SYDNEY SOUTH WEST PLANNING PANEL

Panel No.	**2015SYW130DA**
DA Number	**1767/2015/DA-SW**
Local Government Area	**Campbelltown City Council**
Proposed Development	**Subdivision of land to create 161 Torrens titled residential lots, 2 residue lots, public roads and associated civil and landscape works**
Street Address	**Lot 7 DP 253700 and Lot 3099 DP 1201509 Goldsmith Avenue, Campbelltown**
Applicant Owner	**Landcom** **Western Sydney University**
Number of Submissions	**No submissions received**
Regional Development Criteria (Schedule 4A of the Act)	**Development by the Crown with a Capital Investment Value greater than $5 million ($17.495 million)**
List of All Relevant s79C(1)(a) Matters	• State Environmental Planning Policy No.44 – Koala Habitat Protection • State Environmental Planning Policy No. 55 – Remediation of Land • State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 • State Environmental Planning Policy (Infrastructure) 2007 • Campbelltown (Urban Area) Local Environmental Plan 2002 • University of Western Sydney Development Control Plan 2008 • Planning Agreement, pursuant to Section 93F
Does the DA require Special Infrastructure Contributions conditions (s94EF)?	**No**
List all documents submitted with this report for the panel's consideration	**Officer's assessment report and attachments**
Recommendation	**Approval subject conditions**
Report by	**Andrew MacGee – Senior Development Planner**
Report date	**November 2017**

Purpose of the Report

The purpose of this report is to assist in the determination of the subject development application in accordance with the provisions of the *Environmental Planning and Assessment Act, 1979*.

Approval process

The application has been lodged by UrbanGrowth NSW (now known as Landcom) with a Capital Investment Value (CIV) of approximately $17.5 million. Therefore under clause 23G and Schedule 4A of the *Environmental Planning and Assessment Act 1979* (the Act), the Sydney South West Planning Panel (the Panel) 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 Panel for determination.

Background and History

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

Since 2003 UrbanGrowth NSW (now known as Landcom) 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) were prepared and adopted by the Council in consultation with UrbanGrowth NSW. The master plan 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.

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

The first stage was approved by the then Sydney West Joint Regional Planning Panel in November 2012. The stage is completed and approximately 75% built-out. A sales and information centre has been established and a dozen-odd display homes from a variety of builders have been constructed. A “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 DCP 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 all but completed. The Gilchrist Drive intersection upgrade has also been completed and is in full operation.

The Panel has also since granted development consent for Stage 2 of the development in November 2014 (Panel ref. 2014SYW041), for which construction has also been completed and the first dwellings are now under construction. Further, Council itself has provided development consent for Stage 3 of the development (Council ref. 1019/2014DA- SW), noting that this stage 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 are to Narellan Road, via the previously-approved upgraded intersection, for which work has almost been completed.

The Panel granted consent for Stage 4 of the development in 2015, which included 282 residential allotments. That stage's construction is almost completed, with dwelling construction expected to commence in early 2018.

The subject application relates to Stage 5 of the urban release, being the last stage in the residential component of the university lands that was considered in the master plan and DCP prepared for the site.

Panel Briefing and Inspection

The Panel visited the site and was briefed on the application at a meeting held in May 2017. Matters discussed during the briefing and at the site visit included:

- Lack of local park to this stage
    - The Panel noted the subject stage does not include its own open space but relies on open spaces in adjoining land to the north and east of the site.
- Bushfire prone land
    - The site is bushfire prone, with particular regard to riparian areas that run to the north. The development application was considered as 'integrated development' and approval from the Rural Fire Service was sought pursuant to Section 100B of the Rural Fires Act 1997.
- Bus access
    - The Panel considered public transport access to the development site, having regard to proposed road widths in Stage 5 and existing road widths in adjoining Stage 4.
- Stormwater capture, treatment and disposal
    - The Panel considered the site's location at the top or commencement of the Bow bowing Creek catchment and the impacts of urban development on the creek system.
- Potential traffic impacts – single access in and out
    - The Panel discussed the stage's single road entry and exit point and the possibility of the entry and exit becoming unavailable during times of flood or fire emergency.
- Proximity of location of lots to the existing gas well
    - An existing coal seam gas well is located in the southern corner of the development site. It is expected that the well would cease operations in the early 2020s, at which time the land would become available for residential purposes.

- Safety hazard associated with gas pipe line
  - A high pressure gas supply line runs along the site's western boundary – between the subdivision site and the M31 Hume Highway.

- Lot/dwelling numbers and traffic impacts on Narellan Road

  - The Panel discussed the change to the expected number of dwellings in the release area, which has come about due to changes to the applicant's subdivision density over time and also the influence of the Affordable Rental Housing SEPP. The number of dwellings originally considered during site master planning was 850. This is expected to increase to approximately 1,250 based on current development trends within existing stages.

These issues are discussed again throughout the report as relevant.

Introduction

A development application has been received for the construction of civil works (including roads, drainage and other service infrastructure) and subdivision into 161 residential Torrens titled allotments. The application is considered to be development by the Crown, pursuant to Section 89 of the Act.

The application was considered as 'integrated development' pursuant to the Act as approvals from the following agencies were required:

- The Rural Fire Service – *Rural Fires Act 1997*
- The Office of Water – *Water Management Act 2000*
- Office of Environment and Heritage – *National Parks and Wildlife Act 1874*

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 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.

The WSU residential land was largely undeveloped with existing features including a sports field, a golf driving range (since vacated), a gymnasium, an observatory and a telecommunications tower. It has now been developed for residential purposes.
Stage 5 is located to the south of existing approved stages within the urban release and is separate from Stage 4 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.

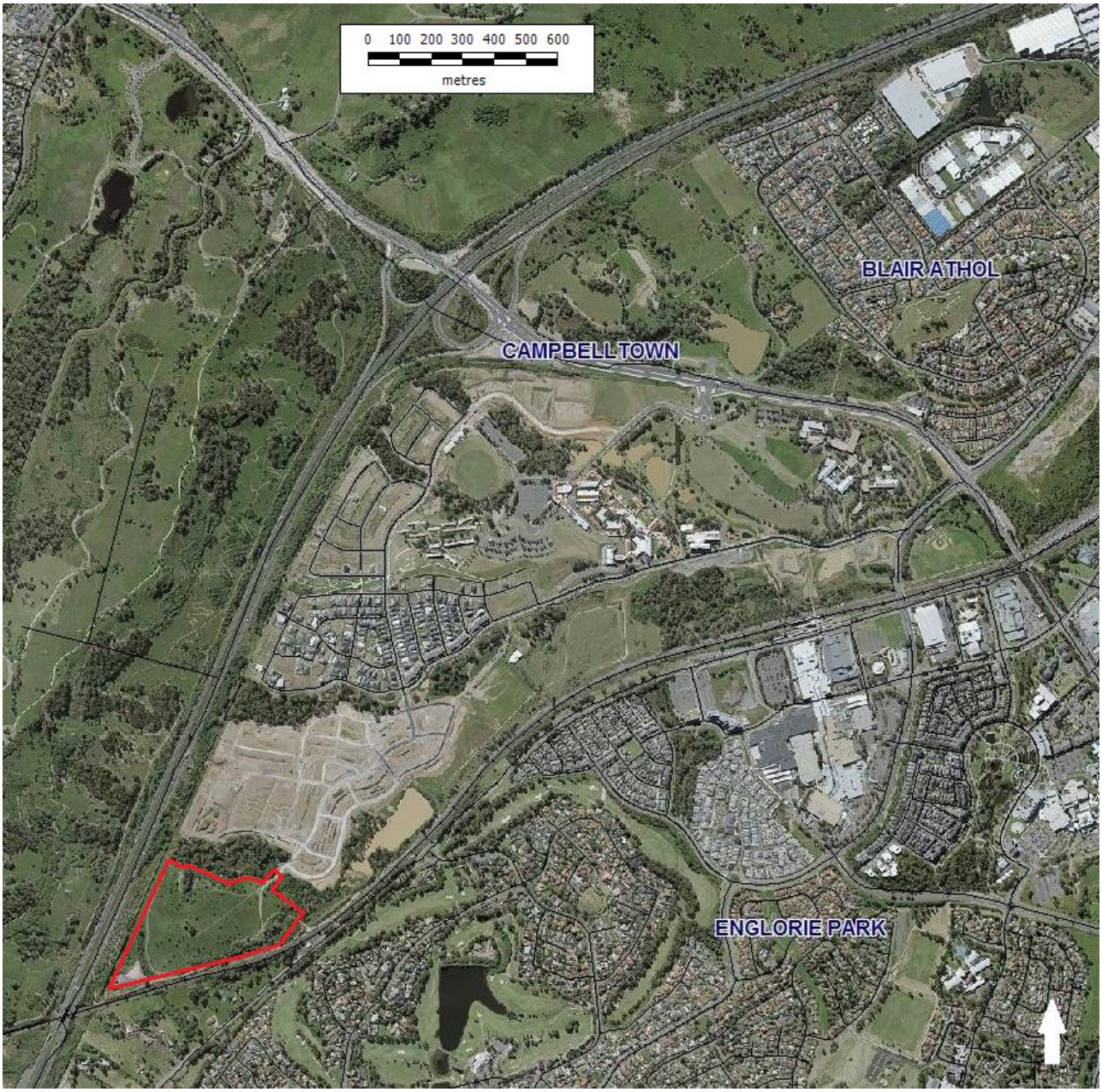
The Stage 5 site has a total area of approximately 12.1 hectares. Its topography is undulating, at times steep, which is typical of the locality.

The vast majority of the site has been cleared of native vegetation over time with some narrow stands of remnant/regrowth native vegetation on most of the steep sided drainage lines. Bow Bowing Creek commences at the northern boundary of the site

with several tributaries draining into it from across the release area and external to the site to the east.

Riparian area vegetation rehabilitation and embellishment has been considered by Council in separate development applications in accordance with the master plan, relevant legislation and the planning agreement that has been executed for the release area by relevant parties. The impact of the rehabilitation on the bushfire prone status of the riparian corridors has also been considered by the Rural Fire Service.

An aerial photograph below illustrates the approximate location of the development site, in relation to the existing urban release works being undertaken and surrounding development. A higher resolution copy of this image is available in Attachment 2.



Pursuant to the master plan and executed planning agreement, an array of active and passive recreation and open spaces would be provided throughout the release area.

An extract from the master plan and development control plan overleaf details the location of nearby recreation facilities in proximity to the development site.

More details on nearby recreation opportunities is provided in Section 3.4 of this report.

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 signalised intersection with Narellan Road which has recently undergone 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's 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 precincts known as 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 seeks approval for subdivision and associated works for the fourth stage of the WSU residential development site, comprising of:

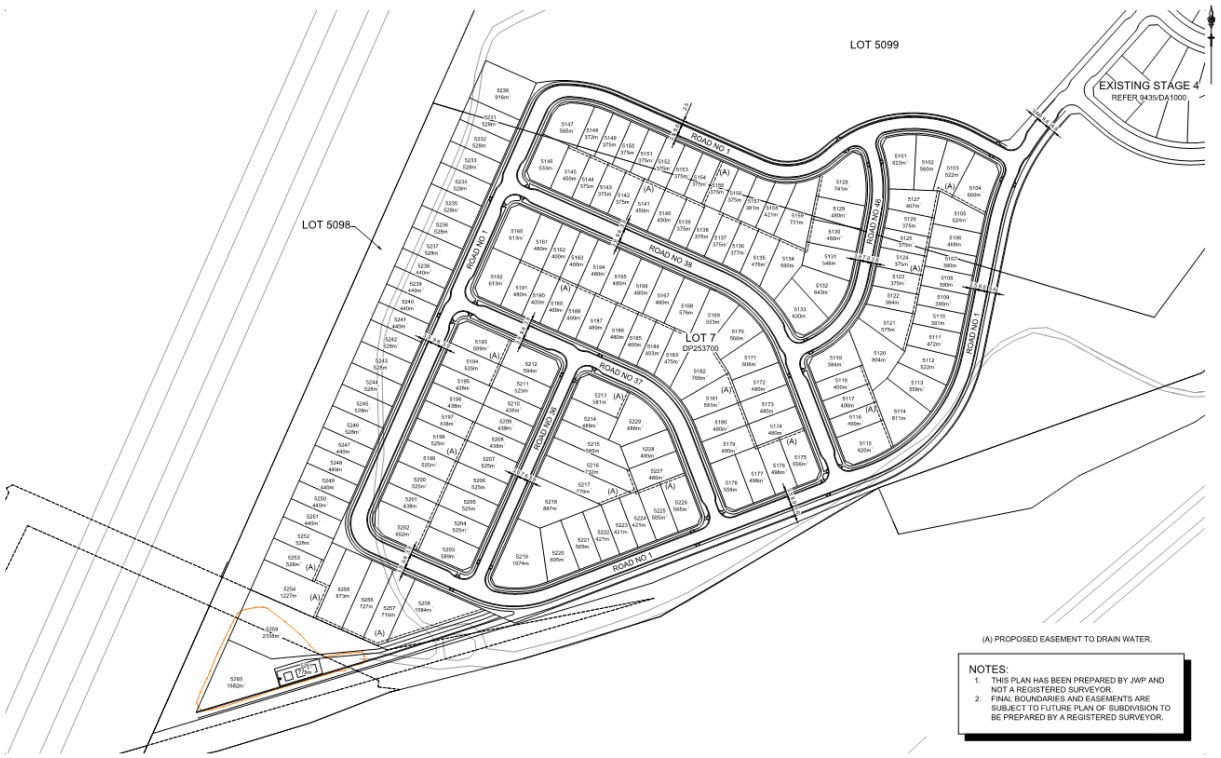
- Civil works including the internal road network for Stage 5

- Bulk earthworks including cut and fill across Stage 5
- Stormwater drainage infrastructure
- Streetscape works
- Subdivision of 161 Torrens titled residential allotments
- 2 residue allotments that would contain utilities and open space

Residential allotment sizes range from 372 square metres to 2,338 square metres in area.

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

The image below illustrates the proposed subdivision layout.



Attachment 3 provides a high resolution image of the above plan.

The Stage 5 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 1.

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 my impact on an Aboriginal object or place.

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.

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 1 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.

Assessment

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

Section 79C(1)(a) requires the Panel to consider the application's compliance with planning instruments and development control plans.

1. Planning Instruments

1.1 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).

The site is not mapped as containing preferred koala feed tree species and 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.

1.2 State Environmental Planning Policy No.55 - Remediation of Land

This Policy provides a state-wide planning approach to remediation and aims to promote the remediation of any contaminated land for the purpose of reducing the risk of harm to human health and/or the environment.

A Detailed Site Investigation (DSI) of the land was conducted by JBS&G and was submitted with the application. The DSI provides information on the contamination status of the land and its compatibility with the intended future urban land use.

SEPP 55 provides controls and guidelines for the remediation of contaminated land. In particular, the Policy aims to promote the remediation of contaminated land for the

purpose of reducing the risk of harm to human health or any other aspect of the environment.

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

An assessment of the site's potential contamination was undertaken on behalf of the applicant by JBS&G in a report titled 'Environmental and Salinity Site Assessment' (ref. 50850/100760 Rev0, dated 12 June 2015). The assessment included a historical search of known land uses in the area as well as soil sampling across the site. The sampling density was set after consideration of the historic land use of the site, the proposed future development and contamination risk profile. The site assessment criteria (SAC) was determined based on the proposed land use, being residential living with accessible soil.

The laboratory investigation of the samples taken at the site were undertaken to detect and measure a range of contamination types, including (but not limited to) hydrocarbons, heavy metals and organochlorine pesticides.

The report's findings and recommendations are summarised as:

- No indicators of site contamination were identified during the site inspection ors oil sampling activities (staining or odorous soil conditions, ACM fragments, slag/ash inclusions, etc).

- Concentrations of COPC at all soil sample locations were reported below the ad opted NEPC (2013) health and ecological based criteria for the proposed residential land use with accessible soils.

- The site is considered suitable for the proposed residential subdivision without ongoing management of site contamination conditions.

- Site soils were generally nonsaline, although a limited area of slightly saline soil occurrence were identified at depth in the northern portion of the site.

Accordingly, the development is considered to be consistent with the requirements of SEPP 55 and is suitable for the site in terms of potential land contamination, provided the 3 areas requiring further testing/treatment are considered during earthworks associated with the development and a remediation action land is developed for the land's rehabilitation during the construction phase.

1.3 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.

The approach has been consistently applied to all other stages of the release area and the gas line remains unaffected by the development. An easement that contains the pipeline continues to exist along the site's western boundary and is not interfered with by residential allotments.

No further consideration is required under the SEPP on this matter.

Clause 85 of the SEPP requires the consent authority to consider the impacts of a development where it is located immediately adjacent to a rail corridor.

In this instance, the site adjoins the Main Southern Railway corridor. The corridor is under the control of the Australian Rail and Track Corporation in this vicinity, as it is beyond the bounds of the Sydney suburban electric system.

Council forwarded the application to the ARTC but did not receive a reply with comments on the proposal. Notwithstanding, the nearest part of the residential development site is at least 29 metres from the nearest railway line. Further, the development in that vicinity does not involve cutting of the land, rather it requires the land to be filled. As a consequence of these two factors, it is considered very unlikely that the development would have an impact on the operations of the railway.

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 1.

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 5 subdivision does not meet the allotment number threshold for referral to Roads and Maritime Services and therefore, no further action in that regard was required.

1.4 Mining, Petroleum Production and Extractive Industries SEPP 2007

Clause 13 of the Mining SEPP applies to development in the vicinity of an existing mine, petroleum production facility or extractive industry. A petroleum production facility includes a coal seam gas well, such as the one that exists in the south western most corner of the Stage 5 site. The clause provides that before deter mining an application to which the clause applies the consent authority must consider

a. consider:
   i. the existing uses and approved uses of land in the vicinity of the development, and
   ii. whether or not the development is likely to have a significant impact on current or future extraction or recovery of minerals, petroleum or extractive materials

(including by limiting access to, or impeding assessment of, those resources), and

iii. any ways in which the development may be incompatible with any of those existing or approved uses or that current or future extraction or recovery, and

b. evaluate and compare the respective public benefits of the development and the uses, extraction and recovery referred to in paragraph (a) (i) and (ii), and

c. evaluate any measures proposed by the applicant to avoid or minimise any incompatibility, as referred to in paragraph (a) (iii).

The proposed subdivision design provides for adequate separation between the proposed residential allotments and the existing well. Accordingly, the residential subdivision will not impact on current or future extraction operations.

Separate access to each lot created in the subdivision is also provided to enable the redevelopment of the site in the future.

In addition, the proposal is considered to be complementary to the requirements of Department of Planning guideline 'Development in the Vicinity of Operating Coal Seam Methane Wells', May 2004. The guideline sets locational standards for the proximity of wells and residential uses.

In this instance, the development is compliant as all dwellings would be located more than 10 metres from the operating well.

Upon its decommissioning, expected some time in the early 2020s, the well site would become available for residential purposes.

1.5 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 lodged with the application 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 5 can also be assessed as compliant with the objectives of the 10(a) zone, as have Stages 2, 3 and 4.

The statement 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 statement and the detailed specialist reports that have been submitted in support of the application.

The proposal exhibits a strong level of compliance with the LEPs relevant objectives and controls.

1.6 Draft Campbelltown Local Environmental Plan 2014 (DCLEP2014) and Campbelltown Local Environmental Plan 2015

At the time of the application's lodgement, DCLEP2014 was a local plan being drafted under the standard LEP template. The draft LEP has since been adopted as Campbelltown Local Environmental Plan 2015.

Under this Plan, all of the land that forms the WSU residential precinct, including the land the subject of this application, is 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.

As noted above, Campbelltown LEP 2015 was made after the lodgement of the subject development application. Clause 1.8A (Savings provisions in relation to development application) provides that:

> *If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan had not commenced.*

Accordingly, the subject development application is to be determined as if CLEP 2015 has not commenced. The primary local planning instrument relevant to the application therefore remains Campbelltown (Urban Area) LEP 2002.

CLEP 2015 contains a range of provisions that would otherwise apply if Clause 1.8A was not relevant. Of particular relevance is Clause 4.1A - Maximum dwelling density in certain residential areas.

Clause 4.1A sets a maximum dwelling yield of 850 lots in relation to the Western Sydney University site as shown on the Restricted Dwelling Yield Map that accompanies the Plan. Notwithstanding the fact that the Clause does not apply to the development as a result of Clause 1.8A, a consideration of the dwelling/lot numbers in the release is considered to have merit.
The subject application would cause the number of allotments within the release to move past 850, to 960. It is important to note though that the LEP standard mentions dwellings, while subdivision applications create allotments. The dwelling number was inserted into the Plan in an attempt to minimise the impacts of the University's residential development on nearby roads.

The influence of the Affordable Housing SEPP and Council's own LEP 2015 in terms of the range of permissible housing types has seen a relatively high take-up of multi-dwelling and secondary construction throughout the release area. Council's records indicate that approximately 30% of allotments in previous stages where dwelling construction has commenced have been completed with at least two dwellings of one kind or another.

Accordingly, Council and the applicant commissioned further study on the impacts this lawful, but largely unforeseen phenomenon would have on the performance of nearby large intersections. The study has found that upon consideration of upgrades made to important intersections nearby that:

- An assumed total dwelling number of 1,250-odd dwellings* would not

unreasonably interfere with local intersections;
- The increase of allotments within the University land's from 850 to 960 would not have an unreasonable impact; and
- The influence of the forthcoming Spring Farm Parkway (estimated construction date is 2020) would have a strong positive influence on the current traffic maladies experienced on Narellan Road.

Accordingly, and following discussion with the Panel at its site inspection in May 2017 on the grounds mentioned above, the change to the numbers is considered to be acceptable.

* 960 + 30% = 1,248.

1.7 Development Control Plans

1.7.1 WSU Master Plan

This matter was discussed in detail in the assessment report prepared for the Stage 1 subdivision that was considered by the Sydney West Joint Regional Planning Panel.

In 2007, Council adopted a WSU Master plan. This document was the culmination of strategic planning collaboration between Council, WSU and UrbanGrowth NSW (now known as 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 application 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.

The current application assessment process provides a suitable opportunity to consider the consistency of Stage 5 against the outcomes envisaged by the master plan. In that respect, the applicant's statement of environmental effects includes appropriate consideration of the master plan. Stage 5, while exhibiting some relatively minor amendments to road location and lot layout is considered to be complementary to the master plan.

1.7.2 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 application.

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 5 is consistent with the approved road widths of Stages 1 to 4 and are considered to be appropriate.

The applicant is seeking to vary three elements in the DCP. They relate to some proposed allotment areas and some allotment widths. Sections 74BA and 79C(1)(3A) of the Act require a consent authority to consider reasonable alternative solutions that lead to the achievement of the objectives for which standards were created. In particular, 79C(1)(3A)(b) requires:

> *If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority:*
>
> *b) if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development*

1. Allotment size

Some allotments (26 or 16%) are beneath the 400 square metre minimum, with the smallest being proposed Lot 5148 at 372 square metres. The variation is considered to be relatively minor and acceptable having regard to:

- The zoning of the land pursuant to Campbelltown LEP 2015 encourages a variety in housing sizes and types;
- The minimum lot size of 400 square metres was set almost a decade ago when project home builders did not generally contrast on lots below that area. Now it is commonplace; and
- The change in lot area does not unreasonably impact on the integrity of the development control plan – having particular regard to the fact that the subject application is the last stage in the urban release.

2. Allotment width

Some of the proposed allotments are less than 15 metres wide. The DCP requires “an average lot width of 15 metres”. The development would comply with that requirement, having regard to the large variety in allotment sizes and shapes throughout the subdivision.

Similarly to above, the control was prepared at a time when builders did not generally cater to lots below 15 metres in width. Now it is common throughout the growth centres and other urban release locations. Varying lot widths also adds to the perception of variety as one experiences the urban streetscape.

Accordingly the variations are considered to have merit and can be supported.

1.8 Non-Statutory Plans

Campbelltown 2025 – Looking Forward

'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.

The strategic directions relevant to this application are:

- growing the regional city;
- building a distinctive Campbelltown sense of place; and
- creating employment and entrepreneurial opportunities

The proposed development is consistent with these directions.

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

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

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

2. Impacts

Section 79C(1)(b) requires the Panel to consider the likely impacts of the development on the natural and built environment as well as social and economic impacts in the locality.

With respect to this application, the development has been considered in detail against relevant planning controls as detailed in Part 1 of this report. The proposal is considered to be largely compliant with controls that were developed as part of the master planning process undertaken for the urban release of land surrounding the university campus in the late 2000s.

The development's greatest potential impacts on the natural and built environment are likely to be water cycle management, traffic, Aboriginal heritage and flora/fauna.

2.1 Water Cycle Management

The drainage design for Stage 5 is considered to be consistent with the previously approved Stormwater Management Strategy Report and addendums that have been prepared by J Wyndham Prince in 2012, 2013 and 2014.

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 (and agreed) conditions of consent in Attachment 1.

The site is at the top of the catchment and has an important role to play in ensuring water quality and quantity is effectively managed. Council is confident that the application generally addresses relevant matters and is consistent with the approach taken throughout the previous four stages of the release.

2.2 Traffic

As mentioned in Section 1.6 of this report, the subject development's potential to impact on local traffic was considered to be of some importance. As such, significant work to model the impacts (if any) of the amendment to the number of lots for which consent was sought and ultimately, the number of dwellings thought likely to be constructed on the land was undertaken.

The subject application would cause the number of allotments within the release to move past 850, to 960. The number was inserted into the Plan in an attempt to minimise the impacts of the University's residential development on nearby roads.

Council's records indicate that approximately 30% of allotments in previous stages where dwelling construction has commenced have been completed with at least two dwellings of one kind or another for a variety of reasons, including (but not limited to) the influence of the Affordable Rental Housing SEPP.

The applicant's traffic impact consultant was commissioned to undertake a review of the change to likely overall dwelling numbers from that originally envisaged within the release area.

The review revealed that despite the increase of some 400 dwellings over the originally assumed amount, the impact would be negligible on intersections that are already at or above their desired capacity (such as the intersection of Gilchrist Drive, Blaxland and Narellan Roads).

Modelling undertaken on behalf of the applicant and also in conjunction with the urban release of Menangle Park and Spring Farm in the Camden LGA in relation to construction of the future Spring Farm Parkway was taken into consideration at the Panel's request.

This revision was made on the following assumptions taken from the applicant's traffic modelling addendum

> *A review of the* Spring Farm Parkway Traffic Modelling Study (2009) *identified:*

- *A reduction of traffic volumes along Narellan Road in both the eastbound and westbound direction between the Hume Highway and Blaxland Road.*
- *A reduction of up to 14 per cent and up to 33 per cent was shown along Narellan Road in the eastbound direction during the AM and PM peak respectively.*
- *A reduction of up to 34 per cent and up to 18 per cent was shown along Narellan Road in the westbound direction during the AM and PM peak respectively.*
- *The provision of alternative east-west links on the surrounding road network results in a reduction of traffic along the Narellan Road – Gilchrist Drive – Kellicar Road route.*

The following reduction of traffic is applied along Narellan Road as part of the sensitivity test:

- *10 per cent reduction in the eastbound direction during the AM peak*
- *20 per cent reduction in the eastbound during the PM peak*
- *12 per cent reduction in the westbound direction during the AM peak*
- *12 per cent reduction in the westbound direction during the PM peak*

The reductions in traffic along Narellan Road are considered to be statistically significant, with a measurable impact in the reduction of traffic in the area. At the time of writing, the gazettal of the Menangle Park urban release area LEP amendment was 'imminent'. An important component of that rezoning is the advancement of the Spring Farm Parkway and Council understands that funding agreements are in place between that land's developer and Landcom to commence works in approximately 2020.

The Panel considered the impacts of the development to be relatively minor (which is consistent with the modelling undertaken by the applicant and reviewed by Council).

Accordingly, the increase in the number of allotments and the development's impact on local traffic is not considered to be an issue that creates a significant detrimental impact on the built environment.

2.3 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 urban release. Addendum reports have since followed for each subsequent stage.

The study area for the original report was the full 118 hectares of the WSU residential area. 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 (also known as Lake Thomson). 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.

The report made recommendations on the retention and rehabilitation of riparian corridor areas and remnant stands of Cumberland Plan Woodlands (CPW) that are present in the release area. These recommendations were incorporated into the master plan revision approved by the Joint Regional Planning Panel as part of the Stage 1 development in 2012.

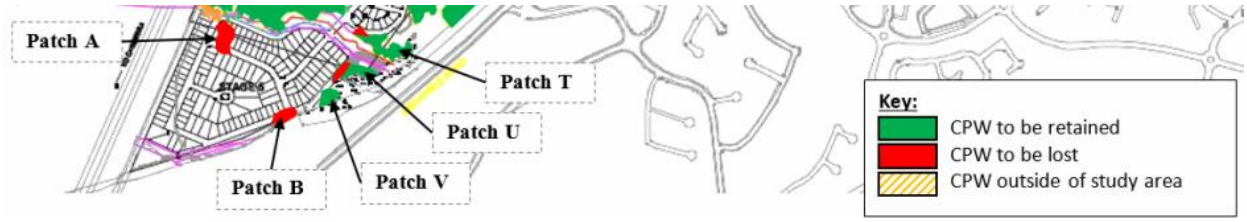
It also considered matters of National Environmental Significance under the *Environment Protection and Biodiversity Conservation Act 1999* and similarly concluded that the development would not impose a significant impact. This included information on three threatened species listed on the Bionet data 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 have not been evident during several site surveys (including those in relation to the current application).

Council's 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 has been approved by the Council. Its recommendations have been embodied in subsequent development consents for the rehabilitation and embellishment of the riparian corridors and other open spaces throughout the site as well as the executed planning agreement.

According to the report, the Stage 5 application would result in the removal of a total of 0.3 hectares of CPW flora species in three separate detached stands. A map extract from the applicant's report is reproduced below:



Patches A and B would be removed entirely and a portion of Patch U, which is largely located within the future Lake Thomson open space precinct.

Having regard to the condition and size of the detached patches (in terms of their separation, area and infestation with exotic weeds, the assessment concludes that the

removal of those stands would not have a significant detrimental impact on the environment.

The report does make a recommendation regarding a pre-clearance survey being undertaken to detect and relocate any *Meridolum corneovirens* (Cumberland Plan Large Land Snail) that are discovered. This recommendation has been included in the agreed conditions of consent in Attachment 1 and is consistent with the approach taken in the previous stages of the release area.

Having regard to the above, and upon consideration of the rehabilitation opportunities provided for in the planning agreement and release-area wide vegetation management plan, the development is not considered likely to have a significant detrimental impact on the site's ecology.

2.4 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 5 application, an addendum report was prepared. There is one potential site of Aboriginal cultural heritage within the Stage 5 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.

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 1.

Having regard to the above, the development is not considered likely to have a significant detrimental impact on the site's Aboriginal heritage significance.

2.5 Social and Economic Impacts

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

3. Site Suitability

Section 79C(1)(c) requires the Panel to consider the suitability of the site for the development.

The site is considered to be suitable for the development, having particular regard to it complementing existing development in the vicinity within the same urban release area; this being Stage 5, the last stage of a planned residential estate.

Notwithstanding, some matters for further consideration are presented below.

3.1 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 5 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 5. 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 5 will be approximately 58 metres from the rail corridor and therefore no rail vibration assessment is required for this as it is only required where dwellings would be located within 25 metres of the rail corridor.

3.2 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.

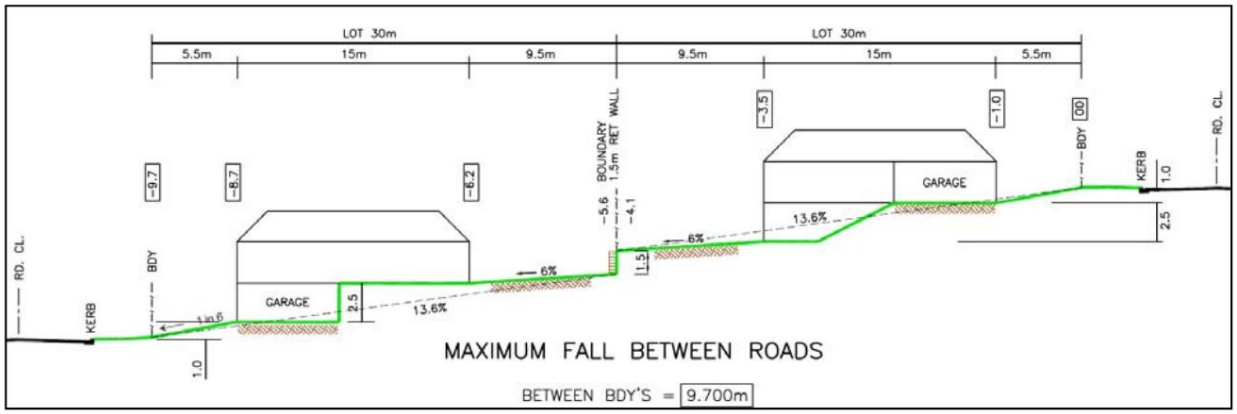
3.3 Built Form

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 would be along lot boundaries. All retaining walls would 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 'steep road grading strategy' was prepared and implemented in other parts of the site. The applicant intends on relying on the same methodology in Stage 5. A drawing from the strategy is below:



A Fencing and Landscape Guideline document has been prepared by UrbanGrowth NSW for the WSU residential precinct to ensure some consistency throughout the development.

3.4 Landscape Design

Streetscape planting within Stage 5 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
- 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

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.

At its site inspection, the Panel noted that the subject application did not consider or provide for its own open space. The nearest open space is approximately 350 metres from the furthest dwelling allotment in the Stage 5 subdivision and would be located at what is known as the Lake Thomson precinct. The lake is an existing dam that would be rehabilitated and embellished pursuant to stormwater management requirements as well as the executed planning agreement. An extract from the approved development plans is below and a higher resolution image is available in Attachment 4.

In addition to the Lake Thomson recreation area, the release as a whole would enjoy access to rehabilitated riparian corridors and active open space areas to the north east, which can be seen in the master plan extract on page 6.

4. Public Participation

Section 79C(1)(d) requires the Panel to consider any submissions made by the public.

The development application was publicly exhibited in local print media and on the Council's website in accordance with the requirements for 'nominated integrated development' (in this case, development requiring approval pursuant to the Water Management Act 2000). Further, it was directly notified in writing to 12 nearby owners and occupiers.

No submissions on the application were received.

5. The Public Interest

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

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

In this instance, the proposal is to allow for the development of a residential subdivision with associated civil works within an existing urban release area, for which extensive investigation and reporting was undertaken as part of earlier assessment of the overall development by Council and the Planning Panel in the last 5 years. The subject application is the fifth and final stage of a new release area that was master planned for that development in the late 2000s.

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

The application is considered to have satisfactorily addressed relevant Council and State Government requirements and controls for development in this area.

6. Other Matters

6.1 Planning Agreement

Pursuant to Section 94F of the Act, Council and the applicant have entered into a 'planning agreement'. The planning agreement has been developed by negotiated agreement in lieu of the preparation of a formal developer contributions plan for the funding of open space land and embellishment purchase, drainage land and embellishment purpose and the provision of land and facilities for the community.

The planning agreement was executed in early 2016 and the subject application is consistent with the agreement's requirements in terms of infrastructure provision.

6.2 Crown Development

The subject application was considered as 'development by the Crown' pursuant to Section 89 of the Act.

Accordingly, the conditions contained in Attachment 1 to this report have been reviewed by and accepted by the applicant.

Conclusion

The Western Sydney University Campbelltown Stage 5 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, 3 and 4 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 development is complementary to the planning agreement that applies to the site.

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.

Recommendation

That Development Application 2015SYW0130DA (Council ref. 1767/2015/DA-SW) for subdivision to create 161 Torrens titled residential allotments, 2, residue allotments, construction of roads, drainage and other associated infrastructure at Lot 7 DP 253700 and Lot 3099 DP 1201509, Goldsmith Avenue, Campbelltown, be approved subject to conditions as described in Attachment 1 to this report.

Attachment 1 - 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 (and as amended during the assessment process), except as modified in red ink by Council and/or any conditions of this consent.

Drawings:

J. Wyndham Prince

Drawing No.	*Revision*	*Date*
9435/40DA50	A	10 March 2016
9435/40DA51	A	10 March 2016
9435/40DA52	A	10 March 2016
9435/40DA53	A	10 March 2016
9435/40DA54	A	10 March 2016
9435/40DA55	A	10 March 2016
9435/40DA56	A	10 March 2016
9435/40DA57	A	10 March 2016
9435/40DA58	A	10 March 2016
9435/40DA59	A	10 March 2016
9435/40DA60	A	10 March 2016
9435/40DA61	A	10 March 2016
9435/40DA62	A	10 March 2016
9435/40DA63	A	10 March 2016
9435/40DA64	A	10 March 2016
9435/40DA65	A	10 March 2016
9435/40DA66	A	10 March 2016
9435/40DA67	A	10 March 2016

Clouston Associates (as amended by changes to road and lot layout)

Drawing No.	*Revision*	*Date*
SMC-009.DA01.00	B	25 June 2015
SMC-009.DA02.00	B	25 June 2015
SMC-009.DA03.00	B	25 June 2015
SMC-009.DA03.00	B	25 June 2015
SMC-009.DA03.01	B	25 June 2015
SMC-009.DA03.02	B	25 June 2015
SMC-009.DA04.00	B	25 June 2015
SMC-009.DA05.00	B	25 June 2015

Supporting Reports
Statement of Environmental Effects, MG Planning (ref. 11/34(13), Version 3, dated 10 March 2016)

Macarthur Heights Residential Development – Stage 5 Traffic Impact Review, AECOM (ref. 60239254, dated 6 February 2015 and subsequent amendment ref. 60516311, dated 15 August 2017)

Stage 5 UWS/Landcom Residential Development, Keystone Ecological (ref. CCC 15-747, dated 31 May 2015)

Stage 1 Environmental Site Assessment – Development Stage 5, JBS&G (ref. 50481/100760, Version 0, dated 12 June 2015)

Bushfire Hazard Assessment Report, Building Code and Bushfire Hazard Solutions Pty Ltd (ref. 120499e, dated 22 June 2015)

Development Application for Stage 5 Residential Subdivision, Austral Archaeology (ref. 1429, dated June 2015)

Macarthur Heights Stage 5 Acoustic Assessment, Renzo Tonin and Associates (ref. TF587-01F01 (r1), dated 3 June 2015)

Revised Basin Strategy, J. Wyndham Prince (ref. 9435Rpt2A.docx, dated 24 October 2014 and as amended by J. Wyndham Prince ref. 9435Rpt3C.docx, dated October 2017)

2. Engineering Design Works and Standards
The design of all engineering works and infrastructure that will be under the future control of Council shall be carried out in accordance with the requirements set out in Council's '*Engineering Design Guide for Development*', 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 raingarden works where outlet structures are employed and for other areas where higher velocities are predicted. All these outlet structures must have a level spreader or other energy dissipater/scour minimisation devices.

j. Details of the proposed culvert beneath Road No. 1 shall be provided and shown on construction certificate plans. The culvert shall be consistent with recommendations/assessment made in the Revised Basin Strategy, J. Wyndham Prince (ref. 9435Rpt3C.docx, dated October 2017)

k. 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. 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 Council's '*Engineering Design Guide for Development*'.
    ii. Flushing points for sub soil drains are to be located so as to be easily accessible.
    iii. Downstream batters to rain gardens are to be designed and treated to ensure that they are protected from scour.

l. 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.

m. Compliance with the Revised Basin Strategy Report, prepared by J. Wyndham Prince, dated October 2017.

n. No timber edges are to be provided around tree pits on public roads.

o. 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

p. The drainage design and plant species selected are to have regard to the recommendations contained within the salinity assessment report.

q The following tree species are not considered to be suitable for planting in future public areas and shall be revised more suitable species as outlined:

Name of unsuitable species	Name of acceptable substitute species
Lophostemon conferta	Tristaniopsis laurina Luscious (Watergum) Tristaniopsis laurina (Watergum)
Eucalyptus punctata	Melaleuca decora (Snow in Summer) Melaleuca styphelioides (Prickly Paperbark)
Flindersia australis	Cupaniopsis anacardiodes (Tuckeroo) Hymenosperum flavum (Native Fran i ani
Ulmus parvifolia	Pistacia chinensis (Pistachio)

4. Planning Agreement

The infrastructure offered to be undertaken by the applicant as detailed in the 'Planning Agreement' executed between Campbelltown City Council, Landcom and Western Sydney University is to be carried out in accordance with the agreement and its associated infrastructure delivery plan.

5. Landscape Requirements

Landscaping of the development site shall be undertaken generally in accordance with the approved plans prepared by Clouston Associates and in consultation with relevant easement holders.

Street tree installation shall comply with the following requirements:

a. Root boxes or barriers are required for all street trees which are being placed within 1m of infrastructure. Such infrastructure shall include footpaths, share ways road ways, kerb and gutter, underground pipes.

   Unless specified otherwise the minimum size for root control boxes shall be 800mm x 800mm by 500mm deep. Trees are to be installed centrally within the root control box.

   Alternatively, root barrier is to be placed on the road and footpath side of all street trees. Vertical ribbed root barrier a minimum of 600mm deep and 0.75mm thick is to be used in all instances.

   Root boxes or barriers must be placed:
   - a minimum of 300mm behind the back of kerb so that it does not compromise the road pavement (i.e. the trunk of the tree shall be a minimum of 700mm from the back of kerb)
   - flush with or marginally below the ground surface
   - flush with or marginally below the adjoining top of footpath
   - for a 3m extent along the footpath/share way and kerb with the tree centrally placed
   - such that it extends a minimum of 100mm below the adjoining road pavement
   - such that is not a trip hazard

The site's landscaping shall consider:

i. all planting (trees, understorey, groundcover and grasses) in parks and public places to incorporate local indigenous species where possible;

ii. planting layout around parks and playgrounds consistent with the principles of Crime Prevention Through Environmental Design, particularly with respect to eliminating concealed areas;

iii. the revision of street tree planting, as necessary, to be consistent with road engineering plans lodged with the construction certificate application;

iv. all proposed street trees are to be reviewed against the landscape master plan and are to be placed in a location adequate in size to accommodate the mature size of the tree;

v. The impacts that mature trees and their foliage might have on the effectiveness of street lighting

vi. all trees shall be selected giving regard to the potential for the tree to adversely affect surrounding infrastructure as well as any potential to impede garbage truck access to garbage bins; and

vii. details of proposed tree root guards in accordance with Council's requirements.

All landscape works shall be undertaken and maintained in accordance with the approved detailed landscape plan or as otherwise approved in writing by Council (with the exception of Angophora floribunda's inclusion as mentioned above).

6. 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.

7. Methane Gas Well

Future dwelling siting and construction shall consider the requirements of Department of Planning guideline 'Development in the Vicinity of Operating Coal Seam Methane Wells', May 2004.

8. 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.

9. Batter Slopes

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

If site conditions within Stage 5 are found to differ from those that have been assessed in the Geotechnical Investigation (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.

10. Ecology

a. Compliance with the General Terms of Approval issued by the Office of Water as detailed in 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 5 UWS/Landcom Residential Development, Keystone Ecological (ref. CCC 15-747, dated 31 May 2015).

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. The VMP 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. The VMP 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.

11. 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.

12. 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.

13. 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 boundary 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.

14. Deleted

15. Stormwater Management Plan

Prior to Council or an accredited certifier issuing a construction certificate, plans indicating all engineering details and calculations relevant to site regrading and the collection and disposal of stormwater from the site, building/s and adjacent catchment,

shall be submitted for the written approval of Council's Manager Technical Services. Stormwater shall be conveyed from the site in accordance with that approval. All proposals shall comply with the design requirements of Council's *"Engineering Design Guide for Development" (as amended).*

The applicant is advised that the following issues will need to be considered as part of the aforementioned approval:

- DRAINS, MUSIC and TUFLOW modelling is to be submitted to Council's Executive Manger Infrastructure for assessment as part of the approval process.

- The necessity for obtaining easements along the stormwater pipes at road splays is to be assessed with regards to the depth of these pipes and usual construction and maintenance methodology.

- The proposed scour protection at the base of overflow outlet pit from the proposed bio-retention basin shall be extended to the invert of the downstream swale.

16. 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.

17. 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.

18. 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 Council's '*Engineering Design Guide for Development*'*.*

19. Vehicle Turning Movements

Prior to Council or an accredited certifier issuing a construction certificate, vehicle turning movements (for the appropriate vehicle types as agreed with Council) shall be assessed by an appropriately qualified person using Autodesk Vehicle Tracking and provided to Council's Manager Development Services for written approval.

In this regard the Vehicle Tracking files and associated development proposal shall be submitted in .dwg/.dxf format and the speed environment used in the assessment must be consistent with the requirements as set out in the Austroads Guide to Road Design Part 4.

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, 37 and 38	E(i)	3×10^5
36 and 46	D	3×10^5

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 Council's '*Engineering Design Guide for Development*'.

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. Deleted

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 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 fill imported to 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. Council's '*Engineering Design Guide for Development*';
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 Council's '*Engineering Design Guide for Development*'.

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 Council's '*Engineering Design Guide for Development*'.

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 Council's '*Engineering Design Guide for Development*'.

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 > 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.

36A. Utility Servicing Provisions

Prior to Council or an accredited certifier issuing a subdivision 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.

36B. Traffic Committee

Prior to Council or an accredited certifier issuing a subdivision 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.

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 5 Acoustic Assessment, Renzo Tonin and Associates (ref. TF587-01F01 (r1), dated 3 June 2015).
h. Dwelling siting if required in accordance with the requirements of Department of Planning guideline 'Development in the Vicinity of Operating Coal Seam Methane Wells', May 2004

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.

38. 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 Landcom may submit a Letter of Undertaking in this regard.

39. 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 Landcom may submit a Letter of Undertaking in this regard.

40. 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)*.

41. 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.

42. 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 Council's '*Engineering Design Guide for Development*'

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 0.3.m between adjacent points within the above mentioned 5m grid, intermediate levels will be required.
- A minimum of fifteen (15) site levels.
- Details of all stormwater infrastructure including pipe sizes and types as well as surface and invert levels of all existing and/or new pits/pipes associated with the development.
- All existing and/or new footpaths, kerb and guttering and road pavements to the centre line/s of the adjoining street/s.
- The surface levels of all other infrastructure.

Format

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

AutoCAD Option

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

  Package Type - zip
  File Format - 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.

43. 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.

44. 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.

45. 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.

46. Deleted

47. 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.

48. 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.

49. 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.

50. 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 Council's 'Engineering Design Guide for Development'.

52. 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 14 August 2015 (ref. D15/2087 DA15072097774CC).

Office of Water
The general terms of approval issued by the Office on 23 September 2015 (ref. 10 ERM2015/0744, 9059190).

NSW Office of Environment and Heritage:
The general terms of approval issued by the Office on 5 February 2016 (ref. DOC16/59259)

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 Council's '*Engineering Design Guide for Development'*.

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 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 property shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

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:

2. Water, electricity and gas are to 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:

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

Landscaping

4. Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

General Advice – consent authority to note

Any future development application lodged within this subdivision under section 79BA of the 'Environmental Planning & Assessment Act 1979' will be subject to requirements as set out in 'Planning for Bush Fire Protection 2006'.

GENERAL TERMS OF APPROVAL – NSW OFFICE OF WATER

General Terms of Approval

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

Number	Condition	File No:
Site Address:	Lot 7 DP 253700 & Part Lot 1099 DP 1182558 183 Narellan Road, Campbelltown	
DA Number:	1767/2015/DA-SW	
LGA:	Campbelltown City Council	
Plans, standards and guidelines		
1	These General Terms of Approval (GTA) only apply to the controlled activities described in the plans and associated documentation relating to 1767/2015/DA-SW and provided by Council: (i) Statement of Environmental Effects (ii) Civil Plans (iii) Vegetation Management Plan (iv) Bushfire Hazard Assessment Report Any amendments or modifications to the proposed controlled activities may render these GTA invalid. If the proposed controlled activities are amended or modified DPI Water (formerly the NSW Office of Water) must be notified to determine if any variations to these GTA will be required.	
2	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 DPI 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.	
3	The consent holder must prepare or commission the preparation of: (i) Construction Civil and Drainage Plans (ii) Detailed Bridge Design Plans (iii) Soil and Water Management Plan	
4	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 DPI Water's guidelines located at www.water.nsw.gov.au/ Water-Licensing/Approvals. (i) Vegetation Management Plans (ii) Laying pipes and cables in watercourses (iii) Riparian Corridors (iv) In-stream works (v) Outlet structures (vi) Watercourse crossings	
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 DPI Water.	

Number	Condition	File No:
Rehabilitation and maintenance		
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 DPI 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 DPI Water.	
Reporting requirements		
8	The consent holder must use a suitably qualified person to monitor the progress, completion, performance of works, rehabilitation and maintenance and report to DPI Water as required.	
Security deposits		
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 DPI Water as and when required.	
Bridge, causeway, culverts, and crossing		
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 DPI Water.	
11	The consent holder must ensure that any bridge, causeway, culvert or crossing does not obstruct water flow and direction, is the same width as the river or sufficiently wide to maintain water circulation, with no significant water level difference between either side of the structure other than in accordance with a plan approved by DPI Water.	
Disposal		
12	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 DPI Water.	
Drainage and Stormwater		
13	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 DPI Water; and (ii) do not obstruct the flow of water other than in accordance with a plan approved by DPI Water.	
14	The consent holder must stabilise drain discharge points to prevent erosion in accordance with a plan approved by DPI Water.	
Erosion control		
15	The consent holder must establish all erosion and sediment control works and water diversion structures in accordance with a plan approved by DPI 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.	
Excavation		
16	The consent holder must ensure that no excavation is undertaken on waterfront land other than in accordance with a plan approved by DPI Water.	
17	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 DPI Water.	

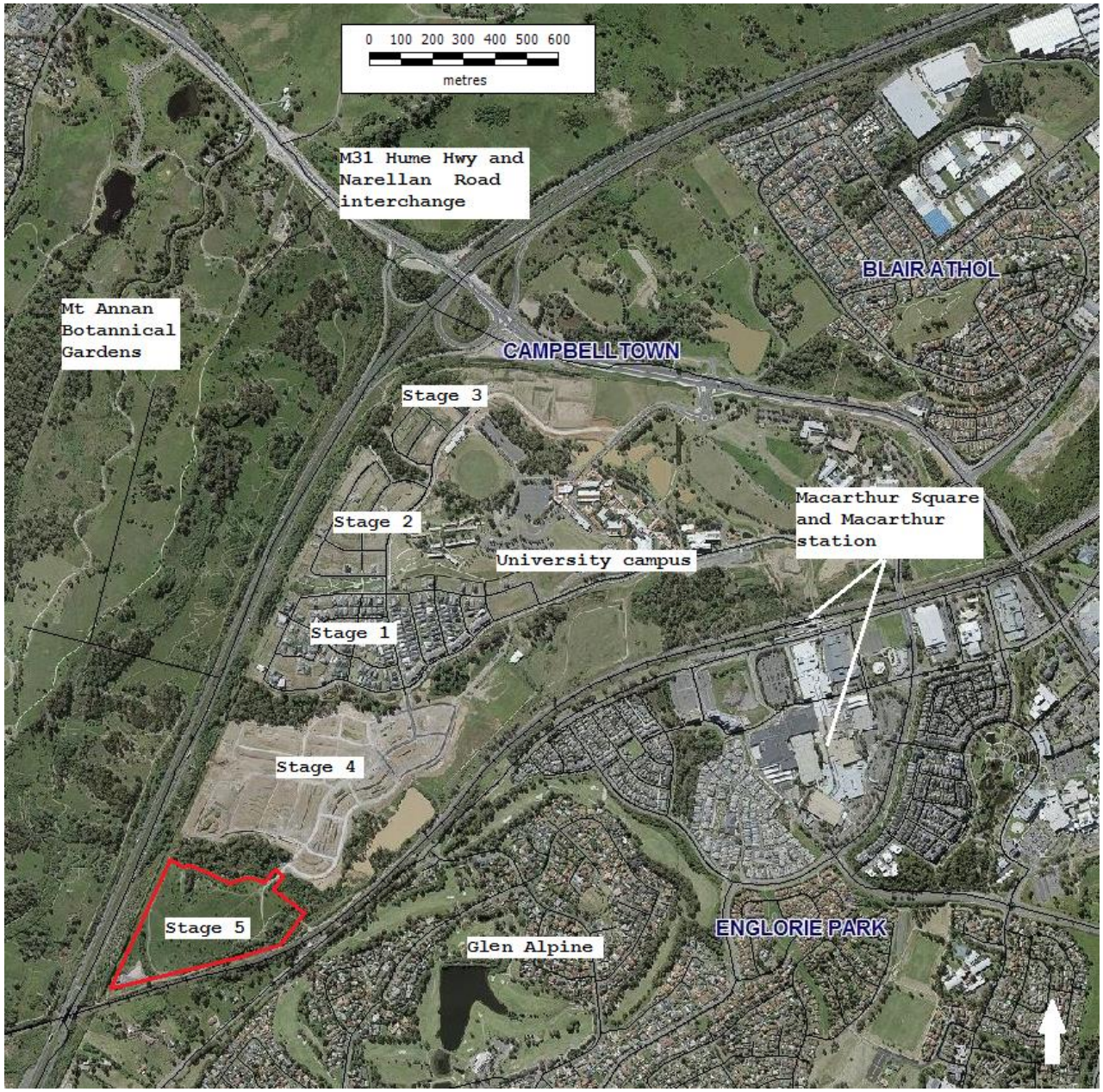
Number	Condition	File No:
Maintaining river		
18	The consent holder must ensure that (i) river diversion, realignment or alteration does not result from any controlled activity work and (ii) bank control or protection works maintain the existing river hydraulic and geomorphic functions, and (iii) bed control structures do not result in river degradation other than in accordance with a plan approved by DPI Water.	
19	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 DPI Water.	
Plans, standards and guidelines		
20	The consent holder must comply with the requirements of the approved Vegetation Management Plan to the extent that it relates to the carrying out of any controlled activity for 1767/2015/DA-SW	
END OF CONDITIONS		

GENERAL TERMS OF APPROVAL – OFFICE OF ENVIRONMENT AND HERITAGE

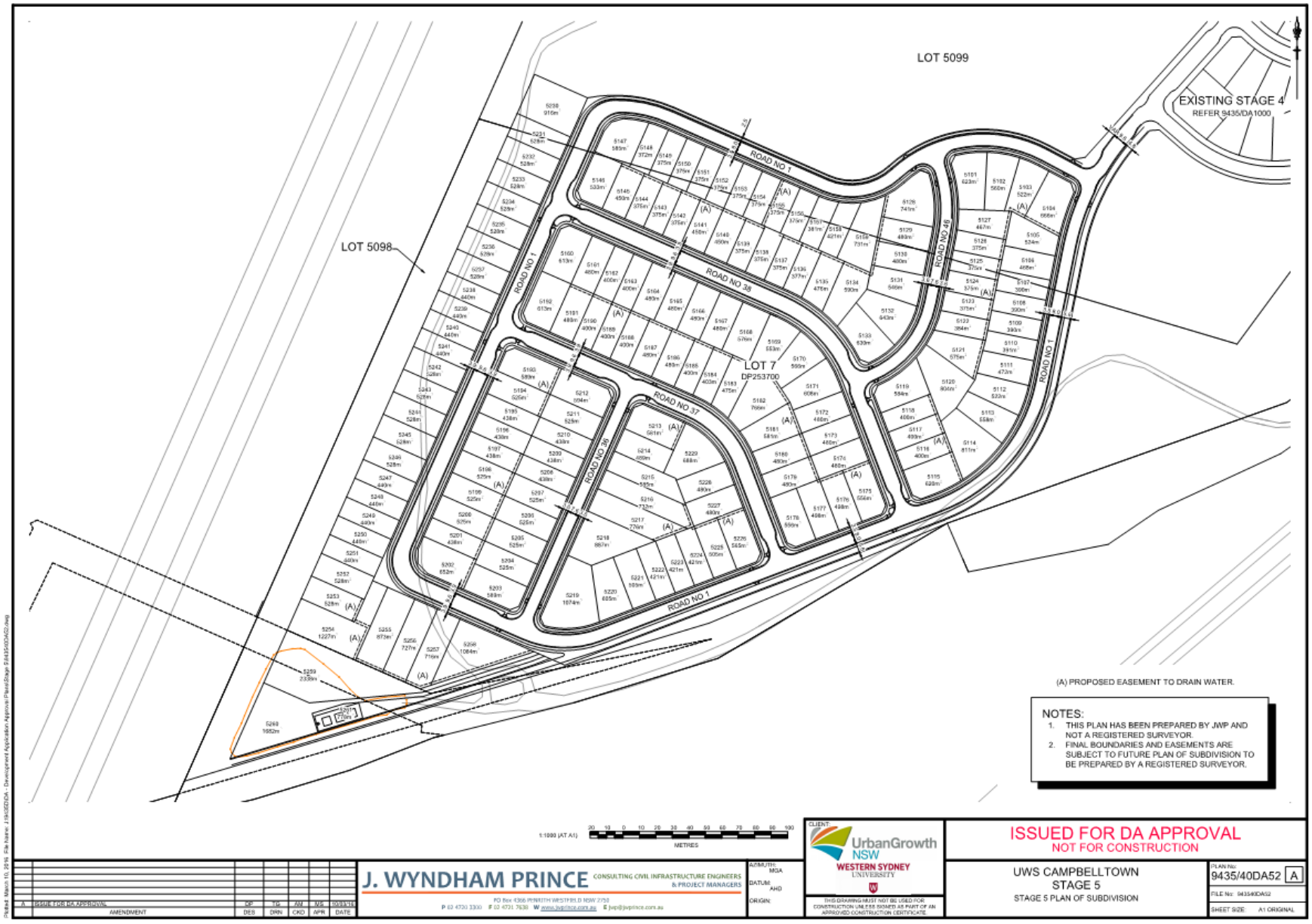
- A thorough Aboriginal Cultural and Archaeological Assessment must be undertaken for the whole of the Stage 5 area prior to the submission of an application for an Aboriginal Heritage Impact Permit (AHIP). This assessment must include a full pedestrian survey of the whole of the Stage 5 area and should include a program of test excavations under the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* at AHIMS #52-2-2277 (GL18) and other locations within the study area, if warranted.
- Any meeting that takes place with the Aboriginal stakeholders regarding specific cultural values within the Stage 5 area must be documented and the report must demonstrate how the results of this meeting have been addressed as part of the development. Strong consideration should be given to avoiding impact to and protecting areas of high cultural significance.
- The results of the archaeological and cultural assessment should inform the design of the development. Consideration should be given to conserving Aboriginal objects *in situ* where possible. Details of these considerations must be included in the assessment report.
- The results of the assessment must inform recommendations for the appropriate management of harm to Aboriginal objects, including appropriate mitigation where avoidance of harm is not possible. Justification of the management and mitigation recommendations must be included in the report.
- A s90 Aboriginal Heritage Impact Permit (AHIP) must be sought and granted prior to the commencement of works. The 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* and consultation with the Aboriginal community in accordance with the *Aboriginal Cultural Heritage Community Consultation Requirements for Proponents 2010.*

END OF CONDITIONS

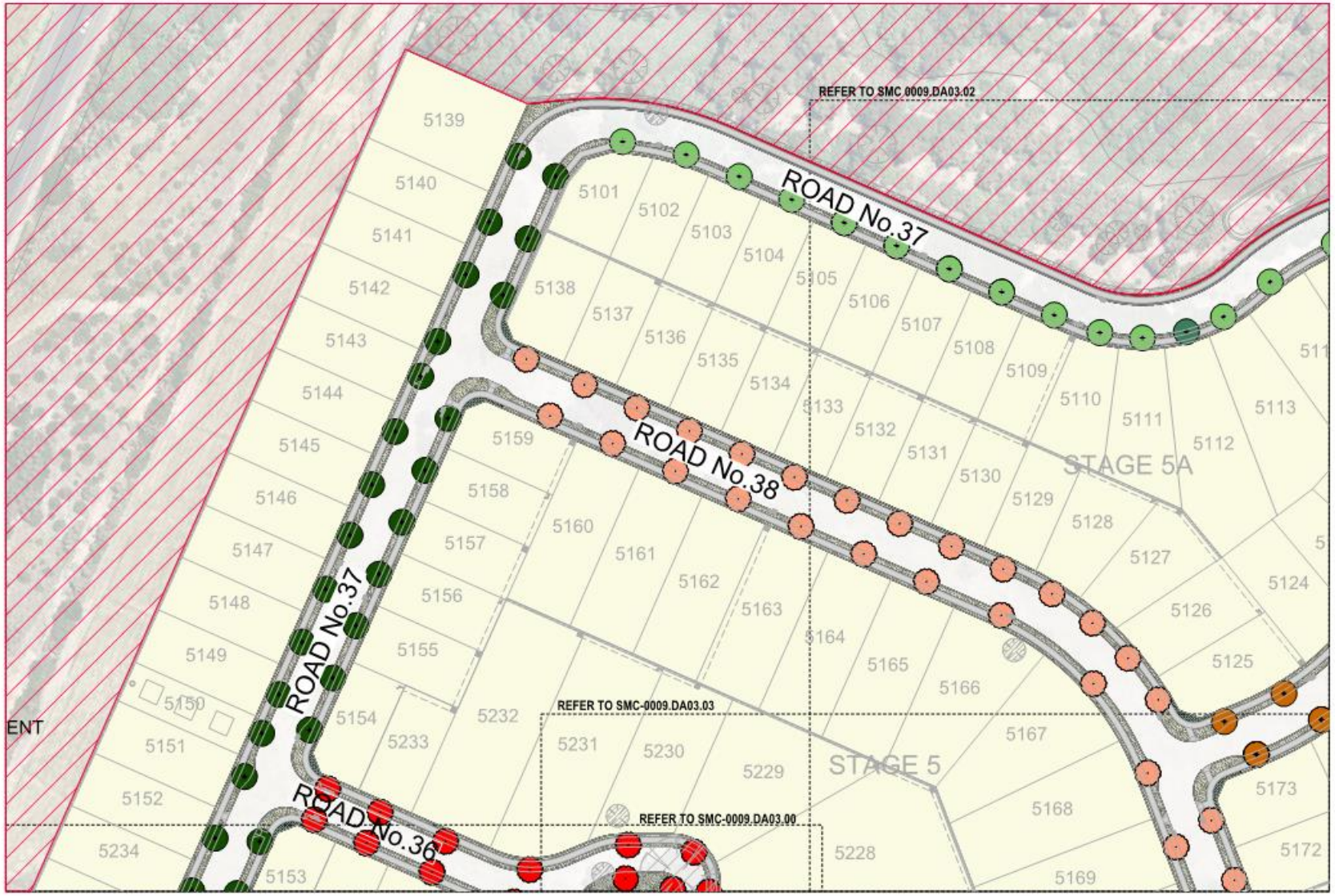
Attachment 2 – Site location plan



Attachment 3 – Proposed Lot Layout Plan



Attachment 4 – Typical landscape plans (including drawing from Lake Thomson not subject to this consent)



LEGEND

- STAGE BOUNDARIES & EXTENT OF WORKS LINE

NATIVE TREES

- NATIVE TREE IN VERGE Flindersia australis
- NATIVE TREE IN VERGE Waterhousia floribunda
- ENDEMIC TREE IN VERGE Eucalyptus punctata
- ENDEMIC TREE IN VERGE Lophostemon confertus

EXOTIC TREES

- EXOTIC TREE IN VERGE Acer buergerianum
- EXOTIC TREE IN VERGE Ulmus parvifolia
- MASS PLANTING - TYPE 1
- TURF
- CONCRETE FOOTPATH (1.5m Width) To Campbelltown City Council Standard Drawings SD-R11.
- Macarthur Regional Cycleway (2.5m Width)

Note:
This document is Preliminary unless Validated.

ISSUE	STATUS	DATE	REVISED	VERIFY	VALIDATE
B	TP1/6	20.05.16	D.T	J.W.	
A	DRAFT	22.04.16	D.T	J.W.	

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PROJECT: UNIVERSITY OF WESTERN SYDNEY - CAMPBELLTOWN CAMPUS STAGE 5	CLIENT: UGNSW / UWS	DRAWN: DT	SCALE: 1:500@A1
DRAWING TITLE: STAGE 5 - SHEET 2 OF 4	DRAWING NUMBER: SMC-0009.DA03.01		ISSUE: B

END OF REPORT