

JOINT REGIONAL PLANNING PANEL (Sydney West Region)

JRPP No	2015SYW136
DA Number	DA/2014/228/2
Local Government Area	Camden
Proposed Development	Section 96(2) Modification – Amendments to the approved lot layout, addition of 9 residential lots, amendment to drainage basins and amendments to conditions of consent
Street Address	116 Oran Park Drive, Oran Park
Applicant/Owner	Harrington Estates Pty Ltd C/- Design and Planning
Number of Submissions	None
Regional Development Criteria (Schedule 4A of the Act)	Section 96(2) Modification Application
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none"> • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy (Sydney Region Growth Centres) 2006 • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy No 55 – Remediation of Land • Deemed State Environmental Planning Policy No 20 – Hawkesbury-Nepean River • Camden Growth Centres Precincts Development Control Plan
List all documents submitted with this report for the panel's consideration	<ul style="list-style-type: none"> • Assessment report and conditions • Statement of environmental effects • Subdivision plans • Engineering plans • Stormwater Report
Recommendation	Approve with conditions
Report by	Aisling McGrath, Town Planner

PURPOSE OF REPORT

The purpose of this report is to seek the Joint Regional Planning Panel's (the Panel) determination of a Section 96(2) Modification to DA 228/2014 which approved a staged subdivision to create 339 residential lots, 18 super lots, public open space and associated site works at 62, 70, 94, 102, 112, 116, 122 and 130 Oran Park Drive, Oran Park. The original consent was approved on 27 November 2014 by the Panel.

The Panel is the determining authority for this Section 96 Modification as, pursuant to Clause 21 of the State Environmental Planning Policy (State and Regional Development) 2011, the Section 96(2) Modification seeks to amend a development consent determined by the Panel.

SUMMARY OF RECOMMENDATION

That the Panel determine Section 96(2) Modification Application DA 228(2)/2014 to modify a previously approved consent which approved a staged subdivision to create 339 residential lots, 18 super lots, public open space and associated site works pursuant to Section 96 of the *Environmental Planning and Assessment Act 1979* subject to the modified conditions contained in this report.

EXECUTIVE SUMMARY

Council is in receipt of a Section 96(2) Modification application to modify a development consent which approved a staged subdivision to create 339 residential lots, 18 super lots, public open space and associated site works at 62, 70, 94, 102, 112, 116, 122 and 130 Oran Park Drive, Oran Park.

The modification proposes to amend the dimensions of 2 superlots and 23 residential lots, subdivide 2 superlots to provide 9 additional residential lots, combine 2 approved drainage basins into one single basin and amend the wording of a number of conditions of the consent.

The proposed modifications to the lot dimensions, the additional residential lots and the modified drainage basin design relates only to the property at 116 Oran Park Drive, Oran Park. No changes are proposed to the approved road network, therefore not impacting the approved subdivision layout.

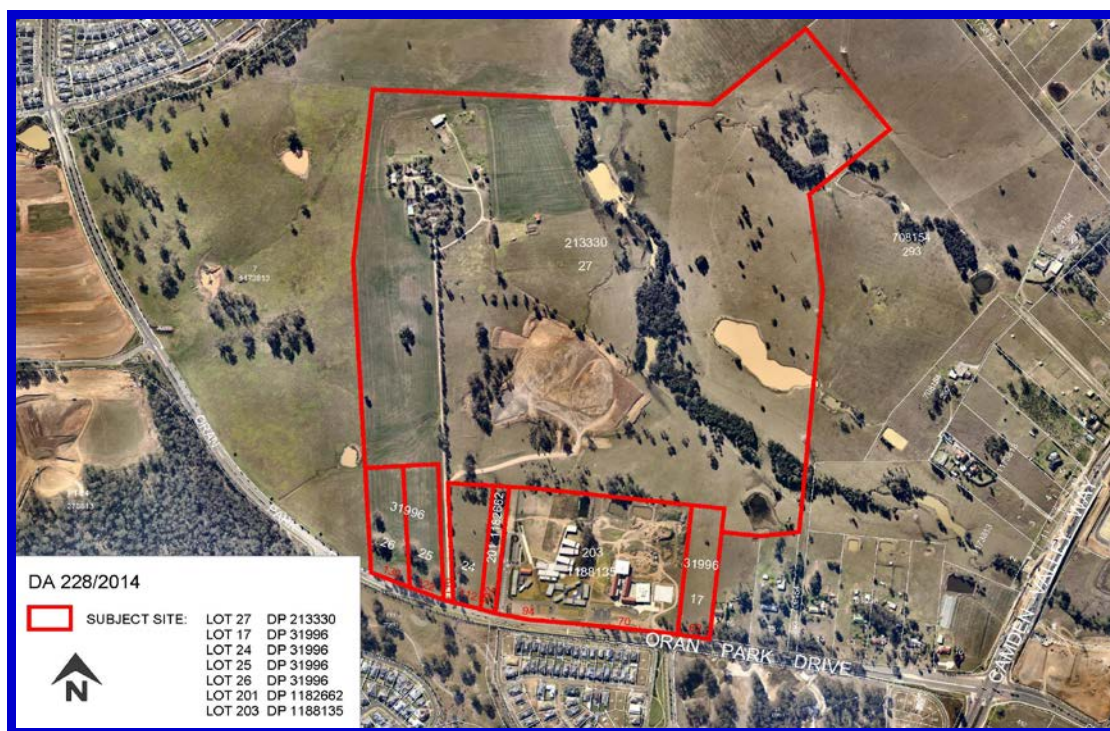
The revised conditions as recommended by Council have been reviewed by the applicant and are deemed satisfactory.

The modification has been assessed against the *Environmental Planning and Assessment Act 1979*, the Environmental Planning and Assessment Regulation 2000, relevant Environmental Planning Instruments, Development Control Plan and policies. The outcome of this assessment is outlined in this report.

The modification application was publicly exhibited for a period of 14 days in accordance with the Camden Development Control Plan 2011. No submissions have been received.

Based on the assessment, it is recommended that the Section 96(2) modification be approved subject to the conditions contained in this report.

AERIAL PHOTO



THE SITE

The site which was the subject of the original DA comprises 7 properties commonly known as 62, 70, 94, 102, 112, 116, 122 and 130 Oran Park Drive, Oran Park. These lots are legally described as lots 17, 24, 25 and 26 of DP 31996, lot 203 of DP 1188135, lot 27 of DP 213330 and lot 201 of DP 1182662.

116 Oran Park Drive, Oran Park is located in both the Oran Park and Catherine Field suburbs. The suburb boundary bisects the property. The proposed modification to the lot dimensions, provision of additional residential lots and modification of the drainage basins is contained within the land known as 116 Oran Park Drive Oran Park.

The site is irregular in shape, with a frontage of 755m to Oran Park Drive, a maximum depth of 1.3km and an area of 113.5ha.

The site slopes away from Oran Park Drive, to the north east, towards South Creek which bisects the site. The site also slopes upwards towards Oran Park House (a local heritage item) which is to the north east corner of the site. St Justin's and St Benedict's Catholic primary and secondary schools are located on 70 and 94 Oran Park Drive Oran Park. The site is currently being developed in accordance with DA 228/2014.

The land on either side of South Creek is identified as being bush fire and flood prone land. The site is located within the Catherine Fields (Part) Precinct of the South West Growth Centre controls.

The surrounding area is characterised by a mix of existing rural land uses, combined with more recent urban development associated with the surrounding growth centre

precincts of Turner Road to the east (on the opposite side of Camden Valley Way), Oran Park to the north west and the urban release area of Harrington Grove to the south and west. Existing rural residential properties are located to the east of the site.

HISTORY

The relevant development history of the site is summarised in the following table:

Date	Development
30 May 2011	Approval of DA 878/2010 for a new 840 student primary school (St Justin's Catholic primary school)
29 September 2011	Approval of DA 722/2011 for a temporary primary and secondary school
11 May 2012	Approval of DA 1405/2011 for a new 1,020 student secondary school (St Benedict's Catholic high school)
25 November 2013	Approval of DA 939/2013 for the filling of an existing dam
27 November 2014	Approval of DA 228/2014 for subdivision to create 339 residential lots, 18 super lots, public open space and associated site works

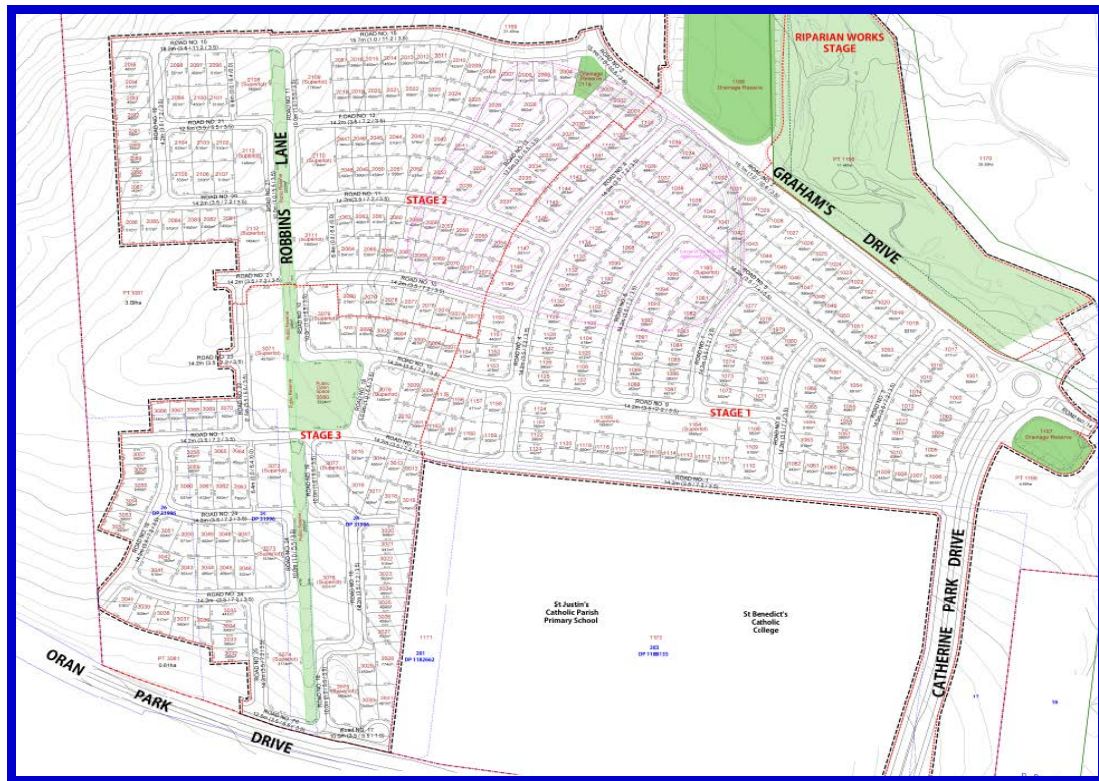
THE PROPOSAL

Section 96(2) Modification Application 228(2)/2014 seeks approval to modify a previously approved consent for 339 residential lots, 18 super lots, public open space and associated site works.

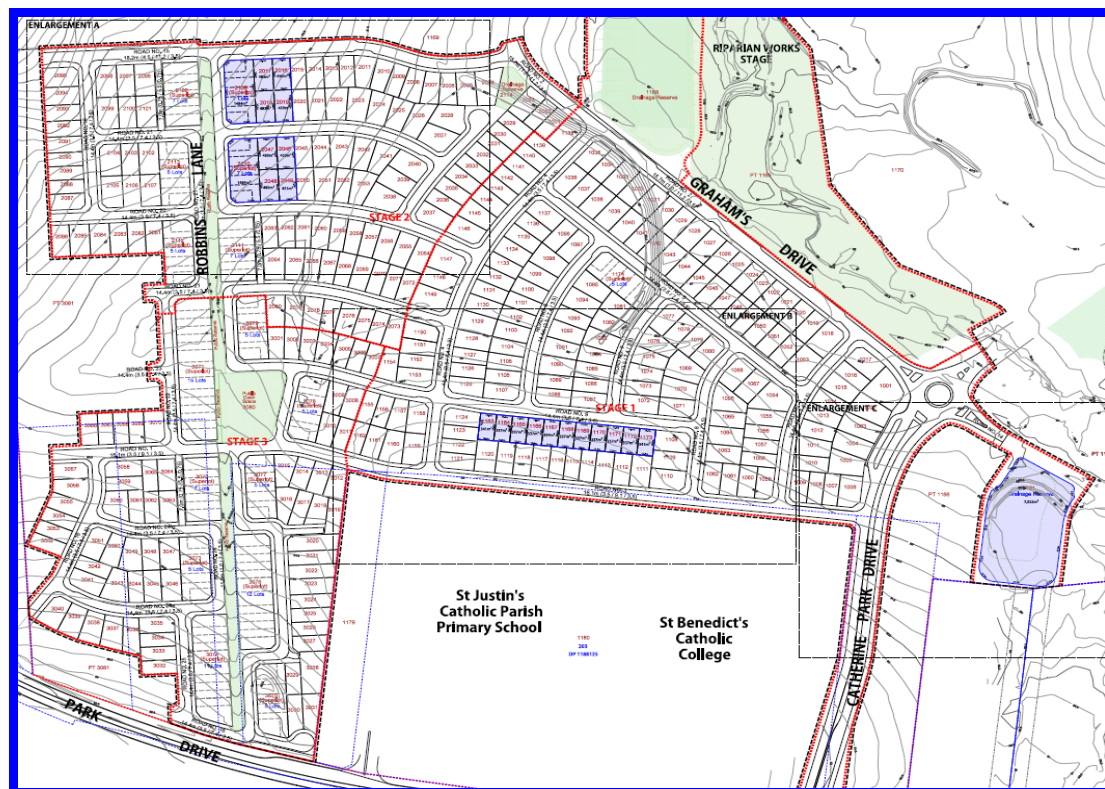
Specifically the proposed modifications include:

- Amend the dimensions of superlots 2109 and 2110;
- Amend the dimensions of lots 1059, 1060, 1061, 1062, 1069, 1070, 1082, 1083, 1084, 1099, 1100, 1144, 1145, 1160, 1161, 2016, 2017, 2018, 2019, 2046, 2047 2048 and 2049;
- Subdivide superlots 1163 and 1164 to provide 9 additional residential lots measuring between 337m² - 341m² each.
- Combine the approved drainage basins 12a and 12b into one single basin.
- Amend the wording of conditions numbered 1(4), 1(7), 1(15), 2(2), 2(24), 2(26), 5(1), 6(10), 6(15).

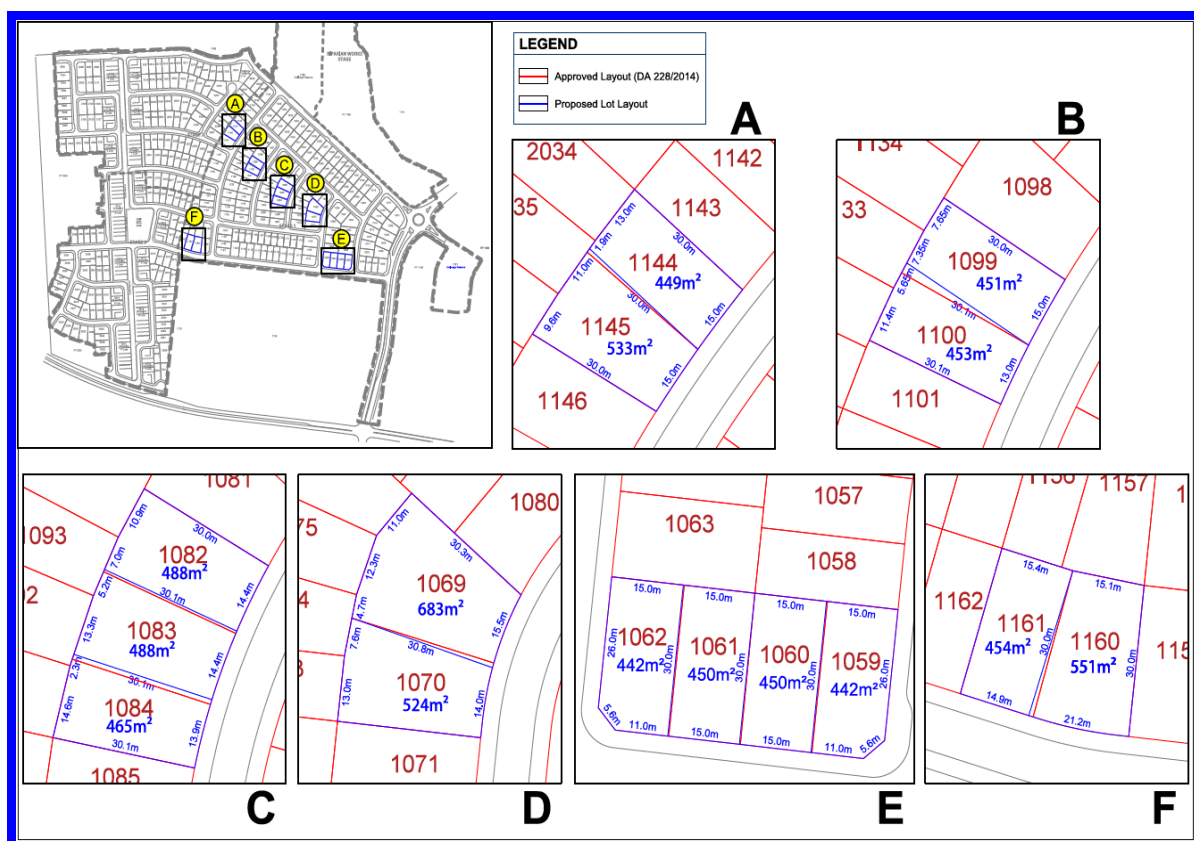
APPROVED PLAN OF SUBDIVISION



PROPOSED PLAN OF SUBDIVISION



AMENDED LOT BOUNDARIES



ASSESSMENT

Pursuant to Section 96 of the *Environmental Planning and Assessment Act 1979*, the modified development is considered to be substantially the same as the originally approved development. In addition, the modification application has been publicly exhibited and no submissions have been received. An assessment against Section 79C of the *Environmental Planning and Assessment Act 1979* is provided below:

Environmental Planning and Assessment Act 1979 – Section 79(C)(1)

In determining a modification application, the consent authority is to take into consideration the following matters as are of relevance in the assessment of the modification application on the subject property:

(a)(i) The Provisions of any Environmental Planning Instrument

The Environmental Planning Instruments that relate to the proposed modification are:

- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy (Sydney Region Growth Centres) 2006
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy No 55 – Remediation of Land
- Deemed State Environmental Planning Policy No 20 – Hawkesbury-Nepean River

An assessment of the proposed development against these Environmental Planning Instruments is detailed below.

State Environmental Planning Policy (State and Regional Development) 2011

The Panel is the determining authority for this DA, as pursuant to Clause 21 of the State Environmental Planning Policy (State and Regional Development) 2011, the Section 96(2) Modification seeks to amend a development consent determined by the Panel.

State Environmental Planning Policy (Sydney Region Growth Centres) 2006

Permissibility

The site has multiple zonings however the proposed modification relates only to land within the R2 Low Density Residential zone.

The relevant objectives of the R2 Low Density Residential zone are to:

“provide for the housing needs of the community within a low density residential environment”; and

“support the well-being of the community by enabling educational, recreational, community, religious and other activities where compatible with the amenity of a low density residential environment.”

The proposed modifications, and additional lots created, will provide for the future housing needs of residents within a low density residential environment.

The proposed development is defined as “earthworks” and “drainage” by the SEPP, which are permissible land uses in the R2 Low Density Residential zone. The subdivision of land is also permitted with consent in accordance with Clause 2.6 of the SEPP.

Relevant Clauses

The proposed modification was assessed against the following relevant clauses of the SEPP.

Clause	Requirement	Provided	Compliance
4.1AB Minimum Lot Sizes for Residential Development in R2 Low density zones	Minimum lot size for a dwelling house is 300m ²	The additional residential lots proposed have areas of 337m ² – 483m ² which complies.	Yes
	Various other minimum lot sizes are prescribed for different forms of residential housing	Super Lots 2109 and 2110 as proposed, have areas of more than 1,484m ² which could facilitate multi-dwelling housing. Any future housing will be subject to a separate DA.	Yes

State Environmental Planning Policy (Infrastructure) 2007 (SEPP)

Pursuant to Clause 120 of the Environmental Planning and Assessment Regulations 2000 and Clause 45 of the SEPP (Infrastructure), the proposed Section 96 application was referred to Transgrid, Endeavour Energy and Roads and Maritime Services for comment. No issues have been raised by the concurrence authorities in relation to the proposed modifications. The conditions provided previously will remain.

Deemed State Environmental Planning Policy No 20 – Hawkesbury-Nepean River (SEPP)

The aim of this plan is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context. The proposed modifications are not considered to result in any additional adverse impacts to the Hawkesbury-Nepean River system.

(a)(ii) *The Provisions of any Draft Environmental Planning Instrument (that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)).*

There is no draft Environmental Planning Instrument applicable to the proposed development.

(a)(iii) *The Provisions of any Development Control Plan*

Camden Growth Centre Precincts Development Control Plan (DCP)

The following is an assessment of the proposed development's compliance with the controls in the DCP.

Control	Requirement	Provided	Compliance
2.2 The Indicative Layout Plan (ILP)	Development to be generally in accordance with the ILP. (See Attachment 1)	<p>The proposal is generally consistent with the ILP.</p> <p>Amendments to the subdivision layout involves adjustment of existing lots, and will not increase the area previously approved for residential subdivision. The amendment does not impact on the surrounding road network or the public land uses.</p> <p>The location of the revised Basin 12 does not vary from the previously approved Basin 12a and 12b. This remains compliant with the ILP.</p>	Yes
2.3.2	Management of	The proposed detention	Yes

Control	Requirement	Provided	Compliance
Water Cycle Management	flows to be in accordance with Councils' Engineering Specifications, via a network of gravity fed pipes and overland flows and in accordance with the Precinct Schedule	basin (Basin 12) will collect and manage the flow of water, in a controlled manner, in accordance with Council's engineering specifications and the Precinct's schedule.	
	Water quality treatment to be provided in accordance with the targets in Table 2-1	The submitted stormwater report confirms the required water quality targets will be met.	Yes
	Development on land within a riparian protection area to be consistent with NSW Office of Water's (NOW) Guidelines for riparian corridors on waterfront land	The submitted stormwater report confirms the development is consistent with NOW's guidelines.	Yes
3.2.1 Neighbourhood and Subdivision Design	Lots should have rectangular geometry	The additional 9 lots are generally rectangular in geometry.	Yes
3.2 Residential Character	Lot orientation to comply with Tables 3-1 and 3-2	The proposed orientation of the lots is generally consistent with these tables.	Yes
	Residential development is to incorporate a mix of lot sizes, comply with density requirements and enable future dwellings to comply with BASIX	The proposed development is consistent with these principles.	Yes
3.2.7	A range of lot	A range of lot widths have	Yes

Control	Requirement	Provided	Compliance
Lot Dimensions for Residential Subdivision	widths must be provided to enable a range of housing types and sizes	been proposed to facilitate a range of future housing types and sizes. A revised lot mix table has been submitted to include the 9 additional lots.	
	Lot frontage widths must be varied throughout the subdivision	The proposed lot frontage widths vary throughout the subdivision.	Yes
	Lots should be rectangular, and if not, be appropriate to enable future compliant dwellings	The proposed lots are generally rectangular and capable of accommodating future compliant dwellings.	Yes
3.2.9 Corner Lots	Corner lots must comply with Council's engineering specifications	A condition has been imposed that the entire development complies with Council's engineering specifications.	Yes

Schedule 4: Catherine Fields (Part) Precinct Controls

Control	Requirement	Provided	Compliance
4.2 Development Near or On Electricity Easements	All activities within electricity easements require approval from Transgrid or Endeavour Energy	The amended application was referred to Transgrid and Endeavour Energy for comment. Neither authority raised issue with the proposed modifications.	Yes

Having regard to the above, the proposed modification does not result in any additional variations to the DCP.

Assessment of the modifications to the conditions of consent

The applicant proposed modifications to a number of conditions of consent. The table below details the proposed modifications and Council's response to the amendments proposed.

Condition No.	Proposed Amendment to Condition	Officer Response
1(4)	To delete reference to part (b) of this condition - Design and Construction Standards - All	Council has discussed the proposed amendment with the applicant, agreement

Condition No.	Proposed Amendment to Condition	Officer Response
	<p>proposed civil and structural engineering work associated with the development must be designed and constructed strictly in accordance with:</p> <p>(a) Camden Council's current Engineering Specifications; and</p> <p>(b) Camden Growth Centre Precincts Development Control Plan.</p>	<p>has been reached and the word 'strictly' has been from the condition.</p>
1(7)	<p>To amend the timeframe from 3 years to 5 years for signage removal outlined under condition.</p>	<p>Council accepts this amendment, and the condition will be amended accordingly to reference 5 years.</p>
1(15)	<p>To amend the following condition to include the reference "at least" to read as follows:</p> <p>Street Tree Planting – Street tree planting must be provided at a rate of at least 1 street tree per lot.</p>	<p>Council has agreed to amend the condition to allow more than one street tree per lot. However the condition will specify there must be sufficient space for future driveways, waste storage, street lighting, utilities, bus stops and pedestrian crossings etc.</p>
2(1)	<p>To delete part (a) of this condition -</p> <p>Detailed Landscaping Plans - Prior to the issue of any Construction Certificate, the landscaping plans approved by this consent must be modified to include the items listed below and submitted to the Certifying Authority for approval:</p> <p>(a) All street trees must have at time of planting, well constructed tree guard protection installed. Details of the proposed protection methods are to be provided to the Certifying Authority for approval prior to the issue of a Construction Certificate; and</p> <p>(c) All street trees must comply with the requirements of Austroads in terms of being frangible (in particular for Catherine Park Drive and the approved 4 way roundabout); or other alternative compliant road infrastructure measures in conjunction with any non-frangible trees (such as higher kerbs).</p>	<p>Council accepts this amendment. Council's Certification Unit have confirmed that guards are not required on street trees at time of planting. Part (a) of the condition has been deleted.</p>

Condition No.	Proposed Amendment to Condition	Officer Response
2(24)	<p>Move the following condition from schedule '2.0 Prior to Issue of a Construction Certificate' of the conditions to '6.0 Prior to Issue of a Subdivision Certificate'.</p> <p>Site Specific Salinity Management Plan – Prior to the issue of any Construction Certificate, a site specific Salinity Management Plan must be submitted to the Certifying Authority. The site specific report must have the approved lot layout overlaid on plans that show the salinity and aggressivity of soils within the site. This is required so that appropriate 88B instruments can be applied to each of the relevant lots for each Subdivision Certificate.</p>	<p>Council does not support the relocation of this condition.</p> <p>This condition provides for the detailed subdivision plan to be overlaid with the salinity constraints identified in the report. This is essential for Council to accurately understand the different levels of salinity impact upon the infrastructure to be constructed, e.g. roads, drainage, etc. during the assessment of the Construction Certificate.</p> <p>Council officers have discussed this with the applicant, who has accepted this condition is to remain as imposed.</p>
2(26)	<p>To amend the following condition to read as follows:</p> <p>Flood Impacts – The total flood levels and peak flows leaving the Precinct boundaries must not exceed those displayed in Council's developed conditions TUFLOW model (prepared under the Draft Upper South Creek Flood Risk Management Study & Plan, 2014). This must be achieved by determining the total flood levels and peak flows for the 9 hour storm duration at the Precinct boundaries, and comparing these values with Council's developed conditions TUFLOW model. This information must be submitted to Council and the certifying authority prior to the issue of a Construction Certificate.</p>	<p>Council agrees to amend this condition as requested.</p>
5(1)	<p>Delete the following condition:</p> <p>Occupation Certificate – An Occupation Certificate must be issued by the PCA prior to occupation or use of the approved</p>	<p>Council does not support the deletion of this condition.</p> <p>The park proposed on</p>

Condition No.	Proposed Amendment to Condition	Officer Response
	<p>Local park within lot 3080. In issuing an Occupation Certificate, the PCA must be satisfied that the requirements of Section 109H of the Environmental Planning and Assessment Act 1979 have been satisfied. The PCA must submit a copy of the Occupation Certificate to Camden Council (along with the prescribed lodgement fee) within two (2) days from the date of determination and include all relevant documents and certificates that are relied upon in issuing the certificate. The use or occupation of the approved development must not commence until such time as all conditions of this development consent have been complied with.</p>	<p>lot 3080 will contain structures including a seating shelter, which legally requires the issue of an Occupation Certificate pursuant to the <i>Environmental Planning and Assessment Act 1979</i> prior to its use or occupation.</p>
6(10)	<p>To delete the requirement for the street lighting to be operative prior to the issue of a Subdivision certificate.</p> <p>Street Lighting - Street lighting must be provided within the subdivision in accordance with the relevant Australian standards, Endeavour Energy approval and the satisfaction of the Principal Certifying Authority. All such work must be complete and operative prior to the issue of any Subdivision Certificate.</p>	<p>Council does not support the modification of this condition.</p> <p>Street lighting can be made operational prior to the roads becoming public. In addition, all street lighting must be operational before the roads become public.</p> <p>To ensure street lighting is provided when necessary and Council can be satisfied that it has been adequately provided; it must be in place and operational prior to the issue of a Subdivision Certificate.</p>
6(15)	<p>To remove the text in red from the following condition:</p> <p>Permanent Water Quality Facility Operation, Maintenance and Monitoring Manual/s - Prior to the issue of any Subdivision Certificate, Operation and Maintenance and Monitoring Manual/s for the permanent water quality facilities must be submitted to the Principal Certifying Authority for approval. The manuals must be prepared by a suitably qualified professional in</p>	<p>Council does not support the modification of this condition in the format proposed.</p> <p>Council has confirmed water sampling is not required to be undertaken and the condition relates to preparation of the manuals only.</p>

Condition No.	Proposed Amendment to Condition	Officer Response
	<p>accordance with the requirements of the water quality criteria contained within the Camden Growth Centres Development Control Plan and must provide detailed information regarding the following:</p> <ul style="list-style-type: none"> (a) vegetation management (b) removal of noxious weeds (c) replacement of filter medium (d) water quality <p>Sampling - water quality sampling should be undertaken for all relevant Water quality parameters contained within the approved "Water Cycle Master Plan". Samples are to be taken from the inlet point of the "on-site detention / sediment Control Basin" and the outlet point of the "Water Quality Facility".</p> <p>Frequency - The frequency of sampling for each facility must include quarterly sampling. Where prolonged drought conditions exist and water is unavailable for testing on a quarterly basis then a minimum of 4 samples must be taken (within a 12 month period) when water is available with a minimum of 2 months between sampling periods.</p> <p>Methodology for attainment of the required water quality discharge parameters. Discussion of sampling results. A comparison of results with respect to the level of compliance with water quality targets/criteria will be required and include recommendations for corrective action where non-compliance is determined. In that regard the manual must indicate that water quality sampling and monitoring report/s must be submitted to Camden Council at the commencement of monitoring and six (6) months after the initial sampling.</p> <p>Methodology for attainment of the required water quality discharge parameters. Methodology/measures are required to ensure that the subject temporary facilities remain functional/operational until such time as they are decommissioned and replaced/reconstructed as a permanent</p>	<p>Officers have discussed this condition with the applicant who accepts the condition will not be amended as requested.</p>

Condition No.	Proposed Amendment to Condition	Officer Response
	water quality facility.	

A draft copy of the conditions associated with the modified consent were provided to the applicant for review. The applicant has indicated the revised conditions are satisfactory.

(a)(iia) The Provision of any Planning Agreement that has been entered into under Section 94F, or any draft Planning Agreement that a developer has offered to enter into under Section 93F

No relevant agreement exists or has been proposed between the applicant and Council as part of this DA.

The applicant has entered into a voluntary planning agreement (VPA) between the Minister for Planning and 5 other developers. A condition of the original consent requires the development to be carried out in accordance with the VPA. The proposed modifications will have no impact on the infrastructure to be provided as specified in the VPA.

(a)(iv) The Regulations

The Regulations prescribe several matters that are addressed in the conditions contained in this report.

(b) The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality

As demonstrated by the above assessment, the proposed modifications are unlikely to have a significant impact on both the natural and built environments, and the social and economic conditions of the locality.

(c) The suitability of the site

As demonstrated by the above assessment, the site is considered to be suitable for the modified development.

(d) Any submissions made in accordance with this Act or the Regulations

The modification application was publicly exhibited for a period of 14 days in accordance with the DCP. The exhibition period was from 29 July 2015 to 13 August 2015.

(e) The public interest

The public interest is served through the detailed assessment of this modification application under the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2000*, *Environmental Planning Instruments*, *Development Control Plans* and policies. Based on the above assessment, the proposed modifications are consistent with the public interest.

EXTERNAL REFERRALS

Pursuant to Clause 120 of the Environmental Planning and Assessment Regulations 2000, the proposed amended application has been referred to the following concurrence authorities:

- NSW Office of Environment and Heritage (OEH)
- NSW Office of Water (NOW)
- NSW Rural Fire Service (RFS)
- Transgrid and Endeavour Energy
- Roads and Maritime Services (RMS)
- Sydney Water

No issues have been raised by any of the referral authorities in relation to proposed modifications. All the previous conditions provided by these authorities will remain within the modified consent. The Rural Fire Service and Sydney Water have provided additional General Terms of Agreement (GTAs) and advice which will be included in the modified consent.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The modification application has been assessed in accordance with Section 79C(1) of the *Environmental Planning and Assessment Act 1979* and all relevant instruments, plans and policies. Accordingly, Section 96(2) Modification Application 228(2)/2014 is recommended for approval subject to the modified conditions contained in this report.

CONDITIONS

1.0 - General Conditions of Consent

- (1) **Development in Accordance with Plans** – The development is to be in accordance with plans and documents listed below, except as otherwise provided by the conditions of this consent, or where required to be amended by the deferred commencement conditions listed in Schedule A:

Plan / Development No.	Description	Prepared by	Dated
HIXCP-3-006 Revision M	Stages 1-3 Section 96 Subdivision Plan	Design and Planning	07/07/15
HIXCP-3-006 Revision A	Stages 1-3 Section 96 Enlargement A Subdivision Plan	Design and Planning	07/07/15
HIXCP-3-006	Stages 1-3 Section	Design and	07/07/15

Revision A	96 Enlargement B Subdivision Plan	Planning	
HIXCP-3-006 Revision A	Stages 1-3 Section 96 Enlargement C Subdivision Plan	Design and Planning	07/07/15
HIXCP-3-006 Revision	Stages 1-3 Subdivision Overlay Plan	Design and Planning	4/11/15
HARCF-5-005, Revision A	Location of Billboard Signage	Design and Planning	7/11/14
N/A	Indicative Billboard Signage	Design and Planning	Undated
10200(1) Staging, Issue E Sheet 1 of 2	Stage 1 Subdivision	John M Daly & Associates	5/11/14
10200(1) Staging, Issue F Sheet 2 of 2	Stage 1 Subdivision	John M Daly & Associates	26/06/15
10200(2) Staging, Issue E Sheet 1 of 2	Stage 2 Subdivision	John M Daly & Associates	5/11/14
10200(2) Staging, Issue F Sheet 2 of 2	Stage 2 Subdivision	John M Daly & Associates	26/06/15
10200(3) Staging Issue E Sheet 1 of 2	Stage 3 Subdivision	John M Daly & Associates	5/11/14
10200(3) Staging Issue E Sheet 2 of 2	Stage 3 Subdivision	John M Daly & Associates	5/11/14
DA-1305-00, Issue G	Landscape Masterplan	Stuart Noble & Associates	23/5/14
DA-1305-01, Issue H	Streetscape Concept Plan	Stuart Noble & Associates	23/5/14
DA-1305-02, Issue H	Local Park and Robbins Lane	Stuart Noble & Associates	12/5/14
DA-1305-03, Issue D	Pocket Park and Old Entry Drive	Stuart Noble & Associates	27/2/14
DA-1305-04, Issue E	Entry Statement	Stuart Noble & Associates	12/5/14
X12249.01 – SK10, Rev. 00	Stage 1 Retaining Wall at Road No. 02	Brown Smart Consulting	6/11/14
X12249.01 – 000, Rev. 6	Cover Sheet	Brown Smart Consulting	Undated
X12249.01 – 001, Rev. 6	General Layout Plan	Brown Smart Consulting	26/8/14
X12249.01 – 002, Rev. 6	Standard Notes & Legend	Brown Smart Consulting	26/8/14
X12249.01 – 101, Rev. 6	Civil Engineering Plan Sheet 1-7	Brown Smart Consulting	26/8/14
X12249.01 – 102, Rev. 6	Civil Engineering Plan Sheet 2-7	Brown Smart Consulting	26/8/14
X12249.01 – 103, Rev. 6	Civil Engineering Plan Sheet 3-7	Brown Smart Consulting	26/8/14
X12249.01 – 104, Rev. 6	Civil Engineering Plan Sheet 4-7	Brown Smart Consulting	26/8/14
X12249.01 – 105, Rev. 6	Civil Engineering Plan Sheet 5-7	Brown Smart Consulting	26/8/14
X12249.01 – 106,	Civil Engineering	Brown Smart	26/8/14

Rev. 6	Plan Sheet 6-7	Consulting	
X12249.01 – 107, Rev. 6	Civil Engineering Plan Sheet 7-7	Brown Smart Consulting	26/8/14
X12249.02	Engineering Plan Sheet 1-2	Cailbre Consulting	10/07/15
X12249.02	Engineering Plan Sheet 2-2	Cailbre Consulting	10/07/15
X12249.01 – 108, Rev. 6	Basins No. 12A and 12B Plan	Brown Smart Consulting	25/8/14
X12249.01 – 109, Rev. 6	Basins No. 3 Plan	Brown Smart Consulting	25/8/14
X12249.01 – 201, Rev. 6	Catherine Park Drive Longitudinal Sections	Brown Smart Consulting	26/8/14
X12249.01 – 202, Rev. 6	Catherine Park Drive and Road No. 01 Typical Cross Sections	Brown Smart Consulting	26/8/14
X12249.01 – 203, Rev. 6	Road No. 01 Longitudinal Sections	Brown Smart Consulting	26/8/14
X12249.01 – 204, Rev. 6	Road No. 02 Longitudinal & Typical Cross Section	Brown Smart Consulting	26/8/14
X12249.01 – 205, Rev. 6	Road No. 03 & 04 Longitudinal Sections	Brown Smart Consulting	26/8/14
X12249.01 – 206, Rev. 6	Road No. 05 & 06 Longitudinal & Typical Cross Section	Brown Smart Consulting	26/8/14
X12249.01 – 207, Rev. 6	Road No. 07 & 08 & 09 Longitudinal & Typical Cross Section	Brown Smart Consulting	26/8/14
X12249.01 – 208, Rev. 6	Road No. 10 Longitudinal & Typical Cross Section	Brown Smart Consulting	26/8/14
X12249.01 – 209, Rev. 6	Road No. 11 & 12 Longitudinal Sections	Brown Smart Consulting	26/8/14
X12249.01 – 210, Rev. 6	Road No. 12, 13, 14 & 18 Longitudinal Sections	Brown Smart Consulting	26/8/14
X12249.01 – 211, Rev. 6	Road No. 15 Longitudinal and Typical Cross Sections	Brown Smart Consulting	26/8/14
X12249.01 – 212, Rev. 6	Road No. 16 Longitudinal Sections	Brown Smart Consulting	26/8/14

X12249.01 – 213, Rev. 6	Road No. 16, 17 & 19 Longitudinal & Typical Cross Sections	Brown Smart Consulting	26/8/14
X12249.01 – 214, Rev. 6	Road No. 20 & 21 Longitudinal & Typical Cross Sections	Brown Smart Consulting	26/8/14
X12249.01 – 215, Rev. 6	Road No. 21, 22 & 23 Longitudinal Sections	Brown Smart Consulting	26/8/14
X12249.01 – 216, Rev. 6	Road No. 21, 22, 23 & 24 Longitudinal & Typical Cross Sections	Brown Smart Consulting	26/8/14
X12249.01 – 701, Rev. 6	Sediment & Erosion Control Plan	Brown Smart Consulting	26/8/14
X12249.01 – 702, Rev. 6	Sediment & Erosion Control Notes & Details	Brown Smart Consulting	26/8/14
X12249.01 – 801, Rev. 6	Signage & Line Marking Plan	Brown Smart Consulting	26/8/14
X12249.01 – 802, Rev. 6	Roundabout Vehicle Sweep Path Plan	Brown Smart Consulting	26/8/14
HARCP, Rev. 3	Statement of Environmental Effects	DPS	19/3/14
76559, Rev. 0	Salinity Investigation and Management Plan	Douglas Partners	29/5/13
76559, Rev. 0	Report on Limited Density Phase 2 Contamination Assessment	Douglas Partners	31/5/13
76559.04	Summary of Site Investigations Letter	Douglas Partners	14/5/14
34173.12	Qualitative Risk Assessment - Manganese	Douglas Partners	19/9/07
76599.05	Site Validation Report for dam filling	Douglas Partners	28/5/14
76559.06, Rev. 0	Fill Management Protocol	Douglas Partners	29/5/14
1224:HIS, Rev. 3	Heritage Impact Statement	Tropman & Tropman Architects	24/2/14
1224:LT:LS	Letter. Re. Heritage Issues	Tropman & Tropman Architects	14/5/14
N/A	Aboriginal Cultural Heritage Assessment	Kelleher Nightingale	28/2/14
60283679-RPNV-	Road Traffic Noise	Aecom	3/10/14

01_B, Rev. B	Impact Assessment		
13WOLECO-0015, Version 1	Flora & Fauna Assessment	Eco Logical Australia	14/5/14
13WOLECO-0015, Version 2	Vegetation Management Plan	Eco Logical Australia	16/5/14
13WOLECO-0015	Letter re. FFA and VMP	Eco Logical Australia	Undated
13WOLECO-0015, Version 3	Bushfire Protection Assessment	Eco Logical Australia	28/2/14
X11286.03, Rev. E	Stormwater Management Strategy	Brown Smart Consulting	27/2/14
X12249.01W	Stormwater Report for Section 96	Cailbre Consulting	15/5/15
3218	Traffic Impact Review	Chris Hallam & Associates	19/3/14
Rev. 1	Residential Parking Study	DPS	1/7/13
N/A	Catherine Park Residential Streets Review	DPS	11/4/13
7893R6982	Street Design Study	TTM Consulting (VIC)	19/3/14

This condition is amended by Section 96 modification application DA 228/(2)/2015.

- (2) **Building Code of Australia** - All building works must be carried out in accordance with the requirements of the Building Code of Australia.
- (3) **Landscaping Maintenance and Establishment Period** - Commencing from the Date of Practical Completion (DPC), the Applicant will have the establishment and maintenance responsibility for all landscaping associated with this Consent.

The Date of Practical Completion (DPC) is taken to mean completion of all civil works, soil preparation and completion of all planting, turf installation, street tree installation and mulching.

It is the Applicant's responsibility to arrange a site inspection with the Principal Certifying Authority (PCA), upon initial completion of the landscaping works, to determine and agree upon an appropriate DPC.

The 12 month maintenance period includes the Applicant's responsibility for the establishment of all plantings and lawn.

At the completion of the 12 month landscaping maintenance and establishment period, any nature strip and road verge areas, street trees, street tree protective guards and bollards, must be in an undamaged, safe and functional condition and all plantings have signs of healthy and vigorous growth.

- (4) **Design and Construction Standards** - All proposed civil and structural engineering work associated with the development must be designed and constructed in accordance with:

- (a) Camden Council's current Engineering Specifications; and
- (b) Camden Growth Centre Precincts Development Control Plan.

It should be noted that designs for line marking and regulatory signage associated with any proposed public road within this subdivision MUST be submitted to and approved by Council's Manager Development prior to the issue of any Construction Certificate.

This condition is amended by Section 96 modification application DA 228/(2)/2014.

- (5) **Riparian Corridor Works** – The development, including restoration of the South Creek riparian corridor must be carried out strictly in accordance with the Vegetation Management Plan (VMP) prepared by EcoLogical Australia dated 16 May 2014, Revision 2 and the Flora and Fauna Assessment (FFA) prepared by EcoLogical Australia dated 14 May 2014, Revision 1.

Enhancement of suitable foraging and nesting habitat for Australasian Bittern must be undertaken at Sites 13 and 20 as per Figures 9 and 14 of the FFA and in accordance with the VMP.

Removal of any Australasian Bittern foraging habitat as identified in the FFA and VMP must only be undertaken in the Australasian Bittern non-breeding season of March to August.

Destocking of cattle and dewatering of dams must only be undertaken in the Australasian Bittern non-breeding season of March to August.

A fox eradication program must be undertaken on the site prior to the commencement of any earthworks.

- (6) **Noxious Weeds Management** - The applicant must manage and control all noxious and environmental weeds in accordance with Section 4.2.2 of the approved Vegetation Management Plan (pages 14-15). The VMP identifies a number of Declared Noxious Weeds on page 5, i.e. African Boxthorn (Class 4), Blackberry (Class 4), Bridal Creeper (Class 5), Broad and narrow leaved Privet (Class 4). These noxious weeds must be controlled in accordance with the relevant legal control class requirements.

The applicant must fully and continuously suppress and destroy, by appropriate means, any other noxious or environmentally invasive weed infestations that occur during or after subdivision and prior to sale of new lots. New infestations must be reported to Council.

As per the requirements of the *Noxious Weeds Act 1993*, the applicant must also ensure at all times any machinery, vehicles or other equipment entering or leaving the site must be cleaned and free from any noxious weed material, to prevent the spread of noxious weeds to or from property.

Maintenance work is to be carried out, involving regular surveys to determine if any species are becoming established through time. Any noxious or environmental weed infestations that occur during subdivision, and prior to sale of the new lots, must be reported to Council and fully and continuously suppressed and destroyed, by appropriate means.

- (7) **Approved Business Identification Billboard Signs** – 3 business identification billboard signs may be erected on the subject properties (within private land only), as indicated on the approved signage location plan. However, the size of the display panels must be limited to a maximum area of 18m² and the signs must be a maximum height of 6m from existing ground level. The signage content must only indicate the name and the relevant contact details of the developer as well as a business logo/image.

The signs must be removed within 5 years of the date of this determination.

This condition is amended by Section 96 modification application DA 228/(2)/2014.

- (8) **Maintenance of Signs** - The approved signs must be maintained in good order at all times. The approved design, size and location of the signs must not be altered without the prior written approval of the Consent Authority (i.e. Camden Council).
- (9) **Advertising Signs Application** - Outdoor advertising structures require prior development consent. A development application must be submitted and approval granted by the Consent Authority (ie. Camden Council) prior to the erection of any advertising signs which are not approved by this Development Consent or assessed under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
- (10) **Aboriginal Heritage** – The development must be carried out in accordance with the Aboriginal Heritage Impact Permit (AHIP) number C0000562 dated 11 September 2014, issued by the Office of Environment and Heritage.
- (11) **External Authorities General Terms of Approval** – The development must be carried out strictly in accordance with the conditions and general terms of approval contained within the following correspondence:

- (a) Letter dated 16 June 2014 from the NSW Office of Water;
- (b) Letter dated 28 August 2015 from the NSW Rural Fire Service;

Note: The 10m asset protection zone (APZ) required along the western side of the subdivision may need to be partially located within adjoining land subject to the agreement of the adjoining land owner. Alternatively the adjacent residential lots approved by this development consent can at least partially accommodate the APZ.

- (c) Letters dated 1 September 2014 and 7 August 2015 from Sydney Water; and
- (d) Letter dated 26 September 2014 from the NSW Heritage Council.

This condition is amended by Section 96 modification application DA 228/(2)/2014.

- (12) **Voluntary Planning Agreement (VPA)** – The development must be undertaken in accordance with the terms and conditions of the VPA made between the Minister for Planning, Hixson Pty Ltd and others.
- (13) **Fill Importation** – The importation of fill must be carried out in accordance with the requirements outlined in the report titled Fill Management Protocol – Proposed Residential Subdivision, Stage 1, Catherine Park NSW, prepared by Douglas Partners, project number 76559.06, revision 0, dated 29 May 2014.
- (14) **Estate Entry Sign and Landscaping** – The “Catherine Park” estate entry signs shown on the approved landscaping plans prepared by Stuart Noble must not be located within any public road/place. The signs must be located wholly in private land with such land being burdened by a suitable maintenance covenant pursuant to Section 88E of the *Conveyancing Act 1919*.

Any low ground cover landscaping surrounding these signs within the public road reserve must be deleted and replaced with turf for maintenance purposes.

The wording on the estate entry signs must be modified to include the name of the suburb in which the site is located.

- (15) **Street Tree Planting** – Street tree planting must be provided at a rate of 1 street tree per lot. More than 1 street tree per lot frontage can be provided if the following can be achieved:
- a) space for future driveways, waste storage and collections points;
 - b) street lighting, utilities, bus stops and pedestrian crossings; and
 - c) distance from intersections to provide appropriate sight distances

This condition is amended by Section 96 modification application DA 228/(2)/2014.

- (16) **Timber** – In the design of all elements of the parks, there must be no timber components in contact with the ground.
- (17) **Drinking Fountains** – Any proposed drinking fountains/water bubblers must be accessible to disabled persons.
- (18) **Emergency Vehicle Access** – Access to the parks for emergency vehicles must be available at all times. Paths in central locations are to be wide enough to accommodate emergency vehicles, in particular fire trucks.
- (19) **Graffiti Resistant Materials** - Graffiti resistant materials must be used where practicable.

Any retaining walls located within, or adjoining, a public place and all concrete materials must include an anti graffiti coating.

2.0 – Prior To Issue of a Construction Certificate

The following conditions of consent shall be complied with prior to the issue of a Construction Certificate.

(1) **European Heritage Requirements** – The plans submitted for Construction Certificate approval must demonstrate that the following matters have been addressed:

(a) The design of Robbin's Lane must be consistent with Controls 24-28 of Section 4.1, of Schedule 4 - Catherine Fields (Part) Precinct of the Camden Growth Centres Development Control Plan 2013 and generally in accordance with the Heritage Impact Statement prepared by Tropman and Tropman Architects, Issue 3, dated 24 February 2014, except where otherwise specified below:

(i) the existing Eucalyptus trees along Robbin's Lane must be assessed by an arborist in terms of their condition and safety to determine their individual retention within the public pathway reserve. Any new tree species are to have a maximum mature height of 6m and width of 5m and must contrast/complement the existing eucalyptus trees retained along the eastern side. New tree species must not obstruct the view lines from Oran Park House;

(ii) low shrub plantings/hedge with a maximum height of 1m along any private residential lot edge shared with Robbins's Lane;

(iii) generally retain existing contour levels and provide details of proposed resurfacing materials to reflect historic rural setting, including use of gravel, decomposed granite, turf or bitumen instead of concrete; and

(iv) retain the existing entry gates near Oran Park Drive.

(b) The design of the "Graham's Drive" walkway alongside Road 2 and the riparian corridor boundary must be consistent with Controls 33, 34 and 37 of Section 4.1, of Schedule 4 - Catherine Fields (Part) Precinct of the Camden Growth Centres Development Control Plan 2013 and generally in accordance with the Heritage Impact Statement prepared by Tropman and Tropman Architects, Issue 3, dated 24 February 2014. These require:

(i) conservation and supplementation of existing plantings of alternating Outeniqua Yellowwood and White Cyprus Pine. These species to be used to replace any existing dying/dead species of Willow Myrtle, Monterey Cypress and Peppercorns;

(ii) the maximum height of new tree species along the Graham's Drive walkway must be limited to 5m at maturity to preserve view lines from Oran Park House and the new species must contrast with those associated with Oran Park House; and

(iii) generally retain existing contour levels and provide details of proposed resurfacing materials to reflect historic rural setting,

including use of gravel, decomposed granite, turf or bitumen instead of concrete.

- (c) Some forms of interpretive feature elements and/or signage detailing the site's European and Indigenous history are required to be installed throughout the approved local park, Robbins Lane and the Graham's Drive walkway. The applicant shall consult with appropriately qualified heritage consultants (or relevant Council staff) to determine the most appropriate content, materials and locations of such features throughout the relevant public open spaces. The design of any elements is to be consistent with the Public Domain Landscape Strategy prepared by Aecom dated 2013 and Heritage Interpretation Strategy prepared by GML dated 2013. Details of the feature elements are to be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate relating to any of these public spaces.
- (2) **Detailed Landscaping Plans** - Prior to the issue of any Construction Certificate, the landscaping plans approved by this consent must be modified to include the items listed below and submitted to the Certifying Authority for approval:
- (a) All street trees must comply with the requirements of Austroads in terms of being frangible (in particular for Catherine Park Drive and the approved 4 way roundabout); or other alternative compliant road infrastructure measures in conjunction with any non-frangible trees (such as higher kerbs).

This condition is amended by Section 96 modification application DA 228/(2)/2014.

- (3) **Civil Engineering Plans** - Indicating drainage, roads, accessways, earthworks, pavement design, details of linemarking and traffic management details must be prepared strictly in accordance with the relevant Development Control Plan and Engineering Specifications, and are to be submitted for approval to the Certifying Authority prior to any Construction Certificate being issued.

Note:

- (a) Under the *Roads Act 1993*, only the Council can issue a Construction Certificate for works within an existing road reserve.
 - (b) Under section 109E of the *Environmental Planning and Assessment Act 1979*, Council must be nominated as the Principal Certifying Authority for subdivision work and has the option of undertaking inspection of physical construction works.
- (4) **Soil Erosion and Sediment Control Plans** - Soil erosion and sediment control plans must be designed and installed in accordance with Camden Council's current Engineering Design Specifications.
- (5) **Environmental Site Management Plan** - An Environmental Site Management Plan must be submitted to the Certifying Authority for approval and inclusion in any application for a Construction Certificate. The plan must be

prepared by a suitably qualified person in accordance with AS/NZ ISO 14000 – 2005 and must address, but not be limited to, the following:

- (a) all matters associated with Council's Erosion and Sediment Control Policy;
 - (b) all matters associated with Occupational Health and Safety;
 - (c) all matters associated with Traffic Management/Control; and
 - (d) all other environmental matters associated with the site works such as noise control, dust suppression and the like.
- (6) **Dilapidation Survey** - A photographic dilapidation survey of existing public roads, kerbs, footpaths, drainage structures and any other existing public infrastructure within the immediate area of the development site must be submitted to Council prior to the issuing of any Construction Certificate.
- The survey must include descriptions of each photo and the date when each individual photo was taken.
- (7) **Performance Bond** - Prior to the issue of any Construction Certificate, a performance bond of 10% must be lodged with Camden Council in accordance with Camden Council's Engineering Construction Specifications.
- (8) **Public Risk Insurance Policy** - Prior to the issue of any Construction Certificate, the owner or contractor is to take out a Public Risk Insurance Policy in accordance with Camden Council's current Engineering Design Specifications.
- (9) **Traffic Management Procedure/Plan** - Traffic management procedures and systems must be introduced during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems. Such procedures and systems must be in accordance with AS 1742.3 2009. A construction Traffic Management Plan is required in accordance with Camden Council's current Engineering Design Specifications.
- (10) **Drainage Design** - A Stormwater Management Plan is to be prepared prior to the issue of any Construction Certificate to ensure that the final stormwater flow rate off the site is no greater than the maximum flow rate currently leaving the development site for all storm events. This Plan must be submitted and approved by the Certifying Authority. Such designs must cater for future developments of land adjoining the site and overland flow from adjoining properties.
- (11) **Temporary Turning Facilities** – All turning and manoeuvring facilities, including turning heads, cul-de-sacs, etc. shall be designed in accordance with the current edition of AS 2890.2 and in accordance with Camden Council's current Engineering Specifications.

Temporary turning/manoeuvring facilities shall be provided at the end of all proposed roads ending at a subdivision stage boundary or at the edge of the overall development once completed. The facilities shall be designed in accordance with:

- (a) the current edition of AS 2890.2 and more specifically the Heavy Rigid Vehicle (HRV) swept turning path contained within that document;
- (b) Camden Council's Engineering Specifications; and
- (c) Camden Growth Centres Precincts Development Control Plan.

The manoeuvring area within each facility shall incorporate the pavement and wearing course design associated with the adjoining proposed public road and there shall be no kerb and gutter of any type within the facility. Any additional land required to accommodate the facility, adjacent to the proposed public road, shall be provided with such land being dedicated as a temporary public road in accordance with s.9, 39 and 40 of the *Roads Act 1993*. The status of the facility shall remain as a temporary public road until such time as:

- (a) an alternative facility has been provided and dedicated as either:
 - (i) public road, or
 - (ii) temporary public road.

- (12) **Location of Permanent Water Quality Facilities** - A permanent water quality facility must be provided for the site. Such a facility must be located within proposed and/or existing public land.

- (13) **Maintenance Access to Permanent Basins** – Any access driveways provided to permanent basins (in particular Basin 3) must be constructed of reinforced concrete.

Adequate off road maintenance access is to be provided to any stormwater gross pollutant traps (GPT). This must be in the form of a short slip lane or reinforced concrete driveway, to enable a service truck to clean out the GPT without blocking traffic, or requiring a traffic management plan to be prepared for the duration of each service.

- (14) **Design of “Construction” On-site Detention/Sediment Control Basin** - The design of the “construction” on-site detention/ sediment control basin and water quality facility must be prepared in accordance with the requirements of:

- (a) for sediment control generally, Managing Urban Stormwater – Soils and Construction, Volume 1, 4th Edition, March 2004 as produced by Landcom;
- (b) Camden Council's current Engineering Design Specification; and
- (c) and must not concentrate final discharge flows from the facility.

The construction of the on-site detention/sediment control basin must contain an impervious layer to provide water harvesting.

The design must be prepared and certified by an Accredited Certifier and must be submitted to the Certifying Authority for inclusion in any application for a Construction Certificate.

- (15) **Connection to Existing Public Roads** - The proposed road construction must connect with the existing public roads. The connection at such locations must be carried out in accordance with the provisions and requirements of Camden Council's issued Public Road Activity (Roadworks) approval. Further, all such work must be completed to the satisfaction of Camden Council, prior to the issue of any Subdivision Certificate.
- (16) **Design of Traffic Facilities** – All traffic facilities are to be designed in accordance with Australian Standards, Austroads and Camden Council's Engineering Specifications.
- (17) **Vehicle and Pedestrian Safety Barriers** – Safety barriers for roads, road embankments and retaining walls are to be provided in accordance with Camden Council's Engineering Specifications.
- (18) **Structural Engineer's Certificate for Retaining Wall** – A certificate must be prepared by a practising structural engineer and submitted to Council attesting that the approved retaining wall design is capable of supporting loadings associated with the adjacent intersection.
- (19) **Proposed Roads** – All proposed roads within the subject site must be designed and constructed in accordance with Austroads and Council's requirements.
- (20) **Ongoing Waste Management** – The following requirements must be demonstrated on the plans submitted for Construction Certificate approval:
- (a) The entry and exit into and out of the cul-de-sacs on roads 13 and 18 must be no less than 6m in width as per Council's standard turning head templates.
- (b) Waste bin collection for lots 1002, 1003, 1004 and 1005 must occur from the traffic island adjacent to the shareway. Bin collection areas for each lot within the island must be provided with dimensions of 3m long x 0.9 metres wide and 4.2 metres clear vertical space to allow for the truck-lifting arm must be provided. The proposed landscaping must be modified to ensure there are no conflicts with this requirement. Barrier kerbs must also be used around the island to prevent the parking of vehicles on it.
- Detailed plans demonstrating compliance with this requirement must be provided to the Certifying Authority prior to the issue of a Construction Certificate.
- (c) All other waste bin collection points throughout the subdivision must be clear from the positioning of driveways, tree plantings (or tree canopies), street lighting or other fixtures. The minimum area required for each property is to be 3m long x 0.9 metres wide and 4.2 metres clear vertical space to allow for the truck-lifting arm. This area must allow for 3 bins per property, or, if more than one property will be using that collection point, the area must be multiplied by the number of properties using that collection point. For example: 4 properties equals 12 bins therefore the bin collection point must be 12m long x 0.9m wide and 4.2m vertical space.

- (21) **Bush Fire Safety** - Prior to the Issue of a Construction Certificate, the applicant must provide to the Certifying Authority, written confirmation that the development proposal is compliant with all requirements of the Rural Fire Service.

This written confirmation may be by way of either:

- (a) written advice from the Rural Fire Service that the development is compliant with the current Planning for Bushfire Protection document, or
- (b) written advice from an appropriately qualified Bushfire Risk Assessor that the proposed development is compliant with the current Planning for Bushfire Protection document.

In any event, the written confirmation must include specific advice that:

- (a) All access roads have sufficient carriageway width.
 - (b) Verge widths are sufficient.
 - (c) Longitudinal grades are not too great.
 - (d) Horizontal geometry provides for appropriate access.
 - (e) Turning/manoeuvring is achievable.
 - (f) Kerb types are appropriate.
 - (g) On street parking (kerbside and indented) is not expected to be problematic for fire fighting vehicles to gain access.
 - (h) On street parking restrictions/signage is not expected to be problematic for fire fighting vehicles to gain access.
 - (i) Access requirements with regards to perimeter roads has been achieved.
 - (j) The required Asset Protection Zones have been achieved.
 - (k) All requirements of the Rural Fire Service's General Terms of Approval for Development Consent No. 228/2014 have been met.
- (22) **Corner Lot Splays** – All corner lot splays and driveway locations are to comply with AS 2890 and Council's engineering specifications.
- (23) **Street Furniture** – All street signage, furniture and lighting are to reinforce the development's identity and be consistent in style and comply with Council's public domain guidelines and Australian Standards.
- (24) **Site Specific Salinity Management Plan** – Prior to the issue of any Construction Certificate, a site specific Salinity Management Plan must be submitted to the Certifying Authority. The site specific report must have the

approved lot layout overlaid on plans that show the salinity and aggressivity of soils within the site. This is required so that appropriate 88B instruments can be applied to each of the relevant lots for each Subdivision Certificate.

- (25) **Construction Noise Management Plan** – Prior to the issue of any Construction Certificate, a Construction Noise Management Plan (CNMP) must be submitted to the Certifying Authority. The CNMP must be prepared by a suitably qualified and experienced acoustic consultant in accordance with the NSW Department of Environment and Climate Change's *Interim Construction Noise Guideline* and must include:
- (a) Identification of nearby sensitive receivers;
 - (b) Assessment of expected noise impacts;
 - (c) Detailed examination of feasible and reasonable work practices that will be implemented to minimise noise impacts;
 - (d) Strategies to promptly deal with and address noise complaints;
 - (e) Details of performance evaluating procedures;
 - (f) Procedures for notifying nearby sensitive receivers of forthcoming works that are likely to produce noise impacts; and
 - (g) Reference to relevant licence and consent conditions.
- (26) **Flood Impacts** – The flood levels and peak flows leaving the Precinct boundaries must not exceed those displayed in Council's developed conditions TUFLOW model (prepared under the Draft Upper South Creek Flood Risk Management Study & Plan, 2014). This must be achieved by determining the flood levels and peak flows for the 9 hour storm duration at the Precinct boundaries, and comparing these values with Council's developed conditions TUFLOW model. This information must be submitted to Council and the certifying authority prior to the issue of a Construction Certificate.
- This condition is amended by Section 96 modification application DA 228/(2)/2014.**
- (27) **Waste Bin Locations** – Details of all waste bin locations must be provided to the Certifying Authority for review prior to the issue of a Construction Certificate which demonstrates that rubbish storage areas will not be located at the front of the site where they will have an adverse impact on any surrounding dwellings, streetscapes or pedestrians.
- (28) **Construction Environmental Management Plan (CEMP)** – A CEMP, prepared in accordance with the Camden Growth Centre Precincts Development Control Plan, must be submitted to the certifying authority prior to the issue of a Construction Certificate.

3.0 - Prior To Commencement Of Works

The following conditions of consent shall be complied with prior to any works commencing on the construction site.

- (1) **Stabilised Access Point** - A Stabilised Access Point (SAP) incorporating a truck shaker must be installed and maintained at the construction ingress/egress location prior to the commencement of any work. The provision of the SAP is to prevent dust, dirt and mud from being transported

by vehicles from the site. Ingress and egress of the site must be limited to this single access point.

- (2) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site.

Soil erosion and sediment control measures must be maintained during construction works and must only be removed upon completion of the project when all landscaping and disturbed surfaces have been stabilised (for example, with site turfing, paving or re-vegetation).

Where a soil erosion and sediment control plan (or details on a specific plan) has been approved with the development consent, these measures must be implemented in accordance with the approved plans. In situations where no plans or details have been approved with the development consent, site soil erosion and sediment controls must still be implemented where there is a risk of pollution occurring.

Provide a stabilised entry/exit point. The access should be a minimum of 2.5m wide and extend from the kerb to the building line. The access should consist of aggregate at 30-40mm in size.

Vehicle access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site has been affected by wet weather.

- (3) **Footpath Levels** - If this application involves the erection of a structure which will be constructed at or near the road alignment and/or involves construction of a vehicular access onto the property, then footpath levels shall be obtained from Council prior to the issue of a Construction Certificate, and all such structures and internal driveways must be constructed to suit these levels.
- (4) **Erection of Signs** – The erection of signs shall be undertaken in accordance with Clause 98A of the Environmental Planning and Assessment Regulation 2000.
- (5) **Toilet Facilities** - Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one toilet for every 20 persons employed at the site.

Each toilet must:

- (a) be a standard flushing toilet connected to a public sewer, or
- (b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
- (c) be a temporary chemical closet approved under the *Local Government Act 1993*.

- (6) **Notice of Commencement of Work and Appointment of Principal Certifying Authority** – Notice in the manner required by Section 81A of the *Environmental Planning and Assessment Act 1979* and Clauses 103 and 104 of the Environmental Planning and Assessment Regulation 2000 shall be lodged with Camden Council at least two (2) days prior to commencing works.

The notice shall include details relating to any Construction Certificate issued by a certifying authority, the appointed Principal Certifying Authority (PCA), and the nominated 'principal contractor' for the building or subdivision works.

- (7) **Construction Certificate Before Work Commences** - This development consent does not allow site works, building or demolition works to commence, nor does it imply that the plans approved as part of the development consent comply with the specific requirements of Building Code of Australia. Works must only take place after a Construction Certificate has been issued, and a Principal Certifying Authority (PCA) has been appointed.
- (8) **Electricity Easements** – Prior to any works being undertaken within any electricity easement, the approval of the relevant public utility authority must be obtained.

4.0 - During Works

The following conditions of consent shall be complied with during the construction phase.

- (1) **Vehicles Leaving the Site** - The contractor/demolisher/construction supervisor must ensure that:
 - (a) all vehicles transporting material from the site, cover such material so as to minimise sediment transfer;
 - (b) the wheels of vehicles leaving the site:
 - (i) do not track soil and other waste material onto any public road adjoining the site,
 - (ii) fully traverse the Stabilised Access Point (SAP).
- (2) **Compaction (Allotments)** - Those proposed allotments which are subject to filling must be compacted in accordance with Camden Council's current Engineering Construction Specifications. The applicant's Geotechnical Engineer must supervise the placing of fill material and certify that the work has been carried out to level 1 responsibility in accordance with Appendix B of AS 3798-1990.
- (3) **Subdivision, Building and Demolition Work Hours** - All such work must be restricted to the following hours:
 - a) between 7.00am and 6.00pm, Mondays to Fridays (inclusive);
 - b) between 8.00am to 5.00pm on Saturdays,Work is prohibited on Sundays and Public Holidays.
- (4) **Shoring and Adequacy of Adjoining Property** – Shoring and adequacy of adjoining property shall be in accordance with Clause 98E of the Environmental Planning and Assessment Regulation 2000.

- (5) **Potential Archaeological Remains** - Should any archaeological remains be identified during the construction of any components of the approved development (particularly along Robbins Lane or the Graham's Drive walkway), all works in the applicable area must cease immediately and appropriate management measures must be implemented to enable the archaeological remains to be investigated, monitored and recorded, as required by the requirements of the NSW Office of Environment and Heritage.
- (6) **Site Management** - The developer must carry out work at all times in a manner which will not cause a nuisance by the generation of unreasonable noise dust or other activity, to owners and occupiers of adjacent properties.
- (7) **Dust Control** - Potential dust sources on-site must be minimised through the maintenance of vegetation cover and the use of water sprays to suppress dust from exposed areas during periods of dry and/or windy weather.
- (8) **Unexpected Finds Contingency (General)** - Should any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material etc) be encountered during any stage of earth works, site preparation or construction, then such works must cease immediately until a qualified environmental consultant has been contacted and conducted a thorough assessment. In the event that contamination has been identified as a result of this assessment and remediation is required, site works must cease in the vicinity of the contamination and the Consent Authority must be notified immediately.

Where remediation work is required the applicant will be required to comply fully with Council's Policy - Management of Contaminated Lands with regards to obtaining consent for the remediation works.

- (9) **No Open Burning** - The open burning of waste and other refuse is prohibited in the Camden Local Government Area. No incinerators are permitted to be installed at the site to deal with such waste during the construction of the approved subdivision and/or other works.
- (10) **Street Trees, Tree Root Barrier Guards, Protective Guards and Bollards** - During any development works relating to this Consent, the Applicant is advised:
 - (a) That any nature strip street trees, their tree guards, protective bollards, garden bed surrounds or root barrier installation which are disturbed, relocated, removed, or damaged must be successfully restored at the time the damage or disturbance occurred.
 - (b) Any repairs, relocations, reinstallations or replacements needed to the street trees, bollards, garden bed surrounds, tree guards or existing root guard barriers, are to be completed with the same type, species, plant maturity, materials and initial installation standards and the works and successful establishment of the trees carried out prior to the issue of the Subdivision Certificate.
- (11) **Construction Noise Levels** – Noise levels emitted during construction works shall be restricted to comply with the construction noise control guidelines set out in Chapter 171 of the NSW EPA's Environmental Noise Control Manual.

This manual recommends:

Construction period of 4 weeks and under:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 20 dB(A).

Construction period greater than 4 weeks:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 10 dB(A).

- (12) **Fill Material** - Importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be submitted to and approved by the Principal Certifying Authority.

The validation report and associated sampling location plan must:

- (a) be prepared by a person with experience in the geotechnical aspects of earthworks, and
- (b) be endorsed by a practising engineer with Specific Area of Practice in Subdivisional Geotechnics, and
- (c) be prepared in accordance with:

For Virgin Excavated Natural Material (VENM):

- (i) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity", and
 - (ii) the Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW".
- (d) confirm that the fill material:
- (i) provides no unacceptable risk to human health and the environment;
 - (ii) is free of contaminants;
 - (iii) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity");
 - (iv) is suitable for its intended purpose and land use; and
 - (v) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

- (e) less than 6000m³ - 3 sampling locations,

- (f) greater than 6000m³ - 3 sampling locations with 1 extra location for each additional 2000m³ or part thereof.

For (e) and (f) a minimum of 1 sample from each sampling location must be provided for assessment.

Sampling of VENM for Contamination and Salinity should be undertaken in accordance with the following table:

Classification of Fill Material	No of Samples Per Volume	Volume of Fill (m ³)
Virgin Excavated Natural Material	1 (see Note 1)	1000 or part thereof

Note 1: Where the volume of each fill classification is less than that required above, a minimum of 2 separate samples from different locations must be taken.

5.0 - Prior To Issue of an Occupation Certificate for Local Park on Lot 3080

The following conditions shall be complied with prior to the issuing of an Occupation Certificate. The issue of an "interim" Occupation Certificate may occur if the Principal Certifying Authority (PCA) is satisfied that outstanding matters will be completed within a reasonable time frame. Additional fees for the issue of interim Occupation Certificates may be applied by the PCA.

- (1) **Occupation Certificate** – An Occupation Certificate must be issued by the PCA prior to occupation or use of the approved local park within lot 3080. In issuing an Occupation Certificate, the PCA must be satisfied that the requirements of Section 109H of the *Environmental Planning and Assessment Act 1979* have been satisfied.

The PCA must submit a copy of the Occupation Certificate to Camden Council (along with the prescribed lodgement fee) within two (2) days from the date of determination and include all relevant documents and certificates that are relied upon in issuing the certificate.

The use or occupation of the approved development must not commence until such time as all conditions of this development consent have been complied with.

- (2) **Waste Bins** – Prior to the issue of any Occupation Certificate for the local park, adequate waste bin receptacles must be provided.
- (3) **Interpretive Feature Elements and/or Signage** – Some forms of interpretive signage detailing the site's European and Indigenous history (as approved with the relevant Construction Certificate) are required to be installed prior to the issue of an Occupation Certificate.

6.0 – Prior To Issue of a Subdivision Certificate

- (1) **Footpath Paving** - Council's standard concrete footpath paving must be constructed by the developer at no cost to Council for the full road frontages

of the subdivision prior to the relevant Subdivision Certificate being issued. The area of the footway not paved must be topsoiled and turfed. Any necessary transition to existing footpaths beyond the boundary of the subject property must be completed by the developer at no cost to Council.

- (2) **Soil Classification** - A geotechnical report must be submitted detailing the classification of soil type generally found within the subdivision. A general classification for each lot within the subdivision must be provided and such classifications must be made by a Geotechnical Engineer in accordance with the provisions of SAA AS 2870 "Residential Slabs and Footings". The classification reports must be submitted to Council prior to release of the Subdivision Certificate.
- (3) **Maintenance Bond** - A maintenance bond in the form of an unconditional bank guarantee or cash bond, being 10% of the value of civil works must be lodged with Council prior to the release of the Subdivision Certificate. This bond is to cover the maintenance of civil works constructed during subdivision works and any damage to existing roads, drainage lines, public reserves or other Council property or works required as a result of work not in accordance with Council's standards, and/or development consent conditions.

The maintenance bond shall be for (12) twelve months or such longer period as determined by Council's engineer, and shall commence on the date of release of the linen plan in the case of subdivision works or the date of the issue of the compliance certificate in the case of development works.

Note 1: In accordance with Council's current Fees and Charges an administration fee for processing of bonds in the form of cash or bank guarantees is applicable.

Note 2: It should be noted that Council will not refund/release the maintenance bond, unless a suitable replacement bond is submitted.

- (4) **Bond for Final Layer of Asphaltic Concrete** - Prior to the issue of the Subdivision Certificate the applicant is to lodge a monetary bond with Camden Council for the placement of the final layer of asphaltic concrete wearing course on all proposed public roads within this subdivision.

The bond is to be in the form of cash or an unconditional bank guarantee in favour of Camden Council, and must be equivalent to 130% of the value of the works, including the cost of all reinstatement works, with the estimated cost of such work being determined by reference to Council's current Schedule of Fees and Charges.

The work is to be completed within 5 years from the registration of the Subdivision Certificate/Plan of Subdivision or when Occupation Certificates for dwellings associated with 80% of the lots created by a subdivision adjoining such road have been issued.

Camden Council reserves the right to claim against the bond at any time.

Note 1: An administration fee, in accordance with Council's current Schedule of Fees and Charges, is applicable for the processing of bonds.

Note 2: It should be noted that Council will not refund/release the bond until;

- (a) the work has been completed to the requirements of Camden Council, and/or
- (b) where applicable a suitable replacement bond is submitted.

(5) **Fill Plan** - A Fill Plan shall be submitted to the Principal Certifying Authority (PCA) prior to the issue of any Subdivision Certificate. The plan must:

- (a) Show lot boundaries
- (b) Show road/drainage/public reserves
- (c) Show street names
- (d) Show final fill contours and boundaries, and
- (e) Show depth in filling in maximum 0.5m Increments

It is to be submitted electronically in Portable Document Format (.PDF) at 150dpi with a maximum individual file size not exceeding 2 megabytes and submitted both on compact disk and an A1 paper plan.

(6) **Value of Works** - Prior to release of any Subdivision Certificate, the applicant must submit itemised data and value of civil works for the inclusion in Council's Asset Management System. The applicant can obtain from Council upon request, a template and requirements for asset data collection.

(7) **Works as Executed Plan** - Prior to the issue of any Subdivision Certificate, a works-as-executed plan in both hard copy and electronic form (.dwg files or equivalent) in accordance with Camden Council's current Engineering Construction Specifications.

(8) **Incomplete Works** - Prior to the issue of any Subdivision Certificate the applicant is to lodge a bond with Camden Council for the construction of incomplete works, including concrete footpath and/or pedestrian/cycle shared way, in accordance with Camden Council's current Engineering Construction Specifications.

(9) **Surveyor's Report** - Prior to the issue of any Subdivision Certificate a certificate from a registered surveyor must be submitted to the Certifying Authority, certifying that all drainage lines have been laid within their proposed easements. Certification is also to be provided stating that no services or accessways encroach over the proposed boundary other than as provided for by easements as created by the final plan of subdivision.

- (10) **Street Lighting** - Street lighting must be provided within the subdivision in accordance with the relevant Australian standards, Endeavour Energy approval and the satisfaction of the Principal Certifying Authority. All such work must be complete and operative prior to the issue of any Subdivision Certificate.
- (11) **Services** - Prior to the issue of any Subdivision Certificate the following service authority certificates/documents must be obtained and submitted to the Principal Certifying Authority for inclusion in any Subdivision Certificate application:

- (a) a certificate pursuant to s.73 of the *Sydney Water Act 1994* stating that both water and sewerage facilities are available to each allotment.

Application for such a certificate must be made through an authorised Water Servicing Co-ordinator.

- (b) a Notification of Arrangements from Endeavour Energy.
- (c) Written advice from an approved telecommunications service provider (Telstra, Optus etc) stating that satisfactory arrangements have been made for the provision of underground telephone plant within the subdivision/development.
- (12) **Show Easements on the Plan of Subdivision** - The developer must acknowledge all existing easements on any final plans of subdivision.
- (13) **Show Restrictions on the Plan of Subdivision** - The developer must acknowledge all existing restrictions on the use of the land on any final plans of subdivision.
- (14) **Section 88B Instrument** - The developer must prepare a Section 88B Instrument for approval by the Principal Certifying Authority which incorporates the following easements and restrictions to user:
- (a) Easement for services.
- (b) Easement to drain water.
- (c) Easement for support and maintenance (for retaining walls);
- (d) Easement for access (to allow for Council to have maintenance access to basins);
- (e) Acoustic attenuation – Lots 1001 to 1008, lot 3028, lots 3030 to 3034, lots 3036 to 3041, lot 3052 and superlots 3074 and 3075 must comply with the requirements set out in Section 4.2 of the report titled Catherine Park Estate Residential Subdivision Stage 1-3 – Road Traffic Noise Impact Assessment, prepared by AECOM, document number 60283679-RPNV-01_B, dated 3 October 2014.
- (f) Salinity Management Plan - Any site specific salinity management plan approved with any Construction Certificate which identifies any lot being affected by salinity must be appropriately burdened and

further development of such lots must be required to comply with the recommended mitigation measures within the site specific salinity management plan; and

- (15) **Permanent Water Quality Facility Operation, Maintenance and Monitoring Manual/s** - Prior to the issue of any Subdivision Certificate, Operation and Maintenance and Monitoring Manual/s for the permanent water quality facilities must be submitted to the Principal Certifying Authority for approval.

The manuals must be prepared by a suitably qualified professional in accordance with the requirements of the water quality criteria contained within the Camden Growth Centres Development Control Plan and must provide detailed information regarding the following:

- (a) vegetation management
- (b) removal of noxious weeds
- (c) replacement of filter medium
- (d) water quality

Sampling - water quality sampling should be undertaken for all relevant Water quality parameters contained within the approved "Water Cycle Master Plan". Samples are to be taken from the inlet point of the "on-site detention / sediment Control Basin" and the outlet point of the "Water Quality Facility".

Frequency - The frequency of sampling for each facility must include quarterly sampling. Where prolonged drought conditions exist and water is unavailable for testing on a quarterly basis then a minimum of 4 samples must be taken (within a 12 month period) when water is available with a minimum of 2 months between sampling periods.

Methodology for attainment of the required water quality discharge parameters.

Discussion of sampling results. A comparison of results with respect to the level of compliance with water quality targets/ criteria will be required and include recommendations for corrective action where non-compliance is determined.

In that regard the manual must indicate that water quality sampling and monitoring report/s must be submitted to Camden Council at the commencement of monitoring and six (6) months after the initial sampling.

Methodology for attainment of the required water quality discharge parameters. Methodology/measures are required to ensure that the subject temporary facilities remain functional/operational until such time as they are decommissioned and replaced/reconstructed as a permanent water quality facility.

- (16) **Construction of Permanent Water Quality Facilities** – A permanent water quality facility must be constructed:

- (a) in accordance with the approved plans;
- (b) to the requirements of Camden Council;
- (c) when Occupation Certificates for dwellings associated with 80% of the lots have been issued.

Any earth batters associated with such a facility must be compacted and stabilised to ensure that the integrity of the batters is continually maintained.

- (17) **Section 94 Contributions** - Pursuant to Catherine Fields (Part) Precinct Section 94 Contributions Plan adopted in November 2013, the contributions shown in the following table (showing the infrastructure type and respective amount) must be paid to Council.

Infrastructure Type	Monetary Amount
Open Space and Recreation – Land	\$1,903,300
Open space and recreation – Works	\$1,666,000
Total Open Space	\$3,569,300
Out-of-Precinct District Facilities – Land	\$426,650
Out-of-Precinct District Facilities – Work	\$1,119,300
Total Out-of-Precinct District Facilities	\$1,545,950
Community Facilities – Land	\$13,650
Community Facilities – Works	\$189,350
Total Community Facilities	\$203,000
Roads – Land	\$324,143
Roads – Works	\$957,871
Total Roads	\$1,282,014
Drainage – Land	\$1,185,526
Drainage – Works	\$2,164,919
Total Drainage	\$3,350,445
Plan Administration	\$185,054
Total Plan Administration	\$185,054
TOTAL CONTRIBUTIONS	\$10,135,763

The monetary contribution specified in the Monetary Amount column of the above table must be paid to Council prior to the issue of each relevant Subdivision Certificate. The monetary contributions must be indexed by the methods set out in Clause 2.15 of the Contributions Plan at the date of payment.

At the sole discretion of Council the monetary contributions may be offset by works in kind. Such works cannot commence until an agreement is made with Council pursuant to the Contributions Plan. If such agreement is to be undertaken, it must be signed prior to the release of the relevant Subdivision Certificate.

A copy of the Catherine Fields (Part) Precinct Section 94 Contributions Plan may be inspected at Council's Camden office at 37 John Street, Camden or can be accessed on Council's website at www.camden.nsw.gov.au.

Note: Any land proposed by the applicant to be dedicated to Council, that is not land required to be dedicated in accordance with the Catherine Fields (Part) Precinct Section 94 Contributions Plan must be dedicated to Council free of cost.

Note: The figures quoted below are based on a Net Developable Area (NDA) of 22.8533 hectares (excluding the area of internal residue lots).

This condition is to be amended by Section 96 modification application DA 228/(2)/2014.

(18) **Update of Bush Fire Prone Land Maps** - Prior to the issue of any Subdivision Certificate a revised draft Bush Fire Prone Land Map shall be produced showing all Asset Protection Zones and Bush Fire Prone Land within the subdivision and shall include the following:

(a) A statement that clarifies and certifies that the changes to the maps are in accordance with the *Planning for Bush Fire Protection Guidelines* and *Guideline for Bush Fire Prone Land Mapping NSW Rural Fire Service*.

See http://www.rfs.nsw.gov.au/dsp_content.cfm?CAT_ID=900.

Such a statement shall be undertaken by a suitably qualified and experienced consultant who has:

- (i) experience in identifying bushfire prone land within NSW,
- (ii) experience in assessing potential bushfire impact, and developing and submitting bushfire risk assessments and deemed to satisfy designs and plans for development in bushfire prone areas,
- (iii) a detailed knowledge of, and experience with the bushfire planning, design and construction guidelines requirements for NSW (such as Planning for Bushfire Protection and Australian Standards) for subdivisions, new buildings, modifications to existing buildings,
- (iv) a detailed knowledge of, and experience with, the bushfire provisions and hierarchy within the *Building Code of Australia*,
- (v) a detailed understanding of, and experience with, the bushfire provisions within, and the operation of the NSW and Local Government planning systems,
- (vi) a thorough understanding of the Macarthur District Bush Fire Risk Management Plan, Macarthur District Bush Fire Operations Plan,
- (vii) public liability / professional indemnity insurance, each to a minimum of \$20 Million.

Note: The above criteria has been adopted from the Certification Guides for Bushfire Planning and Design BPAD (A & D)- Certified Practitioners (as per the FPA (Fire Protection Australia) Certified Practitioner and Business Programme)(see website <http://www.fpaa.com.au/certification/index.php?certification=bpad>)

- (b) Maps to be provided shall include the final layout of the subdivision and as a separate layer in .dxf or .dwg format.
- (19) **Special Infrastructure Contribution** – Prior to the issue of any Subdivision Certificate, the applicant must submit to the consent authority written evidence from the Department of Planning and Environment that a special infrastructure contribution has been made (or is not required, if that is the case) in accordance with the Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Growth Areas) Determination 2011 (as in force when this consent becomes operative).

Information on the Special Infrastructure Contribution can be found on the Department of Planning and Environment's website:

www.planning.nsw.gov.au/PlanningSystem/DevelopmentContributionsSystem/tabid/75/language/en-US/Default.aspx.

- (20) **Street Signs** – Street signs are to be installed:
 - a) in accordance with the requirements of the Principal
 - b) prior to the issue of any Subdivision Certificate.

RECOMMENDED

That the Panel approve Section 96(2) Modification Application 228(2)/2014 for the modification of a previously approved staged subdivision to create 339 residential lots, 18 super lots, public open space and associated site works at 62, 70, 94, 102, 112, 116, 122 and 130 Oran Park Drive, Oran Park subject to the modified conditions listed above.