

PLANNING ASSESSMENT REPORT

Stage 9 & 10 - Subdivision of land to create 198 torrens title allotments being 192 residential allotments (88 in Stage 9 and 104 in Stage 10), 1 residue lot for the Claymore Community Centre, 1 lot being for Fullwood Reserve (part), 1 drainage reserve, 1 lot for public road and 1 residue lot adjacent to Glenroy Drive and associated site, civil and street tree landscape works including the removal of 322 trees.

DA Number	2413/2023/DA-SW
Regional Panel Reference Number	PPSSWC - 353
Property Description	Lot 3202 DP 807572, Lot 29 DP 258940, Lot 30 DP 258940, Lot 31 DP 258940, Lot 32 DP 258940, Lot 33 DP 258939, Lot 1999 DP 1203428, Pt Lot 2000 DP 1203428 Claymore Neighbourhood Centre, 9 Gould Road, Lot 29 Dobell Road, Lot 30 Dobell Road , Lot 31 Dobell Road, Lot 1999 Dobell Road, Pt Lot 2000 Glenroy Drive, Lot 29 to 32 and Lot 1999 Dobell Road, Lot 33 Fullwood Place, Lot 2000 Glenroy Drive and Lot 3202 Gould Road, CLAYMORE
Referral Criteria	<p>Schedule 6 Regionally Significant Development 4 Crown development over \$5 million</p> <p><i>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 m."</i></p>
Applicant	<p>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 Homes NSW.</p> <p>Homes NSW, is a public authority for the purposes of the Environmental Planning and Assessment Act 1979.</p>
Owner	Department of Housing
Date of Lodgement	03 August 2023
Cost of Works	\$37,665,017
Number of Submissions	Nil
List of all Relevant Section 4.15 matters of the Environmental	<ul style="list-style-type: none"> State Environmental Planning Policy (Resilience and Hazards) 2021

Planning and Assessment Act, 1979	<ul style="list-style-type: none"> • State Environmental Planning Policy (Biodiversity and Conservation) 2021 Chapter 11 Georges River Catchment • State Environmental Planning Policy (Planning Systems) 2021 • <i>Claymore Urban Renewal Concept Plan approval</i> • Campbelltown 2025 – <i>Looking Forward</i> • Campbelltown Local Environmental Plan 2015 • Campbelltown Sustainable City DCP 2015 • Part 9 – Urban Renewal Areas Airside Claymore DCP
NSW RFS	09 October 2023
Pre DA Meeting	07 November 2022
Kick Off Briefing	04 September 2023
Concurrence	03 July 2024
Recommendation	Approval subject to conditions

Executive Summary

- Redevelopment of the Claymore public housing estate is being undertaken by NSW Land and Housing Corporation in accordance with the Claymore Urban Renewal Concept Plan granted by the Minister for Planning and Infrastructure on 24 May 2013.
- The development application proposes subdivision of land to create 198 torrens title allotments being 192 residential allotments (88 in Stage 9 and 104 in Stage 10), 1 residue lot for the Claymore Community Centre, 1 lot being for Fullwood Reserve (part), 1 drainage reserve, 1 lot for public road and 1 residue lot adjacent to Glenroy Drive and associated site, civil and street tree landscape works including the removal of 322 trees, identified as Stages 9 and 10 of the Claymore public housing estate in accordance with the Claymore Urban Renewal Concept Plan.
- Stage 9 and 10 of the Claymore Urban Renewal Concept Plan is located between Glenroy Drive to the south and west, Fullwood Reserve to the north, and the M5 Hume Motorway to the east. The north western edge of the site bounds the Claymore Community Centre. The area of land affected by the proposed works is approximately 12.98 ha.
- The subject area is zoned part R2 Low Density Residential and part RE1 Public Recreation under the provisions of Campbelltown Local Environmental Plan 2015 (CLEP 2015). The proposed development will involve subdivision and civil works both of which are considered to be “Permitted with consent” in accordance with CLEP 2015. The proposed development is also consistent with the identified zone objectives of R2 Low Density Residential and RE1 Public Recreation zones.
- The proposal is generally in accordance with the terms and intent of the Claymore Urban Renewal Concept Plan, and associated Claymore Urban Renewal Development Control Guidelines.

- An Order pursuant to Clause 34A(3) of the Biodiversity Conservation (Savings and Transitional) Regulation 2017 was issued by the Department of Planning and Environment in December 2021 for the Claymore Urban Renewal Project Area. As such, no further biodiversity matters are required to be assessed unless the proposed works extend beyond the Clause 34A certification boundary, or the impacts are increased because of the proposed works causing further biodiversity impacts.
- The application was publicly notified and exhibited from the 28 August 2023 to the 26 September 2023. The exhibition was in line with the statutory requirements and Campbelltown City Council's Community Participation Plan. No submissions were received in response to the proposal.
- In accordance with Schedule 6 of the State Environmental Planning Policy (Planning Systems) 2021, the application shall be determined by the South Western Regional Planning Panel on Council's behalf.
- The Sydney Western City Planning Panel were briefed regarding the proposal on Monday 4 September 2023. (Record of Meeting at attachment 2)
- The conditions of consent have been endorsed by the Crown pursuant to Division 4.6 of the *Environmental Planning and Assessment Act 1979* (EPA Act), concurrence received by email 03 July 2024.
- 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 of consent as detailed in Attachment 1.

1.0 Background/Site History

The Claymore public housing estate is one of five public housing areas in Campbelltown built in the 1970s and early 1980s. The housing estate was previously one of the largest public housing estates in South Western Sydney, containing 1,123 public housing dwellings. Significant parts of the Claymore public housing area utilised the Radburn urban design principles, which are now considered unsuitable in a public housing context.

Redevelopment of the Claymore public housing estate is being undertaken by the NSW Land and Housing Corporation in accordance with the Claymore Urban Renewal Concept Plan (Concept Plan) granted by the Minister for Planning and Infrastructure on 24 May 2013. The subject development application is identified as Stage 4 within the Concept Plan.

The redevelopment of the Claymore public housing estate is facilitated by the Concept Plan. The Concept Plan increases dwelling numbers from 1,123 to approximately 1,490 dwellings, including 100 seniors housing units. Further, the Concept Plan increases social mix within the estate with 70 per cent of housing stock to be privately owned and 30 per cent to be retained as public housing. The Concept Plan also includes the creation of a new Claymore town centre and new and upgraded urban infrastructure such as pathways, lighting, open space, community facilities, drainage and a new road network.

The Concept Plan was modified on 22 October 2013 to allow a planning agreement to be provided prior to the lodgement of any development application for subdivision relating to Stage 3 of the Concept Plan.

On 9 October 2014, the Sydney West Joint Regional Planning Panel approved Stages 1 and 2 of the Concept Plan (development application 1141/2014/DA-SW) which created 247 Torrens title residential allotments, 2 allotments for future medium density development, 4 residue allotments and associated subdivision works including construction of new roads, drainage, site regarding and retaining, utility services and landscaping. Stages 1 and 2 subdivision works have been completed.

On 19 December 2018, approval was granted for application 1700/2017/DA-SW for the subdivision of land creating 113 Torrens title residential allotments, 17 residue lots, including 1 lot that would contain the future proposed retail centre, community facilities and 3 lots comprising roads, and associated civil works in Stages 3A and 3B of the Claymore Urban Renewal Concept Plan, subject to conditions.

On 21 November 2019, application 1700/2017/DA-SW/B was modified to update property and development descriptions, provide a turning head to road 09, and connect Bryant Way to Ruby Way subject to amending Condition No.1.

On 20 August 2020, application 1700/2017/DA-SW/C was modified to remove 4 trees, prune 3 trees and amend condition 19 regarding footpath width, involving modification of Condition 1 and 19.

Stage 11

On 30 June 2021, the Sydney Western City Planning Panel approved Stage 11 (development application 11/2021/DA-SW) for the subdivision of land comprising 92 torrens title residential allotments, 1 residue allotment and associated site, civil and landscape works, including the removal of 190 trees.

Stage 4

The application was approved by the Sydney Western City Planning Panel September 2022 to create 181 torrens title allotments being 180 residential allotments, and 1 residual lot (future Davis Park), and including land remedial works, associated site, civil and street tree landscape works, including the removal of 312 trees.

Stage 5

The application was approved by the Sydney Western City Planning Panel 8 December 2022 for the subdivision of land to create 86 residential lots, 1 residue lot, 1 lot for future park (Dimeny Park) and including land remedial works, associated site, civil and street tree landscape works, including the removal of 200 trees.

Stage 3C

The application was approved under delegated authority of Council, 26 October 2023, for the subdivision to create 14 residential allotments and 2 residue superlots including bulk earthworks, civil works, landscape works, associated ancillary site works, the provision of remediation containment cells and the removal of 98 trees.

Stage 13

The application was approved under delegated authority of Council, 14 December 2023, for the re-alignment of 6 lots, consolidation of lots 110, 111 & 125 DP258941 and re-subdivision into 2 lots, subdivision creating 14 new torrens title residential allotments, bulk earthworks, construction of a new road and associated site, civil and street tree landscape works, including the removal of 21 trees.

1.1 Panel Briefing

Sydney Western City Planning Panel were briefed regarding the proposal on Monday 4 September 2023.

The following issues were raised by the Panel:

- The panel queried the timing and how the civil engineering and drainage works will be constructed as a part of this development.
Comment
Council's Development Engineer noted the Staging of 9 and 10 was reviewed and considered to be appropriate. Consideration has been included to ensure access is maintained to Fullwood Reserve.
- The panel queried the locations of street trees and their proximity to future driveways and gutters. The panel noted that driveways need to be designed to ensure the street trees can be accommodated. The panel stated that the plan shown in the presentation did not clearly show if this could be achieved or not.
Comment
Council's Development Engineer noted that the submitted street tree plans were indicative and final locations would be confirmed prior to SWC.
- The panel queried what would happen to hollow bearing trees proposed for removal.
Comment
Hollow bearing trees are to be reinstated and is to be conditioned accordingly.
- The panel set down the 3rd week in March 2024 for the anticipated determination date.
Comment
Noted
- The Panel requested that the applicant provide a response to the biodiversity issues and provide explanation as to why a BDAR is not required, within 28 days of the date of the Kick Off Briefing. A further briefing is to be scheduled with the Panel in November to receive update on the findings and outcomes of the BDAR investigation.
Comment
Completed accordingly.
- The panel targets determination of RSDAs within 250 days. The chair recommends that the applicant expedite their efforts to facilitate amendments or additional information required by Council to allow them to complete their assessment. The panel may determine development in the form it is presented to the Panel at or prior to 250 days.
Comment
Noted

(Record of Meeting at Attachment 2)

2.0 The Site and Locality

Claymore redevelopment area is an irregularly shaped 125 ha site bound by Badgally Road to the southwest, the Hume Highway to the southeast, and the western and northern boundaries adjoin the existing Eagle Vale residential area. The site is approximately 2 km north of Campbelltown CBD and is accessed from Badgally Road to the south, Dobell to the south and west and Gould Road to the north.

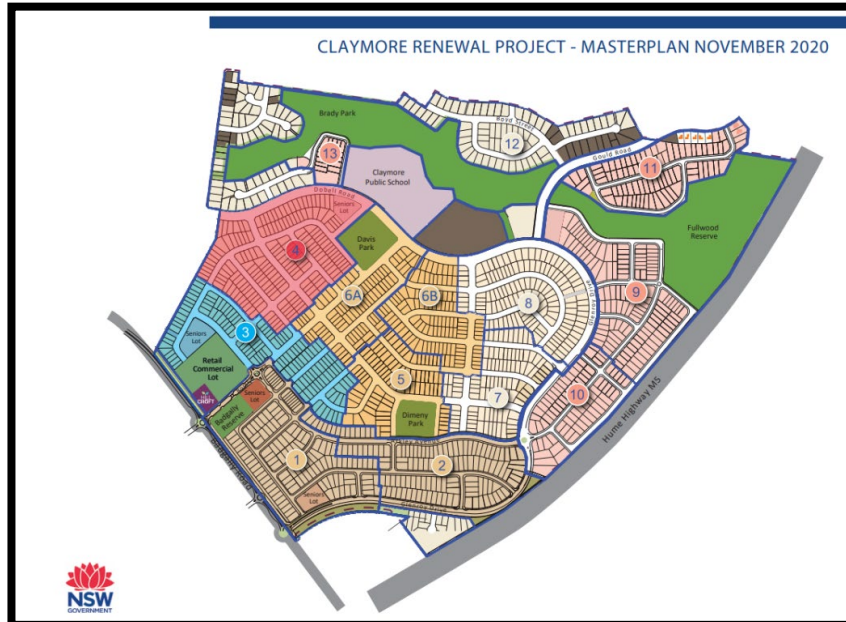


Figure 1: Claymore Urban Renewal Concept Plan area.

The Concept Plan prescribes that Stage 9 and 10 of the Claymore Urban Renewal Concept Plan is located between Glenroy Drive to the south and west, Fullwood Reserve to the north, and the M5 Hume Motorway to the east. The north western edge of the site bounds the Claymore Community Centre. The area of land affected by the proposed works is approximately 12.98 ha.

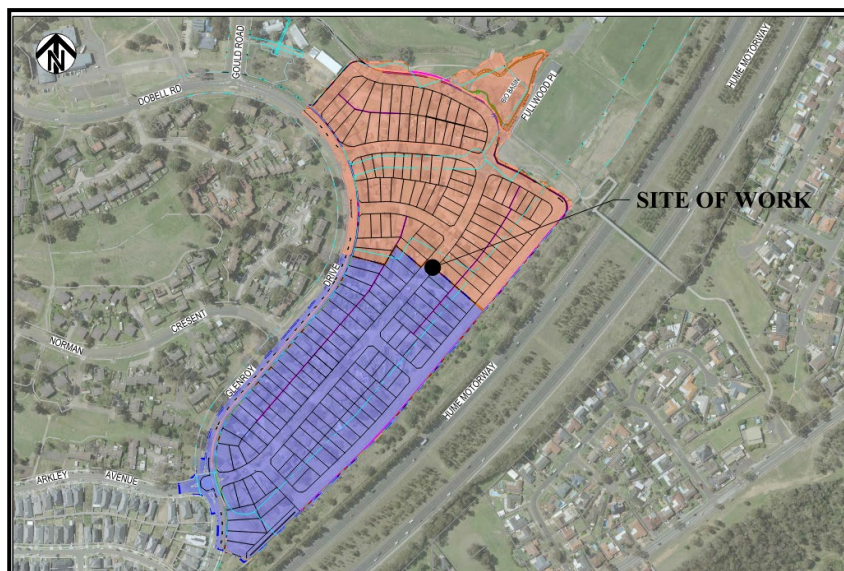


Figure 2 – Stage 9 and 10 Locality Plan

2.1 Surrounding Land Uses and Context

Stages 9 and 10 is generally bound by residential properties forming part of the Claymore renewal area, Fullwood Reserve and the M5 freeway.

The surrounding land uses are as noted follows:

- North: Immediately to the North is Fullwood Reserve.
- East: Immediately to the East is the M5 Freeway.
- South: Immediately to the South is Stage 1 and 2 of the Claymore site.
- West: Immediately to the West is future Stage 7 and 8 of the Claymore Site.



Figure 3 – Surrounding context

3.0 The Proposal

The proposed works comprising Stage 9 and 10 of the Concept Plan are noted as follows:

- The subdivision of proposed new lots and part of Fullwood Reserve to create 192 residential allotments.
- Construction of new roads (Road 1, Road 2, Road 3 and Road 4) including new intersections proposed on Glenroy Drive. There are 2 proposed roundabouts to be constructed; 1 at the existing intersection of Glenroy Drive and Arkley Avenue and another at the intersection of Road 1 and Road 2.
- Civil works associated with road grading and site benching including the modification to existing kerb/verge for construction of new driveways.
- Associated drainage, utility services including services re-location;
- A bio retention basin;
- Minor associated works including removal of redundant services, sedimentation control;

The mix of residential allotment sizes provides choice in the development of future housing form. All allotments have been provided with a street frontage.

4.0 Primary Considerations

Watercycle Management Plan

The applicant provided a supporting engineering design report and statement of consistency highlighting compliance with the approved Water Cycle Management Plan as prepared by Northrop.

The report concluded as follows:

"This report and the accompanying Engineering plans attached in Appendix demonstrate compliance with Campbelltown City Council's DCP and Engineering Guidelines, the Northrop Water Cycle Management Plan for the Claymore Renewal Project as well as generally meeting the requirements set out in the Claymore Infrastructure Services Delivery Plan (ISDP).

Engineering investigations and concepts have been developed for each of the following:

- Road design
- Stormwater quality
- Stormwater quantity
- Utilities

The results indicate that it is feasible to service the proposed development and also achieve compliance with regulatory and authority requirements .

The proposal is considered to be generally in accordance with the approved Water Cycle Management Plan.

Bushfire

The subject site within the M5 Hume Motorway corridor has been identified as category 2 vegetation with the south western component of the site being a vegetation buffer.



Figure 5 - Bushfire Prone Land

The Bushfire Hazard Assessment report identifies that Stages 9 and 10 are to be maintained as an Inner Protection Area and the vegetation selections for landscaping, vegetation management and property management should be in accordance with Appendix 4 PBP 2019.

The proposal was referred to Rural Fire Service NSW, General Terms of Approval, under Division 4.8 of the *Environmental Planning and Assessment Act 1979*, and a Bush Fire Safety Authority, under section 100B of the *Rural Fires Act 1997*, have been issued subject to the conditions.

(Refer to Attachment 3)

Acoustic

The proposed subdivision was supported by a Noise and Vibration Impact Assessment prepared by Renzo Tonin & Associates dated 26 October 2022.

The report concluded as follows:

Renzo Tonin & Associates has completed an acoustic assessment for Stages 9 & 10 residential subdivision in the Claymore Renewal area. The assessment has been undertaken in accordance with the Concept Plan Approval MP11_0010, specifically Conditions 17. a) and e).

In accordance with Condition 17. e), the report addresses road traffic noise from M31 Hume Motorway and its potential impact upon residential lots located in proximity to the frontage.

The results of the noise modelling indicate that:

- *With respect to residential lots exposed to M31 Hume Motorway, the ground floor level facades of residential premises do not comply with the SEPP criteria even with the acoustic shielding provided by the acoustic mounding/wall as per F5 REF.*
- *Exceedance of the SEPP criteria are also predicted at first floor facades of the dwellings exposed to M31 Hume Motorway.*
- *For facades that are exposed to noise levels above the SEPP, indicative building envelope design has been provided in accordance with the internal noise level criteria.*
- *If the internal criteria can only be achieved with windows closed, then mechanical ventilation or air conditioning that meets the requirements of the National Construction Code must also be provided to ensure fresh airflow inside the dwelling. It is important to ensure that mechanical ventilation does not provide a new noise leakage path into the dwelling and does not create a noise nuisance to neighbouring residential premises. It is noted that windows are not required to be sealed shut/fixed and can be operable.*

Construction noise and vibration management has also been addressed in accordance with Condition 17. a)."

Council's Specialist Officer reviewed and the submitted report and provided conditions to ensure compliance with the said requirements.

Site Contamination

In 2011, Geotechnique conducted a preliminary site investigation as part of the Concept Plan application. The findings of this preliminary contamination assessment are summarised as follows:-

- *In general, soils beneath the site do not appear to have been significantly impacted by past or present activities and/or the presence of fill materials, soil stockpile and earth mound.*
- *Topsoil, fill materials with demolition waste in isolated locations within the site and soil stockpile were contaminated with lead, zinc and/or asbestos-cement pieces. Elevated lead (Pb) concentrations present a potential risk of harm to human health. Asbestos-cement pieces also present a potential risk of harm to human health. Elevated zinc (Zn) concentration could potentially impact on the growth of certain plant species but would not present a risk of harm to human health. Therefore, remediation is required.*
- *Groundwater assessment was not carried out; however, the potential for groundwater contamination is considered low.*

Geotechnique concluded that the site is considered suitable for the proposed residential subdivision development, subject to the following:

"Detailed sampling and testing in the vicinity of locations of concern to delineate the extent of contamination.

- *Development of a remedial action plan (RAP) to remediate the elevated lead and zinc concentrations and asbestos-cement pieces, followed by appropriate validation.*
- *Following demolition and removal of houses, garages and clearing of roads, an inspection and/or sampling and testing of soils beneath the feature should be carried out by an Environmental Consultant. In the event that soil beneath the site feature(s) is contaminated, detailed sampling, testing and remediation will be required. Demolition and removal of the houses and garage should be carried out by appropriately licensed contractors. A hazardous materials survey and controlled removal process must be carried out/implemented by an occupational hygienist prior to commencement of demolition works. Any fibro structures might impact on surface soils if demolition is not carried out properly.*
- *A site-specific Unexpected Finds Protocol (UFP) should be prepared and implemented throughout the construction works under the responsibility of the Principal Contractor."*

Further targeted contamination site assessments for the Stages 9 & 10 sites has been undertaken by JBS&G and submitted in support of the proposal.

In addition, a Remedial Action Plan has been prepared by JBS & G dated August 2023, that outlines the principles of remedial works and validation required for the site, that when completed, will make, and demonstrate that the site has been made suitable for the intended land uses concluding that:

"Subject to the successful implementation and validation of the measures detailed in this RAP and subject to the limitations in Section 14, it is considered the site can be made suitable for the proposed residential land use."

Salinity

A salinity assessment management plan prepared by JBS&G in support of the proposal.

The report concluded:

"The soils at the site are considered to be non-saline, non-aggressive and non sodic to highly sodic."

Aboriginal Cultural Heritage

Extent Heritage Advisors prepared a Stage 9 and 10 Addendum Aboriginal Cultural and Heritage Assessment in support of the proposed subdivision works.

Extent Heritage advised as follows:

"No Aboriginal sites have been recorded in the study areas, and the study areas possesses low archaeological potential. The following recommendations have been made based on these findings:

- *Further assessment and an AHIP application are not required. Works in the Stages 9 and 10 development areas may proceed with caution following an unexpected finds procedure.*
- *The results of the assessment do not preclude the potential for the presence of unexpected finds.*

If unexpected Aboriginal objects are identified during construction, all works in the vicinity should cease and the regulatory bodies should be consulted to determine whether further assessment, investigation or mitigation is required. Consultation with Aboriginal community representatives would also be required."

Comment

The report was reviewed and the standard "unexpected finds" condition imposed.

Historic Heritage

It is noted that the Stages 9 and 10 site, does not contain any individually listed items of local heritage significance as listed by Schedule 1 of the Campbelltown Local Environmental Plan 2015.

Utility Services

Utilities such as water, electricity, gas and NBN, are available and can be readily augmented to meet the needs of the proposal.

Bulk Earthworks

The applicant has advised that the proposed development will require bulk earthworks across the site. Overall, there is a requirement for fill to be applied within Stage 9 and 10 works. The applicant has noted that suitable material will be reused on the site as fill, and unsuitable materials will be removed in accordance with the Waste Management Plan. Additional material will be excavated for road layout and trenching etc.

Fill will be required to achieve the future development levels and will be sourced from within the CURP area where available or transported from off site.

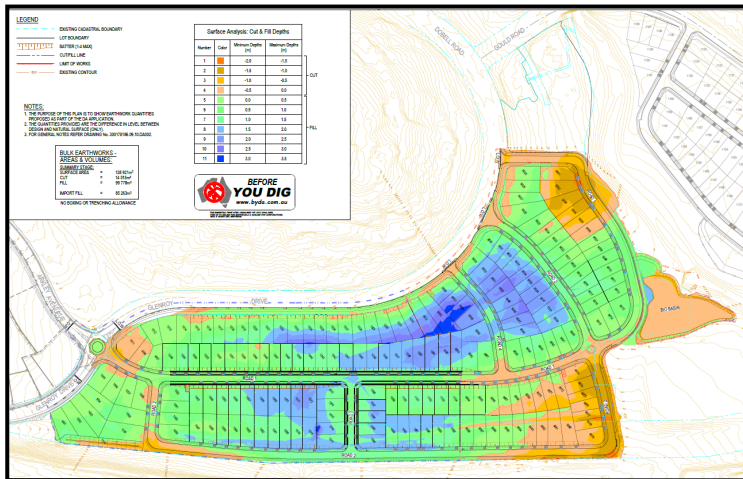


Figure 6 – Cut & Fill Plan

Waste Management

The applicant has noted that adequate area has been allocated on the verge for each housing allotment to be able to place garbage bins at the kerbside.

Construction Management

The proposed subdivision has the potential for noise and dust emissions during construction. It is anticipated that conditions will be imposed to ensure construction activity will take place in accordance with accepted criteria for construction activity.

Construction will be managed to minimise disturbance to neighboring properties. Construction techniques will seek to avoid the generation of wastes and to achieve a reduction in building wastes to landfill by reusing and recycling construction material wastes where possible.

A Construction Management Plan will be required to be prepared for the site prior to the commencement of construction works. This is to include construction traffic management and construction noise and vibration management measures and is to be conditioned accordingly.

Clause 34A Certification

The Project was approved under former NSW biodiversity legislation, which has since been replaced by the NSW Biodiversity Conservation Act 2016 (BC Act). An application was made by LAHC for certification of the development under Clause 34A of the Biodiversity Conservation (Savings and Transitional) Regulation 2017. Certification under Clause 34A allows for recognition of past offsetting agreements for Part 3A concept plan approvals under the NSW Environmental Planning and Assessment Act 1979 and does not require further biodiversity assessment or approval under Part 7 of the BC Act.

Clause 34 A certification was approved for the Claymore Urban Renewal Project Area in December 2021. As such, no further biodiversity matters are required to be assessed unless the proposed works extend beyond the Clause 34A certification boundary, or the impacts are increased because of the proposed works causing further biodiversity impacts.

Consistency Assessment – Flora and Fauna Assessment

Cumberland Ecology concluded:

“The only vegetation mapped within the Stage 9 and Stage 10 area is areas of Planted Native and Exotic Weeds, as per vegetation mapping undertaken by Cumberland Ecology in 2012. This vegetation was assessed during preparation of the Ecology Study for the Project (Cumberland Ecology 2012a) and was determined to not require an offset due to the lack of remnant, intact native vegetation with a native understorey. The majority of this vegetation was designated to be removed in the Ecology Study, however due to some slight boundary changes, some very small areas of Planted Natives and Exotic Weeds in the north which were not proposed to be removed will be removed.

The additional areas appear to consist only of exotic grassland/garden areas in backyards and besides a footpath, which are only included in a mapping polygon due to occurring between trees, and as such the removal is not considered inconsistent with the Ecology Study. A large Eucalyptus tereticornis (Forest Red Gum), Tree 319 in the Arboricultural Impact Assessment prepared by Arborsaw (Arborsaw 2022), occurs immediately to the north of the additional areas to be impacted, but this tree is proposed to be retained. Additionally, two native trees at this location 312 and 318 (a Eucalyptus crebra and a Eucalyptus moluccana), which are within parts of the polygon approved to be removed are to be retained.

An area of Stage 9 in the north associated with drainage infrastructure including a detention basin extends beyond areas designated in the concept plan for residential development and into areas designated as open space. The open space areas are zoned as RE1 – Public Recreation. Flood mitigation works are permitted with consent in this zone. No vegetation mapped in the Ecology Study will be removed for the drainage works/detention basin.

For the above reasons, it is determined that any vegetation removal required for Stage 9 and Stage 10 is consistent with vegetation approved to be removed under the approved Concept Plan. All vegetation required to be offset under former planning provisions is to be offset under the Biodiversity Offsets Package provided for the approved Concept Plan, as per the consent conditions.”

Arboricultural Impact

An Arboricultural Impact Assessment report was prepared by Arborsaw, dated August 2023 (final V3), noting the following:

“The site visits and data collection were completed between the 11th, 24th May and the 3rd June 2022 where 338 trees within the proposed development area were inspected and are now subject to this report”.

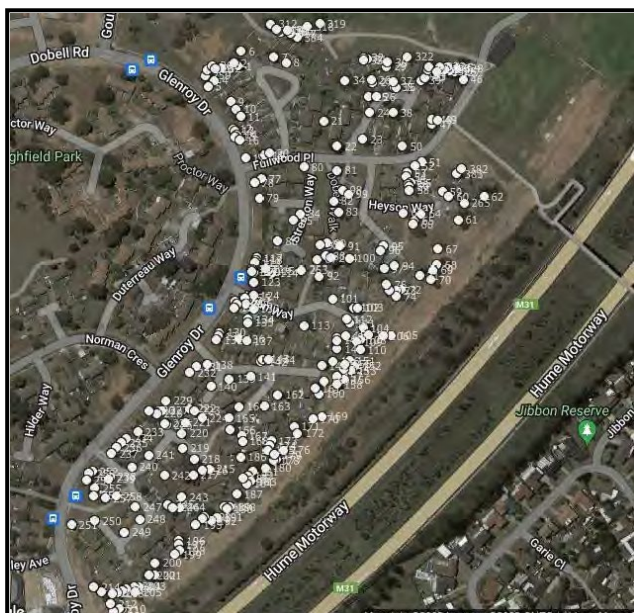


Figure 7 – Location of Trees as assessed

The 338 trees are comprised of;

- 101 A Retention Value Trees
- 123 B Retention Value Trees
- 87 C Retention Value Trees
- 27 R (Remove) Trees

53 trees identified in this report form part of Cumberland Plain Woodland (CPW) which is mapped in the SEED mapping portal as being within the site. A site inspection was performed by Cumberland Ecology in August 2023 in response to a preliminary comments from the Council.

The site inspection paid particular attention on the *Eucalyptus moluccana* (Grey Box) and the *Eucalyptus tereticornis* (Forest Red Gum) identified in the Arborsaw data set as these species contribute to the Cumberland Plain Woodland species assemblage. Upon review of the Cumberland identification sheets, Arborsaw agrees with Cumberland's Ecology's findings of these overlapping species and this AIA has been updated accordingly. Cumberland Ecology found that 39 of the *Eucalyptus tereticornis* (Forest Red Gum) are planted *Eucalyptus blakelyi* (Blakelys Red Gum). 10 Trees were confirmed as *Eucalyptus tereticornis* (Forest Red Gum). All of the 29 *Eucalyptus moluccana* (Grey Box) within the site boundary were found to be planted *Eucalyptus albens* (White Box). The Cumberland ecology data sheets with key identification features are located in the appendix. The remainder of the trees onsite do not form part of the CPW species assemblage and their species status has been listed in the data set.

If the current proposed layout and construction is to proceed, then 322 Trees require removal to facilitate the project. The 322 Tree Removals include; 97 x A, 111 x B, 87 x C and 27 x R Retention Value Trees. 48 trees proposed for removal are Cumberland Plain Woodland (CPW) species.

The primary reasons for tree removal across the site is the Bulk Earthworks and Proposed Roads that result in major soil level changes within the TPZs. It is not possible to reduce

the quantities of tree removals without complete design change that seeks to retain existing soil levels.

16 trees can be retained if the tree protection measures in the report are adhered to. Trees nominated for retention include Tree numbers; 78, 127 129, 130, 234, 237, 251, 252, 253, 254, 259, 260, 261, 312, 318 & 319. Five (5) trees for retention are Cumberland Plain Woodland (CPW) species. All trees for retention require specific protection measures including Arborist supervision of works as works are planned in the immediate vicinity of the TPZ's."

Street Tree Landscape Master Plan

A street tree landscape master plan was provided as a component of the proposal prepared by JMD design.



Figure 8 – Example of proposed Street Tree Landscaping Works

The key components of the hard and soft landscaping treatment elements include:-

- continuous concrete footpaths of minimum 1.2 m width;
- a 2.5 m wide shared pathway linking the rest of the development along the collector and minor collector roads;
- kerb blisters at some intersections to reduce vehicle speeds and increase pedestrian amenity; and
- tree planting to all streets to provide shade, local distinctiveness, seasonal variation and habitat opportunities when mature.

The public domain treatment strategy continues the streetscape established within the urban renewal area.

Building Envelope Plan

A building envelope plan is required to be prepared for lots less than 300 sqm in size. This is consistent with Control 8.5 of the Urban Renewal Areas Development Control Plan - Part 9 of Volume 2 Part of Campbelltown (Sustainable City) Development Control Plan 2015.

The building envelope plan is to show the configuration and orientation of dwellings on each of these smaller lots. The plans should also indicate the maximum permissible building envelope (setbacks, storeys, and articulation zones), the location of garages, zero lot line boundaries, and area of private open space.

Within the proposed subdivision 1 lot being Lot 9017 is less than 300 sqm.

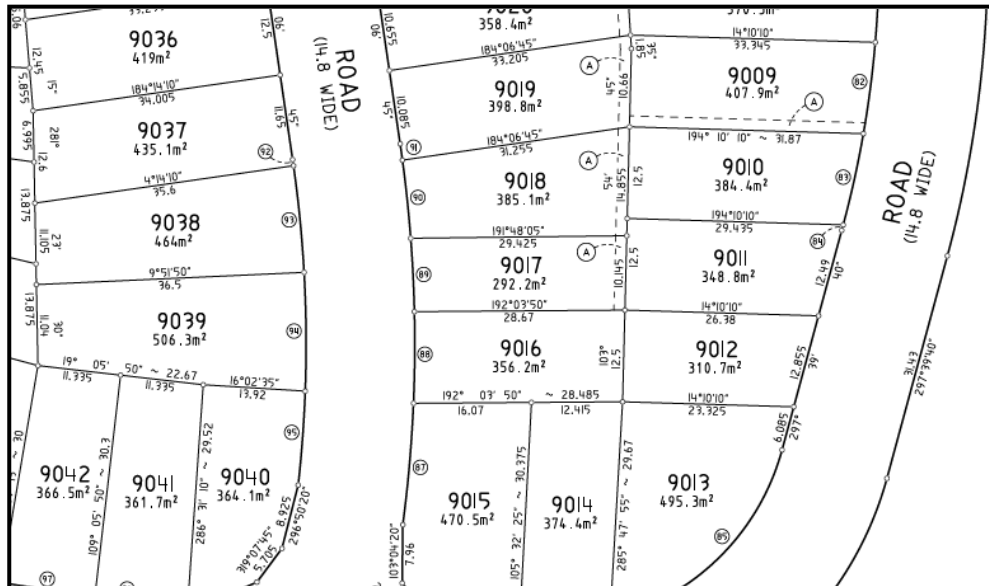


Figure 9 – Identification of Lot 9017

Building envelope plan to be associated with Lot 9017 is to be conditioned accordingly.

Assessment

5. Strategic Context

5.1 Greater Sydney Regional Plan

The Greater Sydney Region Plan (GSRP), is built on a vision of three cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places.

In the transformation of Greater Sydney, the needs of a growing and changing population have been broken into three metropolis cities:

- Western Parkland City
- Central River City
- Eastern Harbour City

The GSRP identifies the need for an additional 725,000 dwellings across Greater Sydney between 2016-2036. Approximately 25 per cent of this growth will come from the Western Parkland City, which the Campbelltown LGA is a part.

The proposal is consistent with the GSRP in that it seeks to deliver some 192 residential allotments (88 in Stage 9 and 104 in Stage 10) that will help contribute to the GSRP's projected needs by 2036.

5.2 Western City District Plan

The Western City District Plan (the District Plan) sets out more detail with respect to the anticipated growth in housing and employment in the Western City over the next 20 years.

The District Plan identifies future growth of an additional 184,500 dwellings to be provided in land release areas and urban renewal of existing areas close to existing centres. The redevelopment of Claymore will assist in achieving the 0–5 year housing target of 6,800 for Campbelltown as future subdivision and dwelling house applications are lodged.

5.3 Greater Macarthur 2040 (Draft) An interim Plan for the Greater Macarthur Growth Area

Greater Macarthur 2040 is a draft land use and infrastructure implementation plan that, when finalised, will guide precinct planning within the Growth Area. The Plan is supported by strategies for major items of State and local infrastructure and includes an updated structure plan for the land release areas of South Campbelltown.

The Growth Area within the Campbelltown Local Government Area (LGA) would provide for approximately 39,000 dwellings in the land release precincts. Approximately 19,000 of these new dwellings is expected to be delivered in new land releases within the Campbelltown LGA, including Claymore.

The proposal is consistent with the draft Plan as noted. The proposal forms Stages 9 and 10 of Land and Housing's land holdings for the Claymore Urban Renewal Project with the provision of creating 192 residential lots (88 in Stage 9 and 104 in Stage 10), 1 lot for Claymore Community Centre, 1 lot for Fullwood Reserve (part), 1 drainage reserve, 1 lot for public road and 1 residue lot.

5.4 Local Strategic Planning Statement

On 31 March 2020, the Campbelltown Local Strategic Planning Statement (LSPS) came into force when it was published on the NSW Department of Planning, Industry and Environment's e-planning portal.

The LSPS responds to a number of key strategic documents produced by the Federal and NSW State Governments, as well as by Council, to provide a 20 year land use vision for the Campbelltown LGA.

The LSPS delivers four key themes, which are consistent with the Council's Community Strategic Plan. The themes that are most relevant to the proposed development are:

1. A vibrant, liveable city, and
2. A respected and protected natural environment.

The planning priorities, within these themes, that are applicable to the proposed development are:

- Planning Priority 2 - Creating high quality, diverse housing
- Planning Priority 6 - Respecting and protecting our natural assets

The application is consistent with the above strategic directions as the proposal would continue to facilitate the redevelopment of Claymore public housing estate, which would significantly improve the existing public infrastructure.

5.5 Campbelltown 2017-2027 Community Strategic Plan

Campbelltown 2032 is the 10 year Community Strategic Plan for the City of Campbelltown. The Strategic Plan addresses five key strategic outcomes that Council and other stakeholders will work to achieve over the next 10 years:

- Outcome 1: Community and belonging
- Outcome 2: Places for people
- Outcome 3: Enriched natural environment
- Outcome 4: Economic prosperity
- Outcome 5: Strong leadership

The key outcome most relevant to the proposed development is Outcome 2: Places for people.

The strategy most relevant to this application is:

- 2.3.1 – Ensure all people in Campbelltown have access to safe, secure, and affordable housing.

The proposed development would facilitate the renewal of aging social housing to revitalise and provide a new supply of social housing in a more inclusive and safe environment.

6. Planning Provisions

The development has been assessed in accordance with the heads of consideration under Section 4.15 of the EP&A 1979, and having regard to those matters, the following have been identified for further consideration.

6.1 Determination of Crown Development Applications

Pursuant to Clause 4.33 of the *Environmental Planning and Assessment Act 1979*, a consent authority must not impose a condition on its consent to a Crown development application, except with the approval of the applicant.

The draft conditions of consent were provided to Landcom for review and concurred with, accordingly.

6.2 State Environmental Planning Policy (Transport and Infrastructure) 2021

Clause 2.119 of *State Environmental Planning Policy (Transport and Infrastructure) 2021* sets out provisions relating to the impacts of road noise or vibration on non-road development. The proposed land use is not identified in Clause 2.119.

Clause 2.121 of the SEPP sets out provisions relating to traffic generating development. Referral to the Roads and Maritime Services was not required with respect to this application, as the proposal is not defined as traffic-generating development. The proposed development does not trigger the threshold for traffic generating development as the subdivision is less than 200 allotments and the connection to the site is not within 90 m of a connection with a classified road.

A Traffic Impact Assessment prepared by Positive Traffic Engineering/Planning, dated October 2022, supported the proposal and concluded as follows:

"This report has reviewed the potential traffic impacts proposed subdivision within the Claymore Renewal Project known as Stages 9 & 10. The findings of this assessment are presented below:

- 1. The traffic impacts of the proposal have been fully assessed in the original traffic impact assessment report for the precinct which underpinned the road network provision of the precinct.*
- 2. The proposed yield of Stages 9 and 10 mirror that assumed in the original traffic report and in terms of potential traffic generation.*
- 3. The traffic impacts of the development would be minimal with future traffic flows on surrounding roads within acceptable limits.*
- 4. Intersections surrounding the development would continue to operate at levels of service to that which currently occurs following full development of the Claymore Precincts.*
- 5. The proposed design of the internal roads complies with the minimum requirements of the Traffic Solutions traffic report and are considered satisfactory.*

Overall, the potential traffic impacts of the proposed residential subdivision are considered acceptable."

The assessment was considered by Council's Traffic Engineer who did not raise any concerns subject to inclusion of conditions. This includes a condition requiring a Construction Management Plan prior to works commencing.

6.3 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 remediation work meet certain standards and notification requirements.*

The SEPP introduces state-wide planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed.

The proposal is supported by a targeted detailed site investigation report prepared by JBS&G Australia Pty Ltd dated June 2023 and remediation action plan prepared by JBS&G Australia Pty Ltd dated July & August 2023.

The reports concluded as follows:

“JBS&G was previously engaged by LAHC to conduct a contamination assessment at the site, as reported in JBS&G (2021a1). During this assessment, demolition of residential houses was only partially completed, and the majority of the site was inaccessible. The limited contamination assessment identified asbestos containing material (ACM) in soil at sample location S09_TP11 0-0.1, which exceeded the adopted human health criteria. All other contaminant concentrations in soil i.e. heavy metals, total recoverable hydrocarbons (TRH), benzene, toluene, ethylbenzene, xylene (BTEX), polycyclic aromatic hydrocarbons (PAH), organochlorine pesticides (OCP) were reported below the limit of reporting (LOR) or within residential land use criteria. Alongside the contamination assessment, a salinity assessment and management plan were completed (JBS&G 2021b2) to assess salinity conditions across the site as a requirement per the sites Development Application (DA). The salinity assessment concluded that surface and subsurface soils were non-saline, non-aggressive with respect to concrete/steel pile exposure, and non-sodic to sodic.

A targeted Detailed Site Investigation (DSI) was undertaken in March 2023, as reported in JBS&G (20233). All contaminant concentrations in soil (heavy metals, TRH, BTEX, PAHs, OCPs, and asbestos) were below the LOR and/or the adopted site criteria. There were no indications of gross or widespread contamination at the site. JBS&G (2023) indicated that there is potential for localised asbestos impacts in the vicinity of S09_TP11. As such, it was considered the site can be made suitable for the intended land uses subject to further investigation in the vicinity of S09_TP11 and remediation of the asbestos impact, and further investigation in areas that were inaccessible during JBS&G (2021a) and JBS&G (2023).

The Remedial Action Plan (RAP) that outlines the principles of remedial works and validation required for the site, that when completed, will make, and demonstrate that the site has been made suitable for the intended land uses. This RAP has been prepared with reference to relevant guidelines made or endorsed by the NSW Environment Protection Authority (EPA) and ‘Chapter 4 Remediation of land’ of State Environmental Planning Policy (Resilience and Hazards) 2021. Remediation is required to address the following contamination risks to ensure the suitability of the site for residential land use:

- *Bonded ACM in surface soils (0 – 0.1 m) at S09_TP11;*
- *Potential surface/subsurface ACM fragments encountered during vegetation slashing and/or earthworks; and*
- *Any additional asbestos or other impacts as may be identified by the pre-remedial inspection and following demolition of remaining site structures (pre-remedial investigation).*

Prior to development-related earthworks and civil works and to confirm the suitability of inaccessible portions of the site for the intended land uses, further investigation works are required to assess potential impacts within inaccessible areas and building footprints following demolition of the remaining site structures in the southern and north-eastern portion of the site.

*Subject to the successful implementation and validation of the measures detailed in this RAP and subject to the limitations in **Section 14**, it is considered the site can be made suitable for the proposed residential land use.”*

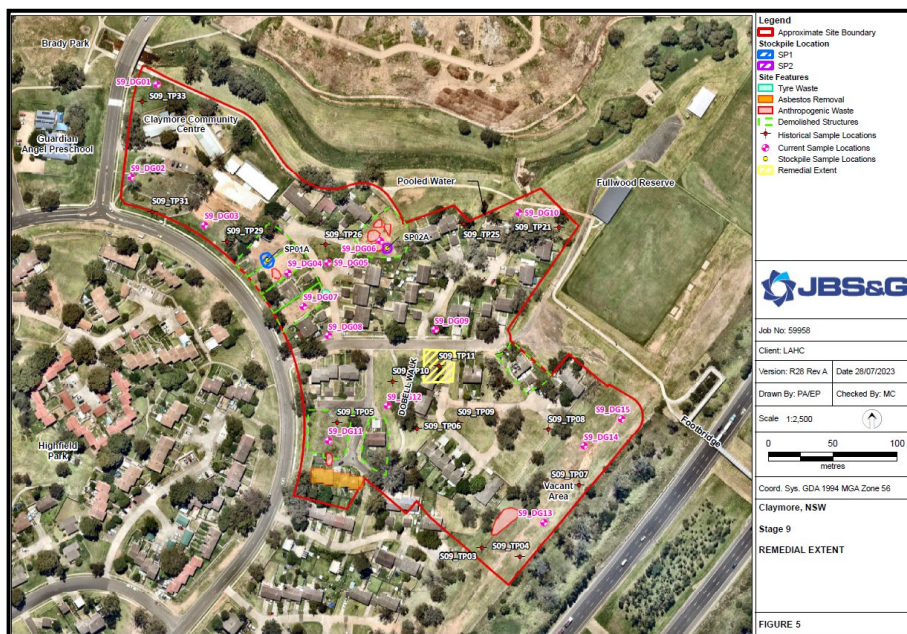


Figure 10 – Remedial Extent Stage 9

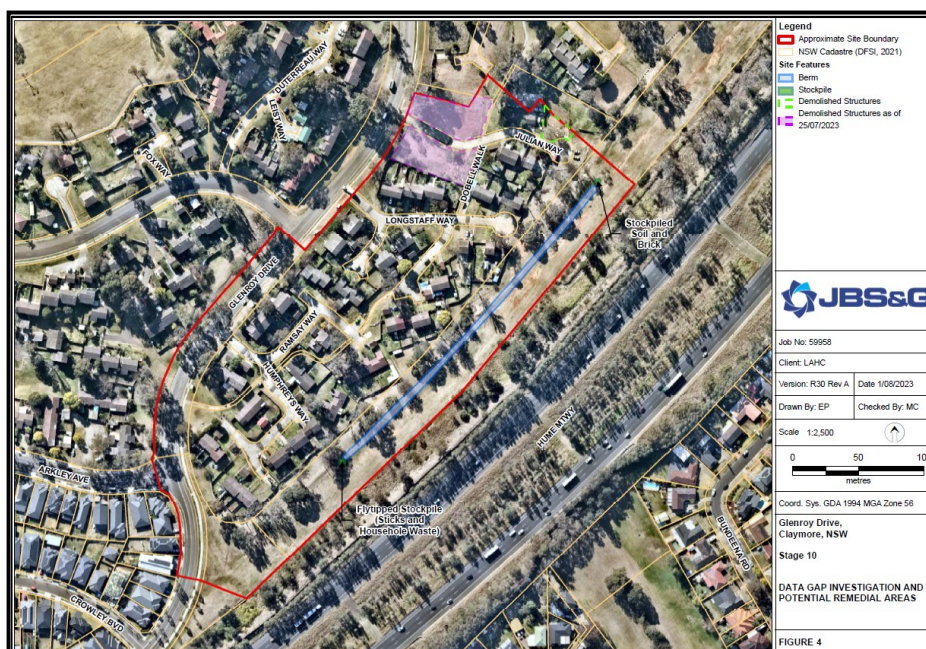


Figure 11 – Potential Remedial Extent Stage 10

It is concluded that the Stages 9 & 10 site can be made suitable for the proposed residential development.

6.4 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 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.

6.6 Claymore Urban Renewal Concept Plan

Pursuant to Part 3A of the *Environmental Planning and Assessment Act 1979* (repealed), the Concept Plan was approved by the Minister for Planning and Infrastructure on 24 May 2013.

Clause 3B(2)(d) of Schedule 2 of the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017*, requires consent authorities to be satisfied that development is 'generally consistent' with the terms of the approval of the Concept Plan.

The table below provides an assessment of the proposed Stages 9 and 10 subdivision against the terms of the Concept Plan.

Schedule Concept Plan	of	Requirement	Comment on Consistency
Schedule 3			
Part A - Terms of the Approval 1(a)		Approval of the Claymore concept plan, except as otherwise modified by this approval, including but not limited to: A Masterplan for the long term urban rejuvenation of the estate involving: (i) The increase in dwellings from 1,123 to approximately 1,490 (ii) Retention of approximately 140 existing dwellings on separate lots (iii) An increased social mix within the	The proposed development is considered generally consistent with the Concept Plan.

	estate of 70 per cent private and 30 per cent public housing (iv) Creation of a new Claymore town centre (v) New or upgraded urban infrastructure such as pathways, lighting, open space, community facilities, drainage and a series of new interconnecting public roads.	
1(b)	Utilities and infrastructure delivery plan	Consistent
1(c)	Staging Plan	The proposed location of Stages 9 and 10 and the revised road layout does not inhibit the delivery of the Concept Plan and is considered to be generally consistent with the terms of the Concept Plan.
1(d)	Claymore Development Control Guidelines	Refer below for an assessment of the proposed development against the Claymore Urban Renewal Development Guidelines.
1(e)	Street Layout and building typologies	All new roads to be created are generally consistent with the CURP, providing a consistent road layout with additional minor collector roads being realigned to provide greater permeability and better lot layout.
1(f)	Street tree and landscaping strategy	A Street Tree hierarchy Masterplan was provided in support of the proposal.
2(a)	The proponent shall carry out the concept plan generally in accordance with the: Claymore Renewal Project Environmental Assessment Report, prepared by BBC Consulting Planners dated September 2011, as amended by Claymore Renewal Project Final Response to Submissions and Preferred Project Report and Appendices, prepared by BBC Consulting Planners dated May 2012	The proposed development is generally consistent with the Environmental Assessment Report prepared by BBC Consulting Planners.
2(b)	Claymore Urban Renewal Development Control Guidelines (May 2012).	Refer below for an assessment of the proposed development against the Claymore Urban Renewal Development Guidelines.
2(c)	Statement of Commitments, dated May	The proposed development is

	2013	<p>generally consistent with the Statement of Commitments.</p> <p>Further, the Statement of Commitments states that the proponent would need to enter into a planning agreement and is to include the items of works in accordance with the Development Contributions Schedule at Annexure 1 of the amended Statement of Commitments.</p> <p>Accordingly, a condition of development consent has been recommended for the development to be consistent with the Statement of Commitments.</p>
2(d)	The terms of this approval	The proposal is considered to be consistent with the terms of the Concept Plan.
3.	<p>Inconsistency between plans and documentation.</p> <p>If there is an inconsistency between the plans and the documentation referred to above, the most recent document shall prevail to the extent of the inconsistency.</p> <p>However the modifications of this concept plan approval prevail to the extent of any inconsistency.</p>	Noted.
4.	<p>Limits on approval</p> <p>This approval does not allow any components of the concept plan to be carried out or construction to occur without further approval or consent being obtained, except for demolition works prescribed in schedule 6. This approval will lapse five years from the date of this approval unless works the subject of any related application are physically commenced, or before that lapse date.</p>	Demolition Plan submitted as a component of the works package.
5.	<p>Determination of future applications.</p> <p>Separate development application for each stage of development of the project shall be lodged other than for demolition works within the project area</p>	The subject development application lodged for Stages 9 & 10 is generally consistent with Condition No. 5.

	prescribed in Schedule 6, which is covered by the Ministerial Determinations pursuant to Section 75P. The determination of future applications for development on the site is to be generally consistent with the terms of the approval.	
Part B – Modifications to the Concept Plan		
1. Concept Plan Layout	An amended Concept Plan Layout is to be submitted to the Department of Planning and Infrastructure that identifies the existing Claymore shopping centre site land use as mixed use.	The amended Concept Plan has been accepted by the Department of Planning and Infrastructure.
2. Badgally Road Town Centre	To ensure that a viable town centre is established as part of the Claymore urban renewal project, the following restrictions shall apply to the approved town centre: a) the town centre site area shall be restricted to an area of no greater than two hectares. b) the maximum gross floor area of a supermarket anchor tenant shall be restricted to between 2,500sqm and 3,000sqm and the maximum gross floor area of speciality retail stores shall be restricted to between 1,000sqm and 1,500sqm.	The proposed development does not impact the future town centre site.
3. Entry Statements	Landscape entry statements are to be provided at the key entry points to the estate from Badgally Road. Details of the proposed treatments and works are to be provided and approved by Campbelltown City Council prior to the determination of the development application to which these works apply.	Not Applicable
4. Traffic and Transport	All roads that form part of the final bus route, identified within Appendix 6 of the Preferred Project Report and Appendices, prepared by BBC Consulting Planners dated May 2012, shall be of least minor collector road standard.	Noted.
5.	No development (excluding new roads) shall be permitted to have direct access onto Badgally Road.	The proposed subdivision does not propose direct access to or from Badgally Road.
6. Special Uses	In recognition of the strong community desire for the continuation of the Baptist Church and the Guardian Angles Child Care Centre, the concept plan is to either	The proposed subdivision does not impact the continuation of the Baptist Church or the Guardian Angles Child Care Centre.

	show these uses, or the functions and services they provide, continuing at their current locations or at suitable alternative sites identified within the Claymore renewal project site.	
Schedule 4 – Further Environmental Assessment Requirements for Applications Under Part 4		
1.General Requirements	The proponent shall ensure that any future applications shall include: a) a detailed description of the layout and design of the proposed development, and b) a demonstration that the project is consistent with the requirements of this approval.	Required details provided with the subject development application documentation.
2.Built Form and Urban Design	Each subsequent subdivision application is to demonstrate consistency with Claymore Urban Renewal Development Control Guidelines.	Refer below for an assessment of the proposed development against the Claymore Urban Renewal Development Control Guidelines.
3.Built Form and Urban Design	To ensure appropriate land use relationships between the retail and community uses are achieved, the proposed land use layout for the new town centre is to demonstrate consistency with the land use layout contained within Appendix 1 of the Preferred Project Report and Appendices, prepared by BBC Consulting Planners dated May 2012, as amended by modification 2, Part B Schedule 3, within the relevant development application under the concept plan.	Not Applicable.
4.	Any future development application for the creation of residential allotments or seniors living development fronting Badgally Road must refer to the document entitled Environmental Criteria for Road Noise to enable Council to properly consider potential impacts on that residential development that may arise from the developments proximity to potential road noise and to determine if there are any particular conditions of consent that should be imposed upon that development.	Not applicable
5.	To ensure that the natural character of Badgally Road streetscape is retained and integrated into the Claymore urban renewal project, the Badgally Road vegetation buffer is to be planted in accordance with the Entry Road and Hill Tops planting schedule within the	Not applicable

	Claymore Urban Renewal - Urban and Landscape Master Plan, prepared by AECOM, dated 12 May 2012, in development applications lodged involving landscaping along the Badgally Road streetscape.	
6.Traffic Transport	All roads that form part of the final bus route, identified within Appendix 6 of the Preferred Project Report and Appendices, prepared by BBC Consulting Planners dated May 2012, shall be of least minor collector road standard.	Noted.
7.Development Contributions	Each development application for subdivision for each of the stages must be consistent with the Statement of Commitments or an executed planning agreement and identify how any relevant contributions of works in kind required for that stage will be delivered.	Council received a letter of offer, dated 19 January 2018, from NSW Land and Housing Corporation to enter into a Voluntary Planning Agreement (VPA). The terms of the VPA and associated Infrastructure Services Delivery Plan (ISDP) were executed and agreed too.
8.Biodiversity Offset Package	Prior to the determination of any future development application for development under the concept plan, the proponent must satisfy Campbelltown City Council that the biodiversity offset package has been approved by the Director-General and consistency is demonstrated within the proposed development.	Concurrence was received from the Department by letter October 2013.
9.Vegetation Management	The draft Vegetation Management plan is to be finalised and approved by Campbelltown City Council prior to determination of development applications of stages to which these works relate under the approved concept plan.	The Vegetation Management Plan, prepared by Cumberland Ecology, dated September 2014, was approved by Council on 9 October 2014.
10.Heritage	Consistent with the Statement of Commitments made by the proponent, prior to the determination of development applications of stages to which these works relate under the approved concept plan, the proponent must demonstrate that the recommendations of the Aboriginal Cultural Heritage Assessment have been finalised.	Not Applicable
11.	Any future development application for development under the concept plan on	The proposed development is not considered to impact

	land immediately adjoining Glenroy and Hillcrest shall demonstrate compliance with the recommendations of the View Corridor and Visual Curtilage Study of Glenroy and Hillcrest attached to the Preferred Project Report.	either Glenroy or Hillcrest.
12.Site filling and disposal	Any future applications are to provide details of the nature and extent of any cut and fill that is required to be undertaken. Compliance with the relevant Campbelltown City Council's requirements (as relevant to cut and fill) should also be demonstrated.	The proposed development is considered satisfactory in terms of the extent of cut and fill required in order to facilitate the Concept Plan.
13.Uilities	The provision of utilities and services are to be carried out generally in accordance with the Infrastructure Servicing Report prepared by Mott McDonald Hughes Truman (dated June 2011). Each future application for residential subdivision and commercial/retail development shall demonstrate consistency with the Infrastructure Servicing Report.	The supporting SEE concluded that the proposal is consistent with the Concept Plan and the associated Infrastructure Servicing Report.
14.Contamination	Prior to any future application for subdivision and if required by the Phase 1 Contamination Assessment approved with the concept plan, a detailed Phase 2 contamination assessment must be carried out in accordance with the requirements of State Environmental Planning Policy No 55 - Remediation of Land.	Noted. A targeted detailed site investigation report and remedial action plan were submitted in support of the proposal concluding that the site can be made suitable for the proposed residential use.
15.Flooding	Any future application for subdivision are to demonstrate compliance with the flood management measures outlined in the Part 3A Concept Plan, Water Cycle Management Study and Flooding Analysis prepared by Mott McDonald Hughes Truman, attached to the Preferred Project Report.	The site is not subject to any significant flood risk being outside of local flood fringe waters and is considered a low hazard zone for site flooding.
16.Water Quality and Riparian Corridors	Any future applications for subdivision are to provide details on the proposed water sensitive urban design infrastructure, to the satisfaction of the consent authority.	The applicant has confirmed that the proposed stormwater quantity / quality management and adopted detailed design criteria will ensure that the development of Stages 9 & 10 will meet the required levels of onsite water quantity and quality discharge.
17.Future Development		
17(a)	Include an assessment of construction	Adequate information

	impacts, including noise, traffic, soil and erosion (including acid sulphate soils where relevant), waste, and dust, and identify the mitigation and management measures that would be implemented to address these impacts	provided in support of the application.
17.(b)	Demonstrate compliance with the Water Sensitive Urban Design principles established in the concept plan	Detailed information provided in support of the application.
17.(c)	Where applicable, demonstrate compliance with the commitments and management procedures detailed in the Vegetation Management Plan, including the strategy for retention of trees on site	Condition to be imposed to comply with the requirements of the Vegetation Management Plan.
17.(d)	Demonstrate that habitable floor levels are located above the 100 year ARI flood level plus 500mm freeboard, and that appropriate flood evacuation can be provided for dwellings located below the probable maximum flood level	Not Applicable
17.(e)	Provide details on noise attenuation measures for residential land affected by the Hume Highway (M5) in accordance with the approved concept plan	It has been identified that the lots exposed to the Hume Motorway (M5) within stages 9 & 10 will be affected by noise emanating from the Hume Highway. A supporting acoustic assessment report was provided to address road traffic noise and its potential impact upon residential lots located in proximity to the frontage. Construction noise and vibration management has also been addressed within the report. Conditions are to be imposed to ensure noise criteria are complied with.
17.(f)	Demonstrate compliance with the Planning for Bushfire Protection 2006	The subject site is mapped as bush fire prone lands. A referral was forwarded to NSW Rural Fire Service who issued General Terms of approval and a Bushfire Safety Authority (as attached).
17.(g)	Demonstrate that ESD measures have been incorporated into the design of the buildings to reduce water and energy consumption in accordance with State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Residential dwelling construction does not form part of the proposed subdivision works package application.
17.(h)	Subdivision plans in accordance with	Provided.

	<p>Council's requirements and illustrate the following:</p> <ul style="list-style-type: none"> i. dimensions of the proposed allotments ii. location of all structures proposed and retained on the site iii. access points iv. a detailed survey showing existing and proposed levels and quantities of fill, and v. any easements, rights of way, covenants or other restrictions either existing or required as part of the development. 	
18.Future Development	<p>In addition to the requirements of 17.e) above, any future development applications for subdivision for future residential purposes within Stage 2 that may be affected by noise emanating from the Hume Highway (M5) shall be accompanied by noise assessments demonstrating satisfactory environmental and residential amenity is achieved.</p>	<p>The development application is not within Stage 2 of the Concept Plan.</p>

It is considered that the proposed subdivision is generally consistent with the terms of the Concept Plan.

6.6 Claymore Urban Renewal Development Control Guidelines

The terms of the Concept Plan require all subdivision applications to demonstrate consistency with the Claymore Urban Renewal Development Control Guidelines (DCG). The DCG apply to all land within the Claymore Urban Renewal area.

The DCG was prepared to guide the design of subdivision and construction of housing in the Claymore Urban Renewal area. The provisions of the DCG are site-specific and reflect the planning and design objectives of the Concept Plan.

The aims of the DCG are to:

- *Ensure that the intentions of the Airds Bradbury and Claymore concept plan approvals are met;*
- *Ensure that controls and guidelines are in place for dwellings on lots created by subdivision of land within the urban renewal areas;*
- *Ensure that the principles of ecological sustainability are incorporated into the design, construction and ongoing operation of development;*
- *Facilitate innovative development of high quality design and construction in the urban renewal areas;*
- *Encourage the creation of safe, secure and liveable environments; and*

- *Provide for a variety of high quality housing choices within the City of Campbelltown.*

It is considered that the proposed subdivision development is generally consistent with the above aims of the DCG.

Part 2 Subdivision Guidelines

The objectives of the subdivision guidelines within the DCG are as follows:

- *Provide a range of lot sizes with the more intensive development located closer to the town centre, around parks and along bus routes*
- *Provide lot dimensions capable of accommodating a range of affordable house types*
- *Create efficient layouts that respond to existing site conditions and context*
- *Ensure that subdivision provides safe connections with an extension of existing street patterns, as well as any pedestrian, cycleway and public open space networks*
- *Promote walking and cycling as the primary mode of travel within a residential neighbourhood*
- *Provide a network of bus, pedestrian and cycle routes within the public domain which connect open space areas and community facilities and encourage alternative modes of transport.*

Part 4 Desired Future Character for Urban Renewal Areas

The desired future character of the urban renewal areas is highlighted as follows:

- *Provides a range of dwelling types in response to market demands;*
- *Provides new dwellings that address and reinforce the street through appropriate building siting and orientation;*
- *Provides buildings that can be constructed to enhance safety through design, by providing casual surveillance over areas of public open space, including streets and paths;*
- *Provides medium density housing types, such as attached dwellings and manor homes in appropriate locations such as near shopping centres and parks;*
- *Encourages more active and inviting streetscapes by designing car parking structures and hardstand areas to complement the built form of dwellings and to avoid dominating the streetscape.*

The proposed subdivision is generally in accordance with the intent of the desired future character as identified.

Part 8 Neighbourhood Subdivision

The objectives of the subdivision guidelines within the DCG are as follows:

- *Provide a range of lot sizes with the more intensive development located closer to the town centre, around parks and along bus routes*

- *Provide lot dimensions capable of accommodating a range of affordable house types*
- *Create efficient layouts that respond to existing site conditions and context*
- *Ensure that subdivision provides safe connections with an extension of existing street patterns, as well as any pedestrian, cycleway and public open space networks*
- *Promote walking and cycling as the primary mode of travel within a residential neighbourhood*
- *Provide a network of bus, pedestrian and cycle routes within the public domain which connect open space areas and community facilities and encourage alternative modes of transport.*

The proposed development satisfies the above objectives as a range of residential allotment sizes are proposed ranging between 292.2 sqm and 861.3 sqm, a community centre lot of 9599 sqm and a public reserve of 9.09 ha. The proposed allotments are capable of accommodating a range of housing types and are able to efficiently respond to the existing site conditions. In addition, the proposal is capable of providing safe connections to the existing pedestrian and vehicular access points as proposed.

Part 8.2 Neighbourhood Subdivision

The urban design intent for subdivision in the renewal areas is to create an urban structure based on:

- a more inter-connective street system focussing movement onto streets;
- re-configured open spaces responding to community needs and providing safe and accessible spaces linked to the pedestrian and cycle network;
- improved community safety by introducing street edges to open spaces and fronting housing towards open spaces;
- establishing new roads to create new blocks of a size suitable for a variety of lot sizes and to improve vehicle and pedestrian accessibility and safety.

The proposed residential allotments range in size from 292.2 m² and 861.3 m².

Comment

The proposed subdivision creates a permeable street hierarchy that responds to the natural site topography, the location of existing significant trees and solar design principles. The layout will encourage a range of dwelling types, whilst promoting pedestrian movement throughout the locality.

An assessment of the proposed development against the relevant subdivision provisions of the DCG is summarised below:

Claymore Urban Renewal Development Control Guidelines			
Control	Guideline	Proposed	Compliance

2. Subdivision Guidelines			
2.3 Development Guidelines: Allotment Size and Design			
1.Residential Allotment Design	Design of residential allotments shall have regard for the impact of orientation, slope, and aspect to facilitate solar access to future dwelling development.	The proposed subdivision design has given appropriate regard to orientation, slope, and aspect to future dwelling development.	Complies
2.Street Frontage	All proposed allotments shall have a street frontage.	All proposed allotments have a street frontage.	Complies
3.Battle Axe Allotments	Battle axe lots shall only be permitted where a street frontage cannot otherwise be provided because of existing conditions.	Battle axe allotments are not proposed.	Not Applicable
4.Minimum Site Area	All allotments intended for residential housing will have a minimum site area of 200sqm with a minimum width measured at the building line of 6 metres.	The proposed allotments range in area from 292.2sqm - 861.3sqm.	Complies
5.Allotment Width	Any allotments with a width to the street frontage of less than 9 metres is to have the garage located to the rear of the property accessed from a rear lane or access way.	Not Applicable	Not Applicable
6.Minimum Depth	Allotments are to have a minimum depth of 25 metres.	A minimum of 25m is provided.	Complies

For the proposed allotment less than 300sqm, a condition is to be imposed to ensure a building envelope plan is provided which is to prescribe the maximum permissible building envelope in accordance with the Claymore Urban Renewal Development Control Guidelines (DCG).

An assessment of the proposed building envelope plan for allotments less than 300sqm is provided in accordance with Part 3 Dwelling Controls of the DCG:

Claymore Urban Renewal Development Control Guidelines			
Control	Guideline	Proposed	Compliance

3. Dwelling Controls				
3.1 Dwelling Guidelines				
1.Maximum Site Coverage	65%	Future Development is capable of complying with this requirement	Capable of Compliance	
2.Primary Street Setback	3m	3m	Complies	
3.Secondary Street Setback	1 m	Not Applicable	Not Applicable	
4.Rear Boundary Setback	1 m for rear garage or 3 m where no garage	3m	Complies	
5.Side Setbacks	Lot width 6 – 8 m: 0 Lot width 8 – 10 m: one side zero and 0.9 m the other	0.9m	Complies	
6.Built to Boundary (Zero lot line walls)	Lot width 6 – 7 m: 0.9m both sides Lot width 8 – 10 m: one side and 0.9 m the other	0m – 0.9m	Complies	
7.Maximum length of zero lot line walls	66% of total depth	To be verified with lodgement of dwelling application	Capable of compliance	
8.Garage setbacks	1 m for rear access garage or 4.0 m to primary street	4m to primary street identified	Complies	
9.Garage dominance	Rear access garage (6 m max door width) or single garage only to primary street	Single garage proposed to primary street	Complies	
10. Principal Private Open Space area	16sqm (provision of 4m x 4m square)	To be verified with lodgement of dwelling application	Capable of Compliance	
11.Maximum building height	9.5 m	To be verified with lodgement of dwelling application	Capable of compliance	
12.Maximum floor area for detached studio on laneway	45sqm (not to be separately titled)	No laneways proposed.	Not applicable	

6.7 Development Contributions

Schedule 4 of the Concept Plan lists the following condition in relation to development contributions:

"Prior to the determination of any development application for subdivision and consistent with the proponent's Statement of Commitments, a voluntary planning agreement (VPA) to provide roads, social and community infrastructure, drainage and open space facilities and amenities, with details of the contributions, and the nature of any dedications or works in kind, is to be negotiated and executed with Campbelltown City Council."

The Concept Plan was modified on 22 October 2013 to allow a planning agreement to be provided prior to the lodgement of any development application for subdivision relating to Stage 3 of the Concept Plan:

"Prior to the lodgement of any development application for subdivision relating to Stage 3, a planning agreement to provide roads, social and community infrastructure, drainage and open space facilities and amenities, with details of the contributions, and the nature of any land dedications or works in kind, is to be negotiated and executed with Campbelltown City Council and must be consistent with the proponent's Statement of Commitments."

Each development application for subdivision for each of the stages must be consistent with the Statement of Commitments or an executed planning agreement and identify how any relevant contributions of works in kind required for that stage will be delivered.

Pursuant to Section 93F of the Environmental Planning and Assessment Act 1979, Council received a letter of offer, dated 19 January 2018, from NSW Land and Housing Corporation to enter into a Voluntary Planning Agreement (VPA). The VPA was executed 02 September 2019.

5.9 Campbelltown Local Environmental Plan 2015

The subject site is zoned part R2 Low Density Residential and part RE1 Public Recreation under the provisions of Campbelltown Local Environmental Plan 2015.

The proposed development is permitted with consent under the provisions of Clause 2.6 of CLEP 2015.

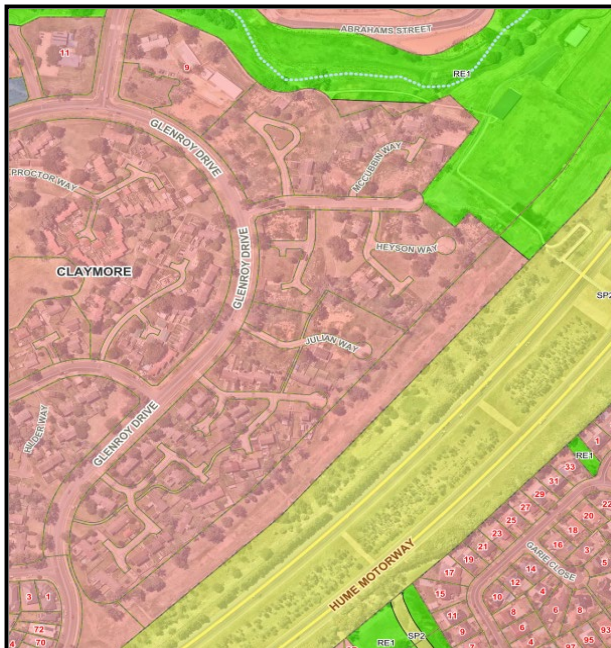


Figure 12 – Zoning Extract

The objectives of the R2 Low Density zone are as follows:

- *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.*

And, the Objectives of the RE1 Public Recreation zone are noted as follows:

- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*
- *To provide for land uses compatible with the ecological, scientific, cultural or aesthetic values of land in the zone.*
- *To facilitate the multiple use of certain open space areas.*
- *To facilitate development that is ancillary or incidental to the special land uses provided for in this zone.*
- *To provide for the sufficient and equitable distribution of public open space to meet the needs of the local community.*
- *To preserve and rehabilitate bushland, wildlife corridors and natural habitat, including waterways and riparian lands, and facilitate public enjoyment of these areas.*
- *To provide for the retention and creation of view corridors.*
- *To protect and enhance areas of scenic value and the visual amenity of prominent ridgelines.*
- *To preserve land that is required for public open space or recreational purposes.*

The proposal is generally in accordance with the nominated objectives.

Applicable LEP Clauses as relevant to the proposal are noted as follows:

Clause 2.6 Subdivision – Consent Requirements

Clause 2.6 of CLEP states that land to which CLEP 2015 applies may be subdivided, but only with development consent.

Torrens title subdivision is sought as a component of this development application.

Clause 4.1 Minimum Subdivision Lot Size

Clause 4.1(3) states that the size of any lot resulting from subdivision of land must not be less than the minimum shown on the Lot Size Map. The Lot Size Map identifies a minimum lot size of 500 sqm for the area zoned R2 Low Density Residential.

The development application proposes the following allotments:

Lot No.	Lot Size	Frontage	Depth
9091	9.09 ha	Stage 9 interface	varying

Fullwood Reserve (Public Reserve)			
9089	9599sqm	178m	>70m
9001	528.7sqm	7.815m and corner splay of 11.465m	28.075m
9002	657.1sqm	10.11m	38.89m
9003	614.5sqm	10.04m	36.98m
9004	453.6sqm	12.36m	36.4m
9005	447.8sqm	12.5m	35.5m
9006	463.4sqm	13.88m	35.05m
9007	411.6sqm	13.67m	34.5m
9008	370.3sqm	11.125m	34.34m
9009	407.9sqm	12.56m	33.345m
9010	384.4sqm	12.73m	31.87m
9011	348.8sqm	12.49m	29.435m
9012	310.7sqm	12.855m	26.38m
9013	495.3sqm	40.55m (corner)	29.67m
9014	374.4sqm	12.405m	30.375m
9015	470.5sqm	13.235m	30.375m
9016	356.2sqm	12.5m	28.485m
9017	292.2sqm	10.015m	29.425m
9018	385.1sqm	10.71m	31.255m
9019	398.8sqm	10.085m	33.205m
9020	358.4sqm	10.6m	33.2m
9021	344.7sqm	10m	34.065m
9022	433sqm	12.495m	34.8m
9023	432.6sqm	12.54m	34.8m
9024	443.5sqm	12.64m	36.23m
9025	530.3sqm	16.575m	39.885m
9026	861.3sqm	15.65m (corner)	39.885m
9027	567.1sqm	16.755m	47.955m
9028	512sqm	13.41m	40.505m
9029	547sqm	11.135m (plus splay corner 5.935m)	32.255m
9030	409.9sqm	2.89m (plus splay corner 7.45m & 6.31m)	29.08m
9031	373.4sqm	14.18m	29.08m
9032	337.5sqm	12.315m	29.82m
9033	456.3sqm	17.095m	31.74m
9034	361.9sqm	11.24m	32.58m
9035	345.5sqm	10.5m	32.58m
9036	419sqm	12.5m	33.235m
9037	435.1sqm	11.65m	35.6m
9038	464sqm	14.62m	36.5m
9039	506.3sqm	16.19m	36.5m
9040	364.1sqm	9.905m (splay corner)	29.52m
9041	361.7sqm	11.335m	29.52m
9042	366.5sqm	11.335m	30.3m
9043	435.4sqm	12.5m	30m
9044	386.6sqm	12.505m	30.86m
9045	484.3sqm	15.06 (splay corner)	25.035m

9046	486.1sqm	12.325m	35.86m
9047	409.6sqm	10.29m	33.02m
9048	361.4sqm	9.79m	31.2m
9049	406.9sqm	11.69m	30.035m
9050	410.5sqm	11.95m	30.27m
9051	402.1sqm	12.095m	30.39m
9052	473.7sqm	15.275m	30.29m
9053	397.6sqm	9.525 (plus splay corner 5.805m)	29.18m
9054	699.6sqm	20.6m	42.555m
9055	747.4sqm	19.725m	56.04m
9056	492.5sqm	11.145m (plus splay corner 5.805m)	30.17m
9057	377.8sqm	12.5m	30.285m
9058	378.4sqm	12.51m	30.06m
9059	473.8sqm	20.935m	27.385m
9060	524.8sqm	24.175m	31.995m
9061	558.4sqm	14.165m (plus splay corner 5.46m)	32.545m
9062	540.9sqm	16.935m	32.51m
9063	526.7sqm	12.42m	41.855m
9064	488.6sqm	15m	32.575m
9065	407.4sqm	12.5m	32.675m
9066	460.8sqm	12.695m	33.445m
9067	440.1sqm	12.275m	33.975m
9068	391.3sqm	10.315m	34.72m
9069	452.9sqm	12.415m	35.91m
9070	424sqm	12.455m	37.125m
9071	474.2sqm	12.505m	38.61m
9072	494.1sqm	12.485m	40.69m
9073	470.3sqm	13.22 (plus splay corner 4.89m)	30.44m
9074	382.8sqm	12.5m	30.805m
9075	326.4sqm	10.58m	30.57m
9076	336.8sqm	12.52m	30.24m
9077	302.1sqm	10m	30.175m
9078	301.4sqm	10m	30.11m
9079	510.4sqm	9.53m (pls splay corner)	30.11m
9080	582.6sqm	16.055m	39.81m
9081	561.1sqm	16.415m	39.81m
9082	457.4sqm	12.36m	37.76m
9083	474.1sqm	13.295m	36.24m
9084	432.8sqm	12.5m	35.085m
9085	473.3sqm	14.10m	34.17m
9086	488.5sqm	13.83m	32.495m
9087	450.7sqm	14.175m	33.73m
9088	509.9sqm	15m	33.89m
1001	499.9sqm	12.995m	36.4m
1002	624sqm	12.2m	50.625m
1003	724.8sqm	12.87m	42.34m

1004	618.6sqm	12.835m	36.465m
1005	541.4sqm	13.82m (plus splay corner 6.05m)	31.86m
1006	506.4sqm	12.42m	34.31m
1007	492.1sqm	11.69m	31.59m
1008	461.3sqm	9.065m (plus splay corner 6.035m)	27.45m
1009	687.9sqm	16.515m	42.005m
1010	811sqm	16.515m	48.655m
1011	667.1sqm	18.42m (plus splay corner 5.885m)	32.645m
1012	406.7sqm	19.965m	27.425m
1013	526.2sqm	21.05m	30.74m
1014	466sqm	15.01m	31.08m
1015	388.3sqm	12.5m	31.055m
1016	388sqm	12.5m	31.03m
1017	387.1sqm	12.5m	31.01m
1018	387.5sqm	12.5m	30.985m
1019	387.2sqm	12.5m	30.96m
1020	386.9sqm	12.5m	30.94m
1021	463.9sqm	15m	30.91m
1022	463.4sqm	15m	30.88m
1023	523.9sqm	16.45m	30.865m
1024	385.5sqm	12.5m	30.84m
1025	385.2sqm	12.5m	30.82m
1026	385.1sqm	12.5m	30.795m
1027	472.4sqm	14.9m	31.05m
1028	434.7sqm	12.565m	32.36m
1029	479.5sqm	12.495m	35.01m
1030	510.6sqm	12.5m	37.455m
1031	585.1sqm	12.535m	40.1m
1032	515.7sqm	12.55m	42.555m
1033	509sqm	12.5m	41.855m
1034	586.3sqm	15.355m	39.58m
1035	451.5sqm	12.5m	36.785m
1036	411.6sqm	12.5m	34.465m
1037	389.1sqm	12.5m	32.26m
1038	375sqm	12.5m	30m
1039	375sqm	12.5m	30m
1040	450sqm	15m	30m
1041	450sqm	15m	30m
1042	394.7sqm	13.155m	30m
1043	375sqm	12.5m	30m
1044	375sqm	12.5m	30m
1045	375sqm	12.5m	30m
1046	375sqm	12.5m	30m
1047	375sqm	12.5m	30m
1048	300sqm	10m	30m
1049	375sqm	12.5m	30m
1050	375sqm	12.5m	30m
1051	375sqm	12.5m	30m

1052	450sqm	15m	30m
1053	375sqm	12.5m	30m
1054	375sqm	12.5m	30m
1055	375sqm	12.5m	30m
1056	448.9sqm	15.015m	30m
1057	397.8sqm	20.225m	29.62m
1058	417.9sqm	18.225m	24.71m
1059	535.5sqm	11.34m (plus splay corner 4.605m)	32.79m
1060	419.7sqm	13.02m	32.7m
1061	400.9sqm	13.02m	30.33m
1062	497.1sqm	12.85m (plus splay corner 5.755m)	30.33m
1063	462.4sqm	15m	30.59m
1064	469.6sqm	15m	31.065m
1065	396.8sqm	12.5m	31.94m
1066	401.7sqm	12.5m	32.335m
1067	488.6sqm	15m	32.815m
1068	495.8sqm	15m	33.29m
1069	418.6sqm	12.5m	33.69m
1070	423.6sqm	12.5m	33.69m
1071	428.6sqm	12.5m	34.485m
1072	520.8sqm	15m	34.96m
1073	440.7sqm	10.495m (plus splay corner 5.655m)	30.015m
1074	381.9sqm	12.73m	30.015m
1075	381.9sqm	12.73m	30.015m
1076	385.2sqm	13.045m	30.005m
1077	454.3sqm	11.455m (plus 5.695m splay corner)	30.005m
1078	512.6sqm	15m	33.9m
1079	431.7sqm	12.5m	34.405m
1080	433.8sqm	12.5m	34.7m
1081	433.9sqm	12.51m	34.66m
1082	518sqm	15.02m	34.66m
1083	511.9sqm	15.035m	34.365m
1084	419.4sqm	12.54m	33.845m
1085	410.8sqm	12.5m	33.235m
1086	480.1sqm	15.065m	32.475m
1087	465.9sqm	15.065m	30.59m
1088	581.8sqm	17m	34.105m
1089	430.4sqm	12.5m	34.345m
1090	432.6sqm	12.5m	34.5m
1091	443.6sqm	12.5m	34.7m
1092	437.1sqm	12.5m	35.06m
1093	448.2sqm	13m	35.2m
1094	420.7sqm	10.3 (plus 5.615m splay corner)	30m
1095	384.7sqm	13.03m	30m
1096	381.7sqm	12.72m	30m
1097	381.7sqm	12.725m	30m

1098	455.9sqm	11.465m (plus splay corner 5.655m)	30m
1099	407.2sqm	12.5m	32.575m
1100	407.2sqm	12.5m	32.575m
1101	488.6sqm	15m	32.575m
1102	407.2sqm	12.5m	32.575m
1103	488.6sqm	15m	32.575m
1104	407.2sqm	12.5m	32.575m

A number of allotments are inconsistent with the minimum allotment size as specified by CLEP 2015. However, the proposed allotment sizes are consistent with the minimum allotment sizes as identified in the Concept Approval.

Clause 3B(2)(f) of Schedule 2 of the Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017 states that the provisions of any environmental planning instrument do not have effect to the extent to which they are inconsistent with the terms of the Concept Plan.

The lot size and number of allotments proposed are consistent with the Concept Plan approval in that:

- The Concept Plan approval established an overall minimum lot size of 200 sqm;
- The subdivision is consistent with the estimated lot yield requirements;
- The proposal will enhance housing diversity in the locality;
- The proposal is consistent with the approved Design Guidelines.

In this regard, the proposed lot sizes are consistent with the Concept Plan approval. The Concept Plan approval prevails in relation to the inconsistency with the minimum lot size mapping as specified under CLEP 2015. The minimum proposed lot size is noted as 292.2 sqm.

Therefore, the minimum lot size guidelines within the Concept Plan prevail to the extent of any inconsistency with the CLEP.

Clause 5.10 Heritage Conservation

Pursuant to Clause 5.10 require the consent authority to consider the impacts of the proposal on Aboriginal and European heritage within Campbelltown.

Comment:

A Stage 9 and 10 Addendum Aboriginal Cultural Heritage Assessment Report was submitted in support of the proposal and concluded as follows:

"No Aboriginal sites have been recorded in the study areas, and the study areas possesses low archaeological potential."

In addition recommendations have been identified as follows:

- *Further assessment and an AHIP application are not required. Works in the Stages 9 and 10 development areas may proceed with caution following an unexpected finds procedure.*

- *The results of the assessment do not preclude the potential for the presence of unexpected finds. If unexpected Aboriginal objects are identified during construction, all works in the vicinity should cease and the regulatory bodies should be consulted to determine whether further assessment, investigation or mitigation is required. Consultation with Aboriginal community representatives would also be required.*

Comment

Noting the above, a condition is recommended that should there be any unexpected finds, works are to cease and Council and appropriate experts are to be consulted prior to works commencing again.

Clause 6.1 Arrangements for designated State public infrastructure

Pursuant to Clause 6.1 of the CLEP 2015, development consent must not be granted for the subdivision of land in an urban release area if the subdivision would create a lot smaller than the minimum lot size permitted on the land immediately before the land became, or became part of, an urban release area, unless the Secretary has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to that land.

Comment

Urban release area means the area of land identified as "Urban Release Area" on the Urban Release Area Map.

The Urban Release Area maps do not identify Claymore as an urban release area. As a result, no satisfactory arrangement certificate is required to be provided for Claymore.

Clause 6.2 Public Utility Infrastructure

Pursuant to Clause 6.2 of the CLEP 2015, development consent must not be granted for development on land in an urban release area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required.

Comment

Clause 6.2 does not apply as Claymore is not an identified urban release area, however, it is noted that the proposed development is capable of being appropriately serviced by reticulated sewer, potable mains water, electricity and telecommunications.

Part 7 Additional Local Provisions

Clause 7.1 Earthworks

Pursuant to Clause 7.1 of the CLEP 2015, in deciding whether to grant development consent the consent authority must consider:

- (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,

Comment: The proposed works would involve the re-contouring of the site to facilitate appropriate gradients for infrastructure delivery and residential development.

- (b) the effect of the development on the likely future use or redevelopment of the land,

Comment: The proposal would facilitate the release of residential allotments.

- (c) the quality of the fill or the soil to be excavated, or both,

Comment: A condition is recommended that ensures quality of all soils is of a residential standard.

- (d) the effect of the development on the existing and likely amenity of adjoining properties,

Comment: The proposal would likely impact on the amenity of adjoining properties. Such impacts are not unreasonable and conditions are recommended to ensure the amenity of adjoining properties is maintained.

- (e) the source of any fill material and the destination of any excavated material,

Comment: The applicant has advised that there is a requirement for fill to be applied to the site. Suitable material will be reused on the site and unsuitable materials will be removed in accordance with the Waste Management plan as submitted. Fill will be required to achieve the future development levels.

- (f) the likelihood of disturbing relics,

Comment: Not likely, however, it is noted that the unexpected finds protocol condition has been included within the conditions of consent.

- (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,

Comment: The proposal includes provisions for erosion and sediment control measures to mitigate any adverse impacts, additionally, conditions have been recommended that ensure appropriate erosion and sediment controls measures are maintained for the life of the development.

- (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

Comment: Site work measures have been incorporated within the proposal to avoid, minimise or mitigate impacts of the development.

A condition is recommended that ensures appropriate erosion and sediment control measures are in place for the life of the development.

Clause 7.10 Essential services

Pursuant to Clause 7.5 of the CLEP 2015, 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 development are available or that adequate arrangements have been made to make them available when required:

- (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.

Comment: The proposal includes provisions for the future connections to all essential services.

It is recommended that conditions form part of the determination that ensures adequate arrangements for essential services are made before the release of a subdivision certificate.

5.10 Campbelltown (Sustainable City) Development Control Plan 2015

All development is required to conform to all relevant requirements contained in Part 2 of Campbelltown (Sustainable City) Development Control Plan 2015 (DCP 2015). The below table details the assessment of the proposal in accordance with the relevant requirements of DCP 2015.

The following considerations from the SCDCP are relevant:

Part 2- Requirements Applying to All Types of Development

Control	Requirement	Proposed	Compliance
2.2(a) Site Analysis	A Site Analysis Plan shall be lodged with the development application	A site analysis plan was provided with the development application.	Complies
2.5(a) Landscaping	Landscape design shall enhance the visual character of the development and complement the design / use of spaces within and adjacent to the site.	The proposed street tree landscaping treatment is satisfactory.	Complies
2.5(e)	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.	Street tree landscape plan was provided in support of the application.	Complies
2.7(a) Erosion and Sediment Control	An Erosion and Sediment Control Plan (ESCP) shall be prepared and submitted with a development application	Recommended condition of consent.	Complies
2.8.1(a) Cut and Fill	A Cut and Fill Management Plan (CFMP) shall be submitted with a development application where the development	The proposed cut and fill levels are considered satisfactory.	Complies

	incorporates cut and/or fill operations.		
2.10 Water Cycle Management		The submitted report concludes the proposal's stormwater quality and quantity are feasible and achieve compliance with the regulatory requirements. The civil works results in a design that collects and discharges stormwater in a controlled manner that is similar to pre-development levels. Council's Development Engineer has reviewed the design and believes that it is capable of containing the stormwater and disposing of it appropriately.	Complies. Conditions to be imposed
2.10.2(a) Stormwater	All stormwater systems shall be sized to accommodate the 100-year ARI event (refer to Section 4 of Council's Engineering Design Guide for Development.	Recommended condition of development consent to comply with Council's Engineering Design Guide for Development.	Complies
2.10.2(l)	Where applicable, the development shall incorporate the creation of an appropriate easement to manage stormwater in accordance with Council's Engineering Design Guide for Development	The submitted report concludes the proposal's stormwater quality and quantity are feasible and achieve compliance with the regulatory requirements.	Complies, subject to conditions of consent
2.12(a) Retaining Wall	Any retaining wall that is not complying or exempt development as specified in the E&CDC shall be designed by a suitably qualified person.	Council's standard condition to be imposed.	Complies, subject to conditions of consent
2.15 Waste Management	a) A detailed Waste Management Plan (WMP), prepared by an appropriately qualified waste management professional, shall	A waste management plan has been provided in support of the application and a condition is recommended that ensures appropriate waste	Complies, subject to conditions of consent

	accompany development applications for certain types of development/land uses, as detailed in Table 2.15.1 and for any other development that in the opinion of Council a WMP is required.	provisions are provided throughout the lifecycle of the development.	
2.16 Provision of Services	<p>Objectives:</p> <ul style="list-style-type: none"> ■ Ensure that development is provided with adequate water and power supply. ■ Ensure that the operations, installation and maintenance of on-site sewage systems do not: <ul style="list-style-type: none"> • impose risks on public health; • result in any potential contamination to groundwater, and natural and artificial watercourses. • result in degradation of soil structure. 	<p>The proposal would facilitate provisions to extend services so that the works integrate seamlessly into the existing service network.</p> <p>It is recommended that a condition be included in the determination that ensures that the appropriate service authorities are involved throughout the development to ensure that the services are not disrupted.</p>	Complies, subject to conditions of consent

The proposed development is generally in accordance with the relevant requirements of Part 2 of DCP 2015.

Part 3.8 Residential Subdivision

Part 3.8 of SCDCP 2015 contains requirements that apply to residential subdivision. Compliance with the relevant controls is outlined in the table below:

Campbelltown (Sustainable City) Development Control Plan 2015			
Control	Requirement	Proposed	Compliance
3.8.1(a) Residential Subdivision	Subdivision shall have appropriate regard to orientation, slope, aspect and solar access.	Subdivision has appropriate regard to orientation, slope, aspect and solar access.	Complies
3.8.1(b) Residential Subdivision	Subdivision design shall comply with the requirements specified in Council's Engineering Design Guide for Development	Conditions of consent are recommended to ensure compliance.	Complies, subject to conditions of consent

Campbelltown (Sustainable City) Development Control Plan 2015			
Control	Requirement	Proposed	Compliance
3.8.1(c) Residential Subdivision	Where relevant, roads shall be designed to provide satisfactory level of services for the evacuation of occupants in the event of emergency.	Road design allows evacuation in the event of emergency.	Complies, subject to conditions of consent
3.8.1(d) Residential Subdivision	Subdivision shall promote through street access and minimise the number of cul-de-sacs.	Subdivision pattern promotes through street access.	Complies, subject to conditions of consent
3.8.1(e) Residential Subdivision	Roads/access handles shall be provided to separate allotments from any park, reserve, waterway and the like.	Roads provided to separate allotments from riparian corridors and parks.	Complies, subject to conditions of consent
3.8.1(f) Residential Subdivision	All allotments within a subdivision that are located adjacent to the intersection of local public roads (existing or proposed) shall provide a splay in accordance with Council's Engineering Design Guide for Development to ensure adequate sight distances and maintain footpath widths.	All residential allotments within the subdivision that are located adjacent to an intersection are provided with a splay.	Complies
3.8.1(g) Residential Subdivision	Residential subdivision shall be designed to address the public domain.	Residential subdivision designed to address the public domain.	Complies
3.8.1(h) Residential Subdivision	Wherever possible, subdivision design shall avoid the creation of allotments that have rear boundaries (and fencing) that adjoin the public domain.	The subdivision design has provided an appropriate regard to the adjoining public domain.	Complies
3.8.1(i) Residential Subdivision	For the purpose of calculating the minimum allotment size and dimensions under the Plan, any	All residential lots satisfy the minimum lot size and are capable of being developed.	Complies

Campbelltown (Sustainable City) Development Control Plan 2015			
Control	Requirement	Proposed	Compliance
	land that is part of an environmental corridor as specified by the Office of Environment and Heritage or any other government agency shall not be included within the calculated area of land unless the relevant public agency is satisfied that that part of the allotment is capable of being developed.		
3.8.1(j) Residential Subdivision	For the purpose of calculating the minimum allotment size and dimensions under the Plan, any land that is subject to bushfire, flooding or other risk (excluding mine subsidence) shall not be included within the calculated area of land unless it is demonstrated to Council's satisfaction that the site can be appropriately managed in a manner that retains the ability to be developed for the purpose to which it is intended under the zone.	The subject site is identified as bushfire prone land. NSW Rural Fire service issued GTA's 09 October 2023	Complies
3.8.1(k) Residential Subdivision	Access to residential subdivisions shall not be permitted to any classified road where alternative access can be made available via the non-classified road network.	Access to subdivision is via a non-classified road.	Complies
3.8.1(l) Residential Subdivision	Extensive use of battle-axe configuration in the subdivision of new areas shall be avoided, where	No battle-axe lots proposed.	N/A

Campbelltown (Sustainable City) Development Control Plan 2015			
Control	Requirement	Proposed	Compliance
	possible.		
3.8.2 (a) Torrens Title Subdivision	<p>Any residential allotment created by Torrens Title subdivision for the purpose of a dwelling house development in areas zoned R2 and R3 shall satisfy the following standards:</p> <p>i) a minimum width of 15 metres measured along the side boundaries at a distance of 5.5 metres from the front property boundary;</p> <p>ii) a minimum width of 7 metres measured between the extended property side boundaries where they intersect with the kerb line; and</p> <p>iii) a minimum depth of 25 metres.</p>	<p>The proposal includes allotments less than 15m.</p> <p>All lots have a minimum width of 7m measured between the side boundaries at the kerb line.</p> <p>All lots have a minimum depth of 25m (excluding corner splays)</p>	<p>Does Not Comply**, (refer below for justification)</p> <p>Complies</p> <p>Complies</p>
3.8.9 (a) Subdivision and Waste Management	<p>Subdivision shall be designed and constructed so that upon completion:</p> <p>i) kerbside waste collection vehicles are able to access bins from the kerbside at a minimum distance of 300mm, and a maximum distance of 1500mm from the left side of the vehicle to the bin;</p> <p>ii) adequate space behind the kerb is provided for the</p>	<p>Waste collection vehicles capable of accessing bins from the kerb-side.</p> <p>Adequate space available for presentation of bins</p>	<p>Complies</p> <p>Complies</p>

Campbelltown (Sustainable City) Development Control Plan 2015			
Control	Requirement	Proposed	Compliance
	occupant of each premises to present 1 x 140 litre bin and 1 x 240 litre bin side-by-side, a minimum 300mm apart;	to kerb.	
	iii) where it is not possible to provide bin collection points immediately in front of each allotment, a concrete pad shall be constructed at the closest practical location to the allotment for garbage collection;	Collection points available in front of each lot.	Complies
	iv) the location for kerbside presentation provides a minimum 4 metres overhead clearance for the operation of the collection vehicle (eg. no trees or transmission lines overhanging the bins).	Adequate overhead clearance space for collection vehicle.	Complies
	v) waste collection vehicles are not required to make a reverse movement to service bins.	Reverse movement not required to service bins.	Complies

Justification - Minimum Allotment Width

Part 3.8.2 (a)(i) of the SCDCP requires that residential subdivision facilitate allotments that have a minimum lot width of 15m, measured at the building line. The proposed development includes numerous allotments that are less than the prescribed 15m.

Airds/Claymore/Bradbury Development Control Plan stipulates a minimum lot frontage of 9m. The allotments as presented within Stages 9 and 10 subdivision comply with the nominated control.

It is noted that the minimum allotment frontage widths within the Concept Plan prevail.

5.11 Volume 2 Campbelltown (Sustainable City) Development Control Plan 2015

Part 9 - Urban Renewal Areas - Airds, Bradbury and Claymore

The following considerations from the Urban Renewal Areas DCP are considered relevant:

Section 1.8 Aims and Objectives of the URADCP

The aims of this URADCP are to:

- *Ensure that the intentions of the Airds Bradbury and Claymore concept plan approvals are met;*
- *Ensure that controls and guidelines are in place for dwellings on lots created by subdivision of land within the urban renewal areas;*
- *Ensure that the principles of ecological sustainability are incorporated into the design, construction and ongoing operation of development;*
- *Facilitate innovative development of high quality design and construction in the urban renewal areas;*
- *Encourage the creation of safe, secure and liveable environments; and Provide for a variety of high quality housing choices within the City of Campbelltown.*

The objectives of the URADCP are:

Social:

1. Provide for a mixture of housing types;
2. Provide housing that responds to the network of open spaces, focal points and community facilities;
3. Ensure safety and security through passive surveillance of streets and open space areas by following the principles of 'safety by design'.

Environmental:

1. Establish quality streetscapes which add to the visual and environmental amenity of the site;
2. Encourage environmentally responsible building practices including solar passive design solutions for all housing;
3. Encourage built form consistent with the Desired Future Character.

Economic

1. Ensure that the future development enhances the surrounding suburbs and positively impacts upon market values in the area;
2. Create variety in housing types and tenure mix which is marketable and feasible;
3. Provide appropriate housing for low income earners, the aged and people with disabilities.

The proposal is generally in accordance with the nominated aims and objectives as identified.

Part 2 Requirements Applying to All Types of Development

Control	Guide	Proposed	Compliance
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Clause 2.2 Additional Controls Regarding Noise	Under Section 3.4.3 Acoustic and Visual Privacy of the SCDCP 2015 any future development application for residential lots or seniors living development fronting Badgally Road must refer to the document entitled Environmental Criteria for Road Noise (EPA 2010), to enable Council to properly consider potential impacts on that residential development that may arise from the developments proximity to potential road noise and to determine if there are any particular conditions of consent that should be imposed upon that development.	Not Applicable	Not Applicable
Clause 3.3 Additional Controls Regarding Retaining Walls	Section 2.12 of the SCDCP 2015 does not apply to neighbourhood subdivision.	Noted.	Not applicable
Clause 2.4 Future Applications	Pursuant to the terms of the concept plan approvals for Airds Bradbury and Claymore, any future applications for dwellings (that are not defined as exempt or complying development) within the sites shall: 1. include an assessment of construction impacts, including noise, traffic, soil and erosion (including acid sulphate soils where relevant), waste, and dust, and identify the mitigation and management measures that would be implemented to address these impacts;	Noted.	Not applicable, application relates to subdivision works.
	2. demonstrate that habitable floor levels are located above the 100 year ARI flood level plus 500mm freeboard, and that appropriate flood evacuation can be provided for dwellings located below the probable maximum flood level;	Noted.	Not applicable
	3. Demonstrate compliance with the Planning for Bushfire Protection 2006; and	Bushfire Assessment Report was provided in support of the proposal.	Complies.
	4. demonstrate that ESD measures have been incorporated into the design of the buildings to reduce water and energy consumption in accordance with State Environmental Planning Policy (Building Sustainability Index:	No dwelling construction proposed.	Not applicable

	BASIX) 2004.		
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6. Planning Assessment

6.1 EP&A Act 4.15 (1)(b) – Likely Impacts

Section 4.15 (1)(b) of the EP&A Act requires that the consent authority must consider the development's potential impacts on the natural and built environment, as well as, potential social and economic impacts of the development.

The key matters for consideration when considering the potential impacts on the natural and built environment are as follows:

- Stormwater impacts
- Social and Economic Impacts
- Construction Impacts

Stormwater Impacts

Council's Development Engineer reviewed the stormwater assessment response from Council's Technical Services section and has recommended conditions of development consent.

Social and Economic Impacts

The proposed subdivision will facilitate the future residential development of the land to provide for the housing needs of the community, which will provide tangible social and economic benefits.

Socially, the proposal will deliver vacant residential allotments that will facilitate an increase of housing supply to help improve housing choice and affordability. The proposed development will also facilitate active and passive recreation areas that will promote social interactions and passive surveillance.

Economically, the proposal will be beneficial to the overall local economy with workers being employed during the construction phase of the development and future residents spending in the local economy once the allotments contain dwelling houses.

Construction Impacts

The applicant has advised that a Construction Management Plan (CMP) would be prepared for Stages 9 and 10 prior to construction commencing to mitigate any potential impacts on the amenity of nearby existing dwellings and existing land uses within the locality. A condition of development consent has been recommended for a CMP to be prepared prior to the commencement of any works.

The proposal includes several erosion and sediment control measures that will seek to alleviate any nuisance to any residents as well as the surrounding road network.

7.0 Referrals

7.1 Internal

Development Contributions Officer

Development contributions do not apply to this application (if it corresponds with the VPA proposed lots).

Contributions for this development have already been met.

Development Engineer

Council's Development engineer reviewed the submitted proposal and noted that no objections were raised subject to inclusion of conditions as provided and attached.

Environment (Contamination & Acoustic)

Council's Environment Officer reviewed the submitted Contamination report and noted that no objections were raised subject to validation of the soils.

Conditions are to be imposed within Notice of Determination, accordingly.

Council's Environment Officer reviewed the Acoustic Assessment and raised no objections subject to the inclusion of conditions as provided.

8.0 EP&A Act 4.15 (1)(c) – Suitability of the Site

Section 4.15 (1)(c) of the EP&A Act requires that the consent authority must consider the suitability of the site when determining a development application. The site is considered suitable for the proposed residential subdivision. The subject site has been zoned to provide for future residential development.

The proposed dimensions, areas and orientation of the allotments are considered adequate to facilitate the siting, design and construction of future residential development.

The land once subdivided will contribute positively to the desired future character of the locality by enabling the construction of future dwellings within the residential zone.

9.0 Public Participation

Section 4.15 (1)(d) of the EP&A Act requires that the consent authority must consider any submissions made in relation to a development proposal.

The application was publicly notified and exhibited from the 28 August 2023 to the 26 September 2023. The exhibition was in line with the statutory requirements and Campbelltown City Council's Community Participation Plan.

No submissions were received, in response.

10.0 Conclusion

Stages 9 and 10 of the Claymore Urban Renewal Concept Plan proposes the subdivision of land to create 198 torrens title allotments being 192 residential allotments (88 in Stage 9 and 104 in Stage 10), one residue lot for the Claymore Community Centre, one lot being for Fullwood Reserve (part), one drainage reserve, one lot for public road and one residue lot adjacent to

Glenroy Drive and associated site, civil and street tree landscape works including the removal of 322 trees.

The proposed development is generally consistent with the terms of the Claymore Urban Renewal Concept Plan.

The continued redevelopment of the Claymore public housing estate is anticipated to have positive social and economic impacts for the immediate locality and the wider community due to the provision of improved housing in a renewed urban environment.

Overall, having regard to the matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979, and the relevant matters discussed within this report, it is considered that the development be approved, subject to the recommended conditions of consent in Attachment 1.

Attachment 1 – Conditions of Consent

Recommended Draft Conditions of Consent (as concurred) 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
Claymore Renewal – Stage 9 Proposed plan of subdivision Sheet 01 of 03 Project No. 300178186.09.P01.01	02	SMEC	13 October 2022
Claymore Renewal – Stage 9 Proposed plan of subdivision Sheet 02 of 03 Project No. 300178186.09.P01.02	02	SMEC	13 October 2022
Claymore Renewal – Stage 9 Proposed plan of subdivision Sheet 03 of 03 Project No. 300178186.09.P01.03	02	SMEC	13 October 2022
Claymore Renewal – Stage 10 Proposed plan of subdivision Sheet 01 of 02 Project No. 300178186.10.P01.01	01	SMEC	26 September 2022
Claymore Renewal – Stage 10 Proposed plan of subdivision Sheet 02 of 02 Project No. 300178186.10.P01.02	01	SMEC	26 September 2022
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA001 Cover Pae	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA002 Sheet Schedule & Notes	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA011 Demolition Plan	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10	01	SMEC	09 June 2023

Project No. 300178186.09.10.DA012 Existing Services Plan			
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA031 General Arrangement Plan	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA032 Stage 9 Staging Plan	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA041 Typical Road Sections Sheet 01	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA042 Typical Road Sections Sheet 02	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA051 Cut & Fill Plan	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA101 Civil Works Plan Sheet 01	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA102 Civil Works Plan Sheet 02	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA103 Civil Works Plan Sheet 03	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA150 Roundabout Intersection Plan	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA201 Longitudinal Road Sections Sheet 01	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA202 Longitudinal Road Sections Sheet 02	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA203 Longitudinal Road Sections Sheet 03	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA204	01	SMEC	09 June 2023

Longitudinal Road Sections Sheet 04			
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA351 Pavement Plan	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA501 Drainage Catchment Plan	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA551 Bio-Retention Basin Plan	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA552 Water Quality Basin Sections A, B & C	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA553 Water Quality Details	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA571 Drainage Details Sheet 01	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA572 Drainage Details Sheet 02	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA573 Drainage Details Sheet 03	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA601 Retaining Wall Plan	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA651 Retaining Wall Details	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA801 Sign & Linemarking Plan Sheet 01	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA802 Sign & Linemarking Plan Sheet 02	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA811 Turning Path Plan Sheet 01	01	SMEC	09 June 2023

Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA812 Turning Path Plan Sheet 02	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA813 Turning Path Plan Sheet 03	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA814 Turning Path Plan Sheet 04	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA851 Soil & Water Management Plan	01	SMEC	09 June 2023
Claymore Redevelopment Stages 9 and 10 Project No. 300178186.09.10.DA861 Soil & Water Management Details	01	SMEC	09 June 2023
Claymore Stages 9 and 10 Landscape Plan Set Drawing No. L01 Context Plan/Title Sheet	C	JMD Design	16 June 2023
Claymore Stages 9 and 10 Landscape Plan Set Drawing No. L02 Path Hierarchy Masterplan	C	JMD Design	16 June 2023
Claymore Stages 9 and 10 Landscape Plan Set Drawing No. L03 Street Tree Hierarchy Masterplan	C	JMD Design	16 June 2023
Claymore Stages 9 and 10 Landscape Plan Set Drawing No. L04 Stage 9 - Streetscape Plan 01	C	JMD Design	16 June 2023
Claymore Stages 9 and 10 Landscape Plan Set Drawing No. L05 Stage 9 - Streetscape Plan 02	C	JMD Design	16 June 2023
Claymore Stages 9 and 10 Landscape Plan Set Drawing No. L06 Stage 10 - Streetscape Plan 01	C	JMD Design	16 June 2023
Claymore Stages 9 and 10 Landscape Plan Set Drawing No. L07 Stage 10 - Streetscape Plan 02	C	JMD Design	16 June 2023
Claymore Stages 9 and 10 Landscape Plan Set Drawing No. L08 Streetscape Sections	C	JMD Design	16 June 2023
Claymore Stages 9 and 10	C	JMD Design	16 June 2023

Landscape Plan Set Drawing No. L09 Material & Street Tree Planting Palette			
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Supporting Documentation

Claymore Urban Renewal Project Aboriginal Cultural Heritage Assessment Stage 9 and 10 Addendum	Extent Heritage	15 November 2022
Claymore Renewal – Stages 9 and 10 DA Acoustic Assessment	Renzo Tonin & Associates	26 October 2022
Arboricultural Impact Assessment Claymore 9 and 10 Final V3	Arborsaw	August 2023
Bushfire Hazard Assessment Report	First field Environmental	30 May 2023
Engineering Design Report Claymore Urban Renewal Stage 9 and 10	SMEC	13 October 2022
Targeted Detailed Site Investigation Stage 9 Claymore Urban Renewal project 59958-151,346 (Rev A)	JBS & G	14 June 2023
Targeted Detailed Site Investigation Stage 10 Claymore Urban Renewal project 59958-151,498 (Rev A)	JBS & G	14 June 2023
Geotechnical Investigation Claymore Stage 9A & 9B	PSM	20 October 2021
Geotechnical Investigation Claymore Stage 10	PSM	12 January 2020
Claymore & Airds Bradbury Renewal Bulk Earthworks Specification – Filling, Cutting and Testing	PSM	19 October 2021
Claymore Stages 9 and 10 (Let 26) Ecological Consistency Assessment	Cumberland Ecology	17 October 2022
Claymore 9 and 10 (Let 33) Response to Council's RFI	Cumberland Ecology	31 August 2023
Salinity Assessment Management Plan Stage 10 Claymore Renewal Project 59958/141819	JBS & G	15 December 2021
Salinity Assessment Management Plan Stage 9 Claymore Renewal Project 59958/142088	JBS & G	15 December 2021
Claymore Renewal Project – Stages 9 and 10 Traffic and Access Assessment Report Report No: PT20106r03_Final_V2	Positive Traffic Engineering/Planning	July 2023
Waste Management Plan	Land and Housing Corporation	undated
Remedial Action Plan Stage 9 Claymore Renewal Project 59958/151571 (Rev A)	JBS&G Australia	28 July 2023
Remedial Action Plan Stage 10 Claymore Renewal Project 59958/153315 (Rev A)	JBS&G Australia	01 August 2023

Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

2. Concept Plan Approval

The development is to be generally consistent with the terms of the Ministers Concept Plan Approval, dated 24 May 2013, that applies to the land.

Condition reason: To ensure compliance with the Approval issued by the relevant external agencies.

3. Vegetation Management Plan

The development must be carried out in accordance with the Vegetation Management Plan, prepared by Cumberland Ecology, dated September 2014 and as finalised July 2015.

Should there be any inconsistency with the approved plan, the Vegetation Management Plan is to be updated accounting for any work incursions within the open space areas demonstrating consistency with the approved Vegetation management Plan 2015 and the approved Biodiversity Offset Strategy. This may include an addendum for the purposes of future open space embellishment works and must demonstrate overall consistency with the Claymore Masterplan approval and the biodiversity offset ratios as approved in the Biodiversity Offset Strategy.

Condition Reason: To ensure compliance with the Approval issued by the relevant external agencies.

4. Claymore Water Cycle Management Plan

The development is to be generally in accordance with the requirements of the final Water Cycle Management Plan for Claymore prepared by Northrop (07 October 2021, Revision D).

Condition Reason: To ensure compliance with the Approval issued by the relevant external agencies.

5. Voluntary Planning Agreement

The development must be consistent with the requirements of the Claymore Renewal Project Planning Agreement that applies to the land. The provision and timing of infrastructure as detailed in the Claymore Renewal Project Planning Agreement between New South Wales Land and Housing Corporation (NSW LAHC) and Campbelltown City Council (CCC) dated July 2019, or as amended or otherwise agreed by the parties, must be undertaken by the Applicant in accordance with that Agreement throughout the Agreement's operation.

Condition Reason: To ensure compliance with the Approval issued by the relevant agencies.

6. Statement of Commitments

The development is to be carried out generally in accordance with the Statement of Commitments contained within the Claymore Urban Renewal Concept Plan, approved by the Minister for Planning and Infrastructure on 24 May 2013.

Condition Reason: To ensure compliance with the Approval issued by the relevant external agencies.

7. NSW Rural Fire Service – General Terms of Approval

The development shall comply with the general terms of approval issued by the NSW Rural Fire Service dated 09 October 2023 referenced as (CNR-59089) 2413/2023/DA/SW-CNR for RFS.

Condition reason: To ensure compliance with the Approval issued by the relevant external agencies.

8. Landscaping

The provision and maintenance of landscaping shall be in accordance with the approved landscape plan containing Council's approved development stamp including the engagement of a suitably qualified landscape consultant/ contractor for landscaping works. The landscape design shall incorporate a significant portion of native, low water demand plants consistent.

9. Clearing Supervision and Protocols

To minimise impacts to native fauna species, clearing is to be undertaken under the supervision of a suitably qualified ecologist, in a staged process.

The following management measures are to be included in staged clearing:

- Prior to commencing any works ensure appropriately qualified, licensed and experienced personnel (such as from WIRES/FAWNS) are available to care for any injured fauna that may be encountered.
- Ensure appropriately qualified personnel are on-site during clearing of habitat and inspect all habitat once it is removed (e.g. once a tree is felled), appropriately qualified personnel should capture, inspect and relocate any fauna to suitable habitat identified during pre-clearing.
- Inspect habitat to confirm the presence of fauna.
- Follow rescue and release procedures (developed during pre-clearing) in the event of remaining fauna, especially injured, shocked or juvenile fauna.
- Remove non-hollow-bearing trees, undergrowth, feed-trees, regrowth and grass whilst maintaining habitat trees, bushrock and other habitat features identified during the pre-clearing process.
- Allow a minimum of 24 hours between clearing of non-habitat and clearing of habitat to enable fauna to self relocate.
- Fell habitat trees with care to avoid possible injury to fauna still remaining within hollows (e.g. where possible by lowering slowly with a claw extension).

Condition Reason: To ensure that wildlife is adequately protected during tree clearing/removal works.

10. Security Fencing

All security fencing shall be established behind the required landscape areas and not on the road alignments. No barbed wire style fencing is to be erected in a location that can be seen from a public place.

Condition Reason: To ensure that the construction site is secured and contribute to public safety during works.

11. Unreasonable Noise, Dust and Vibration

The development, including operation of vehicles, shall be conducted so as to avoid the generation of unreasonable noise, dust or vibration and cause no interference to adjoining or nearby occupants. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like.

In the event of a noise related issue arising during construction, the person in charge of the premises shall when instructed by Council, cause to be carried out an acoustic investigation by an appropriate acoustical consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to its satisfaction.

Condition Reason: To protect the amenity of the local area

12. Engineering Design Works

Engineering design of all proposed structures and works, unless modified by a condition of this consent or the approved plans and documents outlined in Condition 1, shall be designed and constructed in accordance with requirements outlined in the following Council documents (as amended);

- Specification for Construction of Subdivisional Road and Drainage Works,
- Engineering Design for Development Guide (as amended), and
- Campbelltown City Council Development Control Plan (where relevant).

All engineers engaged to prepare or certify engineering construction plans and documents prior to release of the subdivision works certificate, or prior to construction, must provide a Design Certification Report, and fill out with detail relevant parts of the 'Engineering Plan Checklist', available in Appendix A of Council's Engineering Design for Development Guide, to the satisfaction of the appointed registered certifier.

Condition reason: To ensure engineering related work is undertaken in accordance with the Council's requirements.

13. Boundary of Works

No works are permitted to occur outside of the limit of works shown on the approved plans.

Prior to the commencement of works, the boundary of the limit of works must be appropriately demarcated via appropriate fencing and signage.

Condition Reason: To ensure the development does not encroach onto neighbouring properties.

14. Site Lighting

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.

Condition reason: To ensure lighting is operated in a manner that protects the amenity of the local area.

15. 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).

Condition Reason: To reduce the development's impact on the streetscape.

16. Spraygrass

All land that has been disturbed by earthworks must be stabilised with native spray grass or similarly treated to establish grass cover.

Condition Reason: To minimise the impacts of the development on the environment.

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;
- b. the applicant shall obtain a subdivision works certificate for the particular works; and
- c. 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.

Applicants must submit a full application, providing all relevant development details, engineering and construction plans, calculations, models, reports, certification and meet all relevant consent requirements as part of the single application and submission package. Council will only permit staged Subdivision Works Certificates, or modification to the development consent to permit a staged approach, if this has been discussed and approved prior to development approval as part of a pre-lodgement meeting and conditioned accordingly.

Condition Reason: To comply with legislation.

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 the 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. Amended Civil Engineering Plans

Prior to Council or the appointed Principal Certifier issuing a Subdivision Works Certificate, the applicant shall provide amended civil engineering plans addressing the following:

- a. Provision of a turning facility allowing maintenance vehicles to enter and exit bio-retention basin in a forward direction.
- b. Temporary turning head and access roads associated with stage 9 shall be detailed with permanent quality road construction standards and consistent with the surrounding road pavement.
- c. Provision of 75mm high concrete speed humps on Road 1 between Glenroy Drive & Road 2 roundabout at a maximum spacing of 150m in accordance with Austroads guidelines and Australian Standard AS1742 series.
- d. Roundabout at the intersection of Road 1 and Glenroy Drive to be mountable.
- e. Provision of pedestrian refuge islands to all legs of roundabout at the intersection of roads 1 and 2.
- f. Provision of wire rope barrier along the interface of Fullwood Reserve and roads 1 and 2.
- g. Amend civil engineering plan 300178186.09.10.DA553 by SMEC and dated 9/6/2023 to show an updated basin phasing plan and provide supporting calculations. The plan shall detail the following three phases:
 - i. Sediment basin – Implemented prior to commencement of civil works and until the upstream catchment has been vegetated.
 - ii. Interim on-site stormwater detention basin – Implemented when the upstream catchment has been vegetated. Supporting calculations are to be submitted demonstrating the following:
 - a. Limiting the site's post development flows to be no greater than the pre-developed conditions for all storm events up to and including the 1% AEP storm event, and critical durations.
 - b. Provision of an emergency overflow weir for flows in excess of the 1% AEP event.
 - c. Provision of operation and maintenance schedule.
 - iii. Final Bio-retention basin – Implemented when 80% of the catchment has dwellings and the Fullwood Reserve Detention basin associated with Development Application 2/2024/DA-CW is constructed and operational.

Condition reason: To comply with engineering standards

19. Street Lighting

Prior to release of a Subdivision Works Certificate, a lighting plan shall be prepared and certified by a qualified and experienced professional engineer registered on the NER with relevant experience and qualifications to the satisfaction of the appointed registered certifier.

The plan shall provide design, construction, and management details of all proposed site and street lighting to an appropriate level in accordance with controls and requirements of the relevant Council DCP(s) and Engineering Design for Development Guide, the local energy provider's standards, and specifications, AS1158 and AS4282 (as amended). Details of how the proposed lighting design will not cause a nuisance to other residences in the area or to

motorists on nearby roads, have no adverse impact on the amenity of the surrounding areas and properties by light overspill, shall be discussed in a detailed and comprehensive engineering design report.

The applicant shall liaise with the local energy provider and their service coordinator(s) to have prepared electrical design plans and supporting engineering documents assuming Council will own and manage the lighting and associated power supply network for the development, with relevant details and requirements, and also included provisions to allow Council to revert the ownership and management of the network back to the local energy provider if required by Council.

Condition Reason: To ensure pedestrian and street lighting in the public domain complies with Council's requirements.

20. Utility Servicing Provisions

Prior to issue of a Subdivision Works Certificate the applicant shall demonstrate they have liaised with the relevant electricity, telecommunications, sewer/water, and gas authorities, stating that satisfactory in-principal arrangements are available to service the development, to the satisfaction of the appointed registered certifier.

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

Condition reason: To ensure compliance with the Approval issued by the relevant external agencies.

21. Geotechnical report

Prior to Council or an accredited certifier issuing a Subdivision Works Certificate, where proposed excavation and/or filling exceed 900mm in depth, or where the subject site is identified as being filled land, a geotechnical report prepared by a NATA registered laboratory shall be submitted which indicates that the land will not be subject to subsidence, slip, slope failure or erosion.

Condition reason: To inform the certifier of any structural design requirements for the approved building works.

22. Soil and water management plan

Prior to Council or an accredited certifier issuing a Subdivision Works Certificate, a detailed Soil and Water Management Plan (SWMP) shall be submitted for approval.

Condition reason: To ensure no sediments or substances other than rainwater enters the stormwater system and waterways.

23. Cut and Fill

The maximum grading of cut or fill batters shall be;

- a. 1V:2H where there is no retaining wall or no other method of stabilising cut or fill batters during construction,
- b. 1V:4H where there is no retaining wall or no other method of stabilising a permanent batter.
- c. 1V:6H for any batter on or adjacent to public land,

Condition reason: To ensure engineering related work is undertaken in accordance with the Council's requirements.

24. Road construction (new)

Prior to Council or an accredited certifier issuing a Subdivision Works Certificate, the applicant shall submit engineering details for the required road construction described below.

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

Road No.	Category	Traffic Loading
1, 2, 3 and 4	D	3×10^5

Full construction of all new roads shall be 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)*.

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

Condition reason: To ensure engineering related work is undertaken in accordance with the Council's requirements.

25. Road Construction (Roundabout)

Prior to Council or an accredited certifier issuing a Subdivision Works Certificate, the applicant shall submit engineering details of the required roundabout construction described below:

The applicant shall design and construct a roundabout at the intersection of Glenroy Drive and Arkley Avenue. The roundabout(s) shall be designed to *Austroads* and Council's current specifications and shall include all construction and reconstruction including SBS modified asphaltic concrete seal 60mm thick to the roundabout and approaches, signposting, thermoplastic line marking, reflectors, landscaping, the capital cost of street lighting to Endeavour Energy requirements, reinstatements, service relocations and adjustments, any work required to make a smooth connection to existing construction and any other associated works.

26. Stormwater management plan

Prior to Council or the appointed Principal Certifier issuing a Subdivision Works Certificate, plans, electronic models, and other supporting information indicating all engineering details and calculations relevant to site regrading and the collection and disposal of stormwater from the site and adjacent catchments, shall be submitted for approval. Where adjacent properties are affected, drainage formalisation shall be extended to include these properties to the satisfaction of the adjacent owners and Council.

All proposals shall comply with the requirements detailed in Council's *Engineering Design for Development (as amended)* guide, *Australian Rainfall and Runoff (current version)* and be in consistent with Water Cycle Management Plan prepared by Northrop Rev D dated 7 Oct 2021.

Condition reason: To ensure engineering related works is undertaken in accordance with the Council's requirements.

27. Dilapidation Report

Prior to Council or an accredited certifier issuing a Subdivision Works Certificate, the applicant shall submit a dilapidation report for all buildings (not owned by NSW Land and Housing Corporation) in the vicinity of the subject works and for any other infrastructure that may be affected by the works on the subject site.

Reason: To ensure that dilapidation reports are prepared and to identify damage to adjoining/nearby properties resulting from building work on the development site.

28. 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.

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.

Garbage collection vehicles with three axles and up to 10.4 metres in length shall be considered as part of the above assessment.

Condition reason: To comply with legislation and to minimise impacts on traffic safety and efficiency

29. Road Safety Audit

Prior to Council or the appointed Principal Certifier issuing a subdivision works certificate, a detailed road safety audit (RSA) is to be undertaken for the design of the proposed roadworks and traffic facilities by an independent road safety auditor.

Condition Reason: To comply with legislation

30. Civil Works under Section 138 Road Act

Prior to Council or an accredited certifier issuing any Subdivision Works Certificate, a S138 Roads Act application, including payment of plan assessment and inspection fees shall be lodged with Campbelltown City Council on the NSW Planning Portal for the construction of *stormwater drainage system, kerb and gutter, driveway laybacks, pedestrian footpath, road intersections, and roundabout, in Glenroy Drive and Arkley Avenue road reserve and any associated civil works.*

Detailed engineering plans for the proposed works in Glenroy Drive and Arkley Avenue road reserve shall be submitted to Council for approval. All works shall be carried out in accordance with Roads Act approval including the stamped approved plans and Council specifications.

Condition Reason To ensure relevant approvals for public domain work are obtained.

31. Retaining Structures

Prior to Council or the appointed Principal Certifier issuing a Subdivision Works Certificate, the applicant shall engage a suitably qualified structural and geotechnical engineer to design all proposed retaining structures exceeding 600mm in height.

All retaining structures shall be constructed of a masonry material and shall be constructed wholly within the property boundary, including footings and agricultural drainage lines.

Condition Reason: To comply with engineering standards

32. Telecommunications infrastructure

1. If the development is likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to proposed works must be submitted to the appointed certifier prior to the issue of a construction certificate or any works commencing, whichever occurs first; and
2. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.

Condition reason: To ensure that the development does not impact any telecommunications infrastructure and that appropriate arrangements have been made for the approved development.

33. Sydney Water

Prior to Council or the appointed Principal Certifier issuing a construction certificate, the approved plans must be submitted to Sydney Water via the Sydney Water Tap In service, to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met.

An approval receipt will be issued if the building plans have been approved. The approval receipt shall be submitted to the appointed Principal Certifier prior to issue of a construction certificate.

The Sydney Water Tap In service can be accessed at www.sydneywater.com.au.

Reason: To ensure the requirements of Sydney Water are met

34. Landscape Requirements

Prior to Council or an appointed Principal Certifier issuing a subdivision works certificate for civil works, the applicant shall submit detailed landscape plans for approval by the appointed Principal Certifier.

Landscaping of the development site shall be undertaken in accordance with the approved plans

incorporating the following requirements where necessary:

Street tree installation shall comply with the following requirements:

- i. Root boxes or barriers are required for all street trees which are being placed within 1m of infrastructure. Such infrastructure shall include footpaths, share ways road ways, kerb and gutter, underground pipes.
- ii. Unless specified otherwise the minimum size for root control boxes shall be 800mm x 800mm by 500mm deep. Trees are to be installed centrally within the root control box.
- iii. Alternatively, root barrier is to be placed on the road and footpath side of all street trees.
Vertical ribbed root barrier a minimum of 600mm deep and 0.75mm thick is to be used in all instances.
- iv. Root boxes or barriers must be placed:
 - behind the back of kerb so that it does not compromise the road pavement (i.e. the trunk of the tree shall be a minimum of 700mm from the back of kerb)
 - flush with or marginally below the ground surface
 - flush with or marginally below the adjoining top of footpath
 - for a 3m extent along the footpath/share way and kerb with the tree centrally placed
 - such that it extends a minimum of 100mm below the adjoining road pavement
 - such that is not a trip hazard.

Condition Reason: To ensure compliance with Council's requirements

35. Containment Cell Agreement

Prior to Council or the appointed Principal Certifier issuing a subdivision works certificate, an agreement between Council and Land and Housing (LAHC) must be executed to comply with the general terms of agreement in support of the remediation of lands within the Claymore Renewal project via the establishment of containment cells under select roadways, and which involves:

- Easements registered over parts of new roadways to be dedicated.
- Easements to reference an Environmental Management Plan for the containment cells.

Condition reason: To comply with Council's requirements

36. Contamination Assessment – RAP Endorsement

Prior to Council or the appointed principal certifier issuing a subdivision works certificate, the Remediation Action Plan (RAP) shall be reviewed, updated and accordingly endorsed by a suitably qualified site auditor accredited by the EPA, and all remediation works shall be undertaken in accordance with the approved RAP.

A copy of the endorsed RAP shall be forwarded to Council for its records.

Condition reason: To comply with legislation

37. Remediation Specification

Prior to Council and/or the appointed principal certifier issuing a subdivision works certificate, a Remediation Specification for all remediation works, shall be submitted and approved by a Site Auditor and which includes, but is not limited to the following;

- the remediation works, as per the Remediation Action Plan approved and amended;
- details of capping material over the contaminated fill;
- the design and construction of the containment cell; and
- requirements for period inspections and recordings.

Condition reason: To comply with legislation

38. Containment Cell Details and Specifications

Prior to Council or the appointed principal certifier issuing a subdivision works certificate, the detailed design and specifications for the proposed containment cells, in accordance with Council's requirements, shall be submitted to Council's Executive Manager Development (or equivalent) for approval and shall include the following provisions:

- Location of the containment cells.
- Consideration for utility services and drainage.
- Details of barrier systems.
- Leak detection systems.
- Leachate management.
- Capping layer material and design including seal bearing system.
- Groundwater impact review.
- Construction methodology.
- Periodic inspection requirements and recording.

Condition reason: To comply with legislation

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.

39. Construction Management Plan

Prior to the commencement of any works on the land, a site specific Construction Management Plan (CMP) is required to be prepared. The CMP must include the following details:

- Detail any potential impacts on the amenity of nearby existing dwellings and existing lane uses within the locality;
- Describe the project in detail, including activities undertaken;
- The noise and vibration management measures listed within the acoustic report prepared by Renzo Tonin and Associated, dated 26 October 2022; and
- Outline a monitoring regime to check the adequacy of controls and mitigation measures and ensure that they remain in good working order.

The recommendations of the CMP must be in place prior to any works commencing.

Condition Reason: To comply with Council's requirements

40. Construction Traffic Management Plan

Prior to the commencement of works, 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 for approval.

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.

Condition Reason: To comply with Council's requirements

41. Traffic Committee

Prior to commencement of works, the applicant shall submit road construction and traffic engineering plans for written approval from Council's Local Traffic Committee for proposed design and construction of prescribed traffic control devices, traffic control facilities and all associated sign posting and line marking.

Traffic Committee approval can be lengthy and has potential to hold up subdivision certificate and occupation certificate approvals. Contact with Council's City Services Department to discuss traffic committee and engineering requirements is recommended at the earliest opportunity.

Condition reason: To ensure engineering related work is undertaken in accordance with the Council's requirements

42. Traffic Control Plans

Prior to Council or an accredited certifier issuing a Subdivision Works Certificate, the applicant shall prepare a Traffic Control Plan (TCP) in accordance with the *RMS manual "Traffic Control at Work Sites"* and Australian Standard AS 1742.3 (*as amended*) and obtain approval from an accredited person. A copy of the approved TCP shall be kept on site for the duration of the works, in accordance with *Work Cover Authority* requirements and a copy shall be submitted to Council for its records.

Condition reason: To ensure engineering related work is undertaken in accordance with the Council's requirements

43. Waste Management Plan

Prior to commencement of any works, the relevant provisions of the approved subdivision works certificate, Waste Management Plan (prepared by Land and Housing Corporation (LAHC)) are to be completed to the satisfaction of Council.

Condition reason: To ensure that wastes are correctly stored, disposed of and controlled at all times to prevent accidents and to maintain clean and tidy premises.

44. 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.

Condition Reason: To ensure that appropriate erosion and sediment control measures are put in place during construction to protect the environment.

45. 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
- b. Stating that unauthorised entry to the work site is prohibited
- c. 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)
- d. Stating the approved construction hours in which all works can occur
- e. Showing the name, address and telephone number of the principal certifier 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.

Condition Reason: Prescribed condition EP&A Regulation, clauses 98A (2) and (3).

46. 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

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

Condition Reason: To ensure site management measures are implemented during the carrying out of site work.

47. 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.

Condition reason: To ensure that wastes are correctly stored, disposed of and controlled at all times to prevent accidents and to maintain clean and tidy premises.

48. 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.

Condition reason: To promote safe entry and exit to the construction site.

49. 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.

Condition Reason: To ensure the necessary approval is obtained for temporary structures over a public road.

50. Public property

Prior to the commencement of any works on site, the applicant shall provide a dilapidation report advising Council of any damage to property controlled by Council which adjoins the site including kerbs, gutters, footpaths, walkways, reserves 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.

Condition reason: To ensure the condition of public infrastructure is recorded before the commencement of any works.

51. Unexpected Finds Protocol

The applicant shall prepare and implement an 'unexpected finds protocol' with respect to dealing with unexpected finds that pose a contamination risk or potential Aboriginal or European heritage significance risk.

Condition reason: To ensure there is no unacceptable risk to human health or the environment

52. Protection of Existing Trees on the Development Site

Prior to the commencement of any works on the land, a project arborist is required to be nominated (with a minimum qualification of AQF 5 (Arboriculture)) and the stages and related certification or similar documentation is to be issued to the Council and the appointed Principal Certifier for their records.

Protection measures (Chapter 11 and Appendix of the Arboriculture Impact Assessment dated April 2023 prepared by Arborsaw) are required to be implemented for the trees nominated for retention and installed before initiation of site works (including demolition/excavation) and retained until the landscaping works are required unless otherwise specified.

All workers related to the construction process and before entering the site must be briefed about the requirements/conditions, relative to the zone of protection, measures, and specifications before the initiation of work.

Condition reason: To protect and retain trees

53. Wildlife Management Strategy

Prior to the commencement of any vegetation or habitat clearing work, a Wildlife Management Strategy (WMS) is to be prepared and submitted to Council for its written approval. The WMS must provide details of how mitigation against native animal welfare issues will be achieved.

The WMS must also:

- Identify fauna guilds likely to occur on-site and advise management actions to avoid and/or mitigate the risk of harm to the welfare of native animals;
- Identify on a plan and require the physical marking of habitat trees;
- Detail the timing and effort required for pre-clearance surveys;
- Provide timeframe/schedules and protocols for clearing of non-habitat trees, and then habitat trees. The protocols for clearing of habitat trees are to identify the most benign method of dislodging fauna and felling trees and are to include visual inspection, measures to encourage fauna to leave prior to felling, relocation of fauna/tree felling while the fauna remains in-situ, and treatment of captured fauna. Where safe to do so, all habitat features should be sectionally dismantled and lowered by a climbing arborist.
- The Project Ecologist must supervise all tree clearing and construction works to mitigate any native animal welfare issues. Clearing works shall follow the specific tree and vegetation clearing protocols outlined in Wildlife Management Strategy approved under this consent.
- Identify nearby release areas for animals requiring immediate relocation (this may include a recommendation to install nest boxes in adjacent habitat prior to clearing as temporary

refuge for displaced animals). Contact details for the nearest vet are to be included. Ensure appropriate permissions have been granted to enter third party properties if the animals are to be released offsite.

The Project Ecologist is to provide certification to Council within 10 working days following completion of:

- The pre-clearing surveys, marking of all habitat trees, marking of trees and vegetation to be retained;
- The erection of required tree protection fencing;
- Removal of habitat trees.

Condition reason: To protect the locality

54. Tree Removal

- a. 321 Trees approved for removal include the following trees as identified in the Arboricultural Impact Assessment (August 2023) prepared by Arborsaw:

- 97 x A, 110 x B, 87 x C and 27 x R Retention Value Trees.

Of these 321 trees:

- 118 trees for removal are Cumberland Plain Woodland (CPW) species.
- 23 trees for removal are River Flat Eucalypt Forest (RFEF) species.
- 47 trees for removal are exempt weed species
- 23 trees for removal are exotic species
- 110 trees for removal are native species, and

All other trees identified (16 trees) within the report are to be retained.

- b. The removal of the trees will be required to be offset in accordance with the following provisions:
- i. Trees comprising native tree species, approved for removal will be offset at a minimum ratio of 4.6:1, area of ecological community coverage as depicted in the Clause 34A approval (7 December 2021) and corresponding Vegetation Management Plan (as amended).
 - ii. Other native trees approved for removal (excluding Exempt Tree Species) are required to be offset on site a minimum ratio of 1:1 to be consistent with Council's Sustainable City Development Control Plan (SCDCP). As depicted in the approved Landscape plan
 - iii. The felled tree logs generated from the removal of native trees are required to be re-installed into an adjacent reserve, to ensure that habitat values for fauna are retained on site.

Condition reason: To protect the amenity of the area

55. Trees to be Retained

- a. All works within proximity to retained trees will comply with ANS 4970 Protection of Trees on Development Sites:

- i. All compound/ stockpile, laydown, vehicle park up and amenities shall be located in cleared areas and beyond the dripline of retained trees
 - ii. Prior to the commencement of works temporary and permanent protective fencing must be erected around all trees identified for retention.
 - iii. Prior to the commencement of any works, the area required for site access will be clearly demarcated to ensure there is no damage to native vegetation outside of the development impact zone.
- b. Trees to be retained are identified within the Arboricultural Impact Assessment Report, prepared by Arborsaw dated August 2023 and include the following 216 trees:
- i. Tree(s) 78, 127, 129, 130, 234, 237, 251, 252, 253, 254, 259, 260, 261, 312, 318 and 319.
- c. As per the site specific recommendations, further approval is required from the determining authority for any proposed incursion into the Tree Protection Zone (TPZ) of those trees to be retained.

Condition reason: To protect and retain trees

56. Unexpected Fauna Observations

A fauna rescue and release procedure is to be prepared for the subject site.

Where tree removal is required then a licensed wildlife carer or fauna ecologist will be required on site as a fauna handler ('Rescuer' under the Code – "Code of practice for injured, sick and orphaned protected fauna" 2011) during tree removal works.

The procedure is to include aspects for dealing with unexpected threatened species finds. The procedure must include, as a minimum, the following:

- i. stop work arrangements in the immediate area of the threatened species;
- ii. notification and communication protocol;
- iii. consultation with the specialists to assess the significance of the find; and
- iv. a list of approvals, licences or permits likely required prior to recommencing works.

Condition reason: To protect the locality

57. Preclearance/Clearance Fauna Surveys

If required, a fauna relocation plan is to be prepared by a suitably qualified fauna ecologist and submitted prior removal of trees and submitted to Council's Executive Manager Development for approval.

The fauna relocation plan is to include the following:

- a. Preclearance fauna surveys must be undertaken by a suitably qualified fauna ecologist with animal handling training and vaccination against transmissible diseases.

Preclearance fauna surveys must be undertaken 2 weeks prior to clearance of trees that will:

- i. Detect roosting and/or nesting of hollow dependent threatened and non-threatened fauna.
 - ii. Be carried out within two weeks prior to the trees being removed.
 - iii. Include targeted surveys for Hollow dependent fauna species inclusive of ultrasound detection and hollow inspection, where practical, and visually identify whether any breeding activity or young rearing is occurring at that time.
 - iv. Include roost searches for micro-chiropteran bats by using a torch to shine in holes, cracks and crevices, and by using a handheld bat detector to locate and identify bats that may call.
 - v. In the event that the tree is unsafe or it is impractical to climb or inspect by cherry picker, an alternative methodology is to be used including spotlighting, stag watching and hollow watching on the evening before the tree will be cleared, for a minimum of one hour prior to dusk, and for at least one hour after dusk.
 - vi. Subject to the advice of the appointed fauna ecologist, to safely relocate non-threatened fauna to nearby native woodlands before the tree is cleared.
 - vii. To identify preferred recipient site for the fauna relocation and sensitive hollow dependent fauna species to be removed within a sectionally dismantled hollow sediment sealed at both ends. Once relocated to the approved recipient site the hollow is to be opened at one end to allow the wildlife to move freely at an appropriate time.
 - viii. Include the demarcation of all hollow-bearing trees and fallen logs (with the latter being >10cm diameter), along with any other key habitat features.
 - ix. Identification of any hollows, logs or parts thereof that would be appropriate for fauna habitat reuse within the adjoining open space areas are to be augmented(modified) and reused within adjoining woodland areas. Where relevant specifications for felling/ removal (to enable retention of features for fauna habitat) must also be specified if the fauna relocation plan.
 - x. Include specifications for the augmentation of hollows for reuse and relocation into adjoining or nearby native trees.
 - xi. Include specifications for felling/removal of hollows within hollow bearing trees by sectional dismantling.
- b. Upon the completion of preclearance surveys, a fauna ecologist report outlining all the preclearance surveys carried out, including survey effort, results and outcomes must be submitted to Council as evidence of meeting the requirements of appropriate conditions and including the approved fauna relocation plan.

Condition reason: Minimise the potential for harming fauna during tree clearing activities.

58. Demolition Works

Demolition works shall be carried out in accordance with the following:

- a. Prior to the commencement of any works on the land, a detailed demolition work plan designed in accordance with Clause 1.7.3 of Australian Standard AS 2601-2001 – The Demolition of Structures, prepared by a suitably qualified person with suitable expertise or experience, shall be submitted to and approved by Council and shall include the identification of any hazardous materials, method of demolition, precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.

- b. Prior to commencement of any works on the land, the demolition Contractor(s) licence details must be provided to Council.
- c. The handling or removal of any asbestos product from the building/site must be carried out by a NSW Work Cover licensed contractor irrespective of the size or nature of the works. Under no circumstances shall any asbestos on site be handled or removed by a non-licensed person. The licensed contractor shall carry out all works in accordance with NSW Work Cover requirements.
- d. An appropriate fence preventing public access to the site shall be erected for the duration of demolition works
- e. Immediately prior to the commencement of the demolition or handling of any building or structure that contains asbestos, the applicant shall request that the principal certifier attend the site to ensure that all appropriate safety measures are in place. The applicant shall also notify the occupants of the adjoining premises and Workcover NSW prior to the commencement of any works.

Condition reason: To provide details of measures for the safe and appropriate disposal of demolition waste and the protection of the public and surrounding environment during the carrying out of demolition works on the site.

59. Signage and Line Marking Concept Plan

Prior to the commencement of any works on the land, the applicant shall submit a Signage & Line Marking Plan detailing the construction of prescribed traffic control devices and traffic control facilities and all associated line marking and/or sign posting to obtain approval from Council's Local Traffic Committee.

This includes the installation of regulatory/advisory sign posting, traffic control devices and traffic control facilities with associated swept paths.

Advisory note: Traffic Committee approval can be lengthy and has potential to hold up subdivision certificate and occupation certificate approvals. Contact with Council's City Services Department to discuss traffic committee and engineering requirements is recommended at the earliest opportunity.

Condition reason: To ensure engineering related work is undertaken in accordance with Council's requirements.

60. Contaminated Site Assessment

Prior to the commencement of any works on the land, a detailed site investigation (DSI) and a remediation action plan shall be undertaken/completed by a suitably qualified person in accordance with the relevant guidelines approved by the Office of Environment and Heritage (OEHL) and in accordance with the requirements of the *Contaminated Land Management Act 1997* and shall be submitted to Council (for its records) and the Principal Certifier.

Upon completion of the approved remediation works, a site validation report completed by a suitably qualified person shall be submitted to Council/PCA indicating that the soil on the site complies with the requirements for the use of the site as proposed.

Condition Reason: To ensure that the site is appropriately remediated.

61. Endorsement of Contamination Documentation

Prior to the commencement of any works on the land, all of the following shall be provided to Campbelltown City Council for approval:

- An unexpected finds protocol endorsed by a suitably qualified contaminated land consultant.
- A validation report from a suitably qualified contaminated land consultant demonstrating that the soil underneath the demolished structures is suitable for the proposed use of the land.
- A clearance certificate issued by a suitably qualified hygienist certifying that surface waste from the site has been suitably disposed of.

Where Council is not the certifier a copy of the documents required by this condition endorsed by Council are to be submitted to the appointed Certifier prior to the commencement of any works under this consent.

In this condition:

‘Suitably qualified contaminated land consultant’ means a person who possesses one or more of the following accreditations:

- Certified Environmental Practitioner (Site Contamination) with the Environment Institute of Australia and New Zealand (CEnvP (SC)); and
- A Certified Professional Soil Scientist with specialist certification in Contaminated Site Assessment and Management with Soil Science Australia (CPSS CSAM); and
- An EPA Accredited Site Auditor under the Contaminated Land Management Act 1997.

‘Suitably qualified hygienist’ means a Certified Occupational Hygienist accredited by the Australian Institute of Occupational Hygienists or an EPA Accredited Site Auditor under the Contaminated Land Management Act 1997.

‘Accredited site auditor’ means EPA Accredited Site Auditor under the Contaminated Land Management Act 1997.

Condition Reason: To ensure that the site is appropriately remediated.

62. Site Audit

Upon completion of the approved remediation works and prior to commencement of civil works,

- i. A Validation Report is to be completed by a suitably qualified environmental consultant with experience in land contamination and New South Wales EPA contaminated land legislation and guidelines including the Contaminated Land Management Act 1997. The report is to satisfactorily document the following:

- a. The extent of validation sampling, and the results of the validation testing
 - b. That the remediation and validation of the site has been undertaken in accordance with the RAP; and
 - c. The site is suitable for the proposed use.
- ii. The report shall be audited by a qualified site auditor accredited by EPA, and shall be submitted to the appointed PCA indicating that the soil on the site complies with the requirements for the use of the site as proposed.

A copy of the report/s is to be provided to Council for its records.

Condition Reason: To comply with legislation

63. Land Remediation – New Contamination Evidence

All remediation work carried out shall be conducted in accordance with the guidelines in force under the provisions of the Contaminated Land Management Act 1997.

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination must be immediately notified to the Council's Executive Manager Development, the Site Auditor and the appointed Principal Certifier.

Any variations to any approved/certified Remediation Action Plan shall be approved in writing by the Site Auditor prior to the commencement of such work.

Condition reason: To comply with legislation

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.

64. Disposal of Contaminated Soils/Waste

All transport of waste and disposal of materials must be conducted in accordance with the requirements of the Protection of the Environment and Operations (POEO) Act (1997). All required licences and approvals required for disposal of the material will be obtained prior to removal of the materials from the site. Transport of Spoil must also be via a clearly delineated, pre-defined haul route.

Removal of waste materials from the site shall only be conducted by a licensed contractor holding the appropriate licence, consent or approvals to dispose of waste materials according to the classification outlined in the NSW EPA Waste Classification Guidelines (2014) and with appropriate approvals obtained from the EPA, if required.

Condition Reason: To ensure that waste from site is classified and disposed of appropriately.

65. 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.

Condition Reason: To protect the amenity of the surrounding area.

66. 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 certifier. 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.

Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater and waterways.

67. 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.

Condition Reason: To ensure the development complies with the approved plans and referenced documents.

68. 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.

Condition Reason: To ensure site management measures are implemented during the carrying out of site work.

69. Dust Nuisance

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

Condition Reason: To ensure site management measures are implemented during the carrying out of site work.

70. 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.

Condition Reason: To ensure site management measures are implemented during the carrying out of site work.

71. Earth Works/Filling Works

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

- a. Undertaken in accordance with Council's *Specification for Construction of Subdivisional Roads and Drainage Works (as amended)*, Australian Standard AS 3798 *Guidelines for Earthworks for Commercial and Residential Development (as amended)*, and the approved construction drawings;
- b. Supervised, monitored, inspected, tested, and reported in accordance with Australian Standard AS 3798 *Appendix B 2(a) Level 1 and Appendix C* by a NATA registered laboratory appointed by the applicant. Two collated copies of the report and fill plan shall be forwarded to Council; and
- c. Certified by the laboratory upon completion as complying, so far as it has been able to determine, with Council's specification and Australian Standard AS 3798.

Condition Reason: To ensure site management measures are implemented during the carrying out of site work.

72. 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.

Condition reason: To comply with legislation

73. Public Safety

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

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

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

Condition Reason: To comply with legislation

74. Public Reserve Treatment

A barrier fence in accordance with Council's specifications shall be erected on the boundaries of all proposed public reserve areas where they adjoin public roads. A lockable access point for Council maintenance vehicles shall be provided where required by Council.

Condition reason: To comply with legislation

75. Compliance with Council Specification

All design and construction work shall be in accordance with:

- a. Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended).
- b. Council's Engineering Design for Development (as amended) guide.
- c. Council's relevant Development Control Plan.
- d. Soils and Construction (2004) (Bluebook).
- e. Australian Standard AS 1742 various (Manual for traffic control devices).
- f. RMS "Guide to Traffic Control at Work Sites" 1998ed.
- g. Other relevant Australian Standards, Austroads Guides and State Government publications.

Condition Reason: To ensure all relevant approvals are obtained and designed in accordance with Council requirements.

76. Footpath (Public Verge Area)

The footpath adjoining the subject land shall be regraded in accordance with levels obtained from Council, and concrete footpath paving 1.2 metres wide shall be constructed/laid 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)*, to the satisfaction of Council.

Areas not concreted shall be topsoiled and turfed. The footpath formation may need to be extended beyond the site boundaries, to provide an acceptable transition to the existing footpath levels.

Condition Reason: To comply with engineering requirements

77. Pavement thickness determination

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

Condition reason: To comply with engineering requirements

78. Residential driveway and layback crossing

The applicant shall provide a layback in the kerb and gutter at the entrance to all residential lots that have a frontage to barrier kerb. Construction shall be in accordance with Council's Residential Vehicle Crossing Specification and Engineering Design for Development (as amended) guide.

Laybacks are to be constructed in accordance with the endorsed driveway location plan submitted with the construction certificate.

Condition reason: To ensure that work on public land is undertaken with approval in accordance with Councils requirements.

79. 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.

Condition reason: To ensure that work on public land is undertaken with approval in accordance with Councils requirements.

80. 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.
 - ii. After installation and prior to commencement of earthworks.
 - iii. As necessary until completion of work.
- b. STORMWATER PIPES – Laid, jointed and prior to backfill.
- c. SUBSOIL DRAINS – After:
 - i. The trench is excavated.
 - ii. The pipes are laid.
- d. SUBGRADE – Joint inspection with a NATA Registered Laboratory after preliminary boxing, to confirm pavement report/required pavement thicknesses.
- e. SUBGRADE – 10/12 tonne 3-point roller proof test, density tests and finished surface profiles prior to placement of sub-base.
- f. CONDUITS – Laid and jointed prior to backfilling.
- g. PAVEMENT THICKNESS MEASUREMENT (Dips) – After placement of kerb and gutter and final trimming of sub-base.
- h. SUB BASE – 10/12 tonne 3-point roller proof test and finished surface profiles after finishing and prior to base course placement.
- i. BASECOURSE – 10/12 tonne 3-point roller proof test, density tests and finished surface profiles after finishing and prior to sealing.
- j. OVERLAND FLOWPATHS – After shaping and prior to topsoil/turf placement.
- k. CONCRETE PATHS, CYCLEWAYS, VEHICLE CROSSINGS AND LAYBACKS – Prior to pouring concrete.
- l. ASPHALTIC CONCRETE SEAL – Finished surface profiles after sealing.
- m. FINAL INSPECTION – All outstanding work

Condition Reason: To comply with engineering requirements

81. Imported 'waste-derived' fill material

The only waste-derived fill material that may be received at the development site is:

- virgin excavated natural material (within the meaning of the Protection of the Environment Operations Act 1997); and
- any other waste-derived material the subject of a resource recovery exemption under cl.51A of the Protection of the Environment Operations (Waste) Regulation 2005 that is permitted to be used as fill material.

Any waste-derived material the subject of resource recovery exemption received at the development site must be accompanied by documentation as to the material's compliance with the exemption conditions and must be provided to the principal certifier on request.

Condition reason: To ensure any fill material used on site is not contaminated and is safe for future occupants.

82. Protection of Existing Trees

During construction, other than those trees approved for removal, 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.

Condition Reason: To protect and retain trees

PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE

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

83. Section 73 Certificate – Subdivision Only

Prior to the appointed principal certifier issuing a subdivision certificate, a section 73 compliance certificate under the *Sydney Water Act 1994* shall be obtained from Sydney Water Corporation. Early application for the certificate is suggested as this can also impact on other services and building, driveway or landscape design.

Application shall be made through an authorised Water Servicing Coordinator.

For help either visit www.sydneywater.com.au > Building and developing > Developing your Land > Water Servicing Coordinator or telephone 13 20 92.

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

Condition reason: To comply with legislation

84. Fullwood Reserve Detention Basin

Prior to the principal certifying authority issuing a Subdivision Certificate, the applicant shall meet one of the two requirements below:

- a) Construction of the interim on-site stormwater detention basin associated with development application 2413/2023/DA-SW.

Or

- b) Construct the detention basin situated within Fullwood Reserve and channel works associated with development application 2/2024/DA-CW is to be completed and operational.

Work as executed drawings associated with Fullwood Reserve and channel works are to be submitted to Council for review and approval.

Condition reason: To comply with engineering requirements

85. Noise Management

Prior to Council or the appointed Principal Certifier issuing a subdivision certificate, the applicant shall create appropriate restrictions on the use of land under Section 88B of the Conveyancing Act as outlined below:

Lot(s)	Floor Level	Acoustic Treatment Category	Restrictions
9078 – 9088, 1001 – 1003, 1010, 1059, 1077 – 1094.	Gound Floor	B	No dwelling may be constructed or permitted to remain on the lot unless any ground floor component is constructed in accordance with the requirements of Category B as set out in Table 6 of the the DA Acoustic Assessment Claymore

			- Stages 9 and 10 by Renzo Tonin and Associates dated 26 October 2022,
9077, 1004, 1006, 1007, 1009, 1060, 1076, 1095.	First Floor	B	No dwelling may be constructed or permitted to remain on the lot unless any first Floor component is constructed in accordance with the requirements of Category B as set out in Table 6 of the the DA Acoustic Assessment Claymore - Stages 9 and 10 by Renzo Tonin and Associates dated 26 October 2022,
9078 – 9088, 1001 – 1003, 1010, 1059, 1077 – 1094.	First Floor	C	No dwelling may be constructed or permitted to remain on the lot unless any first floor component is constructed in accordance with the requirements of Category C as set out in Table 6 of the the DA Acoustic Assessment Claymore - Stages 9 and 10 by Renzo Tonin and Associates dated 26 October 2022,

The applicant shall liaise with Council regarding the required wording. Any lots subsequently identified during the subdivision process as requiring restrictions shall also be suitably burdened. Design plans and work as executed plans shall show affected lots marked with Council approved symbols. The authority empowered to release, vary or modify these restrictions on the use of land shall be the Executive Manager, Development Assessment of the City of Campbelltown.

The cost and expense of any such release, variation or modification shall be borne by the person or corporation requesting the same in all respects.

Condition Reason: To comply with legislation

86. Vegetation Management Plan

Prior to Council or the appointed Principal Certifier issuing a Subdivision Certificate, a planting status report shall be submitted to Council, for its records, providing and update with regard to the requirements of the endorsed Vegetation Management Plan. This is to be completed by a suitably qualified Arborist or Ecologist.

Condition Reason: To ensure the approved development is constructed in the form illustrated to the community

87. CCTV Footage verifying integrity of all new pipes and existing pipes

Prior to Council or the appointed Principal Certifier issuing a Subdivision Certificate, the applicant shall provide CCTV footage to Council for all new pipes and for all existing pipes which are modified by works prior to Linen release. The footage shall comply with the following requirements:

- the files shall be in MP4 format
- file resolution shall be 640 by 480 pixels, 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.

Note: All defects identified are to be rectified in consultation with Campbelltown City Council. Where rectification works have been carried out, certification is to be provided by the repairer guaranteeing that all repairs exceed the design life of the host pipe. A follow up inspection of the repairs with CCTV footage and a report is to be provided prior to the release of the maintenance bond.

Condition Reason: To comply with engineering requirements

88. Subdivision Certificate – Final Inspection

Prior to Council or the appointed Principal Certifier issuing a Subdivision Certificate, a satisfactory final inspection is required to be issued for all works relevant to the subdivision certificate.

Condition Reason: To comply with Council's requirements

89. Final Inspection – Works as Executed Survey 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 Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and with the design requirements detailed in the Campbelltown (Sustainable City) DCP Volume 3 (as amended).

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

Survey Information

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

Format

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

AutoCAD Option

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

Package Type - zip
File Format - 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.

Condition Reason: To ensure engineering related work is undertaken in accordance with Council's requirements

90. Final Inspection – Works as Executed Plans

Prior to Council or the appointed Principal Certifier issuing a Subdivision Certificate, the applicant shall submit to Council the following documents:

- An electronic set 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).

- Electronic 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.
- Electronic 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.
- Checklist in spreadsheet format with all relevant consent conditions and comprehensive written justification and evidence of compliance with conditions.

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.

Condition Reason: To ensure engineering related work is undertaken in accordance with Council's requirements

91. Works as Executed – Electrical Network

Prior to Council or the appointed Principal Certifier issuing a Subdivision Certificate, the applicant shall submit to Council's Executive Manager Infrastructure (or equivalent) the following documents in relation to the private lighting network:

- a. A complete set of works as executed plans of the private lighting network in CAD files .DWG format in accordance with Endeavour Energy's specifications. The WAE must be certified by an independent Level 2 ASP certifier.
- b. Appropriate certificates, manufacturer's brochures and technical data of all materials used during construction of the private lighting network.
- c. Warranty documentation for all street lighting assets (12 months minimum from the time of commissioning the network).
- d. Location of assets and the corresponding asset numbers provided by Council.

Condition Reason: To ensure engineering related work is undertaken in accordance with Council's requirements

92. Certification of Retaining Structures

Prior to Council or the appointed Principal Certifier issuing a Subdivision Certificate, all retaining structures shall be certified by an appropriately qualified engineer as having been constructed in accordance with the approved design.

An electronic copy of all documentation shall be submitted to Council for its records.

Condition Reason: To comply with engineering standards

93. Restriction on the Use of Land

Prior to Council or the appointed Principal Certifier issuing a Subdivision Certificate, the applicant shall create appropriate restrictions on the use of land under Section 88B of the Conveyancing Act.

- a. *Floor Level Control – where applicable*
- b. *No Alteration to Surface Levels – subject to geotechnical advice*
- c. *Lots Filled – where applicable*
- d. *Access Denied – where applicable*
- e. *Set Back from Access Denied Roads – where applicable*
- f. *Uncontrolled Fill – where applicable*
- g. *No Cut or Fill - (Existing Geotech Report from N.A.T.A. reg. Laboratory) – where applicable*
- h. *No Cut or Fill - (Geotech Report Required) – where applicable*
- i. *Lots with any other restrictions eg. Refuse Collection, Acoustic measures*
- j. *Building envelope plans for allotments less than 300sqm*
- k. *Easement for maintained purposes (retaining walls and zero lot boundaries)*
- l. *Easement for support (retaining walls)*
- m. *Driveway Location Plan.*
- n. *BaL ratings/Asset Protection zones as dictated by NSW RFS.*
- o. *Acoustic/noise restrictions*
- p. *Drainage easements (where applicable).*

The applicant shall liaise with Council regarding the required wording. Any lots subsequently identified during the subdivision process as requiring restrictions shall also be suitably burdened. Design plans and work as executed plans shall show affected lots marked with Council approved symbols. The authority empowered to release, vary or modify these restrictions on the use of land shall be the Council of the City of Campbelltown. The cost and expense of any such release, variation or modification shall be borne by the person or corporation requesting the same in all respects.

Condition Reason: To comply with legislation

94. Deposited Plan and 88B Instrument – Rights and Interests

Prior to Council or the appointed Principal Certifier issuing a Subdivision Certificate, the applicant must obtain written consent from the benefitted lot(s), road(s) bodies or Prescribed Authorities regarding any easements, profit a prendre, restriction or positive covenants registered on the land with respect to the approved development.

Condition Reason: To comply with legislation

95. Bond (Outstanding Work)

Prior to Council or the appointed Principal Certifier issuing a Subdivision Certificate and to facilitate the release of the subdivision 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 Homes (NSW) may submit Letters of Undertaking in this regard.

Condition Reason: To comply with legislation

96. Maintenance Security Bond

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

Condition Reason: To comply with legislation

97. Classification of Residential Lots (Development without dwelling construction)

Prior to Council or the appointed Principal Certifier issuing a Subdivision Certificate, all proposed residential lots are to be individually classified in accordance with guidelines contained in the Australian Standard for Residential Slabs and Footings - AS2870.1996 (as amended).

Condition Reason: To comply with legislation

98. Restoration of Public Roads

Prior to Council or the appointed Principal Certifier issuing a Subdivision 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.

Condition Reason: To comply with Council's requirements

99. Contaminated Land

Prior to Council or the appointed Principal Certifier issuing a Subdivision Certificate, the applicant shall ensure by way of soil testing by a N.A.T.A. registered laboratory that the land and any imported filling are free from contamination in accordance with the Environmental Health Form Health Based Soil Investigation Levels - Soil Series No. 1 and a copy of the laboratory report shall be submitted to Council.

Condition Reason: To comply with legislation

100. Site Validation Report

Upon completion of the approved remediation works, a site validation report is to be completed by the appointed Site Auditor and shall be submitted to Council and the appointed principal Certifier indicating that the soil on the site complies with the requirements for the use of the site as proposed.

Condition Reason: To comply with legislation

101. Splay Corner (Residential)

Prior to Council or the appointed Principal Certifier issuing a Subdivision Certificate, the applicant shall dedicate 4m x 4m splay corners in the property boundaries of all lots located adjacent to road intersections, at no cost to Council.

Condition Reason: To comply with engineering requirements

102. Public Utilities

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

Condition Reason: To comply with legislation

103. Service Authorities

Prior to the principal certifying authority issuing a Subdivision Certificate, all servicing plans shall be forwarded to Council in accordance with the following:

Written advice from Sydney Water, Endeavour Energy, telecommunications carrier and where applicable the relevant gas company, shall be submitted, stating that satisfactory arrangements have been made for the installation of either service conduits or street mains in road crossings, prior to the construction of the road pavement.

All construction work shall conform to the relevant authority's 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.

Condition Reason: To comply with legislation

104. NBN Co

Prior to Council or the appointed Principal Certifier issuing a Subdivision Certificate, the appointed Principal Certifier shall be satisfied that telecommunications infrastructure may be installed to service the premises which complies with the following:

- The requirements of the Telecommunications Act 1997;
- For a fibre ready facility, the NBN Co's standard specifications current at the time of installation; and
- For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line shall be located underground.

Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary pits and pipes, and conduits to accommodate the future connection of optic fibre technology telecommunications.

Condition Reason: To comply with legislation

105. House Numbers

Prior to Council or the appointed Principal Certifier issuing a Subdivision Certificate all house numbers shall be stencilled onto the kerb at appropriate locations with black letters/numbers 75mm high on a white background using approved pavement marking grade paint.

For all new additional lots created, please contact Council's Land Information Unit on 4645 4465 to ensure the correct house number is stencilled.

Condition Reason: To comply with legislation

106. Line Marking / Sign Posting Documentation (subdivision)

Prior to the principal certifying authority issuing a Subdivision Certificate, the applicant shall submit to Council for the Local Traffic Committee's records, the work as executed plans for the line marking / sign posting in relation to the subdivision.

The information shown on the plan shall be in accordance with the recommendations of the Traffic Committee and shall note the date/s of installation.

Condition Reason: To comply with engineering requirements

107. Long Term Environmental Management Plan (LTEMP)

Prior to Council or the appointed principal certifier issuing a subdivision certificate, a Long Term Environmental Management Plan shall be provided to Council in accordance with NSW EPA Guidelines.

The LTEMP must be approved in writing by Council's Executive Manager Development, and shall include but not be limited to:

- Details of installed Containment Cells and Design System;
- Management and mitigation measures of environmental contamination;
- Details of monitoring requirements and frequencies;
- Groundwater monitoring;
- Risk assessment;
- No impact/interference with infrastructure services.

Condition reason: To comply with legislation

108. Bush Fire Certification

Prior to the issue of a subdivision certificate, a certificate by a person who is recognised by the NSW Rural Fire Service as a qualified consultant in bush fire risk assessment shall be submitted to Council and/or the accredited certifier stating that the development conforms to the relevant specifications and requirements as specified in the relevant condition from the NSW Rural Fire Service forming part of this consent.

Condition Reason: To comply with legislation

109. Residential Inter-Allotment Drainage

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

Condition Reason: To comply with engineering requirements

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 the appointed Principal Certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for practical completion.

110. Compliance Certificates

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

- Service Authority Clearance - prior to placement of final seal/vehicle crossing construction.
- Work as Executed Plans.
- Pavement materials compliance certificates, including AC and rubberised seals where provided.
- Drainage pipes, headwalls, GPT, etc.
- Geotechnical Testing and Reporting Requirements.
- Lodgement of Bonds/Letters of Undertaking.
- Letter addressing all Conditions of the Development Consent.
- Structural engineer's certification for all structural components of the development.
- Operation & Maintenance Manuals and Maintenance Schedules for water quality devices where applicable.
- Hydraulic engineer's Compliance certificates for drainage works, bio-retention basin/s including media materials.
- Sandstone used as a part of the subdivision works.

All the related plans, documents, reports, forms or other evidence along with electronic copies the above documents in PDF format shall be submitted to Council for its records.

Condition Reason: To comply with legislation

111. Linen Plan Registration

Prior to Council or the appointed Principal Certifier issuing a Subdivision Certificate, the plan of subdivision approved under development application number 2314/2023/DA-SW shall be registered with Land and Property Information NSW.

Condition Reason: To comply with legislation

112. Road Safety Audit – Post Construction

Prior to the appointed Principal Certifier issuing a practical completion certificate, a detailed road safety audit (RSA) is to be undertaken for the design of the proposed roadworks and traffic facilities by an independent road safety auditor.

The objective of the audit is to identify potential risks to the users of roads and pedestrian facilities and to ensure compliance with the approved plans and that the measures to eliminate or reduce identified risks as suggested in the report have been implemented prior to the dedication of the roads to Council. A copy of the audit is to be submitted to Council for its records.

Condition Reason: To comply with engineering requirements

113. Structural Engineering Certificate

Prior to the appointed Principal Certifier issuing a practical completion certificate, the submission of a certificate from a practising structural engineer certifying that the works have been completed in compliance with the approved structural drawings, the relevant Standards Association of Australia Codes and is structurally adequate.

Condition Reason: To comply with legislation

114. Completion of Landscaping Works

Documentation must be submitted to Council and/or the Appointed Principal Certifier that all landscaping works have been completed in accordance with the approved plans.

Condition Reason: To ensure the approved landscaping works have been completed in accordance with the approved landscaping plan(s)

115. 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.

Condition Reason: To comply with engineering requirements

116. Sandstone Specifications

Prior to the appointed Principal Certifier awarding practical completion of works, a compliance certificate issued by the sandstone supplier shall be submitted to Council stating that all the sandstones supplied to the site comply with the following Council's requirements.

- a. Hard and durable (having a minimum design life of 50 years).
- b. Have a wet crushing strength of at least 25 MPa, a minimum point load strength index (Is50) of 1 MPa and wet/dry strength ratio of no less than 45%.
- c. Demonstrated durability against saline environment when tested as per test method AS 4456.10.
- d. Shall be angular with not more than 25% of the rock having a length more than twice the breadth/ thickness.
- e. Shall have a minimum relative density of 2.2.
- f. Free from seams, pockets, foreign matter and imperfections.
- g. Generally sound, clean and of uniform colour and texture.

Condition Reason: To comply with Council's requirements

117. Council Fees and Charges

Prior to the appointed Principal Certifier issuing a 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.

Condition reason: To ensure damage to public assets during construction is identified and rectified.

118. Compliance Certificate – Public Area

All the works on 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 issues a practical completion certificate.

Condition Reason: To ensure that all works associated with the development are completed to Council's satisfaction

119. Site Audit Statement for Land Being Dedicated to Council

Prior to the principal certifying authority awarding a practical completion certificate, the applicant shall provide a Site Audit Statement in respect of the land to be dedicated to Council.

The Site Audit Statement must outline the conclusions of a site audit and must contain an accompanying Site Audit Report that summarises the information reviewed by the auditor and provides the basis for the conclusions contained in the Site Audit Statement. The Site Auditor shall be accredited under Section 49 of the Contaminated Land Management Act 1997.

Council will not accept dedication of the land unless the Site Audit Statement demonstrates compliance with the Claymore Renewal Project Planning Agreement.

Condition Reason: To comply with Council's requirements

120. Replacement Street Trees

Prior to Council or the Appointed Principal Certifier issuing a prior to practical completion certificate, evidence shall be submitted to the satisfaction of the principal certifying authority that the street tree/s have been replaced in an appropriate location so as not impede sightlines or services and utilities within the road reserve.

All landscaping works are to meet industry best practice and the following relevant Australian Standards:

- AS 4419 Soils for Landscaping and Garden Use;
- AS 4454 Compost, Soil Conditions and Mulches; and
- AS 4373 Pruning of Amenity Trees.

Written confirmation from a qualified landscape professional is to be provided to the principal certifying authority confirming compliance with this condition.

Condition Reason: To ensure the approved landscaping works have been completed

121. Tree Compliance and Certification Report

Prior to Council or the appointed principal certifier issuing a prior to practical completion Certificate, the applicant must:

- a. Engage a suitably qualified, minimum AQF5 accredited Arborist to prepare a Tree Compliance and Certification Report to be submitted to Councils Executive Manager Urban Release and Engagement for in writing approval. The report is to provide an audit of the retained trees to demonstrate compliance with the approved plans and applicable conditions.

Condition Reason: To comply with the approved landscaping works

122. Site Audit - Post

Prior to the issue of practical completion for the development, a site audit report shall be prepared in accordance with the requirements of the NSW Environmental Protection Authority (EPA) Guidelines for Consultants reporting on Contaminated Site (published 2011). The report shall be prepared by a Site Auditor accredited under the Contaminated Land Management Act, 1997, and shall state in an end statement that the fill material is suitable for the proposed use of the land.

Condition reason: To comply with legislation

Advice 1. Environmental Planning and Assessment Act 1979 Requirements

The Environmental Planning and Assessment Act 1979 requires you to:

- a. Obtain a construction certificate prior to the commencement of any works. Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 4645 4608.
- b. Nominate a Principal Certifier and notify Council of that appointment prior to the commencement of any works.
- c. Give Council at least two days notice prior to the commencement of any works.
- d. Have mandatory inspections of nominated stages of the construction inspected.
- e. Obtain an occupation certificate before occupying any building or commencing the use of the land.

Advice 2. 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 3. Inspections – Civil Works

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

- a. EROSION AND SEDIMENT CONTROL –
 - i. Direction/confirmation of required measures.
 - ii. After installation and prior to commencement of earthworks.
 - iii. As necessary until completion of work.
- b. STORMWATER PIPES – Laid, jointed and prior to backfill.
- c. 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 certifier releasing the Occupation Certificate.

Advice 5. Adjustment to Public Utilities

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

Advice 6. Principal Certifier – Subdivision

Council is the principal certifier for the construction of the proposed subdivision and issue of the subdivision certificate and Council shall carry out all inspections required by the development consent. Work must not proceed past any inspection point until Council has approved the work inspected.

Advice 7. Subdivision Certificate Application and Plan Copies

As part of a subdivision certificate application, the following documents shall be submitted for Council's assessment through the NSW Planning Portal:

- A cover letter that details how each condition relevant to issue of a subdivision certificate has been addressed
- A copy of each required service authority certificate
- A draft plan administration sheet (including subdivision certificate)
- A draft deposited plan/ strata plan (if required) drawing
- A Section 88B instrument (where required), and
- A letter from the registered owner providing owners consent for subdivision application.

NSW Planning Portal <https://www.planningportal.nsw.gov.au/>

Upon Council's direction, the applicant must supply three final hard copy documents for affixing of signatures and stamps.

Note: the administration sheet is required to include a schedule of lots and addresses in accordance with Section 60(c) of the Surveying and Spatial Information Regulation 2017.

Advice 8. 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 9. 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 10. 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.

END OF CONDITIONS



**Record of Kick-Off Briefing
Sydney Western City Planning Panel**

PANEL REFERENCE, DA NUMBER & ADDRESS	PPSSWC-353 – Campbelltown – 2413/2023/DA-SW - 12 Fullwood Place, Claymore
APPLICANT / OWNER	Applicant: FACS Owner: New South Wales Land and Housing Corporation
APPLICATION TYPE	Subdivision creating 198 Torrens title allotments being 192 residential lots (88 in Stage 9 and 104 in Stage 10), one residue lot for Claymore Community Centre, one lot being for Fullwood Reserve (part), one drainage reserve, one lot for public road and one residue lot adjacent to Glenroy Drive and including associated site, civil and street tree landscape works including the removal of 321 trees.
REGIONALLY SIGNIFICANT CRITERIA	CIV > \$5M - Crown Development
CIV	\$34,240,925 (excluding GST)
BRIEFING DATE	4 September 2023

ATTENDEES

APPLICANT	Gulliver Coote, Luis Valarezo, Ziwar Sattouf, Niall McAteer, Matthre Theris
PANEL	Justin Doyle (Chair), David Kitto, George Bricevic, Karen Hunt
COUNCIL OFFICER	Alexandra Long, Kristy Griffiths
CASE MANAGER	Kate McKinnon
PLANNING PANELS SECRETARIAT	Tim Mahoney

DA LODGED & DAYS SINCE LODGEMENT: 3 August 2023 (32 days)

TENTATIVE PANEL BRIEFING DATE: November 2023

TENTATIVE PANEL DETERMINATION DATE: 3rd week March 2024

Chair reviewed attendance and introduced Kick Off Briefing purpose and process.

Applicant

- The applicant provided a presentation with a description of the proposed development and site context.
- The applicant indicated that their submitted planning report supports the consistency with the concept approval.
- The development is to be staged, including Stage 9 (88 lots) and 10 (104 lots) for a total of 192 residential lots.
- The applicant advised that social housing is not being reduced as a result of this application. 30% of the new dwellings will be committed to social housing with the remaining 70% available for the general market.
- A pre-lodgement meeting was held with Council on 29 November 2022.
- Documents have been submitted in response to Council's request for information from 30 August 2023.
- There is significant drainage and engineering to be constructed as part of stage 9 and 10, which includes a retention basin.
- An acoustic report and bushfire report were submitted in support of the application.
- The traffic assessment is considered to be generally consistent with the Concept Plan Approval.
- There are currently no major concerns regarding site contamination.
- There are inconsistencies in Council's biodiversity mapping. A letter from Cumberland Ecology has been provided that advises that notwithstanding any inconsistencies, areas of vegetation to be removed are minor and would not require a Biodiversity Assessment Report.
- The impacts are consistent with the Ecological Assessment which was approved under the Part 3A Concept Plan.
- The Geotech and Contamination reports outlined the development could proceed without any significant impacts.
- Bi-monthly communication has been carried out with stakeholders.

Council

- Council has sent internal and external referrals.
- The application will be on public exhibition for 31 days as per requirements.
- Ecology response has been received although not assessed and reviewed.
- Council queried what the process is for getting the biodiversity mapping to be updated to alleviate inconsistencies.

Panel

- The panel queried the timing and how the civil engineering and drainage works will be constructed as a part of this development.
- The panel queried the locations of street trees and their proximity to future driveways and gutters. The panel noted that driveways need to be designed to ensure the street trees can be accommodated. The panel stated that the plan shown in the presentation did not clearly show if this could be achieved or not.
- The panel queried what would happen to hollow bearing trees proposed for removal.

- The panel set down the 3rd week in March 2024 for the anticipated determination date.
- The Panel requested that the applicant provide a response to the biodiversity issues and provide explanation as to why a BDAR is not required, within 28 days of the date of the Kick Off Briefing. A further briefing is to be scheduled with the Panel in November to receive update on the findings and outcomes of the BDAR investigation.
- The panel targets determination of RSDAs within 250 days. The chair recommends that the applicant expedite their efforts to facilitate amendments or additional information required by Council to allow them to complete their assessment. The panel may determine development in the form it is presented to the Panel at or prior to 250 days.

Note:

Council is yet to undertake its full application assessment, so this record is not a final list of the issues they will need to consider in order to draft their recommendation.

The application is yet to be considered by the Sydney Western City Planning Panel and therefore future comment will not be limited to the detail contained within.

Attachment 3



NSW RURAL FIRE SERVICE

Campbelltown City Council
PO Box 57
CAMPBELLTOWN NSW 2560

Your reference: (CNR-59089) 2413/2023/DA-SW
Our reference: DA20230822003676-Original-1

ATTENTION: CNR Team

Date: Monday 9 October 2023

Dear Sir/Madam,

Integrated Development Application

s100B - Subdivision - Subdivision

12 Fullwood Place Claymore NSW 2559, 31//DP258940, 3202//DP807572, 29//DP258940, 30//DP258940, 32//DP258940, 33//DP258939, 1999//DP1203428, 2000//DP1203428

I refer to your correspondence dated 29/08/2023 seeking general terms of approval for the above Integrated Development Application.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted. General Terms of Approval, under Division 4.8 of the *Environmental Planning and Assessment Act 1979*, and a Bush Fire Safety Authority, under section 100B of the *Rural Fires Act 1997*, are now issued subject to the following conditions:

Asset Protection Zones

The intent of measure is to provide sufficient space and maintain reduced fuel loads to ensure radiant heat levels at the buildings are below critical limits and prevent direct flame contact.

1. At the issue of a subdivision certificate and in perpetuity, the entire site must be managed as an inner protection area in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*. When establishing and maintaining an inner protection area, the following requirements apply:

- tree canopy cover should be less than 15% at maturity;
- trees at maturity should not touch or overhang the building;
- lower limbs should be removed up to a height of 2 m above the ground;
- tree canopies should be separated by 2 to 5 m;
- preference should be given to smooth-barked and evergreen trees;
- large discontinuities or gaps in the shrubs layer should be provided to slow down or break the progress of fire towards buildings;
- shrubs should not be located under trees;
- shrubs should not form more than 10% ground cover;
- clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation;

1

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au

- grass should be kept mown (as a guide, grass should be kept to no more than 100mm in height); and
- leaves and vegetation debris should be removed regularly.

Access – Public Roads

The intent of measure is to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area.

2. Access roads must comply with the following general requirements of Table 5.3b of *Planning for Bush Fire Protection 2019* and the following:

- subdivisions of three or more allotments have more than one access in and out of the development;
- traffic management devices are constructed to not prohibit access by emergency services vehicles;
- maximum grades for sealed roads do not exceed 15 degrees and an average grade of not more than 10 degrees or other gradient specified by road design standards, whichever is the lesser gradient;
- all roads are through roads;
- dead end roads are not recommended, but if unavoidable, are not more than 200 metres in length, incorporate a minimum 12 metres outer radius turning circle, and are clearly sign posted as a dead end;
- where kerb and guttering is provided on perimeter roads, roll top kerbing should be used to the hazard side of the road;
where access/egress can only be achieved through forest, woodland and heath vegetation, secondary access must be provided to an alternate point on the existing public road system;
- one way only public access roads are no less than 3.5 metres wide and have designated parking bays with hydrants located outside of these areas to ensure accessibility to reticulated water for fire suppression;
- the capacity of perimeter and non-perimeter road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes); bridges/causeways are to clearly indicate load rating;
- hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression;
- hydrants are provided in accordance with the relevant clauses of AS 2419.1:2005 - *Fire hydrant installations System design, installation and commissioning*; and
- there is suitable access for a Category 1 fire appliance to within 4m of the static water supply where no reticulated supply is available.

3. Perimeter roads must comply with the general requirements of Table 5.3b of *Planning for Bush Fire Protection 2019* and the following:

- are two-way sealed roads;
- minimum 8m carriageway width kerb to kerb;
- parking is provided outside of the carriageway width;
- hydrants are located clear of parking areas;
- are through roads, and these are linked to the internal road system at an interval of no greater than 500m;
- curves of roads have a minimum inner radius of 6m;
- the maximum grade road is 15 degrees and average grade of not more than 10 degrees;
- the road crossfall does not exceed 3 degrees; and
- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.

4. Non-perimeter roads must comply with the general requirements of Table 5.3b of *Planning for Bush Fire Protection 2019* and the following:

- minimum 5.5m carriageway width kerb to kerb;
- parking is provided outside of the carriageway width;

- hydrants are located clear of parking areas;
- roads are through roads, and these are linked to the internal road system at an interval of no greater than 500m;
- curves of roads have a minimum inner radius of 6m;
- the road crossfall does not exceed 3 degrees; and
- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.

Water and Utility Services

The intent of measure is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.

5. The provision of water, electricity and gas must comply with the following in accordance with Table 5.3c of *Planning for Bush Fire Protection 2019*:

- reticulated water is to be provided to the development where available;
- fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419.1:2021;
- hydrants are not located within any road carriageway;
- reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads;
- fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1:2021;
- all above-ground water service pipes are metal, including and up to any taps;
- where practicable, electrical transmission lines are underground;
- where overhead, electrical transmission lines are proposed as follows:
 - lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and
 - no part of a tree is closer to a power line than the distance set out in accordance with the specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines.
- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used;
- all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side;
- connections to and from gas cylinders are metal; polymer-sheathed flexible gas supply lines are not used; and
- above-ground gas service pipes are metal, including and up to any outlets.

General Advice – Consent Authority to Note

- Future development applications lodged on lots created within this subdivision may be subject to further assessment under the *Environmental Planning & Assessment Act 1979*.

For any queries regarding this correspondence, please contact Marc Ellwood on 1300 NSW RFS.

Yours sincerely,

Nika Fomin

**Manager Planning & Environment Services
Built & Natural Environment**



NSW RURAL FIRE SERVICE

BUSH FIRE SAFETY AUTHORITY

Subdivision – Subdivision

12 Fullwood Place Claymore NSW 2559, 31//DP258940, 3202//DP807572, 29//DP258940,
30//DP258940, 32//DP258940, 33//DP258939, 1999//DP1203428, 2000//DP1203428

RFS Reference: DA20230822003676-Original-1

Your Reference: (CNR-59089) 2413/2023/DA-SW

This Bush Fire Safety Authority is issued on behalf of the Commissioner of the NSW Rural Fire Service under s100b of the Rural Fires Act (1997) subject to the attached General Terms of Approval.

This authority confirms that, subject to the General Terms of Approval being met, the proposed development will meet the NSW Rural Fire Service requirements for Bush Fire Safety under *s100b of the Rural Fires Act 1997*.

Nika Fomin

Manager Planning & Environment Services
Built & Natural Environment

Monday 9 October 2023