

## SYDNEY SOUTH WEST PLANNING PANEL

THE PANEL No.	<b>2017SSW039 DA</b>
DA Number	<b>1281/2017/DA-SW</b>
Local Government Area	<b>Campbelltown City Council</b>
Proposed Development	<b>Subdivision of three lots into 393 new residential lots, 44 lots designated for future residential development and five lots for public open space and associated drainage works</b>
Street Address	<b>Lots 113 &amp; 115 DP 1218190, Lot 111 DP 1200781, Macdonald and Campbelltown Roads, BARDIA</b>
Applicant/Owner	<b>Applicant: APP Corporation Pty Ltd Owner: Dahua Sydney Project No. 1 Pty Ltd</b>
Number of Submissions	<b>No submissions</b>
Regional Development Criteria (Schedule 4A of the Act)	<b>Capital investment exceeds \$20 million (\$30,309,000)</b>
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none"> <li>• State Environmental Planning Policy (State Significant Precincts) 2005</li> <li>• State Environmental Planning Policy (Sydney Region Growth Centres) 2006</li> <li>• State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>• State Environmental Planning Policy (Infrastructure) 2007</li> <li>• Edmondson Park South Development Control Plan</li> <li>• Planning Agreement, pursuant to Section 93F</li> <li>• Draft South West Sydney District Plan</li> </ul>
Does the DA require Special Infrastructure Contributions conditions (s94EF)?	<b>Yes</b>
List all documents submitted with this report for the panel's consideration	<b>Officer's assessment report and attachments</b>
Recommendation	<b>Approval subject conditions</b>
Report by	<b>Andrew MacGee – Senior Development Planner</b>
Report date	<b>November 2017</b>

## **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 APP Corporation 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**

The subject site is located within the Edmondson Park Precinct of the south west Sydney growth centre. For several decades, the site had been used by the Federal Government as a military training facility, although this ceased in the late 1990s.

The Edmondson Park precinct is located across Campbelltown and Liverpool Councils. The area located within Campbelltown City Council is known as 'Edmondson Park South', although is formally located in the suburb of Bardia.

The area was rezoned for residential development purposes by way of a Planning Assessment Commission (PAC) determination, pursuant to Part 3A of the Act and *State Environmental Planning Policy (Major Development) 2005* (the Major Project SEPP) in August 2011. The PAC's approval was provided via two separate applications, being the concept approval (Dept. of Planning ref. MP10\_0118) and Stage 1 of the development (Dept. of Planning ref. MP10\_0119). Both of these approvals have subsequently been amended, with some minor changes made to agreed landscaping outcomes and the Regional Park that is located within the Liverpool local government area.

Edmondson Park railway station on the 'South West Rail Link' has commenced operations and the urban release area's major commercial and high- density residential areas are located within Liverpool City Council and are presently being constructed.

As part of the PAC's determination, a number of important factors in relation to the area's natural and built environment were considered. These included (but were not limited to):

- Retention and rehabilitation of remnant Cumberland Plain Woodland across the site;
- Transport and access to the release area – in particular the role of Campbelltown Road and the South West Rail Link;
- European and Indigenous heritage;
- Urban design, subdivision pattern, development controls and land use;
- Biodiversity preservation;
- Establishment of a Regional Park;
- Social infrastructure/contributions;
- Flooding, surface water, groundwater quality and riparian corridors;
- Bushfire hazard;
- Potential contamination owing to its historical land use for military training facility; and
- Noise, predominantly emanating from the Hume Highway, which adjoins the site to the south east.

Several stages of the development, including Stage 1 of the development that was approved by the PAC in August 2011, have been completed, with in excess of 400 allotments presently registered, several new roads constructed or under construction and a large number of dwellings having been constructed at the site.

In addition to the allotments granted development consent by the PAC's determination of the concept approval and its first stage, Council and the former Sydney West Joint Regional Planning Panel has granted development consent for an additional 600-odd allotments via separate development consents, which are consistent with the concept approval and the instrument made under the Major Project SEPP.

The release area was formerly under the control of Landcom. However, it has since been sold to a private entity (Dahua Australia) that is continuing to implement the release area in a manner consistent with existing consents and the concept approval.

The subject application represents the final large-scale subdivision of the release area and is considered to be generally consistent with the requirements of the concept approval and its supplementary development control plan.

Bulk earthworks associated with the subject development, including land shaping, earth filling and cutting were approved by Campbelltown City Council in April 2017.

### **Panel Briefing and Inspection**

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

- Consistency with the concept plan approval.
  - the Panel discussed the subject application's compliance with the concept approval and its similarity to existing consents in operation at the site, either issued by the PAC, the Sydney West JRPP or Campbelltown Council.
- Traffic and pedestrian/cycling circulation and safe routes to school
  - at the time of the inspection/briefing, the Panel was considering a separate application lodged by the Department of Education for the construction of a new school on an existing site to the immediate west of the subject land. Walking routes and vehicle traffic to/from the school was discussed along with access to nearby public transport (see page 12 for more discussion on this issue)
- Apartments – siting, height in relation to school (potential for overshadowing)
  - although not part of the subject application, the applicant has previously advised Council that it proposes to construct higher density dwellings in the site's north western pocket. The Panel considered and discussed some issues with likely lot depths, vehicle access and overshadowing/potential overlooking of the adjoining school.
- Open space network
  - the Panel was briefed on the urban release area's open space network, including those items included in the executed 'Planning Agreement' which have either already been granted development consent or have separate applications with Council for consideration at the current time.

### **The Site**

The Edmondson Park urban release area is located within the South West Growth Centre of Sydney to the north-west of the M5 Motorway and lies approximately 6 kilometres southwest

of Liverpool and 40 kilometres to the south west of Sydney CBD. The site is approximately 4 kilometres north west of Ingleburn town centre and 10 kilometres north of Campbelltown.

The land to which this application applies (herein referred to as 'the site') is shown overleaf. It is bounded by Campbelltown Road to the north, the 'Ingleburn Gardens Estate' (by others) to the east, previous stages of the Edmondson Park precinct as approved under separate development consents to the east, west and south. To the north, an allotment has been set aside (remaining in the ownership of Landcom) for future dedication to National Parks and Wildlife for incorporation into the Western Sydney Parklands corridor – which is set for preservation as part of the 'biodiversity certification order' that affects the land pursuant to the Threatened Species Conservation Act 1995 and Sydney Region Growth Centres SEPP 2006.

Campbelltown Road forms the boundary with Liverpool and Campbelltown City Councils.

The site is owned by Dahua Group Sydney Project No. 1 Pty Ltd and legally described as:

- Lot 111 in DP 1200781
- Lot 113 in DP 1218910; and
- Lot 115 in DP 1218910

It has a total area of an area of approximately 25.27 hectares, however, of that total area the works contained within the subject application are restricted to 21.27 hectares.

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

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



The site has varying topography. It generally slopes towards the south, where a central drainage corridor has been illustrated in the concept approval and approved for construction and embellishment by a separate development consent granted by Campbelltown Council.

The site has been heavily disturbed as part of previously approved earthworks, which have physically commenced. The previous consent required that tree clearing be undertaken in accordance with the 'biodiversity conservation order', including pre-clearance surveys, retention of hollow bearing trees for relocation within the site and other matters of a similar nature.

Similarly, items of Aboriginal cultural heritage detected during previous works undertaken at the site have been records and collected pursuant to the requirements of an Aboriginal Heritage Impact Permit (AHIP) issued for the development. The applicant has supplied information confirming that the requirements of the AHIP in place (ref. C0001134) have been met.

The site is currently accessed by Campbelltown Road running east-west and Macdonald Road running north-south. Locally, access can also be provided by Bardia Avenue, Arthur Allen Avenue and Paul Cullen Avenue, which are existing internal roads within the urban release area constructed as part of previous stages.

### **Surrounding Development**

As mentioned previously in the report, the site adjoins an existing urban release area, for which several development consents have previously been issued for residential subdivision and associated infrastructure. A number of dwellings are currently under construction or recently occupied. One large local park, known as 'Brigade Park', has also been constructed and is available for use by locals and visitors alike.

The subject site is also located adjacent to Bardia Public School and is within a short distance from the proposed Edmondson Park town centre (featuring high density residential and commercial land uses) as well as Edmondson Park railway station to the north, which are located in the Liverpool local government area.

### **The Proposal**

This development application seeks approval for subdivision and associated works for the final major stage within the urban release area's overall development. The applicant identifies the site as its 'Stage 3'.

Broadly speaking, the application seeks approval for:

- earthworks and civil works including drainage and site re-grading;
- subdivision of three lots (Lot 111 in DP 1200781 and Lots 113 and 115 in DP 1218190) into:
  - 393 new residential lots (Proposed Lots 1 - 393)
  - 3 larger lots for residential apartment buildings (Proposed Lots 434-436);
  - 41 super lots for future residential subdivision (Proposed Lots 393-433); and
  - 5 lots for public open space (Proposed Lots 437-442);
- extension of Bardia Avenue and Arthur Allen Drive and construction of new roads;
- stormwater and drainage infrastructure works;
- construction of utility services; and
- public domain and landscape works within the future open space lands.

The proposal includes the creation of 396 new residential lots (including future apartment building lots) which are all larger than 200sqm. In addition, 41 residential 'super lots' would

be created to allow for the future detailed design of small lot housing projects (i.e. integrated housing developments).

Future integrated housing and subdivision developments over these super lots are to be the subject of separate development applications.

The proposed subdivision design has been designed in accordance with the following minimum lot sizes, which have been extracted from the State Significant Precincts SEPP applying to site;

- Dwelling House: 200sqm;
- Semi-detached House: 250sqm;
- Dual Occupancy: 500sqm;
- Secondary Dwellings: 250sqm (initial lot);
- Attached Dwellings: 125sqm; and
- Multi Dwelling Housing: 1,500sqm.

The varying lot sizes, configurations and dimensions are consistent with the desired lot types in the Edmondson Park South Development Control Plan 2012 (the DCP) and would accommodate a variety of housing types.

The applicant notes:

*The subdivision has been designed to respond to existing site constraints and in conjunction with the proposed civil and drainage concepts. Block dimensions typically exhibit maximum widths of 60-65m and maximum depths of 200m throughout which is consistent with the design provisions in DCP 2012. Smaller residential lots capable of supporting attached and semi-detached dwelling product have been orientated to overlook the open space corridor and to be accessed from rear-loaded laneways.*

The proposed subdivision layout and road pattern is shown in Attachment 3 to this report.

The subdivision layout, road pattern and proposed dwelling density have also been designed to accord with the PAC's concept approval for the urban release area, granted in August 2011.

The subdivision application was considered to be an 'integrated development' pursuant to Section 91 of the Act, requiring the following additional approvals:

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

## **Public Exhibition Process**

The development application was placed on public exhibition. During the exhibition period, no submissions from the public were received.

### **1. Assessment**

The development has been assessed in accordance with the matters for 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.

#### *1.1 Planning legislation, instruments and documents*

Section 79C(1)(a) requires the Panel to consider relevant planning instruments and development control plans when determining an application for development. A table of the relevant instruments and the development's response is overleaf:

SEPP (State Significant Precincts)	The State Significant Precincts SEPP sets the urban release area's development objectives and land zoning following its designation as a 'state significant site' pursuant to the since-repealed Part 3A of the Act.
Part 31 - Edmondson Park South site	Part 31 of the SEPP applies to the development and is considered below.
Part 31, Clause 9 - Zone R1 General Residential	<p>The proposed subdivision will enable the future residential use of the site in accordance with objectives of the R1 General Residential Zone, specifically:</p> <ul style="list-style-type: none"> <li>• providing for the housing needs of the community;</li> <li>• providing for a variety of housing types and densities through a range of lot sizes that are capable of accommodating a variety of dwelling products to suit all forms of the family unit, and particularly single person households, as well as encourage ageing in place;</li> <li>• supporting the achievement of varying residential densities.</li> </ul>
Part 31 Clauses 31, 32 and 33	The proposed subdivision aims to ensure that impacts on nearby vegetation or heritage significance will be limited. More details are provided on the development's potential heritage impact and vegetation removal later in this report.
SEPP 19 – Bushland in Urban Areas	The general aim of this Policy is to protect and preserve bushland within the urban areas referred to in the SEPP, which includes the Campbelltown LGA. The application is considered to be consistent with SEPP 19. More discussion on vegetation removal at the site is contained later in this report.
SEPP 55 – Remediation of Land	<p>SEPP 55 provides controls and guidelines for the remediation of contaminated land. 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.</p> <p>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.</p> <p>The site has previously been remediated made suitable for residential uses. Earthworks that considered the site's contamination prospects approved under separate consent have commenced.</p> <p>The site is not considered to be contaminated for the purposes of this assessment and is considered to be suitable for residential development as proposed.</p>

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SEPP (Infrastructure) 2007

The SEPP Infrastructure 2007 (ISEPP) provides a consistent planning regime for infrastructure and the provision of services across NSW, along with providing for consultation with relevant public authorities during the assessment process.

The proposed development triggers the traffic generation provisions set out in Schedule 3 of the ISEPP (that being, a subdivision application that would create more than 200 residential lots) and requires referral to the Roads and Maritime Services (RMS).

RMS provided a written response to Council's referral under the ISEPP and did not raise objection to the proposal. RMS's recommendations have been incorporated into the recommended conditions of consent in Attachment 4.

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Greater Metropolitan Regional  
Environmental Plan 2 –  
Georges River Catchment

The Georges River Catchment REP establishes principles and provisions to ensure the maintenance and improvement of water quality and river flows within the Georges River catchment and the delivery of ecologically sustainable development.

The REP aims to establish a consistent and coordinated approach to environmental planning and assessment for land development along the Georges River and its tributaries.

The Edmondson Park South Water Cycle Management Plan approved as part of PAC's previous determination at the site was developed to meet the requirements and principles for the Georges River catchment established in the REP.

The subject development's drainage and stormwater strategy is consistent with the approved Water Cycle Management Plan and is therefore favourably considered in light of the Georges River REP.

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## Edmondson Park South Development Control Plan 2012 (the DCP)

### Section 2.2 - Character Areas

The site is located within Character Area 5 detailed in the DCP.

The proposed subdivision would provide an outcome consistent with the vision and intent for these areas. The layout is considered likely to create an urban character area is a dense, urban, but predominately residential zone that provides a transition between the Edmondson Park Town Centre and the medium to lower density residential areas.

Housing types that reinforce the urban character and need for well located higher densities adjoining the Town Centre. Products will include small lot/attached housing. Relatively shallow building setbacks will be used to reinforce the urban style and character of areas closer to the school and Town Centre.

### Section 2.3 - Residential Dwelling Target

Section 2.3 of the EPSDCP sets a dwelling target of 3,699 dwellings to be delivered within the urban release area. The site is included in Density Precinct 6b, and partially within Density Precincts 7a, 7b, 8a and 8b. These Density Precincts are identified as having a combined dwelling target of 1,387 dwellings altogether. The proposal's dwelling capacity is consistent with the DCP's controls, noting that it provides for future dwelling yield to occur throughout the remaining Density Precincts in accordance with the Plan.

### Section 2.4 - Indicative Staging and Delivery

The site is located within Indicative Stage 4 and is generally consistent with the staging program established for Edmondson Park.

### Section 3.1 - Street Network

The design of the proposed roads generally complies with the relevant EPSDCP requirements. Lots fronting Campbelltown Road have been designed as access-denied lots ensuring compliance with Section 3.1, Control 4 of the DCP. This not only means that traffic safety and the efficiency of local roads is not impeded by vehicles accessing properties along those roads, but also provides for a more suitable urban design outcome by removing garage doors from important streetscapes.

Section 3.3 - Pedestrian and Cycle Network	<p>This application seeks consent for a pedestrian and cycling path network that is consistent with the DCP. Footpaths also achieve the minimum 1.2 metre width and 2.5 metre wide shared pedestrian/cycle pathway dimension required by the Plan.</p> <p>Pedestrian and cycle ways have been designed to satisfy AS 1428 in terms of the accessibility.</p>
Section 3.4 - Open Space Network	<p>The subject application incorporates riparian and other open spaces corridors in a location, size and manner consistent with the concept approval and the 'planning agreement' executed by the relevant parties. The proposed road and footpath network have however been designed to capture opportunities for good connections to those open spaces.</p>
Section 3.5 – Safety/Security	<p>The proposed subdivision is considered likely to foster the creation of a safe and secure environment as it may provide for an allotment layout that supports housing in locations to maximise informal surveillance and overlooking of public streets and spaces, particularly on corners.</p>
Section 3.6 - Heritage Conservation & Interpretation	<p>The proposed development will not have an impact on European heritage items in the urban release area. The nominated items and locations are all located outside the subject development area.</p> <p>An AHIPO issued pursuant to Section 90 of the National Parks and Wildlife Act 1974 is in place and relics that were noted have been relocated in accordance with the Permit. The relocation was undertaken in consultation with members of the local indigenous community.</p>
Section 5.1 - Streetscapes	<p>A detailed landscaping and public domain plan was submitted with the application. The proposal is considered to be suitable for the site and is compatible to those approved in adjoining stages of the release area. The submitted documentation demonstrates:</p> <ul style="list-style-type: none"> <li>• the location and species of street trees;</li> <li>• kerbs will be provided to all street frontages;</li> <li>• driveways can be appropriately located;</li> <li>• the design enables on-street parking along most streets (except for laneways).</li> <li>• infrastructure services will be provided in a coordinated manner to maximise space for street tree planning and landscaping.</li> </ul> <p>Further detailed design effort will be required prior to the issue of construction certificates and conditions of consent in Attachment 1 acknowledge this.</p>
5.2 – Subdivision Application Requirements	<p>The proposed subdivision design complies with the DCP's subdivision requirements in that it:</p> <ul style="list-style-type: none"> <li>• positively contributes to achieving the dwelling target for the precinct;</li> <li>• promotes a legible and connected street hierarchy; – maximises the number of lots in a location that is close to future public open space, the town centre, and future community facilities such as schools;</li> <li>• optimises the number of east-west oriented lots;</li> <li>• attempts to provide lots that have a regular geometry and which comply with minimum lot widths and depths as set out in the DCP ;</li> <li>• enables corner dwellings to address both streets;</li> <li>• supports a built form outcome as envisaged by the DCP and which provides a high level of residential amenity;</li> <li>• minimises the need for cut and fill;</li> <li>• minimises the impact of utility services on building envelopes; and</li> <li>• supports a high level of passive surveillance.</li> </ul>

Where required, Building Envelope Plans (BEPs) have been prepared to demonstrate potential future building envelopes and how dwellings will be sited for the range of lot typologies identified in the proposed subdivision design, including smaller lots (200-300sqm) as required by the DCP.

The BEPs illustrate the proposed lots will be support building envelopes in accordance with the EPSDCP requirements.

The subdivision layout and street network proposed are also relatively consistent with that approved by the concept approval, issued for the overall development of the Edmondson Park precinct in 2011.

## *1.2 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.

The subject application does not relate to any particular actions in the draft Plan, aside from the continued provision of housing in a manner consistent with approved urban release areas throughout the district.

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

The document establishes a set of strategic directions to guide decision making and development outcomes. These directions are broad in nature and form a prelude to a new statutory town plan for the city.

The strategic directions relevant to this application are:

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

The proposed development is consistent with these directions.

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

- urban environments that are safe, healthy, exhibit a high standard of design, and are

- environmentally sustainable;
- an impression of architecture that engages its environmental context in a sustainable way; and
- development and land use that matches environmental capacity and capability.

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

## **2. Impacts on the Natural and Built Environment**

Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979* requires the Panel to assess the development's potential impacts on the natural and built environment, as well as potential social and economic impacts.

Key matters for consideration when considering the development's potential impact on the natural and built environment are:

- Heritage
- Traffic
- Noise
- Water management
- Vegetation removal/retention

These matters are individually discussed in more detail below.

### **2.1 Heritage**

The Major Development SEPP identifies several items of European heritage throughout the urban release area. Further, the concept approval issued by the PAC in 2011 also requires that certain considerations be given to European heritage when assessing applications for subdivision within the release area.

The following conditions of the concept approval relate specifically to supporting information required when considering an application for subdivision in the release area:

Condition C1.14 of the concept approval requires that a 'heritage interpretation strategy' for the site be developed and accompany development applications for subdivision of land within the release area. This condition was complied with by the site's previous owner, UrbanGrowth NSW.

C1.18 requires future applications to identify how the detailed design has responded to opportunities to mitigate impacts on Aboriginal archaeological heritage.

An AHIP (ref. C0001134) was issued pursuant to Section 90 of the National Parks and Wildlife Act 1974 and has been complied with according to information submitted by the applicant.

### **2.2 Traffic**

The predominant traffic impacts of the development have previously been considered during the concept approval of the urban release area. As a result of this approval, RMS has commenced upgrading of Campbelltown Road directly adjacent to the development site following an environmental assessment under Part 5 of the Act being undertaken. The upgrades provide for additional traffic lanes and signalised intersections at Campbelltown Road's interface with the Edmondson Park urban release area and are presently under construction.

Internally, the applicant has undertaken an assessment of likely future traffic that would emanate from future residents. The applicant has also considered turning movements of heavy vehicles (usually garbage trucks) within the proposed road layout, particularly where laneways are proposed to be utilised for service provision.

As part of the recently-considered approval of the Bardia Public School upgrade, provision an internal signalised intersection at Arthur Allen Drive and Macdonald Road has been provided for. Although this is not within the subject development site, it would afford greater safety and certainty for pedestrians accessing the school.

Council forwarded the proposal (including traffic simulation modelling) to RMS for its comment. Appropriate design and approval from RMS would be required for intersections with Campbelltown Road, which has been detailed in the recommended conditions in Attachment 1 of this report.

Some further work on modelling future traffic from within the site is required and has been conditioned appropriately in Attachment 1.

### 2.3 Noise

Noise is not likely to be an issue from within the development site, however, noise emanating from Campbelltown Road and the Hume Highway (M31) which adjoins it, may potentially be an issue for future residents. Accordingly the applicant has submitted an acoustic impact assessment with the subdivision application, which assesses and provides recommendations in relation to the noise likely to be received by future residents.

The acoustic impact assessment found that some future residents may experience noise impacts due to their proximity to Campbelltown Road. Subsequently, recommendations have been made that will require certain building materials and glazing to be used in locations across the site.

A recommended condition of consent requires that the recommendations of the acoustic impact assessment be detailed on the future land titles of proposed allotments via a title restriction so as to ensure that future owners are aware of the recommended construction requirements at their particular dwelling site.

### 2.4 Water Management

Water management is a key consideration in the urbanisation of previously rural or open space land. The subject site is no different, with a detailed hydraulic scheme being developed and approved as part of the PAC's concept plan determination in 2011. Subsequent development applications, such as the one subject to this report, have essentially been designed to 'key into' the overarching drainage strategy for the release area as a whole.

As such, critical water quality and flow control infrastructure has previously been installed at the site and was designed to accommodate future development. Notwithstanding, recommended conditions of consent require the applicant to abide by the concept approval's requirements as well as relevant parts of the Council's Engineering Design Guide for Development in order to ensure that best-practice, low maintenance and environmentally sustainable solutions are implemented.

### 2.5 Vegetation

The site is subject to a Biodiversity Certification Order under the *Threatened Species Conservation Act, 1995* (TSC Act) and a Strategic Assessment under the Commonwealth

*Environmental Protection and Biodiversity Conservation Act, 1999* (EPBC Act). As a result, further impact assessment is not required provided the development proceeds in line with the Biodiversity Certification Order.

Land clearing and earthworks have commenced on site pursuant to a consent issued by the Council. As part of that consent, the applicant was required to consider the requirements of the Order in relation to pre-clearance surveys for threatened flora and fauna, protection and reuse of hollow-bearing trees and collection of seed stocks for use in the release area.

The proposal is considered to be consistent with the Order, which establishes the applicant's rehabilitation and protection requirements for areas set aside within the overall release area. No offset or rehabilitation areas are located on the subject site.

Street tree plantings have been designed to ensure that foliage is available along urban streets following their construction and into the future once residents have been accommodated on the land.

## **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 support/retail services.

## **3. Site Suitability**

Section 79C(1)(c) of the Environmental Planning and Assessment Act 1979 requires the Panel to assess the suitability of the site for the proposed development.

Having regard to the development's relative compliance with the overarching concept approval in place at the site, 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.

The road layout and allotment pattern is also consistent with those previously approved by the PAC (in Stage 1) and subsequently by the Council and Sydney West Joint Regional Planning Panel in other stages.

## **4. Submissions**

Section 79C(1)(d) of the *Environmental Planning and Assessment Act 1979* requires the Panel to consider submissions made to the proposal.

The development was notified and publicly exhibited in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000. Council did not receive any submissions on the proposal from the public.

## **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 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 following a change in the land's ownership. Prior to that, Council and UrbanGrowth had executed an agreement on the same grounds.

### **6.2 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 subdivision of land and construction of certain road, drainage and service infrastructure at the subject site, which is located within the Edmondson Park urban release area in the Sydney South West Growth Centre.

The urban release area has previously been the subject of a detailed assessment and approval under Part 3A of the Environmental Planning and Assessment Act 1979, which saw the Planning Assessment Commission issue a concept approval for the release area's overall development in 2011.

The proposal is considered to be complementary and consistent with that concept approval in terms of its subdivision pattern, road layout, provision of infrastructure and response to heritage protection and vegetation removal criteria.

The development presents the last in several stages of large-scale land subdivision for the release area (within the Campbelltown local government area).

A range of conditions of consent are proposed to cover the broad spectrum of issues arising from the proposal, including standard matters such as reference to submitted plans and documents.

The development is not considered likely to have a significant and detrimental impact on the natural or built environment and is suitable for the site, having regard to its consistency with existing approvals for residential subdivision in the immediate vicinity.

### **Recommendation**

That development application 2017SSW039DA(1281/2017/DA-SW) for subdivision of three lots into 393 new residential lots, 44 lots designated for future residential development and five lots for public open space and associated drainage works and Lots 113 and 115 DP 1218910 and Lot 111 DP 1200781 at Macdonald and Campbelltown Roads, Bardia, be approved subject to conditions in Attachment 1 to this report.



## Attachment 1 – Recommended Conditions of Consent

### GENERAL CONDITIONS

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

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

#### 1. Approved Development

The development shall be carried out in accordance with the approved plans listed below and all associated documentation supporting this consent, except as modified by any conditions within.

Drawings by:

*Craig and Rhodes*

1783P DA02 [01] Staging (AK)      Sheets 1 – 6      dated 31.03.2017  
(with the amendment of road reserve ‘open space’ to become separate allotments)

*design iq*

New Breeze Stage 3 – Stage boundary plan  
New Breeze Stage 3 – Lot type plan  
New Breeze Stage 3 – Lot yield plan  
New Breeze Stage 3 – Integrated lots plan  
New Breeze Stage 3 – Building envelope plans

*Place Design Group*

New Breeze Stage 3 – Landscape DA Report August 2017

*Arcadis Australia Pacific Pty Limited – Project No. AA008888*

C-03-001	Issue 3	dated 31.03.2017
C-03-002	Issue 3	dated 31.03.2017
C-03-003	Issue 3	dated 31.03.2017
C-03-005 (incl. staging)	Issue 3	dated 31.03.2017
C-03-101 – 104 inclusive	Issue 3	dated 31.03.2017
C-03-121 – 124 inclusive	Issue 3	dated 31.03.2017
C-03-131 – 136 inclusive	Issue 3	dated 31.03.2017
C-03-201 – 206 inclusive	Issue 3	dated 31.03.2017
C-03-211 – 216 inclusive	Issue 3	dated 31.03.2017
C-03-221 – 232 inclusive	Issue 3	dated 31.03.2017
C-03-241 – 247 inclusive	Issue 3	dated 31.03.2017
C-03-250	Issue 3	dated 31.03.2017
C-03-321 – 324 inclusive	Issue 3	dated 31.03.2017

*Arcadis Australia Pacific Pty Limited – Project No. AA008888 (continued)*

C-03-400 – 404 inclusive	Issue 3	dated 31.03.2017
C-03-451	Issue 3	dated 31.03.2017
C-03-452	Issue 3	dated 31.03.2017
C-03-461	Issue 3	dated 31.03.2017
C-03-462	Issue 3	dated 31.03.2017
C-03-501 – 506 inclusive	Issue 3	dated 31.03.2017

Reports and Assessments by:

*APP Corporation*

Statement of Environmental Effects, Ref. 1046902, dated 20.04.2017

*Arcadis Australia Pacific Pty Limited*

Edmondson Park South New Breeze Stages 2 and 3 - DA1: Water Cycle Management, dated 18.08.2016

*place design group*

Landscape DA Report, dated April 2017 and as amended in August 2017

*Wilkinson Murray Pty Ltd*

Traffic Noise Assessment, Ref. 16178-N3, Rev. A, dated 20.04.2017

*Eco Logical Australia Pty Ltd*

Vegetation Management Plan, Ref. 4161, dated 23.08.2016 (as amended)

*GTA Consultants*

New Breeze, Bardia Stage 3 Residential Subdivision Transport Impact Assessment, Ref. N120770, dated 20.04.2017

*Eco Logical Australia Pty Ltd*

Bushfire Protection Assessment, Ref. 16HNG\_4478, dated 20.04.2017

*Geotechnique Pty Ltd*

Geotechnical and Salinity Assessments, Ref. 13667/2-AA, dated 08.04.2016

*Kelleher Nightingale Consulting Pty Ltd*

Aboriginal Cultural Heritage Assessment Report, Ref. 9011, Rev. D, dated 27.08.2010

*Kelleher Nightingale Consulting Pty Ltd*

Completion of Archaeological Fieldwork Advice in relation to Aboriginal Heritage Impact Permit C0001134, dated 16.06.2016

## **2. Voluntary Planning Agreement**

The provision and timing of infrastructure as provided for by the Planning Agreement between the Dahua Group Sydney Project No. 1 P/L, Landcom (t/a UrbanGrowth NSW) and Campbelltown City Council as executed on 13 October 2017 must be undertaken by the applicant in accordance with that Agreement throughout the Agreement's operation.

## **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*' except the design of laneways and laneway splays where the applicant is to demonstrate how the pavement material and reduced splays ensure appropriate vehicular movements and promote clear sight distances. Pavement materials must be discernibly different at the intersection of laneways and roads to ensure drivers are made aware that they are entering a low-speed environment.

#### **4. Landscape Requirements**

Landscaping of the development site shall be undertaken generally in accordance with the approved plans prepared by place design group and in consultation with relevant utility providers.

In addition, the site's landscaping shall consider:

- a. all planting (trees, understorey, groundcover and grasses) in parks and public places to incorporate local indigenous species where possible;
- b. planting layout around parks and playgrounds consistent with the principles of Crime Prevention Through Environmental Design, particularly with respect to eliminating concealed areas; and
- c. the revision of street tree planting, as necessary, to be consistent with road engineering plans lodged with the construction certificate application.
- d. 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;
- e. all trees shall be selected giving regard to the potential for the tree to adversely affect surrounding infrastructure as well as any potential to impede garbage truck access to garbage bins; and
- f. details of proposed tree root guards in accordance with Council's requirements.

All landscape works shall be undertaken and maintained in accordance with the approved detailed landscape plan or as otherwise approved in writing by Council.

#### **5. Water Management**

Surface water capture, disposal and quality management shall be undertaken generally in accordance with Council's '*Engineering Design Guide for Development*', the approved plans and the submitted report as well as the requirements of the approved concept plan for the land release (DoPI ref. MP10-0118 as amended and its supporting information).

#### **6. Shoring and Adequacy of Adjoining Property**

If the development referred to in this development consent involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must at the person's own expense:

- a. Protect and support the adjoining premises from possible damage from the excavation, and
- b. Where necessary, underpin the adjoining premises to prevent any such damage.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

**7. No Works in Lot 114 DP 1218910**

This consent does not permit physical works to be undertaken within Lot 114 DP 1218910.

The applicant shall ensure that works associated with the approved development do not occur within the subject allotment and that all care and means of protection are taken during construction to ensure that sediment and surface water emanating from the development site does not enter Lot 114 DP 1218910.

**8. Construction Certificate**

Prior to the commencement of any works that require a construction certificate:

- a. The applicant shall obtain a construction certificate for the particular works;
- b. The applicant shall appoint a principal certifying authority; and
- c. The private certifying authority shall notify Council of their appointment no less than two days prior to the commencement of any works

**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.

**9. 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.

**10. Landscaping**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall provide revised landscaping plans for the review and written approval of Council's Executive Manager – Infrastructure. The revised landscaping plans shall consider and contain the following:

- a. Consistency with civil plans

The submitted landscaping plans do not appear to be consistent with submitted civil plans and further, do not appear to have considered the proposed topography of the land post construction. Revised plans are required to enable full consideration of the landscape vision for the subdivision, including (but not limited to) cycleway locations, open space embellishment/facility locations, rock locations in drainage corridors and long-term maintenance access points.

- b. Maintenance details

Maintenance details for the open space areas are to be provided. The details are to be

provided in the form of an Operation and Maintenance Manual and Maintenance Schedule which must be submitted to Council's Executive Manager Infrastructure for approval. The Manual and Schedule are to be updated and discussed with City Delivery prior to handover of these assets to Council.

c. Access to Gross Pollutant Traps

Plans do not appear to provide for maintenance vehicles to access the GPT's and drainage corridor. Appropriate off road provision is to be provided. This will include:

- i. A concrete hardstand area which is clear of the footpath which can be accessed by vehicles of a size suitable for maintaining the GPTs
- ii. Defined points of access to the GPTs, wetlands and any areas needing mowing. Plus access for collection of rubbish and maintenance of park hard furniture
- iii. Compatibility with street lighting

d. Street lighting

Revised landscaping detail shall also include consideration of street lighting to ensure that street tree plantings will not reduce required light levels. Such assessment is to include both the street tree plantings at installation and consideration of the impacts of mature plants on street lighting.

e. infrastructure protection

For any planting in the public domain, root boxes or barriers are required for all street trees being placed within 1m of infrastructure. Such infrastructure shall include footpaths, shareways roadways, kerb and gutter.

Unless specified otherwise, the minimum size for root control boxes shall be 800mm wide and 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 for a minimum length of 2m. Vertical ribbed root barrier shall be a minimum of 600mm deep and 0.75mm thick in all instances.

Root boxes or barriers must be placed:

- At 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 3 m extent along the footpath/shareway and kerb with the tree centrally placed.
- Such that it is not a trip hazard.

f. Access for maintenance

Provision for access for maintenance vehicles is to be made in all of the public open space and drainage reserve areas. Any new concrete walkway within/adjoining the public open spaces shall comply with Council's requirements for strengthened and stencilled concrete crossing points as required.

Subject to the recommendations of the Operation and Maintenance Manual, all cycleways may need to be upgraded to take maintenance vehicle loads. Details are to be submitted to Council's Executive Manager Infrastructure.

g. Other matters

- i. The grading of public open space turf areas shall be consistent with the mobility of the maintenance machines. The maximum allowable grading of turf would be 1 in 6.
- ii. All turf area interfaces with garden beds are to have a trafficable edge beam to facilitate maintenance and define an edge between the mown areas and gardens.
- iii. No trees or shrubs are to be planted in the laneways including the splayed corners of the laneways.
- iv. No trees are to be planted in any of the road or detention basin fill embankments where compaction is critical (major road crossings).
- v. No trees, shrubs or grasses are to be planted in the laneways including the splayed corners of the laneways.
- vi. The applicant needs to provide pram ramps across Road MC33 from the share paths Road MC02.
- vii. Pram ramps are to be provided on Road MC 18 at Arthur Allen Drive to join the two share paths. All turf area interfaces with garden beds are to have a trafficable edge beam to facilitate maintenance and define an edge between the mown areas and gardens.
- viii. All rock used in public areas is to be hard durable rock, resistant to weathering. Any sandstone is to be tested to ensure that it will remain hard and durable for a minimum of 50 years. Siltstone and shale are not to be used in any public areas. Sandstone with any siltstone layers is not suitable for use.

**11. 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'* for the stormwater drainage system prior to discharge from the site.

**12. Traffic Impact Assessment and Plan Revision**

Prior to Council or an accredited certifier issuing a construction certificate for the development, the applicant shall prepare and submit for the written approval of Council's Executive Manager – Infrastructure, a revised Traffic Impact Assessment report/model and accompanying plans, which consider the following:

- a. Laneway manoeuvring for a 10.4m long rigid vehicle shall be demonstrated for travel in both directions. Turning paths shall be assessed by an appropriately qualified person using Autodesk Vehicle Tracking.
- b. The Vehicle Tracking files and associated development proposal shall be submitted in .dwg/.dxf format and the speed environment used in the assessment must be consistent with the requirements as set out in the Austroads Guide to Road Design Part 4.

- c. Garbage collection vehicles with three axles and up to 10.4 metres in length shall be considered as part of the above assessment.
- d. The laneways are shown both with and without splays on plans making it very difficult to determine if splays are proposed. Splays are to be provided on all corner lots.
- e. The pocket parks shall be dedicated as individual lots not as a part of road reserve. In this context, the concept subdivision plans shall be revised.
- f. The submitted plans showing “pavement, sign and line marking” do not show sign and line marking in the proposed roads. The signs and line marking plans shall be updated to supply the information.
- g. The width of Road MC21 shall be consistent with the typical road cross section shown on Plan C-03-250, the carriageway shall be a minimum of 12m.
- h. Laneways ML 334 (at Road MC21) and ML 341 (at Road MC33) are to left in left out only. This is to be reflected in the signs and line marking plans when submitted.
- i. Where required for safety, road barriers to Australian standards are to be provided. This may be the case along parts of MC33 near intersections along its length at the future playing fields.
- j. Where required by fall height, fences are to be placed on top of bridges, culvert headwalls and other retaining walls in the public domain are to be provided in accordance with the requirements of AS2156.2.
- k. The details of Road MC33 across the Maxwell’s Creek detention basin (Stage 2B) are to be provided demonstrating how it fits in conjunction with the detention basin wall. This detail is to be signed off by a geotechnical engineer.
- l. The plan of road MC33 is inconsistent with the respective typical road cross section (dwg no. C-3-250) from chainage 0 – 120m. The cross sections shows a 1.2m wide footpath, however plan shows a shared path. The appropriate treatment would be shared path in order to maintain consistency with the adjoining road in Ingleburn Garden. The road cross section shall be updated reflecting the shared path.
- m. Further to the above point, the road connecting to Ingleburn Gardens is to be of a consistent cross section (matching carriageway width, footpath widths, etc).
- n. The applicant needs to demonstrate the kerb return treatment at the interface of local streets and laneways that is intersections of MC30/ML328 and MC31/ML314.
- o. City Delivery does not support the proposal of road MC43 as a public road. The road services only the super lots fronting to it with no other benefit to the community. Suggest that the road MC43 shall be deleted from the plan.
- p. The proposed roll kerb and gutter of Road MC38 and MC36 shall be replaced by standard kerb and gutter along the northern edge of subject roads sections that are adjacent to Campbelltown Road in order to restrict direct vehicular access to Campbelltown Road from the subject roads.
- q. Road edges adjoining open spaces shall have standard kerb and gutter in order to restrict public vehicle access to the open space.

- r. The proposal indicates the proposed Lot 365 that is located at the corner of Soldiers Parade (MC 21) and Campbelltown Road will have driveway access from MC21. This requires revision. Vehicular access to the subject lot will not be allowable directly from road MC21.
- s. A road safety audit is to be undertaken for the design of all new roadworks.
- t. The traffic impact assessment (TIA) raises following concerns and is not acceptable:
  - The impact of the future Bardia Public School traffic has not been accounted for in the TIA. Being one of the largest primary school in Sydney the inclusion of the school traffic into the assessment may give worse result. Therefore the performance as obtained in the TIA at the post development scenario may not be realistic. (The Traffic study done for the rezoning included assessment of a 500 student school.)
  - The TIA did not give any consideration to future traffic impacts. The traffic assessment is to be based on at least a 20 year design horizon with respect to background growth.

### **13. Traffic Committee**

Prior to Council or an accredited certifier issuing a construction certificate for a particular stage of the development, 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 all associated line marking and/or sign posting for that stage. Parking restriction signage in laneways will be considered at this time.

### **14. Stormwater Management**

Prior to Council or an accredited certifier issuing a construction certificate, plans, electronic models and other supporting information indicating all engineering details and calculations relevant to site regrading and the collection and disposal of stormwater from the site and adjacent catchment, shall be submitted for the written approval of Council's Executive Manager - Infrastructure.

- The 1% AEP water level is to be shown on all plans where relevant.
- 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"*.
- The applicant is advised that the following issues will need to be considered as part of the aforementioned approval:
  - a. The revised landscaping plan dated August 2017 has modified the drainage swale through the Northern Drainage Corridor into open space. However, such modifications have not been reflected in the civil plans. The applicant must review the civil plans (with respect to water quantity and quality) in order to reflect the changes of landscaping plan. Note that the footprint of the proposed rain garden in the landscaping plan is not consistent with the civil plans.
  - b. The stormwater details in the linear park are to be modelled and submitted to Council for approval.



- c. The stormwater infrastructure of the subject subdivision must be coordinated with the adjoining stages of the subdivision that have been, or will be, determined under separate development applications. Consistency between applications is to be demonstrated.
- d. The subject subdivision allows provision for drainage from the upgraded Campbelltown Road to traverse the subdivision. Applicant shall verify the pipe sizes as there appears to be an inconsistency at East Town Centre Road.
- e. According to the DRAINS model, there is high possibility for stormwater ponding at the location of box culvert in road MC33. Each of the subject overland flows is significant however, DRAINS does not take into account the cumulative impact of these flows. The applicant shall demonstrate that the proposed drainage infrastructure complies with clause 4.13.4 of Campbelltown City Council's Engineering Design Guideline: Major flows in Roadways.
- f. The gutter flow width is >2m during 1% AEP event at the corner of the bus route road MC21 and MC02 which is not acceptable in accordance with clause 4.13.4 of Campbelltown City Council's Engineering Design Guideline: Major flows in Roadways. The stormwater infrastructure shall be reviewed at the subject location in order to reduce the flow width so that it complies with Clause 4.13.4.
- g. There is possibility of stormwater ponding at the western corner of road intersection MC18 and MC21. The subject sag point is 320mm lower from the control level of road MC21. The DRAINS model details an over flow path (marked as "A" in the following figure) that takes 169mm flow during 1% AEP, however practically all water will be ponded on the road and finally spill into the drainage corridor and over MC21. The applicant shall review the drainage plan for the subject location.
- h. Structural design of all major drainage outlets and custom made stormwater pits shall be submitted. The DRAINS model shall be reviewed with respect to these pit Ku values once the design is completed.
- i. Maintenance details for the water quality devices are to be provided. The details are to be provided in the form of an Operation and Maintenance Manual and Maintenance Schedule. The Manual and Schedule are to be updated and discussed with City Delivery prior to handover of these assets to Council.
- j. All pipes discharging to the channel are to have an area of plain concrete with a minimum of 2 pipe diameters length in front of the pipe to minimise the potential for plants to grow in this area. Beyond this, the rock size is to be determined on the basis of the predicted velocity and slope of bank. Rocks are to be embedded in concrete to the waist (just above the widest part of the rock) to ensure they cannot be removed. The depth of concrete will be determined to ensure all rocks are fully embedded in concrete. Structural fibre reinforced concrete is to be used around the rocks. Where energy dissipaters or rock lined channels adjoin grassed areas, a concrete edge beam is to be placed to allow councils mowers to run a wheel along this edge. The edge beam is to be designed for such load with minimum dimensions of 500mm deep and 200mm wide. The edge beam is to finish flush with the adjoining turf.
- k. The size of the proposed five-cell culverts at the outlet of the Northern drainage corridor appears to be excessive. The applicant needs to justify the size of the culvert with respect to water quantity ensuring the required freeboard in accordance with Campbelltown City Council's Engineering Design Guideline for development.

- I. While acknowledging that the civil plans reflect a superseded concept for the linear park, the following comments are offered on the superseded bioribbon design:
- i. The proposed 225mm dia pipe at the outlet of the rain garden is not acceptable. Minimum pipe size shall be 375mm. The use of a PVC pipe is not acceptable. The pipe is to be concrete spigot and socket of the appropriate Class. The design details are to be revised and provided to Council's Executive Manager Infrastructure for approval prior to issue of CC.
  - ii. The detail plans of the proposed rain garden and its associated/adjoining components including (but not limited to) level spreader, gabion wall, outlet structure, bioribbon/filter media are to be submitted to CEMI for approval prior to issue a CC.
  - iii. Given no high-flow bypass is proposed for the water quality treatment facility, the applicant needs to demonstrate the scour protection measures attached with its detail plans to CEMI prior to issue a CC.
- r. The plans and details for all Gross Pollutant Traps shall be submitted for approval. These GPTs should remain off line until such time as the earthworks on site are complete and use of the downstream basins as sediment basins is decommissioned.
- s. All splitter pits and high flow bypass systems are to be included in the DRAINS model. The detail plans of splitter pits and high-flow bypass system shall be submitted.
- t. The detail of the proposed rip-rap downstream of the raingarden/s is to be submitted. Rip-rap inside the proposed culverts is not acceptable.

## **15. Work on Public Land**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall obtain written approval from Council for any proposed work on public land. Inspection of this work shall be undertaken by Council at the applicant's expense and a compliance certificate, approving the works, shall be obtained from Council prior to the principal certifying authority issuing a subdivision certificate.

## **16. Telecommunications Infrastructure**

If the development is likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to proposed works must be submitted to the Principal Certifying Authority prior to the issue of a construction certificate.

## **17. Splay Corners**

Prior to the principal certifying authority issuing a construction certificate, the applicant shall provide sufficient area as road reserve to ensure clear site distances are provided at all intersections in accordance with the Council's '*Engineering Design Guide for Development*' at no cost to Council.

For the design of laneway splays, the applicant shall demonstrate the following splay dimensions are achieved to ensure appropriate vehicular movements and promote clear sight distances:

- Where a laneway intersects with a street – 1m x 1m in accordance with a driveway style treatment and subject to landscape tree planting/maintenance restrictions; and
- Where a laneway intersects with another laneway – 3m x 3m.

## **18. 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:

- Light distribution drawings shall be provided.
- All street light luminaires are to be LED.
- The street lighting plan must consider the impact of street tree planting (at planting and mature height and form) on the lighting's effectiveness.

Further, the design and installation of the street lighting is to be such that a separate circuit to residential supply is created.

## **19. 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.

The categories and traffic loadings to be adopted for the design of the road pavements shall be confirmed with Council prior to undertaking final detailed design.

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)*.

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

Roads located in cut shall have subsoil drainage placed at the toe of the cut on the property side of the road reserve to protect the road pavement as well to ensure these areas are provided with adequate drainage.

Laneway cross fall percentages shall be shown on all relevant sections.

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.

## **20. Road Safety Audit**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall prepare and submit a road safety audit to Council for the written approval of Council's Executive Manager – Infrastructure.

In addition to the normal requirements of such an audit, the following shall also be considered:

- the integration of pram ramps into the Elsholz kerb which may have the potential to allow vehicles to mount the area the kerb is trying to prevent access to.

Should the pram ramps require modification in this location it may have implications for the connectivity of the shareway along and across the open space areas.

- The possibility of vehicles leaving the roadway and traversing the batters adjoining drainage works.

## **21. Special Infrastructure Contribution**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall provide evidence that preparations have been made for the payment of the special infrastructure contribution (SIC) 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).

## **22. Construction Management Plan**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall prepare for approval, a Construction Traffic Management Plan, which details the following:

- The expected number of heavy vehicle movements to and from the site during a normal work day.
- The staging locations of plant and other vehicles if they are not intended on being held within the subject site whilst waiting.
- The predominant direction(s) from which heavy vehicles would be approaching the site, with particular regard to the import/export of fill materials.
- Control measures that will be implemented to control the transport of sediment onto public roads.

## **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 works on site.

## **23. 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. The controls shall be designed to ensure that sediment-laden water does not interfere with Lot 114 DP 1218910 and downstream parts of 'South Maxwells Creek'.

## **24. Aboriginal Heritage Impact**

Prior to the commencement of any works on the land, the applicant shall comply with the Aboriginal Heritage Impact Permit C0001134, issued by the Office and Environment and Heritage on 25 June 2015 and the Aboriginal Cultural Heritage Assessment Report (CHAR) prepared by Kelleher Nightingale on 27 August 2010.

The works shall be undertaken in accordance with the conditions (if any) of the permit.

## **25. Traffic Control Plans**

Prior to the commencement of works on the land, the applicant shall prepare and obtain approval from an accredited person, a Traffic Control Plan (TCP) in accordance with the

*State Roads Authority manual "Traffic Control at Work Sites" and Australian Standard AS 1742.3 (as amended).* A copy of the approved TCP shall be kept on site for the duration of the works in accordance with SafeWork NSW requirements. A copy shall be submitted to Council for its records.

## **26. 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.

## **27. Vehicular Access during Construction**

Prior to the commencement of any works on the land, suitable vehicle/plant access to each stage shall be provided, to minimise ground disturbance and prevent the transportation of soil onto any public road system. The access shall be constructed in accordance with Campbelltown City Council'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.

### **28. 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 3.00pm

Council requests that works near existing occupied properties are undertaken at a time and in a manner that does not unreasonably impact on the amenity of that land's residents.

Limited works may be carried out site, being works that do not cause a nuisance to the amenity of surrounding neighbours subject to the following:

Notwithstanding the normal responsibilities of the contractor while on site, where Council receives complaints due to noise, dust or other matter causing nuisance to

neighbouring properties during the hours below, Council may require all works to cease and no further works be commenced during the hours below until a suitable written response to the complaint has been received by Council and measures satisfactory to the Council have been put in place to prevent further nuisance.

Sunday and public holidays

8.00am to 5.00pm

## **29. 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.***

## **30. Excavation and Backfilling**

All excavations and backfilling associated with the approved works must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.

## **31. 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.

## **32. Protection of Existing Trees**

During construction, all trees that are to be retained are to be protected by fencing, firmly staked within the drip line/canopy of the tree and maintained during the duration of the works. The area within the fencing must not be used for stockpiling of any material, nor for vehicle or pedestrian convenience.

All useable trees and shrubs shall be salvaged for re-use, either in log form, or as woodchip mulch for erosion control or garden beds or site rehabilitation. Non-salvable materials such as roots and stumps shall be disposed of to a waste management centre

or other approved form.

**33. Fill Contamination**

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

**34. 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.

**35. 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.

**36. 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.

**37. 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, minimum 1.2 metres wide, separated from the works and moving vehicles by suitable barriers and lights, is maintained for pedestrians, including disabled pedestrians, at all times.

The applicant shall ensure that traffic control is undertaken and maintained strictly in accordance with AS 1742.3, the requirements set out in the NSW Roads and Maritime manual *"Traffic Control at Work Sites" (as amended)*, all applicable Traffic Management and/or Traffic Control Plans. The contractor shall also ensure that all SafeWork NSW requirements are complied with. Council may at any time and without prior notification make safe any such works that be considered to be unsafe, and recover all reasonable costs incurred from the applicant.

**38. Footpaths/Cycleways**

The footpath/cycleway construction shall be to the satisfaction of Council and in accordance with Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and with the design requirements detailed in Council's 'Engineering Design Guide for Development'.

A 300mm wide strip of turf shall be laid immediately behind the kerb to assist with sediment control.

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

### **39. Pavement Thickness Determination**

A road pavement design and pavement thickness report, from a N.A.T.A. registered laboratory appointed by the applicant, in accordance with Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* shall be forwarded to the principal certifying authority a minimum of 2 working days prior to the inspection of exposed sub grade for pavement thickness determination.

### **40. Excess Material**

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

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

Stockpiles should not be placed in a position where they may interfere or otherwise impede the function of the water quality and stormwater management infrastructure under construction.

### **41. Associated Works**

The applicant shall undertake any transitional 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 the extent of work shown on the engineering plans.

### **42. 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.

### **43. Section 73 Certificate**

Prior to the principal certifying authority issuing a subdivision certificate, a Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation. Early application for the certificate is suggested as this can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator.

For help either visit [www.sydneywater.com.au](http://www.sydneywater.com.au) > Building and developing > Developing your Land > Water Servicing Coordinator or telephone 13 20 92.

The Section 73 Certificate must be submitted to Council prior to the release of the subdivision certificate.

#### **44. 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* that may include the following:

- a. Floor Level Control
- b. No Alteration To Surface Levels
- c. Lots Filled
- d. Access Denied
- e. Set Back From Access Denied Roads
- f. Drainage Floor Level Control Easements - (100yr flow, depressed)
- g. No Cut Or Fill - (Geotech Report Required)
- h. Lots with any other restrictions such as refuse collection locations in laneways, setbacks to side boundaries, building envelopes and the like
- i. Asset Protection Zones – as per the Rural Fire Service's requirements
- j. Acoustic Protection – as per the recommendations of the report prepared by Wilkinson Murray (ref. Traffic Noise Assessment, Ref. 16178-N3, Rev. A, dated April 2017).
- k. Landscape tree planting establishment and maintenance – to ensure appropriate driver sight lines at intersections with laneways – various lots
- m. Maintenance and/or replacement of batters along rear of lots where retaining walls are not proposed.

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.

#### **45. 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.

#### **46. Maintenance Security Bond**

Prior to the principal certifying authority issuing a subdivision certificate, a maintenance security bond of 5% of the contract value or \$5000, whichever is the greater, shall be lodged with Council. This security will be held in full until completion of maintenance, minor outstanding works and full establishment of vegetation to the satisfaction of Council, or for a period of six months from the date of release of the subdivision certificate, whichever is the longer. 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.

#### 47. 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)*.

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

Prior to the principal certifying authority issuing an occupation / a subdivision certificate, the applicant shall submit to Council two complete sets of fully marked up and certified work as executed plans in accordance with Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and with the design requirements detailed in the *Campbelltown (Sustainable City) DCP Volume 2 (as amended)*.

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 levels.
- Details of all stormwater infrastructure including pipe sizes and types as well as surface and invert levels of all existing and/or new pits/pipes associated with the development.
- All existing and/or new footpaths, kerb and guttering and road pavements to the centre line/s of the adjoining street/s.
- The surface levels of all other infrastructure.

##### Format

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

##### AutoCAD Option

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

Package Type	-	zip
File Format	-	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 <b>not</b> 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.

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

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

#### **50. Service Authorities**

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

Written advice from *Sydney Water*, *Integral Energy* and where applicable the relevant gas company, 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.

#### **51. 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.

#### **52. Council Fees and Charges**

Prior to the principal certifying authority issuing a subdivision certificate, the applicant shall obtain written confirmation from Council that all applicable Council fees and charges associated with the development have been paid in full. Written confirmation will be provided to the applicant following Council's final inspection and satisfactory clearance of the public area adjacent the site.

#### **53. Public Reserve Treatment**

Prior to the principal certifying authority issuing a subdivision certificate, the applicant shall provide barrier fencing to Council's standard for all public reserve areas where they adjoin public roads. A lockable access point for Council's maintenance vehicles shall also be provided. Its location shall be determined by discussion with Council. Gabion rock walls shall be finished to a safe and hard-wearing standard to minimise maintenance costs.

#### **54. 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.

**55. Site Audit Statement for Land Being Dedicated to Council**

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

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

**56. Vegetation Management Plan**

Prior to the issue of a subdivision certificate, the recommendations of the vegetation management plan (ref. Eco Logical Australia Pty Ltd Vegetation Management Plan, Ref. 4161, dated 23.08.2016 and as amended by Condition 15) 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.

**57. 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. Structural engineer's certificates
- h. 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.

#### **58. 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.

#### **59. 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.

#### **60. Integrated Development**

The following approvals form part of this development consent and shall be read in conjunction with the conditions contained therein. The conditions are attached to this consent following the Advisory Notes.

##### Rural Fire Service:

The bush fire safety authority issued by the Service dated 9 June 2017 (ref. D17/1635 DA17052507447MA).

##### Department of Primary Industries - Water

The general terms of approval issued by the Department on 25 August 2017 (ref. IDAS1101083 ERM2017/464).

## **‘Bush Fire Safety Authority’ – Rural Fire Service**

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

### **Asset Protection Zones**

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

1. At the issue of subdivision certificate the entire property shall be managed as an outer protection area (OPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones' until such time each residential lot is developed.

### **Water and Utilities**

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

- Water and electricity are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.
- Any gas services are to be installed and maintained in accordance with Australian Standard AS1596:2014 'The storage and handling of LP Gas'.

### **Access**

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

2. Public road access shall comply with the acceptable solutions as outlined within section 4.1.3 (1) of 'Planning for Bush Fire Protection 2006'.

### **General Advice – consent authority to note**

This approval is for the subdivision of the land only. Any further development application for class 1,2 & 3 buildings as identified by the 'Building Code of Australia' may be subject to separate application under section 79BA of the EP & A Act and address the requirements of 'Planning for Bush Fire Protection 2006'.

## General Terms of Approval – Department of Primary Industries, Water



Department of  
Primary Industries  
Water

### General Terms of Approval

for proposed development requiring approval  
under s89, 90 or 91 of the Water Management Act 2000

Reference Number: IDAS1101083  
Issue date of GTA: 25 August 2017  
Type of Approval: Controlled Activity  
Description: Residential subdivisions  
Location of work/activity: lot 111 Campbelltown Road BARDIA  
DA Number: 2017/1281  
LGA: Campbelltown City Council  
Water Sharing Plan Area: <Water sharing plan>

The GTA issued by DPI Water do not constitute an approval under the *Water Management Act 2000*. The development consent holder must apply to DPI Water for the relevant approval **after** development consent has been issued by Council **and before** the commencement of any work or activity.

Condition Number	Details
<b>Design of works and structures</b>	
GT0009-00001	Before commencing any proposed controlled activity on waterfront land, an application must be submitted to DPI Water, and obtained, for a controlled activity approval under the Water Management Act 2000.
GT0013-00001	A. Any proposed controlled activity carried out under a controlled activity approval must be directly supervised by a suitably qualified person. B. A copy of this approval must be: i. kept at the site where the controlled activity is taking place, and ii. provided to all personnel working on the controlled activity.
GT0018-00001	Before constructing or carrying out any proposed controlled activity, an application must be submitted to DPI Water, and obtained, for a controlled activity approval under the Water Management Act 2000.
GT0019-00001	Any proposed excavation on waterfront land must be undertaken in accordance with a plan submitted as part of a controlled activity approval, to be approved by DPI Water.
<b>Erosion and sediment controls</b>	
GT0006-00001	The following plan(s): - Erosion and Sediment Controls Plan must be: A. prepared in accordance with Managing Urban Stormwater: Soils and Construction, Volume 1 (Landcom, 2004), as amended or replaced from time to time, and B. submitted with an application for a controlled activity approval.
GT0014-00001	A. The consent holder must ensure that any proposed materials or cleared vegetation, which may: i. obstruct water flow, or ii. wash into the water body, or iii. cause damage to river banks, are not stored on waterfront land, unless in accordance with a plan held by DPI Water as part of a controlled activity approval. B. When the construction of the controlled activity has been completed, surplus materials must be removed from waterfront land.
GT0021-00002	The proposed erosion and sediment control works must be inspected and maintained throughout the construction period of the controlled activity and must not be removed until the site is fully stabilised.
<b>Plans, standards and guidelines</b>	
GT0002-00015	A. This General Terms of Approval (GTA) only applies to the proposed controlled activity described in the plans and associated documents found in Schedule 1, relating to Development Application 2017/1281 provided by Council to DPI Water. B. Any amendments or modifications to the proposed controlled activity may

Level 11, 10 Valentine Avenue, Parramatta, NSW 2124 | LOCKED BAG 5123, Parramatta, NSW 2124  
water.enquiries@dpi.nsw.gov.au | www.water.nsw.gov.au





## General Terms of Approval

for proposed development requiring approval  
under s89, 90 or 91 of the Water Management Act 2000

<b>Reference Number:</b>	IDAS1101083
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<b>Location of work/activity:</b>	lot 111 Campbelltown Road BARDIA
<b>DA Number:</b>	2017/1281
<b>LGA:</b>	Campbelltown City Council
<b>Water Sharing Plan Area:</b>	<Water sharing plan>
	render the GTA invalid. If the proposed controlled activity is amended or modified, DPI Water, Parramatta Office, must be notified in writing to determine if any variations to the GTA will be required.
GT0004-00001	A. A security deposit must be provided, if required by DPI Water. B. The deposit must be: i. a bank guarantee, cash deposit or equivalent, and ii. equal to the amount required by DPI Water for that controlled activity approval.
GT0005-00007	A. The application for a controlled activity approval must include the following plan(s): - Council's stamped DA approved plans, watercourse crossings; outlet structures; Erosion and Sediment Control Plan; Soil and Water Management Plan; Vegetation Management Plan; in-stream works. B. The plan(s) must be prepared in accordance with DPI Water's guidelines located on the website <a href="http://www.water.nsw.gov.au/water-licensing/approvals/controlled-activity">http://www.water.nsw.gov.au/water-licensing/approvals/controlled-activity</a> .
GT0010-00001	All documents submitted to DPI Water as part of an application for a controlled activity approval must be prepared by a suitably qualified person.
GT0012-00001	Any proposed controlled activity must be carried out in accordance with plans submitted as part of a controlled activity approval application, and approved by DPI Water.
<b>Rehabilitation and maintenance</b>	
GT0007-00001	When the proposed controlled activity is completed, and the rehabilitation plan has been implemented, maintenance of the site must be carried out for a period of 2 years in accordance with that rehabilitation plan submitted as part of the controlled activity approval, and approved by DPI Water.
<b>Reporting requirements</b>	
GT0015-00002	A. A written report must be provided on the controlled activity carried out under a controlled activity approval to DPI Water, Parramatta Office. B. Each report must: i. address the implementation requirements of the plan(s) being submitted as part of the controlled activity approval, and ii. be submitted at the interval(s) specified in the plan(s). C. The report must be approved by DPI Water before the controlled activity can commence.
GT0016-00001	The consent holder must inform DPI Water in writing when any proposed controlled activity carried out under a controlled activity approval has been completed.
GT0017-00001	When required: A. a suitably qualified person must provide a certificate of completion for any controlled activity carried out under a controlled activity approval, and B. the certificate must be sent to DPI Water.
GT0020-00001	The consent holder must inform DPI Water in writing when the proposed construction of the controlled activity has been completed.

## **SCHEDULE 1**

The plans and associated documentation listed in this schedule are referred to in general terms of approval (GTA) issued by DPI Water for integrated development associated with 2017/1281 as provided by Council:

- SEE
- VMP for Stage 3
- Subdivision Plans

## **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 subdivision certificate prior to registration of the linen plans with NSW Land and Property Information.

### **Advice 2. Inspection Within Public Areas**

All works within public areas are required to be inspected at all stages of construction and approved by Council prior to the principal certifying authority releasing the Occupation Certificate.

### **Advice 3. Adjustment to Public Utilities**

Adjustment to any public utilities necessitated by the development is required to be completed prior to the occupation of the premises and in accordance with the requirements of the relevant Authority. Any costs associated with these adjustments are to be borne by the applicant.

### **Advice 4. 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 5. 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 6. Salinity**

Please note that Campbelltown is an area of known salinity potential. As such any salinity issues should be addressed as part of the construction certificate application. Further information regarding salinity management is available within Council's '*Engineering Design Guide for Development*'.

#### **Advice 7. Telecommunications Act 1997 (Commonwealth)**

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

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

#### **Advice 8. Bonds and Bank Guarantees**

All bonds are to be provided in the form of Cash or a written Bank Guarantee from an Australian Banking Institution except where UrbanGrowth NSW is the applicant in which instance Council will accept a letter of undertaking. Bonds will not be accepted in any other form or from any other institution.

#### **Advice 9. Asbestos Warning**

Should asbestos or asbestos products be encountered during construction or demolition works you are advised to seek advice and information prior to disturbing the material. It is recommended that a contractor holding an asbestos-handling permit (issued by Work Cover NSW), be engaged to manage the proper disposal and handling of the material. Further information regarding the safe handling and removal of asbestos can be found at:

[www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)  
[www.nsw.gov.au/fibro](http://www.nsw.gov.au/fibro)  
[www.adfa.org.au](http://www.adfa.org.au)  
[www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au)

Alternatively, call Work Cover Asbestos and Demolition Team on 8260 5885.

#### **Advice 10. Dial Before You Dig**

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

If alterations are required to the configuration, size, form or design of the development upon

contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary.

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

#### **Advice 12. Roads and Maritime NSW**

The following notes have been provided by Roads and Maritime NSW and must be read in conjunction with this consent at all times.

Roads and Maritime has reviewed the submitted application and has the following comments for Council's consideration in the determination of the application:

1. The development site is affected by the proposed Campbelltown Road Upgrade Project that has identified possible further widening and easements along this corridor as shown on the attached sketches SR 3338, SR 3337 and SR 2226. If the project is progressed the proposed easements may not be required or will be extinguished upon completion of designated work.

The site is also subject to a proposed lease to Roads and Maritime Services as shown by green hatching on the attached sketches.

All new buildings and structures (including bulk earthworks), together with any improvements integral to the future use of the site, are to be erected clear of the land required for road, the identified easements and lease areas (unlimited in height or depth).

2. Access is denied across the property boundary to Campbelltown Road, including the period of road widening upgrade works.
3. Any noise mitigation works (including foundations) required for the proposed development need to be contained fully within the developer's land, at the developer's cost.
4. Detailed design plans and hydraulic calculations of any changes to Roads and Maritime's stormwater drainage system are to be submitted to Roads and Maritime for approval, prior to the commencement of any works. Details should be forwarded to [suppiah.thillai@rms.nsw.gov.au](mailto:suppiah.thillai@rms.nsw.gov.au)

A plan checking fee will be payable and a performance bond may be required before Roads and Maritime approval is issued. With regard to the Civil Works requirement please contact the Roads and Maritime Project Engineer, External Works Ph: 8849 2114.

5. All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on Campbelltown Road.
6. A Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on traffic flows on Campbelltown Road during construction activities.
7. The swept path of the longest vehicle (including garbage trucks, building maintenance vehicles and removalists) entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS.
8. A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to

Council for approval prior to the issue of a Construction Certificate.

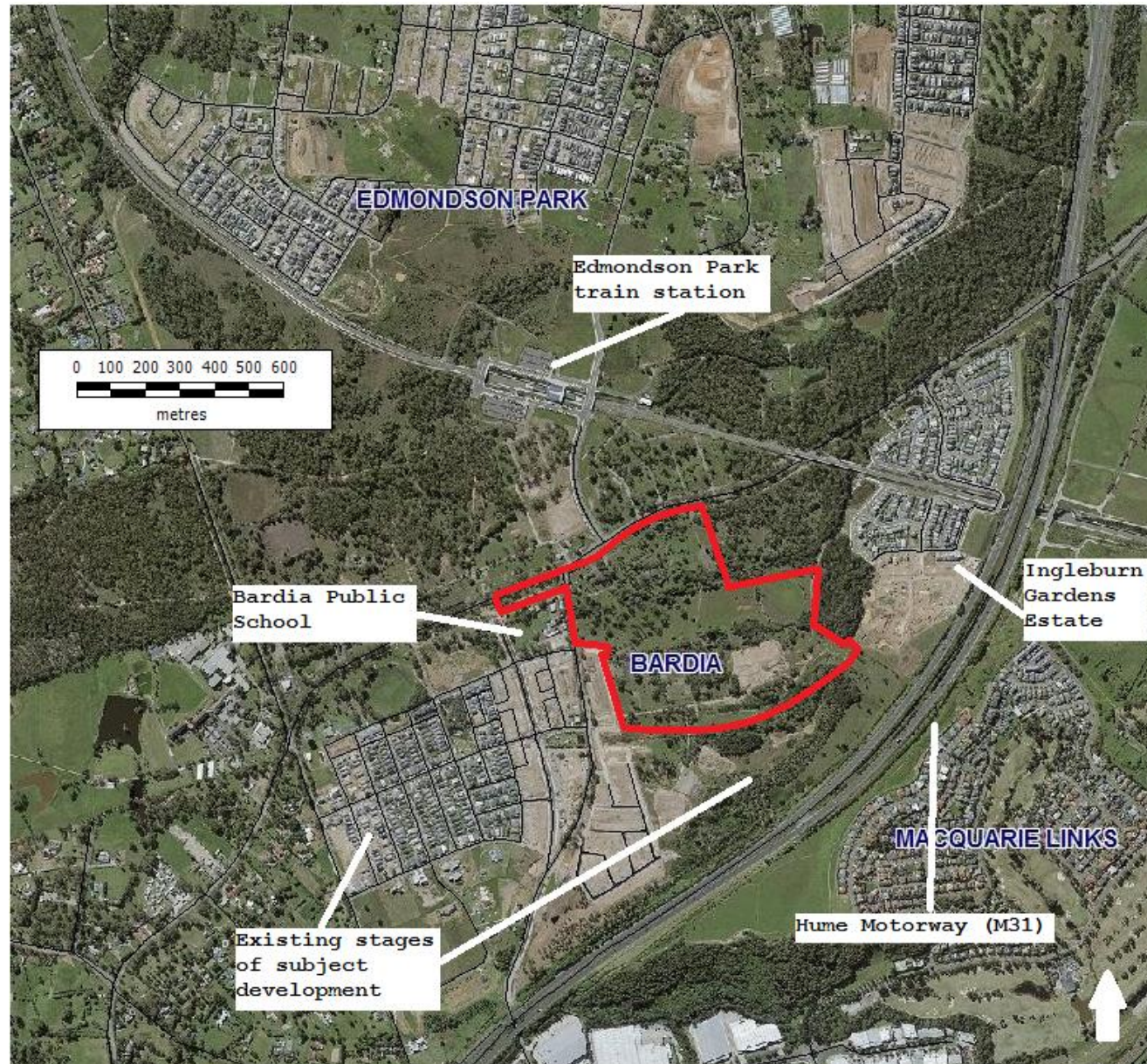
9. Any temporary and/or permanent relocation of utility services adjacent to the Roads and Maritime road corridor requires prior consultation and approval from Roads and Maritime Services.
10. The proponent is required to liaise with Roads and Maritime's Project Manager Ms Nanthini Easwaran (Nanthini.EASWARAN@rms.nsw.gov.au or 02 9352 9545) in relation to construction access, finished road design levels, earthworks for batters, utility plans, drainage and landscaping works adjacent to and/or connecting to Campbelltown Road. The developer is to obtain relevant approval/s from the Project Manager prior to commencing construction work and must be scheduled not to conflict with any Roads and Maritime Services activities.
11. All works/regulatory signposting associated with the proposed development are to be at no cost to Roads and Maritime Services, as well as not delay or hinder any road improvement works being undertaken on Campbelltown Road by Roads and Maritime Services and/or relevant contractors.

**END OF CONDITIONS**



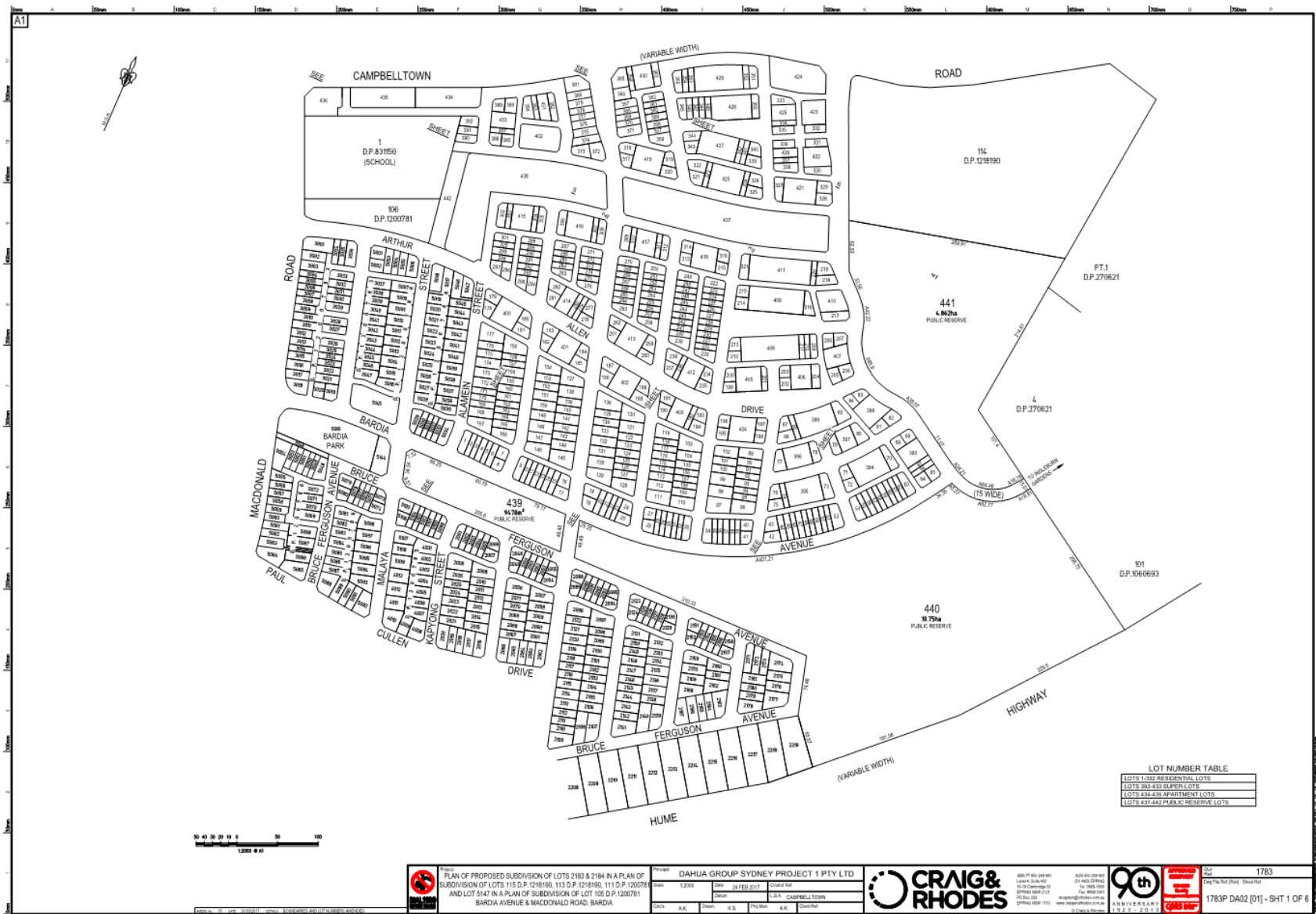


## ATTACHMENT 2 – Location plan





ATTACHMENT 3 – Subdivision plan



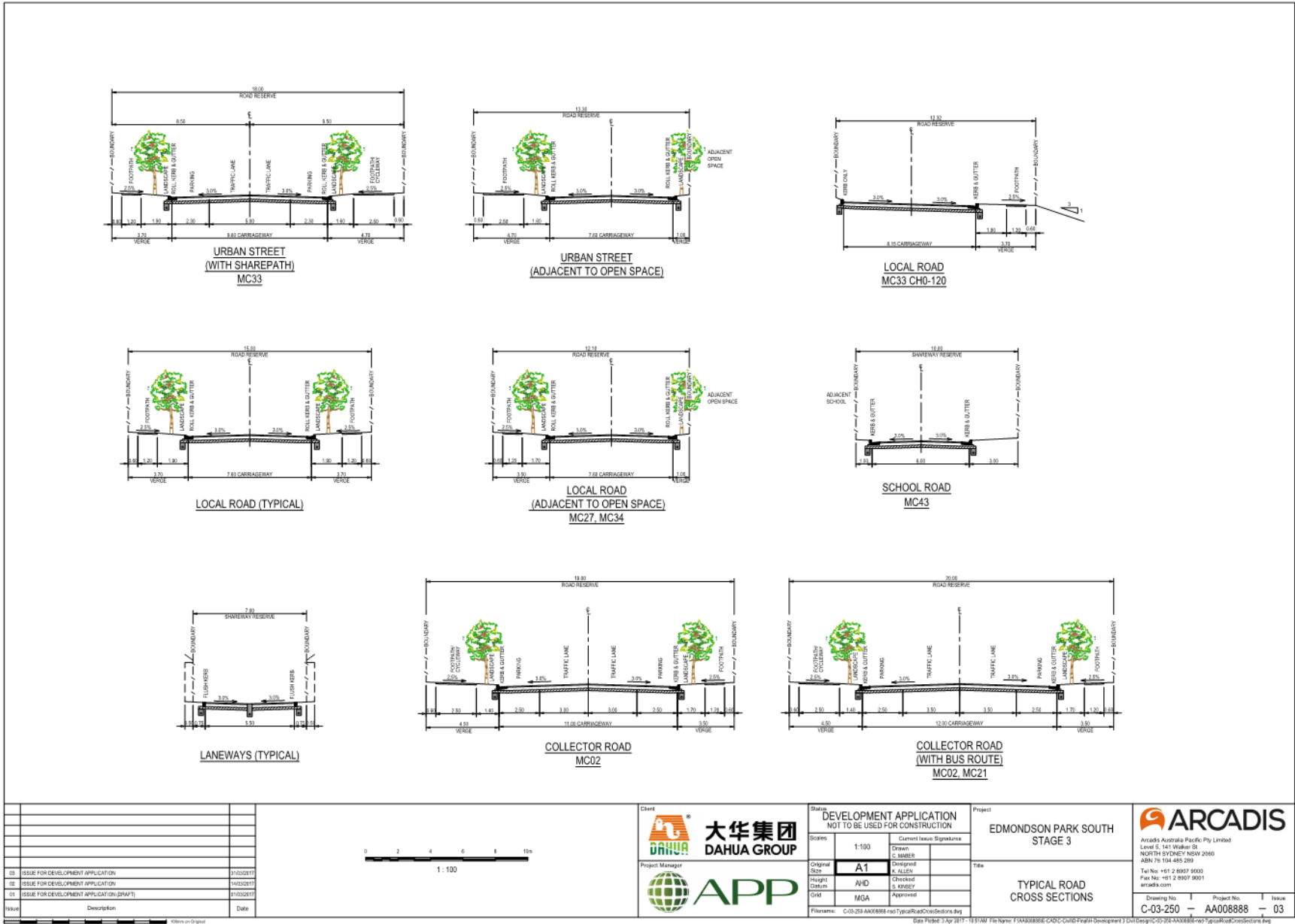


## ATTACHMENT 4 – Landscape master plan

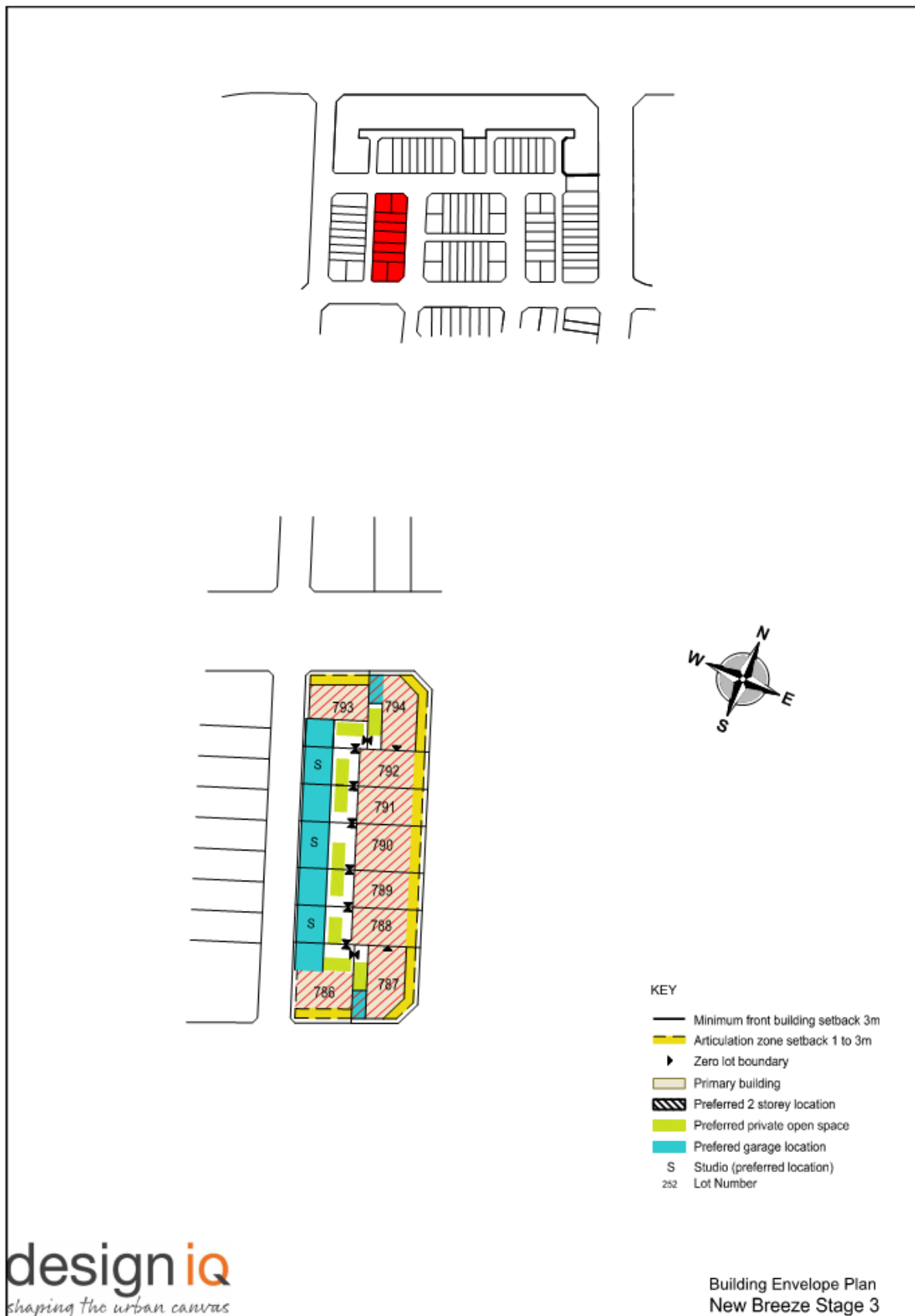
### PRECINCT MASTER PLAN



ATTACHMENT 5 – Typical road cross sections



## ATTACHMENT 6 – Typical building envelope plan



**END OF REPORT**