### Native Species

Name of unsuitable species	Name of substitute species
<i>Eucalyptus crebra</i>	<i>Elaeocarpus reticularus</i> (Blueberry Ash), <i>Elaeocarpus eumundi</i> (Eumundi Quandong)
<i>Lophostemon confertus</i>	<i>Tristaniopsis laurina</i> Luscious (Watergum), <i>Tristaniopsis laurina</i> (Watergum)
<i>Eucalyptus punctata</i>	<i>Melaleuca decora</i> (Snow in Summer), <i>Melaleuca styphelioides</i> (Prickly Paperbark)
<i>Flindersia australis</i>	<i>Cupaniopsis anacardioides</i> (Tuckeroo), <i>Hymenosperum flavum</i> (Native Frangipani)

### Exotic Species

Name of unsuitable species	Name of substitute species
<i>Fraxinus angustifolia</i> <i>raywoodii</i>	<i>Pyrus calleryana</i>
<i>Ulmus parvifolia</i>	<i>Pistacia chinensis</i> (Pistachio)
<i>Zelkova serrate</i>	<i>Prunus cerasifera</i> (Oakville Crimson Spire) <i>Prunus cerasifera</i> (Flowering Plum)

It should be noted that several of the species have been approved for use in other parts of the release area in previous consents. Notwithstanding, the Council's Technical Services Branch has raised concern with a number of the proposed species and their long-term impacts on infrastructure.

A condition requesting the amendment to the species as shown in the above tables (amongst other matters) was removed at the request of the applicant, pursuant to Section 89(1)(b) of the Act. The applicant has stated that this is to ensure consistency with previous stages and to maintain a variety of street trees within the release area.

## Engineering

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

## The public interest

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

- Infrastructure that directly serves the future residents of this subdivision, including connectivity to the broader road system, local roads and pathways, parks and open space areas
- Road/intersection upgrades that will assist in addressing existing problems in the broader road system
- Conservation of identified threatened ecological communities that may otherwise continue to decline in quality and therefore their longer term viability is improved

One way to ensure that public interest is served is through the development contribution regime. For the WSU residential project a Voluntary Planning Agreement (VPA) is proposed as the most appropriate mechanism for the collection of development contributions.

This was discussed as part of the assessment process for the subdivision of previous stages (1 – 3) and the consents issued by both the JRPP and Council have contained a condition requiring the execution of a VPA prior to the issue of Subdivision Certificates for residential allotments

Negotiations between Council and the proponents are ongoing, resulting in a Council resolution at its meeting held on 14 October 2014 to endorse the draft VPA and associated Infrastructure Services Delivery Plan (ISDP) for the purpose of public notification. The notification of the Agreement has been completed and execution is in the final stages of being prepared.

The draft VPA looks to secure the following public benefits:

- Sports Precinct
- Public recreation areas such as Harrison's Dam, Bow Bowing Creek, Main Ridge Park, Knoll Park, Claremont Park in Stage 4 and Green Corridors
- Macarthur Regional Recreation Trail
- Flood Detention Basins
- Narellan Road Intersection
- Gilchrist Drive Intersection
- Local and Collector Roads

It reinforces the agreements for the ongoing management and maintenance of re-vegetated areas to ensure that the original environmental objectives of preserving the green corridors are not lost due to a lack of resources.

The Panel may recall that discussions were held at previous determination meetings whereby assurance was sought regarding the execution of the VPA prior to the

consideration of development applications relating to future Stages of the urban release.

As mentioned previously, Council and the proponents are in the final stages of negotiation in relation to the VPA, prior to its execution. Due to some final changes being made to the urban release area's vegetation management plan (which forms an important part of the VPA) as well as Council's investigations into funding and support opportunities for investment into the sports precinct nominated above, the VPA has not yet been executed.

Council's Acting Director Planning and Environment will address the Panel to discuss this matter and detail the Council's position regarding the issue of development consent for Stage 4 whilst the VPA remains outstanding.

### **Conclusion**

The Western Sydney University Campbelltown Stage 4 residential subdivision application is considered to be consistent with the anticipated development of the WSU residential precinct and follows on from the approval of Stages 1, 2 and 3 of the urban release. Through extensive collaboration, the University, (UrbanGrowth NSW and Council have agreed on a common vision for development which has been set out in an established planning framework of an adopted site Master Plan and supporting Development Control Plan. The development proposed is consistent with these plans.

Particular issues of potential environmental impact have been addressed by the applicant and assessed as being reasonable.

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.

The development is not considered likely to have a significant or detrimental impact on the natural or built environment, subject to the imposition of conditions by the Panel and the submission of additional information at the construction certificate stage. Several Government agencies have also provided their terms of approval for the development.

The site is considered to be suitable for the development, noting its consistency with previously approved stages of the urban release area and the site's proximity to transport, education and other amenities.

The area is subject to ongoing negotiations between the Council and proponent in relation to the execution of a planning agreement, which would secure a significant amount of public civil, environmental and amenity infrastructure. A recommended condition of consent requires the execution of the Agreement prior to the release of any residential allotments in this stage.

The application has been submitted as 'development by the Crown' pursuant to Part 4, Division 4 of the Act. In accordance with Section 89(1)(b), the recommended conditions in Attachment 5 have been reviewed by the applicant and deemed to be

acceptable. Some proposed conditions were deleted and/or relocated throughout the list as required by the Crown and with the exception of the street trees discussed earlier in the report; Council does not raise issue with that process.

### **Recommendation**

That Development Application 2015SYW041 (Council ref. 281/2015/DA-SW) for subdivision to create 274 Torrens titled residential allotments, 7 Torrens titled 'super lots for future development and one Torrens titled 'residue' allotment, construction of roads, drainage and other associated infrastructure at Lots 1099, Lot 1177, Lot 1179 DP 1182558, Goldsmith Avenue, Campbelltown, be approved subject to conditions as described in Attachment 5 to this report.

## Attachment 1 – Site location plans



2014 aerial photograph of Western Sydney University and Stage 1 urban release under construction (since registered). Source: Campbelltown City Council



Master plan identifying Stage 4 location. Source: MG Planning

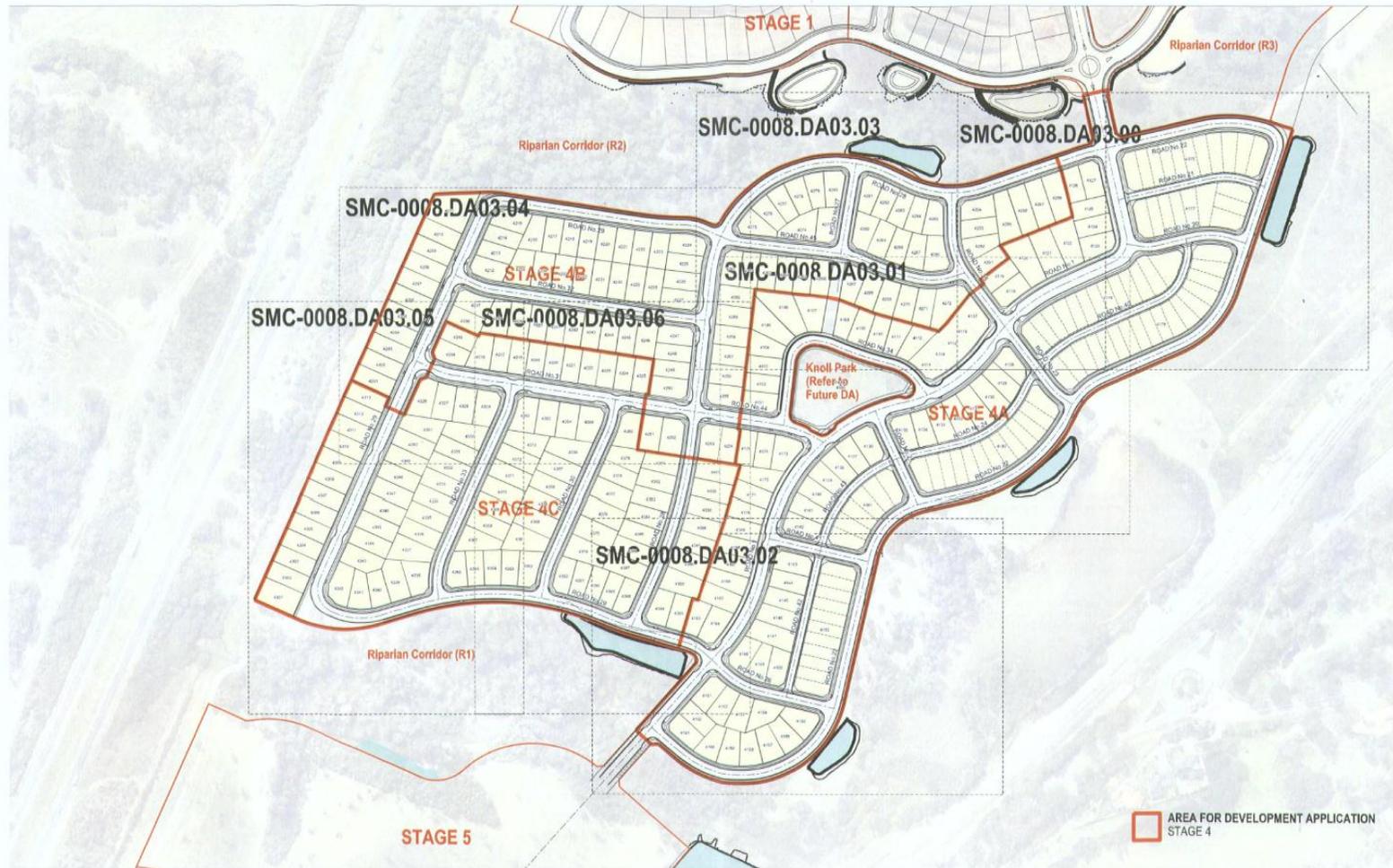








# Attachment 3 – Landscape plans



Note:  
This document is Preliminary unless Validated.

NO.	STATUS	DATE	BY	FOR	VALIDATED
1	DEVELOPMENT APPLICATION	25.10.21	N. Adams	N. Adams	N. Adams
2	DEVELOPMENT APPLICATION	25.10.21	N. Adams	N. Adams	N. Adams

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PROJECT: UNIVERSITY OF WESTERN SYDNEY - CAMPBELLTOWN CAMPUS  
 STAGE 4  
 DRAWING TITLE: GENERAL ARRANGEMENT PLAN  
 CLIENT: UGNSW / UWS  
 PROJECT NO: SMC-0008.DA02.00  
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 CHECKED BY: T1500@A1  
 SCALE: B



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A	21.12.24	N. Adams	S. Adams	R. Buckley

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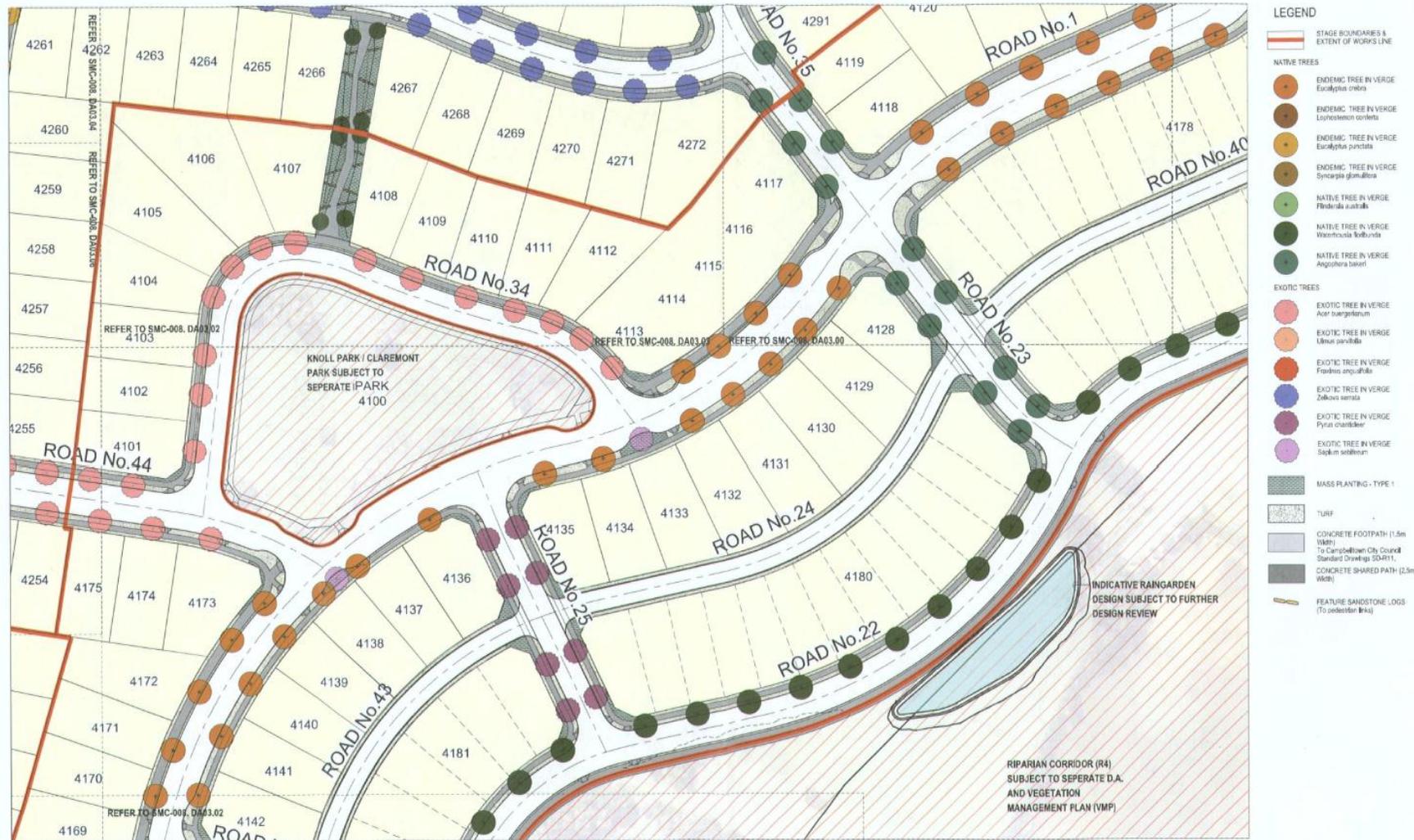
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PROJECT: UNIVERSITY OF WESTERN SYDNEY - CAMPBELLTOWN CAMPUS  
 STAGE 4  
 DRAWING TITLE: STAGE 4A SHEET 1 OF 7

0 15 30 45 60 75 150m

CLIENT: UGNSW / UWS  
 DRAWN: NA  
 SCALE: 1:500@A1  
 CHECKED: SMC-008DA03.00  
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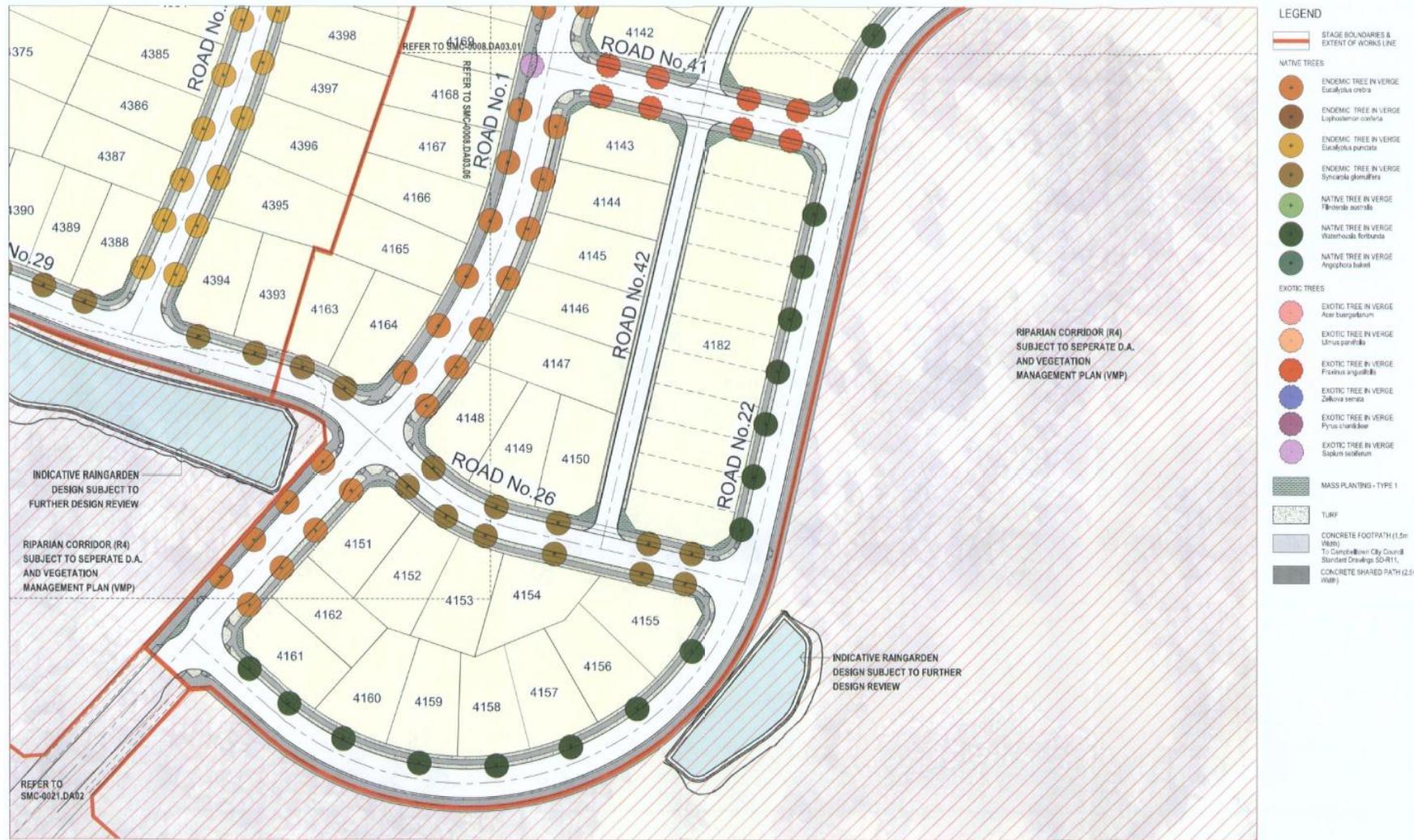
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UNIVERSITY OF WESTERN SYDNEY - CAMPBELLTOWN CAMPUS  
 STAGE 4  
 DRAWING TITLE: STAGE 4B SHEET 2 OF 7  
 CLIENT: UGNSW / UWS  
 DRAWN: NA  
 SCALE: 1:500@A1  
 DRAWING NUMBER: SMC-008.DA03.01  
 DATE: B





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REV	DATE	BY	CHKD	APP'D	DESCRIPTION
1	27.02.14	N. Adams	N. Adams	N. Adams	DEVELOPMENT APPLICATION
2	27.02.14	N. Adams	N. Adams	N. Adams	DEVELOPMENT APPLICATION

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PROJECT: UNIVERSITY OF WESTERN SYDNEY - CAMPBELL TOWN CAMPUS  
 STAGE 4  
 DRAWING TITLE: STAGE 4A SHEET 3 OF 7  
 CLIENT: UGNSW / UWS  
 DRAWING NUMBER: SMC-0008.DA03.02  
 SHEET: NA  
 SCALE: 1:500@A1  
 REV: B







RIPARIAN CORRIDOR (R4)  
SUBJECT TO SEPERATE D.A.  
AND VEGETATION  
MANAGEMENT PLAN (VMP)

LEGEND

- STAGE BOUNDARIES & EXTENT OF WORKS LINE
- NATIVE TREES**
  - ENDEMIC TREE IN VERGE *Eucalyptus crebra*
  - ENDEMIC TREE IN VERGE *Lacistema coriaria*
  - ENDEMIC TREE IN VERGE *Eucalyptus punctata*
  - ENDEMIC TREE IN VERGE *Syncaesia glauca*
  - NATIVE TREE IN VERGE *Flindersia australis*
  - NATIVE TREE IN VERGE *Warrhoasia floribunda*
  - NATIVE TREE IN VERGE *Agavechia basieri*
- EXOTIC TREES**
  - EXOTIC TREE IN VERGE *Acer buergerianum*
  - EXOTIC TREE IN VERGE *Ulmus parvifolia*
  - EXOTIC TREE IN VERGE *Fraxinus angustifolia*
  - EXOTIC TREE IN VERGE *Zakona serrata*
  - EXOTIC TREE IN VERGE *Pinus chandleri*
  - EXOTIC TREE IN VERGE *Syzygium anatum*
- MASS PLANTING - TYPE 1
- TURF
- CONCRETE FOOTPATH (1.5m width) to Campbelltown City Council Standard Drawings SD-411.
- CONCRETE SHARED PATH (2.5m width)

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NO.	DATE	REVISION	BY	DATE
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2	13.12.14	N. Adams	N. Adams	13.12.14

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 STAGE 4  
 DRAWING TITLE: STAGE 4B SHEET 5 OF 7  
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NO.	DATE	REVISION	BY	CHECKED BY
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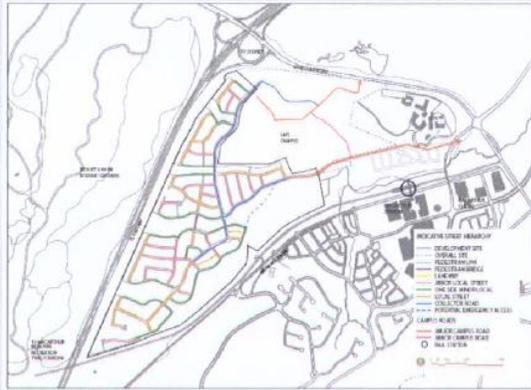
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**FILE NO.** B





Attachment 4 – UWS Development Control Plan Compliance Table Reproduction (source: MG Planning)

UNIVERSITY OF WESTERN SYDNEY CAMPBELLTOWN DEVELOPMENT CONTROL PLAN 2008			
SECTION	REQUIREMENT	PROPOSAL / RATIONALE FOR ANY INCONSISTENCY	COMPLIANCE
<b>PART 2: Requirements applying to all types of development</b>	<b>2.2 Urban Structure</b>		
	1. Development to be consistent with Indicative Density Distribution (at Figure 3)	Lot and road layout has been revised consistent with revised Master Plan however subdivision generally consistent	Complies
	<b>2.3 Public Domain</b>		
	2. Development shall be generally consistent with the indicative street hierarchy (Fig 4)	<p>The street layout has previously been amended to separate campus traffic from residential traffic. The overall hierarchy is generally consistent. However, the street profiles have been amended to reflect Landcom Street Design Guidelines which have only come into effect since adoption of the DCP. Changes will ensure consistency with other release areas, ensure appropriate streetscape and better deal with the steep topography.</p>  <p><b>Figure 1: Amended Indicative Street Hierarchy (Source: Master Plan UWS Summary Report, Dec 2011, Roberts Day)</b></p>	Minor inconsistencies - justified noting DCP shows "indicative" street hierarchy. Alternative acceptable approach proposed.
	3. Developer to provide a network of local roads that reflects road function and desired character as outlined by the street type cross sections (Fig 8-16)	The network of local roads proposed as outlined above is consistent with Landcom Street Design Guidelines. Streets vary from street type cross sections outlined in DCP and provide a legible and permeable hierarchy underpinned by a collector road system to accommodate a bus route. The proposed street types will provide appropriate access and high quality streetscapes to the residential development. The aim is to provide a network of interconnected streets and to promote walking and cycling which the new master	Minor inconsistencies - justified noting DCP shows "indicative" street hierarchy. Alternative acceptable approach proposed.

**UNIVERSITY OF WESTERN SYDNEY CAMPBELLTOWN DEVELOPMENT CONTROL PLAN 2008**

SECTION	REQUIREMENT	PROPOSAL / RATIONALE FOR ANY INCONSISTENCY	COMPLIANCE
		plan does.	
	4. Design shall clearly distinguish between public and private domain	Consistent. Street hierarchy clearly distinguishes between public and private domain as illustrated in amended street hierarchy and road cross sections included in the Roberts Day Master Plan Summary Report previously submitted with Stage 1 application.	Complies
	5. Significant landscape nodes and precincts such as the main entrance to the campus and residential areas, major parklands, natural corridors, green links and site boundaries are to be highlighted with appropriate landscaping to create a unified setting	<p>Consistent – a series of hilltop, ridgetop and riparian parks are provided in addition to the lakeside recreation parkland. Main entrances are to be identified by landscaped boulevards and natural corridors are to be preserved and enhanced.</p>  <p>The map shows a campus layout with several green spaces highlighted. A legend in the bottom right corner identifies the following features: Hill Top Parks (light green), Ridge Top Park (medium green), Riparian Parks (dark green), Lakeside Recreation Parkland (yellow-green), Pedestrian Loop (orange dashed line), and Regional Cycle Link (orange solid line). The map also includes a scale bar from 0 to 200 meters and a north arrow.</p>	Complies
	6. Development shall be consistent with the Indicative Pedestrian Circulation Plan, Indicative Cycle Circulation Plan and Indicative Public Transport Network Plan (Figs 5, 6 & 7)	The outcomes of the revised master plan previously approved (Stage 1 DA) are generally consistent with the indicative pedestrian circulation, cycle circulation, and public transport network plans in so far as the revised master plan continues to provide routes in the approximate locations and will, when delivered, service the same future population and provide options for use and choice of route. Plans contained in the DCP are 'indicative' only and an	Minor inconsistencies – justified noting DCP shows these plans as 'indicative'. Alternative acceptable approach proposed.



**UNIVERSITY OF WESTERN SYDNEY CAMPBELLTOWN DEVELOPMENT CONTROL PLAN 2008**

SECTION	REQUIREMENT	PROPOSAL / RATIONALE FOR ANY INCONSISTENCY	COMPLIANCE
		 <p><b>Figure 5: Amended Indicative Public Transport Hierarchy Plan (Source: Master Plan UWS Summary Report, Dec 2011, Roberts Day)</b></p>	
	<p><b>2.4 Access and Circulation</b></p>		
	<p>1. Development shall be consistent with the Indicative Street Hierarchy, Pedestrian and Cycle Network Plans and Public Transport Network Plan (Figs 4, 5, 6 &amp; 7)</p>	<p>Refer section 2.3(6) above.</p>	<p>Refer section 2.3(6) above.</p>
	<p>2. Pedestrian footpaths and cycleways shall be designed in accordance with Council's Engineering Design Guide for Development</p>	<p>Consistent with Council requirements</p>	<p>Complies</p>
	<p>3. The developer shall provide street lighting to current Australian Standards and furniture including garbage bins, seating, bollards, signage etc, which relate to the street hierarchy and enhance the character of the development</p>	<p>Consistent with requirements - UrbanGrowth NSW to provide.</p>	<p>Complies</p>
	<p>5. Within the Residential lands bus stops shall be on road utilising the parking lane provided for on collector roads. Bus shelters shall be provided in areas of high demand.</p>	<p>Consistent - on road bus stops proposed</p>	<p>Complies</p>
	<p><b>2.5 Streets</b></p>		
	<p>1. The developer shall construct the proposed street network generally in accordance with the Indicative Street Hierarchy Plan (Fig 4)</p>	<p>Refer section 2.3(6) above.</p>	<p>Refer section 2.3(6) above.</p>
	<p>2. Individual road design, construction and landscaping shall be in accordance with the typical street types (Fig 8-16) and have regard to Council's Engineering Design Guide for Developments and Specification for Construction of Subdivision Roads and Drainage Works</p>	<p>As above - alternate approach proposed. Acceptable.</p>	<p>As above</p>
	<p>3. Kerbs shall generally be upright kerbing and not roll over</p>	<p>Roll kerb proposed. Proposed kerbing considered acceptable notwithstanding DCP requirement.</p>	<p>No - however considered appropriate in circumstances.</p>
	<p>4. Street planting shall be coordinated with subdivision layout, traffic plan and services layouts to ensure</p>	<p>Landscape plans have had regard to relevant requirements - consistent</p>	<p>Complies</p>

UNIVERSITY OF WESTERN SYDNEY CAMPBELLTOWN DEVELOPMENT CONTROL PLAN 2008			
SECTION	REQUIREMENT	PROPOSAL / RATIONALE FOR ANY INCONSISTENCY	COMPLIANCE
	appropriate configuration with vehicle crossovers, sightlines, lighting and other services and be generally in accordance with the species list (App 2)		
	5. A 500mm planting zone between public footpath and lot boundary shall be planted with non-invasive low ground cover species	Turfing proposed with the species selected to be non-invasive.	Complies
	6. All street trees shall have root control barriers installed	Complies – refer landscape plans	Complies
	<b>2.6 Landscape and Open Space</b>		
	1. Parks and open spaces shall generally be located as shown on the Illustrative Landscape Master Plan at Fig 17 and shall include facilities generally in accordance with the park type, character and proposed activities as detailed in Table 2.1.	Generally consistent – parks and open spaces generally consistent with locations identified in Figure 17.	Complies
	2. Landscape design shall enhance the visual character of the development and complement the design / use of spaces within and adjacent to the site	Consistent – landscape design as detailed in Landscape plans and landscape design statement (appended to the SEE) will enhance the visual character of the subdivision, reflect function and ensure appropriate micro climate.	Complies
	3. Street landscaping shall comply with Fig. 8-16 and the streetscape character outlined in Table 2.2	Generally consistent – as noted above alternate approach proposed. Proposed approach consistent with Landcom Streetscape Design Guidelines and will ensure appropriate street landscaping in accordance with street hierarchy and to provide a high quality urban environment.	Complies – alternate approach proposed.
	4. Where existing significant trees are located within park areas consider detailed grading to provide for the retention of existing ground levels and trees.	Consistent	Complies
	5. Lighting within open space and recreation areas shall conform to the current Australian Standards, including AS1158, AS1680 and AS2890 (as amended).	Consistent	Complies
	6. Landscaping and structures shall not create obscured areas. Ensure tree species selected in public areas can be retained with a clear trunk to a minimum of 2 metres.	Consistent – refer landscape plans for streetscape plantings	Complies
	7. Incorporate planting of indigenous species and vegetation communities to enhance native fauna habitats.	Indigenous species used where possible – refer Landscape Design Statement (appended to the SEE) for further detail	Complies
	8. Reduce water usage by using indigenous and low water tolerant species, as well as efficient irrigation systems.	Consistent-refer landscape plan and planting schedule (appended to the SEE)	Complies
	9. Native planting should be considered deep root planting to reduce salinity risk.	Consistent-refer landscape plan and planting schedule (appended to the SEE)	Complies
	10. Existing vegetation shall be retained where possible however all noxious weeds shall be removed. A report shall be provided with any Development Application detailing measures to be taken to ensure tree protection during construction prepared by a suitably	Consistent – existing vegetation to be retained in bushland corridors, ridge top parks etc. Landscape strategy prepared by landscape architect and included as an appendix to the SEE.	Complies

UNIVERSITY OF WESTERN SYDNEY CAMPBELLTOWN DEVELOPMENT CONTROL PLAN 2008			
SECTION	REQUIREMENT	PROPOSAL / RATIONALE FOR ANY INCONSISTENCY	COMPLIANCE
	qualified professional.		
	11. Due to the topography immediately adjacent to many of the proposed ridgeline reserves and parks, the access from the adjacent public road system will be limited to those located where access can be safely and easily provided for people of all mobility levels. These access points shall be detailed upon the landscape plans for each proposed park or reserve.	Consistent	Complies
	12. Provide seating areas, timber decks, directional signs and interpretive signage related to the detention ponds and wildlife.	N/A	N/A
	13. Provide shade trees and establish windbreaks where possible from southerly and westerly winter winds.	Streetscape planting only proposed as part of DA.	N/A
	14. Provide landscape screening to the railway line using indigenous trees and shrubs	N/A – outside of scope of Stage 4 DA	N/A
	15. Landscape plans to be prepared by a qualified landscape architect	Consistent – landscape plans have been prepared by Clouston Landscape Architects (appended to the SEE)	Complies
	<b>2.7 Safety and Security</b>		
	1. Development should: <ul style="list-style-type: none"> <li>(i) maximise casual surveillance opportunities to the street and surrounding public places.</li> <li>(ii) use streets fronting parks to provide opportunities for casual surveillance and improve safety of these areas.</li> <li>(iii) ensure design does not give rise to dead ends and other possible entrapment areas.</li> <li>(iv) clearly identify and illuminate access points.</li> <li>(v) create a sense of ownership for the public domain through design to encourage community guardianship.</li> <li>(vi) provide signage to make orientation and identification of public buildings and facilities clear.</li> <li>(vii) ensure sight lines to all public areas shall be maximised. Concealed areas for possible hiding shall be avoided. Building designs shall minimise built elements which assist in providing illegitimate access. Service areas shall be secured or have surveillance.</li> <li>(viii) ensure entrances shall be visible from the street.</li> <li>(ix) ensure external lighting shall be designed to: <ul style="list-style-type: none"> <li>· encourage the use of safe areas,</li> <li>· define safe corridors for movement of people,</li> <li>· allow facial recognition of approaching</li> </ul> </li> </ul>	Consistent – streets have been designed to front parks and bushland corridors to optimise opportunities for casual surveillance. The street layout has been designed as much as possible to avoid dead ends having regard to slope constraints. In addition the design of the subdivision has had regard to sight lines and view corridors to ensure safety and security of residents.	Complies

UNIVERSITY OF WESTERN SYDNEY CAMPBELLTOWN DEVELOPMENT CONTROL PLAN 2008			
SECTION	REQUIREMENT	PROPOSAL / RATIONALE FOR ANY INCONSISTENCY	COMPLIANCE
	<p>pedestrians at 15 metres.</p> <p>(x) minimise the use of external grilles, roller doors, downpipes and shelves which allow access to upper stories.</p>		
	<b>2.8 Views and Vistas</b>		
	1. Development applications which relate to land within the University's significant view catchment as identified in Figure 20 shall be accompanied by a landscape plan which addresses view corridors and screening to adjacent properties and the Freeway.	Proposed development not in University's significant view catchment (refer SEE).	N/A
	<b>2.9 Controls on Excavation, Flood Liable and/or Sloping Land</b>		
	1. A cut and fill management plan (CFMP) shall be submitted with the Development Application where a development incorporates cut and/or fill operations. The CFMP shall be in accordance with the requirements of the "Campbelltown (Sustainable City) Development Control Plan – Appendix 6".	N/A	N/A
	<p>2. Any proposed excavation or structure within the zone of influence of any existing structure or utility, on or adjacent to the land, requires a 'structural report' (prepared by a suitably qualified professional) which demonstrates that adequate ameliorative measures can be implemented to protect the integrity of any existing structure or utility. This report shall be lodged with the CFMP as part of the Development Application.</p> <p>Subsequent to the issue of Development Consent and prior to the issue of a Construction Certificate, a "dilapidation report" (prepared by a suitably qualified professional) shall be prepared upon all existing structures and utilities that lie within the zone of influence of an approved excavation or construction. A copy of the dilapidation report shall be provided to Council, the Principal Certifying Authority, and the owner(s) of each existing structure or utility.</p>	N/A	N/A
	<p>3. Development incorporating fill shall comply with the following requirements:</p> <p>(i) minimum site fall of 1% to any adjoining waterway or public road reserve, except where the Lot is serviced by an inter-allotment drainage easement.</p> <p>(ii) fill batters to be no steeper than 3(H):1(V) unless otherwise confirmed by a suitably qualified professional.</p>	N/A	N/A

UNIVERSITY OF WESTERN SYDNEY CAMPBELLTOWN DEVELOPMENT CONTROL PLAN 2008			
SECTION	REQUIREMENT	PROPOSAL / RATIONALE FOR ANY INCONSISTENCY	COMPLIANCE
	4. Any proposed fill must be Virgin Excavated Natural Material (VENM) which has also validated by a suitably qualified professional as being "clean fill".	N/A	N/A
	5. All fill deposited in the vicinity of existing endemic vegetation shall comprise local material, placed in layers, in order of their naturally occurring soil horizon.	N/A	N/A
	6. Land affected by the 100 year ARI storm event shall not be developed unless Council is satisfied that the development would be consistent with the NSW Government "Floodplain Development Manual - The Management of Flood Liable Land (April 2005).	Consistent – no land affected by the 1:100 ARI proposed for residential development	Complies
	7. Any solid fence constructed across an overland flow path shall be a minimum 100mm above the predicted 1% AEP flow depth, as determined by a suitably qualified professional, of the overland flow path.	No solid fencing proposed across overland flow path.	N/A
	8. Any allotments located on land that has been filled, shall be burdened by a 88B restriction regarding that fill and shall be noted on the respective Section 149 Certificate.	Requirement for subdivision certificate phase – not applicable	Note
	<b>Requirements applying to Civil and Subdivision Works</b>		
	9. For the purpose of creating a building platform, the sum of the maximum cut below the "engineered natural ground level" and the maximum depth of fill above the "engineered natural ground level" shall not exceed 1 metre, unless the interface between cut and fill is located more than 4 metres from any boundary in which case the sum shall not exceed 2.5m.	Building platforms are not applicable to this development application	N/A
	10. The civil bulk earthworks undertaken during the subdivision phase will create the "engineered natural ground level". All filling works shall have regard to Council's Specification for Construction of Subdivision Roads and Drainage Works and AS 3798 Guidelines for Earthworks for Commercial and Residential Development.	This will be a requirement for the civil works contractor and will be incorporated / specified in the civil works construction contract and the Construction Management Plan	Note
	11. The retaining walls constructed during the subdivision phase shall be limited to: (i) 2.0m in height for those walls proposed to be constructed along the rear boundary of the proposed lots. (ii) 1.5m in height for those walls proposed to be constructed along the side boundary of lots abutting a road or proposed public reserve.	(i) Design generally complies – some retaining walls up to 3m proposed at edges of subdivision (refer report) (ii) Design complies	Minor non compliance  Complies
	12. The interface between proposed public reserves and adjacent public roads shall be constructed as:	(i) Design complies (ii) Design complies – batters do not exceed	Complies Complies

UNIVERSITY OF WESTERN SYDNEY CAMPBELLTOWN DEVELOPMENT CONTROL PLAN 2008

SECTION	REQUIREMENT	PROPOSAL / RATIONALE FOR ANY INCONSISTENCY	COMPLIANCE
	<p>(i) Batters having a maximum 1(V):6(H) grade within "public reserves" where it is the intention of the proposed landscape plan for the batter to remain grassed.</p> <p>(ii) Batters having a maximum 1(V):4(H) grade within "public reserves" where it is the intention of the proposed landscape plan for the batter to be vegetated so as to require minimal maintenance.</p> <p>(iii) Batters having a maximum 1(V):3(H) grade within "drainage reserves". These batters are to be landscaped to reduce erosion, require minimal maintenance and provide a suitable transition from the riparian zones.</p> <p>(iv) Retaining walls, having a maximum height of 3m, which must be screened by vegetation.</p> <p>(v) Where site filling, at subdivision phase, requires a retaining wall element to be greater than 3m in height, the wall shall be terraced at a maximum grade of 3(V):1.5(H). All vertical face elements of the terrace shall be screened by vegetation planted upon the terrace immediately below the vertical face.</p> <p>(vi) Rock cut face, having a maximum 1(V):0.25(H) for a maximum height of 3m which must be screened by vegetation.</p> <p>(vii) Where site cutting, at the subdivision phase, requires a cut rock face element to be greater than 3m in height, the rock face shall be terraced at a maximum grade of 3(V):1.5(H). All vertical face elements of the terrace shall be screened by vegetation planted upon the terrace either immediately above or below the vertical element.</p>	<p>steepness of 1(v):4(H)</p> <p>(iii) Design complies</p> <p>(iv) Landscape design to comply</p> <p>(v) Not applicable</p> <p>(vi) Not applicable</p> <p>(vii) Not applicable</p>	<p>Complies</p> <p>Complies</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>
	<b>2.10 Water Cycle Management</b>		
	1. Development shall not impact on adjoining sites by way of overland flow of stormwater. All overland flow shall be maintained in the pre-development form or be directed to designated overland flow paths such as roads.	Consistent refer SEE and Stormwater Assessment report appended.	Complies
	2. Development shall be consistent with Council's Engineering Design Guide for Development.	Consistent	Complies
	3. A suitable easement and drainage system shall be	Consistent refer SEE and Stormwater Assessment report	Complies

**UNIVERSITY OF WESTERN SYDNEY CAMPBELLTOWN DEVELOPMENT CONTROL PLAN 2008**

SECTION	REQUIREMENT	PROPOSAL / RATIONALE FOR ANY INCONSISTENCY	COMPLIANCE
	created over all downstream properties for development that cannot directly dispose of stormwater (under gravity) to the street or directly to Council's trunk stormwater system.	appended.	
	4. All rainwater tanks shall comply with AS3500 (as amended) - National Plumbing and Drainage Code Guidelines for Plumbing Associated with Rainwater Tanks in Urban Areas and Sydney Water's Guideline for Rainwater Tanks on Residential Properties.	N/A – relevant to individual houses	N/A
	<b>2.11 Risk Management</b>		
	<b>Salinity</b>		
	1. Native vegetation and deep rooted trees shall be incorporated into gardens.	To be addressed as part of development of individual allotments. Deep rooted trees provided in the streetscape.	Complies
	2. Damp proof membranes shall be used in building construction for slabs on ground with a 50mm thick layer of sand.	To be addressed as part of development of individual allotments.	N/A
	<b>Erosion and Sediment Control</b>		
	3. An Erosion and Sediment Control Plan (ESCP) or Soil and Water Management Plan (SWMP) as applicable, shall be prepared and submitted with a development application proposing construction and/or activities involving the disturbance of the land surface.	Soil and Water Management Plan included in Engineering Plans appended to the SEE.	Complies
	4. ESCPs or SWMPs to be prepared in accordance with Managing Urban Stormwater – Soils and Construction 2004".	Submitted	Complies
	5. Site activities shall be planned and managed to minimise soil disturbance.	As detailed in SWMP appended to the SEE.	Complies
	6. Catch drains or diversion banks shall be designed and constructed to divert water around any area of soil disturbance.	As detailed in SWMP appended to the SEE.	Complies
	7. All stockpiles shall be located within the sediment control zone and shall not be located within an overland flow path.		
	8. A water pollution sign, supplied with the development consent, must be displayed on the most prominent point of the development site and be clearly visible to the street.	Noted	Note
	<b>Bushfire</b>		
	9. Development shall be located so as to minimise the risk of loss from bushfire.	Consistent – refer SEE and Bushfire Hazard Assessment Report appended.	Complies
	10. Development on bush fire prone land (as detailed on the Campbelltown Bush Fire Prone Lands Map) shall comply with the requirements of Planning for Bushfire	Consistent – refer SEE and Bushfire Hazard Assessment Report appended.	Complies

UNIVERSITY OF WESTERN SYDNEY CAMPBELLTOWN DEVELOPMENT CONTROL PLAN 2008			
SECTION	REQUIREMENT	PROPOSAL / RATIONALE FOR ANY INCONSISTENCY	COMPLIANCE
	Protection 2001 as amended from time to time.		
	11. Asset protection zones are to be provided in accordance with the recommendations of the Bushfire Assessment prepared by Ecological Australia and dated January 2007.	The Bushfire Hazard Assessment has been updated to reflect the amended Master Plan and APZs provided in accordance with the recommendations therein (refer SEE and appendix)	Complies
	12. Adequate water reserves for fire fighting shall be available and accessible on site as specified in Planning for Bushfire Protection 2001.	Noted	Noted
	<b>Noise</b>		
	13. Development applications for land affected by noise from the F5 Freeway shall be accompanied by a noise management plan.	An Acoustic Assessment has been prepared and is appended to the SEE. It details mitigation measures to be undertaken to ensure compliance with relevant noise policy and criteria.	Complies
<b>PART 4: Residential Development</b>	<b>4.4 Residential Development</b>		
	<b>4.4.1 Subdivision</b>		
	1. The final design of residential allotments shall have regard for the impact of orientation, slope, and aspect to maximise solar access to future development.	Consistent – the proposed subdivision is consistent with the revised Master Plan prepared by Roberts Day which has had regard to orientation, slope and aspect etc. (refer SEE for further detail).	Complies
	2. Subdivisions shall demonstrate compliance with the relevant design requirements contained in this Part.	Consistent	Complies
	3. Subdivisions shall promote through street access and minimise the number of cul-de-sacs.	Consistent – no cul-de-sacs proposed.	Complies
	4. Battle axe lots shall only be permitted where a street frontage cannot otherwise be provided due to levels or safe street access requirements. Such lots shall have a minimum lot area of 500 square metres excluding the access handle. Access handles shall be straight and have a minimum width of 3.5m or 6m for two adjacent handles with reciprocal rights of way.	Consistent – no battle axe blocks proposed	Complies
	5. Car courts shall be accessed by a handle of no more than 40 metres in length and able to accommodate adequate turning and manoeuvrability in accordance with AS 2890. Through lanes are also permitted.	N/A	N/A
	6. Studio apartments may be strata subdivided subject to compliance with the criteria outlined in Section 4.4.5 below.	N/A	N/A
	<b>4.4.3 Detached Dwellings</b>		
	1. Compliance with Tables 4.2 (Standard Detached Dwellings) and 4.3 (Large Detached Dwellings)		

**UNIVERSITY OF WESTERN SYDNEY CAMPBELLTOWN DEVELOPMENT CONTROL PLAN 2008**

SECTION	REQUIREMENT	PROPOSAL / RATIONALE FOR ANY INCONSISTENCY	COMPLIANCE
	<b>Table 4.2 – Standard Detached Dwellings (Lots 400-2000m<sup>2</sup>)</b>		
	<b>Criteria</b>	<b>Control</b>	
	Min Lot Size	400m <sup>2</sup>	Generally consistent – all lots have a minimum allotment size of 400m <sup>2</sup>
	Max Lot Size	2000m <sup>2</sup>	Consistent – no allotments are proposed with an area greater than 2000m <sup>2</sup> other than superlots
	Min average allotment width	15m	All lots have a minimum average allotment width of 15m or greater
	Min Lot Depth	20m	All lots have a minimum lot depth of 20m or greater
	<b>Table 4.3 – Large Detached Dwellings (Lots Over 2000m<sup>2</sup>)</b>		
	<b>Criteria</b>	<b>Control</b>	
	Min Lot Size	2000m <sup>2</sup>	N/A
	Min Lot Depth	30m	N/A
	<b>4.9 Fencing and Retaining Walls</b>		
	2. All fencing and retaining wall details must be submitted to Council for approval as part of any new development application.	Details of proposed retaining wall and fencing are included in the engineering plans appended to the SEE and as detailed in the SEE.	Complies
	3. All front fencing, secondary street fencing and fencing adjoining common boundaries with public open space areas must be constructed in accordance with the relevant Fencing Strategy for that development stage.	N/A	N/A
	4. Front fencing (i.e. located forward of the front building line including those on corner lots) shall be provided for small lot housing and residential flat buildings and be between 700mm and 1200mm in height and in accordance with the Fencing Strategy for that development stage.	No front fencing proposed as part of subject application. Front fencing will form part of the development of individual allotments.	N/A
	5. Side fences forward of the building line shall comply with the requirements for front fences in height and design.	N/A	N/A
	6. Fencing to all side and rear property boundaries (i.e. to those property boundaries that are not publicly visible) shall be provided. Such fencing shall have a maximum height of 1.8 metres and shall consist of lapped and capped hardwood timber. Metal sheeting, open mesh steel fencing and the like are not permitted.	N/A	N/A

<b>UNIVERSITY OF WESTERN SYDNEY CAMPBELLTOWN DEVELOPMENT CONTROL PLAN 2008</b>			
<b>SECTION</b>	<b>REQUIREMENT</b>	<b>PROPOSAL / RATIONALE FOR ANY INCONSISTENCY</b>	<b>COMPLIANCE</b>
	7. A separate fencing strategy may be adopted for allotments in excess of 2000 sq.m which may not comply with the requirements contained herein but rather may adopt a more rural fencing approach.	N/A	N/A
	8. Fencing to any secondary street frontage shall comply with the requirements listed above for front fencing. However, where such fencing encloses the rear private open space area, the maximum height of the fencing may be increased to 1.8 metres for no more than 50% of the length of the boundary.	N/A	N/A
	9. Fencing shall not obstruct power, water, sewer, gas or telephone services, drainage services (including overland flow paths) or any easements or rights of way.	N/A	N/A
	10. Small lot housing shall incorporate a private letter box to be incorporated within one of the masonry front fencing elements.	N/A	N/A
	11. All retaining walls proposed on site must be simultaneously approved as part of any dwelling development application.	Details of proposed retaining walls are included in the engineering plans appended to the SEE and as detailed in the SEE.	Complies
	12. Any retaining wall that is proposed within a publicly visible location (e.g. Front building setback area) must be constructed of masonry materials (i.e. no timber products) that respond to the streetscape and/or materials to be utilised within the construction of the dwelling.	Complies – masonry stacked rock retaining walls proposed	Complies
	13. Retaining walls shall be stepped / terraced at a maximum height of 900mm, with the exception of those retaining walls constructed during the subdivision phase, and incorporate a minimum horizontal step of 900mm face to face.	Not applicable - masonry walls built as part of the subdivision. No stepping required.	N/A

## Attachment 5 - 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

Development is to be carried out in accordance with the plans, referenced below, containing Council's approved development stamp and all associated documentation submitted with the application, except as modified in red ink by Council and/or any conditions of this consent.

##### Drawings:

SMEC Urban Pty Ltd

<i>Drawing No.</i>	<i>Revision</i>	<i>Date</i>
77588.40.P01	A	16 December 2014
77588.40.P02	A	16 December 2014
77588.40.P03	A	16 December 2014
77588.40.P04	A	16 December 2014

J. Wyndham Prince

<i>Drawing No.</i>	<i>Revision</i>	<i>Date</i>
9435/DA1001	A	18 December 2014
9435/DA1002	A	18 December 2014
9435/DA1003	A	18 December 2014
9435/DA1004	C	18 May 2015
9435/DA1005	B	18 May 2015
9435/DA1006	A	18 December 2014
9435/DA1007	A	18 December 2014
9435/DA1008	A	18 December 2014
9435/DA1009	A	18 December 2014
9435/DA1010	A	18 December 2014
9435/DA1011	A	18 December 2014
9435/DA1012	A	18 December 2014
9435/DA1013	A	18 December 2014
9435/DA1014	A	18 December 2014
9435/DA1015	A	18 December 2014
9435/DA1016	A	18 December 2014
9435/DA1017	A	18 December 2014
9435/DA1018	A	18 December 2014
9435/DA1019	A	18 December 2014
9435/DA1020	A	18 December 2014
9435/DA1021	A	18 December 2014
9435/DA1022	A	18 December 2014
9435/DA1023	A	18 December 2014
9435/DA1024	A	18 December 2014
9435/DA1025	A	18 December 2014
9435/DA1026	A	18 December 2014
9435/DA1027	A	18 December 2014
9435/SK237	C	5 February 2015
9435/SK281	1	17 July 2015

Clouston Associates

<i>Drawing No.</i>	<i>Revision</i>	<i>Date</i>
SMC-008.DA01.00	B	19 January 2015
SMC-008.DA02.00	B	19 January 2015
SMC-008.DA03.00	B	19 January 2015
SMC-008.DA03.00	B	19 January 2015
SMC-008.DA03.01	B	19 January 2015
SMC-008.DA03.02	B	19 January 2015
SMC-008.DA03.03	B	19 January 2015
SMC-008.DA03.04	B	19 January 2015
SMC-008.DA03.05	B	19 January 2015
SMC-008.DA03.06	B	19 January 2015
SMC-008.DA04.00	B	19 January 2015
SMC-008.DA05.00	B	19 January 2015

### **Supporting Reports**

Statement of Environmental Effects, MG Planning (ref. 11/34(12), Version 2, dated 9 February 2015)

Macarthur Heights Residential Development – Stage 4 Traffic Impact Review, AECOM (ref. 60239254, dated 6 February 2015)

Stage 4 UWS/Landcom Residential Development, Keystone Ecological (ref. CCC 14-713, dated December 2014)

Stage 1 Environmental Site Assessment – Development Stage 4, JBS&G (ref. 50481/60492, Version 0, dated 23 December 2014)

Remedial Action Plan – Development Stage 4, JBS&G (ref. 50481/60891, Version 0, dated 5 February 2015)

Bushfire Hazard Assessment Report, Building Code and Bushfire Hazard Solutions Pty Ltd (ref. 120499d, dated 6 February 2015)

Development Application for Stage 4 Residential Subdivision, Austral Archaeology (ref. 1134\_UWS, dated 10 December 2014)

Macarthur Heights Stage 4 Acoustic Assessment, Renzo Tonin and Associates (ref. TF587-06F02 (r2), dated 13 January 2015)

Revised Basin Strategy, J. Wyndham Prince (ref. 9435Rpt2A.docx, dated 24 October 2014)

## **2. Landscaping, Tree Planting and Riparian Corridor**

The final location of batter, retaining walls and rain gardens as nominated on the approved plans may be varied along with the bush corridor/riparian edge where it can be demonstrated that additional trees can be preserved or where there may be improvements in pedestrian safety and access without conflicting with the requirements of the Office of Water or other conditions of this consent.

## **3. 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 (as amended)*.

Notwithstanding, Class 2 Stormwater Pipes can be used only where they are installed in all cases with a minimum cover over the pipe of 1.0m measured between the outside of the pipe/collar of the pipe and finished surface level.

#### **4. Slope Stability**

The applicant shall comply with the recommendations contained in the Geotechnical Investigation for Stage 4 (Report No: 8235/4-AA), dated 8 May 2015.

If site conditions within Stage 4 are found to differ from those that have been assessed in the Geotechnical Investigation for Stage 4 (Report No: 8235/4-AA), prepared Geotech Testing, dated 8 May 2015, it will be necessary for the applicant to engage a N.A.T.A. registered laboratory to undertake a further assessment of the subject site.

#### **5. Planning Agreement**

A Planning Agreement consistent with UrbanGrowth NSW's (nee Landcom) letter of offer to Council dated 14 November 2012 and as may be amended following public notification and ongoing negotiation, is to be executed prior to release of a Subdivision Certificate for any residential allotment within Stage 4.

#### **6. Signalised Intersection**

The signalised intersection at Gilchrist Drive and Goldsmith Avenue, as required by Condition 11(d) of the development consent issued for Stage 1 (JRPP ref. 2012SYW042 and Council ref. 387/2012/DA-S), shall be completed and operational prior to the issue of a Subdivision Certificate for any residential allotment within Stage 4.

#### **7. Restricted Access**

Access to all lots adjacent to road intersections, shall be restricted to within a distance of 6 metres along their frontage, measured from the common boundary with the adjoining lots.

Further, various lots within the proposed subdivision will require appropriate restrictions to be created on the title of the land, under *Section 88B* of the *Conveyancing Act 1919*, to restrict access/egress across the boundaries of the burdened lots.

The lots requiring this restriction will be identified by Council during the subdivision process.

#### **8. Engineering Design Standards**

The design of all infrastructure that will be under the future control of Council shall be carried out in accordance with the requirements detailed in the *Campbelltown (Sustainable City) DCP Volume 3 (as amended)*, including the following:

- a. Retaining walls exceeding 1m in height shall include either treatment or landscaping in front to prevent climbing and be designed and certified by an appropriately qualified engineer.
- b. Any rock to be used in the retaining walls is to be certified by a geotechnical engineer as suitable for the required design life of 100 years.
- c. Final landscaping and improvements within riparian areas to be designed having regard to Crime Prevention Through Environmental Design (CPTED) principles to ensure that all areas designed for access by pedestrians can be monitored by passive surveillance.
- d. The Construction Certificate plans are to document proposed measures for the safety of vehicles adjacent to the bush/riparian corridor, consistent with the requirements of the Austroads Guideline.

- e. Fencing or other barriers as appropriate shall be provided on top of all retaining walls to public places above 1m in height to ensure the safety of pedestrians. Details are to be shown on the Construction Certificate plans.
- f. All rain gardens and gross pollutant trap devices must be accessible for regular maintenance and reconstruction. All weather access is to be provided to each device. Details are to be shown on the Construction Certificate plans.
- g. Footpaths are required to all streets. Final details shall be included on the Construction Certificate plans.
- h. Appropriate measures are to be implemented to ensure that the cut and fill areas are managed, to minimise erosion and siltation leaving the site and impacting on the environment. Details are to be shown on the Construction Certificate plans.
- i. Details of scour protection are to be included on the Construction Certificate plans for creek works where drop structures are employed and for other areas where higher velocities are predicted.
- j. Where bio-retention systems are proposed, they are to accord with the Standard Drawings issued by the Sydney Metro CMA. The Construction Certificate documentation shall include the following matters;
  - i. Details of how flows in excess of the 1 year ARI are managed to the creek.
  - ii. Scour protection (including upstream or downstream of culverts and at locations where pipes enter the rain garden, or discharge from the rain gardens to the invert of the creek) shall be shown. Proposed measures shall be in accordance with the requirements detailed in the *Campbelltown (Sustainable City) DCP Volume 3*.
  - iii. Flushing points for sub soil drains are to be located so as to be easily accessible.
  - iv. Downstream batters to rain gardens are to be designed and treated to ensure that they are protected from scour.
- k. Trees in or adjacent to the creek line, where works are proposed, shall be protected. A Construction Management Plan detailing safeguards for the retention of trees shall be submitted prior to the commencement of construction.
- l. Compliance with the Revised Basin Strategy Report, prepared by J. Wyndham Prince, dated October 2014.
- m. No timber edges are to be provided around tree pits on public roads.
- n. The applicant shall engage a suitably qualified person to undertake a salinity assessment of Stage 4 and all recommendations of the report shall be complied with. A copy of the report shall be submitted to Council with the Construction Certificate documentation.
- o. The drainage design and plant species selected are to have regard to the recommendations contained within the salinity assessment report.

## **9. Retaining Walls**

- a. Where retaining walls are proposed along the boundaries of future lots, the wall, footings and fencing are to be contained wholly within the lot on the high side.

- b. Retaining walls are to have a design life of 100 years and include drainage and flushing points. Details shall be provided with the Construction Certificate documentation.

## 10. Batter Slopes

Where batter slopes exceed Council's adopted standard and it is considered that they may present maintenance or stability problems, the slopes of the batters shall either be reduced, or an alternative method of support shall be utilised.

## 11. Ecology

- a. Compliance with the General Terms of Approval issued by the Office of Water as detailed in Condition 57 of this consent.
- b. Compliance with the terrestrial and aquatic ecology recommendations of the Ecology Assessment Report prepared by Hayes Environmental February 2012 and the supplementary letter from Hayes Environmental dated 7 March 2014 as well as the recommendations of the Stage 4 UWS/Landcom Residential Development assessment prepared by Keystone Ecological (ref. CCC 14-713, dated December 2014).
- c. The *UWS Campbelltown Vegetation Management Plan - Riparian Zones 1 to 6*, prepared by Greening Australia dated June 2015, must be consulted and adhered to during preparation and installation of any works within the identified riparian corridors.
- d. This Plan shall be consistent with the best practice standard for bushland management and restoration contained in the *Cumberland Plain Recovery Plan (DECC 2010)*, and the *Recovering Bushland on the Cumberland Plain: Best Practice Guidelines for the Management and Restoration of Bushland (DEC 2005)*.
- e. This Plan provides for the protection of retained Cumberland Plain Woodland (CPW) during construction, a protocol for construction staff to ensure they are aware of retained CPW, appropriate erosion and sedimentation control and the provision for salvage and reuse of native tree trunks.
- f. Preparation of a Construction Environmental Management Plan that includes a Noxious Weed Management Plan must be prepared and submitted to Council for its written approval prior to the commencement of work that includes measures to prevent the spread of plant diseases such as myrtle rust and phytophthora during construction and the introduction of other weeds or plant diseases to the site.
- g. With specific regard to the Vegetation Management Plan as it relates to works being undertaken as part of Stage 4 works:

### Threatened species:

- 1. The proponent is to notify Council one week in advance of pre-construction Cumberland Plain Land Snail surveys. Council's Senior Environmental Officer must be present on site for surveys.
- 2. Environmentally sensitive installation protocols must be adopted for the installation of habitat logs and coarse woody debris into riparian corridors (Table 8).

### Habitat management:

- 3. All habitat enhancement measures outlined in Table 15 of the 'UWS Campbelltown Vegetation Management Plan – Riparian Zones 1 to 6, Sportsfield and Lake Precincts', prepared by Greening Australia (ref. IZ934, dated June 2015) must be implemented.
- 4. A nest-box plan is required to compensate for the loss of hollow-resources across the site, and boxes must be installed across all riparian zones.

### Reporting:

- 5. The proponent must provide a copy of all reports to Council, in addition to the Office of Water.

## **12. Bulk Earthworks**

Prior to commencement of the bulk earthworks for the proposed development, the applicant shall ensure that all erosion and sediment control devices have been installed. The facilities are to be maintained to the satisfaction of the principal certifying authority during the earthwork operations and until such time as the disturbed areas have been stabilized and fully re-vegetated.

## **13. Operation and Maintenance Manual**

The applicant shall submit to Council for approval a Maintenance and Operation manual for all proposed water quality facilities. The manual shall address, but not be limited to, items such as access arrangements, the frequency of cleaning operations, plant/equipment required etc.

## **14. Roads and Maritime Services (RMS) Requirements**

The applicant must ensure that:

- All buildings and structures, together with any improvements integral to the future use of the site are wholly contained within the freehold property unlimited in height or depth along the Hume Motorway and Narellan Road boundaries and any relevant easements.
- Access to any easement that benefits RMS is not denied.
- The integrity of adjoining roads and easements are not compromised.

## **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.

## **15. 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.*

## **16. Sydney Water Stamped Plans**

Prior to Council or an accredited certifier issuing a construction certificate, the approved plans must be submitted to a Sydney Water Quick Check agent to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met. Plans will be appropriately stamped.

Please refer to the web site [www.sydneywater.com.au](http://www.sydneywater.com.au) for:

- Quick Check agents details - see Building and Developing then Quick Check and
- Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building and Developing then Building and Renovating

or telephone 13 20 92.

#### **17. Geotechnical Report**

Prior to Council or an accredited certifier issuing a construction certificate, a geotechnical report prepared by a NATA registered laboratory, shall be submitted stating that the land will not be subject to subsidence, slip, slope failure or erosion, where proposed excavation and/or filling exceeds 900mm in depth, or where the land is identified as having previously been filled.

#### **18. 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 for approval.

#### **19. Pollution Control**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit engineering details to Council for approval, of all proposed gross pollutant traps and/or water quality treatment devices. The devices shall be designed in accordance with the relevant guidelines of the Office of Environment and Heritage - NSW (OEH) and the requirements detailed in the *Campbelltown (Sustainable) City DCP - Volume 3 (as amended)*.

#### **20. Road Construction (New)**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit design details for approval of the proposed road construction.

The categories and traffic loadings to be adopted for the design of the road pavements shall be as follows;

Road Nos.	Category	Traffic Loading
1	E(ii)	1 x 10 <sup>6</sup>
22, 28, 29, 31 & 44	E(i)	3 x 10 <sup>5</sup>
20, 23, 25, 26, 27, 30, 32, 33, 34, 35, 41 & 45	D	3 x 10 <sup>5</sup>

Construction of the roads shall be undertaken in accordance with Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and the design requirements detailed in the *Campbelltown (Sustainable City) DCP – Vol. 3 (as amended)*.

All inspections are to be undertaken by Council and the principal certifying authority shall not issue the subdivision certificate until all works have been completed satisfactorily.

#### **21. Traffic Committee**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit plans and obtain approval from Council's Local Traffic Committee for the construction of any proposed prescribed traffic control devices/facilities and for all associated line marking and/or sign posting.

## 22. Stormwater Management Plan

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit engineering details of a formal drainage system, designed to conform with the design requirements of the *Campbelltown (Sustainable City) DCP Volume 3*, including the creation of appropriate drainage reserves and/or easements. Where adjacent properties are affected, drainage formalisation shall be extended to include these properties to the satisfaction of the adjacent owners and Council.

## 23. Telecommunications Infrastructure

- a. 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; and
- b. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.

## PRIOR TO THE COMMENCEMENT OF ANY 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 any works on site.

## 24. Vehicular Access During Construction

Prior to the commencement of any works on the land, appropriate vehicle/plant access to the site shall be provided, to minimise ground disturbance and prevent the transportation of soil onto the surrounding road network.

## 25. Public Property

Prior to the commencement of any works on the subject site, the applicant shall advise Council of any damage to property which is controlled by Council and adjoins the site, including kerbs, gutters, footpaths and the like. Failure to identify existing damage may result in all damage detected after completion of the development being repaired at the applicant's expense.

## 26. 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 4.00pm
Sunday and public holidays	No Work.

## 27. 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 sediment control devices shall remain in place until the site has been stabilised and fully revegetated.

**Note: On the spot penalties of up to \$1500 will be issued for any non-compliance with this requirement without any further notification or warning.**

## 28. 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.

## 29. 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.

## 30. 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. A collated copy 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.

## 31. Revegetation

Revegetation, in accordance with the requirements detailed in the manual – *'Soils and Construction (2004) (Bluebook)*, shall be applied to all disturbed areas within seven days from the completion of the earthworks, and shall be fully established prior to release of the Letter of Undertaking for the maintenance period.

## 32. 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 Volumes 1, 2 & 3 (as amended).
- c. *'Soils and Construction (2004) (Bluebook)*; and
- d. All relevant Australian Standards and State Government publications.

## 33. Footpath/Cycleway

The footpath adjoining the subject land shall be regraded in accordance with levels obtained from Council, and concrete footpath paving 1.5 metres wide, or in the case of the cycleway, 2.5 metres wide, or where the Macarthur Regional Recreation Trail is constructed, 3.5m wide, shall be constructed where shown on the approved plans.

The footpath/cycleway construction shall be to the satisfaction of Council and in accordance with Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and the design requirements detailed in the *Campbelltown (Sustainable City) DCP Vol. 3 (as amended)*.

Areas of the footpath verge not concreted shall be topsoiled and turfed.

Where necessary, the footpath formation may need to be extended beyond the site boundaries, to provide an acceptable transition to the existing footpath levels.

#### **34. Pavement Thickness Determination**

A road pavement design prepared by a N.A.T.A. registered laboratory, appointed by the applicant, shall be submitted to the principal certifying authority for approval, a minimum of 2 working days prior to the inspection of the exposed subgrade.

The pavement design shall be prepared in accordance with the details shown in Section 3.6 of the *Campbelltown (Sustainable City) DCP Vol. 3 (as amended)*.

#### **35. Residential Layback Crossing**

The applicant shall provide a layback in the kerb and gutter at the entrance to all residential lots that have a frontage to barrier kerb. Construction shall be in accordance with Council's *Residential Vehicle Crossing Specification* and the *Campbelltown (Sustainable City) DCP Volume 3 (as amended)*.

Generally, the laybacks will be located on the lower side of the lot frontage.

### **PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE**

The following conditions of consent must be complied with prior to the issue of a subdivision 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 a subdivision certificate.

Where application for multiple subdivision certificates are being made under the one development consent, the applicant shall comply with conditions that relate to that particular subdivision. It is recommended that the applicant contact Council prior to making a subdivision certificate application to discuss which conditions are relevant to each subdivision.

#### **36. Section 73 Certificate – Subdivision Only**

Prior to the principal certifying authority issuing a subdivision 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](http://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.

### **37. Restriction on the Use of Land**

Prior to the principal certifying authority issuing a subdivision certificate, the applicant shall create appropriate restrictions on the use of land under Section 88B of the Conveyancing Act.

- a. Floor Level Control – Lots to be identified
- b. No Alteration to Surface Levels – All lots
- c. Lots Filled – Lots to be identified
- d. Access Denied – Lots to be determined
- e. No Cut or Fill - (Geotech. Report Required) – All lots
- f. Asset protection – as required pursuant to the approved bushfire hazard assessment and Rural Fire Service 'bushfire safety authority'.
- g. Acoustic amenity requirements as detailed in Macarthur Heights Stage 4 Acoustic Assessment, Renzo Tonin and Associates (ref. TF587-06F02 (r2), dated 13 January 2015).

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.

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.

### **40. Security for Outstanding Works**

Prior to the principal certifying authority issuing a subdivision certificate and to facilitate its early release, Council may accept bonding for outstanding asphaltic concrete work, footpath paving, vehicular crossings/driveways or other minor works. Following a written request from the applicant, Council will determine the bond requirements.

It is acknowledged that UrbanGrowth may submit a Letter of Undertaking in this regard.

### **41. Security for the Maintenance Period**

Prior to the principal certifying authority issuing a subdivision certificate, a maintenance security bond of 5% of the contract value or \$5000, 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 to the satisfaction of Council, or for a period of six months from the date of release of the subdivision certificate, whichever is the longer.

It is acknowledged that UrbanGrowth may submit a Letter of Undertaking in this regard.

### **42. Classification of Residential Lots**

Prior to the principal certifying authority issuing a subdivision certificate, all proposed residential lots are to be individually classified in accordance with guidelines contained in the Australian Standard for Residential Slabs and Footings - *AS2870.1996 (as amended)*.

#### 43. Splay Corners

Prior to the principal certifying authority issuing a subdivision certificate, the applicant shall dedicate 4m x 4m splay corners, as road widening and at no cost to Council, in the property boundaries of all lots immediately adjacent to road intersections.

#### 44. Final Inspection – Works as Executed Plans

Prior to the principal certifying authority issuing a subdivision 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 and building floor levels together with building outlines.
- Spot levels every five (5) metres within the site area.
- Where there is a change in finished ground levels that are greater than 0.3m between adjacent points within the above mentioned 5m grid, intermediate levels will be required.
- A minimum of fifteen (15) site levels.
- If the floor level is uniform throughout, a single level is sufficient.
- 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 - PDF and 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.

#### **45. Public Utilities**

Prior to the principal certifying authority issuing a subdivision 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.

#### **46. Service Authorities**

Prior to the principal certifying authority issuing a subdivision certificate, two copies of all servicing plans shall be forwarded to Council in accordance with the following:

Written advice from *Sydney Water*, *Integral Energy* and where applicable the relevant gas company, stating that satisfactory arrangements have been made for the installation of either service conduits or street mains in road crossings, prior to the construction of the road pavement shall be forwarded to Council. All construction work shall conform to the relevant authority's specification/s.

The final Asphaltic Concrete seal shall be deferred pending installation of all services. In this regard the applicant shall provide a temporary seal and lodge with Council as security, a Letter of Undertaking to cover the placement of the final seal and trench restoration.

#### **47. Council Fees and Charges**

Prior to the principal certifying authority issuing a subdivision certificate the applicant shall ensure that all applicable Council fees and charges associated with the development have been paid in full.

#### **48. Site Audit Statement for Land Being Dedicated to Council**

Prior to the endorsement of a subdivision certificate that has the effect of dedicating land to Council, the applicant shall provide a Site Audit Statement in respect of the land to be dedicated to Council. The Site Audit Statement must outline the conclusions of a site audit and must contain an accompanying Site Audit Report that summarises the information reviewed by the auditor and provides the basis for the conclusions contained in the Site Audit Statement. The Site Auditor shall be accredited under Section 49 of the *Contaminated Land Management Act 1997*.

Council will not accept dedication of the land unless the Site Audit Statement demonstrates that the site is clean and free of all contaminants.

#### **49. Compliance Certificates**

Compliance Certificates (or reports from a Company or individual professionally experienced and qualified to give that evidence and containing documented authoritative evidence of compliance with the specifications, drawings, and development conditions) shall be obtained for the following prior to issue of the Subdivision Certificate:

- a. Service Authority Clearance - prior to placement of final seal/vehicle crossing construction.
- b. Work As Executed Plans.
- c. Pavement materials compliance certificates, including AC and rubberised seals where provided.
- d. Drainage pipes, headwalls, GPT, etc.
- e. Geotechnical Testing and Reporting Requirements.

- f. Lodgement of Bonds.
- g. Conditions of Development Consent.

Two collated copies of all the related plans, documents, reports, forms or other evidence along with electronic copies the above documents in PDF format shall be submitted to Council.

#### **50. House Numbers**

Prior to the principal certifying authority issuing a subdivision certificate, house numbers shall be stencilled onto the kerb at appropriate locations with black letters/numbers, 75mm high on a white background using an approved pavement marking grade paint.

For all new additional lots created, please contact Council's Land Information Unit on 4645 4465 to ensure the correct house numbers are stencilled onto the kerb.

#### **51. Line Marking / Sign Posting Documentation**

Prior to the principal certifying authority issuing the subdivision certificate, the applicant shall submit to Council, for the Local Traffic Committee's records, two copies of a work as executed plan showing any line marking and/or sign posting that was undertaken in conjunction with the subdivision works. The plan shall also indicate the dates of application/installation.

#### **52. Residential Inter-Allotment Drainage**

Prior to the principal certifying authority issuing a subdivision certificate, the applicant shall demonstrate on the works as executed plans that inter-allotment drainage and the associated easements have been provided for all residential lots that cannot be drained to the kerb and gutter. Inter-allotment drainage systems shall be designed and constructed in accordance with the requirements detailed in Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and the *Campbelltown (Sustainable City) DCP Volume 3 (as amended)*.

#### **53. Council Fees and Charges**

Prior to the principal certifying authority issuing a subdivision certificate the applicant shall ensure that all applicable Council fees and charges, associated with the development, have been paid in full.

#### **54. Integrated Development**

The following approvals form part of this development consent and shall be read in conjunction with the conditions contained therein. The approvals commence on Page 26 of this document.

##### Rural Fire Service:

The bush fire safety authority issued by the Service dated 4 September 2015 (ref. D15/0554 DA15030395977 GB).

##### Office of Water

The general terms of approval issued by the Office on 8 April 2015 (ref. 10 ERM2015/0182, 9059190).

The general terms of approval issued by the Office on 13 April 2015 (ref. SF15/11301, DOC15/119032)

## **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. Tree Preservation Order**

To ensure the maintenance and protection of the existing natural environment, you are not permitted to ringbark, cut down, top, lop, remove, wilfully injure or destroy any tree upon the subject site unless you have obtained prior written consent from Council to do so. Fines may be imposed if you choose to contravene Council's Tree Preservation Order.

A tree is defined as a perennial plant with self-supporting stems that are more than 3 metres in length or has a trunk diameter of more than 150mm, measured 1 metre above ground, and excludes any tree declared under the Noxious Weeds Act (NSW).

### **Advice 2. Inspections – Civil Works**

Where Council is nominated as the principal certifying authority for civil works, the following stages of construction shall be inspected by Council.

- a. EROSION AND SEDIMENT CONTROL -
  - Direction/confirmation of required measures.
  - After installation and prior to commencement of earthworks.
  - As necessary until completion of work.
- b. STORMWATER PIPES – Laid, jointed and prior to backfill.
- c. SUBSOIL DRAINS – After:
  - The trench is excavated.
  - The pipes are laid.
  - The filter material placed.
- d. SUBGRADE – Joint inspection with a NATA Registered Laboratory after preliminary boxing, to confirm pavement report/required pavement thicknesses.
- e. SUBGRADE – 10/12 tonne 3-point roller proof test, density tests and finished surface profiles prior to placement of sub-base.
- f. CONDUITS – Laid and jointed prior to backfilling.
- g. PAVEMENT THICKNESS MEASUREMENT (Dips) – After placement of kerb and gutter and final trimming of sub-base.
- h. SUB BASE – 10/12 tonne 3-point roller proof test and finished surface profiles after finishing and prior to base course placement.

- i. BASECOURSE – 10/12 tonne 3-point roller proof test, density tests and finished surface profiles after finishing and prior to sealing.
- j. OVERLAND FLOWPATHS – After shaping and prior to topsoil/turf placement.
- k. CONCRETE PATHS, CYCLEWAYS, VEHICLE CROSSINGS AND LAYBACKS – Prior to pouring concrete.
- l. ASPHALTIC CONCRETE SEAL – Finished surface profiles after sealing.
- m. FINAL INSPECTION – All outstanding work.

**Advice 3. Linen Plan and Copies**

A linen plan and if required an original 88B Instrument together with thirteen copies shall be submitted to Council prior to the release of the subdivision certificate.

**Advice 4. Linen Plan Checking Fee**

Where Council is the principal certifying authority a linen plan checking fee is payable on submission of the linen plan of subdivision to Council. The exact amount will be calculated at the rate applicable at the time of release of the linen plans.

**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 the *Campbelltown (Sustainable City) DCP Volume 3 (as amended)*.

**Advice 6. 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](http://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 7. 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.

## **BUSHFIRE SAFETY AUTHORITY CONDITIONS – RURAL FIRE SERVICE**

This response is to be deemed a bush fire safety authority as required under section 100B of the 'Rural Fires Act 1997' and is issued subject to the following numbered conditions:

### **Asset Protection Zones**

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

1. At the issue of subdivision certificate and in perpetuity the entire residential part of the site shall be managed as an inner protection area (IPA) as outlined within Appendices 2 & 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.
2. The Vegetation Management Plan shall include a 21 metre APZ within the Riparian Corridor R2 to the North of and adjoining proposed Lot 4211, and a 21 metre APZ within the Riparian Corridor R1 to the South of and adjoining proposed Lot 4301.

The APZ shall be managed as an inner protection area (IPA) as outlined within Appendices 2 & 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

3. The gas easement located to the West of the site shall continue to be maintained as an APZ for a full 20 metre width.

### **Water and Utilities**

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

4. Water, electricity and gas supplies shall comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

### **Access**

The intent of measures for public roads is to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area. To achieve this, the following conditions shall apply:

5. Public road access shall comply with section 4.1.3 (1) of 'Planning for Bush Fire Protection 2006'.

## GENERAL TERMS OF APPROVAL – NSW OFFICE OF WATER



Department of  
Primary Industries  
Office of Water

Contact: Jeremy Morice  
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Our ref: 10 ERM2015/0182  
Our file: 9059190  
Your ref: 281/2015/DA-SW

The General Manager  
Campbelltown City Council  
PO Box 57  
Campbelltown NSW 2560

Attention: Scott Lee

8 April 2015

Dear Sir

**Re: Integrated Development Referral – General Terms of Approval**  
**Dev Ref: 281/2015/DA-SW**  
**Description of proposed activity: UWS - Stage 4 Residential Subdivision**  
**Site location: Lot 1099 DP 1182558, Narellan Road, Campbelltown**

I refer to your recent letter regarding an integrated Development Application (DA) proposed for the subject property. Attached, please find the Office of Water's General Terms of Approval (GTA) for works requiring a controlled activity approval under the *Water Management Act 2000* (WM Act), as detailed in the subject DA.

Please note Council's statutory obligations under section 91A (3) of the *Environmental Planning and Assessment Act 1979* (EPA Act) which requires a consent, granted by a consent authority, to be consistent with the general terms of any approval proposed to be granted by the approval body.

If the proposed development is approved by Council, the Office of Water requests that these GTA be included (in their entirety) in Council's development consent. Please also note the following:

- The Office of Water should be notified if any plans or documents are amended and these amendments significantly change the proposed development or result in additional works on waterfront land (which includes (i) the bed of any river together with any land within 40 metres inland of the highest bank of the river, or (ii) the bed of any lake, together with any land within 40 metres of the shore of the lake, or (iii) the bed of any estuary, together with any land within 40 metres inland of the mean high water mark of the estuary).
- Once notified, the Office of Water will ascertain if the amended plans require review or variation/s to the GTA. This requirement applies even if the proposed works are part of Council's proposed consent conditions and do not appear in the original documentation.

- The Office of Water should be notified if Council receives an application to modify the development consent and the modifications change any activities on waterfront land.
- The Office of Water requests notification of any legal challenge to the consent.

As the controlled activity to be carried out on waterfront land cannot commence before the applicant applies for and obtains a controlled activity approval, the Office of Water recommends the following condition be included in the development consent:

"The Construction Certificate will not be issued over any part of the site requiring a controlled activity approval until a copy of the approval has been provided to Council".

**The attached GTA are not the controlled activity approval.** The applicant must apply (to the Office of Water) for a controlled activity approval **after consent** has been issued by Council **and before** the commencement of any work or activity on waterfront land.

Finalisation of a controlled activity approval can take up to eight (8) weeks from the date the Office of Water receives all documentation (to its satisfaction). Applicants must complete and submit (to the undersigned) an application form for a controlled activity approval together with any required plans, documents, the appropriate fee and security deposit or bank guarantee (if required by the Office of Water) and proof of Council's development consent.

Application forms for the controlled activity approval are available from the undersigned or from the Office of Water's website: [www.water.nsw.gov.au](http://www.water.nsw.gov.au) go to [Water licensing](#) > [Approvals](#) > Controlled activities.

The Office of Water requests that Council **provide a copy of this letter to the applicant.**

The Office of Water also requests that Council provides the Office of Water with a copy of the determination for this development application as required under section 91A (6) of the EPA Act.

Yours Sincerely



**Jeremy Morice**  
**Water Regulation Officer**  
**NSW Department of Primary Industries**  
**Office of Water**  
**Water Regulatory Operations, Water Regulatory Operations South**

# General Terms of Approval

for work requiring a controlled activity approval  
under s91 of the Water Management Act 2000

Number	Condition	File No: 9059190
Site Address:	Lot 1099 DP 1182558, Narellan Road, Campbelltown	
DA Number:	281/2015/DA-SW	
LGA:	Campbelltown City Council	
<b>Plans, standards and guidelines</b>		
1	<p>These General Terms of Approval (GTA) only apply to the controlled activities described in the plans and associated documentation relating to 281/2015/DA-SW and provided by Council:</p> <ul style="list-style-type: none"> <li>(i) Statement of Environmental Effects</li> <li>(ii) Revised Basin Strategy Report</li> <li>(iii) Subdivision and Civil Plans</li> <li>(iv) Bushfire Hazard Assessment report</li> </ul> <p>Any amendments or modifications to the proposed controlled activities may render these GTA invalid. If the proposed controlled activities are amended or modified the NSW Office of Water must be notified to determine if any variations to these GTA will be required.</p>	
2	<p>Prior to the commencement of any controlled activity (works) on waterfront land, the consent holder must obtain a Controlled Activity Approval (CAA) under the Water Management Act from the NSW Office of Water. Waterfront land for the purposes of this DA is land and material in or within 40 metres of the top of the bank or shore of the river identified.</p>	
3	<p>The consent holder must prepare or commission the preparation of:</p> <ul style="list-style-type: none"> <li>(i) Construction Civil Plans</li> <li>(ii) Detailed Stream Works Plans</li> <li>(iii) Soil and Water Management Plan</li> </ul>	
4	<p>All plans must be prepared by a suitably qualified person and submitted to the NSW Office of Water for approval prior to any controlled activity commencing. The following plans must be prepared in accordance with the NSW Office of Water's guidelines located at <a href="http://www.water.nsw.gov.au/Water-Licensing/Approvals/default.aspx">www.water.nsw.gov.au/Water-Licensing/Approvals/default.aspx</a></p> <ul style="list-style-type: none"> <li>(i) Vegetation Management Plans</li> <li>(ii) Laying pipes and cables in watercourses</li> <li>(iii) Riparian Corridors</li> <li>(iv) In-stream works</li> <li>(v) Outlet structures</li> <li>(vi) Watercourse crossings</li> </ul>	

Number	Condition	File No: 9059190
5.	The consent holder must (i) carry out any controlled activity in accordance with approved plans and (ii) construct and/or implement any controlled activity by or under the direct supervision of a suitably qualified professional and (iii) when required, provide a certificate of completion to the NSW Office of Water.	
<b>Rehabilitation and maintenance</b>		
6	The consent holder must carry out a maintenance period of two (2) years after practical completion of all controlled activities, rehabilitation and vegetation management in accordance with a plan approved by the NSW Office of Water.	
7	The consent holder must reinstate waterfront land affected by the carrying out of any controlled activity in accordance with a plan or design approved by the NSW Office of Water.	
<b>Reporting requirements</b>		
8	The consent holder must use a suitably qualified person to monitor the progress, completion, performance of works, rehabilitation and maintenance and report to the NSW Office of Water as required.	
<b>Security deposits</b>		
9	The consent holder must provide a security deposit (bank guarantee or cash bond) - equal to the sum of the cost of complying with the obligations under any approval - to the NSW Office of Water as and when required.	
<b>Bridge, causeway, culverts, and crossing</b>		
10	The consent holder must ensure that the construction of any bridge, causeway, culvert or crossing does not result in erosion, obstruction of flow, destabilisation or damage to the bed or banks of the river or waterfront land, other than in accordance with a plan approved by the NSW Office of Water.	
<b>Disposal</b>		
11	The consent holder must ensure that no materials or cleared vegetation that may (i) obstruct flow, (ii) wash into the water body, or (iii) cause damage to river banks; are left on waterfront land other than in accordance with a plan approved by the NSW Office of Water.	
<b>Drainage and Stormwater</b>		
12	The consent holder is to ensure that all drainage works (i) capture and convey runoffs, discharges and flood flows to low flow water level in accordance with a plan approved by the NSW Office of Water; and (ii) do not obstruct the flow of water other than in accordance with a plan approved by the NSW Office of Water.	
13	The consent holder must stabilise drain discharge points to prevent erosion in accordance with a plan approved by the NSW Office of Water.	
<b>Erosion control</b>		
14	The consent holder must establish all erosion and sediment control works and water diversion structures in accordance with a plan approved by the NSW Office of Water. These works and structures must be inspected and maintained throughout the working period and must not be removed until the site has been fully stabilised.	
<b>Excavation</b>		
15	The consent holder must ensure that no excavation is undertaken on waterfront land other than in accordance with a plan approved by the NSW Office of Water.	

Number	Condition	File No: 9059190
16	The consent holder must ensure that any excavation does not result in (i) diversion of any river (ii) bed or bank instability or (iii) damage to native vegetation within the area where a controlled activity has been authorised, other than in accordance with a plan approved by the NSW Office of Water.	
<b>Maintaining river</b>		
17	The consent holder must ensure that (i) river diversion, realignment or alteration does not result from any controlled activity work and (ii) bank control or protection works maintain the existing river hydraulic and geomorphic functions, and (iii) bed control structures do not result in river degradation other than in accordance with a plan approved by the NSW Office of Water.	
18	The consent holder must ensure that the surfaces of river banks are graded to enable the unobstructed flow of water and bank retaining structures result in a stable river bank in accordance with a plan approved by the NSW Office of Water.	
<b>Plans, standards and guidelines</b>		
19	The consent holder must comply with the requirements of the approved Vegetation Management Plan, Version 5, prepared by Greening Australia, dated October 2014 to the extent that it relates to the carrying out of any controlled activity for 281/2015/DA-SW.	
<b>END OF CONDITIONS</b>		

## **GENERAL TERMS OF APPROVAL – OFFICE OF ENVIRONMENT AND HERITAGE**

- If Aboriginal objects will be harmed as a result of this development, a s90 Aboriginal Heritage Impact Permit (AHIP) must be sought and granted for these objects prior to the commencement of works. Appropriate management and mitigation for harm must form part of the AHIP application.
- The AHIP application must be accompanied by appropriate documentation and mapping as outlined on page 6 of *Applying for an Aboriginal Heritage Impact Permit, Guide for Applicants*.
- Consultation with the Aboriginal community undertaken as part of an AHIP application must be in accordance with the *Aboriginal Cultural Heritage Community Consultation Requirements for Proponents 2010*.
- Long term management of Aboriginal objects must also be considered as part of any AHIP application. The addendum report indicates that objects will be reburied on site, therefore, any AHIP application must provide a map with the reburial location clearly identified and relevant grid co-ordinates included. Information should also be provided about the protection mechanisms that will be put in place to ensure that the reburied objects will not be harmed in future.

**END OF CONDITIONS**