
Airds Pond Embellishment Works

Construction of a new access road, landscape and open space infrastructure embellishment works to the new pond and surrounding parklands

Community Strategic Plan

Objective	Strategy
4 Outcome Four: A Successful City	4.3 - Responsibly manage growth and development, with respect for the environment, heritage and character of our city

Applicant

This development application is lodged pursuant to Part 4 of the Environmental Planning and Assessment Act 1979 ("the EP&A Act") and is a Crown development application. The applicant is the Landcom. Landcom is a public authority for the purposes of the Environmental Planning and Assessment Act 1979.

Referral Criteria

The consent authority for the subject development application is the Sydney Western City Regional Planning Panel, as the development has a capital investment value of over \$5 million as outlined in Schedule 7 of the State Environmental Planning Policy (State and Regional Development) 2011.

"Schedule 7 Regionally Significant Development

4 Crown development over \$5 million

Development carried out by or on behalf of the Crown (within the meaning of Division 4.6 of the Act) that has a capital investment value of more than \$5 million."

Executive Summary

Council is in receipt of a development application for the construction of a new access road, landscape and open space infrastructure embellishment works to the new Airds pond and surrounding parkland.

The application has been amended and SEE (Rev 2) has been re-issued (in July 2021) to remove all references to the previously sought subdivision works which are no longer proposed as a component of this DA.

The subject site is zoned R2 Low Density Residential and B1 Neighbourhood Centre under the provisions of the Campbelltown Local Environmental Plan 2015 (CLEP 2015).

The application was notified to nearby and adjoining properties, in accordance with Council's Notification Policy between the 13 April 2021 and 28 May 2021. No submissions were received by Council for the proposed works.

The proposed works seek to deliver high quality landscape and open space infrastructure to cater for the recreational and passive needs of the local community that is consistent with the NSW Government Architect's Greener Places design framework.

This development application should be read in conjunction with DA 2854/2020/DA-CW, for the bulk earthworks associated with the existing pond site. The preceding DA seeks to expand the size of the pond area as part of the previously approved precinct stormwater and open space strategy. It is an item within the Airds Bradbury Renewal Project Planning Agreement between Council and NSW Land and Housing Corporation.

The capital investment value of the proposal is \$11.456m. Pursuant to Section 4.5(b) of the EP&A Act and Schedule 7 of State Environmental Planning Policy (State and Regional Development) 2011, the Sydney Western City Regional Planning Panel is the consent authority for the proposal.

Furthermore, it is noted that the application has been submitted as "*development by the Crown*" pursuant to Part 4, Division 4.6 of the *Environmental Planning & Assessment Act 1979*. As a result draft conditions of consent were forwarded to Landcom for consideration on Monday 11 March 2022, concurrence was received 20 April 2022.

An assessment under Section 4.15 of the Environmental Planning and Assessment Act 1979 has been undertaken and the application is recommended for approval, subject to the recommended conditions.

It is recommended to the Panel that the application be approved, subject to the recommended conditions of consent detailed in Attachment 1.

Officer's Recommendation

Development Application 774/2021/DA-SW for landscape embellishment works to the Airds Pond be approved, subject to the recommended conditions of consent in Attachment 1.

DA Number	774/2021/DA-SW
Reporting Officer	Alexandra Long
Proposed Development	Construction of a new access road, landscape and open space infrastructure embellishment works to the new pond and surrounding parklands
Property Description	Lot 6 DP 1232894, Lot 747 DP 259553, Lot 751 DP 259553, Lot 745 DP 255810 Riverside Drive, Airds
Applicant	Landcom
Owner	NSW Land & Housing Corporation
Date of Lodgement	13 April 2021 and as amended 16 July 2021 (updated SEE), 17 August 2021 (updated Civil plan package), 19 October 2021 (updated Landscape Plan package) and 26 October 2021.
Cost of Works	\$11,456,074
Number of Submissions	No submissions received
List of all Relevant Section 4.15 matters of the Environmental Planning and Assessment Act, 1979	<ul style="list-style-type: none"> • State Environmental Planning Policy (Transport and Infrastructure) 2021 • State Environmental Planning Policy (Resilience and Hazards) 2021 • State Environmental Planning Policy (Biodiversity and Conservation) 2021 • Campbelltown Local Environmental Plan 2015 • Campbelltown (Sustainable City) Development Control Plan 2015 • Campbelltown (Sustainable City) Development Control Plan 2015 – Volume 2: Site Specific DCPs: Part 9 – Urban Renewal Areas Airds Claymore • Campbelltown Local Strategic Planning Statement
Recommendation	Approval, subject to conditions

Background

The Airds Bradbury Urban Renewal Project (ABURP) comprises the long term urban rejuvenation of the Airds Bradbury public housing estate in the Campbelltown Local Government Area (LGA).

The ABURP is the subject of a Concept Plan approval issued by the Minister for Planning (the Minister) pursuant to Part 3A (transitional arrangements) of the Environmental Planning and Assessment Act 1979.

Director General Requirements (DGRS) were issued for the project on 10 December 2010 and Campbelltown City Council was delegated the authority to undertake the environmental assessment of the Concept Plan. The environmental assessment was undertaken between June 2011 and December 2011; culminating in a Council resolution to support the project at the Council meeting of 13 December 2011 and further updated on 3 July 2012.

A Concept Plan approval was subsequently issued by the Minister on 24 August 2012, followed by a Section 75R (3A) Order on 24 May 2013 which amended the zoning of the project land to be consistent with the approved Concept Approval.

The Concept Approval was amended on 22 October 2013 in relation to development contributions, to reference the letter of offer to Council to provide greater certainty regarding the nature of contributions and timing of the delivery of the contributions. The modification also sought to amend the timing for execution of the contributions agreement to Stage 3 of the development.

At the time of the Concept Plan approval, the Airds Bradbury estate comprised approximately 1,542 dwellings, built during the 1970s and early 1980s. Of these, 94% are in public ownership, with only 91 dwellings privately owned.

The ABURP sought to rejuvenate the locality through a revised street layout, improved parks, public areas, new and upgraded community facilities and importantly, a more diverse socio-economic resident population.

Under the Concept Plan, townhouse areas will be demolished and redeveloped, whilst existing cottages will be selectively upgraded.

In summary, the Concept Plan comprises:

- An increase of approximately 562 dwellings;
- Retention of approximately 880 existing dwellings on separate lots;
- A more diverse social mix with 70% private housing and 30% public housing;
- Formalisation and reinvigoration of the Airds Town Centre;
- New and upgraded urban infrastructure including pathways, lighting, open space, community facilities, drainage and new interconnecting public roads;
- A Staging Plan;
- A utilities and infrastructure Delivery Plan;
- Airds-Bradbury Development Control Guidelines; and

- A street tree and landscaping strategy.

The former Sydney South West Planning Panel (SSWPP) and Sydney Western City Planning Panel (SWCPP) have issued consents for Stages 1, 2, 4 and 6 of the ABURP in November 2013, April 2014, September 2019 and February 2019 respectively.

Consent has been granted under Council delegation for Stage 3 of the ABURP on 11 December 2017 (DA No. 2678/2016/DA-SW).

History

1610/2012 - Stage 1

Subdivision creating 184 residential allotments and one open space lot including associated works was approved by Sydney West Joint Regional Planning Panel on 6 November 2013.

2978/2013 - Stage 2

Subdivision to create 132 allotments, two open space lots, one lot for existing seniors housing development and associated works was approved by the Joint Regional Planning Panel on 3 April 2014.

Construction of Stages 1 and 2 is complete with new titles registered and sold.

2678/2016/DA-SW - Stage 3

Development application for Stage 3 of Airds Bradbury Urban Renewal Project, including subdivision of land to create 54 residential lots, 3 super lots and construction of associated road works, landscaping and civil works was approved under Council delegation on 11 December 2017.

Construction of Stage 3 is complete with new titles registered and sold.

3742/2016/DA-CW – Kevin Wheatley Playing Fields

A development application for the establishment of new playing fields including earthworks, retaining walls, fencing, lighting installation and landscaping at Kevin Wheatley VC Reserve

Conditions of consent imposed under development consent 2678/2016/DA-SW required the stormwater strategy to be resolved for the site prior to the issue of a Construction Certificate which resulted in further amendments to the playing fields application to accommodate the required design outcomes to manage stormwater across the precinct.

1644/2017/DA-S - Deanne Park, Briar Road

A development application for subdivision into seven residue allotments was approved by Council under delegated authority on 7 September 2017. This consent related to the existing lots which formed part of this application.

The paper subdivision has been completed.

497/2017/DA-SW - Stage 4

A development application for the subdivision of land to create 159 Torrens titled residential lots, 1 lot containing an existing community facility, 7 residue lots, roads and associated civil

and landscape works being Stage 4 of the Airds-Bradbury Urban Renewal Project was approved by the Sydney Western City Regional Planning Panel in September 2019.

The proposed subdivision works have commenced and that basin works are required to be completed to enable the release of the subdivision certificate.

2138/2017/DA-SW - Stage 6

A development application for subdivision into 144 residential allotments and associated civil works for Stage 6 of the Airds Bradbury Renewal Project was approved by the Sydney Western City Regional Planning Panel in February 2019.

Stage 6 subdivision works have commenced.

3740/2016/DA-CW

Application approved subject to conditions for the construction of a road extension to Campbellfield Avenue between St Johns Road to Riverside Drive including earthworks, boundary adjustments for 16 residential lots, demolition of houses, landscaping and installation of associated services at Campbellfield Ave, Creigan Rd and St Johns Rd, Bradbury and Riverside Dr, Airds at Riverside Inn, 48 Riverside Dr, Deane Pk, Briar Rd, Airds, 3-9 & 15 Summers Pl, 11-13 & 22-24 Karingal Pl, 174 -178 St Johns Rd, 6-8 Docharty St, 7-9 Karingal Pl, 47-49 Creigan Rd, 1-9 Croft Bradbury.

Works have commenced.

Sydney Western City Planning Panel

A briefing meeting was held with the Panel on Tuesday 15 June 2021.

The following key issues were discussed:

- "This development is nominated as part of Stage 4 of the Airds Bradbury Renewal scheme for which concept approval has been granted. Stage 4 is otherwise approved. The bulk earthworks DA must be approved before, or concurrently, with this DA.
- Contamination is an issue for the site, but the RAP is the subject of the bulk earthworks DA.
- The pond embellishment works appear to be consistent with the original concept approval, and the new access road is reported to be consistent with the Campbellfield Rd roundabout intersection planning.
- The issue of koala impacts is currently being examined as part of an application for a s.34A certificate. The Panel would be grateful for an update as to progress with that application, noting that the Biodiversity Conservation Act may otherwise apply if the s.34A certificate does not issue.
- The adjoining land is the subject of a Land & Environment Court appeal. The DA for a supermarket and commercial tenancies had impacted upon this development application in terms of drainage, but a new scheme no longer diverts stormwater to the ponds on this site. Council staff reports that no other critical issue arises for this DA from the neighbouring DA.
- The Panel suggests that the relationship between the new community centre and the adjoining shopping centre be considered with the assessment of both DAs in the hope of improving the relationship between the two.
- The future community centre lot meets the minimum lot size under the applicable VPA for the concept approval, but the Council staff is concerned that a site area greater than the minimum required under the VPA is needed to meet the minimum requirements for

the delivery of community infrastructure required. The Council has queried whether the subdivision portion of the DA ought for that reason be deferred. The Panel would need further information about the issue to form a view on that subject.”
(Attachment 2 – Record Briefing)

Airds Bradbury Concept Plan

The proposed subdivision and embellishment works to the Pond falls within the area of the concept plan.

An excerpt of the concept plan showing the area affected by the proposed embellishment works is provided below:



Site and Surrounds

The subject site forms part of the urban renewal area for Airds, Bradbury and Claymore.

It forms part of the Airds neighbourhood centre zoned lands and existing pond area within the ABURP. The site is located on the western side of Riverside Drive, 150m north of the intersection with Briar Road and 350m to the east of St Johns Road. It is located north of Airds High School and immediately to the south of the existing Airds Village Shopping Centre.



Interface with Towner Avenue/Campbellfield Avenue

The site is in the heart of the renewal area and comprises the southern portion of the Airds Neighbourhood Centre which will include future local retail and community services. It comprises a total land area of approximately 3.6 hectares and has a 95m frontage to the western side of Riverside Drive.

The site comprises four (4) existing allotments legally described as shown below:

Lot	DP	Existing Details
6	1232894	Comprises the existing pond and reserve areas with a small at-grade car park
747	259553	Comprises the internal roadway, some at-grade car parking and trees
745	255801	Comprises concrete slab of demolished structure and hardstand
751	259553	Comprises the Campbelltown-Airds Indoor Sports / Community Centre facility and car parking



The land falls from east to west, gradually from Riverside Drive to the west through the car park and hardstand driveway areas and again beyond the western side of the existing pond.

According to the detailed survey prepared by Cardno, the depth of the existing dam varies from 1.3m to 2.5m measured to the top of bank.

The existing pond is classified as a watercourse as identified under the Water Management Act, 2000. Riparian vegetation, predominantly underlain by weeds exists along the banks of the pond and several native trees of varying sizes are scattered across the subject site.

The site comprises predominantly vacant allotments utilised as community parking and access to the south of the local neighbourhood centre. The existing sports and community centre is utilised by numerous community groups for a range of meetings, sporting and other recreational activities.



The area around the existing pond comprises a walking track with some signage and public art installations which are proposed to be replaced and upgraded as part of the proposed works. The existing park pond also comprises turfed and garden areas utilised by the public for passive recreation.



Site Constraints Table

Site Constraints	Applicable to this site
Bushfire Prone Land	Not Applicable
Flood Affected	Not Applicable
Overland flow affected	Applicable
Mine Subsidence	Not Applicable

Noise Affected Property	Not Applicable
Aboriginal Sensitivity Zone	Not Applicable
Koala Habitat	Not Applicable
Jemena Gas Line	Not Applicable
Transgrid Electrical Easement	Not Applicable
Easements	Not Applicable
Tree Removal	Not Applicable
Biodiversity Impacts	Not Applicable
Heritage Item	Not applicable

Proposal

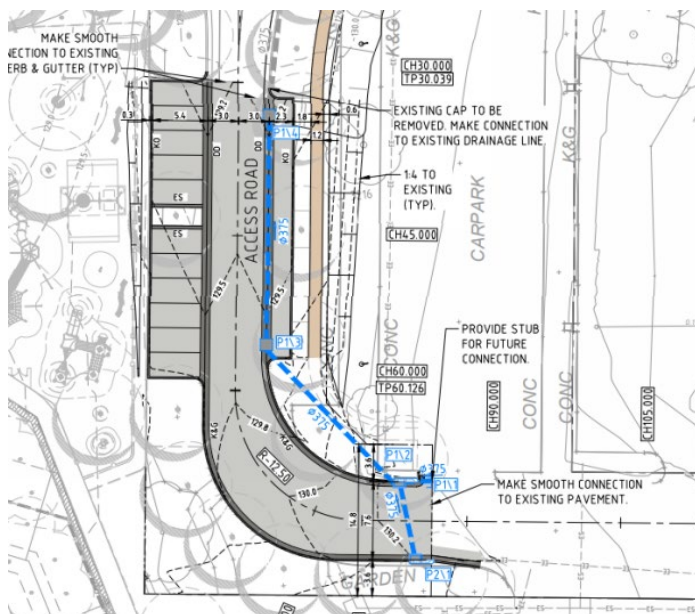
This development application seeks approval for the following:

- Construction of a new access road extending south from Campbellfield Avenue between the Pond Park (to the west) and the future neighbourhood centre (to the east);
- Landscape and open space infrastructure embellishment works associated with the new pond and surrounding parklands.

New Road

A new 17.6m wide public road corridor is proposed to provide access into the Pond Park and the proposed neighbourhood centre allotments from Campbellfield Avenue.

The road is to comprise of a 13.7m carriageway including 90° parking for 11 spaces, dual lanes of 3m each and kerbside parallel parking at 2.3m. A landscaped verge of 3.6m comprising a 1.2m wide footpath is proposed along the neighbourhood centre side of the street (eastern side).



Proposed new access way

Construction of the new road/accessway will include the extension of the existing public drainage network on Campbellfield Avenue incorporating new in-ground drainage pipes, pits and kerbs to collect overland stormwater flows.

Embellishment of Pond Park

The Pond Park is to be embellished with landscaping and open space infrastructure to create a new vibrant and attractive space for the growing community.

Key features of the proposal include:

- Creation of a koala refuge corridor landscaped with native tree species;
- Construction of a 2m circuit pathway around the newly formed pond with secondary pathways;
- Timber platform lookout and contoured seating;
- Open turfed areas, ornamental gardens, shade structures and picnic facilities;
- New playgrounds and amenities;
- Public art installations.



The landscape plan has been developed in such a way that additional design elements have been detailed to allow for construction if additional findings above the VPA is sourced.

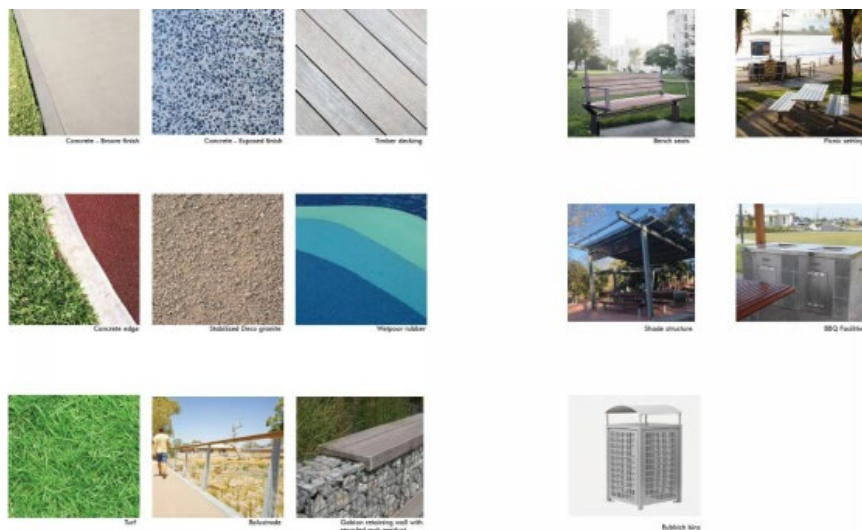
Images of indicative Elements

The applicant has included indicative imagery of the proposed play spaces, public art, boardwalk and shade structures, seating and barbeque areas within the open space, as follows:



Materials & Finishes

Indicative material and plant palettes have also been provided including concrete paving, wet-pour rubber, gabion retaining walls with recycled rock and a mix of timber and stainless steel.



Planting Typologies

The applicant has noted different planting typologies grouping into four (4) typologies comprising:

- Typology 1: Koala Corridor Planting
 - This area extends only to the designated Koala Refuge along the Campbellfield Avenue corridor. It includes the selected tree species that provide the Koala population with both shelter for refuge and habitat food source. The low level planting to the understorey allows for unobstructed views across the Pond from Campbellfield Ave and vice versa.
- Typology 2: Parkland Ornamental Planting

- Parkland tree species are to provide park users with opportunities for shade within the pond precinct. Both broad spreading canopy tree and deciduous tree provide climate control and colour variation during the seasons. Mass planted zones provide colour and texture to create interesting spatial experiences, while retaining passive surveillance to the surrounding areas.
- Typology 3: Waterside Planting
 - Planting species are suitable to be planted on the edge of the Pond and the embankment that experience temporary inundation during rain and storm events. Native grasses, tufts, and some sedges make up this composition. An established plant community provides an ecological system for local fauna and invertebrates.
 - Typology 4: Marginal Planting
 - Planting species under this typology thrive right on the waters edge, living in a permanently inundated environment with a water depth between 0 - 200 mm. The plants are known as macrophytes and play an important role in water quality. Species comprise of sedges and rushes. An established plant community provides an ecological system for local aquatic life, fauna, and invertebrates.



Report

The development has been assessed in accordance with the heads of consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979, and having regard to those matters, the following issues have been identified for further consideration.

1. Campbelltown Local Strategic Planning Statement

This 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 'Campbelltown Local Strategic Planning Statement is a vision statement of broad town planning intent for the longer term future of the City of Campbelltown that contributes to the community objectives of:

- A vibrant, liveable city;
- A respected and protected natural environment;
- A thriving, attractive city; and
- A successful city.

The development application has been assessed with regard to the desired outcomes and objectives identified within the Local Strategic Planning Statement.

It is considered that the proposed embellishment works are generally consistent with the long term vision for the Airds Bradbury locality and the Macarthur Region as a whole having regard to the character and impact upon the community precinct.

2. Section 4.15(1)(a)(i) The provisions of any environmental planning instrument

State Environmental Planning Policy (Biodiversity and Conservation) 2021 Chapter 11 Georges River Catchment

The proposal falls within the Georges River Catchment and thus this policy applies. The general aims and objectives of this plan are as follows:

Clause 11.4 Aims and Objectives

- (a) to maintain and improve the water quality and river flows of the Georges River and its tributaries and ensure that development is managed in a manner that is in keeping with the national, State, regional and local significance of the Catchment,
- (b) to protect and enhance the environmental quality of the Catchment for the benefit of all users through the management and use of the resources in the Catchment in an ecologically sustainable manner,
- (c) to ensure consistency with local environmental plans and also in the delivery of the principles of ecologically sustainable development in the assessment of development within the Catchment where there is potential to impact adversely on groundwater and on the water quality and river flows within the Georges River or its tributaries,
- (d) to establish a consistent and coordinated approach to environmental planning and assessment for land along the Georges River and its tributaries and to promote integrated catchment management policies and programs in the planning and management of the Catchment,
- (e) to provide a mechanism that assists in achieving the water quality objectives and river flow objectives agreed under the Water Reform Package.

The proposal does not conflict with any of the relevant provisions and is therefore considered acceptable in this regard.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of Land

Clause 4.1 Object of this Chapter:

- (1) The object of this Policy is to provide for a State-wide planning approach to the remediation of contaminated land.*
- (2) In particular, this 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:*
 - a. by specifying when consent is required, and when it is not required, for a remediation work, and*
 - b. by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and*
 - c. by requiring that a remediation work meet certain standards and notification requirements.*

Remediation has been addressed within the previous application for reconstruction and bulk earthworks to the Airds Pond (2854/2020/DA-CW). Zoic prepared a Detailed Site Investigation (Phase 2 Contamination Investigation) which examined the contamination potential and conditions of the property (Lot 6 DP1232894) – being the pond lot. The investigation included drilling of boreholes at 5 locations, collection of soil and groundwater samples and collection of dam wall sediment samples.

Based on the findings of the investigation the report arrived at the following conclusions:

- A zinc hotspot (approximately 570m²) was identified within the sediment in the south-western portion of the pond that exceeded ecological criteria. This sediment will be required to be disposed of off-site.
- Sediment of the dam wall exceeds ecological criteria for TRH fraction F2 and zinc.
- All sediment is suitable to be retained on-site provided that the general litter and deposited asphalt with the pond sediment bed are removed and disposed of off-site.
- Pond surface water indicated presence of some metals above ecological criteria and bacteria above secondary contact health criteria.

Zoic recommended that remedial works be undertaken as a component of the earthworks under the scope of DA 2854/2020/DA-CW. Subject to these remedial works being undertaken the site can be made suitable for use as open space and recreation purposes, hence satisfying the considerations under Clause 7 of SEPP 55.

Conditions of consent were included to manage contamination risks during construction within the previous bulk earthworks application (2854/2020/DA-CW).

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 3 Koala Habitat Protection 2020

Clause 3.1 Aims of this Chapter

This Chapter aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline—

- (a) *by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat, and*
- (b) *by encouraging the identification of areas of core koala habitat, and*
- (c) *by encouraging the inclusion of areas of core koala habitat in environment protection zones.*

The subject site is mapped as Core Koala habitat comprising a total site area of greater than 1 hectare. As noted within the preceding bulk earthworks application (2854/2020/DA-CW) it contains 16 preferred koala feed trees from five listed in the SEPP (Schedule 2) including; (*Corymbia maculata*, *Eucalyptus microcorys*, *E. moluccana*, *E. viminalis*, and *Casuarina glauca*).

Accordingly, the SEPP applies to the site and a Koala Assessment Report has been prepared by Cumberland Ecology as a component of the broader Flora and Fauna Assessment undertaken for the site.

There have been 467 records of koala sightings within 2.5km of the site over the past 18 years, however, there have been no koala records within the site. Although the site is mapped as Core Koala Habitat, the report confirmed that the site only supports a very small patch of low-quality Cumberland Plain Woodland native vegetation (0.02ha) and that the site would only likely support occasional transitional habitat for a small number of individual koalas.

The report confirmed that a range of measures will be implemented to avoid impacts to the species during the works phases and the ultimate design of the Pond Park will include a newly planted koala refuge corridor along the northern side of the Pond.

It is considered that the assessment provided and measures to preserve and improve koala habitat (albeit a transitional habitat) is in alignment with the provisions of local and state policies and including the VPA.

3. Flora and Fauna

The Flora and Fauna Assessment prepared by Cumberland Ecology identifies the following existing site conditions:

Flora

- Five species of koala feed trees including Spotted Gums, Tallowood, Ribbon Gums, Swamp Oaks and Grey BoxCumberland Plain Woodland vegetation community (native canopy with intact and no understorey vegetation)
- Shale Sandstone Transition Forest vegetation community
- Freshwater Aquatic Vegetation (refer to Figure 4)
- Urban Native and Exotic Vegetation



Fauna

- Eastern Mosquito fish present but no call for Green and Golden Bell Frog detected in surveys;
- 26 vertebrae, primarily birds were recorded in site study;
- 29 threatened fauna species considered as “having potential to occur within the site” – four recorded previously on site including Grey-headed Flying-fox, Large Bent-winged Bat, Eastern Bentwing-bat, Little Bentwing-bat, Greater Broad-nose bat and Cumberland Plain Land Snail.

Comment

All tree removal and associated impacts of the bulk earthworks are included in application 2854/2020/DA-CW. The Flora Fauna Assessment submitted relates to application 2854/2020/DA-CW, therefore under this application there is no additional impact.

No tree removal is approved as a component of this application and no land clearing of any native vegetation is approved as a component of this application.

This DA is to include the same mitigation measures as per 2854/2020/DA-CW and the same conditions for compensatory/offset requirements.

4. Airds Bradbury Development Control Guidelines

An assessment against the concept plan approval has been provided by the applicant and is addressed below.

Criteria	Requirement	Consistency
Schedule 3		
Part A – Terms of Approval	1. Approval of Airds- Bradbury concept plan:	The proposed embellishment works to the Pond are consistent with the masterplan, infrastructure delivery plan, Airds-Bradbury Development Control Guidelines and street layout.

	2. The Proponent shall carry out the Concept Plan generally in accordance with approved documentation.	The proposed embellishment works are consistent with the ABURP approval.
	3. Inconsistency between plans and documentation	The plans are generally consistent with the ABURP Approval.
	4. Limits on approval	Further approval has been obtained for the construction of the ABURP.
Part B – Modifications to the concept plan	1. Building Setbacks	Not applicable.
	2. Fencing Strategy	Not applicable.
	3. Traffic and transport	The proposal does not include access to Georges River Road.
	5. Landscaping	A Landscape Embellishment Plan package has been submitted with the proposal.
	6. Open Space	The Pond and surrounding parkland area are consistent with the VPA.
	7. Biodiversity Offset Package	The applicant has stated a biodiversity offset package was approved on 4 July 2014. Further biodiversity offset requirements were approved as a component of the bulk earthworks application 2854/2020/DA-CW.
Schedule 4 Further Environmental Assessment Required	1. General Requirements	The proposal maintains consistency with the concept masterplan with regard to the provision of open space and road access.
	2. Built Form and Urban Design	The proposal is consistent with the ABURP.
	3. Traffic and transport	Not Applicable
	4. Development contributions	A VPA was executed for the Airds-Bradbury Renewal Plan.
	5. Bushfire hazard	The subject site has not been identified as bushfire prone land.
	6. Biodiversity offset package	As previously approved.
	9. Bushland Management	As previously approved.
	10. Heritage	Not Applicable
	12. Site filling and disposal	Not Applicable
	13. Utilities	Infrastructure servicing is to be conditioned.
	14. Contamination	As addressed under the provisions of the bulk earthworks application 2854/2020/DA-CW.
	15. Flooding	As addressed under the provisions of the bulk earthworks application 2854/2020/DA-CW.
	16. Water Quality and Riparian Corridors	As addressed under the provisions of the bulk earthworks application 2854/2020/DA-CW.

4. Campbelltown Local Environmental Plan 2015

The Campbelltown Local Environment Plan 2015 establishes the area's development objectives and land zoning.

The site is zoned part R2 Low Density Residential and part B1 Neighbourhood Centre. In accordance with the provisions of the LEP, consent must not be granted for any type of development within this zone unless it is consistent with one or more of the zone objectives, and the use is permissible within the zone

The zone objectives for **R2 Low Density Residential** are:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To enable development for purposes other than residential only if that development is compatible with the character of the living area and is of a domestic scale.*
- *To minimise overshadowing and ensure a desired level of solar access to all properties.*
- *To facilitate diverse and sustainable means of access and movement.*

The zone objectives for **B1 Neighbourhood Centre zone** are:

- *To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.*
- *To support public transport patronage and encourage walking and cycling.*
- *To achieve an accessible, attractive and safe public domain.*
- *To allow small-scale residential development in conjunction with retail, business and commercial uses in a manner that increases the vitality of the surrounding neighbourhood.*
- *To provide healthy, attractive, vibrant and safe neighbourhood centres.*

The proposed landscape embellishment works are contribute to the future open space requirement and passive needs of the local area whilst being consistent with the objectives of the applicable zones. The proposal will develop sustainable means of movement within the local area, encouraging the development of a safe public domain, a vibrant, accessible and attractive open space environment in support of the newly developed residential urban environment.

The proposed works are compatible with the approved concept plan for the Airds/Bradbury redevelopment. The proposal is consistent with the objectives of the R2 Low Density Residential area and B1 Neighbourhood Centre zones.

The proceeding table highlights compliance with the relevant development standards of the Campbelltown Local Environment Plan 2015.

Clause	Requirement	Proposed	Compliance
2.6(1)- Subdivision consent requirements	Land to which this Plan applies may be subdivided, but only with development consent.	Not Applicable	Not Applicable

7.1 Earthworks		The proposal includes earthworks to facilitate the construction of a road and associated infrastructure works.	Capable of Compliance The proposed earthworks are considered to satisfy the considerations of Clause 7.1 of the CLEP 2015.
7.2 Flood Planning	(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development— (a) is compatible with the flood hazard of the land, and (b) will not significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and (c) incorporates appropriate measures to manage risk to life from flood, and (d) will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and (e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.	A flood and stormwater impact assessment was prepared by Catchment Simulation. The report concluded that the proposed development does not result in any adverse environmental impact in terms of water cycle management.	This matter was addressed as a component of the Bulk Earth works application 2854/2020/DA-CW. A condition is to be imposed to ensure compliance with this previous application.
7.10 – Essential Services	Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:	The applicant advised that part of the Concept Plan confirmed that all urban utility services are available or can be readily extended to meet the needs of the ABRP.	Capable of Compliance

	(a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage, (d) stormwater drainage or on-site conservation, (e) suitable road and vehicular access, (f) telecommunication services, (g) the supply of natural gas.		
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5. Campbelltown (Sustainable City) Development Control Plan 2015

The purpose of Campbelltown (Sustainable City) Development Control Plan 2015 (SCDCP 2015) is to provide more detailed provisions to supplement the Campbelltown Local Environmental Plan 2015 (CLEP 2015).

Pursuant to Clause 4.15(1) (a) (iii) of the Act, Council is required to consider the relevant provisions of the applicable development control plan of the Campbelltown Local Government Area (LGA), being SCDCP 2015.

The following details the assessment of the proposal in accordance with the relevant requirements of the Campbelltown (Sustainable City) Development Control Plan 2015.

Part 2 - Requirements Applying to All Types of Development

The general provisions of Part 2 of the Plan apply to all types of development. Compliance with the relevant provisions of Part 2 of the Plan is discussed as follows:

Campbelltown (Sustainable City) Development Control Plan			
Control	Requirement	Proposed	Complies
2.5 Landscaping			
2.5 d) ii) Landscape Concept Plan	A landscape concept plan is required to be submitted with a development application for residential subdivision.	Landscape plan details have been submitted as a component of the proposed embellishment works	Complies
2.5 e) Design Requirements	The Landscape Concept Plan shall illustrate mature height, spread of species, trees to be removed/retained and shall be prepared by a suitably qualified person.	All of the aforementioned information is demonstrated on the submitted landscape masterplan.	Complies

Campbelltown (Sustainable City) Development Control Plan			
Control	Requirement	Proposed	Complies
2.5 f) Design Requirements	Landscaping shall maximise the use of locally indigenous and other drought tolerant native plants and avoid the use of invasive species.	Capable of compliance – has been recommended as a condition of consent.	Capable of Compliance
2.7 Erosion and Sediment Control			
2.7 a) Design Requirements	An Erosion and Sediment Control Plan (ESCP) shall be prepared and submitted with a development application proposing construction and/or activities involving the disturbance of the land surface.	ESCP submitted. Recommended condition of consent for implementation prior to the commencement of any works.	Capable of Compliance
2.8 Cut, Fill and Floor Levels			
2.8.1 a) Cut and Fill	A Cut and Fill Management Plan (CFMP) shall be submitted with a development application where the development incorporates cut and/or fill operations.	Cut and Fill drawings were submitted as a component of the earthworks DA (2854/2020/DA-CW)	N/A
2.10 Water Cycle Management			
2.10.3 a) Stormwater Drainage	A stormwater Drainage Concept Plan shall be prepared by a suitably qualified person, and submitted with all development applications, involving construction (except for internal alterations/ fitouts), demonstrating to Council how the stormwater will be collected and discharged from the site.	A flood and stormwater impact assessment has been prepared by Catchment Simulation Solutions The applicant has advised that the proposed development does not result in any adverse environmental impact in terms of water cycle management.	As previously approved under the provisions of 2854/2020/DA-CW

Campbelltown (Sustainable City) Development Control Plan			
Control	Requirement	Proposed	Complies
2.10.3 b) Stormwater Drainage	<p>The stormwater concept plan shall include the following information as a minimum:</p> <p>i) locations, layouts and sizes of stormwater pipes and pits;</p> <p>ii) minimum grades and capacity of stormwater pipes; and</p> <p>iii) existing and proposed easements, site contours and overland flow path/s.</p>	Satisfactory.	As previously approved under the provisions of 2854/2020/DA-CW
2.15 Waste Management			
2.15.1 a) Waste Management Plan	A detailed 'Waste Management Plan' (WMP) shall accompany development applications for certain types of development/land uses.	Submitted, and is considered satisfactory.	Complies

Campbelltown (Sustainable City) Development Control Plan 2015 – Volume 2: Site Specific DCPs: Part 9 – Urban Renewal Areas Airs Claymore

The proposed development has been assessed having regard to the relevant numerical and design standards within Council's (Sustainable City) Development Control Plan 2015 (SCDCP 2015).

No specific controls are applicable to the proposed works as nominated.

6. Section 4.15(1)(a)(iia) Any Planning Agreement that has been entered into under Section 93F, or any draft planning agreement that a development has offered to enter into under Section 93F

The subject site is not situated within the Western Sydney Growth Area Special Infrastructure Contribution (SIC) area.

In terms of local level contributions, the development is subject to the Airs Bradbury Renewal Project being undertaken by Land and Housing Corporation. As such, the project is subject to the Infrastructure Services Delivery Planning Agreement in particular the following provisions:

**Item 4. Kevin Wheatley VC Reserve.
Description of Works as follows:**

"Kevin Wheatley VC Reserve will include landscaping to the bush land area, **the area of works surrounding the pond**, construction of 2x playing fields, a new amenities building and provision for 80 car parking spaces. Refer to Figures 4.1 and 4.2 for Kevin Wheatley VC Reserve Playing Fields and Pond Area Concept Plans.

Core Elements

Kevin Wheatley VC Reserve and Pond Area Landscaping (Ex. Engineering Upgrades)

- Planting around the playing fields with an exercise area with a range of fitness equipment, shade structure, seating with robust anti-graffiti and vandalism material;
- Additional planting and footpaths around the bushland area;
- Embellish pond area to include walking circuit around pond area, small seating viewing areas, planting for passive recreation opportunities, and a playground that caters for a range of ages and challenge levels;
- Public Domain furniture incl. rubbish bins, 3x BBQ (electric) and 1 pergola will small grassed play area."



Item 10 Community Facilities

Description of works under the ISDP is noted as follows:

"Two options were provided to Council for Community Facilities;

Option 1 - To retain the existing facilities

Option 2 - To Construct New Community Facilities Centre.

Council agreed to proceed with Option 2 at their meeting of 14th October 2014. This option involves the construction of a new Community Facilities Centre (integration of community centre and child and family centre) on a minimum 1,450m² lot within the Town Centre.

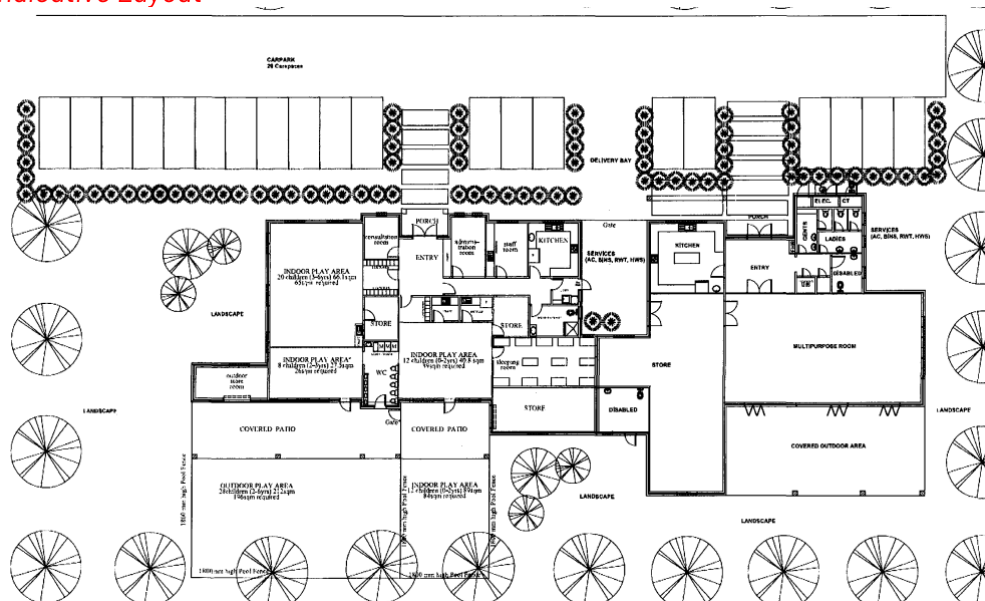
Core Elements

Construct New Community Facilities Centre

- This option involves the construction of a new Community Facilities Centre (integration of community centre and, child and family centre) on a minimum 1,450m² lot within the Town Centre;

- Approx. 700m² of Gross Floor Area (includes external accessible toilet facilities and 100m² of storage, but excludes fixtures, furniture and equipment- defined as any movable furniture, fixtures or equipment that has no permanent connection to the structure of the building);
- Landscaping, external lighting and access to and provision of 20 dedicated car parking spaces for the new Community Facilities Centre secured through an appropriate legal mechanism.
- Council is the responsible management authority for any newly constructed Community Facilities Centre, from the commencement of its operation and should facilitate NSW Land and Housing Corporation (or representative) access to the centre to support implementation of initiatives within the social plan;
- Demolition of the existing community facilities including the Airds Neighbourhood Centre, Amarina Child Care Centre and Campbelltown Child and Family Centre, but, excluding the Airds Youth Centre;
- Dedication of Airds Youth Centre Land as Community Open Space."

Indicative Layout



Council's Executive Group considered a report on the proposed subdivision layout with regard to the VPA and endorsed the following recommendation:

- "1. A written response being issued to Landcom requesting that proposed Lot 3216 in development application 774/2021/DA-SW be deleted.
2. That siting and design for the new Community facility should be undertaken as a single process to enable a holistic consideration and design for the new facility. That an alternative location of the Child Care component be considered based on opportunity to establish a 70+ facility within Bradbury as a more economically feasible location.
7. The use of the Corporate Project Management Framework (CPMF) as the preferred model be piloted for the assessment of the Airds Community Facility."

Correspondence was forwarded to Landcom on 11 June 2021 advising of the Executive Group recommendation. This required that proposed Lot 3216 be removed from the submitted

application so as to enable the progression of the pond embellishment works to facilitate the further renewal of Airds.

Landcom responded on 19 July 2021 advising they (Landcom and LAHC) agree to remove the subdivision component which was initially lodged as part of DA 774/2021/DA-SW (Pond Embellishments).

8. Section 4.15(1)(a)(iv) The provisions of the Regulations

The proposal does not contravene the Environmental Planning and Assessment Regulations.

9. Section 4.15 (1)(b) The Likely Impacts of the Development

Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979 requires Council to assess the development's potential impacts on the natural and built environment, as well as potential social and economic impacts.

The key matters for consideration when considering the development's potential impact on the natural and built environment is as follows:

- Construction & Waste Management;
- Flora and Fauna;
- Social & Economic Impacts.

Construction & Waste Management

The construction phase of the development has the potential to generate short term environmental impacts through the generation of dust, noise and vibration.

During construction, careful management of site works will be undertaken to minimise the generation of dust, noise and vibration, which will ultimately mitigate any impact on the surrounding road network, neighbouring properties and the environment.

Conditions of consent have been recommended to manage the proposed works, including the installation of erosion and sediment control measures prior to works commencing on site, and the provision of a detailed construction management plan prior to the issuing of a construction certificate.

Flora and Fauna

The potential impacts in regard to the flora and fauna recorded within the site was considered as a component of the preceding DA 2854/2020/DA-CW and within the Flora and Fauna Assessment prepared by Cumberland Ecology. The report confirmed that the proposed embellishment landscaping of the park will positively contribute towards the creation of a koala refuge corridor along the northern portion of the site in line with the VPA agreement. The introduction of new native trees, shrubs and ground covers and the improvements to water quality will also:

- Contribute towards the creation of a new urban ecology
- Strengthen the health and structure of native habitats for birds, possums, koalas and numerous aquatic species

- Expand and strengthen the underlying native vegetation communities across the site, including most prominently remnant Cumberland Plain Woodland.

Social & Economic Impacts

The proposal will not result in any significant adverse social or economic impacts, and will provide a number of benefits including a new upgraded open space facility for the community.

10. Section 4.15(1)(c) The suitability of the development

Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979 requires Council to assess the suitability of the site for the proposed embellishment works.

The Airds Pond park will become an important focal point and meeting place for all, encouraging social interaction and foster a sense of community belonging. Importantly, the Pond Park will form an important recreational and community anchor for the Airds neighbourhood centre and contribute towards the vitality and viability of the local environment, whilst providing a biodiversity connectivity corridor for koala movement through Airds from Smiths Creek to Georges River.

No constraints or hazards have been identified which would deem the site unsuitable for the proposed embellishment works.

11. Section 4.15(1)(d) Any Submissions

Section 4.15(1)(d) of the Environmental Planning and Assessment Act 1979 requires Council to consider submissions.

Public Participation

Part 9 of Campbelltown (Sustainable City) Development Control Plan 2015 outlines Council's public participation policy in regards to Council Strategic Planning Documents (CSPDs) and the Development Application (DAs).

In accordance with Part 9 of Council's Community Participation Plan, the proposed development was notified to adjoining and nearby properties, including the provision of a notification letter, plans of the proposed development and a sign bearing a set of notification plans displayed on site for the duration of the assessment.

The application was notified to nearby and adjoining properties, in accordance with Council's Notification Policy between April 2021 and 28 May 2021.

No submissions were received in response.

Referrals

External Referrals

The proposal was referred externally to the following departments:

Water NSW

The following response was provided:

"Please be advised WaterNSW does not assess Controlled Activity Approvals Section 91 under the *Water Management Act 2000*."

Comment

Noted.

Natural Resources Access Regulator

Application 2854/2020/DA-CW with respect to the proposed bulk earthworks to the Airds Pond was forwarded to the Natural Access Resources Regulator for review.

A response was received 04 February 2021 noting as follows:

"The Natural Resources Access Regulator (NRAR) has reviewed documents for the above development application and considers that, for the purposes of the Water Management Act 2000 (WM Act), a controlled activity approval is not required for the proposed works and no further assessment by this agency is necessary.

The proposed works are not located on waterfront land as defined by the WM Act – The subject watercourse is a constructed channel and/or is not identified on NRAR hydroline mapping."

Comment

As the earlier referral response determined the application was not a controlled activity, it was determined unnecessary to request review of the proposed landscape embellishment works to the Airds Pond by the Natural Resources Access Regulator.

Internal Referrals

The proposal was referred internally to the following departments within Council:

Environmental- Vegetation

Council's Environmental Officer – Flora and Fauna advised as follows;

"NOTE: the same FFA has been submitted for this DA as for 2854/2020.

It is understood that all tree removal and associated impacts of the bulk earthworks are included in the DA 2854/2020. The FFA submitted relates to DA 2854/2020, therefore under this DA there is to be no additional impact. No tree removal is approved under this DA, no land clearing of any native vegetation is approved under this DA.

If there is any further impact expected the FFA will require review and updating, and additional review by council prior to works proceeding.

This DA is to include the same mitigation measures as per 2854/2020 and the same conditions for compensatory/offset requirements.

Comments as provided for 2854/2020 remain relevant to this DA."

Comment

No further action is required.

Environmental– Contamination

Council's Environmental Officer –provided the following response:

"There are no residential receivers that should experience noise levels greater than 55dB, which is a typical amenity criteria in Campbelltown.

I have no objections to the application from a noise perspective."

Comment

No action required.

Strategic Infrastructure/Contributions

Council's Strategic Infrastructure/Contributions Officer advised as follows:

"With the removal of the 4 lot subdivision component from this development application, there is now no issue with regard to the VPA. I have no comments or conditions for this DA."

Comment

No action required.

City Delivery – Infrastructure

Council's City Delivery – Infrastructure Department raised no objections to the proposal.

Comment

No action required.

Development Engineer

Council's Development Engineer raised no objections to the proposed works as amended subject to inclusion of conditions as attached.

Comment

Appropriate conditions have been incorporated into the Notice of Determination.

Community Life

Council's Sport and Recreation division raised no objections with respect to the proposal.

Comment

No action required.

Open Space

Council's Open Space Design Team assessed the proposed Landscape package and provided comments on 12 March 2021 (for the bulk earthworks application incorporating Landscape Plan Package details) and 20 August 2021 requesting further detail design work to the Landscape

Plan. A more detailed amended landscape plan addressing a number of the matters raised was submitted to Council 18 October 2021.

Comment

Landcom have sought to balance both the requirements of Council and the Airs ISDP as quoted below.

"Landcom's preference is to deliver as per the current plan due to the budget constraints and the project cost already exceeding the agreed VPA value. Landcom would like to keep the options open to make minor adjustments at CC, when there will be more certainty on the cost estimate of the works. Council will be the certifier of the CC plans which gives council control over the final approved structure. This approach was discussed and confirmed with Council prior to lodgement of DA."

The proposed Landscape package has been developed in collaboration with Council Officers and is in accordance with Airs ISDP. Should any additional funding be made available, Landcom will consider additional items as highlighted by Council's Open Space Team.

Conditions as noted have been incorporated within the Notice of Determination.

12. Section 4.15(1)(e) Public Interest

The proposed embellishment works have addressed the requirements of the relevant planning instruments including the objectives of the zone. The proposed works have demonstrated that the site is suitable for the proposed development.

13. Conclusion

The proposed embellishment works are consistent with the applicable zone objectives, and will facilitate the future open space provisions for the local community.

The proposal is compliant with the relevant development standards and controls. The proposal is also generally consistent with the Infrastructure Delivery Plan executed as part of the VPA for the ABURP area.

The proposal is considered to be consistent with the objectives and controls of the CLEP 2015, SCDCP 2015 and Airs Design Guidelines. Therefore, the proposal is recommended for approval.

Pursuant to Clause 4.33 of the EP&A Act 1979, draft conditions were sent to the Crown on the 11 March 2022 for review. Council and the Crown reviewed concerns and questions resulting from the conditions with the Crown providing concurrence on 20 April 2022.

Having regard to the matters of consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979, it is recommended that Development Application 774/2021/DA-SW for landscape embellishment works to the Airs Pond be approved, subject to conditions as attached.

ATTACHMENT 1
774/2021/DA-SW
Recommended Conditions of Consent

Version 3 – 20 April 2022
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 and documents listed in the table below, and all associated documentation supporting this consent, except as modified in red by Council and/or any conditions within.

Plan Detail	Revision	Prepared by	Date
Proposed Shopping Centre Access Road Locality Plan 300178181.SC.DA001	01	SMEC	10 February 2021
Sheet Schedule & Notes 300178181.SC.DA002	01	SMEC	10 February 2021
Civil Works Plan 300178181.SC.DA101	03	SMEC	17 August 2021
Turning Path Plan 300178181.SC.DA811	03	SMEC	17 August 2021
Catchment Plan 300178181.SC.DA501	01	SMEC	10 February 2021
Drainage Longitudinal Sections 300178181.SC.DA511	01	SMEC	10 February 2021
Soil & Water Management Plan & Details 300178181.SC.DA851	01	SMEC	10 February 2021
Landscape Plan Project No. 50 - 15	I	Distinctive Living Design	01 October 2021
Landscape Detail Plan - Junior Playground Project No. 50 - 15	I	Distinctive Living Design	01 October 2021
Landscape Section 01 Project No. 50 - 15	I	Distinctive Living Design	01 October 2021
Landscape Section 02 Project No. 50 - 15	I	Distinctive Living Design	01 October 2021
Landscape Indicative Imagery Project No. 50 - 15	I	Distinctive Living Design	01 October 2021
Material Palette - Furnishing Project No. 50 - 15	I	Distinctive Living Design	01 October 2021
Material Palette - Junior Playground Project No. 50 - 15	I	Distinctive Living Design	01 October 2021

Landscape Planting Schedule Project No. 50 - 15	I	Distinctive Living Design	01 October 2021
Landscape Planting Palette Project No. 50 - 15	I	Distinctive Living Design	01 October 2021

Supporting Documentation

Plan/Document No.	Prepared by	Date
Waste Management Plan	APP Corporation	23 November 2020
Flora and Fauna Assessment	Cumberland Ecology	03 August 2020
Flora and Fauna Assessment	Cumberland Ecology	13 July 2021
Preliminary treeaz assessment of tree health and longevity (sule), Version 1 Job No.2386	Anderson Environmental	07 July 2020
Preliminary treeaz assessment of tree health and longevity (sule), Version 2 Job No.2386	Anderson Environmental	18 February 2021

2. Concept Plan Approval

The development must be consistent with the requirements of the Ministers Concept Plan Approval that applies to the land.

3. Airs/Bradbury Infrastructure Services Delivery Plan

The proposed works, at a minimum, must be consistent with the requirements of the Airs Bradbury Infrastructure Services Delivery Planning Agreement that applies to the subject site in particular Part 4, Kevin Wheatley VC Reserve and Pond Area Landscaping, core elements noted as:

- Embellish pond area to include walking circuit around pond area, small seating, viewing areas, planting for passive recreation opportunities and a playground that caters for a range of ages and challenge levels;
- Public Domain Furniture incl. rubbish bins, 3 x BBQ (electric) and 1 pergola with small grassed play area.

4. Compliance with Notice of Determination 2854/2020/DA-CW

The works approved as a component of this consent are to be undertaken in conjunction with and in response to the works approved and relevant conditions imposed as part of 2854/2020/DA-CW (Airds Pond Bulk Earthworks).

5. Building Code of Australia

All building work must be carried out in accordance with the provisions of the *Building Code of Australia*. In this clause, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

6. Electrical Substations

Substations are not permitted to be installed on land to be dedicated to Council as a part of this determination. If the applicant is to pursue the installation of substations on land to be dedicated to Council, the applicant is required to obtain separate approval and relevant licence from Council's Executive Manager Property (or equivalent).

7. Landscaping

The provision and maintenance of landscaping shall be in accordance with the Council endorsed landscape plan including the engagement of a suitably qualified landscape consultant/contractor to undertake the landscaping works.

8. Finishes

The finishes shall be in accordance with the approved plans and the schedule of finishes submitted with this application. Any proposed alterations to these finishes are considered to be a modification to the development consent and require separate approval by Council.

9. Engineering Design Works

The design of all engineering works shall be carried out in accordance with the requirements detailed in Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)*, *Engineering Design Guide for Development (as amended)* and *Campbelltown (Sustainable City) DCP (as amended)*.

10. Lighting - Private

Illumination of the site is to be arranged to provide an appropriate level of lighting and in accordance with the requirements of *Australian Standard 4282 (as amended)* so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises or traffic.

Illumination of the site shall also be designed to provide a robust indication of desire lines for pedestrians and reduce the potential for criminal or anti-social behaviour.

11. Anti Skate Deterrent Devices

Anti skate deterrent devices must be fixed along all areas that attract skate board grinding.

12. Water Aeration Device

A water aeration device is to be provided within the pond to improve water quality for fish and water life.

The water aeration device/fountain is required to be provided with a wind sensor to turn it off automatically during windy weather. All engineering design and specifications of the device must be submitted and approved by Council's Executive Manager Open Space.

The machine/plant room for the water aeration/fountain is required to be nominated on the plan.

13. Meandering Shared Path

- a. A two (2) metre meandering shared path is to be provided to the south of Campbellfield Avenue (outside of the road reserve). The shared path must connect to kerb ramp crossings at intersections of Campbellfield Avenue and at Road No.302 (west of the pond) and Campbellfield Avenue and the new access road (east of the pond).
- a. All paths for Walking and Cycling must be in accordance with the current version of Austroads Guide to Road Design Part 6A Paths for Walking and Cycling.
- b. Where shared paths, pedestrian and cycle paths are determined to be key paths linking to destinations, the paths shall be appropriately lit to meet the requirements of Australian Standard AS/NZS 1158.3.1.2005 – *Lighting for roads and public spaces*.
- c. Public open space lighting shall be standard energy efficient/smart lighting.

14. Wayfinding Signage

Details of wayfinding and informative signage is to be provided.

All signage must be coordinated and approved by Campbelltown City Council's Open Space and Design Team.

15. Rubbish/Recycling Bin Storage

Rubbish and recycling bins shall be provided throughout the site, in accordance with approved plans.

The bins shall be finished in materials that are durable and complementary in appearance to other structures throughout the Park.

16. Design for Access & Mobility

The relevant access requirements of AS 1428 – Design for Access and Mobility shall be incorporated into the park's construction.

17. Subdivision Works Certificate

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

- a. the applicant shall appoint a Principal Certifier;
- a. the applicant shall obtain a subdivision works certificate for the particular works; and
- b. when Council is not the Principal Certifier, the appointed Principal Certifier shall notify Council of their appointment no less than two days prior to the commencement of any works.

PRIOR TO THE ISSUE OF A SUBDIVISION WORKS CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a subdivision works certificate by either Campbelltown City Council or an appointed Principal Certifier. All

necessary information to comply with the following conditions of consent must be submitted with the application for a subdivision works certificate.

18. Airds Pond Environmental Park

Prior to the issue of a subdivision works certificate, the engineering details are to be updated to ensure the embellishment of the Airds Pond shall meet the following minimum requirements:

- a. Provide for public lighting to all entrance/exit points into the open space.
- a. A footpath designed to include a perimeter and exercise path and provide access to facilities provided within the open space.
- b. Provide for minimum facilities including but not limited to bicycle parking; seating; a water tapping, potable and recycled water connection points and bins.
- c. Provision of vehicular exclusion devices (fence, bollards, or other suitable method).
- d. Must provide for maintenance vehicle access including but not limited to a vehicle crossover and removable bollards or lockable fence.
- e. Provide for on-leash dog facilities (including drinking fountain with dog bowl), where appropriate.
- f. Shade tree planting.
- g. Is to be consistent with the Koala Linkage Strategy (Clause 9a of the ISDP).

19. Amended Landscape Plan

Prior to the issue of a subdivision works certificate, the following plans and reports are to be amended and are to be submitted to Council's Executive Manager Urban Release and Engagement, for approval, addressing the following:

- a. Identify any compensatory plantings proposed for impacts to existing trees and demonstrate consistency with the Koala Linkage Strategy (clause 9a of the ISDP) and Vegetation Management Plan.
- a. Tree offsets should include a minimum of 64 trees – 48 to replace the CPW characteristic trees removed (6) and 16 to replace the other native trees removed.
- b. The tree Offsets proposed are to be in addition to the Koala Corridor Plantings which are required in accordance with clause 9a of the ISDP.
- c. All plantings (trees, shrubs and groundcovers) selected for the landscape works must consist of species from the Cumberland Plain Woodland (CPW) and Shale Sandstone Transition Forest (SSTF). Specify all trees at between 45L and 100L pot size, with the majority being 100L. Plantings must provide habitat for threatened species that were identified section 3.4.4 of the FFA, which are considered as having potential to occur within the study area including; microbats, Grey-headed Flying Fox (*Pteropus poliocephalus*), frogs (Green and Golden Bell Frog, Littlejohns Treefrog and Growling Grass Frog), nocturnal birds (Powerful Owl, Barking Owl and Masked Owl), raptors (Square-tailed Kite, Little Eagle and Spotted Harrier), woodland birds and Koalas.

- d. The tree retention (as nominated within the Tree Assessment report) is to be identified upon the plan.
- e. Trees must not be planted near the outlet structure of the pond.
- f. Details and locations of any proposed buildings or structures including additional supporting information such as certified structural design computations, within any public open space areas, including but not limited to, pontoon, staircases, retaining walls and boundary fences. All buildings and structures must be anti-graffiti coated unless otherwise agreed by the Responsible Authority and are to comply with the requirements of the relevant disability and discrimination legislation. Design paths, bridges and boardwalks to be above the 1:100-year flood level.
- g. The details and locations of all landscaping works to be provided on the land for all public open space areas including streetscapes, parklands, buffer zones, service corridors, and environmental reserves.
- h. Soil depths in deep soil areas must be a minimum of 100mm for lawn/turfed areas; 300mm for groundcovers; shrubs and trees, with a minimum 150mm subsoil cultivation and minimum 75mm mulch.
- i. Provide details and locations of all proposed surface finishes of pathways and driveways. Include details of the slip resistance, (in accordance with *AS/NZS 4586: 2004 Slip resistance classification of new pedestrian surface materials*; *AS/NZS 4663:2004 Slip resistance measurement of existing pedestrian surfaces* AND *AS/NZS 3661.2:1994 Slip resistance of pedestrian surfaces Part 2: Guide to the reduction of slip hazards*).
- j. Details and locations of any street and park furniture to be installed, including but not limited to drinking fountains, seats, bins and picnic settings including the quantity, model, size, supplier and colour of the furniture. Furniture selection must be in accordance with *Australian Standard AS 1428:2001 Design for access and mobility*.
- k. A detailed schedule of all proposed trees, shrubs and groundcovers, including botanical names, common names, pot sizes, sizes at maturity, plant densities and quantities of each plant with reference to the relevant Australian Standards and NATSPECS. Specify all trees as minimum 75L pot size advanced tree(s). The use of species in the relevant Ecological Vegetation Class (EVC) is encouraged.
- l. Provide details of any specific planting techniques including but not limited to planting methodology, maintenance, or any other requirements.
- m. Identification of areas that would benefit from the installation of anti –skate deterrent device to minimise skateboard grinding.
- n. Details and locations of water tapping, potable and recycled water connection points.
- o. Provide details of vehicular exclusion devices (fence, bollards, or other suitable method).
- p. Provide maintenance vehicle access including but not limited to a vehicle crossover and removable bollards or lockable fence.
- q. Provide a *Safety-in-Design Matrix* addressing safety concerns relating to the design, construction, maintenance and usage of the landscape works to be undertaken.

- r. Provide for a water storage tank. The tank must be accessible to undertake maintenance and not be located within proposed landscape areas.
- s. The above detail must be incorporated into the Environmental Management Plan (EMP) prior to works commencing.

20. Public Playground Equipment

Prior to the issue of a subdivision works certificate, the design and layout of all playground equipment shall be submitted to Council's Executive Manager Open Space (or equivalent), for written approval.

All public playground equipment shall meet the following Australian Standards (as amended):

- AS 4685-2004
- AS/NZ 4486.1-1997
- AS/NZ 4422-1996
- AS 2155-1982

21. Soil and Water Management Plan

Prior to Council or the appointed Principal Certifier issuing a subdivision works certificate, a detailed soil and water management plan shall be submitted for approval.

22. Road Construction (New)

Prior to Council or the appointed Principal Certifier issuing a subdivision works certificate, the applicant shall submit engineering details of the required road construction described below:

The categories and traffic loadings to be adopted for the design of the road pavements shall be as follows:

Road No.	Category	Traffic Loading (ESA's)
Access Road	A	2 x 10 ⁴

Full construction of all new roads to Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and with the design requirements of the Campbelltown (Sustainable) City DCP - Volumes 1 and 3 (as amended).

All inspections are to be undertaken by Council and the principal certifying authority shall not issue a practical completion certificate until Council has issued a compliance certificate for the road construction.

23. Traffic Committee

Prior to Council or the appointed Principal Certifier issuing a subdivision works certificate, the applicant shall submit plans and obtain approval from Council's Local Traffic Committee for any proposals for the construction of prescribed traffic control devices and traffic control facilities and all associated line marking and/or sign posting.

24. Stormwater Management Plan

Prior to Council or the appointed Principal Certifier issuing a subdivision works certificate, a plan indicating all engineering details and calculations relevant to site regrading and the collection and disposal of stormwater from the site, building/s and adjacent catchment, shall be submitted for approval. Stormwater shall be conveyed from the site to the nearest drainage system under Council's control. All proposals shall comply with Council's 'Engineering Design Guide for Development' (as amended) and the applicable development control plan.

25. Vehicle turning movements

Prior to Council or the appointed Principal Certifier issuing a subdivision works certificate, Vehicle turning movements (for the appropriate vehicle types as agreed with Council) shall be assessed by an appropriately qualified person using Autodesk Vehicle Tracking and provided to Council for approval. In this regard the Vehicle Tracking files and associated development proposal shall be submitted in dwg/dxf format and the speed environment used in the assessment must be consistent with the requirements as set out in the Austroads Guide to Road Design Part 4.

26. Utility Servicing Provisions

Prior to Council or the appointed Principal Certifier issuing a subdivision works certificate the applicant shall obtain a letter from the relevant electricity authority stating that satisfactory arrangements have been made to service the proposed development.

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

27. Access for Maintenance

Prior to Council or the principal certifier issuing a subdivision works certificate a detailed access and maintenance plan must be submitted to, and endorsed by Council's Executive Manager for Open Space (or equivalent).

28. Street Lighting - Public

Prior to Council or an accredited certifier issuing a subdivision works certificate, the applicant shall prepare a street lighting plan for approval of Council's Executive Manager Infrastructure and make provision for following:

- a. A street lighting plan shall include light distribution drawings.
- a. The street lighting plan must consider the impact of street tree planting (at planting and mature height and form) on the lighting.
- b. All street lighting is to be LED "Smart" lighting.

29. Site Lighting - Private

Prior to Council or the principal certifier issuing a subdivision works certificate, a detailed site lighting plan to be provided within the pond area must be submitted to, and endorsed by Council's Executive Manager for Open Space (or equivalent).

The lighting plan must comply with the following:

- a. All lighting is to be LED "Smart" lighting to Council's specification.

The lighting of public places must comply with AS/NZS1158 Residential Street Lighting Part 3.1: Pedestrian Area (Category P) Lighting – Performance and Installation Design Requirements 2005, using the appropriate categories.

- b. All lighting shall have the ability to be on an automated system, capable of remote timing and sensor dimming, whilst being compatible working with the Cloudmaster Interface.
- c. The design and installation of the lighting is to be such that Council can take ownership of the lighting (ie. separate circuit to residential supply).
- d. The power supply to the site lighting shall meet the load requirements of Campbelltown City Council.
- e. The location of meters to service the site lighting network.
- f. The lighting plan must consider the impact of tree planting (at planting and mature height and form) on the lighting.
- g. The lighting and associated infrastructure associated with this approval is to be dedicated to Council and not be handed over to the energy supplier.

30. Design for Access and Mobility

Prior to Council or the appointed principal certifier issuing a subdivision works certificate, the applicant shall demonstrate by way of detailed design that accessibility achieves compliance with the relevant access provision of AS1428 series i.e. Consideration should be given (not limited to) applicable sections of AS1428.2 Design for Access and Mobility – Enhanced and Additional Requirements- Building and Facilities, AS1428.4.1 Design for Access and Mobility- Means to assist the orientation of people with vision impairment – Tactile ground surface indicators, AS1428.4.2 Design for Access and Mobility- Means to assist the orientation of people with vision impairment – Wayfinding signs, AS2890.6 Off Street parking for people with disabilities.

The design shall be endorsed by an Access Consultant with a minimum AQF4 qualification, and certification shall be provided to the appointed principal certifier.

31. Remediation of Land

Prior to the issuing of a subdivision works certificate, a Validation Report must be prepared certifying that:

- a. the remediation and validation of the Pond and the subject site has been undertaken in accordance with the Remediation Action Plan that has been prepared for the site.
- a. the land has been remediated and is suitable for its intended purpose.

A copy of the Validation Report must be submitted to Council for Council's records.

PRIOR TO THE COMMENCEMENT OF ANY WORKS

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

32. Construction Management Plan

Prior to the commencement of works / issue of any subdivision works certificate (whichever comes first), a Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control, shall be submitted to Council.

Copies of the approved CTMP's shall be kept on site for the duration of the works, in accordance with Work Cover Authority requirements and copies shall also be forwarded to Council for its records.

33. Environmental Management Plan

Prior to the commencement of works / issue of any subdivision works certificate (whichever comes first), an Environmental Management Plan must be prepared.

The Environmental Management Plan (EMP) must document actions during construction including but not limited to tree protection, weed management, erosion and sediment control measures and wildlife management. All avoidance and mitigation measures specified in Chapter 5 of the Flora and Fauna Assessment (Cumberland Ecology, Final July 2021) and tree protection works as identified in the Section 4.1.1 of the TREEAZ ASSESSMENT OF TREE HEALTH AND LONGEVITY (SULE) (Anderson Environmental, Version 2, 18 February 2021) must be included in the EMP.

The EMP is to be submitted to Council's Executive Manager Urban Release & Engagement for review and approval.

The applicant is to demonstrate that the site EMP has been reviewed and approved by council and that the following have been implemented;

- a) Measures to minimise impacts to retained trees.
- b) Tree Protection Plan in accordance Section 4.1.1 of the TREEAZ ASSESSMENT OF TREE HEALTH AND LONGEVITY (SULE) (Anderson Environmental, Version 2, 18 February 2021).

This Plan must also include the following:

- a) Development of a site specific soil erosion and sediment control plan.
- b) Construction hours.
- c) Air quality/dust control procedures.
- d) Noise management procedures.
- e) Waste management plan.
- f) Flora and Fauna Mitigation Measures.

- g) Tree Protection Measures.
- h) Safety in Design Matrix.
- i) Community Safety Plan.
- j) Arrangements for temporary pedestrian and vehicular access.
- k) Storage and Handling of Materials Procedures.
- l) Environmental Training and Awareness.
- m) Contact and complaints handling procedures.
- n) Emergency Preparedness and Response.

34. 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.

35. Erection of Construction Sign

Prior to the commencement of any works on the land, signs must be erected in prominent positions 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
- a. Stating that unauthorised entry to the work site is prohibited
- b. Pollution warning sign promoting the protection of waterways (a digital copy is provided with this consent that can be printed, laminated and affixed to the site or a corflute sign is available for free pick up at Council's administration office)
- c. Stating the approved construction hours in which all works can occur
- d. Showing the name, address and telephone number of the principal certifying authority for the work.

Any such signs are 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.

36. Toilet on Construction Site

Prior to the commencement of any works on the land, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part thereof. Each toilet provided must be a standard flushing toilet and be connected to:

- A. A public sewer, or

- A. If connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council, or
- B. If connection to a public sewer or an accredited sewage management facility is not practicable, to some other management facility approved by Council.

37. Trade Waste

Prior to the commencement of any works on the land, a trade waste facility shall be provided on-site to store all waste pending disposal. The facility shall be screened, regularly cleaned and accessible to collection vehicles.

38. Vehicular Access during Construction

Prior to the commencement of any works on the land, a single vehicle/plant access to the site shall be provided, to minimise ground disturbance and prevent the transportation of soil onto any public road system. Single sized aggregate, 40mm or larger placed 150mm deep, extending from the kerb and gutter to the property boundary, shall be provided as a minimum requirement.

39. Public Property

Prior to the commencement of any works on site, the applicant shall provide Council with a report establishing the condition of the property which is controlled by Council which adjoins the site including (but not limited to) kerbs, gutters, footpaths, and the like.

Failure to identify existing damage may result in all damage detected after completion of the development being repaired at the applicant's expense.

40. Hoarding / Fence

Prior to the commencement of any works, a hoarding or fence must be erected between the work site and a public place if the work involved in the development is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or if the building involves the enclosure of a public place in accordance with Work Cover requirements.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

A separate land use application under *Section 68 of the Local Government Act 1993* shall be submitted to and approved by Council prior to the erection of any hoarding on public land.

41. Structural Engineer Details

Prior to the commencement of any works, the applicant shall submit to the principal certifying authority, structural details and certification by a practicing structural engineer for all the structural components of the development, including retaining walls. All retaining structures shall be of masonry construction and must be constructed wholly within the property boundary, including footings and agricultural drainage lines.

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.

42. 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.

43. Construction Work Hours

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

Monday to Friday	7.00 am to 6.00 pm
Saturday	8.00 am to 5.00 pm
Sunday and public holidays	No Work.

44. 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 \$8,000 will be issued for any non-compliance with this requirement without any further notification or warning.

45. Protection of Existing Trees

During construction, no trees are to be cut down, lopped, destroyed or removed without the separate written approval of Council unless those trees are within three metres of the footprint of a building that has been approved by Council.

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.

46. Fill Compaction Requirements

Any filling carried out in accordance with this consent shall maintain a minimum requirement of 98 per cent standard compaction.

Any lot filling operations carried out in accordance with this consent shall be tested to establish the field dry density every 300mm rise in vertical height. Test sites shall be located randomly

across the fill site with 1 test per 500m² (minimum 1 test per 300mm layer) certified by a qualified geotechnical engineer.

47. 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 appointed Principal Certifier.

48. Excess Material

All excess material is to be removed from the site. The spreading of excess material or stockpiling on site will not be permitted without prior written approval from Council.

49. Earth Works/Filling Works

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

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

50. 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.

51. Public Safety

Any works undertaken in a public place are to be maintained in a safe condition at all times in accordance with AS 1742.3. Council may at any time and without prior notification make safe any such works Council considers to be unsafe, and recover all reasonable costs incurred from the applicant.

52. Public Reserve Treatment

A barrier fence/bollards where required by Council shall be erected on the boundaries of the proposed public reserve area where it adjoins public roads (including future public roads). A lockable access point for Council maintenance vehicles shall also be provided to Council's requirements.

53. Compliance with Council Specification

All design and construction work shall be in accordance with:

- Council's specification for Construction of Subdivisional Road and Drainage Works (as amended)
- Campbelltown (Sustainable City) DCP - Volumes 1 and 3 as amended
- Soils and Construction (2004)(Bluebook)and
- Relevant Australian standards and State Government publications.

54. Footpath Kerb and Gutter

The applicant shall re-construct all damaged bays of concrete path paving and kerb and gutter, adjacent to the site. Areas not concreted shall be re-graded, topsoiled and turfed. All works shall be in accordance with Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and with the design requirements of the Campbelltown (Sustainable City) DCP - Volumes 1 and 3 (as amended).

55. Footpath/Walkways

The footpath/walkway construction is to be in accordance with Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and with the design requirements of the Campbelltown (Sustainable City) DCP - Volumes 1 and 3 (as amended) shall be constructed to the satisfaction of Council. Areas not concreted shall be topsoiled and turfed. The footpath formation may need to be extended beyond the site boundary to provide an acceptable transition to existing footpath levels.

56. 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.

57. Associated Works

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

PRIOR TO THE ISSUE OF A PRACTICAL COMPLETION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a practical completion certificate by either Campbelltown City Council or the appointed Principal Certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a practical completion certificate.

58. CCTV footage verifying integrity of all new pipes and existing pipes

Prior to the issue of a practical completion 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, 3 Mbps 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. Bond (Outstanding Work)

Prior to Council or the appointed Principal Certifier issuing a practical completion certificate, Council may accept bonding for outstanding asphaltic concrete work, footpath paving, vehicle crossings/driveways or other minor works. Following a written request from the applicant, Council will determine the bond requirements.

Council acknowledges that Landcom may submit Letters of Undertaking in this regard.

60. Maintenance Security Bond

Prior to Council or the appointed Principal Certifier 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 twelve (12) months from the date of release of the subdivision certificate, whichever is the longer. All bonds are to be provided in the form of Cash or a written Bank Guarantee from an Australian Banking Institution.

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

Council acknowledges that Landcom may submit Letters of Undertaking in this regard.

61. Safety Barriers

Prior to the appointed principal certifier awarding practical completion of works, appropriate safety barriers shall be installed in line with Austroads Guide to Road Design Part 6A adjacent to the proposed footpaths where there is a risk of fall.

62. Final Inspection – Works as Executed Plans

Prior to Council or the appointed Principal Certifier issuing a subdivision certificate, the applicant shall submit to Council two complete sets of fully marked up and certified work as executed plans in accordance with the requirements detailed in Council's *Specification for*

Construction of Subdivisional Road and Drainage Works (as amended) and Engineering Design Guide for Development (as amended).

The applicant shall **also** submit a copy Survey Report and the Works as Executed information to Council in an electronic format in accordance with the endorsed survey protocol.

All survey information shall be prepared in the following format (unless agreed by Council in writing).

Format

- MGA2020 (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 not to be password protected.

MapInfo Option

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

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

63. Final Inspection – Works as Executed Plans

Prior to the principal certifying authority issuing a practical completion certificate, the applicant shall submit to Council the following documents:

- 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 of the Campbelltown (Sustainable City) DCP - Volumes 1 and 3 (as amended) and one additional separate fully marked up copy of the plan sheet(s) and the line marking/signposting plan(s).
- Two copies of lot classification reports, geotechnical stability reports, dispersion tests, earthworks and fill placement reports, concrete core tests, sub grade and pavement density reports, structural and all other testing undertaken.
- Two copies of all compliance certificates in accordance with consent authority requirements, including supply of pipes and precast units, supply of sub-base material, supply of base course material, supply of concrete, and supply of bituminous materials.

All reports/certificates shall be prepared by a N.A.T.A. registered laboratory or qualified engineer in accordance with Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and with the design requirements of the Campbelltown (Sustainable City) DCP - Volumes 1 and 3 (as amended) and shall list the relevant compliance standard(s) and certify that the whole of the area of works or materials tested comply with the above specification. All reports/certificates shall be complete, fully referenced, clearly indicate the area or material tested, the location and required/actual values of all tests and retesting, and be collated and suitably bound.

64. Restoration of Public Roads

Prior to the appointed Principal Certifier issuing a practical completion certificate, the restoration of public road and associated works required as a result of the development shall be carried out by Council and all costs shall be paid by the applicant.

65. Service Authorities

To ensure that an adequate level of services and infrastructure is provided to this development, prior to the appointed Principal Certifier issuing a Subdivision Certificate the following is required:

- a. Energy supplier – A Notice of Arrangement for the provision of distribution of electricity from Endeavour Energy to service the proposed development
- a. Telecommunications (if relevant) – Evidence demonstrating that satisfactory arrangements have been made with a telecommunications carrier to service the proposed development
- b. Gas supplier (if relevant)- Evidence demonstrating that satisfactory arrangements have been made with a gas supplier to service the proposed development; and
- c. Water supplier – A Section 73 Compliance Certificate demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.

All construction work shall conform to the relevant authorities' specifications.

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.

66. Public Utilities

Prior to the appointed Principal Certifier issuing a practical completion certificate, any adjustments to public utilities, required as a result of the development, shall be completed to the satisfaction of the relevant authority and at the applicant's expense.

67. Line Marking / Sign Posting Documentation

Prior to the appointed principal certifier issuing a practical completion certificate, the applicant shall submit to Council for Local Traffic Committee records two copies of work as executed

plans of the line marking / sign posting approved by the Traffic Committee for the development. The plans shall show all works undertaken and the date of installation.

68. Retaining

Prior to the appointed principal certifier issuing a practical completion certificate, all excavated and filled areas shall be battered to a slope of not greater than 1:2 or similarly be retained in accordance with the approved plan or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 provisions for exempt development. Construction of retaining walls outside the scope of the State Environmental Planning Policy and not shown on the approved plans require lodgement of a separate development application.

69. Playground Equipment Certification

Prior to the principal certifier awarding practical completion of works, all playground equipment shall be inspected and certified by a suitably qualified person and all relevant documents including manufacturer warranties/maintenance manual/s shall be submitted to Council.

70. Compliance Certification

All works within the public area in relation to the development shall be completed as per the Council approved plans. A compliance certificate, approving the works, shall be obtained from Council prior to the principal certifying authority issuing a practical completion certificate.

71. Maintenance Plan and Agreement

Prior to the principal certifier awarding practical completion of works, the applicant shall prepare and receive Council's written approval for the implementation of an agreed maintenance plan for the Airds Pond park, which is consistent with relevant considerations within the Airds ISDP agreement for the urban renewal area.

72. Access and Mobility Sign-off

Prior to the principal certifier awarding practical completion of works, sign-off from an Access Consultant with a minimum AQF4 qualification shall be provided to the principal certifier verifying that the relevant access requirements have been satisfied.

73. Installation and Commissioning of Equipment

Prior to the principal certifier awarding practical completion of works, the applicant shall submit to Council certification from a suitably qualified person certifying that all playground and open space equipment has been installed and commissioned in accordance with the relevant Australian Standards and the manufacturer's recommendations.

74. Dealings and Instruments

Prior to the principal certifier awarding the final practical completion of works, any easements/restrictions/right of way/covenants to be created on land that is to be dedicated to Council must be approved, in writing, by Council's Executive Manager Strategic Property (or equivalent) prior to the creation of such dealing or Instrument.

75. Wayfinding Signage

Prior to the issue of a practical completion certificate, details of wayfinding and informative signage is to be provided.

All signage must be coordinated and approved by Council's Executive Manager Open Space, prior to its installation.

76. Council Inspection & Site Handover

A representative of Campbelltown City Council is required to attend site for the purposes of inspection, identification of defects and approval prior to written Practical Completion.

As such, Campbelltown City Council is to be notified in writing of the intention to seek Practical Completion. The maintenance program, maintenance manuals, log books and warranties for all items within the site shall be submitted to Council at this time.

Written approval of handover of the site shall be provided to Council, including notification in writing of the intention to handover the site. A representative of Campbelltown City Council is required to attend site for the purposes of inspection and identification of defects. Written approval of handover will not be provided by Campbelltown City Council until all identified defects are rectified to Council's satisfaction and all works as executed drawings are provided.

77. Council Fees and Charges

Prior to the appointed Principal Certifier issuing a final practical completion 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.

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 4.17 of the Act.

Advice 1. Tree Preservation Order

To ensure the maintenance and protection of the existing natural environment, you are not permitted to ringbark, cut down, top, lop, remove, wilfully injure or destroy a tree outside three metres of the building envelope unless you have obtained prior written consent from Council. Fines may be imposed if you choose to contravene Council's Tree Preservation Order.

A tree is defined as a perennial plant with self supporting stems that are more than three metres or has a trunk diameter more than 150mm measured one metre above ground level, and excludes any tree declared under the *NSW Biosecurity Act 2015* or included within the *NSW Governments Greater Sydney Strategic Management Plan 2017-2022*.

Advice 2. Filling on Site

Council's records in respect of this lot indicate that varying depths of filling covers the natural ground surface.

Advice 3. Inspections – Civil Works

Where Council is nominated as the principal certifying authority for civil works, the following stages of construction shall be inspected by Council.

- a. EROSION AND SEDIMENT CONTROL –
 - i. Direction/confirmation of required measures.
 - i. After installation and prior to commencement of earthworks.
 - ii. As necessary until completion of work.
- b. STORMWATER PIPES – Laid, jointed and prior to backfill.
- c VEHICLE CROSSINGS AND LAYBACKS – Prior to pouring concrete.
- d FINAL INSPECTION – All outstanding work.

Advice 4. 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 awarding the practical completion certificate.

Advice 5. Adjustment to Public Utilities

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

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 *Campbelltown (Sustainable City) DCP - Volumes 1 and 3 (as amended)*.

Advice 7. Easements Over Council Controlled Lands

The applicant is advised that Council may seek monetary compensation for the granting of an easement over Council controlled lands. In this regard the applicant is required to liaise with Council's Property Manager.

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. Bonds will not be accepted in any other form or from any other institution.

Advice 9. Dial before you Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial

before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before you dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

END OF CONDITIONS

BRIEFING DETAILS

BRIEFING DATE / TIME	Tuesday, 15 June 2021, 3:18pm and 4:18pm
LOCATION	Teleconference

BRIEFING MATTER(S)

PPSSWC-147 – Campbelltown – 774/2021/DA-SW –52 RIVERSIDE DRIVE AIRDS 2560 – Subdivision comprising of the reconfiguration of four (4) existing lots to create four (4) new lots, construction of a new access road, landscape and open space infrastructure embellishment works to the new pond and surrounding parklands

PANEL MEMBERS

IN ATTENDANCE	Justin Doyle (Chair), Nicole Gurran, Susan Budd, Darcy Lound and George Griess
APOLOGIES	None
DECLARATIONS OF INTEREST	Louise Camenzuli: The firm is now acting for LAHC on a couple of matters. Sandra Hutton: A project manager in our Sydney office last week received a commission from Land and Housing Corporation for some projects in NSW (not Sydney). As a now engaged client of my employer, I believe this creates a perceived conflict of interest

OTHER ATTENDEES

COUNCIL ASSESSMENT STAFF	Alex Long and Belinda Borg
OTHER	Melissa Felipe and Sung Pak – Panel Secretariat

KEY ISSUES DISCUSSED

- This development is nominated as part of Stage 4 of the Airds Bradbury Renewal scheme for which concept approval has been granted. Stage 4 is otherwise approved. The bulk earthworks DA must be approved before, or concurrently, with this DA.
- Contamination is an issue for the site, but the RAP is the subject of the bulk earthworks DA.
- The pond embellishment works appear to be consistent with the original concept approval, and the new access road is reported to be consistent with the Campbellfield Rd roundabout intersection planning.
- The issue of koala impacts is currently being examined as part of an application for a s.34A certificate. The Panel would be grateful for an update as to progress with that application, noting that the Biodiversity Conservation Act may otherwise apply if the s.34A certificate does not issue.
- The adjoining land is the subject of a Land & Environment Court appeal. The DA for a supermarket and commercial tenancies had impacted upon this development application in terms of drainage, but a new scheme no longer diverts stormwater to the ponds on this site. Council staff reports that no other critical issue arises for this DA from the neighbouring DA.

- The Panel suggests that the relationship between the new community centre and the adjoining shopping centre be considered with the assessment of both DAs in the hope of improving the relationship between the two.
- The future community centre lot meets the minimum lot size under the applicable VPA for the concept approval, but the Council staff is concerned that a site area greater than the minimum required under the VPA is needed to meet the minimum requirements for the delivery of community infrastructure required. The Council has queried whether the subdivision portion of the DA ought for that reason be deferred. The Panel would need further information about the issue to form a view on that subject.

Attachment 3 – Landscape Plan

