

SYDNEY SOUTH WEST PLANNING PANEL

Panel Reference	2015SYW145
DA Number	902/2015
Local Government Area	Camden
Proposed Development	Staged subdivision to create 169 residential lots, 8 superlots, remediation of contaminated land, riparian corridor rehabilitation, open space embellishment, construction of recreation facilities, road construction and associated site works.
Street Address	M, 40 and 70 Oran Park Drive, 2 O'Keefe Drive and 2 Catherine Park Drive, Oran Park.
Applicant / Owner	Hixson Pty Ltd and Dandaloo Pty Ltd, c/o Design+Planning are the applicants. Hixson Pty Ltd, Dandaloo Pty Ltd and Leppington Pastoral Company Pty Ltd are the owners.
Date of DA Lodgement	19 August 2015.
Number of Submissions	No submissions received.
Recommendation	Approve with recommended conditions.
Regional Development Criteria (Schedule 4A of the Act)	Capital investment value > \$20 million.
List of All Relevant s79C(1)(a) Matters	• 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	• Statement of Environmental Effects prepared by Design + Planning dated August 2015. • Development plans. • Remediation Action Plan prepared by Douglas Partners dated October 2016. • Heritage Impact Statement prepared by Tropman and Tropman Architects dated 21 October 2015.

	• Vegetation Management Plan prepared by Eco Logical dated July 2015. • Flora and Fauna Assessment prepared by Eco Logical dated 23 July 2015. • Bushfire Protection Assessment prepared by Eco Logical dated 24 July 2015. • Traffic Impact Review prepared by Christopher Hallam & Associates dated 27 July 2015.
Report prepared by	William Jones - Town Planner (Camden Council)
Report date	16 January 2017

Summary of s79C matters

Have all recommendations in relation to relevant s79C matters been summarised in the Executive Summary of the assessment report?	Yes
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Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed and relevant recommendations summarized, in the Executive Summary of the assessment report? e.g. Clause 7 of SEPP 55 – Remediation of Land, Clause 4.6(4) of the relevant LEP.	Yes
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Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?	Not Applicable
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Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions (S94EF)? Note: Certain Das in the Western Sydney Growth Areas Contribution Area may require specific Special Infrastructure Contributions (SIC) conditions.	Yes
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Conditions

Have draft conditions been provided to the applicant for comment? Note: in order to reduce delays in determinations, the Panel prefers that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report.	Yes
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PURPOSE OF REPORT

The purpose of this report is to seek the Planning Panel's (the Panel) determination of a development application (DA) for a staged subdivision to create 169 residential lots, 8 superlots, remediation of contaminated land, riparian corridor rehabilitation, open space embellishment, construction of recreation facilities, road construction and associated site works at M, 40 and 70 Oran Park Drive, 2 O'Keefe Drive and 2 Catherine Park Drive, Oran Park.

The Panel is the determining authority for this DA as, pursuant to Part 4 of State Environmental Planning Policy (State and Regional Development) 2011 and Schedule 4A of the *Environmental Planning and Assessment Act 1979*, as the capital investment value (CIV) of the proposed development is \$23,360,000 which exceeds the CIV threshold of \$20 million for Council to determine the DA.

SUMMARY OF RECOMMENDATION

That the Panel determine DA 902/2015 for a staged subdivision to create 169 residential lots, 8 superlots, remediation of contaminated land, riparian corridor rehabilitation, open space embellishment, construction of recreation facilities, road construction and associated site works pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions contained in this report.

EXECUTIVE SUMMARY

Council is in receipt of a DA for a staged subdivision to create 169 residential lots, 8 superlots, remediation of contaminated land, riparian corridor rehabilitation, open space embellishment, construction of recreation facilities, road construction and associated site works at M, 40 and 70 Oran Park Drive, 2 O'Keefe Drive and 2 Catherine Park Drive, Oran Park.

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

The proposal is generally compliant with the relevant planning controls with the exceptions of 2 variations to the Camden Growth Centres DCP relating to access to Catherine Park Drive (a transit boulevard) and the location of trunk drainage. As discussed in the assessment section of this report, it is considered that these variations are acceptable.

A phase 2 contamination assessment was submitted as part of the DA identifying remediation of zinc, anthropogenic material, hydrocarbons and polycyclic aromatic hydrocarbons. A Remediation Action Plan prepared by Douglas Partners dated October 2016 was submitted as part of the DA and is recommended for approval subject to conditions.

The DA was publicly exhibited for a period of 30 days between 3 September 2015 and 2 October 2015 in accordance with Camden Development Control Plan 2011. No submissions were received.

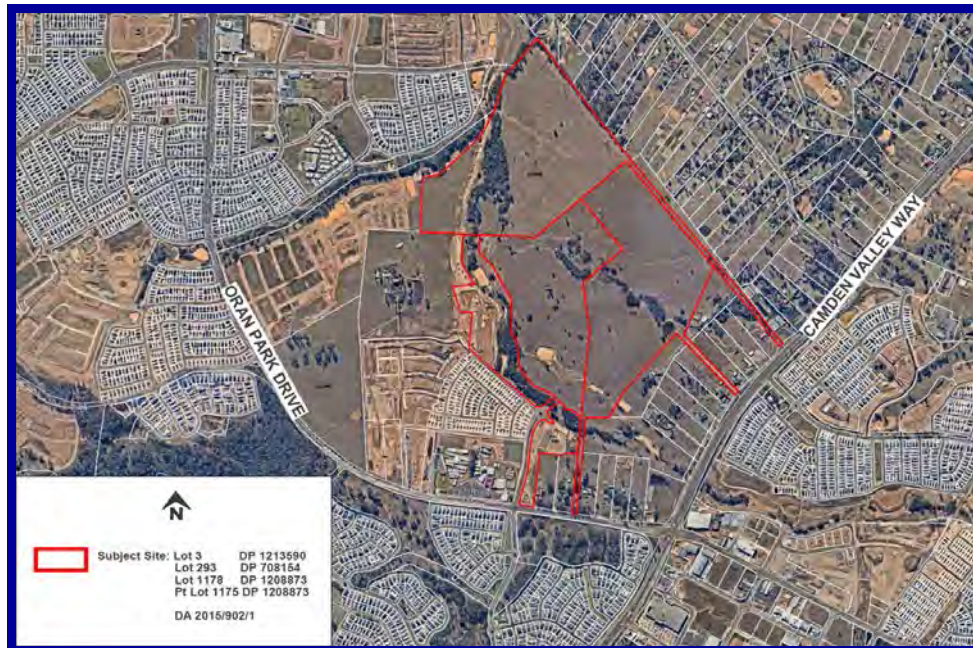
Based on the assessment, it is recommended that the DA be approved subject to the conditions contained in this report.

ASSESSMENT SUMMARY

An assessment summary for each of the applicable Environmental Planning Instruments that relate to the proposed development is provided below:

State Environmental Planning Policy (State and Regional Development) 2011	The proposed development has a capital investment value (CIV) of \$23,360,000. This exceeds the CIV threshold of \$20 million for Council to determine the DA and therefore it is referred to the Panel for determination.
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	The proposed development complies with the SEPP as amended and is permitted with consent in the applicable zones.
State Environmental Planning Policy (Infrastructure) 2007	Two (2) transmission lines traverse the site, they are owned by Transgrid and Endeavour Energy. These agencies have provided conditions.
State Environmental Planning Policy No 55 – Remediation of Land	A Phase 2 Contamination Assessment identified contamination within the development site. A Remediation Action Plan (RAP) was submitted with the DA and is recommended for approval subject to conditions.
Deemed State Environmental Planning Policy No 20 – Hawkesbury-Nepean River	The proposed development is considered to comply with the deemed SEPP as there will be no detrimental impacts upon the Hawkesbury-Nepean River as a result of the development.

AERIAL PHOTO



AERIAL PHOTO SHOWING DEVELOPMENT BOUNDARY



THE SITE

The site comprises 5 properties that are commonly known as M, 40 and 70 Oran Park Drive, 2 O'Keefe Drive and 2 Catherine Park Drive, Oran Park and are legally described as lot 3 DP 1213590, lot 293 DP 708154, lot 1178 DP 1208873, and part lot 1175 DP 1208873.

The site is irregular in shape and has a frontage of 366m to O'Keefe Drive, Oran Park, 710m to Catherine Park Drive, 90m to Oran Park Drive, and 40m to Camden Valley Way. The site has a maximum depth of 2.1km and an overall area of 129.5ha. The exact area of the proposed development is limited to 30.5ha of the overall site area. The remaining 99ha of land will be developed subject to separate DAs.

The site slopes downwards from Oran Park Drive to the north east towards South Creek. The site also slopes upwards towards Oran Park House (a State heritage item – the development is outside of the heritage curtilage), which is located near the north-west corner of the site at 4 O'Keefe Drive, Oran Park. St Justin's and St Benedict's Catholic primary and secondary schools are located towards the south of the site at 70 and 94 Oran Park Drive. The site is otherwise vacant aside from scattered vegetation, a creek and dams.

The land on either side of South Creek is identified as bush fire and flood prone land.

The site is located within the Catherine Fields (Part) Precinct of the South West Growth Centre.

Land to the south-west is currently being developed as part of a JRPP approved subdivision being DA 228/2014.

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

A formal submission to amend State Environmental Planning Policy (Sydney Region Growth Centres) 2006 in relation to the Catherine Fields (Part) Precinct was submitted by the applicant to the Department of Planning and Environment seeking to:

- a) amend the land use table in Appendix 9 so that a Sports Field (defined as a 'recreation area') is permitted with consent in the R2 zone;
- b) re-adjust the boundaries of the E2 Environmental Conservation zone to ensure residential subdivision and associated roads can be established with no loss of riparian land.

These amendments were gazetted by the Department of Planning on 19 August 2016.

Section 72J of the *Environmental Planning and Assessment Act, 1979* provides that Council may consider a DA reliant upon an amendment to the SEPP. Therefore the proposal is assessed against the recently amended SEPP. The proposal complies with the objectives and controls of the SEPP as amended.

A formal submission to amend the Camden Growth Centre Precincts Development Control Plan (DCP) was also submitted by the applicant to the Department of Planning and Environment seeking to:

- a) formalise the residential street standards namely the widths adopted via the development consent for Stages 1 to 3 of Catherine Park Estate which was via DA 228/2014 approved by the JRPP on 27 November 2014; and
- b) amend the road and pathway network associated referenced by the ILP to achieve an improved network.

The above amendments have been endorsed.

The DA is subject to the adopted Catherine Park Voluntary Planning Agreement (VPA) and Explanatory Note, which was executed on 16 December 2016.

The VPA has been entered into between the Minister for Planning and 3 other developers (Hixson Pty Ltd, Dandaloo Pty Ltd and Edgewater Homes Pty Ltd). Council's Recreation Working Group has assessed the proposal and is satisfied the development is in accordance with the executed VPA.

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

Date	Development
27 November 2014	DA 228/2014: Subdivision to create 339 residential lots, 18 super lots, public open space and associated site works. The extension of Catherine Park Drive approved via DA 228/2014 must be constructed prior to the issue of a Subdivision Certificate (a condition has been included).
6 November 2015	DA 916/2015: Subdivision to create 3 residue lots.
10 November 2015	DA 685/2015: Bulk earthworks and associated site works.
12 November 2015	DA 710/2014: Bulk earthworks and associated site works. Bulk earthworks approved via DA 710/2014 must be completed prior to works commencing (a condition has been included).

THE PROPOSAL

DA 902/2015 seeks approval for a staged subdivision to create 169 residential, 8 superlots, remediation of contaminated land, riparian corridor rehabilitation, open space embellishment, construction of recreation facilities, road construction and associated site works.

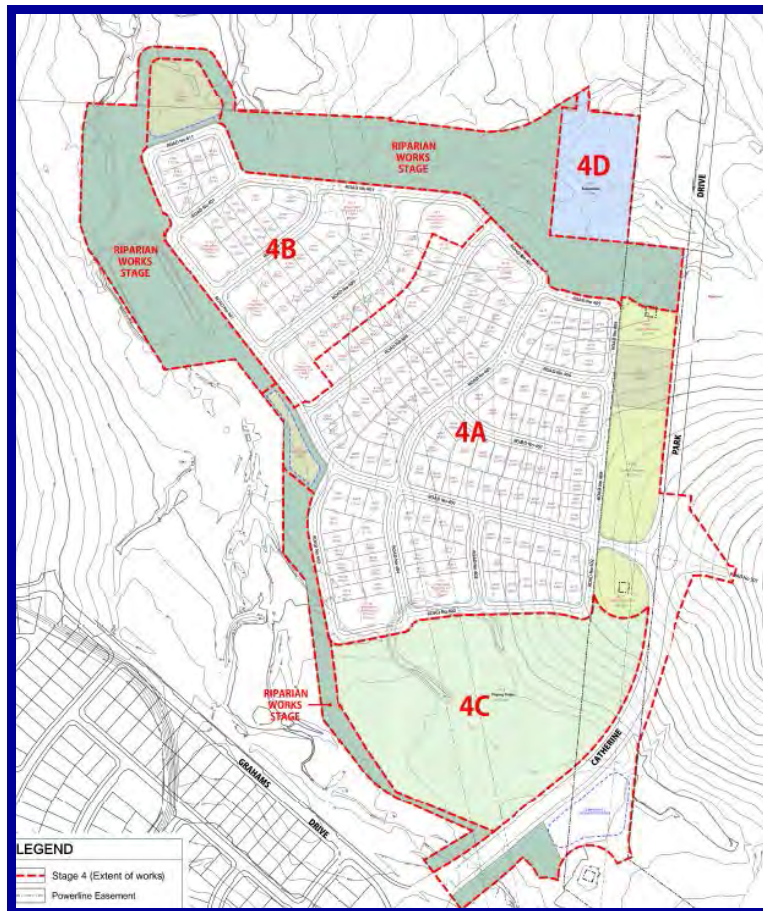
Specifically the proposed development involves:

- stage 1 of subdivision to create 127 residential lots with areas ranging from 389m² to 701m², 3 superlots for future integrated housing with areas ranging from 1784m² to 1888m², 2 drainage reserve lots with areas of 1330m² and 3270m² (to be dedicated to Council), 3 public reserve lots with areas of 2217m², 6931m², and 2819m² (each of the public reserves are to be dedicated to Council with 1 of the public reserves lots to be developed as a dog off-leash area as part of this DA), and extension of Catherine Park Drive;

- stage 2 of subdivision to create 42 residential lots with areas ranging from 390m² to 714m², 5 superlots for future integrated housing with areas ranging from 1784m² to 2458m², and 1 drainage reserve lot with an area of 4250m² (to be dedicated to Council);
- stage 3 of subdivision to create 1 open space lot including the construction of 2 sports playing fields, a children's playground, seating, cricket nets, a viewing deck, picnic areas with BBQs and shelters, a building pad (for future amenity and community buildings subject to a future DA in accordance with the VPA), and a car park for 123 vehicles (all to be dedicated to Council);
- stage 4 of subdivision to create 1 lot for the provision of a substation 9780m²;
- rehabilitation works to the riparian corridor;
- remediation of contaminated land;
- earthworks associated with construction of roads, servicing and allotment drainage for each sub-stage;
- road construction (including extension of Catherine Park Drive);
- construction of pedestrian pathways and shareways; and
- provision of services, infrastructure and street landscaping.

The CIV of the works is \$23,360,000.

PROPOSED SITE/STAGING PLAN



ASSESSMENT

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

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

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

The Environmental Planning Instruments that relate to the proposed development 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 (SEPP)

Pursuant to Clauses 20 and 21 of the SEPP, the proposed development is included in Schedule 4A of the *Environmental Planning and Assessment Act 1979* and has a CIV of \$23,360,000. This exceeds the CIV threshold of \$20 million for Council to determine the DA, and therefore it is referred to the Panel for determination.

State Environmental Planning Policy (Sydney Region Growth Centres) 2006

Permissibility

The proposed development works are located within the R2 Low Density Residential, E2 Environmental Conservation zones.

The proposed development is defined as “earthworks”, “drainage”, “roads”, “environmental protection works”, “community facilities” and “recreation areas” by the SEPP, which are all permissible land uses in the relevant zones. Subdivision of land is also permitted with consent.

A building pad is proposed to accommodate a future community facility; this will be the subject of a future DA in accordance with the Voluntary Planning Agreement.

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 to “support the well-being of the community by enabling educational, recreational, community, religious and other activities where compatible with the amenity of a low density residential environment.” The proposed development includes a wide range of lot sizes to provide for the future housing needs of residents, as well as a public park with associated community facilities, pathways and cycleways which will enable suitable recreational activities for future residents within a low density residential environment.

The relevant objectives of the E2 Environmental Conservation zone are to “protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values” and to “prevent development that could destroy, damage or otherwise have an adverse effect on those values.” The proposed development includes the restoration of a large portion of South Creek, together with the long term management and maintenance procedures to ensure the riparian corridor will be protected into the future.

Relevant Clauses

The DA was assessed against the following relevant clauses of the SEPP.

Clause	Requirement	Provided	Compliance
19 Development on Flood Prone and Major Creeks Land - Additional Heads of Consideration	Consent authority to consider a number of matters relating to flood behavior, impacts on the floodplain (including erosion) and whether earthworks will	The submitted stormwater management plan and flood study confirm that as a result of the proposed drainage infrastructure (including basins 4a, 4b and 9a) the downstream flood impacts will be decreased as a result of the flows being controlled. Post-development peak runoff to the permissible site discharge points has been	Yes

Clause	Requirement	Provided	Compliance
	alter drainage patterns or impact the future use of the land.	considered for all storm events up to and including the 100 year storm event. All proposed residential lots and relevant infrastructure will be above the 1 in 100 year flood planning level.	
Appendix 9, 2.6 Subdivision – Consent Requirements	Development consent required for subdivision.	The DA seeks consent for the proposed subdivision.	Yes
Appendix 9, 4.1AB Minimum Lot Sizes for Residential Development in R2 Low density and R3 Medium Density zones	Minimum lot size for a dwelling house is 300m ² . Various other minimum lot sizes are prescribed for different forms of residential housing.	The smallest residential lot proposed for detached dwelling houses is 389m ² , which complies with the minimum lot size controls. 8 superlots are proposed to accommodate future housing options. These superlots will be the subject of future DA's.	Yes Yes
4.1B Minimum Residential Density	Minimum densities to comply with areas "O" – 15 dwellings per hectare.	The Net Development Area Plan (NDA) submitted with the application indicated 17.1 dwellings per hectare will be achieved by this proposal, which is above the minimum 15 dwellings per hectare density.	Yes
5.9 Preservation of Trees and Vegetation	Development consent required prior to removal of trees or vegetation to which a development control plan applies.	The proposed development requires the removal of scattered vegetation outside of the riparian corridor and consent for this has been sought as part of this DA.	Yes
5.10 Heritage Conservation	Consent authority to consider the effect of the development on the significance of Aboriginal and European Heritage.	Two (2) Aboriginal Heritage Impact Permits (AHIP) issued by the Office of Environment and Heritage apply to the development area being permits C0000562 and C0001014. The AHIPs permit the removal of known Aboriginal objects within the development site. Conditions are recommended so the development is carried out in	Yes

Clause	Requirement	Provided	Compliance
		accordance with the AHIPs. The proposed development is located outside of the Oran Park House (known as Catherine Park House) State Heritage curtilage and therefore will not impact the State Heritage Item. Views to the heritage item have been achieved from the proposed playing fields and along proposed Road 401. The application was considered acceptable by the Heritage Office.	
6.1 Public Utility Infrastructure	Essential public utility infrastructure to service the development to be available, or arrangements in place to ensure it will be provided	The site will be serviced by appropriate public utility infrastructure including water, electricity and sewer. A condition is recommended to ensure that this is demonstrated and occurs.	Yes
6.2 Native Vegetation Retention Areas	Development consent required for clearing native vegetation within South Creek riparian corridor (land zoned E2 Environmental Conservation) and Council to consider impacts	No native vegetation is proposed to be cleared within South Creek.	Yes

State Environmental Planning Policy (Infrastructure) 2007 (SEPP)

Pursuant to Clause 45 of the SEPP, the development proposes works within easements for overhead electricity transmission lines located within the eastern side of the development site adjacent to the Catherine Park Drive extension (Transgrid) and diagonally across the middle of the development site (Endeavour Energy). The DA was referred to Transgrid and Endeavour Energy for comment.

Transgrid provided conditional approval in their letter dated 9 September 2016. The proposed works, which partially encroach within the Transgrid easement relate to the car park (proposed open space lot 4178) and provision of a dog off-leash area (proposed open space lot 4180). Transgrid granted approval to the car park and use of the open space lot 4180 as a dog off-leash area subject to the deletion of animal play equipment and earth mounds within the exclusion zone (the central area directly under the easement) associated with the dog off-leash area. The applicant has

consented to removal of these items at part of the Construction Certificate plans and documents. The delivery of the dog-off leash area is not a VPA item.

The minimum requirements for the off-leash area is seating, bins, fencing and signage, which according to Transgrid can be included within the easement but not within the exclusion zone. A condition is recommended that the entire development complies with Transgrid's letter dated 9 September 2016.

The asset owned by Endeavour Energy is to be undergrounded in accordance with the ILP for Catherine Park. Endeavour Energy provided approval in an email dated 6 January 2016 subject to conditions relating to network capacity connection, easement management, electric and magnetic fields, noise, safety clearances, earthing, vegetation management, and public safety.

Endeavour Energy's Network Planning Engineer (Asset Strategy and Planning) notes the applicant will be required to lodge an application with Endeavour Energy to have the asset undergrounded and the easement extinguished given works are currently prohibited within the easement; this is a separate process to the DA. The existing Endeavour Energy easement will be extinguished as part of the registration of the lots, which occurs after the Subdivision Certificate is issued.

State Environmental Planning Policy No 55 – Remediation of Land (SEPP)

The SEPP requires Council to be satisfied that the site is suitable for its intended use (in terms of contamination) prior to granting consent.

A phase 2 contamination assessment was submitted identifying remediation of zinc in sample location AEC1, anthropogenic material in sample location AEC6, and hydrocarbons and polycyclic aromatic hydrocarbons in sample location AEC8.

A Remediation Action Plan prepared by Douglas Partners dated October 2016 was submitted as part of the DA that requires validated material to be buried within residential lots within stages 4 - 10 with a defined cover of clean material (not required to be validated/remediated). There is a section in the RAP titled "excavation backfilling" that allows validated material from onsite to be used in excavations. Council will not permit this reuse to occur on land to be dedicated to Council.

A condition is recommended that remediation be carried out in accordance with the RAP prior to works commencing. A condition is also recommended that the placement or reuse of remediated or validated fill material on Council land or on land to be dedicated to Council is prohibited.

There are no remaining areas of environmental concern within the development area which require remediation. The site is therefore considered suitable for its intended residential and recreational uses.

Notwithstanding the above, a standard contingency condition is recommended requiring that if any contamination is found during construction it must be managed in accordance with Council's Management of Contaminated Lands Policy.

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

The proposed development is consistent with the aim of the SEPP (to protect the environment of the Hawkesbury-Nepean River system) and all of its planning controls.

There will be no detrimental impacts upon the Hawkesbury-Nepean River system as a result of the proposed development. Conditions requiring appropriate stormwater detention, treatment and erosion and sediment control measures are recommended.

(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 Instruments 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. Discussion of any variations of the controls is provided after the compliance table.

Control	Requirement	Provided	Compliance
2.2 The Indicative Layout Plan (ILP)	Development to be generally in accordance with the ILP (Refer to Attachment 1) .	The proposal is generally consistent with the ILP, in that it provides for a grid network with a clear road hierarchy. Key local roads are provided in accordance with the ILP although the position of some local roads and intersections has been modified. The proposed local roads achieve the intended connectivity envisaged by the ILP. The ILP specifies Sporting Fields towards the south of the development site. The embellishment of this area is proposed, which includes a double playing field, a 123 space car park and a building pad for a future community facility and amenities building. The Endeavour Energy	Yes

Control	Requirement	Provided	Compliance
		transmission line will be undergrounded in accordance with the ILP, the proposed subdivision layout is consistent with the low density residential development specified by the ILP. Future low density housing is permissible in accordance with the SEPP and will be subject to future assessments.	
2.3.1 Flooding	Subdivision layout to ensure 1% AEP flood extent is not exceeded and filling permitted where flood study demonstrates it is required.	Approximately 405,000m ³ of fill material was included as part of the approved DA for bulk earthworks (DA 710/2014). The surface levels near South Creek will be raised as part of the bulk earthworks to ensure all lots and relevant infrastructure are located above the 1 in 100 year flood line. A condition is recommended so bulk earthworks are completed prior to works commencing on the subdivision.	Yes
	Evacuation routes to be maintained and provided in accordance with Council's flood policy.	Appropriate evacuation routes are proposed.	Yes
2.3.2 Water Cycle Management	Management of 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.	The proposed stormwater management strategy includes the provision of 3 detention basins to collect and manage the flow of water in a controlled manner in accordance with Council's engineering specifications and the Precinct's schedule. Detention basins are provided for each stage of the subdivision.	Yes
	Development is to be connected to Council's trunk drainage system	The Key Elements figure of Schedule 4 (Refer to Attachment 2) shows detention basins within the	No – Variation 1

Control	Requirement	Provided	Compliance
	shown on the Key Elements figure (Refer to Attachment 2) in the precinct schedule.	northern, southern and eastern areas of the development site. The northern and eastern detention basins are provided, however provision of an extra basin to the west (eastern side of the riparian corridor) is proposed.	
	Roads on primary drainage lines are to be constructed in the locations shown on the Key Elements figure in the precinct schedule.	Key Local Roads (proposed roads 401, 402, 405, & 406) are provided in accordance with the Key Elements figure of Schedule 4 (Figure 2-3).	Yes
	Water quality treatment to be provided in accordance with the DCP.	The submitted stormwater report confirms that the required water quality targets will be met.	Yes
	Development on land within a riparian protection area to be consistent with NSW Department of Primary Industries – Water (DPI – Water) Guidelines for riparian corridors on waterfront land.	The proposed works within the riparian corridor (drainage) are permissible within the DPI - Water Guidelines. The DPI - Water have issued a Controlled Activity Approval (CAA) for the DA under the Water Management Act 2000. A condition is recommended to ensure compliance with the DPI – Water CAA.	Yes
2.3.3 Salinity and Soil Management	DAs involving earthworks on salinity affected land to be accompanied with salinity assessment and management plan.	A salinity assessment and Salinity Management Plan (SMP) has been provided confirming the overall Precinct (including the area of the residue lots) contains a mixture of slightly, moderately and very saline conditions (particularly near South Creek).	Yes
	All development to incorporate soil conservation measures to	Appropriate salinity control measures are provided by the SMP, which include soil conservation measures,	Yes

Control	Requirement	Provided	Compliance
	minimise erosion and siltation. Details to be submitted with each DA.	which include the construction of earth banks, geotextile filters and stabilised access points and shaker pads. Conditions are recommended to ensure works are carried out in accordance with the SMP.	
2.3.4 Aboriginal and European Heritage	DAs to identify area of Aboriginal significance and impacts require consent from the NSW Office of Environment and Heritage (OEH).	Two (2) Aboriginal Heritage Impact Permits (AHIP) issued by the Office of Environment and Heritage apply to the development area being permits C0000562 and C0001014. The AHIPs permit the removal of known Aboriginal objects within the development area. Conditions are recommended to ensure the development is carried out in accordance with the requirements of the two AHIPs.	Yes
	DAs on properties identified on the European cultural heritage sites figure to be accompanied with appropriate heritage studies and significant features to be conserved.	The submitted heritage report confirms the proposed development is located outside of the Oran Park House State Heritage curtilage and therefore will not impact the State Heritage Item. This has been confirmed by the Heritage Office.	Yes
	New work in the vicinity of the heritage item to be identifiable and sympathetic to the form, scale, massing, setback and overall character of the item and should not detract from it.	Key views from Oran Park House to Springwood Road ridge in accordance with the DCP (Refer to Attachment 3) will be maintained given the land slopes east to west towards South Creek. Views to Oran Park House from the proposed development have been achieved from the proposed playing fields and along proposed Road 401 (a Key Local Road) with other local roads also being orientated towards the heritage item. Therefore the	Yes

Control	Requirement	Provided	Compliance
		proposed development is considered to be sympathetic to the heritage item.	
2.3.5 Native Vegetation and Ecology	Trees and vegetation to be retained where possible, particularly for land in the Environmental Protection Overlay or in a Riparian Protection Area. Council to consider historic and cultural significance of vegetation.	The proposed development includes the removal of scattered vegetation within the subdivision area; however these will be adequately off-set with planting of native species within the riparian corridor as part of this DA and future DAs for the remainder of the Precinct.	Yes
	Riparian protection areas are to be conserved and managed in accordance with DPI - Water Guidelines.	The DPI - Water has granted a Controlled Activity Approval for the proposed development. Compliance with the CAA is a recommended condition.	Yes
	Subdivisions to consider weed minimisation and dispersion.	The submitted VMP identifies the applicable noxious weed species located on the site and includes appropriate weed management recommendations. Compliance with the VMP is a recommended condition.	Yes
	Landscaping plans to be provided in accordance with the DCP.	The proposed landscaping plans include species which are consistent with the DCP; however some of the trees proposed along Catherine Park Drive are infrangible (unbreakable) and do not comply with Austroads standards. A condition is recommended which requires these trees to be replaced with an alternative compliant species that will break upon impact.	Yes

Control	Requirement	Provided	Compliance
2.3.6 Bushfire Hazard Management	Development to be consistent with <i>Planning for Bush Fire Protection 2006</i> .	The submitted bushfire report includes recommendations to ensure the development is consistent with <i>Planning for Bush Fire Protection 2006</i> , particularly with regard to asset protection zones, water supply, services and location of roads.	Yes
	Asset protection zones (APZs) to be maintained as per the requirements of the precinct schedule and specified on 88B Instruments.	The DCP requires a minimum APZ of 20m to be provided to the lots along the edge of South Creek. The submitted bush fire report recommends a minimum APZ of 15m. The report also recommends a minimum APZ of 50m be provided to the east and south east of the subdivision as it adjoins undeveloped grasslands. The RFS have reviewed the submitted report and agree with the recommendations. Compliance with the RFS's General Terms of Approval is a recommended condition.	Yes
2.3.7 Site Contamination	DAs for sensitive uses including residential to be accompanied by detailed phase 1 and 2 contamination assessments and a remedial action plan if necessary.	A phase 2 contamination assessment was submitted identifying remediation for zinc in sample location AEC1, anthropogenic material in sample location AEC6, and hydrocarbons and polycyclic aromatic hydrocarbons in sample location AEC8. A Remediation Action Plan was prepared and submitted as part of the DA that provides suitable remediation options. A condition is recommended that remediation is carried out in accordance with the RAP prior to works commencing.	Yes
	Council to be satisfied that the	Following remediation of the	Yes

Control	Requirement	Provided	Compliance
	site is suitable for the proposed use prior to granting consent and may require a Site Auditor to be involved at any stage of the investigation.	contaminated land identified by the Phase 2 Contamination Assessment, the site will be suitable for its intended use. A validation report will be required and has been reinforced via a recommended condition of consent that prior to the issue of a subdivision certificate the recommend has been implemented.	
2.3.8 Electricity and gas easements	On land affected by easements, development must be in accordance with the requirements of the infrastructure organisation.	Overhead electricity transmission lines are located on the eastern side of the development site adjacent to the Catherine Park Drive extension (Transgrid) and diagonally across the middle of the development site (Endeavour Energy). The DA was referred to Transgrid and Endeavour Energy for comment. Transgrid provided conditional approval in their letter dated 9 September 2016. A condition is recommended to ensure compliance with Transgrid's requirements, which includes deletion of the structures and earth mounds associated with the dog off-leash area, which is supported. The plans will need to be amended and form part of the construction certificate plans and documents. The asset owned by Endeavour Energy is to be undergrounded as part of this development in accordance with the ILP for Catherine Park. Endeavour Energy provided conditional approval subject to conditions relating to	Yes

Control	Requirement	Provided	Compliance
		network capacity connection, easement management, electric and magnetic fields, noise, safety clearances, earthing, vegetation management, and public safety.	
2.3.9 Noise	Acoustic report required to determine potential noise attenuation measures to reduce impacts upon sensitive receivers such as residences inside or outside of the Precinct.	Council staff requested a site specific acoustic assessment due to the proximity of residential lots to Catherine Park Drive (a transit boulevard). The submitted report identifies acoustic protection measures, including room positioning and construction materials, for the lots adjacent to Catherine Park Drive. Conditions are recommended to ensure appropriate 88B Instruments are imposed on these lots.	Yes
2.3.11 Air Quality	Implement site controls to ensure air pollution control.	Standard conditions are recommended to ensure air pollution is appropriately controlled on site.	Yes
2.5 Crime Prevention Through Environmental Design (CPTED)	Development to enhance surveillance of streets and public open space.	The proposed subdivision layout generally provides good surveillance opportunities of the streets, footpaths, open space and riparian corridor.	Yes
	Pedestrian and communal areas to have sufficient lighting to ensure safety and be designed to minimise areas of concealment.	The proposed pedestrian areas (such as open space, footpaths and landscaped verges) will be adequately lit with street lighting.	Yes
	CPTED principles to be incorporated.	CPTED principles have been considered and outlined in the SoEE. The proposed subdivision and open spaces will achieve adequate surveillance from the surrounding residential lots. The open spaces are well defined in terms of access points and do not	Yes

Control	Requirement	Provided	Compliance
		include any landscaped features which will permit or encourage concealment. The DA was referred to Camden Local Area Command (CLAC) for assessment. CLAC identified the development as being low crime risk with no recommended conditions.	
2.6 Earthworks	Subdivision to respond to natural topography or site, minimising cut and fill.	Bulk earthworks for Stage 4 was approved via DA 710/2014. Further earthworks are required as part of this DA for preparation of roads and allotments, and the infill of land beneath the Endeavour Energy easement, which is to be undergrounded in accordance with the ILP. The proposed subdivision will maintain a general slope from Catherine Park Drive towards South Creek. Significant filling as part of the bulk earthworks DA was only required in the area closest to the riparian corridor to ensure all residential lots are above the 1 in 100 year flood level.	Yes
	All retaining walls to be identified in the DA. Walls to be designed by a structural engineer and be of masonry construction with anti-graffiti coating.	Retaining walls are not proposed. Should retaining walls be required at Construction Certificate stage, conditions requiring structural engineer's certification for any proposed retaining walls and anti-graffiti coating are recommended.	Yes
	Validation report required prior to placement of imported fill.	Conditions are recommended requiring validation reports for the proposed importation of 544,000m ³ fill.	Yes
3.1.1	All applications	The SEPP residential	Yes

Control	Requirement	Provided	Compliance
Residential Density	for residential subdivision are to demonstrate that the proposal meets the minimum residential density requirements of the relevant Precinct Plan and contributes to meeting the overall dwelling target in the relevant Precinct. Residential development to be generally consistent with Table 3-1 (Refer to Attachment 4).	density map requires a minimum of 15 dwellings per hectare. A residential density plan was submitted with the application showing the proposed development achieves a density of 17.1 dwellings per hectare. Proposed lots will accommodate future dwellings in accordance with the 15-20dw/Ha band, achieving suburban streetscapes and occasional urban streetscapes (subject to future dwelling proposals).	Yes
3.1.2 Block and Lot Layout	Permeable, legible and connected street network that responds to site characteristics including topography, vegetation, place making and solar design. Street blocks to generally be a maximum of 250m long and 70m deep although greater lengths may be considered.	A permeable, legible and connected street network has been proposed that permits view lines to Oran Park House and is well connected to open space areas while allowing allotments to have general northern orientations. The longest residential block proposed is 265m (along road 401 and 408); however this block is well connected to numerous streets, particularly on its southern side and is therefore supported. All remaining blocks are less than or equal to 250m in length. The ends of some residential blocks splay outwards resulting in overall block depths greater than 70m at the block ends.	Yes Yes

Control	Requirement	Provided	Compliance
		These blocks taper inwards towards the centre with depths less than 70m. The proposed blocks are therefore considered to generally have a maximum 70m depth. The splayed block ends is due to the development site following the shape of the riparian corridor. As a permeable and well connected street network is proposed, the proposed blocks will not adversely impact connectivity.	
	Minimum lot widths to be 9m for 15dw/Ha density band.	The site is subject to the minimum 15dw/Ha density map, therefore minimum width for front loaded lots is 9m. All proposed lots have a width greater than 9m.	Yes
	A range of lot types must be provided to ensure a mix of housing types.	Lots range in size from 389m ² to 714m ² and will permit a range of dwelling types including single dwellings, secondary dwellings, dual occupancies and semi-detached dwellings. The 8 proposed superlots will accommodate a range of future housing options (subject to separate applications).	Yes
	No more than 40% of lots are to be of the same lot type. A lot mix table must be provided.	A lot mix table was provided indicating a maximum 35% of lots will be the same lot type.	Yes
	Lots to be rectangular.	All lots are generally rectangular and will be able to accommodate future compliant dwellings.	Yes
	Smallest lots fronting parks and open space.	In general, smaller lots front open space. The 8 superlots have been orientated towards open space and the riparian corridor. These lots	Yes

Control	Requirement	Provided	Compliance
	Larger lots on corners. Block orientation established by road layout within the ILP. Optimal lot orientation is east-west or north-south where the road pattern requires.	will accommodate a range of lot sizes and dwelling types (subject to separate applications). Larger lots have been provided on corners with all 8 superlots being corner lots. Residential lots generally achieve a north-south orientation and have been designed to take account of the location of key local roads specified within the ILP.	Yes Yes
3.1.4 Corner Lots	Corner lots must comply with Council's engineering specifications.	It is a recommended condition that the entire development complies with Council's Engineering Specifications.	Yes
3.3.1 Layout and Design	The design of streets is to be consistent with Figure 3-15 (Refer to Attachment 5), noting that variations may be considered subject to certain criteria. Identified bus routes must have at least 3.5m travel lane. Roads are to be provided generally in accordance with the hierarchy shown on the Precinct road	The minimum proposed carriageway widths for local roads is 7.4m, which is in accordance with the DCP. Catherine Park Drive is identified as a transit boulevard in accordance with the DCP and will include a dedicated bus lane (3.5m) with all travel lanes within the boulevard being 3.5m. Key local roads and the extension of the transit boulevard (Catherine Park Drive) are in accordance with Figure 2-11 (Refer to Attachment 6). The proposed local road layout	Yes Yes Yes

Control	Requirement	Provided	Compliance
	hierarchy figure (Refer to Attachment 6). Roads are to be designed and constructed in accordance with Council's engineering specifications. 4 Way intersections are to be appropriately controlled. Street trees are required for all streets at a rate of 1 tree per lot or 1 every 10m, whichever is the greater. Street lighting must comply with AS/NZS 1158.	responds to site characteristics and provides a permeable and well connected network. A condition is recommended requiring compliance with Council's engineering specifications. Appropriate control measures for the proposed 4 way intersections have been proposed. 1 street tree per lot is proposed. Some of the trees proposed along Catherine Park Drive are infrangible (unbreakable) and do not comply with Austroads standards. A condition is recommended which requires these trees to be replaced with an alternative compliant frangible species that will break upon impact. A condition is recommended to ensure compliance with this part.	Yes Yes Yes Yes
3.3.4 Pedestrian and Cycle Network	Appropriately lit and designed cycleways are to be provided generally in accordance with the Pedestrian and Cycleway Network figure (Refer to Attachment 7).	The DCP requires an off road shared path through proposed road 401 and over the riparian corridor, and a riparian walkway along the eastern side of the eastern tributary connecting to the northern side of the northern tributary. The development proposes an off road shared path network around the perimeter of the development, which will be delivered as part of this DA and is in accordance with Figure 2-12. Future pedestrian bridges over the	Yes

Control	Requirement	Provided	Compliance
		riparian corridor to the west and north will be provided subject to future DAs for stages 6 and 10 in accordance with the VPA.	
3.3.5 Temporary vehicular access	Temporary turning heads may be required for development staging.	Temporary turning heads have been proposed where necessary for each stage of the subdivision.	Yes
3.3.6 Access to arterial roads, sub-arterial roads and transit boulevards	Vehicular access to arterial roads, sub-arterial roads and transit boulevards shown on the Precinct Road Hierarchy figure (Refer to Attachment 6) may only be via another public road.	A variation is proposed to the DCP control as a direct access is proposed to the car park associated with the open space lot 4178 off the Catherine Park Drive extension (a transit boulevard), which is not envisaged by the Precinct Road Hierarchy figure	No – DCP Variation 2
3.4 Construction Environmental management	A construction environmental management plan (CEMP) is required prior to the issue of a Construction Certificate.	A condition is recommended that requires the preparation of a CEMP prior to the issue of a Construction Certificate.	Yes
	Erosion and sediment controls must be implemented.	Appropriate erosion and sediment controls measures have been proposed and are recommended as conditions.	Yes
	Trees to be retained must be protected.	The existing vegetation to be retained inside the riparian corridor will be appropriately protected.	Yes

Schedule 4: Catherine Fields (Part) Precinct Controls

Control	Requirement	Provided	Compliance
2.3 Rickard Road Extension Transit Boulevard	Catherine Park Drive (identified as “Rickard Road Extension”) to comply with cross section in Figure 2-14 (Refer to	Engineering drawings indicate compliance with this part. A condition is recommended to ensure that the cross sections for this transit boulevard comply with the DCP.	Yes

Control	Requirement	Provided	Compliance
	Attachment 8).		
2.4 Public Transport	Bus capable roads and routes to be provided with minimum 3.5m carriageway.	Catherine Park Drive is required to be bus capable. The proposed Catherine Park Drive extension meets minimum requirements (3.5m carriageway).	Yes
	Bus stops to be provided on-street and not within indented bays and bus shelters to be provided at key stops and installed at subdivision construction stage.	The DCP does not identify any "potential bus stop" locations within the subject development area. The location of buses cannot be confirmed at DA stage given servicing requirements and demand is unknown.	Yes
2.5 Open Space and Recreation Network	Open space to be provided in accordance with Figure 2-16 (Refer to Attachment 8), which requires provision of "LS2" – active open space with a minimum area of 46,000m ² .	The proposed recreation area (lot 4178) has an area of 46,194m ² and is located in accordance with the DCP. A portion of this lot is shown to comprise drainage in accordance with Figure 2-16, but has been included as open space. This drainage reserve has been relocated further north on the eastern side of the southern tributary. Given the land naturally falls towards the tributary, significant fill would be required to ensure drainage occurs to the southern reserve, which is considered unreasonable. The relocated drainage reserve is therefore supported.	Yes
	Minimum provision of open space and facilities to be consistent with the Catherine Fields (Part) Precinct Section 94 Contributions Plan (S94 Plan).	A Voluntary Planning Agreement identified as Catherine Park Voluntary Planning Agreement (VPA) and Explanatory Note, was endorsed by Council on 9 August 2016. The proposed development is consistent with the VPA.	Yes

Control	Requirement	Provided	Compliance
	Open space to generally comply with Public Domain Landscape Strategy prepared by Aecom dated 2013 and Heritage Interpretation Strategy prepared by GML dated 2013 <u>and</u> :	The open space and riparian areas, as well as the corresponding VMP are consistent with the Public Domain Landscape Strategy and Heritage Interpretation Strategy. In particular, the key view line through to Oran Park House is maintained (along proposed road 401) and low shrubs that might obscure views along the edge of open space and the riparian corridor is avoided. Vegetation selection is appropriate and various sporting and play equipment facilities are to be provided to ensure flexible uses of open space.	Yes
	Have a range of play spaces for different ages.	The proposed open space includes multiple open turfed areas, multi programmed sport fields with cricket oval and soccer fields, cricket nets, outdoor gym equipment, playground, amphitheatre seating, picnic areas with tables, BBQ and shelters, timber deck lookout to the riparian area, and a dog off-leash area.	Yes
	Provide adequate parking, lighting and waste management facilities.	Off street car parking is provided (123 spaces) to service the open space lots. Existing street lighting will adequately illuminate open spaces. Additional internal lighting and waste bins is to be provided in accordance with the VPA.	Yes
	Provide amenities including seating, shade structures, feature fencing etc.	Suitable amenities are proposed, including sheltered seating, play areas, shade structures, drinking fountains and open seating.	Yes
	Riparian corridors	The development proposes	Yes

Control	Requirement	Provided	Compliance
	to provide pedestrian paths and cycleways, fitness trails and the like.	an off-road shared path network around the perimeter of the development, which will be delivered as part of this DA and is in accordance with Figure 2-12. Future pedestrian bridges over the riparian corridor to the west and north will be provided subject to future DAs for stages 6 and 10 in accordance with the VPA.	
	Detailed landscape plan required for the park.	Adequate landscape plans have been provided, which detail tree species, open space work, major hard elements and pedestrian entry and connections.	Yes
4.1 Development Surrounding Oran Park House (OPH)	Subdivision of land within state heritage curtilage area for OPH requires consent from the Heritage Council (HC).	The proposed subdivision is located outside of the heritage curtilage of Oran Park House; therefore consent from the Heritage Council is not required (this was confirmed by the Heritage Office).	Yes
	Subdivision within the broader Special Heritage and Landscape Area Figure 4-1 (Refer to Attachment 10) shall demonstrate no significant impacts on OPH.	A key visual and pedestrian link to Oran Park House is provided in accordance with the DCP along proposed road 401, which will later connect to a pedestrian bridge over the riparian corridor (subject to a future DA in accordance with the VPA).	Yes
	Development surrounding OPH not to detract from its visual prominence and cultural landscape setting.	The proposed subdivision is generally in accordance with the indicative layout plan for the precinct. The proposed earthworks will result in a gradual fall of land towards South Creek, therefore maintaining existing views from Oran Park House.	Yes
	First DA in Special Heritage and Landscape Area (including	DA 228/2014 was the first DA within the curtilage area. Instead of submitting a Public Domain, Landscape	Yes

Control	Requirement	Provided	Compliance
	state heritage curtilage area) to be accompanied by a detailed Public Domain, Landscape and Interpretation Plan for the area.	and Interpretation Plan, Landscape plans for the treatment of Robbins Lane and Moore's Precinct were submitted, which were considered appropriate to demonstrate the preservation of view corridors. For the subject DA, a key visual and pedestrian link to Oran Park House is provided in accordance with Figure 4-1 along proposed road 401. The submitted landscape plan proposes Pin oak trees along road 401, which have a mature height up to 22m allowing views beneath the canopy. The relative ground levels of the development site are low, resulting in the significant view and vistas to Oran Park House being unaffected. The South Creek tree line will remain as the main vista eastwards from Oran Park House, which will be rehabilitated in accordance with the VMP.	
4.2 Development Near or On Electricity Easements	All activities within electricity easements require approval from Transgrid or Endeavour Energy.	Pursuant to Clause 45 of the SEPP, the development proposes works within easements for overhead electricity transmission lines located in the eastern side of the development site adjacent to the Catherine Park Drive extension (Transgrid) and diagonally across the middle of the development site (Endeavour Energy). The DA was referred to Transgrid and Endeavour Energy for comment. Transgrid provided conditional approval in their letter dated 9 September 2016 and Endeavour Energy in an email dated 6	Yes

Control	Requirement	Provided	Compliance
		January 2016.	
4.4 Australasian Bittern Habitat Protection	Works in E2 zoned land to be consistent with "Australian Bittern Habitat" paper prepared by Eco Logical Australia (ELA) dated October 2013.	Works within the E2 zoned land include rehabilitation to South Creek. The applicant has submitted a VMP for this site (dated July 2015 and prepared by Eco Logical Australia), which is consistent with the "Australian Bittern Habitat" paper.	Yes
	Subdivision within/adjacent to E2 zoned land along South Creek shall be accompanied by a Flora and Fauna Assessment, including a 7-Part Test.	Flora and Fauna was assessed as part of the VMP for Stage 4, which covers the west – east aligned riparian corridor and the eastern edge of the north – south aligned riparian corridor. Clearing of Existing Native Vegetation (ENV) is not proposed. No threatened species were identified within the subject site therefore a 7-part test was not required.	Yes

DCP Variation 1 – Water Cycle Management

DCP Control

The applicant proposes a variation to the Key Elements figure of Schedule 4 (**Refer to Attachment 2**) of the Camden Growth Centres Precincts Development Control Plan 2013.

The Key Elements figure shows detention basins within the northern, southern and eastern detention areas of the development site. The northern and eastern detention basins are provided, however the southern basin is proposed as a temporary basin only and the provision of a permanent basin to the west (eastern side of the riparian corridor) is proposed.

Variation Request

In summary, the applicant has requested the Panel support a variation to the DCP control on the basis that:

- the natural topography of the site does not allow for natural drainage to the northern or southern basins and would require excessive fill; and
- the proposed alternative basin will allow drainage of the adjoining residential area while providing a better outcome with regards to filling of the site.

Council Staff Assessment

Council staff has reviewed the above variation request and recommend that it be supported in part for the following reasons:

- the need for a detention basin located to the west of the site is acknowledged and supported given this is the natural way to drain the subdivision. Significant fill would be required to ensure drainage occurs to the northern and southern detention basins as shown in Figure 2-3 of the DCP;
- deletion of the permanent southern detention basin will result in more usable open space;
- the location of the western basin is outside of the riparian corridor and will not impact flora or fauna; and
- the location of the western basin will not impact delivery of pedestrian links adjacent to and over the top of the riparian corridor.

Consequently it is recommended that the Panel support the proposed variation.

DCP Variation 2 – Access off Arterial Roads

DCP Control

The applicant proposes a variation to Clause 3.3.6 - Access to arterial roads, sub-arterial roads and transit boulevards of the Camden Growth Centres Precincts Development Control Plan 2013.

Vehicular access to arterial roads, sub-arterial roads and transit boulevards shown on the Precinct Road Hierarchy figure may only be via another public road. Direct access is proposed to the car park associated with the open space lot 4178 off the Catherine Park Drive extension (a transit boulevard), which is not envisaged by the Precinct Road Hierarchy figure.

Variation Request

In summary, the applicant has requested that the Panel support a variation to the DCP control on the basis that:

- the access will provide a convenient entry and egress for visitors to the playing fields/open space;
- the access will reduce the amount of traffic using local residential streets to access the open space;
- periods of higher usage for the open space and the access will typically be during off-peak traffic periods;
- the revised overall design for Catherine Park reduces the number of access points originally envisaged by the Precinct Road Hierarchy figure from nine to five, improving efficiency;
- the access provides more capacity for queue lengths entering the car park;

- the access includes a raised median to prevent illegal right turn movements; and
- the design meeting safety and design standards.

Council Staff Assessment

Council staff has reviewed the above variation request and recommend that it be supported in part for the following reasons:

- there number of access points off this section of Catherine Park Drive will remain as envisaged by the Precinct Road Hierarchy figure. DA 1163/2015 is currently being assessed and proposes a residential subdivision opposite the subject site on the eastern side of Catherine Park Drive, which does not propose a public road connection to the transit boulevard as envisaged by the Precinct Road Hierarchy figure;
- efficient access will be provided for the public to what is key public open space that will not be reliant on access via the local road network; and
- safety and design concerns have been addressed through an extended deceleration lane and provision of a median, which will prevent illegal right hand turns.

Consequently it is recommended that the Panel support the proposed variation.

Camden Development Control Plan 2011 (DCP)

The following is an assessment of the proposed development's compliance with the controls in the DCP. Discussion of any variations of the controls is provided after the compliance table.

Control	Requirement	Provided	Compliance
B1.9 Waste Management Plan for Subdivision	A waste management plan (WMP) is required.	A construction WMP has been provided. A condition is recommended so the WMP is updated before construction commences to detail the approximate tonnes generated, licensed waste disposal contractor and subsequent waste disposal facility.	Yes
	Street layout and road designs to make satisfactory	Streets comply with Australian Standards and	Yes

	provision for waste collection.	minimum widths specified within the DCP, therefore waste collection vehicles are able to service future dwellings.	
B5.1 Off Street Car parking rates/requirements	A recreation facility requires 50 car parking spaces per local soccer, football or similar sporting field. 1 bicycles and 1 motorcycle space is required per 25 car parking spaces in excess of the first 25 car parking spaces.	2 playing fields are proposed and 123 car parking spaces are provided. Bicycle and motorcycle parking spaces are not shown on the drawings. Based on 123 car parking spaces, 2 bicycle and 2 motorcycle parking spaces are required. The site is able to accommodate these parking spaces and a condition is recommended to ensure compliance with this part.	Yes Yes

(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

The DA is subject to the adopted Catherine Park Voluntary Planning Agreement (VPA) and Explanatory Note, which was endorsed by Council on 9 August 2016 and has been executed on 16 December 2016.

The voluntary planning agreement (VPA) has been entered into between the Minister for Planning and 3 other developers (Hixson Pty Ltd, Dandaloo Pty Ltd and Edgewater Homes Pty Ltd). Schedule 1 of the VPA requires the following infrastructure to be provided as part of this DA:

- embellishment of 4.7 hectare site including a double playing field, 120 space car park, and a cleared, compacted and level site for future construction of a community facility and amenities building;

- shared pedestrian and cycle paths along the riparian corridor and open space; and
- 3 detention basins.

The applicant is seeking consent to construct each of these required infrastructure items. In accordance with the VPA, payment of \$2,179,411.00 for the construction of a community facility and amenities building by Council is required. As part of the DA a building pad is proposed for the future community facility and amenities building. Council's Recreation Working Group has assessed the proposal and is satisfied the proposed community facilities are in accordance with the endorsed VPA.

A condition is recommended which requires the development to be carried out in accordance with the VPA and details of completed infrastructure and services to be submitted to the PCA prior to the issue of the relevant Subdivision Certificate.

(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 development is unlikely to have a significant impact on both the natural and built environments, and the social and economic conditions of the locality, subject to the recommended conditions.

(c) The suitability of the site

As demonstrated by the above assessment, the site is considered to be suitable for the proposed development, subject to the recommended conditions.

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

The DA was publicly exhibited for a period of 30 days in accordance with Camden Development Control Plan 2011. The exhibition period was from 3 September 2015 to 2 October 2015. No submissions were received.

(e) The public interest

The public interest is served through the detailed assessment of this DA 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 and subject to the recommended conditions, the proposed development is consistent with the public interest.

EXTERNAL REFERRALS

NSW Office of Environment and Heritage (OEH)

The DA was referred to OEH for general comment. OEH acknowledged the development area is located outside of the State Listed curtilage, and therefore no approval is required under the *Heritage Act 1977*.

NSW Rural Fire Service (RFS)

The DA was referred to RFS for assessment as the development proposes the subdivision of residentially zoned bush fire prone land and therefore requires a bush fire safety authority pursuant to Section 100B of the *Rural Fires Act 1997*. The proposed development is classified Integrated Development for this reason.

The RFS raised no objection to the proposed development and issued a bush fire safety authority subject to conditions relating to maintaining asset protection zones, water supply, the location of utilities and minimum road widths fronting riparian corridors (8m kerb to kerb). The perimeter roads are 8m kerb to kerb. Compliance with this bush fire safety authority is a recommended condition.

Department of Primary Industries – Water (DPI – Water)

The DA was referred to DPI - Water for assessment as the development proposes works within 40m of a watercourse and therefore requires a controlled activity approval pursuant to Section 91 of the *Water Management Act 2000*. The proposed development is classified Nominated Integrated and Advertised Development for this reason.

The DPI - Water provided General Terms of Approval (GTAs) with requirements relating to rehabilitation and maintenance, details for any bridges or similar crossings, drainage and stormwater, erosion control, evacuation, and riverbed and bank protection. The additional information is to be submitted to the DPI – Water to obtain a Controlled Activity Approval prior to the issue of a Construction Certificate. Compliance with the GTAs is a recommended condition.

Transgrid and Endeavour Energy

Pursuant to Clause 45 of the SEPP, the development proposes works within easements for overhead electricity transmission lines located in the eastern side of the development site adjacent to the Catherine Park Drive extension (Transgrid) and diagonally across the middle of the development site (Endeavour Energy). The DA was referred to Transgrid and Endeavour Energy for comment.

Transgrid provided conditional approval in their letter dated 9 September 2016. The proposed works, which partially encroach the Transgrid easement relate to the car park (proposed open space lot 4178) and provision of a dog off-leash area (proposed open space lot 4180). Transgrid have granted approval subject to deletion of structures and earth mounds within the exclusion zone (the central area directly under the easement) associated with the dog off-leash area. The minimum requirements for the off-leash area is seating, bins, fencing and signage, which according to Transgrid can be included within the easement but not within the exclusion zone. A condition is recommended so the entire development complies with Transgrid's letter dated 9 September 2016.

The asset owned by Endeavour Energy is to be undergrounded in accordance with the ILP for Catherine Park. Endeavour Energy provided approval in an email dated 6 January 2016 subject to conditions relating to network capacity connection, easement management, electric and magnetic fields, noise, safety clearances, earthing, vegetation management, and public safety.

Deepak Saha (Network Planning Engineer – Asset Strategy and Planning) notes the applicant will be required to lodge an application with Endeavour Energy to have the asset undergrounded and the easement extinguished given works are currently prohibited within the easement; this is a separate process to the DA. The existing Endeavour Energy easement will be extinguished as part of the registration of the lots, which occurs after the Subdivision Certificate is issued.

NSW Police – Camden Local Area Command (CLAC)

The DA was referred to CLAC for comment given a significant amount of public open space is proposed, including a park with various recreation spaces and a dog off-leash area. CLAC identified the development to be a low crime risk and did not provide any recommended conditions.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The DA 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, it is recommended that DA 902/2015 be approved subject to the conditions contained in this report.

CONDITIONS

1.0 - General Conditions of Consent

The following conditions of consent are general conditions applying to the development.

- (1) **Approved Plans and Documents** - Development shall be carried out in accordance with the following plans and documentation, and all recommendations made therein, except where amended by the conditions of this development consent:

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
Ref: 10200(4)DA-RES Sheet 1 of 1 Issue B	Plan Showing Residue Lots	JMD Development Consultants	24 July 2015
Ref: HIXCP-3-003 Rev: F	Stage 4 Subdivision Plan – Sub Staging	Design + Planning	19 August 2016
Ref: 10200(4)STAGING Sheet 1 of 3	Sub-Staging Plan	JMD Development Consultants	9 August 2016
Ref: 10200(4)STAGING Sheet 2 of 3	Sub-Staging Plan	JMD Development Consultants	9 August 2016
Ref: 10200(4)STAGING Sheet 3 of 3	Sub-Staging Plan	JMD Development Consultants	9 August 2016
Ref: HIXCP-5-021	Shared Path Network	Design + Planning	30 July 2015
Dwg No.: DA-1305-S4-01 Issue C	Masterplan	Sturt Noble Associates	7 April 2016
Dwg No.: DA-1305-S4-02 Issue D	Streetscape Concept Plan	Sturt Noble Associates	7 April 2016
Dwg No.: DA-1305-S4-03 Issue D	Sports Park Concept Plan	Sturt Noble Associates	7 April 2016
Dwg No.: DA-1305-S4-04 Issue E	Dog Park Concept Plan	Sturt Noble Associates	29 March 2016
Dwg No.: DA-1305-S4-05 Issue B	Indicative Planting Schedules	Sturt Noble Associates	31 July 2015
Dwg No.: X12249.04_SK04 Rev 4	Carparking Slip Lane Access	Calibre Consulting	16 November 2016
Project No.: X12249.04	Engineering Drawings –	Calibre Consulting	24 April 2015

Rev: 6 000	Road and Drainage Design		
Project No.: X12249.04 Rev: 6 001	Engineering Drawings – Road and Drainage Design Standard Notes and Legend	Calibre Consulting	24 April 2015
Project No.: X12249.04 Rev: 6 002	Engineering Drawings – Road and Drainage Design General Layout Plan	Calibre Consulting	24 April 2015
Project No.: X12249.04 Rev: 6 101	Sediment and Erosion Control Plan	Calibre Consulting	24 April 2015
Project No.: X12249.04 Rev: 6 201 to 206 inclusive	Site Regrading Plan	Calibre Consulting	24 April 2015
Project No.: X12249.04 Rev: 6 211 to 216 inclusive	Site Section Sheets – Cut and Fill	Calibre Consulting	24 April 2015
Project No.: X12249.04 Rev: 6 301 to 306	Engineering Plan	Calibre Consulting	24 April 2015
Project No.: X12249.04 Rev: 6 401	Catherine Park Drive Longitudinal and Typical Cross Sections	Calibre Consulting	24 April 2015
Project No.: X12249.04 Rev: 6 402 & 403	Road No.401 Longitudinal Sections and Typical Cross Sections	Calibre Consulting	24 April 2015
Project No.: X12249.04 Rev: 6 404	Road No.402 and 403 Longitudinal and Typical Cross Sections	Calibre Consulting	24 April 2015
Project No.: X12249.04 Rev: 6 405	Road No.404 Longitudinal and Typical Cross Sections	Calibre Consulting	24 April 2015
Project No.:	Road No.405	Calibre	24 April 2015

X12249.04 Rev: 6 406	and 406 Longitudinal and Typical Cross Sections	Consulting	
Project No.: X12249.04 Rev: 6 407	Road No.407 and 408 Longitudinal and Typical Cross Sections	Calibre Consulting	24 April 2015
Project No.: X12249.04 Rev: 6 408	Road No.409 and 410 Longitudinal and Typical Cross Sections	Calibre Consulting	24 April 2015
Project No.: X12249.04 Rev: 6 409	Road No. 411 and 801 Longitudinal Sections	Calibre Consulting	24 April 2015
Project No.: X12249.04 Rev: 6 501	Basin No.04A Layout Plan	Calibre Consulting	24 April 2015
Project No.: X12249.04 Rev: 6 502	Basin No.9A (Interim) Layout Plan	Calibre Consulting	24 April 2015
Project No.: X12249.04 Rev: 6 503	Basin No.04B Layout Plan	Calibre Consulting	24 April 2015
Project No.: X12249.04 Rev: 6 504	Basin Sections	Calibre Consulting	24 April 2015
Project No.: X12249.04 Rev: 6 505	Basin Sections	Calibre Consulting	24 April 2015
Project No.: X12249.04 Rev: 6 701	Signage and Linemarking Plan	Calibre Consulting	24 April 2015

Document Title	Prepared by	Date
Statement of Environmental Effects (including appendices 1 to 5)	Design + Planning	August 2015
Salinity Investigation and Management Plan	Douglas Partners	November 2015
Fill Management Protocol	Douglas Partners	June 2015
Remediation Action Plan	Douglas Partners	October 2016

Phase 2 Contamination Assessment	Douglas Partners	May 2013
Waste Management Plan	Hixson Pty Ltd	25 September 2015
Heritage Impact Statement Issue 03	Tropman & Tropman Architects	21 October 2015
Vegetation Management Plan	Eco Logical	July 2015
Flora and Fauna Assessment	Eco Logical	23 July 2015
Bushfire Protection Assessment	Eco Logical	24 July 2015
Traffic Impact Review	Christopher Hallam & Associates	27 July 2015
Engineering Report Issue 02	Calibre Consulting	7 August 2015
Stormwater Concept Plan Issue 02	Calibre Consulting	21 July 2015

- (2) **VPA** - The proposed development shall be carried out in accordance with the Voluntary Planning Agreement executed between Council and Hixson Pty Ltd, Dandaloo Pty Ltd and Edgewater Homes Pty Ltd dated 16 December 2016.
- (3) **General Terms of Approval/Requirements of State Authorities** - The general terms of approval/requirements from state authorities shall be complied with prior to, during, and at the completion of the development.

The general terms of approval/requirements are:

1. Rural Fire Service letter dated 2 October 2015 (Ref: D15/2606); and
 2. Department of Primary Industries Water letter dated 12 October 2015 (Ref: 10 ERM2015/0859).
- (4) **Recreation Working Group Letter** – The development must be carried out in accordance with the requirements stipulated within Camden Council's Recreation Working Group letter dated July 2016.
- (5) **Transgrid Letter** – The development must be carried out in accordance with the requirements stipulated within Transgrid's letter dated 9 September 2016.
- (6) **Endeavour Energy** – The following requirements from Endeavour Energy must be complied with before, during and after works where relevant:

a) **Network Capacity / Connection**

In due course the applicant will need to submit an application for connection of load via Endeavour Energy's Network Connections Branch to carry out the final load assessment and the method of supply will be determined. Depending on the outcome of the assessment, any padmount substations required for the subdivision will need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling) by an easement and associated restrictions benefiting and gifted to Endeavour Energy. Further details are available by contacting Endeavour

Energy's Network Connections Branch via Head Office enquiries on telephone: 133 718 or (02) 9853 6666.

b) Earthing

The construction of any building or structure that is connected to or in close proximity to Endeavour Energy's electrical network is required to comply with AS/NZS 3000:2007 'Electrical installations' to ensure that there is adequate connection to the earth. Inadequate connection to the earth places persons and the electricity network at risk.

c) Public Safety

As the proposed development will involve work near electricity infrastructure, workers run the risk of receiving an electric shock and causing substantial damage to plant and equipment. Public safety training resources are available via Endeavour Energy's website via the following link:

<http://www.endeavourenergy.com.au/wps/wcm/connect/ee/nsw/nsw+homepage/communitynav/safety/safety+brochures>

- (7) **Access off Catherine Park Drive to the Car Park** – The access off Catherine Park Drive to the public car park must be in accordance with approved drawing: "Carparking Slip Lane Access", dwg No. X12249.04_SK04, Rev 4, prepared by Calibre Consulting dated 16 November 2016.
- (8) **Car parking and Roundabout** - All car parking areas must comply with AS 2890.1 – Off street parking, AS 2890.5 – On street parking, and AS 2890.6 Parking for people with a disability.

The roundabout at the intersection of Catherine Park Drive and Road 801 must be designed in accordance with Austroad Guidelines.
- (9) **Bicycle and Motorcycle Parking** – Bicycle and Motorcycle Parking is to be provided as part of the open space lot 4178 in accordance with the requirements of the Camden DCP at a rate of 1 bicycles and 1 motorcycle space per 25 car parking spaces in excess of the first 25 car parking spaces.
- (10) **Catherine Park Drive Extension** – Cross sections for the Catherine Park Extension must be in accordance with Figure 2-14 of the Camden Growth Centres Development Control Plan 2016 (identified in Figure 2-14 as "Rickard Road Extension").
- (11) **Engineering Specifications** - The entire development shall be designed and constructed in accordance with Council's Engineering Specifications and the relevant DCP.
- (12) **Building Code of Australia** - All building work shall be carried out in accordance with the BCA. In this clause, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.

- (13) **Aboriginal Heritage** – All works must be carried out in accordance with the Aboriginal Heritage Impact Permit (AHIP) No. C0000562 and C0001014 issued by the Office of Environment and Heritage.
- (14) **Waste Bin Collection Points** - A waste bin collection point that is clear from the positioning of driveways, tree plantings (or tree canopies), street lighting or other fixtures must be provided for each approved residential lot. This area is to be 3 metres long x 0.9 metres wide and provide a 3.9 metre clear vertical space to allow for the truck-lifting arm.
- (15) **Movement of Bins** - The space between the bin collection point and bin storage area for bin transportation must be free from obstructions, steps or steep gradients and must provide a hard surface for easy transportation of bins.
- (16) **Separate Approval for Signs** - A separate development application for any proposed signage shall be provided to, and approved by, the Consent Authority prior to the erection or display of any such signs.
- (17) **Street Lighting** – Street lighting for the subdivision shall be designed and installed in accordance with relevant Australian Standards and to the satisfaction of the Roads Authority (Council).
- (18) **Noxious Weeds Management** – The applicant must fully and continuously suppress and destroy by appropriate means, any noxious or environmentally invasive weed infestations that occur during or after works. New infestations must be reported to Council.
- Pursuant to the *Noxious Weeds Act 1993*, the applicant must at all times ensure that any machinery, vehicles or other equipment entering or leaving the site are clean and free from any noxious weed material.
- (19) **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 and waste storage collections points;
 - b) Street lighting, utilities, bus stops and pedestrian crossings; and
 - c) Appropriate sight distances in accordance with relevant standards.
- (20) **Tree Species** - Some of the trees proposed along Catherine Park Drive are infrangible (unbreakable) species and do not comply with Austroads standards. The infrangible trees must be replaced with an alternative compliant frangible species that will break apart upon impact with a vehicle.
- (21) **Remediation Works** - All works proposed as part of the Remediation Action Plan that includes: remediation, excavation, stockpiling, onsite and offsite disposal, cut, backfilling, compaction, monitoring, validations, site management and security, health and safety of workers, must be undertaken on the site in accordance with the Remediation Action Plan titled "*Report on Remediation Action Plan: proposed Residential Subdivision Stages 4 to 10 Catherine Park NSW, Prepared by Douglas Partners, Project 76559.10,*

Dated October 2016." EXCEPT AS STATED IN ANY OTHER CONDITION OF THIS CONSENT.

Any further variation or modification to the Remediation Action Plan in terms of compliance work or remediation work beyond what is contained in the approved RAP or conditions of this consent must be requested from the Consent Authority (Camden Council) in writing prior to works being undertaken. Significant variations may require additional consent approval.

All remediation work must also comply with the following:

- a) Contaminated Land Management Act 1997;
- b) Department of Urban Affairs and Planning – Contaminated Land Planning Guidelines 1998;
- c) SEPP 55 – Remediation of Land;
- d) Sydney Regional Plan No. 20 Hawkesbury Nepean River (No.2 –1997); and
- e) Camden Council's Adopted Policy for the Management Of Contaminated lands.

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) **Civil Engineering Plans** - Civil engineering plans indicating drainage, roads, accessways, earthworks, pavement design, details of line-marking, traffic management, water quality and quantity facilities including stormwater detention and disposal, shall be prepared in accordance with the approved plans and Council's Engineering Design and Construction Specifications. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

Note. Under the *Roads Act 1993*, only the Roads Authority can approve commencement of works within an existing road reserve.

- (2) **Traffic Management Plan** - A Traffic Management Plan (TMP) shall be prepared in accordance with Council's Engineering Specifications and AS 1742.3. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (3) **Turning Facilities** - Turning facilities shall be provided at all dead end roads. All turning and manoeuvring facilities, including turning heads, cul-de-sac, etc. shall be designed in accordance with Council's Engineering Specifications.
- (4) **Stormwater Detention and Water Quality** - An on-site detention system and water quality system shall be provided for the site and designed in accordance with Council's Engineering Specifications.

A detailed on-site detention and water quality report reflecting the Construction Certificate plans shall be provided to the Certifying Authority with the Construction Certificate application.

- (5) **Soil, Erosion, Sediment and Water Management** - An erosion and sediment control plan shall be prepared in accordance with Council's Engineering Specifications. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (6) **Staging of Construction Works** - The development is to be completed in stages in accordance with the approved Staging Plan/s "Stage 4 Subdivision Plan – Sub Staging," prepared by Design + Planning, dated 19 August 2016.

One Construction Certificate may be issued for all stages, or a single construction certificate may be issued with respect to each stage or a combination of stages.

- (7) **Retaining Walls** – All retaining walls shall be designed and certified by a suitably qualified structural engineer, in accordance with Council's Engineering Specifications. An anti-graffiti coating must be applied to any retaining walls. The following restrictions apply to any retaining wall erected within the allotment boundaries:
- a) adequate provisions shall be made for surface and subsurface drainage of retaining walls and all water collected shall be diverted to, and connected to, a stormwater disposal system within the property boundaries;
 - b) retaining walls shall not be erected within drainage easements;
 - c) retaining walls shall not be erected in any other easement present on the land without the approval of the relevant authority benefited.

Details demonstrating compliance shall be provided to the Certifying Authority prior to issue of a Construction Certificate.

- (8) **Bush Fire Safety – Subdivision** - The site is located within a bush fire prone area. Certification from a suitably qualified bush fire consultant shall be provided to certify that the development complies with:
- a) the RFS' General Terms of Approval for the DA (provided at Attachment C).
- (9) **Long Service Levy** - In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, the applicant shall pay a long service levy at the prescribed rate to either the Long Service Payments Corporation or Council for any work that cost \$25,000 or more.
- (10) **Structural Engineer's Details** - The piers/slabs/footings/structural elements shall be designed and certified by a suitably qualified structural engineer and shall take into consideration the recommendations of any geotechnical report applicable to the site. A statement to that effect shall be provided to the Certifying Authority.
- (11) **Local Traffic Committee Concurrence** – Installation of or changes to regulatory signage, line marking and devices are subject to the concurrence of Council's Local Traffic Committee on local roads, and the Roads and Maritime Services on State roads.

These concurrences (as required) must be obtained prior to the installation of or any changes to regulatory signage, line-marking and devices.

Signage and line marking must be provided at the intersection of Roads 401 and 404. Roads 402 and 404 must have signage and line marking that indicates which vehicles have priority at this intersection.

3.0 - Prior to Commencement of Works

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

- (1) **Remediation Works** – Where remediation is required, all works proposed as part of the Remediation Action Plan that includes: remediation, excavation, stockpiling, onsite and offsite disposal, cut, backfilling, compaction, monitoring, validations, site management and security, health and safety of workers, must be completed prior to works commencing for any subdivision stage that requires remediation in accordance with the Remediation Action Plan titled *“Report on Remediation Action Plan: proposed Residential Subdivision Stages 4 to 10 Catherine Park NSW, Prepared by Douglas Partners, Project 76559.10, Dated October 2016.”* **EXCEPT AS STATED IN ANY OTHER CONDITION OF THIS CONSENT.**

Works located outside of the identified areas that require remediation are not affected by this control and may commence.

Any further variation or modification to the Remediation Action Plan in terms of compliance work or remediation work beyond what is contained in the approved RAP or conditions of this consent must be requested from the Consent Authority (Camden Council) in writing prior to works being undertaken. Significant variations may require additional consent approval.

All remediation work must also comply with the following:

- d) Contaminated Land Management Act 1997;
 - e) Department of Urban Affairs and Planning – Contaminated Land Planning Guidelines 1998;
 - f) SEPP 55 – Remediation of Land;
 - g) Sydney Regional Plan No. 20 Hawkesbury Nepean River (No.2 –1997); and
 - h) Camden Council's Adopted Policy for the Management Of Contaminated lands.
- (2) **Vegetation Restoration Work** - Works are not to commence until vegetation and Australasian Bittern habitat restoration work for Stages 1-3 Implementation and vegetation and Australasian Bittern habitat restoration work for Stages 4 Implementation as per the Vegetation Management Plan and Addendum (dated July 2015) have substantially commenced.
- (3) **Public Liability Insurance** - The owner or contractor shall take out a Public Liability Insurance Policy with a minimum cover of \$20 million in relation to the

occupation of, and works within, public property (i.e. kerbs, gutters, footpaths, walkways, reserves, etc.) for the full duration of the proposed works. Evidence of this Policy shall be provided to Council and the Certifying Authority.

- (4) **Notice of PCA Appointment** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:
- a) a description of the work to be carried out;
 - b) the address of the land on which the work is to be carried out;
 - c) the registered number and date of issue of the relevant development consent;
 - d) the name and address of the PCA, and of the person by whom the PCA was appointed;
 - e) if the PCA is an accredited certifier, his, her or its accreditation number, and a statement signed by the accredited certifier consenting to being appointed as PCA; and
 - f) a telephone number on which the PCA may be contacted for business purposes.
- (5) **Notice Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:
- a) the name and address of the person by whom the notice is being given;
 - b) a description of the work to be carried out;
 - c) the address of the land on which the work is to be carried out;
 - d) the registered number and date of issue of the relevant development consent and construction certificate;
 - e) a statement signed by or on behalf of the PCA to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
 - f) the date on which the work is intended to commence.
- (6) **Construction Certificate Required** - In accordance with the provisions of Section 81A of the *EP&A Act 1979*, construction or subdivision works approved by this consent shall not commence until the following has been satisfied:
- a) a Construction Certificate has been issued by a Certifying Authority;

- b) a Principal Certifying Authority (PCA) has been appointed by the person having benefit of the development consent in accordance with Section 109E of the *EP&A Act 1979*;
 - c) if Council is not the PCA, Council is notified of the appointed PCA at least two (2) days before building work commences;
 - d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and
 - e) the PCA is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.
- (7) **Sign of PCA and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
 - a) that unauthorised entry to the work site is prohibited;
 - b) the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours; and
 - c) the name, address and telephone number of the PCA.

The sign shall be maintained while the work is being carried out, and shall be removed upon the completion of works.
- (8) **Performance Bond** - Prior to commencement of works a performance bond of 10% the value of works must be lodged with Camden Council in accordance with Camden Council's Engineering Construction Specifications.

Note – An administration fee is payable upon the lodgement of a bond with Council.
- (9) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with 'Managing Urban Stormwater – Soils and Construction ('the blue book') and any Sediment and Erosion plans approved with this development consent.

Soil erosion and sediment control measures shall be maintained during construction works and shall 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).
- (10) **Site is to be Secured** - The site shall be secured and fenced to the satisfaction of the PCA. All hoarding, fencing or awnings (associated with securing the site during construction) is to be removed upon the completion of works.
- (11) **Traffic Management Plan** – A traffic management plan shall be prepared in accordance with Council's Engineering Specifications and AS 1742.3. Details demonstrating compliance shall be provided to the PCA.

- (12) **Construction Management Plan** - A construction management plan that includes construction waste, dust, soil and sediment and traffic management, prepared in accordance with Council's Engineering Design Specification, shall be provided to the PCA.
- (13) **Construction Waste Management Plan** - A construction waste management plan must be prepared for all construction work on the site. The plan must incorporate the concept of recycling and reuse where practicable and be kept on site for compliance until the completion of all construction works. The plan must detail the approximate tonnes of waste generated, licensed waste disposal contractor and subsequent waste disposal facility.
- (14) **Fill Management Plan** – A fill management plan (FMP) must be submitted with the Construction Certificate application. The FMP shall include procedures and controls for the managing of imported fill (VENM only) to facilitate earth and construction works as part of the site development. The FMP must also facilitate compliance with the condition of this consent entitled "Fill Material".
- (15) **Environmental Management Plan** – An Environmental Management Plan (EMP) prepared in accordance with Council's Engineering Design Specification shall be provided to the Certifying Authority.

The EMP shall address the manner in which site operations are to be conducted and monitored to ensure that adjoining land uses and the natural environment is not unacceptably impacted upon by the proposal. The EMP shall include but not be necessarily limited to the following measures:

- a) measures to control noise emissions from the site;
 - b) measures to suppress odours and dust emissions;
 - c) soil and sediment control measures;
 - d) measures to control air emissions that includes odour;
 - e) measures and procedures for the removal of hazardous materials that includes waste and their disposal;
 - f) any other recognised environmental impact; and
 - g) community consultation.
- (16) **Protection of adjoining Bushland and/or Waterfront Areas** – To limit the potential for damage to the adjoining bushland areas and/or waterfront areas, the boundaries to these areas must be fenced prior to the commencement of any earthworks, demolition, excavation or construction works. As well as the fencing prior to any earthworks commencing, other protection measures must be completed in accordance with the standards as specified in AS 4970.

The fencing must be kept in place until the completion of development and maintenance works and be marked by appropriate signage notifying all site visitors that the subject trees and vegetation areas are protected. The fencing should be a minimum of a 1.8 metres high chain link or welded mesh fencing.

- (17) **Licenses** – It is the responsibility of the applicant / land owner / site operator to ensure that all relevant licenses are obtained from all appropriate authorities in accordance with relevant legislation requirements prior to the commencement of remediation works.
- (18) **Storage & Water Quality Controls** – Prior to the establishment of stockpile and compound sites, temporary stormwater and water quality control devices and sediment controls must be implemented.
- (19) **Bulk Earthworks** – Bulk earthworks approved via DA 710/2014 must have been completed for works in any corresponding area approved under this development consent (DA 902/2015).
- (20) **Dilapidation Report – Council Property** - A Dilapidation Report prepared by a suitably qualified person, including a photographic survey of existing public roads, kerbs, footpaths, drainage structures, street trees and any other existing public infrastructure within the immediate area of the subject site. Details demonstrating compliance shall be provided to the Certifying Authority prior to works commencing.

4.0 - During Works

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

- (1) **Site Management Plan** - The following practices are to be implemented during construction:
 - a) stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off site;
 - b) waste shall not be burnt or buried on site, nor shall windblown rubbish be allowed to leave the site. All waste shall be disposed of at an approved waste disposal facility;
 - c) a waste control container shall be located on the site;
 - d) all building materials, plant, equipment and waste control containers shall be placed on the site. Materials, plant and equipment (including water closets), shall not to be placed on public property (footpaths, roadways, public reserves, etc.);
 - e) toilet facilities shall be provided at, or in the vicinity of, the work site at the rate of 1 toilet for every 20 persons or part thereof employed at the site. Each toilet shall:
 - i) be a standard flushing toilet connected to a public sewer; or
 - ii) have an on-site effluent disposal system approved under the *Local Government Act 1993*; or
 - iii) be a temporary chemical closet approved under the *Local Government Act 1993*.

- (2) **Salinity Management Plan** - All proposed construction works that includes earthworks, imported fill, landscaping, roads, buildings, and associated infrastructure proposed to be constructed on the land must be carried out or constructed in accordance with the management strategies as contained within the Salinity Management Plan/s within the reports titled *"Report on Salinity Investigation and Management Plan: Proposed Residential Subdivision: Catherine Park, Prepared by Douglas partners, Project No 76559.00 Dated November 2015."*
- (3) **Construction Hours** - All work (including delivery of materials) shall be restricted to the hours of 7.00am to 5.00pm Monday to Saturday inclusive. Work is not to be carried out on Sundays or Public Holidays.
- (4) **Traffic Management Plan Implementation** - All construction traffic management procedures and systems identified in the approved Construction Traffic Management Plan shall be introduced and maintained during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems.
- (5) **Site Signage** – A sign shall be erected at all entrances to the subdivision site and be maintained until the subdivision has reached 80% occupancy. The sign shall be constructed of durable materials, be a minimum of 1200mm x 900mm, and read as follows:

"WARNING UP TO \$1,500 FINE. It is illegal to allow soil, cement slurry or other building materials to enter, drain or be pumped into the stormwater system. Camden Council (02 4654 7777) – Solution to Pollution."

The wording shall be a minimum of 120mm high and the remainder a minimum of 60mm high. The warning and fine details shall be in red bold capitals and the remaining words in dark coloured lower case letters on a white background, surrounded by a red border.
- (6) **Soil, Erosion, Sediment and Water Management – Implementation** - All requirements of the erosion and sediment control plan and/or soil and water management plan shall be maintained at all times during the works and any measures required by the plan shall not be removed until the site has been stabilised.
- (7) **Unexpected Finds Contingency (Remediation)** – Should any additional contamination or hazardous materials be encountered during any stage of the remediation process, all remediation works in the vicinity of the findings shall cease and compliance with the contingency recommendations in the approved remediation action plan shall be adopted.
- (8) **Offensive Noise, Dust, Odour and Vibration** - All work shall not give rise to offensive noise, dust, odour or vibration as defined in the *Protection of the Environment Operations Act 1997* when measured at the property boundary.
- (9) **Location of Stockpiles** - Stockpiles of soil shall not be located on / near any drainage lines or easements, natural watercourses or water bodies, footpath or roadway without first providing suitable protective measures adequate to protect these water bodies. All stockpiles of contaminated materials shall be suitably covered to prevent dust and odour nuisance.

- (10) **Disposal of Stormwater** - Water seeping into any site excavations is not to be pumped into the stormwater system unless it complies with relevant EPA and ANZECC standards for water quality discharge.
- (11) **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 provided 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;
- b) be endorsed by a practising engineer with Specific Area of Practice in Subdivisional Geotechnics;
- c) be prepared in accordance with;

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.

- (12) **Erosion and Sedimentation Control** - Soil erosion and sedimentation controls are required to be installed and maintained for the duration of the works. The controls must be undertaken in accordance with version 4 of the Soils and Construction – Managing Urban Stormwater manual (Blue Book).
- (13) **Additional Approvals Required** - Where any works are proposed in the public road reservation, the following applications shall be made to Council, as applicable:
- a) For installation or replacement of private stormwater drainage lines or utility services, including water supply, sewerage, gas, electricity, etc., an application shall be made for a Road Opening Permit and an approval under Section 138 of the *Roads Act 1993*;
 - b) For construction / reconstruction of Council infrastructure, including vehicular crossings, footpath, kerb and gutter, stormwater drainage, an application shall be made for a Roadworks Permit under Section 138 of the *Roads Act 1993*.
- Note:** Private stormwater drainage is the pipeline(s) that provide the direct connection between the development site and Council's stormwater drainage system, or street kerb and gutter.
- (14) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.
- (15) **Vegetation Management Plan** - A monitoring report on the progress of the implementation of the vegetation management plan shall be provided to Council upon completion of the primary planting and then at 6 monthly intervals until the end of the 2 year minimum maintenance period, or as otherwise specified in the approved VMP. A final report shall be provided to Council upon completion of the maintenance period.
- (16) **Delivery Register** - The applicant must maintain a register of deliveries which includes date, time, truck registration number, quantity of fill, origin of fill and type of fill delivered. This register must be made available to Council officers on request and be provided to the Council at the completion of the development.
- (17) **Fill Management Plan Compliance** - All fill material approved to be imported onto the site must be assessed and determined to comply with all procedures,

controls and protocols contained within the approved fill management plan before the material is placed on the site.

- (18) **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 works (including earthworks, site preparation or construction works, etc.), such works shall cease immediately until a qualified environmental specialist has been contacted and conducted a thorough assessment.

In the event that contamination is identified as a result of this assessment and if remediation is required, all works shall cease in the vicinity of the contamination and Council shall be notified immediately.

Where remediation work is required, the applicant will be required to obtain consent for the remediation works.

- (19) **Remediation Works Inspections** – A qualified environmental consultant or scientist must frequently inspect the remediation works to confirm compliance with the RAP including all health and safety requirements.
- (20) **Reuse Or Placement Of Remediated Or Validated Fill Material** – The placement or reuse of remediated or validated fill material on Council land (this includes under roads, open space) or on land to be dedicated to Council is prohibited.
- (21) **Excavation Backfilling** – Remediated and Validated fill material is not to be placed back into excavations if the land is owned by Council or is going to be dedicated to Council. This includes under roads or in open space.
- (22) **Off-Site Disposal of Contaminated Soil / Materials** – All contaminated materials proposed to be disposed off-site must be disposed to a Licensed Landfill Facility able to accept the classification of waste material.
- (23) **Removal Of Waste Materials** - Where there is a need to remove any identified materials from the site that contain fill / rubbish / asbestos, this material will need to be assessed in accordance with the NSW DECC Waste Classification Guidelines (April 2008).

Refer: www.environment.nsw.gov.au/waste/envguidlms/index.htm

Once assessed, the materials will be required to be disposed to a licensed waste facility suitable for the classification of the waste with copies of tipping dockets supplied to Council.

- (24) **Workcover Authority** - All remediation work must comply with relevant requirements of NSW WorkCover Authority.
- (25) **Fencing and Signage of Contaminated Stockpiles** - All stockpiles of contaminated materials must be suitably fenced or cordoned off with suitable signage to be provided warning of any potential danger.
- (26) **Remediation and Construction Noise Levels** – Noise levels emitted during demolition and remediation 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).

- (27) **Air Quality** – Vehicles and equipment used on site must be maintained in good working order and be switched off when not operating. The burning of any waste material is prohibited.
- (28) **Removal of Foraging Habitat** - The removal of any foraging habitat for the Australasian Bittern should be undertaken outside September to February, which includes the breeding season of October to January with a buffer of one month.

5.0 – Ongoing Use

The following conditions of consent are operational conditions applying to the development.

- (1) **Landscaping Maintenance Establishment Period** - Commencing from the date of practical completion, the applicant will have the responsibility to establish and maintain all hard and soft landscaping elements associated with this consent.

The 12 month maintenance and establishment period includes the applicant's responsibility for the establishment, care and repair of all landscaping elements including all street tree installations, plantings, lawn and hardscape elements including paths, walls, bins, seats, BBQs, shelters, playground equipment and soft fall treatments.

The date of practical completion is taken to mean completion of all civil works, soil preparation and treatment and initial weed control, and completion of all planting, turf installation, street tree installation and mulching.

At the completion of the 1) month landscaping maintenance and establishment period, all hard and soft landscaping elements (including any nature strip and road verge areas, street trees, street tree protective guards and bollards, etc.) shall be in an undamaged, safe and functional condition and all plantings have signs of healthy and vigorous growth.

At the completion of the maintenance and establishment period, the landscaping works shall comply with the approved landscape plans.

6.0 - Prior to Issue of a Subdivision Certificate

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

- (1) **Requirement for a Subdivision Certificate** - The application for subdivision certificate(s) shall be made in accordance with the requirements of Clause 157 of the Environmental Planning & Assessment Regulation 2000.
- (2) **Show Easements/Restrictions on the Plan of Subdivision** - The developer shall acknowledge all existing easements and/or restrictions on the use of the land on the final plan of subdivision.
- (3) **Burdened Lots to be Identified** - Any lots subsequently identified during construction of the subdivision as requiring restrictions shall also be suitably burdened.
- (4) **Subdivision Certificate** - The issue of a Subdivision Certificate is not to occur until all conditions of this development consent have been satisfactorily addressed and all engineering works are complete, unless otherwise approved in writing by the PCA.
- (5) **Fill Plan** - A fill plan shall be provided to the 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 provided electronically in Portable Document Format (.PDF) at 150dpi with a maximum individual file size not exceeding 2 megabytes and provide both on compact disk and an A1 paper plan.

- (6) **Incomplete Works** - Prior to the issue of the 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.

Note – An administration fee is payable upon the lodgement of a bond with Council.

- (7) **Surveyor's Report** - Prior to the issue of the Subdivision Certificate a certificate from a registered surveyor must be provided to the PCA, 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.

- (8) **Value of Works** - Itemised data and value of civil works shall be provided to Council for inclusion in Council's Asset Management System in accordance with Council's Engineering Specifications.
- (9) **Electricity Notice of Arrangement** – A Notice of Arrangement for the provision of distribution of electricity from Endeavour Energy must be submitted to the Principal Certifying Authority (Council). The arrangement must include the provision of street lighting in accordance with the electrical design approved by Council.
- (10) **Soil Classification** - A soil classification report prepared by a suitably qualified person in accordance with AS 2870 'Residential Slabs and Footings', detailing the general classification of soil type generally found within the subdivision, shall be provided to the PCA. A classification shall be provided for each lot within the subdivision. The soil classification report shall also be provided to Council.
- (11) **Services** - Certificates and/or relevant documents shall be obtained from the following service providers and provided to the PCA:
- a) Energy supplier – Evidence demonstrating that satisfactory arrangements have been made with the energy supplier to service the proposed development;
 - b) Telecommunications – Evidence demonstrating that satisfactory arrangements have been made with a telecommunications carrier to service the proposed development; and
 - c) Water supplier – Evidence demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.
- (12) **Works As Executed Plan** - Works As Executed Plans shall be prepared and provided in accordance with Council's Engineering Specifications.
- Digital data must be in AutoCAD .dwg or .dxf format, and the data projection coordinate must be in (GDA94.MGA zone 56).
- (13) **Section 88B Instrument** - The applicant shall prepare a Section 88B Instrument for approval by the PCA which incorporates the following easements, positive covenants and restrictions to user where necessary:
- a) Easement for services.
 - b) Easement to drain water and drainage easement/s over overland flow paths.
 - c) Easement for transmission of electricity.
 - d) Rights of carriageway.
 - e) Acoustic Boundary Fence – 1.8 metre high acoustic rated boundary fences are required to be constructed around the rear (backyard) and side boundaries of properties on lot 4001, lot 4013 and lot. The fence

should be located consistent with the plan “1” identified in the assessment report titled *“Road Traffic Noise Impact Assessment: Catherine Park Estate Residential Subdivision Stage 4, Prepared by AECOM, Dated 11 Sept 2015.”*

- f) Dwelling Internal Layout – For lots 4001, 4013, 4083, 4056-4059, and lots 4070-4075, the dwelling layout is recommended to be consistent with “Section 4.2.1 Building Layout and Design” contained within the *“Road Traffic Noise Impact Assessment: Catherine Park Estate Residential Subdivision Stage 4, Prepared by AECOM, Dated 11 Sept 2015.”* “For the above lots, the internal noise levels contained within the current Camden Growth Centres Precinct DCP incorporating Schedule 4 Catherine Fields (Part) Precinct must be achieved for each dwelling.
 - g) Construction Materials and Dwelling Design – For 4001, 4013, 4083, 4056-4059, and lots 4070-4075, construction material and design requirements that includes window and door treatments are to be consistent with “Section 4.2.2 – Construction Materials and methods” contained within the *“Road Traffic Noise Impact Assessment: Catherine Park Estate Residential Subdivision Stage 4, Prepared by AECOM, Dated 11 Sept 2015.”* For the above lots, the internal noise levels contained within the current Camden Growth Centres Precinct DCP incorporating Schedule 4 Catherine Fields (Part) Precinct must be achieved for each dwelling. Compliance with the above is to be demonstrated for each dwelling application.
 - h) Alternative Ventilation for Habitable Rooms - For lots 4001, 4013, 4083, 4056-4059, and lots 4070-4075, some facades identified in the report may require windows to be closed (but not necessarily sealed) to meet internal noise criteria. As a result, the provision of alternative ventilation (possibly mechanical provided there is a fresh air intake) that meets the requirements of the Building Code of Australia (BCA) will need to be provided to habitable rooms on these facades to ensure fresh airflow inside the dwellings when windows are closed. Consultation with a mechanical engineer to ensure that BCA and AS1668 are achieved may be required. Compliance with the above ventilation requirement is to be demonstrated for each dwelling application on the affected lots.
 - i) Salinity Management Plan – For all lots, all proposed construction works that includes earthworks, imported fill, landscaping, roads, buildings, and associated infrastructure proposed to be constructed on the land must be carried out or constructed in accordance with the management strategies as contained within the Salinity Management Plan/s within the reports titled *“Report on Salinity Investigation and Management Plan: Proposed Residential Subdivision: Catherine Park, Prepared by Douglas partners, Project No 76559.00 Dated November 2015.”*
- (14) **Maintenance Bond** - The applicant is to lodge a maintenance bond in the form of an unconditional bank guarantee or cash bond, being 10% of the value of civil works, with Council prior to the issue of a Subdivision Certificate.

The bond covers the maintenance during or after subdivision works for a stipulated period (6 months) for matters such as riparian corridor and WSUD, public reserves or other public property that require on-going maintenance as a result the Development Consent conditions.

Note – An administration fee is payable upon the lodgement of a bond with Council.

- (15) **Road Surface Bond** - The applicant is to lodge a bond in the form of an unconditional bank guarantee or cash bond with Council for the placement of the final layer of asphaltic concrete (AC) wearing course for any proposed Public Road within the subdivision.

The bond is to be in the form of cash or unconditional bank guarantee, in favour of Council and shall be equivalent to 150% of the value of the works, including the cost of all reinstatement works. The bond amount shall be determined by making reference to Council's current unit rates for such works.

The bond period is to commence on the date of issue of Subdivision Certificate and is to be held until at least 80% of the subdivision occupancy, or when determined by Council.

Note – An administration fee is payable upon the lodgement of a bond with Council.

- (16) **Footpath Bond** - The applicant is to lodge a bond in the form of an unconditional bank guarantee or cash bond with Council for the construction of a concrete footpath and/or pedestrian/cycle shared way. This applies only where such a facility is located in existing and/or proposed public land.

The bond is to be in the form of cash or unconditional bank guarantee, in favour of Council and shall be equivalent to 125% of the value of the works, including the cost of all reinstatement works. The bond amount shall be determined by making reference to Council's current unit rates for such works.

The bond period is to commence on the date of issue of Subdivision Certificate and is required to be held until at least 80% of the subdivision occupancy, or when determined by Council.

Note – An administration fee is payable upon the lodgement of a bond with Council.

- (17) **Defects and Liability Bond** - The applicant is to lodge a defects and liability bond in the form of an unconditional bank guarantee or cash bond, being 10% of the value of civil works, with Council.

The bond covers any defects and liabilities of the public infrastructure.

Note – An administration fee is payable upon the lodgement of a bond with Council.

- (18) **Validation Report** - A validation report prepared by a suitable qualified person shall be provided to the PCA within 30 days of completion of the remediation works, and prior to the issue of a Subdivision Certificate, which demonstrates:

- a) compliance with objectives of the approved RAP;

- b) that the remediation acceptance criteria (in the approved RAP) has been fully complied with;
- c) that all remediation works comply with the contaminated lands planning guidelines, *Contaminated Lands Management Act 1997* and SEPP 55;

and includes:

- d) Works-As-Executed Plan(s) that identify the extent of the remediation works undertaken (that includes any encapsulation work) prepared by a registered surveyor;
 - e) a “notice of completion of remediation work” as required under Clause 18 of SEPP 55; and
 - f) a statement confirming that the site following remediation of contamination is suitable for the intended use.
- (19) **Locks to Access Gates** - All gates and removable bollards that provide restricted access to Council reserves and other public property shall be fitted with a padlock, which is required to be master keyed to Council’s requirements. The supply of the padlocks is at the applicant’s cost.
- (20) **Special Infrastructure Contribution** - The applicant shall make a special infrastructure contribution (SIC) in accordance with the determination made by the Minister administering the *EP&A Act 1979* under Section 94EE of that Act and as in force on the date of this consent. This contribution shall be paid to the DP&E.

Evidence of payment of the SIC shall be provided to Council and the PCA.

- (21) **Bushfire Prone Land Maps** - Prior to the issue of the 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) 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 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; and
- (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.
- (22) **Waste Management Plan** - The PCA shall ensure that all works have been completed in accordance with the approved waste management plan referred to in this development consent.
- (23) **Extension of Catherine Park Drive** – The extension of Catherine Park Drive approved via DA 228/2014 must be constructed prior to the issue of a Subdivision Certificate.
- (24) **Dog Leash free Enclosure and Surrounds** - The leash free dog enclosure and surrounds will require the following provisions (subject to the requirements in Transgrid's letter provided in Attachment F):
- a) Dog waste bins inside the enclosure that has an organic waste bag dispenser attached;
 - b) Adequate signage placed in areas easily seen by users;
 - c) Strategically located dog waste bins along main walking tracks outside of the leash free enclosure;
 - d) Provide seating for patrons within the enclosure with a flat surface and minimal gaps between materials to prevent dog injury;
 - e) A double gate entry / exit for the enclosure;

- f) Ensure that any vegetation planted within the off leash enclosure area is not toxic to dogs; and
 - g) Provide a water tap connected to a potable water supply with a fixed bowl inside the enclosure.
- (25) **VPA** – All works and any monetary contributions associated with any relevant subdivision stage must be carried out in accordance with the Voluntary Planning Agreement executed between Council and Hixson Pty Ltd, Dandaloo Pty Ltd and Edgewater Homes Pty Ltd, dated 16 December 2016 prior to the issue of a Subdivision Certificate.

RECOMMENDED

That the Panel approve DA 902/2015 for a staged subdivision to create 169 residential lots, 8 superlots, remediation of contaminated land, riparian corridor rehabilitation, open space embellishment, construction of recreation facilities, road construction and associated site works at M, 40 and 70 Oran Park Drive, 2 O'Keefe Drive and 2 Catherine Park Drive, Oran Park subject to the conditions listed above.

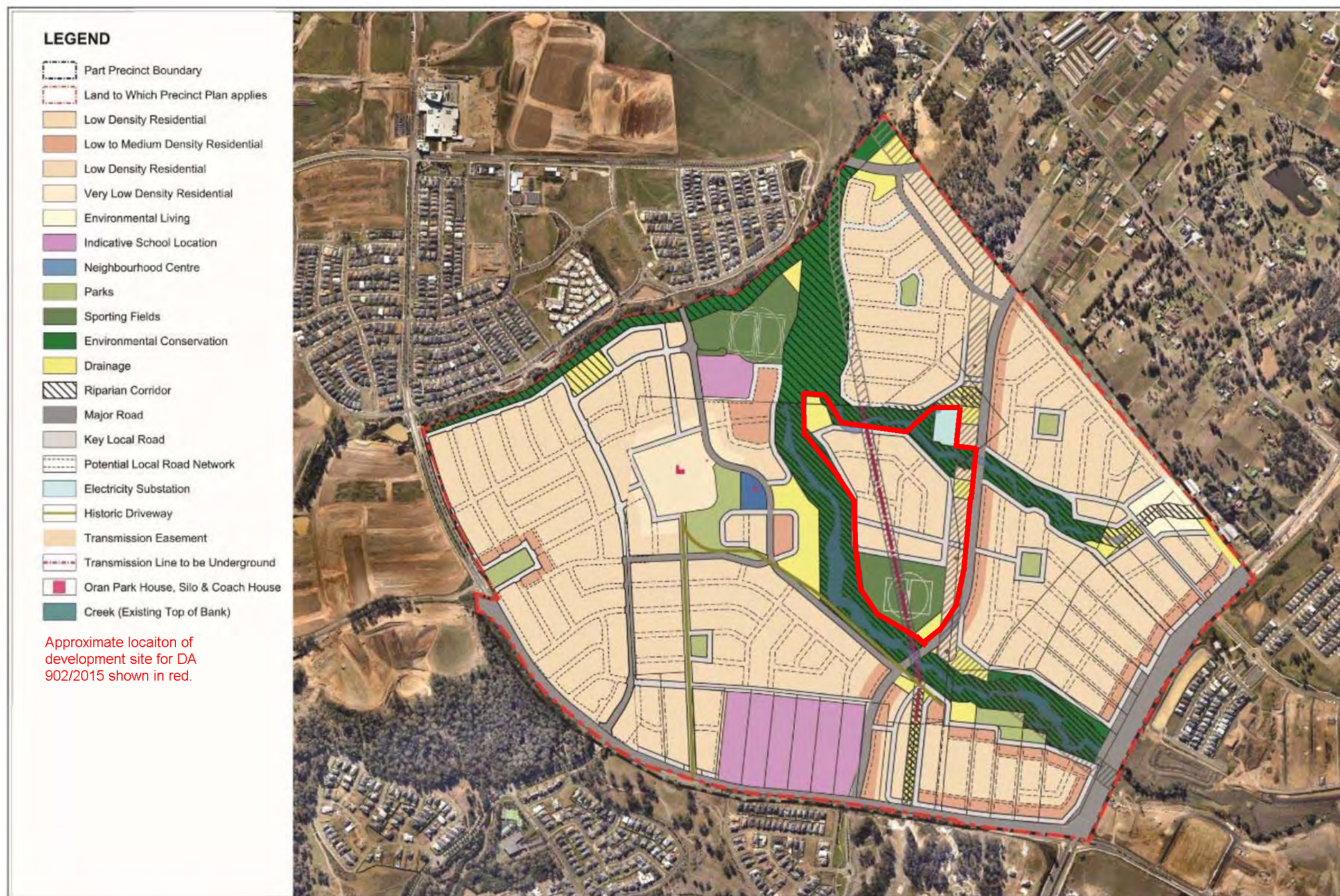


Figure 2-1: Indicative Layout Plan

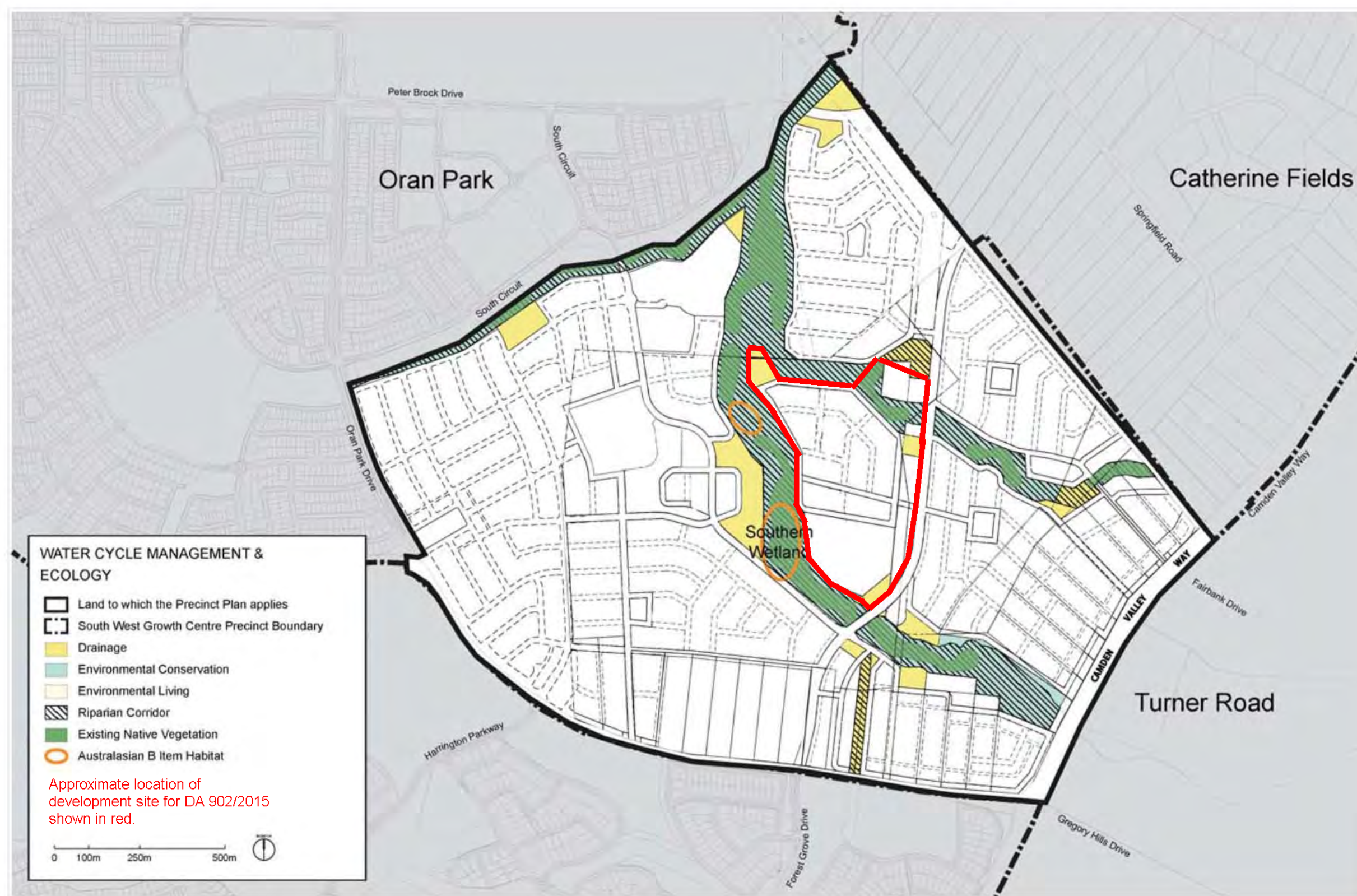


Figure 2-3: Key elements of the water cycle management and ecology strategy

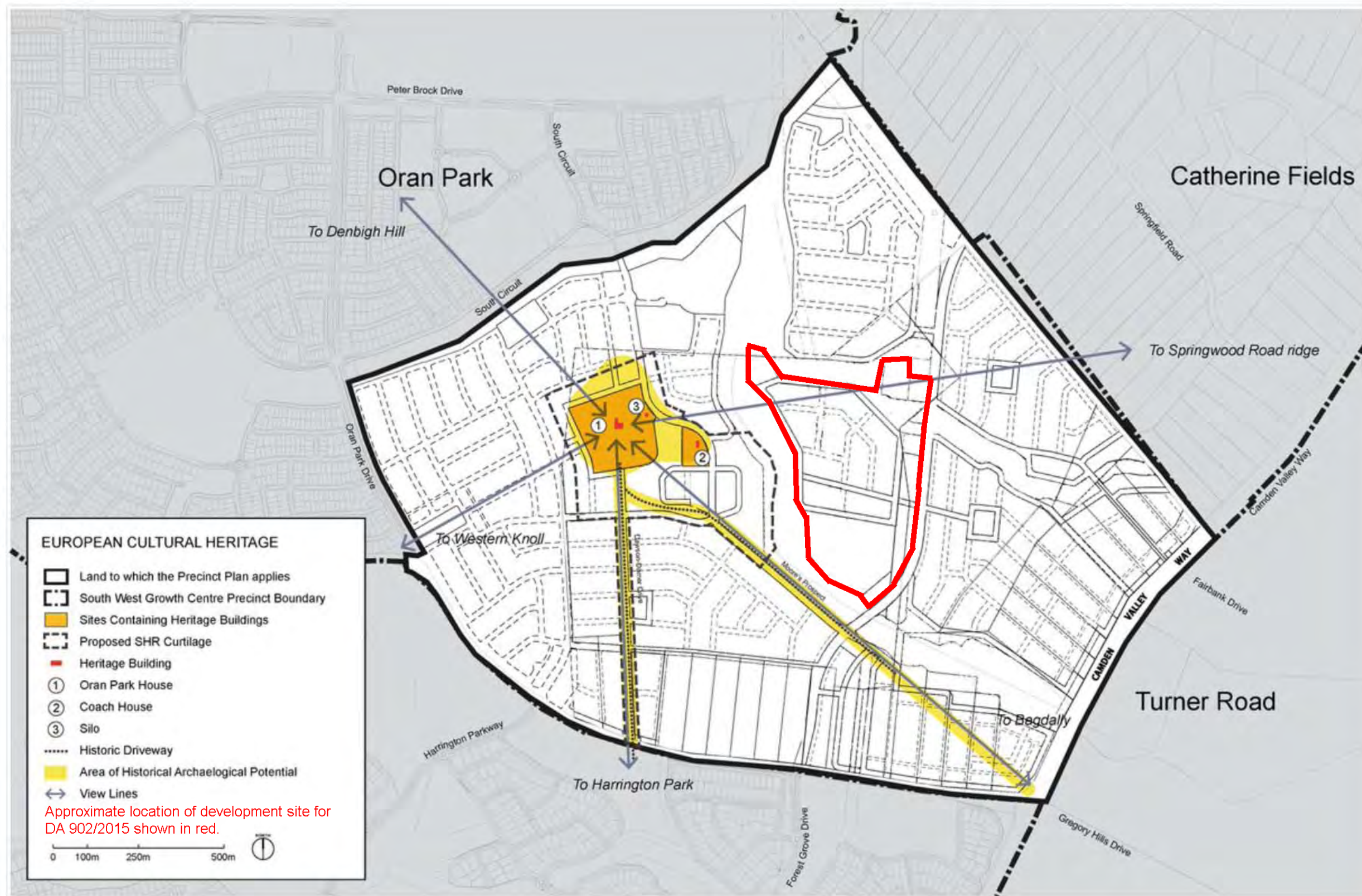


Figure 2-6: European cultural heritage

Table 3-1: Typical Characteristics of Residential Net Densities

Net Residential Density dw/Ha	Typical Characteristics
10 - 12.5 dw/Ha	▪ Generally located away from centres and transport. ▪ Predominantly detached dwelling houses on larger lots with some semi-detached dwellings and / or dual occupancies. ▪ Single and double storey dwellings. ▪ Mainly garden suburban and suburban streetscapes. See Figure 3-2
15 -20dw/Ha	▪ Predominantly a mix of detached dwelling houses, semi-detached dwellings and dual occupancies with some secondary dwellings. ▪ Focused areas of small lot dwelling houses in high amenity locations. ▪ At 20dw/Ha, the occasional manor home on corner lots. ▪ Single and double storey dwellings. ▪ Mainly suburban streetscapes, the occasional urban streetscape. . See Figure 3-2
25 - 30 dw/Ha	▪ Generally located within the walking catchment of centres, corridors and / or rail based public transport. ▪ Consists of predominantly small lot housing forms with some multi-dwelling housing, manor homes and residential flat buildings located close to the local centre and public transport. ▪ Generally single and double storey dwellings with some 3 storey buildings. ▪ Incorporates some laneways and shared driveways. ▪ Be designed to provide for activation of the public domain, including streets and public open space through the orientation and design of buildings and communal spaces. ▪ Mainly urban streetscapes, some suburban streetscapes. . See Figure 3-2
40+ dw/Ha	▪ Generally located immediately adjacent centres and / or rail based public transport ▪ Consists of predominantly residential flat buildings, shop top housing, manor homes, attached or abutting dwellings and multi-dwelling housing ▪ Generally double and multi-storey buildings ▪ Predominantly urban streetscapes with minimal front setback; incorporates laneways and shared driveways. . See Figure 3-2

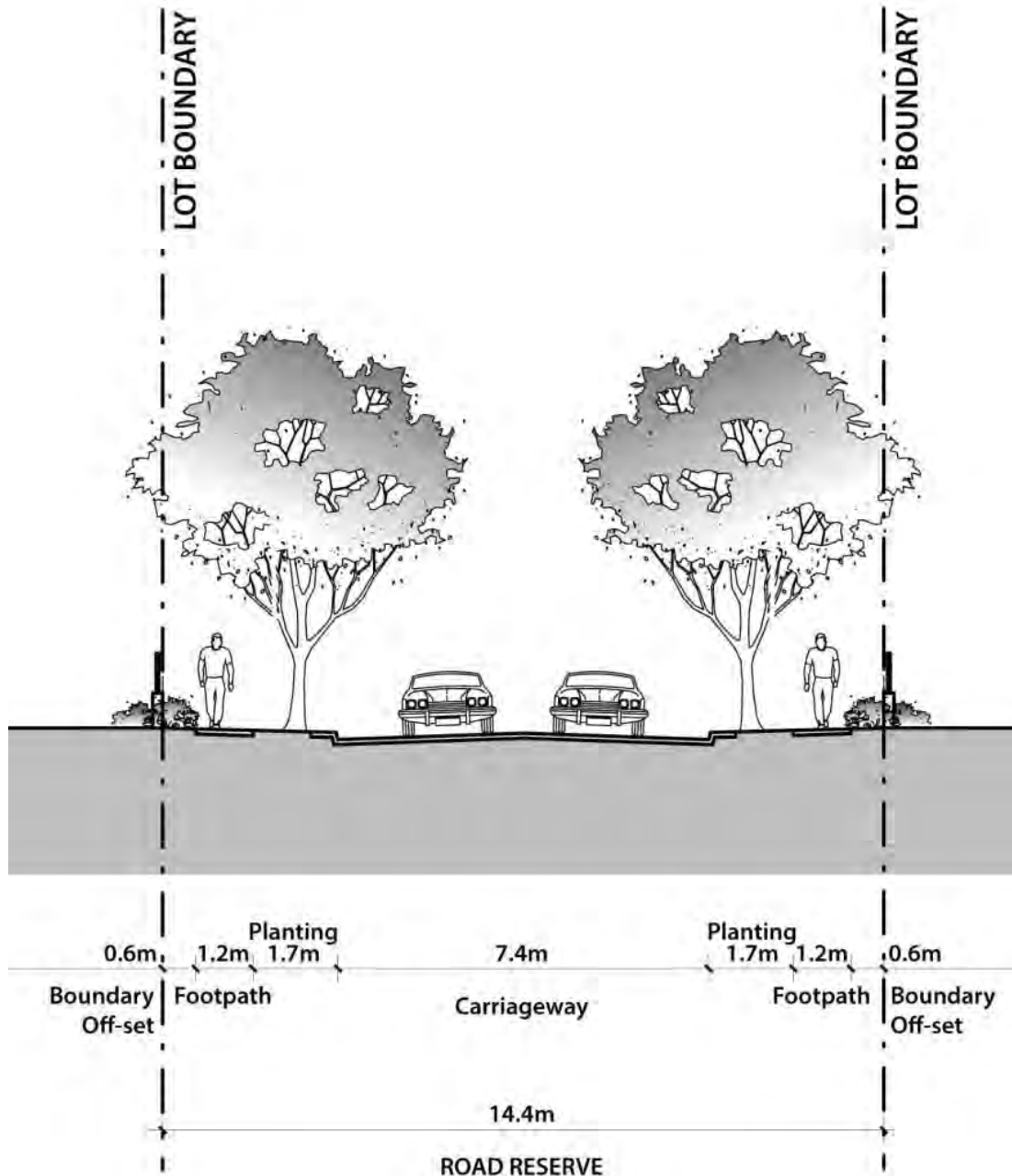


Figure 3-15: Typical local street

Note: A single footpath is required in only one road verge.

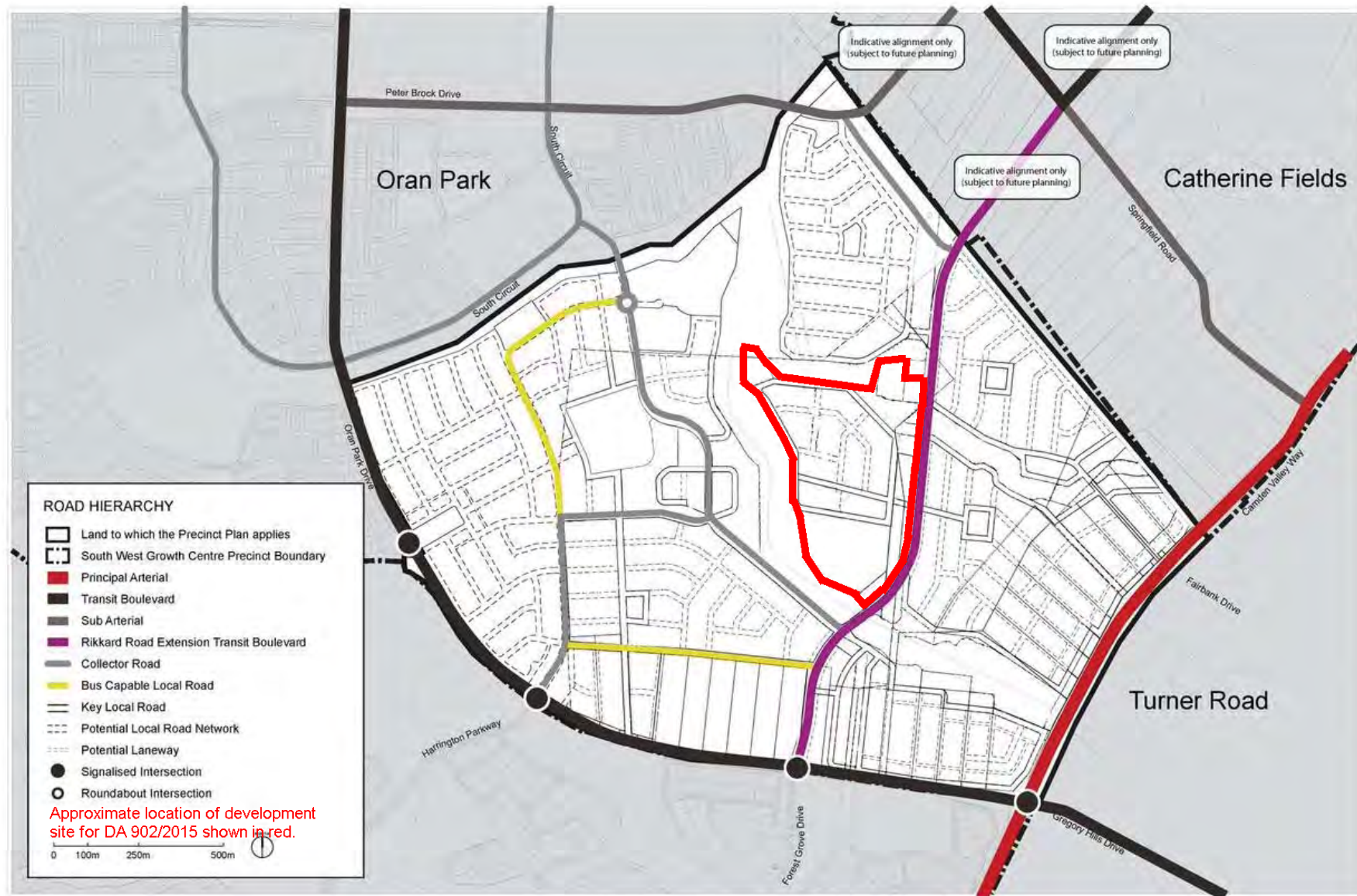


Figure 2-11: Precinct road hierarchy

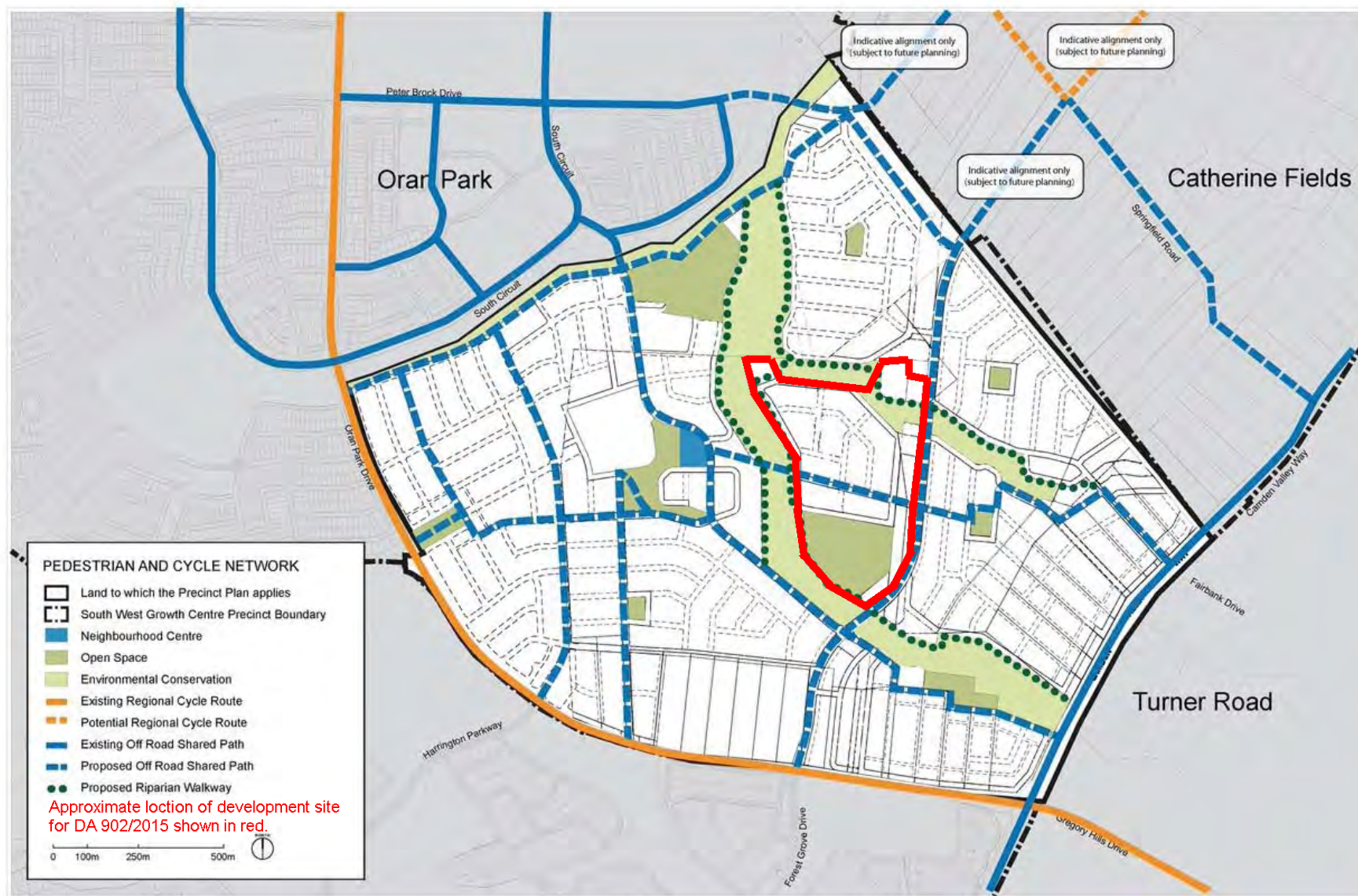


Figure 2-12: Pedestrian and cycle network

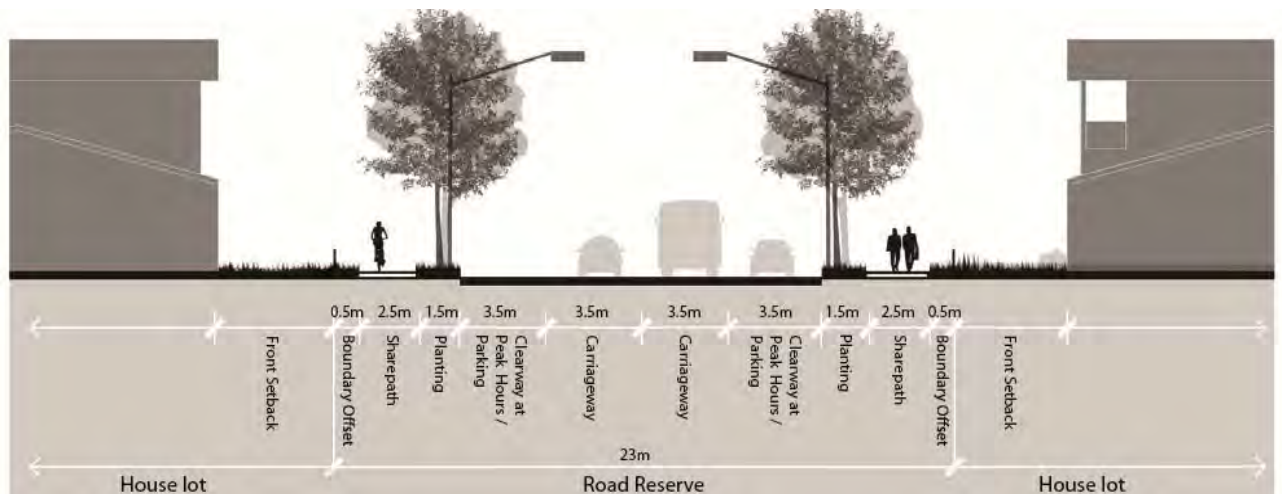


Figure 2-14: Indicative Rickard Road Transit Boulevard section

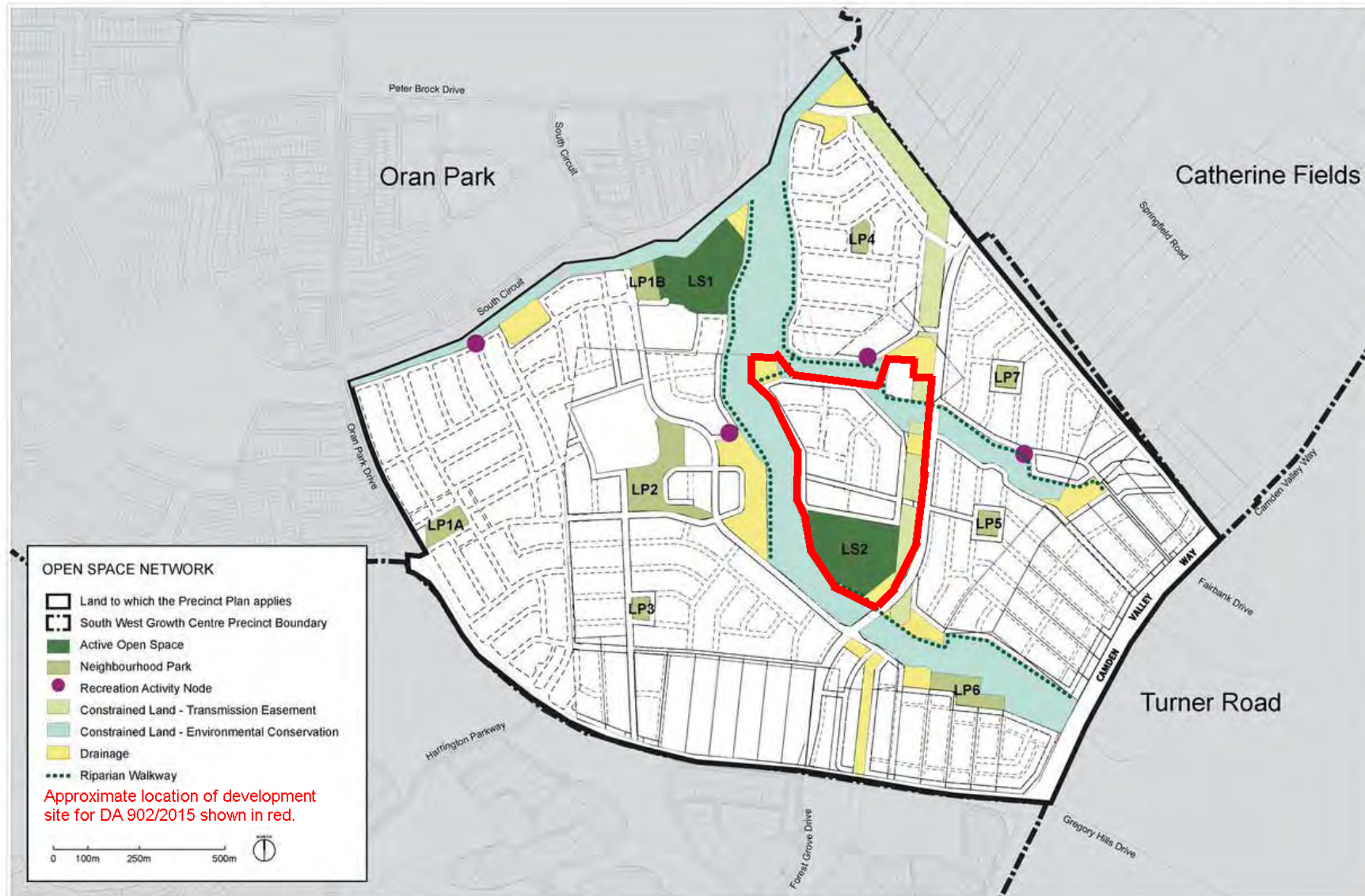


Figure 2-16: Open Space Network

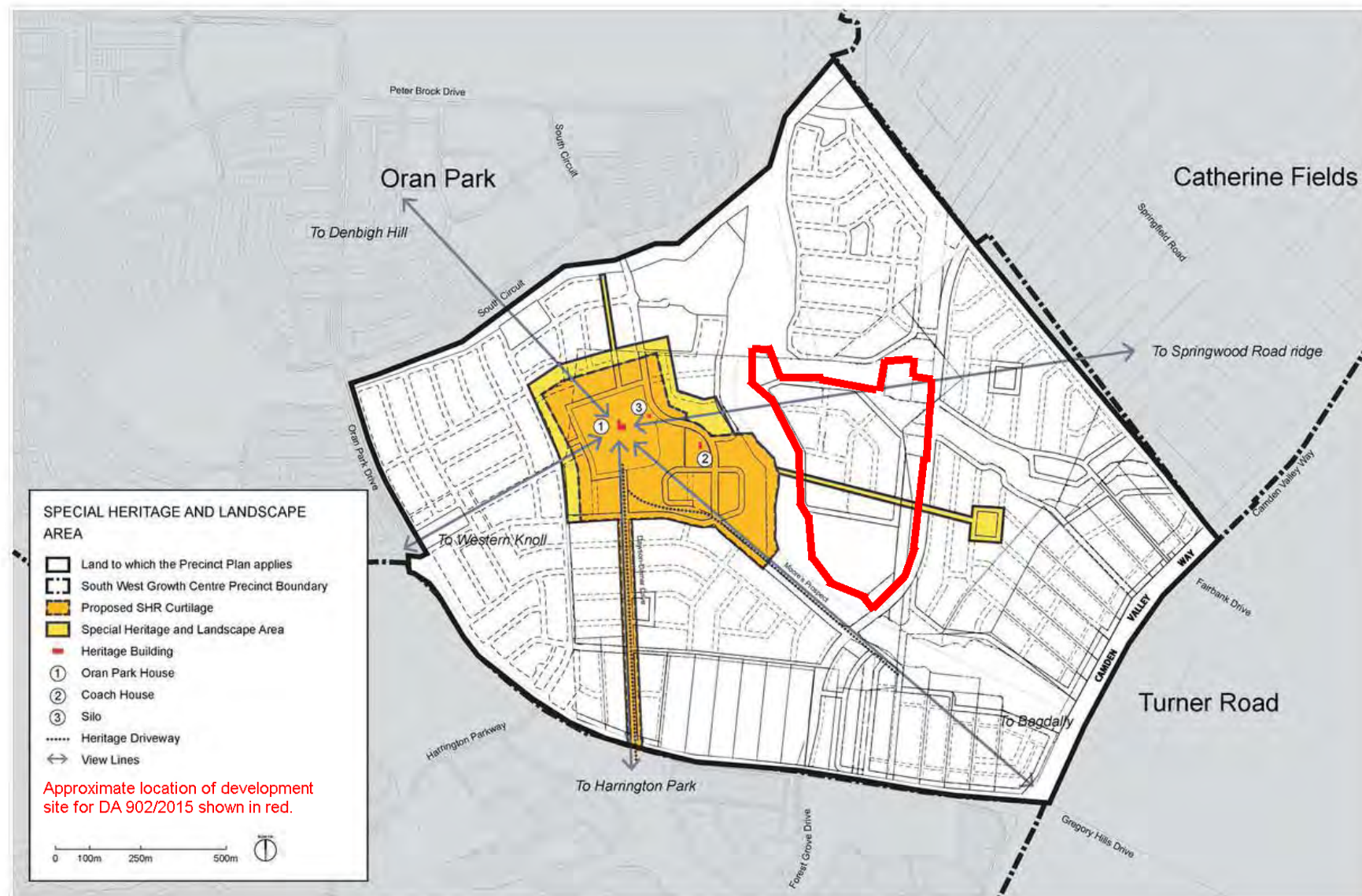


Figure 4-1: Special Heritage and Landscape Area