

SYDNEY SOUTH WEST PLANNING PANEL

THE PANEL No.	2017SSW032
DA Number	693/2017/DA-SW
Local Government Area	Campbelltown City Council
Proposed Development	Subdivision of land to create 350 Torrens titled residential lots, public roads and associated civil and landscape works
Street Address	Lot 1922 DP 1218627 and Lot 19 DP 1215704 Commissioners and Willowdale Drives, Denham Court
Applicant/Owner	Stockland Development Pty Ltd
Number of Submissions	2 submissions – both do not object to proposal
Regional Development Criteria (Schedule 4A of the Act)	Capital investment exceeds \$20 million (\$20,001,275)
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none"> • State Environmental Planning Policy (Sydney Region Growth Centres) 2006 • State Environmental Planning Policy No. 55 – Remediation of Land • State Environmental Planning Policy (Infrastructure) 2007 • Campbelltown (Growth Centres) Development Control Plan 2014 • Planning Agreement, pursuant to Section 93F • Draft South West Sydney District Plan
Does the DA require Special Infrastructure Contributions conditions (s94EF)?	Yes
List all documents submitted with this report for the panel's consideration	Officer's assessment report and attachments
Recommendation	Approval subject conditions
Report by	Andrew MacGee – Senior Development Planner
Report date	November 2017

Purpose of the Report

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

Approval process

The development application has been lodged by Stockland Development Pty Ltd with a Capital Investment Value (CIV) of \$20 million. Therefore, under Section 23G and Clause 3 of Schedule 4A of the Act, the Sydney South West Planning Panel (the Panel) is the consent authority for the proposal.

Under the processes established by the Act, Campbelltown City Council has undertaken the assessment of the application and subsequently refers the matter to the Panel for determination.

Background and History

Council and the former Sydney South West Joint Regional Planning Panel has previously granted development consent for various earthworks and residential subdivision and road construction proposals in the vicinity of the subject application. The land subject to this and the former applications is located within the South West Growth Centre – specifically the ‘East Leppington Precinct’, which was rezoned for urban purposes by the Department of Planning in 2013.

At the present time, Council (including Camden Council) and the Panel have provided consent for ten separate stages of residential development, creating in excess of 2,250 lots. Further, consent has also been granted for the construction and use of a commercial shopping centre, several public open space parklands and the Panel has also granted consent for a staged retirement village including 268 dwellings.

Council currently has a number of development applications for other land within the release area, including riparian corridor embellishment works and roadworks in Denham Court Road.

Panel Briefing and Inspection

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

- Topography.
 - The site possesses some steep topography, which has presented a challenge for road design and allotment patterns in some places (see page 7).
- Preservation of ‘scenic hills’ views.
 - The site adjoins the ‘scenic hills’, which are an important character element captured in the draft South West Sydney District Plan. Council’s long-term view/vision for the urban release is that it must not be visible from other parts of the ‘scenic hills’ to the east (see pages 16 and 21).
- Possible impacts on adjoining Varroville.
 - The site adjoins existing rural-residential land in Varroville. The urban release land

has a development of significantly higher lot (dwelling) density than the adjoining land.

- Relationship to 'Leppington House' park.
 - The site adjoins the former 'Leppington House' ruins along the ridgeline that is to the east of the development site. While the subject development does not encroach on the ruins site, it is important to note its presence nearby. A separate development application is likely to be lodged by the land owner in the near future for the area's development, in a manner consistent with the release area's 'planning agreement' (see page 26).
- Status of 'Voluntary Planning Agreement' between Stockland and Campbelltown Council.
 - At the time of the briefing and inspection, the 'planning agreement between Council and the developer had not been executed. This has since occurred in October 2017 (see page 32)
- Landscaping - treatment of ridge line vegetation (south east corner).
 - The applicant has provided information that it intends on establishing a range of screen tree plantings along the ridgeline in the south east corner of the release area (near Precinct 11, subject to this development application) in order to assist long-term screening of the development (see page 21).
- Bush fire control management - maintenance of bush fire protection zone, comments from Rural Fire Service.
 - The site adjoins an area of land that will not be developed for residential purposes. As such, its protection from bushfire is essential. The applicant has elected to seek separate approval from the Rural Fire Service and a recommended condition of consent requires the issue of a Section 100B Rural Fires Act 1997 'bush fire safety authority' be issued prior to any construction certificate being issued. The authority's issue is in its final stages but due to circumstances beyond the applicant and Council's control, was not available in time for this assessment report.
- Ridge sensitivity zone.
 - As mentioned above, the site is in close proximity to the ridgeline that rims along the eastern fringe of the 'East Leppington' urban release area. Protection of views to the ridgeline so as to obscure urban development has been mandated in relevant planning controls and is expected by Council (see pages 16 and 22)
- Uses of Scenic Hills.
 - Land adjoining the site, while part of the 'East Leppington' precinct under the Sydney Region Growth Centres SEPP, has been zoned in a manner that significantly restricts its development for urban purposes as a measure to protect the 'scenic hills' and due to other environmental constraints. The Panel considered a range of uses that could be accommodated on that land, although that land does not form part of this application.

- Heritage report 1940s and 1950s (aerial photograph).
 - The Panel noted evidence provided in the submitted heritage impact assessment documentation of the 'Leppington House' complex of buildings, which were destroyed by fire in the 1960s (see page 26).
- Road around Hilltop Park.
 - The location of a road proposed by the applicant that surrounds the 'hilltop park' site identified in the 'East Leppington' precinct plan differs from that shown in the 'indicative layout plan' prepared as part of the site's urban release in 2012 (see pages 9 and 26).
- Development sequence and status of Hilltop Park.
 - The Panel discussed the development of nearby land that would be made available for public purposes pursuant to the Growth Centres SEPP. Ownership of the Hilltop Park was discussed, having regard to its zoning and different acquisition requirements to other open space that is zoned RE1 under the Growth Centres SEPP. The Hilltop Park, despite its zoning is included as an item for embellishment in the planning agreement between Council and the developer (see pages 9 and 29).

These issues are discussed again throughout the report as relevant.

Introduction

A development application has been received for the construction of civil works (including roads, drainage and other service infrastructure) and subdivision into 350 residential Torrens titled allotments.

The application would ordinarily be require approvals under the:

- The Rural Fire Service – *Rural Fires Act 1997*
- The Office of Water – *Water Management Act 2000*

In this case however:

- the Office of Water has provided Council with written advice that its 'controlled activity approval' for works in the riparian area to the west of the site remains relevant and its does not require or intend to issue further approvals under this application, and
- through circumstances beyond the control of Council, the RFS and the applicant, decided that the applicant will pursue its Section 100B 'bush fire safety authority' separately to this assessment process. Accordingly, a recommended condition of consent has been imposed (with the applicant's agreement) that the authority must be attained prior to issue of any construction certificate for the development.

Previous approval for works throughout the urban release area has also been granted by the Office of Environment and Heritage pursuant to the *National Parks and Wildlife Act 1974*. An 'urban release area wide' Aboriginal Heritage Impact permit has been issued.

The Site

The site is identified by the applicant as 'Precinct 11 of an overall urban release of what was formerly grazed agricultural land'. The site is currently legally described as Lot 1922 DP 1218627 and Lot 19 DP 1215704 and has an area of approximately 26 hectares.

The site is located in the south eastern pocket of the urban release area and adjoins Varroville to the south, the 'scenic hills' to the east and existing urban release areas in Denham Court to the north and west.

The land is of varying topography, with some quite steep parts as the land heads towards a ridgeline. The ridgeline was an integral consideration of the edge of the release area during Council's participation in the land's precinct planning during 2011.

A riparian corridor, set for preservation pursuant to the Growth Centres SEPP, lies to the west of the site. Its embellishment and rehabilitation is subject to separate consent.

The site is largely cleared, owing to its long term use for cattle grazing, except for some stands of remnant vegetation.

It is important to note that the site is 'bio-certified' pursuant to the Threatened Species Conservation Act 1995 and the Growth Centres SEPP.

The site is also in close proximity to the 'Leppington House' ruins, which lie at the top of the ridgeline mentioned earlier.

The development area is bounded by 'Precincts 14, 15 and 16' of the urban release area to the north and west, a privately owned allotment (Lot 1 DP 541916) to the south and allotments under various ownership in Varroville to the south.

Traffic from the development site would (depending on destination) choose to travel through existing Precincts 14-15 via a low-level bridge across the bonds Creek tributary and on to Willowdale Drive towards Camden Valley Way or through Precinct 16 towards Denham Court Road.

The area contains remnant stands of native vegetation, grazed pastures and adjoins a tributary of Bonds Creek, which flows to the west of the site, where it gradually meanders north into land within the Liverpool City Council local government area.

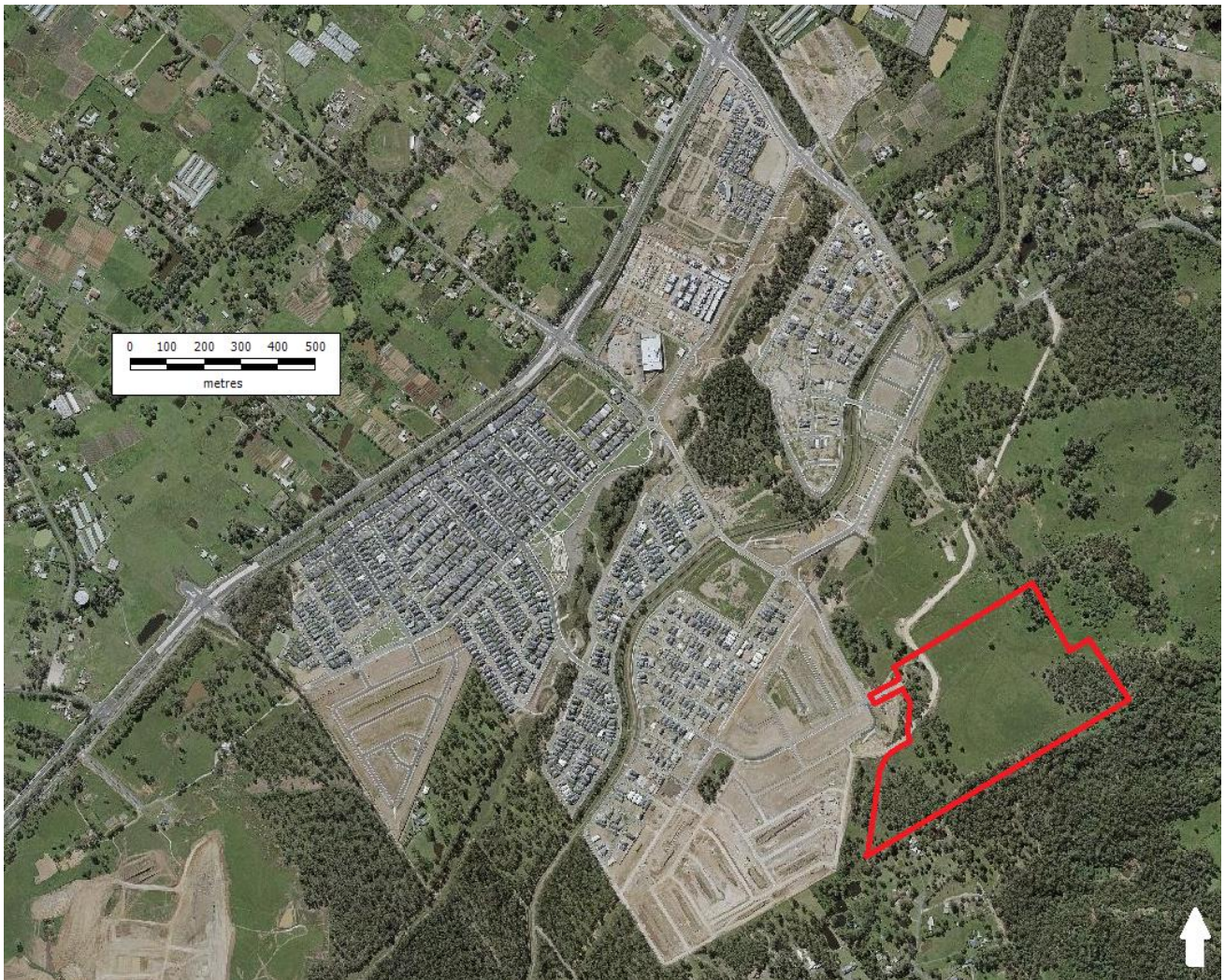
As detailed earlier in the report, the site is contained within an area previously rezoned by the State Government for urban release, pursuant to the Sydney Region Growth Centres SEPP. Accordingly, precinct planning and development control development were instituted by the Department of Planning and Infrastructure (now known as the Department of Planning and Environment).

Surrounding the development site are continued land grazing activities, large rural-residential allotments in Varroville and remnant parcels of the 'Scenic Hills' along Denham Court Road.

It is important to note that the entire area subject to the development application is 'bio-certified' pursuant to a "Biodiversity Certification Order" made pursuant to the Threatened Species Conservation Act 1995. As such, no further assessment of the site's vegetation and fauna is required in accordance with Sections 5A and 5b of the *Environmental Planning and Assessment Act 1979*.

An aerial photograph overleaf illustrates the approximate location of the development site, in relation to the existing urban release works being undertaken and surrounding development outside the growth centre precinct.

A higher resolution copy of this image is available in Attachment 2.



The Proposal

The development application involves the following:

1. Civil works create 350 residential allotments
2. Construction of roads and footpaths;
3. Installation of new subsurface services, including sewer mains, water mains and telecommunication cables;
4. Bulk earthworks, retaining structures and land contouring;
5. Formalisation of water quality basins and stormwater drainage infrastructure;
6. Vegetation removal;
7. Construction of a vehicular bridge over the Bonds Creek tributary; and
8. Landscaping.

The table below, which has been extracted from the applicant's statement of environmental effects shows the breakdown of allotment number and type within the subject application.

Lot type (frontage)	Total Lots	Percentage %
10-12 metres	45	13
12-14 metres	138	39
14-16 metres	118	34
16+ metres	49	14
Total	350	100

As illustrated in the table, a range of allotment areas are proposed, so as to incorporate the State Government's desired housing variation policy and affordability criteria, introduced by amendment into the Growth Centres SEPP in 2014.

Plans of the subdivision pattern are contained in Attachment 4 of this report.

As per the requirements of the Campbelltown Growth Centres Development Control Plan, the single allotment with an area less than 300 square metres has been detailed with a building envelope plan, which serves to illustrate desirable open space, garage and building locations for the allotment so as to demonstrate suitability for construction of residential buildings on that land in the future.

Construction access to the site would be gained via Denham Court Road and an existing 'haul road' that was made for the subdivision works currently being undertaken near to the site.

Street tree planting, retaining wall materials and finishes and the location of above ground infrastructure (such as electrical kiosks/sub-stations) would be consistent with existing development in the release area.

Road widths as proposed are generally consistent with both the development control plan applying to the site and also previous consents issued by Council nearby. Due consideration has been given to a future bus route.

The application includes a significant amount of earth works, in the form of land shaping and construction of relatively flat housing allotments, which is a market-driven phenomenon, given the popularity of slab-on-ground housing. The developer would provide a number of masonry retaining walls throughout the site, to which future dwelling applications would need to respond, in terms of access to sunlight and privacy. The majority of the walls are within the 0.5m to 1.5m range.

Council's strong preference is for the walls to be constructed at subdivision stage by the developer as this ensures a more uniform construction method and enables appropriate restrictions on title such as easements and the like to be considered at a more appropriate time.

The adjoining creek was realigned slightly pursuant to the consent issued by the Panel for 'Precincts 14 and 15' in 2016. Approximately 200 metres of creek was required to be realigned to divert stormwater away from proposed residential allotments and to increase efficiency of water flows and prevent flooding therein.

The creek works were consistent with those works previously approved for Precincts 1 – 3, 8 and 14 – 15 (Council ref. 866/2013/DA-SW, 249/2014/DA-SW, 676/201/DA-SW, 2433/2014/DA-SW and 432/2016/DA-SW), which were designed in consultation with the NSW Office of Water (OoW). The Office of Water will continue to rely on existing ‘controlled activity approval’ in place for these works in its assessment/approval of the subject application.

Earthworks associated with the development would require the removal of some vegetation. The applicant has prepared a report that addresses the proposed tree removal and describes the assessment requirements for threatened flora and fauna. The report concludes that the proposal is acceptable because:

- The proposal is located entirely on land that is “Biodiversity Certified” under the *Threatened Species Conservation Act 1995*.
- The area of the proposed works does not contain vegetation mapped as either Existing Native Vegetation or Native Vegetation Retention Area under *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*.

A Vegetation Management Plan (VMP) has been prepared for the balance of the applicant’s land situated to the east of the Sydney Catchment Authority’s ‘Upper Canal’. The VMP provides for the embellishment of riparian corridors and is referenced in the recommended conditions of consent in Attachment 1 of this report.

The applicant has thus far proven to be reliable in its implementation and management.

Assessment

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

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

1. Planning Instruments

1.1 Sydney Region Growth Centres SEPP

The Sydney Region Growth Centres SEPP (the SEPP) applies to the site and was utilised by the State Government to undertake the land’s urban release in 2012-2013.

The aims of the SEPP are:

- a. to co-ordinate the release of land for residential, employment and other urban development in the North West and South West growth centres of the Sydney Region,*
- b. to enable the Minister from time to time to designate land in those growth centres as ready for release for development,*
- c. to provide for comprehensive planning for those growth centres,*
- d. to enable the establishment of vibrant, sustainable and liveable neighbourhoods that provide for community well-being and high quality local amenity,*

- e. *to provide controls for the sustainability of land in those growth centres that has conservation value,*
- f. *to provide for the orderly and economic provision of infrastructure in and to those growth centres,*
- g. *to provide development controls in order to protect the health of the waterways in those growth centres,*
- h. *to protect and enhance land with natural and cultural heritage value,*
- i. *to provide land use and development controls that will contribute to the conservation of biodiversity.*

Further, an amendment to the SEPP was commenced on 11 August 2014, which introduced new controls to increase housing choice and improve affordability (known as Amendment (Housing Diversity) 2014). In general, the new controls do the following:

- Broaden the range of permissible housing types across the residential zones;
- Standardise and align minimum lot size and residential density controls;
- Include new definitions for studio dwellings and manor homes; and
- Introduce new subdivision approval pathways that will make smaller lot housing products more price competitive and commercially viable.

Appendix 10 of the SEPP applies to Campbelltown. Relevant portions of that Appendix are discussed over the page:

The aims of the 'precinct plan' for Campbelltown, prepared pursuant to the SEPP are:

- a. *to make development controls for land that will ensure the creation of quality environments and good design outcomes,*
- b. *to protect and enhance environmentally sensitive natural areas and cultural heritage,*
- c. *to provide for recreational opportunities,*
- d. *to provide for multifunctional and innovative development that encourages employment and economic growth,*
- e. *to promote housing choice and affordability,*
- f. *to provide for sustainable development,*
- g. *to promote pedestrian and vehicle connectivity.*

Under Appendix 10, the land the subject of this application is zoned part R2 Low Density Residential Zone, part RE1, part SP2 Infrastructure (Local Drainage) and part E3 Environmental Management.

The proposed subdivision and civil construction works are permissible with consent and consistent with the objectives of the abovementioned land use zones, or by way of Clause 5.3 – Development Near Zone Boundaries. This Clause permits development of land under a different zone in a manner consistent with an adjoining zone for a distance of up to 50 metres from the zone boundary.

The applicant has explained that in order to achieve suitable road grades and to ensure connection with the bridge over the riparian corridor to the west of the site, a movement of

The allotment sizes proposed throughout the development site conform with the minimum standards contained in Clause 4.1AB of Appendix 10 to the SEPP. The smallest lot area in the development is 288 square metres and the largest allotment has an area of 810 square metres. The application has been accompanied by building siting and envelope plan for lot that would have an area less than 300 square metres (1 lot or approximately 0.3% of all lots). A recommended condition of consent requires that the BSEP prepared for the allotment is reflected on restrictions to the title, to ensure that planning work undertaken to date regarding ensuring appropriate access to open space and sunlight are translated into future development on that allotment.

The SEPP requires a minimum of 15 dwellings to be provided per hectare of land within this part of the release area. The application would provide allotments at a rate to achieve 22 dwellings per hectare and therefore complies.

The application has respected the SEPP's requirements in relation to vegetation management and heritage protection, expressed in Clauses 5.9 and 5.10 of Appendix 10. As mentioned earlier, a vegetation management plan has been prepared for the 'eastern side' of the 'Upper Canal' and has been assessed by Council's environment unit, in the context of the site's 'bio- certification' and riparian area preservation and enhancement as part of the land's urbanisation. The applicant has thus far proven to be reliable in its implementation and management.

Accordingly, the development is considered to be complementary to the SEPP and does not unreasonably impinge on the work undertaken during precinct planning for the site in 2012. The proposal exhibits a relatively high level of compliance with the Growth Centres SEPP.

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

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

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

SEPP 55 provides controls and guidelines for the remediation of contaminated land. In particular, the Policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.

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

An assessment of the site's potential contamination was undertaken on behalf of the applicant by Douglas Partners in a report titled 'Detailed Site Investigation' (ref. 76611.10, dated June 2016). The assessment included a historical search of known land uses in the area as well as soil sampling across the site. Douglas Partners set the sampling density after consideration of the historic land use of the site, the proposed future development and contamination risk profile. The site assessment criteria (SAC) was determined based on the proposed land use, being residential living with accessible soil.

The laboratory investigation of the samples taken at the site were undertaken to detect and

measure a range of contamination types, including (but not limited to) hydrocarbons, heavy metals and organochlorine pesticides.

The report's findings and recommendations are summarised as:

- A total of 24 sampling locations were established in or within close proximity to the development site.
- The report found that 3 sites contained materials that exceeded the ecological screening level, with one of the 3 sites exceeding the health investigation level.
- The materials found included zinc and benzo(a)pyrene.
- No asbestos containing material was detected.

The contamination may relate to the site's previous agricultural use.

The report concluded:

"Management and remediation options include delineation, excavation and validation of soils, followed by off-site disposal or on-site burial at appropriate depths below the final ground level."

In addition, Douglas Partners recommended that an 'unexpected finds protocol' be developed for the works, to ensure that should an unknown source of contamination be discovered. A recommended condition of consent in Attachment 1 of this report deals with that issue.

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

1.3 State Environmental Planning Policy (Infrastructure) 2007

Clause 104 of State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP) sets out provisions relating to 'traffic generating development'. As defined at Schedule 3 of the Infrastructure SEPP, the subdivision of land to create 200 or more allotments including the opening of a public road, is 'traffic generating development'.

Council referred the application to Roads and Maritime Services in accordance with the Infrastructure SEPP's requirements. RMS did not raise objection to the proposal and did not request the imposition of any particular conditions of consent.

A separate application has been made for the embellishment of Denham Court Road, which sits on the boundary of Campbelltown and Liverpool Councils. It is likely that this work would be completed by the time that traffic associated with the subject residential subdivision commences utilisation of local roads.

1.4 Campbelltown Growth Centres Development Control Plan

The Campbelltown Growth Centres Development Control Plan (the Growth Centres DCP) applies to the land and development. The DCP sets out the Council's controls for development within the Growth Centres precinct of the City and was developed in consultation with the Department of Planning and Infrastructure during the urban release area's precinct planning.

An assessment against relevant controls in the DCP follows, with variations to the DCP sought discussed in more detail later in this report:

Section 2.2 –
The
Indicative
Layout Plan

The DCP adopts the 'indicative layout plan' (ILP) that was developed as part of the precinct planning in accordance with the requirements of the Growth Centres SEPP.

The ILP details the preferred locations for residential, open space, roads, drainage corridors, vegetation retention and other specified land uses throughout the urban release area.

In this case, application seeks to vary the ILP layout, primarily in relation to the orientation of streets. Further discussion in this regard is contained later in the report.

Notwithstanding, the variation to the ILP does not compromise the 'precinct vision' detailed in Section 2.3 of the DCP.

Complies with justification of variations

Section 2.4.1 –
Flooding

Part of the subject lands are identified as being affected by 'Flood Prone and Major Creeks Land'. The earthworks would ensure (following land contouring and some filling) that none of the residential allotments proposed in this application would be situated in the 1% AEP flood extent.

Each of the proposed allotments would be provided with at least a 0.5m freeboard.

Complies

Section 2.4.2 –
Water Cycle
Management

Stormwater run-off from Precinct 11 would be drained by the proposed stormwater pit and pipe network, and conveyed to bio-retention basins for treatment before discharge to the on-line detention basins previously approved under separate development consents. As this precinct is at the higher parts of the release area overall, drainage of this land has been considered early on to ensure that water emanating from these precincts does not overwhelm systems downstream. Consideration of impacts from dam failure on adjoining rural-residential land was also undertaken. Risk was found to be acceptable and appropriate capacity to manage emergency flows was in-built to the catchment for the site.

The proposed bio-retention basins provide sufficient pollutant removal to satisfy water quality objectives. Peak flows would not exceed existing conditions.

Complies

Section 2.4.3 –
Salinity and Soil
Management

A Salinity Management Plan (SMP) has been prepared for Willowdale Hillside covering Precinct 11, which is affected in part by mildly to aggressive saline soils. The SMP notes that salinity is not a constraint subject to a number of recommended management practices being implemented during the design and construction phases. Appropriate condition of consent has been recommended for imposition in Attachment 1.

Complies with imposition of condition

Section 2.4.4 –
Native Vegetation
and Ecology

The application is considered to be complementary to the requirements of the DCP. The site is 'biodiversity certified' pursuant to the Threatened Species Conservation Act 1995 and the Growth Centres SEPP 2006.

Conditions imposed regarding vegetation removal and fauna relocation as per 'biodiversity certification order' requirements.

Complies

Section 2.4.5 –
Bushfire Hazard
Management

Asset Protection Zones and bushfire management techniques has been considered as part of this application and are provided in accordance with Planning for Bushfire Protection 2006 (Guidelines).

The applicant will be required to obtain a Section 100B 'bushfire safety authority' from the Rural Fire Service for the development, prior to the issue of any construction certificate.

Complies

Section 2.4.6 –
Site
Contamination

As mentioned earlier in the report, a detailed investigation was undertaken to determine the site's potential for contamination, having regard to its historical land uses. As part of the testing, 3 separate locations were found that exhibited levels of contamination above background minimum levels.

Accordingly, a condition of consent in Attachment 1 seeks to impose a requirement that remediation action plan be developed for the removal and/or treatment of the identified contaminants as part of the earthworks being undertaken as part of the development.

Complies with imposition of condition(s)

Section 2.7 –
Earthworks

The application proposes the importation of approximately 11,000m³ of excavated natural material (ENM) and the re-positioning of approximately 116,000m³ of ENM cut from an area near to the south eastern boundary of the Precinct.

Retaining walls and structures have been incorporated into the subdivision design to provide "buildable residential allotments" and to stabilise certain sections of Precinct 11.

Section 3.1 –
Residential
Density and
Subdivision

A condition of consent requires that the placement and future maintenance of walls, particularly on boundaries with roads, is considered in the imposition of restrictions on titles at subdivision stage to ensure long term maintenance and emergency repair (should it be required) can legally and practically be undertaken.

Complies

Section 3.2 –
Block and Lot
Layout

The Growth Centres SEPP Residential Density Map identifies that a minimum of 15 dwellings per hectare (dwgs/ha) are required to be provided.

The density proposed for Precinct 11 is 22 dwgs/ha.

Section 3.2 –
Block and Lot Layout
(continued)

The proposed allotments are primarily rectangular in shape and comply with the minimum lot size provisions of the Growth Centres SEPP. Allotment orientation has also been a consideration so as to achieve solar access for future residents.

All proposed allotment frontages comply with those prescribed for the 15dwgs/ha density band.

A range of residential lot types (area, frontage, depth, zero lot and access) are proposed to ensure a mixture of housing types and dwelling sizes.

Corner lots have been designed and oriented where the topography allows in a manner that ensures future dwellings can address both street frontages.

Complies

Section 3.3 –
Subdivision
Approval Process

This Application proposes to create 1 residential allotment smaller than 300sqm and larger than 225sqm. As such, the application has been accompanied by a building envelope plan (BEP). The BEP is contained in Attachment 8 of this report.

The BEP demonstrates that allotment less than 300sqm can contain a sufficient building envelope that is compliant with development standards for solar access, site coverage, building setbacks, landscaping and private open space.

Complies

Section 3.4.1 –
Street Layout and
Design

The internal road layout has been generally designed in accordance with the East Leppington Precinct Road Hierarchy plan, which identifies Precinct 11 as comprising a network of local streets linking with key collector roads.

The applicant has sought variations to the road layout pattern as well as to the typical designs for roads. These are discussed in more detail later in this report.

Complies with justification of variations

Section 3.5 –
Open Space

Precinct 11 is surrounded on three sides by riparian or other scenic open space. Embellishment of the open spaces is subject to separate consent and in accordance with the executed 'planning agreement' for the release area. The applicant has incorporated direct pedestrian access opportunities to the riparian corridor and other open spaces via the proposed internal network of shared paths and footpaths.

Complies

A Construction Environmental Management Plan would be prepared and submitted in accordance with the requirements of the DCP prior to the issuing of a construction certificate. A recommended condition of consent in Attachment 1 of this report details that the plan will be required prior to issue of a construction certificate.

Complies

Section 3.6 –
Construction
Environmental
Management

A Construction Environmental Management Plan would be prepared and submitted in accordance with the requirements of the DCP prior to the issuing of a construction certificate. A recommended condition of consent in Attachment 1 of this report details that the plan will be required prior to issue of a construction certificate.

Complies with imposition of condition

Section 6.1 –
Scenic Hills
and
Associated
Visual Impact

Precinct 11 does not comprise land within the defined 'Scenic Hills Area'. However, Precinct 11 is immediately adjacent to the Scenic Hills and is therefore associated with the Scenic Hills. Assessment has been undertaken to ensure the proposal will not adversely impact on the visual quality of the Scenic Hills – this includes a consideration of views to the site from surrounding areas.

The analysis revealed that 4 dwellings in Precinct 11 would be visible above the scenic ridgeline if they were to be constructed at a height above one storey.

The report also made recommendations about the establishment of screen tree planting along the ridgeline, which would assist with screening light spill from street lighting at night time.

Accordingly, and to maintain Council's long-held position on the maintenance of the 'scenic hills' view lines, a condition of consent requires the imposition of a restriction on proposed Lots 5331 – 5334 inclusive so that those dwellings are constructed to one storey in height only.

Complies with imposition of condition

Section 6.3 –
Aboriginal
Cultural
Heritage
Management

There are a number of areas along the adjoining Bonds Creek Riparian Corridor with potential Aboriginal cultural significance.

The OEH issued an AHIP (Reference No. 1132182) to Stockland Development Pty Ltd on 16 May 2013, which encompassed the subject lands. The proposed subdivision and civil works would be undertaken in accordance with the conditions of the AHIP.

Complies

Proposed Variations to the DCP

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

If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority:

- b) if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—is to be flexible in applying those provisions and allow reasonable alternative solutions

that achieve the objects of those standards for dealing with that aspect of the development

1. Variation to 'Indicative Layout Plan' (ILP)

The applicant formally seeks a variation to the ILP that is contained in the development control plan. The ILP was developed during precinct planning for the site's urban release in 2012 and was incorporated into the subsequent DCP prepared for the site by the Department of Planning and Infrastructure (now known as the Department of Planning and Environment).

The DCP notes the following in regard to the ILP and variations of such:

The Precinct Indicative Layout Plan is intended to show how the overall Precinct will develop over time. It shows how the numerous developments, undertaken over numerous years, will come together to ensure the overall development of the Precinct is integrated, sustainable and attractive. However, it is recognised that some variation to the layout shown on the ILP may be reasonable to address new or more detailed information about the site, or other factors that might influence individual developments.

Council may grant consent to a proposal that differs from the Indicative Layout Plan (ILP), where the variation is considered to be minor and the proposal is demonstrated to be generally consistent with the ILP.

Development applications will be considered on their merits, and applicants are required to demonstrate that the proposed variation is:

- *Consistent with the Campbelltown Growth Centres Precinct Plan (East Leppington) under the Growth Centres SEPP;*
- *Consistent with the Precinct Planning Outcomes and Precinct Vision in Part 2 of the DCP;*
- *Not likely to significantly impact on the amenity, safety or environmental quality of adjoining lands, or the ability of adjoining development to occur generally in accordance with this DCP.*

Council has granted consent to applications seeking variations to the ILP in the past, in recognition of its status as 'indicative' and subject to detailed research during civil engineering planning in due course.

An overlay of the applicant's proposed subdivision and road pattern and the ILP extracted from the submitted statement of environmental effects is presented overleaf. A higher resolution copy of the same image is contained in Attachment 3 of this report.



The changes are:

- Road pattern has been amended to better account for the changing of grade and slope across the site and to provide for a more suitable outcome for future residential development in terms of solar access orientation and land/road gradients and recommended lot depths;
- Repositioning of roads on the edge of the development to match approved roads in separate stages (in the case of the Leppington House Park road - see Council ref: 3871/2016/DA-SW) or to better account for site grades in the case of the road along the edge of the Hilltop Park;
- The minor relocation of the Bonds Creek crossing bridge (which is also the nominated bus route) to the west as a means to provide for better connection with existing collector roads elsewhere in the estate and provide greater infiltration of the future bus route to reach more residents within a reasonable walking distance; and

The proposal continues to respect the location of the zoned public park (RE1) land and provides for connections to other parts of the estate in line with bus route planning and other road network requirements to ensure efficient ingress and egress for local traffic. The Bonds Creek South tributary riparian area corridor continues to be respected in accordance with the land's zoning and environmentally sensitive nature.

In determining whether or not a change to the ILP is acceptable, the consent authority must consider its appropriateness in relation to:

1. The variation's consistency with the Campbelltown Growth Centres Precinct Plan (East Leppington) under the Growth Centres SEPP;

In this instance, the variation generally respects the precinct plan's established land zoning and importantly maintains (in fact, exceeds) the plan's minimum dwellings per hectare quantum.

2. The variation's consistency with the Precinct Planning Outcomes and Precinct Vision in Part 2 of the DCP;

The DCP's outcomes and vision provide for five key outcomes, which are reproduced below:

The Precinct will provide:

- *For a range of residential densities, housing types and affordability options to meet the needs of a diverse and growing community.*
- *Detached housing will comprise the majority of residential development, with medium density development located close to the local centre, along bus routes and areas of higher amenity with larger lots on the periphery of the Precinct.*
- *A Local Centre located at the 'gateway' of the East Leppington Precinct. The Local Centre will be the main retail centre, providing for a mix of retail, commercial and community services to cater for the needs of local residents. It will be highly accessible by all modes of transport, being located off Camden Valley Way and surrounded by medium density residential and mixed use development.*
- *A public domain that will include special places focused on important landscape and cultural features including the Leppington House archaeological site. Passive recreation opportunities will be maximised along the Bonds Creek riparian corridor whilst active recreation opportunities will be catered through the provision of sporting fields. Where possible, remnant vegetation will be retained in public parks and areas containing endangered ecological communities will be conserved. The visual and landscape quality of the Scenic Hills will be protected.*
- *For the incorporation of principles of ecological sustainability and measures to ensure that the important historic, environmental and visual elements of the Precinct are recognised and protected for future generations.*

The applicant's proposed amendments to the ILP layout do not interfere with the development's achievement of the precinct vision. The development of this portion of the release area is considered to be entirely complementary to the relevant parts of the vision.

3. Not likely to significantly impact on the amenity, safety or environmental quality of adjoining lands, or the ability of adjoining development to occur generally in accordance with this DCP.

The adjoining lands are not part of the south western growth centre and as such, are not zoned appropriately or intended to relate directly by way of road connection other interface with the subject site. The proposal is comparable in terms of its potential to impact on the amenity of adjoining owners by way of urban encroachment on what was grazing land.

Having regard to the above comments, the variations to the ILP are considered to have merit and can be supported in accordance with both the EP&A Act 1979 and the Growth Centres DCP.

2. Variation to typical road designs

The applicant has sought a variation to the typical cross section drawings provided for in the DCP for various roads throughout the subject site. The changes to the typical drawings are consistent with those accepted by Council in a number of previous stages in the development.

The changes relate to the:

- Cross section of the collector road, which joins the development site in its north eastern corner (nominated as Road 138 on the applicant's engineering plans). Council had previously considered a change to the DCP indicative cross section as part of a previous consent it granted for the development of 'Precinct 16' to the immediate north of the subject land (Council ref: 3781/2016/DA-SW).

The change came about in order to better provide for the planting and establishment of *Eucalyptus teretecornis* trees, which would be established as a homage to what was thought to be plantings along the carriageway to the former Leppington House. Council is satisfied that the trees would be provided with sufficient space to reach maturity and minimise the potential for damage to subterranean infrastructure in the road verges.

- Minor changes to road verge widths near Bonds Creek and on collector roads to provide for additional landscaping and a shareway concrete path with carriageway widths remaining consistent with the DCP; and
- Minor changes to footpath width and location undertaken by agreement with Council.

Flexibility in relation to the adopted street network is provided pursuant to Sections 3.4.1(3), (5) and (6) of the DCP, which state:

3. *'Alternative street designs for local streets and access ways may be permitted on a case by case basis if they preserve the functional objectives and requirements of the design standards.'*
5. *'The locations and alignments of all roads are to be generally in accordance with the locations shown on Figure 3.11.'*
6. *'Where any variation to the residential street network indicated at the Figure 3.11, is proposed, the alternative street network is to be designed to:*
 - *create a permeable network that is based on a modified grid system,*
 - *encourage walking and cycling,*
 - *minimise travel distances for all modes of transport,*
 - *maximise connectivity between residential areas and community facilities, open space and centres,*
 - *take account of topography and site drainage, and accommodate significant vegetation,*

- *optimise solar access opportunities for dwellings,*
- *provide frontage to and maximise surveillance of open space and drainage lands,*
- *provide views and vistas to landscape features and visual connections to nodal points and centres,*
- *maximise the effectiveness of water sensitive urban design measures,*
- *ensure that noise impacts from major roads are considered and are able to be effectively mitigated without the use of noise walls. Should an exception arise the circumstances are to be fully justified to the satisfaction of Council.*
- *comply with the requirements of Planning for Bushfire Protection 2006,*
- *not detrimentally impact on access to adjoining properties,*
- *provide for the management of stormwater to drain to Council's trunk drainage network, without negative impacts on other properties,*
- *not impede the orderly development of adjoining properties in accordance with the Campbelltown Growth Centres Precinct Plan (East Leppington) and this Development Control Plan, and*
- *not restrict the ability to provide water, sewer, electricity and other essential services to the development or to development on adjoining properties.*

Council and the applicant engaged in a series of pre-application discussions regarding the proposal to amend the location of roads near the future parks. In addition, perpendicular car parking for thirty-eight vehicles would be provided along the site's frontage to the future Leppington House Park, which is considered likely to attract a large amount of visitors owing to its future embellishment and the scenic views to the Sydney city skyline.

Having regard to the above comments, the variations to the road designs are considered to have merit and can be supported.

Notwithstanding the requested variations, the proposal is considered to be complementary to the DCP and provides for a range of compliant residential allotments, appropriate community infrastructure and environmental outcomes.

Having regard to the above discussion, the development, upon consideration of its scale, is considered to be compliant with the objectives of the DCP and generally consistent with its controls.

1.5 Non-Statutory Plans

Draft South West District Plan

The draft South West District Plan proposes a 20-year vision for the South West District, which includes the local government areas of Camden, Campbelltown, Fairfield, Liverpool and Wollondilly. It was developed by the Greater Sydney Commission in consultation with State agencies and the community, with technical input from councils. The draft Plan was exhibited to the public in November 2016

and as the development application was made after that date, the Plan should be considered as part of the assessment.

The draft Plan has since been revised to accommodate the change to the western and south western districts. However, due to the age of the application, the most appropriate version is the 2016 draft.

Of particular relevance to the subject application is the draft Plan's Action S1 – Protect the qualities of the scenic hills landscape. The draft Plan acknowledges the importance of the scenic hills to the local and district-wide community:

“the Scenic Hills form a backdrop to the Campbelltown and Camden local government areas and are visible from many vantage points within and across the District. They are widely recognised as an environmental and cultural asset by the community.”

As mentioned prior in this report, Council and the applicant have worked together to ensure that the impacts of this development when viewed from vantage points on the eastern side of the important ridgeline are protected from urban development.

The applicant has undertaken a visual analysis of the potential impacts of urban development on the ridgeline on two occasions – firstly in support of the precinct planning work undertaken by the Department of Planning and Infrastructure in 2012 and more recently, in support of the subject application and another on land adjoining in 2016.

The analysis revealed that 4 dwellings in Precinct 11 would be visible above the scenic ridgeline if they were to be constructed at a height greater than one storey.

The report also made recommendations about the establishment of screen tree planting along the ridgeline, which would assist with screening light spill from street lighting at night time. The applicant has already commenced these plantings in order to get a head start on screening the site's future development.

Accordingly, and in a manner consistent with the draft Plan and to maintain Council's long-held position on the maintenance of the 'scenic hills' view lines, a condition of consent requires the imposition of a restriction on four proposed so that those dwellings are constructed to one storey in height only.

The proposal is considered to be complementary to other matters raised in the draft Plan, upon consideration of its relationship to existing State Environmental Planning Policies.

Campbelltown 2025 – Looking Forward

'Campbelltown 2025 - Looking Forward' is a vision statement of broad town planning intent for the longer term future of the City of Campbelltown that:

- responds to what Council understands people want the City of Campbelltown to look, feel and function like;

- recognises likely future government policies and social and economic trends; and
- sets down the foundations for a new town plan that will help achieve that future.

The document establishes a set of strategic directions to guide decision making and development outcomes.

The strategic directions relevant to this application are:

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

opportunities The proposed development is

consistent with these directions.

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

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

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

2. Impacts

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

The development has been designed to accord with the significant amount of pre-planning for urban release that was done during the State Government's 'precinct planning' process, which was undertaken during 2012 in consultation with Council, the developer, various government agencies and specialised consultants.

The 'precinct planning' exercise considered the release area's potential for development upon consideration of the State government's own legislation, housing availability targets and limitations in relation to impacts on the natural environment. The limitations considered during the process included (but were not limited to):

- Impacts on flora and fauna throughout the precinct;
- Water cycle management and flooding;
- Connections to existing and future roads;

- Connection to existing and future public transport;
- Impacts on nearby lands not included in the urban release;
- Aboriginal and European heritage;
- Soil suitability;
- Connection to existing and future service infrastructure such as electricity supply, telecommunications, and water and sewer;
- Retention of the 'scenic hills' on Campbelltown's western fringe;
- Housing density;
- Appropriate road network capacity;
- Provision of community and education facilities; and
- Provision of appropriate retail/commercial facilities.

With respect to this application, the development has been considered in detail against relevant planning controls as detailed in Part 1 of this report. The proposal is considered to be largely compliant with controls that were developed as part of the aforementioned 'precinct planning' process.

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

2.1 Water Cycle Management

The development site adjoins an existing waterway and would increase water flows from the site due to an increase in impervious areas by comparison to its current state as grazed pasture.

Detailed modelling (in conjunction with the preliminary assessments undertaken during the 'precinct planning' phase of the urban release), has been undertaken to assess the impacts of and methods required to ensure stormwater leaving the release area is of a quantity and quality that does not unreasonably impact on the natural environment downstream.

The subject site is located at the top of the local stormwater catchment, being one of the highest points of the urban release area. Consequently, stormwater infrastructure approved by Council and the Panel in previous and lower stages of the 'Willowdale Estate' has needed to be designed to take account of water emanating from the subject site.

Council's hydraulic and civil engineers have reviewed the plans, models and associated information submitted with the subject application and in light of previous work undertaken nearby, have provided recommended conditions for detailed design stage, which have been incorporated into Attachment 1 to this report.

The conditions primarily relate to pipe network design, water quality treatment requirements and physical construction of water quality devices.

2.2 Traffic

Traffic generated by this urban release area was considered during the 'precinct planning' process and incorporated into modelling for the entire region, which has seen significant changes made to nearby Camden Valley Way and to a lesser extent, Denham Court Road.

Given the development's size and location, it is prudent to consider its potential to impact on existing and future local roads. The applicant has submitted a traffic impact assessment with the proposal, which discusses the development's potential to impact on surrounding road efficiencies.

The site enjoys relatively good access to public transport and this will only improve once the 'Willowdale Estate' expands and an internal bus network is established in conjunction with Transport for NSW. A bus service has recently begun operating through the western portion of the release area, which connects to Narellan town centre and Leppington train station (route 841). Local collector roads have been positioned and designed to accommodate expected traffic volumes and have also considered proposed public transport (bus) routes throughout.

The applicant has prepared a detailed analysis of the likely traffic generated by subject development, in conjunction with an assessment of the overall traffic likely to be generated by residential development in the 'eastern half' of 'Willowdale Estate'. The technical assessment included a review of possible public transport routes, trip generation, road design and location and intersection performance.

An illustration from the technical assessment shows the area reviewed and highlights collector roads therein has been reproduced below.



The subject development would provide for two joined collector roads (Roads 104 and 105 in the prior illustration), which are considered likely to form a future bus route, subject to final approval from Transport for NSW. Road widths and intersections along this route have been designed to cater for buses and have been checked by Council's engineers for compliance with relevant standards.

At this point in time, traffic from 'Precinct 11' would be required to access the main road network (Denham Court Road and Camden Valley Way) via the new bridge to 'Precinct 14' and then another bridge in 'Precinct 9', which has a direct connection to Willowdale Drive and then Camden Valley Way. Ultimately, and in accordance with the precinct planning and DCP, a large roundabout would be constructed with Road 102 in the previous illustration and Denham Court Road.

Denham Court Road itself is also planned to be upgraded further to two lanes each way between the new roundabout and Camden Valley Way, via a material public benefit agreement between the applicant and the Minister for Planning, pursuant to Section 94EF(5)(b), although that work is subject to separate approval. The application for that work is currently in its final stages of assessment by both Campbelltown and Liverpool Councils.

It is not unlikely that the upgraded Denham Court Road access would be available around the same time as residents would commence living at the subject development site. In the meantime, the alternate route via existing roads is considered to be adequate.

Having regard to the above, the proposal is not considered likely to significantly or detrimentally impact on the local road network.

2.3 Heritage – Leppington House Park

As detailed earlier in the report, the applicant has made some amendments to the placement of a road and allotments near the Leppington House Park, with the resultant impact being a reduction in the amount of space provided for in the park by comparison to the land set aside for such during the site's 'precinct planning' and ultimate rezoning pursuant to the Growth Centres SEPP.

Council has previously considered a report on the same issue in conjunction with a separate development application that was not forwarded to the Panel on grounds that the value of the development did not meet the threshold detailed in Schedule 4A of the Act. This previous development consent (known as 'Precinct 16' – Council ref: 3871/2016/DA-SW) set the location for the eastern edge road that would continue into 'Precinct 11', the subdivision being the subject of the current application.

As part of the assessment of the applicant's proposition to amend the 'indicative layout plan' and indicative road cross section in the locality of the site that was thought to contain a former carriageway avenue of trees associated with Leppington House, Council undertook a review of a heritage impact assessment

that was prepared on the applicant's behalf. The assessment considered the area immediately adjacent to the site's European heritage.

The report stated that assumptions made in earlier heritage assessment at the site during the 'precinct planning' phase of the development were not likely to be correct, in regards to the tree-lined carriageway entrance to the former Leppington House site. Reviews of aerial and other photography around the site revealed that the trees were more recent plantings, perhaps established as a windbreak or paddock boundary marker.

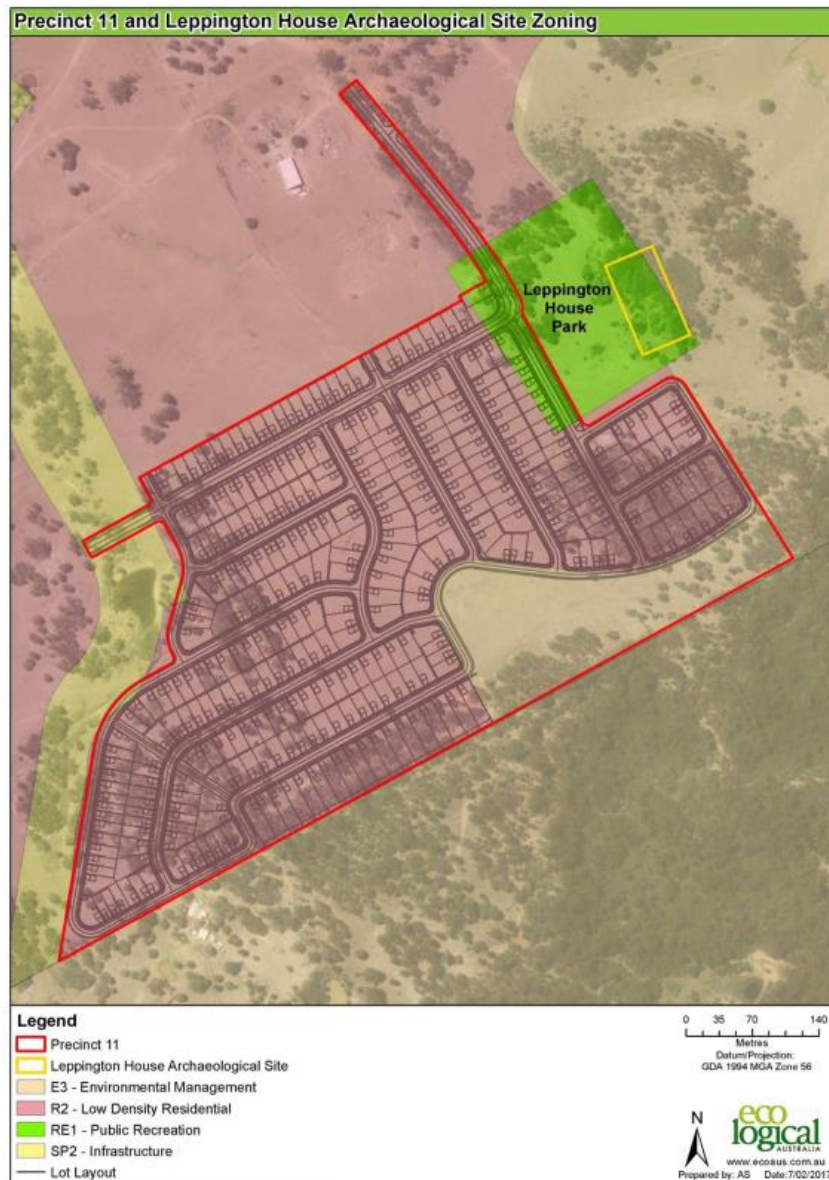
A Conservation Management Plan for the ruins of Leppington House was also prepared and submitted for consideration with the previous application. The Plan provided recommendations for the retention and reinterpretation of the ruins, following demolition of the House proper in or around 1960 following it being significantly damaged by fire.

Council considered the conservation management plan and interpretation strategy to be satisfactory during its assessment of the prior application. Both the conservation management plan and interpretation strategy are to be incorporated into a forthcoming application for Leppington House Park's embellishment, in a manner consistent with the 'planning agreement' between Council and the applicant.

The subject application was also accompanied by a further assessment of the site's European heritage and it was prepared by the same suitably qualified person. The more recent report built-upon the previous work done and specifically considered the potential impacts on the site's heritage significance should the road be permitted to move closer to the Leppington House ruins and curtilage.

The report discusses the "archaeological site", being the area of land to the east of the development site that is known to contain artefacts of European origin, including building materials, wells and gardens. The "archaeological site" would be considered in greater detail at the time an application is made for the Park's embellishment in the future.

Consequently, the pertinent matter for consideration with the current development application is whether or not the movement of a road east when compared to the 'indicative layout plan' is of detriment to the site's heritage significance. An overlay of the development site and the archaeological site are reproduced from the applicant's heritage impact statement overleaf:



It should be noted that the red site boundary on the aforementioned plan does extend further than the subject application in relation to the road running to the north-west from 'Precinct 11'. The portion of the road beyond the northern-most lot in the plan was considered by Council under a separate development application, for which consent was granted in mid-2017.

The current assessment concludes that the location of the road as proposed would not impact on the archaeological significance of the Leppington House site.

"The Leppington House archaeological site is located in the far western part of the proposed park and it is unlikely that the archaeological resource will be impacted by the proposal. The archaeological resource will remain in situ and the historical significance and research potential will not be impacted."

2.4 Heritage – Aboriginal Heritage

As mentioned previously, the site is currently afforded a permit issued by the Office of Environment and Heritage pursuant to Section 90 of the National Parks and Wildlife Act 1974, which permits the removal and relocation of physical artefacts associated with indigenous habitation of the development site.

The applicant (as part of wider research for future development of Hilltop Park and a recreation trail along the scenic hills ridgeline) has prepared an Aboriginal heritage assessment for the locality. The ridgeline is known to be a culturally important landform and was used as a means to view surrounding lands and as a meeting place. The assessment is not specific to the subject application, although is an important consideration nonetheless, with particular regard to its comments on the formation of the Hilltop Park, which would be located immediately to the south of some of the development site.

As part of work undertaken during the ‘precinct planning’ phase of the urban release area, the importance of the hilltop to the south of the development site was put forward by local Aboriginal community representatives. A contour height was established (being 130 metres AHD) along the scenic ridge. Above that height would be protected from urban development owing to its significance to indigenous culture. In fact, as part of the terms of the Aboriginal Heritage Impact Permit (AHIP) issued pursuant to Section 90 of the National Parks and Wildlife Act 19794 that applies to the site, uncovered artefacts are relocated to and buried within the Hilltop Park site.

The road proposed in the subject application adjacent to the future park site is below the 130 metres AHD height set during ‘precinct planning’ work.

Accordingly, and subject to continued compliance with the terms of the existing AHIP that applies to the site (OEH ref: 1132181), the development is not considered likely to significantly interfere beyond existing expectations with artefacts and associations with landforms nearby.

2.5 Flora and Fauna

The application would involve the removal of existing native vegetation on the land. Vegetation would largely be removed as a result of land forming and contouring that would be required to facilitate urban development.

As mentioned previously, the land is subject to a ‘biodiversity conservation order’ that was made pursuant to the Threatened Species Conservation Act 1995 and applies to the South West Growth Centre Precinct. This means that the development application does not need to consider the provisions of the TSC Act or Section 5A of the EP&A Act (which was in force at the time of the application’s lodgement).

Notwithstanding, the conservation order requires certain practices to be undertaken during land clearing, including (but not limited to) retention of hollow-bearing trees, pre-clearance survey work for certain fauna species, tree lopping best-practise as a

means to reduce impacts on fauna houses in the tree and relocation of fauna discovered during clearing.

These requirements are set out in the recommended conditions of consent in Attachment 1 to this report.

2.6 Social and Economic Impacts

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

3. Site Suitability

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

Having regard to the development's relative compliance with the overarching precinct planning and State Environmental Planning Policies that apply to the site and development type, the environmental considerations detailed previously, the proposal's high level of compliance with relevant planning objectives and controls the proposal is considered to be suitable for the site.

4. Public Participation

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

The development application was publicly exhibited in local print media and on the Council's website in accordance with the requirements for 'nominated integrated development' (in this case, development requiring approval pursuant to the *Water Management Act 2000*). Further, it was directly notified in writing to 11 nearby owners and occupiers.

During the exhibition period, two submissions were received. The submissions did not object to the proposal, but rather, asked for the consideration of specific items as part of the application's assessment. One submission requested the imposition of a restriction on work hours to minimise disturbance to existing residents in adjoining Varroville. The second requested the provision of an access gate to a new road that would adjoin the submitter's land to the north so as to connect their property to the subject subdivision.

In response, Council has recommended a time restricted work hours condition, in a manner that is considerate of the proximity of the development site to nearby residents. Matters pertaining to dust control are also included in the recommended conditions of consent in order to further minimise the impacts of the development's construction on neighbours.

With regard to the question about supplying a fence to the rear across a road and into the new estate from an existing residence, Council would consider that request should a formal application be made pursuant to Section 138 of the Roads Act 1993 upon completion of the road in the future. The submitter has been advised of such and the issue is not considered to be of direct consequence to the subject application.

Accordingly, the submissions are considered to have been satisfactorily dealt with. The submitter's have been contacted in writing or verbally and are aware of Council's position on issues of relevance to their submission.

The general terms of approval from the Office of Water in relation to works within the Bonds Creek South riparian area to the west of the site have already been issued under a separate consent, and Council is informed that the Office of Water does not require, or intend to issue a new set approval for this current application.

As mentioned earlier, the applicant has elected to seek approval from the Rural Fire Service separately to the development application. This has been done in a manner consistent with the precedent established in *Maule v Liporoni & Anor* (2002) NSWLEC 25, where Lloyd J noted that "there was an is no compulsion on an applicant to make an application for an integrated development approval, if he or she chooses not to do so".

Notwithstanding, the applicant has provided the following confirmation in writing that issue of a Section 100B Rural Fires Act 1997 'bush fire safety authority' is likely within a short time frame and with minimal impact on the plans recommended for approval with the subject application:

"Based on our consultants (Ecological Australia) advice, we believe that the RFS approval will be able to be obtained, such that the consent authority can be confident that a development consent issued for the proposal will be able to be implemented."

The NSW Office of Environment and Heritage has previously issued a Section 90 Aboriginal Heritage Impact Permit (Reference No. 1132182) on 16 May 2013 pursuant to the National Parks and Wildlife Act 1974. This permit was issued upon completion of the Department of Planning and Environment's 'precinct planning' process.

5. The Public Interest

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

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

In this instance, the proposal is to allow for the development of a residential subdivision with associated civil works within an existing urban release area, for which extensive investigation and reporting was undertaken as part of earlier assessment of the overall development by the State Government and local Councils.

The development has been designed to complement the indicative layout plan prepared for the release area and would capitalise on existing and future proposed transport, drainage and open space opportunities near the precinct. The application is considered to have satisfactorily addressed relevant Council and State Government requirements and controls for development in this area, subject to further detailed assessment being undertaken as consent for future stages of the development is sought.

6. Other Matters

6.1 Boundary Fencing

The development site possesses boundaries with a number of different property owners along its southern and eastern sides. In assessing previous applications for similar urban release subdivision along the release area's boundaries with existing rural land not part of the growth centre precinct, Council has imposed conditions requiring the applicant to undertake negotiations with landowners for the provision of fencing along common boundaries.

In the past, Council has also required that fencing along road reserves be constructed of a nature that both reduces maintenance, is visually of low impact and suits the requirements of the adjoining owner. Where residential lots adjoin rural-residential land not in the growth centre precinct, the strong preference has been for a robust solid fence, which respects drainage and bushfire protection requirements.

A recommended condition of consent in Attachment 1 of this report requires the applicant to approach adjoining owners to discuss boundary fencing preferences prior to the commencement of works on site.

6.2 Planning Agreement

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

The planning agreement was executed in October 2017.

6.3 Special Infrastructure Contributions

The site is with a 'special contributions area' pursuant to Part 4, Division 6,

Subdivisions 4 and 5 of the Act. As such, contributions are to be paid by the developer to fund infrastructure as determined by the Minister for Planning.

A condition of consent in accordance with Section 94EF of the Act has been imposed accordingly and is contained in the recommended conditions in Attachment 1.

Conclusion

A development application has been received for the construction of civil works (including roads, drainage and other service infrastructure) and subdivision into 350 residential Torrens titled allotments. The development site is located within an urban release area that was rezoned and made available for development pursuant to the Sydney Region Growth Centres SEPP in 2013.

The development is considered to be suitable for the site, having regard to its compliance with relevant planning objectives and controls and its complementary nature to existing approved development in the nearby vicinity.

The development is not considered likely to have a significant and detrimental impact on the natural or built environment, subject to the imposition of conditions to ensure that the requirements of relevant government agencies are met and that environmental requirements of Council's own planning controls and engineering standards are met.

The development is considered to be in the public's interest as it provides for an ongoing development of land in accordance with State government land release goals and allows for greater housing choice in the Campbelltown local government area.

Officer's Recommendation

That development application 2017SSW032DA (Council ref. 693/2017/DA-SW) for the construction of civil works (including roads, drainage and other service infrastructure) and subdivision into 350 Torrens titled allotments at Lot 1922 DP 1218627 and Lot 19 DP 1215704 Commissioners Drive and Willowdale Drive, Denham Court be approved subject to conditions in Attachment 1 to this report.

ATTACHMENT 1

Recommended Conditions Consent

GENERAL CONDITIONS

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land.

For the purpose of these conditions, the term 'applicant' means any person who has the authority to act on or benefit of the development consent.

1. Approved Development

The development shall be carried out in accordance with the approved plans listed below and all associated documentation supporting this consent (such as the submitted statement of environmental effects and supporting reports), *except as modified by any conditions, the 'general terms of approval' or 'bushfire safety authority' within.*

Cardno(NSW/ACT) Pty Ltd

<i>Drawing No.</i>	<i>Revision</i>	<i>Date</i>
600319-DA11-1000	4	9 May 2017
600319-DA11-1001	4	9 May 2017
600319-DA11-1010	4	9 May 2017
600319-DA11-1100	4	9 May 2017
600319-DA11-1101	4	9 May 2017
600319-DA11-1102	4	9 May 2017
600319-DA11-1103	4	9 May 2017
600319-DA11-1104	4	9 May 2017
600319-DA11-1120	4	9 May 2017
600319-DA11-1130	4	9 May 2017
600319-DA11-1131	4	9 May 2017
600319-DA11-1132	4	9 May 2017
600319-DA11-1133	4	9 May 2017
600319-DA11-1134	4	9 May 2017
600319-DA11-1150	4	9 May 2017
600319-DA11-1200	4	9 May 2017
600319-DA11-1201	4	9 May 2017
600319-DA11-1202	4	9 May 2017
600319-DA11-1203	4	9 May 2017
600319-DA11-1204	4	9 May 2017
600319-DA11-1210	4	9 May 2017
600319-DA11-1212	4	9 May 2017
600319-DA11-1220	4	9 May 2017
600319-DA11-1221	4	9 May 2017
600319-DA11-1222	4	9 May 2017
600319-DA11-1223	4	9 May 2017
600319-DA11-1224	4	9 May 2017

Cardno(NSW/ACT) Pty Ltd
(continued)

<i>Drawing No.</i>	<i>Revision</i>	<i>Date</i>
600319-DA11-1225	4	9 May 2017
600319-DA11-1226	4	9 May 2017
600319-DA11-1227	4	9 May 2017
600319-DA11-1228	4	9 May 2017
600319-DA11-1229	4	9 May 2017
600319-DA11-1230	4	9 May 2017
600319-DA11-1231	4	9 May 2017
600319-DA11-1290	4	9 May 2017
600319-DA11-1291	4	9 May 2017
600319-SK1764	1	16 January 2017

Design + Planning

<i>Drawing No.</i>	<i>Revision</i>	<i>Date</i>
STOLE-3-007-1	F	12 January 2017
STOLE-3-007-2	F	12 January 2017

Paterson Design Studio – Precinct 11 Landscape Masterplan as amended
by condition(s) of consent

<i>Drawing No.</i>	<i>Revision</i>	<i>Date</i>
LA-000	1	27 January 2017
LA-101	1	27 January 2017
LA-102	1	27 January 2017
LA-103	1	27 January 2017
LA-104	1	27 January 2017
LA-105	1	27 January 2017
LA-106	1	27 January 2017
LA-107	1	27 January 2017
LA-108	1	27 January 2017
LA-109	1	27 January 2017

Supporting Reports

Statement of Environmental Effects, GLN Planning, dated February 2017

Willowdale Hillside Precincts Design Study, Design + Planning, dated
September 2016 as relevant to the subject development consent only

Bushfire Protection Assessment, EcoLogical Australia, ref. 4621, Version 2,
dated 11 November 2016 and as amended by any conditions of a 'bushfire
safety authority' to be issued by the Rural Fire Service.

Vegetation Management Plan, EcoLogical Australia, ref. 16HAR-5095, Version 1, dated 8 September 2016 as relevant to the subject development consent only

Visual Impact Analysis, Clouston Associates, ref. S16-0064, Issue A, dated 23 August 2016 as relevant to the subject development consent only

Precinct 11 Stormwater Assessment Report, Cardno (NSW/ACT), ref. 600319 P11 Stormwater Report V03, dated 2 February 2017 as amended by conditions

Leppington House Group Archaeological Site – Conservation Management Plan, EcoLogical Australia, ref. 16SYD 3842, Version 2, dated 19 August 2016 as relevant to the subject development consent only

Statement of Heritage Impact, EcoLogical Australia, ref. SYD 16-3842, Version 01, dated 17 November 2016 as relevant to the subject development consent only

Statement of Heritage Impact for Precinct 11, EcoLogical Australia, ref. SYD 16-3842, Version 01, dated 22 February

Willowdale Ridgeline Final Aboriginal Archaeological Assessment, EcoLogical Australia, ref. SYD 16 3842, Version 5, dated 7 March 2017.

Detailed Site Investigation, Douglas Partners (ref. 76611.14 R003.Rev1, dated 22 February 2017 and 76611.03, dated September 2015)

Salinity Investigation and Management Plan, Douglas Partners (ref. 76611.14 R002.Rev0, dated 17 January 2017 and 76611.03-2, dated September 2015)

Preliminary Geotechnical Investigation, Douglas Partners (ref. 76611.14 R005.Rev0, dated 10 January 2017 and 76611.03-1, dated September 2015)

2. Aboriginal Heritage Impact

Works at the site shall comply with the conditions as detailed in the permit issued pursuant to Section 90C(4) of the *National Parks and Wildlife Act 1974* (ref. 1132182, issued by the Office of Environment and Heritage on 16 May 2013).

The works shall be undertaken in accordance with the conditions of the permit.

3. Engineering Design Works

The design of all engineering works shall be carried out in accordance with the requirements set out in Council's *"Engineering Design Guide for Development (as amended)"* and as detailed in conditions of this consent.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a construction certificate by either Campbelltown City Council or an accredited certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a construction certificate.

4. Soil and Water Management Plan

Prior to Council or an accredited certifier issuing a construction certificate, a detailed soil and water management plan shall be submitted for approval.

5. Traffic Committee

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

The required works shall be completed in accordance with the Committee's recommendations prior to issue of a subdivision certificate.

6. Pollution Control

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall provide engineering details to Council for approval of a suitable gross pollutant trap(s) and/or water quality treatment in accordance with the relevant guidelines of the Office of Environment and Heritage and Office of Water, and with the design requirements of Council's *"Engineering Design Guide for Development (as amended)"* for the stormwater drainage system prior to discharge from the site.

7. Section 100B Rural Fires Act 1997

Prior to Council or an accredited certifier issuing any construction certificate for the development, the applicant shall seek and possess a 'bush fire safety authority' issued by the Rural Fire Service pursuant to Section 100B of the Rural Fires Act 1997.

8. Road Construction

Prior to Council or an accredited certifier issuing a construction certificate,

the applicant shall submit design details for approval of the proposed road construction.

Pavement design and construction of the roads shall be undertaken in accordance with Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and the design requirements detailed in Council's *"Engineering Design Guide for Development" (as amended)*.

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

The concrete kerb adjacent to riparian corridors and linear open space corridor shall be reduced to 150mm in height.

9. Traffic and Road Design

The following matters shall be addressed in revised plans and submitted to Council's Executive Manager Infrastructure for approval prior to the issue of a construction certificate:

- a. Numerous vertical curves have non-compliant "k" values with respect to approach sight distance required on the minor approach road to an intersection (for example the intersection of Roads 132 and 156). The applicant shall submit revised vertical design for assessment and approval of Council.
- b. It is noted that pavement widening has been applied on tight curves, however, most of the widening is being applied on the outside of the curve. Pavement widening shall be fully provided on the inside of the curve and then the centreline relocated to have equal lane width.
- c. Swept paths shall be provided for such tight curves where pavement widening has been provided.
- d. The proposed GPT maintenance access bay appears to be insufficient in size to accommodate the turning path of a service vehicle driving onto the bay from the road and vice versa. Turning paths shall be submitted.
- e. The requested vehicle turning movements are to be assessed using Autodesk Vehicle Tracking.
- f. Vehicle Tracking files and associated development proposal files are to be submitted to Council in .dwg/ .dxf format.
- g. The speed environment used in the assessment is to be consistent with the requirements as set out in the Austroads Guide to Road Design Part 4.

- h. Long-section and cross-section of the maintenance bay shall be provided showing the interface of the Basin T access way with batters and retaining walls.
- i. Appropriate barriers shall be installed wherever fall heights would require in line with AS 2156.2, Walking Tracks Part 2: Infrastructure design. Such details are to include consideration of maintenance requirements and not create areas where staff will be at risk while undertaking maintenance. Details of such barriers are to be submitted.
- j. A pool type fence barrier shall be installed along the proposed sandstone log retaining wall adjacent to Basin T due to fall height considerations.
- k. The typical section of Collector Road 'B' – Historic Tree Row shows the shared path on the wrong side of the road.
- l. The applicant shall provide documentation that the proposed culvert crossing under Road 138 and retaining walls have been certified by a suitably qualified structural engineer.
- m. Retaining walls that are to be located on boundaries with roads shall be designed to accommodate the following features:
 - 100 year minimum design life.
 - Be of full masonry construction.
 - Be designed to accommodate a minimum 5 tonne live load adjacent to the wall.
 - Be designed and constructed to contain appropriate drainage that is accessible for periodic flushing.
 - Be designed and certified by a suitably qualified and practising structural engineer. It may be necessary for an engineer to be present on site during construction of the walls to ensure construction is undertaken in accordance with approved designs – this would be at the applicant's expense.
 - Where exposed walls on a street frontage are retaining fill on private land, the wall shall be constructed of durable and decorative materials to Council's satisfaction and finished with a graffiti-proof treatment.
 - Where a wall is retaining cut and the road/verge is higher than private land, the applicant shall affix a sign to each wall stating that the wall is a structural element and shall not be altered or otherwise damaged at any time.
The applicant is encouraged to investigate permanent plant climbing structures or alternate beautification measures as part of the wall's design phase.
 - Details of the walls that support road verges shall be submitted to Council for approval.

10. Culvert Crossing

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit engineering details of the proposed culvert described below:

The applicant shall design and construct a culvert crossing structure in the proposed road number 138 to span the riparian corridor. The design shall meet relevant Australian standards and comply with the design requirements of Council's *"Engineering Design Guide for Development"* (as amended), the requirements of the NSW Office of Water and be certified upon completion by a qualified structural engineer.

11. Stormwater Management Plan

Prior to Council or an accredited certifier issuing a construction certificate, plans indicating all engineering details and calculations relevant to site regrading and the collection and disposal of stormwater from the site, building/s and adjacent catchment, shall be submitted for the written approval of Council's Executive Manager Infrastructure. Stormwater shall be conveyed from the site in accordance with that approval. All proposals shall comply with the design requirements of Council's *"Engineering Design Guide for Development"* (as amended) unless otherwise agreed.

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

- a. The proposed drainage infrastructure allows high flows to drain directly into bio-retention Basin "T" requires revision for the following reasons:
 - The basin is not considered likely to handle high flow which is estimated to be 8.89 cubic metres per second without significant scouring and damage to filter media and vegetation.
 - There does not appear to be provision for the drainage of low flow and extended detention.
 - No scour protection has been provided for basin overflow.
- b. The high flow by-pass input value of 0.75 cubic metres per second for Basin "T" in MUSIC model requires revision. One year ARI event discharge of 1.89 cubic metres per second was predicted by the submitted DRAINS model which results in 3 month ARI event discharge being equivalent to 1.04 cubic metres per second (0.55×1.89).
- c. Only one stormwater pit as highlighted below has been provided to intercept the external catchment of 11.53 Ha. The performance of the pit shall be reviewed to ensure that the following matters are remedied:
 - The pit is incorrectly modelled in the submitted DRAINS model
 - The pit may not be able to intercept estimated flow of 3.4 cubic metres per second.

- The local catchment area is 11.53 Ha as mentioned in the stormwater report not 10.5 Ha as modelled.
 - The upstream external catchment is not fully pervious as modelled and consists of a small portion of roads and buildings.
 - It is not considered as a failsafe design should the pit get blocked.
 - A Pyramid grate shall be provided in line with Council Standard Drawing (SD-S15) to reduce to the possibility of any blockage.
- d. The submitted DRAINS model does not fully include 3.5 Ha of Leppington House Park catchment area. In addition, justification is required for the adopted value of 90% for the park's pervious area. The MUSIC model shows an input value of 50% for the same pervious area and is therefore not consistent.
 - e. The applicant shall demonstrate how the proposed swale along the pedestrian link will convey 1% AEP flood with adequate freeboard to the adjoining properties. In this regard, representative swale sections shall be considered in the DRAINS model.
 - f. The applicant shall submit supporting calculations demonstrating how any upstream farm dam breach will be safely accommodated by proposed drainage infrastructure during a major flood event.
 - g. The applicant shall provide details of the how the overland flow is managed across the downstream crossing of Road 156.
 - h. Council notes that no permanent catch drains are proposed to collect overland flow from Leppington House Park and Hilltop Park area to stop stormwater including any debris from directly flowing towards Roads 132 and 156 respectively, which is not desirable. The applicant shall provide details of such catch drains including typical sections along with supporting calculations demonstrating that the 1% AEP flood will be diverted with adequate freeboard.
 - i. The size of the culvert crossing under Road 138 shall be checked for consistency with the Willowdale Southern Precincts Flooding and Stormwater Assessment Report. Plan 600319-DA11-1212 shows 1.2m x 0.9m RCBC, which is inconsistent with the previous report.
 - j. The creek bed at the outlet pipes shall be plain concrete to a minimum length of '2d' ('d' being the pipe diameter or the height of a box culvert) from the end of the pipe where the invert level of the outlet pipe matches the creek bed level or it is less than 2.0m above the creek bed level. This will ensure that no vegetation will be established in this area which may obstruct pipe flow.
 - k. The applicant shall submit revised DRAINS and MUSIC models addressing the subject matters.
 - l. The site soil has been identified as being saline by the presence of salt

crusting, scalding, salinity indicator plants and soil erosion around the basin in the surrounding Willowdale precincts and the submitted salinity assessment report. The applicant shall receive advice from a Geotechnical expert regarding basin construction in this environment.

- m. Regarding the proposed bio-retention basins and the associated works, the applicant shall submit the following details certified by a Geotechnical expert:
 - Details of keying of the basin embankment to the existing ground.
 - Embankment fill material.
 - Soil properties.
 - Compaction standards (lift, rolling, testing, etc.).
 - Cut off walls and seepage collars.
- n. Sandstone used throughout the precinct works shall have the following properties:
 - Hard and durable (having a minimum design life of 50 years).
 - Have minimum wet strength of 100 kN and a maximum wet/dry strength variation of 35% when tested in accordance with Test Method RMS T215.
 - Free from seams, pockets, foreign matter and imperfections.
 - Generally sound, clean and of uniform colour and texture.
- o. Geofabric is to be placed behind all stacked rock walls and spillway rock works. The geofabric is to be fully protected from UV damage by filling all voids with smaller rocks to prevent sun exposure and damage.
- p. Free draining drainage layer shall be provided behind all stacked rock wall.
- q. A continuous 100mm diameter subsoil drain shall be provided at the rear of stacked rock wall where the wall heights exceeds 3 metres or where the wall foundation consists of material other than rock.

12. Inundation by Flood Waters

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit for Council's approval, plans and detailed hydrological and hydraulic calculations (all to AHD) prepared by an experienced practising hydraulics engineer in accordance with the design requirements of Council's *"Engineering Design Guide for Development"* (as amended) as it is considered that the subject development may be at risk of inundation by floodwaters due to overland flow affecting the property. The plans shall include details of:

- a. The calculated 100 year flows at this location and the extent of any inundation affecting the development;

- b. Any effect on adjacent properties, public or private, likely to be caused by the development; and
- c. Measures proposed to ensure compliance with the design requirements of Council's *"Engineering Design Guide for Development"* (as amended).

In addition to the above:

- i. Site fill levels shall be at or above the calculated 100 year ARI level and habitable floor levels shall be in accordance with the freeboard requirements in accordance with the design requirements of Council's *"Engineering Design Guide for Development"* (as amended)
- ii. Any filling required shall be undertaken in accordance with Council's 'Specification for Construction of Subdivision Road and Drainage Works' (as amended), AS3789 'guidelines for Earthworks for Commercial and Residential Development (as amended), and the approved construction drawings.

13. Street Lighting

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall prepare a street lighting plan for the written approval of Council's Executive Manager Infrastructure, which addresses the following:

- Street lighting plan shall including light distribution drawings.
- Street lighting shall be designed so as to be indiscernible when viewed from sensitive locations outside the site and treated as per the recommendations of the Visual Impact Analysis, Clouston Associates, ref. S16-0064, Issue A, dated 23 August 2016.
- The street lighting plan must consider the impact of street tree planting (at planting and mature height and form) on the lighting.
- The design and installation of the street lighting is to be such that Council can take ownership of the street lighting in this subdivision (i.e. separate circuit to residential supply).
- Prior to any lighting design being undertaken, Council's City Delivery Division must be consulted.

14. Landscape Requirements

Landscaping of the development site shall be undertaken generally in accordance with the approved plans prepared by Paterson Design Studio, subject to receipt of revised plans that incorporate the following requirements where necessary:

- a. Street tree installation shall comply with the following requirements:

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

With specific regard to the *Eucalyptus teretecornis* trees proposed in Road 138, a 1.5 metre deep root box shall be provided on all 4 sides of each tree.

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

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

Root boxes or barriers must be placed:

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

- b. The following tree species shall be revised in the submitted drawings and replaced with more suitable species (such as *Waterhousia floribunda*), having regard to the potential impacts on infrastructure:

- *Corymbia Maculata*.
- *Eucalyptus Crebra*.
- *Jacaranda Mimosifolia*

- c. *Zelkova serrata* 'Green Vase' shall be utilised.

- d. No trees/shrubs shall be planted on basin's fill embankment as they may destabilise the engineered embankment.

- e. The site's landscaping shall consider:

- i. all planting (trees, understorey, groundcover and grasses) in parks and public places to incorporate locally indigenous species where possible;
- ii. planting layout around parks and playgrounds consistent with the

principles of Crime Prevention Through Environmental Design, particularly with respect to eliminating concealed areas;

- iii. The street trees in the pedestrian link shall be planted in a staggered fashion for better conveyance of stormwater flow;
- iv. the revision of street tree planting, as necessary, to be consistent with road engineering plans lodged with the construction certificate application;
- v. all proposed street trees are to be reviewed against the landscape master plan and are to be placed in a location adequate in size to accommodate the mature size of the tree;
- vi. the impacts that mature trees and their foliage might have on the effectiveness of street lighting; and
- vii. all trees shall be selected giving regard to the potential for the tree to adversely affect surrounding infrastructure as well as any potential to impede garbage truck access to garbage bins.

A revised set of drawings incorporating the subject changes shall be supplied for Council's information prior to issue of a construction certificate. All landscape works shall be undertaken and maintained in accordance with the approved detailed landscape plan or as otherwise approved in writing by Council.

15. Utility Servicing Provisions

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall obtain a letter from both the relevant electricity authority and the relevant telecommunications authority stating that satisfactory arrangements have been made to service the proposed development.

Note: The applicant should also contact the relevant water servicing authority to determine whether the development will affect the authority's water or sewer infrastructure.

PRIOR TO THE COMMENCEMENT OF WORKS

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with prior to the commencement of any works on site.

16. Erosion and Sediment Control

Prior to the commencement of any works on the land, adequate/approved erosion and sediment control measures shall be fully

installed/implemented.

Particular care shall be taken to ensure that sediment and erosion does not impact on the adjoining riparian corridor and its surrounding land. The sediment and erosion control measures shall be regularly inspected to ensure that it remains suitable for the prevention of pollutants entering the riparian corridor.

17. Boundary Fencing

Prior to work commencing, the applicant shall prepare a boundary fencing plan for presentation to adjoining owners seeking agreement on fencing style and type.

Fencing adjoining residential properties shall be designed to respect privacy and bushfire controls. Fencing adjoining private land and road reserves shall be constructed of robust materials that are finished in dark, recessive colours.

18. Tree Removal and Vegetation Management

In a manner consistent with the 'Biocertification Order' applying to the land made pursuant to the Threatened Species Conservation Act 1995 and State Environmental Planning Policy (Sydney Region Growth Centres) 2006, prior to Council or an accredited certifier issuing a construction certificate, the applicant shall prepare:

- a. A pre-clearance survey is to be carried out by an experienced ecologist prior to commencement of works and if any native animals located on the site they are to be relocated. The results of the survey including information on the species, numbers, tree hollows, relocation method and receiving site, are to be reported to Council's Executive Manager Urban Release.
- b. A Translocation Protocol is to be prepared to ensure that any native animals found on the development site are appropriately relocated, for the written approval of Council's Manager Development Services prior to construction certificate. It is to include species identified as present or likely to occur on the development site identified and listed in the East Leppington Rezoning Assessment: Biodiversity, Riparian and Bushfire Studies prepared for Willowdale, Part 3.6 – Fauna.
- c. A Nest Box and Hollows Plan is to be prepared for the written approval of Council's Executive Manager Urban Release prior to subdivision certificate utilising the results of the Pre-clearance Survey, to ensure the long-term survival of any native animals relocated from the development site.
- d. Seed collection and plant cuttings of indigenous vegetation is to be

undertaken prior to commencement of works from the site by a suitably qualified and experienced indigenous plant nursery, licenced to collect and propagate plant material from Critically Endangered Ecological Communities.

19. Erection of Construction Sign

Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:

- a. Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours;
- b. Stating that unauthorised entry to the work site is prohibited; and
- c. Pollution warning sign promoting the protection of waterways (issued by Council with the development consent);
- d. Stating the approved construction hours in which all works can occur.
- e. Showing the name, address and telephone number of the principal certifying authority for the work.

Any such sign/s is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

20. Vehicular Access During Construction

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

The access shall be constructed in accordance with the approved plans and where applicable, in accordance with the Sydney Catchment Authority's requirements.

DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with during the construction of the development on site.

21. Construction Work Hours

All work on site shall only occur between the following hours:

Monday to Friday	7.00am to 6.00pm
Saturday	8.00am to 1.00pm
Sunday and public holidays	No work

22. Erosion and Sediment Control

Erosion and sediment control measures shall be provided and maintained throughout the construction period, in accordance with the requirements of the manual – *Soils and Construction (2004) (Bluebook)*, the approved plans, Council specifications and to the satisfaction of the principal certifying authority. The erosion and sedimentation control devices shall remain in place until the site has been stabilised and revegetated.

Note: On the spot penalties up to \$1,500 will be issued for any non-compliance with this requirement without any further notification or warning.

23. Fill Contamination

Any landfill used on the site shall be validated in accordance with the Environment Protection Authority's guidelines for consultants reporting on contaminated sites. The validation report shall state in an end statement that the fill material is suitable for the proposed use on the land.

24. Dust Nuisance

Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual – *Soils and Construction (2004) (Bluebook)*. Construction areas shall be treated/regularly watered to the satisfaction of the principal certifying authority.

25. Excess Material

Stockpiling of excess material shall be undertaken only in the nominated areas approved by Council.

Stockpiles shall be provided with appropriate sediment control devices and grass seeded to minimise dust nuisance.

26. Earth Works/Filling Works

All earthworks, including stripping, filling, and compaction shall be:

- a. Undertaken in accordance with Council's '*Specification for Construction of Subdivisional Roads and Drainage Works*' (as amended), AS 3798 '*Guidelines for Earthworks for Commercial and Residential Development*' (as amended), and approved construction drawings;
- b. Supervised, monitored, inspected, tested and reported in accordance

with AS 3798 Appendix B 2(a) Level 1 and Appendix C by a NATA registered laboratory appointed by the applicant. Two collated copies of the report and fill plan shall be forwarded to Council; and

- c. Certified by the laboratory upon completion as complying, so far as it has been able to determine, with Council's specification and AS 3798.

27. Revegetation

Revegetation to the requirements of the manual – *Soils and Construction (2004) (Bluebook)* shall be applied to all disturbed areas within seven days after completion of earthworks, and shall be fully established prior to release of the maintenance security bond.

28. Public Safety

Any works undertaken in a public place are to be maintained in a safe condition at all times. In this regard, the applicant shall ensure that a safe, fully signposted passage, a minimum of 1.2 metres wide and separated from the works and moving vehicles by suitable barriers and lights, is maintained for pedestrians, including disabled pedestrians, at all times where required.

The applicant shall ensure that traffic control is undertaken and maintained strictly in accordance with AS 1742.3, the requirements set out in the RMS manual "*Traffic Control at Work Sites*" (as amended) and all applicable Traffic Management and/or Traffic Control Plans.

The contractor shall also ensure that all WorkCover Authority requirements are complied with. Council may at any time and without prior notification make safe any such works that are considered to be unsafe and recover all reasonable costs incurred, from the applicant.

29. Contaminated Site Assessment

During construction works, due care shall be taken to ensure that the recommendations of the submitted contamination assessment report are implemented by construction contractors. Where required, a 'Remediation Action Plan' shall be developed and implemented in accordance with the recommendations of the Detailed Site Investigation, Douglas Partners (ref. 76611.14 R003.Rev1, dated 22 February 2017)

30. Compliance with Council Specification

All design and construction work, shall be in accordance with:

- a. Council's specification for *Construction of Subdivisional Road and Drainage Works* (as amended);
- b. Council's '*Engineering Design Guide for Development*'

- c. *Soils and Construction (2004) (Bluebook)*; and
- d. Relevant Australian standards and State Government publications.
- e. AS 1742 various (*Manual for traffic control devices*).
- f. RMS Guide to “*Traffic Control At Work Sites*” 1998ed.
- g. AS 1428.1 (*Design for access and mobility*)

The applicant shall provide water conduits, common drainage lines or kerb outlets and laybacks to Council’s specifications as required.

31. Verge

The unpaved areas of the proposed footpath verge shall be regraded, topsoiled and turfed in accordance with Council’s specifications. The verge formation may need to be extended beyond the site boundaries, to provide an acceptable transition to the existing levels.

32. Associated Works

The applicant shall undertake any works external to the development, that are made necessary by the development, including additional road and drainage works or any civil works directed by Council, to make a smooth junction with existing work.

33. Inspections

The following stages of construction shall be inspected by Council. A compliance certificate or other documentary evidence of compliance is required to be obtained prior to proceeding to the subsequent stages of construction:

- a. EROSION AND SEDIMENT CONTROL -
 - i. Direction/confirmation of required measures.
 - ii. After installation and prior to commencement of earthworks.
 - iii. As necessary until completion of work.
- b. STORMWATER PIPES – Laid, jointed and prior to backfill.
- c. SUBSOIL DRAINS – After:
 - i. The trench is excavated.
 - ii. The pipes are laid.
 - iii. The filter material placed.
- d. SUBGRADE – Joint inspection with a NATA Registered Laboratory after preliminary boxing, to confirm pavement report/required pavement thicknesses.

- e. SUBGRADE – 10/12 tonne 3-point roller proof test, density tests and finished surface profiles prior to placement of sub-base.
- f. CONDUITS – Laid and jointed prior to backfilling.
- g. GULLY PITS & OTHER CONCRETE STRUCTURES – Prior to pouring concrete.
- h. PAVEMENT THICKNESS MEASUREMENT (Dips) – After placement of kerb and gutter and final trimming of sub-base.
- i. SUB BASE – 10/12 tonne 3-point roller proof test and finished surface profiles after finishing and prior to base course placement.
- j. BASECOURSE – 10/12 tonne 3-point roller proof test, density tests and finished surface profiles after finishing and prior to sealing.
- k. OVERLAND FLOWPATHS – After shaping and prior to topsoil/turf placement.
- l. CONCRETE PATHS, CYCLEWAYS, VEHICLE CROSSINGS AND LAYBACKS – Prior to pouring concrete.
- m. ASPHALTIC CONCRETE SEAL – Finished surface profiles after sealing.
- n. FINAL INSPECTION – All outstanding work.

PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a subdivision certificate by either Campbelltown City Council or an accredited principal certifying authority. All necessary information to comply with the following conditions of consent must be submitted with the application for a subdivision certificate.

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

34. Section 73 Certificate

A Compliance Certificate under Section 73 of the *Sydney Water Act 1994*, shall be submitted to Council prior to the issue of any subdivision certificate for each sub- stage of the subdivision staging plan.

35. Service Authorities

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

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

The final seal shall be deferred pending installation of all services. In this regard the applicant shall provide a temporary seal and lodge with Council as security, the amount to be determined by Council, to cover the cost of trench restoration by Council and the placement of the final asphaltic concrete seal.

36. Utility Servicing Provisions

Prior to the principal certifying authority issuing a subdivision certificate, the applicant shall obtain a letter from both the relevant electricity authority and the relevant telecommunications authority stating that satisfactory arrangements have been made to service the proposed development.

37. Special Infrastructure Contribution

Prior to the principal certifying authority issuing a subdivision certificate, the applicant shall ensure that the special infrastructure contribution (SIC) is to be made in accordance with the *Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Growth Areas) Determination 2011* (as in force when this consent becomes operative).

Written evidence shall be provided to demonstrate that the SIC has been paid.

38. Restriction on the Use of Land

Prior to the principal certifying authority issuing a subdivision certificate, the applicant shall create appropriate restrictions on the use of land under Section 88B of the Conveyancing Act 1919 which may include:

- a. Floor Level Control
- b. No Alteration To Surface Levels
- c. Lots Filled
- d. Access Denied – corner lots
- e. No Cut Or Fill - (Existing Geotechnical Report from N.A.T.A. reg. laboratory)
- f. Lots 5331 – 5334 inclusive – dwelling height maximum one storey
- g. Easements for support and maintenance in favour of Council where

- retaining walls are located on the edge of future public roads.
- h. Lots with any other restrictions for example, refuse collection, access, maintenance of landscaped areas and asset protection, building siting envelope plans, boundary fencing etc.

The applicant shall liaise with Council regarding the required wording. Any lots subsequently identified during the subdivision process as requiring restrictions shall also be suitably burdened. Design plans and work as executed plans shall show affected lots marked with Council approved symbols.

The authority empowered to release, vary or modify these restrictions on the use of land shall be the Council of the City of Campbelltown. The cost and expense of any such release, variation or modification shall be borne by the person or corporation requesting the same in all respects.

39. Bond (Outstanding Work)

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

All bonds are to be provided in the form of cash or a written bank guarantee from an Australian Banking Institution.

40. Site Audit

Following completion of all civil works and prior to the principal certifying authority using a subdivision certificate, a statement from a suitably qualified person accredited by the Office of Environment and Heritage (OEH) shall be submitted. The statement shall cite that the investigations carried out to date and the site validation report adheres to all relevant requirements of the OEH and the *Contaminated Land Management Act 1997*.

41. Maintenance Security Bond

Prior to the principal certifying authority issuing a subdivision certificate, a maintenance security bond of 5% of the contract value or \$5,000, whichever is the greater, shall be lodged with Council. This security will be held in full until completion of maintenance, minor outstanding works and full establishment of vegetation to the satisfaction of Council, or for a period of six months from the date of release of the subdivision certificate, whichever is the longer (except where conditions of this consent require a longer time period). All bonds are to be provided in the form of Cash or a written Bank Guarantee from an Australian Banking Institution.

The applicant is responsible for applying to Council for the return of the

bond. Should no request be made to Council for the return of the bond six years after the issue of the subdivision certificate, Council will surrender the bond to the Office of State Revenue.

42. Classification of Residential Lots

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

43. Splay Corners

The final plan of subdivision shall provide for the dedication of a 4m × 4m splay corner as road widening at all intersections of the new roads prior to the principal certifying authority issuing a subdivision certificate.

44. Final Inspection – Works as Executed Plans

Prior to the principal certifying authority issuing a subdivision certificate, the applicant shall submit to Council two complete sets of fully marked up and certified work as executed plans in accordance with Council's *Specification for Construction of Subdivisional Road and Drainage Works* (as amended) and with the design requirements detailed in Council's "*Engineering Design Guide for Development*" (as amended) for the written approval of Council's Manager Land Use.

The applicant shall also submit a copy of the Works as Executed information to Council in an electronic format in accordance with the following requirements:

Survey Information

- Finished ground and building floor levels together with building outlines.
- Spot levels every five (5) metres within the site area.
- Where there is a change in finished ground levels that are greater than 0.3m between adjacent points within the above mentioned 5m grid, intermediate levels will be required.
- A minimum of fifteen (15) site levels.
- If the floor level is uniform throughout, a single level is sufficient.
- Details of all stormwater infrastructure including pipe sizes and types as well as surface and invert levels of all existing and/or new pits/pipes associated with the development.
- All existing and/or new footpaths, kerb and guttering and road pavements to the centre line/s of the adjoining street/s.
- The surface levels of all other infrastructure.

Format

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

Datum (AHD) AutoCAD Option

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

Package Type - zip
File Format - PDF and AutoCAD 2004 Drawing
Format or later Transmittal Options - Include fonts
Include textures from materials Include
files from data links
Include photometric web files Bind
external references
The drawing is not to be password protected.

MapInfo Option

- Council will also accept either MapInfo Native format (i.e. .tab file) or MapInfo mid/mif.

All surveyed points will also be required to be submitted in a point format (x,y,z) in either an Excel table or a comma separated text file format.

45. Public Utilities

Prior to the principal certifying authority issuing a subdivision certificate, any adjustments to public utilities, required as a result of the development, shall be completed to the satisfaction of the relevant authority and at the applicant's expense.

46. House Numbers

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

47. Council Fees and Charges

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

48. Road Safety Audit - Post Construction

Prior to principal certifying authority issuing a subdivision certificate, a Road Safety Audit of the completed works is to be undertaken by a suitably qualified person to identify any potential safety risks for the users of roads and pedestrian facilities (day to day usage and maintenance activities).

The objective of the audit is to identify potential risks to the users of roads and pedestrian facilities and to ensure compliance with the approved plans and that the measures to eliminate or reduce identified risks as suggested in the report have been implemented prior to the release of the subdivision certificate.

49. Vegetation Management Plan

Prior to the issue of a subdivision certificate, the recommendations of the vegetation management plan (ref. Vegetation Management Plan, Willowdale Southern Precincts, EcoLogical Australia (ref. 1576, Version 3, dated 22 May 2015) shall be implemented as far as relevant to the work undertaken to that point in time.

The maintenance requirements of the referenced report shall be adhered to, including the submission of annual reports against the performance criteria nominated in the report.

The applicant shall be responsible for maintaining the nominated revegetated areas for a period of 5 years from the date of the first subdivision certificate issue. A minimum of 1 year prior to handover to Council, a joint site inspection will be required to identify any outstanding issues with respect to natural area management.

50. Compliance Certificates

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

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

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

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

51. CCTV Footage Verifying Integrity of All New Pipes and Existing Pipes

Prior to Council or an accredited certifier issuing a subdivision certificate, the applicant shall provide CCTV footage to Council for all new pipes and for all existing pipes which are modified by works prior to Linen release. The footage shall comply with the following requirements:

- the files shall be in MP4 format
- file resolution shall be 640 by 480 pixels, 3Mbps and 25 frames per second
- each pipe reach (i.e. between two pits) shall be provided as a separate file
- the CCTV inspection shall be undertaken in accordance with the IPWEA Condition Assessment and Asset Performance Guidelines, Practice Note 5, Stormwater Drainage
- the speed and panning of the footage shall be sufficient to demonstrate that there are no significant cracks in the pipe and that the joints have been properly constructed
- the files shall have a name corresponding with the unique label provided in the associated stamped approved drawings and
- a summary report (*.pdf) shall accompany the data.

ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, other relevant Council Policy/s and other relevant requirements. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

Advice 1. Environmental Planning and Assessment Act 1979 Requirements

The *Environmental Planning and Assessment Act 1979* requires you to:

- a. Obtain a construction certificate prior to the commencement of any works. Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 4645 4000.
- b. Nominate a principal certifying authority and notify Council of that appointment prior to the commencement of any works.

- c. Give Council at least two days' notice prior to the commencement of any works.
- d. Have mandatory inspections of nominated stages of the construction inspected.
- e. Obtain a subdivision certificate prior to the registration of land at Land and Property Information NSW.

Advice 2. Linen Plan and Copies

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

Advice 3. Linen Plan Checking Fee

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

Advice 4. Salinity

Please note that Campbelltown is an area of known salinity potential. As such any salinity issues should be addressed as part of the construction certificate application. Further information regarding salinity management is available within the Campbelltown Growth Centres Development Control Plan Appendix.

Advice 5. Dial Before You Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures.

If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary.

Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

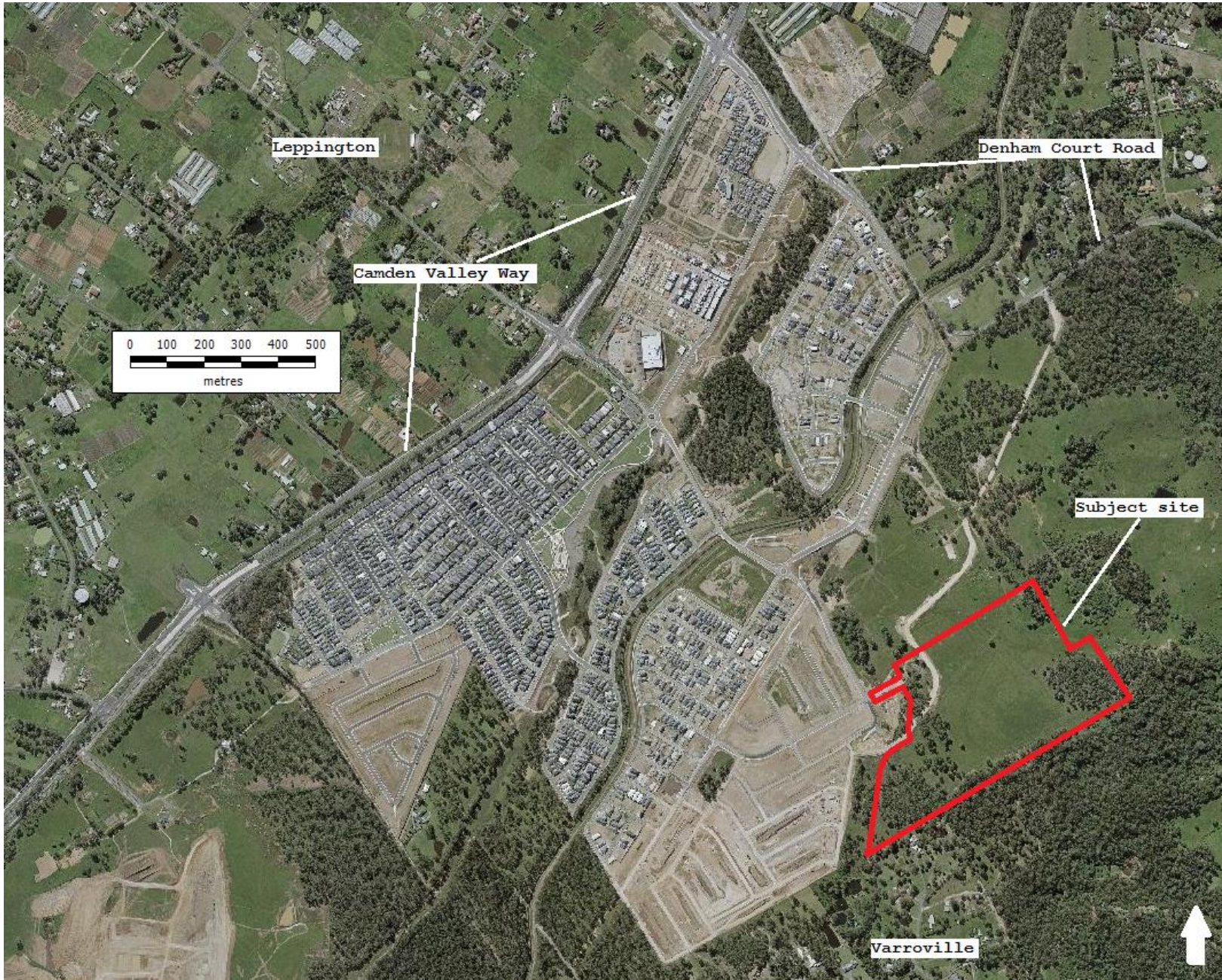
Advice 6. Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any persons interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution.

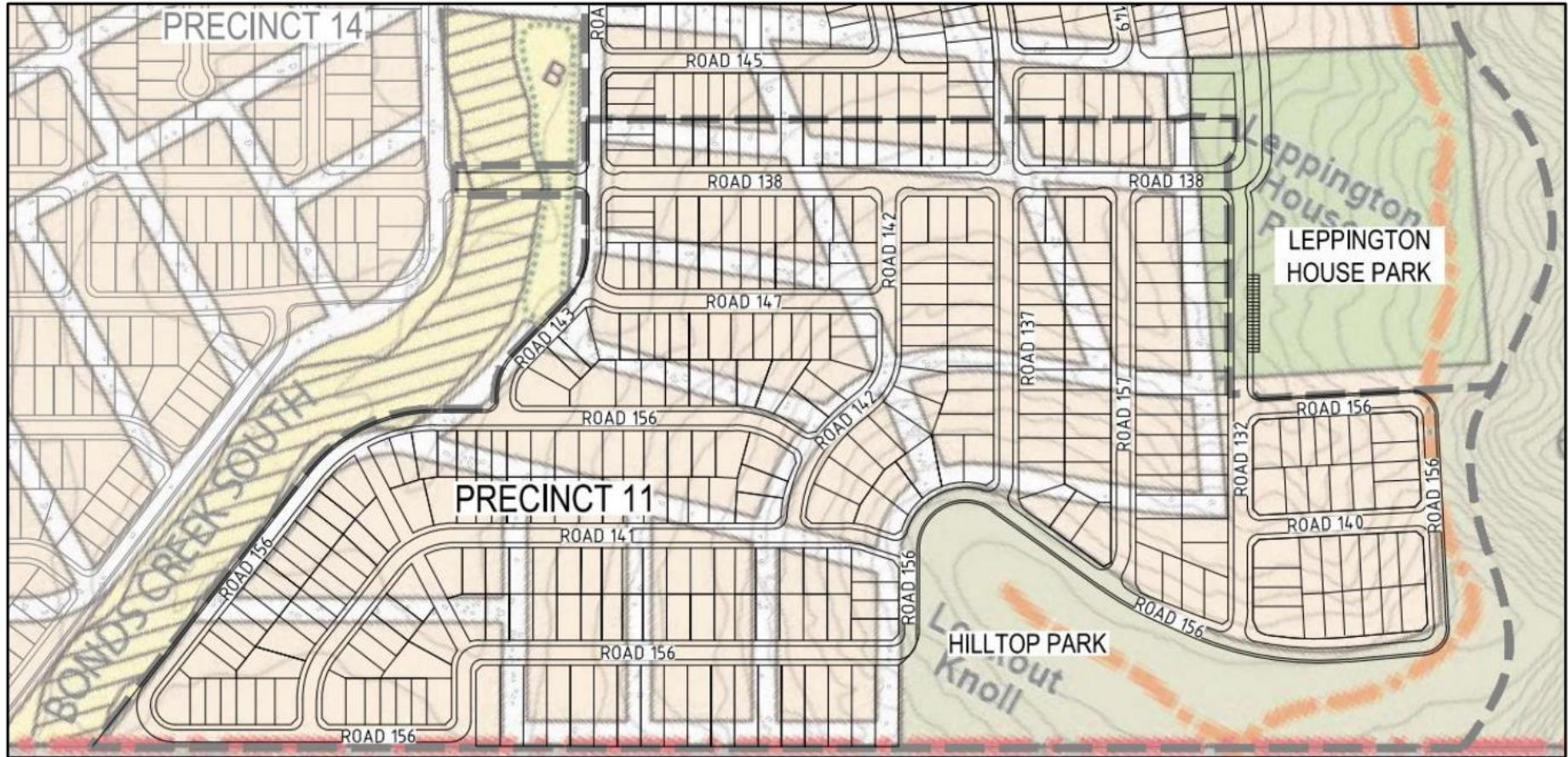
Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

END OF CONDITIONS

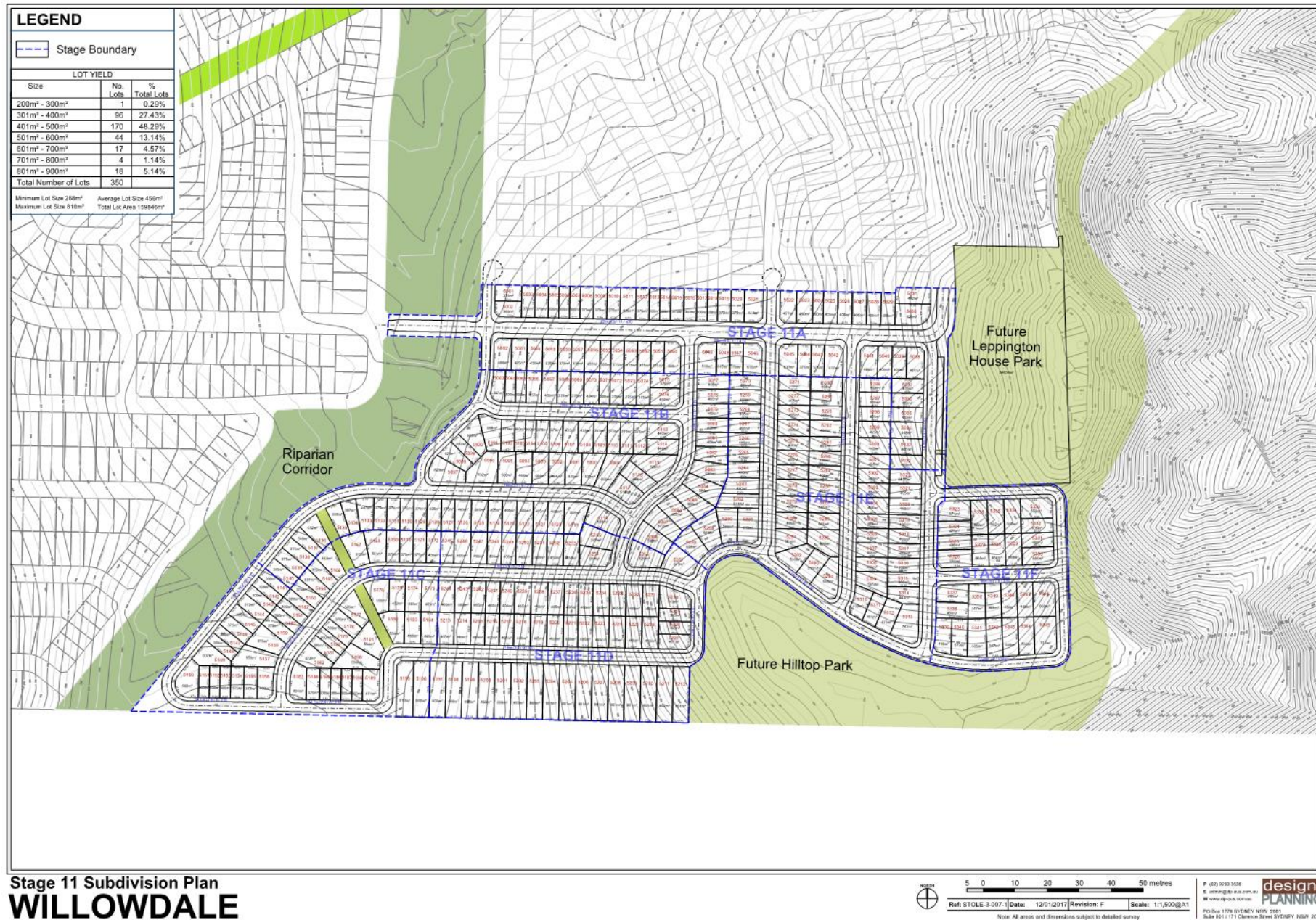
ATTACHMENT 2 – Location plan



ATTACHMENT 3 – ILP and proposed subdivision overlay



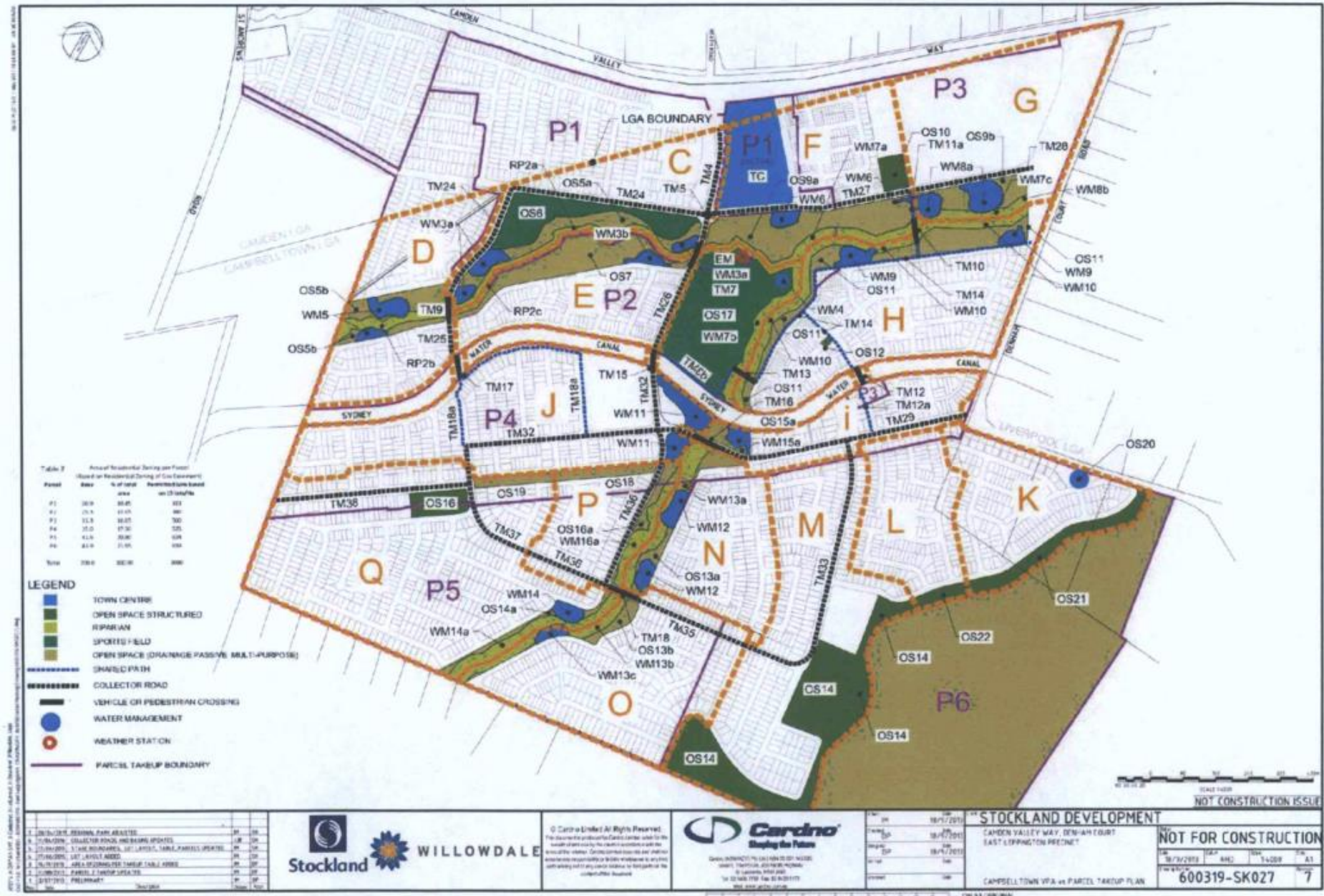
ATTACHMENT 4 – Subdivision plan



ATTACHMENT 5 – Typical landscaping plan extract



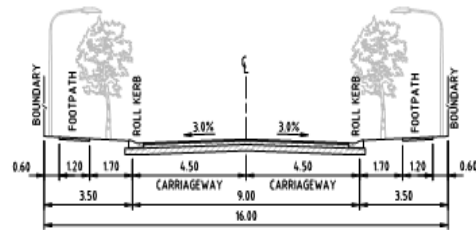
ATTACHMENT 6 – Planning agreement extract, illustrating inclusion of ‘Hilltop’ and ‘Leppington House’ parks (OS14)



ATTACHMENT 7 – Scenic hills view assessment extract as relevant to Precinct 11

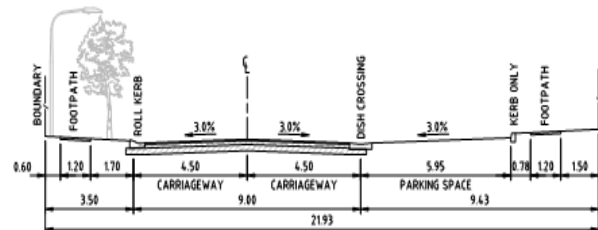


ATTACHMENT 8 – Typical road cross sections



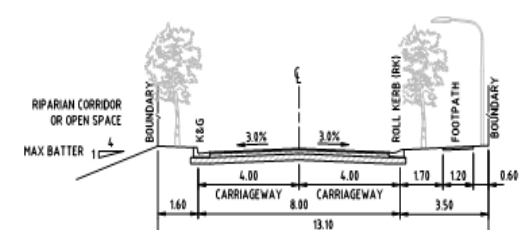
TYPICAL SECTION - LOCAL ROAD

SCALE 1:100
ROADS 132, 137, 140, 141, 142, 147, 156, 157



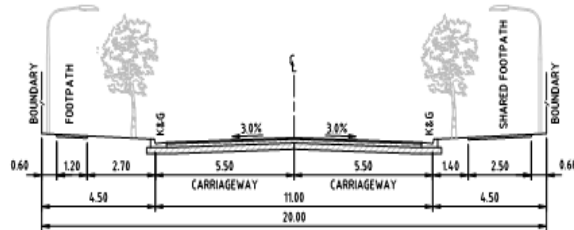
TYPICAL SECTION - LOCAL ROAD WITH PARKING BAYS

SCALE 1:100
ROAD 132



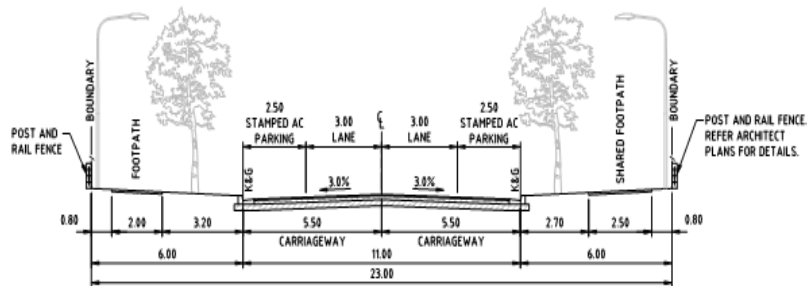
TYPICAL SECTION - ACCESS STREET

SCALE 1:100
ROADS 133, 143, 156



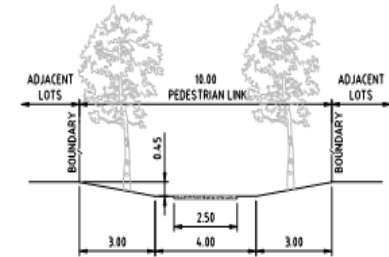
TYPICAL SECTION - COLLECTOR ROAD 'A'

SCALE 1:100
ROAD 138



TYPICAL SECTION - COLLECTOR ROAD 'B' - HISTORIC TREE ROW

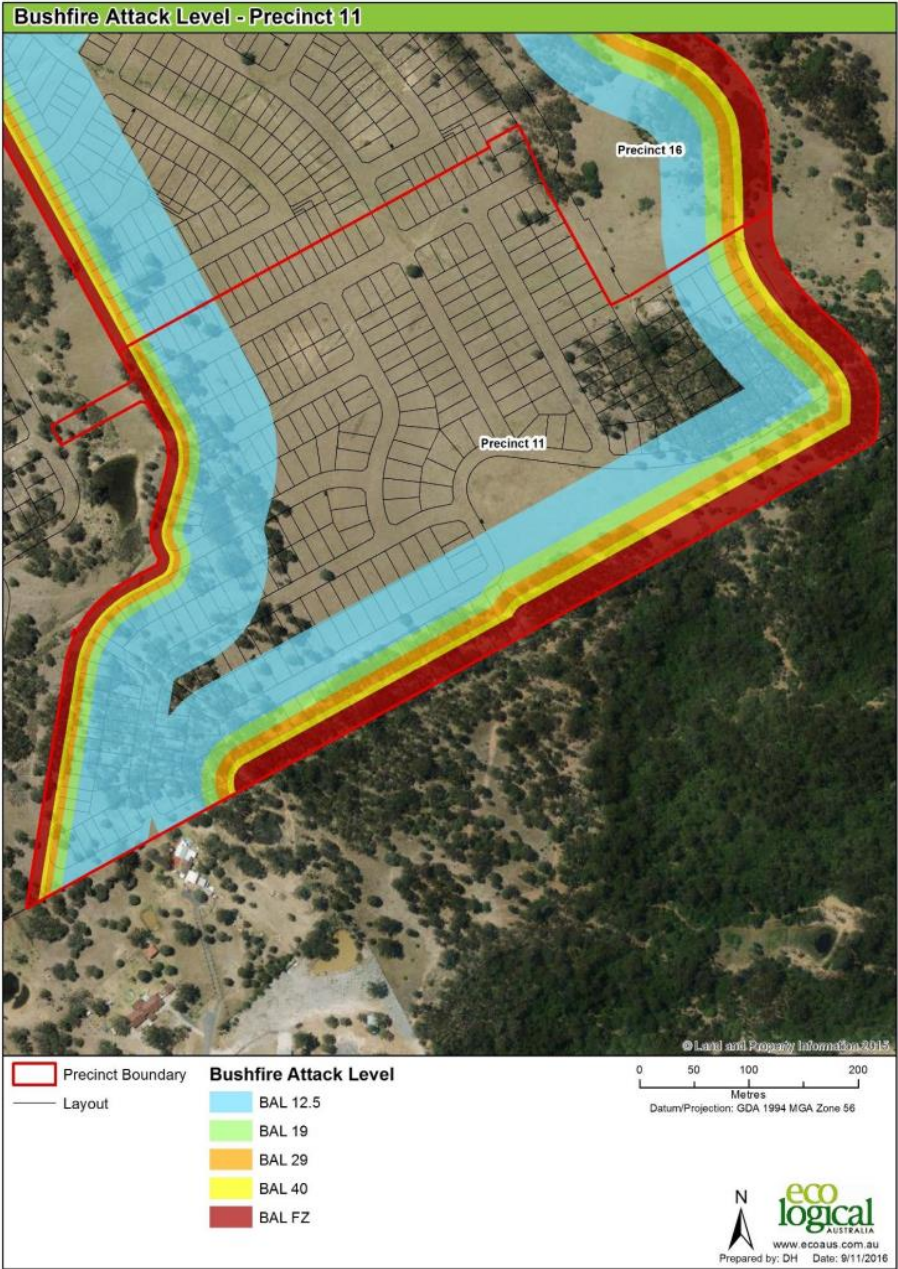
SCALE 1:100
ROAD 138



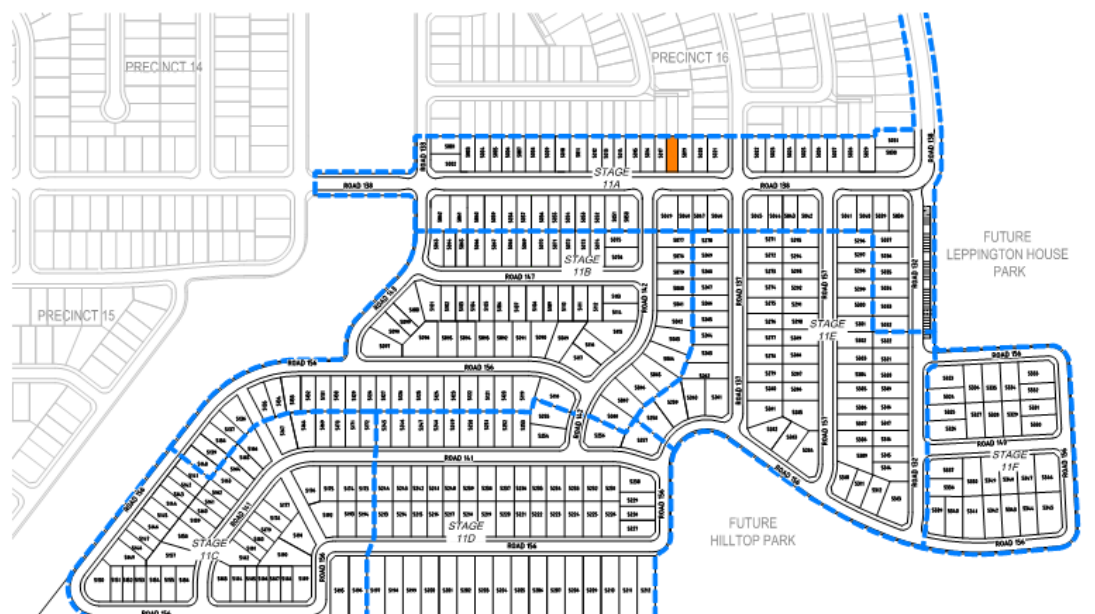
TYPICAL SECTION - PEDESTRIAN LINK

SCALE 1:100

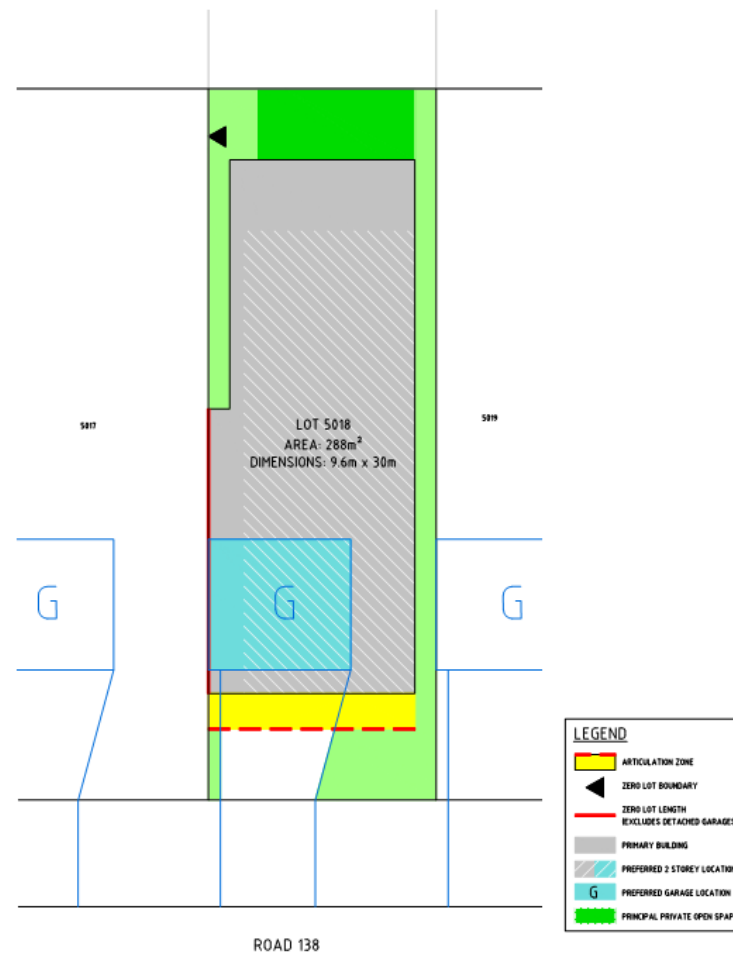
ATTACHMENT 9 – Bushfire protection assessment



ATTACHMENT 10 – Building envelope plan



LOCALITY PLAN
SCALE 1:2000



END OF REPORT